

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 808

H.P. 597 House of Representatives, March 17, 1987
Reference to the Committee on Judiciary suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative WARREN of Scarborough.

STATE OF MAINE

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

AN ACT Concerning Probation Revocation
Proceedings in Maine.

1
2
3

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

6 17-A MRSA §1206, sub-§4, as repealed and replaced
7 by PL 1977, c. 510, §73, is amended to read:

8 4. If a hearing is held, the person on probation
9 shall be afforded the opportunity to confront and
10 cross-examine witnesses against him, to present evi-
11 dence on his own behalf and to be represented by
12 counsel. The Maine Rules of Criminal Procedure and
13 all evidentiary rules followed in criminal proceed-
14 ings apply to any hearing under this section. If he
15 cannot afford counsel, the court shall appoint coun-
16 sel for him.

1
2
3
4
5
6
7
8

STATEMENT OF FACT

The purpose of this bill is to extend to any defendant in a revocation of probation hearing all the rights and benefits of the Maine Rules of Criminal Procedure and evidentiary rules which normally attach to a criminal proceeding. This bill is a response to State v. Caron, a 1975 Maine Law Court decision.

1048031087