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By: **Delegates Montague, Curran, and Doory**  
Introduced and read first time: February 2, 1998  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Presentence Investigations - Community Impact**  
3 **Statements**

4 FOR the purpose of authorizing a community association to submit a community  
5 impact statement, addressing certain effects on the community or on a resident  
6 of the community, as the result of a crime or delinquent act; requiring a court to  
7 consider the community impact statement in determining the appropriate  
8 sentence or disposition of a case; specifying the content of a community impact  
9 statement; requiring that the community impact statement be submitted in  
10 accordance with certain procedures; defining certain terms; and generally  
11 relating to the right of a community association to have a community impact  
12 statement considered in the disposition of certain cases affecting the community.

13 BY adding to  
14 Article 27 - Crimes and Punishments  
15 Section 782  
16 Annotated Code of Maryland  
17 (1996 Replacement Volume and 1997 Supplement)

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

20 **Article 27 - Crimes and Punishments**

21 782.

22 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
23 INDICATED.

24 (2) "COMMUNITY ASSOCIATION" MEANS A NONPROFIT ASSOCIATION,  
25 NONPROFIT CORPORATION, OR OTHER NONPROFIT ORGANIZATION THAT IS:

26 (I) COMPRISED OF RESIDENTS OF A CONTIGUOUS COMMUNITY AS  
27 DEFINED BY SPECIFIC GEOGRAPHIC BOUNDARIES, WITHIN WHICH A CRIME OR  
28 DELINQUENT ACT OCCURS; AND

1 (II) OPERATED PRIMARILY FOR THE PROMOTION OF THE WELFARE,  
2 IMPROVEMENT, AND ENHANCEMENT OF THE COMMUNITY.

3 (3) "DEFENDANT" MEANS:

4 (I) A PERSON WHO IS CHARGED WITH A CRIME; OR

5 (II) A CHILD WHO IS ALLEGED TO HAVE COMMITTED A  
6 DELINQUENT ACT.

7 (B) A COMMUNITY ASSOCIATION MAY PREPARE A COMMUNITY IMPACT  
8 STATEMENT TO BE SUBMITTED TO THE COURT AND THE DEFENDANT IN  
9 ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE PERTAINING TO  
10 PRESENTENCE INVESTIGATIONS.

11 (C) A COMMUNITY IMPACT STATEMENT SHALL:

12 (1) IDENTIFY THE COMMUNITY IN WHICH THE OFFENSE OCCURRED;

13 (2) ITEMIZE ANY ECONOMIC LOSS SUFFERED BY THE COMMUNITY OR A  
14 RESIDENT OF THE COMMUNITY AS A RESULT OF THE OFFENSE;

15 (3) IDENTIFY ANY PHYSICAL INJURY SUFFERED BY A RESIDENT OF THE  
16 COMMUNITY AS A RESULT OF THE OFFENSE ALONG WITH ITS SERIOUSNESS AND  
17 PERMANENCE;

18 (4) DESCRIBE ANY EFFECT ON THE COMMUNITY OR CHANGE IN THE  
19 COMMUNITY AS A RESULT OF THE OFFENSE; AND

20 (5) CONTAIN ANY OTHER INFORMATION RELATED TO THE IMPACT OF  
21 THE OFFENSE ON THE COMMUNITY THAT THE COMMUNITY ASSOCIATION  
22 CONSIDERS RELEVANT.

23 (D) THE COURT SHALL CONSIDER THE COMMUNITY IMPACT STATEMENT IN  
24 DETERMINING THE APPROPRIATE SENTENCE OR DISPOSITION OF THE CASE.

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