

STATE OF MAINE
KENNEBEC, ss.

DISTRICT COURT
AUGUSTA
NO. JV-2025-20

STATE OF MAINE

v.

JASON HUNNEWELL

Juvenile

BINDOVER ORDER

Pending before the Court is a juvenile petition charging two counts of intentional or knowing or depraved indifference murder filed June 12, 2025, as well as the State's motion for bindover. The Court held a hearing on the State's bindover motion on April 22, 23, and 24, 2026, in Augusta. Assistant Attorney General Katie Sibley represented the State. Attorneys Walter McKee and Kurt Peterson represented now 17-year-old Jason Hunnewell. The parties stipulated to probable cause but litigated the appropriateness of keeping Jason in the juvenile system. The parties filed written closings shortly after the multiday hearing. After an exacting review of the record and the parties' arguments, the Court finds and orders as follows:

BACKGROUND

I. The offense

Among Jason Hunnewell's belongings in the home he shared with the homicide victims, Maine State Police detectives discovered a notebook containing original drawings. They are styled like a comic book, and they seem to have been prepared by Jason. The first panel depicts a stick figure sitting and watching TV on a couch. The

figure is seen from behind, with only a single circle—the figure’s head—protruding over the couch’s back. Another stick figure appears in the next panel, looming behind the couch, an ax in hand. The first figure remains in place, eyes presumably fixed on the TV. The ax swings in the third panel, with lines denoting motion. In the fourth panel, the circle above the couch’s back is split in half. Blood spreads across the couch. Turn the page; the story continues. The fifth panel is difficult to interpret—perhaps it depicts a slumped over body—but the sixth is clear. In it, a tall and short stick figure stand near each other. The small stick figure brandishes a knife. In the seventh panel, the small stick figure appears to be at the top of a flight of stairs. The carnage depicted in panel four is recreated as a background detail here. In the eighth and final panel, a car drives down a road.

At approximately 8 pm on June 11, 2025, Christopher Hunnewell, Jason Hunnewell’s cousin and foster care provider, watches TV on a couch in his home. Jason Hunnewell approaches Christopher from behind with a maul used for wood-splitting, and he delivers blow after blow to the back of Christopher’s head. Christopher dies. At some point, someone turns two home security cameras around toward the walls closest to them so that they fail to capture the scene inside the room. Blood is smeared on each. Jason goes to the bottom of a staircase and calls up to Ty Carter, Christopher’s son, who is playing video games upstairs with his fiancé Chili Mulgado. Jason calmly says that Christopher needs help with a mold problem in the downstairs bathroom. Ty leaves Chili and walks downstairs to address the issue. Then he screams for help.

Chili rushes to the top of the staircase and witnesses Jason, armed with a fixed-blade hunting knife, grappling with Ty. Jason repeatedly stabs Ty. Chili tries to help Ty, but two fatal thrusts land in Ty's neck. Jason and Chili then fight for the knife, with Chili grabbing the knife's blade to try and seize it. Their struggle reaches the house's front porch and results in Jason and Chili tumbling over a railing to the ground. Chili wrestles the knife from Jason, who screams, "don't kill me!" and runs off. Chili returns to the home, locks herself inside with the dead bodies of her fiancé and his father, and calls the police. Jason returns to the front porch and paces back and forth. The police arrive almost thirteen harrowing minutes later. Police handcuff Jason. Now he says, "kill me." "I'm a monster." "Everyone was right about me." That is how this chapter of Jason's life ends, but his story does not begin and end with the drawings or with the events of June 11.

II. Childhood

Unfortunately, Jason has experienced a horrendous childhood. Jason was born to Crystal Marr and Alfred ("Al") Hunnewell on January 14, 2009. Crystal, who passed away after Jason's arrest, was a severe alcoholic who was frequently homeless. At the time of Jason's birth, she had a blood alcohol concentration of .20 g/100 mL. Al was on probation for federal drug trafficking charges when Jason was born. Al physically and sexually abused Jason and Jason's half-sister Anna Marr. Almost the instant Jason entered the world, the Maine Department of Health and Human Services ("DHHS") became involved in his life. After Jason's birth, Al agreed to a protection plan with DHHS that restricted Crystal's contact with Jason. After a

six-month supervision period, DHHS left Al to parent Jason alone. Just four years later, though, DHHS returned. The house Jason lived in, including Jason's room, was overflowing with animal feces, alcohol bottles, and other trash. Crystal was at the home and appeared to be abusing drugs and alcohol. Jason had fungus growing under his toenails and bruising on his back. DHHS removed Jason from the home.

