



In Custody Witness Data Protocol

[Section 10–924 of the Courts and Judicial Proceedings Article](#) requires State’s Attorneys to report any obtained testimony from an in-custody witness to the Governor’s Office of Crime Prevention and Policy (GOCPP) as it relates to the substance of the in-custody witness’s testimony, even if the testimony is not presented in a court proceeding; the purpose for which the State's Attorney used the testimony; and whether the in-custody witness received a benefit and, if so, what the benefit is or will be. It also requires GOCPP to develop a secure in-custody witness database to maintain the information reported.¹

Pursuant to this charge, State’s Attorneys should follow the steps below to ensure the security of all reported information.

- Step 1:** Email dlmsac.gocpyvs@maryland.gov to notify the Maryland Statistical Analysis Center (MSAC), located within GOCPP, that testimony from an in-custody witness must be reported. Please do not send sensitive information in this initial email. An opportunity to submit the required testimony will occur in **Step 3** (*below*).
- Step 2:** MSAC will send an email via Virtru, Maryland’s approved email encryption solution, that may be used to submit the required information.
- Step 3:** Once the email is received via Virtru, select reply and attach the required testimony. The testimony may be in Microsoft Word, Excel, or PDF format.
- Step 4:** Once MSAC receives the email, the file(s) will be encrypted at a file level with a file password, stored in a KeePass vault, and saved to a restricted folder on GOCPP’s internal network with limited access. The encrypted email that transmitted the file(s) will be deleted once the file(s) is securely saved.

¹ It is important to note that the information recorded and reported under this subsection is not subject to disclosure under the Maryland Public Information Act.

In accordance with [§ 10–924\(c\)\(2\) of the Courts and Judicial Proceedings Article](#), a State’s Attorney, the Attorney General, and the State Prosecutor (or their designees) may request the information stored and maintained by GOCPP. To make a request, please refer to the steps below.

- Step 1:** Send an email to dlmsac.gocpyvs@maryland.gov to request the information. If you are a designee for the above-mentioned legally approved requestees, you must copy the person for whom you are a designee in your request. In addition, the email must provide confirmation that: (1) your office maintains its own secure electronic storage protocol for the requested testimony, (2) the protocol will be applied to the file(s) received, and (3) the email that transmitted the file(s) will be destroyed once the file(s) is securely saved.
- Step 2:** MSAC will send an encrypted message with the requested attachment(s) via Virtru within 2-3 business days.
- Step 3:** Once the file(s) is received and securely saved, promptly delete the Virtru email from your inbox as stated in **Step 1** (*above*).

If you have any questions regarding this protocol, please contact dlmsac.gocpyvs@maryland.gov.