
By: Senator Madden

Introduced and read first time: January 24, 1996

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes of Violence - Pretrial Release**

3 FOR the purpose of prohibiting a District Court commissioner from authorizing the
4 pretrial release of a defendant who is charged with a crime of violence; specifying a
5 certain exception; specifying a certain presumption; and generally relating to
6 pretrial release of defendants who are charged with a crime of violence.

7 BY repealing and reenacting, with amendments,
8 Article 27 - Crimes and Punishments
9 Section 616 1/2(1)
10 Annotated Code of Maryland
11 (1992 Replacement Volume and 1995 Supplement)

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

14 **Article 27 - Crimes and Punishments**

15 616 1/2.

16 (1) (1) A District Court commissioner may not authorize the release pretrial of
17 a defendant charged with a crime of violence under § 643B of this article [who is on
18 parole, probation, or mandatory supervision for an earlier crime of violence].

19 (2) A judge may allow the release pretrial of a defendant described in
20 paragraph (1) of this subsection pending trial on suitable bail and on any other conditions
21 that will reasonably assure that the defendant will not flee or pose a danger to another
22 person or the community.

23 (3) A rebuttable presumption exists that any defendant described in
24 paragraph (1) of this subsection will flee and pose a danger to another person or the
25 community.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 1996.