

**Chapter 15 (proposed): STANDARDS OF CONDUCT**

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**SUMMARY:** This chapter establishes standards of conduct for certificate holders or applicants for a certificate, the violation of which will constitute grounds for imposing discipline pursuant to 25 M.R.S. § 2806-A(5)(M).

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- 1. General Standards of Conduct.** All certificate holders and applicants are expected to comply with the high standard of professionalism that has defined Maine’s law enforcement and corrections agencies throughout its history.

All certificate holders and applicants for certificates must:

- A. Maintain a professional demeanor at all times;
- B. Be truthful and honest;
- C. Treat all persons with dignity; and
- D. Act in obedience with state and federal laws and regulations.

- 2. Unprofessional Conduct.** A certificate holder or applicant for a certificate violates the standards of conduct and is subject to discipline pursuant to 25 M.R.S. § 2806-A(5)(M) if the certificate holder or applicant:

- A. Engages in conduct constituting harassment of someone because of race, color, sex, sexual orientation or gender identity, physical or mental disability, religion, age, ancestry, national origin, or familial status. For the purposes of this subsection, “harassment” means unwelcome advances because of protected class (e.g., sexual advances or request for sexual favors), comments, jokes, acts, and other verbal or physical conduct related to protected class (e.g., of a sexual, racial, or religious nature) or directed toward a person because of protected class. “Harassment” includes conduct that has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.
- B. Makes any misrepresentation or is found to be untruthful in obtaining or attempting to obtain a certificate from the Board.

- C. Makes any misrepresentation or is found to be untruthful in connection with their official duties as the holder of a certificate including, but not limited, to falsifying written or verbal communications in official reports or records or in interactions with another person or organization when it is reasonable to expect that the information may be relied upon due to their position as a certificate holder or applicant. *(Except the use of misleading information during interviews, interrogations or special investigations in order to elicit information in the course of conducting official investigations).*
- D. Discloses information that the certificate holder or applicant knew, or should have known, was confidential information and was privileged to them due to their official capacity as a holder of a certificate.
- E. While on duty or in public in uniform engages in conduct that would significantly diminish the public's confidence in or discredit the certificate holder or other certificate holders or adversely impact the efficiency, professionalism, or integrity of the law enforcement profession.
- F. Possesses controlled substances, including marijuana, as delineated in 21 C.F.R. § 1308.11 (revised April 11, 2024) in violation of federal law 21 U.S.C. § 844(a) (2024).
- G. Is a chief administrative officer of a law enforcement or corrections agency and fails to report a conviction or misconduct by a certificate holder as required by 25 M.R.S. § 2807.
- H. Is a chief administrative officer of a law enforcement or corrections agency and fails to investigate and report the findings and provide copies of the investigative reports to the Board within 30 days after having been requested in writing to do so by the Board's Complaint Review Committee pursuant to 25 M.R.S. § 2805-C(3).
- I. Is a chief administrative officer of a law enforcement or corrections agency and knowingly allows a subordinate officer to engage in conduct which could result in disciplinary sanctions under 25 M.R.S. § 2806-A and fails to take action to stop the conduct and report it to MCJA.

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STATUTORY AUTHORITY: 25 M.R.S. § 2803-A(15-A) and (18)

EFFECTIVE DATE: