
By: **St. Mary's County Delegation**

Introduced and read first time: February 12, 2004

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County - Sheriff - Home Detention and Work Release Programs**

3 FOR the purpose of authorizing the Sheriff of St. Mary's County to establish
4 programs for home detention and work release; requiring the Sheriff to adopt
5 certain regulations if a program is established; authorizing the court to allow
6 certain individuals to participate in a program; authorizing certain inmates
7 participating in a program to leave the St. Mary's County Detention Center
8 under certain circumstances; authorizing the Sheriff and the Board of County
9 Commissioners of St. Mary's County to determine and collect a reasonable
10 monetary amount or program participation fee to pay for costs incurred by the
11 county for providing certain items for the inmate to participate in the work
12 release program; requiring the Sheriff or the Sheriff's designee to notify the
13 court in writing if an inmate violates a certain trust or condition established for
14 participating in a program; establishing certain penalties for violating a certain
15 trust or condition established for participating in a program; and generally
16 relating to home detention and work release programs in St. Mary's County.

17 BY adding to
18 Article - Correctional Services
19 Section 11-720
20 Annotated Code of Maryland
21 (1999 Volume and 2003 Supplement)

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

24 **Article - Correctional Services**

25 11-720.

26 (A) THIS SECTION APPLIES ONLY IN ST. MARY'S COUNTY.

27 (B) (1) THE SHERIFF MAY ESTABLISH:

28 (I) A HOME DETENTION PROGRAM; AND

1 (II) A WORK RELEASE PROGRAM.

2 (2) (I) IF THE SHERIFF ESTABLISHES A PROGRAM UNDER THIS
3 SECTION, THE SHERIFF SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT
4 EACH PROGRAM ESTABLISHED.

5 (II) IF A CONDITION THAT A COURT IMPOSES ON AN INMATE IS
6 INCONSISTENT WITH A REGULATION ADOPTED UNDER THIS SUBSECTION, THE
7 CONDITION IMPOSED BY THE COURT CONTROLS AS TO THAT INMATE.

8 (C) (1) AT THE TIME OF SENTENCING OR AT ANY TIME DURING AN
9 INDIVIDUAL'S CONFINEMENT, THE COURT MAY ALLOW THE INDIVIDUAL TO
10 PARTICIPATE IN ANY PROGRAM ESTABLISHED UNDER THIS SECTION IF THE
11 INDIVIDUAL:

12 (I) IS SENTENCED TO THE CUSTODY OF THE SHERIFF; AND

13 (II) HAS NO OTHER CHARGES PENDING IN ANY JURISDICTION.

14 (2) AN INMATE WHO IS PARTICIPATING IN ANY PROGRAM ESTABLISHED
15 UNDER THIS SECTION AND WHO IS SENTENCED TO THE ST. MARY'S COUNTY
16 DETENTION CENTER MAY LEAVE THE DETENTION CENTER TO:

17 (I) CONTINUE REGULAR EMPLOYMENT;

18 (II) SEEK NEW EMPLOYMENT; OR

19 (III) ATTEND ANY COURT-ORDERED TREATMENT APPOINTMENTS.

20 (D) THE SHERIFF AND THE BOARD OF COUNTY COMMISSIONERS OF ST.
21 MARY'S COUNTY MAY CHARGE AN INMATE PARTICIPATING IN THE WORK RELEASE
22 PROGRAM A REASONABLE MONETARY AMOUNT OR PROGRAM PARTICIPATION FEE TO
23 PAY FOR THE COSTS INCURRED BY THE COUNTY FOR PROVIDING THE INMATE WITH
24 FOOD, LODGING, AND CLOTHING.

25 (E) (1) IF AN INMATE VIOLATES A TRUST OR A CONDITION THAT A COURT
26 OR SHERIFF HAS ESTABLISHED FOR PARTICIPATING IN ANY PROGRAM ESTABLISHED
27 UNDER THIS SECTION, THE SHERIFF OR THE SHERIFF'S DESIGNEE SHALL NOTIFY
28 THE COURT IN WRITING OF THE VIOLATION.

29 (2) AN INMATE WHO VIOLATES A TRUST OR A CONDITION THAT A COURT
30 OR SHERIFF HAS ESTABLISHED FOR PARTICIPATING IN ANY PROGRAM ESTABLISHED
31 UNDER THIS SECTION IS SUBJECT TO:

32 (I) REMOVAL FROM THE PROGRAM; AND

33 (II) CANCELLATION OF ANY EARNED DIMINUTION OF THE
34 INMATE'S TERM OF CONFINEMENT.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
36 effect October 1, 2004.

