

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 935

S.P. 270

In Senate, February 20, 2001

**An Act to Enhance Sentences for Individuals Convicted of Sexually  
Abusing Children.**

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Reference to the Committee on Criminal Justice 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 McALEVEY of York.  
Cosponsored by Representative McNEIL of Rockland and  
Senator LEMONT of York, Representatives: BRYANT of Dixfield, GERZOFSKY of  
Brunswick.

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

4 **Sec. 1. 17-A MRSA §1252, sub-§9 is enacted to read:**

6 9. Notwithstanding any other provision of this code, in  
8 using a sentencing alternative involving a term of imprisonment  
for a person convicted of gross sexual assault, the court shall  
impose a sentence of imprisonment of:

10 A. A minimum of 20 years if the victim is less than 7 years  
12 of age at the time of the offense;

14 B. A minimum of 15 years if the victim is 7 or more years  
16 of age but less than 14 years of age at the time of the  
offense; or

18 C. A minimum of 10 years if the victim is 14 or more years  
20 of age but less than 18 years of age at the time of the  
offense.

22 An offense of gross sexual assault in which the victim is less  
24 than 18 years of age at the time of the offense may not be  
charged as a lesser crime but must be charged as a violation of  
26 section 253. The court may not suspend any part of the term of  
imprisonment sentenced for a person convicted of gross sexual  
28 assault against a person who is under 18 years of age at the time  
of the offense.

30 **SUMMARY**

32 This bill specifies that the court shall sentence persons  
34 convicted of gross sexual assault to the following minimum  
36 periods of imprisonment: if the victim is less than 7 years of  
38 age at the time of the offense, a minimum of 20 years; if the  
40 victim is more than 7 years of age but less than 14 years of age  
42 at the time of the offense, a minimum of 15 years; or if the  
44 victim is more than 14 years of age but less than 18 years of age  
46 at the time of the offense, a minimum of 10 years. The bill also  
specifies that an offense of gross sexual assault in which the  
victim is less than 18 years of age at the time of the offense  
may not be charged as a lesser crime but must be charged as a  
violation of the Maine Revised Statutes, Title 17-A, section  
253. The court may not suspend any part of the term of  
imprisonment sentenced for a person convicted of gross sexual  
assault against a person who is under 18 years of age at the time  
of the offense.