

IF A REPRESENTATIVE OF A LOCAL DEPARTMENT IS CONDUCTING AN INVESTIGATION UNDER THIS SUBTITLE, THE REPRESENTATIVE MAY ENTER THE HOUSEHOLD, IF THE REPRESENTATIVE:

(1) PREVIOUSLY HAS BEEN DENIED THE RIGHT OF ENTRY;
AND

(2) HAS PROBABLE CAUSE TO BELIEVE THAT A CHILD IS IN SERIOUS PHYSICAL DANGER OR AND THAT AN EMERGENCY EXISTS.

(B) POLICE OFFICER TO ACCOMPANY REPRESENTATIVE.

A POLICE OFFICER SHALL ACCOMPANY THE REPRESENTATIVE AND MAY USE REASONABLE FORCE, IF NECESSARY, TO ENABLE THE REPRESENTATIVE TO GAIN ENTRY.

(C) REMOVAL OF CHILD.

IF THE DANGER PROVES TO BE GENUINE, THE REPRESENTATIVE MAY REMOVE THE CHILD FROM THE HOUSEHOLD TEMPORARILY WITHOUT PRIOR APPROVAL BY THE JUVENILE COURT.

(D) EXAMINATION OF CHILD.

IF A CHILD IS REMOVED FROM A HOUSEHOLD UNDER THIS SECTION, THE LOCAL DEPARTMENT SHALL HAVE THE CHILD THOROUGHLY EXAMINED BY A PHYSICIAN AND A REPORT OF THIS EXAMINATION SHALL BE INCLUDED IN THE REPORT MADE UNDER § 5-905 OF THIS SUBTITLE WITHIN THE TIME SPECIFIED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 27, § 35A(g).

In subsection (a)(2) of this section, "emergency" is substituted for "emergency situation", for consistency with § 5-706 of this title.

In subsection (d) of this section, a reference to "§ 5-905 of this subtitle" is substituted for the former reference to "subsection (e)" of former Article 27, § 35A. Although § 5-905 of this subtitle corresponds to subsection (f) of former Article 27, § 35A, rather than to subsection (e) of that former section, the legislative history makes it clear that the former reference was erroneous and that the revised reference reflects legislative intent. See Chapters 656 and 835, Acts of 1973.

Defined terms: "Child" § 5-901
"Local department" § 5-901 "Police officer" § 5-901

5-907. ACTIONS BY LOCAL DEPARTMENT AND STATE'S ATTORNEY'S OFFICE.