

[(e)] (D) "Department" means the Department of Public Safety and Correctional Services.

[(f)] (E) "Director" means the director of Patuxent Institution.

[(g)] (F) (1) "Eligible person" means a person who (i) has been convicted of a crime and is serving a sentence of imprisonment with at least three years remaining on it, (ii) has an intellectual deficiency or emotional unbalance, (iii) is likely to respond favorably to the programs and services provided at Patuxent Institution, [and] (iv) can be better rehabilitated through those programs and services than by other incarceration, AND (V) MEETS THE ELIGIBILITY CRITERIA ESTABLISHED BY THE SECRETARY UNDER § 8 OF THIS ARTICLE.

(2) "Eligible person" does not include a person who (i) is serving 2 or more sentences of imprisonment for life under the provisions of Article 27, § 412 of the Code, [or] (ii) is serving 1 or more sentences of imprisonment for life when a court or jury has found, beyond a reasonable doubt, that one or more aggravating circumstances existed under the provisions of Article 27, § 413 of the Code, OR (III) HAS BEEN CONVICTED OF MURDER IN THE FIRST DEGREE, RAPE IN THE FIRST DEGREE, OR A SEXUAL OFFENSE IN THE FIRST DEGREE, UNLESS THE SENTENCING JUDGE, AT THE TIME OF SENTENCING OR IN THE EXERCISE OF THE JUDGE'S REVISORY POWER AND CONTROL UNDER THE MARYLAND RULES, RECOMMENDS THAT THE PERSON BE REFERRED TO THE INSTITUTION FOR EVALUATION.

[(h)] (G) "Evaluation team" means a team of at least three professional employees of the Institution, one of whom shall be a social worker or behavioral scientist, one a psychologist, and one a psychiatrist.

[(i)] (H) "Institution" means the Patuxent Institution.

[(j)] (I) "Secretary" means the Secretary of Public Safety and Correctional Services.

(J) "VICTIM" MEANS:

(1) A PERSON WHO SUFFERS PERSONAL PHYSICAL INJURY OR DEATH AS A DIRECT RESULT OF A CRIME; OR

(2) IF THE VICTIM IS DECEASED, A DESIGNATED FAMILY MEMBER OF THE VICTIM.

2.  
(a) The Patuxent Institution is created and continued as part of the Department.