

**14B NCAC 18B .0404 RIGHT TO REVIEW**

(a) An individual may obtain a copy of his or her own criminal history record by submitting a written request to the North Carolina State Bureau of Investigation Criminal Information and Identification Section, Attention: Applicant Unit - Right to Review, 3320 Garner Road, Raleigh, North Carolina 27626. The written request must be accompanied by a certified check or money order in the amount of fourteen dollars (\$14.00) payable to the North Carolina State Bureau of Investigation, and must contain proof of identity to include:

- (1) complete name and address;
- (2) race;
- (3) sex;
- (4) date of birth;
- (5) social security number; and
- (6) a legible set of fingerprint impressions.

(b) The response shall be submitted only to the individual. Copies of the response shall not be provided by DCI to a third party.

(c) The accuracy or completeness of an individual's record may be challenged by submitting the "Right to Review Request Criminal History Written Exception" form available from DCI.

(d) Upon receipt of the "Right to Review Request Criminal History Written Exception", the CIIS shall initiate an internal record audit of the challenger's record to determine its accuracy. If any potential inaccuracies or omissions are discovered, DCI shall coordinate with the arresting agency to review the charge information previously submitted by that agency. Appropriate action shall be taken based on, in part, information provide by the arresting agency. DCI shall inform the challenger in writing of the results of the audit.

(e) If the audit fails to disclose any inaccuracies, or if the challenger wishes to contest the results of the audit, he or she is entitled to an administrative hearing pursuant to G.S. 150B-23.

*History Note: Authority G.S. 114-10; 114-10.1; 114-19.1;  
Eff. August 1, 2014;  
Transferred and Recodified from 12 NCAC 04I .0404 Eff. November 1, 2015;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016.*