

regulations is deleted as implicit in the reference to "regulations". See Title 10, Subtitle 1 of the State Government Article.

Also in subsection (h) of this section, the former reference to "rules" is deleted in light of the reference to "regulations". See General Revisor's Note to this article.

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that subsection (i)(2) of this section provides that a violation of subsection (i)(1) of this section is a misdemeanor that is punishable under Art. 27, § 139. However, under Art. 27, § 139, a person who escapes from a correctional facility is guilty of a felony. The General Assembly may wish to amend subsection (i)(2) of this section to make it consistent with Art. 27, § 139, *i.e.*, to provide that a violation of subsection (i)(1) of this section is a felony.

The Correctional Services Article Review Committee further notes, for consideration by the General Assembly, that subsection (i) of this section is one of many provisions in this article that relates to inmates who escape while legitimately outside the confines of a correctional facility (*e.g.*, while on work release, home detention, pretrial release, weekend leave, compassionate leave, family leave, etc.). For a more detailed discussion of the Committee's perspective on these provisions, see § 3-305(c) of this article and accompanying Revisor's Note.

The Correctional Services Article Review Committee further notes, for consideration by the General Assembly, that the Department has never established an extended work-release program. The General Assembly may wish to repeal this section.

Defined terms: "Commissioner" § 3-101

"Correctional facility" § 1-101

"Division" § 3-101

"Division of Parole and Probation" § 1-101

"Inmate" § 1-101

3-808. COMPASSIONATE LEAVE.

(A) IN GENERAL.

THE COMMISSIONER, THE DEPUTY COMMISSIONER, THE ASSISTANT COMMISSIONER FOR OPERATIONS, OR THE ASSISTANT COMMISSIONER FOR ADMINISTRATION MAY GRANT COMPASSIONATE LEAVE TO AN INMATE CONFINED IN A CORRECTIONAL FACILITY IN THE DIVISION TO VISIT A MEMBER OF THE INMATE'S IMMEDIATE FAMILY WHO IS SERIOUSLY ILL OR ATTEND THE FUNERAL OF A MEMBER OF THE INMATE'S IMMEDIATE FAMILY.

(B) WRITTEN AUTHORIZATION REQUIRED.

(1) WHEN GRANTING COMPASSIONATE LEAVE TO AN INMATE, THE COMMISSIONER, THE DEPUTY COMMISSIONER, THE ASSISTANT COMMISSIONER FOR OPERATIONS, OR THE ASSISTANT COMMISSIONER FOR ADMINISTRATION SHALL: