

STATE OF MAINE
HANCOCK, SS.

UNIFIED CRIMINAL DOCKET
LOCATION: Ellsworth
DOCKET NOS. HANCD-CR-2022-00241,
HANCD.CR-2026-00037, CUMCD-CR-2026-
00558

STATE OF MAINE

v.

ELIOT CUTLER

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DEFENDANT'S MOTION TO AMEND
CONDITIONS OF PROBATION

NOW COMES DEFENDANT, by and through undersigned counsel, and hereby moves this Court for the entry of an order amending Defendant's conditions of probation, and states as follows:

1. Defendant's current probation conditions require him to participate in Specialized Problematic Sexual Behavior Therapy ("SPSBT"), sometimes referred to as "sex offender treatment." This condition was not part of Defendant's original probation conditions.

2. At the hearing on May 22, 2026, this Court addressed specifically what Defendant's internet access would be pending the final hearing. The State and the probation officer had indicated on the record that Defendant's internet access should be prohibited given the mandates of the sex offender treatment program for at a minimum 6 months, up to 12 months. Defendant argued, and this Court agreed, that Defendant should be allowed nonetheless to have internet access, and the Court ordered Defendant to be allowed that access with supervision by approved supervisors which have been presented to this Court and approved. Probation was very opposed to this change.

4. On June 11, 2026, Defendant met with Reverend Walsh, the State's approved sex offender treatment provider. Reverend Walsh prepared a treatment plan for Defendant, which he summarized to Defendant and which Reverend Walsh noted would allow Defendant internet access only at the discretion of Defendant's probation officer. That was inconsistent with this Court's previous order, an order that the State and Probation specifically opposed. When Defendant indicated that he could not agree to the restrictions as they were not consistent with this Court's order, Defendant was arrested on a probation violation. No effort was made by Probation prior to Defendant's arrest to consult with the State or counsel for Defendant. Defendant has been held in jail for five days now.

5. Defendant's original probation conditions provided a specific, detailed treatment plan which was agreed to by Defendant and the State. The details of that treatment plan are contained in Exhibits 1-4, which were admitted in evidence at the hearing on May 22, 2026.

Indeed, Exhibit 4, Dr. Tennes' report, indicated that Defendant's treatment course, which was part of Defendant's original probation conditions, was appropriate for Defendant. There was no suggestion that Defendant's best course of treatment would be through the sex offender treatment program.

6. Defendant should not have to participate in the State's sex offender treatment program. It is not only inappropriate given the specific recommendations of Defendant's providers, providers that the State previously agreed to as providing appropriate treatment for Defendant, but also because Probation has acted directly contrary to this Court's order with respect to internet access after having lost that argument before the Court. Defendant's punishment by Probation's Motion to Revoke Defendant's probation and holding him without bail for five days reflects that Defendant's mere insistence that Probation follow this Court's order will be considered a violation, and in all likelihood there will be future improper actions by Probation should the sex offender treatment program continue to be a requirement of Defendant's probation.

WHEREFORE, for the foregoing reasons, Defendant respectfully requests this Court enter an order amending Defendant's probation to remove the condition that Defendant participate in Specialized Problematic Sexual Behavior Therapy pending further order of this Court.

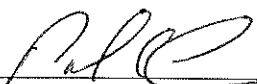
Date: June 16, 2026

/s/ Walter McKee
WALTER F. MCKEE
Bar No. 7848
McKee Morgan, P.A.
133 State Street
Augusta, ME. 04330
(207) 620-8294
wmckee@mckeemorgan.com

Date: June 16, 2026

X
Granted

Denied


Justice Patrick Larson

STATE OF MAINE
UNIFIED COURT

UNIFIED COURT
DocketNo.:CR-2022-00241



STATE OF MAINE
DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY CORRECTIONS

MOTION FOR PROBATION REVOCATION

Date: June 15, 2026

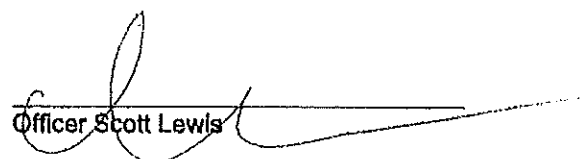
To the Honorable Justice of the Unified Court of Hancock County.

Respectfully representing the Division of Community Corrections, Scott Lewis, Field Officer, states that one Eliot Raphael Cutler (07/29/1946), was convicted of POSSESS SEXUAL EXPLICIT MATERIAL OF MINOR UNDER 12, "C" (4 counts) in this Court on May 4, 2023, Docket Number: CR-2022-00241, and was sentenced as follows: 9 Months, All But 9 Months Suspended, With 6 Years Probation / 4 Years, All But 9 Months Suspended, With 6 Years Probation

It is now reported by Scott Lewis representing Community Corrections, that there is probable cause to believe that the said Eliot Raphael Cutler has violated the terms of probation in the following manner:

1. Failure to complete Specialized Problematic Sexual Behavior Treatment as directed by the courts. On June 11, 2026 Mr. Cutler was discharged from treatment.

It is therefore requested that the probation of Eliot Raphael Cutler be revoked.


Officer Scott Lewis

Seen and Approved: Julia Lord, Esq (Assistant) District Attorney

011073

Hearing Ordered: Justice Date: _____

Date of Hearing: _____

Motion Dismissed: Justice Date: _____

PP-19

MAINE UNIFIED COURTS
JUN 15 2026 PM 4:05

June 16, 2026
Initial Appearance,
No PC Found.
Defendant to Be Released.
Court to Amend Current Bail and Probation
Delete Specialized Probateumatic Sexual Behavior Therapy
6/15/26