
By: Senator Green

Introduced and read first time: January 23, 1997

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 12, 1997

CHAPTER ____

1 AN ACT concerning

2 **Victims' Rights - Notice of Subsequent Proceedings - Involuntary Manslaughter**

3 FOR the purpose of requiring the State's Attorney, under certain circumstances, to send
4 advance, written notice of a subsequent proceeding to a designated family member
5 of a victim of involuntary manslaughter; and generally relating to notice of
6 subsequent proceedings to victims of crime.

7 BY repealing and reenacting, with amendments,
8 Article 27 - Crimes and Punishments
9 Section 784
10 Annotated Code of Maryland
11 (1996 Replacement Volume)

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

14 **Article 27 - Crimes and Punishments**

15 784.

16 (a) In this section, "subsequent proceeding" includes:

17 (1) A review of sentence under § 645JA of this article;

18 (2) A hearing on a request to have a sentence modified or vacated under the
19 Maryland Rules;

20 (3) An appeal to the Court of Special Appeals; or

21 (4) An appeal to the Court of Appeals.

2

1 (b) Following conviction and sentencing of a criminal defendant for a crime of
2 violence as defined in § 643B of this article OR INVOLUNTARY MANSLAUGHTER, the
3 State's Attorney shall send advance notice, in writing, of a subsequent proceeding to the
4 victim of that crime [of violence], or in the case of a homicide, to a designated family
5 member, if the victim or designated family member:

6 (1) In a timely manner, requests of the State's Attorney, in writing, to be
7 notified of subsequent proceedings; and

8 (2) Maintains with the State's Attorney a current address in the State.

9 (c) (1) The State's Attorney's office shall:

10 (i) Notify the victim or designated family member of all appeals to the
11 Court of Special Appeals and the Court of Appeals filed by the defendant; and

12 (ii) Send an information copy of the victim's notification to the office
13 of the Attorney General.

14 (2) Following the initial notification to the victim, the office of the Attorney
15 General shall:

16 (i) Notify the victim or designated family member of all subsequent
17 dates pertinent to the appeal, including hearings, postponements, and the decisions of the
18 appellate courts; and

19 (ii) Send an information copy of the victim's notification to the State's
20 Attorney's office.

21 (d) A notice sent under this section shall contain, at a minimum:

22 (1) The date and time of the subsequent proceeding;

23 (2) The location of the subsequent proceeding; and

24 (3) A brief description of the subsequent proceeding.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 1997.