

**Department of Legislative Services**  
Maryland General Assembly  
2001 Session

**FISCAL NOTE**  
**Revised**

House Bill 521 (Delegate Love) (Chairman, Anne Arundel County Delegation)

Judiciary

Judicial Proceedings

---

**Anne Arundel County Department of Detention Facilities - Home Detention and  
Farm Labor Programs**

---

This bill requires the establishment of a home detention program in Anne Arundel County.

---

**Fiscal Summary**

**State Effect:** Minimal. The criminal penalty provisions applicable under this bill are not expected to significantly affect State finances or operations.

**Local Effect:** Minimal. Inmates are already placed in home detention in the county. The county's detention facility is believed to have a sufficient amount of monitoring equipment and personnel to accommodate any potential increase in home detention participation resulting from this bill. In any event, any potential decrease in local correctional costs, or increase in revenues from fees or program cost payments from inmates, is not expected to be significant. The criminal penalty provisions applicable under this bill are not expected to significantly affect local finances or operations. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** None.

---

**Analysis**

**Bill Summary:** This bill requires the Administrator of the Anne Arundel County Department of Detention Facilities to establish and administer a home detention program for inmates convicted of a crime. The bill limits eligibility for the program to inmates

recommended for participation by a judge and to inmates placed in the program by the Administrator. A participating inmate must not have any other charges pending in any jurisdiction. The bill specifically excludes from participation any inmate serving a term for a crime of violence, or if ever found guilty of child abuse or escape.

The bill provides that participating inmates are responsible for the costs of medical care and related expenses, and the costs of lodging, food, clothing, transportation, restitution, and taxes. The Administrator is authorized to collect a reasonable fee from each participating inmate or waive or reduce the fee. An inmate who knowingly violates a term or condition of the program is subject to any authorized disciplinary action as well as current law penalties applicable to violations of conditions of leave, work release, or home detention.

In addition, the bill eliminates an obsolete reference to a “farm labor” program for inmates in Anne Arundel County.

**Current Law:** While the Administrator of the county’s local correctional facility is authorized to establish “work release, training, and rehabilitation programs,” a home detention program is not specifically required by statute. A “farm labor” program, involving the assignment of inmates to perform agricultural work at farms, dairies, or the seafood industry at the expense of a “person requesting the farm labor,” is not now operated in the county.

The crime of escape from a local home detention program is a misdemeanor, which subjects violators to maximum penalties of a fine of \$5,000 and/or imprisonment for three years. A violation of any other term or condition of home detention is a misdemeanor, which subjects violators to maximum penalties of a fine of \$1,000 and/or imprisonment for one year.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 286 (Senator Astle) – Judicial Proceedings.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Anne Arundel County, Department of Legislative Services

**Fiscal Note History:** First Reader – February 15, 2001  
ncs/jr Revised – House Third Reader – March 19, 2001

---

Analysis by: Guy G. Cherry

Direct Inquiries to:  
John Rixey, Coordinating Analyst  
(410) 946-5510  
(301) 970-5510