



131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

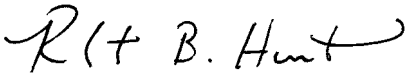
No. 1613

H.P. 1038

House of Representatives, April 11, 2023

An Act to Prohibit Profiling and to Strengthen Civil Rights in Maine

Reference to the Committee on Judiciary suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Speaker TALBOT ROSS of Portland.

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

2 **PART A**

3 **Sec. A-1. 5 MRSA §4684-C** is enacted to read:

4 **§4684-C. Civil rights officers**

5 **1. Definitions.** For the purposes of this section, unless the context otherwise indicates,
6 the following terms have the following meanings.

7 A. "Civil rights officer" means a law enforcement officer who has received special
8 training approved by the Attorney General in identifying and investigating civil rights
9 violations.

10 B. "Law enforcement agency" means an agency in the State charged with enforcement
11 of state, county, municipal or federal laws or laws of a federally recognized Indian
12 tribe, with the prevention, detection or investigation of criminal, immigration or
13 customs laws or with managing custody of detained persons in the State and includes,
14 but is not limited to, a municipal police department, a sheriff's department, the State
15 Police, a university or college police department and the Department of Public Safety.

16 C. "Law enforcement officer" means a state, county or municipal official or an official
17 of a federally recognized Indian tribe responsible for enforcing criminal, immigration
18 or customs laws, including, but not limited to, a law enforcement officer who possesses
19 a valid certificate issued by the Board of Trustees of the Maine Criminal Justice
20 Academy pursuant to Title 25, section 2803-A.

21 **2. Required civil rights officer.** A law enforcement agency shall select, assign and
22 secure training for a civil rights officer, notify the Attorney General of the name and contact
23 information for the civil rights officer and notify the Attorney General of any change in
24 assignment of the civil rights officer as soon as practicable after the change is made. The
25 law enforcement agency shall make the contact information for the civil rights officer
26 publicly available.

27 **PART B**

28 **Sec. B-1. 5 MRSA c. 337-D, headnote** is amended to read:

29 **CHAPTER 337-D**

30 **PROFILING AND DATA COLLECTION**

31 **Sec. B-2. 5 MRSA §4751, sub-§3** is enacted to read:

32 **3. Profiling.** "Profiling" means relying, to any degree, on actual or perceived race,
33 gender, ethnicity, religion, socioeconomic status, ancestry, sexual orientation, gender
34 identity, color, physical or mental disability or national origin in targeting an individual for
35 routine or spontaneous investigatory activities or in deciding upon the scope and substance
36 of law enforcement activity following the initial investigatory procedure, except in the
37 event the officer or agency is relying on trustworthy information that is relevant to the
38 locality and time frame and that links a person with a particular characteristic described in
39 this section to a specific criminal incident or scheme.

