

Department of Legislative Services  
Maryland General Assembly  
2019 Session

FISCAL AND POLICY NOTE  
First Reader

Senate Bill 419

(Senator Washington, *et al.*)

Judicial Proceedings

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Correctional Services - Prerelease Unit for Women - Requirement to Operate

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This bill requires the Commissioner of Correction to operate a prerelease unit for women within the Division of Correction (DOC).

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Fiscal Summary

**State Effect:** Assuming the bill requires DOC to establish a *separate* prerelease unit for women, general fund expenditures increase significantly, likely in excess of \$4.1 million annually, for the Department of Public Safety and Correctional Services (DPSCS) to staff the 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 must (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:** Although DOC already operates a prerelease program for women, it is not a separate unit. Assuming the bill requires DOC to establish a separate prerelease unit for women, general fund expenditures increase significantly, likely in excess of \$4.1 million annually to staff the new unit. 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, where the women are housed throughout the facility. 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 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. Building a new minimum security facility could cost in excess of \$80 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 to operate a separate prerelease unit for women within DOC. Although the total number of staff needed cannot be reliably estimated at this time, costs are anticipated to be in excess of \$4.1 million annually.

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## **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 715 (Delegate Crutchfield, *et al.*) - Judiciary.

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

**Fiscal Note History:** First Reader - February 20, 2019  
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