

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Protect Children from Sexual Predators

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

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

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

SUMMARY

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