

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2011 Legislative Session

Legislative Day No. 22

Resolution No. 129-2011

Introduced by: The President of the Council at the request of the County Executive

A RESOLUTION REQUESTING THE INTRODUCTION OF LEGISLATION DURING THE 2012 GENERAL SESSION TO ADD WICOMICO COUNTY TO THE LIST OF COUNTIES TO RECEIVE STATE AND NATIONAL CRIMINAL HISTORY RECORDS FROM THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY.

WHEREAS, the Annotated Code of Maryland, Criminal Procedure Article, Section 10-203 provides for a Criminal Justice Information System ("CJIS"); and

WHEREAS, the Secretary of the Department of Public Safety and Correctional Services operates and maintains the CJIS Central Repository; and

WHEREAS, the CJIS Central Repository is the designated state agency to receive, disseminate, and ensure the accuracy, completeness, and security of criminal history record information maintained among those agencies and individuals authorized by law to participate in CJIS; and

WHEREAS, the County desires to have the authorization to request state and national criminal history records from the CJIS Central Repository on certain current employees and prospective employees of Wicomico County; and

WHEREAS, the authorization will enable the County to adopt provisions necessary for the health, safety and public welfare of its employees and residents of Wicomico County.

NOW, THEREFORE, BE IT RESOLVED, that the County Council of Wicomico County, Maryland hereby requests and supports the introduction of legislation, in substantially the form attached as Exhibit "A", during the 2012 general session to add Wicomico County to the list of counties to receive State and national criminal history records from the Criminal Justice Information System Central Repository.

Done at Salisbury, Maryland, this 1st day of November, 2011.

ATTEST:

Matthew E. Creamer, Council Administrator

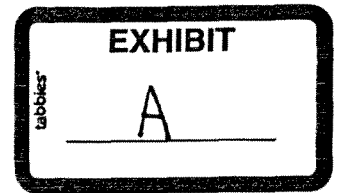
COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

Gail M. Bartkovich, County President

CERTIFICATION

This Resolution was Adopted [checked], Adopted with Amendments ____, Failed ____, Withdrawn ____, by the County Council on November 1, 2011.

Certified by Matthew E. Creamer, Council Administrator



§ 10-237. Wicomico County

(a) "Central Repository" defined. -- In this section, "Central Repository" means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

(b) Current or prospective employees. -- The Director of Administration may request from the Central Repository a State and national criminal history records check for a prospective or current employee of Wicomico County.

(c) (1) Submission of fingerprints; forwarding of criminal history information. -- As part of the application for a criminal history records check, the Director of Administration shall submit to the Central Repository:

(i) two complete sets of the prospective or current employee's legible fingerprints taken on forms approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;

(ii) the fee authorized under § 10-221(b)(7) of this subtitle for access to Maryland criminal history records; and

(iii) the mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

(2) In accordance with §§ 10-201 through 10-250 of this subtitle, the Central Repository shall forward to the prospective or current employee and the Director of Administration of Wicomico County the prospective or current employee's criminal history record information.

(3) Information obtained from the Central Repository under this section:

(i) is confidential and may not be disseminated; and

(ii) may be used only for employment related purposes concerning a prospective or current employee as authorized by this section.

(4) The subject of a criminal history records check under this section may contest the contents of the printed statement issued by the Central Repository as provided in § 10-223 of this subtitle.

(d) Guidelines. -- The County Executive of Wicomico County shall propose and the County Council of Wicomico County shall adopt guidelines to carry out this section.