

HOUSE BILL 988

E4, P4

9lr1925

By: **Delegates Shank, Beitzel, Conway, Eckardt, Elmore, Haddaway, Kelly, Myers, Serafini, Shewell, Smigiel, and Walkup**
Introduced and read first time: February 13, 2009
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Strip Searches of Employees – Reporting**
3 **Requirement**

4 FOR the purpose of requiring the Secretary of Public Safety and Correctional Services
5 to report to the Attorney General on certain information regarding strip
6 searches of employees of the Department of Public Safety and Correctional
7 Services within a certain time period of conducting each strip search; requiring
8 the Secretary to report to the Legislative Policy Committee, the Senate Budget
9 and Taxation Committee, and the House Appropriations Committee on or before
10 a certain date each year on certain information regarding strip searches of
11 employees of the Department; defining a certain term; and generally relating to
12 reporting requirement regarding strip searches of employees of the Department
13 of Public Safety and Correctional Services.

14 BY repealing and reenacting, without amendments,
15 Article – Correctional Services
16 Section 1–101(o)
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2008 Supplement)

19 BY adding to
20 Article – Correctional Services
21 Section 2–119
22 Annotated Code of Maryland
23 (2008 Replacement Volume and 2008 Supplement)

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

26 **Article – Correctional Services**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 1-101.

2 (o) (1) "State correctional facility" means a correctional facility that is
3 operated by the State.

4 (2) "State correctional facility" includes:

5 (i) the Patuxent Institution;

6 (ii) the Baltimore City Detention Center; and

7 (iii) the centralized booking facility in Baltimore City that is
8 operated by the Division of Pretrial Detention and Services in the Department of
9 Public Safety and Correctional Services.

10 **2-119.**

11 (A) **IN THIS SECTION, "STRIP SEARCH" MEANS AN OBSERVATION OF THE**
12 **UNCLOTHED BODY OF AN EMPLOYEE OF THE DEPARTMENT TO DETERMINE THE**
13 **PRESENCE OF CONTRABAND.**

14 (B) **WITHIN 14 DAYS OF CONDUCTING EACH STRIP SEARCH, THE**
15 **SECRETARY SHALL FORWARD A REPORT TO THE ATTORNEY GENERAL ON:**

16 (1) **ACTIONS TAKEN DURING THE STRIP SEARCH; AND**

17 (2) **ACTIONS REGARDING THE STRIP SEARCH TAKEN IN**
18 **ACCORDANCE WITH ANY REGULATION, ADMINISTRATIVE POLICY, OR DIRECTIVE**
19 **ADOPTED BY THE DEPARTMENT, THE DIVISION OF CORRECTION, THE DIVISION**
20 **OF PRETRIAL DETENTION AND SERVICES, OR THE PATUXENT INSTITUTION.**

21 (C) **ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE SECRETARY**
22 **SHALL FORWARD TO THE LEGISLATIVE POLICY COMMITTEE, THE SENATE**
23 **BUDGET AND TAXATION COMMITTEE, AND THE HOUSE APPROPRIATIONS**
24 **COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT**
25 **ARTICLE, A REPORT ON STRIP SEARCHES PERFORMED DURING THE PRECEDING**
26 **12 MONTHS, THAT INCLUDES:**

27 (1) **THE NUMBER OF STRIP SEARCHES PERFORMED AT EACH**
28 **STATE CORRECTIONAL FACILITY; AND**

29 (2) **A COMPILATION OF THE REPORTS REQUIRED BY SUBSECTION**
30 **(B) OF THIS SECTION.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2009.