From there, Jason's life became a disorienting whirlwind of DHHS placements. By June 11, 2025, his number of placements—17—outnumbered his 16 years of life. Jason's longest placement, with Thomas and Shirley Kwiatek, lasted three years. Some of his shortest placements lasted mere weeks. He lived everywhere from houses to hotel rooms to an unfinished attic with a bucket for a toilet. Until his current detention at Long Creek Youth Development Center ("Long Creek"), Jason had never experienced true stability in his life and he has only rarely experienced any kind of acceptance. Even at his longest-lasting placement, he was treated as secondary to his foster caretakers' immediate family. The bright spots in Jason's personal life, like his relationships with his older half-sister, Anna, and with Stefanie Millette, a respite foster care provider, have been inconsistent, marred by uncertainty, and frequently cut short by circumstance.

From August 2014 to March 2017, DHHS placed Jason back with Al. While Jason experienced some degree of security, that placement was cut short when Al was arrested and convicted of sexually assaulting Anna, his stepdaughter.¹ Al is currently

¹ Anna later spoke with Jason about Al's crimes at a camp the two attended together and Jason had difficulty accepting that she was telling the truth. The conversation resulted in a shouting match between Jason and Anna and in both leaving the camp early. The Court highlights this event to

incarcerated at Maine State Prison for three convictions of class A gross sexual assault, as well as single convictions of class C possession of sexually explicit material of a minor, class B sexual exploitation of a minor by a parent, and class B unlawful sexual contact.² After Al's incarceration, his brother Dale Hunnewell, who has an extensive history of drug trafficking, gained probate guardianship of Jason. This guardianship was cut short by Dale's arrest for drug trafficking in 2020. Jason was removed from Dale's care and placed with the Kwiateks. This placement would be Jason's longest, lasting three years.

During his placement with the Kwiateks, DHHS explored placing Jason with Dale, but those beginnings of a plan fell through in dramatic fashion. Dale frequently yelled at Jason, once disciplined him by having him sit in a chair for days, and tormented Jason about choosing between Dale and the foster system. The Kwiateks perceived Dale as attempting to sabotage Jason's placement with them. This pressure, along with Jason's energetic and disruptive behavior, pushed the Kwiateks to determine they could not continue fostering Jason. After the Kwiatek placement ended, Jason endured four rapid, temporary placements—including two stays at hospitals for mental health care related to suicidal ideation—before Christopher, Jason's cousin, expressed an interest in fostering Jason. Jason moved into Christopher's home in June 2023.

demonstrate how badly Jason wanted to believe that his father was a good person despite his abominable actions and how little insight Jason had into the abnormality of his childhood.

² By 2023, both Crystal and Al's parental rights had been terminated.

Jason's life at Christopher's home was still difficult. Christopher's home was disorganized and unclean. While Jason began his time there with his own room, he was eventually moved to just a section of a room on the first floor. That room was not designed to be a bedroom; Jason's mattress lay directly on the floor in the makeshift living space. The family dogs soiled his mattress and bedding regularly. His room was close to a living room where people in the home often watched loud TV into the early morning hours. Jason had difficulty sleeping. All the while, people in the home made disparaging, seriously hurtful comments about Jason, which he sometimes recorded in a notebook. Leading up to June 11, 2025, a Guardian Ad Litem heavily involved in Jason's life, Attorney Steven Carey, believed it was critical that Jason be placed somewhere else. The next place Jason would live would be Long Creek.

