

(1) REGULATIONS ADOPTED BY THE SECRETARY UNDER § 4-208 OF THIS TITLE SHALL INCLUDE REGULATIONS GOVERNING THE MANAGEMENT AND OPERATION OF THE YOUTH PROGRAM, INCLUDING CRITERIA FOR ADMISSION TO THE YOUTH PROGRAM.

(2) REGULATIONS ESTABLISHING CRITERIA FOR ADMISSION TO THE YOUTH PROGRAM SHALL:

(I) BE CONSISTENT WITH THIS TITLE AND ANY OTHER STATUTORY REQUIREMENTS; AND

(II) INCLUDE CRITERIA REGARDING:

1. THE INDIVIDUAL'S AGE;
2. THE INDIVIDUAL'S MENTAL AND PHYSICAL CONDITION;
3. THE INDIVIDUAL'S AMENABILITY TO TREATMENT IN THE YOUTH PROGRAM;
4. THE NATURE OF THE INDIVIDUAL'S CRIME AND THE INDIVIDUAL'S PARTICIPATION IN THE CRIME; AND
5. THE PUBLIC SAFETY.

REVISOR'S NOTE: Subsections (a) and (c) through (i) of this section are new language derived without substantive change from former Art. 27, § 690A-1(a) through (h).

Subsection (b) of this section is added as standard language regarding the establishment of a State program.

In subsection (a) of this section, the reference to the "Youth" Program is added for clarity to avoid confusion with other programs at the Patuxent Institution.

In subsection (c) of this section, the former reference to sentencing "by a circuit court or the District Court" is deleted as implicit in the reference to "sentenc[ing]" because only a circuit court or the District Court, and no other entity, may sentence an individual to a term of imprisonment in a State correctional facility.

Also in subsection (c) of this section, the former reference to an individual who is sentenced "for a criminal offense" is deleted as implicit in the reference to an individual who is "sentenced to a term of imprisonment".

In subsection (d) of this section, the former reference to a court "order[ing]" an individual to be referred for evaluation is deleted as implicit in the reference to the court's authority to "refer" the individual.

In subsection (e)(2) of this section, the reference to criteria for admission "established under subsection (i) of this section" is added to state expressly