
By: **Washington County Delegation**
Introduced and read first time: February 7, 2003
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 4, 2003

CHAPTER 47

1 AN ACT concerning

2 **Washington County - Correctional Services - Home Detention and Pretrial**
3 **and Work Release Programs**

4 FOR the purpose of requiring the Sheriff of Washington County to establish pretrial
5 release and work release programs in addition to a home detention program;
6 requiring the Sheriff to adopt regulations implementing each program;
7 ~~providing that authorizing~~ the court ~~may to~~ recommend individuals in the
8 Sheriff's custody who meet certain eligibility criteria and have no other pending
9 charges in any jurisdiction to participate in any of the programs; establishing
10 that certain individuals incarcerated for or previously convicted of a crime of
11 violence are not eligible to participate in any of the programs; ~~authorize~~
12 ~~establishing that certain individuals who have been found guilty of certain~~
13 ~~crimes are not eligible to participate in any of the programs; establishing certain~~
14 ~~responsibilities of an inmate while the inmate is participating in any of the~~
15 ~~programs; authorizing~~ the Sheriff to collect a fee for participation in any of the
16 programs ~~or to waive or reduce the fee~~; authorizing the Sheriff to determine the
17 maximum number of participants in the programs; providing penalties for
18 certain violations of any term or condition of any of the programs; and generally
19 relating to home detention, pretrial release, and work release programs in
20 Washington County.

21 BY repealing and reenacting, with amendments,
22 Article - Correctional Services
23 Section 11-723
24 Annotated Code of Maryland
25 (1999 Volume and 2002 Supplement)

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

3 **Article - Correctional Services**

4 11-723.

5 (a) This section applies only in Washington County.

6 (b) (1) The Sheriff shall:

7 (i) establish and administer:

8 1. a home detention program;

9 2. A WORK RELEASE PROGRAM; AND

10 3. A PRETRIAL RELEASE PROGRAM; and

11 (ii) adopt regulations NECESSARY [for the] TO IMPLEMENT EACH
12 program ESTABLISHED UNDER THIS SECTION.

13 (2) At the time of sentencing or at any time during an individual's
14 confinement, the [sentencing judge] COURT may allow an individual who is
15 [convicted of a crime and sentenced to imprisonment] PLACED IN THE CUSTODY OF
16 THE SHERIFF to participate in [the home detention] ANY program ESTABLISHED
17 UNDER THIS SECTION.

18 (3) Subject to paragraph (4) of this subsection, an inmate is eligible [for
19 the home detention] TO PARTICIPATE IN ANY program ESTABLISHED UNDER THIS
20 SECTION if the inmate:

21 (i) is recommended for the program by the [sentencing judge; and]
22 COURT;

23 (ii) MEETS ESTABLISHED ELIGIBILITY CRITERIA; AND

24 (III) has no other charges pending in any jurisdiction.

25 (4) An inmate is not eligible [for the home detention] TO PARTICIPATE
26 IN ANY program ESTABLISHED UNDER THIS SECTION if the inmate:

27 (i) is [serving a sentence for] INCARCERATED FOR OR HAS BEEN
28 CONVICTED PREVIOUSLY OF a crime of violence LISTED IN § 14-101 OF THE CRIMINAL
29 LAW ARTICLE; or

30 (ii) has been found guilty of the crime of:

31 1. child abuse under § 3-601 or § 3-602 of the Criminal Law
32 Article; or

