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By: **Prince George's County Delegation**  
Introduced and read first time: February 11, 1998  
Assigned to: Judiciary

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 10, 1998

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CHAPTER\_\_\_\_\_

1 AN ACT concerning

2 **Prince George's County - Inmates - Conditions of Work Release**  
3 **PG 300-98**

4 FOR the purpose of providing that certain provisions of law relating to work release  
5 apply to inmates in Prince George's County, unless certain other provisions of  
6 law applicable to Prince George's County specifically provide otherwise; and  
7 generally relating to work release in Prince George's County.

8 BY repealing and reenacting, without amendments,  
9 Article 27 - Crimes and Punishments  
10 Section 645K through 645R, inclusive, and 645V  
11 Annotated Code of Maryland  
12 (1996 Replacement Volume and 1997 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article 27 - Crimes and Punishments  
15 Section 645S  
16 Annotated Code of Maryland  
17 (1996 Replacement Volume and 1997 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

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**Article 27 - Crimes and Punishments**

2 645K.

3 Whenever a person shall be convicted of a crime and sentenced to imprisonment  
4 in any county, town or city jail by any court in the counties to which this subtitle  
5 applies, the judge imposing sentence may prescribe that insofar as possible the person  
6 may continue his regular employment or obtain new employment while serving the  
7 term of his sentence, and the judge shall designate either the sheriff or the Division of  
8 Parole and Probation to supervise, arrange for or obtain such employment.

9 If a convicted person has been regularly employed, the sheriff or the Division of  
10 Parole and Probation shall arrange for a continuation of said work insofar as possible  
11 without interruption. The sheriff or the Division of Parole and Probation shall make  
12 every effort to secure some suitable employment for the prisoner if he is not employed  
13 in any job. The sheriff or the Division of Parole and Probation shall try to obtain  
14 employment for the prisoner paying a fair and reasonable wage, and the prisoner  
15 shall work at fair and reasonable employment and fair and reasonable hours per day  
16 and per week.

17 645L.

18 Whenever the prisoner is not employed, and between the hours or periods of  
19 employment, he shall be confined in jail unless the court shall direct otherwise.

20 645M.

21 (a) The earnings of prisoners shall be collected by the Department of Public  
22 Safety and Correctional Services. From these earnings the Department shall pay the  
23 following:

24 (1) The cost of providing food, lodging and clothing by the place of  
25 incarceration to the State or the county;

26 (2) Court ordered payments for support of dependents; and

27 (3) Court ordered payments for restitution.

28 (b) Any balance remaining after the payments as set out in subsection (a)  
29 shall be credited to the prisoner's account and paid to him within 15 days of his  
30 release.

31 645N.

32 If approved by the committing court, the prisoner obtains a diminution of one  
33 fourth of his term if his conduct, diligence and general attitude merit such  
34 diminution.

1 645-O.

2 In case of the violation of the conditions laid down for his conduct, custody and  
3 employment, he shall be returned to the court; and it may then require that the  
4 balance of his sentence be spent in actual confinement and may cancel any earned  
5 diminution of his term.

6 645P.

7 The sheriff shall receive such extra expense allowance and mileage as the board  
8 of county commissioners determines for his additional service under the terms of this  
9 subtitle.

10 645Q.

11 The provisions of this subtitle shall extend to a person committed to jail by a  
12 court of record upon an adjudication of contempt of court.

13 645R.

14 In this subtitle "jail" includes county or municipal lockups, prison farms and  
15 other similar places used for the detention of offenders against the laws of the State of  
16 Maryland, and "sheriff" includes the jailer or superintendent thereof.

17 645S.

18 (A) The provisions of §§ 645K through 645R of this subtitle do not apply in  
19 Montgomery [and Prince George's Counties] COUNTY.

20 (B) EXCEPT WHERE A PROVISION OF § 645V OF THIS SUBHEADING  
21 SPECIFICALLY PROVIDES OTHERWISE, THE PROVISIONS OF §§ 645K THROUGH 645R  
22 OF THIS SUBHEADING APPLY IN PRINCE GEORGE'S COUNTY.

23 645V.

24 (a) In Prince George's County, whenever a person shall be convicted of a crime  
25 or found in contempt of court and sentenced to imprisonment in any County  
26 Detention Center within the County, by any court in the County, the County  
27 Detention Center Administrator may during the prescribed term of detention, in  
28 accordance with the programs that are established, prescribe that the person may be  
29 granted the privilege of leaving actual confinement during necessary and reasonable  
30 hours for the purpose of working at a gainful, private employment, participating in a  
31 training or rehabilitation program, attending educational and vocational institutions  
32 in the County, while seeking gainful employment, while serving the term of his  
33 sentence, upon making the determination that the person is eligible for the program  
34 and has recommended to and received the written approval of the sentencing or  
35 administrative judge. Whenever the prisoner is not employed or otherwise  
36 participating in the work release program, the prisoner shall be confined in the  
37 County Detention Center as any other prisoner committed to the custody of the  
38 County Detention Center Administrator.

1 (b) The earnings of the prisoner, less payroll deductions, shall be collected by  
2 or surrendered to the authorized representative of the County Detention Center.  
3 From such earnings shall be deducted such amounts determined to be the cost to the  
4 County for food, lodging and clothing for such prisoner; such actual and necessary  
5 food, travel and other expenses incidental to his participation in the program; such  
6 amount which the prisoner may be legally obligated to, or desirous of, paying for the  
7 support of his dependents; court ordered restitution payments; and credit any  
8 remaining balance to the prisoner's account.

9 (c) The County Detention Center Administrator shall set down adequate  
10 guidelines and rules as are deemed necessary to conduct the work release program in  
11 considering the security of the detention center and the safety of the public but the  
12 rules and conditions shall be in conformity with any conditions that a sentencing or  
13 administrative judge may impose in a particular case. In the event of any violation of  
14 trust or conditions prescribed in the rules for conduct and employment, a prisoner  
15 may be removed from the work release program and any earned diminution of  
16 sentence may be cancelled after an administration hearing has taken place.

17 (d) The County Detention Center Administrator may develop educational and  
18 vocational programs as deemed necessary to further the educational and vocational  
19 training of any inmate sentenced to the County Detention Center. The County  
20 Detention Center Administrator shall set up rules and regulations to govern the  
21 conduct and participation of any sentenced prisoner in an educational or vocational  
22 program as is deemed necessary for the security of the County Detention Center and  
23 the safety of the general public. In the event of any violation of trust or conditions  
24 prescribed by the County Detention Center Administrator of Prince George's County  
25 for the prisoner's conduct during his participation in any educational or vocational  
26 program the prisoner may be removed from said program by the County Detention  
27 Center Administrator with notice to the sentencing judge and any earned diminution  
28 may be cancelled after an administration hearing has taken place.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 1998.