

§2104. Sentencing procedure

1. Participation by victim. The victim must be provided the opportunity to participate at sentencing by:

- A. Making an oral statement in open court; or [PL 2019, c. 113, Pt. A, §2 (NEW).]
- B. Submitting a written statement to the court either directly or through the attorney for the State. A written statement must be made part of the record. [PL 2019, c. 113, Pt. A, §2 (NEW).]

An attorney for the victim may submit a written statement or make an oral statement on the victim's behalf.

[PL 2019, c. 113, Pt. A, §2 (NEW).]

2. Consideration of victim's statements. The court shall consider any statement made under subsection 1, along with all other appropriate factors, in determining the sentence.

[PL 2019, c. 113, Pt. A, §2 (NEW).]

3. Participation by interested person. An interested person, including, but not limited to, a member of the victim's family who is not immediate family of the victim, a close friend of the victim, a community member and other interested person, does not have a right to participate at sentencing. Participation by such interested persons is a matter for the court's discretion in determining what information to consider when sentencing.

[PL 2019, c. 113, Pt. A, §2 (NEW).]

SECTION HISTORY

PL 2019, c. 113, Pt. A, §2 (NEW).

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