

SENATE BILL 1025

E2

7lr3611

By: **Senator Lee**

Introduced and read first time: February 9, 2017

Assigned to: Rules

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 2016 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 2016 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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (g) (1) "Disseminate", with respect to records, means to transmit criminal
2 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:

1 (1) analyze the logistics of the current automated victim notification
2 process in the State;

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

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

10 (4) report to the Governor and, in accordance with § 2-1246 of the State
11 Government Article, the General Assembly on or before December 31, 2017, on its findings
12 and recommendations.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
14 1, 2017.