

# HOUSE BILL 388

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EMERGENCY BILL

5lr2481  
CF SB 602

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By: **Delegates Dumais and Vallario**

Introduced and read first time: February 6, 2015

Assigned to: Judiciary

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 14, 2015

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Justice Reinvestment Coordinating Council**

3 FOR the purpose of establishing the Justice Reinvestment Coordinating Council in the  
4 Governor's Office of Crime Control and Prevention; providing for the composition,  
5 chair, and staffing of the Council; prohibiting a member of the Council from receiving  
6 certain compensation, but authorizing the reimbursement of certain expenses;  
7 establishing the duties of the Council; requiring the Council to report its ~~interim and~~  
8 ~~final~~ findings and recommendations to the Governor and General Assembly on or  
9 before ~~certain dates~~; a certain date; making this Act an emergency measure;  
10 providing for the termination of this Act; and generally relating to the Justice  
11 Reinvestment Coordinating Council.

12 BY adding to

13 Article – Public Safety

14 Section 1–601 through 1–605 to be under the new subtitle “Subtitle 6. Justice  
15 Reinvestment Coordinating Council”

16 Annotated Code of Maryland

17 (2011 Replacement Volume and 2014 Supplement)

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

20 **Article – Public Safety**

21 **SUBTITLE 6. JUSTICE REINVESTMENT COORDINATING COUNCIL.**

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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 **1-601.**

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
3 INDICATED.

4 (B) "COUNCIL" MEANS THE JUSTICE REINVESTMENT COORDINATING  
5 COUNCIL.

6 (C) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE  
7 GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION.

8 (D) "OFFICE" MEANS THE GOVERNOR'S OFFICE OF CRIME CONTROL AND  
9 PREVENTION.

10 **1-602.**

11 THERE IS A JUSTICE REINVESTMENT COORDINATING COUNCIL IN THE  
12 OFFICE.

13 **1-603.**

14 (A) THE COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

15 (1) THREE MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY  
16 THE PRESIDENT OF THE SENATE;

17 (2) THREE MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY  
18 THE SPEAKER OF THE HOUSE;

19 (3) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL  
20 SERVICES, OR THE SECRETARY'S DESIGNEE;

21 (4) THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S  
22 DESIGNEE;

23 (5) THE ATTORNEY GENERAL OF MARYLAND, OR THE ATTORNEY  
24 GENERAL'S DESIGNEE;

25 (6) THE PUBLIC DEFENDER OF MARYLAND, OR THE PUBLIC  
26 DEFENDER'S DESIGNEE;

27 (7) A REPRESENTATIVE OF THE MARYLAND JUDICIARY, APPOINTED  
28 BY THE CHIEF JUDGE OF THE COURT OF APPEALS; AND

1           **(8) THE FOLLOWING MEMBERS, APPOINTED BY THE EXECUTIVE**  
2 **DIRECTOR:**

3           **(I) A REPRESENTATIVE OF LOCAL DETENTION CENTERS**  
4 **RECOMMENDED BY THE MARYLAND ASSOCIATION OF COUNTIES;**

5           **(II) A REPRESENTATIVE OF LOCAL LAW ENFORCEMENT**  
6 **AGENCIES;**

7           **(III) A REPRESENTATIVE OF THE MARYLAND STATE'S**  
8 **ATTORNEYS ASSOCIATION; AND**

9           **(IV) ANY OTHER MEMBER WITH EXPERTISE RELEVANT TO THE**  
10 **WORK OF THE COUNCIL.**

11           **(B) THE EXECUTIVE DIRECTOR SHALL BE THE CHAIR OF THE COUNCIL.**

12           **(C) THE OFFICE SHALL PROVIDE STAFF FOR THE COUNCIL.**

13           **(D) A MEMBER OF THE COUNCIL:**

14           **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**  
15 **COUNCIL; BUT**

16           **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**  
17 **STANDARD STATE TRAVEL REGULATIONS.**

18 **1-604.**

19           **THE COUNCIL SHALL:**

20           **(1) CONVENE AN ADVISORY STAKEHOLDER GROUP THAT INCLUDES**  
21 **ORGANIZATIONS WITH EXPERIENCE IN:**

22                   **(I) CRIMINAL JUSTICE POLICY REFORM;**

23                   **(II) ADVOCATING FOR GROUPS WITH DISPROPORTIONATE**  
24 **CONTACT WITH THE CRIMINAL JUSTICE SYSTEM;**

25                   **(III) ADVOCATING FOR VICTIMS OF CRIME; AND**

26                   **(IV) COMMUNITY CONFERENCING AND MEDIATION FOR**  
27 **RESTORATIVE JUSTICE;**

1           **(2) WORKING WITH THE ADVISORY STAKEHOLDER GROUP, CONDUCT**  
 2 **ROUNDTABLE DISCUSSION FORUMS SEEKING PUBLIC INPUT IN ALL GEOGRAPHIC**  
 3 **REGIONS OF THE STATE;**

4           ~~**(1) (3)**~~           **USING A DATA-DRIVEN APPROACH, DEVELOP A STATEWIDE**  
 5 ~~**POLICY FRAMEWORK TO**~~ **OF SENTENCING AND CORRECTIONS POLICIES TO FURTHER**  
 6 **REDUCE THE STATE'S INCARCERATED POPULATION, REDUCE SPENDING ON**  
 7 **CORRECTIONS, AND REINVEST IN STRATEGIES TO INCREASE PUBLIC SAFETY AND**  
 8 **REDUCE RECIDIVISM; AND**

9           ~~**(2) (4)**~~           **REQUEST TECHNICAL ASSISTANCE FROM THE COUNCIL OF**  
 10 **STATE GOVERNMENTS JUSTICE CENTER AND THE PUBLIC SAFETY PERFORMANCE**  
 11 **PROJECT OF THE PEW CENTER ON THE STATES TO DEVELOP THE POLICY**  
 12 **FRAMEWORK.**

13 **1-605.**

14           **THE COUNCIL SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH**  
 15 **§ 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY;**

16           ~~**(1) THE INTERIM FINDINGS AND RECOMMENDATIONS OF THE**~~  
 17 ~~**COUNCIL ON OR BEFORE JANUARY 1, 2016; AND**~~

18           ~~**(2) THE FINAL FINDINGS AND RECOMMENDATIONS OF THE COUNCIL**~~  
 19 ~~**ON OR BEFORE JANUARY 1, 2017**~~ **DECEMBER 31, 2015.**

20           ~~**SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June**~~  
 21 ~~**1, 2015.**~~

22           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency**  
 23 **measure, is necessary for the immediate preservation of the public health or safety, has**  
 24 **been passed by a ye and nay vote supported by three-fifths of all the members elected to**  
 25 **each of the two Houses of the General Assembly, and shall take effect from the date it is**  
 26 **enacted. It shall remain effective through December 31, 2018, and, at the end of December**  
 27 **31, 2018, with no further action required by the General Assembly, this Act shall be**  
 28 **abrogated and of no further force and effect.**