

HOUSE BILL 801

E4

0lr2819
CF SB 684

By: **Delegates Crutchfield, Acevero, Anderson, Bartlett, Cardin, Conaway, D.M. Davis, W. Fisher, J. Lewis, Lopez, Moon, Palakovich Carr, Shetty, R. Watson, and Williams**

Introduced and read first time: February 3, 2020

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2020

CHAPTER _____

1 AN ACT concerning

2 **Correctional Services – Prerelease Unit for Women – Facilities and Services**
3 **(Gender-Responsive Prerelease Act)**

4 FOR the purpose of requiring the Commissioner of the Division of Correction to ~~provide~~
5 operate a certain prerelease facility for female inmates; requiring that a certain
6 prerelease facility be located in Baltimore City; requiring the Department of Public
7 Safety and Correctional Services to complete certain phases of a certain project on
8 or before certain dates; requiring the Commissioner to provide certain prerelease
9 services for certain female inmates; establishing the content for certain services
10 provided by the Commissioner; requiring the Department to provide certain updates
11 to certain committees on or before certain dates; defining certain terms; making
12 stylistic changes; and generally relating to prerelease services for female inmates.

13 BY repealing and reenacting, with amendments,
14 Article – Correctional Services
15 Section ~~3–301~~ and 3–303
16 Annotated Code of Maryland
17 (2017 Replacement Volume and 2019 Supplement)

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

20 **Article – Correctional Services**

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 3-301.

2 (A) [The] SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE Commissioner
3 [may] SHALL operate a COMPREHENSIVE REHABILITATIVE prerelease unit for women
4 THAT:

5 (1) IS A SEPARATE STRUCTURE IN WHICH THE SERVICES SPECIFIED
6 IN § 3-303(B) OF THIS SUBTITLE ARE PROVIDED;

7 (2) HAS SECURITY FEATURES FOR FEMALE INMATES WHO:

8 (I) PRESENT THE LEAST RISK OF VIOLENCE;

9 (II) PRESENT THE LEAST RISK OF ESCAPE; AND

10 (III) HAVE A RECORD OF SATISFACTORY INSTITUTIONAL
11 BEHAVIOR; AND

12 (3) MATCHES SECURITY LEVEL ON A VALIDATED
13 GENDER-RESPONSIVE RISK MEASURE.

14 (B) THE PRERELEASE UNIT FOR WOMEN SHALL BE LOCATED IN BALTIMORE
15 CITY.

16 (C) THE DEPARTMENT SHALL:

17 (1) IDENTIFY A LOCATION, ACQUIRE PROPERTY, AND DESIGN A SITE
18 PLAN FOR THE PRERELEASE UNIT FOR WOMEN ON OR BEFORE JUNE 1, 2021;

19 (2) BEGIN CONSTRUCTION OR RENOVATION OF THE FACILITY ON OR
20 BEFORE SEPTEMBER 1, 2021; AND

21 (3) BEGIN OPERATING AND PROVIDING SERVICES IN THE FACILITY ON
22 OR BEFORE JUNE 1, 2023.

23 3-303.

24 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

26 (2) “EVIDENCE-BASED PROGRAMS AND PRACTICES” HAS THE
27 MEANING STATED IN § 6-119 OF THIS ARTICLE.

1 **(3) “INNOVATIVE PROGRAMS AND PRACTICES” HAS THE MEANING**
2 **STATED IN § 6-119 OF THIS ARTICLE.**

3 **[(a)] (B)** The Commissioner shall:

4 ~~(1) [develop comprehensive rehabilitative prerelease services] PROVIDE A~~
5 ~~COMPREHENSIVE REHABILITATIVE PRERELEASE FACILITY FOR ELIGIBLE FEMALE~~
6 ~~INMATES THAT MATCHES SECURITY LEVEL ON A VALIDATED GENDER-RESPONSIVE~~
7 ~~RISK MEASURE; and~~

8 ~~(2)~~ make [these] **EVIDENCE-BASED AND GENDER-RESPONSIVE**
9 **services available to FEMALE inmates [of a] AT THE prerelease [unit for women] FACILITY**
10 **REQUIRED UNDER § 3-301 OF THIS SUBTITLE.**

11 **[(b)] (C)** The comprehensive rehabilitative prerelease services shall **UTILIZE**
12 **EVIDENCE-BASED PROGRAMS AND PRACTICES AND INNOVATIVE PROGRAMS AND**
13 **PRACTICES TO:**

14 (1) assist **FEMALE** inmates in improving their education, upgrading
15 vocational skills, and obtaining suitable employment **THROUGH CLASSES TO EARN**
16 **INDUSTRY CERTIFICATION OR COMMUNITY COLLEGE CREDITS, WORKFORCE**
17 **TRAINING, AND JOB PLACEMENT;**

18 (2) provide **FEMALE** inmates with the opportunity to strengthen family
19 and community relationships through extended family leave, **PARENTING WORKSHOPS,**
20 **AND FAMILY REUNIFICATION ASSISTANCE, AND TRANSPORTATION FOR CHILDREN**
21 **AND FAMILY MEMBERS TO VISIT FEMALE INMATES BEFORE RELEASE;**

22 (3) [assist inmates in improving their physical and mental health and
23 reducing any tendency to abuse alcohol or drugs] **PROVIDE INTEGRATIVE AND**
24 **GENDER-RESPONSIVE SERVICES, INCLUDING MEDICAL TREATMENT,**
25 **TRAUMA-INFORMED COUNSELING, MENTAL HEALTH TREATMENT, AND SUBSTANCE**
26 **USE DISORDER TREATMENT TO ADDRESS OVERALL HEALTH AND TRAUMA NEEDS**
27 **AND HELP FEMALE INMATES ACHIEVE STABLE AND PRODUCTIVE ROLES IN SOCIETY;**
28 and

29 [(4) provide appropriate counseling, instruction, supervision, and medical
30 and psychological treatment as necessary to help inmates achieve stable and productive
31 roles in society.]

32 (4) **DEVELOP INDIVIDUALIZED AND COMPREHENSIVE REENTRY**
33 **PLANS INVOLVING COMMUNITY PROVIDER PARTNERSHIPS FOR FEMALE INMATES**
34 **TO REDUCE BARRIERS TO OBTAINING HOUSING, JOBS, EDUCATION, HEALTH CARE,**

1 CHILD CARE AND CHILD WELFARE, TRANSPORTATION, LEGAL ADVOCACY, CASE
2 MANAGEMENT, AND OTHER NEEDS.

3 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31,
4 2021, and December 31, 2022, the Department of Public Safety and Correctional Services
5 shall provide updates on the progress of construction of the Prerelease Unit for Women to
6 the Senate Judicial Proceedings Committee and the House Judiciary Committee, in
7 accordance with § 2-1257 of the State Government Article.

8 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.