

Error: Incorrect cross-reference in Article 27, § 645A(f)(2).

Occurred: Ch. 258, Acts of 1995.

645T.

(a) In Montgomery County, whenever a person is detained or sentenced to the Montgomery County Department of Correction and Rehabilitation by any court in the County, the judge ordering the confinement or if the judge is unable to act, then any other judge of the committing court, at any time during the period of confinement, after a recommendation of the Department Director or the Director's authorized representative and in accordance with the selection requirements and programs which have been or will be enacted by the County Council of Montgomery County, may approve the transfer of the person to the work release/prerelease center to participate in the correctional program. After the prisoner enters the correctional program, the judge ordering the confinement or if the judge is unable to act, then any other judge of the committing court, may order the release of the prisoner from custody based on the recommendation of the Department Director or the Director's authorized representative and the report of the prisoner's performance in this correctional program. However, if a program participant violates the conditions or terms of the work release/prerelease program and if participation is revoked by the Department Director or the Director's authorized representative, the judge of the committing court may redesignate the Maryland Division of [Corrections] CORRECTION as the agency of custody for the remaining term of the inmate's confinement.

(e) The Montgomery County Department of Correction and Rehabilitation shall provide all work release, prerelease, and similar services to Montgomery County residents who are sentenced to the custody of the Maryland Division of [Corrections] CORRECTION. Only those eligible individuals who are screened and recommended for approval for work release or prerelease programs, or both, by both correctional agencies mentioned above will be transferred by the Commissioner of [Corrections] CORRECTION to the Montgomery County Department of Correction and Rehabilitation. The County facilities shall operate in accordance with general operational standards approved by the Commissioner of [Corrections] CORRECTION. The Montgomery County Department of Correction and Rehabilitation and the Maryland Division of Correction shall negotiate a contract each year providing for State reimbursement on a per diem basis for operational costs to Montgomery County for providing the community correctional services, as described in this section, to offenders sentenced to the State Division of [Corrections] CORRECTION and incarcerated in the Montgomery County Department of Correction and Rehabilitation.

DRAFTER'S NOTE:

Error: Incorrect terminology in Article 27, § 645T(a) and (e).

Occurred: Ch. 833, Acts of 1976; Ch. 102, Acts of 1974.

645U.

(e) (4) An individual is not eligible for the home detention program if the individual: