

Chapter 687

(House Bill 459)

AN ACT concerning

Higher Education – Adult Correctional Institutions – Job Training and Education

FOR the purpose of requiring, *under certain circumstances and* subject to certain funding recommendations, post-secondary education and workforce training programs developed and recommended by the Correctional Education Council to provide inmates in correctional institutions in the Division of Correction with the requisite training, certifications, and experience to obtain careers in in-demand job sectors; ~~requiring~~ *authorizing* the Justice Reinvestment Oversight Board to make a certain recommendation relating to the distribution of certain savings; and generally relating to post-secondary education and workforce training programs for the Division of Correction.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 11–101, 11–901(a), 11–902(e), and 11–903
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 11–902(a)
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–3202
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–3207(b)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Preamble

WHEREAS, Correctional education and workforce training programs have been found to measurably reduce recidivism and foster rehabilitation; and

WHEREAS, The State must ensure that incarcerated individuals receive the education and training necessary to prepare them for careers in in-demand job sectors; now, therefore,

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

Article – Labor and Employment

11–101.

- (a) In this title the following words have the meanings indicated.
- (b) “Department” means the Department of Labor, Licensing, and Regulation.
- (c) “Secretary” means the Secretary of Labor, Licensing, and Regulation.

11–901.

(a) There is a Correctional Education Council under the jurisdiction of the Department of Public Safety and Correctional Services and the Department.

11–902.

(a) **(1)** The Correctional Education Council shall develop and recommend an educational and workforce training program for each correctional institution in the Division of Correction.

(2) The programs shall meet the special needs and circumstances of the inmates in each correctional institution.

(3) ~~IN ACCORDANCE WITH THE FUNDING RECOMMENDATIONS OF IF~~ THE JUSTICE REINVESTMENT OVERSIGHT BOARD MAKES A FUNDING RECOMMENDATION UNDER ~~§ 9-3207(B)(5)~~ § 9-3207(B)(6) OF THE STATE GOVERNMENT ARTICLE, A POST-SECONDARY EDUCATION AND WORKFORCE TRAINING PROGRAM, IN ACCORDANCE WITH THE FUNDING RECOMMENDATION, SHALL PROVIDE INMATES WITH THE REQUISITE TRAINING, CERTIFICATIONS, AND EXPERIENCE TO OBTAIN CAREERS IN IN-DEMAND JOB SECTORS.

(e) **(1)** (i) The Council shall actively advocate and promote the interests of educational programs and workforce skills training opportunities in correctional institutions.

(ii) The Council shall seek to ensure that a quality education, equal educational opportunity, and workforce skills training are available to all inmates at correctional institutions.

(2) The Council, on a regular basis, shall review the educational and workforce skills training programs at correctional institutions to ensure that the unique educational and training needs of the populations of the correctional institutions are being satisfactorily met.

(3) The Council shall include in its review:

- (i) curriculum guides;
- (ii) courses of study;
- (iii) resource materials;
- (iv) textbooks;
- (v) supplementary readers;
- (vi) materials of instruction;
- (vii) visual and auditory aids;
- (viii) supplies;
- (ix) teacher performance; and
- (x) other teaching aids.

(4) Based on its review, the Council shall recommend and advocate improvements to the educational and workforce skills training programs at correctional institutions.

11-903.

(a) The Department is responsible for the provision of education and workforce skills training programs in the adult correctional institutions in the State.

(b) The Secretary shall appoint a Director of Education and Workforce Skills Training for Correctional Institutions.

(c) The Director shall receive the salary provided in the budget of the Department.

(d) The Director shall:

- (1) implement and operate the educational and workforce skills training programs developed by the Council in the correctional institutions;
- (2) meet with and advise the Council about the programs; and
- (3) consult with the Commissioner of Correction and the warden of each institution about the operation of the programs.

Article – State Government

9–3202.

There is a Justice Reinvestment Oversight Board in the Governor’s Office of Crime Control and Prevention.

9–3207.

(b) (1) In collaboration with the Department of Public Safety and Correctional Services, the Board shall determine the annual savings from the implementation of the recommendations of the Justice Reinvestment Coordinating Council based on the difference between the prison population as measured on October 1, 2017, the baseline day, and the prison population as measured on October 1, 2018, the comparison day, and the variable cost of incarceration.

(2) If the prison population on the comparison day is less than the prison population on the baseline day, the Board shall determine a savings based on the difference in the prison population multiplied by the variable cost.

(3) The Board annually shall determine the difference between the prison population on October 1, 2017, and the prison population on October 1 of the current year and calculate any savings in accordance with paragraph (2) of this subsection.

(4) If a prison population decline causes a correctional unit, wing, or facility to close, the Board shall conduct an assessment to determine the savings from the closure and distribute the savings, realized annually, according to the schedule in paragraph (5) of this subsection.

(5) The Board annually shall recommend that the savings identified in paragraphs (2) through (4) of this subsection be distributed as follows:

(i) up to 50% of the savings shall be placed in the Performance Incentive Grant Fund for purposes established under § 9–3209(b)(1) of this subtitle; and

(ii) **SUBJECT TO PARAGRAPH (6) OF THIS SUBSECTION,** the remaining savings shall be used for:

~~1.~~ additional services identified as reinvestment priorities in the Justice Reinvestment Coordinating Council's Final Report;~~AND,~~

~~2. (6)~~ **THE BOARD MAY RECOMMEND THAT A PORTION OF THE REMAINING SAVINGS IDENTIFIED UNDER PARAGRAPH (5)(II) OF THIS SUBSECTION BE USED FOR** THE DEVELOPMENT AND IMPLEMENTATION OF A POST-SECONDARY EDUCATION AND WORKFORCE TRAINING PROGRAM FOR EACH CORRECTIONAL INSTITUTION IN THE DIVISION OF CORRECTION THAT PROVIDES INMATES WITH THE REQUISITE TRAINING, CERTIFICATIONS, AND EXPERIENCE TO OBTAIN CAREERS IN IN-DEMAND JOB SECTORS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved by the Governor, May 25, 2017.