

**§3205. Juvenile in adult-serving jail**

**1. Generally.** A juvenile may not be committed to or detained or confined in a jail or other secure detention facility intended or primarily used for the detention of adults, except when bound over as an adult and as provided in section 3101, subsection 4, paragraph E-2, or as provided in section 3203-A, subsection 1, paragraph B-1 or section 3203-A, subsection 7. A juvenile who is detained in a jail or other secure detention facility intended or primarily used for the detention of adults may be detained only in a section of a facility that meets the requirements of section 3203-A, subsection 7, paragraph A, unless bound over as an adult and held in an adult section of a facility pursuant to section 3101, subsection 4, paragraph E-2.

[PL 2013, c. 28, §7 (AMD).]

**2. Exception.** Subsection 1 applies to any person who has not attained 18 years of age or is considered a juvenile by virtue of section 3101, subsection 2, paragraph D except that:

A. If the person has attained 18 years of age, or has been convicted as an adult in another jurisdiction, any detention pursuant to section 3203-A and any confinement pursuant to section 3314, subsection 1, paragraph H or section 3314, subsection 7 may be, upon the order of a court, in an adult section of a jail or other secure detention facility intended or primarily used for the detention of adults and may extend beyond the time limits set out in section 3203-A; and [PL 2009, c. 93, §8 (NEW).]

B. If the person has attained 21 years of age or has been convicted as an adult in another jurisdiction and has attained 18 years of age, any detention pursuant to section 3203-A and any confinement pursuant to section 3314, subsection 1, paragraph H or section 3314, subsection 7 must be in an adult section of a jail or other secure detention facility intended or primarily used for the detention of adults and may extend beyond the time limits set out in section 3203-A. [PL 2013, c. 28, §8 (AMD).]

[PL 2013, c. 28, §8 (AMD).]

**SECTION HISTORY**

PL 1989, c. 571, §A2 (NEW). PL 1989, c. 925, §9 (AMD). PL 1991, c. 493, §17 (RPR). PL 1997, c. 24, §RR4 (AMD). PL 1997, c. 752, §14 (AMD). PL 1999, c. 624, §A6 (AMD). PL 2005, c. 507, §§6, 7 (AMD). PL 2007, c. 196, §1 (AMD). PL 2009, c. 93, §8 (AMD). PL 2013, c. 28, §§7, 8 (AMD).

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