

## Chapter 16

**(Senate Bill 684 of the 2020 Regular Session)**

AN ACT concerning

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

FOR the purpose of requiring the Commissioner of the Division of Correction to ~~provide~~ operate a certain prerelease facility for female inmates; requiring that a certain prerelease facility be located in ~~Baltimore City~~ a certain zip code; authorizing inmates assigned to a certain prerelease facility to have access to the community for certain purposes; requiring the Department of Public Safety and Correctional Services to complete certain phases of a certain project on or before certain dates; requiring the Commissioner to provide certain prerelease services for certain female inmates; establishing the content for certain services provided by the Commissioner; requiring the Department to provide certain updates to certain committees on or before certain dates; defining certain terms; making stylistic changes; and generally relating to prerelease services for female inmates.

BY repealing and reenacting, with amendments,  
 Article – Correctional Services  
 Section 3-301 and 3-303  
 Annotated Code of Maryland  
 (2017 Replacement Volume and 2019 Supplement)

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

**Article – Correctional Services**3-301.

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

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

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

**(I) PRESENT THE LEAST RISK OF VIOLENCE;**

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

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

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

~~(B) THE PRERELEASE UNIT FOR WOMEN SHALL BE LOCATED IN BALTIMORE CITY~~ (1) IN DETERMINING WHERE TO PLACE A PRERELEASE UNIT FOR WOMEN, THE COMMISSIONER SHALL DETERMINE INTO WHICH AREA, DEFINED BY ZIP CODES, THE LARGEST PERCENTAGE OF INMATES WILL LIKELY BE RELEASED.

(2) A PRERELEASE UNIT FOR WOMEN SHALL BE LOCATED IN OR ADJACENT TO THE ZIP CODES IDENTIFIED IN PARAGRAPH (1) OF THIS SUBSECTION.

(C) AN INMATE ASSIGNED TO A PRERELEASE UNIT FOR WOMEN MAY HAVE ACCESS TO THE COMMUNITY FOR ANY PURPOSE DESCRIBED IN § 3-305(A) OF THIS SUBTITLE.

~~(c)~~ (D) THE DEPARTMENT SHALL:

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

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

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

3-303.

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

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

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

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

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

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

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

**(1) assist FEMALE inmates 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;**

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

**(3) [assist inmates in improving their physical and mental health and reducing any tendency to abuse alcohol or drugs] 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 INMATES ACHIEVE STABLE AND PRODUCTIVE ROLES IN SOCIETY; and**

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

**(4) DEVELOP INDIVIDUALIZED AND COMPREHENSIVE REENTRY PLANS INVOLVING COMMUNITY PROVIDER PARTNERSHIPS FOR FEMALE INMATES TO REDUCE BARRIERS TO OBTAINING HOUSING, JOBS, EDUCATION, HEALTH CARE, CHILDCARE AND CHILD WELFARE, TRANSPORTATION, LEGAL ADVOCACY, CASE MANAGEMENT, AND OTHER NEEDS.**

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2021, and December 31, 2022, the Department of Public Safety and Correctional Services shall provide updates on the progress of construction of the Prerelease Unit for Women to

the Senate Judicial Proceedings Committee and the House Judiciary Committee, in accordance with § 2-1257 of the State Government Article.

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

**Gubernatorial Veto Override, February 11, 2021.**