

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 244

S.P. 105

In Senate, January 11, 1999

**An Act to Permit the Release and Publication of the Name of a Juvenile
14 Years of Age or Older Who Commits a Crime.**

(EMERGENCY)

Reference to the Committee on Criminal Justice 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 CAREY of Kennebec.
Cosponsored by Representatives: MACK of Standish, MADORE of Augusta.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

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6 **Whereas,** for the purpose of protection of the citizens of
this State, it is necessary that this Act take effect
immediately; and

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10 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
12 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

16 **Sec. 1. 15 MRSA §3307, sub-§1-A,** as amended by PL 1991, c.
18 776, §1, is further amended to read:

20 **1-A. Release of identity.** No A law enforcement officer,
officer of the court or juvenile caseworker may not release the
22 identity of any juvenile until a petition is filed charging the
juvenile with a juvenile crime ~~described in subsection 2, except~~
24 that a law enforcement officer, officer of the court or juvenile
caseworker may release the name of a juvenile arrested for the
26 commission of a juvenile crime and identify the juvenile crime or
crimes for which the juvenile was arrested, if the juvenile has
28 attained 14 years of age. This section does not preclude the
release of the identity of a juvenile to a complainant or victim
30 if a juvenile caseworker decides not to file a petition in
accordance with section 3301, subsection 5, paragraph A or B or
32 if the juvenile caseworker requests the prosecuting attorney to
file a petition in accordance with section 3301, subsection 5,
34 paragraph C.

36 **Sec. 2. 15 MRSA §3307, sub-§2, ¶B,** as amended by PL 1995, c.
38 470, §7, is further amended to read:

40 B. The general public is excluded from all other juvenile
hearings and proceedings where the juvenile charged had not
42 attained 14 years of age at the time of the offense, except
that a juvenile charged with a juvenile crime that would
44 constitute murder or a Class A, Class B or Class C offense
and with a juvenile crime that would constitute a juvenile's
first Class D offense or Class E offense or with conduct
46 described in section 3103, subsection 1, paragraph B, C, D
or E, arising from the same underlying transaction may elect
48 to have all charges adjudicated in one hearing, and, when a
juvenile does so elect, the general public is not excluded
50 from that hearing.

2 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

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SUMMARY

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8 This bill allows the name of a juvenile charged with a crime
and the juvenile crime or crimes committed to be revealed if the
juvenile was at least 14 years of age at the time of the offense.