

Maryland Reentry Council

Bill No.: _____

Requested: _____

Committee: _____

By:

A BILL ENTITLED

AN ACT concerning

Maryland Reentry Council

FOR the purpose of establishing the Maryland Statewide Reentry Council to develop collaborative and cooperative relationships between the criminal justice system, victims and their families, impacted individuals and their families, and service providers, with the purpose of improving public safety and outcomes for people reentering the community after incarceration.

BY adding to

Article – Correctional Services

Section 3-901 through

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

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

Sec. 3-901. Findings.

a) The cycle of recidivism warrants closer examination of and coordination between our criminal justice system, correctional systems, and community services in Maryland. Because over ninety-five percent of persons in local detention and state prisons return to the community, and more than 40 percent of those persons will reoffend and be reincarcerated. The high rate of recidivism results in more crimes, more victims, crowded prisons, higher taxpayer costs, and more trauma within families and communities.

b) For these reasons, the Maryland Statewide Reentry Council hereby is established to develop collaborative and cooperative relationships between the criminal justice system, victims and their families, impacted individuals and their families, and service providers, with the

purpose of improving public safety and outcomes for people reentering the community after incarceration.

Sec. 3-902. Definitions.

The definitions in this section apply throughout this subtitle:

- (1) "Council" means the Maryland Statewide Reentry Council.
- (2) "Department" means the Department of Public Safety and Correctional Services.

Sec. 3-902. Operations.

(1) Subject to the availability of amounts appropriated for this specific purpose, the Maryland Reentry Council is created and located within the Department of Public Safety and Correctional Services for the purpose of promoting successful reentry of individuals after incarceration.

(2) The Secretary's designee initially shall chair the Council, until a successor is selected as provided herein.

(3) The Department shall administer the council by:

- (a) providing the Council and its chairperson use of Department facilities;
- (b) providing a staff member to assist at Council meetings; and
- (c) managing grants and other funds received, used, and distributed to support the work of the Council.

(4) The Department may designate full-time, part-time, or volunteer staff to assist with the administration of Council business beyond the chairperson.

Sec. 3-903. Membership, terms, qualifications.

(1) The Council comprises 25 members appointed by the Governor.

(2) The Governor must create a membership that includes:

(a)(i) Representatives of: the Division of Corrections; the Department of Juvenile Services; the Maryland Judiciary; a statewide organization representing community and technical colleges; a statewide organization representing law enforcement interests; a statewide organization representing the interests of crime victims; a statewide organization representing prosecutors; a statewide organization representing public defenders; a statewide organization representing other criminal defense counsel; a statewide organization representing interests of returning citizens; a statewide justice reform organization; a statewide or local organization representing businesses and employers; housing providers; healthcare providers; social service providers; faith-based organizations; and communities organizations;

(ii) At least five persons with experience successfully reentering the community after incarceration; and

(iii) Two at-large community leaders.

(b) At least one position of the council shall be a person with a background in tribal affairs.

(3) When making appointments, the Governor shall consider:

(a) The racial and ethnic background of candidates for the membership to reflect the diversity of racial and ethnic backgrounds of all those incarcerated in the state;

(b) The gender of applicants in order for the membership to reflect the gender diversity of those who are incarcerated in the state;

(c) The geographic location of all applicants in order for the membership to represent those incarcerated from different geographic regions of the state; and

(d) The experiences and background of all applicants relating to the incarcerated population.

(4) The Governor shall make initial appointments to the Council. Initial appointments are for staggered terms from the date of appointment according to the following: Ten members have four-year terms; ten members have three-year terms; and five members have two-year terms. The Governor shall designate the appointees who will serve the staggered terms.

(5) Except for initial appointments under subsection (1) of this section, all appointments are for two years from the date of appointment. Any member may be reappointed for additional terms.

(6) Any member of the Council may be removed by the Governor for misfeasance, malfeasance, or willful neglect of duty after notice and a public meeting of the Council, unless such notice and meeting are expressly waived in writing by the affected member. In the event of a vacancy due to death, resignation, or removal, or upon the expiration of a term, the Governor shall appoint a successor for the remainder of the unexpired term according to the procedures in subsection (3) of this section. Vacancies shall be filled within ninety days; if not so filled, the Council by majority vote of those present may designate an acting member pending the Governor's appointment.

