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February 3, 2021

TO: The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee

FROM: The Office of the Attorney General

RE: SB 229 (HB 126) – Public Safety – Pretrial Services Program Grant Fund –
Extension and Program Requirements – **Letter of Support**

The Office of the Attorney General urges the Judicial Proceedings Committee to favorably report Senate Bill 229. Senator Waldstreicher and Senator Carter's legislation extends the Pretrial Services Program Grant Fund another five years, through June 30, 2028, and provides that "a pretrial services program that receives a grant under this subtitle may not charge a fee to any defendant for participation in the program."

It bears remembering that any eligible county participating in the Pretrial Services Program Grant Fund is providing such services to individuals who have not yet been convicted of a crime. Hence, it would be antithetical to our system of justice and the presumption of innocence for the counties in receipt of State grants to pass along to pretrial defendants the expenses associated with mandated drug and alcohol testing, GPS monitoring, or substance abuse, mental health, or mediation referrals.

Just as the Attorney General supported bail reform to prevent long-term pretrial detentions of individuals merely due to their indigency, and just as he supported eliminating fee-based driver's licenses suspensions for people of limited means, he also supports the provision of pretrial services free of cost to those individuals who are not yet convicted.

For all of the foregoing reasons, the Office of the Attorney General urges the Committee to favorably report Senate Bill 229.

cc: Judicial Proceedings Committee Members