

# SENATE BILL 473

E3

(3lr1406)

## ENROLLED BILL

— Judicial Proceedings/Judiciary —

Introduced by **Senator Jones-Rodwell (By Request - Baltimore City Administration)**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore City – Children – Records Access**

3 FOR the purpose of authorizing access to certain court records and police records by  
4 the ~~Office of Youth Violence Prevention in the~~ Baltimore City Health  
5 ~~Department~~ Department's Office of Youth Violence Prevention and the Baltimore  
6 City Mayor's Office on Criminal Justice under certain circumstances; *requiring*  
7 *that the Baltimore City Health Department's Office of Youth Violence Prevention*  
8 *and the Baltimore City Mayor's Office on Criminal Justice be liable for the*  
9 *unauthorized release of certain records and information; requiring the Baltimore*  
10 *City Health Department's Office of Youth Violence Prevention and the Baltimore*  
11 *City Mayor's Office on Criminal Justice to submit a certain report within a*  
12 *certain period of time;* requiring that certain records concerning child abuse and  
13 neglect be disclosed to the ~~Office of Youth Violence Prevention in the~~ Baltimore  
14 City Health ~~Department~~ Department's Office of Youth Violence Prevention under

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber/conference committee amendments.



1 certain circumstances; requiring the Department of Juvenile Services to disclose  
 2 to the ~~Office of Youth Violence Prevention in the~~ Baltimore City Health  
 3 ~~Department~~ *Department's Office of Youth Violence Prevention* certain records  
 4 concerning certain children under certain circumstances; requiring the  
 5 Department of State Police to provide to the ~~Office of Youth Violence Prevention~~  
 6 ~~in the~~ Baltimore City Health ~~Department~~ *Department's Office of Youth Violence*  
 7 *Prevention* and the Baltimore City Mayor's Office on Criminal Justice certain  
 8 information concerning certain children under certain circumstances; requiring  
 9 the ~~Office of Youth Violence Prevention in the~~ Baltimore City Health  
 10 ~~Department~~ *Department's Office of Youth Violence Prevention* and the Baltimore  
 11 City Mayor's Office on Criminal Justice to keep certain information confidential;  
 12 authorizing the ~~Office of Youth Violence Prevention in the~~ Baltimore City  
 13 Health ~~Department~~ *Department's Office of Youth Violence Prevention* and the  
 14 Baltimore City Mayor's Office on Criminal Justice to use certain information  
 15 solely for certain purposes; ~~providing that the Office of Youth Violence~~  
 16 ~~Prevention in the Baltimore City Department of Health and the Baltimore City~~  
 17 ~~Mayor's Office on Criminal Justice are liable for certain unauthorized releases;~~  
 18 providing for the termination of this Act; and generally relating to records  
 19 concerning children and access by the ~~Office of Youth Violence Prevention in the~~  
 20 Baltimore City Health ~~Department~~ *Department's Office of Youth Violence*  
 21 *Prevention* and the Baltimore City Mayor's Office on Criminal Justice.

22 BY repealing and reenacting, with amendments,  
 23 Article – Courts and Judicial Proceedings  
 24 Section 3–827(a) and 3–8A–27  
 25 Annotated Code of Maryland  
 26 (2006 Replacement Volume and 2012 Supplement)

27 BY repealing and reenacting, with amendments,  
 28 Article – Human Services  
 29 Section 1–202(b) and (c)(1)(v)  
 30 Annotated Code of Maryland  
 31 (2007 Volume and 2012 Supplement)

32 BY adding to  
 33 Article – Human Services  
 34 Section ~~1–202(b–1)~~ *1–202(f)* and 9–219(f)  
 35 Annotated Code of Maryland  
 36 (2007 Volume and 2012 Supplement)

37 BY adding to  
 38 Article – Public Safety  
 39 Section 2–308(d)  
 40 Annotated Code of Maryland  
 41 (2011 Replacement Volume and 2012 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Courts and Judicial Proceedings**

4 3–827.

5 (a) (1) All court records under this subtitle pertaining to a child shall be  
6 confidential and their contents may not be divulged, by subpoena or otherwise, except  
7 by order of the court on good cause shown.

