

HOUSE BILL 93

Unofficial Copy
E3
HB 24/00 - JUD

2001 Regular Session
11r0559

By: **Delegates Boschert and Sophocleus**
Introduced and read first time: January 11, 2001
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts - Sharing Information Relating to Juveniles**

3 FOR the purpose of authorizing the sharing of information relating to certain
4 juveniles among the Department of Juvenile Justice, local departments of social
5 services, State and local law enforcement agencies, State's Attorneys, and State
6 and local school superintendents and their designees under certain
7 circumstances; requiring certain persons to enter into an agreement for the
8 sharing of certain information within a county among the school superintendent
9 and the department of social services, law enforcement agencies, the State's
10 Attorney, and the Department of Juvenile Justice; and generally relating to the
11 sharing of information relating to certain juveniles under certain circumstances.

12 BY adding to
13 Article - Courts and Judicial Proceedings
14 Section 3-828(h)
15 Annotated Code of Maryland
16 (1998 Replacement Volume and 2000 Supplement)

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

19 **Article - Courts and Judicial Proceedings**

20 3-828.

21 (H) (1) THIS SECTION DOES NOT PROHIBIT THE DEPARTMENT OF JUVENILE
22 JUSTICE, LOCAL DEPARTMENTS OF SOCIAL SERVICES, STATE AND LOCAL LAW
23 ENFORCEMENT AGENCIES, STATE'S ATTORNEYS, AND STATE AND LOCAL SCHOOL
24 SUPERINTENDENTS AND THEIR DESIGNEES FROM SHARING INFORMATION IN
25 ACCORDANCE WITH STATE AND FEDERAL LAWS FOR THE PURPOSE OF INCREASING
26 THE ABILITY OF THE JUVENILE JUSTICE SYSTEM, PRIOR TO ADJUDICATION, TO
27 ASSESS, SERVE, AND TREAT JUVENILE OFFENDERS AND JUVENILES WHO ARE AT
28 RISK OF BECOMING OFFENDERS.

1 (2) (I) WITHIN EACH COUNTY, THE DEPARTMENT OF JUVENILE
2 JUSTICE, THE LOCAL DEPARTMENT OF SOCIAL SERVICES, STATE AND LOCAL LAW
3 ENFORCEMENT AGENCIES, THE STATE'S ATTORNEY, AND THE LOCAL SCHOOL
4 SUPERINTENDENT SHALL ENTER INTO AN INTERAGENCY AGREEMENT FOR THE
5 PURPOSE OF SHARING INFORMATION AMONG THE PARTIES.

6 (II) THE AGREEMENT SHALL SPECIFY:

7 1. THE CONDITIONS UNDER WHICH CRIMINAL AND
8 JUVENILE HISTORY INFORMATION IS TO BE MADE AVAILABLE TO APPROPRIATE
9 SCHOOL PERSONNEL; AND

10 2. THE CONDITIONS UNDER WHICH SCHOOL RECORDS ARE
11 TO BE MADE AVAILABLE TO THE APPROPRIATE PERSONNEL OF A LOCAL
12 DEPARTMENT OF SOCIAL SERVICES, A STATE OR LOCAL LAW ENFORCEMENT
13 AGENCY, THE STATE'S ATTORNEY, OR THE DEPARTMENT OF JUVENILE JUSTICE.

14 (III) THE PARTIES TO THE AGREEMENT SHALL AGREE NOT TO
15 DISCLOSE ANY INFORMATION TO A PERSON OR AGENCY THAT IS NOT A PARTY TO
16 THE AGREEMENT EXCEPT AS PROVIDED BY STATE OR FEDERAL LAW.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2001.