

SENATE BILL 356

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E2

2002 Regular Session  
2lr1189  
CF 2lr1190

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By: **Senator Pinsky (Prince George's County Administration)**  
Introduced and read first time: January 28, 2002  
Assigned to: Judicial Proceedings

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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

