

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

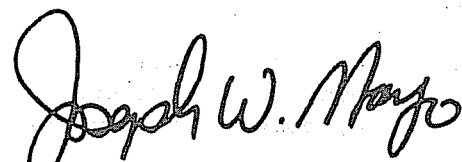
No. 1784

H.P. 1322

House of Representatives, January 25, 1994

An Act to Amend the Laws Regarding Protective Custody.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Judiciary suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative RYDELL of Brunswick.

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

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Sec. 1. 34-B MRSA §3862, sub-§1, as enacted by PL 1983, c. 459, §7, is amended to read:

1. **Law enforcement officer's power.** If a law enforcement officer has reasonable grounds to believe, based upon his personal--~~observation~~ probable cause, that a person may be mentally ill and that due to his condition he presents a threat of imminent and substantial physical harm to himself or to other persons, he:

A. May take the person into protective custody; and

B. If the officer does take the person into protective custody, shall deliver the person forthwith for examination by an available licensed physician or licensed clinical psychologist, as provided in section 3863.

STATEMENT OF FACT

This bill changes the standard under which a law enforcement officer can take a person who may be mentally ill into protective custody for examination.

This document has not yet been reviewed to determine the need for cross-reference, stylistic and other technical amendments to conform existing law to current drafting standards.