

SENATE BILL 752

E2, E4

6lr1603
CF 6lr1601

By: **Senators Sydnor and Augustine**

Introduced and read first time: February 6, 2026

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Commission to Review and Assess Racial Disparities in the State Criminal**
3 **Justice System – Establishment**

4 FOR the purpose of establishing the Commission to Review and Assess Racial Disparities
5 in the State Criminal Justice System to study and make recommendations on certain
6 matters involving the disparate treatment of African Americans, Hispanics, and
7 other non-White individuals in the State's criminal justice system and other
8 criminal justice issues in the State; and generally relating to the Commission to
9 Review and Assess Racial Disparities in the State Criminal Justice System.

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
11 That:

12 (a) There is a Commission to Review and Assess Racial Disparities in the State
13 Criminal Justice System.

14 (b) The Commission consists of the following members:

15 (1) two members of the Senate of Maryland, appointed by the President of
16 the Senate;

17 (2) two members of the House of Delegates, appointed by the Speaker of
18 the House;

19 (3) the Public Defender of Maryland, or the Public Defender's designee;

20 (4) the Attorney General, or the Attorney General's designee;

21 (5) one representative of the Administrative Office of the Courts, appointed
22 by the Chief Justice of the Supreme Court of Maryland;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(6) the President of the Maryland State's Attorneys' Association, or the President's designee;

(7) the Executive Director of the Maryland State Commission on Criminal Sentencing Policy, or the Executive Director's designee;

(8) four members of the public with a demonstrated interest and experience in advocating for improvements to the State's criminal justice system, with two members appointed by the President of the Senate and two members appointed by the Speaker of the House; and

(9) the following members appointed by the Governor:

(i) one representative of a nonprofit entity whose work involves justice reform, such as the Vera Institute of Justice; and

(ii) one representative of a crime victims' advocacy group.

(c) (1) The President of the Senate and the Speaker of the House shall each designate one cochair of the Commission.

(2) The cochairs designated under paragraph (1) of this subsection shall each have experience:

(i) practicing criminal law in both a prosecutorial and defense capacity;

(ii) in judicial and administrative matters; and

(iii) in data-driven criminal justice research in an academic or nonprofit context.

(d) (1) The Department of Legislative Services, with assistance from an academic institution such as the University of Maryland or Morgan State University, shall provide staff for the Commission.

(2) To the extent practicable, the staff provided under paragraph (1) of this subsection shall have experience in data-driven criminal law research and expertise in criminal justice reform and other areas relevant to the work of the Commission.

(e) A member of the Commission:

(1) may not receive compensation as a member of the Commission; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) (1) The Commission shall study and make recommendations on:

(i) the disparate treatment of African Americans, Hispanics, and other non-White individuals in the State's criminal justice system, including:

1. how cumulative impacts may result from disparate policing, arrests, charging, pretrial detention, sentencing, community supervision, and prosecution, including diversion and plea policies; and

2. the impacts of disparate mandatory minimum sentencing, including for convictions for:

A. offenses involving firearms; and

B. individuals who are not alleged to be principals in the first degree;

(ii) the need and alternative methods available to improve any racial disparities and lack of transparency in the State's criminal justice system;

(iii) improvements available to the systemic structures for race-neutral risk and needs assessments diversion, sentencing alternatives, rehabilitative sentencing, and reduction of recidivism;

(iv) the possibility of using resources of the Division of Parole and Probation in the Department of Public Safety and Correctional Services to conduct pretrial and presentence race-neutral risk and needs assessments that could be considered by parties at the time of plea discussions and by judges at the time of sentencing;

(v) the potential to increase judicial discretion at sentencing to allow judges to more closely consider as sentencing factors, including for individuals charged with or convicted of crimes of violence or sex offenses:

1. the intent of the individuals being sentenced; and

2. the possibility for rehabilitation and reduction in recidivism;

(vi) the possibility of modifying or abolishing the State's felony murder doctrine for cases for individuals who are not alleged to be principals in the first degree;

(vii) the design and expansion of programs intended to:

1. reduce State prison populations;

2. be rehabilitative; and

1 3. further reduce the length of prison sentences in a manner
2 that is consistent with public safety; and

3 (viii) data collection methods for the ongoing monitoring of racial
4 disparities at each stage of the State's criminal justice system, including identifying gaps
5 in existing data.

6 (2) The Commission shall:

7 (i) meet on or before September 16, 2026, and continue to meet at
8 least quarterly thereafter until submission of the final report required under subsection (g)
9 of this section; and

10 (ii) hold at least four public hearings to examine, discuss, and review
11 the items described in paragraph (1) of this subsection.

12 (g) (1) On or before October 1, 2027, the Commission shall submit an interim
13 report of its findings and recommendations to the Senate Judicial Proceedings Committee
14 and the House Judiciary Committee, in accordance with § 2–1257 of the State Government
15 Article.

16 (2) On or before September 1, 2028, the Commission shall submit a final
17 report of its findings and recommendations to the Senate Judicial Proceedings Committee
18 and the House Judiciary Committee, in accordance with § 2–1257 of the State Government
19 Article.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2026. It shall remain effective for a period of 3 years and, at the end of June 30, 2029,
22 this Act, with no further action required by the General Assembly, shall be abrogated and
23 of no further force and effect.