

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE
AND PUBLIC SAFETY**

December 2021

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JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

LD 769 An Act To Increase the Availability of Mental Health Services for a Defendant Who Has Been Found Incompetent To Stand Trial

ENACTED LAW SUMMARY

Public Law 2021, chapter 259 provides authority to the Commissioner of Corrections to accept for placement in a mental health unit of a correctional facility a person found incompetent to stand trial if, following a court hearing, the person is found by clear and convincing evidence to be at risk of engaging in interpersonal violence that is not primarily driven by symptoms of a major mental illness or other disability. The law provides a procedure for a person to petition the court if the criteria for placement under the Maine Revised Statutes, Title 34-A, section 3069-C, subsection 1 no longer exist.

Public Law, chapter 259 includes a sunset provision of July 1, 2024 and a process for review by the Department of Health and Human Services and the Department of Corrections.

Public Law 2021, chapter 259 also requires a report to be submitted to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters prior to the sunset date.

LD 782 An Act To Implement the Recommendations of the Department of Corrections for Certified Batterer Intervention Programming

ENACTED LAW SUMMARY

Public Law 2021, chapter 174 changes the name of batterers' intervention programs in the Maine Revised Statutes to domestic violence intervention programs. The law requires the attorney for the State in cases involving domestic violence to notify the domestic violence intervention program of the last known contact information for the victim and to provide to the program the incident report from the most relevant criminal proceeding. The law authorizes the disclosure of records to the domestic violence intervention program. The law requires the attorney for the State to make a good faith effort to inform the victim when the defendant completes the domestic violence intervention program. The law requires a domestic violence intervention program to be certified in order for the court to order a person to participate in a program and for the State to pay for a person's participation.

LD 797 An Act To Create a Registry to Improve Access to Automated External Defibrillators

ENACTED LAW SUMMARY

Public Law 2021, chapter 82 requires the Director of Maine Emergency Medical Services within the Department of Public Safety to establish a registry of publicly accessible automated external

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defibrillators located within the State for the purpose of assisting a person or a law enforcement officer, firefighter or emergency medical services person who calls for assistance in an emergency situation. The law authorizes the director to accept grants, funds, equipment and services to establish, operate and maintain the registry of publicly accessible automated external defibrillators and requires the Department of Public Safety to adopt routine technical rules regarding the registry.

LD 801 An Act Regarding Sentencing Options for a Person Convicted of a Crime Committed While Serving a Term of Imprisonment

ENACTED LAW SUMMARY

Public Law 2021, chapter 260 repeals the provision of law that provides that when an individual subject to an undischarged term of imprisonment is convicted of a crime committed while in execution of any term of imprisonment or of an attempt to commit a crime while in execution of any term of imprisonment, the sentence is not concurrent with any undischarged term of imprisonment and no portion of the nonconcurrent sentence may be suspended.

Public Law 2021, chapter 260 provides that when an individual subject to an undischarged term of imprisonment is convicted of a crime committed while in execution of any term of imprisonment, is convicted of a crime committed during a stay of execution of any term of imprisonment, is convicted of a crime committed after failure to report after a stay of execution of any term of imprisonment or is convicted of failure to report as ordered after a stay of execution of any term of imprisonment, the court may order that the sentence is not concurrent with any undischarged term of imprisonment. If the court orders that the sentence is not concurrent, the court may order that any undischarged term of imprisonment be tolled and service of the nonconcurrent sentence commence immediately, and the amendment requires the court to so order if any undischarged term of imprisonment is a split sentence. No portion of the nonconcurrent sentence may be suspended. Any nonconcurrent sentence that the convicted individual receives as a result of an order entered pursuant to this law must be nonconcurrent with all other sentences.

LD 884 An Act to Restrict the Collection of Surveillance Video, Information and Data Regarding Lawful Firearm Purchases

ENACTED LAW SUMMARY

Public Law 2021, chapter 384 prohibits the State Police from collecting in its records any surveillance video, information or data concerning lawful firearm purchases obtained by the Maine Information and Analysis Center except as needed for purposes of investigating suspected criminal activity or terrorism, administering civil, criminal or juvenile justice or protecting a person's health and welfare pursuant to the laws governing involuntary hospitalization.