

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 1951

H.P. 1389

House of Representatives, December 20, 2007

An Act To Create the Mental Health Homicide Review Board

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 18, 2007. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BERRY of Bowdoinham.
Cosponsored by Representatives: BRAUTIGAM of Falmouth, CARTER of Bethel, Speaker CUMMINGS of Portland, FAIRCLOTH of Bangor, Senators: BRANNIGAN of Cumberland, NUTTING of Androscoggin.

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

2 **Sec. 1. 34-B MRSA c. 1, sub-c. 7** is enacted to read:

3 **SUBCHAPTER 7**

4 **MENTAL HEALTH HOMICIDE REVIEW BOARD**

5 **§1931. Mental Health Homicide Review Board**

6 The Mental Health Homicide Review Board, referred to in this subchapter as "the
7 board," is established to review homicides in which the victim or defendant had a mental
8 illness.

9 **1. Members.** The board consists of:

10 A. The Chief Medical Examiner;

11 B. A physician appointed by the Governor;

12 C. A nurse appointed by the Governor;

13 D. A law enforcement officer appointed by the Governor;

14 E. The Commissioner of Health and Human Services;

15 F. The Commissioner of Corrections;

16 G. The Commissioner of Public Safety;

17 H. A judge assigned by the Chief Justice of the Supreme Judicial Court;

18 I. A representative of a prosecutors association;

19 J. An assistant attorney general responsible for the prosecution of homicide cases
20 who is designated by the Attorney General;

21 K. An assistant attorney general handling mental health cases who is designated by
22 the Attorney General;

23 L. A mental health service provider appointed by the Governor; and

24 M. Three persons designated by a statewide coalition for the mentally ill.

25 Members who are not state officials serve 2-year terms without compensation.

26 **2. Recommendations.** The board shall recommend to state and local agencies
27 methods of preventing homicides involving persons with mental illness, including
28 modifications of laws, rules, policies and procedures, following completion of
29 adjudication.

30 **3. Collect data.** The board shall collect and compile data related to homicides
31 involving persons with mental illness.

