

§224. Expenses paid on rendition of prisoners

1. Expenses paid from funds allotted to prosecuting attorney. When a fugitive from justice is returned to the State of Maine for prosecution, expenses incurred that are necessary and proper for the return must be paid out of the funds allotted for that purpose to the district attorney or from the Extradition and Prosecution Expenses Account established by section 224-A. In those cases prosecuted by the Attorney General, the expenses for extradition must be paid by the district attorney in whose county the crime is alleged to have been committed. District attorneys may agree to share expenses whenever a fugitive from justice is charged in the State with more than one offense.

[PL 2013, c. 566, §2 (AMD).]

2. Violations of probation and parole. Expenses incurred in connection with the extradition of persons charged with violating the terms and conditions of probation must be shared equally between the district attorney of the county in which the person was convicted and the Department of Corrections. Expenses incurred in connection with the extradition of persons charged with violating the terms and conditions of parole must be paid by the Department of Corrections.

[PL 2011, c. 515, §1 (AMD).]

3. Prosecuting attorney not liable. A prosecuting attorney is not liable for payment of such expenses unless the prosecuting attorney has previously consented to that rendition in writing.

[RR 2023, c. 2, Pt. D, §32 (COR).]

4. Expenses for rendition of escaped prisoners. Expenses for rendition of prisoners who have escaped from custody shall be paid by the State of Maine if the escape occurred while the prisoner was committed to or being held at a state institution or while the prisoner was in the custody of a state officer, shall be paid by the sheriff if the escape occurred while the prisoner was committed to or being held at a county jail or while in the custody of a county officer or shall be paid by a municipality if the escape occurred while the prisoner was being held at a lockup or in the custody of a municipal officer. Escape and custody shall have the same meaning as defined in Title 17-A.

[PL 1977, c. 66 (NEW).]

5. Prosecuting attorney to designate appropriate agents. The prosecuting attorney shall, in all cases, designate appropriate agents to safely return the prisoner to the State of Maine.

[PL 1977, c. 66 (NEW).]

6. Expense funds advanced. The treasurer or other appropriate official of the governmental unit responsible for payment of expenses pursuant to this section shall, upon written request of the prosecuting attorney, advance to the prosecuting attorney or officers designated by the prosecuting attorney a reasonable sum to defray necessary expenses. A full accounting of all expenses and return of unused funds must be made to the issuing official no later than 3 business days from the date of return. All funds returned must be credited to the account from which they were paid.

[RR 2023, c. 2, Pt. D, §33 (COR).]

7. Expenses of officers of the State. Expenses incurred by officers of the State, on whose governor the requisition is made, shall be paid in the same manner as other expenses and travel expenses for all necessary travel in returning the prisoner shall be paid at the same rate per mile as employees of the State receive.

[PL 1977, c. 66 (NEW).]

SECTION HISTORY

PL 1977, c. 66 (RPR). PL 1983, c. 843, §§9,10 (AMD). PL 2011, c. 515, §1 (AMD). PL 2013, c. 566, §2 (AMD). RR 2023, c. 2, Pt. D, §§32, 33 (COR).

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