

VIRGINIA ACTS OF ASSEMBLY -- 2017 SESSION

CHAPTER 500

An Act to amend and reenact § 19.2-11.2 of the Code of Virginia, relating to crime victim's right to nondisclosure of certain information; murder.

[H 2240]

Approved March 13, 2017

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-11.2 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-11.2. Crime victim's right to nondisclosure of certain information; exceptions; testimonial privilege.

Upon request of any witness in a criminal prosecution under § 18.2-46.2, 18.2-46.3, or 18.2-248 or of any violent felony as defined by subsection C of § 17.1-805, or any crime victim, neither a law-enforcement agency, the attorney for the Commonwealth, the counsel for a defendant, a court nor the Department of Corrections, nor any employee of any of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the witness or victim or a member of the witness' or victim's family, except to the extent that disclosure is (i) of the site of the crime, (ii) required by law or Rules of the Supreme Court, (iii) necessary for law-enforcement purposes or preparation for court proceedings, or (iv) permitted by the court for good cause.

Except with the written consent of the victim *of any crime involving any sexual assault, sexual abuse, or family abuse or the victim's next of kin if the victim is a minor and the victim's death results from any crime*, a law-enforcement agency may not disclose to the public information ~~which that~~ directly or indirectly identifies the victim of a *such crime involving any sexual assault, sexual abuse or family abuse*, except to the extent that disclosure is ~~(i)~~ (a) of the site of the crime, ~~(ii)~~ (b) required by law, ~~(iii)~~ (c) necessary for law-enforcement purposes, or ~~(iv)~~ (d) permitted by the court for good cause. In addition, at the request of the victim to the Court of Appeals of Virginia or the Supreme Court of Virginia hearing, on or after July 1, 2007, the case of a crime involving any sexual assault or sexual abuse, no appellate decision shall contain the first or last name of the victim.

Nothing herein shall limit the right to examine witnesses in a court of law or otherwise affect the conduct of any criminal proceeding.