

HB0416/163927/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 416
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 6, in each instance, after “in” insert “certain”; in line 6, strike “and” and substitute a comma; in line 7, after “programs” insert “, and forward certain data to the Maryland Higher Education Commission”; in line 7, strike “requiring” and substitute “authorizing”; in line 8, strike “and the Department of Human Services”; in line 9, after “systems,” insert “establishing the Prison Education Delivery Reform Commission to develop recommendations relating to education and its impact on the criminal justice system.”; and in line 10, strike “resources and education for inmates” and substitute “corrections and public safety”.

AMENDMENT NO. 2

On page 2, after line 25, insert:

“(B) THIS SECTION APPLIES ONLY WITH RESPECT TO EDUCATION PROGRAMS IN A CORRECTIONAL INSTITUTION IN THE DIVISION OF CORRECTION IN THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.”;

and in line 26, strike “(B)” and substitute “(C)”.

On page 3, in line 4, strike “AND”; in line 7, after “PROGRAM” insert “; AND

(4) FORWARD, AT AN AGREED-ON INTERVAL, THE TRACKING DATA FOR THE NUMBER OF COLLEGE CREDITS THAT EACH INMATE EARNS IN AN APPROVED COLLEGE PROGRAM TO THE MARYLAND HIGHER EDUCATION COMMISSION”;

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in lines 8, 12, and 16, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 9, strike “AND THE DEPARTMENT OF HUMAN SERVICES SHALL” and substitute “MAY”; in line 11, strike “(B)” and substitute “(C)”; after line 17, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

- (a) There is a Prison Education Delivery Reform Commission.
- (b) The Commission consists of the following members:
 - (1) three members of the Senate of Maryland, appointed by the President of the Senate;
 - (2) three members of the House of Delegates, appointed by the Speaker of the House;
 - (3) the Secretary of Public Safety and Correctional Services, or the Secretary’s designee;
 - (4) the Secretary of Juvenile Services, or the Secretary’s designee;
 - (5) the Attorney General, or the Attorney General’s designee;
 - (6) the Public Defender of Maryland, or the Public Defender’s designee;
 - (7) a representative of the Maryland Judiciary, appointed by the Chief Justice of the Supreme Court of Maryland;
 - (8) the Secretary of the Maryland Higher Education Commission, or the Secretary’s designee;

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- (9) the Secretary of Labor, or the Secretary's designee;
- (10) the State Superintendent of Schools, or the State Superintendent's designee; and
- (11) the following members, appointed by the Governor:
 - (i) a national expert on correctional education issues;
 - (ii) a representative of a foundation with expertise in correctional education systems;
 - (iii) a representative of local law enforcement agencies;
 - (iv) a representative of the Maryland State's Attorneys' Association;
 - (v) a representative of an adult prison services provider bureau;
 - (vi) a representative from a restorative justice organization;
 - (vii) two individuals who are or were under the supervision of the Division of Correction; and
 - (viii) any other member with expertise relevant to the work of the Commission.
- (c) The Governor shall appoint the chair of the Commission.
- (d) The Governor's Office of Crime Prevention, Youth, and Victim Services shall provide staff for the Commission.

(Over)

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(e) A member of the Commission may not receive compensation as a member of the Commission.

(f) The Commission shall:

(1) convene an advisory stakeholder group that includes organizations with experience in:

(i) criminal justice policy reform;

(ii) advocating for individuals with learning disabilities and those from marginalized communities; or

(iii) restorative justice;

(2) work with the advisory stakeholder group, including conducting roundtable discussion forums seeking public input in all geographic regions of the State;

(3) develop an education-focused statewide framework of policies to invest in strategies to increase public safety and reduce recidivism of adult offenders, using a data-driven approach;

(4) research best practices for the primary, secondary, postsecondary, and career or vocational education of those who are subject to the criminal and juvenile justice systems;

(5) identify measures to mitigate risk factors that contribute to adult contact with the criminal justice system, with a focus on education; and

(6) request technical assistance from:

(i) the Abell Foundation;

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(ii) the Annie E. Casey Foundation;

(iii) the Council of State Governments;

(iv) the Vera Institute of Justice;

(v) the Coalition on Adult Basic Education;

(vi) the RAND Corporation; and

(vii) other organizations similar to the organizations under items (i) through (vi) of this item.

(g) (1) On or before December 1, 2023, the Commission shall submit an interim report of its findings and recommendations to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

(2) On or before June 1, 2024, the Commission shall submit a final report on its findings and recommendations to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.”;

in line 18, strike “2.” and substitute “3.”; in the same line, after “That” insert “Section 1 of”; and after line 19, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect June 1, 2023. Section 2 of this Act shall remain effective for a period of 2 years and 1 month and, at the end of June 30, 2025, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.