

Article - Criminal Procedure

[Previous][Next]

§11-508.

(a) (1) In this section the following words have the meanings indicated.

(2) “Commitment unit” means a unit that a court orders to retain custody of a defendant or a child respondent and that receives a notification request form under § 11-104(f)(1) or (g) of this title.

(3) “Release from confinement” means work release, home detention, or other administrative or statutorily authorized release of a defendant or child respondent from a confinement facility.

(4) “Witness” means a person who:

(i) knows of facts relating to a crime of violence or conspiracy or solicitation to commit a crime of violence; and

(ii) 1. makes a declaration under oath that is received as evidence for any purpose; or

2. has been served with a subpoena issued under the authority of a court of this or any other state or of the United States.

(b) This section applies to a victim or victim’s representative who has submitted a notification request form under § 11-104 of this title.

(c) This section applies if a witness requests in writing that a commitment unit notify the witness in writing of the release from confinement of a defendant or child respondent.

(d) On receipt of a notification request form under § 11-104(f)(1) or (g) of this title or a written request from a witness for notification, a commitment unit, if practicable, shall notify the victim, victim’s representative, or witness of:

(1) receipt of the notification request form;

(2) the date when the defendant or child respondent was placed in the custody of the commitment unit;

(3) how to change the address to receive notice for the victim, victim’s representative, witness, or the person to receive notice for the victim; and

(4) how to elect not to receive future notices.

(e) The commitment unit shall notify a victim, victim’s representative, or

witness, in advance if practicable, if any of the following events occur concerning the defendant or child respondent:

- (1) an escape;
- (2) a recapture;
- (3) a transfer to another commitment unit;
- (4) a release from confinement and any conditions attached to the release;

and

- (5) the death of the defendant or child respondent.

(f) A commitment unit may not disclose to a defendant or child respondent the address or telephone number of a witness, victim, victim's representative, or person who receives notice for the victim.

(g) An elected public official, public employee, or public unit has the immunity described in §§ 5-302 and 5-522 of the Courts Article regarding civil liability for damages arising out of an action relating to this section, unless the official, employee, or unit acts with gross negligence or in bad faith.

[Previous][Next]