

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1485

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H.P. 1087

House of Representatives, April 4, 2019

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

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

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 As used in this chapter, unless the context otherwise indicates, the following terms  
7 have the following meanings.

8 **1. At-risk person.** "At-risk person" means a person:

9 A. Who suffers from a mental or physical condition that may affect the person's  
10 ability to communicate with a law enforcement officer or who may benefit from a  
11 law enforcement officer's being aware of specific information and a contact person or  
12 persons; and

13 B. Who voluntarily participates in the at-risk persons program and provides  
14 information and a contact person or persons that may be helpful in maximizing the  
15 safety of the at-risk person during an encounter with a law enforcement officer.

16 **2. At-risk persons program.** "At-risk persons program" means the program  
17 developed and implemented pursuant to section 2242.

18 **3. At-risk persons system.** "At-risk persons system" means a database and required  
19 interfaces to house and communicate voluntarily submitted information specific to an at-  
20 risk person. The system must include interfaces with the State's telecommunications and  
21 radio message switching system and must be accessible by law enforcement.

22 **4. Department.** "Department" means the Department of Public Safety.

23 **5. Law enforcement officer.** "Law enforcement officer" has the same meaning as in  
24 section 3701, subsection 3.

25 **6. Legal guardian.** "Legal guardian" means a guardian appointed pursuant to Title  
26 18-C, section 5-301 or 5-701.

27 **§2242. At-risk persons program**

28 **1. At-risk persons program; program elements.** The department shall develop  
29 and implement the at-risk persons program using the at-risk persons system to assist law  
30 enforcement agencies by creating access to information voluntarily submitted by an at-  
31 risk person or the legal guardian of the at-risk person. The information that may be held  
32 by the program is limited to information submitted to a law enforcement agency by the  
33 at-risk person or that person's legal guardian. The information may include, but is not  
34 limited to, the following:

