

WEAPONS RESTRICTION ORDER— TELEHEALTH ASSESSMENTS STEPS

(Protection from Substantial Threats: 34-B M.R.S. § 3862-A)

Law enforcement may secure a Weapons Restriction Order when there is probable cause that a person in protective custody possesses, controls, or may acquire a dangerous weapon.

- 1) Place person in protective custody
- 2) Complete Page 1 of the Application for Weapons Restriction Order and Appendix 1: Officer's Statement of Probable Cause. Sign and date both forms.
- 3) Contact Spurwink at 207-535-2009. (If no answer, leave a voicemail and your call will be returned within 15 minutes.)
- 4) Inform Spurwink that you are seeking an assessment for a Weapons Restriction Order:
 - a) Spurwink will work with law enforcement to establish a telehealth (video) assessment. Zoom is preferred because it is HIPAA compliant.
 - b) Send Spurwink the Application for Weapons Restriction Order and Appendix 1: Officer's Statement of Probable Cause.
 - c) The officer must stay with the person to facilitate the assessment.
- 5) If the person meets the requirements for a weapons restriction order, the practitioner will complete Page 2 of the Application for Weapons Restriction Order and return it to the officer. If the person does not meet the requirements for an order, return the person to hospital protective custody or release the person.
- 6) Seek the required judicial endorsement from a Superior Court Justice, District Court Judge, Judge of Probate, or Justice of the Peace (*Houlton RCC maintains a list of after-hours judicial officers. Telephone 800-924-2261.*)
The judicial officer must complete Page 3 of the Application for Weapons Restriction Order, endorse, and return it to you.
- 7) Complete the NOTICE OF SERVICE ON RESTRICTED PERSON Form.
As soon as practical, but no later than 24 hours after judicial endorsement, serve the Notice. If possible, read it verbatim to the restricted person, and obtain the person's signature on the form. If the person refuses to sign, indicate the refusal on the form.
- 8) Within 24 hours but AS SOON AS POSSIBLE:
 - a) Notify the contact person, e.g., spouse, parent, other family member, if any.
 - b) Report the restricted status to the Department of Public Safety via METRO.
 - c) Email the entire packet to the DA's Office.
 - d) Obtain a docket number for the court case and enter into METRO.
 - e) Collect any dangerous weapons and enter them into evidence for safekeeping.
 - f) If the person voluntarily complies, they are not subject to arrest or prosecution.
- 9) If there is probable cause to believe the restricted person possesses or controls but has not surrendered a weapon(s), obtain a warrant to search and seize such weapon(s).



SPUR WINK

going the distance

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