MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 150

H.P. 108

House of Representatives, January 27, 2015

An Act To Provide Anger Management Courses or Additional Imprisonment for Domestic Violence Offenders

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

ROBERT B. HUNT
Clerk

Presented by Representative HEAD of Bethel.

Cosponsored by Representatives: BUCKLAND of Farmington, CRAFTS of Lisbon, DILLINGHAM of Oxford, MALABY of Hancock, PETERSON of Rumford, TUELL of East Machias, WADSWORTH of Hiram, WOOD of Sabattus.

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

Sec. 1. 17-A MRSA §1160 is enacted to read:

§1160. Anger management

- 1. In addition to any sentence that the court orders pursuant to this Part, for a person convicted for the first time of a domestic violence offense under section 207-A, 209-A, 210-B, 210-C or 211-A, the court shall enter the following orders for participation in an anger management course provided by an anger management program certified by the Department of Corrections, referred to in this section as "the department," pursuant to Title 19-A, section 4015:
- 10 A. An order that the offender must participate in a level one anger management course; and
 - B. An order that the offender is prohibited from all contact with the victim of the crime until the offender has completed the anger management course and the department has received notice of completion of the course from the anger management program.
 - 2. In addition to any sentence that the court orders pursuant to this Part, for a person convicted for the 2nd domestic violence offense under section 207-A, 209-A, 210-B, 210-C or 211-A, the court shall enter the following orders for participation in an anger management course provided by an anger management program certified by the department pursuant to Title 19-A, section 4015:
 - A. An order that the offender must participate in a level 2 anger management course; and
 - B. An order that the offender is prohibited from all contact with the victim of the crime until the offender has completed the anger management course and the department has received notice of completion of the course from the anger management program.
 - 3. In addition to any sentence that the court orders pursuant to this Part, for a person convicted for a 3rd or subsequent domestic violence offense under section 207-A, 209-A, 210-B, 210-C or 211-A, the court shall enter an order of imprisonment for 2 days per weekend for 6 consecutive weekends, which must commence upon completion of any other sentence of imprisonment.
 - **4.** Waiver of participation in an anger management course ordered under subsection 1 or 2, waiver of completion of a term of imprisonment ordered under subsection 3 and waiver of a fee under subsection 5 may be ordered by the court on the basis of undue hardship.
- 5. An offender who has been ordered to participate in an anger management course under subsection 1 or 2 must pay a fee in an amount to be established by rule of the Department of Corrections pursuant to Title 19-A, section 4015, which must be credited to the department and dedicated to cover the cost of the anger management course.

Sec. 2. 19-A MRSA §4015 is enacted to read:

§4015. Certification of anger management programs

The Department of Corrections, referred to in this section as "the department," shall, in consultation with the Maine Commission on Domestic and Sexual Abuse under section 4013, establish standards and procedures for certification of anger management programs to provide level one and level 2 anger management courses for persons convicted of domestic violence crimes under Title 17-A, sections 207-A, 209-A, 210-B, 210-C and 211-A and ordered to participate in anger management courses pursuant to Title 17-A, section 1160. The level one anger management course must be of a duration of 2 weekends. The level 2 anger management course must be of a duration of 4 weekends. The department, in consultation with the commission, shall review and certify programs that meet the standards. The department shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. Effective date. This Act takes effect January 1, 2016.

16 SUMMARY

This bill provides for anger management courses or specified jail time in addition to the sentences for certain domestic violence offenders. The bill directs the Department of Corrections, in consultation with the Maine Commission on Domestic and Sexual Abuse, to develop standards and procedures for certification of anger management programs and to certify those programs. The bill has an effective date of January 1, 2016.