

HOUSE BILL 193

E2
HB 1294/20 – JUD

(PRE-FILED)

11r0413
CF SB 484

By: **Delegate Guyton**

Requested: July 8, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 18, 2021

CHAPTER _____

1 AN ACT concerning

2 **Criminal Procedure – Victims of Crime – Private Room**

3 FOR the purpose of requiring the State Board of Victim Services to develop a certain poster
4 to notify a victim of the right to request a certain private room when reporting a
5 certain crime; requiring a certain law enforcement agency to display a certain poster;
6 requiring a certain law enforcement agency to provide a certain private room to a
7 certain victim under certain circumstances; defining a certain term; and generally
8 relating to victims of crime.

9 BY repealing and reenacting, without amendments,
10 Article – Criminal Procedure
11 Section 11–911
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2020 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Criminal Procedure
16 Section 11–914
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2020 Supplement)

19 BY adding to
20 Article – Criminal Procedure
21 Section 11–1002(d)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland
2 (2018 Replacement Volume and 2020 Supplement)

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

5 **Article – Criminal Procedure**

6 11–911.

7 There is a State Board of Victim Services in the Governor’s Office of Crime
8 Prevention, Youth, and Victim Services.

9 11–914.

10 Subject to the authority of the Executive Director, the Board shall:

11 (1) submit to the Governor an annual written report of its activities,
12 including its administration of the Fund;

13 (2) monitor the service needs of victims;

14 (3) advise the Governor on the needs of victims;

15 (4) recommend the appointment of the Victim Services Coordinator to the
16 Executive Director;

17 (5) review and approve the Victim Services Coordinator’s plans and annual
18 reports, and the Victim Services Coordinator’s implementation, operation, and revision of
19 programs;

20 (6) approve or disapprove each grant application submitted by the
21 Governor’s Office of Crime Prevention, Youth, and Victim Services;

22 (7) advise the State’s Attorneys’ Coordination Council on the adoption of
23 regulations governing the administration of the Victim and Witness Protection and
24 Relocation Program established under § 11–902 of this subtitle;

25 (8) advise the State’s Attorneys’ Coordinator on the administration of the
26 Victim and Witness Protection and Relocation Program;

27 (9) **(I)** develop pamphlets to notify victims and victim’s representatives
28 of the rights, services, and procedures provided under Article 47 of the Maryland
29 Declaration of Rights or State law, how to request information regarding an unsolved case,
30 and how to request that an offender be placed on electronic monitoring or electronic
31 monitoring with victim stay-away alert technology, including:

1 [(i)] 1. one pamphlet relating to the MDEC system protocol
2 registration process and the time before and after the filing of a charging document other
3 than an indictment or information in circuit court; and

4 [(ii)] 2. a second pamphlet relating to the time after the filing of
5 an indictment or information in circuit court; and

6 (II) DEVELOP A POSTER TO NOTIFY VICTIMS OF THE RIGHT TO
7 REQUEST A PRIVATE ROOM IN A LAW ENFORCEMENT AGENCY OR UNIT TO REPORT
8 CRIMES UNDER TITLE 3 OF THE CRIMINAL LAW ARTICLE; AND

9 (10) develop a notification request form and an MDEC system protocol in
10 consultation with the Administrative Office of the Courts, through which a victim or
11 victim’s representative may request to be notified under § 11–104 of this title.

12 11–1002.

13 (D) (1) IN THIS SUBSECTION, “LAW ENFORCEMENT AGENCY” HAS THE
14 MEANING STATED IN § 3–201 OF THE PUBLIC SAFETY ARTICLE.

15 (2) EACH LAW ENFORCEMENT AGENCY SHALL:

16 (I) DISPLAY A POSTER DEVELOPED BY THE STATE BOARD OF
17 VICTIM SERVICES THAT INFORMS A VICTIM OF THE RIGHT TO REQUEST A PRIVATE
18 ROOM TO REPORT INFORMATION RELATED TO A CRIME UNDER TITLE 3 OF THE
19 CRIMINAL LAW ARTICLE; AND

20 (II) PROVIDE, ON REQUEST, A PRIVATE ROOM TO A VICTIM TO
21 REPORT INFORMATION RELATED TO A CRIME UNDER TITLE 3 OF THE CRIMINAL
22 LAW ARTICLE.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.