

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

Senate Bill 242 (Senator Pugh, *et al.*)
Judicial Proceedings

Correctional Services - Prerelease Unit - Inmate Aftercare Plans

This bill requires the Commissioner of Correction to operate a prerelease unit within the Division of Correction (DOC). The commissioner must develop comprehensive rehabilitative prerelease services and make these services available to inmates of the prerelease unit.

Fiscal Summary

State Effect: None. The bill generally codifies current prerelease practices of DOC.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: Under the bill, before an inmate is released from the prerelease unit, the warden or administrator or a designee of the warden or administrator must develop a comprehensive aftercare plan for the inmate in collaboration with the community programs and government agencies that will provide aftercare services to the inmate after release. The aftercare plan must include:

- a list of treatment and services initiated before the inmate's release;
- the date of the inmate's release;
- the location of the inmate's community placement;
- a plan for continuing treatment; and

- a list of referrals for services, including drug treatment services, educational services, vocational services, and medical services other than drug treatment.

By contract or purchase agreement, DOC is authorized to arrange for a person or governmental unit to provide comprehensive rehabilitative prerelease services in the prerelease unit and to provide inmate aftercare services. With the approval of the Secretary of Public Safety and Correctional Services, the commissioner may contract with a person or municipal or county authority to provide food, housing, transportation, and programs to inmates in the prerelease unit and in aftercare services.

Current Law: The Commissioner of Correction is statutorily authorized to operate a prerelease unit for women. Under this authority, the commissioner is required to (1) develop comprehensive rehabilitative prerelease services; and (2) make these services available to inmates of a prerelease unit for women. These comprehensive rehabilitative prerelease services must:

- assist inmates in improving their education, upgrading vocational skills, and obtaining suitable employment;
- provide inmates with the opportunity to strengthen family and community relationships through extended family leave;
- assist inmates in improving their physical and mental health and reducing any tendency to abuse alcohol or drugs; and
- provide appropriate counseling, instruction, supervision, and medical and psychological treatment as necessary to help inmates achieve stable and productive roles in society.

By contract or purchase of service agreement, DOC may arrange for a person or governmental unit to provide comprehensive rehabilitative prerelease services in a prerelease unit for women.

DOC is not required by statute to provide comprehensive rehabilitative prerelease services systemwide or to make these services available to all prerelease inmates.

Background: DOC currently operates prerelease operations throughout the State correctional system identified as re-entry programs. All inmates due for release have a transition plan. DOC, in conjunction with the Department of Health and Mental Hygiene, began providing inmates with birth certificates and Social Security cards at the time of release in October 2008 as part of its efforts to provide more effective re-entry services. After an inmate is released, the Division of Parole and Probation continues to monitor an inmate's transition plan.

Since the close of RESTART (Re-entry Enforcement Services Targeting Addictions, Rehabilitation, and Treatment) in 2007, the Department of Public Safety and Correctional Services (DPSCS) advises that it has broadened both the scope and focus of re-entry initiatives through a more effective management of its existing resources. According to the department's *Joint Chairmen's Report on the Provisions of Re-Entry Services to Inmates* (November 15, 2008), DPSCS has placed "renewed emphasis on tracking and measuring the constituent elements of its revamped re-entry initiative, despite certain limitations in its evaluative capacities ... [and] has increased its focus on employment, education, and traditional re-entry services, supplementing the cognitive skills training begun in the RESTART project."

For local health departments providing substance treatment services, there is no cost to providing DOC with a list of drug treatment or other services offered by local departments to inmates. Such a list can be secured from a local health department website, be provided by brochure, or developed by the local health department or DOC for purposes of the development of an inmate's aftercare plan.

Additional Information

Prior Introductions: SB 183 and HB 142 of 2010 received an unfavorable report from the Senate Judicial Proceedings Committee and the House Judiciary Committee, respectively.

Cross File: None.

Information Source(s): Baltimore City; Howard County; City of Bowie; Department of Housing and Community Development; Department of Health and Mental Hygiene; Department of Public Safety and Correctional Services; Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2011
mm/hlb

Analysis by: Guy G. Cherry

Direct Inquiries to:
(410) 946-5510
(301) 970-5510