

HOUSE BILL 967

E4, J1, L6

9lr2344

By: **Delegates George, Barnes, Braveboy, Costa, Frush, King, Kipke,
Pena-Melnyk, Schuh, and Stukes**

Introduced and read first time: February 13, 2009

Assigned to: Judiciary and Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Local Correctional Facilities – New Construction – Residential Programs for**
3 **Substance Abuse Treatment**

4 FOR the purpose of requiring any application for certain financial assistance related
5 to the construction, enlargement, or maintenance of a local correctional facility,
6 to include a plan for a residential program for substance abuse treatment that
7 meets certain criteria and a plan to employ best practices for certain purposes
8 related to the inmate population; and generally relating to residential programs
9 for substance abuse treatment for local correctional facilities.

10 BY adding to

11 Article – Correctional Services

12 Section 11–108

13 Annotated Code of Maryland

14 (2008 Replacement Volume and 2008 Supplement)

15 Preamble

16 WHEREAS, Substance abuse is the root cause of a great deal of criminal
17 behavior; and

18 WHEREAS, Offenders who receive substance abuse treatment before leaving
19 jail will be less likely to return to jail; and

20 WHEREAS, Providing substance abuse treatment programs in jails will result
21 in safer neighborhoods; and

22 WHEREAS, Studies that have followed offenders for as long as 5 years have
23 shown that offenders who graduate from residential substance abuse treatment

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 programs have lower relapse and recidivism rates than offenders who do not
2 participate in such programs; now, therefore,

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

5 **Article – Correctional Services**

6 **11-108.**

7 **AN APPLICATION FOR FINANCIAL ASSISTANCE FOR THE CONSTRUCTION,**
8 **ENLARGEMENT, OR MAINTENANCE OF A LOCAL CORRECTIONAL FACILITY MADE**
9 **UNDER § 11-104 OR § 11-105 OF THIS SUBTITLE, SHALL INCLUDE:**

10 **(1) A PLAN FOR A RESIDENTIAL PROGRAM AT THE LOCAL**
11 **CORRECTIONAL FACILITY FOR SUBSTANCE ABUSE TREATMENT WITH A**
12 **CAPACITY OF AT LEAST 45 PARTICIPANTS THAT:**

13 **(I) LASTS AT LEAST 6 MONTHS BUT NO MORE THAN 12**
14 **MONTHS;**

15 **(II) SEPARATES THE PARTICIPANTS FROM OTHER INMATES;**

16 **(III) FOCUSES ON THE SUBSTANCE ABUSE PROBLEMS OF THE**
17 **PARTICIPANTS;**

18 **(IV) DEVELOPS THE PARTICIPANT’S COGNITIVE,**
19 **BEHAVIORAL, SOCIAL, VOCATIONAL, AND OTHER SKILLS TO SOLVE THE**
20 **PARTICIPANT’S SUBSTANCE ABUSE AND RELATED PROBLEMS;**

21 **(V) PROVIDES TREATMENT FOR PARTICIPANTS THAT ARE**
22 **DUALLY DIAGNOSED WITH ALCOHOL OR DRUG DEPENDENCY AND MENTAL**
23 **ILLNESS;**

24 **(VI) IS BASED ON EFFECTIVE, SCIENTIFIC PRACTICES; AND**

25 **(VII) INCLUDES AN AFTERCARE COMPONENT THAT ASSISTS**
26 **PARTICIPANTS ON RELEASE; AND**

27 **(2) A PLAN FOR EMPLOYING BEST PRACTICES TO:**

28 **(I) MANAGE THE INMATE POPULATION;**

29 **(II) MINIMIZE PERIODS OF PRETRIAL DETENTION; AND**

1 **(III) INCREASE EFFICIENCY FOR BAIL REVIEW PROCEDURES.**

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2009.