

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 797

S. P. 272

In Senate, February 13, 1973

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Brennan of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Commitment of Juveniles to Juvenile Institutions.

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

R. S., T. 15, § 2611, sub-§ 4, ¶ B, amended. Paragraph B of subsection 4 of section 2611 of Title 15 of the Revised Statutes, as amended by section 1 of chapter 195 of the public laws of 1967, is further amended to read as follows:

B. Commit to the Boys Training Center or the Stevens School, if the juvenile is of the proper age; provided that only a juvenile who has been adjudicated to have committed a juvenile offense which would be either a misdemeanor or a felony, if committed by an adult, shall be committed to the Boys Training Center or the Stevens School;

STATEMENT OF FACT

Under existing law juvenile training centers are recipients of, and have within their committed population, persons who have committed a wide range of offenses, which if committed by adults would be felonies, and persons who have not committed any offense, misdemeanor or felony, but have been found to have committed acts not constituting crime, e. g., running away, truancy and living in circumstances of manifest danger of falling into habits of vice and immorality.

Although, a juvenile training center is designed and operated for the rehabilitation of juveniles and not for their punishment, commitment thereto,

is nonetheless, a deprivation of liberty, which deprivation under existing law may befall a juvenile who has not committed an offense recognized by the criminal law.

The comingling of persons who have not committed criminal acts, and persons who have committed acts, which would be crimes if committed by adults, may be severely detrimental to, and against the best interests of, person falling within the former group, and may serve more to direct such individuals toward actual juvenile delinquency than to rehabilitate them.

It is vitally necessary in the interest of children who have never committed acts, which would be crimes if committed by adults, not be committed to juvenile institutions, and be thus, spared the possible harm resulting from association with sophisticated juvenile delinquents, and the deprivation of their liberty when they have committed no criminal act.