

HOUSE BILL 453

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HB 1090/00 - JUD

2001 Regular Session
1r0729

By: **Delegates Montague, Menes, Cole, Doory, Grosfeld, Rawlings, Dembrow, Gladden, and Dobson**

Introduced and read first time: February 2, 2001

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 13, 2001

CHAPTER _____

1 AN ACT concerning

2 **Juvenile Justice - Criminal Justice Information System - Dissemination of**
3 **Information**

4 FOR the purpose of requiring the Criminal Justice Information System Central
5 Repository to disseminate on a monthly basis certain information concerning
6 juveniles charged as adults to the Maryland Justice Analysis Center of the
7 Institute of Criminal Justice and Criminology of the University of Maryland;
8 prohibiting the Central Repository from disseminating certain information to
9 the Maryland Justice Analysis Center; requiring the information disseminated
10 to be used for a certain limited purpose; requiring the Maryland Justice Analysis
11 Center to provide certain reports to the Governor and the General Assembly;
12 and generally relating to the dissemination of data pertaining to juveniles
13 charged as adults by the Criminal Justice Information System Central
14 Repository.

15 BY repealing and reenacting, without amendments,
16 Article - Criminal Procedure
17 Section 10-215(a)
18 Annotated Code of Maryland
19 (As enacted by Chapter _____ (S.B. _____/H.B. _____) (1r0739) of the Acts of the
20 General Assembly of 2001)

21 BY repealing and reenacting, with amendments,
22 Article - Criminal Procedure
23 Section 10-219
24 Annotated Code of Maryland

1 (As enacted by Chapter _____ (S.B._____/H.B. _____) (1lr0739) of the Acts of the
2 General Assembly of 2001)

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

5 **Article - Criminal Procedure**

6 10-215.

7 (a) The following events are reportable events under this subtitle that must be
8 reported to the Central Repository in accordance with § 10-214 of this subtitle:

- 9 (1) the issuance or withdrawal of an arrest warrant;
- 10 (2) an arrest;
- 11 (3) the release of a person after arrest without the filing of a charge;
- 12 (4) the filing of a charging document;
- 13 (5) a release pending trial or an appeal;
- 14 (6) a commitment to an institution of pretrial detention;
- 15 (7) the dismissal of an indictment or criminal information;
- 16 (8) a nolle prosequi;
- 17 (9) the marking of a charge "stet" on the docket;
- 18 (10) an acquittal, conviction, verdict of not criminally responsible, or any
19 other disposition of a case at or following trial, including a finding of probation before
20 judgment;
- 21 (11) the imposition of a sentence;
- 22 (12) a commitment to a State correctional facility or local correctional
23 facility;
- 24 (13) a commitment to the Department of Health and Mental Hygiene
25 under § 3-105 or § 3-111 of this article as incompetent to stand trial or not criminally
26 responsible;
- 27 (14) a release from detention or confinement;
- 28 (15) a conditional release, revocation of conditional release, or discharge
29 of a person committed to the Department of Health and Mental Hygiene under §
30 3-105 or § 3-111 of this article as incompetent to stand trial or not criminally
31 responsible;

- 1 (16) an escape from confinement or commitment;
- 2 (17) a pardon, reprieve, commutation of a sentence, or other change in a
3 sentence, including a change in a sentence that a court orders;
- 4 (18) an entry of an appeal to an appellate court;
- 5 (19) a judgment of an appellate court;
- 6 (20) an order of a court in a collateral proceeding that affects a person's
7 conviction, sentence, or confinement;
- 8 (21) an adjudication of a child as delinquent:
- 9 (i) if the child is at least 14 years old, for an act described in §
10 3-804(e)(1) of the Courts Article; or
- 11 (ii) if the child is at least 16 years old, for an act described in §
12 3-804(e)(4) or (5) of the Courts Article;
- 13 (22) the issuance or withdrawal of a writ of attachment by a juvenile
14 court; and
- 15 (23) any other event arising out of or occurring during the course of a
16 criminal proceeding that the Secretary by regulation or the Court of Appeals by rule
17 makes a reportable event.

18 10-219.

19 (A) Except in accordance with applicable federal law and regulations, a
20 criminal justice unit and the Central Repository may not disseminate criminal history
21 record information.

22 (B) (1) THE CENTRAL REPOSITORY SHALL DISSEMINATE ON A MONTHLY
23 BASIS INFORMATION CONCERNING A CHILD CHARGED AS AN ADULT TO THE
24 MARYLAND JUSTICE ANALYSIS CENTER OF THE INSTITUTE OF CRIMINAL JUSTICE
25 AND CRIMINOLOGY OF THE UNIVERSITY OF MARYLAND.

26 (2) IN ADDITION TO ANY REPORTABLE EVENT, AS DEFINED IN § 10-215
27 OF THIS SUBTITLE, THE CENTRAL REPOSITORY SHALL INCLUDE IN ITS
28 DISSEMINATION OF INFORMATION TO THE MARYLAND JUSTICE ANALYSIS CENTER
29 THE AGE, RACE, AND GENDER OF THE CHILD.

30 (3) THE CENTRAL REPOSITORY MAY NOT DISSEMINATE TO THE
31 MARYLAND JUSTICE ANALYSIS CENTER ANY UNIQUE IDENTIFIERS RELATING TO
32 THE CHILD, INCLUDING THE NAME OF THE CHILD, FINGERPRINT IDENTIFICATION
33 NUMBERS, AND RECORD OR FILE NUMBERS.

34 (4) THE INFORMATION DISSEMINATED TO THE MARYLAND JUSTICE
35 ANALYSIS CENTER IN ACCORDANCE WITH THIS SUBSECTION SHALL BE USED ONLY
36 FOR THE PURPOSES OF RESEARCH, EVALUATION, AND STATISTICAL ANALYSIS.

1 (5) BY JUNE 30 AND DECEMBER 31 OF EACH YEAR, THE MARYLAND
2 JUSTICE ANALYSIS CENTER SHALL REPORT TO THE GOVERNOR, AND, SUBJECT TO §
3 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, ON THE
4 RESULTS OF ITS RESEARCH, EVALUATION, AND STATISTICAL ANALYSIS.

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