

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2023

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Legislative Document

No. 1613

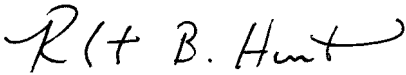
H.P. 1038

House of Representatives, April 11, 2023

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

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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.

