

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1240

H.P. 882

House of Representatives, March 8, 2007

An Act To Implement the Recommendations of the Criminal Law Advisory Commission

Reported by Representative GERZOFKY of Brunswick for the Criminal Law Advisory Commission pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2.

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed under Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

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

2 **Sec. 1. 14 MRSA §3141, sub-§2**, as enacted by PL 1987, c. 414, §2, is repealed.

3 **Sec. 2. 14 MRSA §3141, sub-§4**, as amended by PL 1989, c. 875, Pt. E, §17, is
4 further amended to read:

5 **4. Installment payments.** If the court concludes that the defendant has the ability to
6 pay the fine, but that requiring the defendant to make immediate payment in full would
7 cause a severe and undue hardship for the defendant and the defendant's dependents, the
8 court may authorize payment of the fine by means of installment payments in accordance
9 with this subsection. When a court authorizes payment of a fine by means of installment
10 payments, it shall issue, without a separate disclosure hearing, an order that the fine be
11 paid in full by a date certain, that the defendant has a legal duty to move the court for a
12 modification of time or method of payment to avoid a default and that in default of
13 payment the defendant must appear in court to explain the failure to pay.

14 In fixing the date of payment, the court shall issue an order ~~which~~ that will complete
15 payment of the fine as promptly as possible without creating a severe and undue hardship
16 for the defendant and the defendant's dependents.

17 **Sec. 3. 15 MRSA §103-A** is enacted to read:

18 **§103-A. Commitment affected by certain sentences**

19 **1. Commencement of commitment.** When a person subject to an undischarged
20 straight term of imprisonment or to an unsuspended portion of a split sentence for a
21 Maine conviction is, as to a different Maine offense, found not criminally responsible by
22 reason of insanity or is the recipient of a negotiated insanity plea, the person must first
23 serve the undischarged term of imprisonment or the unsuspended portion of the split
24 sentence before commencing the commitment to the custody of the Commissioner of
25 Health and Human Services ordered by the court pursuant to section 103.

26 **2. Interruption of commitment.** When a person while in the custody of the
27 Commissioner of Health and Human Services pursuant to a commitment order under
28 section 103 is found by a court to be in violation of the person's conditional release for a
29 Maine conviction, if any, and new institutional confinement is ordered, or a person
30 commits a Maine crime for which the person is subsequently convicted and the sentence
31 imposed includes a straight term of imprisonment or a split sentence, the person must be
32 placed in execution of that punishment, and custody pursuant to the commitment order
33 under section 103 must automatically be interrupted thereby. In the event execution of
34 that punishment is stayed pending appeal, the commitment under section 103 continues
35 for the stay's duration. The person must be returned to the custody of the Commissioner
36 of Health and Human Services pursuant to the commitment order under section 103 when
37 the new institutional confinement ordered or the straight term of imprisonment or the
38 unsuspended portion of the split sentence imposed has been fully served.

39 **3. Mental health treatment while imprisoned.** While a person is imprisoned in
40 execution of the punishment described in subsection 1 or 2, the county jail or state facility

1 shall provide necessary mental health treatment pursuant to Title 30-A, section 1561 or
2 Title 34-A, section 3031, subsection 2, including, when appropriate, seeking involuntary
3 psychiatric hospitalization pursuant to section 2211-A, subsection 2 or Title 34-A, section
4 3069, subsection 1.

5 **Sec. 4. 15 MRSA §812, sub-§2**, as amended by PL 1995, c. 680, §1, is further
6 amended to read:

7 **2. Notification to victims and law enforcement officers.** ~~Before~~ Whenever
8 practicable, before submitting a negotiated plea to the court, the attorney for the State
9 shall advise make a good faith effort to inform the relevant law enforcement officers of
10 the details of the plea agreement reached in any prosecution where the defendant was
11 originally charged with murder, a Class A, B or C crime or a violation of Title 17-A,
12 chapter 9, 11, 12 or 13 and, with respect to victims, shall ~~advise victims of their rights~~
13 under comply with Title 17-A, section ~~4173~~ 1172, subsection 1, paragraphs A and B
14 relative to informing victims of the details of and their right to comment on a plea
15 agreement.

