

(II) HAS BEEN FOUND GUILTY OF THE CRIME OF:

1. CHILD ABUSE UNDER ARTICLE 27, § 35C OF THE CODE; OR
2. ESCAPE UNDER ARTICLE 27, § 139 OF THE CODE.

REVISOR'S NOTE: Subsection (a) of this section is new language added to clarify that this section applies only in Frederick County.

Subsections (b), (c), and (d) of this section are new language derived without substantive change from former Art. 27, §§ 638AC and 645FF.

In the introductory language of subsection (b)(2) and in subsection (b)(2)(i) and (4)(i) of this section, the defined term "court" is substituted for the former reference to a "judge" for clarity and consistency within this subtitle. See General Revisor's Note to this subtitle.

In subsections (b)(4)(ii) and (d)(3)(ii) of this section, the references to charges pending in any "jurisdiction" are substituted for the former references to those that are pending in any "city, county, or state" for consistency within this subtitle. See, e.g., §§ 11-708(b)(2)(ii), 11-709(b)(3)(ii), 11-711(e)(2), 11-714(d)(3)(ii), 11-715(d)(1)(ii), 11-723(b)(3)(ii), and 11-724(e)(2) of this subtitle. The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that the references to charges pending in any "jurisdiction", which include charges filed in federal court, may be broader than the more ambiguous references to charges pending in any "city, county, or state".

In subsection (c)(1)(ii) of this section, the former reference to the Sheriff's authority to adopt guidelines "under which ... its participants" must operate is deleted as implied in the reference to the Sheriff's authority to adopt guidelines "for the operation of the program".

Also in subsection (c)(1)(ii) of this section, the requirement to "adopt" guidelines is added for consistency with the requirement to "adopt" regulations under subsection (b)(1)(ii) of this section and for clarity.

In subsection (c)(2)(i) of this section, the former reference to guidelines adopted by the Sheriff "under this section" is deleted as implied in the reference to "guidelines adopted by the Sheriff".

Also in subsection (c)(2)(i) of this section, the reference to "an individual's confinement" is substituted for the former reference to "the incarceration period" for consistency throughout this article. See General Revisor's Note to this article.

Also in subsection (c)(2)(i) of this section, the reference to a judge's authority to order that an individual "participate" in the work release program is substituted for the former reference to a judge's authority to order that an individual's "criminal confinement in the county detention center be served" in the work release program for consistency throughout this article.