

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 689

H.P. 506

House of Representatives, February 14, 2003

An Act To Require Periodic In-person Meetings Between a Probationer and a Probation Officer

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative LAVERRIERE-BOUCHER of Biddeford.
Cosponsored by Representatives: MILLS of Farmington, THOMAS of Orono.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 34-A MRSA §5404, sub-§3,** as amended by PL 1995, c.
502, Pt. F, §§38 to 40, is further amended to read:

6 **3. Supervision.** Supervise persons as follows:

8 A. Supervise the probation, parole or intensive supervision
9 of each person placed under the officer's supervision;

10 B. Supervise persons released from a correctional facility
11 under section 3035 or 3036 and supervise persons transferred
12 to supervised community confinement under section 3036-A if
13 the commissioner directs;

14 C. Keep informed of the conduct and condition of each
15 person placed under the officer's supervision and use
16 suitable methods to encourage the person to improve that
17 person's conduct and condition; and

18 E. Supervise the transition from institutional confinement
19 for persons residing in a prerelease center if the
20 commissioner directs.
21

22 In addition to the requirements under this subsection and
23 notwithstanding any department rule, a probation officer shall
24 meet in person with a probationer at least once every 3 months.
25 At each such meeting the probation officer and the probationer
26 shall sign a report verifying that the meeting occurred, and the
27 probation officer shall provide the probationer with a copy of
28 the report. The probation officer and the probationer shall each
29 mail or deliver to the court a copy of the report as proof that
30 each meeting occurred. If the probation officer fails to produce
31 the report, the department shall reprimand that probation
32 officer. The department is responsible for ensuring that the
33 quarterly in-person meetings with probationers occur and that
34 documentation of those meetings is filed in a timely manner with
35 the court.
36
37
38

39 **SUMMARY**

40
41
42 This bill requires a probation officer to meet at least once
43 every 3 months in person with a probationer. At these meetings,
44 both the probation officer and the probationer shall sign a
45 report verifying the meeting occurred, and both shall forward a
46 copy of the report to the court. The Department of Corrections
47 shall reprimand a probation officer who fails to comply with
48 these requirements.