

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 589

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S.P. 204

In Senate, February 16, 2017

**Resolve, To Establish a Working Group To Review the Function  
and Mission of Probation Officers and Establish a Licensing  
Procedure**

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

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator GRATWICK of Penobscot.  
Cosponsored by Representative GUERIN of Glenburn, Representative CARDONE of Bangor  
and  
Senators: DIAMOND of Cumberland, DILL of Penobscot, DION of Cumberland,  
MIRAMANT of Knox, ROSEN of Hancock, Representatives: FECTEAU of Biddeford,  
HAMANN of South Portland, McCREA of Fort Fairfield.

1           **Sec. 1. Working group on the profession of probation officer. Resolved:**  
2           That the Commissioner of Corrections shall convene a working group to review the  
3           function and mission of probation officers within the Department of Corrections and to  
4           make recommendations to the Joint Standing Committee on Criminal Justice and Public  
5           Safety by January 1, 2018 regarding legislation to update the laws and rules regarding  
6           probation officers and establish a procedure and statute for licensure of probation  
7           officers.

- 8           1. The working group must include, but is not limited to:
- 9           A. A representative of the Department of Corrections and a representative of the  
10          Department of Health and Human Services, who shall cochair the working group;
- 11          B. A representative of a statewide organization of religious or faith communities;  
12          and
- 13          C. A representative of a prison advocacy organization; a representative of a  
14          grassroots community organization; a representative of the judicial branch; a  
15          journalist; and any other interested persons who will broaden the perspective and add  
16          to the strength of the review and recommendations of the working group.
- 17          2. The working group shall review the function and mission of probation officers and  
18          shall make recommendations to:
- 19          A. Strengthen the role of probation officers in the rehabilitation of juvenile and  
20          criminal offenders and the reduction of recidivism;
- 21          B. Develop a procedure and proposed statute for licensing probation officers that  
22          will provide regulation, licensing and disciplinary responsibilities within the  
23          Department of Professional and Financial Regulation;
- 24          C. Develop performance standards for probation officers; and
- 25          D. Develop 3 regional community resource units to reinforce standards of job  
26          performance and provide support to probation officers.
- 27          3. The Department of Corrections and the Department of Health and Human  
28          Services shall provide staffing and support services to the working group; and be it  
29          further

30           **Sec. 2. Sunrise review. Resolved:** That the Commissioner of Professional and  
31           Financial Regulation shall undertake the sunrise review procedure for licensure of  
32           probation officers in accordance with the procedure and criteria set forth in the Maine  
33           Revised Statutes, Title 32, sections 60-J, 60-K and 60-L. In conducting the sunrise  
34           review procedure, the commissioner shall take into consideration the work and  
35           recommendations of the working group convened pursuant to section 1 of this resolve.  
36           The commissioner shall report to the Joint Standing Committee on Criminal Justice and  
37           Public Safety by February 1, 2018 regarding the results of the sunrise review procedure  
38           and any recommendations regarding licensure of probation officers.

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**SUMMARY**

2           This resolve directs the Commissioner of Corrections to convene a working group to  
3 review the function and mission of probation officers within the Department of  
4 Corrections and to make recommendations to the Joint Standing Committee on Criminal  
5 Justice and Public Safety by January 1, 2018 regarding legislation to update the laws and  
6 rules regarding probation officers and establish a procedure and statute for licensure of  
7 probation officers. The resolve directs the Commissioner of Professional and Financial  
8 Regulation to undertake a sunrise review procedure for licensure of probation officers and  
9 directs the commissioner to take into consideration the work and recommendations of the  
10 working group. The commissioner is required to report to the Joint Standing Committee  
11 on Criminal Justice and Public Safety by February 1, 2018 regarding the results of the  
12 sunrise review procedure and any recommendations regarding licensure of probation  
13 officers.