

Bribery and Threats in Official and Political Matters - Duty of Public Officials to Report -

By Shana Cook Mueller & Philip Saucier | August 2nd, 2010

It is commonly known that it is a crime to bribe or threaten a public official with the intent to influence a decision. Many people may be unaware, however, that a public official may also be guilty of a crime if he or she does not report the threat or unaccepted bribe to a law enforcement officer. The punishment for the failure to report a bribe or threat with the intent to influence is the same as making the threat or bribe itself and can carry up to a 5-year prison sentence. Title 17-A M.R.S.A. Sections 601-603.

Thankfully, in Bernstein Shur's long tenure representing municipal governments, instances of threats or bribery have arisen on an extremely rare basis. However, it is important for public officials to understand their obligations to report and the potential criminal responsibility associated with such circumstances. If you have any questions regarding this statute or others, please contact Phil Saucier at psaucier@bernsteinshur.com and 207-228-7160 or Shana Cook Mueller at smueller@bernsteinshur.com and 207-228-7134.