

§506-A. Harassment

1. A person is guilty of harassment if, without reasonable cause:

A. The person engages in any course of conduct with the intent to harass, torment or threaten another person:

(1) After having been notified, in writing or otherwise, not to engage in such conduct by:

(a) Any sheriff, deputy sheriff, constable, police officer or justice of the peace. The notification not to engage in such conduct expires one year from the date of issuance; or

(b) A court in a protective order issued under Title 5, section 4654 or 4655 or Title 19-A, former section 4006 or 4007 or Title 19-A, section 4108 or 4110;

(2) If the person is an adult in the custody or under the supervision of the Department of Corrections, after having been forbidden to engage in such conduct by the Commissioner of Corrections, the chief administrative officer of the facility, the correctional administrator for the region or their designees; or

(3) After having been notified, in writing or otherwise, while the person was a member of the National Guard, not to engage in such conduct by a commanding officer. A person violates this subparagraph regardless of whether the person is a member of the National Guard when the person engages in the conduct and regardless of where the conduct occurs. The notification not to engage in such conduct expires one year from the date of issuance.

Violation of this paragraph is a Class E crime; or [PL 2021, c. 634, Pt. B, §§2-4 (AMD); PL 2021, c. 647, Pt. B, §31 (AMD); PL 2021, c. 647, Pt. B, §65 (AFF).]

B. The person violates paragraph A and, at the time of the harassment, the person has 2 or more prior Maine convictions under this section in which the victim was the same person or a member of that victim's immediate family or for engaging in substantially similar conduct to that contained in this paragraph in another jurisdiction. Section 9-A governs the use of prior convictions when determining a sentence. Violation of this paragraph is a Class C crime. [PL 2007, c. 476, §23 (AMD).]

[PL 2021, c. 634, Pt. B, §§2-4 (AMD); PL 2021, c. 647, Pt. B, §31 (AMD); PL 2021, c. 647, Pt. B, §65 (AFF).]

2.

[PL 2001, c. 383, §67 (RP); PL 2001, c. 383, §156 (AFF).]

3. For the purposes of this section, "immediate family" means spouse, parent, child, sibling, stepchild and stepparent, "National Guard" has the same meaning as in Title 37-B, section 102, subsection 1 and "commanding officer" has the same meaning as in Title 37-B, section 402, subsection 4.

[PL 2021, c. 634, Pt. B, §5 (AMD).]

SECTION HISTORY

PL 1975, c. 740, §67 (NEW). PL 1981, c. 456, §A59 (AMD). PL 1987, c. 736, §36 (AMD). PL 1991, c. 566, §§2,3 (AMD). PL 1993, c. 475, §§4,5 (AMD). PL 1995, c. 694, §D24 (AMD). PL 1995, c. 694, §E2 (AFF). PL 1997, c. 267, §§1,2 (AMD). PL 1997, c. 267, §3 (AFF). PL 2001, c. 383, §§66,67 (AMD). PL 2001, c. 383, §156 (AFF). PL 2007, c. 476, §23 (AMD). PL 2009, c. 246, §1 (AMD). PL 2021, c. 634, Pt. B, §§2-5 (AMD). PL 2021, c. 647, Pt. B, §31 (AMD). PL 2021, c. 647, Pt. B, §65 (AFF).

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