

Senate Bill No. 241

AN ACT concerning

Victims' Rights - Conditions of Pretrial or Prehearing Release

FOR the purpose of expanding the list of crimes and the circumstances under which certain persons are required to consider certain conditions of release regarding victims before release of an accused individual in criminal and juvenile cases; and generally relating to victims' rights and conditions of pretrial and prehearing release.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 3-815(j)

Annotated Code of Maryland

(1998 Replacement Volume and 2000 Supplement)

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

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 5-201(a) and 11-203

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 - Courts and Judicial Proceedings

3-815.

(j) (1) If a child is alleged to have committed a delinquent act [that would be stalking under Article 27, § 124 of the Code or would be a felony if committed by an adult], the court or a juvenile intake officer shall consider including, as a condition of releasing the child pending an adjudicatory or disposition hearing, reasonable protections for the safety of the alleged victim.

(2) IF A VICTIM HAS REQUESTED REASONABLE PROTECTIONS FOR SAFETY, THE COURT OR JUVENILE INTAKE OFFICER SHALL CONSIDER INCLUDING, AS A CONDITION OF RELEASING THE CHILD PENDING AN ADJUDICATORY OR DISPOSITION HEARING, PROVISIONS REGARDING NO CONTACT WITH THE ALLEGED VICTIM OR THE ALLEGED VICTIM'S PREMISES OR PLACE OF EMPLOYMENT.

Article - Criminal Procedure