

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE
Revised

Senate Bill 530 (Senator Collins)
(Baltimore County Administration)

Judicial Proceedings

Baltimore County - Work Release and Home Detention Programs

This bill authorizes the administrator of the Baltimore County Detention Center to establish and administer a work release program and a home detention program for the county.

Fiscal Summary

State Effect: None.

Local Effect: None. This bill codifies existing practice in Baltimore County.

Small Business Effect: None.

Fiscal Analysis

Bill Summary: The administrator of the Baltimore County Detention Center is: (1) authorized to adopt regulations for a work release program and a home detention program; and (2) if a program is established, required to establish eligibility criteria and plans for each program. Participation in either of the programs is a privilege authorized by court. These provisions do not create a right to participate or remain in either of the programs.

The bill establishes the conditions under which the administrator may recommend to a judge that a person participate in work release or home detention. The bill specifies when a judge may authorize participation in either program. The administrator may suspend or remove a person from either program at any time, without prior court approval, and for any reason. The court must be notified of a suspension or removal within 15 days of that action.

For the work release program, the administrator is required to collect each participant's total earnings, less payroll deductions. From those earnings, the administrator may: (1) pay the

reasonable cost to the county of providing food, lodging, and clothing; (2) make court-ordered payments to dependants; (3) pay court-ordered costs, fines, and restitution; (4) if ordered by the court, make repayment to the State for court-appointed counsel; and (5) if ordered by the court, make court-ordered repayment to the State for the services of the Public Defender. Any balance must be credited to an account held by the administrator for the participant. Any balance amounts remaining in those accounts: (1) may be disposed of as requested by the participant, if approved by the administrator; and (2) must be paid to the participant upon release from the detention facility.

A participant in the work release program who violates a term of “leave” is subject to current law penalties applicable to escapees: an additional consecutive sentence of 10 years and liability for all expenses incurred in the return of the escapee. A person is prohibited from participation in the home detention program if serving a sentence for a crime of violence, or has been found guilty of child abuse or escape.

The administrator is authorized to charge specified reasonable fees for participation in either program. This bill is effective July 1, 1998.

Information Source(s): Baltimore County (Office of Budget and Finance), Department of Legislative Services

Fiscal Note History: First Reader - February 24, 1998
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Analysis by: Guy G. Cherry	Direct Inquiries to:
Reviewed by: John Rixey	John Rixey, Coordinating Analyst
	(410) 841-3710
	(301) 858-3710