

COMAR 12.15.02.07 – Criminal Justice Information System (CJIS)

.07 Processing a Criminal History Records Check Received From the Federal Bureau of Investigation.

A. Except as provided in §B of this regulation, the Central Repository shall issue a printed statement to a regulatory authority and a covered individual that discloses the results of a national criminal history records check received from the Federal Bureau of Investigation.

B. Screening the Results of a National Criminal History Records Check. For adoption or placement of a child by a licensed child placement agency under Family Law Article, §5-561(c), Annotated Code of Maryland, or for a private entity, the Central Repository shall screen a covered individual's criminal history records check received from the Federal Bureau of Investigation for the following crimes, attempted crimes, or a criminal offense that is equivalent to them:

- (1) Abduction;
- (2) Abuse or neglect of an adult;
- (3) Arson;
- (4) Assault;
- (5) Assault with intent to commit a crime;
- (6) Battery;
- (7) Breaking and entering;
- (8) Burglary;
- (9) Carjacking;
- (10) Carrying or wearing a weapon;
- (11) Child abuse;
- (12) Child selling;
- (13) Confinement of an unattended child;
- (14) Contributing to certain conditions of a minor (delinquency, in need of supervision or assistance);
- (15) Cruelty to animals;
- (16) False imprisonment;
- (17) Forgery;
- (18) Hiring, soliciting, engaging, or using a minor for the purpose of manufacturing, distributing, or delivering a controlled dangerous substance;
- (19) Housebreaking;
- (20) Incest;
- (21) Indecent exposure;
- (22) Keeping a disorderly house or maintaining a nuisance;
- (23) Kidnapping;
- (24) Maiming or mayhem;
- (25) Malicious destruction of property;
- (26) Manslaughter or murder;
- (27) Manufacturing, distributing, or dispensing a controlled dangerous substance;
- (28) Criminal nonsupport and desertion of a spouse or minor child;
- (29) Perjury;
- (30) Pornography;
- (31) Possession of or possession with intent to manufacture, distribute, or dispense a controlled dangerous substance;
- (32) Prostitution or pandering;
- (33) Rape;
- (34) Reckless endangerment;
- (35) Religious or ethnic crimes;
- (36) Robbery;
- (37) Sex offenses;
- (38) Sodomy;
- (39) Unlawful entry;
- (40) Unnatural or perverted practices; and
- (41) A weapons or firearms violation of federal or state laws.

C. Limits of Disclosure in a Printed Statement.

(1) After screening the criminal history records check received from the Federal Bureau of Investigation in accordance with §B of this regulation, the Central Repository shall issue a printed statement to a:

- (a) Licensed child placement agency; or
- (b) Private entity.

(2) Except for necessary administrative or personal identification information, and the date on which the criminal history records check was completed, the printed statement shall contain only the following information, stated in the affirmative or negative:

(a) Whether the Central Repository has or has not conducted the criminal history records check under Regulation .06 of this chapter and this section and §B of this regulation; and

(b) Whether the covered individual is or is not the subject of a pending charge, has or has not been convicted, has or has not received a probation before judgment disposition, or has or has not received a not criminally responsible disposition of a crime or attempted crime identified in §B of this regulation.

(3) The printed statement may not identify or disclose a specific crime or attempted crime discovered by the criminal history records check of a covered individual.