

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Matthew J. Fader
Chief Justice

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Education, Energy, and Environment Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 271
Election Law Revisions
DATE: January 10, 2024
(1/30)
POSITION: Oppose

The Judiciary opposes Senate Bill 271. This legislation amends provisions in Title 3, Subtitle 5 of the Election Law Article for the purpose of altering the information that the clerks of Circuit and District Courts are required to report to the State Administrator. §3-504(a)(1)(iii) and §3-504(a)(2) of the Election Law Article are amended. These sections require that the clerks of Circuit and District Courts provide shall provide a list of “names and addresses of all individuals convicted, in the respective court, of a felony...” The amendment directs that the clerks shall list “individuals convicted, in the respective court, of a felony and **currently serving** a court-ordered sentence of imprisonment for the conviction...” (emphasis supplied).

This bill is unworkable for the Judiciary. The Judiciary discussed this proposal with the State Board of Elections (Board) in the interim and advised the Board that it is not possible for the Judiciary to provide this information through Judicial Information Systems as courts are not notified of the release of incarcerated individuals. This proposed bill will require the clerks of the court to provide information they do not have. Courts do not maintain in their records information concerning whether an individual is **currently serving** a court-ordered sentence of imprisonment. Courts currently report the names and addresses of all individuals convicted in the respective court of a felony, but courts do not maintain records of individuals currently serving a sentence. The Judiciary’s court files only contain information regarding the original sentence time. It would appear that each and every jail and detention center in the state would have to be contacted daily to obtain this information. The Victim Information and Notification Everyday (VINE) administered by the Department of Public Safety and Correctional Services may be the more appropriate resource for this information as they maintain the status of incarcerated individuals.

In addition, this bill would have a significant fiscal impact on the Judiciary which has not been budgeted for in the Judiciary’s budget request. An integration would need to be

created with each of the detention centers and the Department of Corrections to allow for the active incarceration data to be integrated into the Judiciary's Odyssey system. The Judiciary anticipates that creating the needed integration to update the judiciary's case management system would require 27,600 hours of effort at a cost of \$3,657,600.00.

cc. Hon. Brian Feldman
Judicial Council
Legislative Committee
Kelley O'Connor