

1           (2)    The Department shall facilitate [the prompt] treatment of a defendant  
2 **WITHOUT UNNECESSARY DELAY AND IN NO EVENT LATER THAN 30 DAYS FROM THE**  
3 **ORDER.**

4           (3)    **IF A DEFENDANT WHO HAS BEEN COMMITTED FOR TREATMENT**  
5 **UNDER THIS SECTION IS NOT PLACED IN TREATMENT WITHIN 30 DAYS OF THE**  
6 **ORDER, THE COURT MAY ORDER THE DEPARTMENT TO APPEAR TO EXPLAIN THE**  
7 **REASON FOR THE LACK OF PLACEMENT.**

8           (f)    For a defendant committed for treatment under this section, a court shall  
9 order supervision of the defendant:

10           (1)    By an appropriate pretrial release agency, if the defendant is released  
11 pending trial;

12           (2)    By the Division of Parole and Probation under appropriate conditions  
13 in accordance with §§ 6–219 through 6–225 of the Criminal Procedure Article and Maryland  
14 Rule 4–345, if the defendant is released on probation; or

15           (3)    By the Department, if the defendant remains in the custody of a local  
16 correctional facility.

17           (g)    A court may order law enforcement officials, detention center staff,  
18 Department of Public Safety and Correctional Services staff, or sheriff's department staff  
19 within the appropriate local jurisdiction to transport a defendant to and from treatment  
20 under this section.

21           (h)    The Department shall promptly report to a court a defendant's withdrawal of  
22 consent to treatment and have the defendant returned to the court within 7 days for further  
23 proceedings.

24           (i)    A defendant who is committed for treatment under this section may question  
25 at any time the legality of the commitment by a petition for a writ of habeas corpus.

26           (j)    (1)    A commitment under this section shall be for at least 72 hours and not  
27 more than 1 year.

28           (2)    On good cause shown by the Department, the court, or the State, the  
29 court may extend the time period for providing the necessary treatment services in  
30 increments of 6 months.

31           (3)    Except during the first 72 hours after admission of a defendant to a  
32 treatment program, the Department may terminate the treatment if the Department  
33 determines that:

## Links

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

To return to the page that sent you here, just close this window.

To see the current text of this legislation go to:

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

<http://mgaleg.maryland.gov/2016RS/bills/sb/sb1005f.pdf>

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

<http://www.ma4jr.org/jra-summary/>

To view the Maryland Alliance for Justice Reform's index to the JRA:

<http://www.ma4jr.org/jra-index/>

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

<http://www.ma4jr.org/initiatives/>

To get further information about the Maryland Alliance for Justice Reform:

<http://www.ma4jr.org/>

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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.