

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 242

S. P. 96

In Senate, January 18, 1973

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Clifford of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Time when Sentence of Imprisonment Commences.

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

R. S., T. 15, § 1844, additional. Title 15 of the Revised Statutes is amended by adding a new section 1844 to read as follows:

§ 1844. Commencement of sentence

The sentence of imprisonment of any person convicted of an offense shall commence to run from the date on which such person is received at the State Prison, reformatory, correctional center or jail for service of such sentence. In addition, any person shall be given credit toward service of his sentence for any days spent in custody in connection with the offense or acts for which sentence was imposed.

If any such person shall be committed to jail or other place of detention to await transportation to the place at which his sentence is to be served, his sentence shall commence to run from the date on which he is received at such jail or other place of detention.

No sentence shall prescribe any other method of computing the term.

STATEMENT OF FACT

The purpose of this bill is to give any person credit towards service of his sentence for any time spent in custody prior to the imposition of sentence or pending appeal to a higher court especially in cases where the accused cannot raise bail. It is also an attempt to eliminate the distinction that now exists between a defendant who can raise bail and one who is not so fortunate and is required to remain incarcerated.