III. Long Creek

Jason is not always easy to handle. Throughout most of his life, he has suffered from untreated Attention Deficit Hyperactivity Disorder ("ADHD"), which has induced intense chattiness and near-constant movement. He has also manifested symptoms of psychosis. He sometimes believes God tells him to do things and has had hallucinations of a dead dog speaking to him. He sees shadowy figures in his peripheral vision and interprets messages from clouds. He can be rough with people and animals. Perhaps in part due to the many bad influences in his life, Jason has a history of verbally provoking others with outrageous, offensive statements. Jason has been known to lie about these provocations after the fact. Jason's turbulent upbringing has affected his development. Although he is 17, Jason acts much more

like a child than an adult or even an adolescent and has had no consistent friendships with kids his age.

Jason's behavioral record has been mixed at Long Creek. Since arriving there, Jason's provocations have continued and have sometimes resulted in physical altercations. Long Creek uses a four-level system to classify juveniles' behavior, with level one indicating poor behavior and level four indicating excellent behavior. While Jason has been at level four before, he was, at the time of hearing, at the threshold between levels two and three. Jason's compliance with disciplinary standards at Long Creek can be characterized as involving behavioral peaks and valleys. The peaks tend to correspond with periods when Jason's ADHD is consistently medicated and the valleys correspond with periods when his ADHD is unmedicated. All in all, Jason's behavioral trajectory since arriving at Long Creek has been positive, although it has not been without setbacks. The structure and treatment for Jason's ADHD and psychotic symptoms that Long Creek can provide are clearly helpful to Jason.

JUVENILE CODE

Maine's Juvenile Code sets out the purposes of the Code and states the procedures to be used when a juvenile is charged with a crime. *See* 15 M.R.S. §§ 3001-3602 (2023). Pursuant to the Code, a juvenile is defined as "any person who has not attained the age of 18 years." *Id.* § 3003(14).

PURPOSES OF THE JUVENILE CODE

The purposes of the Juvenile Code are the following:

- A. To secure for each juvenile subject to these provisions such care and guidance, preferably in the juvenile's own home, as will best serve the juvenile's welfare and the interests of society;
- B. To preserve and strengthen family ties whenever possible, including improvement of home environment;
- C. To remove a juvenile from the custody of the juvenile's parents only when the juvenile's welfare and safety or the protection of the public would otherwise be endangered or, when necessary, to punish a child adjudicated, pursuant to chapter 507, as having committed a juvenile crime;
- D. To secure for any juvenile removed from the custody of the juvenile's parents the necessary treatment, care, guidance and discipline to assist that juvenile in becoming a responsible and productive member of society;
- D. To provide procedures through which the provisions of the law are executed and enforced and that ensure that the parties receive fair hearings at which their rights as citizens are recognized and protected; and
- F. To provide consequences, which may include those of a punitive nature, for repeated serious criminal behavior or repeated violations of probation conditions.

Id. § 3002(1). "To carry out these purposes, the provisions of [the Juvenile Code] shall be liberally construed." *Id.* § 3002(2).

THE JUVENILE COURT

The Code designates the District Court as the Juvenile Court. *Id.* § 3003(15). The Code further states that when the District Court is exercising its jurisdiction pursuant to Title 15, that the Court shall be known and referred to as the "Juvenile Court." *Id.* § 3101(1).

The District Court, exercising its jurisdiction as the Juvenile Court, has exclusive original jurisdiction of proceedings in which a juvenile is alleged to have

committed a juvenile crime. *Id.* § 3101(2)(A). For purposes of this matter, the term “juvenile crime” is defined as conduct that, if committed by an adult, would be defined as criminal by Title 17-A, the Maine Criminal Code. *Id.* § 3103(1)(A). Furthermore, the original jurisdiction of the Juvenile Court can be subject to waiver via a bindover hearing upon the State’s request. *Id.* § 3101(4)(A).

BINDOVER HEARING

Pursuant to the Juvenile Code, a bindover hearing is “a hearing at which the Juvenile Court determines whether or not to permit the State to proceed against a juvenile as if he were an adult.” *Id.* § 3003(3). The Juvenile Code sets out the procedures, standards, and statutory guidelines to be employed in determining whether the Juvenile Court shall waive its jurisdiction and thereby bind the juvenile over for proceedings before the grand jury. *Id.* § 3101(4).

