

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

Defined terms: "Person" § 1-101  
"State" § 1-101

9-302. INDUCING FALSE TESTIMONY OR AVOIDANCE OF SUBPOENA.

(A) PROHIBITED.

A PERSON MAY NOT HARM ANOTHER, THREATEN TO HARM ANOTHER, OR DAMAGE OR DESTROY PROPERTY WITH THE INTENT TO:

(1) INFLUENCE A VICTIM OR WITNESS TO TESTIFY FALSELY OR WITHHOLD TESTIMONY; OR

(2) INDUCE A VICTIM OR WITNESS:

(I) TO AVOID THE SERVICE OF A SUBPOENA OR SUMMONS TO TESTIFY; OR

(II) TO BE ABSENT FROM AN OFFICIAL PROCEEDING TO WHICH THE VICTIM OR WITNESS HAS BEEN SUBPOENAED OR SUMMONED.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 761.

In subsection (a)(2)(i) and (ii) of this section, the references to "subpoena[ing]" and "subpoenaed" are added for clarity. Under Rule 4-256(a) of the Maryland Rules, a subpoena is issued to require a witness to testify in court.

In the introductory language of subsection (a) of this section, the former reference to "injure [another]" is deleted as redundant in light of the phrase "harm another".

The Criminal Law Article Review Committee notes, for consideration of the General Assembly, that this section does not cover a person who intimidates a potential witness, other than a victim, who has not yet been subpoenaed or been issued a summons.

Defined terms: "Official proceeding" § 9-301  
"Person" § 1-101  
"Victim" § 9-301  
"Witness" § 9-301

9-303. RETALIATION FOR TESTIMONY.

(A) PROHIBITED.