

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1050

S.P. 303

In Senate, February 22, 2001

An Act to Allow Victims of Crimes More Access to Inmate Records.

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 McALEVEY of York.

Cosponsored by Representatives: BUNKER of Kossuth Township, O'BRIEN of Augusta.

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

2
3 **Sec. 1. 34-A MRSA §3003, sub-§1, ¶E,** as amended by PL 1997, c.
4 278, §4, is further amended to read:

6 E. To persons engaged in research if:

8 (1) The research plan is first submitted to and
9 approved by the commissioner;

10 (2) The disclosure is approved by the commissioner; and

11 (3) Neither original records nor identifying data are
12 removed from the facility or office that prepared the
13 records.

14
15 The commissioner and the person doing the research shall
16 preserve the anonymity of the person receiving services from
17 the department and may not disseminate data that refer to
18 that person by name, number or in any other way that might
19 lead to the person's identification; and

20
21 **Sec. 2. 34-A MRSA §3003, sub-§1, ¶F,** as enacted by PL 1997, c.
22 278, §5, is amended to read:

23
24 F. To persons who directly supervise or report on the
25 health, behavior or progress of a juvenile, to the
26 superintendent of a juvenile's school and the
27 superintendent's designees and to agencies that are or might
28 become responsible for the health or welfare of a juvenile,
29 if the information is relevant to and disseminated for the
30 purpose of creating or maintaining an individualized plan
31 for the juvenile's rehabilitation; and

32
33 **Sec. 3. 34-A MRSA §3003, sub-§1, ¶G** is enacted to read:

34
35 G. To the person who was the victim of the offense for
36 which the client was incarcerated, as verified by the
37 department with the prosecuting authority that convicted the
38 client. Records concerning the client's incarceration,
39 including information concerning a crime the client has been
40 accused of committing while incarcerated, a disciplinary
41 action the department has taken against the client, a work
42 assignment and release information, must be made available
43 to the victim.

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45
46
47 **SUMMARY**

48
49 **50** This bill requires the Department of Corrections to provide
50 information about an inmate's incarceration, such as information
51 concerning offenses committed while incarcerated and release
52 information to a victim upon the victim's request.