



**STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
MAINE STATE POLICE**

Colonel William Ross
CHIEF

LTC Brian Scott
DEPUTY CHIEF

**TESTIMONY OF MATTHEW RUEL
DIRECTOR, STATE BUREAU OF IDENTIFICATION**

In Opposition to LD 2269

Members of the Committee:

My name is Matthew Ruel, and I am the Director of the State Bureau of Identification within the Department of Public Safety. I provide this testimony on behalf of the Administration in Opposition to LD 2269.

SBI serves as the repository of all criminal history information in the state, and currently provides criminal history for law enforcement and public purposes. We are responsible for providing this information to law enforcement across the country, from the officer roadside all the way through the criminal justice process up to judges making sentencing decisions. This information is also used as part of hiring, certification, and licensing requirements on a state and national level. Many organizations rely on this information to vet potential employees or volunteers that have direct contact with vulnerable populations. SBI completes more than 500,000 public searches annually. Having an accurate, complete, timely criminal history is our mission and a key component in public safety. My purpose in providing this testimony is to point out concerns and challenges I would see in trying to implement this LD.

My concern with this LD is consistent with testimony I have provided on other marijuana conviction sealing LD's. Marijuana cases are not consistently defined or identified looking back over time. There is no easy way to identify which cases would qualify to be provided to the courts for review. As I have indicated before many of these cases would have been recorded as a "schedule Z", or other generic classification and would require a comprehensive review of records, the requesting of records from the courts (that may no longer exist), and potentially needing to look at the elements of the crimes to see what qualifies. At the very least we would need to have the AG's office review all eligible crimes and create some type of "crosswalk" to identify old crimes that may qualify for sealing. There is nothing "automatic" about this process, it will be very labor intensive for SBI staff.

Beyond that we will be responsible for sending out notifications, so there will be an associated cost (which is unknown at this point). In addition, what impact should this process have on NICs gun checks? A person could be prohibited, and the sealing would make that go away. This area would need further review. The process defined within this LD is also different from our normal workflow with the courts. I think it would be more efficient and better to match the current work process for the courts to identify eligible cases in their system, review, and send sealing decisions to SBI electronically.

If there is any further information needed, please let me know and I will do my best to provide it to the committee for any work session.