

Chapter 878

(House Bill 458)

AN ACT concerning

Criminal Procedure – Protection of Identity of Minor Victim

FOR the purpose of ~~requiring, with a certain exception, a party or nonparty making a certain filing in a criminal or juvenile delinquency case to redact certain identifying information relating to a minor victim that appears in the filing; authorizing the Supreme Court of Maryland to adopt rules requiring or authorizing a person making a redacted filing under this Act to also file an unredacted copy under seal~~ providing that a court or a party in a criminal or juvenile delinquency case may not disclose or allow inspection of a certain court filing to a nonparty unless the court or the party redacts certain identifying information relating to a minor victim that appears in the filing, subject to a certain exception; and generally relating to protection of victims.

BY repealing and reenacting, with amendments,
 Article – Criminal Procedure
 Section 11–301
 Annotated Code of Maryland
 (2018 Replacement Volume and 2023 Supplement)

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

Article – Criminal Procedure

11–301.

(A) On motion of the State or on request of a victim or witness, during a criminal trial or a juvenile delinquency adjudicatory hearing, a court may prohibit the release of the address or telephone number of the victim or witness unless the court determines that good cause is shown for the release of the information.

(B) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “IDENTIFYING INFORMATION” MEANS THE NAME OF, AND ANY OTHER INFORMATION THAT COULD REASONABLY BE EXPECTED TO IDENTIFY, A MINOR VICTIM.

(III) “MINOR VICTIM” MEANS A VICTIM OF A CRIME OR DELINQUENT ACT WHO WAS A MINOR AT THE TIME THAT THE CRIME OR DELINQUENT ACT OCCURRED.

(2) NOTWITHSTANDING ANY OTHER LAW, ON NOTICE THAT AN ELECTRONIC OR PAPER FILING INCLUDES IDENTIFYING INFORMATION OF A MINOR VICTIM, UNLESS THE COURT FINDS BY CLEAR AND CONVINCING EVIDENCE THAT THERE IS GOOD CAUSE TO ORDER OTHERWISE, A PARTY OR NONPARTY MAKING AN ELECTRONIC OR PAPER COURT FILING, INCLUDING THE FILING OF A CHARGING DOCUMENT, IN A CRIMINAL OR JUVENILE DELINQUENCY CASE SHALL REDACT ANY IDENTIFYING INFORMATION THAT APPEARS IN THE FILING. THE COURT OR A PARTY IN A CRIMINAL OR JUVENILE DELINQUENCY CASE MAY NOT DISCLOSE OR ALLOW INSPECTION OF AN ELECTRONIC OR PAPER COURT FILING, INCLUDING A CHARGING DOCUMENT, TO A NONPARTY TO THE CRIMINAL OR JUVENILE DELINQUENCY CASE UNLESS THE COURT OR THE PARTY DISCLOSING OR ALLOWING INSPECTION OF THE FILING REDACTS ALL IDENTIFYING INFORMATION THAT APPEARS IN THE FILING.

~~(3) THE SUPREME COURT OF MARYLAND MAY ADOPT RULES REQUIRING OR AUTHORIZING A PERSON MAKING A REDACTED FILING UNDER PARAGRAPH (2) OF THIS SUBSECTION TO ALSO FILE AN UNREDACTED COPY UNDER SEAL.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.

Approved by the Governor, May 16, 2024.