

## Article - Correctional Services

§11-704.

(a) In this section, "Commissioner" means the Commissioner of Pretrial Detention and Services.

(b) This section applies only in Baltimore City.

(c) (1) The Commissioner may allow an inmate of the Baltimore City Detention Center to participate in one of the activities specified in paragraph (2) of this subsection during the period of custody if the participation:

(i) is approved by the judge ordering confinement or, if that judge is unable to act, by another judge of the committing court; and

(ii) is in accordance with available programs.

(2) Subject to paragraph (1) of this subsection, an inmate may:

(i) continue regular employment;

(ii) obtain new employment;

(iii) participate in a training, rehabilitation, or other special program;

or

(iv) attend an educational institution.

(3) (i) An inmate who is authorized to participate in a program under this subsection shall be held in custody between program hours or periods.

(ii) The Commissioner or Commissioner's designee may allow an inmate who is authorized to participate in a program under this subsection to be held in custody through home detention by the use of electronic monitoring devices.

(iii) Subject to the availability of funds, the Commissioner may contract for halfway houses or other suitable housing facilities or electronic monitoring devices for inmates authorized to participate in a program under this subsection.

(d) (1) An inmate who is employed under a work release program shall surrender to the Commissioner or Commissioner's designee the total earnings of the inmate under the program, less payroll deductions required by law.

(2) From the net earnings of the inmate, the Commissioner or Commissioner's designee shall deduct in the following order of priority:

(i) an amount not to exceed one-third of the inmate's net earnings for the cost to the State of providing food, lodging, electronic monitoring devices, and

clothing for the inmate;

(ii) the actual and necessary food, travel, and other expenses of the inmate when released from actual custody under the program;

(iii) the amount, if any, that the inmate is legally obligated to pay for the support of a dependent by court order directed to the Commissioner; and

(iv) the amount for court-ordered payments for restitution.

(3) The Commissioner or Commissioner's designee shall pay any amount deducted as required by paragraph (2)(iii) of this subsection as the court order directs.

(4) The Commissioner or Commissioner's designee shall:

(i) credit to the inmate's account any remaining balance; and

(ii) pay the balance in the inmate's account to the inmate on release.

(5) If any part of the inmate's final earnings under a work release program are required to satisfy the deductions specified in paragraph (2) of this subsection, the balance of the final earnings shall be forwarded to the inmate within 15 days after the date of release from the Baltimore City Detention Center.

(e) (1) A court may require an individual who is convicted of a crime to satisfy a fine or court costs by participating in a work program established under the jurisdiction of the Division of Parole and Probation in Baltimore City.

(2) An individual who participates in the work program shall receive a credit of at least the federal minimum wage per hour toward the fine or court costs.