

# SUPPORT HB447AND HB 480 – PRETRIAL SCREENING & SUPERVISIONS

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## MARYLAND ALLIANCE FOR JUSTICE REFORM

Working to end unnecessary incarceration and build strong, safe communities



**HB 447** offers needed funding both for counties unable to afford **pretrial supervision and for statewide access to evidence-based, validated, race-neutral pretrial risk-assessment**, as called for by Maryland Rule 4-216.1 and the Judiciary’s 2018 “Preliminary Report on the Impact of Bail” Rule changes.

Pretrial supervision programs, with risk screening, have been shown a cost effective and safe alternative to jail for people awaiting trial who are not a threat to public safety or likely to fail to appear for their court date. Evidence-based programs can cut failures-to-appear by more than half. See [U.S. Bureau of Justice Assistance sponsored study – Risk-Based Pretrial Release & Supervision Guidelines \(2015\)](#).

However, only 13 of 23 (57%) Maryland counties offer substantial pretrial supervision, according to a recent survey by Md. Correctional Administrators Association and MAJR. Of these, only 10 (43%) make use of evidence-based risk-assessment tools and only one county’s tool (Montgomery) has been formally validated for use on its population.

**HB 480** offers an important improvement to the current pretrial / bail situation in **Calvert, Carroll, and Prince Georges counties, which currently charge individuals for court-ordered services for pretrial release**, even though individuals charged have not yet been found guilty of any offense. The other 10 Maryland counties with pretrial supervision programs do not require such charges.

In 2017 testimony, bail bondsmen’s advocates pointed out that, with pretrial delays, such charges cumulatively could exceed the amount required for lower amounts of money bail. But, as Maryland’s courts have determined in 2017 changes to pretrial rules, denial of pretrial release to due to poverty may violate constitutional standards.

Obviously, it is unfair for some individuals to be kept in pretrial detention, depending on the county of their arrest or the money in their bank account.

For all these reasons, Maryland Alliance for Justice Reform (MAJR) urges the Committee to give a favorable report to both HB 447 and 480 to ensure pretrial fairness for all Marylanders.