16 **Sec. 5. 15 MRSA §3101, sub-§4, ¶C-2**, as enacted by PL 1997, c. 645, §2, is
17 amended to read:

18 C-2. With respect to the finding of appropriateness required by paragraph E,
19 subparagraph (2), the State has the burden of proof, except that in a case involving a
20 juvenile who is charged with one or more juvenile crimes that, if the juvenile were an
21 adult, would constitute murder, aggravated attempted murder, attempted murder,
22 felony murder, Class A manslaughter other than the reckless or criminally negligent
23 operation of a motor vehicle, elevated aggravated assault on a pregnant person,
24 elevated aggravated assault, arson that recklessly endangers any person, causing a
25 catastrophe, Class A robbery or Class A gross sexual assault in which the victim
26 submits as a result of compulsion, the juvenile has the burden of proof.

27 **Sec. 6. 15 MRSA §3304, sub-§6-A, ¶B**, as enacted by PL 2003, c. 142, §1 and
28 affected by §3, is amended to read:

29 B. If the parent, guardian or legal custodian fails to appear with the juvenile and the
30 court has not found good cause for not appearing, the court, after notice and hearing
31 on the issue of contempt, may find the parent, guardian or legal custodian in
32 contempt of court in accordance with the Maine Rules of ~~Criminal~~ Civil Procedure,
33 Rule ~~42(d)~~ 66(d).

34 **Sec. 7. 15 MRSA §3314-B, sub-§3**, as enacted by PL 2003, c. 142, §2 and
35 affected by §3, is amended to read:

36 **3. Enforcement.** After notice and hearing and in accordance with the Maine Rules
37 of ~~Criminal~~ Civil Procedure, Rule ~~42(d)~~ 66(d), the court may invoke its contempt powers
38 to enforce its counseling, treatment, education, case management or other order that
39 applies to the juvenile, the juvenile's parent, guardian or legal custodian or any other
40 person before the court who is subject to an order to participate in counseling, treatment,
41 education or case management.

1 **Sec. 8. 17-A MRSA §15, sub-§1, ¶A**, as amended by PL 2003, c. 102, §1, is
2 further amended to read:

3 A. Any person who the officer has probable cause to believe has committed or is
4 committing:

- 5 (1) Murder;
- 6 (2) Any Class A, Class B or Class C crime;
- 7 (3) Assault while hunting;
- 8 (4) Any offense defined in chapter 45;
- 9 (5) Assault, criminal threatening, terrorizing or stalking, if the officer reasonably
10 believes that the person may cause injury to others unless immediately arrested;
- 11 (5-A) Assault, criminal threatening, terrorizing, stalking, criminal mischief,
12 obstructing the report of a crime or injury or reckless conduct if the officer
13 reasonably believes that the person and the victim are family or household
14 members, as defined in Title 19-A, section 4002, subsection 4;
- 15 (6) Theft as defined in section 357, when the value of the services is \$1,000 or
16 less if the officer reasonably believes that the person will not be apprehended
17 unless immediately arrested;
- 18 (7) Forgery, if the officer reasonably believes that the person will not be
19 apprehended unless immediately arrested;
- 20 (8) Negotiating a worthless instrument if the officer reasonably believes that the
21 person will not be apprehended unless immediately arrested;
- 22 (9) A violation of a condition of probation when requested by a probation officer
23 or juvenile community corrections officer;
- 24 (10) Violation of a condition of release in violation of Title 15, section 1026,
25 subsection 3; Title 15, section 1027, subsection 3; Title 15, section 1051,
26 subsection 2; and Title 15, section 1092;
- 27 (11) Theft involving a detention under Title 17, section 3521;
- 28 (12) Harassment, as set forth in section 506-A;
- 29 (13) Violation of a protection order, as specified in Title 5, section 4659,
30 subsection 2; Title 15, section 321, subsection 6; former Title 19, section 769,
31 subsection 2; former Title 19, section 770, subsection 5; Title 19-A, section 4011,
32 subsection 3; and Title 19-A, section 4012, subsection 5; ~~or~~
- 33 (14) A violation of a sex offender registration provision under Title 34-A,
34 chapter 15; ~~and or~~
- 35 (15) A violation of a requirement of administrative release when requested by the
36 attorney for the State; and

37 **Sec. 9. 17-A MRSA §32**, as enacted by PL 1981, c. 324, §14, is amended to read:

1 **§32. Elements of crimes defined**

2 No A person may not be convicted of a crime unless each element of the crime is
3 proved by the State beyond a reasonable doubt. "Element of the crime" means the
4 forbidden conduct; the attendant circumstances specified in the definition of the crime;
5 the intention, knowledge, recklessness or negligence as may be required; and any
6 required result.

