SENATE DOCKET, NO. 1535 FILED ON: 1/21/2011

SENATE . . . . . No. 773

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to expungement of criminal records.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James B. Eldridge	☐ *[District]* ☐
Patricia D. Jehlen	☐ *[District]* ☐
George T. Ross	*2nd Bristol*
Sonia Chang-Diaz	☐ *[District]* ☐
John V. Fernandes	*10th Worcester*
Elizabeth A. Malia	*11th Suffolk*
James J. O'Day	*14th Worcester*
Karen E. Spilka	☐ *[District]* ☐

SENATE DOCKET, NO. 1535 FILED ON: 1/21/2011

SENATE . . . . . No. 773

By Mr. Eldridge, petition (accompanied by bill, Senate, No. 773) of Spilka, O'Day, Malia and other members of the General Court for legislation relative to expungement of criminal records [Joint Committee on the Judiciary].

The Commonwealth of Massachusetts

An Act relative to expungement of criminal records.

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

SECTION 1. Section 100 of chapter 276 of the General Laws is hereby amended by adding the following paragraph:-

SECTION 100E: In case of fraud, misidentification, or other good cause as determined by the court, the commissioner of probation shall expunge said court appearance and disposition recorded in his files and the clerk and the probation officers of the courts in which the proceedings occurred or were initiated shall likewise expunge the records of the proceedings in their files. No individual, court, or other entity, including but not limited to agencies as defined in previous sections of chapter 6, shall have access to any expunged criminal offender record information.