

# HOUSE BILL 988

E4, P4

9lr1925

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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

Reassigned: Appropriations, February 23, 2009

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2009

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## CHAPTER \_\_\_\_\_

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 each month to the Attorney General on certain information regarding  
6 strip 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 requirements regarding strip searches of employees of the  
13 Department 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

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2008 Replacement Volume and 2008 Supplement)

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

4 **Article – Correctional Services**

5 1–101.

6 (o) (1) “State correctional facility” means a correctional facility that is  
7 operated by the State.

8 (2) “State correctional facility” includes:

9 (i) the Patuxent Institution;

10 (ii) the Baltimore City Detention Center; and

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

14 **2–119.**

15 (A) **IN THIS SECTION, “STRIP SEARCH” MEANS AN OBSERVATION OF THE**  
16 **UNCLOTHED BODY OF AN EMPLOYEE OF THE DEPARTMENT TO DETERMINE THE**  
17 **PRESENCE OF CONTRABAND.**

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

21 (1) **ACTIONS TAKEN DURING ~~THE~~ EACH STRIP SEARCH**  
22 **CONDUCTED DURING THE PREVIOUS MONTH; AND**

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

27 (C) **ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE SECRETARY**  
28 **SHALL FORWARD TO THE LEGISLATIVE POLICY COMMITTEE, THE SENATE**  
29 **BUDGET AND TAXATION COMMITTEE, AND THE HOUSE APPROPRIATIONS**  
30 **COMMITTEE, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT**  
31 **ARTICLE, A REPORT ON STRIP SEARCHES PERFORMED DURING THE PRECEDING**  
32 **12 MONTHS, THAT INCLUDES:**

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

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.