

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 Reduce the Cost of Pretrial Detention

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

Sec. 1. 30-A MRSA §1662 is enacted to read:

§ 1662. Cost of pretrial detention for nonviolent Class D and Class E crimes

1. Definition. For the purposes of this section, "nonviolent Class D or Class E crime" means a Class D or Class E crime other than a violation of Title 17-A, chapter 9, 11, 12 or 13; a violation of Title 17-A, section 506-B; a violation of Title 17-A, section 1002 or 1004; or a crime involving domestic violence as defined in Title 15, section 1003, subsection 3-A.

2. Cost of pretrial detention. A law enforcement agency that commits a prisoner to the sheriff's charge prior to arraignment on a nonviolent Class D or Class E crime shall reimburse the sheriff, at a rate equal to the per diem per prisoner amount paid by the Department of Corrections to the county jails and calculated pursuant to Title 34-A, section 1210-D, subsection 4, paragraph D, for each day that the prisoner is held by the sheriff prior to arraignment and shall pay a one-time surcharge of \$50 to the sheriff for holding the prisoner.

SUMMARY

This bill requires a law enforcement agency that commits a prisoner to the sheriff's charge prior to arraignment on a nonviolent Class D or Class E crime to reimburse the sheriff for each day that the prisoner is held by the sheriff prior to arraignment and to pay a one-time surcharge of \$50 for holding the prisoner. The bill defines "nonviolent Class D or Class E crime" to mean a Class D or Class E crime other than a violation of the Maine Revised Statutes, Title 17-A, chapter 9, 11, 12 or 13; a violation of Title 17-A, section 506-B; a violation of Title 17-A, section 1002 or 1004; or a crime involving domestic violence as defined in Title 15, section 1003, subsection 3-A. The bill requires that the per diem rate for the prisoner is the same per diem rate that is established by the Department of Corrections for the purposes of funding county jail operations.