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By: **Delegates Quinter and O'Donnell**
Introduced and read first time: February 12, 2004
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **State Commission on Criminal Sentencing Policy - Review of Variability in**
3 **Sentencing**

4 FOR the purpose of requiring the State Commission on Criminal Sentencing Policy to
5   include in a certain annual report to the General Assembly a review of
6   variability in sentencing among individual judges in the State; and generally
7   relating to the State Commission on Criminal Sentencing Policy and variability
8   of sentencing among individual judges.

9 BY repealing and reenacting, with amendments,
10   Article - Criminal Procedure
11   Section 6-209
12   Annotated Code of Maryland
13   (2001 Volume and 2003 Supplement)

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 6-209.

18   (a)   The Commission shall review annually sentencing policy and practice and,
19 on or before December 1 of each year, report to the General Assembly in accordance
20 with § 2-1246 of the State Government Article.

21   (b)   (1)   The report shall:

22   (i)   include any changes to the sentencing guidelines made during
23 the preceding year;

24   (ii)   review judicial compliance with the sentencing guidelines,
25 including compliance by crime and by judicial circuit;

1   (iii)   review reductions or increases in original sentences that have
2 occurred because of reconsiderations of sentences imposed under § 14-101 of the
3 Criminal Law Article; [and]

4   (iv)   categorize information on the number of reconsiderations of
5 sentences by crimes as listed in § 14-101(a) of the Criminal Law Article and by
6 judicial circuit; AND

7   (V)   REVIEW VARIABILITY IN SENTENCING AMONG INDIVIDUAL
8 JUDGES IN THE STATE.

9   (2)   The Commission shall consider a sentence to a corrections options
10 program to be within the sentencing guidelines if the sentence falls within a
11 corrections options zone shown on the matrix.

12   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2004.