

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 96

H.P. 64

House of Representatives, January 9, 2023

**An Act to Ensure Release of Relevant Background Investigation
Material to Current Employers of Law Enforcement and
Corrections Officers**

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Criminal Justice and Public Safety suggested and ordered
printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative CYRWAY of Albion.

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

2 **Sec. 1. 25 MRSA §2805-B, sub-§5**, as enacted by PL 2021, c. 256, §2, is amended
3 to read:

4 **5. Release of the results of a background investigation or polygraph examination.**

5 When a background investigation or polygraph examination has been performed on a law
6 enforcement officer or corrections officer and the results indicate probable cause to believe
7 that the officer is or has been involved in criminal activity, the law enforcement agency,
8 correctional facility or county or regional jail that conducted the investigation or
9 examination or for whom the investigation or examination was performed shall release the
10 results of the investigation or examination to the head of the law enforcement agency,
11 correctional facility or county or regional jail that employs the law enforcement officer or
12 corrections officer.

13 **SUMMARY**

14 Like current law applicable to notification of polygraph examination results, this bill
15 requires a law enforcement agency, correctional facility or county or regional jail that
16 performs a background investigation on a law enforcement officer or corrections officer to
17 notify the head of the agency, facility or jail that employs the officer if the results indicate
18 probable cause to believe that the officer is or has been involved in criminal activity.