A bindover hearing is a bifurcated hearing consisting of two parts: probable cause and appropriateness. First, the Court must determine whether there is probable cause to believe that a juvenile crime has been committed that would constitute murder or a class A, class B or class C crime, and that the juvenile in question committed said crime. *Id.* § 3101(4)(E)(1). The State always bears the burden of proof in this part. *Id.* § 3101(C-1).

Second, the Court must make a “finding of appropriateness.” *Id.* § 3101(4)(E)(2). In this phase, the burden of proof may shift to the juvenile depending upon the charge. *Id.* § 3101(4)(C-2). Relevant here, section 3101(4)(C-2) states “that in a case involving a juvenile who is charged with one or more juvenile crimes that,

if the juvenile were an adult, would constitute murder . . . the juvenile has the burden of proof.” Accordingly, because Jason is charged with intentional or knowing or depraved indifference murder, he has the burden to prove “by a preponderance of the evidence that is it not appropriate to prosecute the juvenile as if the juvenile were an adult.” *Id.* § 3101(4)(E)(2)(b).

In this case, the parties have stipulated that there is probable cause to believe that Jason engaged in two instances of conduct that fit the definition of intentional or knowing or depraved indifference murder. Therefore, the Court focuses this Order on the issue of “appropriateness” in regard to prosecuting Jason as if he were an adult.

APPROPRIATENESS

Pursuant to section 3101(4)(D), the “finding of appropriateness” considers whether it is appropriate to bind a juvenile over for prosecution as an adult or to leave the case within the jurisdiction of the Juvenile Court. *Id.* § 3101(4)(D). In this phase of the hearing, the Court must consider the following factors:

1. Seriousness of the crime: the nature and seriousness of the offense with greater weight being given to offenses against the person than against property; whether the offense was committed in an aggressive, violent, premeditated or intentional manner;
2. Characteristics of the juvenile: the record and previous history of the juvenile; the age of the juvenile; the juvenile’s emotional attitude and pattern of living;
3. Public safety: whether the protection of the community requires commitment of the juvenile for a period longer than the greatest commitment authorized; whether the protection of the community requires the commitment of the juvenile to a facility

that is more secure than any dispositional alternative under section 3314; and

4. Dispositional alternatives: whether future criminal conduct by the juvenile will be deterred by the dispositional alternatives available; whether the dispositional alternatives would diminish the gravity of the offense.

Id.

It is important to note that while the Juvenile Code does provide the above list of factors that must be considered when deciding whether “it is appropriate to prosecute a juvenile as an adult[,] . . . the statute does not dictate the weight to be given to the specific factors, nor does it provide that each factor must be affirmatively shown before it is appropriate to prosecute a juvenile as an adult.” *State v. Sanborn*, 644 A.2d 475, 478 (Me. 1994). With all these principles in mind, the Court addresses each factor in turn.

I. Seriousness of the crime

The Juvenile Code directs the Court to look at “the nature and seriousness of the offense, with greater weight being given to offenses against the person than against property, and whether the offense was committed in an aggressive, violent, premeditated or intentional manner.” *Id.* § 3101(4)(D)(1). The State has charged Jason with two counts of intentional or knowing or depraved indifference murder. Murder is the most serious crime against a person in Maine’s criminal code, and there is probable cause to believe that Jason committed two. The way Jason committed these murders was aggressive and brutal: one was accomplished by multiple blows with a splitting maul while the other was accomplished through a violent knife

attack. Given the graphics Jason seems to have drawn and other entries in Jason's notebook, there is strong evidence that Jason premeditated the murders.³ The Court concludes that the seriousness of the offense strongly militates in favor of binding Jason over to be prosecuted as an adult.

II. Characteristics of the juvenile

The Juvenile Code provides that the Court must be mindful of "the record and previous history of the juvenile[, the age of the juvenile[, and] the juvenile's emotional attitude and pattern of living." 15 M.R.S. § 3101(4)(D)(2).

a. Record and previous history

Jason has no previous criminal record or other involvement with law enforcement. Concerning his previous history, Jason has a history of huffing, or breathing in fumes from various substances, to get high. According to him, he had huffed daily for two years leading to the murders of Christopher and Ty. Jason has expressed suicidal thoughts and once expressed a plan to commit suicide once he entered adult prison. Jason has experienced chronic physical, sexual, and emotional abuse, as well as neglect.

b. Age

Jason was 16 years old at the time of the murders and is now 17.

c. Emotional attitude and pattern of living

³ The Court acknowledges that there are open questions regarding Jason's condition of mind at the time when he committed the two murders; after the murders, Jason appeared catatonic and distressed. There is also evidence Jason suffers from psychotic symptoms. Mental health professionals working with Jason at Long Creek did not directly ask Jason about the murders because doing so might lead to self-incrimination issues.

