

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

---

Legislative Document

No. 811

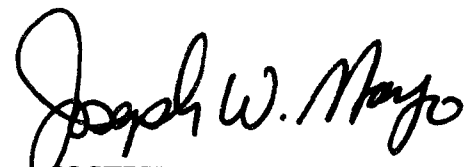
H.P. 571

House of Representatives, January 28, 1999

**An Act to Amend the Law Regarding the Evaluation of Juvenile Sex Offenders.**

---

Submitted by the Department of Corrections pursuant to Joint Rule 204.  
Reference to the Committee on Judiciary suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative McALEVEY of Waterboro.  
Cosponsored by Representatives: FRECHETTE of Biddeford, KANE of Saco, O'BRIEN of Augusta, POVICH of Ellsworth, THOMPSON of Naples, TOWNSEND of Portland.

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

Sec. 1. 15 MRSA §3309-A, sub-§4, as amended by PL 1997, c. 752, §16, is further amended to read:

4. Juvenile adjudicated of gross sexual assault. After adjudication and before disposition when a juvenile is adjudicated of a juvenile crime that if committed by an adult would be gross sexual assault under Title 17-A, section 253, subsection 1, the court shall order the juvenile to undergo a diagnostic evaluation and may order the evaluation to take place at a detention facility described in section 3203-A, subsection 7, paragraph B.

Sec. 2. 15 MRSA §3309-B, as amended by PL 1997, c. 752, §17, is further amended to read:

**§3309-B. Limitations on diagnostic evaluations in a secure detention facility**

Except as provided in section 3309-A, subsection 4, the court may not order a juvenile to undergo a diagnostic evaluation at a detention facility ~~described in section 3203-A, subsection 7, paragraph B or a secure detention facility~~ unless the juvenile meets the requirements of section 3203-A, subsection 4, paragraphs C and D, the facility is one in which the juvenile may otherwise be detained and the diagnostic evaluation is unable to take place outside the facility on either a residential or nonresidential basis.

**SUMMARY**

This bill leaves to the discretion of the court whether to order certain juvenile sex offenders to undergo the required diagnostic evaluation at a detention facility and changes the circumstances under which a court may order a juvenile to undergo a diagnostic evaluation at a detention facility.