

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 639

H.P. 449

House of Representatives, February 14, 1991

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative COLES of Harpswell. (By Request)
Cosponsored by Representative JACQUES of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act Concerning Disclosure of the Names of Criminal Suspects.

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

4 30-A MRSA §290 is enacted to read:

6 §290. Disclosure of a criminal suspect's identity

8 1. Disclosure of suspect's identity limited. A law
10 enforcement agency or law enforcement officer, as defined in
12 Title 17-A, section 2, subsection 17, may not disclose the
14 identity of any person who is a suspect in a criminal
16 investigation except when:

18 A. The disclosure is necessary or useful to law enforcement
20 activities; or

22 B. The suspect has been arrested, a warrant has been issued
24 for the suspect's arrest or an indictment or information has
26 been issued charging the suspect with a crime.

28 2. Information confidential. Information prohibited from
30 disclosure under this section is confidential and is not a public
32 record for the purposes of Title 1, chapter 13.

34 **STATEMENT OF FACT**

This bill protects a person who becomes a suspect of a criminal investigation from premature disclosure to the media of the suspect's identity. In the course of a criminal investigation, a law enforcement agency may investigate dozens of criminal suspects who are actually innocent of the crime. This bill protects those persons from the potentially harmful release of their identities before they are actually arrested or charged with the crime.