As stated previously, Jason acts more like a child than he does an adult or even an adolescent; he is younger emotionally than his chronological age. His hobbies and interests—playing games, drawing, and watching anime—are childlike. People in Jason’s life treat him more like a child than an adult. Given the opportunity, he is more likely to spend time with people younger than him than with people the same age as him or older. Over the course of his life, Jason has made few if any decisions for himself. He has been whisked from placement to placement without the opportunity to provide much input on where he was going. He has been almost entirely dependent on caregivers who frequently failed to meet his significant needs.

At Long Creek, Jason has meaningfully engaged with mental health services and educational opportunities afforded to him. While Jason’s behavioral record at Long Creek is not flawless, he has maintained a generally positive trajectory while there. The professionals who work with Jason at Long Creek tend to get along with him.

d. Characteristics identified by experts

Dr. Melissa Jankowski performed both competency and bindover evaluations of Jason, both of which are in the record and which the Court has considered. Jason is of average intelligence and does not have any Intellectual Disability Disorder. Dr. Jankowski noted that Jason has experienced many traumatic events in his life and has suffered from a lack of structure. In many of his placements, Jason has felt unwanted, unloved, or like a burden. Jason, due to the trauma he has experienced and his various mental health issues, has high needs that his placements have not

usually been able to meet. Dr. Jankowski hypothesized that some comments Jason has perceived as being resentful of him may have been expressions of frustration with an inability to properly attend to Jason's needs. Dr. Jankowski attributed some of Jason's behavioral issues as reactions to environments where he felt spurned and/or helpless. Dr. Jankowski believed that, by acting out, Jason may have been trying to assert a sense of control. She felt it was telling that, relative to how he lived before, Jason has thrived since arriving at the more structured environment of Long Creek.

Dr. Jankowski noted that Jason has accumulated several diagnoses over the years, including post-traumatic stress disorder ("PTSD"), ADHD, reactive attachment disorder, and adjustment disorder. Jason's ADHD can lead to increased impulsivity and a lack of focus, although his symptoms subside somewhat when properly medicated. Jason has frequent nightmares and experiences anxiety and derealization,⁴ all of which can be linked to his PTSD. Dr. Jankowski also concluded that, as a result of his regular huffing, Jason meets the criteria for Inhalant Use Disorder. This disorder has entered early remission since Jason's confinement at Long Creek began.

According to Dr. Jankowski, Jason exhibits disordered thinking and is either developing or has been experiencing a psychotic disorder. Jason displays magical thinking, like believing he needs to step on floor tiles a certain pattern or that he can discern messages from clouds. He experiences auditory and visual hallucinations, like hearing barking or screaming when neither is occurring or seeing black spots that

⁴ Derealization is a dissociative symptom where a person feels detached from their surroundings, or like the world around them is not real.

are not real. He believes God tells him that he needs to do things and that he cannot disobey. He believes that others can perceive or control his thoughts. These symptoms have reduced with the use of antipsychotic medication, but they are still present.

* * * * *

There is no doubt that Jason is a victim of circumstances in many ways and that he is more emotionally and developmentally childlike than adultlike. Furthermore, the structure Long Creek has provided Jason so far has clearly been very beneficial to Jason, who has not had structure to rely on throughout his short life. On balance, the Court determines that this factor slightly favors keeping Jason in the juvenile system.

