

HOUSE BILL 1032

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3lr1731

By: **Delegates Phillips, Bouchat, Cardin, McCaskill, Munoz, Pasteur, Simmons, Toles, and White**

Introduced and read first time: February 10, 2023

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Protection of Identity of Minor Victim**

3 FOR the purpose of requiring, with a certain exception, a party or nonparty making a
4 certain filing in a criminal or juvenile delinquency case to redact certain identifying
5 information relating to a minor victim that appears in the filing; authorizing the
6 Supreme Court of Maryland to adopt rules requiring or authorizing a person making
7 a redacted filing under this Act to also file an unredacted copy under seal; and
8 generally relating to protection of victims.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Procedure
11 Section 11–301
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2022 Supplement)

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

16 **Article – Criminal Procedure**

17 11–301.

18 **(A)** On motion of the State or on request of a victim or witness, during a criminal
19 trial or a juvenile delinquency adjudicatory hearing, a court may prohibit the release of the
20 address or telephone number of the victim or witness unless the court determines that good
21 cause is shown for the release of the information.

22 **(B) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE**
23 **MEANINGS INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (II) “IDENTIFYING INFORMATION” MEANS THE NAME OF, AND
2 ANY OTHER INFORMATION THAT COULD REASONABLY BE EXPECTED TO IDENTIFY, A
3 MINOR VICTIM.

4 (III) “MINOR VICTIM” MEANS A VICTIM OF A CRIME OR
5 DELINQUENT ACT WHO WAS A MINOR AT THE TIME THAT THE CRIME OR DELINQUENT
6 ACT OCCURRED.

7 (2) NOTWITHSTANDING ANY OTHER LAW, UNLESS THE COURT FINDS
8 BY CLEAR AND CONVINCING EVIDENCE THAT THERE IS GOOD CAUSE TO ORDER
9 OTHERWISE, A PARTY OR NONPARTY MAKING AN ELECTRONIC OR PAPER COURT
10 FILING, INCLUDING THE FILING OF A CHARGING DOCUMENT, IN A CRIMINAL OR
11 JUVENILE DELINQUENCY CASE SHALL REDACT ANY IDENTIFYING INFORMATION
12 THAT APPEARS IN THE FILING.

13 (3) THE SUPREME COURT OF MARYLAND MAY ADOPT RULES
14 REQUIRING OR AUTHORIZING A PERSON MAKING A REDACTED FILING UNDER
15 PARAGRAPH (2) OF THIS SUBSECTION TO ALSO FILE AN UNREDACTED COPY UNDER
16 SEAL.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2023.