

**Department of Legislative Services**  
Maryland General Assembly  
2018 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

House Bill 373  
Judiciary

(Cecil County Delegation)

Judicial Proceedings

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**Cecil County - Home Detention and Release Programs**

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

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Cecil County can implement the bill's changes with existing resources.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The bill repeals the requirement for the Cecil County Sheriff to establish and administer a home detention program. Instead, the bill authorizes the Cecil County Sheriff to establish programs for home detention, pretrial release, work release, and prerelease. The sheriff must adopt regulations necessary to implement each program established.

An inmate designated to participate in a home detention, pretrial release, work release, or prerelease program is authorized to leave the Community Corrections Center to (1) continue regular employment; (2) seek new employment; (3) attend court-ordered treatment appointments; (4) undergo intensive counseling; (5) pursue academic education; or (6) use other community resources or participate in other activities for the purpose of rehabilitation.

The sheriff is authorized to charge an inmate participating in a program a reasonable program participation fee to pay for the costs incurred by the county for the management and administration of the program.

The sheriff or the sheriff's designee must notify the court in writing of any violation of a trust or condition that the court or the sheriff has established for participation in the program and the inmate is subject to removal from the program and cancellation of any earned diminution credits. Conditions imposed by the court supersede regulations adopted regarding the program.

**Current Law:** The Cecil County Sheriff must establish and administer a home detention program and adopt regulations to implement the program.

An inmate is eligible for the home detention program if the inmate is placed in the program by the sentencing judge or the sheriff and has no other charges pending in any jurisdiction. A sentencing judge may place an individual in a home detention program at the time of sentencing or at any time during an individual's confinement. The sheriff may place an inmate in the home detention program at any time after the inmate has served 25% of the inmate's sentence.

An inmate is not eligible for the home detention program if the inmate is serving a sentence for a crime of violence or has been found guilty of the crime of child abuse or escape.

The sheriff must determine the amount of a reasonable fee for the cost of electronic supervision, including the administrative costs associated with the supervision, and collect the fee from each inmate in the program.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Cecil County; Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services; Department of Legislative Services

**Fiscal Note History:** First Reader - February 8, 2018  
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