

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 781

S. P. 258

In Senate, March 9, 1977

Referred to the Committee on State Government. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary

Presented by Senator Snowe of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Require Certain Criminal Justice Agencies to make Permanent Records of all Apprehensions and Arrests.

Be it enacted by the People of the State of Maine, as follows:

16 MRSA § 608 is enacted to read:

§ 608. Records of apprehensions and arrests

1. Permanent records. Every criminal justice agency of this State, the functions of which include apprehension or arrest of criminal offenders, shall make a permanent record of all apprehensions and arrests, as soon after arrest or apprehension as practicable.

2. Initial record; method of recordation. The recordation described in this section, shall be the first record of apprehension made by the agency concerned and shall be made upon serially numbered cards or sheets or on the pages of a permanently bound volume.

3. Retention in permanent records; destruction. Every serially numbered card or sheet furnished to or acquired by a criminal justice agency for recordation in compliance with this section, whether or not actually used to record an arrest or apprehension, and every bound volume, any part of which has been used to record an arrest or apprehension, shall be retained in the permanent records of the agency, furnished, acquiring or using them. No serially numbered card or sheet or page from a bound volume furnished to or acquired by a criminal justice agency for recordation, in accordance with this section, may be destroyed, obliterated or defaced, except by stamping or printing the word "void" to show nonuse thereof; provided that, the Director of Public Safety may, by appropriate regulation, permit the disposition of

unused cards, sheets or bound volumes in such manner as will not impair the integrity of the records required by this section.

4. **Penalty.** Violation of this section, shall be a Class E crime.

STATEMENT OF FACT

This bill would require all criminal justice agencies to make and maintain permanent records of all apprehensions and arrests. These records will be retained in permanent records and will not be destroyed. Violation of this section would be a Class E crime.