

11-506. VICTIM'S RIGHTS AFTER FINDING OF NOT CRIMINALLY RESPONSIBLE.

WHENEVER A PERSON HAS BEEN COMMITTED TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE UNDER § 3-112 OF THIS ARTICLE FOR A CRIME OF VIOLENCE AND A VICTIM OF THE CRIME OR A VICTIM'S REPRESENTATIVE HAS SUBMITTED A WRITTEN REQUEST TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR NOTIFICATION OR SUBMITTED A NOTIFICATION REQUEST FORM UNDER § 11-104 OF THIS TITLE, THE VICTIM OR VICTIM'S REPRESENTATIVE HAS THE RIGHTS PROVIDED UNDER § 3-123 OF THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 787.

The reference to commitment "to the Department of Health and Mental Hygiene" is added to state expressly what was only implied in the former law.

Defined terms: "Crime of violence" § 1-101

"Person" § 1-101

"Victim" § 11-501

"Victim's representative" § 11-501

11-507. NOTIFICATION OF PROBATION VIOLATION.

THE DEPARTMENT OR THE DEPARTMENT OF JUVENILE JUSTICE SHALL NOTIFY THE VICTIM OR VICTIM'S REPRESENTATIVE OF AN ALLEGED VIOLATION OF A CONDITION OF PROBATION WHENEVER:

(1) A WARRANT, SUBPOENA, OR WRIT OF ATTACHMENT IS ISSUED FOR THE ALLEGED VIOLATION FOR A PERSON WHO WAS CONVICTED OF A VIOLENT CRIME OR WHO WAS ADJUDGED TO HAVE COMMITTED A DELINQUENT ACT THAT WOULD BE A VIOLENT CRIME IF COMMITTED BY AN ADULT; AND

(2) A VICTIM OF THE CRIME OR DELINQUENT ACT OR A VICTIM'S REPRESENTATIVE HAS SUBMITTED A WRITTEN REQUEST TO THE DEPARTMENT FOR NOTIFICATION OR HAS SUBMITTED A NOTIFICATION REQUEST FORM UNDER § 11-104 OF THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 788.

The references to a victim "of the crime or delinquent act" are added to conform to the terminology of this subtitle.

The reference to a "writ of attachment" is added to describe accurately the document issued for persons brought before juvenile court.

The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that this section was enacted by Chapters 311 and 312 of 1997. The meaning of "violent crime" is uncertain, because there is no definition of "violent crime" in the Article 27 subheading in which these chapters were placed. It seems likely, however, that the