

HB 3224 A STAFF MEASURE SUMMARY

Carrier: Sen. Linthicum

Senate Committee On Judiciary

Action Date: 05/22/19

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 7-0-0-0

Yeas: 7 - Bentz, Fagan, Gelser, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Gillian Fischer, Counsel

Meeting Dates: 5/22

WHAT THE MEASURE DOES:

Requires District Attorney in each county to develop and formally adopt written office policies concerning specified subject areas no later than December 1, 2020, and to make the policies available to the public on their website. Requires District Attorney to review and revise policies as necessary every five years thereafter.

ISSUES DISCUSSED:

- Reduce inconsistencies between counties
- Increase transparency on elected officials' policies
- Important to maintain district attorney discretion
- Increases access to justice for public

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Currently, there is no requirement that District Attorneys (DA) establish, maintain, or make public any formal or informal policies within their offices relating to prosecutorial decision making. Currently, there is wide variation county-to-county relating to charging policies or procedures and their availability to the public.

House Bill 3224 A requires all DAs to develop and maintain written policies about the core functions of their office and it requires that those policies be posted on the DA's website.