

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

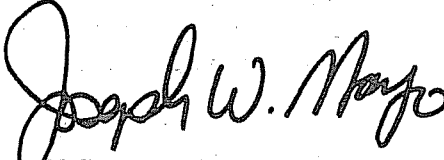
No. 467

H.P. 364

House of Representatives, February 11, 1993

An Act to Allow Emergency Interruption of Telephone Service for Law Enforcement Purposes.

Submitted by the Department of Public Safety pursuant to Joint Rule 24.
Reference to the Committee on Utilities suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative DONNELLY of Presque Isle.
Cosponsored by Representatives: CLARK of Millinocket, MORRISON of Bangor, Senator:
VOSE of Washington.

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

2
4
Sec. 1. 35-A MRSA §7507 is enacted to read:

6
§7507. Emergency interruption of service for law enforcement purposes

8
10
1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

12
14
16
A. Critical incident. "Critical incident" means a situation in which there is probable cause to believe that a person is holding a hostage while committing a crime or who is barricaded and resisting apprehension through the use or threatened use of force.

18
20
B. Commanding law enforcement officer. "Commanding law enforcement officer" means a law enforcement officer who has jurisdiction and is in charge at a critical incident.

22
24
26
C. Law enforcement officer. "Law enforcement officer" means a person who by virtue of public employment is vested by law with a duty to maintain public order, to prosecute offenders and to make arrests for crimes.

28
30
32
34
2. Order. The commanding law enforcement officer at a critical incident may order a previously designated telephone utility security employee to arrange to cut, reroute or divert telephone lines for the purpose of preventing telephone communication by a suspected person with a person other than a law enforcement officer or a person authorized by a law enforcement officer.

36
38
3. Security employee designation. A telephone utility shall designate a security employee and an alternate security employee to provide required assistance to law enforcement officers involved in a critical incident.

40
42
STATEMENT OF FACT

44
46
48
This bill enables law enforcement officers to control the telephone communications of a person who is suspected of holding a hostage while committing a crime or who is resisting apprehension through the use of force. The purpose is to allow negotiations that may lead to a nonviolent resolution of the incident, without interference from uninvolved persons.