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***Testimony of Senator Donna Bailey introducing
LD 747, An Act to Require the Probate Court to Report Name Changes to the
State Bureau of Identification
Before the Joint Standing Committee on Judiciary
March 8, 2023***

Senator Carney, Representative Moonen, and Esteemed Colleagues of the Joint Standing Committee on Judiciary, my name is Donna Bailey, and I proudly represent Senate District 31, which includes Buxton, Old Orchard Beach, and Saco. Today I am pleased to introduce my bill LD 747, “An Act to Require the Probate Court to Report Name Changes to the State Bureau of Identification.”

This is a Department bill from the Department of Public Safety to address the issue of the lack of ability of the SBI to link former names to new names when running a criminal background check. This issue was highlighted recently in York County by an incident in which a volunteer driver for a local organization, who was required to pass a background check including an SBI criminal background check, had changed his name and convictions under his previous name were not disclosed in the system. This driver went on to sexually assault a client with intellectual disabilities. Had the person’s old name and new name been linked in the system, it is likely he would not have been allowed to be a volunteer driver.

The final language for this bill is still being discussed amongst stakeholders, and I would ask the committee to hold off scheduling the work session until those discussions have concluded so that we can present an agreed upon amendment that takes into account the safety and concerns of those who legitimately need to have their new identifies shielded, but also allow the criminal background system to correctly identify and link old and new names where appropriate.

Thank you for your time, I would be happy to answer any questions.

A handwritten signature in black ink, appearing to read "Donna Bailey", with a long horizontal flourish extending to the right.

Donna Bailey
State Senator, Senate District 31
Buxton, Old Orchard Beach, and Saco