

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 768

H. P. 626

House of Representatives, February 26, 1979

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Bowden of Brooklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Amend the Criminal History Record Information Act.

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

16 MRSA § 602, sub-§ 3, as enacted by PL 1975, c. 763, § 3, is repealed and the following enacted in its place:

3. Permissible disclosure. Nothing in this subchapter shall be construed to prevent a criminal justice agency from disclosing to the public criminal history record information related to an offense for which an individual is currently within the criminal justice system. A criminal justice agency is not prohibited from confirming prior criminal history record information to members of the news media or any other person, when in response to a specific inquiry as to whether on a specified date a named person was arrested or had a complaint, information or indictment returned against him or had disposition on a charging document, provided that the information disclosed is based on data excluded by subsection 2, and provided further that the disclosing criminal justice agency shall disclose therewith any and all criminal history record information in its custody or control which indicates the disposition of the arrest, detention or charging document. Nothing in this subchapter shall be construed to prohibit the dissemination of criminal history record information for purposes of international travel, such as issuing visas and granting of citizenships.

STATEMENT OF FACT

This bill, if enacted, would clarify the Criminal History Record Information Act by replacing a vague reference to "contemporaneous" events with language allowing dissemination of information about offenses for which an individual is still within the criminal justice system, e.g., awaiting trial or serving a sentence. It would also add authority to furnish information necessary in connection with international travel.