

# SENATE BILL 180

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SB 1025/17 – JPR

8lr1837  
CF 8lr1909

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By: **Senators Lee, Kelley, Nathan-Pulliam, and Smith**

Introduced and read first time: January 17, 2018

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2                   **Criminal Procedure – Victim Notification – Dissemination and National**  
3                   **Standards**

4 FOR the purpose of altering a certain definition of “disseminate” to exclude providing  
5 information to victims of crime or their representatives; altering the purposes of  
6 certain provisions of law relating to the Criminal Justice Information System;  
7 requiring the Department of Information Technology to conduct a certain study  
8 relating to interfaces used for automated victim notification and to report its findings  
9 and recommendations to the Governor and the General Assembly on or before a  
10 certain date; and generally relating to victim notification.

11 BY repealing and reenacting, without amendments,  
12                   Article – Criminal Procedure  
13                   Section 10–201(a)  
14                   Annotated Code of Maryland  
15                   (2008 Replacement Volume and 2017 Supplement)

16 BY repealing and reenacting, with amendments,  
17                   Article – Criminal Procedure  
18                   Section 10–201(g) and 10–203  
19                   Annotated Code of Maryland  
20                   (2008 Replacement Volume and 2017 Supplement)

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

23                   **Article – Criminal Procedure**

24 10–201.

25                   (a) In this subtitle the following words have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(g) (1) "Disseminate", with respect to records, means to transmit criminal history record information in any form.

3 (2) "Disseminate" does not include:

4 (i) transmitting criminal history record information within a  
5 criminal justice unit;

6 (ii) reporting criminal history record information as required under  
7 § 10–214 of this subtitle; [or]

8 (iii) transmitting criminal history record information between  
9 criminal justice units to allow the initiation of subsequent criminal justice proceedings  
10 against a person relating to the same crime; OR

11 (IV) PROVIDING INFORMATION TO VICTIMS OF CRIME OR THEIR  
12 REPRESENTATIVES.

13 10-203.

14 The purpose of this subtitle is:

15 (1) to create and maintain an accurate and efficient criminal justice  
16 information system in the State consistent with:

17 (i) applicable federal law and regulations;

18 (ii) the need of criminal justice units in the State for accurate and  
19 current criminal history record information; [and]

20 (iii) the right of persons to be free from improper and unwarranted  
21 intrusions into their privacy; and

22 (IV) THE RIGHTS OF VICTIMS AND VICTIMS' REPRESENTATIVES  
23 TO RECEIVE INFORMATION TO THE EXTENT PRACTICABLE IN ACCORDANCE WITH  
24 THE NATIONAL VICTIM NOTIFICATION INFORMATION SHARING STANDARDS  
25 DEVELOPED BY THE UNITED STATES DEPARTMENT OF JUSTICE; AND

26 (2) to provide a basic statutory framework within which the objectives of §  
27 10–202 of this subtitle can be attained.

28 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of  
29 Information Technology shall:

30 (1) analyze the logistics of the current automated victim notification

1 process in the State;

2 (2) study the effectiveness of the current interfaces used for automated  
3 victim notification in the State and in other jurisdictions, including the cost of other  
4 superior interface options and whether it would be possible for Maryland to adopt such  
5 options;

6 (3) make recommendations regarding phasing in policies and practices to  
7 bring the State into accord with the national victim notification information sharing  
8 standards developed by the United States Department of Justice; and

9 (4) report to the Governor and, in accordance with § 2-1246 of the State  
10 Government Article, the General Assembly on or before December 31, 2018, on its findings  
11 and recommendations.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
13 1, 2018.