7 **Sec. 10. 17-A MRSA §101, sub-§3**, as amended by PL 1999, c. 358, §1, is
8 further amended to read:

9 **3.** Conduct that is justifiable under this chapter constitutes a defense to any crime;
10 ~~provided~~ except that, if a person is justified in using force against another, but the person
11 recklessly injures or creates a risk of injury to 3rd persons, the justification afforded by
12 this chapter is unavailable in a prosecution for such recklessness. If a defense provided
13 under this chapter is precluded solely because the requirement that the person's belief be
14 reasonable has not been met, the person may be convicted only of a crime for which
15 recklessness or criminal negligence suffices, ~~and then, only if holding the belief, when~~
16 ~~viewed in light of the nature and purpose of the person's conduct and the circumstances~~
17 ~~known to the person, is grossly deviant from what a reasonable and prudent person would~~
18 ~~believe in the same situation.~~

19 **Sec. 11. 17-A MRSA §351**, as amended by PL 1981, c. 317, §7, is further
20 amended to read:

21 **§351. Consolidation**

22 Conduct denominated theft in this chapter constitutes a single crime embracing the
23 separate crimes such as those heretofore known as larceny, larceny by trick, larceny by
24 bailee, embezzlement, false pretenses, extortion, blackmail, shoplifting and receiving
25 stolen property. An accusation of theft may be proved by evidence that it was committed
26 in any manner that would be theft under this chapter, notwithstanding the specification of
27 a different manner in the complaint, information or indictment, subject only to the power
28 of the court to ensure a fair trial by granting a continuance or other appropriate relief if
29 the conduct of the defense would be prejudiced by lack of fair notice or by surprise. If the
30 evidence is sufficient to permit a finding of guilt of theft in more than one manner, no
31 election among those manners is required.

32 **Sec. 12. 17-A MRSA §355, sub-§1**, as amended by PL 2001, c. 383, §37 and
33 affected by §156, is further amended to read:

34 **1.** A person is guilty of theft if ~~the person obtains or exercises control over the~~
35 ~~property of another as a result of extortion and with intent to deprive the other person of~~
36 ~~the property.;~~

37 A. The person obtains or exercises control over the property of another as a result of
38 extortion and with intent to deprive the other person of the property. Violation of this
39 paragraph is a Class C crime; or

1 B. The person violates paragraph A and the value of the property is more than
2 \$10,000. Violation of this paragraph is a Class B crime.

3 **Sec. 13. 17-A MRSA §355, sub-§3,** as enacted by PL 2001, c. 383, §39 and
4 affected by §156, is repealed.

5 **Sec. 14. 17-A MRSA §908, sub-§1, ¶I,** as enacted by PL 2001, c. 383, §110 and
6 affected by §156, is amended to read:

7 I. Violates paragraph D and the person has 2 or more prior ~~Maine~~ convictions for
8 ~~violation of~~ under this section or for engaging in substantially similar conduct to that
9 contained in this section in another jurisdiction. Section 9-A governs the use of prior
10 convictions when determining a sentence. Violation of this paragraph is a Class C
11 crime; ~~or~~

12 **Sec. 15. 17-A MRSA §908, sub-§1, ¶J,** as enacted by PL 2001, c. 383, §110 and
13 affected by §156, is amended to read:

14 J. Violates paragraph E and the person has 2 or more prior ~~Maine~~ convictions for
15 ~~violation of~~ under this section or for engaging in substantially similar conduct to that
16 contained in this section in another jurisdiction. Section 9-A governs the use of prior
17 convictions when determining a sentence. Violation of this paragraph is a Class C
18 crime; ~~;~~

19 **Sec. 16. 17-A MRSA §908, sub-§1, ¶K** is enacted to read:

20 K. Violates paragraph A and, as a result of the fraud, the victim in fact suffers a
21 pecuniary loss of more than \$10,000. Violation of this paragraph is a Class B crime;

