

HOUSE BILL 1198

E5

5lr1416
CF SB 632

By: Delegates Crutchfield, Acevero, Addison, Alston, Atterbeary, Bagnall, Bartlett, Boyce, Charkoudian, Clippinger, Cullison, Davis, Fair, Feldmark, Fennell, Foley, Forbes, Guzzone, Harrison, Healey, Hill, D. Jones, Kaiser, Kaufman, Kerr, Lehman, R. Lewis, Lopez, Martinez, McCaskill, Mireku–North, Palakovich Carr, Pasteur, Patterson, Pena–Melnik, Queen, Roberts, Ruff, Ruth, Sample–Hughes, Shetty, Simpson, Smith, Spiegel, Taveras, Taylor, Terrasa, Toles, Turner, Valderrama, Watson, Wells, White Holland, Wilkins, Williams, Wims, Wolek, Woods, Woorman, Young, and Ziegler

Introduced and read first time: February 6, 2025

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 2, 2025

CHAPTER _____

1 AN ACT concerning

2 **Correctional Services – Comprehensive Rehabilitative Prerelease Services –**
3 **Female Incarcerated Individuals**
4 **(The Monica Cooper Prerelease Act)**

5 FOR the purpose of altering the required location and timeline for a certain prerelease
6 facility for female incarcerated individuals; requiring the Commissioner of
7 Correction to make certain services available to certain female incarcerated
8 individuals; requiring the Department of Public Safety and Correctional Services to
9 implement certain comprehensive rehabilitative prerelease services by a certain
10 date; requiring the Social Work Unit within the Department to report certain
11 information to the Governor and the General Assembly on or before a certain date;
12 authorizing the use of certain funds for the cost of implementing comprehensive
13 rehabilitative prerelease services up to a certain amount; requiring the Department
14 to report certain information to certain legislative committees; and generally
15 relating to comprehensive rehabilitative prerelease services for female incarcerated
16 individuals.

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 BY repealing and reenacting, with amendments,
2 Article – Correctional Services
3 Section 3–301 and 3–303
4 Annotated Code of Maryland
5 (2017 Replacement Volume and 2024 Supplement)

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

8 **Article – Correctional Services**

9 3–301.

10 (a) Subject to subsection (d) of this section, the Commissioner shall operate a
11 comprehensive rehabilitative prerelease unit for women that:

12 (1) is a separate structure in which the services specified in § 3–303(b) of
13 this subtitle are provided;

14 (2) has security features for female incarcerated individuals who:

15 (i) present the least risk of violence;

16 (ii) present the least risk of escape; and

17 (iii) have a record of satisfactory institutional behavior; and

18 (3) matches security level on a validated gender–responsive risk measure.

19 (b) [(1) In determining where to place a prerelease unit for women, the
20 Commissioner shall determine into which area, defined by zip codes, the largest percentage
21 of incarcerated individuals will likely be released.

22 (2)] A prerelease unit for women shall be:

23 (1) located in [or adjacent to the zip codes identified in paragraph (1) of this
24 subsection] **BALTIMORE CITY ON A SITE THAT IS NOT LESS THAN 3 ACRES IN LAND**
25 **AREA; AND**

26 (2) **ABLE TO ACCOMMODATE NOT FEWER THAN THE LARGEST**
27 **NUMBER OF WOMEN WHO WERE ELIGIBLE FOR PRERELEASE STATUS IN CALENDAR**
28 **YEAR 2023 AS REPORTED BY THE DEPARTMENT IN ITS OCTOBER 2024 REPORT TO**
29 **THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE**
30 **APPROPRIATIONS COMMITTEE.**

1 (c) An incarcerated individual assigned to a prerelease unit for women may have
2 access to the community for any purpose described in § 3–305(a) of this subtitle.

3 (d) The Department shall:

4 (1) identify a location, acquire property, and design a site plan for the
5 prerelease unit for women on or before [~~June 1, 2021~~] **DECEMBER 31, 2025**;

6 (2) begin construction or renovation of the facility on or before [~~September~~
7 ~~1, 2021~~] **JULY 1, 2026**; and

8 (3) begin operating and providing services in the facility on or before June
9 1, [~~2023~~] **2027**.

10 3–303.

11 (a) (1) In this section the following words have the meanings indicated.

12 (2) “Evidence–based programs and practices” has the meaning stated in §
13 6–119 of this article.

14 (3) **“GENDER–RESPONSIVE SERVICES” MEANS PROGRAMS THAT**
15 **RECOGNIZE AND ACCOUNT FOR THE DIFFERENCES BETWEEN MEN AND WOMEN IN**
16 **PSYCHOLOGICAL DEVELOPMENT, SOCIALIZATION, CULTURE, EXPOSURE TO**
17 **TRAUMA, LIFE EXPERIENCES, AND CRIMINOGENIC RISKS TO SUPPORT SUCCESSFUL**
18 **REENTRY, RECOVERY, AND RECIDIVISM REDUCTION.**

19 (4) “Innovative programs and practices” has the meaning stated in § 6–119
20 of this article.

21 (b) The Commissioner shall make evidence–based and gender–responsive
22 services available to **ALL** female incarcerated individuals **WITH PRERELEASE STATUS**
23 **AND ALL FEMALE INCARCERATED INDIVIDUALS** at the prerelease unit for women
24 required under § 3–301 of this subtitle.

