
By: **Washington County Delegation**

Introduced and read first time: February 10, 2005

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 8, 2005

CHAPTER_____

1 AN ACT concerning

2 **Washington County - Correctional Facility Programs - Participation**

3 FOR the purpose of requiring the Sheriff of Washington County to establish certain
 4 eligibility criteria to determine whether an inmate may participate in certain
 5 correctional facility programs; removing the condition that an inmate may
 6 participate in certain correctional facility programs only if the inmate does not
 7 have any charges pending in any jurisdiction; and generally relating to inmates
 8 participating in correctional facility programs.

9 BY repealing and reenacting, with amendments,
 10 Article - Correctional Services
 11 Section 11-723
 12 Annotated Code of Maryland
 13 (1999 Volume and 2004 Supplement)

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

16 **Article - Correctional Services**

17 11-723.

18 (a) This section applies only in Washington County.

19 (b) (1) The Sheriff shall:

20 (i) establish and administer:

- 1 1. a home detention program;
 - 2 2. a work release program; and
 - 3 3. a pretrial release program; and
- 4 (ii) adopt regulations necessary to implement each program
5 established under this section.

6 (2) At the time of sentencing or at any time during an individual's
7 confinement, the court may allow an individual who is placed in the custody of the
8 Sheriff to participate in any program established under this section.

9 (3) Subject to paragraph (4) of this subsection, an inmate is eligible to
10 participate in any program established under this section if the inmate:

- 11 (i) is recommended for the program by the court; AND
- 12 (ii) meets [established] eligibility criteria[]; and
- 13 (iii) has no other charges pending in any jurisdiction] SET BY THE
14 SHERIFF.

15 (4) An inmate is not eligible to participate in any program established
16 under this section if the inmate:

- 17 (i) is incarcerated for or has been convicted previously of a crime of
18 violence listed in § 14-101 of the Criminal Law Article; or
- 19 (ii) has been found guilty of the crime of:
 - 20 1. child abuse under § 3-601 or § 3-602 of the Criminal Law
21 Article; or
 - 22 2. escape under § 9-404 of the Criminal Law Article.

23 (5) While participating in any program established under this section an
24 inmate is responsible for:

- 25 (i) the inmate's medical care and related expenses; and
- 26 (ii) costs of lodging, food, clothing, transportation, restitution, and
27 taxes.

28 (6) The Sheriff may:

- 29 (i) collect a reasonable fee from each inmate participating in any
30 program established under this section; or
- 31 (ii) waive or reduce the fee.

1 (7) The Sheriff may determine the maximum number of inmates that
2 may participate in any program established under this section.

3 (8) An inmate who knowingly violates a term or a condition of any
4 program established under this section is subject to the penalties provided under §
5 11-726 of this subtitle and to other disciplinary action provided by law.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 July 1, 2005.