

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 34 (Senator Munson)

Judicial Proceedings

Inmates - Diminution Credits - Revocation

This bill authorizes the Division of Correction (DOC) to revoke diminution credits earned by an inmate while at a local detention center, if there are violations of discipline rules at a DOC facility.

Fiscal Summary

State Effect: Potential minimal increase in general fund expenditures for the Division of Correction. Revenues would not be affected.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

State Expenditures: When DOC receives an inmate transferred from a local detention center, including those having been held pretrial, the inmate may have already accumulated diminution credits of various types. A local detention center inmate may earn a maximum of 20 days credit per month. However, the typical inmate being transferred to DOC would only have accumulated between 5 to 10 “good behavior” diminution credits per month of local incarceration.

This bill allows the division to revoke all or part of those credits for violations of applicable rules of discipline. DOC currently has this authority over diminution credits earned at a DOC facility.

The length of stay for any inmate who has had diminution credits revoked would increase. Accordingly, under this bill, general fund expenditures could increase due to more persons

servicing a longer period of time in a DOC facility. Any such increase is assumed to be minimal, and would depend upon the number of diminution credits actually revoked from transferred inmates. Legislative Services notes that two other factors mitigate against significant costs under the provisions of this bill: (1) DOC is authorized to restore revoked diminution credits for reasons generally related to improved behavior; and (2) the vast majority of diminution credits earned by DOC inmates are those earned post conviction and after transfer to a State facility.

In fiscal 1999 the average monthly cost per inmate is estimated at \$1,500. The Baltimore City Detention Center (BCDC), a State operated facility, is used primarily for pretrial detentions. The per diem cost for BCDC in fiscal 1999 is estimated at \$43 per inmate.

Information Source(s): Department of Public Safety and Correctional Services,
Department of Legislative Services

Fiscal Note History: First Reader - January 23, 1998

ncs

Analysis by: Guy G. Cherry

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710