



## **Maine Chiefs of Police Association**

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### **Statement in support of**

### **L.D. 534, An Act to Clarify the Rights of Crime Victims and Witnesses Regarding Professional Investigator Communications**

### **Joint Standing Committee on Criminal Justice and Public Safety**

**March 17, 2025**

Senator Beebe-Center, Representative Hasenfus, and honorable members of the Criminal Justice and Public Safety Committee. My name is Jason Moen. I am the Chief of the Auburn Police Department, and the President of the Maine Chiefs of Police Association. I am submitting testimony on behalf of the Maine Chiefs of Police Association in support of LD 534.

The mission of the Maine Chiefs of Police Association is to secure a closer official and personal relationship among Maine Police Officials; to secure a unity of action in law enforcement matters; to enhance the standards of police personnel, police training and police professionalism generally; to devise ways and means for equality of law enforcement throughout the state of Maine; to advance the prevention and detection of crime; to prescribe to the Law Enforcement Code of Ethics; and to promote the profession of law enforcement as an integral and dedicated force in today's society sworn to the protection of life and property.

LD 534 requires a professional investigator, prior to communicating with a victim or witness of a crime, to disclose to the victim or witness the purpose of the investigation, whom the investigation is supposed to benefit and that the victim or witness is not required to communicate with the professional investigator. A professional investigator must cease all contact with victims or witnesses who have requested contact from the professional investigator to stop.

Law enforcement officers support transparent, victim-centered policies when it comes to investigating criminal cases. Many of these victims have experienced a significant traumatic event. We want to make sure that we prevent any further stress or upsetting ordeals during the investigating process. When investigators are transparent with impacted individuals and witnesses as to the reason for the investigation, who it benefits, and that these individuals have

the right not to engage with the professional investigator, it makes victims and witnesses feel more comfortable and secure when providing information. Individuals feeling pressured and coerced to provide a statement to an investigator, especially not knowing if those questions are being posed by the prosecution or defense, may be hesitant to provide key details that could impact the case. We believe more accurate and detailed information comes from victims and witnesses when they share it based on their own comfort and judgment.

There is an omission in the drafted legislation that needs to be rectified. As drafted, it only covers those investigators that are licensed. However, there are a number of individuals who are hired as professional investigators who are not licensed, including those who are hired by the public defender offices. It is critical that these state employees are also included in the provisions of this bill. Most members of the public assume when someone indicates they are working for the state during an investigation that they are representing the prosecuting side of the case. We want to ensure that all professional investigators are treated equally by requiring the conduct of both licensed and unlicensed investigators be reportable to the professional investigating licensing board.

Transparent disclosure procedures as proposed in LD 534 respects the rights of victims and witnesses, upholds the integrity of the investigation, and supports a fair and just judicial process. It is for these reasons, the Maine Chiefs of Police Association supports the passage of LD 534.