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.

ROBERT B. HUNT
Clerk

Presented by Representative CYRWAY of Albion.
Be it enacted by the People of the State of Maine as follows:

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

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

SUMMARY

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