

HON. STACY A. MAYER  
CIRCUIT COURT  
JUDGE  
BALTIMORE COUNTY  
CHAIR

HON. RICHARD SANDY  
CIRCUIT COURT  
JUDGE  
FREDERICK COUNTY  
VICE-CHAIR



KELLEY O'CONNOR  
ASSISTANT STATE COURT  
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## MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

### MEMORANDUM

**TO:** House Judiciary Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq., Staff  
410-260-1523  
**RE:** House Bill 614  
Criminal Law – Private Home Detention Monitoring - Notification  
**DATE:** February 8, 2024  
(3/7)  
**POSITION:** Support with Amendments

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The Maryland Judiciary supports House Bill 614 with amendments. House Bill 614 would require that upon determining that a defendant subject to private home detention monitoring has been missing for 24 hours, the private home detention monitoring agency responsible for monitoring the defendant shall immediately notify the court and designated law enforcement as a condition of the defendant's pretrial release (currently requires notification on the next business day). The bill also requires similar notification timing to the Division of Parole and Probation after the individual subject to the monitoring has been missing for a certain amount of time.

Whereas the Judiciary supports the overall concept of "immediate" reporting by private home detention monitoring agencies (PHDMAs) of violations of conditions, we believe that amendments are needed to clearly define the scope and timing of the notification to be most effective. It is most important that the court and local law enforcement be notified within 24 hours of all pre-trial violations, not limited to absconding. It is likewise important that Parole and Probation be notified within 24 hours of all probation violations. The Judiciary has been working with Baltimore City on these amendments and we understand that Sponsor(s) are amenable to them.

These changes ensure that the court and the Division of Parole and Probation are notified about all violations not just absconding and that local law enforcement also receive timely notification so that they can act on a judicially issued warrant or an on-view violation of CL§ 9-405, especially important if it is alleged that a defendant violated a boundary exclusion while under pretrial release.

With the amendments, the Judiciary supports the legislation.

cc. Hon. Stephanie Smith  
Judicial Council  
Legislative Committee  
Kelley O'Connor