

Prince George's County Council Agenda Item Summary

Meeting Date: 5/1/2012
Reference No.: CB-014-2012
Draft No.: 2
Proposer(s): Toles
Sponsor(s): Toles, Campos, Davis, Franklin, Harrison, Lehman, Olson, Patterson, Turner
Item Title: An Act concerning Registration of Gun Offenders for the purpose of requiring gun offenders convicted of a gun offense in the County to register with the Chief of Police.

Drafter: Colette R. Gresham, Legislative Officer
Resource Personnel: Dwayne B. Mingo, Legislative Aide District 7

LEGISLATIVE HISTORY:

Date Presented:	3/27/2012	Executive Action:	6/11/2012 S
Committee Referral:	3/27/2012 - PSFM	Effective Date:	7/27/2012

Committee Action: 4/17/2012 - FAV(A)

Date Introduced: 5/1/2012

Public Hearing:

Council Action (1) 6/5/2012 - ENACTED

Council Votes: WC:A, DLD:A, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:A, KT:A

Pass/Fail: P

Remarks:

AFFECTED CODE SECTIONS:

14-188, 14-189, 14-190

COMMITTEE REPORTS:

Public Safety and Fiscal Management

Date 4/17/2012

REPORT: COMMITTEE VOTE: Favorable as amended 3-0 (Councilmembers: Campos, Davis and Lehman)

This bill will require gun offenders convicted of a gun offense in the County to register with the Chief of Police. The Committee met on April 17, 2012 to discuss the bill. Staff gave an overview of the legislation which requires gun offenders to register with the Chief of Police within 48 hours under certain listed conditions. The gun offender shall provide information to the Chief of Police that includes the gun offender's name, description of the crime, conviction date, list of aliases, identifying factors and place of residence and employment. The bill requires the gun offender to update the information on the registry after each 6 month anniversary of the initial registration or after changing/establishing a residence or employment. The information on the registry shall be verified for a period of 3 years or a period of 5 years, if the gun offender violated Section 4-204 (Use of a handgun or antique firearm in commission of crime) of the Annotated Code of Maryland, Criminal Law Article.

During the meeting the Committee heard from Assistant State's Attorney A. Rashid Mahdi on how the registry will assist the Police Department and the State's Attorney's Office in their efforts to track repeat offenders and assist with subsequent investigations. Deputy Chief Craig Howard, Prince George's County Police Department, also addressed

the Committee about the benefits of this bill in tracking gun offenders and gave crime statistics on the total number of murders by handguns in the County since 2007. The Committee discussed whether the database would be open to the public and if the registry would be applied retrospectively. There were concerns raised as to whether implementation of the registry would have an impact on resources at the Police Department and information was provided regarding the current registries in Baltimore City and the District of Columbia.

During the worksession the bill was amended as follows:

1. On page 2, line 10, after “Sections” insert “3-204 (Reckless endangerment – discharge of a firearm), 4-104 (Child’s access to firearms),”
2. On page 2, line 24, after “Subtitle” delete “or violations in other jurisdictions of any offense with an element that involves the violations listed in Subparagraph (A) and (B) of this Paragraph”

The Office of Law has reviewed this legislation and finds it to be in proper legislative form with no legal impediments to its enactment.

There may be a negative or adverse fiscal impact on the County due to the administrative tasks associated with documenting and maintaining information collected. The fiscal impact on the County related to the administrative tasks cannot be determined at this time.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

The proposed legislation will require gun offenders convicted of a gun offense in the County to register with the Chief of Police and provides for a penalty.

CODE INDEX TOPICS:

INCLUSION FILES:
