

HOUSE BILL 1268

E4, E2

6lr2304

By: **Calvert County Delegation**

Introduced and read first time: February 12, 2016

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Calvert County – Pretrial Release Program – Nonviolent Felon**

3 FOR the purpose of repealing a provision of law that prohibits an individual in detention
4 for or previously convicted of a felony that is not a crime of violence from being
5 eligible for a certain pretrial release program in Calvert County; providing that an
6 individual in detention for or previously convicted of a certain crime is not eligible
7 for a certain program; and generally relating to the Calvert County pretrial release
8 program.

9 BY repealing and reenacting, with amendments,
10 Article – Correctional Services
11 Section 11–706(e)
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2015 Supplement)

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

16 **Article – Correctional Services**

17 11–706.

18 (e) (1) The Sheriff may:

19 (i) establish a pretrial release program that offers alternatives to
20 pretrial detention; and

21 (ii) adopt regulations to administer the program.

22 (2) A court may order an individual to participate in the pretrial release
23 program if the individual:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) appears before the court after being charged and detained on
2 bond; and

3 (ii) meets the eligibility requirements of paragraph (4) of this
4 subsection.

5 (3) The court may make the order at the imposition of bond, on review of
6 bond, or any other time during the individual's pretrial detention.

7 (4) An individual is eligible for the pretrial release program if the
8 individual:

9 (i) is recommended to the court for placement in the program by the
10 program staff;

11 (ii) has no other charges for a felony or a violation of a crime of
12 violence as defined in § 14-101 of the Criminal Law Article pending in any jurisdiction; and

13 (iii) is not in detention for or been previously convicted of:

14 1. a crime of violence listed in § 14-101 of the Criminal Law
15 Article;

16 2. [a felony; or

17 3.] the crime of escape under § 9-404 of the Criminal Law
18 Article; OR

19 3. A CRIME UNDER §§ 5-612, 5-613, OR 5-614 OF THE
20 CRIMINAL LAW ARTICLE.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2016.