

MAINE STATE LEGISLATURE

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E I G H T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 762

S. P. 398

In Senate, February 18, 1937.

From Committee on Judiciary and laid on table to be printed under Joint Rules.

ROYDEN V. BROWN, Secretary.

Reported by Mr. Fernald.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-SEVEN

AN ACT Relating to the Taking of Fingerprints

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

Sec. 1. R. S., c. 143, §§ 18, 19 and 20, and R. S., c. 147 § 17 as amended repealed. Sections 18, 19, and 20 of chapter 143 of the revised statutes, and section 47 of chapter 147 of the revised statutes as amended by chapter 246 of the public laws of 1931, are hereby repealed.

Sec. 2. Additional sections to R. S., c. 143. The following sections are hereby enacted to be added to and become a part of chapter 143 of the revised statutes.

‘Sec. 18. State bureau of identification. A state bureau of identification is hereby created within the department of the state police and under the supervision and control of the chief of state police. The chief of state police, subject to approval of the governor and council, shall appoint one of the members of said state police, who is a qualified fingerprint expert, to be supervisor of the state bureau of identification with the rank not less than that of a lieutenant in the state police, and he may delegate such other members of the state police to serve in said bureau and appoint such civilian personnel, subject to the approval of the governor and

council, as he may deem necessary to carry out the provisions of this section and the 5 following sections. The nucleus of such bureau shall be the fingerprints and photographs now on file in the department of the state police which will be added to as hereinafter provided. The chief of state police shall supply such bureau with the necessary apparatus and materials for collecting, filing, preserving and distributing criminal records.'

'Sec. 19. Recording of fingerprints. The state police, the persons in charge of all state penal institutions, the wardens or keepers of jails and prisons, the several sheriffs and the chiefs of police in each of the cities and towns of the state shall have the authority to take or cause to be taken, and shall take or cause to be taken, the fingerprints or photographs or both the fingerprints and photographs of any person, in custody charged with the commission of crime, or of any person who they have reason to believe is a fugitive from justice, or of any suspicious person or of any habitual criminal, and of all unidentified dead persons, and they shall furnish to the supervisor of the bureau of identification, daily, copies of the fingerprints and photographs so taken, such fingerprints to be taken on forms furnished or approved by the bureau of identification. The supervisor of the bureau of identification shall immediately upon receipt of such records, compare them with other records already on file, and shall furnish to the official forwarding such records, such information as he may have relative to the criminal record of such persons.'

'Sec. 20. Duty of jailers. It shall be the duty of the persons in charge of any jail, prison or reformatory within the state, to furnish to the supervisor of the bureau of identification, upon request, the fingerprints, photographs and description of any person detained in such institution.'

'Sec. 21. Supervisor to co-operate with other bureaus. The supervisor of the bureau of identification shall co-operate with similar bureaus in other states and with the national bureau in the Department of Justice in Washington, D. C. and he shall develop and carry on an interstate, national, and international system of identification.'

'Sec. 22. Co-operation with local officials. The supervisor of the bureau of identification shall afford instruction and offer assistance to all persons required to take fingerprints and photographs in the establishment and operation of their local systems of identification, in order to assure coordination with the system of identification conducted, by the state bureau. Neglect or refusal of any person or official to make reports or perform any other act required by the preceding sections shall constitute

a misdemeanor, and such person or official, upon conviction thereof, shall be punished by a fine of not more than \$50.'

'Sec. 23. Rules and regulations. The supervisor of the bureau of identification shall make and forward to all persons charged with any duty or responsibility under the 5 preceding sections, rules and regulations for the taking and preserving of the fingerprints and other records as hereinbefore provided, such rules and regulations before becoming effective to be approved by the attorney-general.'