III. Public safety

The Court must consider public safety in making its bindover determination, including “whether the protection of the community requires commitment of the juvenile for a period longer than the greatest commitment authorized [and] whether the protection of the community requires commitment of the juvenile to a facility that is more secure than any dispositional alternative under section 3314[.]” *Id.* § 3101(4)(D)(3). Dr. Jankowski evaluated Jason’s risk of future violence with the Structured Assessment of Violence Risk in Youth (“SAVRY”). The Court has independently reviewed Jason’s results and evaluates the saliency of those factors to its analysis below:

a. Historical risk factors

Dr. Jankowski highlighted several historical risk factors which were of high concern: Jason's history of violence, history of self-harm and suicide attempts, exposure to violence in the home, childhood history of maltreatment, parental and caregiver criminality, and early caregiver disruption. Regarding Jason's history of violence, he stands accused of two heinous, brutal murders. Evidence of Jason engaging in violence before the June 11, 2025, incident is sparse. The other areas of concern Dr. Jankowski noted, however, are heavily supported by the record. As a youth, Jason has persistently been exposed to traumatizing and criminal conduct by caregivers in his life, including sexual and physical abuse, drug trafficking, and drug and alcohol abuse. His childhood has been about as unstable as possible; as a result, he has few bonds with others.

Other factors—school achievement, history of non-violent offending, and early initiation of violence—were of moderate concern to Dr. Jankowski. Due to instability in Jason's life and untreated mental health issues, Jason has had difficulty in school. Since arriving at Long Creek, a significantly more structured environment than is typical for Jason, Jason has been more consistent with school. The Court is optimistic that this risk factor could positively change in the future. While Jason has never been formally charged with crimes prior to the events of June 11, 2025, he has engaged in non-violent, uncharged, criminal conduct in the past, such as occasional minor theft of cigarettes and change. He took his cousin's underwear and posed in photographs with them, reportedly at the behest of a 23-year-old man.⁵ Jason has not engaged in

⁵ The record is undeveloped on the extent to which this man or anyone else was influencing Jason, but Jason's drawings suggest that he was thinking about leaving with someone when he made them.

enough of this conduct for it to reflect a pattern of behavior, however, and he has not been diagnosed with a conduct disorder. This conduct is not significant enough for the Court to afford it much weight.

It also appears that there is little evidence to suggest that Jason engaged in violent conduct before age 11. As such, the risk factor of early initiation of violence is of limited weight as well. Jason has one low risk factor: a lack of history of failing to comply with supervision or conditions of intervention services. Jason does not have a strong history of participating in mental health services, but this is no fault of his own; Jason's caregivers have frequently failed to recognize or obtain services for Jason during his childhood. Jason has been compliant with all treatment offered at Long Creek, which is encouraging to the Court.

b. Social/contextual risk factors

Dr. Jankowski identified two social/contextual risk factors of high concern for Jason, peer delinquency and stress and poor coping. Jason's peers at Long Creek are often delinquent or antisocial, as Long Creek is a carceral setting. However, there is scant evidence in the bindover record of Jason associating with delinquent peers *throughout* his childhood. In fact, there is substantial evidence that Jason has had few if any peers to associate with. The Court determines this factor is of limited weight to its analysis. The Court is more concerned with Jason's stress and poor coping skills. Jason has experienced significant trauma in his life, but extreme violence against multiple people cannot be justified or excused by trauma history.

Two factors were of moderate concern for Dr. Jankowski: Jason's history of peer rejection and current lack of personal/social support. Both are important to the Court. Jason has trouble making friends and actively gets into altercations with others by provoking them with harmful slurs and other hurtful comments. Jason's support network outside of caseworkers and mental health professionals at Long Creek is extremely limited. Anna, Jason's half-sister, is a positive influence for him. However, his relationship with her has been unfortunately sporadic and may be impacted by trauma the two have experienced. Other family members are either deceased (Crystal, Jason's mother) or are poor influences who abused and neglected Jason (Al, Jason's father, and Dale, his uncle). The Court believes these two factors will be significant challenges for Jason going forward.

c. Individual/clinical risk factors

Dr. Jankowski identified four high risk factors regarding antisocial attitudes or social cognitive deficiencies Jason exhibits.

The first is negative attitudes. The Court is not especially concerned about Jason's fondness for violent media, but acknowledges that it may influence a more casual attitude towards violence and may interact in a problematic way with Jason's life experiences. The Court is more troubled by Jason's hopelessness and apparent sense that he has nothing to lose.

The second and third, risk-taking/impulsivity and substance-use difficulties, are both deeply concerning to the Court. Jason's habitual huffing of substances from gasoline to nitrous oxide before he became detained at Long Creek is important to the

Court. The last high-risk factor here, attention deficit/hyperactivity difficulties, is only mildly probative to the Court's analysis.

Dr. Jankowski identified two moderate risk factors, anger management and low empathy/remorse. Although Jason does not appear to have anger issues, he clearly has stunted senses of empathy and remorse. Jason regularly provokes others at Long Creek with harmful comments, a continuation of behavior he has engaged in throughout his life. The last two factors in this section, compliance and low interest/commitment to school, are positive for Jason; he is engaged in intervention services and school at Long Creek.

d. Protective factors

Jason has a positive attitude towards intervention and authority and evidences a strong commitment to school. However, Dr. Jankowski noted that other protective factors, like prosocial involvement, strong social support, strong attachments and bonds, and resilient personality traits, are absent.

* * * * *

This analysis is difficult for the Court. Jason's SAVRY seems to be somewhat of a mixed bag, perhaps in part due to the sudden and extreme nature of Jason's alleged conduct. Yet the fact that Jason's case involves an especially brutal, premeditated double murder is important, as are his dangerous attitudes towards empathy and remorse. His substance abuse issues and almost total lack of a positive support network outside of Long Creek are also concerning. While Jason has been

engaging with school and with services offered at Long Creek, few other positive SAVRY factors are present.

Dr. Jankowski noted at hearing that many of these negative factors could be resolved and that additional positive factors might come into play with time. However, there are many questions in Jason's case. No one can say with confidence where this mix will end up or whether it will result in a positive outcome. Perhaps that is not unusual when trying to discern whether a person who has acted violently in the past will act violently in the future, but whatever the future holds is especially opaque for Jason, who appears to have suddenly engaged in multiple acts of astounding, planned brutality and who, despite not being formally diagnosed with any psychotic disorder, appears to exhibit psychotic symptoms.

Jason is currently 17 years old, meaning that his stay at Long Creek would last a maximum of four years. Four years for such sudden, vicious conduct, especially where there remains considerable uncertainty as to Jason's potential for future violence, strikes the Court as insufficient to safeguard public safety. The question here is not whether Long Creek is beneficial for Jason. It clearly is. The question is whether, after four years of treatment at Long Creek, Jason will be safe to release into community. The Court cannot say that he will be. Public safety concerns regarding Jason therefore strongly favor binding him over to the adult criminal justice system.

IV. Dispositional alternatives

Finally, the Court considers the issue of dispositional alternatives or “whether future criminal conduct by the juvenile will be deterred by the dispositional alternatives available and whether the dispositional alternatives would not diminish the gravity of the offense.” *Id.* § 3101(4)(D)(4). The Court must first look at the dispositional alternatives available in the juvenile system. Pursuant to section 3314, the following dispositional alternatives are available in the Juvenile Court:

1. Allow the juvenile to remain in the legal custody of a parent or guardian with such conditions as the court may impose;
2. Require the juvenile to participate in a supervised work or service program and/or require the payment of restitution;
3. Commit the juvenile to the custody of the Department of Health and Human Services;
4. Commit the juvenile to the custody of a relative or other person;
5. Commit the juvenile to the Department of Corrections juvenile correctional facility,
6. Impose a fine;
7. Confine the juvenile for no more than 30 days;
8. Order unconditional discharge;
9. Impose, then suspend, any of the above dispositions, followed by a period of probation.

Id. § 3314(1)-(2).

The issue of the dispositional alternatives available in the juvenile system is closely related to the issue of public safety addressed in the preceding section. In making a decision about the adequacy of any dispositional alternatives, the Court is guided in part by public safety concerns discussed in the preceding section as well as

by the characteristics of the juvenile and the seriousness of the crimes already discussed. Some of the above dispositional alternatives are not available in this case. As Jason is already in DHHS's custody, option three would not represent a change. Others are not practically available due to the seriousness of the alleged offenses, such as one, two, four, six, seven, or eight. Thus, the question for the Court is whether indeterminate-until-21 confinement at Long Creek could be appropriate in this case.

