

HOUSE BILL 1138

E2, E3

2lr2505

By: **Delegates Carter, Alston, Anderson, Dumais, Lee, Mitchell, Oaks, Parrott, Smigiel, and Washington**

Introduced and read first time: February 10, 2012

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Arrest of Minor – Notification of Parent or Guardian**

3 FOR the purpose of requiring a certain law enforcement officer who charges a minor
4 with a criminal offense to make a reasonable attempt to notify the minor's
5 parent or guardian of the charge; requiring a certain law enforcement officer or
6 the officer's designee who takes a minor into custody to make a reasonable
7 attempt to notify the minor's parent or guardian of the arrest within a certain
8 time period; and generally relating to notification of a parent or guardian of the
9 arrest of a minor.

10 BY adding to

11 Article – Criminal Procedure

12 Section 2–108

13 Annotated Code of Maryland

14 (2008 Replacement Volume and 2011 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Criminal Procedure**

18 **2–108.**

19 **(A) A LAW ENFORCEMENT OFFICER WHO CHARGES A MINOR WITH A**
20 **CRIMINAL OFFENSE SHALL MAKE A REASONABLE ATTEMPT TO NOTIFY THE**
21 **PARENT OR GUARDIAN OF THE MINOR OF THE CHARGE.**

22 **(B) IF A LAW ENFORCEMENT OFFICER TAKES A MINOR INTO CUSTODY,**
23 **THE LAW ENFORCEMENT OFFICER OR THE OFFICER'S DESIGNEE SHALL MAKE A**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 REASONABLE ATTEMPT TO NOTIFY THE PARENT OR GUARDIAN OF THE MINOR
2 WITHIN 48 HOURS OF THE ARREST OF THE MINOR.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2012.