A BILL ENTITLED

1 AN ACT concerning

2 Maryland Commission on Criminal Sentencing Reform

3 FOR the purpose of creating a Sentencing and Policy Advisory Commission; providing for
4 the appointment or designation of members of the Commission; establishing that
5 members of the Commission may not receive a salary but shall be reimbursed for
6 certain expenses; designating staff for the Commission; requiring the Commission to
7 hold its first meeting by a certain date; requiring the Commission to perform certain
8 duties; granting the Commission certain powers; requiring the Commission to make
9 certain recommendations; requiring the Commission to submit certain draft
10 legislation to the General Assembly by a certain date; providing for the termination
11 of the Commission; defining certain terms; establishing certain policy goals and
12 objectives; providing for the application of the established policies; and generally
13 relating to the Maryland Commission on Criminal Sentencing Reform.

14 BY adding to
15 Article 41 - Governor - Executive and Administrative Departments
16 Section 18-310
17 Annotated Code of Maryland
18 (1993 Replacement Volume and 1995 Supplement)

19 Preamble

20 WHEREAS, The effective administration of justice and protection of public
21 safety require a sentencing and correctional process that has credibility with the general
22 public and with criminal offenders; and

23 WHEREAS, The credibility and effectiveness of the current sentencing and
24 correctional process is diminished by common beliefs that prisoners do not serve an
25 adequate portion of their sentences, that traditional probation and parole supervision are
26 not meaningful punishments, and that there is substantial unwarranted disparity in
27 sentences for similar crimes; and

28 WHEREAS, Over the past 10 years, the Maryland prison population has grown 72
29 percent, from 12,400 to 21,300 inmates, at a cost of more than $465 million in capital
funds and more than $206 million annually in operating funds, and a substantial portion of the growth has been low-level, nonviolent offenders and probation violators; and

WHEREAS, The criminal justice system often fails to adequately consider the rights and concerns of victims of crime, and to require offenders to restore to the fullest extent possible the damages they have inflicted on individuals and the community; and

WHEREAS, There exist effective intermediate punishments, such as boot camps and home detention, which protect public safety, which serve to punish and incapacitate offenders, which hold offenders accountable to crime victims and the community, and which, because of their emphasis on discipline and the work ethic, are perceived by many offenders to be stricter punishment than incarceration; and

WHEREAS, The insufficient availability of intermediate punishments throughout the State means that some offenders receive sentences that are too lenient while other offenders occupy prison space that should be used to lengthen sentences for violent offenders; and

WHEREAS, The development of a sentencing structure that provides fora full continuum of intermediate punishments and sufficient determinacy in sentencing is essential to the most effective allocation of correctional resources for the protection of public safety; now, therefore

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 41 - Governor - Executive and Administrative Departments

18-310.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "CHAIRPERSON" MEANS THE CHAIRPERSON OF THE COMMISSION.

(3) "COMMISSION" MEANS THE MARYLAND COMMISSION ON CRIMINAL SENTENCING REFORM.

(4) "INTERMEDIATE PUNISHMENT" MEANS A CRIMINAL SANCTION OTHER THAN TRADITIONAL PROBATION, TRADITIONAL PAROLE, OR TOTAL CONFINEMENT.

(B) THERE IS A MARYLAND COMMISSION ON CRIMINAL SENTENCING REFORM.

(C) THE COMMISSION SHALL CONSIST OF 33 MEMBERS AS FOLLOWS:

(1) A CHAIRPERSON, APPOINTED BY THE GOVERNOR;

(2) THE CHIEF JUDGE OF THE MARYLAND COURT OF APPEALS OR A DESIGNEE OF THE CHIEF JUDGE WHO IS A JUDGE OR FORMER JUDGE ON THE MARYLAND COURT OF APPEALS OR THE MARYLAND COURT OF SPECIAL APPEALS;
(3) TWO JUDGES OF THE CIRCUIT COURT OF MARYLAND, APPOINTED BY THE GOVERNOR;

(4) TWO JUDGES OF THE DISTRICT COURT OF MARYLAND, APPOINTED BY THE GOVERNOR;

(5) THE ATTORNEY GENERAL OR A DESIGNEE OF THE ATTORNEY GENERAL;

(6) TWO STATE'S ATTORNEYS WHO ARE RECOMMENDED BY THE PRESIDENT OF THE MARYLAND STATE'S ATTORNEYS ASSOCIATION, APPOINTED BY THE GOVERNOR;

