

HOUSE No. 364

Accompanying the sixth recommendation of the Department of Youth Services (House, No. 358). The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Five.

AN ACT RELATIVE TO THE SEALING OF CRIMINAL FILES.

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

1 Chapter 276 of the General Laws is hereby amended by
2 striking out the fifth paragraph of section 100A, added by
3 section 1 of chapter 525 of the acts of 1974, and inserting in
4 place thereof the following paragraph:-

5 An application for employment used by an employer which
6 seeks information concerning prior arrests or convictions of the
7 applicant shall include the following statement: "An applicant
8 for employment with a sealed record on file with the
9 commissioner of probation may answer "no record" with respect
10 to an inquiry herein relative to prior arrests, criminal court
11 appearances or convictions. In addition, any applicant for
12 employment may answer "no record" with respect to any inquiry
13 relative to prior arrests, court appearances and adjudications in
14 all cases of delinquency or as a child in need of services which
15 did not result in a complaint transferred to the superior court
16 for criminal prosecution." The attorney general may enforce the
17 provisions of this paragraph by a suit in equity commenced in
18 the superior court.

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THE CONSTITUTION OF THE UNITED STATES

AS AMENDED

BY THE HOUSE OF REPRESENTATIVES

IN SENATE

AND BY THE PEOPLE OF THE UNITED STATES

1. The Constitution of the United States is the supreme law of the land.
2. It is the duty of every citizen to obey the laws made under it.
3. The President is the chief executive officer of the government.
4. He is elected for a term of four years.
5. He has the power to grant pardons and reprieves.
6. He is the commander in chief of the Army and Navy.
7. He has the power to make treaties with foreign nations.
8. He has the power to appoint and remove officers of the government.
9. The Congress is the legislative branch of the government.
10. It consists of the Senate and the House of Representatives.
11. The Senate is composed of two Senators from each State.
12. The House of Representatives is composed of Representatives from each State.
13. The number of Representatives shall not exceed one for every thirty thousand persons.
14. The House of Representatives shall choose their Speaker and other officers.
15. The House of Representatives may impeach and try officers of the government.
16. The Supreme Court is the highest court in the land.
17. It is composed of one Chief Justice and five other Justices.
18. The Justices are appointed by the President and confirmed by the Senate.
19. The Supreme Court has the power to review the decisions of the lower courts.
20. The Supreme Court has the power to declare laws unconstitutional.