

6-107. RETAKING ALLEGED VIOLATOR

A SHERIFF OR POLICE OFFICER AUTHORIZED TO SERVE CRIMINAL PROCESS OR A PAROLE AND PROBATION EMPLOYEE DESIGNATED UNDER § 6-106 OF THIS SUBTITLE WHO RECEIVES A WARRANT FOR THE RETAKING OF AN ALLEGED VIOLATOR SHALL EXECUTE THE WARRANT IN ACCORDANCE WITH THE DIRECTIONS IN THE WARRANT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 4-602.

The former reference to "certain" parole and probation employees is deleted as unnecessary in light of the specific reference to parole and probation employees "designated under § 6-106 of this subtitle".

The reference to "§ 6-106 of this subtitle" is substituted for the former reference to "[Art. 41,] § 4-602A" for consistency with § 6-106 of this subtitle, which authorizes the Director to designate parole and probation employees to execute warrants for the retaking of offenders. Former Art. 41, § 4-602A, which is revised in § 6-108 of this subtitle, did not relate to the execution of warrants for the retaking of offenders.

The former reference to a "parole" violator is deleted for consistency with § 7-502(b) of this article, which provides that "[a]n individual on mandatory supervision is subject to all laws, rules, regulations, and conditions that apply to parolees".

The former reference to a parole and probation employee being "authorized" to execute the warrant is deleted as implicit in the requirement that the employee "shall" execute the warrant.

6-108. HOME DETENTION PROGRAM — IN GENERAL.

(A) HOME DETENTION AUTHORIZED.

WITH THE SECRETARY'S APPROVAL, THE DIRECTOR MAY ESTABLISH A HOME DETENTION PROGRAM UNDER WHICH AN OFFENDER MAY LIVE IN A PRIVATE DWELLING THAT THE DIRECTOR APPROVES.

(B) METHODS OF SUPERVISION.

AN OFFENDER IN THE PROGRAM SHALL BE SUPERVISED BY MEANS OF:

- (1) ELECTRONIC DEVICES; AND
- (2) DIRECT CONTACT BY EMPLOYEES OF THE DIVISION.

(C) ELIGIBILITY.

AN OFFENDER IS NOT ELIGIBLE FOR THE PROGRAM IF A VIOLATION OF A CONDITION OF PAROLE OR MANDATORY SUPERVISION IS BASED ON THE COMMISSION OF A CRIME OF VIOLENCE.

(D) RESTRICTIONS ON MOVEMENT.