(7) THE MARYLAND PUBLIC DEFENDER OR A DESIGNEE OF THE PUBLIC DEFENDER;

(8) A CRIMINAL DEFENSE ATTORNEY WHO IS RECOMMENDED BY THE PRESIDENT OF THE MARYLAND CRIMINAL DEFENSE LAWYERS ASSOCIATION, APPOINTED BY THE GOVERNOR;

(9) THREE MEMBERS OF THE SENATE OF MARYLAND WITH AT LEAST ONE MEMBER BEING FROM THE SENATE JUDICIAL PROCEEDINGS COMMITTEE, APPOINTED BY THE PRESIDENT OF THE SENATE;

(10) THREE MEMBERS OF THE HOUSE OF DELEGATES WITH AT LEAST ONE MEMBER BEING FROM THE HOUSE JUDICIARY COMMITTEE, APPOINTED BY THE SPEAKER OF THE HOUSE;

(11) THE PRESIDENT OF THE MARYLAND CORRECTIONAL ADMINISTRATORS ASSOCIATION OR A DESIGNEE OF THE PRESIDENT;

(12) THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES OR A DESIGNEE OF THE SECRETARY;

(13) THE SECRETARY OF THE DEPARTMENT OF BUDGET AND FISCAL PLANNING OR A DESIGNEE OF THE SECRETARY;

(14) THE CHAIRPERSON OF THE MARYLAND PAROLE COMMISSION OR A DESIGNEE OF THE CHAIRPERSON;

(15) THE SECRETARY OF THE DEPARTMENT OF JUVENILE JUSTICE OR A DESIGNEE OF THE SECRETARY;

(16) THE CHAIRPERSON OF THE STATE BOARD OF VICTIM SERVICES OR A DESIGNEE OF THE CHAIRPERSON;

(17) TWO REPRESENTATIVES FROM SEPARATE VICTIMS' ADVOCACY GROUPS OR VICTIMS' ORGANIZATIONS, APPOINTED BY THE GOVERNOR;

(18) THE SECRETARY OF THE STATE POLICE OR A DESIGNEE OF THE SECRETARY;

(19) THE PRESIDENT OF THE MARYLAND SHERIFF'S ASSOCIATION OR A DESIGNEE OF THE PRESIDENT;
(20) THE PRESIDENT OF THE MARYLAND CHIEFS OF POLICE OR A DESIGNEE OF THE PRESIDENT;

(21) THE PRESIDENT OF THE FRATERNAL ORDER OF POLICE, MARYLAND STATE LODGE, OR A DESIGNEE OF THE PRESIDENT;

(22) TWO MEMBERS OF THE GENERAL PUBLIC, APPOINTED BY THE GOVERNOR; AND

(23) TWO MEMBERS WITH BACKGROUNDS IN CRIMINAL JUSTICE OR CORRECTIONS POLICY WHO ARE EITHER A MEMBER OF THE FACULTY OF A COLLEGE OR UNIVERSITY WITHIN THIS STATE, A MEMBER OF A NONPROFIT PUBLIC POLICY RESEARCH ORGANIZATION, OR OTHER RECOGNIZED EXPERT IN THE FIELD, APPOINTED BY THE GOVERNOR.

(D) (1) THE COMMISSION SHALL HAVE ITS FIRST MEETING NO LATER THAN JUNE 14, 1996, AT THE CALL OF THE CHAIRPERSON.

(2) THE COMMISSION SHALL MEET AT LEAST SIX TIMES.

(3) THE COMMISSION MAY ALSO HOLD OTHER MEETINGS AT THE CALL OF THE CHAIRPERSON OR OF ANY ELEVEN MEMBERS OF THE COMMISSION AFTER PROPER NOTICE IS GIVEN IN THE MANNER ESTABLISHED BY THE RULES OF THE COMMISSION.

(4) A MAJORITY OF THE MEMBERS OF THE COMMISSION SHALL CONSTITUTE A QUORUM.

(5) THE COMMISSION MAY ESTABLISH SUBCOMMITTEES OR ADVISORY COMMITTEES COMPOSED OF COMMISSION MEMBERS TO ACCOMPLISH THE DUTIES IMPOSED BY THIS SECTION.

(6) THE COMMISSION MAY ESTABLISH RULES GOVERNING THE ADMINISTRATION AND PROCEEDINGS OF THE COMMISSION.

(7) THE COMMISSION MAY REQUIRE STATE AGENCIES TO PROVIDE DATA AS IT IS REQUESTED BY THE COMMISSION.

