

Department of Legislative Services  
Maryland General Assembly  
2018 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1160  
Judiciary

(Delegate M. Washington, *et al.*)

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Correctional Services - Prerelease Unit for Women

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This bill requires the Commissioner of Correction to operate a prerelease unit for women within the Division of Correction (DOC). The unit must have programming that provides women with a range and quality of services substantially equivalent to those offered to men, including a community-based correctional facility. The eligibility criteria for services and programs of the unit must be no more restrictive than the eligibility criteria for men's prerelease services and programs.

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Fiscal Summary

**State Effect:** General fund expenditures increase, likely significantly, for the Department of Public Safety and Correctional Services (DPSCS) to staff the prerelease unit. No effect on total capital spending, which is established annually by the Governor and the General Assembly through the capital budget process; however, funding for other capital projects is reduced due to the capital expenditures incurred under the bill. Revenues are not affected.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** The Commissioner of Correction is statutorily authorized but not required 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. After an inmate is released, the Division of Parole and Probation continues to monitor an inmate's transition plan.

**State Expenditures:** DPSCS expenditures increase significantly to operate a prerelease unit for women within DOC that includes a community-based correctional facility. The bill's potential impact on both the capital budget and the operating budget are described below.

#### *Capital Expenditures*

Although the bill has no effect on total capital spending, which is established annually by the Governor and the General Assembly through the capital budget process, funding for other capital projects is reduced due to the capital expenditures incurred as a result of the bill.

Until fiscal 2017, DPSCS operated a prerelease unit for women in Baltimore City; however, the facility is now closed. Since the closure of the facility, all prerelease programming for women has been transferred to the Maryland Correctional Institution-Women in Jessup. Although DPSCS advises that the agency currently offers a range and quality of services for

women that are substantially equivalent to those offered to men, the facility in Jessup does not qualify as a community-based correctional facility, as required by the bill. The facility that used to be operated in Baltimore City would have met this requirement; however, DPSCS advises that the property has been transferred to the Maryland Department of Transportation. If DPSCS could reacquire the property, significant repairs would be needed at a cost of between \$15 million and \$60 million. If DPSCS is not able to reacquire and repair the former prerelease property, building a new facility could cost in excess of \$75 million. Actual costs would depend on the design of the facility, the location of the facility, and existing infrastructure.

### *Operating Expenditures*

General fund expenditures increase for DPSCS to hire correctional officers and other staff necessary for the prerelease unit established as a result of the bill. Although the number of staff needed cannot be reliably estimated at this time, costs are anticipated to be significant.

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## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

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