

# HOUSE BILL 1228

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By: **Delegates Valentino-Smith, Braveboy, Howard, Mitchell, Pena-Melnyk, Stukes, Summers, Swain, V. Turner, Valderrama, Vallario, and Vaughn**  
Introduced and read first time: February 8, 2013  
Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Commission to Study the Disproportionate Justice Impact on Minorities**

3 FOR the purpose of establishing the Commission to Study the Disproportionate  
4 Justice Impact on Minorities; providing for the composition, chair, and staffing  
5 of the Commission; prohibiting a member of the Commission from receiving  
6 certain compensation, but authorizing the reimbursement of certain expenses;  
7 requiring the Commission to identify, study, report on, and make  
8 recommendations regarding certain matters; requiring the Commission to hold  
9 a certain number of public hearings within a certain period of time; requiring  
10 the Commission to report its findings and recommendations to the Governor  
11 and the General Assembly on or before a certain date; providing for the  
12 termination of this Act; and generally relating to the Commission to Study the  
13 Disproportionate Justice Impact on Minorities.

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That:

16 (a) There is a Commission to Study the Disproportionate Justice Impact on  
17 Minorities.

18 (b) The Commission consists of the following members:

19 (1) two members of the Senate of Maryland, appointed by the  
20 President of the Senate;

21 (2) two members of the House of Delegates, appointed by the Speaker  
22 of the House;

23 (3) the Attorney General of the State, or the Attorney General's  
24 designee;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   (4)    the Chief Judge of the Maryland Court of Appeals, or the Chief  
2 Judge's designee;

3                   (5)    the Secretary of State Police, or the Secretary's designee;

4                   (6)    the Secretary of Juvenile Services, or the Secretary's designee;

5                   (7)    the Secretary of Public Safety and Correctional Services, or the  
6 Secretary's designee; and

7                   (8)    the following members, appointed by the Governor:

8                   (i)     one representative of the Maryland Sheriffs' Association;

9                   (ii)    one representative of the Maryland State's Attorneys'  
10 Association;

11                  (iii)   one representative from the Maryland Office of the Public  
12 Defender;

13                  (iv)    one judge from the Circuit Court of Maryland;

14                  (v)     one judge from the District Court of Maryland; and

15                  (vi)    three members of the public representing various minority  
16 communities within Maryland.

17                  (c)     The Governor shall designate two co-chairs of the Commission.

18                  (d)     The Department of Legislative Services shall provide staff for the  
19 Commission.

20                  (e)     A member of the Commission:

21                   (1)     may not receive compensation as a member of the Commission; but

22                   (2)     is entitled to reimbursement for expenses under the Standard  
23 State Travel Regulations, as provided in the State budget.

24                  (f)     The Commission shall:

25                   (1)     identify, study, and report on the nature and extent of any harm  
26 caused to minority communities by the application of criminal laws and sentencing  
27 provisions of the State;

1           (2) identify a standardized method for collecting and analyzing data  
2 on the racial and ethnic identity of those detained or arrested by State and local law  
3 enforcement;

4           (3) hold at least two public meetings before October 1, 2013, during  
5 which the Commission receives input or testimony from:

6                   (i) the Maryland Judiciary;

7                   (ii) The Sentencing Project; and

8                   (iii) members of the public;

9           (4) make recommendations for legislation and policy changes to  
10 address the disproportionate minority impact of criminal laws and sentencing  
11 provisions in the State; and

12           (5) make recommendations on any other relevant issues or  
13 considerations identified by the Commission.

14           (g) On or before December 1, 2013, the Commission shall report its findings  
15 and recommendations to the Governor and, in accordance with § 2-1246 of the State  
16 Government Article, the General Assembly.

17           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 June 1, 2013. It shall remain effective for a period of 2 years and, at the end of May 31,  
19 2015, with no further action required by the General Assembly, this Act shall be  
20 abrogated and of no further force and effect.