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Maine's Evolving Anti-Doxing Law Protecting Minors

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Background

Close to 20 states have passed laws prohibiting “doxing” – the malicious publication of someone’s personal information – under certain circumstances.¹ Maine, however, has no statute explicitly prohibiting doxing, meaning victims must seek redress under general harassment or stalking laws. This gap in the law came to light in 2023 after a transgender athlete from Freeport High School was targeted online. In the process, the student’s photos and personal details were posted on the internet. The harassment she endured garnered international attention and underscored both the real-world harms of doxing – from emotional trauma to safety fears – and that there was no clear remedy under our laws.

A subsequent controversy thrust the issue into focus in early 2025, when Representative Laurel Libby posted photos and personal identifying information on Facebook about a transgender athlete who had won a track championship. The posts, which included the student’s first name and school district, went viral and sparked intense backlash.

2024–2025 Amendments: New Anti-Doxing Protections for Minors

In response to the 2023 incident, lawmakers introduced Legislative Document 537 (H.P. 356) in 2024-25, titled “An Act to Prohibit the Doxing of a Minor and to Authorize a Related Civil Action.” The bill seeks to amend Maine law by adding a new chapter creating civil remedies for doxing minors.

Key provisions of LD 537 include:

A prohibition on doxing minors: The bill bans any person from engaging in conduct that “constitutes doxing” when the target is a minor. Doxing is defined as “the knowing disclosure” of “personal identifying information” without consent, with intent to cause harm, and where the disclosure

in fact leads to harassment, stalking, injury, property damage, or reasonable fear for safety. “Personal identifying information” is defined comprehensively to include data like home or email addresses, phone numbers, social security or driver’s license numbers, biometric data, financial or medical records, and other identifying details (such as a person’s full name combined with photographs or birth date) that the person has not made public.

A new civil cause of action: The law creates a civil cause of action that allows a minor’s family member, legal guardian, or representative to sue the perpetrator on the child’s behalf. Parents and representatives can seek injunctive relief (to halt further dissemination), actual and compensatory damages for harm suffered, punitive damages, or “any other appropriate relief.” This broad language signals an intent to provide robust remedies tailored to each case’s circumstances.

Attorney fees and enhanced damages: The bill would allow the prevailing plaintiff to recover attorney fees and costs. It also includes enhanced damages for egregious cases: if the doxing was motivated by the victim’s race, religion, gender, sexual orientation, disability, or other protected characteristic, the court may award treble damages. This provision acknowledges the particularly pernicious role of hate-fueled online attacks and aims to deter bias-motivated harassment.

First Amendment safeguards (defenses): The bill includes defenses meant to fend off First Amendment challenges. It is a complete defense if the accused’s sole purpose was to report unlawful activity to law enforcement or to publish information about a public official or law enforcement officer’s misconduct. Likewise, disclosures made as part of “lawful activity protected by the Constitution” – for example, news reporting, political advocacy, or any speech on a matter of public concern – are exempted.

In short, LD 537 updates Maine’s civil law to address doxing of children, which had fallen through the cracks of existing harassment

statutes. The intended legal effect is to create a strong deterrent against adults who might otherwise terrorize minors online, and to empower families to hold perpetrators accountable in court.

Changing the Legal Landscape for Online Harassment

Even in draft form, the amended law signals a new legal landscape in Maine for online harassment cases involving children. First, it squarely fills a gap in Maine civil law. Previously, victims of doxing (or their parents) had to patch together claims under general torts or criminal statutes not tailored to this behavior.

For instance, prosecutors might charge harassers with stalking or misuse of personal data, but those laws require elements (like repeated contact or specific threats) that don’t always cover a one-time public exposure of private information. Civil suits for invasion of privacy or intentional infliction of emotional distress were also possible but not explicitly designed for doxing scenarios.

By establishing a dedicated doxing cause of action, Maine will enable more direct and predictable litigation against perpetrators. Families can sue knowing the law specifically recognizes the harm of doxing a minor, without needing to fit the case into a vague common-law tort. This can lead to faster relief (such as injunctions to remove content) and more appropriate damage awards for the unique harms caused by online shaming and fear.

The deterrent effect could be substantial. The prospect of hefty damages – including punitive and treble damages for biased motives – and attorney-fee shifting is intended to dissuade would-be doxers from targeting children. An adult who might otherwise impulsively post a student’s home address or private

photos in an online feud must now consider that they could be hauled into court and face significant financial liability.

In addition, the law empowers judges to issue injunctive relief to quickly halt dissemination of a minor’s info or restrain further harassment, which can limit the spread of doxed data before greater harm occurs. This is a crucial tool in the digital age, where viral posts can spiral out of control – a judge’s order to take down or stop sharing a child’s personal details could prevent violence or trauma.

Practical Implications for Attorneys in Maine

Anti-doxing laws are coming -- and if not now, then someday, a law of this nature is likely to be made law in Maine. Some question whether laws of this nature can survive First Amendment scrutiny, despite the prophylactic portions of the bill. Be that as it may, if and when Maine does pass a law of this nature, it will provide a deterrent from, and remedy for, the doxing of minors.

¹ David Cremins, *Protecting the Public Quad: Doxing, Campus Speech Policies, and the First Amendment*, Stanford Law Review (2024), 1818 n.13.

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