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MAJORITY WHIP

Judicial Proceedings Committee

Joint Committee on
Cybersecurity, Information Technology,
and Biotechnology

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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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Senate Judicial Proceedings Committee
SPONSOR TESTIMONY- SUPPORT
**SB 213 – Criminal Procedure – Victims and Witnesses – Restrictions on
Release of Personal Information**

SB 213 is a simple bill that will improve victim and witness protection in Maryland at little or no cost to state and local entities. As this committee has discussed and grappled with already this session, victim and witness intimidation is a serious and all too common problem across our justice system.

Under current law, victims of and witnesses to felony offenses can request to have their personal information withheld from public disclosure before trial. The information that can be withheld includes the personal telephone numbers and addresses of victims and witnesses, as well as those of their representatives. Public disclosure of contact information and location potentially exposes victims and witnesses to such intimidation; shielding the release of this information is an important part of our witness and victim protection regime.

As this committee has discussed on several occasions over the years, because Maryland lacks a standardized crime classification system – only differentiating between felony and non-felony offenses – some victims and witnesses of serious crimes, like second-degree assault, do not qualify to withhold the disclosure of their personal information under current law because second-degree assault is not a felony offense.

SB 213 would broaden the existing statute to allow victims and witnesses of any crime to request to withhold their personal information before trial. We maintain a provision that allows a judge to overrule the request to withhold personal information if they determine that good cause has been shown for the release of such information.

This bill was filed late last year, and while this committee held a short hearing on the measure, the clock ran out before we had a chance to move it forward.

The changes offered in this bill are minor, but the benefits for victims and witnesses of crime, as well as the efficacy of our criminal justice system, are substantial. For these reasons, I respectfully request a favorable report on SB 213.