

# HOUSE BILL 1109

E2

3lr2361

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By: **Delegates Carter, Anderson, and Braveboy**

Introduced and read first time: February 8, 2013

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Defendants Held on No Bail Status – Comprehensive**  
3 **Risk Assessment**

4 FOR the purpose of providing that in a case that does not involve a charge of a certain  
5 crime of violence, if a court orders a defendant to be held on no bail status, the  
6 applicable pretrial services unit shall immediately perform a certain risk  
7 assessment to make a certain determination; providing that on completion of a  
8 certain risk assessment, the court shall immediately conduct a certain hearing  
9 to review the no bail status in light of the results of the risk assessment; and  
10 generally relating to defendants held on no bail status.

11 BY adding to

12 Article – Criminal Procedure

13 Section 5–103

14 Annotated Code of Maryland

15 (2008 Replacement Volume and 2012 Supplement)

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

18 **Article – Criminal Procedure**

19 **5–103.**

20 **(A) IN A CASE THAT DOES NOT INVOLVE A CHARGE OF A CRIME OF**  
21 **VIOLENCE, AS DEFINED IN § 14–101 OF THE CRIMINAL LAW ARTICLE, IF A**  
22 **COURT ORDERS A DEFENDANT TO BE HELD ON NO BAIL STATUS, THE**  
23 **APPLICABLE PRETRIAL SERVICES UNIT SHALL IMMEDIATELY PERFORM A**  
24 **COMPREHENSIVE RISK ASSESSMENT OF THE DEFENDANT TO DETERMINE THE**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 LIKELIHOOD THAT THE DEFENDANT WILL FLEE OR POSE A DANGER TO  
2 ANOTHER PERSON OR THE COMMUNITY.

3 (B) ON COMPLETION OF THE RISK ASSESSMENT, THE COURT SHALL  
4 IMMEDIATELY CONDUCT A HEARING TO REVIEW THE NO BAIL STATUS IN LIGHT  
5 OF THE RESULTS OF THE RISK ASSESSMENT.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2013.