

HOUSE BILL 1294

E2

0lr2889

By: **Delegate Guyton**

Introduced and read first time: February 7, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Victims of Crime – Private Room**

3 FOR the purpose of requiring the State Board of Victim Services to develop a certain poster
4 to notify a victim of the right to request a certain private room when reporting a
5 certain crime; requiring a certain law enforcement agency to display a certain poster;
6 requiring a certain law enforcement agency to provide a certain private room to a
7 certain victim under certain circumstances; defining a certain term; and generally
8 relating to victims of crime.

9 BY repealing and reenacting, without amendments,
10 Article – Criminal Procedure
11 Section 11–911
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2019 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Criminal Procedure
16 Section 11–914
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2019 Supplement)

19 BY adding to
20 Article – Criminal Procedure
21 Section 11–1002(d)
22 Annotated Code of Maryland
23 (2018 Replacement Volume and 2019 Supplement)

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

26 **Article – Criminal Procedure**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 11-911.

2 There is a State Board of Victim Services in the Governor's Office of Crime Control
3 and Prevention created by Executive Order 01.01.1995.18.

4 11-914.

5 Subject to the authority of the Executive Director, the Board shall:

6 (1) submit to the Governor an annual written report of its activities,
7 including its administration of the Fund;

8 (2) monitor the service needs of victims;

9 (3) advise the Governor on the needs of victims;

10 (4) recommend the appointment of the Victim Services Coordinator to the
11 Executive Director;

12 (5) review and approve the Victim Services Coordinator's plans and annual
13 reports, and the Victim Services Coordinator's implementation, operation, and revision of
14 programs;

15 (6) approve or disapprove each grant application submitted by the
16 Governor's Office of Crime Control and Prevention;

17 (7) advise the State's Attorneys' Coordination Council on the adoption of
18 regulations governing the administration of the Victim and Witness Protection and
19 Relocation Program established under § 11-902 of this subtitle;

20 (8) advise the State's Attorneys' Coordinator on the administration of the
21 Victim and Witness Protection and Relocation Program;

22 (9) **(I)** develop pamphlets to notify victims and victim's representatives
23 of the rights, services, and procedures provided under Article 47 of the Maryland
24 Declaration of Rights or State law, how to request information regarding an unsolved case,
25 and how to request that an offender be placed on electronic monitoring or electronic
26 monitoring with victim stay-away alert technology, including:

27 [(i)] **1.** one pamphlet relating to the MDEC system protocol
28 registration process and the time before and after the filing of a charging document other
29 than an indictment or information in circuit court; and

30 [(ii)] **2.** a second pamphlet relating to the time after the filing of
31 an indictment or information in circuit court; and

1 **(II) DEVELOP A POSTER TO NOTIFY VICTIMS OF THE RIGHT TO**
2 **REQUEST A PRIVATE ROOM IN A LAW ENFORCEMENT AGENCY OR UNIT TO REPORT**
3 **CRIMES UNDER TITLE 3 OF THE CRIMINAL LAW ARTICLE; AND**

4 (10) develop a notification request form and an MDEC system protocol in
5 consultation with the Administrative Office of the Courts, through which a victim or
6 victim’s representative may request to be notified under § 11–104 of this title.

7 11–1002.

8 **(D) (1) IN THIS SUBSECTION, “LAW ENFORCEMENT AGENCY” HAS THE**
9 **MEANING STATED IN § 3–201 OF THE PUBLIC SAFETY ARTICLE.**

10 **(2) EACH LAW ENFORCEMENT AGENCY SHALL:**

11 **(I) DISPLAY A POSTER DEVELOPED BY THE STATE BOARD OF**
12 **VICTIM SERVICES THAT INFORMS A VICTIM OF THE RIGHT TO REQUEST A PRIVATE**
13 **ROOM TO REPORT INFORMATION RELATED TO A CRIME UNDER TITLE 3 OF THE**
14 **CRIMINAL LAW ARTICLE; AND**

15 **(II) PROVIDE, ON REQUEST, A PRIVATE ROOM TO A VICTIM TO**
16 **REPORT INFORMATION RELATED TO A CRIME UNDER TITLE 3 OF THE CRIMINAL**
17 **LAW ARTICLE.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2020.