8 (2) This subsection does not prohibit review of a court record by:

9 (i) Personnel of the court;

10 (ii) A party;

11 (iii) Counsel for a party;

12 (iv) A Court–Appointed Special Advocate for the child; [or]

13 (v) Authorized personnel of the Social Services Administration  
14 and local departments in order to conduct a child abuse or neglect investigation or to  
15 comply with requirements imposed under Title IV–E of the Social Security Act; OR

16 (VI) ~~THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~  
17 ~~BALTIMORE CITY HEALTH DEPARTMENT DEPARTMENT’S OFFICE OF YOUTH~~  
18 ~~VIOLENCE PREVENTION:~~

19 1. IF THE ~~OFFICE OF YOUTH VIOLENCE~~  
20 ~~PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ DEPARTMENT’S  
21 OFFICE OF YOUTH VIOLENCE PREVENTION IS PROVIDING TREATMENT OR CARE  
22 TO A CHILD WHO IS THE SUBJECT OF THE RECORD, FOR A PURPOSE RELEVANT  
23 TO THE PROVISION OF THE TREATMENT OR CARE;

24 2. IF THE RECORD CONCERNS A CHILD CONVICTED  
25 OF A CRIME OR ADJUDICATED DELINQUENT FOR AN ACT THAT CAUSED A DEATH  
26 OR NEAR FATALITY; OR

27 3. IF THE RECORD CONCERNS A VICTIM OF, ~~OR A~~  
28 ~~CHILD ADJUDICATED DELINQUENT FOR,~~ A CRIME OF VIOLENCE, AS DEFINED IN  
29 § 14–101 OF THE CRIMINAL LAW ARTICLE, WHO IS A CHILD RESIDING IN  
30 BALTIMORE CITY, FOR THE PURPOSE OF DEVELOPING APPROPRIATE  
31 PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST CHILDREN  
32 IN BALTIMORE CITY; ~~OR~~

~~(VII) THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE IF THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE IS PROVIDING PROGRAMS AND SERVICES TO A CHILD WHO IS THE SUBJECT OF THE RECORD, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE PROGRAMS AND SERVICES.~~

(3) Information obtained from a court record is subject to the provisions of §§ 1-201, 1-202, 1-204, and 1-205 of the Human Services Article.

~~(4) (I) THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE BALTIMORE CITY HEALTH DEPARTMENT SHALL KEEP CONFIDENTIAL ANY INFORMATION PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION.~~

~~(II) THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE BALTIMORE CITY HEALTH DEPARTMENT DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A COURT RECORD REVIEWED UNDER PARAGRAPH IT REVIEWS UNDER (2) OF THIS SUBSECTION.~~

~~(II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION REVIEWS A COURT RECORD UNDER THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION SHALL SUBMIT A REPORT TO THE COURT DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.~~

3-8A-27.

(a) (1) A police record concerning a child is confidential and shall be maintained separate from those of adults. Its contents may not be divulged, by subpoena or otherwise, except by order of the court upon good cause shown or as otherwise provided in § 7-303 of the Education Article.

(2) This subsection does not prohibit:

(i) Access to and confidential use of the record by the Department of Juvenile Services or in the investigation and prosecution of the child by any law enforcement agency;

~~(II) ACCESS TO AND CONFIDENTIAL USE OF THE RECORD BY THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE BALTIMORE CITY HEALTH DEPARTMENT DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION:~~

1                   1.    IF THE ~~OFFICE OF YOUTH VIOLENCE~~  
2 ~~PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ DEPARTMENT'S  
3 OFFICE OF YOUTH VIOLENCE PREVENTION IS PROVIDING TREATMENT OR CARE  
4 TO A CHILD WHO IS THE SUBJECT OF THE RECORD, FOR A PURPOSE RELEVANT  
5 TO THE PROVISION OF THE TREATMENT OR CARE;

6                   2.    IF THE RECORD CONCERNS A CHILD CONVICTED  
7 OF A CRIME OR ADJUDICATED DELINQUENT FOR AN ACT THAT CAUSED A DEATH  
8 OR NEAR FATALITY; OR