As professionals working with Jason at Long Creek testified, Long Creek can be beneficial to delinquent youth because of its structured nature, youth-centric programming, and more frequent treatment schedule. However, the programs available to help incarcerated adults at Maine State Prison are similar to those offered to youths at Long Creek. They are just offered less frequently. Jason requires treatment for trauma he has experienced throughout his life, but trauma treatment is not provided at either Long Creek or Maine State Prison because the carceral nature of both environments is not conducive to therapy for trauma.

Of particular concern for the Court are the facts that Al, who sexually and physically abused Jason, and Dale, who also traumatized Jason, are both incarcerated in the adult prison system in Maine. Given the trauma Jason has suffered at their hands, the Court is strongly disinclined to reexpose Jason to contact, direct or indirect, with Al and Dale. To the extent that keeping Jason in Long Creek could prevent such contact, the Court considers it a compelling reason to keep Jason in the juvenile system. Another benefit of Jason being at Long Creek is continuity with his current treatment providers, with whom he has established positive rapport.

But Jason is now 17, leaving limited time for him to benefit from programming at Long Creek. Given the serious nature of the allegations against Jason—two horrific, premeditated murders—the Court does not believe there is enough time for effective treatment of Jason in the juvenile justice system.

Conversely, prosecution of Jason as an adult would serve several interests, chief among them preserving the safety of the community. Jason’s age—17—is particularly important to the Court’s analysis. The only available alternative disposition available to Jason in this case, confinement at Long Creek until Jason is at most 21, would ensure Jason is removed from the community and treated, at the longest, for just four years. As noted *supra*, the prognosis for future violence by Jason is hazy at best. Moreover, the allegations against him are among the most serious in Maine’s criminal justice system. The Court is not confident that Jason’s issues could be addressed on that timetable. Relatedly, the Court must evaluate as part of its analysis whether dispositional alternatives would diminish the gravity of Jason’s offenses. *Id.* § 3101(4)(D)(4). It is clear to the Court that imposition of an at-most four-year period of confinement for a planned double murder would greatly diminish the gravity of Jason’s offenses.

Jason is a complicated youth who needs intense treatment for trauma, ADHD, substance abuse, and psychotic symptoms. Jason has had little structure in his life and has been betrayed numerous times by those he should have been able to place absolute trust in. There is no doubt that Jason’s story is a tragic one. There is no doubt that Long Creek, especially for someone like Jason, who is more childlike than

adultlike or even adolescent-like, would be beneficial for Jason in many ways—perhaps even more beneficial than the consequences of an adult prosecution would be in some. There is, in the Court’s view, a solid chance that what occurred would not have happened if circumstances were different. But the fact remains that what happened—a double murder committed with an ax and a knife—happened. The reality of the juvenile system is that Jason would be free to reenter the community in four short years if adjudicated of double murder and kept in the juvenile system. The Court is not persuaded that such a result would be appropriate. This factor militates in favor of binding Jason over.

CONCLUSION

For the foregoing reasons of law and fact, the Court—having carefully considered all the testimony, exhibits, and argument, having given due consideration to the purposes of the Juvenile Code, and having carefully examined the facts in relation to the factors set out in 15 M.R.S. § 3101(4)(D)—concludes that the jurisdiction of the Juvenile Court shall be waived.

The Court further **FINDS** and **ORDERS** that:

1. There is probable cause to believe that Jason Hunnewell committed two counts of intentional or knowing or depraved indifference murder.
2. After consideration of the seriousness of the crime, the characteristics of the juvenile, public safety concerns, and dispositional alternatives, all as set out in 15 M.R.S. § 3101(4)(D), the juvenile has not established by a preponderance of the

evidence that it is not appropriate to prosecute the juvenile as if the juvenile were an adult.

3. Future proceedings in this matter will be held in the Superior Court.
4. Because the juvenile will be bound over to the Superior Court, this Order shall be made available to the public.

Dated: 7/1/26



Charles A. Dow
Judge, Maine Juvenile Court

Entered on the docket: 07/01/2026