

representatives of any court orders to examine or commit defendants, of any scheduled hearings, of any recommendations by the Department or Office of Administrative Hearings concerning release, or of court orders for release or discharge in cases involving incompetency and not criminally responsible; eliminating a requirement that there be a certain notification before a victim or victim's representative may submit certain statements; allowing a victim or victim's representative to submit certain oral statements; allowing a victim or victim's representative to submit certain information to a court or the Office under certain circumstances; requiring a court or the Office to consider and take certain actions regarding certain information; requiring a facility of the Department to notify certain victims or victims' representatives of certain events; providing for the admissibility of certain written victims' statements at certain proceedings under certain circumstances; providing for the testimony of a victim or victim's representative at certain hearings under certain circumstances; allowing the Office to exclude victims and victims' representatives from certain parts of certain proceedings under certain circumstances; requiring the notification of certain victims and victims' representatives of certain court hearings; providing for the right of certain victims and victims' representatives to attend certain hearings under certain circumstances; making stylistic changes; defining a certain term; and generally relating to the rights of victims and victims' representatives in incompetency and not criminally responsible cases.

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 3-123

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B. 1) of the Acts of the General Assembly of 2001)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Criminal Procedure

3-123.

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

(2) "DEFENDANT" MEANS:

(I) A COMMITTED INDIVIDUAL;

(II) AN INDIVIDUAL FOUND COMPETENT TO STAND TRIAL; OR

(III) AN INDIVIDUAL CHARGED WITH A CRIME AND THE ISSUE OF WHETHER THE INDIVIDUAL IS INCOMPETENT TO STAND TRIAL HAS BEEN RAISED OR WHERE A PLEA OF NOT CRIMINALLY RESPONSIBLE HAS BEEN ENTERED.

[(2)] (3) "Victim" means a victim of a crime of violence or a victim who has filed a notification request form under § 11-104 of this article.