

Chapter 521

(Senate Bill 586)

AN ACT concerning

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

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

BY adding to

Article – Criminal Procedure
Section 5–105 ~~and 6–236~~
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

~~BY repealing and reenacting, with amendments,~~

~~Article – Criminal Procedure
Section 11–104(f)(4)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)~~

BY adding to

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

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

Article – Criminal Procedure

5–105.

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

- ~~(1) MURDER IN THE FIRST DEGREE;~~
- ~~(2) MURDER IN THE SECOND DEGREE;~~
- ~~(3) ATTEMPTED MURDER IN THE FIRST DEGREE;~~
- ~~(4) ATTEMPTED MURDER IN THE SECOND DEGREE;~~
- ~~(5) ROBBERY WITH A DANGEROUS WEAPON; OR~~
- ~~(6) ARMED CARJACKING IN BALTIMORE CITY.~~

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

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

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

Article – Criminal Procedure

6-236.

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

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

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

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

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Safety

3-501.1.

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

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

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

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

(III) WHETHER EACH FIREARM HAD A SERIAL NUMBER;

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

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

(VI) ANY OTHER RELEVANT INFORMATION.

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

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

SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That ~~for~~ in each of fiscal year years 2024, 2025, 2026, 2027, and 2028, the Governor shall include in the annual State budget an appropriation of at least \$500,000 to the Baltimore Workforce Development Board to be distributed to local workforce investment boards or other nonprofit entities that participate in the ~~pilot program~~ Jobs Court Pilot Program by identifying employers and training programs.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2023. Section 2 of this Act shall remain effective for a period of 5 years and, at the end of June 30, 2028, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION ~~2~~ ~~4~~ 6. AND BE IT FURTHER ENACTED, That, except as provided in Section 5 of this Act, this Act shall take effect ~~October~~ July 1, 2022. Section ~~2~~ 3 of this Act shall remain effective for a period of 5 years and, at the end of June 30, 2027, Section ~~2~~ 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2022.