

SENATE BILL 5

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SB 537/97 - JPR

1998 Regular Session  
8lr0267

(PRE-FILED)

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By: **Senators Ruben and Forehand**  
Requested: August 21, 1997  
Introduced and read first time: January 14, 1998  
Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: February 17, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Juveniles - Confidentiality of Records**

3 FOR the purpose of modifying a confidentiality requirement pertaining to juvenile  
4 police records to allow a law enforcement agency to include certain information  
5 concerning a certain outstanding juvenile ~~warrant or other document requiring~~  
6 ~~the apprehension of a child~~ court ordered writ of attachment in a law  
7 enforcement computer information system for the purpose of apprehending the  
8 child who is named in ~~a warrant~~ the writ; and generally relating to the  
9 confidentiality of juvenile records.

10 BY repealing and reenacting, with amendments,  
11 Article - Courts and Judicial Proceedings  
12 Section 3-828(a)  
13 Annotated Code of Maryland  
14 (1995 Replacement Volume and 1997 Supplement)

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

17 **Article - Courts and Judicial Proceedings**

18 3-828.

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

1 (2) This subsection does not prohibit:

2 (I) [access] ACCESS to and confidential use of the record by the  
3 Department of Juvenile Justice or in the investigation and prosecution of the child by  
4 any law enforcement agency; OR

5 (II) A LAW ENFORCEMENT AGENCY ~~FROM INCLUDING RELEVANT~~  
6 ~~INFORMATION CONCERNING AN OUTSTANDING JUVENILE WARRANT OR OTHER~~  
7 ~~DOCUMENT REQUIRING THE APPREHENSION OF A CHILD FOR FAILURE TO APPEAR~~  
8 ~~AT A JUVENILE COURT HEARING IN ANY LAW ENFORCEMENT COMPUTER~~  
9 ~~INFORMATION SYSTEM FOR THE PURPOSE OF APPREHENDING THE CHILD NAMED IN~~  
10 ~~THE WARRANT OR THE CRIMINAL JUSTICE INFORMATION SYSTEM FROM INCLUDING,~~  
11 IN THE LAW ENFORCEMENT COMPUTER INFORMATION SYSTEM, INFORMATION  
12 ABOUT AN OUTSTANDING JUVENILE COURT ORDERED WRIT OF ATTACHMENT, FOR  
13 THE SOLE PURPOSE OF APPREHENDING A CHILD NAMED IN THE WRIT.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 1998.