(4)   If the victim is deceased, under a mental, physical, or legal disability, or otherwise unable to provide the information required under this section, the information may be obtained from the personal representative, guardian, or committee, or such family members as may be necessary.

(d)   In any case in which the death penalty or imprisonment for life without the possibility of parole is requested under Article 27, § 412, a presentence investigation, including a victim impact statement, shall be completed by the Division of Parole and Probation, and shall be considered by the court or jury before whom the separate sentencing proceeding is conducted under Article 27, § 412 or § 413.

Article – Courts and Judicial Proceedings

12–303A.

A VICTIM OR REPRESENTATIVE, AS DEFINED IN ARTICLE 27, § 620 OF THE CODE, ALTHOUGH NOT A PARTY TO A CRIMINAL PROCEEDING, MAY APPEAL FROM AN INTERLOCUTORY OR FINAL ORDER THAT DENIES THE VICTIM OR REPRESENTATIVE A RIGHT SECURED BY ARTICLE 27, §§ 620 OR 643D OF THE CODE. THE APPEAL MAY NOT RESULT IN A STAY OF OTHER PROCEEDINGS IN THE CRIMINAL CASE WITHOUT THE CONSENT OF ALL OF THE PARTIES.

(A)   (1)   IN THIS SECTION, "VICTIM OF A VIOLENT CRIME" MEANS A VICTIM OF:

(I)   A CRIME OF VIOLENCE AS DEFINED UNDER ARTICLE 27, § 643B OF THE CODE; OR

(II)   EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A CRIME INVOLVING, CAUSING, OR RESULTING IN DEATH OR SERIOUS BODILY INJURY.

(2)   "VICTIM OF A VIOLENT CRIME" DOES NOT INCLUDE A VICTIM OF AN OFFENSE THAT IS NOT PUNISHABLE BY IMPRISONMENT UNDER THE MARYLAND VEHICLE LAW OR UNDER TITLE 8, SUBTITLE 7 OF THE NATURAL RESOURCES ARTICLE ("STATE BOAT ACT").

(B)   (1)   IN THE EVENT OF THE DEATH OR DISABILITY OF A VICTIM OF A VIOLENT CRIME, THE TERM "VICTIM OF A VIOLENT CRIME" INCLUDES THE VICTIM'S:

(I)   SPOUSE OR SURVIVING SPOUSE;

(II)   PARENT OR LEGAL GUARDIAN;

(III)   CHILD; OR

(IV)   SIBLING.

(2)   IF THERE IS A DISPUTE OVER WHO SHALL BE THE VICTIM'S REPRESENTATIVE, THE COURT SHALL SELECT A REPRESENTATIVE FOR THE VICTIM.