

SYNOPSIS

Committee: Public Safety and Government Operations

Bill: 22-0255

Arson Offender Registration

Sponsor: Councilmember Burnett, et al

Introduced: July 25, 2022

Purpose:

For the purpose of requiring an individual who has been convicted of a specified crime to regularly register certain information with the Police Commissioner for Baltimore City; specifying location, timing, content, and form of the registration; defining certain terms; and generally relating to arson offender registration.

Effective: The 30th day after the date it is enacted

AGENCY REPORTS

Police Department	
City Solicitor	Favorable with Amendment

ANALYSIS

The bill would require any person convicted of an arson or malicious burning offense in the Circuit Court for Baltimore City or the Maryland District Court for Baltimore City ("Offenders") to register with the Baltimore City Police Commissioner.¹ The bill identifies specific violations of the State Criminal Law Article that would trigger the registration requirement, generally including the following actions:

- Willfully and maliciously burning a dwelling or other structure,
- Willfully and maliciously burning the personal property of another,

¹ The bill includes exceptions for those whose convictions are overturned on appeal or otherwise set aside pursuant to law and those who have been pardoned by the Governor.



- Burning property of any kind with intent to defraud another,
- Threatening verbally or in writing to burn a structure or explode a destructive device, or
- Willfully and maliciously burning the contents of a dumpster or trash receptacle that belongs to another.

Offenders would be required to register within 48 hours of release from a correctional facility, or within 48 hours of sentencing if the sentence does not include imprisonment. The bill would also require offenders to acknowledge in writing the duty to register when requested by a judicial or law enforcement officer. Offenders would be required to appear in person to register and to provide certain information, such as name, aliases, residence, physical description, and certain information on their arson or malicious burning offense(s) and conviction(s). The Commissioner may also photograph the offender, require additional information, and require documentation to verify any information provided.

Offenders who reside in Baltimore City would also be required to appear in person every 6 months and 20 days from initial registration to verify and update their information. The bill would also mandate that offenders update their registered residence whenever they move into, within, or out of Baltimore City. The verification and updating obligations would continue for a period of 3 years after initial registration.

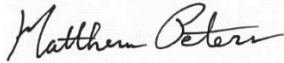
The bill would also authorize the Police Commissioner to adopt implementing rules and regulations, and to cooperate and share information with federal, state, and local law enforcement agencies as well as any City agency.

Any offender who fails to comply with the requirements would be guilty of a misdemeanor and, on conviction, would be subject to a fine of not more than \$500 for each offense. Each day that a violation continues would constitute a separate offense. Additionally, an offender's conviction for violating the requirements of the bill could also constitute a violation of parole or probation conditions, potentially leading to additional penalties including imprisonment.

ADDITIONAL INFORMATION

Fiscal Note: None

Information Source(s): Maryland Code, Reporting Agencies, Bill 22-0255.



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