(8) ALL MEETINGS OF THE COMMISSION SHALL BE OPEN TO THE PUBLIC AND THE INFORMATION PRESENTED TO THE COMMISSION SHALL BE AVAILABLE TO ANY STATE AGENCY OR MEMBER OF THE GENERAL ASSEMBLY.

(9) THE COMMISSION MAY APPLY FOR, ACCEPT, AND USE GRANTS OR FINANCIAL OR OTHER AID FROM THE FEDERAL OR STATE GOVERNMENT OR AGENCY OR ANY OTHER PUBLIC OR PRIVATE SOURCE TO ACCOMPLISH THE DUTIES PROVIDED FOR IN THIS SECTION.

(10) A MEMBER OF THE COMMISSION:

(I) MAY NOT RECEIVE COMPENSATION; BUT

(II) SHALL BE REIMBURSED FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.
(E) (1) The Governor's Office of Crime Control and Prevention shall serve as principal staff to the Commission.

(2) The Department of Legislative Reference, the Department of Fiscal Services, the Administrative Office of the Courts, the Department of Public Safety and Correctional Services, and the Department of Budget and Fiscal Planning shall provide staff to the Commission.

(F) (1) The purpose of the Commission is to evaluate the State's sentencing and correctional laws and policies and make recommendations to the General Assembly in accordance with the policy goals and objectives of this subsection.

(2) The goals of the sentencing and correctional process are:

   (I) Just and appropriate punishment of offenders;

   (II) Protection of public safety and prevention of crime through:

      1. General and specific deterrence of criminal conduct;

      2. Incapacitation of offenders; and

      3. Remediation of offenders;

   (III) Restoration of crime victims and the community; and

   (IV) Public confidence in the administration of justice and respect for the law.

(3) The sentencing and correctional process shall pursue its policy goals through the following priorities and objectives:

   (I) Promote truth in sentencing through a sentencing structure that ensures that the sentences imposed will determine the sentences served;

   (II) Concentrate prison capacity on the incarceration of violent and career offenders;

   (III) Reduce unwarranted disparity in sentences for offenders who have committed similar offenses and have similar criminal histories;

   (IV) Preserve meaningful judicial discretion in the imposition of sentences and sufficient flexibility to permit individualized sentences;

   (V) Ensure that sentencing judges in every jurisdiction in the State are able to impose the most appropriate criminal penalties.
BY DEVELOPING A FULL CONTINUUM OF CREDIBLE SANCTIONS, INCLUDING INTERMEDIATE PUNISHMENTS FOR APPROPRIATE OFFENDERS;

(EVI) ENSURE THE CREDIBILITY AND EFFECTIVENESS OF INTERMEDIATE PUNISHMENTS THROUGH STRICT ENFORCEMENT OF SENTENCE CONDITIONS AND ENHANCED INTERAGENCY COORDINATION;

(EVII) ELEVATE THE SIGNIFICANCE OF VICTIMS OF CRIME AND THE IMPACT OF CRIME ON VICTIMS AND THE COMMUNITY THROUGH INCREASED NOTIFICATION AND PARTICIPATION PROCEDURES, INCREASED EMPHASIS ON RESTITUTION PAYMENTS AND COMMUNITY SERVICE AS CRIMINAL SANCTIONS, AND IMPLEMENTATION OF OTHER CONCEPTS OF "RESTORATIVE JUSTICE";

(VIII) INCREASE THE USE AND ENFORCEMENT OF ECONOMIC SANCTIONS, SUCH AS FEES, FORFEITURES, AND MEANS-BASED FINES, TO BE COLLECTED AFTER RESTITUTION PAYMENTS TO VICTIMS ARE MADE IN FULL; AND

(IX) ENSURE A RESPONSIBLE RELATIONSHIP BETWEEN SENTENCES AND CORRECTIONAL RESOURCES.

