

SENATE BILL 165

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2001 Regular Session
11r0318
CF 11r0317

By: **Senators Hoffman, Blount, Bromwell, Conway, Della, Hughes, Kelley,
McFadden, Mitchell, and Sfikas**

Introduced and read first time: January 19, 2001

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Criminal Justice Coordinating Council**

3 FOR the purpose of establishing the Baltimore City Criminal Justice Coordinating
4 Council; providing for the purpose, membership, duties, chairmanship, quorum,
5 and frequency of meetings of the Council; establishing an Executive Director for
6 the Council; providing for the appointment, duties, and compensation of the
7 Executive Director; providing that the function of the Council is advisory;
8 requiring the Council to submit a certain report to the Governor, the Chief
9 Judge of the Court of Appeals, and the General Assembly in a certain manner by
10 a certain date; providing for the termination of this Act; and generally relating
11 to the Baltimore City Criminal Justice Coordinating Council.

12 BY adding to

13 Article - State Government

14 Section 9-2301 through 9-2308, inclusive, to be under the new subtitle "Subtitle

15 23. Baltimore City Criminal Justice Coordinating Council"

16 Annotated Code of Maryland

17 (1999 Replacement Volume and 2000 Supplement)

18 **Preamble**

19 WHEREAS, In 1999, a severe backlog of criminal court cases in Baltimore City
20 resulted in the dismissal of cases because long delays before trial were deemed to be
21 a violation of the right to a speedy trial;

22 WHEREAS, This backlog also led to increases in the population of the State
23 operated and financed Central Booking and Intake Facility; and

24 WHEREAS, The Criminal Justice Coordinating Council for Baltimore City
25 was formed in late 1998 as an ad hoc group of criminal justice agency heads to
26 address the systemic problems in the Baltimore City criminal justice system, with
27 particular focus on reducing the backlog of criminal cases on the courts dockets and
28 the number of bed days spent at the Central Booking and Intake Facility; and

1 WHEREAS, The Council has held monthly meetings to discuss and
2 recommend reforms to the Baltimore City criminal justice system and to improve
3 communication and coordination among the agencies involved in the Baltimore City
4 criminal justice system; and

5 WHEREAS, A permanent Criminal Justice Coordinating Council for
6 Baltimore City would continue and bolster the progress made by the ad hoc Council;
7 now, therefore,

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

10 **Article - State Government**

11 SUBTITLE 23. BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL.

12 9-2301.

13 IN THIS SUBTITLE, "COUNCIL" MEANS THE BALTIMORE CITY CRIMINAL JUSTICE
14 COORDINATING COUNCIL.

15 9-2302.

16 THE PURPOSE OF THE COUNCIL IS TO ADDRESS ISSUES AFFECTING THE
17 ADMINISTRATION OF CRIMINAL JUSTICE IN BALTIMORE CITY FOR THE PURPOSE OF
18 SOLVING ANY SYSTEMIC PROBLEMS AND IMPROVING THE QUALITY OF THE
19 CRIMINAL JUSTICE SYSTEM.

20 9-2303.

21 CONSISTENT WITH ITS REPORTING OBLIGATIONS UNDER § 9-2308 OF THIS
22 SUBTITLE, THE AUTHORITY OF THE COUNCIL IS ADVISORY ONLY.

23 9-2304.

24 THERE IS A BALTIMORE CITY CRIMINAL JUSTICE COORDINATING COUNCIL.

25 9-2305.

26 (A) THE COUNCIL SHALL CONSIST OF THE FOLLOWING 15 VOTING MEMBERS:

27 (1) THE MAYOR OF BALTIMORE CITY;

28 (2) THE ADMINISTRATIVE JUDGE OF THE CIRCUIT COURT FOR
29 BALTIMORE CITY;

30 (3) THE ADMINISTRATIVE JUDGE FOR DISTRICT 1 OF THE DISTRICT
31 COURT OF MARYLAND;

32 (4) THE CHIEF JUDGE OF THE CRIMINAL DIVISION OF THE CIRCUIT
33 COURT FOR BALTIMORE CITY;

