

SENATE BILL 4

E2, E5
SB 684/23 – JPR

(PRE-FILED)

4lr0614
CF HB 115

By: ~~Senator Waldstreicher~~ Senators Waldstreicher, Smith, Carter, West, James, McKay, and Folden

Requested: September 11, 2023
Introduced and read first time: January 10, 2024
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 10, 2024

CHAPTER _____

1 AN ACT concerning

2 **Criminal Procedure – Victims’ Rights – Notification of Release From**
3 **Confinement**
4 **(Jaycee Webster Victims’ Rights Act)**

5 FOR the purpose of requiring a certain commitment unit to include in a notification given
6 to a victim, victim’s representative, or witness regarding the release from
7 confinement of a sentenced defendant or child respondent the name and telephone
8 number of a certain victim services employee; and generally relating to victims’
9 rights.

10 BY repealing and reenacting, with amendments,
11 Article – Criminal Procedure
12 Section 11–508
13 Annotated Code of Maryland
14 (2018 Replacement Volume and 2023 Supplement)

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

17 **Article – Criminal Procedure**

18 11–508.

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

2 (2) “Commitment unit” means a unit that a court orders to retain custody
3 of a defendant or a child respondent and that receives a notification request form under §
4 11–104(g)(1) or (h) of this title.

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

8 (4) “Witness” means a person who:

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

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

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

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

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

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

23 (1) receipt of the notification request form;

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

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

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

29 (e) **(1)** The commitment unit shall notify a victim, victim’s representative, or
30 witness, in advance if practicable, if any of the following events occur concerning the
31 defendant or child respondent:

32 **[(1)] (I)** an escape;

1 [(2)] (II) a recapture;

2 [(3)] (III) a transfer to another commitment unit;

3 [(4)] (IV) a release from confinement and any conditions attached to the
4 release; and

5 [(5)] (V) the death of the defendant or child respondent.

6 (2) WHEN A SENTENCED DEFENDANT OR CHILD RESPONDENT IS
7 BEING RELEASED FROM CONFINEMENT, THE COMMITMENT UNIT SHALL INCLUDE IN
8 THE NOTIFICATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION THE
9 NAME AND TELEPHONE NUMBER OF THE LEAD VICTIM SERVICES EMPLOYEE OF THE
10 STATE’S ATTORNEY’S OFFICE OF THE COUNTY IN WHICH THE SENTENCED
11 DEFENDANT OR CHILD RESPONDENT WAS PROSECUTED.

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

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

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.