

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1708

H. P. 1475

House of Representatives, April 25, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. Rollins of Dixfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Relating to Records of a Juvenile Charged with Certain Offenses.

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

Sec. 1. 15 MRSA § 2606, 3rd sentence, is amended to read:

The juvenile court record may be maintained in any place ~~provided that it~~ and, except for the record of a juvenile who has attained the age of 15 years and who has been charged with an offense which, if committed by an adult, would be a criminal homicide in the first or 2nd degree or a Class A, B or C Crime, shall not be open to the inspection of the general public.

Sec. 2. 15 MRSA § 2609, 2nd ¶, is amended to read:

Any person, other than an enforcement, correctional or welfare official furnishing information in the discharge of his official functions to any other enforcement, correctional or welfare official, who divulges or publishes, without the consent of the juvenile court, except as otherwise provided in this section, the name of any juvenile brought or to be brought before a juvenile court, or who, being present at any juvenile court hearing which is private, divulges or publishes, without consent of the juvenile court, except as otherwise provided in this section, any of the matters which occurred at said hearing may be found guilty by the juvenile court of criminal contempt and may be punished by the juvenile court accordingly. The name and record of a juvenile who has attained the age of 15 years and is charged with an offense which if committed by an adult would be a criminal homicide in the first or 2nd degree or a Class A, B or C Crime shall be a public record.

Sec. 3. 15 MRSA § 2664, last ¶, is amended to read:

Any person, other than an enforcement, correctional or welfare official furnishing information in a discharge of his official functions to any other en-

forcement, correctional or welfare official, who divulges or publishes without the consent of the Superior Court, **except as otherwise provided in this section**, the name of any juvenile brought, or to be brought, before the Superior Court in a juvenile appeal case, or who, being present at any juvenile appeal hearing before the Superior Court which is private, divulges or publishes, without the consent of the Superior Court, **except as otherwise provided in this section**, any of the matters which occurred at said hearing may be found guilty by the Superior Court of criminal contempt and may be punished by said court accordingly. **The name and record of a juvenile who has attained the age of 15 years and is charged with an offense which if committed by an adult would be a criminal homicide in the first or 2nd degree or a Class A, B or C Crime shall be a public record.**

STATEMENT OF FACT

This bill would allow the publication of the name and record of a juvenile of 15 years or more who has been charged with a serious offense, a criminal homicide in the first or 2nd degree or a Class A, B or C Crime.