(3) The Council shall create a selection committee to recruit, review, and recommend future members. Prior to thirty days before the expiration of a term or within sixty days of a vacancy due to death, resignation, or removal, the selection committee shall submit a recommendation of possible appointees. The Governor shall consider the recommendations of the committee when making appointments.

(4) The Council shall elect co-chairs from among its membership. Co-chairs are elected for two-year terms from the date of election. Any former or current co-chair may be reelected for an additional term.

Sec. 3-904. Meetings and procedures.

(1) Once operational, the Council must convene on a regular schedule at least four times during each year.

(2) Meetings of the Council shall be held in accordance with the open public meetings act, and at the call of the co-chairs or when a majority of the Council membership so requests. Members may participate in a meeting of the Council by means of conference telephone or similar communication equipment.

(3) Twelve members of the Council constitute a quorum.

(4) The members of the Council shall serve without compensation but are entitled to reimbursement for travel expenses.

Sec. 3-905. Powers and duties.

(1) In addition to other powers and duties prescribed in this chapter, the Council is empowered to:

(a) Meet at such times and places as necessary;

(b) Advise the legislature and the Governor on issues relating to reentry and reintegration of people returning home from correctional institutions;

(c) Review, study, and make policy and funding recommendations on issues directly and indirectly related to reentry and reintegration of individuals convicted of crimes in Maryland, including, but not limited to:

i) Timely notification of local governments when state prison inmates are scheduled for release;

ii) Correctional treatment, programming and other issues in state and local correctional facilities that may impact on recidivism;

iii) Correctional education and vocational training; correctional and transitional employment; transitional and long-term housing; and other matters contributing to recidivism;

iv) Apply for, receive, use, and leverage public and private grants as well as specifically appropriated funds to establish, manage, and promote initiatives and programs related to successful reentry and reintegration of individuals returning home from correctional institutions;

v) Make recommendations for the Department to contract for services necessary in order to carry out initiatives and programs;

vi) Recommend policies and procedures to facilitate the orderly administration of initiatives;

vii) Create committees and subcommittees of the Council as necessary for the Council to conduct its business; and

viii) Create and consult with advisory groups within the Council that may include nonmembers.

ix) In conducting its business, the Council shall solicit input and participation from stakeholders interested in reducing recidivism, promoting public safety, and improving community conditions for people reentering the community from incarceration. The Council shall consult: The two

largest caucuses in the House of Delegates; the two largest caucuses in the Senate; the Governor's Office of Crime Control and Prevention; local governments; educators; mental health and substance abuse providers; behavioral health organizations; managed care organizations; city and county detention centers; the Division of Corrections; specialty courts; persons with expertise in evidence-based and research-based reentry practices; and persons with criminal histories and their families.

Sec. 3-906. Public reports.

The Council shall publish and submit to the Governor and appropriate committees of the legislature a preliminary report of its activities and recommendations by December 1st of its first full year of operation, and every two years thereafter.

Sec. 3-907. This subtitle will take effect on October 1, 2021.

Fiscal Note

This bill would create the Maryland Statewide Reentry Council. For administrative and budgetary purposes, the council shall be within the Department of Public Safety and Correctional Services (*Programs, Treatment, & Re-Entry*).

The council shall consist of voting and nonvoting members as set out in the bill. The members of the council shall be reimbursed for their actual and necessary expenses, and they will meet at least four times annually.

The *Programs, Treatment, & Re-Entry* estimates the cost for expenses per meeting at [\$2,000]. They estimate four meetings in FY22 for a cost of [\$2,200], and four meetings in FY23 for a cost of [\$2,400].

The following estimate either no fiscal impact or a minimal or nominal impact:

Commented [1]: Cost for meeting room (if off site), parking, travel reimbursement, refreshments (if desired), printing documents, audio visual and virtual streaming, or conference call equipment.

Commented [2]: Base cost with inflation

Commented [3]: Base cost with inflation