

SB0392/703421/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 392
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; in line 2, strike “**Plea Agreements and**”; in line 3, after “**Report**” insert “**and Data Dashboard**”; strike beginning with “providing” in line 5 down through “range;” in line 7; in line 9, after “violence;” insert “requiring the Commission to include certain information in a data dashboard on its public website;”; and in line 23, strike “6–208 and”.

On page 2, strike in their entirety lines 1 through 5, inclusive.

On page 5, strike in their entirety lines 26 through 30, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.”

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 26 on page 3 through line 15 on page 4, inclusive.

AMENDMENT NO. 3

On pages 4 and 5, strike in their entirety the lines beginning with line 25 on page 4 through line 11 on page 5, inclusive, and substitute:

“(III) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION:

1. FOR SENTENCES INVOLVING A CRIME OF VIOLENCE, AS DEFINED IN § 14–101 OF THE CRIMINAL LAW ARTICLE, INCLUDE INFORMATION DISAGGREGATED BY COUNTY ON:

(Over)

A. THE NUMBER AND PERCENTAGE OF SENTENCING EVENTS IN EACH DISPOSITION CATEGORY, AS INDICATED ON THE SENTENCING GUIDELINES WORKSHEET;

B. THE NUMBER AND PERCENTAGE OF SENTENCING EVENTS THAT RESULTED IN A DEPARTURE FROM THE SENTENCING GUIDELINES; AND

C. FOR SENTENCING EVENTS THAT RESULTED IN A DEPARTURE FROM THE SENTENCING GUIDELINES, THE DEPARTURE REASONS CITED AND THE NUMBER AND PERCENTAGE OF EVENTS IN WHICH EACH REASON WAS CITED; AND

2. FOR SENTENCING EVENTS INVOLVING A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE, REPORT DISAGGREGATED BY COUNTY AND CRIME ON:

A. THE AVERAGE TOTAL SENTENCE;

B. THE AVERAGE NONSUSPENDED SENTENCE; AND

C. FOR SENTENCES IN WHICH A PORTION OF THE SENTENCE WAS SUSPENDED, THE AVERAGE PERCENTAGE OF THE TOTAL SENTENCE SUSPENDED;”.

On page 5, in line 18, after “(2)” insert “THE COMMISSION SHALL REPORT INFORMATION REQUIRED UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION BY CIRCUIT FOR THE 1ST, 2ND, AND 4TH JUDICIAL CIRCUITS.”

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(3)”;

after line 20, insert:

“(4) THE COMMISSION SHALL CONSPICUOUSLY POST THE INFORMATION REQUIRED TO BE INCLUDED IN THE REPORT UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION IN A DATA DASHBOARD ON ITS PUBLIC WEBSITE.”;

and strike in their entirety lines 21 through 25, inclusive.