

Senate Conferee's Proposal to House Conferee's

S.295, Pretrial Services

5/7/14; 2:00 p.m.

Working from As Passed by House version

Sec. 1: Legislative Findings

Subsection (a), first sentence delete the word "punitive"

Sec. 2. Pretrial Risk Assessments and Needs Screenings

(b)(1) A person whose offense or status falls into any of the following categories shall be offered a risk assessment and, if deemed appropriate by the pretrial monitor, a needs screening prior to arraignment:

(A) felonies that are not listed crimes cited into court;

(B) persons not charged with a listed crime who are identified by law enforcement, the prosecution, the defense, probation and parole personnel, the Court, a treatment provider, or a family member or friend as having a substantial substance abuse or mental health issue;

(C) misdemeanor and felony drug offenses, excluding trafficking, cited into court; and

(D) persons who are arrested and lodged and unable to post bail within 24 hours of lodging, excluding persons who are charged with an offense for which registration as a sex offender is required upon conviction pursuant to subchapter 3 of chapter 167 of this title or an offense punishable by up to life imprisonment.

* * *

(6)(A) The Administrative Judge and Court Administrator, in consultation with the Commissioner of Health and the Commissioner of Corrections, shall develop a statewide plan for the phased, consistent rollout of the categories identified in subdivisions (1)(A) through (D) of this subsection, in the order in which they appear in this subsection. The Administrative Judge and Court Administrator shall present the plan to the Joint Committee on Corrections Oversight no later than October 15, 2014.

(B) All persons whose offense or status falls into one of the categories shall be eligible for a risk assessment or needs screening on or before April 15, 2015. Prior to that date, a person shall not be guaranteed the offer of a risk assessment or needs screening solely because the person's offense or status falls into one of the categories. Criminal justice professionals charged with implementation shall adhere to the plan.

Delete subsection (f)