

Department of Legislative Services  
Maryland General Assembly

FISCAL NOTE

Revised

House Bill 943 (Delegate Valderrama)

Judiciary

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Criminal Procedure - Pretrial Release

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This bill adds crimes of violence to the list of offenses for which a person may not be released pretrial.

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Fiscal Summary

**State Effect:** Potential minimal increase in general fund expenditures. Revenues would not be affected.

**Local Effect:** Potential minimal increase in expenditures. Revenues would not be affected.

**Small Business Effect:** None.

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Fiscal Analysis

**State Expenditures:** Prohibiting the pretrial release of certain defendants could increase general fund expenditures if detainees are held for longer periods of time in the Baltimore City Detention Center (BCDC), where persons arrested in Baltimore City are held pending a decision on pretrial release. The BCDC per diem cost for fiscal 1998 is estimated at \$43 per inmate. However, Pretrial Release Services advises that any additional cost to the State would depend on whether a detainee would have been able to “make bail” under the current system. Detainees for violent crimes, with or without prior convictions, are not now typically released pretrial by District Court Commissioners. Accordingly, any increase in detention costs resulting from this bill is expected to be minimal.

**Local Expenditures:** Expenditures could increase if detainees are held for longer periods of time in county detention centers, where persons arrested in the counties are held pending a decision on pretrial release. Per diem operating costs of local detention facilities are expected to range from \$23 to \$83. Any increase is expected to be minimal for the same reasons cited above.

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**Information Source(s):** Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services (Division of Pretrial Detention and Services, Division of Correction); Department of Legislative Services

**Fiscal Note History:** First Reader - March 4, 1998  
lc Revised - House Third Reader - March 30, 1998

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