

- (1) Has knowledge of the existence of facts relating to a crime;
- (2) Makes a declaration under oath that is received as evidence for any purpose;
- (3) Has reported a crime to a law enforcement officer, prosecutor, correctional officer, or judicial officer; or
- (4) Has been served with a subpoena issued under the authority of a court of this State, of any other state, or of the United States.

DRAFTER'S NOTE: This section formerly was Art. 27, § 766 of the Code.

The only change is in style.

[767.] 761. INDUCING FALSE TESTIMONY.

(a) A person may not harm or injure any person or damage or destroy any property or threaten to harm or injure any person with the intent to:

- (1) Influence a victim or witness to testify falsely or withhold testimony;
- (2) Induce a victim or witness to avoid legal process summoning the victim or witness to testify; or
- (3) Induce a victim or witness to be absent from an official proceeding to which the victim or witness has been legally summoned.

(b) A person who violates subsection (a) of this section is guilty of a misdemeanor and upon conviction shall be sentenced to imprisonment for not more than 5 years.

DRAFTER'S NOTE: This section formerly was Art. 27, § 767 of the Code.

There are no changes.

[768.] 762. RETALIATION FOR TESTIMONY.

(a) A person may not intentionally harm or injure any person or damage or destroy any property with the intent of retaliating against a victim or witness for giving testimony in an official proceeding or for reporting a crime.

(b) A person who violates this section is guilty of a misdemeanor and upon conviction shall be sentenced to imprisonment for not more than 5 years.

DRAFTER'S NOTE: This section formerly was § 768 of this article.

There are no changes.

[769.] 763. COURT TO PREVENT INTIMIDATION OF VICTIM OR WITNESS.

(a) In this section a finding of good cause may be based upon any relevant evidence including credible hearsay.

(b) A court with jurisdiction over a criminal matter may, for good cause shown, issue any order that is reasonably necessary to stop or prevent the intimidation of a victim