

SENATE BILL 586

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2lr1162
CF HB 441

By: **Senators McCray, Washington, Hayes, and Ferguson**

Introduced and read first time: February 2, 2022

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 1, 2022

CHAPTER _____

1 AN ACT concerning

2 **Criminal Procedure – ~~Pretrial Release of Defendant – Notice and Public Safety –~~**
3 **Courts and Criminal Justice in Baltimore City**

4 FOR the purpose of requiring ~~a court and the Office of the State’s Attorney~~ the Department
5 of Public Safety and Correctional Services to notify ~~a certain law enforcement agency~~
6 the Baltimore Police Department if a defendant ~~charged with certain crimes~~ is
7 released prior to trial; ~~and generally relating to pretrial release procedures~~
8 establishing the Jobs Court Pilot Program in the District Court sitting in Baltimore
9 City; requiring the Administrative Office of the Courts to take certain actions
10 including providing a certain report, in consultation with the Baltimore Workforce
11 Development Board, to the Governor and the General Assembly on or before a certain
12 date; requiring the Baltimore Police Department to report certain information to the
13 Baltimore City Delegation to the General Assembly regarding firearms destroyed,
14 seized, or recovered by the Department during a certain year; providing for a certain
15 penalty for noncompliance; and generally relating to Courts and Criminal Justice in
16 Baltimore City.

17 BY adding to

18 Article – Criminal Procedure

19 Section 5–105 and 6–236

20 Annotated Code of Maryland

21 (2018 Replacement Volume and 2021 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article – Criminal Procedure

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 11–104(f)(4)
 2 Annotated Code of Maryland
 3 (2018 Replacement Volume and 2021 Supplement)

4 BY adding to

5 Article – Public Safety
 6 Section 3–501.1
 7 Annotated Code of Maryland
 8 (2018 Replacement Volume and 2021 Supplement)

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

11 **Article – Criminal Procedure**

12 **5–105.**

13 (A) ~~THIS SECTION APPLIES ONLY TO A DEFENDANT WHO IS CHARGED WITH:~~

14 ~~(1) MURDER IN THE FIRST DEGREE;~~

15 ~~(2) MURDER IN THE SECOND DEGREE;~~

16 ~~(3) ATTEMPTED MURDER IN THE FIRST DEGREE;~~

17 ~~(4) ATTEMPTED MURDER IN THE SECOND DEGREE;~~

18 ~~(5) ROBBERY WITH A DANGEROUS WEAPON; OR~~

19 ~~(6) ARMED CARJACKING IN BALTIMORE CITY.~~

20 (B) ~~IF A DEFENDANT IS RELEASED BEFORE TRIAL, THE COURT AND THE~~
 21 ~~OFFICE OF THE STATE’S ATTORNEY DEPARTMENT OF PUBLIC SAFETY AND~~
 22 ~~CORRECTIONAL SERVICES SHALL PROVIDE NOTICE WITHIN 48 24 HOURS OF THE~~
 23 ~~RELEASE TO THE LAW ENFORCEMENT AGENCY THAT ARRESTED THE DEFENDANT~~
 24 ~~BALTIMORE POLICE DEPARTMENT.~~

25 (C) NOTICE PROVIDED UNDER THIS SECTION SHALL BE PROVIDED IN A
 26 MANNER THAT ALLOWS THE SORTING AND FILTERING OF THE INFORMATION
 27 PROVIDED BY THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL
 28 SERVICES.

29 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 30 as follows:

31 **Article – Criminal Procedure**

1 6-236.

2 (A) THERE IS A JOBS COURT PILOT PROGRAM IN THE DISTRICT COURT
3 SITTING IN BALTIMORE CITY.

4 (B) THE PURPOSE OF THE PILOT PROGRAM IS TO REDUCE RECIDIVISM BY
5 OFFERING DEFENDANTS AN OPPORTUNITY TO PARTICIPATE IN FULL-TIME JOB
6 TRAINING AND JOB PLACEMENT PROGRAMS AS A CONDITION OF PROBATION, AN
7 ALTERNATIVE TO INCARCERATION, OR A CONDITION OF PRETRIAL RELEASE.

8 (C) TO ACCOMPLISH THE PURPOSE OF THE PILOT PROGRAM, THE
9 ADMINISTRATIVE OFFICE OF THE COURTS SHALL DEVELOP A PLAN TO IMPLEMENT
10 AND MONITOR THE PILOT PROGRAM.

11 (D) ON OR BEFORE JUNE 30, 2027, THE ADMINISTRATIVE OFFICE OF THE
12 COURTS, IN CONSULTATION WITH THE BALTIMORE WORKFORCE DEVELOPMENT
13 BOARD, SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257
14 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE
15 OPERATION AND RESULTS OF THE PILOT PROGRAM.

16 Article – Public Safety

17 3-501.1.

18 (A) (1) ON OR BEFORE MARCH 1 EACH YEAR, BEGINNING MARCH 1, 2023,
19 THE BALTIMORE POLICE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN
20 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL
21 ASSEMBLY REGARDING THE FIREARMS DESTROYED, SEIZED, OR RECOVERED BY
22 THE BALTIMORE POLICE DEPARTMENT DURING THE PRECEDING CALENDAR YEAR.

23 (2) THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS
24 SUBSECTION SHALL ADDRESS:

25 (I) THE NUMBER OF FIREARMS DESTROYED, SEIZED, OR
26 RECOVERED DURING THE REPORTING PERIOD;

27 (II) THE MANUFACTURER AND TYPE OF EACH FIREARM, TO THE
28 EXTENT KNOWN, INCLUDING WHETHER IT IS A HANDGUN, RIFLE, MACHINE GUN, OR
29 SHOTGUN;

30 (III) WHETHER EACH FIREARM HAD A SERIAL NUMBER;

31 (IV) THE REASON FOR THE DESTRUCTION OF EACH FIREARM;

1 (V) THE SOURCE OF EACH FIREARM, INCLUDING SEIZURE FROM
2 A CRIMINAL DEFENDANT, CRIME EVIDENCE, AGENCY PURCHASE, TURNED IN TO THE
3 AGENCY BY A CITIZEN, OR ANY OTHER SOURCE; AND

4 (VI) ANY OTHER RELEVANT INFORMATION.

5 (B) THE REPORT SUBMITTED ON MARCH 1, 2023, UNDER SUBSECTION (A)
6 OF THIS SECTION SHALL ALSO INCLUDE INFORMATION REGARDING FIREARMS
7 DESTROYED, SEIZED, OR RECOVERED BY THE BALTIMORE POLICE DEPARTMENT
8 DURING EACH CALENDAR YEAR FROM 2012 THROUGH 2021.

9 (C) IF THE BALTIMORE POLICE DEPARTMENT HAS NOT SUBMITTED A
10 REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION, THE GOVERNOR'S
11 OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES MAY NOT MAKE
12 ANY GRANT FUNDS AVAILABLE TO THE BALTIMORE POLICE DEPARTMENT.

13 SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal year 2024, the
14 Governor shall include in the annual State budget an appropriation of at least \$500,000 to
15 the Baltimore Workforce Development Board to be distributed to local workforce
16 investment boards or other nonprofit entities that participate in the pilot program by
17 identifying employers and training programs.

18 SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 ~~October~~ July 1, 2022. Section 2 of this Act shall remain effective for a period of 5 years and,
20 at the end of June 30, 2027, Section 2 of this Act, with no further action required by the
21 General Assembly, shall be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.