

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1022

S.P. 301

In Senate, February 28, 2019

**An Act Regarding the Crime of Tampering with a Witness,
Informant, Juror or Victim**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CARPENTER of Aroostook.

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

2 **Sec. 1. 17-A MRSA §454, sub-§1, ¶¶B and C**, as amended by PL 2001, c. 383,
3 §63 and affected by §156, are further amended to read:

4 B. Uses force, violence or intimidation, or promises, offers or gives pecuniary
5 benefit with the intent to induce a witness or informant:

- 6 (1) To withhold testimony, information or evidence;
7 (2) To refrain from attending a criminal proceeding or criminal investigation; or
8 (3) To refrain from attending any other proceeding or investigation to which the
9 witness or informant has been summoned by legal process.

10 Violation of this paragraph is a Class C crime; ~~or~~

11 C. Solicits, accepts or agrees to accept pecuniary benefit for committing an act
12 specified in paragraph A, subparagraph (1), or in paragraph B, subparagraph (1), (2)
13 or (3). Violation of this paragraph is a Class C crime; ~~or~~

14 **Sec. 2. 17-A MRSA §454, sub-§1, ¶D** is enacted to read:

15 D. Commits an unlawful act in retaliation against a witness or informant for acting in
16 the capacity of a witness or informant. Violation of this paragraph is a Class C crime.

17 **Sec. 3. 17-A MRSA §454, sub-§1-A, ¶¶A and B**, as enacted by PL 2001, c.
18 383, §63 and affected by §156, are amended to read:

19 A. Contacts by any means a person who is a juror or any other person that the actor
20 believes is in a position to influence a juror and the actor does so with the intention of
21 influencing the juror in the performance of the juror's duty. Violation of this
22 paragraph is a Class C crime; ~~or~~

23 B. Violates paragraph A and the proceeding the juror is involved in is a criminal
24 proceeding for murder or a Class A crime. Violation of this paragraph is a Class B
25 crime; ~~or~~

26 **Sec. 4. 17-A MRSA §454, sub-§1-A, ¶C** is enacted to read:

27 C. Commits an unlawful act in retaliation against a juror for acting in the capacity of
28 a juror. Violation of this paragraph is a Class B crime.

29 **Sec. 5. 17-A MRSA §454, sub-§1-B, ¶¶B and C**, as enacted by PL 2001, c.
30 383, §63 and affected by §156, are amended to read:

31 B. Uses force, violence or intimidation, or promises, offers or gives pecuniary
32 benefit with the intent to induce a victim:

- 33 (1) To withhold testimony, information or evidence;
34 (2) To refrain from attending a criminal proceeding or criminal investigation; or
35 (3) To refrain from attending any other proceeding or investigation to which the
36 victim has been summoned by legal process.

1 Violation of this paragraph is a Class B crime; ~~or~~
2 C. Solicits, accepts or agrees to accept pecuniary benefit for committing an act
3 specified in paragraph A, subparagraph (1), or in paragraph B, subparagraph (1), (2)
4 or (3).

5 Violation of this paragraph is a Class B crime; or

6 **Sec. 6. 17-A MRSA §454, sub-§1-B, ¶D** is enacted to read:

7 D. Commits an unlawful act in retaliation against a victim for acting in the capacity
8 of a victim. Violation of this paragraph is a Class C crime.

9 **SUMMARY**

10 This bill amends the elements of the crime of tampering with a witness, informant,
11 juror or victim by adding the instance of committing an unlawful act in retaliation against
12 a witness, informant, juror or victim for acting in the capacity of a witness, informant,
13 juror or victim.