

HOUSE BILL 1242

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2004 Regular Session
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CF 4r2899

By: **Delegates Shank, Bartlett, Barve, Boschert, Cadden, Cluster, DeBoy, Donoghue, Edwards, Elmore, Frank, Gilleland, Goodwin, Hennessy, Jennings, Jones, Kelley, Kelly, King, Lee, Marriott, McComas, Miller, Minnick, Myers, O'Donnell, Patterson, Quinter, Rosenberg, Smigiel, Taylor, and Zirkin**

Introduced and read first time: February 13, 2004
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety - Task Force to Study Criminal Offender Monitoring by Global**
3 **Positioning Systems**

4 FOR the purpose of establishing a Task Force to Study Criminal Offender Monitoring
5 by Global Positioning Systems to study how the State can utilize Global
6 Positioning technology to monitor certain individuals who have committed
7 criminal offenses, how law enforcement can benefit from linkage to Global
8 Positioning technology to solve crimes and streamline workload, how such a
9 system could be financed, and admissibility of evidence issues; specifying the
10 membership and duties of the Task Force; requiring the Task Force to make
11 legislative recommendations; requiring that the Governor, to the extent
12 possible, make appointments to the Task Force representing geographically
13 diverse jurisdictions; requiring the Governor to designate the chairman of the
14 Task Force; requiring the Task Force to meet at the times and places that the
15 chairman determines; requiring the Task Force to provide certain reports to the
16 Governor and the General Assembly on or before certain dates; providing for
17 staffing of the Task Force; providing for the termination of this Act; and
18 generally relating to a Task Force to Study Criminal Offender Monitoring by
19 Global Positioning Systems.

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That:

22 (a) There is a Task Force to Study Criminal Offender Monitoring by Global
23 Positioning Systems.

24 (b) The Task Force shall be composed of:

25 (1) two members of the House of Delegates, appointed by the Speaker of
26 the House;

- 1 (2) two members of the Senate of Maryland, appointed by the President
2 of the Senate;
- 3 (3) the Secretary of Juvenile Services, or a designee of the Secretary;
- 4 (4) the Secretary of Public Safety and Correctional Services, or a
5 designee of the Secretary;
- 6 (5) the Superintendent of the Maryland State Police, or a designee of the
7 Superintendent;
- 8 (6) the Director of the Division of Parole and Probation, or a designee of
9 the Director;
- 10 (7) the Commissioner of the Division of Correction, or a designee of the
11 Commissioner; and
- 12 (8) the following members appointed by the Governor:
- 13 (i) one representative of the Maryland Chiefs of Police;
- 14 (ii) one representative of the Maryland State Sheriff's Association;
- 15 (iii) one State's attorney;
- 16 (iv) one member of the judiciary of the State;
- 17 (v) one representative of the Office of the Public Defender;
- 18 (vi) one representative of the Maryland Association of Counties;
- 19 (vii) one representative of a victim's rights organization;
- 20 (viii) one representative of the Office of Crime Control and
21 Prevention; and
- 22 (ix) one representative of a domestic violence advocacy program.
- 23 (c) (1) In appointing members of the Task Force, the Governor shall, to the
24 extent possible, appoint members representing geographically diverse jurisdictions
25 across the State.
- 26 (2) The Governor shall designate the chairman of the Task Force.
- 27 (d) A member of the Task Force:
- 28 (1) may not receive compensation; but
- 29 (2) is entitled to reimbursement for expenses under the Standard State
30 Travel Regulations as provided in the State budget.

1 (e) The Task Force shall meet at the times and places that the chairman
2 determines.

3 (f) The Task Force shall:

4 (1) study how Maryland can utilize Global Positioning technology to
5 monitor:

6 (i) probationers;

7 (ii) parolees;

8 (iii) registered sex offenders;

9 (iv) drug offenders;

10 (v) juvenile offenders; and

11 (vi) individuals subject to:

12 1. pre-trial supervision;

13 2. early release; and

14 3. domestic violence restraining orders;

15 (2) study how law enforcement can benefit from linkage to Global
16 Positioning technology to solve crimes and streamline workload;

17 (3) study how such a system could be financed, including requiring
18 offenders to pay for monitoring;

19 (4) study admissibility of evidence issues;

20 (5) make legislative recommendations; and

21 (6) prepare a report summarizing its findings and recommendations.

22 (g) The Task Force shall submit:

23 (1) an interim report to the Governor and subject to § 2-1246 of the State
24 Government Article, the General Assembly on or before December 31, 2004; and

25 (2) a final report of its findings and recommendations to the Governor
26 and, subject to § 2-1246 of the State Government Article, the General Assembly on or
27 before December 31, 2005.

28 (h) The Department of Public Safety and Correctional Services shall provide
29 staff to the Task Force.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2004. It shall remain effective for a period of 1 year and 6 months and, at the
3 end of December 31, 2005, with no further action required by the General Assembly,
4 this Act shall be abrogated and of no further force and effect.