

# SENATE BILL 411

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By: **Senator Jennings**

Introduced and read first time: February 1, 2012

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Maryland Victim Information & Notification Everyday**  
3 **(VINE) Services – Contact Information**

4 FOR the purpose of requiring correspondence or documents provided by the District  
5 Court to a certain victim or the victim’s representative to contain contact  
6 information for Maryland Victim Information & Notification Everyday (VINE)  
7 services; requiring a prosecuting attorney to mail or deliver to a certain victim  
8 or victim’s representative certain contact information regarding Maryland  
9 VINE services; requiring a prosecuting attorney who files a petition alleging  
10 that a child is delinquent for committing an act that could only be tried in the  
11 circuit court if committed by an adult to mail or deliver to the victim or victim’s  
12 representative certain contact information regarding Maryland VINE services;  
13 requiring the State Board of Victim Services to develop certain information; and  
14 generally relating to victims of crime.

15 BY repealing and reenacting, with amendments,  
16 Article – Criminal Procedure  
17 Section 11–104(b) and (c) and 11–914  
18 Annotated Code of Maryland  
19 (2008 Replacement Volume and 2011 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 11–104.

24 (b) **(1)** On first contact with a victim or victim’s representative, a law  
25 enforcement officer, District Court commissioner, or juvenile intake officer shall give

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the victim or the victim's representative the pamphlet described in § 11-914(9)(i) of  
2 this title.

3 **(2) CORRESPONDENCE OR DOCUMENTS PROVIDED BY THE**  
4 **DISTRICT COURT TO A VICTIM OR THE VICTIM'S REPRESENTATIVE SHALL**  
5 **CONTAIN CONTACT INFORMATION FOR MARYLAND VICTIM INFORMATION &**  
6 **NOTIFICATION EVERYDAY (VINE) SERVICES DESCRIBED IN § 11-914(11) OF**  
7 **THIS TITLE.**

8 (c) (1) Within 10 days after the filing or the unsealing of an indictment or  
9 information in circuit court, whichever is later, the prosecuting attorney shall:

10 (i) mail or deliver to the victim or victim's representative the  
11 pamphlet described in § 11-914(9)(ii) of this title [and], the notification request form  
12 described in § 11-914(10) of this title, **AND CONTACT INFORMATION REGARDING**  
13 **MARYLAND VINE SERVICES DESCRIBED IN § 11-914(11) OF THIS TITLE;** and

14 (ii) certify to the clerk of the court that the prosecuting attorney  
15 has complied with this paragraph or is unable to identify the victim or victim's  
16 representative.

17 (2) If the prosecuting attorney files a petition alleging that a child is  
18 delinquent for committing an act that could only be tried in the circuit court if  
19 committed by an adult, the prosecuting attorney shall:

20 (i) inform the victim or victim's representative of the right to  
21 request restitution under § 11-606 of this title;

22 (ii) mail or deliver to the victim or victim's representative the  
23 notification request form described in § 11-914(10) of this title **AND CONTACT**  
24 **INFORMATION REGARDING MARYLAND VINE SERVICES DESCRIBED IN §**  
25 **11-914(11) OF THIS TITLE;** and

26 (iii) certify to the clerk of the juvenile court that the prosecuting  
27 attorney has complied with this paragraph or is unable to identify the victim or  
28 victim's representative.

29 (3) For cases described under this subsection, the prosecuting attorney  
30 may provide a State's witness in the case with the guidelines for victims, victims'  
31 representatives, and witnesses available under §§ 11-1001 through 11-1004 of this  
32 title.

33 11-914.

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

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

3 (2) monitor the service needs of victims;

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

5 (4) recommend the appointment of the Victim Services Coordinator to  
6 the Executive Director;

7 (5) review and approve the Victim Services Coordinator's plans and  
8 annual reports, and the Victim Services Coordinator's implementation, operation, and  
9 revision of programs;

10 (6) approve or disapprove each grant application submitted by the  
11 Governor's Office of Crime Control and Prevention;

12 (7) advise the State's Attorneys' Coordination Council on the adoption  
13 of regulations governing the administration of the Victim and Witness Protection and  
14 Relocation Program established under § 11-902 of this subtitle;

15 (8) advise the State's Attorneys' Coordinator on the administration of  
16 the Victim and Witness Protection and Relocation Program;

17 (9) develop pamphlets to notify victims of the rights, services, and  
18 procedures provided under Article 47 of the Maryland Declaration of Rights or State  
19 law, including:

20 (i) one pamphlet relating to the time before and after the filing  
21 of a charging document other than an indictment or information in circuit court; and

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

24 (10) develop a notification request form in consultation with the  
25 Administrative Office of the Courts, through which a victim may request to be notified  
26 under § 11-104 of this title; AND

27 **(11) DEVELOP CONTACT INFORMATION FOR USE BY THE DISTRICT**  
28 **COURT AND PROSECUTING ATTORNEYS FOR VICTIMS AND VICTIMS'**  
29 **REPRESENTATIVES REGARDING MARYLAND VICTIM INFORMATION &**  
30 **NOTIFICATION EVERYDAY (VINE) SERVICES AND THE WEB SITE FOR THOSE**  
31 **SERVICES.**

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 2012.