

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)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

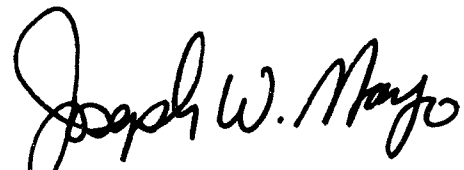
No. 398

H.P. 290

House of Representatives, January 14, 1999

An Act to Require the Revocation of Probation for a Person Convicted of Domestic Violence if the Person Fails to Attend a Certified Batterers' Intervention Program.

Reference to the Committee on Criminal Justice suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative STANLEY of Medway.
Cosponsored by Senator CATHCART of Penobscot and
Representatives: AHEARNE of Madawaska, CLARK of Millinocket, GOODWIN of
Pembroke, HATCH of Skowhegan, RINES of Wiscasset.

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

2

4 **Sec. 1. 17-A MRSA §1205, sub-§1**, as amended by PL 1995, c.
502, Pt. F, §13, is further amended to read:

6 1. If a probation officer has probable cause to believe
7 that a person on probation has violated a condition of that
8 person's probation, that officer may arrest the person or deliver
9 a summons to that person ordering that person to appear for a
10 court hearing on the alleged violation. If a probation officer
11 has probable cause to believe that a person on probation has
12 violated a condition of the probation requiring the person to
13 attend a certified batterers' intervention program, as described
14 in Title 19-A, section 4014, the probation officer shall arrest
15 the person or request a law enforcement officer to arrest the
16 person and shall commence probation revocation proceedings. If
17 the probation officer can not, with due diligence, locate the
18 person in order to arrest the person or serve a summons on that
19 person, that officer shall file a written notice of this fact
20 with the court that placed the person on probation.

22

SUMMARY

24

26 This bill requires probation officers to arrest and bring a
27 motion to revoke the probation of a person who violates a
28 condition of the person's probation requiring attendance in a
certified batterers' intervention program.