

SENATE BILL 821

E4

9lr2367
CF HB 710

By: Senators Washington, Benson, Carter, Hayes, Lee, Nathan-Pulliam, West, and Young Young, Zirkin, Smith, Cassilly, Hester, Hough, Ready, and Waldstreicher

Introduced and read first time: February 4, 2019
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 15, 2019

CHAPTER _____

1 AN ACT concerning

2 **Correctional Services – Prerelease ~~Unit~~ Study and Report**

3 FOR the purpose of ~~defining the term “prerelease unit” as it relates to prerelease services~~
4 ~~provided by the Division of Correction;~~ requiring the Commissioner of Correction to
5 conduct a certain study and make a certain report on or before a certain date; and
6 generally relating to prerelease units.

7 ~~BY repealing and reenacting, without amendments,~~
8 ~~Article — Correctional Services~~
9 ~~Section 3-101(a), 3-301, and 3-303~~
10 ~~Annotated Code of Maryland~~
11 ~~(2017 Replacement Volume and 2018 Supplement)~~

12 ~~BY adding to~~
13 ~~Article — Correctional Services~~
14 ~~Section 3-101(d)~~
15 ~~Annotated Code of Maryland~~
16 ~~(2017 Replacement Volume and 2018 Supplement)~~

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

19 ~~**Article — Correctional Services**~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~§ 101.~~

2 (a) ~~In this title the following words have the meanings indicated.~~

3 ~~(D) "PRERELEASE UNIT" MEANS A SEPARATE STRUCTURE IN WHICH THE~~
 4 ~~SERVICES ENUMERATED IN § 3-303(B) OF THIS TITLE ARE PROVIDED AND THAT HAS~~
 5 ~~SECURITY FEATURES FOR AN INMATE WHO:~~

6 ~~(1) PRESENTS THE LEAST RISK OF VIOLENCE;~~

7 ~~(2) PRESENTS THE LEAST RISK OF ESCAPE; AND~~

8 ~~(3) HAS A RECORD OF SATISFACTORY INSTITUTIONAL BEHAVIOR.~~

9 ~~§ 301.~~

10 ~~The Commissioner may operate a prerelease unit for women.~~

11 ~~§ 303.~~

12 (a) ~~The Commissioner shall:~~

13 ~~(1) develop comprehensive rehabilitative prerelease services; and~~

14 ~~(2) make these services available to inmates of a prerelease unit for~~
 15 ~~women.~~

16 (b) ~~The comprehensive rehabilitative prerelease services shall:~~

17 ~~(1) assist inmates in improving their education, upgrading vocational~~
 18 ~~skills, and obtaining suitable employment;~~

19 ~~(2) provide inmates with the opportunity to strengthen family and~~
 20 ~~community relationships through extended family leave;~~

21 ~~(3) assist inmates in improving their physical and mental health and~~
 22 ~~reducing any tendency to abuse alcohol or drugs; and~~

23 ~~(4) provide appropriate counseling, instruction, supervision, and medical~~
 24 ~~and psychological treatment as necessary to help inmates achieve stable and productive~~
 25 ~~roles in society.~~ The Commissioner of Correction shall:

26 (1) conduct a study on gender-based equity in prerelease programming
 27 and facilities in Maryland that examines:

1 (i) existing State and local prerelease programming and facilities in
2 Maryland that are available to men and women;

3 (ii) the components of each prerelease program in Maryland;

4 (iii) the staffing of each prerelease program in Maryland, including
5 the number of professional and nonprofessional consultants and the proportion of these
6 staff members solely detailed to prerelease programs;

7 (iv) the number of persons currently classified as prerelease by age,
8 sex, race, and ethnicity in each program;

9 (v) the types of training and employment offered at each prerelease
10 program and the fees, if any, related to participation;

11 (vi) the housing type arrangements for each prerelease program;

12 (vii) the type of facilities associated with each prerelease program;

13 (viii) the process for receiving a prerelease classification;

14 (ix) the process for determining access to each prerelease program
15 and placement into the program; and

16 (x) a comparison of the prerelease programs and facilities available
17 in the State to men and women; and

18 (2) on or before January 1, 2020, report to the Governor and the General
19 Assembly, in accordance with § 2-1246 of the State Government Article, on the results of
20 the study.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 ~~October~~ June 1, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.