

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Sixth Legislature

AT THE
SPECIAL SESSION

January 2, 1974

to

March 29, 1974

the public accommodation provisions relating to walks, entries, rest room facilities and doors shall apply.

Effective June 28, 1974

CHAPTER 706

AN ACT Relating to the Expunging of Certain Records of Arrest.

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

R. S., T. 16, § 600, repealed and replaced. Section 600 of Title 16 of the Revised Statutes, as enacted by chapter 460 of the public laws of 1969, is repealed and the following enacted in place thereof:

§ 600. Expungement of records of arrest

Any person having been acquitted of a crime in any court or having had a complaint, information or indictment against him dismissed by any court shall be entitled to expungement of any records or recordings of any arrest and detention in connection with such charge, complaint, information or indictment.

The granting of an acquittal of a crime or the dismissal of a complaint, information or indictment shall mean that the person shall, for all purposes, be considered as never having been arrested for such charge or crime. No person, firm, corporation or employer shall use information concerning an offense for which an acquittal or dismissal has been granted in any manner to the detriment of the person who is acquitted or against whom charges have been dismissed.

1. Effect. The effect of expungement of criminal records as outlined in this section shall be the following:

A. Distribution. To prohibit the distribution or dissemination of any record so expunged;

B. Civil rights. To restore to such persons all civil rights or privileges lost or forfeited as a result of any arrest or detention, the records with respect to which have been expunged;

C. Use. To prohibit the use of any such record for purposes of impeaching the testimony of any person with respect to whom such order was issued in any civil or other action;

D. Inquiry. To prohibit the use, dissemination or distribution of any such record so expunged in connection with an inquiry related to credit purchases or access to educational programs.

2. Responsibility to inform. It is the responsibility of the clerk of the court, where such dismissal or acquittal occurs, to notify all law enforcement agencies, regulatory or licensing agencies, correctional institutions, courts and

any other offices or officers known to have been involved in the original arrest or to have a record thereof, of the requirement to expunge such records following such acquittal or dismissal. Any person granted a dismissal or acquittal by a court shall present, within 5 days of the effective date of the acquittal or dismissal, to the clerk of that court, a list of all persons, offices, agencies and other entities which such person has reason to believe have records of such arrest under their jurisdiction or control and the clerk shall inform said parties of the acquittal or dismissal being granted and the requirement to expunge their records, and shall inform all parties notified of the penalty provisions of this section.

3. **Penalty.** It shall be unlawful for any officer or employee of any agency, department, court or other entity who, after receiving notice that an acquittal or dismissal has been granted, to release, otherwise disseminate or make available for any purpose involving employment, bonding or licensing in connection with any business, trade or profession, or for the purposes of credit applications or application to any educational program, to any individual, corporation, firm, partnership, institution or entity, or to any department, agency or other instrumentality of the State Government, or any political subdivision thereof, any information or other data concerning any arrest, indictment, trial, hearing, conviction or correctional supervision, the records with respect to which were required to be expunged by this section. Any person who shall willfully violate a provision of this section shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

Effective June 28, 1974

CHAPTER 707

AN ACT Relating to the Installation of a Uniform Crime-reporting System.

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

R. S., T. 25, § 1543, amended. Section 1543 of Title 25 of the Revised Statutes is amended by adding at the end a new paragraph to read as follows:

It shall be the duty of all state, county and municipal law enforcement agencies, including those employees of the University of Maine appointed to act as policemen, to submit to the State Bureau of Identification uniform crime reports, to include such information as is necessary to establish a Criminal Justice Information System and to enable the supervisor to comply with section 1544. It shall be the duty of the bureau to prescribe the form, general content, time and manner of submission of such uniform crime reports. The bureau shall correlate the reports submitted to it and shall compile and submit to the Governor and Legislature annual reports based on such reports. A copy of such annual reports shall be furnished to all law enforcement agencies.

Effective June 28, 1974