



House Bill 447

Pretrial Services Program Grant Fund - Establishment

MACo Position: **SUPPORT**

To: Judicial Proceedings and Budget and Taxation
Committees

Date: April 5, 2018

From: Natasha Mehu

The Maryland Association of Counties (MACo) **SUPPORTS** HB 447 as it creates a fund to help with the establishment and advancement of pretrial services in jails across the state.

Pretrial programs help mitigate the fiscal and human cost concerns with unnecessary incarceration. About half of the counties in Maryland operate some form of a pretrial program. These programs help support safety and efficiency by ensuring the appropriate high-risk individuals are incarcerated, while the appropriate low-risk individuals are released.

HB 447 creates a pretrial services program grant fund operated by the Governor's Office of Crime Control and Prevention (GOCCP). The purpose of the fund is to help counties that do not currently operate pretrial programs to start such programs and, as amended, to help counties with existing pretrial programs to improve those programs. The grant is funded by money appropriated in the state budget and any other sources accepted for the benefit of the fund.

Eligible pretrial programs must: (1) include a validated, evidence-based, race-neutral assessment tool for determining whether to release, impose pretrial conditions on, or hold an individual without bail; (2) apply best practices for the operation of pretrial programs; and (3) incorporate multiple levels of pretrial supervision such as call reminder, GPS monitoring, drug and alcohol testing, or referrals to treatment.

The bill helps to mitigate the cost concerns of starting or enhancing a pretrial program, providing local governments a source for start-up grant funding. This funding supplements but does not supplant existing sources of funding, enabling counties to leverage other opportunities to help fund the launch and continued support of pretrial programs. While the bill has some evidence-based requirements, it keeps the eligibility requirements flexible enough for counties, who are best situated to determine the parameters of their pretrial programs based on the needs of their communities, to do so without mandating a "one size fits all" model.

The fund established under HB 447 to help improve and expand the establishment of pretrial services in county jails will help advance the efforts to address the operational and societal costs of incarceration. For these reasons, MACo urges a **FAVORABLE** report on HB 447.