

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

—
H.P. 67 - L.D. 102

An Act to Notify the Public of Juveniles That Have Escaped a Department of Corrections Facility and to Direct the Department of Corrections to Study the Further Release of Juvenile Intelligence and Investigative Record Information

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

Sec. 1. 15 MRSA §3308-A, sub-§4-A is enacted to read:

4-A. Limited dissemination; escaped juveniles. Notwithstanding any provision of this Part or in Title 34-A, section 1216 to the contrary, when a juvenile has escaped from a Department of Corrections facility and there is probable cause to believe that the juvenile presents a serious risk to the juvenile's own safety or to public safety, the Commissioner of Corrections or the commissioner's designee may publicly disclose the following information for the purpose of identifying and apprehending the juvenile:

- A. The juvenile's physical description;
- B. A photograph of the juvenile;
- C. Any recent location of the juvenile;
- D. Any likely location of the juvenile;
- E. The fact that the Department of Corrections is searching for the juvenile; and
- F. Instructions for the public not to approach the juvenile, but to report any sightings or relevant information to a criminal justice agency.

Sec. 2. Department of Corrections to convene working group. The Department of Corrections shall convene a working group to examine best practices for apprehending a juvenile for whom a warrant of arrest has been issued, a juvenile who has escaped from arrest or a juvenile who has escaped from arrest during transport following arrest.

1. The working group's examination shall determine what juvenile intelligence and investigative record information, if any, should be made public to assist in the apprehension of wanted or escaped juveniles. In making this determination, the working group shall consider both the purpose of the Maine Juvenile Code and the potential safety risks to a

wanted or escaped juvenile and to the public. If the release of juvenile intelligence and investigative record information is determined appropriate by the working group, the working group shall further determine best methods for a criminal justice agency to petition a court seeking the release of juvenile intelligence and investigative record information to the public to assist in the apprehension of juveniles. For the purposes of this section, "juvenile intelligence and investigative record information" has the same meaning as in the Maine Revised Statutes, Title 15, section 3308-A, subsection 1, paragraph E.

2. The Commissioner of Corrections, or the commissioner's designee, shall serve as a member of the working group and shall appoint, at a minimum, the following additional members to the working group:

- A. One member representing a statewide association representing sheriffs;
- B. One member representing a statewide association representing municipal chiefs of police;
- C. One member who is a defense attorney with experience in the juvenile justice system;
- D. One member who is a prosecuting attorney with experience in the juvenile justice system;
- E. One member who is an active or retired judge with experience in the juvenile justice system upon the recommendation of the Chief Justice of the Supreme Judicial Court; and
- F. One member with experience in law and policy development for juveniles.

The Commissioner of Public Safety or the commissioner's designee shall serve as an ex officio member.

Sec. 3. Report. By January 1, 2027, the Commissioner of Corrections shall submit a report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters that includes the findings, recommendations and any suggested legislation by the working group under section 2 for apprehending escaped and wanted juveniles. The joint standing committee may report out legislation based on the report to the 133rd Legislature in 2027.