

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

Committee Report: Favorable

House action: Adopted

Read second time: March 9, 2023

CHAPTER _____

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 address or telephone number of the victim or witness unless the court determines that good
2 cause is shown for the release of the information.

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

5 **(II) "IDENTIFYING INFORMATION" MEANS THE NAME OF, AND**
6 **ANY OTHER INFORMATION THAT COULD REASONABLY BE EXPECTED TO IDENTIFY, A**
7 **MINOR VICTIM.**

8 **(III) "MINOR VICTIM" MEANS A VICTIM OF A CRIME OR**
9 **DELINQUENT ACT WHO WAS A MINOR AT THE TIME THAT THE CRIME OR DELINQUENT**
10 **ACT OCCURRED.**

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

17 **(3) THE SUPREME COURT OF MARYLAND MAY ADOPT RULES**
18 **REQUIRING OR AUTHORIZING A PERSON MAKING A REDACTED FILING UNDER**
19 **PARAGRAPH (2) OF THIS SUBSECTION TO ALSO FILE AN UNREDACTED COPY UNDER**
20 **SEAL.**

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.