

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 776

H.P. 578 House of Representatives, March 13, 1987
Reference to the Committee on Judiciary suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative ANTHONY of South Portland.
Cosponsored by Representative THISTLE of Dover-Foxcroft
and Senator GILL of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Promote Sex Offender Treatment for
2 Persons Convicted of Sex Offenses.
3

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

6 Sec. 1. 17-A MRSA §1253, sub-§8 is enacted to
7 read:

8 8. When a person has been convicted of an of-
9 fense contained in chapter 11 and that person fails
10 without good cause to participate in a program of
11 counseling for sex offenders which is available at
12 the institution where he has been committed, that
13 person shall not be entitled to have the portion of
14 time deducted from his sentence pursuant to subsec-
15 tions 3 and 3-B.

1 Sec. 2. 34 MRSA §3035-A is enacted to read:

2 §3035-A. Sex offender treatment

3 The commissioner shall make a program of counsel-
4 ing available to committed sex offenders to assist
5 them in learning to control their impulses to
6 sexually offend after their release from incarceration.
7

8 STATEMENT OF FACT

9 Sex offender treatment is currently being offered
10 to some degree at Maine's correctional institutions.
11 Treatment programs are insufficient to render ser-
12 vices to all inmates who are sentenced because of sex
13 offenses. Many inmates are unwilling to undergo
14 treatment in the programs that do exist.

15 As a consequence, the majority of persons who are
16 sentenced for sex offenses are returned to society
17 without having undergone any rehabilitation for their
18 propensities toward violating other persons sexually.
19 In many cases, these individuals commit further sexu-
20 al offenses, sometimes within days of their release
21 from prison.

22 This bill requires the Department of Corrections
23 to offer sexual offender counseling programs to all
24 persons convicted of sex offenses. It further pro-
25 vides that incarcerated persons who do not partici-
26 pate in these programs without good cause would forfeit
27 earned good time. "Good cause" would be deter-
28 mined by the supervisory officer of the institution
29 where the individual is incarcerated.

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