(G) (1) THE COMMISSION SHALL GATHER DATA AND OTHER AVAILABLE INFORMATION RELEVANT TO STATE SENTENCING PATTERNS AND PRACTICES, INCLUDING:

(I) THE DISTRIBUTION AND MEDIAN AVERAGE OF CURRENT SENTENCES IMPOSED FOR EACH CRIMINAL OFFENSE;

(II) THE DISTRIBUTION AND MEDIAN AVERAGE OF CURRENT SENTENCES SERVED FOR EACH CRIMINAL OFFENSE;

(III) TRENDS IN THE GROWTH OF THE CORRECTIONAL POPULATION, INCARCERATION RATES, AND CORRECTIONAL COSTS;

(IV) TRENDS IN THE DEMOGRAPHIC AND OFFENSE PROFILE OF INCARCERATED OFFENDERS, INCLUDING TRENDS IN INMATES' MOST SERIOUS CURRENT CONVICTION OFFENSE;

(V) THE PREVALENCE OF INTERMEDIATE PUNISHMENTS IN JURISDICTIONS THROUGHOUT THE STATE, AND THE NUMBER OF OFFENDERS ASSIGNED TO SUCH SANCTIONS; AND

(VI) TRENDS IN REPORTED CRIME AND CRIME RATES, ARRESTS AND ARREST RATES, CONVICTIONS AND CONVICTION RATES, AND VICTIMIZATION RATES.

(2) (I) THE COMMISSION SHALL DEVELOP A CORRECTIONAL POPULATION SIMULATION MODEL TO PREDICT THE STATE AND LOCAL CORRECTIONAL RESOURCES REQUIRED UNDER CURRENT SENTENCING PRACTICES AND THOSE REQUIRED TO IMPLEMENT THE COMMISSION'S RECOMMENDATIONS.

(II) THE COMMISSION SHALL APPLY THE MODEL TO A GIVEN FACT SITUATION OR THEORETICAL CHANGE IN THE SENTENCING LAWS OR POLICIES
WHEN REQUESTED TO DO SO BY THE CHAIRPERSON OR THE COMMISSION AS A WHOLE.

(III) THE CHAIRPERSON SHALL MAKE THE MODEL AVAILABLE TO RESPOND TO ANY INQUIRY FROM A STATE LEGISLATOR OR FROM THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(3) THE COMMISSION SHALL DEVELOP AND RECOMMEND A STRUCTURED SENTENCING MODEL CONSISTENT WITH THE POLICY GOALS AND OBJECTIVES PROVIDED IN SUBSECTION (F) OF THIS SECTION FOR USE BY SENTENCING COURTS AND CORRECTIONAL AGENCIES IN DETERMINING THE MOST APPROPRIATE SENTENCE TO BE IMPOSED ON A CRIMINAL OFFENDER. IN DEVELOPING THE STRUCTURED SENTENCING MODEL, THE COMMISSION SHALL:

(I) DEVELOP FOR EACH CRIMINAL OFFENSE A STANDARD RANGE OF SENTENCES TO BE IMPOSED ON AND SERVED BY ORDINARY OFFENDERS IN ORDINARY CASES, SUBJECT TO THE FOLLOWING:

1. STANDARD SENTENCE RANGES SHALL BE BASED ON THE GRAVITY OF THE CONVICTION OFFENSE, WITH ADJUSTMENT FOR THE OFFENDER'S CRIMINAL HISTORY;

2. THE BREADTH OF THE STANDARD SENTENCE RANGES SHALL BE DEFINED SO AS TO AVOID UNWARRANTED DISPARITIES IN SENTENCES AND TO PERMIT REASONABLY ACCURATE FORECASTS OF THE AGGREGATE OF SENTENCING DECISIONS FOR PURPOSES OF CORRECTIONAL RESOURCE PLANNING;

3. EACH STANDARD SENTENCE RANGE SHALL SPECIFY THE APPROPRIATE LEVEL OF SEVERITY OF SENTENCE AND THE PERMISSIBLE TYPES OF SANCTIONS;

4. PERMISSIBLE TYPES OF SANCTIONS SHALL INCLUDE, BUT NOT BE LIMITED TO: TOTAL CONFINEMENT; INTERMITTENT CONFINEMENT; BOOT CAMP OR SHOCK INCARCERATION; HOME DETENTION WITH OR WITHOUT ELECTRONIC MONITORING; RESIDENTIAL OR OUTPATIENT DRUG AND ALCOHOL TREATMENT WITH MANDATORY URINALYSIS; RESIDENTIAL WORK RELEASE; WORK RELEASE WITH ELECTRONIC MONITORING; RESTITUTION CENTERS; DAY OR NIGHT REPORTING CENTERS; ECONOMIC SANCTIONS, INCLUDING VICTIM RESTITUTION, COMMUNITY SERVICE, AND DAY FINES; ACKNOWLEDGMENT SANCTIONS, INCLUDING PAID NOTICES ANNOUNCING CONVICTIONS, INTENSIVE SUPERVISION, SUPERVISED OR UNSUPERVISED PROBATION WITH OR WITHOUT CONDITIONS; AND

