

regulation,] and is released without being charged with the commission of a crime, he may give written notice of these facts to any law enforcement agency which he believes may have police records concerning that arrest, detention, or confinement, and request the expungement of those police records.

(b) This notice may not be given prior to the expiration of the statute of limitations for tort actions arising from the incident unless the person attaches to the notice a written general waiver and release, in proper legal form, of all claim he may have against any person for tortious conduct arising from the incident. The notice and waiver are not subject to expungement; but shall be maintained by the law enforcement agency at least until the expiration of any applicable statute of limitations. The notice must be given within eight years after the date of the incident.

(c) The law enforcement agency shall, upon receipt of a timely filed notice, promptly investigate and attempt to verify the facts stated in the notice. If it finds the facts to be verified, it shall:

(1) Make a diligent search for any police records concerning that arrest, detention, or confinement of the person;

(2) Within 60 days after receipt of the notice, expunge the police records it has concerning that arrest, detention, or confinement; and

(3) Notify any other law enforcement agency and the Central Repository it believes may have police records concerning that arrest, detention, or confinement of the notice and its verification of the facts contained in it. A copy of this notice shall be sent to the person requesting expungement.

(d) The other law enforcement agency and the Central Repository shall, within 30 days after receipt of the notice provided for in subsection (c)(3):

(1) Make a diligent search for any police records concerning the arrest, detention, or confinement; and

(2) Expunge the police records it has concerning that arrest, detention, or confinement.

(e) If the law enforcement agency to which the person has addressed his notice finds that the person is not entitled to an expungement of the police records, it shall, within 60 days after receipt of the notice, advise the person in writing of its denial of the request for expungement and of the reasons for its denial.

(f) A person whose request for expungement is denied in accordance with subsection (e) may, within 30 days after written notice of the denial is mailed or otherwise delivered to him, file an application in the District Court having proper venue against the law enforcement agency for an order of expungement. If the court finds, after a hearing held upon proper notice to the agency, that the person is entitled to expungement, it shall enter an order requiring the agency to comply with subsection (c). Otherwise, it shall deny the application. The agency is deemed to be a party to the proceeding. All parties to the proceeding have the right of appellate review on the record provided for in the Courts and Judicial Proceedings Article with respect to appeals in civil cases from the District Court.