

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

House Bill 1105
Judiciary

(Delegate Clippinger)

Criminal Law - Home Detention - Eligibility

This bill specifies that an individual who has been convicted of a crime committed while on home detention may not participate in a home detention program.

Fiscal Summary

State Effect: None. Home detention operations of the Department of Public Safety and Correctional Services (DPSCS) already exclude persons convicted of a new crime while on home detention.

Local Effect: None. The bill's exclusion provisions are not expected to impact local finances or operations.

Small Business Effect: None.

Analysis

Current Law: The following counties have (or are authorized to have) a home detention and/or work release program: Allegany, Anne Arundel, Baltimore, Caroline, Carroll, Cecil, Dorchester, Frederick, Garrett, Harford, Howard, Kent, Montgomery, Prince George's, Queen Anne's, St. Mary's, Talbot, Washington, Wicomico, and Worcester. The State has a home detention program, overseen by DPSCS, that operates in Baltimore City and elsewhere. The State also has a pretrial release services program that is overseen by DPSCS.

An individual who knowingly violates a restriction on movement imposed as a condition of leave, work release, or a home detention order or agreement is guilty of escape.

An individual who knowingly violates any other condition of leave, work release, or a home detention order or agreement is guilty of a misdemeanor and subject to maximum penalties of a fine of up to \$1,000 and/or imprisonment for one year.

Current regulation's governing the placement of inmates in DPSCS's home detention program already considers an arrest for a new crime as grounds for removal from the program.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Kent, Montgomery, and Washington counties; Baltimore City; Department of State Police; Department of Public Safety and Correctional Services; Department of Legislative Services

Fiscal Note History: First Reader - February 24, 2014
ncs/lgc

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