5. RESTITUTION TO VICTIMS, COMMUNITY SERVICES, OR OTHER VICTIM COMPENSATION SHALL BE A PERMISSIBLE SANCTION IN ALL CASES;

(II) CLASSIFY EACH TYPE OF SANCTION ACCORDING TO ITS RELATIVE LEVEL OF SEVERITY AND RELATIVE EMPHASIS ON THE GOALS OF PUNISHMENT, GENERAL DETERRENCE, SPECIFIC DETERRENCE, REMEDIATION, INCAPACITATION AND RESTITUTION TO FACILITATE THE IMPOSITION OF COMPOSITE AND INDIVIDUALIZED SENTENCES;
(III) DEVELOP CRITERIA AND PROCEDURES FOR THE IMPOSITION OF SENTENCES OUTSIDE THE STANDARD SENTENCE RANGES IN CASES WHERE THERE ARE SUBSTANTIAL AND COMPELLING REASONS JUSTIFYING DEPARTURE. SUCH CRITERIA SHALL INCLUDE:

1. AGGRAVATING FACTORS;

2. MITIGATING FACTORS;

3. TIME ELAPSED SINCE AN OFFENDER'S MOST RECENT PRIOR CONVICTION OR RELEASE FROM PRISON;

4. ACKNOWLEDGMENT OF RESPONSIBILITY;

5. COOPERATION WITH THE PROSECUTION; AND

6. OTHER PERSONAL CHARACTERISTICS OF INDIVIDUAL OFFENDERS THAT SHOULD BE TAKEN INTO ACCOUNT, SUCH AS ECONOMIC CIRCUMSTANCES;

(IV) PROVIDE A STATEMENT ESTIMATING THE EFFECT OF THE RECOMMENDED STRUCTURED SENTENCING MODEL ON STATE AND LOCAL CORRECTIONAL POPULATIONS, BOTH IN TERMS OF FISCAL IMPACT AND NUMBERS OF OFFENDERS. IF THE COMMISSION FINDS THAT THE PROPOSED SENTENCING STRUCTURE WOULD RESULT IN STATE AND LOCAL INMATE POPULATIONS THAT EXCEED THE OPERATING CAPACITIES OF AVAILABLE FACILITIES, THEN THE COMMISSION SHALL PRESENT AN ADDITIONAL STRUCTURE THAT SHALL BE CONSISTENT WITH SUCH CAPACITIES;

(V) REVIEW AND RECOMMEND, IF NECESSARY, REVISIONS TO PROCEDURES RELATING TO THE IMPOSITION OF SENTENCE, INCLUDING STATEMENTS OR SUMMARIES OF FACT, STATEMENTS OF THE PRECISE TERMS OF SENTENCES IMPOSED, AND REASONS FOR THE SELECTION OF THE LEVEL OF SEVERITY AND TYPES OF SANCTIONS IMPOSED;

(VI) DEVELOP PROCEDURES FOR APPELLATE REVIEW OF DEPARTURE SENTENCES AT THE INITIATIVE OF THE OFFENDER OR THE PROSECUTOR;

(VII) REVIEW AND RECOMMEND, IF NECESSARY, REVISIONS TO STANDARDS RELATING TO THE CONTENTS, PREPARATION, AND SUBSTANTIATION OF PRESENTENCE REPORTS;

(VIII) DEVELOP GUIDELINES AND PROCEDURES, INCLUDING ADMINISTRATIVE ACTION, FOR THE SWIFT AND CERTAIN IMPOSITION OF REGRESSIVE SANCTIONS FOR VIOLATIONS OF SENTENCE CONDITIONS AND PROGRESSIVE INCENTIVES FOR COMPLIANCE;

(IX) DEVISE A SYSTEM OF BEHAVIORAL INCENTIVES AND DISINCENTIVES FOR INCARCERATED OFFENDERS THAT ELIMINATES DISCRETIONARY PAROLE RELEASE, UNEARNED DIMINUTION CREDITS, AND ANY OTHER AUTOMATIC MECHANISMS FOR EARLY RELEASE;
(X) DEVISE AND INTEGRATE INTO THE STRUCTURED SENTENCING
MODEL A SYSTEM OF POST-PRISON SUPERVISION;

(XI) EXAMINE AND MAKE RECOMMENDATIONS REGARDING THE
ROLE OF EXISTING MANDATORY MINIMUM SENTENCES IN THE RECOMMENDED
STRUCTURED SENTENCING MODEL; AND

(XII) DEVELOP A MECHANISM AND A COMMON STANDARD TO
MEASURE THE EFFECTIVENESS OF THE VARIOUS TYPES OF SANCTIONS IN MEETING
THEIR SPECIFIC GOALS.