9                   3.    IF THE RECORD CONCERNS A VICTIM OF, ~~OR A~~  
10 ~~CHILD ADJUDICATED DELINQUENT FOR,~~ A CRIME OF VIOLENCE, AS DEFINED IN  
11 § 14-101 OF THE CRIMINAL LAW ARTICLE, WHO IS A CHILD RESIDING IN  
12 BALTIMORE CITY, FOR THE PURPOSE OF DEVELOPING APPROPRIATE  
13 PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE AGAINST CHILDREN  
14 IN BALTIMORE CITY;

15                   (iii) ACCESS TO AND CONFIDENTIAL USE OF THE RECORD BY  
16 THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE IF THE  
17 BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE IS PROVIDING  
18 PROGRAMS AND SERVICES TO A CHILD WHO IS THE SUBJECT OF THE RECORD,  
19 FOR A PURPOSE RELEVANT TO THE PROVISION OF THE PROGRAMS AND  
20 SERVICES AND THE DEVELOPMENT OF A COMPREHENSIVE TREATMENT PLAN;

21                   [(ii)] (iv) A law enforcement agency of the State or of a political  
22 subdivision of the State, the Department of Juvenile Services, or the criminal justice  
23 information system from including in the law enforcement computer information  
24 system information about an outstanding juvenile court ordered writ of attachment,  
25 for the sole purpose of apprehending a child named in the writ; or

26                   [(iii)] (v) A law enforcement agency of the State or of a political  
27 subdivision of the State from releasing to the public photographs and identifying  
28 information of a child who has escaped from a detention center for juveniles or a  
29 secure residential facility for juveniles, for the purposes of facilitating apprehension of  
30 the child and ensuring public safety.

31                   (3) (i) THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE  
32 OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S OFFICE  
33 ON CRIMINAL JUSTICE SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF  
34 A POLICE RECORD IT ACCESSES UNDER THIS SUBSECTION.

35                   (ii) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH  
36 DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE  
37 CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE ACCESSES A POLICE RECORD

1 UNDER THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT'S  
2 OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S  
3 OFFICE ON CRIMINAL JUSTICE SHALL SUBMIT A REPORT TO THE COURT  
4 DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.

5 (b) (1) A court record pertaining to a child is confidential and its contents  
6 may not be divulged, by subpoena or otherwise, except by order of the court upon good  
7 cause shown or as provided in §§ 7–303 and 22–309 of the Education Article.

8 (2) This subsection does not prohibit access to and the use of the court  
9 record or fingerprints of a child described under Title 10, Subtitle 2 of the Criminal  
10 Procedure Article in a proceeding in the court involving the child, by personnel of the  
11 court, the State's Attorney, counsel for the child, a court-appointed special advocate  
12 for the child, or authorized personnel of the Department of Juvenile Services.

13 (3) (i) Except as provided in subparagraph (ii) of this paragraph,  
14 this subsection does not prohibit access to and confidential use of the court record or  
15 fingerprints of a child described under Title 10, Subtitle 2 of the Criminal Procedure  
16 Article by the Department of Juvenile Services or in an investigation and prosecution  
17 by a law enforcement agency.

18 (ii) The court record or fingerprints of a child described under §§  
19 10–215(a)(20) and (21), 10–216, and 10–220 of the Criminal Procedure Article may not  
20 be disclosed to:

21 1. A federal criminal justice agency or information  
22 center; or

23 2. Any law enforcement agency other than a law  
24 enforcement agency of the State or a political subdivision of the State.

25 (4) (i) The Department of Juvenile Services may provide access to  
26 and the confidential use of a treatment plan of a child described under Title 10,  
27 Subtitle 2 of the Criminal Procedure Article by an agency in the District of Columbia  
28 or a state agency in Virginia, if the agency:

29 1. Performs the same functions in the jurisdiction of the  
30 agency as described in § 9–216(a) of the Human Services Article;

31 2. Has a reciprocal agreement with the State that  
32 provides that the specific information to be shared by the State is the same type of  
33 information that will be shared by the agency; and

34 3. Has custody of the child.

1 (ii) A record that is shared under this paragraph may only  
2 provide information that is relevant to the supervision, care, and treatment of the  
3 child.

4 (iii) The Department of Juvenile Services shall be liable for an  
5 unauthorized release of a court record under this paragraph.

