

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2024

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Legislative Document

No. 2045

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H.P. 1307

House of Representatives, December 13, 2023

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### **An Act to Establish Training and Certification Standards for Probation and Parole Officers**

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Submitted by the Department of Corrections pursuant to Joint Rule 203.

Received by the Clerk of the House on December 11, 2023. 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 cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative SALISBURY of Westbrook.

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

2 **Sec. 1. 25 MRSA §2801-A, sub-§5**, as amended by PL 2013, c. 147, §5, is further  
3 amended to read:

4 **5. Law enforcement officer.** "Law enforcement officer" means a person who by  
5 virtue of public employment is vested by law with the power to make arrests for crimes or  
6 serve criminal process, whether that power extends to all crimes or is limited to specific  
7 crimes, and who possesses a current and valid certificate issued by the board pursuant to  
8 section 2803-A. As used in this chapter, "law enforcement officer" does not include federal  
9 law enforcement officers or attorneys prosecuting for the State or persons who perform  
10 probation functions or are adult probation supervisors as defined in Title 17-A, section 2,  
11 subsection 3-C.

12 **Sec. 2. 25 MRSA §2801-A, sub-§7-A** is enacted to read:

13 **7-A. Probation and parole officer.** "Probation and parole officer" means an  
14 employee of the Department of Corrections with duties described in Title 34-A, section  
15 5404 who possesses a current and valid certificate issued by the board pursuant to section  
16 2803-A, subsection 5-C or a provisional certification as determined by the board for certain  
17 employees employed prior to January 1, 2025.

18 **Sec. 3. 25 MRSA §2801-B, sub-§1, ¶A**, as repealed and replaced by PL 2013, c.  
19 588, Pt. A, §33, is amended to read:

20 A. An employee of the Department of Corrections ~~with a duty to perform probation~~  
21 ~~functions or who is an adult probation supervisor as defined in Title 17-A, section 2,~~  
22 ~~subsection 3-C or who is~~ an investigative officer or other employee of the Department  
23 of Corrections authorized to exercise law enforcement powers as described in Title  
24 34-A, section 3011;

25 **Sec. 4. 25 MRSA §2803-A, sub-§5-C** is enacted to read:

26 **5-C. Training and certification of probation and parole officers.** To establish  
27 training and certification standards for probation and parole officers, set requirements for  
28 board-approved courses, prescribe curricula and certify graduates of board-approved  
29 courses. Certification must be based on the officer's demonstration of having acquired  
30 specific knowledge and skills directly related to job performance;

31 **Sec. 5. 25 MRSA §2804-M** is enacted to read:

32 **§2804-M. Probation and parole officer basic training and certification**

33 **1. Training and certification required.** Beginning January 1, 2025, as a condition  
34 to the continued employment of a person hired as a probation and parole officer, that person  
35 shall successfully complete, within the first 12 months of employment, a basic training  
36 course approved by the board and meet the certification standards established by the board  
37 pursuant to section 2803-A, subsection 5-C. Thereafter, as a condition to continued  
38 employment as a probation and parole officer, the officer shall satisfactorily maintain the  
39 basic certification. The board, under extenuating and emergency circumstances in  
40 individual cases, may extend the 12-month period for not more than 180 days. The board,  
41 in individual cases, may waive basic training requirements when the facts indicate that an  
42 equivalent course has been successfully completed in another state or federal jurisdiction.



1 parole officers and requires those officers to meet the training and certification standards  
2 established by the board.