

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 291 - L.D. 474

An Act to Improve Collaboration Between Mandatory Reporters and Law Enforcement in the Investigation of Alleged Child Abuse and Neglect

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

Sec. 1. 22 MRSA §4011-A, sub-§2-A is enacted to read:

2-A. Disclosure to law enforcement officer. Upon request of a law enforcement officer investigating a report of child abuse or neglect, a member of the staff of a public or private medical institution, agency or facility or person in charge of the institution, agency or facility or the designated agent who made a report pursuant to subsection 1 shall disclose to the law enforcement officer the same information the member or person reported to the department.

Sec. 2. 22 MRSA §4014, sub-§1, as amended by PL 1987, c. 395, Pt. A, §89, is further amended to read:

1. Reporting and proceedings. A person, including an agent of the department, participating in good faith in reporting under this subchapter or participating in a related child protection investigation or proceeding, including, but not limited to, a multidisciplinary team, out-of-home abuse investigating team or other investigating or treatment team, or a related law enforcement investigation or criminal justice proceeding is immune from any criminal or civil liability for the act of reporting or participating in the investigation or proceeding. Good faith does not include instances when a false report is made and the person knows the report is false. ~~Nothing in this~~ This section may not be construed to bar criminal or civil action regarding perjury or regarding the abuse or neglect ~~which~~ that led to a report, investigation or proceeding.