6 (iv) The Department of Juvenile Services shall adopt regulations  
7 to implement this paragraph.

8 (5) (i) This subsection does not prohibit access to and use of a court  
9 record by a judicial officer who is authorized under the Maryland Rules to determine a  
10 defendant's eligibility for pretrial release, counsel for the defendant, the State's  
11 Attorney, or the Maryland Division of Pretrial Detention and Services if:

12 1. The individual who is the subject of the court record is  
13 charged as an adult with an offense;

14 2. The access to and use of the court record is strictly  
15 limited for the purpose of determining the defendant's eligibility for pretrial release;  
16 and

17 3. The court record concerns an adjudication of  
18 delinquency that occurred within 3 years of the date the individual is charged as an  
19 adult.

20 (ii) The Court of Appeals may adopt rules to implement the  
21 provisions of this paragraph.

22 (6) (i) This subsection does not prohibit access to and confidential  
23 use of a court record by the Department of Human Resources for the purpose of  
24 claiming federal Title IV-E funds.

25 (ii) The Department of Human Resources shall be liable for the  
26 unauthorized release of a court record under this paragraph.

27 **(7) THIS SUBSECTION DOES NOT PROHIBIT ACCESS TO AND**  
28 **CONFIDENTIAL USE OF A COURT RECORD BY THE ~~OFFICE OF YOUTH VIOLENCE~~**  
29 **~~PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ DEPARTMENT'S**  
30 **OFFICE OF YOUTH VIOLENCE PREVENTION:**

31 **(I) IF THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN~~**  
32 **~~THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ DEPARTMENT'S OFFICE OF**  
33 **YOUTH VIOLENCE PREVENTION IS PROVIDING TREATMENT OR CARE TO A**  
34 **CHILD WHO IS THE SUBJECT OF THE RECORD, FOR A PURPOSE RELEVANT TO**  
35 **THE PROVISION OF THE TREATMENT OR CARE;**

1 (II) IF THE RECORD CONCERNS A CHILD CONVICTED OF A  
 2 CRIME OR ADJUDICATED DELINQUENT FOR AN ACT THAT CAUSED A DEATH OR  
 3 NEAR FATALITY; OR

4 (III) IF THE RECORD CONCERNS A VICTIM OF A CRIME OF  
 5 VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE, WHO IS A  
 6 CHILD RESIDING IN BALTIMORE CITY, FOR THE PURPOSE OF DEVELOPING  
 7 APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE  
 8 AGAINST CHILDREN IN BALTIMORE CITY.

9 (8) THIS SUBSECTION DOES NOT PROHIBIT ACCESS TO AND  
 10 CONFIDENTIAL USE OF A COURT RECORD BY THE BALTIMORE CITY MAYOR'S  
 11 OFFICE ON CRIMINAL JUSTICE IF THE BALTIMORE CITY MAYOR'S OFFICE ON  
 12 CRIMINAL JUSTICE IS PROVIDING PROGRAMS AND SERVICES IN CONJUNCTION  
 13 WITH THE BALTIMORE POLICE DEPARTMENT TO A CHILD WHO IS THE SUBJECT  
 14 OF THE RECORD, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE  
 15 PROGRAMS AND SERVICES AND THE DEVELOPMENT OF A COMPREHENSIVE  
 16 TREATMENT PLAN.

17 (9) (I) ~~THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~  
 18 ~~BALTIMORE CITY HEALTH DEPARTMENT SHALL KEEP CONFIDENTIAL ANY~~  
 19 ~~INFORMATION PROVIDED UNDER PARAGRAPH (7) OF THIS SUBSECTION.~~

20 (II) ~~THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~  
 21 ~~BALTIMORE CITY HEALTH DEPARTMENT~~ *DEPARTMENT'S OFFICE OF YOUTH*  
 22 *VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S OFFICE ON*  
 23 *CRIMINAL JUSTICE* SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A  
 24 COURT RECORD ~~PROVIDED~~ *IT ACCESSES UNDER PARAGRAPH (7) OF THIS*  
 25 *SUBSECTION.*

