



Troy D. Berry
Sheriff

Office of the Sheriff

Charles County, Maryland

Headquarters
6915 Crain Hwy - P.O. Box 189
La Plata, Maryland 20646-0189
301-609-6400



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February 26, 2021

The Honorable William C. Smith
Chair, Judicial Proceedings Committee

Re: SB 570 – Charles County Pre-Trial Release Programs

Dear Senator Smith and Members of the Judicial Proceedings Committee:

SB 570 addresses an important issue in Charles County: a lack of pre-trial services for those accused of a crime in the county. I have repeatedly spoken of the need for such a program, and my staff has worked with our local delegation, our County Commissioners, and our local Criminal Justice Coordinating Council to begin the process of creating the program.

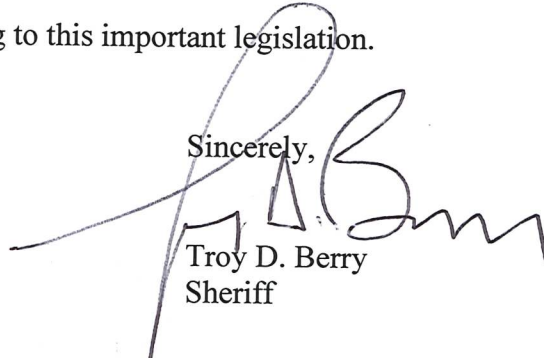
I support SB 570 with two reservations. First, as described in the bill, the Charles County Sheriff's Office is willing to work with the County to provide assistance to the program. Paragraph (F)(8), however, implies that the Sheriff's Office would have responsibility for supervision of participants. What should happen is the Sheriff's Office will report any violations relating to the services provided by the Sheriff's Office.

Second, the pre-trial services subcommittee of our Criminal Justice Coordinating Council has expressed a concern about the Commissioners, and not our judges, determining eligibility for community service.

I have attached suggested amendments to address these concerns.

Thank you for the attention you are providing to this important legislation.

Sincerely,



Troy D. Berry
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SENATE BILL 750 – REQUESTED AMENDMENTS

(E) (1) (I) SUBJECT TO THE REQUIREMENTS OF THIS SUBSECTION,

THE BOARD OF COUNTY COMMISSIONERS MAY ESTABLISH AND PROVIDE FOR THE ADMINISTRATION OF A COMMUNITY SERVICE PROGRAM IN THE COUNTY.

~~**(II) THE BOARD OF COUNTY COMMISSIONERS MAY ENACT LOCAL LAWS PROVIDING FOR ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN A PROGRAM ESTABLISHED UNDER THIS SUBSECTION.**~~

(F) (7) FOR EACH PERSON ORDERED TO PARTICIPATE IN THE PRETRIAL RELEASE PROGRAM UNDER THIS SUBSECTION, THE BOARD OF COUNTY COMMISSIONERS AND THE SHERIFF MAY ENTER INTO AN AGREEMENT PROVIDING FOR THE FOLLOWING SERVICES TO BE PERFORMED BY THE SHERIFF AT THE COUNTY'S EXPENSE:

(I) DRUG AND ALCOHOL TESTING;

(II) ELECTRONIC MONITORING; AND

(III) CONDUCTING MEETINGS WITH EACH PERSON ORDERED TO PARTICIPATE IN THE PROGRAM.

(8) (IV) FOR THE SERVICES PERFORMED BY THE SHERIFF, THE SHERIFF SHALL NOTIFY STAFF FOR THE PRETRIAL RELEASE PROGRAM OF ANY VIOLATION OF A CONDITION OF SUPERVISION FOR THE PROGRAM.

(9) (8) A PERSON WHO VIOLATES A CONDITION ESTABLISHED BY THE COURT OR THE PROGRAM IS SUBJECT TO REMOVAL FROM THE PROGRAM.