

1		L.D. 324	
2	Date: 5/1/9	(Filing No. H-23	
3	JUDICIARY		
4	Reproduced and distributed under the direction of the Cler	k of the House.	
5	STATE OF MAINE		
6	HOUSE OF REPRESENTATIV	ES	
7	124TH LEGISLATURE	124TH LEGISLATURE	
8	FIRST REGULAR SESSION		
9 10	COMMITTEE AMENDMENT "A" to H.P. 260, L.D. 3 Limited Information Sharing in Domestic Violence Cases"	24, Bill, "An Act To Allow	
11 12	Amend the bill in section 3 by striking out all of paragrap in L.D.) and inserting the following:	h E (page 1, lines 14 to 19	
13 14 15 16 17	'E. An advocate, as defined in section 53-B, subsection specific agreement with a criminal justice agency a limitations to protect the interests described in subsection an advocate and a criminal justice agency must, at a mit that:	nd subject to reasonable 1. An agreement between	
18 19 20	(1) Permit the advocate to use reports or records th investigative information for the purpose of planning named in the reports;		
21 22	(2) Prohibit the advocate from further dissemination contain intelligence and investigative information;	ng reports or records that	
23 24	(3) Require the advocate to ensure that reports intelligence and investigative information remain secur		
25 26	(4) Require the advocate to destroy reports or record and investigative information within 30 days after rece		
27 28 29 30	(5) Permit the criminal justice agency to perform r audits in order to ensure that records containing inter information that are obtained by and that are in the c maintained in accordance with the requirements of this	elligence and investigative ustody of the advocate are	
31 32 33	(6) Require the advocate to indemnify and hold har agency with respect to any litigation that may result fro or records that contain intelligence and investigative in	om the provision of reports	

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COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 260, L.D. 324

(7) Permit the criminal justice agency to immediately and unilaterally revoke an agreement made pursuant to this paragraph; and

(8) Provide sanctions for any violations of this paragraph.

The Commissioner of Public Safety may adopt a model policy to standardize the provisions contemplated in this paragraph.'

Amend the bill by inserting after section 3 the following:

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'Sec. 4. 16 MRSA §614, sub-§4 is enacted to read:

4. Unlawful dissemination of reports or records that contain intelligence and investigative information. A person that intentionally disseminates a report or record that contains intelligence and investigative information in violation of this section commits a Class E crime.'

SUMMARY

This amendment allows a criminal justice agency to share intelligence and investigative information with an advocate for victims of family or domestic violence pursuant to an agreement between the advocate and the criminal justice agency. The agreement must contain, at a minimum, specific requirements governing the use and dissemination of the information.

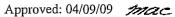
This amendment creates a Class E crime for the intentional dissemination of a report or record containing intelligence and investigative information in violation of the section.

FISCAL NOTE REQUIRED

(See attached)

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COMMITTEE AMENDMENT





124th MAINE LEGISLATURE

LD 324

LR 562(02)

An Act To Allow Limited Information Sharing in Domestic Violence Cases

Fiscal Note for Bill as Amended by Committee Amendment "" Committee: Judiciary Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new Class E crimes.

The collection of additional fines may also increase General Fund revenue by minor amounts.

Fiscal Detail and Notes

Additional costs to the Department of Public Safety can be absorbed within existing budgeted resources.