

**Department of Legislative Services**  
Maryland General Assembly  
2017 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

Senate Bill 462 (Senator Conway)  
Judicial Proceedings

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**Commission to Study the Disproportionate Justice Impact on Minorities**

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This bill establishes a Commission to Study the Disproportionate Justice Impact on Minorities, staffed by the Governor's Office of Crime Control and Prevention (GOCCP). The commission must report its findings and recommendations to the Governor and the General Assembly by December 1, 2017.

The bill takes effect June 1, 2017, and terminates May 31, 2019.

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**Fiscal Summary**

**State Effect:** Any expense reimbursements for commission members and staffing costs for GOCCP are assumed to be minimal and absorbable within existing budgeted resources. Revenues are not affected.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The commission must:

- identify a uniform method for collecting and analyzing data on the racial, gender, and ethnic identity of juveniles and adults detained, arrested, or charged by State or local law enforcement or State's Attorneys;
- identify barriers that agencies may have to collecting and reporting on race, gender, and ethnicity data in a uniform manner;

- identify and make recommendations for policies needed to be implemented by State and local law enforcement and State's Attorneys that will aid in the assessment of the criminal laws and sentencing provisions on race, gender, and ethnicity;
- make recommendations for the resources necessary to provide the capacity to State or local law enforcement or State's Attorneys to routinely report on race, gender, and ethnicity of those detained, arrested, or charged;
- make recommendations for legislation and policy changes to address the disproportionate minority impact of criminal laws and sentencing provisions in the State; and
- make recommendations on any other relevant issues or considerations identified by the commission.

Commission members may not receive compensation but are entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget. GOCCP must designate two co-chairs of the commission.

**Current Law/Background:** In recent years, there has been increased attention on the correlation between minorities and various aspects of the criminal justice system. State agencies vary on the type and specificity of data they collect regarding minorities. For example, the Department of Public Safety and Correctional Services routinely prepares quarterly reports on intake characteristics, including race, of all offenders in the prison population. However, because information is not recorded regarding ethnicity, information regarding Hispanic individuals is not available.

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### **Additional Information**

**Prior Introductions:** SB 800 of 2016, a similar bill, received a hearing in the Senate Judicial Proceedings Committee but was withdrawn. Its cross file, HB 341, received an unfavorable report from the House Judiciary Committee. HB 1228 of 2013 received an unfavorable report from the House Judiciary Committee.

**Cross File:** HB 993 (Delegate Valentino-Smith, *et al.*) - Judiciary.

**Information Source(s):** Governor's Office of Crime Control and Prevention; Department of Public Safety and Correctional Services; Department of Legislative Services

**Fiscal Note History:** First Reader - February 13, 2017  
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