22 **Sec. 17. 17-A MRSA §908, sub-§1, ¶L** is enacted to read:

23 L. Violates paragraph A and, as a result of the fraud, the victim in fact suffers a
24 pecuniary loss of more than \$1,000 but not more than \$10,000. Violation of this
25 paragraph is a Class C crime;

26 **Sec. 18. 17-A MRSA §908, sub-§1, ¶M** is enacted to read:

27 M. Violates paragraph B and, as a result of the fraud, the victim in fact suffers a
28 pecuniary loss of more than \$10,000. Violation of this paragraph is a Class B crime;

29 **Sec. 19. 17-A MRSA §908, sub-§1, ¶N** is enacted to read:

30 N. Violates paragraph B and, as a result of the fraud, the victim in fact suffers a
31 pecuniary loss of more than \$1,000 but not more than \$10,000. Violation of this
32 paragraph is a Class C crime;

33 **Sec. 20. 17-A MRSA §908, sub-§1, ¶O** is enacted to read:

34 O. Violates paragraph C and, as a result of the fraud, the victim in fact suffers a
35 pecuniary loss of more than \$10,000. Violation of this paragraph is a Class B crime;

36 **Sec. 21. 17-A MRSA §908, sub-§1, ¶P** is enacted to read:

1 P. Violates paragraph C and, as a result of the fraud, the victim in fact suffers a
2 pecuniary loss of more than \$1,000 but not more than \$10,000. Violation of this
3 paragraph is a Class C crime;

4 **Sec. 22. 17-A MRSA §908, sub-§1, ¶Q** is enacted to read:

5 Q. Violates paragraph D and, as a result of the fraud, the victim in fact suffers a
6 pecuniary loss of more than \$10,000. Violation of this paragraph is a Class B crime;
7 or

8 **Sec. 23. 17-A MRSA §908, sub-§1, ¶R** is enacted to read:

9 R. Violates paragraph D and, as a result of the fraud, the victim in fact suffers a
10 pecuniary loss of more than \$1,000 but not more than \$10,000. Violation of this
11 paragraph is a Class C crime.

12 **Sec. 24. 17-A MRSA §908, sub-§2,** as enacted by PL 1995, c. 681, §1, is
13 repealed.

14 **Sec. 25. 17-A MRSA §1176,** as enacted by PL 2005, c. 389, §1, is repealed and
15 the following enacted in its place:

16 **§1176. Confidentiality of victim records**

17 **1. General rule of confidentiality.** Records that pertain to a victim's current address
18 or location or that contain information from which a victim's current address or location
19 could be determined must be kept confidential, subject to disclosure only as authorized in
20 this section.

21 **2. Disclosure to law enforcement or victim services agencies.** Records that pertain
22 to a victim's current address or location or that contain information from which a victim's
23 current address or location could be determined may be disclosed only to:

24 A. A state agency if necessary to carry out the statutory duties of that agency;

25 B. A criminal justice agency if necessary to carry out the administration of criminal
26 justice or the administration of juvenile justice;

27 C. A victims' service agency with a written agreement with a criminal justice agency
28 to provide services as a victim advocate; or

29 D. A person or agency upon request of the victim.

30 **3. Limited disclosure as part of court order or bail condition.** A bail
31 commissioner, judge, justice, court clerk, law enforcement officer or attorney for the
32 State may disclose a victim's current address or location to the defendant or accused
33 person, or the attorney or authorized agent of the defendant or accused person, as part of a
34 bail condition or court order restricting contact with the victim, only when it is clear that
35 the defendant already knows the victim's current address or location, or when the victim
36 requests that such bail condition or court order be issued and the victim requests that the
37 current address or location be specified.

1 **4. Limited disclosure pursuant to discovery.** Notwithstanding the provisions of
2 the Maine Rules of Criminal Procedure, Rule 16, an attorney for the State may withhold
3 the current address or location of a victim from a defendant, or the attorney or authorized
4 agent of the defendant, if the attorney for the State has a good faith belief that such
5 disclosure may compromise the safety of the victim.

