

CLAC MEMORANDUM/TESTIMONY OPPOSED  
LD 102, An Act to Notify the Public of Juveniles Who Are Wanted Persons

TO: Senator Anne Beebe-Center  
Representative Tavis Hasenfus  
Joint Standing Committee on Criminal Justice and Public Safety

FR: Criminal Law Advisory Commission (CLAC)  
c/o laura.yustak@maine.gov

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

DA: March 26, 2025

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The Criminal Law Advisory Commission (CLAC)\* respectfully submits the following testimony opposed to LD 102 as originally drafted.

CLAC objections arise from the members' view of the bill as being drafted quite broadly. Release to the public of information concerning a juvenile that is otherwise confidential under the Juvenile Code, particularly pre-adjudication, should be limited to circumstances where there has been a determination that there is a risk of injury or danger to public safety and/or the juvenile. It was not apparent who would be making such a determination, as that may vary depending on where in the process the event occurs. For example, the person and agency in the best position to assess risk will vary according to whether notice is recommended at the pre-adjudication/warrant stage, or post-adjudication, after escape from a DOC facility.

CLAC members were troubled about including Class D crimes in the warrant category that could result in public notice, since such proceedings are generally closed to the public, though acknowledged that there may be limited circumstances in which notification could be important to safeguard the juvenile and others (for example, if the juvenile is at risk of self-harm or harming others).

\*CLAC is an advisory body established by the Legislature. 17-A M.R.S. §§ 1351-1357. It consists of 9 members appointed by the Attorney General. Our current members include defense attorneys, prosecutors, Maine Bar Counsel, and a retired practitioner with experience as defense counsel, prosecutor and in court administration. In addition, three sitting judges and one retired practitioner, appointed by the Chief Justice of the Supreme Judicial Court, and, by statute, the Co-Chairs of the Legislature's Committee on Criminal Justice and Public Safety, serve as consultants. The Supreme Judicial Court's Criminal Process Manager serves as liaison from the Court to CLAC. CLAC advises the Legislature on matters relating to crimes in the Criminal Code and in other Titles, the Bail and Juvenile Codes, and with respect to other statutes related to criminal justice processes.