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)



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 307

H.P. 258

House of Representatives, January 30, 2001

Millient M. Macfailand

An Act to Clarify Arrest Powers under Certain Bench Warrants.

Reference to the Committee on Judiciary suggested and ordered printed.

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BOUFFARD of Lewiston. Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: BROOKS of Winterport, MAILHOT of Lewiston, McDONOUGH of Portland, SCHNEIDER of Durham, TUTTLE of Sanford.

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

Sec. 1. 15 MRSA §602, as enacted by PL 1991, c. 402, §2, is amended to read:

§602. Responsibility to execute arrest warrants

It is the responsibility of all police and sheriff departments and their officers to use all reasonable efforts to execute any outstanding arrest warrants of which they are aware. It is essential to the integrity of the judicial system that the execution of arrest warrants as orders of the court receive a high priority from all police and sheriff departments and their officers. For an outstanding bench warrant issued for reason of an unpaid fine for an underlying conviction of a Class D or Class E offense, the executing police or sheriff department shall verify within 24 hours of the arrest that the fine is still unpaid or the arrestee must be released.

20

2

10

12

14

16

18

SUMMARY

22

24

26

The bill requires police officers to verify within 24 hours of the execution of a bench warrant issued for reason of an unpaid fine for an underlying Class D or Class E offense that the fine is still unpaid or the arrestee must be released.