



Janet T. Mills
Governor

Michael J. Sauschuck
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STATE OF MAINE
Department of Public Safety
MAINE STATE POLICE

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William Ross
Colonel

LTC. Brian P. Scott
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Testimony of Major Tyler Stevenson
Maine State Police

In Support of (983)

An Act Regarding Service of Notice of Restricted Person Status to Hospitalized Patients.

Sponsored by Senator Carney
Committee on Judiciary

Senator Carney, Representative Kuhn, and honorable members of the Committee on Judiciary: My name is Major Tyler Stevenson, and I am providing testimony on behalf of the Maine State Police and the Maine Department of Public Safety to testify in support of LD 983, “An Act Regarding Service of Notice of Restricted Person Status to Hospitalized Patients.”

This bill aims to provide authorization to law enforcement to access a patient in a hospital to make notification to the patient that they are restricted person resulting from an extreme risk protection order.

As of mid-March 2025, the Maine State Police has executed 67 extreme risk protection orders since the inception of the law. The process to complete an extreme risk protection order requires an officer to take a person into protective custody when the officer has probable cause to believe the person may be mentally ill and presents a likelihood of serious harm because the person possesses, controls or may acquire a dangerous weapon. Typically, once in protective custody, the officer transports the person to a medical facility for an evaluation. If the assessment of a medical practitioner finds that the person presents a likeness of foreseeable harm the officer shall present the information to a Justice or a Judge for endorsement. If endorsed, the officer shall notify the person as soon as practicable that they are restricted from possessing, attempting to possess dangerous weapons. The person is not restricted from possessing dangerous weapons until they are notified.

The relationship between law enforcement and medical facilities varies from facility to facility and staff to staff. In most cases the extreme risk protection order process is seamless and efficient. However, the Maine State Police has encountered complications with hospital staff on a few occasions. Troopers have been asked to leave the exam room the person is being held in, which would have prevented the person from being accessed by a medical practitioner via telehealth. On another occasion, Troopers were asked to leave the hospital altogether and began to work on the extreme risk protection order process. While completing the process the person was released from the hospital without any notification to the Troopers. This prevented the Troopers from making notification to the person in a timely manner.

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Although the Maine State Police has not encountered the specific challenge this bill aims to fix, it is essential that law enforcement is granted access to make these notifications. Hospital staff should be encouraged and empowered to cooperate with law enforcement to ensure that we have done all we can do to protect the public from someone who presents a likeness of foreseeable harm.

On behalf of the State Police and the Department of Public Safety, we appreciate your careful consideration of these issues. Thank you for your time and we would be happy to answer any questions at this time.

Respectfully,

Major Tyler Stevenson

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