

770. RESERVED.

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TRIAL PROCEDURES

772. RELEASE OF ADDRESS OR PHONE NUMBER OF VICTIM OR WITNESS.

On motion of either party OR ON REQUEST OF A WITNESS, during a criminal trial, a judge may prohibit the release of the address or telephone number of the victim or witness unless the judge determines that, under the particular circumstances, the information is necessary and relevant.

DRAFTER'S NOTE: This section is transferred from CJ § 9-501.

The phrase "or on request of a witness" is added to provide witnesses with a procedure to prohibit the release of their addresses or telephone numbers.

There are no other changes.

[620.] 773. PRESENCE OF VICTIMS OR THEIR REPRESENTATIVES AT TRIAL.

(a) (1) In this section the following words have the meanings indicated.

(2) "Victim" means a person who:

(i) Has testified as a witness; and

(ii) Is the victim of a crime of violence under § 643B of this article or a crime involving, causing, or resulting in death or serious bodily harm for which the defendant is being tried.

(3) "Representative" means a person who is:

(i) 1. Subpoenaed or has testified; and

2. Selected by the next of kin or guardian of a person who is deceased or disabled as a result of a crime of violence under § 643B of this article or a crime involving, causing, or resulting in death or serious bodily harm; or

(ii) Designated by the court in the event of a dispute over the representative.

(b) A victim or representative shall be presumed to have the right to be present at the trial.

(c) The judge may sequester a victim or representative from any part of the trial at the request of the defendant or the State only after a finding of good cause.

(d) A judge may remove a victim or representative from the trial for the same causes and in the same manner as the laws or rules of court provide for the exclusion or removal of the defendant.

DRAFTER'S NOTE: This section formerly was Art. 27, § 620 of the Code.