

Senate Bill 187 - Correctional Services - Comprehensive Rehabilitative Prerelease Services - Female Incarcerated Individuals

Position: Letter of Information

Committee: Senate Judicial Proceedings and Budget and Taxation Committees

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From: John R. Woolums, Esq.

The Department of General Services (DGS) takes no position on Senate Bill 187 and is providing this Letter of Information for the Committee's consideration.

This legislation proposes significant revisions to state law governing the establishment of a comprehensive rehabilitative prerelease unit for women operated by the Division of Corrections within the Department of Public Safety and Correctional Services (DPSCS).

This bill would mandate that the facility be located in Baltimore City on a site that is not less than 3 acres and not located within a one-mile radius of an existing correctional facility, and satisfy specified requirements for housing capacity and programming. In addition, at the request of DPSCS, DGS would be required to review and evaluate proposals for locations satisfying the bill's new standards and to award a contract to a provider as soon as practicable.

DGS must emphasize the challenges posed by the bill's mandates to select and procure a new site and issue a Request for Proposals (RFP) for the design and construction of a facility on this new site by August 1, 2026. Major challenges to issuing an RFP by this deadline include the feasibility of obtaining a site meeting the bill's requirements, including the provision of site acquisition costs, the necessary intergovernmental coordination with the City of Baltimore, and the extensive community engagement involved in the siting of a new correctional facility.

If Senate Bill 187 becomes law, DGS would necessarily add space, scope, and detailed descriptions contained in Part I and II project plans, and commence contracting to plan the newly redefined and resited project. In order to restart this project, DPSCS will also need to acquire a new property, with the DGS's Office of Real Estate (ORE) providing direct support to DPSCS for the necessary property acquisition that meets the new siting requirements.

Given the constraints of available land meeting these new standards, it may be a property owned by the City of Baltimore. The City has its own comprehensive land acquisition and development process, which includes mandatory community engagement. This process alone can take upwards of six months, assuming the property is approved for acquisition. Once the property is secured, DPSCS and DGS must complete the programming process, which establishes the design and operational requirements for the facility. This takes a minimum of 90 days before the project can advance to the RFP stage.

While DGS will work diligently to implement SB187 if passed, these factors may mean we will not be able to meet the timelines identified.

The current law was enacted in 2021 by veto override (SB 684, 2020; enacted as Ch. 16, Feb. 11, 2021). Following the DPSCS request to initiate the project, and the inclusion in the State Budget of funding for planning and design costs, DGS has been devoting the professional resources of the department's Division of Design, Construction and Energy to complete this project in the most expeditious manner possible.

In accordance with existing statute, the project will require the construction of a building to serve as a standalone prerelease facility for incarcerated women. The proposed site for the project is located at 717 Forrest Street in Baltimore City. The new facility is planned to contain four housing units and able to accommodate 64 residents. The facility will include common residential areas within each housing unit, dedicated visitation and programming space, an integrated healthcare clinic, and various administrative and general support spaces. The goal of the project is to provide a secure, therapeutic, and rehabilitative environment for women in prerelease to support their future success. State construction funding is allocated in future years in the Capital Improvement Program.

In conclusion, whether this project proceeds under current law or the new parameters of Senate Bill 187, DGS will continue to be fully engaged and responsive to the General Assembly's efforts to ensure that female incarcerated individuals have access to the necessary gender-responsive services and resources for a successful transition back into the community.

Again, DGS is providing this testimony for informational purposes, and the Department looks forward to being of further assistance as the Committee considers this bill.

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