

# MAINE STATE LEGISLATURE

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1 §1707. Record to designated facility

2 Whenever a person is convicted of a crime and  
3 sentenced to a term of imprisonment which is to be  
4 served in the custody of the Department of  
5 Corrections, the clerk of the court shall make and  
6 forward to the head of the correctional facility  
7 designated as the initial place of confinement by the  
8 Commissioner of Corrections pursuant to Title 17-A,  
9 section 1258, a record containing copies of the docket  
10 entries and charging instrument, together with a  
11 statement of any fact or facts which the presiding  
12 justice may deem important or necessary for a full  
13 comprehension of the case. This record shall be  
14 delivered to the head of the designated correctional  
15 facility within 10 days of the date the prisoner is  
16 received at that facility. At the time a person, so  
17 sentenced, is delivered to the designated correctional  
18 facility, a copy of the judgment and commitment shall  
19 be given to the receiving officer at that facility.

20 STATEMENT OF FACT

21 The present Maine Revised Statutes, Title 15,  
22 section 1707, is modified in 2 critical regards in  
23 this bill. First, because of statutory changes in the  
24 Maine Criminal Code, sentencing courts no longer  
25 specify the place of imprisonment unless that place is  
26 to be a county jail; instead the court commits the  
27 person to the Department of Corrections and the  
28 initial place of confinement is selected by the  
29 Commissioner of Corrections. The Maine State Prison  
30 is but one of a growing number of these correctional  
31 facilities. The bill reflects this fact. Second, the  
32 facility receiving the sentenced person needs to  
33 receive, in addition to both the information supplied  
34 to it pursuant to Title 17-A, section 1253, subsection  
35 2, and any special information provided by the  
36 sentencing court, 3 specific court documents: namely,  
37 docket entries, the charging instrument and the  
38 judgment and commitment, the latter accompanied by the  
39 conditions of probation, if any. The documents  
40 specified in this section will provide the

1 correctional facility with the information it will  
2 normally need from the court. The facility may  
3 specifically request any other documents or  
4 information from the court.

5 Due to the continually increasing number of cases  
6 being handled by the courts and the criminal justice  
7 agencies, there is urgent and immediate need for this  
8 legislation.

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