

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 792

6
7 S.P. 303

In Senate, February 28, 1985

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

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Gill of Cumberland.

11 Cosponsored by Representative Stetson of Damariscotta, Senator
Carpenter of Aroostook and Representative MacBride of Presque Isle.

12 STATE OF MAINE
13

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

17 AN ACT to Provide that an Unpermitted Leave
18 from a Court Appearance shall be
19 Classified as an Escape.
20

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

23 17-A MRSA §755, sub-§3, as amended by PL 1981, c.
24 493, §3, is further amended to read:

25 3. As used in this section, "official custody"
26 means arrest, custody in, or on the way to or from a
27 jail, police station, house of correction, or any in-
28 stitution or facility under the control of the De-
29 partment of Corrections, or under contract with the
30 department for the housing of persons sentenced to
31 imprisonment, the custody of any official of the de-
32 partment, the custody of any institution in another
33 jurisdiction pursuant to a sentence imposed under the
34 authority of section 1253, subsection 1-A or any cus-
35 tody pursuant to court order. A person on a parole
36 or probation status is not, for that reason alone, in

1 "official custody" for purposes of this section. "Of-
2 ficial custody" also means custody in or on the way
3 to or from a court for any official proceeding in
4 which the person is not free to leave under any court
5 order or ruling.

6 STATEMENT OF FACT

7 This bill makes it clear that any officially
8 unpermitted leaving from a court appearance is clas-
9 sified as an escape.

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