

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 803

S.P. 234

In Senate, February 4, 1997

An Act to Protect the Rights of Children Who Have Been Victims of Sexual Abuse by a Juvenile.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator AMERO of Cumberland.
Cosponsored by Representative MUSE of South Portland and
Senators: BENOIT of Franklin, MITCHELL of Penobscot, PINGREE of Knox,
Representative: McALEVEY of Waterboro.

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

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PART A

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Sec. A-1. 15 MRSA §3308, sub-§7, ¶D, as enacted by PL 1995, c. 690, §1, is amended to read:

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10 D. When a juvenile who is adjudicated of a juvenile crime that if committed by an adult would be gross sexual assault under Title 17-A, section 253, subsection 1 is committed to the Maine Youth Center or placed on probation, the Department of Corrections shall provide, while the juvenile is committed to the Maine Youth Center or on probation, a copy of the juvenile's judgment and commitment to the Department of Human Services, to all law enforcement agencies that have jurisdiction in those areas where the juvenile may reside, work or attend school and to the superintendent of any school system in which the juvenile attends school during the period of commitment or probation. The Department of Corrections shall provide a copy of the juvenile's judgment and commitment to any day-care facility operators and other local authorities or entities involved in the care of children in those areas where the juvenile may reside, work or attend school during the period of commitment or probation. The Department of Corrections may provide a copy of the juvenile's judgment and commitment to any other agency or person whom the Department of Corrections determines is appropriate to ensure public safety. Neither the failure of the Department of Corrections to perform the requirements of this paragraph nor compliance with this paragraph subjects the Department of Corrections or its employees to liability in a civil action.

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PART B

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40 Sec. B-1. **Work group convened; sexual abuse of a minor.** The Department of Human Services and the Department of the Attorney General, within existing resources, are directed to convene a work group and, in consultation with district attorneys and law enforcement investigators, shall examine the legal rights of children who testify in cases in which they have been the alleged victims of sexual abuse. The work group shall also review the State's current investigative and courtroom procedures for cases of sexual abuse of minors and make recommendations that would improve the quality of investigations and modify conventional procedures that seem stressful to children. In conducting the review, the work group shall:

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