

SENATE BILL 684

E4

0lr2812
CF HB 801

By: Senators Washington, Waldstreicher, Beidle, Benson, Carter, Ellis, Feldman,
Griffith, Guzzone, Hayes, Jennings, King, Kramer, Lee, Patterson, Reilly,
Rosapepe, Smith, and Young

Introduced and read first time: February 3, 2020

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 8, 2020

CHAPTER _____

1 AN ACT concerning

2 **Correctional Services – Prerelease Unit for Women – Facilities and Services**
3 **(Gender-Responsive Prerelease Act)**

4 FOR the purpose of requiring the Commissioner of the Division of Correction to ~~provide~~
5 operate a certain prerelease facility for female inmates; requiring that a certain
6 prerelease facility be located in ~~Baltimore City~~ a certain zip code; authorizing
7 inmates assigned to a certain prerelease facility to have access to the community for
8 certain purposes; requiring the Department of Public Safety and Correctional
9 Services to complete certain phases of a certain project on or before certain dates;
10 requiring the Commissioner to provide certain prerelease services for certain female
11 inmates; establishing the content for certain services provided by the Commissioner;
12 requiring the Department to provide certain updates to certain committees on or
13 before certain dates; defining certain terms; making stylistic changes; and generally
14 relating to prerelease services for female inmates.

15 BY repealing and reenacting, with amendments,
16 Article – Correctional Services
17 Section ~~3-301~~ and 3-303
18 Annotated Code of Maryland
19 (2017 Replacement Volume and 2019 Supplement)

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

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 Article – Correctional Services

2 3-301.

3 (A) [The] SUBJECT TO SUBSECTION ~~(C)~~ (D) OF THIS SECTION, THE
 4 Commissioner [may] SHALL operate a COMPREHENSIVE REHABILITATIVE prerelease
 5 unit for women THAT:

6 (1) IS A SEPARATE STRUCTURE IN WHICH THE SERVICES SPECIFIED
 7 IN § 3-303(B) OF THIS SUBTITLE ARE PROVIDED;

8 (2) HAS SECURITY FEATURES FOR FEMALE INMATES WHO:

9 (I) PRESENT THE LEAST RISK OF VIOLENCE;

10 (II) PRESENT THE LEAST RISK OF ESCAPE; AND

11 (III) HAVE A RECORD OF SATISFACTORY INSTITUTIONAL
 12 BEHAVIOR; AND

13 (3) MATCHES SECURITY LEVEL ON A VALIDATED
 14 GENDER-RESPONSIVE RISK MEASURE.

15 (B) ~~THE PRERELEASE UNIT FOR WOMEN SHALL BE LOCATED IN BALTIMORE~~
 16 ~~CITY~~ (1) IN DETERMINING WHERE TO PLACE A PRERELEASE UNIT FOR WOMEN,
 17 THE COMMISSIONER SHALL DETERMINE INTO WHICH AREA, DEFINED BY ZIP CODES,
 18 THE LARGEST PERCENTAGE OF INMATES WILL LIKELY BE RELEASED.

19 (2) A PRERELEASE UNIT FOR WOMEN SHALL BE LOCATED IN OR
 20 ADJACENT TO THE ZIP CODES IDENTIFIED IN PARAGRAPH (1) OF THIS SUBSECTION.

21 (C) AN INMATE ASSIGNED TO A PRERELEASE UNIT FOR WOMEN MAY HAVE
 22 ACCESS TO THE COMMUNITY FOR ANY PURPOSE DESCRIBED IN § 3-305(A) OF THIS
 23 SUBTITLE.

24 ~~(C)~~ (D) THE DEPARTMENT SHALL:

25 (1) IDENTIFY A LOCATION, ACQUIRE PROPERTY, AND DESIGN A SITE
 26 PLAN FOR THE PRERELEASE UNIT FOR WOMEN ON OR BEFORE JUNE 1, 2021;

27 (2) BEGIN CONSTRUCTION OR RENOVATION OF THE FACILITY ON OR
 28 BEFORE SEPTEMBER 1, 2021; AND

1 **(3) BEGIN OPERATING AND PROVIDING SERVICES IN THE FACILITY ON**
 2 **OR BEFORE JUNE 1, 2023.**

3 3-303.

