

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

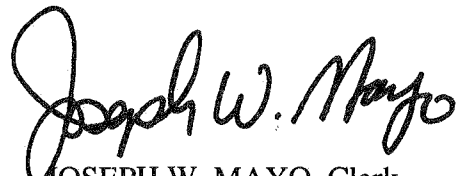
No. 1402

H.P. 1010

House of Representatives, March 11, 1997

An Act to Establish the Civil Offense of Creating a Police Standoff.

Reference to the Committee on Criminal Justice suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative LEMKE of Westbrook.

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

4 Sec. 1. 25 MRSA c. 405 is enacted to read:

6 CHAPTER 405

8 POLICE STANDOFFS

10 §3801. Creating a police standoff

12 1. A person is guilty of creating a police standoff if that person:

14 A. Is barricaded as a result of the person's own actions;

16 B. Is instructed by a law enforcement agency, either personally or electronically, to leave the barricade structure; and

20 C. Fails to do so within 1/2 hour of receiving the instruction.

22 2. Creating a police standoff is a civil offense. The court shall order a person who creates a police standoff to make restitution to each law enforcement agency that responded to the standoff by paying a fine equal to the direct costs incurred in responding or \$500, whichever is greater. If any portion of the fine remains after each agency has been paid its costs, the remainder must be divided equally among the agencies.

32 SUMMARY

34 This bill establishes the civil offense of creating a police
36 standoff. It specifies that restitution must be made in an
38 amount equal to the greater of \$500 or the direct costs incurred by the law enforcement agency or agencies that responded to the standoff.