

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

Date: (Filing No. H-)

JUDICIARY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1038, L.D. 1613, “An Act to Prohibit Profiling and to Strengthen Civil Rights in Maine”

Amend the bill in Part B by striking out all of section 2 and inserting the following:

'Sec. B-2. 5 MRSA §4751, sub-§3 is enacted to read:

3. Profiling. "Profiling" means the consideration of or reliance on, to any degree, actual or perceived race, color, sex, sexual orientation, gender identity, physical or mental disability, religion, ancestry or national origin, age or familial status in deciding which persons to subject to a traffic or pedestrian stop or in deciding the scope or substance of law enforcement activities following a traffic or pedestrian stop. "Profiling" does not mean consideration of or reliance on characteristics provided in a specific suspect description. For purposes of this subsection, "activities following a traffic or pedestrian stop" include, but are not limited to, asking questions of a person, frisking a person, conducting consensual and nonconsensual searches of a person or property, seizing of property, requiring vehicle occupants to exit a vehicle during a traffic stop, issuing a citation and making an arrest.'

Amend the bill in Part B in section 3 in §4755 in the first indented paragraph in the last line (page 2, line 4 in L.D.) by inserting after the following: "profiling." the following: 'Violations of this section are not enforceable under chapter 337-B but may form the basis of disciplinary proceedings by the Board of Trustees of the Maine Criminal Justice Academy to suspend or to revoke any certification issued by the board pursuant to Title 25, section 2806-A, subsection 5, paragraph J or to take other action the board determines to be appropriate pursuant to Title 25, section 2806-A, subsection 6.'

Amend the bill in Part C by inserting after "**PART C**" the following:

'Sec. C-1. 5 MRSA §4752, sub-§1, as enacted by PL 2021, c. 460, §1, is amended to read:

COMMITTEE AMENDMENT

