

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2021

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Legislative Document

No. 1480

H.P. 1095

House of Representatives, April 14, 2021

### **An Act Regarding the Review of Law Enforcement Use of Deadly Force**

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Received by the Clerk of the House on April 12, 2021. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative TALBOT ROSS of Portland.  
Cosponsored by Representatives: EVANGELOS of Friendship, HARNETT of Gardiner,  
WARREN of Hallowell.

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

2 **Sec. 1. 5 MRSA §200-K, sub-§8** is enacted to read:

3 **8. Attorney General's investigation.** The Attorney General shall complete an  
4 investigation of and submit to the panel the findings regarding the use of deadly force  
5 pursuant to section 200-A within 180 days of receiving notice of the use of deadly force by  
6 a law enforcement officer. If the Attorney General is unable to complete the investigation  
7 and submit the findings within 180 days, the Attorney General shall notify the panel prior  
8 to the expiration of the 180-day period. The Attorney General's notice to the panel under  
9 this subsection must provide a summary of the investigation up to the date of the notice,  
10 identify the reason for the delay and provide an anticipated conclusion date for the  
11 investigation and findings, which may not exceed 270 days from receiving notice of the  
12 use of deadly force.

13 **Sec. 2. 16 MRSA §803, sub-§7**, as enacted by PL 2013, c. 267, Pt. A, §3, is  
14 amended to read:

15 **7. Intelligence and investigative record information.** "Intelligence and investigative  
16 record information" means information of record collected by or prepared by or at the  
17 direction of a criminal justice agency or kept in the custody of a criminal justice agency  
18 while performing the administration of criminal justice or, exclusively for the Department  
19 of the Attorney General and district attorneys' offices, the administration of civil justice.  
20 "Intelligence and investigative record information" includes information of record  
21 concerning investigative techniques and procedures and security plans and procedures  
22 prepared or collected by a criminal justice agency or other agency. "Intelligence and  
23 investigative record information" does not include criminal history record information as  
24 defined in section 703, subsection 3 ~~and does not include~~ a video recording of the use of  
25 force by a law enforcement officer or information of record collected or kept while  
26 performing the administration of juvenile justice.

27 **SUMMARY**

28 This bill requires the Attorney General to complete an investigation of and submit the  
29 findings regarding the use of deadly force by a law enforcement officer to the Attorney  
30 General's Deadly Force Review Panel within 180 days of receiving notice of the use of  
31 deadly force. The Attorney General is required to provide notice to the panel if the  
32 investigation and findings are not complete within 180 days and provide a summary of the  
33 investigation up to the date of the notice, identify the reason for the delay and provide an  
34 anticipated conclusion date for the investigation and findings, which may not exceed 270  
35 days from receiving notice of the use of deadly force. The bill also excludes from the  
36 definition of "intelligence and investigative record information", which is confidential  
37 under the law, a video recording of the use of force by a law enforcement officer.