

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)



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1556

S.P. 553

In Senate, May 9, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

Cosponsored by Speaker MARTIN of Eagle Lake and Representative DUFFY of Bangor.

STATE OF MAINE

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

An Act to Provide Additional Protection in Cases of Domestic Abuse.

(After Deadline)



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

3 Sec. 1. 15 MRSA §1026, sub-§6 is enacted to read:

5 6. Release in domestic violence cases. If a bail
7 commissioner determines that the victim and the defendant are
9 family or household members as defined by Title 19, section 762,
11 subsection 4, and that release will create a threat of bodily
13 harm to the victim or another family or household member, the
15 bail commissioner may order the defendant held without bail until
17 the courthouse is open for a hearing before a District Court or
19 Superior Court judge.

21 Sec. 2. 17-A MRSA §1252, sub-§7 is enacted to read:

23 7. When a person is convicted of a crime and the victim and
25 the defendant are family or household members as defined by Title
27 19, section 762, subsection 4, the judge shall sentence the
29 defendant to a period of probation with a condition of probation
31 that the defendant shall successfully complete a 26-week
33 counseling program for abusers.

35

27 STATEMENT OF FACT

29 Section 1 of this bill protects the victims of domestic
31 abuse by allowing bail commissioners to hold defendants without
33 bail until the next available court day if the bail commissioner
35 believes that release will create a threat of bodily harm to the
victim.

37 Section 2 of the bill requires judges to sentence persons
39 who are convicted of crimes against family or household members
41 to attend a counseling program for abusers.