

SENATE BILL 632

E5

EMERGENCY BILL

5lr1415
CF HB 1198

By: **Senator M. Washington**

Introduced and read first time: January 25, 2025

Assigned to: Judicial Proceedings and Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 10, 2025

CHAPTER _____

1 AN ACT concerning

2 **Correctional Services – Comprehensive Rehabilitative Prerelease Services –**
3 **Female Incarcerated Individuals**
4 **(The Monica Cooper Prerelease Act)**

5 FOR the purpose of altering the required ~~location and timeline~~ specifications for a certain
6 prerelease facility for female incarcerated individuals; requiring the Department of
7 General Services to direct certain procurement processes for the construction of a
8 certain prerelease facility for female incarcerated individuals; requiring the
9 Commissioner of Correction to make certain services available to certain female
10 incarcerated individuals; requiring the Department of Public Safety and
11 Correctional Services to implement certain comprehensive rehabilitative prerelease
12 services by a certain date; requiring the Social Work Unit within the Department to
13 ~~report certain information to the Governor and the General Assembly on or before~~
14 ~~implement certain services by a certain date; authorizing the use of certain funds for~~
15 ~~the cost of implementing comprehensive rehabilitative prerelease services up to a~~
16 ~~certain amount~~; requiring the Department to report certain information to certain
17 legislative committees; and generally relating to comprehensive rehabilitative
18 prerelease services for female incarcerated individuals.

19 BY repealing and reenacting, with amendments,
20 Article – Correctional Services
21 Section 3–301 and 3–303
22 Annotated Code of Maryland
23 (2017 Replacement Volume and 2024 Supplement)

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.



BY adding to
Article – Correctional Services
Section 3–301.1
Annotated Code of Maryland
(2017 Replacement Volume and 2024 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) Subject to subsection (d) of this section, the Commissioner 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 incarcerated individuals 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) [(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 incarcerated individuals will likely be released.

(2)] A prerelease unit for women shall be:

(1) located in [or adjacent to the zip codes identified in paragraph (1) of this subsection] **BALTIMORE CITY ON A SITE THAT IS NOT LESS THAN 3 ACRES IN LAND AREA; AND**

(2) ABLE TO ACCOMMODATE THE ADMINISTRATION, HOUSING, PROGRAMMING, AND SERVICES REQUIRED UNDER THIS SUBTITLE FOR NOT FEWER THAN ~~THE LARGEST~~ 1.25 TIMES THE NUMBER OF WOMEN AT THE MARYLAND CORRECTIONAL INSTITUTION FOR WOMEN WHO WERE ELIGIBLE FOR PRERELEASE STATUS IN CALENDAR YEAR 2023 AS REPORTED BY THE DEPARTMENT IN ITS OCTOBER 2024 REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE.

(c) An incarcerated individual assigned to a prerelease unit for women may have access to the community for any purpose described in § 3–305(a) of this subtitle.

(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~~ **DECEMBER 31, 2025**;

(2) begin construction or renovation of the facility on or before ~~September 1, 2021~~ **JULY 1, 2026**; and

(3) begin operating and providing services in the facility on or before June 1, ~~2023~~ **2027**.

3–301.1.

(A) THE DEPARTMENT OF GENERAL SERVICES SHALL:

(1) REVIEW AND EVALUATE ANY PROPOSALS CURRENTLY IN POSSESSION OF THE DEPARTMENT FOR COMPLIANCE WITH THE FACILITY REQUIREMENTS IN § 3–301 OF THIS SUBTITLE BY JUNE 1, 2025;

(2) IF NO CURRENT PROPOSAL EVALUATED UNDER ITEM (1) OF THIS SUBSECTION SATISFIES WITH THE REQUIREMENTS UNDER § 3–301 OF THIS SUBTITLE, IN ACCORDANCE WITH THE EXPEDITED PROCUREMENT PROCESS UNDER § 13–108 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, ISSUE A REQUEST FOR PROPOSALS FOR THE PLANNING, DESIGN, AND CONSTRUCTION OF A PRERELEASE UNIT FOR WOMEN, AS REQUIRED UNDER § 3–301 OF THIS SUBTITLE, BY AUGUST 1, 2025;

(3) REVIEW AND EVALUATE PROPOSALS IN CONSULTATION WITH THE DEPARTMENT; AND

(4) AWARD A CONTRACT TO A PROVIDER AS SOON AS PRACTICABLE.

(B) A REQUEST FOR PROPOSALS ISSUED UNDER SUBSECTION (A) OF THIS SECTION SHALL ACCURATELY AND COMPLETELY DESCRIBE, TO THE EXTENT PRACTICABLE, THE LOCATION, USES, AND TIMELINE FOR DELIVERABLES TOWARD COMPLETION OF THE PROJECT.

