



SHEILA DIXON
Mayor

BALTIMORE POLICE DEPARTMENT



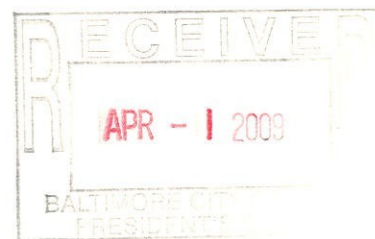
FREDERICK H. BEALEFELD, III
Police Commissioner

March 31, 2009

TO: The Honorable President and Members
of the Baltimore City Council
Room 400 City Hall
Attn. Karen Randle

FROM: James H. Green, ^{JHG} Deputy Legal Counsel
Baltimore Police Department

RE: City Council Bill No. 09-0291-Gun Offender Registration



The Baltimore Police Department (BPD) supports City Council Bill No. 09-0291-Gun Offender Registration which seeks to amend Baltimore's Gun Offender Registration Act (GORA), Baltimore City Code Article 19 § 60. The bill would expand the registration requirements to juveniles who are convicted as adults, expand the list of offenses for which registration is required, clarify the registration requirements for persons found not criminally responsible, clarify the change of address requirements, and clarify the verification timeline.

As of March 30, 2009, the BPD has identified 527 gun offenders in the Registry. There are 170 persons registered that are not incarcerated and living in Baltimore City. An additional fifty-nine (59) persons are registered and live outside of the City. The GORA imposes on defendants convicted of the enumerated gun offenses a duty similar to a sex offender's duty to register under Megan's Law. Specifically, the GORA requires gun offenders to report to the BPD Gun Offender Registry Unit (GORU) within forty-eight (48) hours after release from incarceration or after sentencing if they receive a non-incarcerative sentence, including probation before judgment. Defendants are required to register every six (6) months with the GORU and upon any change of address (assuming they remain City residents). The period of registration is for three (3) years.

Currently, the GORA applies to any adult convicted of the enumerated "Gun Offenses" whose conviction occurs after January 1, 2008, regardless of when the crime occurred. The proposed amendments would require a juvenile charged and convicted as an adult to also be subject to the Act's registration requirements. In 2008, there were twenty-eight (28) juvenile homicides and eighty-eight (88) non-fatal juvenile shooting victims. Additionally, a significant

number of juveniles were arrested and convicted of gun related offenses as adults and would therefore be subject to registration. It is important that we continue to combat juvenile gun violence in Baltimore and by adding these offenders to the Registry; the BPD will be able to provide increased oversight and monitoring to this population.

The proposed amendments also contemplate adding to the enumerated crimes several violations of the Baltimore City Code, Article 19 § 59-1, Carrying Long-Barrel Firearms and § 59-2, Discharging Firearms. It remains important that the Registry capture all firearms offenses and those offenders who choose to violate these laws. In addition, the amendments seek to clarify several issues involving the registration, its timing, and the term of verification. These changes are necessary to resolve any ambiguity that may arise in the application of the ordinance.

Baltimore's Gun Offender Registry continues to be a very important tool in the BPD's public safety commitment to Baltimore City. This is due in no small measure to the partnership of the Office of the State's Attorney, the Maryland Division of Parole and Probation, and the judicial branch. The BPD is pleased to share additional information with the Council on this issue. Thank you for the opportunity to comment on this legislation and we respectfully ask for your favorable report.

cc: Frederick H. Bealefeld III, Police Commissioner, BPD
Angela Gibson, Mayor's Legislative Liaison
Sheryl Goldstein, MOCJ