26 (10) (I) ~~THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL~~  
 27 ~~JUSTICE SHALL KEEP CONFIDENTIAL ANY INFORMATION PROVIDED UNDER~~  
 28 ~~PARAGRAPH (8) OF THIS SUBSECTION.~~

29 (II) ~~THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL~~  
 30 ~~JUSTICE SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A COURT~~  
 31 ~~RECORD PROVIDED UNDER PARAGRAPH (8) OF THIS SUBSECTION.~~

32 (II) *WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH*  
 33 *DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE*  
 34 *CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE ACCESSES A COURT RECORD*  
 35 *UNDER THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT'S*  
 36 *OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S*

1 OFFICE ON CRIMINAL JUSTICE SHALL SUBMIT A REPORT TO THE COURT  
2 DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.

3 (c) The court, on its own motion or on petition, and for good cause shown,  
4 may order the court records of a child sealed, and, upon petition or on its own motion,  
5 shall order them sealed after the child has reached 21 years of age. If sealed, the court  
6 records of a child may not be opened, for any purpose, except by order of the court  
7 upon good cause shown.

8 (d) This section does not prohibit access to or use of any juvenile record by  
9 the Maryland Division of Parole and Probation or the Maryland Parole Commission  
10 when the Division or the Commission is carrying out any of their statutory duties  
11 either at the direction of a court of competent jurisdiction, or when the Maryland  
12 Parole Commission is carrying out any of its statutory duties, if the record concerns a  
13 charge or adjudication of delinquency.

14 (e) This section does not prohibit access to and use of any juvenile record by  
15 the Maryland Division of Correction when the Division is carrying out any of its  
16 statutory duties if: (1) the individual to whom the record pertains is committed to the  
17 custody of the Division; and (2) the record concerns an adjudication of delinquency.

18 (f) Subject to the provisions of §§ 9–219 and 9–220 of the Human Services  
19 Article, this section does not prohibit access to or use of any juvenile record for  
20 criminal justice research purposes. A record used under this subsection may not  
21 contain the name of the individual to whom the record pertains, or any other  
22 identifying information which could reveal the individual's name.

23 (g) This section does not prohibit a victim or victim's representative who has  
24 filed a notification request form from being notified of proceedings and events  
25 involving the defendant or child as provided in this subtitle, the Criminal Procedure  
26 Article, or the Criminal Law Article.

27 (h) This section does not prohibit the Department of Public Safety and  
28 Correctional Services or a supervising authority, as defined in § 11–701 of the  
29 Criminal Procedure Article, from accessing or using the part of a juvenile record that  
30 identifies an offense committed by a juvenile for purposes of complying with Title 11,  
31 Subtitle 7 of the Criminal Procedure Article.

32 **Article – Human Services**

33 1–202.

34 (b) A report or record concerning child abuse or neglect shall be disclosed:

35 (1) under a court order;

36 (2) under an order of an administrative law judge, if:

1 (i) the request for disclosure concerns a case pending before the  
2 Office of Administrative Hearings; and

3 (ii) provisions are made to comply with other State or federal  
4 confidentiality laws and to protect the identity of the reporter or other person whose  
5 life or safety is likely to be endangered by the disclosure; [or]

6 (3) to the Division of Parole and Probation in the Department of Public  
7 Safety and Correctional Services if, as a result of a report or investigation of suspected  
8 child abuse or neglect, the local department of social services has reason to believe  
9 that an individual who lives in or has a regular presence in a child's home is registered  
10 under Title 11, Subtitle 7 of the Criminal Procedure Article based on the commission  
11 of an offense against a child; OR

12 (4) ON A WRITTEN REQUEST, TO THE ~~OFFICE OF YOUTH~~  
13 ~~VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH DEPARTMENT  
14 ~~DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION~~;

15 (I) IF THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN~~  
16 ~~THE~~ BALTIMORE CITY HEALTH DEPARTMENT ~~DEPARTMENT'S OFFICE OF~~  
17 ~~YOUTH VIOLENCE PREVENTION~~ IS PROVIDING TREATMENT OR CARE TO A  
18 CHILD WHO IS THE SUBJECT OF A REPORT OF CHILD ABUSE OR NEGLECT, FOR A  
19 PURPOSE RELEVANT TO THE PROVISION OF THE TREATMENT OR CARE;

