

SENATE BILL 683

E4
SB 821/19 – JPR

0lr2713
CF HB 828

By: **Senators Washington, Waldstreicher, Beidle, Benson, Carter, Ellis, Feldman, Griffith, Guzzone, Hayes, Jennings, King, Kramer, Lee, Patterson, Reilly, Rosapepe, Smith, and Young**

Introduced and read first time: February 3, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Corrections – Women’s Prerelease Unit – Requirements**
3 **(Women’s Prerelease Equity Act)**

4 FOR the purpose of defining the term “prerelease unit for women” as it relates to prerelease
5 services provided by the Division of Correction; requiring the Commissioner of
6 Correction to make a certain determination; requiring a certain prerelease unit to be
7 placed in a certain location; authorizing a certain inmate to have certain community
8 access; and generally relating to prerelease units.

9 BY repealing and reenacting, without amendments,
10 Article – Correctional Services
11 Section 3–101(a), 3–301, and 3–303
12 Annotated Code of Maryland
13 (2017 Replacement Volume and 2019 Supplement)

14 BY adding to
15 Article – Correctional Services
16 Section 3–101(d) and 3–301.1
17 Annotated Code of Maryland
18 (2017 Replacement Volume and 2019 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Correctional Services
21 Section 3–305
22 Annotated Code of Maryland
23 (2017 Replacement Volume and 2019 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Correctional Services**

2 3–101.

3 (a) In this title the following words have the meanings indicated.

4 (D) **“PRERELEASE UNIT FOR WOMEN” MEANS A SEPARATE STRUCTURE IN**
5 **WHICH THE SERVICES ENUMERATED IN § 3–303(B) OF THIS TITLE ARE PROVIDED**
6 **AND THAT HAS SECURITY FEATURES FOR A FEMALE INMATE WHO:**

7 (1) **PRESENTS THE LEAST RISK OF VIOLENCE;**

8 (2) **PRESENTS THE LEAST RISK OF ESCAPE; AND**

9 (3) **HAS A RECORD OF SATISFACTORY INSTITUTIONAL BEHAVIOR.**

10 3–301.

11 The Commissioner may operate a prerelease unit for women.

12 **3–301.1.**

13 (A) (1) **IN DETERMINING WHERE TO PLACE A PRERELEASE UNIT FOR**
14 **WOMEN, THE COMMISSIONER SHALL DETERMINE INTO WHICH AREA, DEFINED BY**
15 **ZIP CODES, THE LARGEST PERCENTAGE OF INMATES WILL LIKELY BE RELEASED.**

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

18 (B) **AN INMATE ASSIGNED TO A PRERELEASE UNIT FOR WOMEN MAY HAVE**
19 **ACCESS TO THE COMMUNITY FOR ANY PURPOSE DESCRIBED IN § 3–305(A) OF THIS**
20 **SUBTITLE.**

21 3–303.

22 (a) The Commissioner shall:

23 (1) develop comprehensive rehabilitative prerelease services; and

24 (2) make these services available to inmates of a prerelease unit for
25 women.

26 (b) The comprehensive rehabilitative prerelease services shall:

1 (1) assist inmates in improving their education, upgrading vocational
2 skills, and obtaining suitable employment;

3 (2) provide inmates with the opportunity to strengthen family and
4 community relationships through extended family leave;

5 (3) assist inmates in improving their physical and mental health and
6 reducing any tendency to abuse alcohol or drugs; and

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

10 3–305.

11 (a) Subject to regulations adopted by the Commissioner, the Commissioner may
12 delegate to the facility administrator of a prerelease unit for women the authority to grant
13 inmates the privilege of leaving the confines of the unit for the purpose of:

14 (1) engaging in or seeking employment;

15 (2) participating in educational programs or vocational training;

16 (3) participating in community or civic activities;

17 (4) participating in volunteer work;

18 (5) participating in athletic competition; [or]

19 **(6) SPECIAL LEAVE;**

20 **(7) COMPASSIONATE LEAVE; OR**

21 **[(6)] (8) making personal or family visits.**

22 (b) When outside the confines of a prerelease unit for women, an inmate shall
23 carry, at all times, a copy of the form signed by the facility administrator containing the
24 conditions governing the grant of leave.

25 (c) (1) An inmate who is on leave is deemed to be in the custody of the
26 Commissioner to the same extent and subject to the same supervision and control as an
27 inmate who is actually in confinement.

28 (2) An inmate who escapes while on leave under this section is subject to
29 the penalties in § 9–404 of the Criminal Law Article.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

1 October 1, 2020.