(C) THE CONTRACT AWARDED UNDER SUBSECTION (A)(4) OF THIS SECTION TO BUILD A PRERELEASE UNIT FOR FEMALE INCARCERATED INDIVIDUALS SHALL:

- (1) COMPLY WITH THE REQUIREMENTS IN § 3-301 OF THIS SUBTITLE;
AND
- (2) TO THE EXTENT PRACTICABLE, INCLUDE:
- (I) HOUSING UNITS WITH DOUBLE AND SINGLE OCCUPANCY;
- (II) HANDICAPPED ACCESSIBLE ROOMS, WHEELCHAIR RAMPS,
AND DESIGNATED HANDICAPPED PARKING SPACES;
- (III) BATHROOMS THAT MAXIMIZE PRIVACY, DIGNITY, AND
SECURITY OF RESIDENTS, STAFF, AND VISITORS;
- (IV) ADMINISTRATIVE OFFICES;
- (V) INDOOR AND OUTDOOR MEETING, LOUNGE, AND VISITING
SPACES;
- (VI) A CLASSROOM;
- (VII) A CAREER CENTER;
- (VIII) A NONEMERGENCY MEDICAL SUITE;
- (IX) ON-SITE RECREATIONAL, CREATIVE, AND ATHLETIC
FACILITIES; AND
- (X) ACCESS TO PUBLIC TRANSPORTATION.

3-303.

(a) (1) In this section the following words have the meanings indicated.

(2) “ELIGIBLE INDIVIDUAL” MEANS AN INCARCERATED INDIVIDUAL
WITH PRERELEASE STATUS AT THE MARYLAND CORRECTIONAL INSTITUTION FOR
WOMEN.

(3) “Evidence-based programs and practices” has the meaning stated in §
6-119 of this article.

~~(3)~~ (4) “GENDER-RESPONSIVE SERVICES” MEANS PROGRAMS
THAT RECOGNIZE AND ACCOUNT FOR THE DIFFERENCES BETWEEN MEN AND THE
SPECIFIC NEEDS OF INCARCERATED WOMEN IN PRERELEASE STATUS REGARDING
THEIR PSYCHOLOGICAL DEVELOPMENT, SOCIALIZATION, CULTURE, EXPOSURE TO
TRAUMA, AND LIFE EXPERIENCES, AND CRIMINOGENIC RISKS TO REDUCE

**CRIMINOGENIC RISKS AND SUPPORT SUCCESSFUL REENTRY, RECOVERY, AND
RECIDIVISM REDUCTION.**

~~(4)~~ **(5)** “Innovative programs and practices” has the meaning stated in §
6–119 of this article.

**(6) “PRERELEASE AND REENTRY SERVICES” MEANS PROGRAMS THAT
ARE TAILORED TO ADDRESS THE SPECIFIC NEEDS OF ELIGIBLE INDIVIDUALS.**

(b) **(1)** The Commissioner shall make evidence-based and gender-responsive
services available to ALL female incarcerated individuals **WITH PRERELEASE STATUS
~~AND ALL FEMALE INCARCERATED INDIVIDUALS at the prerelease unit for women~~**
~~required under § 3–301 of this subtitle.~~ **REGARDLESS OF WHICH FACILITY THE FEMALE
INCARCERATED INDIVIDUAL WITH PRERELEASE STATUS IS CURRENTLY ASSIGNED
TO.**

**(2) THE SERVICES REQUIRED UNDER THIS SUBSECTION SHALL BE
PROVIDED TO ELIGIBLE INDIVIDUALS BEFORE THE FINAL CONSTRUCTION AND
OCCUPATION OF THE FACILITY REQUIRED UNDER § 3–301 OF THIS SUBTITLE.**

**(3) ON COMPLETION OF CONSTRUCTION AND OCCUPATION OF THE
FACILITY REQUIRED UNDER § 3–301 OF THIS SUBTITLE, THE SERVICES REQUIRED
TO BE PROVIDED UNDER THIS SUBSECTION MAY NOT REQUIRE A FEMALE
INCARCERATED INDIVIDUAL TO RECEIVE TRANSPORT IN ORDER TO ACCESS THE
SERVICES.**

**(4) THE DEPARTMENT SHALL DEVELOP A PLAN TO PROVIDE
COMPREHENSIVE GENDER-RESPONSIVE SERVICES TO ELIGIBLE INDIVIDUALS
ON-SITE AT THE MARYLAND CORRECTIONAL INSTITUTION FOR WOMEN ON OR
BEFORE SEPTEMBER 1, 2025.**

(c) The comprehensive rehabilitative prerelease services shall utilize
evidence-based programs and practices and innovative programs and practices to:

(1) assist female incarcerated individuals 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 incarcerated individuals with the opportunity to
strengthen family and community relationships through extended family leave, parenting
workshops, and family reunification assistance;

(3) 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 incarcerated individuals achieve stable and productive roles in society; [and]

