

BY: Senator Van Hollen

AMENDMENTS TO SENATE BILL NO. 388

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 34, after “circumstances;” insert “requiring the Commission to compile certain information on each circuit court judge’s use of the sentencing guidelines;”.

AMENDMENT NO. 2

On page 10, after line 7, insert:

“(2) EACH YEAR, THE COMMISSION SHALL COMPILE THE FOLLOWING INFORMATION ON EACH CIRCUIT COURT JUDGE:

(I) THE WRITTEN EXPLANATION SUBMITTED BY EACH JUDGE REGARDING THE JUDGE’S DEPARTURE FROM THE SENTENCING GUIDELINES; AND

(II) THE NUMBER OF TIMES AND THE PERCENTAGE OF TIMES THAT THE SENTENCE IMPOSED:

1. WAS BELOW THE SENTENCING GUIDELINES;
2. WAS ABOVE THE SENTENCING GUIDELINES;
3. FOR VIOLENT CRIMES, AS DEFINED IN § 4-501(12) OF THIS ARTICLE, WAS BELOW THE SENTENCING GUIDELINES; AND
4. FOR VIOLENT CRIMES, AS DEFINED IN § 4-501(12) OF THIS ARTICLE, WAS ABOVE THE SENTENCING GUIDELINES.

(3) THE COMMISSION SHALL MAKE THE INFORMATION COMPILED

(Over)

UNDER THIS SUBSECTION AVAILABLE, ON REQUEST, TO THE GENERAL ASSEMBLY.”;
and in line 8, strike “(2)” and substitute “(4)”.