



**Maine Chiefs of Police Association**  
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**Testimony in support of**

**L.D. 1484, An Act Related to Public Access of Records of Certain Disciplinary Actions of Public Employees**

**Joint Standing Committee on Judiciary**

**April 11, 2025**

Senator Carney, Representative Kuhn, and honorable members of the Judiciary Committee. My name is Scott Stewart. I serve as Chief of the Brunswick Police Department. I am here today on behalf of Chief Jason Moen, President of the Maine Chiefs of Police Association, to provide testimony in strong support of LD 1484.

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 1484 aims to define "discipline" for public employees, which the public can access upon request.

Multiple bills have been introduced in the past concerning public access to the disciplinary records of police officers and other public employees. The Right-to-Know Advisory Committee has also devoted countless hours to grappling with this issue, balancing privacy concerns with transparency. After much deliberation and consideration, the 131st Legislature passed LD 1397, which introduced language regarding disciplinary records for public employees to ensure that public records more clearly delineate the conduct for which a public employee was disciplined.

This was a positive step toward ensuring that the public is well-informed about the discipline of public employees. However, the applicable personnel statutes still do not define "discipline."

Some agencies consider corrective memos or reprimands to constitute “discipline” due to collective bargaining contracts or internal policies. In contrast, other agencies do not, as these actions are typically used for minor infractions, such as policy violations arising from honest mistakes often related to officer inexperience, and in turn are utilized to train or mentor officers or employees. Such actions aim to address minor performance issues as opposed to instances of serious misconduct. Depending on how each agency defines “discipline”, could result in conflicting responses to requests made under the Freedom of Access Act. This can create an impression that an agency is withholding documents, ultimately obscuring the transparency improvements made over the past couple of years.

LD 1484 would define the nature of disciplinary records that are accessible to the public upon request as “. . . action of a nature that imposes or results in a financial disadvantage, including, but not limited to, termination, demotion, or a suspension without pay...” This would provide consistency in what agencies must disclose pursuant to a public access request and clearly define what the public can expect to receive when requesting records.

This higher level of discipline is used to penalize employees who have engaged in serious misconduct. Such information should be publicly available, due to its essential role in promoting transparency and maintaining public trust. No one, including police officers, want to shield colleagues who cross the line and engage in misconduct. However, being late for work, delayed in submitting reports, or failing to maintain a clean cruiser are breaches that may warrant reprimands but do not qualify as serious misconduct for which an officer or employee may be demoted, suspended, or terminated.

Shielding low-level, generally administrative, infractions from public scrutiny will allow competent officers to make mistakes, be held accountable, correct their errors, and improve. When the policy infraction is: minor, relates more to performance than actual wrongdoing, and does not negatively affect an officer's or employee's integrity or credibility, the process functions much more effectively when managed internally.

I urge you to vote Ought to Pass on this bill.

Thank you all for your time and consideration.