

THE PRINCE GEORGE'S COUNTY GOVERNMENT

Chairman Derrick Leon Davis

Council Member, District 6

The Hon. Bobby A. Zirkin, Chair Senate Judicial Proceedings 2 East Miller Senate Office Building Annapolis, Maryland 21401-1991 The Hon. Joseph F. Vallario, Jr., Chair House Judiciary Lowe House Office Building, Room 101 Annapolis, Maryland 21401-1991

Re: Bill Position – SB 976/HB 1163 – Criminal Procedure – Conditional Release – Electronic Monitoring – <u>SUPPORT</u>

Dear Senator Zirkin & Delegate Vallario:

It is my pleasure, on behalf of the Prince George's County Council, to transmit our position on SB 976/HB 1163 – Criminal Procedure – Conditional Release – Electronic Monitoring, which is before you this 2017 General Assembly Session. The Council met on April 4, 2017. The enclosed statement reflects our position as the bill is currently drafted.

The Council appreciates the opportunity to work together with you and your colleagues to address issues important to Maryland citizens and the operation of Prince George's County. Should you have any questions or need additional information please do not hesitate to contact me. For your convenience my office phone number is (301) 952-3426. Thanks again, for favorable consideration of the Council's position.

Sincerely,

Derrick L. Davis

Chair

Enclosure

cc:

Hon. Susan C. Lee, District 16

Hon. Aruna Miller, District 15

Hon. Rushern L. Baker, III, County Executive



THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700 County Council

POSITION STATEMENT

HB 1163/SB 976
Delegate Aruna Miller
& Senator Susan Lee

Criminal Procedure – Conditional Release – Electronic Monitoring (Amber's Law)

POSITION:

SUPPORT

HB 1163/SB 976 - Criminal Procedure — Conditional Release — Electronic Monitoring (Amber's Law) - authorizes a court to order a defendant to be supervised by electronic monitoring (1) as a condition of a defendant's pretrial release, if the victim has requested reasonable protections for safety; (2) as a condition of pretrial release on a charge of violating a protective order; or (3) as a condition of probation. The bill also expands prohibitions against violating specified conditions of pretrial or post-trial release to include any crimes against a victim.

Domestic violence is a leading cause of injury to women in the U.S., with a 60-percent chance of a victim being assaulted by his/her attacker even after law enforcement is involved. This happened to Prince George's County's own Amber Schinault on July 22, 2012. Even after a protective restraining order was in place, the order was not enough to keep her murderer away. Her ex-boyfriend killed her by slashing her throat. Amber was one of 22 people killed in Maryland in 2012, as a result of domestic violence.

This bill would require GPS tracking of known abusers and notify law enforcement officials and the victim whenever a violator enters a restricted area. Other states, such as Connecticut and Wisconsin, have successfully piloted this program. In Connecticut, victims themselves were not tracked and could choose to be notified in "stationary" settings, like home, school, work, and/or in "mobile" settings, like during trips to a shopping center.

This bill is long overdue. In 2010, a similar bill was struck down by the House Judiciary with a 13 - 8 vote, which could have saved Amber's life. Laws and public policy are in place for the safety and interests of citizens; however, the unfortunate truth is that some events show us that certain laws are failing to work in the interest of citizens. We hope that the General Assembly will share our concern for Maryland's citizens and enact a law that will clearly improve the welfare and safety of our neighbors, friends, and family.

Therefore, the County Council offers a strong position of **SUPPORT** on **HB 1163/SB 976** and respectfully requests your favorable consideration of its position.

Prepared by:

Maurice Simpson, Jr.

On behalf of Prince George's County Council

County Administration Building – Upper Marlboro, Maryland 20772