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SPEAKER OF THE HOUSE

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*Testimony of Speaker Rachel Talbot Ross presenting*  
**LD 2210, An Act to Establish a Civil Rights Unit and a Civil Rights Review Panel Within  
the Office of the Attorney General and Require Ongoing Enhanced Civil Rights Training  
for Civil Rights Officers**  
*Before the Joint Standing Committee on the Judiciary*

Good afternoon Senator Carney, Representative Moonen, and esteemed members of the Joint Standing Committee on the Judiciary. My name is Rachel Talbot Ross, I represent District 118 on the peninsula of Portland, and I serve as Speaker of the House. I'm writing to present **LD 2210, An Act to Establish a Civil Rights Unit and a Civil Rights Review Panel Within the Office of the Attorney General and Require Ongoing Enhanced Civil Rights Training for Civil Rights Officers.**

I'll say at the outset that I'd like to present one small change before the committee, which I'll review in the course of my testimony.

I am presenting this bill today with a singular vision in mind: the full enforcement of the Maine Civil Rights Act. The Maine Civil Rights Act, which became law in 1989, prohibits anyone from intentionally interfering with another person's right to engage in lawful activity through the use of violence, threat of violence, or property damage when the conduct is motivated by bias based on race, color, religion, ancestry, national origin, gender, physical or mental disability or sexual orientation.<sup>1</sup> Modeled after the Massachusetts Civil Rights Act, the bill was introduced at a time when there was a rising wave of hatred, and of associated hate groups, across the country. These groups included the Ku Klux Klan, the American Nazi Party, and the Skinheads.

Today, the Office of the Attorney General enforces this law by bringing a civil action for injunctive or other appropriate equitable relief. The majority of referrals come from law enforcement officers: by Maine law, law enforcement departments must include at least one civil rights officer, who is trained to identify and report to the Office of the Attorney General all

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<sup>1</sup> <https://digitalcommons.maine.gov/cgi/viewcontent.cgi?article=1490&context=mlr>

potential civil rights cases. Further, the Attorney General's Civil Rights Team Project provides education about the Civil Rights Act to schools, has aimed to increase collaboration and communication between schools and law enforcement, and engages school communities in thinking and talking about issues related to race and skin color, national origin and ancestry, religion, disabilities, gender (including gender identity and expression) and sexual orientation.

While this response may have been sufficient in the past, Maine has changed significantly since 1989. Our population is larger, the state's demographic profile has diversified, and we've seen incidents of hate crimes rise<sup>2</sup>, in keeping with national trends. I believe that our civil rights response, remedy, and education should be afforded a place in the structure of our state government. The bill before you takes meaningful steps towards that goal by creating a Civil Rights Unit within the Office of the Attorney General.

I'll take just a moment to reflect on the magnitude of the bill before you, for this is not just a matter of reorganizing state government for the sake of expansion or improved functioning. This is a moment in which we can uphold our promise to Mainers now and in the future, that we will do everything in our power to protect their rights as Americans and Mainers, and to ensure that justice is done. For our students, it means that when they are in school, they can focus on learning, in an atmosphere that encourages that and in which they are not distracted by the bias of others. For communities that are harmed by bias and hurtful behaviors, they will have a piece of the institution of state government dedicated to reducing that harm. And for every Mainer, a Civil Rights Unit in the Office of the Attorney General would help make certain that each is able to feel safe, welcome, and respected in their day to day life. Maine is a better place when that is not the exception, but the norm.

I'll detail the bill with more specificity now.

First, this bill establishes a civil rights unit within the Office of the Attorney General. The unit will facilitate all steps of enforcement of the Civil Rights Act, and it will work with the public and public entities to ensure cooperation, education, and engagement.

- Receive and investigate complaints related to possible violations of the Maine Civil Rights Act;
- Initiate civil actions under the Maine Civil Rights Act;
- Coordinate with other individuals and entities dedicated to advancing civil rights, and
- Engage in public education and outreach on civil rights issues related to hate and bias to advance civil rights and provide recommendations on how to ensure protections of civil rights.

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<sup>2</sup> <https://www.pressherald.com/2023/07/23/hate-groups-are-on-the-march-in-maine/>

The bill requires that all law enforcement agencies, municipal governments and state departments and agencies and any other divisions of State Government fully cooperate with the unit, and provide file information as requested for the purpose of the unit's official duties. Additionally, they must report information back to the Legislature on an annual basis related to the number, nature, status, of complaints regarding the following demographic identifiers: race, color, religion, sex, ancestry, national origin, physical or mental disability, sexual orientation, and gender identity. **I would like to ask that the committee add age to that list.**

Further, the bill establishes within the Office of the Attorney General the Civil Rights Review Panel, which will be composed of representatives of that Office as well as the Department of Public Safety and other attorneys, law enforcement officers, and the representatives of an organization related to civil liberties.

The panel shall examine the civil rights violation complaints received by the civil rights unit and determine whether there were any violations of the Maine Civil Rights Act. In the event that there was a violation, the panel shall determine whether the internal policies and best practices were followed by the parties involved and whether those policies and best practices were sufficient for the circumstances, in order to gather data on the incidence of civil rights violations in the State and to inform the panel in its duty to recommend policy changes and methods of improving compliance with the Maine Civil Rights Act including changes to statutes, rules, training, policies and procedures designed to ensure incorporation of best practices in workplaces and other institutions. The panel shall receive and review the report written by the civil rights unit and provide any comments or criticisms of the report to this committee, and will also submit their own report to this committee summarizing the panel's work.

Finally, the bill requires that all civil rights officers as defined in the Maine Civil Rights Act must fully cooperate with the unit as directed by this bill and undergo ongoing enhanced civil rights training provided by the Maine Criminal Justice Academy as determined by the Office of the Attorney General.

It is with these actions, the establishment of a civil rights unit, the requirements that it engage meaningfully with the public and with the Legislature in conducting its work, and the establishment of a panel to review civil rights enforcement work and issue recommendations, that we can better ensure civil rights in Maine. This bill is a meaningful step towards a world in which all Mainers feel that their persons, livelihoods, and rights are safe and protected. I urge you to support it, and I welcome any questions you may have.