

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 3 by striking out all of paragraph E (page 1, lines 14 to 19 in L.D.) and inserting the following:

'E. An advocate, as defined in section 53-B, subsection 1, paragraph A, with a specific agreement with a criminal justice agency and subject to reasonable limitations to protect the interests described in subsection 1. An agreement between an advocate and a criminal justice agency must, at a minimum, include provisions that:

(1) Permit the advocate to use reports or records that contain intelligence and investigative information for the purpose of planning for the safety of the victim named in the reports;

(2) Prohibit the advocate from further disseminating reports or records that contain intelligence and investigative information;

(3) Require the advocate to ensure that reports or records that contain intelligence and investigative information remain secure and confidential;

(4) Require the advocate to destroy reports or records that contain intelligence and investigative information within 30 days after receiving the report or record;

(5) Permit the criminal justice agency to perform reasonable and appropriate audits in order to ensure that records containing intelligence and investigative information that are obtained by and that are in the custody of the advocate are maintained in accordance with the requirements of this paragraph;

(6) Require the advocate to indemnify and hold harmless the criminal justice agency with respect to any litigation that may result from the provision of reports or records that contain intelligence and investigative information;

(7) Permit the criminal justice agency to immediately and unilaterally revoke an agreement made pursuant to this paragraph; and

(8) Provide sanctions for any violations of this paragraph.

The Commissioner of Public Safety may adopt a model policy to standardize the provisions contemplated in this paragraph.'

Amend the bill by inserting after section 3 the following:

‘**Sec. 4. 16 MRSA §614, sub-§4** is enacted to read:

**4. Unlawful dissemination of reports or records that contain intelligence and investigative information.** A person that intentionally disseminates a report or record that contains intelligence and investigative information in violation of this section commits a Class E crime.’

### SUMMARY

This amendment allows a criminal justice agency to share intelligence and investigative information with an advocate for victims of family or domestic violence pursuant to an agreement between the advocate and the criminal justice agency. The agreement must contain, at a minimum, specific requirements governing the use and dissemination of the information.

This amendment creates a Class E crime for the intentional dissemination of a report or record containing intelligence and investigative information in violation of the section.

### FISCAL NOTE REQUIRED

(See attached)