

Title 25: INTERNAL SECURITY AND PUBLIC SAFETY
Chapter 501: CRITICAL INCIDENT STRESS MANAGEMENT TEAMS

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Maine Revised Statutes

Title 25: INTERNAL SECURITY AND PUBLIC SAFETY

Chapter 501: CRITICAL INCIDENT STRESS MANAGEMENT TEAMS

§4201. DEFINITIONS

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [2009, c. 289, §1 (NEW).]

1. Critical incident. "Critical incident" means a work-related incident that causes or has the potential to cause an employee of or emergency dispatcher for a criminal justice agency to experience emotional or physical stress. "Critical incident" includes, but is not limited to, use-of-force encounters that may result in the death of or serious injury to another person or an officer, fatal motor vehicle accidents, child abuse investigations and death investigations.

[2015, c. 112, §1 (AMD) .]

2. Critical incident stress management team. "Critical incident stress management team" means a team composed of members designated by the chief law enforcement officer of a law enforcement agency, or the chief law enforcement officer's designee, that is trained, in accordance with standards established by rule by the Commissioner of Public Safety, to assist and provide support to any person employed by the team's own agency or another criminal justice agency who has been involved in a critical incident that may affect, or has affected, the person's work performance or general well-being. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[2015, c. 112, §1 (AMD) .]

3. Criminal justice agency. "Criminal justice agency" has the same meaning as in Title 16, section 803, subsection 4.

[2015, c. 112, §2 (NEW) .]

SECTION HISTORY

2009, c. 289, §1 (NEW). 2015, c. 112, §§1, 2 (AMD).

§4202. CRITICAL INCIDENT STRESS MANAGEMENT TEAMS

1. Information confidential. Except as provided in subsection 2, all proceedings, communications and records, including, but not limited to, information concerning the identity of a person seeking or being furnished assistance, connected in any way with the work of a critical incident stress management team are confidential and are not subject to compulsory legal process or otherwise discoverable or admissible in evidence in any civil action unless the confidentiality is waived by the affected person. Statistical data not identifying a person seeking the assistance of a critical incident stress management team must be made available for statistical evaluation and may not be made available for any other purpose.

[2009, c. 289, §1 (NEW) .]

2. Mandatory disclosure of information. Unless protected by a privilege of law recognized by this State, a member of a critical incident stress management team must disclose to appropriate federal, state or local government agencies or law enforcement agencies the following types of information:

A. An admission by a person seeking the assistance of the critical incident stress management team that the person has committed a crime; [2009, c. 289, §1 (NEW).]

B. A disclosure of information by a person seeking the assistance of a critical incident stress management team that must be reported pursuant to any applicable law; or [2009, c. 289, §1 (NEW).]

C. A disclosure of information by a person seeking the assistance of a critical incident stress management team that would lead one to reasonably think that the person seeking assistance is a danger to that person or to another person. [2009, c. 289, §1 (NEW).]

Information disclosed under this subsection is no longer confidential unless it is otherwise designated confidential by statute.

[2009, c. 289, §1 (NEW) .]

SECTION HISTORY

2009, c. 289, §1 (NEW) .

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