

§3501. Interim care

1. Interim care. A juvenile may be taken into interim care by a law enforcement officer without order by the court when the officer has reasonable grounds to believe that:

A. The juvenile is abandoned, lost or seriously endangered in the juvenile's surroundings and that immediate removal is necessary for the juvenile's protection; or [PL 2019, c. 525, §29 (AMD).]

B. The juvenile has left the care of the juvenile's parent or parents, guardian or legal custodian without the consent of the parent or parents, guardian or legal custodian. [PL 2019, c. 525, §29 (AMD).]

[PL 2019, c. 525, §29 (AMD).]

2. Limit. Under no circumstances shall any juvenile taken into interim care be held involuntarily for more than 6 hours.

[PL 1977, c. 520, §1 (NEW).]

3. Interim care, police record. The taking of a juvenile into interim care pursuant to this section is not an arrest and shall not be designated in any police records as an arrest.

[PL 1977, c. 520, §1 (NEW).]

4. Notification of parents, guardian or custodian. When a juvenile is taken into interim care, the law enforcement officer or the Department of Health and Human Services shall, as soon as possible, notify the juvenile's parent, guardian or legal custodian of the juvenile's whereabouts. If a parent, guardian or legal custodian cannot be located, such notification shall be made to a person with whom the juvenile is residing.

[PL 1981, c. 619, §5 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

5. Interim care, placement.

A. When a law enforcement officer takes a juvenile into interim care, the officer shall contact the Department of Health and Human Services which shall designate a place where the juvenile will be held. [PL 1981, c. 619, §6 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

B. The law enforcement officer shall take the juvenile to the Department of Health and Human Services or to the location specified by the department without unnecessary delay. [PL 1981, c. 619, §7 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

C. [PL 1981, c. 619, §8 (RP).]

[PL 1981, c. 619, §§6-8 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

6. (omitted).

REVISOR'S NOTE: Subsection 6 omitted when section enacted by PL 1977, c. 520, §1

7. Interim care, restriction on placement and transportation.

A. A juvenile taken into interim care may not be placed in a jail or other secure detention or correctional facility intended or used to detain adults accused or convicted of crimes or juveniles accused or adjudicated of juvenile crimes. [PL 1997, c. 752, §28 (AMD).]

B. Notwithstanding paragraph A, a juvenile taken into interim care may be held, if no other appropriate placement is available, in the public sections of a facility described in section 3203-A, subsection 7, paragraph B if there is an adequate staff to supervise the juvenile's activities at all times or in accordance with section 3203-A, subsection 7-A. [PL 1997, c. 752, §29 (AMD).]

C. To the extent practicable, a juvenile taken into interim care shall not be placed or transported in any police or other vehicle which at the same time contains an adult under arrest. [PL 1977, c. 520, §1 (NEW).]

[PL 1997, c. 752, §§28, 29 (AMD).]

8. Interim care; voluntary services. The Department of Health and Human Services shall inform the juvenile and the juvenile's parent or parents, guardian or legal custodian of social services and encourage them to voluntarily accept social services.
[PL 2019, c. 525, §30 (AMD).]

9. Interim care, identification of juvenile. Fingerprints of a juvenile taken into interim care pursuant to this section may not be obtained from the juvenile. Solely for the purpose of restoring a juvenile to the juvenile's residence, the juvenile's name, address, photograph and other reasonably necessary information may be obtained and transmitted to any appropriate person or agency.
[RR 2023, c. 2, Pt. D, §95 (COR).]

SECTION HISTORY

PL 1977, c. 520, §1 (NEW). PL 1977, c. 664, §47 (AMD). PL 1981, c. 619, §§5-9 (AMD). PL 1985, c. 439, §18 (AMD). PL 1993, c. 354, §12 (AMD). PL 1997, c. 752, §§28,29 (AMD). PL 2003, c. 689, §B6 (REV). PL 2019, c. 525, §§29, 30 (AMD). RR 2023, c. 2, Pt. D, §95 (COR).

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