

By Mr. Parker, a petition (accompanied by bill, Senate, No. 1634) of John F. Parker for legislation to protect the public by making criminal records public. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-two.

AN ACT TO PROTECT THE PUBLIC BY MAKING CRIMINAL RECORDS PUBLIC.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 167 of chapter 6 of the General Laws
2 is hereby amended by striking out the definition of "criminal
3 offender record information" and inserting in place thereof the
4 following: —

5 "Criminal offender record information", records and data
6 in any communicable form compiled by a criminal justice
7 agency which concern an identifiable individual and relate to
8 the nature or disposition of a criminal charge, an arrest, a
9 pre-trial proceeding, other judicial proceedings, sentencing,
10 incarceration, rehabilitation, or release. It shall not be re-
11 stricted to that recorded as the result of the initiation of crim-
12 inal proceedings of any consequent proceedings related there-
13 to. It shall include evaluative information, statistical and ana-
14 lytical reports and filed. It shall include any information con-
15 cerning persons who have not attained the age of seventeen
16 and shall include any information concerning criminal offenses
17 or acts of delinquency committed by any person before he at-
18 tained the age of seventeen. It shall include information con-
19 cerning any offenses which are not punishable by incarcera-
20 tion.

1 SECTION 2. Said chapter 6 is hereby amended by striking
2 out section 171 and inserting in place thereof the following
3 section: —

4 *Section 171.* The board shall promulgate regulations creat-
5 ing a continuing program of data auditing and verification to

6 assure the accuracy and completeness of criminal offender
7 record information. All such records shall be public records.

1 SECTION 3. Said chapter 6 is hereby amended by striking
2 out section 172 and inserting in place thereof the following
3 section: —

4 *Section 172.* The following shall be public records: —

5 (1) police daily logs, arrest registers or other similar rec-
6 ords compiled chronologically, also alphabetical arrests, sus-
7 pect or similar index,

8 (2) chronologically maintained court records of public judi-
9 cial proceedings, including alphabetical or similar index of
10 criminal defendants; and

11 (3) published records of public court or administrative pro-
12 ceedings, and of public judicial, administrative or legislative
13 proceedings.

1 SECTION 4. Said chapter 6 is hereby amended by striking
2 out section 173.

1 SECTION 5. Section 174 of chapter 6 of the General Laws is
2 hereby amended by striking out the second paragraph.

1 SECTION 6. Section 175 of chapter 6 of the General Laws is
2 hereby amended by striking out the second paragraph.

1 SECTION 7. Chapter 6 of the General Laws is hereby amend-
2 ed by striking out sections 177 and 178.