

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 613

H.P. 462

House of Representatives, February 8, 2007

An Act To Protect Children from Sexual Predators

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CANAVAN of Waterville.
Cosponsored by Senator BRYANT of Oxford and
Representatives: BOLAND of Sanford, GERZOFKY of Brunswick, KAENRATH of South
Portland, PLUMMER of Windham, TIBBETTS of Columbia, TRINWARD of Waterville,
Senators: BROMLEY of Cumberland, COURTNEY of York.

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

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

4 **2. Release on personal recognizance or unsecured appearance bond.** The
5 judicial officer shall order the pretrial release of the defendant on personal recognizance
6 or upon execution of an unsecured appearance bond in an amount specified by the
7 judicial officer, unless, after consideration of the factors listed in subsection 4, the judicial
8 officer determines that the release will not reasonably ensure the appearance of the
9 defendant as required, will compromise the public safety or will not otherwise reasonably
10 ensure the integrity of the judicial process.

11 **SUMMARY**

12 This bill requires that a judicial officer must determine before ordering a pretrial
13 release of a defendant for a crime bailable as of right preconviction whether the release
14 will compromise the public safety. Therefore, a person with a conviction for a sexual
15 offense would not be released if the judicial officer determined the person would
16 compromise public safety if released.