

Vice President

Letter from Chief Judge Murphy on House Bill 122

May 29, 1974.

His Excellency Marvin Mandel
Governor
State House
Annapolis, Maryland 21404

Re: House Bill 122

Dear Governor Mandel:

House Bill 122 would provide for the expungement of certain criminal records, essentially in situations in which an individual is arrested but never charged; acquitted; or is the recipient of some other relatively favorable disposition of a criminal case, such as probation without verdict, stet, nolle pros. The bill also establishes certain procedures with respect to the expungement of records.

I support the principle of this bill but after careful analysis of its detailed provisions, I am forced to conclude that it would impose procedural difficulties on the judicial system which would be virtually impossible to meet, even if we had available personnel and money probably required to implement the bill. Specific problems which would result should House Bill 122 be signed are well explained in Chief Judge Sweeney's letter to you of this date, and I fully concur in Chief Judge Sweeney's statement.

For these reasons, I feel I must ask that you veto House Bill 122. I would hope, nevertheless, that your administration might support a bill in the 1975 General Assembly which would establish the principle of expungement in appropriate cases while at the same time removing some of the administrative and procedural problems which would arise under House Bill 122. The Administrative Office of the Courts will be more than happy to cooperate with your staff and with the appropriate legislative committee or committees in the drafting of such a bill.

Respectfully,
/s/ Robert C. Murphy
Chief Judge

Letter from Chief Judge Sweeney on House Bill 122