

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 1037
Judiciary

(Delegate Taylor, *et al.*)

Judicial Proceedings

Task Force on the Creation of a Division of Returning Citizens and Expanded Reentry Services - Establishment

This bill establishes the Task Force on the Creation of a Division of Returning Citizens and Expanded Reentry Services, staffed by the Department of Public Safety and Correctional Services (DPSCS). The task force must (1) identify and assess the reentry services that exist in the State; (2) identify gaps in reentry services currently provided in the State; (3) assess the markers of successful reentry; (4) ensure that the recommendations of the task force equally consider returning citizens regardless of gender; (5) develop a plan to establish a Division of Returning Citizens within DPSCS for specified purposes; and (6) develop a plan to expand specified services for individuals in the State after release from incarceration. Task force members may not receive compensation but are entitled to reimbursement for expenses, as specified. By December 31, 2025, the task force must submit a report of its findings and recommendations to the General Assembly. **The bill takes effect June 1, 2024, and terminates June 30, 2026.**

Fiscal Summary

State Effect: Any expense reimbursements for task force members and staffing costs for DPSCS are assumed to be minimal and absorbable within existing budgeted resources. Revenues are not affected.

Local Effect: Local government finances are not anticipated to be materially affected.

Small Business Effect: None.

Analysis

Current Law:

Release from Division of Correction

The Commissioner of Correction must adopt regulations (1) establishing a release plan for incarcerated individuals upon release from confinement in a State correctional facility to help identify resources to assist incarcerated individuals following release, including the provision of transportation from the facility for an incarcerated individual upon release and (2) implementing provisions concerning issuance of an identification (ID) card to incarcerated individuals on release from confinement in a State correctional facility. The Commissioner of Correction must issue an ID card to an incarcerated individual before release from confinement in a State correctional facility.

Current regulations specify that, when feasible, a parole release plan must be completed before a parole hearing. A release plan must include the name of the parolee's employer or evidence of other legitimate means of financial support, the location at which the parolee will reside, and the nature of any community services necessary to meet the special needs of the parolee. In addition, current regulations specify the following elements of a release plan:

- evidence must be furnished to the Maryland Parole Commission (MPC) that the prospective parolee will be legitimately employed following release; however, the employment requirement may be waived by MPC where circumstances warrant a waiver;
- assurance should be given that necessary aftercare will be available to parolees who are ill or who have any other demonstrated problems in which special treatment may be necessary;
- parolees must be allowed, in the discretion of MPC, to return to their homes, or to go elsewhere, upon such terms and conditions as MPC prescribes; and
- gradual release may be completed through a community-based treatment facility (*i.e.*, halfway house). (MPC may require such placement as a step in the release process.)

The status of any detainers lodged against an incarcerated individual will be investigated so far as reasonably possible, before the parole hearing, and the Office of Public Defender must be notified and encouraged to assist the incarcerated individual in the disposition of the detainer. MPC may parole an incarcerated individual to meet detainers if the incarcerated individual is considered in other respects to meet the required parole criteria.

MPC will cooperate in making arrangements for concurrent supervision with other jurisdictions when it is feasible and when release on parole appears justified.

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Workforce Development and Adult Learning

The Maryland Department of Labor's (MDL) Division of Workforce Development and Adult Learning (DWDAL) oversees Correctional Education throughout Maryland's State correctional facilities. DWDAL's Office of Correctional Education provides career training opportunities "behind the fence." Offerings vary by institution but include training in automotive skills, barbering, construction, and welding. All occupational courses lead to a portable, industry-recognized credential that contributes to an inmate's employability after release. In addition to occupational programming, the Office of Correctional Education oversees academic and transitional courses throughout Maryland's prisons. Academic programming includes GED preparation ahead of earning a Maryland high school diploma and English as a second language courses. Prior to release, inmates may complete transitional courses to ease their reentrance to society. These offerings include classes in parenting, employment readiness, financial literacy, and life skills.

Chapter 485 of 2022, the Maryland New Start Act of 2022, established the New Start Grant Program in MDL to award grants to at least five eligible organizations to create or support existing entrepreneurship development programs that assist specified formerly imprisoned individuals or specified individuals approved for release by a correctional facility. The Act also authorized the Department of Commerce, in collaboration with the Governor's Office of Small, Minority, and Women Business Affairs, to administer a microloan program to award collateral-free loans to these formerly or currently incarcerated individuals. The Governor must include an appropriation of at least \$300,000 to the Maryland New Start Microloan Fund and at least \$200,000 for the Maryland New Start Grant Program in the annual budget bill through fiscal 2028.

MDL provides services to returning citizens through the Re-entry Navigator initiative. Re-entry Navigators are a team of employment specialists located within the American Job Centers across the State of Maryland who connect justice-involved job seekers with businesses by planning with pre-release individuals and supporting post-release job seekers. The navigators also continually establish a network of employer contacts who are interested in hiring their clients. More information on the Re-entry Navigator Program can be found on MDL's [website](#).

Performance Incentive Grant Fund

The Performance Incentive Grant Fund within the Governor's Office of Crime Prevention and Policy is intended to make use of the savings from the implementation of Chapter 515 of 2016, the Justice Reinvestment Act, to provide grants for specified programs and services, including providing for pretrial risk assessments, services to reduce pretrial detention, diversion programs, specialty courts, reentry programs, and ensuring that the rights of crime victims are protected and enhanced. Money expended from the fund for programs to reduce recidivism and control correctional costs is supplemental to and is not intended to take the place of funding that otherwise would be appropriated for such purposes. The fiscal 2025 budget as passed by the General Assembly includes \$13.1 million for the fund.

Additional Comments: According to the DPSCS website, the Re-entry and Transition Services Unit within the department is responsible for the coordinated development and implementation of programs and services that will prepare incarcerated individuals for a successful return home after incarceration. The unit works with incarcerated individuals and strategically identifies resources and services to eliminate barriers to the transition process and re-entry into the community.

Additional Information

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

Designated Cross File: SB 1036 (Senator West) - Judicial Proceedings.

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

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