
By: **Chairman, Judiciary Committee (Departmental - Public Safety and
Correctional Services)**

Introduced and read first time: January 22, 1998

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Division of Parole and Probation - Presentence Reports**

3 FOR the purpose of providing that the Division of Parole and Probation shall make a
4 copy of certain presentence reports available to a community substance abuse
5 treatment provider under certain circumstances.

6 BY repealing and reenacting, with amendments,
7 Article 41 - Governor - Executive and Administrative Departments
8 Section 4-609(b)
9 Annotated Code of Maryland
10 (1997 Replacement Volume and 1997 Supplement)

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

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

14 4-609.

15 (b) The parole and probation agents of the Division shall provide the judge of
16 the court with presentence reports or other investigations in all cases when requested
17 by any judge. The presentence reports are confidential and not available for public
18 inspection except upon court order. However, presentence reports shall be made
19 available, upon request, to the defendant's attorney, the State's Attorney, a
20 correctional institution, a parole, [or] probation, or pretrial release official of this
21 State, any other state, the United States, or the District of Columbia, [and] a public
22 or private mental health facility in any of those jurisdictions, if the individual who is
23 the subject of the report has been committed or is being evaluated for commitment to
24 the facility for treatment as a condition of probation, AND A COMMUNITY SUBSTANCE
25 ABUSE TREATMENT PROVIDER IN ANY OF THOSE JURISDICTIONS, IF THE
26 INDIVIDUAL WHO IS THE SUBJECT OF THE REPORT WILL BE TREATED OR
27 EVALUATED FOR TREATMENT BY THE PROVIDER AS A CONDITION OF PROBATION.
28 The agents shall also perform any other probationary services the judges may from
29 time to time request.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect October 1, 1998.