

## IN THE COURT OF APPEALS OF MARYLAND

### ADMINISTRATIVE ORDER AS TO THE MARYLAND JUDICIAL CONFERENCE AD HOC COMMITTEE ON SENTENCING ALTERNATIVES, REENTRY AND BEST PRACTICES

WHEREAS, The Maryland Judiciary is committed to a criminal justice system that holds criminal offenders responsible fairly, efficiently seeks their rehabilitation, and effectively serves the public's interests of safety, restitution and economical corrections; and

WHEREAS, Contemporary evidence-based studies, recognized by the United States government and by Maryland's and other sentencing commissions, establish that treating low-risk criminal offenders the same as high-risk offenders, with regard to incarceration and services, actually may increase the rate of recidivism of low-risk offenders; and

WHEREAS, Some states have demonstrated that use of "risk assessments" and other screening tools, both before and after sentencing, facilitates more effective sentencing and reentry programs so as to reduce prison populations, recidivism, and taxpayers' corrections costs; and

WHEREAS, The experience in Maryland, as in other states, is that, even for offenders completing prison time, reentry programs significantly can reduce recidivism and increase positive community participation; and

WHEREAS, Maryland's Executive Branch, local governments and state bar association all have expressed support for reentry and alternative sentencing programs but, as yet, no such programs have been implemented generally; and

WHEREAS, Such planned reentry and sentencing alternative improvements to the criminal justice system may benefit from education of, and collaboration by, Maryland judges with government agencies and community-based organizations to implement such improvements; and

WHEREAS, An Ad Hoc Committee on Sentencing Alternatives, Reentry and Best Practices, comprised of judges from each region of the State and each level of the Maryland Judiciary, has been established by the Chief Judge of the Court of Appeals; however, the functions and duties of the Committee initially were not addressed, nor was an Administrative Order issued as to these matters; and

WHEREAS, It is appropriate that such Order be issued to memorialize the Committee's existence and functions.

NOW, THEREFORE, I, Robert M. Bell, Chief Judge of the Court of Appeals and administrative head of the Judicial Branch, pursuant to the authority conferred by Article IV, § 18 of the Maryland Constitution, do hereby order this 17th day of June 2010, effective immediately:

1. Committee.
  - a. Composition. The Committee shall consist of eleven (11) judges, representing all regions and levels of court, appointed by the Chief Judge of the Court of Appeals.
  - b. Chair and Vice Chair. The Chief Judge of the Court of Appeals shall designate the Chair and Vice Chair of the Committee.
  - c. Membership. The membership of the Committee, which is subject to modification by the Chief Judge of the Court of Appeals, shall include the following: judges representing each of five major counties (Baltimore City, Baltimore County, Anne Arundel County, Prince George's and Montgomery counties), as well as

judges representing Baltimore suburban counties, western Maryland, the Eastern Shore and southern Maryland; appellate judges and one retired judge; it is further provided that the administrative judge of a county may designate an alternate judge to represent such a county if the original designee is unavailable to participate in the work of the Committee.

d. Term. The Committee will be established for an initial term of (2) two years. The term of the Committee may be extended if, at the end of that term, it has demonstrated significant progress toward the goals stated below, but requires more time for completion.

e. Compensation. The members and advisors are not entitled to compensation, but to the extent provided in the Judiciary's budget, may be reimbursed for expenses in connection with travel related to the work of the Committee.

f. Officers. The Chair may designate sub-committees and chairs, as appropriate.

g. Staff. One staff person shall be designated by the Chief Judge of the Court of Appeals to assist the Committee in its functions.

## 2. Functions.

a. Purposes. Consistent with Maryland's Canons of Judicial Ethics, the Committee may consult with others with useful information on the subject, including Maryland judicial committees, state and local government agencies, commissions and task forces, other states' representatives, corrections consultants, community organizations and others as to, *inter alia*, best practices, reentry and sentencing alternatives, the most effective methods of screening, evaluating, and sentencing offenders so as to rehabilitate effectively, reduce recidivism, promote public safety, and increase ex-offenders' positive contribution to the community.

b. Duties. The Committee shall:

(i) Prepare and file with the Court of Appeals, an annual report, with recommendations;

(ii) Work with other judicial committees, court-related agencies, administrative

agencies and lawmaking bodies to propose and promote programs, screening, rules and systemic changes that will improve sentencing practices, alternatives, and effectiveness; and

(iii) Propose and promote strategies to generate adequate levels of public, private and volunteer resources and funding for sentencing alternatives, reentry and best practices in Maryland, as well as any appropriate sentencing education program which may benefit judges of the Maryland Judicial Conference.

c. Procedure. A majority of the members of the Committee shall constitute a quorum. It may meet electronically, including by teleconference, email, phone conference or similar means. The Committee may act by consensus or with majority vote of the quorum.

3. Scope of authority.

Any recommendations by the Committee shall be made in the name of the Committee only, and not in the name of the individual members or the courts they represent. The Committee shall not promote or pursue legislative or policy initiatives inconsistent with Judiciary policies or positions.

/s/ Robert M. Bell  
Robert M. Bell  
Chief Judge of the Court of Appeals

Filed: June 18, 2010

/s/ Bessie M. Decker  
Bessie M. Decker  
Clerk  
Court of Appeals of Maryland