

In subsection (b) of this section, the former reference to "a felony or delinquent act that would be a felony if committed by an adult" is deleted as unnecessary. See § 11-502 of this subtitle.

Also in subsection (b) of this section, the former reference to "in the case of a homicide, a designated family member," is deleted as unnecessary in light of the definition of "victim's representative". See § 11-501(c) of this subtitle. Correspondingly, in subsection (c) of this section, the former references to "designated family member" are deleted.

In subsection (b)(2) of this section, the reference to "submits" is substituted for the former reference to "filed" to conform to the terminology used in subsection (b)(1) of this section.

Defined terms: "Child respondent" § 11-101

"Victim" § 11-501

"Victim's representative" § 11-501

11-504. PROCEEDINGS AT PATUXENT INSTITUTION — NOTICE AND COMMENT.

(A) WORK RELEASE AND LEAVE OF ABSENCE.

BEFORE THE BOARD OF REVIEW FOR PATUXENT INSTITUTION GRANTS WORK RELEASE OR LEAVE OF ABSENCE TO AN ELIGIBLE PERSON, THE BOARD SHALL GIVE THE VICTIM OR VICTIM'S REPRESENTATIVE NOTICE AND OPPORTUNITY FOR COMMENT AS PROVIDED UNDER § 4-303(B) OF THE CORRECTIONAL SERVICES ARTICLE.

(B) RELEASE.

(1) BEFORE THE BOARD OF REVIEW FOR PATUXENT INSTITUTION DECIDES WHETHER TO GRANT PAROLE TO AN ELIGIBLE PERSON, THE BOARD SHALL GIVE THE VICTIM OR VICTIM'S REPRESENTATIVE NOTICE AND THE OPPORTUNITY FOR COMMENT AS PROVIDED UNDER § 4-305(D) OF THE CORRECTIONAL SERVICES ARTICLE.

(2) IF THE BOARD OF REVIEW FOR PATUXENT INSTITUTION PETITIONS A COURT TO SUSPEND OR VACATE THE SENTENCE OF A PERSON WHO HAS SUCCESSFULLY COMPLETED 3 YEARS ON PAROLE WITHOUT VIOLATION AND WHO THE BOARD CONCLUDES IS SAFE TO BE PERMANENTLY RELEASED, THE BOARD SHALL NOTIFY THE VICTIM OR VICTIM'S REPRESENTATIVE AS PROVIDED UNDER § 4-305(F) OF THE CORRECTIONAL SERVICES ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 785.

In subsection (a) of this section, the former reference to leave or release "from Patuxent Institution" is deleted as unnecessary since the Board of Review only has authority in these matters over eligible persons in the Patuxent Institution.

As to the definition of "eligible person", see CS § 4-101(e).