20 (II) IF THE RECORD OR REPORT CONCERNS A CHILD  
21 CONVICTED OF A CRIME OR ADJUDICATED DELINQUENT FOR AN ACT THAT  
22 CAUSED A DEATH OR NEAR FATALITY; OR

23 (III) IF THE RECORD OR REPORT CONCERNS A VICTIM OF A  
24 CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE,  
25 WHO IS A CHILD RESIDING IN BALTIMORE CITY, FOR THE PURPOSE OF  
26 DEVELOPING APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING  
27 VIOLENCE AGAINST CHILDREN IN BALTIMORE CITY.

28 ~~(B-1) (1) THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~  
29 ~~BALTIMORE CITY HEALTH DEPARTMENT SHALL KEEP CONFIDENTIAL ANY~~  
30 ~~INFORMATION PROVIDED UNDER SUBSECTION (B)(4) OF THIS SECTION.~~

31 ~~(2) THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~  
32 ~~BALTIMORE CITY HEALTH DEPARTMENT SHALL BE LIABLE FOR THE~~  
33 ~~UNAUTHORIZED RELEASE OF A REPORT OR RECORD PROVIDED UNDER~~  
34 ~~SUBSECTION (B)(4) OF THIS SECTION.~~

35 (c) A report or record concerning child abuse or neglect:

1 (1) may be disclosed on request to:

2 (v) SUBJECT TO THE PROVISIONS OF SUBSECTION (B)(4) OF  
3 THIS SECTION, a licensed practitioner who, or an agency, institution, or program that,  
4 is providing treatment or care to a child who is the subject of a report of child abuse or  
5 neglect for a purpose relevant to the treatment or care;

6 **(F) (1) THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF**  
7 **YOUTH VIOLENCE PREVENTION SHALL BE LIABLE FOR THE UNAUTHORIZED**  
8 **RELEASE OF A REPORT OR RECORD UNDER SUBSECTION (B) OF THIS SECTION.**

9 **(2) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH**  
10 **DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION RECEIVES A**  
11 **REPORT OR RECORD UNDER SUBSECTION (B) OF THIS SECTION, THE BALTIMORE**  
12 **CITY HEALTH DEPARTMENT SHALL SUBMIT A REPORT TO THE DEPARTMENT OF**  
13 **HUMAN RESOURCES DETAILING THE PURPOSES FOR WHICH THE RECORD WAS**  
14 **USED.**

15 9-219.

16 (F) (1) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, THE  
17 DEPARTMENT SHALL DISCLOSE TO THE ~~OFFICE OF YOUTH VIOLENCE~~  
18 ~~PREVENTION IN THE~~ BALTIMORE CITY HEALTH ~~DEPARTMENT~~ DEPARTMENT'S  
19 OFFICE OF YOUTH VIOLENCE PREVENTION, ON A WRITTEN REQUEST:

20 (I) A CONFIDENTIAL RESEARCH RECORD CONCERNING A  
21 CHILD TO WHOM THE ~~OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~  
22 BALTIMORE CITY HEALTH ~~DEPARTMENT~~ DEPARTMENT'S OFFICE OF YOUTH  
23 VIOLENCE PREVENTION IS PROVIDING TREATMENT OR CARE, FOR A PURPOSE  
24 RELEVANT TO THE PROVISION OF THE TREATMENT OR CARE;

25 (II) A CONFIDENTIAL RESEARCH RECORD CONCERNING A  
26 CHILD CONVICTED OF A CRIME OR ADJUDICATED DELINQUENT FOR AN ACT  
27 THAT CAUSED A DEATH OR NEAR FATALITY; OR

28 (III) A CONFIDENTIAL RESEARCH RECORD CONCERNING A  
29 VICTIM OF A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL  
30 LAW ARTICLE, WHO IS A CHILD RESIDING IN BALTIMORE CITY, FOR THE  
31 PURPOSE OF DEVELOPING APPROPRIATE PROGRAMS AND POLICIES AIMED AT  
32 REDUCING VIOLENCE AGAINST CHILDREN IN BALTIMORE CITY.

