

(a) If a person is charged with the commission of a crime and

(1) Is acquitted, or

(2) The charge is otherwise dismissed or quashed, or

(3) A judgment of probation without finding a verdict or probation on stay of entry of judgment is entered, or

(4) A nolle prosequi is entered, or

(5) The proceeding is placed on the stet docket, or

(6) The case is compromised pursuant to Article 10, § 37 of this Code, or

(7) Is convicted of only one criminal act, which is not a crime of violence, and is subsequently granted a full and unconditional pardon by the Governor, he may file a petition setting forth the relevant facts and requesting expungement of the police records, court records, and other records maintained by the State of Maryland and its subdivisions, pertaining to the charge.

(c) With the exception of a petition based on subsection (A)(4) OR (a)(7) of this section, the petition may not be filed earlier than 3 years after the date the judgment or order was entered or the action was taken which terminated the proceeding. However, except for an acquittal on grounds of insanity, the three-year waiting period does not apply to a charge specified in subsection (a)(1) or (a)(2) if a person files, with the petition, a written general waiver and release, in proper legal form, of all claims he may have against any person for tortious conduct arising from the charge. WITH RESPECT TO SUBSECTION (A)(4), THE PETITION MAY BE FILED IMMEDIATELY AFTER THE NOLLE PROSEQUI IS ENTERED. With respect to subsection (a)(7), the petition may not be filed earlier than 5 years nor later than 10 years after the pardon was signed by the Governor.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1988.

Approved May 27, 1988.

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