

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 584

(Delegate Edwards)

Judiciary

Judicial Proceedings

Garrett County - Correctional Services - Alternative Sentencing Options

This bill authorizes the Board of County Commissioners and the Sheriff of Garrett County to establish and administer a home detention program and provide for other alternative sentencing options.

Fiscal Summary

State Effect: None.

Local Effect: Garrett County advises that, under this bill, a county home detention program would be instituted in FY 2006. The county estimates that fees charged to offenders for participation in a home detention program would generally offset any annual program costs beyond the existing resources of the Sheriff's Office. The county estimates FY 2006 revenues from such fees at \$2,990. The extent to which such a program (or other alternative sentencing programs) could produce an eventual savings for the county in incarceration costs cannot be reliably estimated.

Small Business Effect: None. Any future benefit to private home detention operators cannot be readily predicted.

Analysis

Current Law: Although Garrett County does not now have a statutorily authorized home detention program, judges do "occasionally" sentence offenders in the county to home detention.

The following jurisdictions have (or are authorized to have) a home detention program: Allegany, Anne Arundel, Baltimore, Carroll, Cecil, Dorchester, Frederick, Harford, Howard, Kent, St. Mary's, Washington, and Wicomico counties. The State has a home detention program, overseen by the Department of Public Safety and Correctional Services (DPSCS), that operates in Baltimore City.

Allegany, Dorchester, Kent, and Wicomico counties are authorized to administer pretrial release and work release programs. The State has a pretrial release services program that is overseen by DPSCS.

In addition, under provisions relating to "custodial confinement," in Prince George's County, a court may sentence a convicted person to home detention, if certain conditions are met.

Background: In its Executive Summary dated October 11, 2001, the Pretrial Release Project Advisory Committee stated that implementation of pretrial services in every Maryland jurisdiction is a key element in overall improvement of the criminal justice system. The committee posited that its recommendations for pretrial services would be adequately funded by "the offset of detention expenses, lost wages, and other costs of unnecessary pretrial detention."

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 15, 2005
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