33 (2) (I) ~~THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~  
34 BALTIMORE CITY HEALTH ~~DEPARTMENT~~ DEPARTMENT'S OFFICE OF YOUTH

1 VIOLENCE PREVENTION SHALL KEEP CONFIDENTIAL ANY INFORMATION  
2 PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

3 (II) ~~THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~  
4 BALTIMORE CITY HEALTH ~~DEPARTMENT~~ DEPARTMENT'S OFFICE OF YOUTH  
5 VIOLENCE PREVENTION SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE  
6 OF A ~~RECORD~~ INFORMATION PROVIDED UNDER PARAGRAPH (1) OF THIS  
7 SUBSECTION.

8 (3) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH  
9 DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION RECEIVES A  
10 CONFIDENTIAL RESEARCH RECORD UNDER PARAGRAPH (1) OF THIS  
11 SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE OF YOUTH  
12 VIOLENCE PREVENTION SHALL SUBMIT A REPORT TO THE DEPARTMENT  
13 DETAILING THE PURPOSES FOR WHICH THE CONFIDENTIAL RECORD WAS USED.

14 Article - Public Safety

15 2-308.

16 (D) (1) THE DEPARTMENT SHALL PROVIDE TO THE ~~OFFICE OF~~  
17 ~~YOUTH VIOLENCE PREVENTION IN THE~~ BALTIMORE CITY HEALTH  
18 ~~DEPARTMENT~~ DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION AND  
19 THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE, ON A WRITTEN  
20 REQUEST, INFORMATION CONCERNING:

21 (I) A VICTIM OF A CRIME OF VIOLENCE, AS DEFINED IN §  
22 14-101 OF THE CRIMINAL LAW ARTICLE, WHO IS A CHILD RESIDING IN  
23 BALTIMORE CITY; AND

24 (II) A CHILD CONVICTED OF A CRIME OR ADJUDICATED  
25 DELINQUENT FOR AN ACT THAT CAUSED A DEATH OR NEAR FATALITY.

26 (2) ~~THE OFFICE OF YOUTH VIOLENCE PREVENTION IN THE~~  
27 BALTIMORE CITY HEALTH ~~DEPARTMENT~~ DEPARTMENT'S OFFICE OF YOUTH  
28 VIOLENCE PREVENTION:

29 (I) SHALL KEEP CONFIDENTIAL ANY INFORMATION  
30 PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND ~~AND~~

31 (II) MAY USE THE INFORMATION SOLELY TO DEVELOP  
32 APPROPRIATE PROGRAMS AND POLICIES AIMED AT REDUCING VIOLENCE  
33 AGAINST CHILDREN IN BALTIMORE CITY; AND.

1 ~~(II) SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF~~  
2 ~~A RECORD PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

3 (3) THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL  
4 JUSTICE:

5 (I) SHALL KEEP CONFIDENTIAL ANY INFORMATION  
6 PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION; ~~AND AND~~

7 (II) MAY USE THE INFORMATION SOLELY TO DEVELOP  
8 APPROPRIATE PROGRAMS AND SERVICES TO A CHILD WHO IS THE SUBJECT OF  
9 THE RECORD, FOR A PURPOSE RELEVANT TO THE PROVISION OF THE  
10 PROGRAMS AND SERVICES; ~~AND.~~

11 ~~(III) SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF~~  
12 ~~A RECORD PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

13 (4) (I) THE BALTIMORE CITY HEALTH DEPARTMENT'S OFFICE  
14 OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S OFFICE  
15 ON CRIMINAL JUSTICE SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF  
16 INFORMATION PROVIDED TO IT UNDER PARAGRAPH (1) OF THIS SUBSECTION.

17 (II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH  
18 DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE  
19 CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE REVIEWS THE INFORMATION  
20 PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BALTIMORE CITY  
21 HEALTH DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE  
22 BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE SHALL SUBMIT A  
23 REPORT TO THE DEPARTMENT DETAILING THE PURPOSES FOR WHICH THE  
24 INFORMATION WAS USED.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2013. It shall remain effective for a period of 6 years and, at the end of  
27 September 30, 2019, with no further action required by the General Assembly, this Act  
28 shall be abrogated and of no further force and effect.