

Article - Health - General

12-101.

(D) "HOSPITAL WARRANT" MEANS THE LEGAL DOCUMENT ISSUED BY A COURT THAT:

(1) AUTHORIZES ANY LAW ENFORCEMENT OFFICER IN THE STATE TO APPREHEND AN INDIVIDUAL WHO IS ALLEGED TO HAVE VIOLATED AN ORDER FOR CONDITIONAL RELEASE AND TRANSPORT THE INDIVIDUAL TO A FACILITY DESIGNATED BY THE DEPARTMENT; AND

(2) ENSURES THAT THE ISSUANCE OF THE WARRANT IS ENTERED IN THE INDIVIDUAL'S CRIMINAL HISTORY RECORD INFORMATION OF THE CRIMINAL JUSTICE INFORMATION SYSTEM.

12-120.

(a) (1) If the State's Attorney receives a report that alleges that a committed individual has violated a condition of a conditional release, or if the State's Attorney is notified by the court or Department under subsection (b) of this section, the State's Attorney shall determine whether there is a factual basis for the complaint.

(2) If the State's Attorney determines that there is no factual basis for the complaint, the State's Attorney shall notify the person who made the report and take no further action.

(3) If the State's Attorney determines that there is a factual basis to believe that the committed individual has violated the terms of a conditional release and believes further action by the court is necessary, the State's Attorney promptly shall:

(i) Notify the Department of the alleged violation; and

(ii) File with the court a petition for revocation or modification of conditional release and send a copy of the petition to the Department.

(b) (1) If a court receives a report that alleges that a committed individual has violated a condition of a conditional release, the court promptly shall:

(i) Notify the Department; and

(ii) Notify the State's Attorney and provide the name, address, and telephone number of the person who reported the violation and a copy of the order for conditional release.

(2) If the Department receives a report that alleges that a committed individual has violated conditional release, the Department shall:

(i) Notify the court and the State's Attorney; and

(ii) Provide the State's Attorney with the name, address, and telephone number of the person who reported the violation and a copy of the order for conditional release.