

# HOUSE BILL 1121

E4

2lr1911  
CF SB 885

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By: **Delegates Guzzone, Anderson, Clagett, Haynes, Jones, K. Kelly, Washington, and Zucker**

Introduced and read first time: February 10, 2012

Assigned to: Appropriations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Correctional Services~~ **Parole and Probation – Employee Caseloads –**  
3 **Disciplinary Actions**

4 FOR the purpose of requiring the Division of Parole and Probation to ~~establish~~  
5 consider a certain ~~standard~~ caseload for parole and probation employees;  
6 ~~requiring the caseload standard to be considered during~~ when considering  
7 employee disciplinary actions; and generally relating to the performance of  
8 Division of Parole and Probation employees.

9 BY repealing and reenacting, ~~with~~ without amendments,  
10 Article – Correctional Services  
11 Section 6–104  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2011 Supplement)

14 BY adding to  
15 Article – Correctional Services  
16 Section 6–117  
17 Annotated Code of Maryland  
18 (2008 Replacement Volume and 2011 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Correctional Services**

2 6–104.

3 (a) Subject to the authority of the Secretary and in addition to any other  
4 duties established by law, the Division:

5 (1) shall:

6 (i) supervise the conduct of parolees;

7 (ii) supervise an individual under mandatory supervision until  
8 the expiration of the individual's maximum term or terms of confinement;

9 ~~(iii) ESTABLISH A STANDARD CASELOAD FOR PAROLE AND~~  
10 ~~PROBATION EMPLOYEES IN ACCORDANCE WITH § 6–117 OF THIS SUBTITLE;~~

11 ~~{(iii)} (iv)~~ regularly inform the Commission of the activities of  
12 offenders who are supervised by the Division;

13 ~~{(iv)} (v)~~ issue a warrant for the retaking of an offender  
14 charged with a violation of a condition of parole or mandatory supervision, if this  
15 authority is delegated by the Commission to the Director of the Division; and

16 ~~{(v)} (vi)~~ administer the Drinking Driver Monitor Program,  
17 collect supervision fees, and adopt guidelines for collecting the monthly program fee  
18 assessed in accordance with § 6–115 of this subtitle; and

19 (2) may recommend:

20 (i) that the Commission modify any condition of parole or  
21 mandatory supervision; and

22 (ii) that the Commission issue a warrant for the retaking of an  
23 offender.

24 (b) Funding for the Drinking Driver Monitor Program shall be as provided in  
25 the State budget.

26 **6–117.**

27 ~~THE~~ WHEN CONSIDERING DISCIPLINARY ACTION RELATED TO THE  
28 PERFORMANCE OF A PAROLE AND PROBATION EMPLOYEE, THE DIVISION  
29 SHALL:

1           ~~(1) ESTABLISH A STANDARD CASELOAD FOR PAROLE AND~~  
2 ~~PROBATION EMPLOYEES OF 60 ACTIVE CASES; AND~~

3           ~~(2) CONSIDER THE CASELOAD STANDARD UNDER PARAGRAPH (1)~~  
4 ~~OF THIS SECTION WHEN CONSIDERING DISCIPLINARY ACTIONS RELATED TO~~  
5 ~~EMPLOYEE PERFORMANCE~~ CONSIDER THE SIZE OF THE EMPLOYEE'S ACTIVE  
6 CASELOAD AND THE CLASSIFICATION OF THE OFFENDERS WITHIN THE  
7 EMPLOYEE'S ACTIVE CASELOAD AT THE TIME OF THE EVENT GIVING RISE TO  
8 THE CONSIDERATION OF DISCIPLINARY ACTION.

9           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2012.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.