

(xiii) Assault with intent to commit any of these crimes; or

(xiv) Use of a handgun or other deadly weapon in the commission or attempt to commit any crime] BURGLARY IN THE FIRST, SECOND, OR THIRD DEGREE AND ANY CRIME THAT IS LISTED AS A "CRIME OF VIOLENCE" UNDER ARTICLE 27, § 643B OF THE CODE.

COMMITTEE NOTE:

This change is intended to clarify that the term "violent crime" under this subtitle means any crime that is currently listed as a "crime of violence" under Article 27, § 643B of the Code. Since this bill deletes burglary and daytime housebreaking from the definition of "crime of violence" under § 643B, the new language of this section expressly includes burglary in the first, second, or third degree in the definition of "violent crime".

This change resolves an inconsistency between the language of this section and the language of Article 41, § 4-504(d), § 4-511(f), and § 4-511A(b) of the Code. Although this section defines the term "violent crime" to include fourteen specific types of crimes, each of the other three sections expressly provide that they are applicable to cases involving a "crime of violence" under Article 27, § 643B of the Code.

4-504.

(d) (1) In this subsection, "victim" means a person who suffers personal physical injury or death as a direct result of a crime or, if the victim is deceased, a designated family member of the victim.

(2) (i) In cases where a defendant is sentenced to the Division of Correction, if the victim makes a written request, to the Commission for notification and maintains a current address on file with the Commission, the Commission, at least 90 days before the parole release hearing, shall notify the victim or designated representative in writing, directed to the most current address on file, that a parole release hearing has been scheduled for the inmate convicted of the commission of the violent crime.

(ii) If the inmate was convicted of a [crime of violence as defined under Article 27, § 643B of the Code] VIOLENT CRIME:

1. The victim may submit to the Commission, in writing, not later than 30 days from the date of the Commission's notice, a request to require the Division of Parole and Probation to complete an updated victim impact statement.

2. The Division of Parole and Probation shall complete the updated statement at least 30 days prior to the parole release hearing.

3. The Division of Parole and Probation shall promptly send the updated victim impact statement to the Commission.

(iii) At least 30 days before the parole release hearing, the victim may:

1. Make a written recommendation to the Commission on the advisability of releasing the inmate on parole; and