



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

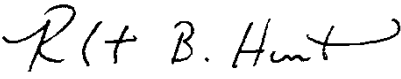
No. 1670

H.P. 1197

House of Representatives, May 2, 2019

An Act To Limit the Dissemination of Juvenile Records

Reference to the Committee on Judiciary suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative TALBOT ROSS of Portland.

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

2 **Sec. 1. 15 MRSA §3308, sub-§8**, as enacted by PL 1989, c. 744, §5, is amended
3 to read:

4 **8. Juvenile records sealed.** This subsection governs the sealing of records of a
5 person adjudicated to have committed a juvenile crime.

6 ~~A. A person adjudicated to have committed a juvenile crime may petition the court
7 to seal from public inspection all records pertaining to the juvenile crime and its
8 disposition, and to any prior juvenile records and their dispositions if:~~

9 ~~(1) At least 3 years have passed since the person's discharge from the disposition
10 ordered for that juvenile crime;~~

11 ~~(2) Since the date of disposition, the person has not been adjudicated to have
12 committed a juvenile crime and has not been convicted of committing a crime;
13 and~~

14 ~~(3) There are no current adjudicatory proceedings pending for a juvenile or other
15 crime.~~

16 A-1. At the time that a person adjudicated to have committed a juvenile crime is
17 discharged from the disposition ordered for that juvenile crime, the court shall
18 automatically and immediately enter an order sealing from public inspection all
19 records pertaining to the juvenile crime and its disposition.

20 ~~B. The court may grant the petition if it finds that the requirements of paragraph A
21 are satisfied, unless it finds that the general public's right to information substantially
22 outweighs the juvenile's interest in privacy.~~

23 C. Notwithstanding subsections 3, 3-A, 4 and 5, the court order sealing the records
24 permits only the following persons to have access to the sealed records:

25 (1) The courts and criminal justice agencies as provided by this section; and

26 (2) The person whose juvenile records are sealed or that person's designee.

27 ~~D. If the petition is granted, the A~~ A person whose juvenile records have been sealed
28 under this subsection may respond to inquiries from other than the courts and
29 criminal justice agencies about that person's juvenile crimes, the records of which
30 have been sealed, as if the juvenile crimes had never occurred, without being subject
31 to any sanctions.

32 **SUMMARY**

33 This bill provides for the sealing of juvenile records.

34 The bill changes the sealing process for juvenile records to provide that at the time a
35 person who is adjudicated to have committed a juvenile crime is discharged from the
36 disposition ordered for that juvenile crime, the court is required to automatically and
37 immediately enter an order sealing from public inspection all records pertaining to the
38 juvenile crime and its disposition.