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An Act To More Accurately Reflect the Disposition of a Case in Criminal History Record Information

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

Sec. 1. 16 MRSA §612-B is enacted to read:

§ 612-B. Notation on arrest record

If, after a person is arrested, the police have elected not to refer the matter to the prosecutor or the prosecutor has elected not to commence criminal proceedings, a notation must be included in the person's criminal history record that so indicates. Such information is considered conviction data for the purpose of dissemination to the public until one year has elapsed from the date of the arrest.

SUMMARY

This bill requires that when a person is arrested and the police decide not to refer the case to the prosecutor or the prosecutor elects not to prosecute, that information must be included in the person's criminal history record along with the arrest. The information is available as public information until one year after the arrest.