

# HOUSE BILL 856

E5, E4

3lr1985

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By: **Delegate Attar**

Introduced and read first time: February 9, 2023

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Baltimore City Convicted Gun Offenders Pilot Program**

3 FOR the purpose of establishing the Baltimore City Convicted Gun Offenders Pilot  
4 Program to provide convicted gun offenders with individualized case treatment  
5 plans, specialized guidance and treatment, and rehabilitation services; requiring the  
6 Division of Correction to implement and administer the Program; authorizing the  
7 court to order an individual to participate in the Program as a condition of probation;  
8 and generally relating to the Baltimore City Convicted Gun Offenders Pilot Program.

9 BY repealing and reenacting, without amendments,  
10 Article – Correctional Services  
11 Section 6–101(a) and (g)  
12 Annotated Code of Maryland  
13 (2017 Replacement Volume and 2022 Supplement)

14 BY adding to  
15 Article – Correctional Services  
16 Section 6–123  
17 Annotated Code of Maryland  
18 (2017 Replacement Volume and 2022 Supplement)

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

### Article – Correctional Services

22 6–101.

23 (a) In this subtitle the following words have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (g) "Division" means the Division of Parole and Probation.

2 **6-123.**

3 (A) IN THIS SECTION, "PROGRAM" MEANS THE BALTIMORE CITY  
4 CONVICTED GUN OFFENDERS PILOT PROGRAM.

5 (B) THIS SECTION APPLIES ONLY IN BALTIMORE CITY.

6 (C) (1) THERE IS A BALTIMORE CITY CONVICTED GUN OFFENDERS  
7 PILOT PROGRAM.

8 (2) THE PROGRAM SHALL BE IMPLEMENTED AND ADMINISTERED BY  
9 THE DIVISION AND SHALL OPERATE AS PROVIDED IN THIS SECTION.

10 (D) THE PURPOSE OF THE PROGRAM IS TO PROVIDE CONVICTED GUN  
11 OFFENDERS WITH INDIVIDUALIZED CASE TREATMENT PLANS, SPECIALIZED  
12 GUIDANCE AND SUPERVISION, AND REHABILITATION SERVICES.

13 (E) THE DIVISION SHALL:

14 (1) DEVELOP AN INDIVIDUALIZED CASE TREATMENT PLAN FOR EACH  
15 INDIVIDUAL ADMITTED INTO THE PROGRAM; AND

16 (2) ESTABLISH PERFORMANCE GOALS FOR THE PROGRAM.

17 (F) (1) A COURT MAY ORDER AN INDIVIDUAL TO PARTICIPATE IN THE  
18 PROGRAM AS A CONDITION OF PROBATION.

19 (2) A VIOLATION OF A COURT ORDER TO PARTICIPATE IN THE  
20 PROGRAM IS A VIOLATION OF PROBATION.

21 (3) THE DIVISION SHALL ACCEPT ANY INDIVIDUAL ORDERED BY THE  
22 COURT TO PARTICIPATE IN THE PROGRAM UNDER PARAGRAPH (1) OF THIS  
23 SUBSECTION.

24 (G) ON OR BEFORE DECEMBER 1 EACH YEAR BEGINNING DECEMBER 1,  
25 2024, THE DIVISION SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE  
26 WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, FOR THE PREVIOUS 1-YEAR  
27 PERIOD:

28 (1) THE NUMBER OF INDIVIDUALS ADMITTED INTO THE PROGRAM;

1                   **(2) THE NUMBER OF INDIVIDUALS WHO SATISFIED THE**  
2 **REQUIREMENTS OF THE PROGRAM;**

3                   **(3) THE COST OF ADMINISTERING THE PROGRAM;**

4                   **(4) THE EFFECTIVENESS OF THE PROGRAM; AND**

5                   **(5) ANY OTHER INFORMATION THAT MAY BE USEFUL IN**  
6 **DETERMINING WHETHER A STATEWIDE PROGRAM SHOULD BE ESTABLISHED.**

7                   **(H) THE DIVISION SHALL ADOPT REGULATIONS TO IMPLEMENT THE**  
8 **PROVISIONS OF THIS SECTION.**

9                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2023.