

# 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. 1671

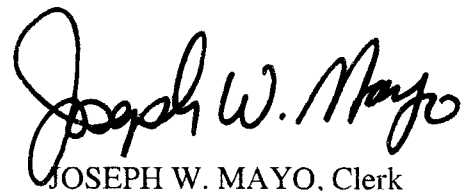
H.P. 1160

House of Representatives, March 4, 1999

**An Act to Broaden Victim Notification of Release of Defendant Placed  
in Institutional Confinement Following a Verdict of Not Criminally  
Responsible by Reason of Insanity.**

---

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

  
JOSEPH W. MAYO, Clerk

Presented by Representative POVICH of Ellsworth.  
Cosponsored by Representatives: McALEVEY of Waterboro, PEAVEY of Woolwich,  
TOBIN of Dexter, Senator: DAVIS of Piscataquis.

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

2  
3       **Sec. 1. 17-A MRSA §1175, first ¶**, as enacted by PL 1995, c.  
4 680, §5, is amended to read:

6       Upon complying with subsection 1, a victim of a crime of  
7 murder or of a Class A, Class B or Class C crime for which the  
8 defendant is committed to the Department of Corrections or to a  
9 county jail, or ~~a victim of a crime of gross sexual assault who~~  
10 ~~had not in fact attained 16 years of age at the time of the crime~~  
11 ~~for which the defendant~~ is placed in institutional confinement  
12 under Title 15, section 103 after having been found not  
13 criminally responsible by reason of mental disease or defect and  
14 ~~is placed in institutional confinement under Title 15, section~~  
15 ~~103,~~ must receive notice of the defendant's unconditional release  
16 and discharge from institutional confinement upon the expiration  
17 of the sentence or upon discharge under Title 15, section 104-A  
18 and must receive notice of any conditional release of the  
19 defendant from institutional confinement, including probation,  
20 parole, furlough, work release, intensive supervision, supervised  
21 community confinement, home release monitoring or similar program  
22 or release under Title 15, section 104-A.

24  
26  
28                                   **SUMMARY**

29       This bill broadens victim notification of a defendant's  
30 release, conditional or unconditional, from institutional  
31 confinement under the Maine Revised Statutes, Title 15, section  
32 104-A following involuntary commitment under Title 15, section  
33 103 as a consequence of the defendant having been found not  
34 criminally responsible by reason of mental disease or defect.  
35 Currently, victim notification of a defendant's release from such  
36 confinement applies only to a gross sexual assault victim under  
37 16 years of age. This bill includes a murder victim as well as a  
38 victim of any Class A, Class B or Class C crime. The bill is the  
recommendation of the Department of the Attorney General.