

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 454

H. P. 345

House of Representatives, January 28, 1971

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mrs. Payson of Falmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to the Detention of Juveniles.

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

R. S., T. 15, § 2608, amended. The 2nd sentence of the 2nd paragraph of section 2608 of Title 15 of the Revised Statutes, as amended by chapter 160 of the public laws of 1967, is further amended to read as follows:

In exercising its discretion, the court may order that the juvenile be detained, pending disposition of the case, in any place deemed by the court to be suitable, including a jail ~~and~~ **excepting** juvenile institutions.

STATEMENT OF FACT

The detention of a child at a juvenile institution pending disposition of a juvenile case, brings such child into contact with the committed population of the institution, and of necessity, commingles the child who has never been adjudicated to have committed a juvenile offense with adjudicated and committed juvenile offenders. Such contact and commingling may be detrimental to the child who has not been adjudicated to have committed a juvenile offense, and the juvenile institutions are without facilities appropriate for the purpose of detention pending juvenile court disposition, and due to such lack of facilities, children committed for the purpose of detention have run away from one of the juvenile institutions.

It is vitually necessary in the interest of persons who have not been adjudicated to have committed juvenile offenses, and in the interest of orderly institutional administration that juvenile institutions not be designated as places for the detention of children pending disposition by the juvenile court.