

Maine Youth Justice Legislative Updates 2024

The following is a summary of legislation on youth justice and related reforms enacted or vetoed during the second regular session of the 131st Legislature, which adjourned on May 10, 2024. Unless otherwise provided for in the legislation, regular session bills and resolves are effective on August 9, 2024. Emergency measures are effective when signed by the Governor. The first regular session of the 132nd Legislature will convene in 2025.

Enacted Legislation

LD 2171, An Act Establishing Concurrent Jurisdiction with the Federal Courts in Certain Juvenile Matters, *Sponsored by Senator Harold Stewart*

An amendment to Sec. 1. 1 MRSA §11 to clarify that the Juvenile Court has exclusive original jurisdiction over a case involving a juvenile who is alleged to have committed a juvenile crime, regardless of where that crime is committed.

Signed into law as amended by Governor Mills on April 9, 2024.

LD 2261, An Act to Make Technical Corrections to the Maine Juvenile Code, the Maine Criminal Code and the Intelligence and Investigative Record Information Act,

Introduced by Representative Suzanne Salisbury; submitted by the D.O.C.

- Clarifies provisions in the Maine Juvenile Code regarding the sealing of juvenile records.
- Repeals a provision of law in the Intelligence and Investigative Record Information Act.
- Corrects a reference to a repealed statute in a provision in the Maine Criminal Code regarding sentences of imprisonment.

Signed into law by Governor Mills on March 19, 2024.

LD 2219, An Act to Implement the Recommendations of the Maine Commission on Indigent Legal Services, *Sponsored by Senator Anne Carney*

- Requires that a Juvenile Court consider any juvenile who requests counsel to be indigent for the purposes of appointing counsel. If, after counsel has been appointed, private counsel retained by the juvenile enters an appearance, appointed counsel must file a motion to withdraw.
- Authorizes Maine criminal justice agencies to disseminate confidential juvenile history record information to the commission for the purposes of assigning, evaluating or supervising counsel.
- Requires the Juvenile Court, on request, to disseminate juvenile case records to the commission for the purposes of assigning, evaluating or supervising counsel.

Signed into law by Governor Mills on April 16, 2024.

Failed Legislation

LD 288, An Act Concerning Housing and Support Services for At-risk Youth and Youth Involved in the Juvenile Justice System, *Sponsored by Representative Grayson Lookner*

Provides a one-time General Fund appropriation of \$20,000,000 to the Department of Health and Human Services, Homeless Youth Program to enhance current programs and develop new programs geographically dispersed across the State that provide at-risk youth and youth involved in the juvenile justice system low-barrier access to shelters, youth centers, comprehensive needs assessments and wraparound services.

Died on adjournment, 5/10/2024.

LD 1779, An Act to Prevent Youth Involvement in the Juvenile Justice System by Establishing a Strength-based, Discretionary Juvenile Needs Assessment Program, *Sponsored by Representative Grayson Lookner*

- Establishes a process allowing a law enforcement officer who has probable cause to believe that a juvenile has committed a juvenile crime, or a juvenile community corrections officer to whom a juvenile has been referred, to refer the juvenile to the Department of Health and Human Services for a juvenile needs assessment designed to identify the supports and services needed to promote child and family well-being and actions to be taken to address the medical, educational, social therapeutic or other services needed by the juvenile and the juvenile's family. The assessment must be conducted by persons with comprehensive training and must be completed within 60 days following referral of the juvenile to the department. If a juvenile needs assessment was completed for the juvenile within the 6 months prior to the referral, the department must provide that report to the law enforcement officer or juvenile community corrections officer. Also requires that if the assessment reveals that the juvenile has complex behavioral health needs and is at risk or is already involved in multiple service systems, the department must refer the juvenile and the juvenile's family to high-fidelity wraparound care coordination services.
- Establishes requirements for issuing petitions regarding a juvenile when that petition is being issued prior to or in conjunction with a referral for a juvenile needs assessment and following a juvenile needs assessment.
- Establishes criteria for the use of the report and recommendations based on the juvenile needs assessment in adjudicatory hearings and stipulates that statements made by the juvenile or the juvenile's parents, guardian or legal custodian related to the juvenile needs assessment are not admissible as evidence in adjudicatory hearings.
- Directs the Department of Health and Human Services to establish an implementation stakeholder group to assist in the implementation of the juvenile needs assessment and train relevant persons and entities on all matters related to the juvenile needs assessment.

Died on adjournment, 5/10/2024.