

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 187 (Senator M. Washington)
Judicial Proceedings and Budget and Taxation

**Correctional Services - Comprehensive Rehabilitative Prerelease Services -
Female Incarcerated Individuals**

This emergency bill (1) alters the specifications for the prerelease unit for women within the Division of Correction; (2) establishes requirements for the Department of General Services (DGS) relating to proposals for construction of the facility; (3) establishes requirements for the contract awarded to build the prerelease unit; (4) alters the requirements and timeline for the comprehensive rehabilitative services that must be made available for female incarcerated individuals; and (5) requires progress reports to be provided to specified legislative committees on compliance with the bill and the construction of the prerelease unit for women. By December 1, 2026, the Office of the Correctional Ombudsman (OCO) must review and verify the Department of Public Safety and Correctional Services' (DPSCS) progress and submit a report, including findings and recommendations, to specified legislative committees. DPSCS must fully cooperate with OCO and provide all information, data, and facility access requested to complete the required review.

Fiscal Summary

State Effect: No material effect anticipated in FY 2026. While DPSCS, DGS, and OCO can likely implement the bill with existing staff, the bill likely results in a significant delay in the completion of the prerelease unit as well as a *significant* increase in project costs. While there is no effect on *total* capital spending, funding for other capital projects is reduced or delayed due to the increase in project costs resulting from the bill. Revenues are not affected.

Local Effect: Minimal or none.

Small Business Effect: Minimal or none.

Analysis

Bill Summary:

Location and Facility Requirements

The prerelease unit for women must be (1) located in Baltimore City on a site that is at least three acres in land area and not located within a one-mile radius of any existing correctional facility and (2) able to accommodate the administration, housing, programming, and required services, as specified, for not fewer than 1.25 times the number of women at the Maryland Correctional Institution for Women (MCI-W) who were eligible for prerelease status in calendar 2024, as reported by DPSCS in its October 2024 report to the Senate Budget and Taxation Committee and the House Appropriations Committee.

Requirements for Proposals and the Awarded Contract

Upon request by DPSCS, by June 1, 2026, DGS must review and evaluate any proposals currently in possession of DPSCS for compliance with the facility requirements in statute, as altered by the bill. If no current proposal satisfies those requirements, DGS must, by August 1, 2026, issue an expedited request for proposals for the planning, design, and construction of a prerelease unit for women. DGS must (1) review and evaluate proposals in consultation with DPSCS and (2) award a contract to a provider as soon as practicable.

A request for proposals issued under the bill must accurately and completely describe, to the extent practicable, the location, uses, and timeline for deliverables toward completion of the project. In addition, the contract awarded to build a prerelease unit for female incarcerated individuals must (1) comply with facility requirements in statute, as altered by the bill and (2) include specified housing units, rooms, spaces, facilities, offices, and amenities.

Comprehensive Rehabilitative Prerelease Services

The required evidence-based and gender-responsive services – as expanded by the bill – must be provided to eligible individuals before the final construction and occupation of the required prerelease unit for women. By September 1, 2026, DPSCS must develop a plan to provide comprehensive gender-responsive services to eligible individuals on-site at MCI-W. In addition, the Commissioner of Correction must make evidence-based and gender-responsive services available to female incarcerated individuals with prerelease status.

Progress Reports

By July 1, 2026, DPSCS must provide a preliminary report to specified legislative committees on the progress the department has made to comply with the bill, as specified. By September 1, 2026, DPSCS and DGS must provide an update to specified legislative committees on the progress of the design and construction of the prerelease unit.

Definitions

The bill establishes definitions for “eligible individual,” and “gender-responsive services.” “Eligible individual” means an incarcerated individual with prerelease status at MCI-W. “Gender-responsive services” means programs that recognize the specific needs of incarcerated women in prerelease status regarding their psychological development, socialization, culture, exposure to trauma, and life experiences to reduce criminogenic risks and support successful reentry, recovery, and recidivism reduction.

Current Law:

Prerelease Unit for Women: Chapter 16 of 2021 requires the Commissioner of Correction within DPSCS to operate a comprehensive rehabilitative prerelease unit for women that is a separate structure in which specified services are provided, has security features for specified female incarcerated individuals, and matches security level on a validated gender-responsive risk measure. DPSCS was required by statute to (1) identify a location, as specified, acquire property, and design a site plan for the unit by June 1, 2021; (2) begin construction or renovation of the facility by September 1, 2021; and (3) begin operating and providing services in the facility by June 1, 2023. In determining where to place a prerelease unit for women, the Commissioner must determine into which area, defined by zip codes, the largest percentage of incarcerated individuals will likely be released. The prerelease unit must be located in or adjacent to the zip codes identified.

An incarcerated individual assigned to a prerelease unit for women may have access to the community for the purpose of (1) engaging in or seeking employment; (2) participating in educational programs or vocational training, community or civic activities, volunteer work, athletic competition; or (3) making personal or family visits.

The Commissioner of Correction must make evidence-based and gender-responsive services available to female incarcerated individuals at the prerelease unit for women. The comprehensive rehabilitative prerelease services must utilize evidence-based programs and practices and innovative programs and practices to:

- assist female incarcerated individuals in improving their education, upgrading vocational skills, and obtaining suitable employment through classes to earn

- industry certification or community college credits, workforce training, and job placement;
- provide female incarcerated individuals with the opportunity to strengthen family and community relationships through extended family leave, parenting workshops, and family reunification assistance;
 - provide integrative and gender-responsive services, including medical treatment, trauma-informed counseling, mental health treatment, and substance use disorder treatment to address overall health, and trauma needs and help female incarcerated individuals achieve stable and productive roles in society; and
 - develop individualized and comprehensive reentry plans involving community provider partnerships for female incarcerated individuals to reduce barriers to obtaining housing, jobs, education, health care, child care and child welfare, transportation, legal advocacy, case management, and other needs.

