

Article - Criminal Procedure

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§10–303.

(a) A person may petition the court to shield the person's court and police records relating to one or more shieldable convictions entered in the circuit court or the District Court in one county no earlier than 3 years after the person satisfies the sentence or sentences imposed for all convictions for which shielding is requested, including parole, probation, or mandatory supervision.

(b) (1) If the person is convicted of a new crime during the applicable time period set forth in subsection (a) of this section, the original conviction or convictions are not eligible for shielding unless the new conviction becomes eligible for shielding.

(2) A person is not eligible for shielding if the person is a defendant in a pending criminal proceeding.

(c) If a person is not eligible for shielding of one conviction in a unit, the person is not eligible for shielding of any other conviction in the unit.

(d) (1) The court shall have a copy of a petition for shielding served on the State's Attorney.

(2) Unless the State's Attorney files an objection to the petition for shielding within 30 days after the petition is served, the court may order the shielding of all police records and court records relating to the conviction or convictions after taking into consideration any objections or additional information provided by the State's Attorney or the victim.

(e) (1) If the State's Attorney files a timely objection to the petition, the court shall hold a hearing.

(2) If the court, at the hearing, finds that the person is entitled to shielding, the court shall order the shielding of all police records and court records relating to the conviction or convictions.

(3) The court may grant a petition under this subsection for good cause.

(4) A person may be granted only one shielding petition over the lifetime of the person.

(f) The court shall send written notice of the proposed action to all listed victims in the case in which the petitioner is seeking shielding at the address listed in the court file advising the victim or victims of the right to offer additional information relevant to the shielding petition to the court.

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