

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 1846

H.P. 1408

House of Representatives, December 7, 2001

An Act to Ensure Victim Safety.

Submitted by the Department of Corrections pursuant to Joint Rule 204.

Received by the Clerk of the House on December 5, 2001. Referred to the Committee on Criminal Justice pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative PEAVEY of Woolwich.

Cosponsored by Representatives: GERZOFSKY of Brunswick, O'BRIEN of Lewiston, POVICH of Ellsworth, QUINT of Portland, TOBIN of Dexter.

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

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4 **Sec. 1. 1 MRSA §402, sub-§3-A, ¶¶B and C,** as enacted by PL 1997, c. 714, §1, are amended to read:

6 B. Records relating to out-of-state adult probationer or
8 parolee supervision to the extent they pertain to a
10 probationer's or parolee's identity, conviction data,
12 address of residence and dates of supervision; and

14 C. Records to the extent they pertain to a prisoner's,
16 adult probationer's or parolee's identity, conviction data
18 and current address or location, unless the Commissioner of
20 Corrections determines that it would be detrimental to the
22 welfare of a prisoner client to disclose the information.

24 **Sec. 2. 34-A MRSA §1214, sub-§3, ¶¶E and F,** as enacted by PL
26 2001, c. 439, Pt. G, §1, are amended to read:

28 E. Assist victims who are being harassed by persons in the
30 custody or under the supervision of the department with
32 obtaining protection from that harassment; and

34 F. Assist victims with obtaining victim compensation,
36 restitution and other benefits of restorative justice; and

38 **Sec. 3. 34-A MRSA §1214, sub-§3, ¶G** is enacted to read:

40 G. Ensure the safety of clients who are also victims by
42 advising the commissioner of information that may place a
44 client at risk if disclosed pursuant to Title 1, section
402, subsection 3-A.

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SUMMARY

This bill amends the law regarding public disclosure of information to clarify that disclosure pertains to out-of-state probationers and parolees only if they are adults, just as is the case for in-state probationers and parolees. It also expands the Commissioner of Corrections' ability to determine if disclosure of information would be detrimental to the welfare of clients to include those who are on probation or parole to protect them from domestic or other violence.