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**MAINE PROSECUTORS ASSOCIATION
SHIRA BURNS, EXECUTIVE DIRECTOR**

“An Act to Clarify the Criminal History Record Information Act with Respect to Criminal Charges
Dismissed as the Result of a Plea Agreement”

Before the Joint Standing Committee on Criminal Justice and Public Safety

Public Hearing Date: January 12, 2026

Testimony in Support of LD 1918

Senator Beebe-Center, Representative Hasenfus and members of the Joint Standing Committee on Criminal Justice and Public Safety. My name is Shira Burns and I represent the Maine Prosecutors Association. I am submitting this testimony in support of LD 1918.

This bill clarifies that if a defendant has their criminal charge dismissed pursuant to an agreement to an admission on a civil violation, information about their criminal charge would be confidential criminal history record information just as if they were charged with a civil violation from the beginning. This is an area of the law that has been gray for a while and absolutely needs clarification. Currently, if a person is charged with a crime and they are admitting to a civil violation and having their criminal charge dismissed, most prosecutors file a dismissal form with the court checking the box “plead to other” which then does get reported to SBI and is NOT confidential. The Maine Prosecutors Association has no objection to clarifying that when a defendant admits to a civil violation when the criminal charged is dismissed, that is confidential criminal history.

The second section of the bill just codifies *Gordon v. Cheskin*, 2013 ME 113, however, should be moved to Title 16, Chapter 3 that deals with different rules of evidence based in statute.

For these reasons, the Maine Prosecutors Association is in support of LD 1918.

Sincerely,

Shira S. Burns

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