

HOUSE BILL 138

E2, E4, E1

9lr1444

By: **Delegates Simmons, Shank, and Waldstreicher**

Introduced and read first time: January 23, 2009

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Truth in Sentencing Task Force**

3 FOR the purpose of establishing a Truth in Sentencing Task Force; providing for the
4 membership and duties of the Task Force; providing for the staffing of the Task
5 Force; requiring the Governor to appoint the chair of the Task Force;
6 prohibiting a member of the Task Force from receiving certain compensation;
7 authorizing a member of the Task Force to receive reimbursement for certain
8 expenses; requiring the Task Force to report to the General Assembly by a
9 certain date; providing for the termination of this Act; and generally relating to
10 the establishment of a Truth in Sentencing Task Force.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That:

13 (a) There is a Truth in Sentencing Task Force.

14 (b) The Task Force consists of the following members:

15 (1) the chairperson of the Senate Judicial Proceedings Committee;

16 (2) the chairperson of the House Judiciary Committee;

17 (3) the Secretary of State Police, or the Secretary's designee;

18 (4) the Secretary of Public Safety and Correctional Services, or the
19 Secretary's designee;

20 (5) the Commissioner of Correction, or the Commissioner's designee;

21 (6) the Chair of the Maryland Judicial Conference, or the Chair's
22 designee;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (7) the Maryland Public Defender, or the Public Defender's designee;

2 (8) the Attorney General, or the Attorney General's designee; and

3 (9) the following individuals appointed by the Governor:

4 (i) a representative of the Maryland State Bar Association;

5 (ii) a representative of a local correctional facility in the State;

6 and

7 (iii) a representative of a local law enforcement agency in the
8 State.

9 (c) The Governor shall appoint a chair of the Task Force from its
10 membership.

11 (d) The Secretary of Public Safety and Correctional Services shall provide
12 staff support for the Task Force from the Department of Public Safety and
13 Correctional Services.

14 (e) A member of the Task Force:

15 (1) may not receive compensation as a member of the Task Force; but

16 (2) is entitled to reimbursement for expenses under the Standard
17 State Travel Regulations, as provided in the State budget.

18 (f) The Task Force shall:

19 (1) examine current State laws relating to sentencing, the diminution
20 of sentences, and parole of those convicted of crimes in the State;

21 (2) examine and report on the issues of whether diminution credits for
22 those serving sentences for crimes in the State should be abolished or reduced and
23 whether the right of the trial court to revise a sentence after the filing of a motion
24 within 90 days should be modified;

25 (3) examine and report on how issues of parole and early release are
26 decided and how those receiving early release are supervised and monitored in the
27 State;

28 (4) examine and report on public awareness of issues relating to early
29 release and the transparency of the process that leads to early release;

1 (5) examine and report on the costs that can be expected from larger
2 prison populations resulting from a reduction in the number of those granted early
3 release and how those costs could be borne by the State;

4 (6) examine and report on the impact that the denial of the possibility
5 of early release would have on the behavior of those serving sentences in the prisons of
6 the State and the ability of prison officials to impact that behavior.

7 (g) On or before December 31, 2009, the Task Force shall report its findings
8 and recommendations to the General Assembly, in accordance with § 2-1246 of the
9 State Government Article.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 June 1, 2009. It shall remain effective for a period of 1 year and, at the end of May
12 31, 2010, with no further action required by the General Assembly, this Act shall be
13 abrogated and of no further force and effect.