

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1350
Appropriations

(Delegates McConkey and Sophocleus)

Budget and Taxation

Department of Public Safety and Correctional Services - Reinvestment of Savings
to Prisoner Reentry Programs

This bill requires the Department of Public Safety and Correctional Services (DPSCS) to report to the Governor and the General Assembly, by August 1, 2013, on the savings it has achieved through the efficient use of resources and how a portion of the savings may be reinvested in proven prisoner reentry programs, as recommended by the final report of the Task Force on Prisoner Reentry. The bill also specifies that it is the intent of the General Assembly that the savings be incorporated in the fiscal 2015 State budget.

The bill takes effect June 1, 2013.

Fiscal Summary

State Effect: None. The bill's reporting requirement can be handled with the existing budgeted resources of DPSCS.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Chapters 625 and 626 of 2009 (SB 908/HB 637) created the Task Force on Prisoner Reentry. The task force was required to:

- examine ways to pool resources and funding streams to promote lower recidivism rates for returning offenders and minimize the harmful effects of offenders' time

in prison, jail, or a juvenile facility on families and communities of offenders by collecting data and best practices in offender reentry from demonstration grantees and other agencies and organizations;

- analyze the statutory, regulatory, rules-based, and practice-based hurdles to reintegration of adult and juvenile offenders into the community;
- investigate guidelines and criteria to track outcomes of inmate reentry program participation, including program approvals, day-to-day program participation, and program graduation and other types of program completion and noncompletion;
- research longitudinal data tracking of the pre- and post-release impact of reentry programs;
- investigate the number of idle inmates in each State correctional facility; and
- develop a comprehensive strategic reentry plan as specified under the federal Second Chance Act of 2007.

The final report of the task force, which was submitted on December 31, 2011, recommended the development of a plan to close one or more State prisons and to reinvest associated savings into (1) evidenced-based education, job skill training, and treatment programming in all prisons and community correctional facilities; (2) implementing improved community supervision technologies and protocols; and (3) developing new and revitalized partnerships with the State's county correctional systems, other government agencies, and nonprofit and faith-based providers.

In addition, Chapters 564 and 565 of 2012 (SB 691/HB 670) required DPSCS to establish a program to implement earned compliance credits, which create a reduction in the period of active supervision for a supervised individual. The Acts also required DPSCS to develop policies and procedures to implement the program, which is now called the earned release program (ERP). Twenty-five percent of the savings realized by DPSCS as a result of the application of earned compliance credits must revert to the department. Any remaining savings are required to revert to the general fund.

In its action on the fiscal 2014 operating budget, both the House and the Senate have adopted budget language to withhold \$100,000 in DPSCS's general administration general fund appropriation until the department submits a report to the budget committees on the progress of ERP in reducing the inmate population toward the level funded in the fiscal 2014 budget. This report, due November 1, 2013, must provide the budget committees with:

- an update on the number of inmates released due to ERP;
- the anticipated number of inmates released for fiscal 2014 due to ERP;
- the benefits of ERP;
- any challenges to ERP implementation;

- total cost savings due to ERP releases;
- how community supervision has been impacted;
- the impact of ERP on the fiscal 2014 budget; and
- recidivism rates for persons receiving an ERP release.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services,
Department of Legislative Services

Fiscal Note History: First Reader - March 18, 2013
mc/lgc Revised - House Third Reader/Updated Budget Information -
March 25, 2013

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