6 **5. Disclosure of victim's request for notice prohibited.** In no case may a victim's
7 request for notice of release of a defendant be disclosed except to those employees of the
8 agency to which the defendant is committed and the office of the attorney for the State
9 with which the request was filed in order for those employees to perform their official
10 duties.

11 **Sec. 26. 17-A MRSA §1201, sub-§1, ¶A-1,** as amended by PL 2005, c. 265, §7,
12 is further amended to read:

13 A-1. The conviction is for a Class D or Class E crime other than:

14 (1) A Class D or Class E crime relative to which, based upon both the written
15 agreement of the parties and a court finding, the facts and circumstances of the
16 underlying criminal episode giving rise to the conviction generated probable
17 cause to believe the defendant had committed a Class A, Class B or Class C
18 crime in the course of that criminal episode and, as agreed upon in writing by the
19 parties and found by the court, the defendant has no prior conviction for murder
20 or for a Class A, Class B or Class C crime and has not been placed on probation
21 pursuant to this subparagraph on any prior occasion;

22 (2) A Class D crime committed against a family or household member under
23 chapter 9 or 13 or section 506-B, 554, 555 or 758. As used in this subparagraph,
24 "family or household member" has the same meaning as in Title 19-A, section
25 4002, subsection 4;

26 (3) A Class D or Class E crime in chapter 11 or 12;

27 (4) A Class D crime under section 210-A;

28 (4-A) A Class E crime under section 552;

29 (5) A Class D or Class E crime under section 556, section 854, excluding
30 subsection 1, paragraph A, subparagraph (1), or section 855;

31 (6) A Class D crime in chapter 45 relating to a schedule W drug; or

32 (7) A Class D or Class E crime under Title 29-A, section 2411, subsection 1-A,
33 paragraph B.

34 **Sec. 27. 17-A MRSA §1202, sub-§1-A, ¶A-1,** as enacted by PL 2003, c. 711,
35 Pt. A, §12, is amended to read:

36 A-1. If the State pleads and proves that the person was convicted of committing
37 against a family or household member a crime under chapter 9 or 13 or section 554 or
38 if the person was convicted under chapter 11 or 12 or section 556, the period of
39 probation may not exceed:

40 (1) Six years for a Class A crime; or

1 (2) Four years for a Class B or Class C crime.

2 As used in this paragraph, "family or household member" has the same meaning as in
3 Title 19-A, section 4002, subsection 4; and

4 **Sec. 28. 17-A MRSA §1202, sub-§1-A, ¶D** is enacted to read:

5 D. The period of probation for a person sentenced for the crime of nonsupport of
6 dependents under section 552 is as provided under section 552, subsection 4.

7 **SUMMARY**

8 This bill is proposed by the Criminal Law Advisory Commission and does the
9 following.

10 The bill repeals Title 14, section 3141, subsection 2 because experience has
11 demonstrated that mandatory notice at the time of the defendant's initial appearance is
12 ineffective in securing fine payment in full at the time of sentence imposition. Second, it
13 adds a requirement in section 3141, subsection 4 that the order issued by the court include
14 a clear directive to the defendant that the defendant has a legal duty to move the court for
15 a modification of time or method of payment to avoid a default.

16 The bill enacts the Maine Revised Statutes, Title 15, section 103-A, which directs
17 that in the event a person who is found not criminally responsible by reason of insanity or
18 is the recipient of a negotiated insanity plea as to a Maine crime is subject to an
19 undischarged straight term of imprisonment or an unsuspended portion of a split sentence
20 for a different Maine crime, the person must serve the undischarged term of
21 imprisonment or the unsuspended portion of the split sentence before commencing the
22 commitment to the Commissioner of Health and Human Services ordered by the court
23 pursuant to section 103. Once having fully served the term of imprisonment or
24 unsuspended portion of a split sentence, the person must commence the commitment
25 ordered notwithstanding being on conditional release.

26 Title 15, section 103-A also directs that in the event a person who has entered into the
27 custody of the Commissioner of Health and Human Services pursuant to a commitment
28 order either violates a condition of release and new institutional confinement is ordered or
29 commits a Maine crime for which the person is subsequently convicted and the sentence
30 imposed includes a straight term of imprisonment or a split sentence, the person must be
31 placed in execution of that punishment and custody pursuant to the commitment order is
32 automatically interrupted. In the event execution of that punishment is stayed pending
33 appeal, the commitment will be automatically interrupted once that stay terminates and
34 the person is placed in execution of the punishment. The commitment will be resumed
35 when the new institutional confinement ordered or the straight term of imprisonment or
36 the unsuspended portion of the split sentence imposed has been fully served.

