



House Bill 447

Pretrial Services Program Grant Fund - Establishment

MACo Position: **SUPPORT**

To: Judiciary and Appropriations Committees

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From: Natasha Mehu

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

Pretrial programs help to 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 provides a funding means for counties that do not currently operate pretrial programs to start such programs within their jails.

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 establish pretrial programs in jails that do not already have one. The grant is funded by proceeds from the state police sales of forfeited property, in addition to any governor appropriations, grants, or other sources.

Potential 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 mitigates cost concerns of starting 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 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.