

HOUSE BILL 874

E2

6lr3027

By: **Delegate Carter**

Introduced and read first time: February 8, 2016

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Homicide Investigations – Procedures**
3 **(Joseph’s Law)**

4 FOR the purpose of requiring each law enforcement agency in the State to adopt a written
5 policy establishing procedures for homicide investigations that include certain
6 requirements; and generally relating to homicide investigations.

7 BY adding to
8 Article – Criminal Procedure
9 Section 2–109
10 Annotated Code of Maryland
11 (2008 Replacement Volume and 2015 Supplement)

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

14 **Article – Criminal Procedure**
15 **2–109.**

16 **EACH LAW ENFORCEMENT AGENCY IN THE STATE SHALL ADOPT A WRITTEN**
17 **POLICY ESTABLISHING PROCEDURES FOR HOMICIDE INVESTIGATIONS, INCLUDING**
18 **REQUIREMENTS THAT:**

19 **(1) THE SCENE OF A HOMICIDE BE PROTECTED FROM OUTSIDE**
20 **DISTURBANCE UNTIL THE INVESTIGATION IS COMPLETE;**

21 **(2) ALL RELEVANT FORENSIC EVIDENCE BE COLLECTED AND**
22 **ANALYZED;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) THE LEAD INVESTIGATOR PROVIDE ALL RELEVANT EVIDENCE**
2 **AND REPORTS TO THE OFFICE OF THE CHIEF MEDICAL EXAMINER, INCLUDING ALL**
3 **CRIME SCENE PHOTOS, NOTES, AND WITNESS STATEMENTS;**

4 **(4) THE LEAD INVESTIGATOR CONSIDER THE REPORTS AND FINDINGS**
5 **OF THE OFFICE OF THE CHIEF MEDICAL EXAMINER BEFORE CLOSING AN**
6 **INVESTIGATION;**

7 **(5) THE FAMILY OF THE HOMICIDE VICTIM BE TIMELY INFORMED**
8 **ABOUT THE STATUS OF AN INVESTIGATION; AND**

9 **(6) AFTER AN INVESTIGATION IS CLOSED AND ON REQUEST, THE LEAD**
10 **INVESTIGATOR PROVIDE THE FAMILY OF THE HOMICIDE VICTIM WITH ALL REPORTS**
11 **OR OTHER INFORMATION THAT IS ELIGIBLE FOR DISCLOSURE UNDER TITLE 4 OF**
12 **THE GENERAL PROVISIONS ARTICLE.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2016.