

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 382
Judiciary

(Howard County Delegation)

Judicial Proceedings

Howard County - Work Release Program - Condition for Participation
Ho. Co. 2-04

This bill authorizes a court, if the sentencing judge is unavailable, to allow an individual to participate in the work release program operated by the Howard County Department of Correction. The bill provides that an individual is ineligible for participation in the work release program if other charges are pending for a crime of violence in any jurisdiction, rather than any other charges in any jurisdiction. The bill also provides that an inmate employed in a work release program is not an agent or employee of the court.

Fiscal Summary

State Effect: None.

Local Effect: Minimal. The bill would not significantly affect the finances or operations of the county work release program.

Small Business Effect: None.

Analysis

Current Law: The Howard County work release program is operated by the county Department of Correction. At the time of sentencing or at any time during an individual's confinement, the sentencing judge may allow an individual to participate in the work release program if the individual has been sentenced to the custody of the department and has no other charges pending in any jurisdiction.

An inmate employed in the community is not an agent or employee of Howard County, the Director of the county Department of Correction, or any judicial officer, or any public officer of Howard County.

Crime of violence means:

- abduction;
- arson in the first degree;
- kidnapping;
- manslaughter, except involuntary manslaughter;
- mayhem;
- maiming;
- murder;
- rape;
- robbery;
- carjacking;
- armed carjacking;
- first or second degree sexual offense;
- use of a handgun in the commission of a felony or other crime of violence;
- an attempt to commit any of the above crimes;
- first degree assault;
- assault with intent to murder, rape, or rob; and
- assault with intent to commit a first degree or second degree sexual offense.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Howard County, Department of Legislative Services

Fiscal Note History: First Reader - February 15, 2004
n/jr

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