(4) develop individualized and comprehensive reentry plans involving community provider partnerships for female incarcerated individuals to reduce barriers to obtaining housing, jobs, education, health care, childcare and child welfare, transportation, legal advocacy, case management, and other needs; AND

~~(5) ENSURE FEMALE INCARCERATED INDIVIDUALS AT THE PRERELEASE UNIT FOR WOMEN ARE SCREENED FOR PUBLIC HEALTH BENEFITS ELIGIBILITY AND ASSIST WITH PUBLIC HEALTH BENEFITS APPLICATIONS;~~

~~(6) ENSURE THAT EACH FEMALE INCARCERATED INDIVIDUAL AT THE PRERELEASE UNIT FOR WOMEN HAS SECURED STABLE HOUSING THAT IS REASONABLY EXPECTED TO REMAIN AVAILABLE TO THE INDIVIDUAL AND HER DEPENDENTS FOR AT LEAST 1 YEAR AFTER RELEASE;~~

~~(7) ENGAGE FEMALE INCARCERATED INDIVIDUALS IN EDUCATION, TRAINING, OR EMPLOYMENT ACTIVITIES TO PREPARE THE INDIVIDUAL TO HAVE APPROPRIATE AND SUFFICIENT INCOME TO LIVE INDEPENDENTLY AFTER RELEASE; AND~~

(8) ENSURE THE INDIVIDUAL HAS PERTINENT DOCUMENTS, INCLUDING A BIRTH CERTIFICATE, A SOCIAL SECURITY CARD, HEALTH INSURANCE INFORMATION, MEDICAL RECORDS, AND A DRIVER'S LICENSE OR STATE IDENTIFICATION CARD AT RELEASE.

~~(D) THE COMPREHENSIVE REHABILITATIVE SERVICES REQUIRED UNDER THIS SECTION SHALL BE PROVIDED AT THE PRERELEASE UNIT FOR WOMEN AND MAY NOT REQUIRE THAT A FEMALE INCARCERATED INDIVIDUAL OBTAIN SERVICES AT:~~

~~(1) A DIFFERENT FACILITY FOR WOMEN;~~

~~(2) A FACILITY THAT TREATS OR HOUSES BOTH MALE AND FEMALE INCARCERATED INDIVIDUALS; OR~~

~~(3) A FACILITY THAT HOUSES INCARCERATED INDIVIDUALS THAT ARE NOT ELIGIBLE FOR PRERELEASE STATUS.~~

(E) (1) ~~ON OR BEFORE JULY 1, 2026, THE DEPARTMENT SHALL IMPLEMENT COMPREHENSIVE REHABILITATIVE PRERELEASE SERVICES IN ACCORDANCE WITH THIS SECTION.~~

~~(2) ON OR BEFORE JANUARY 1 EACH YEAR, THE SOCIAL WORK UNIT WITHIN THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A DETAILED OVERVIEW OF THE COMPREHENSIVE REHABILITATIVE PRERELEASE SERVICES PROVIDED IN ACCORDANCE WITH THIS SECTION, INCLUDING:~~

~~(I) GOALS AND OUTCOMES OF THE PROGRAMS;~~

~~(II) THE NUMBER OF PROGRAM PARTICIPANTS; AND~~

~~(III) ANY OTHER INFORMATION THE DEPARTMENT BELIEVES IS RELEVANT TO EVALUATING THE BENEFITS AND EFFECTIVENESS OF COMPREHENSIVE REHABILITATIVE PRERELEASE SERVICES OFFERED BY THE DEPARTMENT.~~

~~(F) OF THE FUNDS RECEIVED FROM THE PERFORMANCE INCENTIVE GRANT FUND ESTABLISHED IN § 9-3209 OF THE STATE GOVERNMENT ARTICLE, UP TO \$500,000 MAY BE USED FOR COSTS TO IMPLEMENT COMPREHENSIVE REHABILITATIVE PRERELEASE SERVICES IN ACCORDANCE WITH THIS SECTION.~~

SECTION 2. AND BE IT FURTHER ENACTED, That on or before ~~June 1, 2026~~ July 1, 2025, the Department of Public Safety and Correctional Services shall provide ~~an update on the progress of construction of the Prerelease Unit for Women~~ a preliminary report on the progress the Department has made to comply with Section 1 of this Act, including any specific steps taken and dates on which specific steps were taken to the Senate Judicial Proceedings Committee and the House Judiciary Committee, in accordance with § 2-1257 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That on or before September 1, 2025, the Department of Public Safety and Correctional Services and the Department of General Services shall provide an update on the progress of construction of the Prerelease Unit for Women to the Senate Judicial Proceedings Committee, the Senate Budget and Taxation Committee, the House Judiciary Committee, and the House Appropriations Committee, in accordance with § 2-1257 of the State Government Article.

~~SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.~~

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.