MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1485

H.P. 1087

House of Representatives, April 4, 2019

An Act To Create an At-risk Persons Program in Maine

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

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative COSTAIN of Plymouth. Cosponsored by Senator DESCHAMBAULT of York and

Representatives: BEEBE-CENTER of Rockland, COOPER of Yarmouth, COREY of

Windham, JOHANSEN of Monticello, MORALES of South Portland, PICKETT of Dixfield,

WARREN of Hallowell, Senator: ROSEN of Hancock.

1	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 25 MRSA c. 261 is enacted to read:
3	CHAPTER 261
4	AT-RISK PERSONS PROGRAM
5	§2241. Definitions
6 7	As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.
8	1. At-risk person. "At-risk person" means a person:
9 10 11 12	A. Who suffers from a mental or physical condition that may affect the person's ability to communicate with a law enforcement officer or who may benefit from a law enforcement officer's being aware of specific information and a contact person or persons; and
13 14 15	B. Who voluntarily participates in the at-risk persons program and provides information and a contact person or persons that may be helpful in maximizing the safety of the at-risk person during an encounter with a law enforcement officer.
16 17	2. At-risk persons program. "At-risk persons program" means the program developed and implemented pursuant to section 2242.
18 19 20 21	3. At-risk persons system. "At-risk persons system" means a database and required interfaces to house and communicate voluntarily submitted information specific to an atrisk person. The system must include interfaces with the State's telecommunications and radio message switching system and must be accessible by law enforcement.
22	4. Department. "Department" means the Department of Public Safety.
23 24	5. Law enforcement officer. "Law enforcement officer" has the same meaning as in section 3701, subsection 3.
25 26	6. Legal guardian. "Legal guardian" means a guardian appointed pursuant to Title 18-C, section 5-301 or 5-701.
27	§2242. At-risk persons program
28 29 30 31 32 33 34	1. At-risk persons program; program elements. The department shall develop and implement the at-risk persons program using the at-risk persons system to assist law enforcement agencies by creating access to information voluntarily submitted by an at-risk person or the legal guardian of the at-risk person. The information that may be held by the program is limited to information submitted to a law enforcement agency by the at-risk person or that person's legal guardian. The information may include, but is not limited to, the following:

1	A. A person or persons who may be contacted to assist with the care and safety of an
2	at-risk person; and
3	B. Other information that may aid in maximizing the safety of the at-risk person
4	during an encounter with a law enforcement agency.
5	2. Standards of procedure. The at-risk persons program must include standards of
6	procedure for law enforcement agencies consistent with rules adopted by the department.
7	The standards must address processing the application of an at-risk person or that person's
8	legal guardian, including the determination of identity and confirmation of legal
9	guardianship, entering the information into the State's telecommunications and radio
10	message switching system and properly accessing the information.
11	3. Rules. The department may adopt routine technical rules pursuant to Title 5,
12	chapter 375, subchapter 2-A to carry out the purposes of this chapter.
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13	SUMMARY
14	This bill creates the at-risk persons program to provide law enforcement officers with
15	the contact information for a person designated by an at-risk person or that person's legal
16	guardian. The program also provides access to information that may aid in maximizing
17	the safety of the at-risk person during an encounter with a law enforcement officer.