

Section 14-110

Annotated Code of Maryland

(2001 Volume and 2007 Supplement)

(As enacted by Chapter 15 (S.B. 37) of the Acts of the General Assembly of 2008)

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

Article - Criminal Procedure

14-110.

(A) The State Prosecutor ~~MAY ISSUE SUBPOENAS FOR THE ATTENDANCE OF WITNESSES AND THE PRODUCTION OF EVIDENCE AND~~ has all the powers and duties of a State's Attorney, including the use of a grand jury in any county, when the State Prosecutor:

- (1) investigates a case under § 14-107 of this title; or
- (2) prosecutes a case under § 14-109 of this title.

(B) (1) FOR THE LIMITED PURPOSE OF FURTHERING AN ONGOING CRIMINAL INVESTIGATION UNDER § 14-107 OF THIS TITLE, THE STATE PROSECUTOR MAY ISSUE A SUBPOENA TO A PERSON TO PRODUCE TELEPHONE, BUSINESS, GOVERNMENTAL, OR CORPORATE RECORDS OR DOCUMENTS.

(2) THE SUBPOENA MAY BE SERVED IN THE SAME MANNER AS ONE ISSUED BY A CIRCUIT COURT.

(C) (1) A PERSON MAY HAVE AN ATTORNEY PRESENT DURING ANY CONTACT WITH THE STATE PROSECUTOR MADE UNDER SUBSECTION (B) OF THIS SECTION.

(2) THE STATE PROSECUTOR SHALL ADVISE A PERSON OF THE RIGHT TO COUNSEL WHEN THE SUBPOENA IS SERVED.

(D) (1) (I) THE STATE PROSECUTOR IMMEDIATELY MAY REPORT THE FAILURE OF A PERSON TO OBEY A LAWFULLY SERVED SUBPOENA UNDER SUBSECTION (B) OF THIS SECTION TO THE CIRCUIT COURT OF THE COUNTY HAVING JURISDICTION.

(II) THE STATE PROSECUTOR SHALL PROVIDE A COPY OF THE SUBPOENA AND PROOF OF SERVICE TO THE CIRCUIT COURT.