4 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
 5 **INDICATED.**

6 **(2) “EVIDENCE-BASED PROGRAMS AND PRACTICES” HAS THE**
 7 **MEANING STATED IN § 6-119 OF THIS ARTICLE.**

8 **(3) “INNOVATIVE PROGRAMS AND PRACTICES” HAS THE MEANING**
 9 **STATED IN § 6-119 OF THIS ARTICLE.**

10 **[(a)] (B) The Commissioner shall:**

11 ~~**(1) [develop comprehensive rehabilitative prerelease services] PROVIDE A**~~
 12 ~~**COMPREHENSIVE REHABILITATIVE PRERELEASE FACILITY FOR ELIGIBLE FEMALE**~~
 13 ~~**INMATES THAT MATCHES SECURITY LEVEL ON A VALIDATED GENDER-RESPONSIVE**~~
 14 ~~**RISK MEASURE; and**~~

15 ~~**(2) make [these] EVIDENCE-BASED AND GENDER-RESPONSIVE**~~
 16 ~~**services available to FEMALE inmates [of a] AT THE prerelease [unit for women] FACILITY**~~
 17 ~~**REQUIRED UNDER § 3-301 OF THIS SUBTITLE.**~~

18 **[(b)] (C) The comprehensive rehabilitative prerelease services shall UTILIZE**
 19 **EVIDENCE-BASED PROGRAMS AND PRACTICES AND INNOVATIVE PROGRAMS AND**
 20 **PRACTICES TO:**

21 **(1) assist FEMALE inmates in improving their education, upgrading**
 22 **vocational skills, and obtaining suitable employment THROUGH CLASSES TO EARN**
 23 **INDUSTRY CERTIFICATION OR COMMUNITY COLLEGE CREDITS, WORKFORCE**
 24 **TRAINING, AND JOB PLACEMENT;**

25 **(2) provide FEMALE inmates with the opportunity to strengthen family**
 26 **and community relationships through extended family leave, PARENTING WORKSHOPS,**
 27 ~~**AND FAMILY REUNIFICATION ASSISTANCE, AND TRANSPORTATION FOR CHILDREN**~~
 28 ~~**AND FAMILY MEMBERS TO VISIT FEMALE INMATES BEFORE RELEASE;**~~

29 **(3) [assist inmates in improving their physical and mental health and**
 30 **reducing any tendency to abuse alcohol or drugs] PROVIDE INTEGRATIVE AND**
 31 **GENDER-RESPONSIVE SERVICES, INCLUDING MEDICAL TREATMENT,**
 32 **TRAUMA-INFORMED COUNSELING, MENTAL HEALTH TREATMENT, AND SUBSTANCE**
 33 **USE DISORDER TREATMENT TO ADDRESS OVERALL HEALTH AND TRAUMA NEEDS**

1 AND HELP FEMALE INMATES ACHIEVE STABLE AND PRODUCTIVE ROLES IN SOCIETY;
2 and

3 [(4) provide appropriate counseling, instruction, supervision, and medical
4 and psychological treatment as necessary to help inmates achieve stable and productive
5 roles in society.]

6 (4) DEVELOP INDIVIDUALIZED AND COMPREHENSIVE REENTRY
7 PLANS INVOLVING COMMUNITY PROVIDER PARTNERSHIPS FOR FEMALE INMATES
8 TO REDUCE BARRIERS TO OBTAINING HOUSING, JOBS, EDUCATION, HEALTH CARE,
9 CHILDCARE AND CHILD WELFARE, TRANSPORTATION, LEGAL ADVOCACY, CASE
10 MANAGEMENT, AND OTHER NEEDS.

11 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31,
12 2021, and December 31, 2022, the Department of Public Safety and Correctional Services
13 shall provide updates on the progress of construction of the Prerelease Unit for Women to
14 the Senate Judicial Proceedings Committee and the House Judiciary Committee, in
15 accordance with § 2–1257 of the State Government Article.

16 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.