

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1258

H. P. 912

House of Representatives, March 2, 1971

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Santoro of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

**AN ACT Providing for the Confidentiality of Information Gathered in
Response to Surveys on Drug Abuse.**

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 16, § 60, additional. Title 16 of the Revised Statutes is amended by adding a new section 60 to read as follows:

§ 60. Information with respect to drug abuse

If any person shall provide information as part of any survey conducted by or endorsed by the Interagency Commission on Drug Abuse with respect to illicit drug use, the information given or evidence produced therefrom shall not be used in any criminal prosecution against said person.

This immunity from criminal prosecution shall only extend to information given by the person participating in such survey and shall not protect the person from prosecution for illegal acts not connected to the information given in the survey.

STATEMENT OF FACT

During the drug abuse survey sponsored by the Interagency Commission on Drug Abuse, it was discovered that many people were reluctant to participate in the survey because of the fear that the information they provided might result in legal actions against them. Such fear is a serious obstacle to the collection of data on the extent and nature of drug abuse in Maine. This legislation would make it clear to people participating in such surveys that they would not have to fear legal action against them as the result of any information provided for the survey. It does not limit in any way the possibility of criminal prosecution based on information that is not connected with the survey.