

SENATE BILL 783

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2004 Regular Session
4r2899
CF 4r2384

By: **Senators Munson, Brinkley, Colburn, Currie, Della, Forehand,
Giannetti, Hafer, Haines, Harris, Hogan, Hooper, Kittleman,
Klausmeier, and Mooney**

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Assigned to: Rules

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 9, 2004

CHAPTER 138

1 AN ACT concerning

2 **Public Safety - Task Force to Study Criminal Offender Monitoring by Global**
3 **Positioning Systems**

4 FOR the purpose of establishing a Task Force to Study Criminal Offender Monitoring
5 by Global Positioning Systems to study how the State can utilize Global
6 Positioning technology to monitor certain individuals who have committed
7 criminal offenses, how law enforcement can benefit from linkage to Global
8 Positioning technology to solve crimes and streamline workload, ~~how such a~~
9 ~~system could be financed, and the feasibility of implementing a certain program,~~
10 admissibility of evidence issues, and other issues that the Task Force considers
11 relevant; specifying the membership and duties of the Task Force; requiring the
12 Task Force to make legislative recommendations; requiring that the Governor,
13 to the extent possible, make appointments to the Task Force representing
14 geographically diverse jurisdictions; requiring the Governor to designate the
15 chairman of the Task Force; requiring the Task Force to meet at the times and
16 places that the chairman determines; requiring the Task Force to provide
17 certain reports to the Governor and the General Assembly on or before certain
18 dates; providing for staffing of the Task Force; providing for the termination of
19 this Act; and generally relating to a Task Force to Study Criminal Offender
20 Monitoring by Global Positioning Systems.

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That:

1 (a) There is a Task Force to Study Criminal Offender Monitoring by Global
2 Positioning Systems.

3 (b) The Task Force shall be composed of:

4 (1) two members of the House of Delegates, appointed by the Speaker of
5 the House;

6 (2) two members of the Senate of Maryland, appointed by the President
7 of the Senate;

8 (3) The chief judge of the court of appeals, or a designee of the chief
9 judge;

10 ~~(3)~~ (4) the Secretary of Juvenile Services, or a designee of the
11 Secretary;

12 ~~(4)~~ (5) the Secretary of Public Safety and Correctional Services, or a
13 designee of the Secretary;

14 ~~(5)~~ (6) the Superintendent of the Maryland State Police, or a designee
15 of the Superintendent;

16 ~~(6)~~ (7) the Director of the Division of Parole and Probation, or a
17 designee of the Director;

18 ~~(7)~~ (8) the Commissioner of the Division of Correction, or a designee of
19 the Commissioner; and

20 ~~(8)~~ (9) the following members appointed by the Governor:

21 (i) one representative of the Maryland Chiefs of Police;

22 (ii) one representative of the Maryland State Sheriff's Association;

23 (iii) one State's attorney;

24 (iv) one ~~member of the judiciary of the State~~ representative of the
25 Maryland Municipal League;

26 (v) one representative of the Office of the Public Defender;

27 (vi) one representative of the Maryland Association of Counties;

28 (vii) one representative of a victim's rights organization;

29 (viii) one representative of the Office of Crime Control and
30 Prevention; ~~and~~

31 (ix) one representative of a domestic violence advocacy program;
32 and

- 1 (x) one representative of the American Civil Liberties Union.
- 2 (c) (1) In appointing members of the Task Force, the Governor shall, to the
3 extent possible, appoint members representing geographically diverse jurisdictions
4 across the State.
- 5 (2) The Governor shall designate the chairman of the Task Force.
- 6 (d) A member of the Task Force:
- 7 (1) may not receive compensation; but
- 8 (2) is entitled to reimbursement for expenses under the Standard State
9 Travel Regulations as provided in the State budget.
- 10 (e) The Task Force shall meet at the times and places that the chairman
11 determines.
- 12 (f) The Task Force shall:
- 13 (1) study how Maryland can utilize Global Positioning technology to
14 monitor:
- 15 (i) probationers;
- 16 (ii) parolees;
- 17 (iii) registered sex offenders;
- 18 (iv) drug offenders;
- 19 (v) juvenile offenders; and
- 20 (vi) individuals subject to:
- 21 1. pre-trial supervision;
- 22 2. early release; and
- 23 3. domestic violence restraining orders;
- 24 (2) study how law enforcement can benefit from linkage to Global
25 Positioning technology to solve crimes and streamline workload;
- 26 (3) ~~study how such a system could be financed, including requiring~~
27 ~~offenders to pay for monitoring~~ conduct a feasibility study, including a cost-benefit
28 analysis, of implementing a global positioning technology program in the State;
- 29 (4) study admissibility of evidence issues and other issues that the task
30 force considers relevant;

- 1 (5) make legislative recommendations; and
- 2 (6) prepare a report summarizing its findings and recommendations.
- 3 (g) The Task Force shall submit:
- 4 (1) an interim report to the Governor and, subject to § 2-1246 of the
- 5 State Government Article, the General Assembly on or before December 31, 2004; and
- 6 (2) a final report of its findings and recommendations to the Governor
- 7 and, subject to § 2-1246 of the State Government Article, the General Assembly on or
- 8 before December 31, 2005.
- 9 (h) The Department of Public Safety and Correctional Services shall provide
- 10 staff to the Task Force.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

12 October 1, 2004. It shall remain effective for a period of 1 year and 3 months and, at

13 the end of December 31, 2005, with no further action required by the General

14 Assembly, this Act shall be abrogated and of no further force and effect.