

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 402

(Senator McKay)

Judicial Proceedings

Judiciary

Correctional Training Commission - Membership - Alterations

This bill alters the membership of the Correctional Training Commission (CTC) by (1) repealing the representative of the Federal Bureau of Prisons (BOP); (2) increasing the number of members appointed by the Governor who are correctional officers or officials (from four to five); (3) repealing the requirement that one of the four correctional officers or officials appointed by the Governor be a Department of Juvenile Services (DJS) employee or official; and (4) specifying that the five members appointed by the Governor must be from local correctional facilities and represent each geographic area of the State (“the Capital region,” “the Central region,” the Eastern Shore region,” the Southern region,” and “the Western region,” as defined). Those five members are excluded from the authorization to serve personally at a meeting or designate a representative to act on their behalf, as specified. The bill also establishes provisions governing the terms of the members appointed by the Governor. **The bill takes effect June 1, 2024.**

Fiscal Summary

State Effect: Altering the membership of CTC does not materially affect State finances.

Local Effect: Any expense reimbursements for additional local members can be handled with existing resources. Otherwise, local government finances are not affected.

Small Business Effect: None.

Analysis

Bill Summary: “Capital region” means Frederick, Montgomery, and Prince George’s counties. “Central region” means Baltimore City and Anne Arundel, Baltimore, Carroll, Harford, and Howard counties. “Eastern Shore region” means Caroline, Cecil, Dorchester, Kent, Queen Anne’s, Somerset, Talbot, Wicomico, and Worcester counties. “Southern region” means Calvert, Charles, and St. Mary’s counties. “Western region” means Allegany, Garrett, and Washington counties.

Current Law: CTC within the Department of Public Safety and Correctional Services (DPSCS) consists of the following 16 members:

- the Secretary of Public Safety and Correctional Services;
- the Secretary of Juvenile Services;
- a representative of DPSCS, designated by the Secretary of Public Safety and Correctional Services;
- a representative of DJS, designated by the Secretary of Juvenile Services;
- a Deputy Secretary of Public Safety and Correctional Services;
- the president of the Maryland Correctional Administrators Association;
- the president of the Maryland Sheriffs Association;
- the president of the Maryland Criminal Justice Association;
- a representative of BOP, designated by its Director;
- the Maryland Attorney General;
- the president of a university or college in the State with a correctional education curriculum, appointed by the Maryland Higher Education Commission;
- one correctional officer of the State recommended by the exclusive representative for the officers, as specified, and appointed by the Governor; and
- four correctional officers or officials of the State appointed by the Governor.

The Governor must appoint, with the advice and consent of the Senate, four correctional officers or officials to be members of the commission, at least one of whom must be an employee or official of DJS. The four members appointed by the Governor must represent different geographic areas of the State. The term of each of these appointed members is three years and staggered. At the end of a term, such an appointed member continues to serve until a successor is appointed and qualifies. A member who is appointed after a term has begun serves only for the remainder of the term and until a successor is appointed and qualifies.

Except for the four members appointed by the Governor, a member of the commission may serve personally at a commission meeting or designate a representative from the member’s

unit or association who may act at any meeting to the same effect as if the member were personally present.

Commission members may not receive compensation but are entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget.

CTC has several enumerated powers and duties, including:

- to prescribe standards for the approval and continuation of approval of schools that conduct correctional, parole, or probation entrance level and in-service training courses;
- to approve and issue certificates of approval to correctional training schools;
- to inspect correctional training schools;
- to revoke, for cause, any approval or certificate of approval issued to a correctional training school;
- to prescribe the curriculum, courses of study, attendance and eligibility requirements, equipment and facilities, standards of operation, and minimum qualifications for instructors;
- to certify and issue appropriate certificates to qualified instructors for approved correctional training schools;
- to certify and issue appropriate certificates to correctional officers who satisfactorily complete training programs;
- to conduct and operate approved correctional training schools;
- to adopt regulations necessary to carry CTC duties, as specified;
- to make a continuous study of correctional training methods and procedures for all correctional training schools;
- to consult with and accept the cooperation of any recognized federal, State, or municipal correctional agency or educational institution;
- to consult and cooperate with universities, colleges, and institutions to develop all general and specialized courses of study for correctional officers;
- to consult and cooperate with other units of the State concerned with correctional training;
- to develop and implement specific program design and appropriate course curriculum and training for DJS employees, subject to certain conditions; and
- to perform any other act that is necessary or appropriate to carry out CTC requirements.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Association of Counties; Maryland Municipal League; Governor's Office; Department of Public Safety and Correctional Services; Department of Legislative Services

Fiscal Note History: First Reader - February 5, 2024
km/lgc Third Reader - March 15, 2024

Analysis by: Shirleen M. E. Pilgrim

Direct Inquiries to:
(410) 946-5510
(301) 970-5510