

MAINE STATE LEGISLATURE

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(Governor's Bill)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1750

H.P. 1279 House of Representatives, June 4, 1987
Under suspension of the rules, read twice and passed to
be engrossed without reference to committee. Sent up for
concurrence. Ordered sent forthwith.

EDWIN H. PERT, Clerk
Presented by Representative TAYLOR of Camden.
Cosponsored by Representatives MANNING of Portland,
STROUT of Windham, and Senator BUSTIN of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Amend the Laws Governing Statements
2 Made to a Juvenile Caseworker.
3

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

6 15 MRSA §3204, as amended by PL 1985, c. 439,
7 §10, is repealed and the following enacted in its
8 place:

9 §3204. Statements not admissible in evidence

10 During the course of a preadjudicatory prelimi-
11 nary investigation, no statements of a juvenile made
12 to a juvenile caseworker relative to the crime for
13 which the juvenile is referred shall be admissible in
14 evidence in any proceeding against that juvenile.

STATEMENT OF FACT

The current law governing the admission into evidence of statements made by a juvenile to a juvenile caseworker protects all statements made to the caseworker. This protection is overly inclusive in that it covers not only statements made by the juvenile with respect to the offense for which he is subject to a preliminary investigation but encompasses as well statements made subsequently when the juvenile is under supervision.

This bill restricts the protection of statements made by a juvenile to a juvenile caseworker to only those statements which are relative to the specific crime for which the juvenile was referred to the caseworker and for which a preliminary investigation is being conducted.

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