

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 1065**

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H. P. 872 House of Representatives, March 16, 1977  
Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Laffin of Westbrook.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Prohibit Prison Furloughs for Persons Convicted of Certain Serious Crimes.**

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

Sec. 1. 34 MRSA § 527-A is enacted to read:

§ 527-A. Denial of furlough

Notwithstanding the provisions of section 527, no prisoner or inmate shall be permitted to participate in any activities outside an institution or shall be granted a furlough from the institution where that prisoner or inmate is serving a sentence for any of the following crimes:

1. Criminal homicide. Criminal homicide in the first or 2nd degree;
2. Rape. Rape;
3. Gross sexual misconduct. Gross sexual misconduct as defined in Title 17-A, section 253, subsection 1;
4. Aggravated assault. Aggravated assault;
5. Burglary. Burglary as defined in Title 17-A, section 401, subsection 2, paragraph A; or
6. Robbery. Robbery.

Sec. 2. 34 MRSA § 1009 is enacted to read:

§ 1009. Denial of furlough

Notwithstanding the provisions of sections 1007 and 1008, no prisoner shall be permitted to leave the jail or shall be granted a furlough where that prisoner is serving a sentence for any of the following crimes:

1. Criminal homicide. Criminal homicide in the first or 2nd degree;
2. Rape. Rape;
3. Gross sexual misconduct. Gross sexual misconduct as defined in Title 17-A, section 253, subsection 1;
4. Aggravated assault. Aggravated assault;
5. Burglary. Burglary as defined in Title 17-A, section 401, subsection 2, paragraph A; or
6. Robbery. Robbery.

#### STATEMENT OF FACT

The purpose of this bill is to prevent the granting of furloughs and work releases to inmates in State institutions and county jails who have committed certain serious crimes. The crimes included in this legislation are criminal homicide in the first or 2nd degree, rape, aggravated assault, certain types of gross sexual misconduct and certain types of burglary and robbery.