25 (c) The comprehensive rehabilitative prerelease services shall utilize
26 evidence–based programs and practices and innovative programs and practices to:

27 (1) assist female incarcerated individuals in improving their education,
28 upgrading vocational skills, and obtaining suitable employment through classes to earn
29 industry certification or community college credits, workforce training, and job placement;

30 (2) provide female incarcerated individuals with the opportunity to
31 strengthen family and community relationships through extended family leave, parenting
32 workshops, and family reunification assistance;

1 (3) provide integrative and gender-responsive services, including medical
2 treatment, trauma-informed counseling, mental health treatment, and substance use
3 disorder treatment to address overall health and trauma needs and help female
4 incarcerated individuals achieve stable and productive roles in society; [and]

5 (4) develop individualized and comprehensive reentry plans involving
6 community provider partnerships for female incarcerated individuals to reduce barriers to
7 obtaining housing, jobs, education, health care, childcare and child welfare, transportation,
8 legal advocacy, case management, and other needs;

9 (5) ENSURE FEMALE INCARCERATED INDIVIDUALS AT THE
10 PRERELEASE UNIT FOR WOMEN ARE SCREENED FOR PUBLIC HEALTH BENEFITS
11 ELIGIBILITY AND ASSIST WITH PUBLIC HEALTH BENEFITS APPLICATIONS;

12 (6) ENSURE THAT EACH FEMALE INCARCERATED INDIVIDUAL AT THE
13 PRERELEASE UNIT FOR WOMEN HAS SECURED STABLE HOUSING THAT IS
14 REASONABLY EXPECTED TO REMAIN AVAILABLE TO THE INDIVIDUAL AND HER
15 DEPENDENTS FOR AT LEAST 1 YEAR AFTER RELEASE;

16 (7) ENGAGE FEMALE INCARCERATED INDIVIDUALS IN EDUCATION,
17 TRAINING, OR EMPLOYMENT ACTIVITIES TO PREPARE THE INDIVIDUAL TO HAVE
18 APPROPRIATE AND SUFFICIENT INCOME TO LIVE INDEPENDENTLY AFTER RELEASE;
19 AND

20 (8) ENSURE THE INDIVIDUAL HAS PERTINENT DOCUMENTS,
21 INCLUDING A BIRTH CERTIFICATE, A SOCIAL SECURITY CARD, HEALTH INSURANCE
22 INFORMATION, MEDICAL RECORDS, AND A DRIVER'S LICENSE OR STATE
23 IDENTIFICATION CARD AT RELEASE.

24 (D) THE COMPREHENSIVE REHABILITATIVE SERVICES REQUIRED UNDER
25 THIS SECTION SHALL BE PROVIDED AT THE PRERELEASE UNIT FOR WOMEN AND MAY
26 NOT REQUIRE THAT A FEMALE INCARCERATED INDIVIDUAL OBTAIN SERVICES AT:

27 (1) A DIFFERENT FACILITY FOR WOMEN;

28 (2) A FACILITY THAT TREATS OR HOUSES BOTH MALE AND FEMALE
29 INCARCERATED INDIVIDUALS; OR

30 (3) A FACILITY THAT HOUSES INCARCERATED INDIVIDUALS THAT ARE
31 NOT ELIGIBLE FOR PRERELEASE STATUS.

32 (E) (1) ON OR BEFORE JULY 1, 2026, THE DEPARTMENT SHALL
33 IMPLEMENT COMPREHENSIVE REHABILITATIVE PRERELEASE SERVICES IN
34 ACCORDANCE WITH THIS SECTION.

1 **(2) ON OR BEFORE JANUARY 1 EACH YEAR, THE SOCIAL WORK UNIT**
2 **WITHIN THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN**
3 **ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL**
4 **ASSEMBLY A DETAILED OVERVIEW OF THE COMPREHENSIVE REHABILITATIVE**
5 **PRERELEASE SERVICES PROVIDED IN ACCORDANCE WITH THIS SECTION,**
6 **INCLUDING:**

7 **(I) GOALS AND OUTCOMES OF THE PROGRAMS;**

8 **(II) THE NUMBER OF PROGRAM PARTICIPANTS; AND**

9 **(III) ANY OTHER INFORMATION THE DEPARTMENT BELIEVES IS**
10 **RELEVANT TO EVALUATING THE BENEFITS AND EFFECTIVENESS OF**
11 **COMPREHENSIVE REHABILITATIVE PRERELEASE SERVICES OFFERED BY THE**
12 **DEPARTMENT.**

13 **(F) OF THE FUNDS RECEIVED FROM THE PERFORMANCE INCENTIVE**
14 **GRANT FUND ESTABLISHED IN § 9-3209 OF THE STATE GOVERNMENT ARTICLE, UP**
15 **TO \$500,000 MAY BE USED FOR COSTS TO IMPLEMENT COMPREHENSIVE**
16 **REHABILITATIVE PRERELEASE SERVICES IN ACCORDANCE WITH THIS SECTION.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That on or before June 1, 2026, the
18 Department of Public Safety and Correctional Services shall provide an update on the
19 progress of construction of the Prerelease Unit for Women to the Senate Judicial
20 Proceedings Committee and the House Judiciary Committee, in accordance with § 2-1257
21 of the State Government Article.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.