

SENATE BILL 462

E1
SB 800/16 – JPR

7lr3294
CF 7lr2769

By: **Senator Conway**

Introduced and read first time: January 30, 2017

Assigned to: Judicial Proceedings

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 report its findings and
9 recommendations to the Governor and the General Assembly on or before a certain
10 date; providing for the termination of this Act; and generally relating to the
11 Commission to Study the Disproportionate Justice Impact on Minorities.

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

13 That:

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

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

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

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

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

22 (4) the Secretary of State Police, or the Secretary's designee;

23 (5) the Secretary of Juvenile Services, or the Secretary's designee;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

5 (ii) one representative from the Maryland Chiefs of Police
6 Association;

7 (iii) one representative of the Maryland State's Attorneys'
8 Association;

9 (iv) one representative from the Maryland Office of the Public
10 Defender;

11 (v) one representative from the State Police;

12 (vi) one member from the Governor's Office of Crime Control and
13 Prevention; and

14 (vii) two members of the public representing various minority
15 communities within the State.

16 (c) The Governor's Office of Crime Control and Prevention shall designate two
17 cochairs of the Commission.

18 (d) The Governor's Office of Crime Control and Prevention shall provide staff for
19 the 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 a uniform method for collecting and analyzing data on the
26 racial, gender, and ethnic identity of juveniles and adults detained, arrested, or charged by
27 State or local law enforcement or state's attorneys;

28 (2) identify barriers that agencies may have to collecting and reporting on
29 race, gender, and ethnicity data in a uniform manner;

1 (3) identify and make recommendations for policies needed to be
2 implemented by State and local law enforcement and state's attorneys that will aid in the
3 assessment of the criminal laws and sentencing provisions on race, gender, and ethnicity;

4 (4) make recommendations for the resources necessary to provide the
5 capacity to State or local law enforcement or state's attorneys to routinely report on race,
6 gender, and ethnicity of those detained, arrested, or charged;

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

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

12 (g) On or before December 1, 2017, the Commission shall report its findings and
13 recommendations to the Governor and, in accordance with § 2-1246 of the State
14 Government Article, the General Assembly.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
16 1, 2017. It shall remain effective for a period of 2 years and, at the end of May 31, 2019,
17 with no further action required by the General Assembly, this Act shall be abrogated and
18 of no further force and effect.