MAINE STATE LEGISLATURE

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	(After Dea FIRST REGULA		
ONE H	UNDRED AND TWE	LFTH LEGISLATURE	:
Legislative Docum	ent		No. 1368
S.P. 508		In Senate,	April 22, 1985
pursuant to Joint Ru	ile 27. Committee on Legal	ority of the Legislative of Affairs. Sent down for	
Presented by Senator	JOY Najarian of Cumber Senator Andrews of 	J. O'BRIEN, Secretary rland. Cumberland and Repre	
	STATE OF	MAINE	
NINE	IN THE YEAR O		
Je	remy and Eliza	gainst the State	
County Author Jeremy and Eli to bring suit	ized. Resolve zabeth Huff, o	of Maine and Cd: That Clayton, f Portland, be a tate and its	Maryann, uthorized
was attacked by one Jon A. A. Brown was based on his c and theft. W assault and tr which ended on tacked Maryan	and stabbed re Brown. At the an inmate onviction for hile in prison afficking. He December 26,	er 27, 1982, Mar peatedly at her time of the att at the Maine Sta gross sexual m he had been con had been given a 1982. At the tim A. Brown was a	residence ack, Jon te Prison isconduct victed of furlough e he at-

As a result of the attack, Mrs. Huff suffered severe and permanent mental and physical injuries, required extensive surgery, including open heart and abdominal surgery, and was hospitalized for a long period of time. Jeremy Huff, then age 2, and Elizabeth Huff, then an infant, witnessed the attack on their mother Maryann Huff. Clayton, Maryann, Jeremy and Elizabeth Huff allege negligence against the State for determining that a furlough would be given to Jon Brown, failing to notify the public of Brown's escape, in failing to transport or retrieve Jon A. Brown when notified of his impending escapee status and in supervising Jon A. Brown in an improper and negligent manner.

The action, if authorized, is to be brought in the Superior Court for the County of Cumberland within one year from the passage of this resolve, against the State for damages, if any. The action and the conduct of it shall be according to the practice of actions or proceedings between parties in Superior Court. The Attorney General is authorized and designated to appear, answer and defend this action.

Any judgment that may be recorded in this civil action shall be payable from the Treasure of State. Recovery by Clayton, Maryann, Jeremy and Elizabeth Huff in this civil action, if any, shall not exceed the higher of \$300,000 or the applicable insurance policy limits, if any.

29 STATEMENT OF FACT

The purpose of this resolve is to authorize Clayton, Maryann, Jeremy and Elizabeth Huff to bring civil action against the State and Cumberland County.

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