

MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 416

S. P. 391

In Senate, February 7, 1935.

Referred to Committee on Legal Affairs and 500 copies ordered printed.
Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Pinansky of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT Relative to Authority of Officers in Criminal Matters.

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

Sec. 1. Authority to arrest without warrant. Every sheriff, deputy sheriff, constable, city or deputy marshal, police officer, or member of the state highway police may examine all persons whom they have reason to suspect of unlawful design and may demand of them their business abroad and whither they are going; persons who do not give a satisfactory account of themselves may be arrested by either of said officers and thereafter may be safely kept by imprisonment or otherwise, for a period not exceeding 24 hours and taken before a court having jurisdiction for trial, or released in the event that no charge is preferred against such arrested person.

Sec. 2. No damages recoverable against the arresting officer. No action except for the use of excessive force, shall be maintained against any officer who arrests and imprisons as provided in the preceding section, provided he acts in good faith and in the performance of his duties in the belief that the arrested person is guilty of the commission of a crime; no action except for use of excessive force shall lie against any bystander assisting such officer in making the arrest when made at the request of the arresting officer.