

(2) THE POLICE OFFICER HAS REASON TO BELIEVE THAT THE ALLEGED STALKING VICTIM OR A THIRD PERSON IS IN DANGER OF IMMINENT BODILY HARM OR DEATH; AND

(3) THE PROBABLE CAUSE UNDER PARAGRAPH (1) OF THIS SUBSECTION IS SUPPORTED BY CREDIBLE EVIDENCE OTHER THAN STATEMENTS OF THE ALLEGED STALKING VICTIM.

616 1/2.

(K) IF A DEFENDANT IS CHARGED WITH STALKING UNDER § 121B OF THIS ARTICLE AND IS RELEASED PRETRIAL, THE COURT OR DISTRICT COURT COMMISSIONER SHALL CONSIDER INCLUDING AS A CONDITION OF RELEASE REASONABLE PROTECTIONS FOR THE SAFETY OF THE ALLEGED VICTIM.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1993.

Approved May 11, 1993.

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CHAPTER 206

(House Bill 433)

AN ACT concerning

**Stalking—Threats Crimes – Stalking – Penalties**

FOR the purpose of ~~making it a felony for a person to stalk another person under certain circumstances; establishing that a second or subsequent conviction for this offense is a felony; establishing that a person who commits this offense while a certain type of protective order, restraining order, or injunction is in effect is guilty of a felony prohibiting a person from engaging in stalking; imposing certain penalties; specifying the circumstances under which a police officer may arrest a person without a warrant; providing that the District Court and the circuit court have concurrent jurisdiction over certain types of criminal cases requiring a court or a District Court Commissioner to consider including certain protections for alleged victims when releasing pretrial a defendant charged with stalking; defining certain terms; and generally relating to criminal penalties for certain types of stalking.~~

BY adding to

Article 27 – Crimes and Punishments

Section 121B, 594B(o), and 616 1/2(k)

Annotated Code of Maryland

(1992 Replacement Volume and 1992 Supplement)

BY ~~repealing and reenacting, with amendments,~~

~~Article – Courts and Judicial Proceedings~~

~~Section 4-301 and 4-302~~