
By: **Delegates Doory and D. Davis**
Introduced and read first time: February 8, 2002
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Pretrial Release - Subsequent Crime of Violence**

3 FOR the purpose of altering the conditions under which a judge may authorize the
4 pretrial release of a defendant charged with a crime of violence if the defendant
5 has been previously convicted in this State of a crime of violence or in any other
6 jurisdiction of a crime that would be a crime of violence if committed in this
7 State; altering a certain rebuttable presumption; and generally relating to
8 pretrial release by judges.

9 BY repealing and reenacting, with amendments,
10 Article - Criminal Procedure
11 Section 5-202(c)
12 Annotated Code of Maryland
13 (2001 Volume)

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

16 **Article - Criminal Procedure**

17 5-202.

18 (c) (1) A District Court commissioner may not authorize the pretrial release
19 of a defendant charged with a crime of violence if the defendant has been previously
20 convicted:

21 (i) in this State of a crime of violence; or

22 (ii) in any other jurisdiction of a crime that would be a crime of
23 violence if committed in this State.

24 (2) (i) A judge may authorize the pretrial release of a defendant
25 described in paragraph (1) of this subsection ONLY on:

26 1. suitable bail; AND