- 1 (5) THE CLERK OF THE CIRCUIT COURT FOR BALTIMORE CITY;
- 2 (6) THE ADMINISTRATIVE CLERK FOR DISTRICT 1 OF THE DISTRICT
3 COURT OF MARYLAND;
- 4 (7) THE UNITED STATES ATTORNEY FOR THE DISTRICT OF MARYLAND;
- 5 (8) THE STATE'S ATTORNEY FOR BALTIMORE CITY;
- 6 (9) THE STATE PUBLIC DEFENDER;
- 7 (10) THE BALTIMORE CITY PUBLIC DEFENDER;
- 8 (11) THE COMMISSIONER OF THE DIVISION OF PRETRIAL AND
9 DETENTION SERVICES;
- 10 (12) THE DIRECTOR OF THE DIVISION OF PAROLE AND PROBATION;
- 11 (13) THE BALTIMORE CITY REGIONAL ADMINISTRATOR OF THE STATE
12 DIVISION OF PAROLE AND PROBATION;
- 13 (14) THE POLICE COMMISSIONER OF BALTIMORE CITY; AND
- 14 (15) THE SHERIFF OF BALTIMORE CITY.

15 (B) (1) (I) THE MAYOR OF BALTIMORE CITY AND THE ADMINISTRATIVE
16 JUDGE OF THE CIRCUIT COURT FOR BALTIMORE CITY SHALL APPOINT THE CHAIR OF
17 THE COUNCIL.

18 (II) A MAJORITY OF THE VOTING MEMBERS OF THE COUNCIL
19 SHALL CONFIRM THE APPOINTMENT OF THE CHAIR.

20 (2) THE CHAIR MAY APPOINT NONVOTING MEMBERS WITH THE
21 APPROVAL OF THE COUNCIL.

22 (C) A MEMBER WHO HOLDS MEMBERSHIP BY VIRTUE OF AN ELECTED OR
23 APPOINTED POSITION HOLDS OFFICE ONLY DURING THAT MEMBER'S TERM OF
24 OFFICE.

25 (D) A MEMBER OF THE COUNCIL MAY NOT RECEIVE COMPENSATION FOR
26 DUTIES PERFORMED AS A MEMBER OF THE COUNCIL BUT MAY RECEIVE
27 REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL
28 REGULATIONS, AS PROVIDED IN THE STATE BUDGET OR UNDER THE CITY BUDGET.

29 (E) (1) THE COUNCIL SHALL MEET AT LEAST ONCE A MONTH.

30 (2) FOR A VOTING SESSION OF THE COUNCIL, A QUORUM IS A MAJORITY
31 OF VOTING MEMBERS.

1 9-2306.

2 (A) THERE IS AN EXECUTIVE DIRECTOR FOR THE COUNCIL.

3 (B) THE COUNCIL SHALL APPOINT THE EXECUTIVE DIRECTOR.

4 (C) THE EXECUTIVE DIRECTOR SHALL PROVIDE ADMINISTRATIVE SUPPORT
5 TO THE COUNCIL.

6 (D) THE EXECUTIVE DIRECTOR SHALL HAVE THE COMPENSATION PROVIDED
7 IN THE COUNCIL'S BUDGET.

8 9-2307.

9 THE COUNCIL SHALL:

10 (1) RECOMMEND INNOVATIVE WAYS TO FACILITATE AND EXPEDITE THE
11 MANAGEMENT OF CRIMINAL CASES IN BALTIMORE CITY;

12 (2) EVALUATE AND RECOMMEND INFORMATION TECHNOLOGY FOR THE
13 COURTS AND CRIMINAL JUSTICE AGENCIES IN BALTIMORE CITY;

14 (3) PROVIDE A FORUM TO FACILITATE COMMUNICATION AMONG THE
15 COURTS AND CRIMINAL JUSTICE AGENCIES IN BALTIMORE CITY; AND

16 (4) REVIEW OTHER SYSTEMIC CHANGES IN THE BALTIMORE CITY
17 CRIMINAL JUSTICE SYSTEM.

18 9-2308.

19 ON OR BEFORE AUGUST 30 OF EACH YEAR, THE COUNCIL SHALL SUBMIT A
20 REPORT CONCERNING ITS ACTIVITIES, RECOMMENDATIONS, PROGRESS ON THE
21 IMPLEMENTATION OF THE RECOMMENDATIONS, AND THE RESULTS ACHIEVED
22 THROUGH THE IMPLEMENTATION OF THE RECOMMENDATIONS TO THE GOVERNOR,
23 THE CHIEF JUDGE OF THE COURT OF APPEALS, AND, IN ACCORDANCE WITH § 2-1246
24 OF THIS ARTICLE, TO THE GENERAL ASSEMBLY.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 2001. It shall remain effective for a period of 4 years and, at the end of June
27 30, 2005, with no further action required by the General Assembly, this Act shall be
28 abrogated and of no further force and effect.