

SENATE BILL 219

E2

7lr1929

By: **Senators Lee, Feldman, Kelley, King, Manno, and Young**

Introduced and read first time: January 19, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Pretrial Release – Victim Protection**

3 FOR the purpose of requiring that a certain supplement to an application for a statement
4 of charges and a statement of probable cause provide for a request by an alleged
5 victim or the victim’s representative for reasonable protections and registration with
6 a certain vendor; and generally relating to the protection of victims and pretrial
7 release.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Procedure
10 Section 5–201(a)
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2016 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Criminal Procedure**

16 5–201.

17 (a) (1) The court or a District Court commissioner shall consider including, as
18 a condition of pretrial release for a defendant, reasonable protections for the safety of the
19 alleged victim.

20 (2) If a victim has requested reasonable protections for safety, the court or
21 a District Court commissioner shall consider including, as a condition of pretrial release,
22 provisions regarding no contact with the alleged victim or the alleged victim’s premises or
23 place of employment.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) THE FORMS FOR A CONFIDENTIAL SUPPLEMENT TO AN**
2 **APPLICATION FOR A STATEMENT OF CHARGES AND A STATEMENT OF PROBABLE**
3 **CAUSE SHALL PROVIDE FOR A REQUEST BY AN ALLEGED VICTIM OR THE VICTIM'S**
4 **REPRESENTATIVE, AS DEFINED IN § 11-104 OF THIS ARTICLE, FOR:**

5 **(I) REASONABLE PROTECTIONS FOR THE SAFETY OF AN**
6 **ALLEGED VICTIM OR THE VICTIM'S FAMILY; AND**

7 **(II) REGISTRATION WITH THE STATE'S VICTIM INFORMATION**
8 **AND NOTIFICATION EVERYDAY VENDOR TO INFORM THE ALLEGED VICTIM OR THE**
9 **VICTIM'S REPRESENTATIVE OF THE RELEASE DETERMINATION MADE BY THE COURT**
10 **AND ANY OTHER NOTICE AVAILABLE THROUGH THE STATE'S VICTIM INFORMATION**
11 **AND NOTIFICATION EVERYDAY VENDOR.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2017.