

SENATE BILL 636

E2, E4

11r0704

By: **Senator Gladden**

Introduced and read first time: February 4, 2011

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Probation – Probation Work Readiness Pilot Program**

3 FOR the purpose of establishing the Probation Work Readiness Pilot Program;
4 limiting the application of this Act to certain counties; specifying the purpose of
5 the Program; requiring the Department of Public Safety and Correctional
6 Services, in consultation with the Chief Judge of the Court of Appeals and the
7 circuit administrative judges of certain judicial circuits, to develop certain
8 regulations; authorizing a court to order a defendant to participate in the
9 Program as a condition of probation; providing that the violation of a court order
10 to participate in the Program is grounds for violation of probation; requiring the
11 Chief Judge of the Court of Appeals, the circuit administrative judges of certain
12 judicial circuits, and the Department to submit a certain report on the Program;
13 making the Program subject to the availability of certain funds; providing that
14 the abrogation of this Act does not terminate the obligation of a defendant to
15 comply with an order entered by a court under this Act on or before a certain
16 date; providing for the termination of this Act; and generally relating to the
17 Probation Work Readiness Pilot Program.

18 BY adding to

19 Article – Courts and Judicial Proceedings

20 Section 3–1801 through 3–1803 to be under the new subtitle “Subtitle 18.
21 Probation Work Readiness Pilot Program”

22 Annotated Code of Maryland

23 (2006 Replacement Volume and 2010 Supplement)

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

26 **Article – Courts and Judicial Proceedings**

27 **SUBTITLE 18. PROBATION WORK READINESS PILOT PROGRAM.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **3-1801.**

2 **THIS SUBTITLE APPLIES ONLY:**

3 **(1) IN A COUNTY IN WHICH THE CHIEF JUDGE OF THE COURT OF**
4 **APPEALS HAS ESTABLISHED A PROBATION WORK READINESS PILOT PROGRAM**
5 **UNDER § 3-1802 OF THIS SUBTITLE; AND**

6 **(2) TO THE EXTENT THAT FUNDS ARE PROVIDED IN AN ANNUAL**
7 **STATE BUDGET FOR A PROBATION WORK READINESS PILOT PROGRAM.**

8 **3-1802.**

9 **(A) THE CHIEF JUDGE OF THE COURT OF APPEALS SHALL ESTABLISH**
10 **A PROBATION WORK READINESS PILOT PROGRAM IN THE CIRCUIT COURTS OF**
11 **TWO COUNTIES IN THE STATE.**

12 **(B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE DEDICATED**
13 **SERVICES FOR INDIVIDUALS PLACED ON PROBATION TO OBTAIN AND RETAIN**
14 **EMPLOYMENT.**

15 **(C) THE PROGRAM SHALL:**

16 **(1) PROVIDE DEDICATED SERVICES FOR INDIVIDUALS PLACED**
17 **ON PROBATION TO OBTAIN AND RETAIN EMPLOYMENT;**

18 **(2) SPECIALIZE IN THE EMPLOYMENT NEEDS OF INDIVIDUALS ON**
19 **PROBATION;**

20 **(3) ACTIVELY RECRUIT EMPLOYERS WHO ARE RECEPTIVE TO**
21 **EMPLOYING INDIVIDUALS ON PROBATION;**

22 **(4) PROVIDE JOB TRAINING TO PARTICIPANTS BASED ON**
23 **IDENTIFIED NEEDS;**

24 **(5) IMPLEMENT A DATA MANAGEMENT SYSTEM TO PROVIDE**
25 **DETAILED INFORMATION ON THE OUTCOMES OF PARTICIPANTS IN THE**
26 **PROGRAM; AND**

27 **(6) ACCEPT ALL DEFENDANTS REFERRED TO THE PROGRAM BY A**
28 **CIRCUIT COURT.**

1 **(D) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL**
2 **SERVICES, IN CONSULTATION WITH THE CHIEF JUDGE OF THE COURT OF**
3 **APPEALS AND THE CIRCUIT ADMINISTRATIVE JUDGES FOR THE JUDICIAL**
4 **CIRCUITS IN WHICH THE PROGRAM WILL BE ESTABLISHED, SHALL DEVELOP**
5 **REGULATIONS FOR THE PROGRAM, INCLUDING:**

6 **(1) CRITERIA FOR THE SELECTION OF PROVIDERS OF**
7 **EMPLOYMENT SERVICES UNDER THE PROGRAM;**

8 **(2) LIMITS ON PARTICIPATION IN THE PROGRAM; AND**

9 **(3) PERFORMANCE GOALS FOR THE PROGRAM.**

10 **3-1803.**

11 **(A) A COURT MAY ORDER A DEFENDANT TO PARTICIPATE IN THE**
12 **PROBATION WORK READINESS PILOT PROGRAM AS A CONDITION OF THE**
13 **DEFENDANT'S PROBATION.**

14 **(B) A DEFENDANT WHO IS ORDERED BY THE COURT TO PARTICIPATE IN**
15 **THE PROGRAM MAY NOT FAIL TO DO SO WITHOUT LAWFUL EXCUSE.**

16 **(C) A VIOLATION OF A COURT ORDER TO PARTICIPATE IN THE**
17 **PROGRAM IS A VIOLATION OF PROBATION.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1,
19 2013, the Chief Judge of the Court of Appeals, the circuit administrative judges for the
20 judicial circuits in which the Probation Work Readiness Pilot Program is established
21 under this Act, and the Department of Public Safety and Correctional Services jointly
22 shall submit a report to the General Assembly, in accordance with § 2-1246 of the
23 State Government Article, that evaluates the Probation Work Readiness Pilot
24 Program established by this Act.

25 SECTION 3. AND BE IT FURTHER ENACTED, That the abrogation of this
26 Act, as provided in Section 4 of this Act, may not be interpreted or applied to
27 terminate the obligation of a defendant to comply with any order entered by a court
28 under this Act on or before June 30, 2013.

29 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 July 1, 2011. It shall remain effective for a period of 2 years and, at the end of June 30,
31 2013, with no further action required by the General Assembly, this Act shall be
32 abrogated and of no further force and effect.