

As to oaths administered to a witness before a grand jury, see revised CJ § 9-118.

As to "oath" including an affirmation, see Art. 1, § 9 of the Code.

8-416. RECORD.

(A) DUTY OF COURT REPORTER.

A COURT REPORTER ORDERED TO TAKE TESTIMONY GIVEN BEFORE A GRAND JURY SHALL TAKE AND TRANSCRIBE THE TESTIMONY.

(B) TRANSCRIPT.

(1) A COURT REPORTER SHALL PROVIDE, AS REQUESTED, A TRANSCRIPT OF TESTIMONY GIVEN BEFORE A GRAND JURY FOR A COUNTY TO THE GRAND JURY AND STATE'S ATTORNEY FOR THE COUNTY.

(2) EACH TRANSCRIPT OF TESTIMONY GIVEN BEFORE A GRAND JURY FOR A COUNTY SHALL BE KEPT IN THE CUSTODY OF THE STATE'S ATTORNEY FOR THE COUNTY.

(3) UNLESS THE CIRCUIT COURT FOR A COUNTY ORDERS OTHERWISE AFTER HEARING THE STATE'S ATTORNEY FOR THE COUNTY, NEITHER THE ORIGINAL NOR A COPY OF THE TRANSCRIPT OF TESTIMONY GIVEN BEFORE A GRAND JURY MAY BE TAKEN FROM THE OFFICE OF THE STATE'S ATTORNEY FOR THE COUNTY, OTHER THAN FOR USE OF THE GRAND JURY OR FOR PRODUCTION IN COURT.

(4) ON WRITTEN ORDER OF THE CIRCUIT COURT FOR A COUNTY, GRANTED ON WRITTEN MOTION OF THE STATE'S ATTORNEY FOR THE COUNTY, THE STATE'S ATTORNEY MAY HAVE THE NOTES AS TO, AND TRANSCRIPT OF, GRAND JURY TESTIMONY DESTROYED.

(C) USE.

EXCEPT ON WRITTEN ORDER OF THE CIRCUIT COURT FOR A COUNTY AFTER HEARING THE STATE'S ATTORNEY FOR THE COUNTY:

(1) A RECORD OF TESTIMONY GIVEN BEFORE A GRAND JURY IS FOR THE EXCLUSIVE USE AND BENEFIT OF THE GRAND JURY AND THE STATE'S ATTORNEY; AND

(2) A COURT REPORTER MAY NOT:

(I) ALLOW ANY OTHER GOVERNMENTAL UNIT OR PERSON TO READ OR HAVE A COPY OF ALL OR ANY PART OF THE RECORD; OR

(II) DISCLOSE WHOLLY OR PARTLY THE CHARACTER OF THE CONTENTS OF THE RECORD TO ANY OTHER GOVERNMENTAL UNIT OR PERSON.

COMMITTEE NOTE: Subsection (a) of this section is new language derived from the first sentence of former Public Local Laws, Art. 1 [Allegany County], § 32-6G, Public Local Laws, Art. 14 [Howard County], § 7.303,