

HOUSE BILL 341

E1
HB 1228/13 – JUD

6lr2132
CF 6lr3055

By: **Delegates Valentino–Smith, Anderson, Atterbeary, Barron, Carter, Hettleman, Hill, Jackson, McCray, Moon, Morales, B. Robinson, Sanchez, Smith, Sydnor, Walker, A. Washington, and M. Washington**

Introduced and read first time: January 27, 2016

Assigned to: Judiciary

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

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That:

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

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

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

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

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

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 Judge's
2 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 the State.

17 (c) The Governor shall designate two cochairs 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 State
23 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 caused
26 to minority communities by the application of criminal laws and sentencing provisions of
27 the State;

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

1 (3) hold at least two public meetings before October 1, 2016, during which
2 the Commission receives input or testimony from:

3 (i) the Maryland Judiciary;

4 (ii) The Sentencing Project; and

5 (iii) members of the public;

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

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

11 (g) On or before December 1, 2016, the Commission shall report its findings and
12 recommendations to the Governor and, in accordance with § 2-1246 of the State
13 Government Article, the General Assembly.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
15 1, 2016. It shall remain effective for a period of 2 years and, at the end of May 31, 2018,
16 with no further action required by the General Assembly, this Act shall be abrogated and
17 of no further force and effect.