

BY adding to

Article 27 – Crimes and Punishments

Section 638AC

Annotated Code of Maryland

(1992 Replacement Volume and 1992 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article 27– Crimes and Punishments**

638AC.

(A) THE SHERIFF OF FREDERICK COUNTY SHALL:

(1) ESTABLISH A PRETRIAL RELEASE PROGRAM THAT WILL OFFER ALTERNATIVES TO PRETRIAL DETENTION; AND

(2) ADOPT REGULATIONS TO ADMINISTER THE PROGRAM.

(B) (1) A JUDGE SITTING IN A FREDERICK COUNTY COURT MAY ORDER THAT AN INDIVIDUAL PARTICIPATE IN THE PROGRAM IF THE INDIVIDUAL:

(I) APPEARS BEFORE THE JUDGE CHARGED AND DETAINED ON BOND; AND

(II) MEETS THE ELIGIBILITY REQUIREMENTS UNDER SUBSECTION (C) OF THIS SECTION.

(2) THE JUDGE MAY MAKE THE ORDER AT THE IMPOSITION OF BOND, BOND REVIEW, OR ANY OTHER TIME DURING THE INDIVIDUAL'S PRETRIAL DETENTION.

(C) AN INDIVIDUAL IS ELIGIBLE FOR THE PROGRAM IF THE INDIVIDUAL:

(1) IS RECOMMENDED TO THE JUDGE FOR PLACEMENT IN THE PROGRAM BY THE PROGRAM STAFF;

(2) HAS NO CHARGES PENDING IN ANY CITY, COUNTY, OR STATE OTHER THAN THOSE FOR WHICH THE INDIVIDUAL IS IN DETENTION; AND

(3) IS NOT IN DETENTION FOR A CRIME OF VIOLENCE AS DEFINED IN § 643B OF THIS ARTICLE OR ESCAPE UNDER § 139 OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1993.

Approved April 26, 1993.

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