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Testimony of Rep. Adam Lee presenting

LD 1671, An Act to Establish Disclosure Requirements Regarding Law Enforcement Officer Credibility Information

Before the Joint Standing Committee on Criminal Justice and Public Safety

Senator Beebe-Center, Representative Hasenfus and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety, I am Adam Lee, and I represent House District 89, which is Downtown Auburn and New Auburn. I am here to introduce **LD 1671, An Act to Establish Disclosure Requirements Regarding Law Enforcement Credibility Information**.

This bill deals with *Brady and Giglio* disclosures required by the Constitution. In essence, the law requires disclosure of exculpatory and impeachment evidence when such evidence is material to guilt or punishment. Frequently, the exculpatory and impeachment evidence deals with previous misconduct by the law enforcement officers involved in the case. Presently, there is no statutory process to regulate how the disclosure between the law enforcement agency and the prosecutor should happen. This means there are sometimes disagreements between Law Enforcement and the Prosecutors as to what information is to be disclosed and what methods exist for Law Enforcement to challenge the potential disclosures. This bill attempts to fill that void. I have brought this bill forward on behalf of the Maine Chiefs of Police. They are working with the Maine Prosecutors' Association on a mutually agreeable statutory resolution to this issue. This bill was thankfully carried over by this committee to accommodate that work. It is my understanding that the work is ongoing, and we are hopeful an agreeable solution is in the future.

Thank you for your time. I would be happy to answer any questions you may have.