

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 873

6
7 S.P. 285

In Senate, February 24, 1983

8 Referred to the Committee on Judiciary. Sent down for concurrence and
9 ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Trafton of Androscoggin.

Cosponsor: Representative Joseph of Waterville.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Relating to Guidelines for Certain
18 Police Powers.
19

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

22 Sec. 1. 25 MRSA §2901-B is enacted to read:

23 §2901-B. Guidelines issued

24 The Commissioner of Public Safety shall prepare
25 guidelines for his officers relating to the use of
26 weapons, handcuffs and strip searches of arrestees.

27 These guidelines shall be approved by the Attor-
28 ney General.

29 A copy of these guidelines shall be furnished to
30 each officer and shall be filed and be available for
31 public inspection at the headquarters of the respec-
32 tive department.

1 A copy of these guidelines shall be filed and
2 open to public inspection at the office of the Com-
3 missioner of Public Safety.

4 Sec. 2. 30 MRSA §1001, sub-§1, as repealed and
5 replaced by PL 1977, c. 564, §113-A, is repealed and
6 the following enacted in its place:

7 1. Sheriff's duties. The sheriff shall act as
8 the chief county law enforcement officer and be
9 responsible for administering and directing the
10 sheriff's department as authorized by the county bud-
11 get. Each sheriff's department shall prepare guide-
12 lines for its officers relating to the use of
13 weapons, handcuffs and strip searches of arrestees.

14 The guidelines shall be approved by the county com-
15 missioners and by the District Attorney for the dis-
16 trict in which the county is located.

17 A copy of the guidelines shall be furnished to each
18 officer and shall be filed and be available for
19 public inspection at the headquarters of the respec-
20 tive sheriff's department.

21 A copy of the guidelines shall be filed and open to
22 public inspection at the office of the Commissioner
23 of Public Safety.

24 The sheriff shall inform the county commissioners of
25 the sheriff's department activities on a regular
26 basis and meet with the commissioners as required
27 under subsection 3.

28 Sec. 3. 30 MRSA §2361, sub-§3 is enacted to
29 read:

30 3. Guidelines. Each police department shall
31 prepare guidelines for its officers relating to the
32 use of weapons, handcuffs and strip searches of
33 arrestees.

34 The guidelines shall be approved by the legislative
35 body of the municipality. The guidelines shall be
36 approved by the District Attorney for the district in
37 which the town or city is located.

