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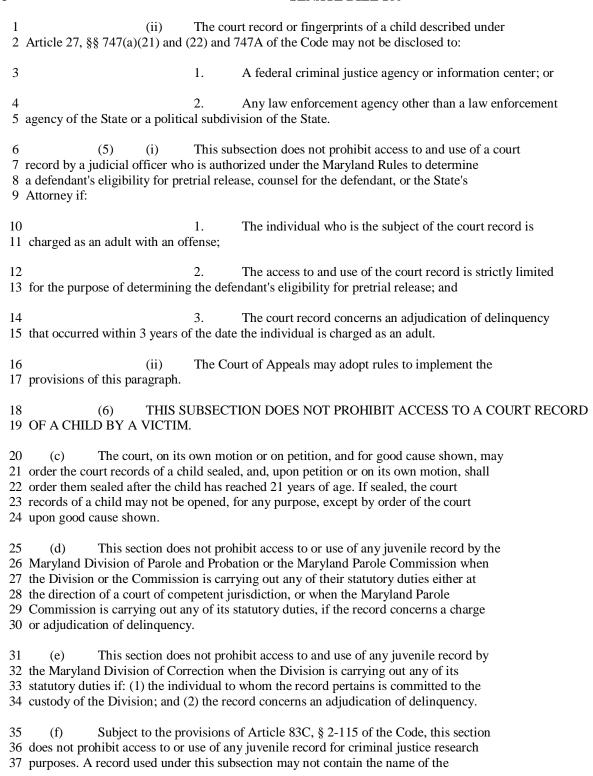
By: Senator Harris Introduced and read first time: January 18, 2001 Assigned to: Judicial Proceedings A BILL ENTITLED 1 AN ACT concerning 2 Juvenile Law - Juvenile Court Records - Access by Victim 3 FOR the purpose of authorizing access to a juvenile court record by a victim; and generally relating to juvenile records. 4 5 BY repealing and reenacting, without amendments, Article - Courts and Judicial Proceedings 6 7 Section 3-801(a) and (x)Annotated Code of Maryland 8 (1998 Replacement Volume and 2000 Supplement) 9 10 BY repealing and reenacting, with amendments, 11 Article - Courts and Judicial Proceedings Section 3-828 12 13 Annotated Code of Maryland 14 (1998 Replacement Volume and 2000 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 3-801. 19 In this subtitle, the following words have the meanings indicated, unless (a) 20 the context of their use indicates otherwise. "Victim" means: 21 (x) (1) A person who suffers direct or threatened physical, emotional, 22 (i) 23 or financial harm as a result of a delinquent act; or 24 An individual against whom an act specified in § 3-820.1(b) of (ii)

25 this subtitle is committed or alleged to have been committed.

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| 1 2 | victim. | (2) | "Victim" includes a family member of a minor, disabled, or a deceased |
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| 3 4 | or designee. | (3) | "Victim" includes, if the victim is not an individual, the victim's agent |
| 5 | 3-828. | | |
| 8 | subpoena or | otherwise | A police record concerning a child is confidential and shall be som those of adults. Its contents may not be divulged, by e, except by order of the court upon good cause shown or as § 7-303 of the Education Article. |
| 10 | | (2) | This subsection does not prohibit: |
| | of Juvenile . | | (i) Access to and confidential use of the record by the Department in the investigation and prosecution of the child by any law or |
| 16 17 | the law enfo | rcement rt ordered | (ii) A law enforcement agency of the State or of a political ate or the criminal justice information system from including, in computer information system, information about an outstanding d writ of attachment, for the sole purpose of apprehending a child |
| | may not be | | A court record pertaining to a child is confidential and its contents by subpoena or otherwise, except by order of the court upon good ovided in § 7-303 of the Education Article. |
| 24 25 26 27 28 29 30 | System subt child, by per court-appoin Department need of assis local departs to conduct a | itle of Ar rsonnel of ted speci of Juveni stance, by ments of | This subsection does not prohibit access to and the use of the court of a child described under the Criminal Justice Information ticle 27 of the Code in a proceeding in the court involving the fithe court, the State's Attorney, counsel for the child, a al advocate for the child, or authorized personnel of the die Justice, or, in a proceeding involving a child alleged to be in authorized personnel of the Social Services Administration and social services of the Department of Human Resources in order use or neglect investigation or to comply with requirements tV-E of the Social Security Act. |
| | | | Information obtained from a juvenile court record by authorized artment of Human Resources under paragraph (2) of this to the provisions of Article 88A, § 6 of the Code. |
| 37 38 | fingerprints | of a child article 27 | (i) Except as provided in subparagraph (ii) of this paragraph, this rohibit access to and confidential use of the court record or described under the Criminal Justice Information System of the Code in an investigation and prosecution by a law |

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- 1 individual to whom the record pertains, or any other identifying information which
- 2 could reveal the individual's name.
- 3 (g) This section does not prohibit a victim who has filed a notification request 4 form from being notified of proceedings and events involving the defendant or child as
- 5 provided in this article or Article 27 of the Code.
- 6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 7 October 1, 2001.