

## 130th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2021

**Legislative Document** 

No. 1447

H.P. 1063

House of Representatives, April 12, 2021

An Act To Require Training in Racial Issues, Racial Justice and Social Issues at the Maine Criminal Justice Academy and To Establish Additional Requirements for Law Enforcement Officers and Candidates

Received by the Clerk of the House on April 8, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative GRAMLICH of Old Orchard Beach.
Cosponsored by Representatives: HARNETT of Gardiner, MORALES of South Portland,
PLUECKER of Warren, RECKITT of South Portland, TALBOT ROSS of Portland, WARREN of Hallowell.

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

- **Sec. 1. 25 MRSA §2803-A, sub-§1,** as amended by PL 2005, c. 331, §8, is further amended to read:
- 1. Training and certification of all law enforcement officers in State. In accordance with this chapter, to establish training and certification standards for all law enforcement officers, set requirements for board-approved courses, prescribe eurriculum curricula and certify both graduates of board-approved courses and persons for whom the board has waived the training requirements of this chapter. Certification must be based on the officer's demonstration of having acquired specific knowledge and skills directly related to job performance;
- Beginning January 1, 2022, for all law enforcement officers certified or recertified by the board, in addition to all other requirements set forth in this chapter, the certification standards adopted by the board must require that the applicant:
  - A. Be legally authorized to work in the United States;
- B. Be at least 21 years of age;

- C. Possess a high school diploma or high school equivalency diploma under Title 20-A, section 257 and an associate degree in criminal justice, sociology, psychology, mental health, substance use disorder or implicit bias;
- D. Submit to an extensive criminal history record check and meet the standards for approval established by the board; and
  - E. Have completed at least 60 credit hours of postsecondary education, which may be fulfilled by course work completed in earning an associate degree under paragraph C in criminal justice or a related field, including but not limited to courses in sociology, psychology, mental health, substance use disorder and implicit bias;
- **Sec. 2. 25 MRSA §2804-C, sub-§2-F,** as enacted by PL 2019, c. 410, §3 and reallocated by RR 2019, c. 1, Pt. A, §27, is amended to read:
- **2-F. Training regarding** <u>racial issues, racial justice and </u>bias-based profiling. The board shall include in the basic law enforcement training program a block of instruction aimed specifically at <u>training in racial issues and racial justice and</u> the prohibition of bias-based profiling that prohibits stops, detentions, searches or asset seizures and forfeitures efforts based on race, ethnicity, gender, sexual orientation, gender identity, religion, socioeconomic status, age, national origin or ancestry by members of a law enforcement agency, that provides that individuals may be stopped or detained only when legal authority exists to do so and that provides that members of a law enforcement agency must base their enforcement actions solely on an individual's conduct and behavior or specific suspect information.
  - Sec. 3. 25 MRSA §2804-C, sub-§2-G is enacted to read:
- **2-G.** Training regarding persons with substance use disorder. The board shall include in the basic law enforcement training program a block of instruction aimed specifically at recognizing and responding appropriately to persons with substance use disorder in order to reduce their involvement with the criminal justice system.
  - Sec. 4. 25 MRSA §2804-C, sub-§2-H is enacted to read:

- **Sec. 5. 25 MRSA §2804-E, sub-§2,** as amended by PL 2013, c. 147, §34, is further amended to read:
- **2. Role of board.** The board shall establish in-service recertification training requirements, consistent with subsection 1, and coordinate delivery of in-service training. The in-service recertification training requirements must include information on new laws and court decisions and, on new enforcement practices demonstrated to reduce crime or increase officer safety and on behavioral health, substance use disorder, homelessness, racial issues and racial justice and other social situations that might be presented to a law enforcement officer. The board shall consider and encourage the use of telecommunications technology in the development and delivery of in-service training programs. In establishing the recertification training requirements, the board shall cooperate with the state and local departments and agencies to which the in-service requirements apply to ensure that the standards are appropriate. In-service training may not be applied to satisfy in-service recertification training requirements unless it is approved by the board.

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This bill requires basic law enforcement training to include training in racial issues and racial justice, regarding persons with substance use disorder and regarding social issues and law enforcement responses to challenging social situations. The bill requires in-service training for law enforcement officers to include information on behavioral health, substance use disorder, homelessness, racial issues and racial justice and other social situations that might be presented to a law enforcement officer. Beginning with applications for certification and recertification on January 1, 2022, this bill requires an applicant for certification or recertification as a law enforcement officer to be legally authorized to work in this country, to be at least 21 years of age, to possess a high school diploma or high school equivalency diploma and an associate degree in criminal justice, sociology, psychology, mental health, substance use disorder or implicit bias, to submit to an extensive criminal history record check and to meet the standards for approval established by the Board of Trustees of the Maine Criminal Justice Academy and to have completed at least 60 credit hours of postsecondary education, which may be fulfilled by course work completed in earning an associate degree, in criminal justice or a related field, including but not limited to courses in sociology, psychology, mental health, substance use disorder and implicit bias.