

Current	Proposed
<p>Criminal Procedure Article §§ 10-101(h)</p> <p>“Police record” means an official record that a law enforcement unit, booking facility, or the Central Repository maintains about the arrest and detention of, or further proceeding against, a person for:</p> <ul style="list-style-type: none"> (1) a criminal charge; (2) a suspected violation of a criminal law; (3) a violation of the Transportation Article for which a term of imprisonment may be imposed; or (4) a civil offense or infraction, except a juvenile offense, enacted under State or local law as a substitute for a criminal charge. 	<p>Criminal Procedure Article §§ 10-101(h)</p> <p>“Police record” means an official record <u>or mandated report to the Governor, Attorney General, and/or the General Assembly</u> that a law enforcement unit, booking facility, or the Central Repository maintains about the arrest, <u>prosecution of, conviction of,</u> and detention of, or further proceeding against, a person for:</p> <ul style="list-style-type: none"> (1) a criminal charge; (2) a suspected violation of a criminal law; (3) a violation of the Transportation Article for which a term of imprisonment may be imposed; or (4) a civil offense or infraction, except a juvenile offense, enacted under State or local law as a substitute for a criminal charge.
<p>MD. Criminal Procedure Code Ann. § 1-101</p> <p>(a) In this article the following words have the meanings indicated.</p> <p>(b) “Absconding” has the meaning stated in § 6-101 of the Correctional Services Article.</p> <p>(c) (1) “Charging document” means a written accusation alleging that a defendant has committed a crime.</p> <p>(2) “Charging document” includes a citation, an indictment, an information, a statement of charges, and a warrant.</p>	<p>MD. Criminal Procedure Code Ann. § 1-101</p> <p>(a) In this article the following words have the meanings indicated.</p> <p>(b) “Absconding” has the meaning stated in § 6-101 of the Correctional Services Article.</p> <p>(c) (1) “Charging document” means a written accusation alleging that a defendant has committed a crime.</p> <p>(2) “Charging document” includes a citation, an indictment, an information, a statement of charges, and a warrant.</p> <p>(d) <u>“Confidential” shall have the meaning of information regarding (1) anticipated charging decisions by a law enforcement unit, (2)</u></p>

- (d) "Correctional facility" has the meaning stated in § 1-101 of the Correctional Services Article.
- (e) "County" means a county of the State or Baltimore City.
- (f) "Crime of violence" has the meaning stated in § 14-101 of the Criminal Law Article.
- (g) "Department" means the Department of Public Safety and Correctional Services.
- (h) "Inmate" has the meaning stated in § 1-101 of the Correctional Services Article.
- (i) "Local correctional facility" has the meaning stated in § 1-101 of the Correctional Services Article.
- (j) "Managing official" has the meaning stated in § 1-101 of the Correctional Services Article.
- (k) "Nolle prosequi" means a formal entry on the record by the State that declares the State's intention not to prosecute a charge.
- (l) "Nolo contendere" means a plea stating that the defendant will not contest the charge but does not admit guilt or claim innocence.
- (m) "Person" means an individual, receiver, trustee, guardian, personal representative, fiduciary, representative of any kind, partnership, firm, association, corporation, or other entity.
- (n) "Secretary" means the Secretary of the Department of Public Safety and Correctional Services.
- (o) "State" means:
- (1) a state, possession, territory, or commonwealth of the United States; or
 - (2) the District of Columbia.

- ongoing criminal investigations; and, (3) expunged cases
- (e) "Correctional facility" has the meaning stated in § 1-101 of the Correctional Services Article.
- (f) "County" means a county of the State or Baltimore City.
- (g) "Crime of violence" has the meaning stated in § 14-101 of the Criminal Law Article.
- (h) "Department" means the Department of Public Safety and Correctional Services.
- (i) "Inmate" has the meaning stated in § 1-101 of the Correctional Services Article.
- (j) "Local correctional facility" has the meaning stated in § 1-101 of the Correctional Services Article.
- (k) "Managing official" has the meaning stated in § 1-101 of the Correctional Services Article.
- (l) "Nolle prosequi" means a formal entry on the record by the State that declares the State's intention not to prosecute a charge.
- (m) "Nolo contendere" means a plea stating that the defendant will not contest the charge but does not admit guilt or claim innocence.
- (n) "Person" means an individual, receiver, trustee, guardian, personal representative, fiduciary, representative of any kind, partnership, firm, association, corporation, or other entity.
- (o) "Secretary" means the Secretary of the Department of Public Safety and Correctional Services.

<p>(p) "State correctional facility" has the meaning stated in § 1-101 of the Correctional Services Article.</p> <p>(q) "Technical violation" has the meaning stated in § 6-101 of the Correctional Services Article.</p>	<p>(p) "State" means:</p> <p>(1) a state, possession, territory, or commonwealth of the United States; or</p> <p>(2) the District of Columbia.</p> <p>(q) "State correctional facility" has the meaning stated in § 1-101 of the Correctional Services Article.</p> <p>(r) "Technical violation" has the meaning stated in § 6-101 of the Correctional Services Article.</p>
<p>MD. Criminal Procedure Code Ann. § 10-102</p> <p>(a) A police record or a court record is subject to expungement under this subtitle.</p> <p>(b) (1) A court record or a police record that existed before July 1, 1975, and is still maintained, may be expunged under this subtitle.</p> <p>(2) A person who is entitled to the expungement of a court record or a police record that existed before July 1, 1975, may use the procedures for expungement provided under this subtitle.</p> <p>(3) The limitation periods provided in § 10-105 of this subtitle begin when the person becomes entitled to expungement of a court record or a police record that existed before July 1, 1975.</p> <p>(4) The custodian of court records or police records that were made before July 1, 1975, and that may be expunged under this subtitle:</p> <p>(i) shall make a reasonable search for a record requested for expungement; but</p>	<p>MD. Criminal Procedure Code Ann. § 10-102</p> <p>(a) A police record or a court record is subject to expungement under this subtitle.</p> <p>(b) (1) A court record or a police record that existed before July 1, 1975, and is still maintained, may be expunged under this subtitle.</p> <p>(2) A person who is entitled to the expungement of a court record or a police record that existed before July 1, 1975, may use the procedures for expungement provided under this subtitle.</p> <p>(3) The limitation periods provided in § 10-105 of this subtitle begin when the person becomes entitled to expungement of a court record or a police record that existed before July 1, 1975.</p> <p>(4) The custodian of court records or police records that were made before July 1, 1975, and that may be expunged under this subtitle:</p> <p>(i) shall make a reasonable search for a record requested for expungement; but</p>

(ii) need not expunge a court record or a police record that is not found after a reasonable search.

(c) This subtitle does not apply to:

- (1) a record about a minor traffic violation;
- (2) the published opinion of a court;
- (3) a cash receipt or disbursement record that is necessary for audit purposes;
- (4) a transcript of court proceedings made by a court reporter in a multiple defendant case;
- (5) an investigatory file; or
- (6) a record of the work product of a law enforcement unit that is used solely for police investigation.

(ii) need not expunge a court record or a police record that is not found after a reasonable search.

(c) This subtitle does not apply to:

- (1) a record about a minor traffic violation;
- (2) the published opinion of a court;
- (3) a cash receipt or disbursement record that is necessary for audit purposes absent identifying case information regarding individuals for expunged cases;
- (4) a transcript of court proceedings made by a court reporter in a multiple defendant case;
- (5) an investigatory file; or
- (6) a record of the work product of a law enforcement unit that is used solely for police investigation.