37 Title 15, section 103-A directs that, while a person is imprisoned in execution of the
38 punishment described in section 103-A, the county jail or state facility in which the
39 person is incarcerated must provide the necessary mental health treatment required under
40 law, including, when appropriate, seeking involuntary psychiatric hospitalization.

1 The bill conditions the present duty of prosecutors to inform law enforcement officers
2 of the details of certain plea agreements reached before submitting that plea to the court
3 on such notice being practicable. The bill adds Title 17-A, chapter 12 crimes to those
4 triggering notice to law enforcement officers and, with respect to victim notification, it
5 removes an incorrect reference to Title 17-A, section 1173 and replaces it with reference
6 to Title 17-A, section 1172, subsection 1, paragraphs A and B.

7 The bill adds the Class A crimes of aggravated attempted murder and elevated
8 aggravated assault on a pregnant person to the juvenile crimes for which the juvenile has
9 the burden of proof with respect to the finding of appropriateness required by the "bind
10 over" statute.

11 The bill amends Title 15, sections 3304 and 3314-B by replacing an outdated
12 reference to Rule 42 of the Maine Rules of Criminal Procedure with a reference to Rule
13 66 of the Maine Rules of Civil Procedure.

14 The bill allows a law enforcement officer to make a warrantless arrest of any person
15 who the officer has probable cause to believe has committed or is committing a violation
16 of a requirement of administrative release when requested to do so by the attorney for the
17 State.

18 The bill amends Title 17-A, section 32 to indicate that it is the State's burden to prove
19 each element of the crime charged beyond a reasonable doubt.

20 The bill eliminates the current precondition for a conviction for a crime for which
21 recklessness or criminal negligence suffices that the State, in addition to proving beyond
22 a reasonable doubt that the person's belief is unreasonable, prove beyond a reasonable
23 doubt that the person's holding of that belief "when viewed in light of the nature and
24 purpose of the person's conduct and the circumstances known to the person, is grossly
25 deviant from what a reasonable and prudent person would believe in the same situation."

26 The bill adds for purposes of completeness in Title 17-A, section 351 a reference to a
27 "complaint" in the second sentence.

28 The bill elevates the crime of theft by extortion to a Class B crime if the value of the
29 property stolen is more than \$10,000.

30 The bill adds to the 4 basic Class D forms of home repair fraud 2 aggravated forms of
31 each based on the pecuniary loss suffered by the victim as a result of the fraud. If the loss
32 is more than \$10,000, the basic crime is elevated to Class B. If the loss is more than
33 \$1,000 but not more than \$10,000, the basic crime is elevated to Class C.

34 The bill removes the current directive in Title 17-A, section 908, subsection 2 that the
35 trial court rather than the jury determine the materiality question. Since whether a fact
36 relating to the terms of the agreement or contract is material is an element of the crime of
37 home repair fraud, a defendant has the constitutional right to have the jury rather than the
38 trial court determine the question of materiality.

39 The bill clarifies the requirement that a victim's address be kept confidential. It
40 provides a general rule of confidentiality. It allows victim address information to be

1 disclosed to state, criminal justice, juvenile justice and victim services agencies in limited
2 circumstances and to other persons or agencies upon request of the victim. It allows
3 criminal justice personnel and the court to disclose such information upon victim request
4 as part of a court order restricting contact with the victim, or when the defendant already
5 knows that victim's current address or location. It allows an attorney for the State to
6 withhold such information upon a good faith belief that disclosure may compromise
7 victim safety. It prohibits disclosure of a victim request for notice of the defendant's
8 release except as required to carry out the request. The bill protects the confidentiality of
9 victim information but does not prevent access to the information required for the
10 administration of the criminal justice system, juvenile justice system or provision of
11 victim services.

12 The bill allows a person convicted of nonsupport of dependents to be placed on
13 probation under the supervision of the Department of Health and Human Services for a
14 period extending to the time when the youngest dependent attains 18 years of age.