

CF 7r3065

By: Senators Young, Bromwell, Conway, Trotter, and Hughes

Introduced and read first time: February 28, 1997

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Commission on Zero Tolerance**

3 FOR the purpose of establishing a Commission on Zero Tolerance; providing for the
4 membership, duties, and compensation of the Commission; requiring the
5 Commission to report its findings and recommendations to the Governor and the
6 General Assembly by a certain date; providing for the termination of this Act; and
7 generally relating to the Commission on Zero Tolerance.

8 BY adding to

9 Article 41 - Governor - Executive and Administrative Departments
10 Section 18-313
11 Annotated Code of Maryland
12 (1997 Replacement Volume)

13 Preamble

14 WHEREAS, The rate of crime and juvenile delinquency in this State continues to
15 rise, despite various attempts by the General Assembly to address the problem. This
16 increase not only poses a constant threat to the public safety and welfare of the citizens of
17 this State, but creates a sense of fear throughout the State that has risen to a level of
18 intolerance; and

19 WHEREAS, According to the Crime Index for Maryland, as prepared by the
20 Uniform Crime Reporting Section of the Maryland State Police, there were 596 murders
21 committed in 1995 compared to 399 in 1986, 21,331 robberies in 1995 compared to 13,570
22 in 1986, 178,086 larceny-thefts in 1995 compared to 132,895 in 1986, and 36,176
23 automobile thefts in 1995 compared to only 24,331 in 1986. In addition, the involvement
24 of juveniles in criminal activity is becoming increasingly shocking. In 1995, juveniles
25 committed 128 murders and nonnegligent manslaughters; 137 forcible rapes, 39 of them
26 by 13- and 14-year-olds; 3,389 automobile thefts; 2,409 acts of vandalism, 703 of them by
27 13- and 14-year-olds; and 410 sex offenses, 152 of them by 13- and 14-year-olds; and

28 WHEREAS, A thorough examination of the causes of this problem and the reasons
29 for the ineffectiveness of recent attempts to resolve it is desperately needed; now,
30 therefore,

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1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article 41 - Governor - Executive and Administrative Departments**

4 18-313.

5 (A) THERE IS A COMMISSION ON ZERO TOLERANCE.

6 (B) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:

7 (1) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY THE
8 PRESIDENT OF THE SENATE;

9 (2) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE
10 SPEAKER OF THE HOUSE;

11 (3) THE CHIEF JUDGE OF THE COURT OF APPEALS OF MARYLAND, OR
12 THE CHIEF JUDGE'S DESIGNEE;

13 (4) THE SECRETARY OF THE DEPARTMENT OF STATE POLICE, OR THE
14 SECRETARY'S DESIGNEE; AND

15 (5) NINE MEMBERS APPOINTED BY THE GOVERNOR FROM THE PUBLIC
16 AT LARGE.

17 (C) THE COMMISSION SHALL:

18 (1) EXAMINE THE POSSIBLE FACTORS CONTRIBUTING TO THE OVERALL
19 INCREASE IN CRIMINAL ACTIVITY DELINQUENT BEHAVIOR IN THIS STATE IN
20 RECENT YEARS, INCLUDING ANY CAUSES ASSOCIATED WITH THE ENFORCEMENT OF
21 OUR CRIMINAL LAWS, THE PROSECUTION OF CRIMINAL BEHAVIOR, THE
22 SENTENCING PROCESS, OR THE POLICIES OF OUR SCHOOL SYSTEM; AND

23 (2) MAKE RECOMMENDATIONS FOR HOW BEST TO ADDRESS THE
24 FACTORS CONTRIBUTING TO THE INCREASING RATE OF CRIME AND JUVENILE
25 DELINQUENT BEHAVIOR, INCLUDING ANY PROPOSED LEGISLATION, REGULATIONS,
26 OR ADMINISTRATIVE REMEDIES.

27 (D) THE GOVERNOR SHALL SELECT A CHAIRPERSON FROM THE MEMBERSHIP
28 OF THE COMMISSION.

29 (E) MEMBERS OF THE COMMISSION SHALL SERVE WITHOUT COMPENSATION.

30 (F) THE COMMISSION SHALL REPORT ITS FINDINGS AND
31 RECOMMENDATIONS TO THE GOVERNOR AND, SUBJECT TO § 2-1312 OF THE STATE
32 GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY BY SEPTEMBER 30, 1998 AND
33 THEREAFTER TERMINATE ITS EXISTENCE.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 June 1, 1997.