

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 37 (Delegate Owings)
Judiciary

Pretrial Release Agencies - Registry of Defendants Recommended for Release

This bill requires a pretrial release agency in Baltimore City and Prince George’s County to maintain a registry containing the following information on defendants recommended for pretrial release by the agency: (1) the name of defendant; (2) the charge for which the defendant is awaiting trial; (3) the nature of any current bench warrants applicable to the charges; (4) the defendant’s scheduled court date; and (5) whether the agency’s recommendation was for a secured or nonsecured release.

The bill requires the registry to be updated weekly, readily available to the public, and located in the court clerk’s office. The bill requires the agencies to make a specified annual report by September 30 of each year. Each agency is required to prepare the registry and annual report out of its existing budget. No additional government funds may be accepted or received by the agency for the production of the registry and the annual report.

Fiscal Summary

State Effect: None. The bill requires compliance for Baltimore City out of the existing budget of Pretrial Release Services of the Department of Public Safety and Correctional Services (DPSCS). See discussion below. Revenues would not be affected.

Local Effect: None. The bill requires compliance for Prince George’s County out of the existing budget of the county’s Department of Correction. See discussion below. Revenues would not be affected.

Small Business Effect: None. The bill would not directly affect small businesses.

Fiscal Analysis

State Expenditures: Pretrial Release Services of DPSCS reports that the information required for the registry and the annual report are not currently tracked in a manner consistent with the provisions of this bill. It is estimated that the requirements of this bill would require full-time work from two Administrative Officers and one Clerk Typist. However, since the bill requires a pretrial release agency to prepare the registry and annual report out of its existing budget, personnel would have to be reassigned from current staff responsibilities. DPSCS believes that it would have to reassign two Investigators and one Clerk Typist to meet their responsibilities under the bill.

The hiring of additional full-time staff to meet these requirements, including fringe benefits and minimal operating expenses, would total approximately \$100,000 annually. DPSCS advises that these positions cannot be afforded within its existing budget.

Local Expenditures: The bill applies the same prohibition against the use of additional funds to fulfill its requirements to pretrial release operations in Prince George's County. The county reports that the requirements of this bill would have to be met with the reassignment of one existing full-time administrative position and one clerk, for the same reasons cited above.

The hiring of additional staff, including fringe benefits and minimal operating expenses, to fulfill the requirements of the bill would cost the county approximately \$75,000 annually. Prince George's County advises that these positions cannot be afforded within its existing budget.

Information Source(s): Department of Public Safety and Correctional Services (Pretrial Release Services), Prince George's County, Department of Fiscal Services

Fiscal Note History: First Reader - January 24, 1997

lc

Analysis by: Guy G. Cherry

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710