

MAINE STATE LEGISLATURE

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September 25, 1952

To General Spaulding Bisbee, Director, Civil Defense and Public Safety
Re: Powers, Out-of-State Police

This will acknowledge receipt of your memo of September 16, 1952, with attached letter from C. R. Huebner, Director of the New York Civil Defense Commission. The agreement implementing the Civil Defense Compacts between States, mentioned in his letter, was not attached to your memo.

In answer to General Huebner's inquiry as to whether or not police officers of other States sent into this State for Civil Defense purposes would have powers similar to those of their home States, we would draw his attention to Article 3 of Chapter 173, Public Laws of 1951, the pertinent part of which reads as follows:

"Each party state shall extend to the civil defense forces of any other party state, while operating within its state limits under the terms and conditions of this compact, the same powers (except that of arrest unless specifically authorized by the receiving state), duties, rights, privileges and immunities as if they were performing their duties in the state in which normally employed or rendering services, civil defense forces will continue under the command and control of their regular leaders but the organizational units will come under the operational control of the civil defense authorities of the state receiving assistance."

In view of the phrase in parentheses in the above quoted section, it would appear that visiting police would have no powers of arrest in the absence of authority particularly granted by the State of Maine.

For your further information, there are in the State of Maine 516 regular police.

General Huebner's letter is returned herewith.

J. Glynn Frost
Deputy Attorney General

jgf/c