

## STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND SEVENTEEN

—  
S.P. 504 - L.D. 1458

**An Act To Amend the Law Relating to the Crime of Hindering Apprehension  
or Prosecution**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** current laws relating to the crime of hindering apprehension or prosecution do not include hindering the apprehension or prosecution of persons who violate probation, supervised release for sex offenders, or the terms of deferred disposition, administrative release or parole and therefore create significant barriers to timely arrest and prosecution that are of immediate concern; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1.** 17-A MRSA §753, sub-§§1-C and 1-D are enacted to read:

1-C. A person is guilty of hindering apprehension or prosecution if the person hinders the apprehension or prosecution of the other person for a violation of administrative release, probation, supervised release for sex offenders or parole by any means described in subsection 1-B, paragraphs A to F with the intent to hinder, prevent or delay discovery, apprehension, prosecution, revocation or punishment for the violation. The sentencing class for hindering apprehension or prosecution of the other person is one class less than the crime for which the other person was originally sentenced, except that if the crime for which the other person was originally sentenced is a Class E crime, hindering apprehension or prosecution is a Class E crime.

1-D. A person is guilty of hindering apprehension or prosecution if the person hinders the apprehension or prosecution of the other person for a violation of deferred disposition by any means described in subsection 1-B, paragraphs A to F with the intent

to hinder, prevent or delay discovery, apprehension, prosecution, termination of the period of deferment or punishment for the violation or crime to which the other person originally pled guilty. The sentencing class for hindering apprehension or prosecution of the other person is one class less than the crime for which the other person originally pled guilty, except that if the crime to which the other person originally pled guilty is a Class E crime, hindering apprehension or prosecution is a Class E crime.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.