



TESTIMONY OF ALICIA REA, ESQ.  
LD 1484 – Ought Not to Pass

**An Act Related to Public Access of Records of Certain  
Disciplinary Actions of Public Employees**

Joint Standing Committee on Judiciary

April 11, 2025

PO Box 7860  
Portland, ME 04112

(207) 774-5444  
ACLUMaine.org  
@ACLUMaine

Senator Carney, Representative Kuhn, and distinguished members of the Joint Standing Committee on Judiciary, greetings. My name is Alicia Rea, and I am the policy fellow of the American Civil Liberties Union of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, I urge you to oppose LD 1484.

This legislation will dramatically narrow the public disclosure of employee discipline records to only those that have a financial disadvantage to the employee. Therefore, even if repeated allegations of misconduct by a public employee were substantiated and the employee was subjected to repeated written discipline and suspension, none of those records would be considered public records unless the discipline or suspension also included financial penalties. The impacted statutes cover personnel records for state, county, and municipal employees.<sup>1</sup>

The public's right to access government information, which is essential for democratic oversight of the government, comes from Maine's Freedom of Access Act.<sup>2</sup> The Freedom of Access Act's "basic purpose ... is to ensure an informed citizenry, vital to the functioning of a democratic society, needed to check against corruption and to hold the governors accountable to the governed."<sup>3</sup> When public employee disciplinary records—especially those of law enforcement officers—are withheld from disclosure, it restricts the flow of information that enables informed public discourse. Suppressing records that reveal misconduct undermines the public's ability to scrutinize institutions that wield state power.

Nondisclosure of disciplinary records when the discipline has no financial impact on the employee directly undercuts accountability, particularly in law enforcement employment. Without public access, it becomes nearly

---

<sup>1</sup> 5 M.R.S. § 7070; 30-A M.R.S. § 503; § 2702.

<sup>2</sup> See 13 M.R.S. § 401 et seq.

<sup>3</sup> *MaineToday Media, Inc. v. State*, 2013 ME 100, ¶ 8.



impossible to identify repeat offenders, systemic issues, or failures in internal disciplinary processes. This lack of oversight can shield officers from consequences, allowing inappropriate behaviors to carry on.

An extensive investigation by the Bangor Daily News exposed widespread abuses of power by sheriffs and their deputies and the difficulty of holding these wrongdoers accountable.<sup>4</sup> In another case, three jail guards let a person die in their custody despite his cries for help.<sup>5</sup> The guards faced only minor repercussions, and the county settled a lawsuit with the family for an undisclosed amount.

Transparency is a key mechanism for accountability—when disciplinary actions are available to the public, it not only deters future misconduct but also affirms a public agency's commitment to justice and reform. Denying the public this information sends the message that the state, counties, and municipalities are above scrutiny, which undermines the rule of law and erodes public trust.

We urge you to reject this bill.

---

<sup>4</sup> Erin Rhoda, *A Maine sheriff resigned after sexting his officers. The full story is even darker.*, Bangor Daily News, Nov. 30, 2020, <https://bangordailynews.com/2020/11/30/maine-focus/a-maine-sheriff-resigned-after-sexting-his-officers-the-full-story-is-even-darker/>.

<sup>5</sup> Josh Keefe, *In trove of officer misconduct records, Maine sheriffs hide the worst offenses*, Dec. 2, 2020, Bangor Daily News, <https://bangordailynews.com/2020/12/02/maine-focus/in-trove-of-officer-misconduct-records-maine-sheriffs-hide-the-worst-offenses/>.