

1. THE DEFENDANT, IN COMMITTING A FELONY, CAUSED PHYSICAL, PSYCHOLOGICAL, OR ECONOMIC INJURY TO THE VICTIM; OR

2. THE DEFENDANT, IN COMMITTING A MISDEMEANOR, CAUSED SERIOUS PHYSICAL INJURY OR DEATH TO THE VICTIM.

(II) IF THE COURT DOES NOT ORDER A PRESENTENCE INVESTIGATION, THE STATE'S ATTORNEY MAY PREPARE A VICTIM IMPACT STATEMENT TO BE SUBMITTED TO THE COURT AND THE DEFENDANT IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE PERTAINING TO PRESENTENCE INVESTIGATIONS.

~~(II)~~ (III) THE COURT SHALL CONSIDER THE VICTIM IMPACT STATEMENT IN DETERMINING THE APPROPRIATE SENTENCE, AND IN ENTERING ANY ORDER OF RESTITUTION TO THE VICTIM UNDER ARTICLE 27, § 640(C) OF THE CODE.

(3) A VICTIM IMPACT STATEMENT SHALL:

(I) IDENTIFY THE VICTIM OF THE OFFENSE;

(II) ITEMIZE ANY ECONOMIC LOSS SUFFERED BY THE VICTIM AS A RESULT OF THE OFFENSE;

(III) IDENTIFY ANY PHYSICAL INJURY SUFFERED BY THE VICTIM AS A RESULT OF THE OFFENSE ALONG WITH ITS SERIOUSNESS AND PERMANENCE;

(IV) DESCRIBE ANY CHANGE IN THE VICTIM'S PERSONAL WELFARE OR FAMILIAL RELATIONSHIPS AS A RESULT OF THE OFFENSE;

(V) IDENTIFY ANY REQUEST FOR PSYCHOLOGICAL SERVICES INITIATED BY THE VICTIM OR THE VICTIM'S FAMILY AS A RESULT OF THE OFFENSE; AND

(VI) CONTAIN ANY OTHER INFORMATION RELATED TO THE IMPACT OF THE OFFENSE UPON THE VICTIM THAT THE COURT REQUIRES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1982.

Approved June 1, 1982.

-----  
CHAPTER 495  
(Senate Bill 124)