

(2) THE IDENTIFICATION NUMBER SHALL BE CROSS-INDEXED TO A CONFIDENTIAL RECORD CONTAINING PERTINENT DATA ON THE PARTICIPANT.

(B) ANY INFORMATION OBTAINED BY THE PROGRAM THAT WOULD IDENTIFY PROGRAM PARTICIPANTS, INCLUDING PROGRAM RECORDS, IS:

- (1) CONFIDENTIAL;
- (2) NOT OPEN TO PUBLIC INSPECTION OR DISCLOSURE; AND
- (3) NOT DISCOVERABLE IN ANY CRIMINAL OR CIVIL PROCEEDING.

(C) (1) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (B) OF THIS SECTION, UPON THE WRITTEN CONSENT OF A PROGRAM PARTICIPANT, INFORMATION OBTAINED BY THE PROGRAM THAT IDENTIFIES THE PROGRAM PARTICIPANT MAY BE RELEASED OR DISCLOSED TO A PERSON OR AGENCY PARTICIPATING IN THE PROGRAM.

(2) IN ADDITION TO THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION, IF A PROGRAM PARTICIPANT RAISES THE ISSUE OF PARTICIPATION IN THE PROGRAM EITHER AS A SUBJECT MATTER OR LEGAL DEFENSE IN AN ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDING, THE PROGRAM PARTICIPANT WAIVES THE CONFIDENTIALITY AS TO IDENTITY PROVIDED UNDER SUBSECTION (B)(1) OF THIS SECTION.

24-808.

(A) NO PROGRAM STAFF MEMBER OR PROGRAM PARTICIPANT MAY BE FOUND GUILTY OF VIOLATING ARTICLE 27, § 287, § 287A, OR § 288 OF THE CODE FOR POSSESSING OR DISTRIBUTING CONTROLLED PARAPHERNALIA OR DRUG PARAPHERNALIA WHENEVER THE POSSESSION OR DISTRIBUTION OF THE CONTROLLED PARAPHERNALIA OR DRUG PARAPHERNALIA IS A DIRECT RESULT OF THE EMPLOYEE'S OR PARTICIPANT'S ACTIVITIES IN CONNECTION WITH THE WORK OF THE PROGRAM AUTHORIZED UNDER THIS SUBTITLE.

(B) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION, A PROGRAM STAFF MEMBER OR PROGRAM PARTICIPANT IS NOT IMMUNE FROM CRIMINAL PROSECUTION FOR:

- (1) THE REDISTRIBUTION OF HYPODERMIC NEEDLES OR SYRINGES IN ANY FORM;
- (2) ANY ACTIVITIES NOT AUTHORIZED OR APPROVED BY THE PROGRAM; OR
- (3) THE POSSESSION OR DISTRIBUTION OF CONTROLLED PARAPHERNALIA OR DRUG PARAPHERNALIA OR ANY OTHER UNLAWFUL ACTIVITY OUTSIDE OF THE BALTIMORE CITY LIMITS.