

(IV) WORK RELEASE;

(V) PLACEMENT ON HOME DETENTION; AND

(VI) THE FIRST INSTANCE OF ENTRY INTO THE COMMUNITY THAT IS PART OF A SUPERVISING AUTHORITY'S GRADUATED RELEASE PROGRAM.

(3) "Release" does not include:

(I) an escape; OR

(II) LEAVE THAT IS GRANTED ON AN EMERGENCY BASIS.

(f) "Sexually violent offender" means a person who:

(1) has been convicted of a sexually violent offense; or

(2) has been convicted of an attempt to commit a sexually violent offense.

(g) "Sexually violent offense" means:

(1) a violation of §§ 3-303 through 3-307 or §§ 3-309 through 3-312 of the Criminal Law Article;

(2) assault with intent to commit rape in the first or second degree or a sexual offense in the first or second degree as prohibited on or before September 30, 1996, under former Article 27, § 12 of the Code; or

(3) a crime committed in another state or in a federal, military, or Native American tribal jurisdiction that, if committed in this State, would constitute one of the crimes listed in item (1) or (2) of this subsection.

(h) "Sexually violent predator" means:

(1) a person who:

(i) is convicted of a sexually violent offense; and

(ii) has been determined in accordance with this subtitle to be at risk of committing another sexually violent offense; or

(2) a person who is or was required to register every 90 days for life under the laws of another state or a federal, military, or Native American tribal jurisdiction.

(i) "Supervising authority" means:

(1) the Secretary, if the registrant is in the custody of a correctional facility operated by the Department;

(2) the administrator of a local correctional facility, if the registrant, including a participant in a home detention program, is in the custody of the local correctional facility;