

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 1036

7 H.P. 796

House of Representatives, March 4, 1983

8 On Motion of Representative Hobbins of Saco, referred to the Committee  
9 on Judiciary. Sent up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Connolly of Portland.  
Cosponsor: Representative Paradis of Augusta.

11  
12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT to Establish Statewide Pretrial  
18 Release Agencies.  
19

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

22 15 MRSA §813 is enacted to read:

23 §813. Pretrial release investigation and services

24 All courts having original jurisdiction over  
25 criminal matters shall provide those pretrial release  
26 investigation and services as necessary to effectuate  
27 the purpose of section 942, subsections 1 and 2 and,  
28 where practical, to assist in the earliest possible  
29 determination of whether a person is a needy person.

30 The Supreme Judicial Court may, by appropriate  
31 rule or order, provide for those pretrial investiga-  
32 tion and release services to effectuate the purpose

1 of section 942, subsections 1 and 2, including, where  
2 practical, the taking of financial statements, and  
3 the method for determining whether a person is a  
4 needy person.

5 STATEMENT OF FACT

6 The purpose of this bill is to mandate a state-  
7 wide pretrial release and service mechanism which  
8 will ensure that all people charged with criminal  
9 offenses will be interviewed before arraignment in  
10 order to determine and verify the information neces-  
11 sary for the courts to make an informed decision in  
12 the setting of bail. This bill will serve the fur-  
13 ther purpose of alleviating the overcrowded condi-  
14 tions of Maine's county jails by providing a mecha-  
15 nism that could recommend pretrial diversion to  
16 appropriate community 3rd-party custodial care facil-  
17 ities and programs.

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