

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 Allow a Victim of a Crime To Be Represented by an Attorney at a Sentencing Hearing

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

Sec. 1. 17-A MRSA §1174, sub-§1, as enacted by PL 1995, c. 680, §5, is amended to read:

1. The victim must be provided the opportunity to participate at sentencing by:
 - A. Making an oral statement in open court; or
 - 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.

An attorney may represent the victim in the proceedings and submit a written statement or speak on the victim's behalf at sentencing.

Sec. 2. 17-A MRSA §1257, sub-§2, as repealed and replaced by PL 1995, c. 680, §8, is amended to read:

2. A victim has the right to participate in the sentencing process pursuant to section 1174 and to receive notification of a defendant's release pursuant to section 1175. An attorney may represent a victim at the time of sentence and submit a written statement or speak on the victim's behalf at sentencing.

SUMMARY

Current law provides that a victim may participate in the process of a defendant's sentencing and requires the court to consider any oral or written statement made by the victim to the court. This bill provides that the victim may have an attorney represent the victim and submit a written statement or speak on the victim's behalf during the sentencing process.