

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1607

H.P. 1153

House of Representatives, May 10, 1989

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative RICHARDS of Hampden.

Cosponsored by Representative SEAVEY of Kennebunkport, Senator HOLLOWAY of Lincoln and Senator HOBBS of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Permit Release of Treatment Records in Certain Cases.



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

3 **17-A MRSA §1204, sub-§2-A, ¶I, as enacted by PL 1975, c. 740,**
5 **§110-A is repealed and the following enacted in its place:**

7 I. To refrain from excessive use of alcohol and other drug
9 abuse and to undergo, as an outpatient, available alcohol or
11 other drug abuse treatment, or to enter and to remain, as a
13 voluntary patient, in a specified institution for that
15 purpose. Failure to comply with this condition shall not,
17 in itself, authorize involuntary treatment or
19 institutionalization. In the discretion of the court and
21 without the consent of the defendant, reports on the
23 progress of the defendant may be ordered to be made by the
25 treating institution and treating personnel directly to the
27 Division of Probation and Parole and no privilege may apply
29 to prohibit that direct reporting. The Division of
31 Probation and Parole may aggregate the statistics contained
33 in the reports it receives on individual defendants and make
the aggregated statistics available to other state agencies
so long as the data is aggregated in such a way that
statistics pertaining to any individual defendant may not be
disaggregated;

STATEMENT OF FACT

This bill expands the possible conditions of probation to include inpatient or outpatient treatment for alcohol or drug abuse. The court may require progress reports on the convicted person which may be used as part of aggregate statistics gathered by the Department of Corrections, Division of Probation and Parole.