

1 **(2)** A person sentenced under this section may petition for and be granted
2 parole if the person:

3 (i) is at least ~~[65]~~ **60** years old; and

4 (ii) has served at least ~~[15]~~ **10** years of the sentence imposed under
5 this section **OR ONE-THIRD OF THE PERSON'S TOTAL AGGREGATE SENTENCE.**

6 ~~[(2)]~~ **(3)** The Maryland Parole Commission shall adopt regulations to
7 implement this subsection.

8 **Article – Criminal Procedure**

9 1–101.

10 (a) In this article the following words have the meanings indicated.

11 **(P) “TECHNICAL VIOLATION” MEANS A VIOLATION OF A CONDITION OF**
12 **PROBATION THAT DOES NOT INCLUDE:**

13 **(1) AN ARREST;**

14 **(2) A CONVICTION; OR**

15 **(3) A VIOLATION OF A NO CONTACT ORDER.**

16 **6–209.**

17 (a) The Commission shall review annually sentencing policy and practice and, on
18 or before January 31 of each year, report to the General Assembly, in accordance with §
19 2–1246 of the State Government Article, on the activities of the preceding calendar year.

20 (b) (1) The report shall:

21 (i) include any changes to the sentencing guidelines made during
22 the preceding year;

23 (ii) review judicial compliance with the sentencing guidelines,
24 including compliance by crime and by judicial circuit;

25 (iii) review reductions or increases in original sentences that have
26 occurred because of reconsiderations of sentences imposed under § 14–101 of the Criminal
27 Law Article; **[and]**

1 (iv) categorize information on the number of reconsiderations of
2 sentences by crimes as listed in § 14–101(a) of the Criminal Law Article and by judicial
3 circuit; AND

4 (V) REVIEW JUDICIAL COMPLIANCE WITH THE GUIDELINES FOR
5 SUSPENDED SENTENCES ESTABLISHED UNDER PARAGRAPH (3) OF THIS
6 SUBSECTION.

7 (2) The Commission shall consider a sentence to a corrections options
8 program to be within the sentencing guidelines if the sentence falls within a corrections
9 options zone shown on the matrix.

10 (3) THE COMMISSION SHALL INCLUDE A SUSPENDED PORTION OF A
11 SENTENCE IN THE DETERMINATION OF WHETHER A SENTENCE IS COMPLIANT WITH
12 THE SENTENCING GUIDELINES.

13 6–223.

14 (a) A circuit court or the District Court may end the period of probation at any
15 time.

16 (b) On receipt of written charges, filed under oath, that a probationer or
17 defendant violated a condition of probation during the period of probation, the District
18 Court may, during the period of probation or within 30 days after the violation, whichever
19 is later, issue a warrant or notice requiring the probationer or defendant to be brought or
20 appear before the judge issuing the warrant or notice:

21 (1) to answer the charge of violation of a condition of probation or of
22 suspension of sentence; and

23 (2) to be present for the setting of a timely hearing date for that charge.

24 (c) Pending the hearing or determination of the charge, a circuit court or the
25 District Court may remand the probationer or defendant to a correctional facility or release
26 the probationer or defendant with or without bail.

27 (d) If, at the hearing, a circuit court or the District Court finds that the
28 probationer or defendant has violated a condition of probation, the court may:

29 (1) revoke the probation granted or the suspension of sentence; and

30 (2) (I) FOR A TECHNICAL VIOLATION, IMPOSE A PERIOD OF
31 INCARCERATION OF:

32 1. NOT MORE THAN 15 DAYS FOR A FIRST TECHNICAL
33 VIOLATION;

Links

The text above is extracted from the original HB1312 dated 2/13/2016.

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To see the current text of this legislation go to:

<http://mgaleg.maryland.gov/2016RS/bills/hb/hb1312f.pdf> or

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To view the Maryland Alliance for Justice Reform summary page go to:

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To see the legislative initiatives of the Maryland Alliance for Justice Reform:

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Maryland Alliance for Justice Reform (MAJR) played a central 2015 role in advocating and supporting efforts to pass the Justice Reinvestment initiative in Maryland. While the 2016 JRA bill is not perfect from MAJR's viewpoint, its many important reforms could reduce Maryland's prison population by 16% and save \$270 million within 10 years.

By reinvesting those funds in alternatives to incarceration, our state's crime rate also could be reduced, taxpayer funds could be saved, while communities and families are strengthened. **For all these reasons, MAJR strongly recommends support and passage of the 2016 Maryland Justice Reinvestment Act.** Together, we can work to fill policy gaps and make further improvements through supplemental policy initiatives and legislation in future years.