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VETOES

Bill 68.

Sincerely,
/s/ Marvin Mandel
Governor

House Bill No. 122 - Expungement of Criminal Records
AN ACT concerning

Criminal Records - Expungement

FOR the purpose of providing for the expungement of certain juvenile, arrest and adjudicated records, defining terms, providing an exception, providing penalties for the violation of these provisions, and generally relating to a procedure for the expungement of criminal records.

May 31, 1974.

Honorable John Hanson Briscoe
Speaker of the House of Delegates
State House
Annapolis, Maryland 21404

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 122.

This bill requires the automatic expungement of all criminal records of the arrest, detention, and confinement of any person who has been arrested, detained or confined and thereafter is released without being charged with the commission of a crime. It also established a procedure for the expungement of all criminal records of a person who has been charged with a juvenile or criminal offense (other than a sex offense or an offense "relating to the point system of Article 66 - 1/2"), and thereafter is acquitted or is granted probation without verdict, or a nolle prosequi or a "stet" is entered, or the case is otherwise dismissed.

Expungement of criminal records in cases where no conviction has been obtained is a concept which I wholeheartedly support. I equally support, and would sign, properly drawn legislation to accomplish that end. With respect to House Bill 122, however, I have been advised by the Maryland Chiefs of Police Association, the Chief Judge of the Court of Appeals, and the Chief Judge