



MAINE LAW ENFORCEMENT COALITION

Testimony of the Maine Law Enforcement Coalition In Opposition to LD 1671 An Act to Establish Disclosure Requirements Regarding Law Enforcement Officer Credibility Information

Senator Beebe-Center, Representative Hasenfus, and distinguished members of the Committee:

My name is Julie Ann Smith, and I am here today on behalf of the Maine Law Enforcement Coalition to testify in opposition to LD 1671.

First, the bill defines “credibility information” far too broadly and includes unproven, unreliable, and prejudicial material.

While the bill includes “sustained findings,” it also sweeps in categories such as “publicly aired allegations,” alleged criminal conduct without conviction, and vague “facts reflecting impaired ability to perceive or recall the truth.” These provisions would require disclosure of mere accusations, media claims, or unsubstantiated assertions that have never been tested through investigation, discipline, or judicial review. This undermines the fundamental principle that allegations are not proof and risks irreparable harm to an officer’s reputation and career.

Second, LD 1671 erodes basic due process protections for law enforcement officers.

Although the bill provides limited notice and an opportunity to respond, it nonetheless mandates the creation and maintenance of credibility records before meaningful adjudication occurs. Once disclosed, the damage cannot be undone—even if the information is later found to be inaccurate or false. The after-the-fact petition process in Superior Court places an unreasonable burden on individual officers to correct governmental records that should never have included unreliable material in the first place.

Third, the bill will negatively impact criminal prosecutions and public safety.

By encouraging the disclosure of marginal or speculative information, LD 1671 risks flooding prosecutors with material that is not constitutionally required and not relevant to truth-finding. This will complicate prosecutions, invite unnecessary litigation, and provide defense counsel with impeachment material untethered from actual misconduct. The result may be fewer successful prosecutions, delayed proceedings, and reduced public confidence in the justice system.

Fourth, the bill creates significant administrative and legal burdens without clear standards.

The bill requires law enforcement agencies and prosecutors to track, maintain, share, and potentially remove credibility information across jurisdictions, yet it provides little guidance on evidentiary thresholds, retention standards, or consistency. This invites uneven application across counties and agencies and exposes municipalities and the State to increased litigation risk.

Finally, LD 1671 risks chilling proactive and effective policing.

Officers who know that unproven accusations or subjective claims may follow them indefinitely—and be disclosed in criminal cases—may be less willing to engage in proactive enforcement or difficult decision-making. This chilling effect ultimately harms the communities law enforcement is sworn to protect.

The Maine Law Enforcement Coalition believes that transparency and accountability can and must coexist with fairness, due process, and effective law enforcement. Maine already has robust constitutional, statutory, and ethical frameworks governing disclosure. LD 1671 is not a clarification of those duties—it is a significant expansion that will create confusion, inequity, and harm without improving justice outcomes. This proposed law sends a message to our law enforcement community that they should worry about liability and self-protection first, and that hesitation can cost lives.

The Coalition strongly supports constitutional policing, ethical law enforcement, and prosecutors' obligation to disclose material exculpatory and impeachment evidence as required by Brady, Giglio, and Rule 16 of the Maine Rules of Unified Criminal Procedure. Those obligations already exist in Maine law and practice. Unfortunately, LD 1671 goes far beyond those established requirements and would create serious unintended consequences for due process, officer safety, effective prosecution, and the administration of justice.

For these reasons, the Maine Law Enforcement Coalition respectfully urges the Committee to vote **Ought Not to Pass** on LD 1671.

Thank you for the opportunity to testify. I would be happy to answer any questions.

The Maine Law Enforcement Coalition (MLEC) is a unified voice for the men and women who protect and serve Maine's communities. It includes the Maine Lodge of the Fraternal Order of Police, the Maine State Law Enforcement Association, the Maine Association of Police, and the Maine State Troopers Association. Together, these organizations represent thousands of law-enforcement professionals dedicated to public safety, accountability, and the rule of law.