(4) THE COMMISSION SHALL RECOMMEND A STRATEGY AND
ORGANIZATIONAL STRUCTURE FOR A COORDINATED SYSTEM OF INTERMEDIATE
PUNISHMENTS AT THE STATE AND LOCAL LEVELS. THE PARTNERSHIP PLAN SHALL
INCLUDE:

(I) AUTHORIZATION FOR EACH LOCAL JURISDICTION IN THE
STATE TO ESTABLISH A FULL CONTINUUM OF INTERMEDIATE PUNISHMENTS;

(II) A SYSTEM OF FINANCIAL INCENTIVES AND DISINCENTIVES TO
ENCOURAGE LOCAL JURISDICTIONS TO ESTABLISH AND EXPAND INTERMEDIATE
PUNISHMENTS, INCLUDING THE LINKAGE OF STATE FUNDS FOR LOCAL DETENTION
CENTER CONSTRUCTION TO THE ESTABLISHMENT AND EXPANSION ENHANCEMENT
OF LOCAL INTERMEDIATE PUNISHMENTS;

(III) AN INCENTIVE TO LOCAL JURISDICTIONS FOR THE
ESTABLISHMENT OF LOCAL INTERMEDIATE PUNISHMENT BOARDS, CONSISTING OF
KEY CRIMINAL JUSTICE ORGANIZATIONS AND VICTIMS’ REPRESENTATIVES, TO
DEVELOP LOCAL PLANS FOR THE EXPANSION AND USE OF INTERMEDIATE
PUNISHMENTS;

(IV) AN INCENTIVE TO LOCAL JURISDICTIONS FOR THE
ESTABLISHMENT OR DESIGNATION OF COMMUNITY SERVICE-ORIENTED COURTS,
COMMUNITY ACCOUNTABILITY BOARDS, OR OTHER MECHANISMS TO
INSTITUTIONALIZE THE INVOLVEMENT OF VICTIMS AND THE COMMUNITY IN THE
FASHIONING OF REPARATIVE SENTENCES FOR PUBLIC-ORDER VIOLATORS AND
OTHER MINOR OFFENDERS;

(V) A FORM OF STATE OVERSIGHT AND COORDINATION TO
ENSURE THAT STATE AND LOCAL INTERMEDIATE PUNISHMENTS PROMOTE PUBLIC
SAFETY AND THE ADMINISTRATION OF JUSTICE, WHICH SHALL INCLUDE
MECHANISMS FOR THE SWIFT AND CERTAIN IMPOSITION OF REGRESSIVE
SANCTIONS FOR VIOLATIONS OF SENTENCE CONDITIONS AND PROGRESSIVE
INCENTIVES FOR COMPLIANCE, AND GREATER LINKAGES AMONG STATE AND
LOCAL AGENCIES THAT MONITOR OFFENDER COMPLIANCE WITH SENTENCE
CONDITIONS AND THAT PROVIDE OFFENDER REMEDIATION SERVICES; AND

(VI) IDENTIFICATION OF FUNDING SOURCES FOR INTERMEDIATE
PUNISHMENTS, INCLUDING PAROLE AND PROBATION SUPERVISION FEES, COURT
FEES, AND ECONOMIC SANCTIONS IMPOSED ON OFFENDERS, AND STATE AND
FEDERAL AID.
HOUSE BILL 299

1 (5) THE COMMISSION SHALL RECOMMEND THE ESTABLISHMENT OR
2 DESIGNATION OF A PERMANENT STATEWIDE AGENCY OR AGENCIES TO
3 ADMINISTER THE STRUCTURED SENTENCING MODEL AND STATE-LOCAL
4 INTERMEDIATE PUNISHMENT PARTNERSHIP AND DEFINE THE RESPONSIBILITIES
5 AND AUTHORITY OF SUCH AGENCY OR AGENCIES.

6 (H) THE COMMISSION SHALL SUBMIT A FINAL REPORT OF ITS
7 RECOMMENDATIONS IN THE FORM OF DRAFT LEGISLATION TO THE GENERAL
8 ASSEMBLY ON OR BEFORE DECEMBER 31, 1996.

9 (I) THIS SECTION SHALL TERMINATE AND BE OF NO EFFECT AFTER JUNE 30,
10 1997.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 June 1, 1996.