



May 13, 2019

Sen. Michael Carpenter  
Rep. Donna Bailey  
Committee on the Judiciary  
State House Room 438  
Augusta, ME 04330

**Re: LD 1475, *An Act to Eliminate Profiling in Maine***

Dear Sen. Carpenter, Rep. Bailey and Members of the Judiciary Committee:

My name is Beth Stickney. I am a resident of Portland and am testifying in support LD 1569 on behalf of MeBIC, a coalition of Maine businesses and associations dedicated to providing information, education and advocacy on immigration and related issues from and for the business and economic perspective. I am also bringing my view as the founding executive director, through June 2011, of the Immigrant Legal Advocacy Project (ILAP), Maine's only legal aid provider serving Mainers statewide on immigration law and related issues.

In 2009, the Maine Legislature enacted 25 M.R.S. Ch. 355. That law established an *Advisory Committee on Bias-Based Profiling by Law Enforcement Officers and Law Enforcement Agencies*. I served on that committee, representing ILAP, from its first meeting in March 2010 through May 2011, and attended 14 of 20 meetings during its first two year term. (I left the Committee due to moving abroad with my family in June 2011).

The Committee's work revealed a glaring issue – a lack of data regarding the characteristics of individuals stopped, detained or arrested by state or local law enforcement agents. Without that data, it was impossible to fully understand the extent of the problem of profiling in Maine, nor to be able to track improvements in reducing profiling following implementation of new policies to prevent it.

Data is needed because profiling in Maine by law enforcement officers is very real. While I was at ILAP, we maintained a database of apparent profiling incidents that were reported to us by the immigrants of color that we served. We were very conservative in the data we kept. For example, if a person of color thought s/he was profiled when stopped for speeding, we would ask if the person was indeed speeding. If they acknowledged the speeding, we did not record that as a profiling incident (even though it possibly was). Instead, the types of incidents we recorded included situations such as:

- The Latina woman stopped for running a yellow, not a red, light in Portland.
- The Latino summer tourist from Boston sitting on a sidewalk bench in Rockland while eating an ice cream cone, who saw a patrol car drive by, that came back to stop and question him.

- The Southeast Asian man told that he was stopped for turning right on red, at an intersection where right on red is allowed (no ticket was issued).
- The Latina woman whose car directly faced a patrol car in the opposite lane when waiting at a red light, who, after the light turned green, was pulled over by that patrol car, ostensibly for having a Madonna figure hanging from her rear view mirror that obstructed her vision, even though it was no larger than the ubiquitous pine tree air fresheners.
- The Latino men washing windows on a U>Maine-Farmington building who were stopped and questioned during their work by a policeman who noticed them as he drove by the building.
- The Latino men doing seasonal work in The County who, during free time on a Sunday were having a cookout in their front yard, who police drove by and then stopped to question.
- The Latino men from out of state, working on a construction crew, who were in their motel's parking lot in Brewer getting ready to go get some dinner, stopped by a police officer who drove by the parking lot, then u-turned to question them.
- The Indian high tech worker pulled over and questioned but never told the reason for being pulled over, nor ticketed.

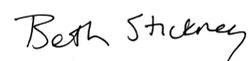
No one in Maine should be stopped and questioned or detained even momentarily by a state or local law enforcement office because of what s/he looks like, whether native-born or from another country.

Maine is facing a critical labor shortage, and needs people “from away” to choose to move to Maine to live and work, whether they move here from other states, or from other countries. Those individuals may well have diverse backgrounds and be people of color. The state cannot afford to have a reputation as one where people might be stopped by police just because of who they are, rather than for illegal conduct. Maine needs to be welcoming to all.

LD 1475 picks up where the Advisory Committee on Bias-Based Profiling, established by the 2009 law, left off. That Committee recognized a need for statewide policies prohibiting profiling, and for data collection. Policies prohibiting profiling were recommended, but were only voluntary. Profiling continues, and it is time that it be prohibited by law, and that training be mandatory. Data collection is also crucial, as it will help identify trends, whether those trends show a worsening problem, or hopefully, an improving climate. Collectively, the measures in the bill can help Maine decrease and ultimately eliminate profiling.

LD 1475 will help take Maine a step closer to becoming a state where there is equity and justice for all who live here, or indeed, are just passing through as temporary workers or tourists. Maine's economy will also benefit if the state is seen as one where *all* people can live safely and without fear of law enforcement encounters based on profiling. It will help Maine be, and be perceived as, welcoming to all. Maine's employers need to be able to access talent. This bill will help them do so. Please vote to pass LD 1475.

Sincerely,



Beth Stickney, Esq.  
Executive Director