

MAINE STATE LEGISLATURE

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ROD

L.D. 1727

Date: 3/20/12

(Filing No. H-802)

majority

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1277, L.D. 1727, Bill, "An Act To Ensure That the Public Is Duly Informed When Certain Juvenile Crimes Are Committed"

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 15 MRSA §3307, sub-§1-A, as amended by PL 1999, c. 624, Pt. B, §17, is further amended to read:

1-A. Release of identity. A Except as provided in subsection 1-B, a law enforcement officer, officer of the court or juvenile community corrections officer may not release the identity of any juvenile until a petition is filed charging the juvenile with a juvenile crime described in subsection 2. This section does not preclude the release of the identity of a juvenile to a complainant or victim if a juvenile community corrections officer decides not to file a petition in accordance with section 3301, subsection 5, paragraph A or B or if the juvenile community corrections officer requests the prosecuting attorney to file a petition in accordance with section 3301, subsection 5, paragraph C.

Sec. 2. 15 MRSA §3307, sub-§1-B is enacted to read:

1-B. Release of arrest information for certain juvenile crimes. A law enforcement officer may release the identity of a juvenile 16 years of age or older who is arrested for a juvenile crime that if committed by an adult would constitute one of the following offenses:

A. Murder;

B. Felony murder;

C. Aggravated assault;

D. Elevated aggravated assault;

E. Elevated aggravated assault on a pregnant person;

F. Stalking;

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G. Aggravated reckless conduct;

H. Gross sexual assault;

I. Unlawful sexual contact;

J. Unlawful sexual touching;

K. Kidnapping;

L. Criminal restraint;

M. Robbery; or

N. Arson.'

SUMMARY

This amendment is the majority report. The amendment specifies that only a law enforcement officer, not a juvenile community corrections officer or the court as provided in the bill, may release the identity of a juvenile 16 years of age or older if the juvenile has been arrested for a juvenile crime that if committed by an adult would constitute murder, felony murder, aggravated assault, elevated aggravated assault, elevated aggravated assault on a pregnant person, stalking, aggravated reckless conduct, gross sexual assault, unlawful sexual touching, unlawful sexual contact, kidnapping, criminal restraint, robbery or arson.