



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 534

H.P. 353

House of Representatives, February 11, 2025

**An Act to Clarify the Rights of Crime Victims and Witnesses
Regarding Professional Investigator Communications**

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative HASENFUS of Readfield.

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

2 **Sec. 1. 17-A MRSA §2110** is enacted to read:

3 **§2110. Victim and witness rights when contacted by professional investigator**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Professional investigator" has the same meaning as in Title 32, section 8103,
7 subsection 5.

8 B. "Witness" has the same meaning as in Title 15, section 1412, subsection 3.

9 **2. Disclosures of professional investigator.** Prior to communicating with or
10 otherwise seeking information from a victim or witness, a professional investigator shall
11 disclose the following to the victim or witness:

12 A. The purpose of the investigation;

13 B. The name of the professional investigator's client;

14 C. The name of any defendant known to the professional investigator's client who will
15 benefit from the professional investigator's efforts; and

16 D. That the victim or witness is not required to communicate with the professional
17 investigator.

18 If a professional investigator is employed by, compensated by or otherwise contracted to
19 provide services by the Maine Commission on Public Defense Services under Title 4,
20 section 1801 or by any criminal defense attorney for purposes of investigating a crime, or
21 is otherwise working at the direction of or for the benefit of a defendant for purposes of
22 investigating a crime for which the defendant is charged, the professional investigator shall
23 disclose to any victim or witness of the crime that the professional investigator is a
24 professional investigator working for the benefit of the defendant prior to communicating
25 with or seeking information related to the crime from the victim or witness.

26 **3. Victim or witness request to cease contact.** If a victim or witness requests, orally
27 or in writing, that the professional investigator cease contact with the victim or witness the
28 professional investigator may not attempt any further communication unless expressly
29 authorized by the victim or witness.

30 **4. Victim or witness who is a minor.** Prior to communicating with or seeking
31 information from a victim or witness who is a minor, the professional investigator shall
32 disclose all information required in subsection 2 to a parent or guardian of the minor who
33 is not the defendant in the criminal case. The professional investigator shall obtain consent
34 from a parent or guardian of the minor who is not the defendant in the criminal case before
35 communicating with the minor.

36 **SUMMARY**

37 This bill requires a professional investigator, prior to communicating with a victim or
38 witness of a crime, to disclose to the victim or witness the purpose of the investigation,
39 whom the investigation is supposed to benefit and that the victim or witness is not required
40 to communicate with the professional investigator. This bill also requires a professional

1 investigator to cease contact with victims or witnesses who request not to be contacted by
2 the professional investigator.