

(3) Information obtained from a juvenile court record by authorized personnel of the Department of Human Resources under paragraph (2) of this subsection is subject to the provisions of Article 88A, § 6 of the Code.

(4) (i) Except as provided in subparagraph (ii) of this paragraph, this subsection does not prohibit access to and confidential use of the court record or fingerprints of a child described under the Criminal Justice Information System subtitle of Article 27 of the Code in an investigation and prosecution by a law enforcement agency.

(ii) The court record or fingerprints of a child described under Article 27, §§ 747(a)(21) AND (22) and 747A of the Code may not be disclosed to:

1. A federal criminal justice agency or information center; or
2. Any law enforcement agency other than a law enforcement agency of the State or a political subdivision of the State.

(5) (i) This subsection does not prohibit access to and use of a court record by a judicial officer who is authorized under the Maryland Rules to determine a defendant's eligibility for pretrial release, counsel for the defendant, or the State's Attorney if:

1. The individual who is the subject of the court record is charged as an adult with an offense;
2. The access to and use of the court record is strictly limited for the purpose of determining the defendant's eligibility for pretrial release; and
3. The court record concerns an adjudication of delinquency that occurred within 3 years of the date the individual is charged as an adult.

(ii) The Court of Appeals may adopt rules to implement the provisions of this paragraph.

Article 27 - Crimes and Punishments

594A.

(a) In any case, except as provided in subsection (b), involving a child who has reached 14 years of age but has not reached 18 years of age at the time of any alleged offense excluded under the provisions of [§ 3-804(e)(1) or (4)] § 3-804(E)(1), (4), OR (5) of the Courts and Judicial Proceedings Article, the court exercising jurisdiction may transfer the case to the juvenile court if a waiver is believed to be in the interests of the child or society.

(b) The court may not transfer a case to the juvenile court under subsection (a) if:

(1) The child has previously been waived to juvenile court and adjudicated delinquent;