

(2) (I) A VICTIM MAY SUBMIT A VICTIM IMPACT STATEMENT TO THE COURT AS PROVIDED IN ARTICLE 27, § 781 OF THE CODE.

(II) THIS PARAGRAPH DOES NOT PRECLUDE A VICTIM WHO HAS NOT FILED A NOTIFICATION REQUEST FORM UNDER ARTICLE 27, § 770 OF THE CODE FROM SUBMITTING A VICTIM IMPACT STATEMENT TO THE COURT.

(III) THE COURT MAY CONSIDER A VICTIM IMPACT STATEMENT IN DETERMINING WHETHER TO WAIVE JURISDICTION UNDER THIS SECTION.

~~(e)~~ (D) (1) The court may not waive its jurisdiction unless it determines, from a preponderance of the evidence presented at the hearing, that the child is an unfit subject for juvenile rehabilitative measures.

(2) For purposes of determining whether to waive its jurisdiction, the court shall assume that the child committed the delinquent act alleged.

~~(3) IF A STUDY IS MADE UNDER § 3-818 OF THIS SUBTITLE, THE COURT SHALL CONSIDER THE STUDY AND ANY ORAL ADDRESS OR WRITTEN STATEMENT OF A VICTIM WHEN DETERMINING WHETHER TO WAIVE ITS JURISDICTION.~~

~~(d)~~ (E) In making its determination, the court shall consider the following criteria individually and in relation to each other on the record:

- (1) Age of the child;
 - (2) Mental and physical condition of the child;
 - (3) The child's amenability to treatment in any institution, facility, or program available to delinquents;
 - (4) The nature of the offense and the child's alleged participation in it;
- and
- (5) The public safety.

~~(e)~~ (F) If the jurisdiction is waived, the court shall order the child held for trial under the regular procedures of the court which would have jurisdiction over the offense if committed by an adult. The petition alleging delinquency shall be considered a charging document for purposes of detaining the child pending a bail hearing.

~~(f)~~ (G) An order waiving jurisdiction is interlocutory.

~~(g)~~ (H) If the court has once waived its jurisdiction with respect to a child in accordance with this section, and that child is subsequently brought before the court on another charge of delinquency, the court may waive its jurisdiction in the subsequent proceeding after summary review.