“Evidence-based programs and practices” means programs proven by scientific research to reliably produce reductions in recidivism. “Innovative programs and practices” means programs that do not meet the standard of evidence-based practices, but which preliminary research or data indicates will reduce the likelihood of offender recidivism.

Workforce Development and Adult Learning: The Maryland Department of Labor’s (MD Labor) Division of Workforce Development and Adult Learning (DWDAL) oversees Correctional Education throughout Maryland’s State correctional facilities. DWDAL’s Office of Correctional Education (OCE) 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 incarcerated individual’s employability after release. In addition to occupational programming, OCE oversees academic and transitional courses throughout Maryland’s correctional facilities. Academic programming includes GED preparation ahead of earning a Maryland high school diploma and English as a second language courses. Prior to release, incarcerated individuals may complete transitional courses to ease their reentrance to society. These offerings include classes in parenting, employment readiness, financial literacy, and life skills.

MD Labor 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 who connect justice-involved job seekers with businesses by planning with prerelease individuals and supporting postrelease 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 Initiative can be found on MD Labor’s [website](#).

Required Documents: The Commissioner of Correction must issue an ID card to an incarcerated individual before release from confinement in a State correctional facility. The ID card must meet the requirements for secondary identification for the purpose of an ID card issued by the Motor Vehicle Administration under § 12-301 of the Transportation Article. In addition, pursuant to Chapter 514 of 2020, the Commissioner of Correction must obtain an incarcerated individual's birth certificate and Social Security card after taking custody of an incarcerated individual (unless the incarcerated individual does not consent).

Expedited Procurement: Generally with specified exceptions, a State agency's procurement officer, with the approval of the head of the agency and the Board of Public Works (BPW), may make a procurement on an expedited basis if the head of the agency and BPW find that (1) urgent circumstances require prompt action; (2) an expedited procurement best serves the public interest; and (3) the need for the expedited procurement outweighs the benefits of making the procurement on the basis of competitive sealed bids or competitive sealed proposals. The procurement officer must attempt to obtain as much competition as reasonably possible.

State Expenditures:

Background: As noted above, Chapter 16 required DPSCS to (1) identify a location, as specified, acquire property, and design a site plan for the prerelease unit by June 1, 2021; (2) begin construction or renovation of the facility by September 1, 2021; and (3) begin operating and providing services in the facility by June 1, 2023. The bill does not alter those deadlines. The project is significantly behind schedule for several reasons, including changes to the site location, DPSCS not utilizing its appropriations in a timely manner, and continuing conversations with stakeholders. As a result, the prerelease center for women remains in the planning and design phase. According to DPSCS, to date, the State has spent approximately \$350,000 on architectural and engineering services for the project. Approximately \$9.0 million (\$2.0 million in general funds and \$7.0 million in general obligation bonds) had been allocated for the project in the fiscal 2026 capital budget; however, the fiscal 2027 capital budget as introduced proposes to deauthorize those funds.

Although the planned facility has been delayed, DPSCS is still required to provide evidence-based and gender-responsive services to incarcerated women in its custody. Project FRESH is the temporary prerelease program for women at MCI-W. The program provides a dedicated housing unit with privileges and programming aimed at preparing incarcerated females for reentry into society. Participants have access to educational and vocational training, trauma-informed therapy, parenting workshops, and substance use treatment, among other opportunities. Community partners also play a significant role in running the program through legal assistance, financial literacy training, and employment support. Project FRESH also offers limited work release due to the operational challenges associated with running a prerelease program out of a high security facility.

Capital Expenditures: DPSCS advises that the current planned location for the facility does not meet the bill's requirements of being located on a site in Baltimore City that is not less than three acres in land area. Therefore, under the bill, DPSCS needs to restart the planning and design phase for the facility, which further delays the completion of the project and increases costs.

Construction for the currently planned prerelease center is scheduled to begin in fiscal 2031. The current cost estimate is \$107.8 million. Because the location, design, and infrastructure of the facility need to change as a result of the bill, costs increase, likely significantly, beginning as early as fiscal 2027. A reliable estimate of any such increase cannot be made at this time; however, DGS estimates that property acquisition, demolition, environmental remediation, and site development for a new site could total millions of dollars and delay the completion of the project by at least three to four years. DGS further advises that any delay in construction likely results in an increase in project costs.

Although the bill has no effect on total capital spending, which is established annually by the Governor and the General Assembly through the capital budget process, funding for other capital projects is reduced or delayed due to the increase in capital expenditures incurred to acquire property, redesign, and construct the prerelease unit for women in accordance with the bill's requirements.

Operating Expenditures: DPSCS can likely implement the bill's changes with existing staff. With respect to the programming and services required by the bill, DPSCS advises that the programming and services it currently offers likely meet all of the bill's requirements. In addition, DPSCS can complete the required plan and progress reports using existing budgeted resources.

DGS has expended considerable staff resources on the current project design and plan. As a result of the bill's changes, DGS likely needs to reallocate staff resources from other projects, which affects the department's ability to manage other State projects efficiently. However, DGS can likely handle the bill's requirements with existing staff. To the extent existing staff prove insufficient, DGS may request additional resources through the annual budget process.

OCO can likely review and verify DPSCS's progress and submit the required report with existing staff. To the extent existing staff prove insufficient, OCO may request additional resources through the annual budget process.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 632 and HB 1198 of 2025.

Designated Cross File: None.

Information Source(s): Baltimore City; Department of Budget and Management; Department of General Services; Maryland Department of Labor; Department of Public Safety and Correctional Services; Department of Legislative Services

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