

**CAROLYN A. QUATTROCKI**  
*Chief Deputy Attorney General*

**LEONARD J. HOWIE III**  
*Deputy Attorney General*

**CARRIE J. WILLIAMS**  
*Deputy Attorney General*

**SHARON S. MERRIWEATHER**  
*Deputy Attorney General*

**ZENITA WICKHAM HURLEY**  
*Deputy Attorney General*



**PETER V. BERNS**  
*General Counsel*

**CHRISTIAN E. BARRERA**  
*Chief of Staff*

**STATE OF MARYLAND**  
**OFFICE OF THE ATTORNEY GENERAL**

**ANTHONY G. BROWN**  
*Attorney General*

January 28, 2026

**TO:** The Honorable William Smith  
Chair, Judicial Proceedings Committee

**FROM:** Tiffany Clark  
Director, Legislative Affairs, Office of the Attorney General

**RE:** Senate Bill 61 – Division of Correction - Release Preparation Program  
(Support in Concept)

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The Office of the Attorney General (OAG) supports Senate Bill 61 – Division of Correction – Release Preparation Program with the amendments described below. SB 61 proposes to establish a Release Preparation Program within the Division of Correction that enables formerly incarcerated individuals to access State correctional facilities to assist currently incarcerated individuals with release preparation.

As Maryland's elected Chief Legal Officer, the Attorney General supervises and directs the legal business of the State. The Office of the Attorney General advises and represents State institutions, agencies, boards, commissions, and officials, while representing Maryland's interests in state and federal litigation. The Office uses the authority of the Office to enforce the rule of law, protect Marylanders, and promote the public good.

We appreciate the intent of this legislation to expand community-based reentry programming and leverage the valuable lived experience of formerly incarcerated individuals to support successful reintegration. This bill directly advances Maryland Equity and Justice Commission (MEJC) Recommendation #12, which calls for expanding community-based reentry programs' access to incarcerated individuals at least 180 days before their reentry date. The approach reflects evidence-based practices from California's Hope and Reentry Team (HART) and Colorado's Work and Gain Education and Employment Skills (WAGEES) program, both of which have demonstrated significant success in reducing recidivism.

However, to ensure effective implementation and alignment with privacy protections and operational clarity, we respectfully recommend the following amendments:

1. **Expungement Privacy Protection:** Amend page 3, lines 25-26 to clarify that public registration requirements do not apply to formerly incarcerated individuals whose records have been expunged. The current requirement that "the registration of formerly incarcerated individuals in the Program to be made available to the public" could unintentionally disclose expunged criminal history, undermining the statutory purpose of expungement and creating potential legal conflicts with Maryland's expungement laws.
2. **Participant Compensation Authorization:** Authorize use of Cannabis Regulation and Enforcement Fund resources for participant stipends or compensation. Recognizing the value of lived experience and addressing economic barriers will support robust program participation and acknowledge the professional contribution formerly incarcerated individuals make to reentry preparation.

Additionally, it is unclear what the intention is regarding the scope of OAG's approval authority over the Division of Correction's protocol. With these amendments, this legislation will establish a strong, evidence-based reentry support program that protects individual privacy rights, provides clear operational guidance, and creates sustainable incentives for program participation. We have shared proposed amendment language with the bill sponsor and remain available to work collaboratively with the Committee to refine this legislation.

For the foregoing reasons, the Office of the Attorney General respectfully urges the Committee to give Senate Bill 61 a favorable report with the amendments described above.

Cc: