

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. 1319

H.P. 972 House of Representatives, April 22, 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 PARADIS of Augusta.

STATE OF MAINE

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

1 AN ACT to Require that Presentencing Reports
2 be Made on All Persons Convicted of
3 Sex Offenses.
4

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

7 17-A MRSA §1252, sub-§1, ¶A is enacted to read:

8 A. When a person is convicted after trial, plea
9 or negotiated plea of a sex offense described in
10 chapter 11, the court shall direct the Division
11 of Probation and Parole to make a presentence in-
12 vestigation and report to the court before the
13 imposition of sentence or the granting of proba-
14 tion.

1 STATEMENT OF FACT

2 Under current practice, Rule 32(C)(1) of the
3 Maine Rules of Criminal Procedure, the court has dis-
4 cretion to direct that a presentence investigation be
5 completed by the Division of Probation and Parole
6 prior to imposing sentence, to advise the judge of
7 the convicted person's education level, job history,
8 family ties, criminal history and general background.
9 In most instances this is requested of persons con-
10 victed of or pleading to a serious offense. In some
11 negotiated plea situations this step is bypassed.

12 This bill requires that a presentence report be
13 completed in every instance of a person convicted of
14 sex offenses, prior to the imposition of sentence or
15 the granting of probation.

16

1762040787