

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1379

H.P. 970

House of Representatives, April 19, 1995

**An Act to Ensure a Minimum Sentence for a Sex Crime Committed
against a Minor and to Permit Attendance of a Minor's Victim and
Witness Advocate at a Grand Jury Proceeding.**

Received by the Clerk of the House on April 14, 1995. Referred to the Committee on Criminal Justice and ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative CAMERON of Rumford.
Cosponsored by Representatives: BAILEY of Township 27, BARTH of Bethel, CHICK of Lebanon, CROSS of Dover-Foxcroft, DiPIETRO of South Portland, FARNUM of South Berwick, GUERRETTE of Pittston, KEANE of Old Town, LIBBY of Kennebunk, LOVETT of Scarborough, MARSHALL of Eliot, MURPHY of Berwick, PINKHAM of Lamoine, POULIOT of Lewiston, REED of Falmouth, REED of Dexter, SAVAGE of Union, VIGUE of Winslow, WINSOR of Norway, Senator: HARRIMAN of Cumberland.

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

4 **Sec. 1. 17-A MRSA §1252, sub-§5-B** is enacted to read:

6 5-B. Notwithstanding any other provision of this code, for
8 a person convicted of violating Title 17, section 2922 or section
253, 254, 255 or 556, when the victim is a minor, the minimum
sentence of imprisonment is 2 years, which may not be suspended.

10 **Sec. 2. 30-A MRSA §461** is enacted to read:

12 **§461. Attendance at grand jury proceedings**

14 Notwithstanding the Maine Rules of Criminal Procedure, Rule
16 6(d), a victim and witness advocate authorized under section 460
18 may accompany a minor who is testifying before a grand jury as a
victim of an alleged violation of Title 17, section 2922 or Title
17-A, section 253, 254, 255 or 556.

20 **STATEMENT OF FACT**

22 This bill ensures that a person, including a first-time
24 offender, convicted of a certain sex crime against a minor
26 receives a minimum sentence of 2 years imprisonment, which may
28 not be suspended. The bill also permits a victim and witness
advocate to accompany a minor who is testifying before a grand
jury as a victim of a certain sex crime.