

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1607

H.P. 1061

House of Representatives, April 15, 2025

**An Act to Require Law Enforcement Agencies to Adopt Written
Policies Regarding Compliance with Certain Constitutional
Obligations Related to Disclosure of Evidence**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Received by the Clerk of the House on April 11, 2025. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BUNKER of Farmington.

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

Sec. 1. 25 MRSA §2803-B, sub-§1, ¶N, as amended by PL 2023, c. 394, Pt. A, §8, is further amended to read:

N. Unannounced execution of search warrants; and

Sec. 2. 25 MRSA §2803-B, sub-§1, ¶O, as enacted by PL 2023, c. 394, Pt. A, §9, is amended to read:

O. By January 1, 2024, the confidentiality of attorney-client communications, which must include, at a minimum, processes to protect and ensure confidentiality of attorney-client communications and processes to be followed in the event that there is a breach of attorney-client confidentiality;

Sec. 3. 25 MRSA §2803-B, sub-§1, ¶P is enacted to read:

P. By January 1, 2026, requirements for the law enforcement agency to assist a prosecuting agency in complying with the prosecuting agency's constitutional obligations under *Brady v. Maryland*, 373 U.S. 83 (1963) and *Giglio v. United States*, 405 U.S. 150 (1972); and

Sec. 4. 25 MRSA §2803-B, sub-§1, ¶Q is enacted to read:

Q. By January 1, 2026, requirements for the law enforcement agency to comply with mandatory disclosures to the Maine Criminal Justice Academy.

SUMMARY

This bill requires that, by January 1, 2026, law enforcement agencies adopt written policies regarding procedures to deal with assisting a prosecuting agency in complying with the prosecuting agency's constitutional obligations under *Brady v. Maryland* (1963) and *Giglio v. United States* (1972) and regarding the requirement to comply with mandatory disclosures to the Maine Criminal Justice Academy.