



## MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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Senator Anne Beebe-Center, Chair  
Representative Tavis Hasenfus, Chair  
Joint Committee on Criminal Justice and Public Safety  
5 State House Station, Room 438  
Augusta, ME 04333

### **RE: LD 102: An Act to Notify the Public of Juveniles Who Are Wanted Persons**

Dear Senator Beebe-Center, Representative Hasenfus, and Honorable Members of the Judiciary Committee:

The Maine Association of Criminal Defense Lawyers is a non-profit organization that has nearly 300 member attorneys who practice criminal defense across the state. Since 1992, MACDL has advocated for its members and the people we are fortunate to represent in courtrooms throughout Maine and at the State House.

We are here today to testify **against** LD 102.

The Juvenile Code, as it currently stands, defaults towards maintaining the privacy and confidentiality of young people's identifying information. There is a myriad of reasons why this makes sense—the "transient nature" of youth, the permanence of Google, the developing adolescent brain's tendency towards recklessness and risk-taking.

Let me emphasize—once a young person's name is out there, online, on social media, on the scanner—there is no going back. Their name will forever be associated with whatever juvenile offense for which they stand accused. This is a black mark that cannot be erased.

This bill would amend the current law pertaining to adjudications—meaning when a juvenile admits to a petition ("pleads guilty") or is found to have committed the offense ("convicted"). This bill would open up a juvenile's identity and charging information for accusations of escape or a pending warrant of arrest—in other words, based on allegations alone. In these instances, the young person would be presumed innocent of whatever charged is levied against them.

This is obviously different than in cases where a young person has been adjudicated of a juvenile offense. Even in those instances, only juveniles who have been adjudicated of murder or "felony-level" offenses would have some of their information made public. Here, there is no such requirement and again, this is allowing the public release of information of juveniles who have not yet been adjudicated ("convicted") of any offense whatsoever.

Of course, public safety is important—but so too is protecting the identities of children in crisis, who have not yet been “found guilty” of any crime. We can continue to protect youth while allowing law enforcement (as we always have) the information they need to investigate crimes and search for young people accused of crimes.

On behalf of our clients, thank you for your consideration, for your attention to this important matter, and for allowing me to present testimony to you all today.

Sincerely,

A handwritten signature in blue ink, reading "Tina Heather Nadeau". The signature is fluid and cursive, with a large loop at the end.

Tina Heather Nadeau, Esq.  
MACDL Executive Director