

SUBTITLE 3. INFLUENCING OR INTIMIDATING VICTIMS OR WITNESSES.

9-301. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 760(a).

The reference to this "subtitle" is substituted for the former reference to this "subheading", although this subtitle is derived, in part, from material outside the former "Influencing or Intimidating Victims and Witnesses" subheading of Article 27. The substitution applies the defined term "witness" to § 9-305 of this subtitle, derived from former Art. 27, § 26. Because the term is defined and used only in its ordinary meaning, no substantive change results.

(B) OFFICIAL PROCEEDING.

"OFFICIAL PROCEEDING" INCLUDES A CRIMINAL TRIAL, A HEARING RELATED TO A CRIMINAL TRIAL OR ADJUDICATORY HEARING, A GRAND JURY PROCEEDING, AND ANY OTHER PROCEEDING THAT IS PART OF A CRIMINAL ACTION OR JUVENILE DELINQUENCY CASE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 760(c).

(C) VICTIM.

"VICTIM" MEANS A PERSON AGAINST WHOM A CRIME OR DELINQUENT ACT HAS BEEN COMMITTED OR ATTEMPTED.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 760(d).

Defined term: "Person" § 1-101

(D) WITNESS.

"WITNESS" MEANS A PERSON WHO:

(1) HAS KNOWLEDGE OF THE EXISTENCE OF FACTS RELATING TO A CRIME OR DELINQUENT ACT;

(2) MAKES A DECLARATION UNDER OATH THAT IS RECEIVED AS EVIDENCE FOR ANY PURPOSE;

(3) HAS REPORTED A CRIME OR DELINQUENT ACT TO A LAW ENFORCEMENT OFFICER, PROSECUTOR, INTAKE OFFICER, CORRECTIONAL OFFICER, OR JUDICIAL OFFICER; OR

(4) HAS BEEN SERVED WITH A SUBPOENA ISSUED UNDER THE AUTHORITY OF A COURT OF THIS STATE, ANY OTHER STATE, OR THE UNITED STATES.