

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 877

6  
7 S.P. 289

In Senate, February 24, 1983

8 Referred to the Committee on Judiciary. Sent down for concurrence and  
9 ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Trafton of Androscoggin.  
11

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT Concerning Records of Arrests of  
18 Criminal Offenders.  
19

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

22 16 MRSA §613-A is enacted to read:

23 §613-A. Record of arrests

24 1. Requirement of record. Every criminal jus-  
25 tice agency, the functions of which include arrests  
26 of criminal offenders, shall make a permanent record  
27 of all arrests as soon after the arrests as practi-  
28 cable.

29 2. Content of record. The record described in  
30 this section shall be the first record of arrests  
31 made by the agency concerned and shall be made upon  
32 serially numbered cards or sheets or on the pages of

1 a permanently bound volume. It shall contain the  
2 following information and shall be a public record:

3 A. Identity of the arrested person, including  
4 name, age, residence and occupation, if any;

5 B. Offenses charged, including the time, place,  
6 victim and nature of the offense;

7 C. Time and place of arrest and identity of  
8 arresting officer; and

9 D. Circumstances of arrest, including force,  
10 resistance, pursuit and weapon, if any.

11 3. Disposition of record-keeping materials.  
12 Every serially numbered card or sheet furnished to or  
13 acquired by a criminal justice agency for recordation  
14 in compliance with this section, whether or not actu-  
15 ally used to record an arrest, and every bound  
16 volume, any part of which has been used to record an  
17 arrest, shall be retained in the permanent records of  
18 the agency furnished, acquiring or using them. No  
19 serially numbered card or sheet or page from a bound  
20 volume furnished to or acquired by a criminal justice  
21 agency for recordation in accordance with this  
22 section may be destroyed, obliterated or defaced,  
23 except by stamping or printing the word "void" to  
24 show nonuse thereof; provided that the Director of  
25 Public Safety may, by appropriate regulation, permit  
26 the disposition of unused cards, sheets or bound  
27 volumes in such manner as will not impair the integ-  
28 egrity of the records required by this section.

29 **STATEMENT OF FACT**

30 The purpose of this bill is to provide for a uni-  
31 form method of arrest record keeping by criminal jus-

tice agencies which make arrests. The bill adds  
these provisions to the Criminal History Record  
3 Information Act, and expressly makes these arrest  
4 records public records. The requirements for the  
5 content of these records are largely taken from the  
6 State Police guidelines on the release of information  
about arrests.

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