

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)



121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 478

H.P. 370

House of Representatives, February 4, 2003

An Act Requiring Lifetime Probation for Dangerous Sexual Offenders

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative O'BRIEN of Augusta.
Cosponsored by President DAGGETT of Kennebec and
Representatives: BLANCHETTE of Bangor, CANAVAN of Waterville, LERMAN of
Augusta, NUTTING of Oakland, O'BRIEN of Lewiston, Senator: DAVIS of Piscataquis.

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

2

4

Sec. 1. 17-A MRSA §1202, sub-§1-A, ¶¶A and B, as enacted by PL 1999, c. 788, §2, are amended to read:

6

8

10

12

14

16

A. The period of probation for a person convicted under chapter 11 or section 854, excluding subsection 1, paragraph A, subparagraph (1), may be extended by up to 4 years for a Class A crime, by up to 2 years for a Class B or Class C crime and by up to one year for a Class D or Class E crime if the court finds that the additional time is needed to provide sex-offender treatment to the person or to protect the public from the person because, based on one or more of the factors in section 257, the court determines that the person is a high-risk sex offender; and

18

20

B. The period of probation for a person sentenced as a dangerous sexual offender pursuant to section 1252, subsection 4-B is ~~any-term-of-years.~~ life; and

22

Sec. 2. 17-A MRSA §1202, sub-§1-A, ¶C is enacted to read:

24

26

C. The period of probation for a person convicted of a sexually violent offense as defined in Title 34-A, section 11203, subsection 7 is life.

28

SUMMARY

30

32

34

36

38

This bill requires a court to impose lifetime probation for a person sentenced as a dangerous sexual offender. "Dangerous sexual offender" means a person who commits a new gross sexual assault after having been convicted previously and sentenced for gross sexual assault, rape, attempted murder accompanied by sexual assault, murder accompanied by sexual assault or conduct substantially similar to one of these crimes that is a crime under the laws of the United States or any other state.

40

42

44

The bill also requires a court to impose lifetime probation for a person convicted of a sexually violent offense as defined in the Maine Revised Statutes, Title 34-A, section 11203. A "sexually violent offense" means a conviction for certain offenses or for an attempt to commit certain offenses under the Maine Revised Statutes, Title 17-A, sections 253 and 255-A.