
By: **Senators Astle and Jimeno**
Introduced and read first time: February 6, 2004
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Protection of Victim's, Victim's Representative's, and**
3 **Witness's Identity**

4 FOR the purpose of requiring that, on request of the State, a victim of or witness to a
5 felony or delinquent act that would be a felony if committed by an adult, or a
6 victim's representative, a judge, State's Attorney, District Court commissioner,
7 intake officer, or law enforcement officer withhold the identity of the victim,
8 victim's representative, or State's witness under certain circumstances;
9 requiring that on motion of the State or on request of a victim or witness during
10 a criminal trial or juvenile delinquency adjudicatory hearing a court prohibit the
11 release of the identity of the victim or witness under certain circumstances; and
12 generally relating to the protection of a crime victim's, victim's representative's
13 or witness's identity before and during a criminal trial or an adjudicatory
14 hearing in a juvenile delinquency proceeding.

15 BY repealing and reenacting, with amendments,
16 Article - Criminal Procedure
17 Section 11-205 and 11-301
18 Annotated Code of Maryland
19 (2001 Volume and 2003 Supplement)

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

22 **Article - Criminal Procedure**

23 11-205.

24 On request of the State, a victim of or witness to a felony or delinquent act that
25 would be a felony if committed by an adult, or a victim's representative, a judge,
26 State's Attorney, District Court commissioner, intake officer, or law enforcement
27 officer [may] SHALL withhold the [address or telephone number] IDENTITY of the
28 victim, victim's representative, or witness before the trial or adjudicatory hearing in a

1 juvenile delinquency proceeding, unless a judge determines that good cause has been
2 shown for the release of the information.

3 11-301.

4 On motion of the State or on request of a victim or witness, during a criminal
5 trial or a juvenile delinquency adjudicatory hearing, a court [may] SHALL prohibit
6 the release of the [address or telephone number] IDENTITY of the victim or witness
7 unless the court determines that good cause is shown for the release of the
8 information.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
10 effect October 1, 2004.