

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 115
Judiciary

(Delegate Kaufman, *et al.*)

Judicial Proceedings

Criminal Procedure - Victims' Rights - Notification of Release From
Confinement (Jaycee Webster Victims' Rights Act)

This bill requires a commitment unit to include the telephone number of the Maryland Crime Victims Resource Center in a specified required notification given to a victim, victim's representative, or witness regarding the release from confinement of a sentenced defendant or child respondent.

Fiscal Summary

State Effect: The bill does not materially affect State finance or operations.

Local Effect: The bill does not materially affect local government finances or operations.

Small Business Effect: None.

Analysis

Current Law: Under Maryland law, a victim of a crime or delinquent act (or a representative in the event the victim is deceased, disabled, or a minor) has a broad range of specific rights during the criminal justice process. On first contact with a victim, a law enforcement officer, District Court commissioner, or juvenile intake officer must give an identified victim a pamphlet that advises the victim of the rights, services, and procedures available in the time before and after the filing of a charging document. Also, within 10 days after the filing or unsealing of an indictment or information, the prosecuting attorney must provide a victim with a pamphlet that describes the rights, services, and procedures available to a victim after the indictment or information is filed and a notification request form by which a victim may request notice of various proceedings.

Many of the rights afforded a victim of crime depend on a victim completing a notification request form or requesting notice by following the Maryland Electronic Courts system protocol.

On receipt of a victim notification request form (or written request from a witness), a commitment unit, if practicable, must notify the victim, victim’s representative, or witness of specified information, including the date when the defendant or child respondent was placed in the custody of the commitment unit. The commitment unit must 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:

- an escape;
- a recapture;
- a transfer to another commitment unit;
- a release from confinement and any conditions attached to the release; and
- the death of the defendant or child respondent.

A “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.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 684 of 2023.

Designated Cross File: SB 4 (Senator Waldstreicher, *et al.*) - Judicial Proceedings.

Information Source(s): Anne Arundel, Baltimore, Charles, Garrett, and Howard counties; Judiciary (Administrative Office of the Courts); Maryland State’s Attorneys’ Association; Department of Juvenile Services; Department of Public Safety and Correctional Services; Department of Legislative Services

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Analysis by: Amanda L. Douglas

Direct Inquiries to:
(410) 946-5510
(301) 970-5510