

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1723
Judiciary

(Charles County Delegation)

Judicial Proceedings

Charles County - Work Release - Collection of Inmate Earnings

This bill requires an inmate participating in a work-release program while confined in the Charles County Detention Center to pay court-ordered restitution and up to one-third of the inmate's net earnings for the cost to the county of providing food, lodging, electronic monitoring devices, and clothing for the inmate. The Charles County Sheriff must (1) establish a per diem rate for an inmate's food, lodging, electronic monitoring, and clothing and (2) designate an agent to collect those costs. The Sheriff's designee must deliver the amounts collected to the Charles County Treasurer. **The bill takes effect July 1, 2018.**

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: Charles County can handle the bill's changes with existing resources. Minimal increase in local revenues due to costs collected from inmates.

Small Business Effect: None.

Analysis

Current Law: When an individual is convicted of a crime and sentenced to a local correctional facility or adjudicated to be in contempt of court and committed to the custody of a local correctional facility, the sentencing/committing judge may allow the individual, to the extent possible, to continue the individual's regular employment or obtain new employment during the inmate's term of confinement/commitment.

If a judge allows an individual to continue employment or obtain new employment, the judge must designate either the managing official of the local correctional facility or the Division of Parole and Probation (DPP) to supervise, arrange for, or obtain employment for the individual. If a judge designates a managing official or DPP to arrange for or obtain employment for an inmate, the managing official or division must:

- arrange for continuation of employment without interruption to the extent possible in the case of an inmate who has been regularly employed; and
- make every effort to secure suitable employment that pays a fair and reasonable wage in the case of an inmate who is not employed.

If a managing official or DPP secures suitable employment for an inmate that pays a fair and reasonable wage, the inmate must work a fair and reasonable number of hours each day and week.

If an inmate violates a condition imposed for the inmate's conduct, custody, or employment, the court may require that the balance of the inmate's sentence be served in actual confinement and cancel any earned diminution of the inmate's term of confinement.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Charles County; Judiciary (Administrative Office of the Courts); Office of the Public Defender; Department of Public Safety and Correctional Services; Department of Legislative Services

Fiscal Note History: First Reader - March 14, 2018
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