

sary to implement, operate, and maintain the System; and reports annually to the Governor and the General Assembly on the development and operation of the System.

The Secretary of the Department of Public Safety and Correctional Services and the Chief Judge of the Court of Appeals adopt rules and regulations for the establishment, operation, and maintenance of the System. These rules and regulations include those governing the collection, reporting, and dissemination of criminal history record information by the courts and all other criminal justice agencies; those necessary to insure the security of the system and all criminal history record information; those governing the dissemination of criminal history record information consistent with federal law and regulations; those governing procedures for inspecting and challenging criminal history record information; and those governing the auditing of criminal justice agencies to ensure that criminal history record information is accurate and complete and is disseminated in accordance with provisions of the legislation.

The System's central repository is used for the collection, storage, and dissemination of criminal history record information. It is operated by the *Maryland State Police*.

The Act provides that every criminal justice agency report criminal history record information to the central repository and establish time requirements for reporting various types of information and reporting methods that may be used. The Secretary of the Department of Public Safety and Correctional Services and the Chief Judge of the Court of Appeals may determine the events to be reported by each criminal justice agency to avoid duplication in reporting.

Regarding the rights of inspection and challenge, a person may inspect criminal history record information maintained by a criminal justice agency concerning him or her. The person may challenge the completeness, contents, accuracy, or dissemination of such information by giving written notice of the challenge to the central repository and the agency where the information was inspected if other than the central repository. The central repository will conduct an audit of that part of the person's criminal history record information necessary to determine the accuracy of the challenge. The central repository will notify the person of the results of its audit within ninety days after receipt of the notice of challenge. If it is determined that the challenge is val-

id, the central repository will correct its records and notify any criminal justice agency that has custody of the information. If the criminal justice agency has disseminated the information, it will notify the agency or person to whom the information was disseminated.

If the challenge is denied, the central repository will give written notice of the denial to any agency with which a copy of the challenge was filed. A person may not inspect any criminal history record information if the information or any part of it is relevant to a pending criminal proceeding. The Secretary of the Department of Public Safety and Correctional Services and the Court of Appeals adopt appropriate rules and procedures for administrative appeals from decisions by criminal justice agencies denying the right of inspection or challenges made to criminal history record information. A person aggrieved by a decision of any administrative appeal including the central repository and the criminal justice agency may seek judicial review in accordance with the Administrative Procedure Act and the Maryland Rules.

Some portions of the legislation became effective July 1, 1976. These included the portions dealing with the creation of the Advisory Board; the rule-making authority of the Secretary of the Department of Public Safety and Correctional Services, the Court of Appeals, and the Chief Judge; and the right of individual inspection, challenge, and appeal (when the right of inspection or challenge is denied).

The remaining portions of the legislation became effective December 31, 1977. These included mandatory reporting requirements of criminal justice agencies to the Central Repository; limits on dissemination; security requirements; and auditing and quality control requirements.

The Criminal Justice Information Advisory Board consists of sixteen members who serve three-year terms. The Governor appoints eight members. They include two executive officials of police agencies, one executive official from a correctional services agency, two elected county officials, one elected municipal official, one State's Attorney, and one public member. The Senate President appoints a Senate member and the House of Delegates Speaker appoints a House member to serve on the Board. The Chief Judge of the Court of Appeals also appoints three Board members from the judicial branch of State government. Ex officio members include the Executive Director of the Criminal Justice Coordi-