

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 264

(Chair, Judiciary Committee) (By Request – Departmental –
Public Safety and Correctional Services)

Judiciary

Judicial Proceedings

**Criminal Procedure - Criminal Injuries Compensation Board - Claimant
Confidentiality**

This departmental bill prohibits the disclosure of the Social Security number of a victim or claimant provided to the Criminal Injuries Compensation Board.

Fiscal Summary

State Effect: None. The bill's requirements could be handled with the existing budgeted resources of the Criminal Injuries Compensation Board.

Local Effect: None.

Small Business Effect: The Department of Public Safety and Correctional Services has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Analysis

Current Law: The record of a board proceeding is a public record. However, if the confidentiality of a record or report that the board obtains is protected by other statutory or regulatory confidentiality provisions (such as a medical record), that record or report must remain confidential.

Background: The board reports that many persons have submitted claims only with the assurance that the board would not disclose their identity or contact information to persons not connected with the claim. For instance, domestic violence victims frequently do not want their abusers to know that they have filed for compensation, and sexual assault victims do not want their victimization to be disclosed to friends or family. The board recently received an opinion from the department's counsel advising that claimant contact information is public record and must be disclosed upon request.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services,
Department of Legislative Services

Fiscal Note History: First Reader - February 4, 2008
ncs/jr Revised - House Third Reader - March 14, 2008

Analysis by: Guy G. Cherry

Direct Inquiries to:
(410) 946-5510
(301) 970-5510