

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 251

H.P. 190

House of Representatives, January 18, 2005

An Act To Amend the Laws Governing Custodian Release Conditions

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SHERMAN of Hodgdon.
Cosponsored by Representatives: BERUBE of Lisbon, COLLINS of Wells.

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

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Sec. 1. 15 MRSA §1026, sub-§3, ¶A, as amended by PL 2001, c. 252, §2, is further amended by amending sub-¶(1) to read:

(1) Remain in the custody of a designated person or organization agreeing to supervise the defendant, including a public official, public agency or publicly funded organization, if the designated person or organization is able to reasonably ensure both the appearance of the defendant as required and the integrity of the judicial process. For purposes of this subparagraph, requiring the defendant to remain in the custody of a person or organization does not require the defendant to remain in the presence of that person or organization. When feasible, the judicial officer shall impose the responsibility upon the defendant to produce the designated person or organization. The judicial officer may interview the designated person or organization to ensure satisfaction of both the willingness and ability required. The designated person or organization shall agree to notify immediately the judicial officer of any violation of release by the defendant;

SUMMARY

This bill clarifies the laws governing custodian release conditions.