

SENATE BILL 694

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5lr3271
CF 5lr3278

By: **Senators Love, Benson, Hettleman, and Muse**
Introduced and read first time: January 26, 2025
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Assessment of State Correctional System**

3 FOR the purpose of requiring the Office of the Correctional Ombudsman to engage an
4 independent consultant to perform a certain assessment of the State’s correctional
5 system at a certain time; altering the items required to be included in a certain
6 annual report of the Office; and generally relating to the State Correctional System.

7 BY repealing and reenacting, without amendments,
8 Article – State Government
9 Section 9–4001(a) and (e)
10 Annotated Code of Maryland
11 (2021 Replacement Volume and 2024 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – State Government
14 Section 9–4006
15 Annotated Code of Maryland
16 (2021 Replacement Volume and 2024 Supplement)

17 BY adding to
18 Article – State Government
19 Section 9–4009
20 Annotated Code of Maryland
21 (2021 Replacement Volume and 2024 Supplement)

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

24 **Article – State Government**

25 9–4001.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



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

2 (e) "Office" means the Office of the Correctional Ombudsman.

3 9-4006.

4 (a) On or before December 31 each year, the Office shall report to the Governor
5 and, in accordance with § 2-1257 of this article, the General Assembly on:

6 (1) investigations conducted by the Office;

7 (2) any actions taken by an agency as a result of the conclusions or
8 recommendations of the Office;

9 (3) any instance where an agency rejects a recommendation or conclusion
10 of the Office; [and]

11 (4) information on any death of an individual confined by or under the care
12 of an agency; AND

13 **(5) THE STATUS OF COMPLETION, RESULTS, AND STATUS OF**
14 **IMPLEMENTATION OF RECOMMENDATIONS OF THE ASSESSMENT REQUIRED UNDER**
15 **§ 9-4009 OF THIS SUBTITLE.**

16 (b) In addition to the report required by subsection (a) of this section, the Office
17 shall provide to the Governor and, in accordance with § 2-1257 of this article, the General
18 Assembly any other reports that the Governor or the General Assembly may require.

19 (c) A report prepared under this section shall be published on the Office's website.

20 **9-4009.**

21 **(A) ON OR BEFORE OCTOBER 1, 2026, THE OFFICE SHALL ENGAGE AN**
22 **INDEPENDENT CONSULTANT TO PERFORM A COMPREHENSIVE ASSESSMENT OF THE**
23 **STATE'S CORRECTIONAL SYSTEM.**

24 **(B) THE ASSESSMENT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION**
25 **SHALL:**

26 **(1) ADDRESS THE FOLLOWING ISSUES:**

27 **(I) INFRASTRUCTURE, INCLUDING:**

28 **1. FACILITY LAYOUT;**

- 1 2. CELL DESIGN;
- 2 3. RECREATION AND ACTIVITY AREAS; AND
- 3 4. TECHNOLOGY AND SECURITY SYSTEMS;

4 (II) STAFFING, INCLUDING:

- 5 1. STAFF-TO-INCARCERATED-INDIVIDUAL RATIOS;
- 6 2. TRAINING PROGRAMS; AND
- 7 3. STAFFING CHALLENGES;

8 (III) PROGRAMMING, INCLUDING:

- 9 1. THE EFFECTIVENESS OF CURRENT OFFERINGS;
- 10 2. PROGRAM ACCESSIBILITY; AND
- 11 3. PROGRAMMING GAPS;

12 (IV) MENTAL AND PHYSICAL HEALTH SERVICES, INCLUDING:

- 13 1. ACCESS TO CARE BY GENERAL AND SPECIAL
- 14 POPULATIONS; AND
- 15 2. HOW MARYLAND'S CARE PRACTICES COMPARE TO
- 16 NATIONAL STANDARDS; AND

17 (V) RESTRICTIVE HOUSING, INCLUDING:

- 18 1. CONDITIONS;
- 19 2. CURRENT POLICIES REGARDING DURATION LIMITS,
- 20 OUT-OF-CELL TIME, AND CRITERIA FOR PLACEMENT;
- 21 3. COMPLIANCE WITH BEST PRACTICES; AND
- 22 4. ALTERNATIVES TO RESTRICTIVE HOUSING;

1 **(2) REFLECT THE INPUT OF STAKEHOLDERS AND INCARCERATED**
2 **INDIVIDUALS BY MEANS OF:**

3 **(I) INTERVIEWS;**

4 **(II) SURVEYS; AND**

5 **(III) PUBLIC HEARINGS; AND**

6 **(3) INCLUDE:**

7 **(I) A COST-BENEFIT ANALYSIS THAT ADDRESSES:**

8 **1. THE FINANCIAL IMPACT OF IMPLEMENTING**
9 **REFORMS; AND**

10 **2. POTENTIAL COST SAVINGS FROM REDUCED**
11 **RECIDIVISM AND IMPROVED INCARCERATED INDIVIDUAL OUTCOMES;**

12 **(II) A COMPARATIVE ANALYSIS THAT:**

13 **1. BENCHMARKS MARYLAND'S PRACTICES WITH THOSE**
14 **OF NEW YORK, NEW JERSEY, AND OTHER LEADING STATES TO IDENTIFY GAPS AND**
15 **AREAS FOR IMPROVEMENT; AND**

16 **2. IDENTIFIES BEST PRACTICES THAT HAVE PROVEN**
17 **EFFECTIVE ELSEWHERE; AND**

18 **(III) RECOMMENDATIONS AND AN IMPLEMENTATION PLAN,**
19 **INCLUDING:**

20 **1. ACTIONABLE STEPS FOR THE SHORT-, MID-, AND**
21 **LONG-TERM;**

22 **2. A REALISTIC TIMELINE FOR IMPLEMENTATION,**
23 **CONSIDERING FUNDING AND OPERATIONAL CONSTRAINTS; AND**

24 **3. MONITORING AND ONGOING EVALUATION.**

25 **(C) ON OR BEFORE OCTOBER 1, 2028, THE INDEPENDENT CONSULTANT**
26 **ENGAGED BY THE OFFICE UNDER SUBSECTION (A) OF THIS SECTION SHALL**
27 **COMPLETE THE ASSESSMENT AND PROVIDE THE OFFICE WITH A WRITTEN REPORT**
28 **OF ITS FINDINGS AND RECOMMENDATIONS.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2025.