MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1397

H.P. 1040

House of Representatives, March 5, 2001

Millient M. Mac Failand

An Act to Require the State to Post the Name, Picture and Location of an Individual who is Convicted of a Child Sex Crime.

Reference to the Committee on Criminal Justice suggested and ordered printed.

MILLICENT M. MacFARLAND, Clerk

Presented by Representative MATTHEWS of Winslow.

Be it	enacted by the People of the State of Maine as follows:
c. 43	Sec. 1. 34-A MRSA §§11251 and 11252, as enacted by PL 1999, 87, §2, are repealed.
	Sec. 2. 34-A MRSA §§11253 to 11256 are enacted to read:
<u>§1125</u>	53. Risk assessment
instr sexua	The department shall establish and apply a risk assessment tument, as defined in section 11103, to each sex offender and ally violent predator under its jurisdiction for the purpose stification to law enforcement agencies and to the public.
§112 5	64. Mandatory notification of conditional release or discharge of sex offenders
Burea provi	The department and the Department of Public Safety, State of Identification are governed by the following notice sions when a sex offender or sexually violent predator is tionally released or discharged.
	1. Duties of department. The department shall give the tment of Public Safety, State Bureau of Identification se of the following:
	A. The address where the sex offender or sexually violent predator will reside:
	B. The address where the sex offender or sexually violent predator will work, if applicable;
	C. The geographic area to which a sex offender's or sexually violent predator's conditional release is limited, if any; and
	D. The status of the sex offender or sexually violent predator when released as determined by the risk assessment instrument, the offender's or predator's risk assessment score, a copy of the risk assessment instrument and applicable contact standards for the offender or predator.
condi	2. Duties of Department of Public Safety, State Bureau of ification. Upon receipt of the information concerning the tional release or discharge of a sex offender or sexually
Publi infor	ent predator pursuant to subsection 1, the Department of c Safety, State Bureau of Identification shall forward the mation in subsection 1 to all law enforcement agencies that
	jurisdiction in those areas where the sex offender or ally violent predator will reside or work.

\$11255. Public notification

1. Department. Upon the conditional release or discharge of a sex offender or sexually violent predator from a state correctional institution, the department shall give notice of the information under section 11254, subsection 1 to members of the public who the department determines appropriate to ensure public safety. If the sex offender's or sexually violent predator's victim was under 18 years of age at the time of the offense, the department shall post the name and addresses where the sex offender or sexually violent predator will reside and work upon release.

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2. Law enforcement agencies. Upon receipt of the information concerning the conditional release or discharge of a sex offender or sexually violent predator pursuant to section 1254, subsection 2, a law enforcement agency shall notify members of that municipality who the law enforcement agency determines appropriate to ensure public safety.

§11256. Risk assessment assistance

Upon request, the department shall provide to law enforcement agencies technical assistance concerning risk assessment for purposes of notification to the public of a sex offender's or sexually violent predator's conditional release or discharge.

SUMMARY

The bill amends the Sex Offender Registration and Notification Act of 1999 by adding requirements to the public notification provisions. The bill requires that the Department of Corrections post the name and addresses where a sex offender or sexually violent predator will reside and work upon release if the victim was under 18 years of age at the time of the offense.