

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 402
Correctional Services – Division of Parole and Probation –
Definition of Absconding
DATE: January 13, 2021
(1/26)
POSITION: Support

The Maryland Judiciary supports House Bill 402. This bill repealed and reenacts, with amendments Section 6-101(b) of the annotated code of Maryland, “absconding” including leaving a treatment facility that an individual was placed in under §8–507 of the Health - General Article for drug or alcohol treatment without the permission of the administrator, as defined in §8–101 of the Health - General Article.

By making clear that absconding includes leaving a treatment facility, this bill provides the court with necessary tools to assist those individuals in particular who are participants in the specialty courts. The Judiciary believes this bill could be expanded even further to include when an individual leaves a treatment facility when placed there via a court mandated order as if participating in a problem-solving court and/or on general probation rather than just those under §8–507 of the Health - General Article.

cc. Hon. Michael Malone
Judicial Council
Legislative Committee
Kelley O’Connor