

MAINE STATE LEGISLATURE

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Date: 5/28/14

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

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SENATE

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129TH LEGISLATURE

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FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to S.P. 301, L.D. 1022, Bill, "An Act Regarding the Crime of Tampering with a Witness, Informant, Juror or Victim"

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Amend the bill by striking out the title and substituting the following:

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'An Act To Establish as a Class C Crime Criminal Conduct in Retaliation against a Witness, Informant, Victim or Juror'

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Amend the bill by striking out everything after the enacting clause and inserting the following:

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'Sec. 1. 17-A MRSA §458 is enacted to read:

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§458. Retaliation against a witness, informant, victim or juror

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A person is guilty of retaliation against a witness, informant, victim or juror if, believing that another person is participating or has participated as a witness, informant, victim or juror in an official proceeding, as defined in section 451, subsection 5, paragraph A, or in an official criminal investigation, the actor engages in criminal conduct with the intent to retaliate for that other person's role in the official proceeding or official criminal investigation. Violation of this section is a Class C crime.'

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Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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SUMMARY

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This amendment replaces the bill and provides a new title. The amendment creates a new Class C crime of retaliation against a witness, informant, victim or juror if a person, believing that another person is participating or has participated as a witness, informant, victim or juror in an official proceeding, as defined in the Maine Revised Statutes, Title 17-A, section 451, subsection 5, paragraph A, or in an official criminal investigation,

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COMMITTEE AMENDMENT

1 engages in criminal conduct with the intent to retaliate for that other person's role in the
2 official proceeding or criminal investigation.

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FISCAL NOTE REQUIRED

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(See attached)



129th MAINE LEGISLATURE

LD 1022

LR 1932(02)

An Act Regarding the Crime of Tampering with a Witness, Informant, Juror or Victim

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-154)

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund
Minor revenue increase - Other Special Revenue Funds

Correctional and Judicial Impact Statements

Establishes new Class C crimes; increases correctional and judicial costs.

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time.

The collection of additional fine revenue will increase General Fund and dedicated revenue by minor amounts.

The Department of Corrections has not indicated a need for additional funding.

Fiscal Detail and Notes

The bill creates a new Class C crime of retaliation against a witness, informant, victim or juror. Any future charges brought under this new crime are likely to coincide with criminal charges for conduct that is already a violation of existing law. As such, additional new cases and individuals incarcerated as a result of the establishment of this crime are expected to be few. Any additional costs to the Maine Commission on Indigent Legal Services to defend against this new charge are expected to be minor and can be absorbed within existing budgeted resources.