



132nd MAINE LEGISLATURE

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Legislative Document

No. 2163

H.P. 1452

House of Representatives, January 13, 2026

**An Act to Improve the Response to Complaints by Victims of Crime
and Enhance Victims' Rights**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Judiciary suggested and ordered printed.

R. B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative GRAMLICH of Old Orchard Beach.

Cosponsored by Senator BENNETT of Oxford and

Representatives: Speaker FECTEAU of Biddeford, LEE of Auburn, STOVER of Boothbay,
Senators: DUSON of Cumberland, MOORE of Washington, TALBOT ROSS of Cumberland.

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

Sec. 1. 5 MRSA Pt. 9, headnote is amended to read:

PART 9

CRIMINAL JUSTICE PLANNING AND ASSISTANCE CRIME VICTIM RESPONSE

Sec. 2. 5 MRSA c. 316-E is enacted to read:

CHAPTER 316-E

CRIME VICTIM COMPLAINT PROCESS

§3360-Y. Complaint process for violation of crime victims' rights

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Authority" means a governmental entity that has a victim rights obligation under this Title or Title 15, 16, 17-A or 30-A.

B. "Office" means the Office of the Attorney General.

C. "Rights" means statutory rights of a victim under this Title or Title 15, 16, 17-A or 30-A.

D. "Victim" has the same meaning as in Title 17-A, section 2101, subsection 2.

2. Crime victim complaints. The office shall provide a centralized process for a victim to allege a violation of one or more rights by a state, county or municipal authority. The process must further uniformity, efficiency and compliance by state, county and local authorities responsible for ensuring victims' access to justice.

3. Crime victim complaint inquiry. The office shall develop a process for making inquiry into complaints made by victims. That process must include, but not be limited to, the following.

A. The office shall prescribe the methods by which complaints are made, received and acted upon. The office shall inform an individual that the filing of a complaint with the office does not guarantee a specific outcome for the individual making the complaint. The office may determine which complaints to pursue based on factors such as the severity of any alleged violation or the potential for repetition.

B. The office may make inquiry with any state, county or local authority that may have information relevant to any complaint. The office may determine the scope and manner of any inquiry made.

C. The office may request and must be given access to information the office considers necessary to support the inquiry.

1 **4. Recommendations after inquiry.** On finding a complaint valid after duly
2 considering the complaint and any material the office considers relevant, the office may
3 recommend action to the appropriate authority. If the office makes a recommendation to an
4 appropriate authority for action, that authority, within a reasonable time period not to
5 exceed 30 days, shall inform the office of the action taken or the reasons for not taking any
6 action responsive to the recommendation.

7 **5. Other victim rights.** This chapter does not prohibit a victim from exercising any
8 other lawful action in response to the victim's complaint under subsection 2.

9 **6. Office may not be compelled to testify or produce evidence.** The office may not
10 be compelled to testify or produce evidence in any judicial or administrative proceeding
11 with respect to matters involving the exercise of the duties described in this section.

12 **7. Rules.** The office may adopt rules to implement the provisions of this chapter. Rules
13 adopted pursuant to this section are routine technical rules as defined in chapter 375,
14 subchapter 2-A.

15 **8. Report.** Beginning January 15, 2029, and biennially thereafter, the office shall
16 provide to the Governor, the President of the Senate, the Speaker of the House and the
17 Chief Justice of the Supreme Judicial Court a report that summarizes, at a minimum:

18 A. The nature of the complaints received under this section since the last report, the
19 measures taken to address those complaints and the outcome of those complaints;

20 B. Aggregate data concerning the complaints received under this section since the last
21 report, including, but not limited to, the number of complaints and to which public
22 agencies and officials they were directed; and

23 C. Recommendations by the office and public agencies and officials for improving the
24 process under this section.

25 **Sec. 3. 17-A MRSA §2102, sub-§1, ¶F-2**, as enacted by PL 2021, c. 330, §6 and
26 reallocated by RR 2021, c. 1, Pt. A, §14, is amended to read:

27 F-2. The final disposition of the charges against the defendant, including the amount
28 of deductions to time served that a defendant has accumulated as of the date of
29 sentencing. On or before the date of sentencing, the attorney for the State shall obtain
30 information about the deductions to time served from each correctional facility at
31 which a defendant was detained prior to sentencing on the relevant charges; and

32 **Sec. 4. 17-A MRSA §2102, sub-§1, ¶G**, as enacted by PL 2019, c. 113, Pt. A, §2,
33 is amended to read:

34 G. The right to comment on the proposed early termination of probation, early
35 termination of administrative release or conversion of probation to administrative
36 release, pursuant to section 2105.;

37 **Sec. 5. 17-A MRSA §2102, sub-§1, ¶H** is enacted to read:

38 H. The right to receive timely notice of and have an opportunity to be heard at any
39 hearing or court proceeding concerning a subpoena issued for any record about or
40 concerning the victim; and

41 **Sec. 6. 17-A MRSA §2102, sub-§1, ¶I** is enacted to read:

1 I. The filing, scheduling and outcome of an appeal of a decision of the court by a
2 defendant or the State involving a crime against the victim.

3 **Sec. 7. 17-A MRSA §2102, sub-§2**, as enacted by PL 2019, c. 113, Pt. A, §2, is
4 amended to read:

5 **2. Pamphlets.** When providing notice under subsection 1, the attorney for the State
6 shall offer to provide the victim with a pamphlet containing this chapter; Title 5, chapter
7 316-A; Title 5, chapter 316-E; and Title 15, sections 812 and 6101. In addition, the attorney
8 for the State, as part of any victim and witness support program that attorney administers
9 under Title 30-A, section 460, shall provide the victim with a pamphlet outlining in
10 everyday language the provisions set out in this chapter; Title 5, chapter 316-A; Title 5,
11 chapter 316-E; and Title 15, sections 812 and 6101. The attorney for the State may use the
12 pamphlet printed and distributed by the Department of Corrections or another pamphlet
13 that meets the criteria in this section.

14 **Sec. 8. 17-A MRSA §2110** is enacted to read:

15 **§2110. Subpoenas for victim's records**

16 A victim has the right to timely notice and must be given an opportunity to be heard at
17 any hearing or court proceeding concerning a subpoena issued for any record about or
18 concerning that victim, including, but not limited to, medical or mental health counseling
19 or treatment records, educational records or cellular telephone records.

20 **Sec. 9. 17-A MRSA §2111** is enacted to read:

21 **§2111. Presence of victim's attorney or advocate**

22 At any point in a criminal proceeding, a victim has the right to retain a victim's attorney,
23 who may be present and speak on behalf of the victim during all stages of any interview,
24 investigation or other interaction with representatives of the criminal justice system.
25 Treatment of the victim may not be affected or altered in any way because of the victim's
26 decision to exercise this right. A victim witness advocate or victim witness coordinator, as
27 defined in Title 16, section 53-C, subsection 1, paragraph C, may also be present and speak
28 on behalf of the victim during any court proceeding.

29 **SUMMARY**

30 This bill strengthens compliance by state, county and local authorities with laws
31 regarding crime victim rights and provides a complaint process for victims whose rights
32 have been violated. Specifically, the bill does the following.

33 1. It directs the Office of the Attorney General to create a centralized complaint process
34 and procedures for investigations of violations of crime victim rights, including a victim
35 complaint notice process and an inquiry and investigative process that requires that the
36 office be given access to necessary information to conduct investigations. If, after the filing
37 of a complaint and investigation into that complaint, the office determines it appropriate to
38 do so, the office must recommend that a state, county or municipal authority take action
39 and that authority must report to the office within 30 days regarding the action taken or the
40 reasons for not taking any action responsive to the recommendation.

41 2. It specifies that a victim who participates in the victim complaint process may also
42 exercise any other legal rights and remedies available to the victim.

1 3. It clarifies that the office may not be compelled to testify or produce evidence in any
2 judicial or administrative proceeding with respect to matters involving the exercise of the
3 duties established in the bill.

4 4. It specifies that a victim has the right to receive timely notice of and have an
5 opportunity to be heard at any hearing or court proceeding concerning a subpoena issued
6 for any record about or concerning the victim, including, but not limited to, medical or
7 mental health counseling or treatment records, educational records or cellular telephone
8 records.

9 5. It specifies that a victim has a right to be notified of the filing, scheduling and
10 outcome of an appeal of a decision of a court about a crime against that victim.

11 6. It specifies that at any point in a criminal proceeding, a victim has the right to retain
12 a victim's attorney, who may be present and speak on behalf of the victim during all stages
13 of any interview, investigation or other interaction with representatives of the criminal
14 justice system. Treatment of the victim may not be affected or altered in any way because
15 of the victim's decision to exercise this right. A victim witness advocate or victim witness
16 coordinator may also be present and speak on behalf of the victim during any court
17 proceeding.