

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 110
Judiciary

(St. Mary's County Delegation)

Judicial Proceedings

St. Mary's County - Inmate Release Programs

This bill modifies and expands participation provisions relating to St. Mary's County's inmate release programs, as specified.

Fiscal Summary

State Effect: None.

Local Effect: The bill is not anticipated to materially affect St. Mary's County's finances.

Small Business Effect: None.

Analysis

Bill Summary: The bill authorizes the St. Mary's County Sherriff to establish a pretrial release program and a prerelease program.

An inmate who is participating in a home detention, work release, pretrial release, or prerelease program and who is sentenced to the County Detention and Rehabilitation Center is authorized to leave the detention center to (1) receive intensive counseling; (2) obtain academic education; or (3) maximize use of other community resources or other similar rehabilitative activities.

The bill repeals the authorization for the Sheriff and the Board of County Commissioners of St. Mary's County to charge an inmate participating in the work release program a reasonable monetary amount or program participation fee to pay for specified costs. Instead, the bill requires the sheriff or the sheriff's designee to collect the earnings of an

inmate in the program, less required payroll deductions. From the inmate's earnings, the sheriff may deduct (1) the cost to the county for food, lodging, clothing, and transportation for the inmate; (2) the actual cost of necessary food and travel and other expenses incidental to the inmate's participation in the program; (3) an amount that the inmate is legally obligated or desires to pay for support of a dependent; (4) if applicable, a reasonable amount to repay to the State or to the county for an attorney appointed by the court; and (5) court-ordered payments for restitution. The sheriff must credit to the inmate's account the remaining balance and dispose of the balance in the inmate's account as the inmate requests and as the sheriff approves.

Current Law: The Sheriff of St. Mary's County may establish programs for home detention and work release and adopt implementing regulations for each such program. If a court-imposed condition on an inmate is inconsistent with a regulation adopted under these provisions, the court-imposed condition controls as to that inmate. A court is authorized to allow an inmate's participation in either program, as specified. An inmate may leave the detention center to (1) continue regular employment; (2) seek new employment; or (3) attend any court-ordered treatment appointments.

The sheriff and the board of county commissioners are authorized to determine and collect a reasonable monetary amount or program participation fee to pay for an inmate's food, lodging, and clothing costs incurred in the work release program. An inmate who violates a trust or condition that a court or the sheriff has established for program participation is subject to removal from the program and cancellation of any earned diminution credits.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): St. Mary's County; Department of Legislative Services

Fiscal Note History: First Reader - January 17, 2018
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