

SENATE BILL 64

E2

11r0066

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)**

Introduced and read first time: January 18, 2011

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Criminal Injuries Compensation Board – Definition of**
3 **Victim**

4 FOR the purpose of altering the definition of victim as it relates to the Criminal
5 Injuries Compensation Board to include a person who suffers psychological
6 injury as a result of certain additional crimes; altering the definition of victim to
7 provide that certain psychological injury does not have to be a direct result of
8 certain crimes; and generally relating to the Criminal Injuries Compensation
9 Board.

10 BY repealing and reenacting, with amendments,
11 Article – Criminal Procedure
12 Section 11–801(f)
13 Annotated Code of Maryland
14 (2008 Replacement Volume and 2010 Supplement)

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

17 **Article – Criminal Procedure**

18 11–801.

19 (f) “Victim” means a person:

20 (1) who suffers physical injury or death as a result of a crime or
21 delinquent act;

22 (2) who suffers psychological injury as a [direct] result of:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) a fourth degree sexual offense or a delinquent act that would
2 be a fourth degree sexual offense if committed by an adult;

3 (ii) a felony or a delinquent act that would be a felony if
4 committed by an adult; [or]

5 **(III) STALKING, HARASSMENT, MISUSE OF TELEPHONE**
6 **FACILITIES AND EQUIPMENT, MISUSE OF ELECTRONIC MAIL, VISUAL**
7 **SURVEILLANCE, VISUAL SURVEILLANCE WITH PRURIENT INTEREST, CAMERA**
8 **SURVEILLANCE, OR SALE OF A MINOR;**

9 **(IV) A DELINQUENT ACT THAT WOULD BE STALKING,**
10 **HARASSMENT, MISUSE OF TELEPHONE FACILITIES AND EQUIPMENT, MISUSE OF**
11 **ELECTRONIC MAIL, VISUAL SURVEILLANCE, VISUAL SURVEILLANCE WITH**
12 **PRURIENT INTEREST, CAMERA SURVEILLANCE, OR SALE OF A MINOR IF**
13 **COMMITTED BY AN ADULT; OR**

14 **[(iii)] (V) physical injury or death directly resulting from a**
15 **crime or delinquent act; or**

16 (3) who suffers physical injury or death as a direct result of:

17 (i) trying to prevent a crime or delinquent act or an attempted
18 crime or delinquent act from occurring in the person's presence;

19 (ii) trying to apprehend an offender who had committed a crime
20 or delinquent act in the person's presence or had committed a felony or a delinquent
21 act that would be a felony if committed by an adult; or

22 (iii) helping a law enforcement officer in the performance of the
23 officer's duties or helping a member of a fire department who is being obstructed from
24 performing the member's duties.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2011.