

**Common Terms Found in Criminal Background Checks**  
**Homeless Persons' Representation Project**  
**For the Job Opportunities Task Force**  
**May 23, 2008**

*This chart is designed for informational purposes only and is not to be construed as legal advice*

<b>Term</b>	<b>Definition</b>	<b>Who Decides</b>	<b>Legal Citation</b>
<b>GUILTY (g)</b>	Found guilty of crime beyond a reasonable doubt; State has burden of proof	Judge Jury Defendant	Md Rule 4-242
<b>NOT GUILTY (ng)</b>	Acquittal; after a trial before a judge or jury, defendant found not guilty	Judge Jury	Md Rule 4-242
<b>NOLLE PROSEQUI (np)</b>	Not prosecuted; State decides not to prosecute case at that time because the charge is spurious, witnesses are unavailable, etc.	State's Attorney	Md Rule 4-247 Crim Pro 1-101(k)
<b>STET</b>	Case placed on indefinite postponement docket on the condition that the defendant avoid further arrest for one to three years. State or Defendant can open w/n one year for any reason, thereafter must show good cause to reopen. If the condition is fulfilled and three years are passed, the case cannot be resurrected.	State's Attorney, Defendant & Judge must agree; can't stet over objection of Defendant	Md Rule 4-248
<b>PROBATION BEFORE JUDGMENT (pbj)</b>	Where sufficient evidence to convict may be present, but the court allows the defendant to not be convicted through an agreement to abide by the terms of probation	Judge	Crim Pro 6-220  (Art 27, 6-411)
<b>DISMISSAL (dism)</b>	The judge or prosecution decides that the case has no basis and should be "thrown out".	Judge State's Attorney	
<b>FAILURE TO APPEAR (fta)</b>	Not respond to court order to appear	Judge	
<b>WARRANT (w)</b>	Bench, arrest, or Violation of probation	Judge Dist Ct	Crim Pro 5-213; Crim Pro 6-223

	(Bench = Failure to appear or pretrial violation). Warrants are usually issued either because the Defendant failed to appear in court or as a result of a complaint to a commissioner or by the police's own motion after an investigation.	Commissioner	
<b>VIOLATION OF PROBATION (vop)</b>	Defendant is found guilty of violating the terms of an earlier-imposed probation	Judge State's Attorney Probation officer	Md Rule 4-347
<b>ALFORD PLEA</b>	Defendant does not admit guilt, but admits State can prove its case	State's Attorney Defendant	
<b>NOLO CONTENDRE (nc)</b>	No contest; Judge must consent to does accept this plea; Defendant does not admit guilt or claim innocence	Judge State's Attorney Defendant	Md Rule 4-242 Crim Pro 1-101(j)
<b>INCOMPETENT</b>	Defendant lacks ability to understand the nature or object of proceedings; OR assist in one's own defense	Judge	Crim Pro 3-101(f); 3-104; 3-106
<b>NOT CRIMINALLY RESPONSIBLE (ncr)</b>	At time of act, defendant lacked substantial capacity to appreciate act	Judge Jury	Md Rule 4-242 & 4-314; must be in writing Crim Pro 3-109
<b>TRANSFER TO JUVENILE COURT</b>	Judge transfers case to juvenile court for trial	Judge	Md Rule 4-252 Crim Pro 4-202