

1 *grc*
2 *da* Restitution Withheld from Inmate Earnings – CS Art., §9-614

3 **9-614.**

4 **(A) THIS SECTION APPLIES TO AN INMATE IN A STATE OR LOCAL**
5 **CORRECTIONAL FACILITY.**

6 **(B) THE DEPARTMENT SHALL COLLECT AN INMATE'S EARNINGS.**

7 **(C) FROM AN INMATE'S EARNINGS, THE DEPARTMENT SHALL:**

8 **(1) IF REQUIRED BY LAW, REIMBURSE THE COUNTY OR STATE FOR**
9 **THE COST OF PROVIDING FOOD, LODGING, AND CLOTHING TO THE INMATE;**

10 **(2) PAY COURT ORDERED PAYMENTS FOR SUPPORT OF DEPENDENTS;**

11 **(3) PAY COURT ORDERED PAYMENTS FOR RESTITUTION; AND**

12 **(4) PAY COMPENSATION FOR VICTIMS OF CRIME IN ACCORDANCE**
13 **WITH SUBSECTION (D) OF THIS SECTION.**

14 **(D) (1) OF THE EARNINGS OF AN INMATE IN THE PRIVATE**
15 **SECTOR/PRISON INDUSTRY ENHANCEMENT CERTIFICATION PROGRAM OF THE**
16 **UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, THE**
17 **DEPARTMENT SHALL WITHHOLD 20% FOR COMPENSATION FOR VICTIMS OF CRIME,**
18 **IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROGRAM.**

19 **(2) (I) THIS PARAGRAPH APPLIES TO AN INMATE WHO IS SUBJECT**
20 **TO AN UNSATISFIED JUDGMENT OF RESTITUTION.**

21 **(II) IF AN INMATE HAS EARNINGS THAT ARE NOT COVERED**
22 **UNDER THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION, THE**
23 **DEPARTMENT SHALL WITHHOLD 25% FOR COMPENSATION FOR VICTIMS OF CRIME**
24 **UNTIL THE JUDGMENT IS SATISFIED.**

25 **(3) (I) IF A COURT IN A CRIMINAL OR JUVENILE DELINQUENCY**
26 **PROCEEDING HAS ORDERED THE INMATE TO PAY RESTITUTION, THE DEPARTMENT**
27 **SHALL FORWARD THE MONEY WITHHELD UNDER PARAGRAPH (1) OF THIS**
28 **SUBSECTION TO THE CRIMINAL INJURIES COMPENSATION FUND ESTABLISHED**
29 **UNDER § 11-819 OF THE CRIMINAL PROCEDURE ARTICLE.**

30 **(II) THE CRIMINAL INJURIES COMPENSATION BOARD SHALL**
31 **DISTRIBUTE FROM THE CRIMINAL INJURIES COMPENSATION FUND ANY AMOUNT**

1 RECEIVED UNDER THIS PARAGRAPH TO THE PERSON OR GOVERNMENTAL UNIT
2 SPECIFIED IN THE JUDGMENT OF RESTITUTION TO PAY THE RESTITUTION AS
3 REQUIRED UNDER § 11-607(B)(2) OF THE CRIMINAL PROCEDURE ARTICLE.

4 (4) IF THE INMATE IS NOT SUBJECT TO A JUDGMENT OF RESTITUTION
5 OR THE JUDGMENT OF RESTITUTION IS SATISFIED, OF THE MONEY WITHHELD
6 UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL PAY:

7 (I) 50% INTO THE CRIMINAL INJURIES COMPENSATION FUND
8 ESTABLISHED UNDER § 11-819 OF THE CRIMINAL PROCEDURE ARTICLE; AND

9 (II) 50% INTO THE STATE VICTIMS OF CRIME FUND
10 ESTABLISHED UNDER § 11-916 OF THE CRIMINAL PROCEDURE ARTICLE.

11 (E) THE DEPARTMENT SHALL:

12 (1) CREDIT TO THE INMATE'S ACCOUNT ANY BALANCE THAT REMAINS
13 AFTER PAYING THE ITEMS IN SUBSECTION (C)(1) THROUGH (4) OF THIS SECTION;
14 AND

15 (2) PAY THE BALANCE IN THE INMATE'S ACCOUNT TO THE INMATE
16 WITHIN 15 DAYS AFTER THE INMATE IS RELEASED.

17 11-504.

18 (a) An inmate who is sentenced to a local correctional facility shall be allowed an
19 initial deduction from the inmate's term of confinement.

20 (b) The deduction described in subsection (a) of this section shall be calculated:

21 (1) from the first day of the inmate's postsentence commitment to the custody
22 of the local correctional facility to the last day of the inmate's maximum term of confinement;

23 (2) (I) at the rate of 5 days for each calendar month IF THE INMATE'S
24 TERM OF CONFINEMENT INCLUDES A CONSECUTIVE OR CONCURRENT SENTENCE
25 FOR A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE
26 OR A CRIME OF MANUFACTURING, DISTRIBUTING, DISPENSING, OR POSSESSING A
27 CONTROLLED DANGEROUS SUBSTANCE IN VIOLATION OF § 5-612 OR § 5-613 OF THE
28 CRIMINAL LAW ARTICLE; OR

29 (II) AT THE RATE OF 10 DAYS FOR EACH CALENDAR MONTH FOR
30 ALL OTHER INMATES; and

31 (3) on a prorated basis for any portion of a calendar month.