

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 310

H.P. 246

House of Representatives, January 23, 1997

**An Act to Permit Investigative Officers within the Employ of the
Department of Corrections to Exercise the Powers of Law Enforcement
Officers.**

Submitted by the Department of Corrections pursuant to Joint Rule 204.
Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative McALEVEY of Waterboro.
Cosponsored by Representatives: DEXTER of Kingfield, FRECHETTE of Biddeford, JONES
of Greenville, TREADWELL of Carmel, WHEELER of Bridgewater.

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

4 Sec. 1. 34-A MRSA §1001, sub-§10-A is enacted to read:

6 10-A. Investigative officer. "Investigative officer" means
8 an employee of the department designated by the commissioner as
10 having the authority to conduct investigations of offenses
12 relating to the security or orderly management of a facility
14 administered by the department.

16 Sec. 2. 34-A MRSA §3011 is enacted to read:

18 §3011. Investigative officers

20 1. Exercise of law enforcement powers. Investigative
22 officers who are certified by the Board of Trustees of the Maine
24 Criminal Justice Academy as law enforcement officers may exercise
26 the powers of other law enforcement officers with respect to
28 offenses relating to the security or orderly management of a
30 facility administered by the department, if authorized to
32 exercise these powers by the commissioner. These powers are in
34 addition to any powers the officers may otherwise have as
36 employees of the department.

38 2. Working agreement. The commissioner shall negotiate a
40 working agreement with the Department of the Attorney General
42 concerning procedures and respective responsibilities for the
44 exercise of law enforcement powers by investigative officers
46 pursuant to subsection 1.

48 SUMMARY

50 This bill allows those employees of the Department of
52 Corrections who are certified as law enforcement officers to
54 exercise the powers of law enforcement officers as part of their
56 employment duties, if authorized to do so by the Commissioner of
58 Corrections.