



Senate Bill 704

Conditions of Pretrial Release – Home Detention Monitoring – Alterations and Extension

MACo Position: **SUPPORT**

To: Judicial Proceedings Committee

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From: Nicole Harlock and D’Paul Nibber

The Maryland Association of Counties (MACo) **SUPPORTS** SB 704. This bill would, among other provisions, require the Maryland judiciary to fund private home detention monitoring agencies and home detention monitoring devices for eligible indigent defendants.

Pretrial release is often costly, but frequently needed in the interests of justice and to account for the capacity limits of our correctional facilities. For indigent defendants, the State of Maryland has assumed many pretrial costs on behalf of counties, including for home detention monitoring services and devices. This arrangement has been invaluable in allowing counties the flexibility to address certain COVID-19-related needs including social distancing and the isolation of infected detainees. SB 704 specifies the State’s costs will be borne by the judiciary going forward, but maintains stressed county correctional facilities will not share in this burden.

This bill reaffirms the State’s commitment to allowing indigent defendants awaiting trial to maintain some freedom, and the prevention of overcrowding and stretching of resources at county correctional facilities. For this reason, MACo **SUPPORTS** SB 704 and urges a **FAVORABLE** report.