

(4) (5) SENTENCING POLICIES SHOULD PRESERVE MEANINGFUL JUDICIAL DISCRETION IN THE IMPOSITION OF SENTENCES AND SUFFICIENT FLEXIBILITY TO PERMIT INDIVIDUALIZED SENTENCES; AND

(6) (6) SENTENCING JUDGES IN EVERY JURISDICTION IN THE STATE SHOULD BE ABLE TO IMPOSE THE MOST APPROPRIATE CRIMINAL PENALTIES, INCLUDING CORRECTIONS OPTIONS PROGRAMS FOR APPROPRIATE OFFENDERS.

21-103.

THERE IS A STATE COMMISSION ON CRIMINAL SENTENCING POLICY.

21-104.

(A) THE COMMISSION CONSISTS OF 19 MEMBERS AS FOLLOWS:

- (1) A CHAIRPERSON, APPOINTED BY THE GOVERNOR;
- (2) THE CHIEF JUDGE OF THE COURT OF APPEALS OR A JUDGE OR FORMER JUDGE OF THE COURT OF APPEALS OR THE COURT OF SPECIAL APPEALS DESIGNATED BY THE CHIEF JUDGE OF THE COURT OF APPEALS;
- (3) ONE CIRCUIT COURT JUDGE, APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS;
- (4) ONE DISTRICT COURT JUDGE, APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS;
- (5) THE ATTORNEY GENERAL OR THE ATTORNEY GENERAL'S DESIGNEE;
- (6) ONE STATE'S ATTORNEY WHO IS RECOMMENDED BY THE PRESIDENT OF THE MARYLAND STATE'S ATTORNEYS ASSOCIATION, APPOINTED BY THE GOVERNOR;
- (7) THE PUBLIC DEFENDER OR THE PUBLIC DEFENDER'S DESIGNEE;
- (8) A CRIMINAL DEFENSE ATTORNEY WHO IS RECOMMENDED BY THE PRESIDENT OF THE MARYLAND CRIMINAL DEFENSE LAWYERS ASSOCIATION, APPOINTED BY THE GOVERNOR;
- (9) TWO MEMBERS OF THE SENATE OF MARYLAND, WITH AT LEAST ONE MEMBER BEING FROM THE SENATE JUDICIAL PROCEEDINGS COMMITTEE, APPOINTED BY THE PRESIDENT OF THE SENATE;
- (10) TWO MEMBERS OF THE HOUSE OF DELEGATES, WITH AT LEAST ONE MEMBER BEING FROM THE HOUSE JUDICIARY COMMITTEE, APPOINTED BY THE SPEAKER OF THE HOUSE;
- (11) THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES OR THE SECRETARY'S DESIGNEE;
- (12) ONE REPRESENTATIVE FROM A VICTIM'S ADVOCACY GROUP, APPOINTED BY THE GOVERNOR;