

**Q00C02**  
**Division of Parole and Probation**  
**Department of Public Safety and Correctional Services**

### ***Executive Summary***

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The Department of Public Safety and Correctional Services' Division of Parole and Probation (DPP) supervises the State's parolees, probationers, and those on mandatory release from prison. DPP community supervision staff also conducts pre-sentence investigations and supervises offenders in the Drinking Driver Monitor Program. The Community Supervision Enforcement Program monitors offenders on home detention and operates the Warrant Apprehension Unit in order to locate and bring in offenders who have violated the terms of their supervision.

### ***Operating Budget Data***

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(\$ in Thousands)

	<b><u>FY 18</u></b>	<b><u>FY 19</u></b>	<b><u>FY 20</u></b>	<b><u>FY 19-20</u></b>	<b><u>% Change</u></b>
	<b><u>Actual</u></b>	<b><u>Working</u></b>	<b><u>Allowance</u></b>	<b><u>Change</u></b>	<b><u>Prior Year</u></b>
General Fund	\$100,581	\$103,384	\$104,249	\$865	0.8%
Adjustments	0	637	2,522	1,885	
<b>Adjusted General Fund</b>	<b>\$100,581</b>	<b>\$104,021</b>	<b>\$106,771</b>	<b>\$2,751</b>	<b>2.6%</b>
Special Fund	5,114	6,686	6,768	83	1.2%
Adjustments	0	63	186	124	
<b>Adjusted Special Fund</b>	<b>\$5,114</b>	<b>\$6,748</b>	<b>\$6,955</b>	<b>\$206</b>	<b>3.1%</b>
Reimbursable Fund	95	105	106	0	0.3%
Adjustments	0	0	0	0	
<b>Adjusted Reimbursable Fund</b>	<b>\$95</b>	<b>\$105</b>	<b>\$106</b>	<b>\$0</b>	<b>0.3%</b>
<b>Adjusted Grand Total</b>	<b>\$105,790</b>	<b>\$110,875</b>	<b>\$113,832</b>	<b>\$2,957</b>	<b>2.7%</b>

Note: The fiscal 2019 appropriation includes deficiencies, a one-time \$500 bonus, and general salary increases. The fiscal 2020 allowance includes general salary increases.

Note: Numbers may not sum to total due to rounding.

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- The fiscal 2020 allowance for DPP increases by nearly \$3 million when compared to the fiscal 2019 working appropriation, a 2.7% increase. While over 86% of the increase is due to \$2.6 million in statewide salary increases and other personnel costs, the remaining 14% is a result of increases in parole and probation office rent and maintenance, offender treatment services, and fuel and utilities expenditures.

## ***Personnel Data***

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	<b><u>FY 18</u></b> <b><u>Actual</u></b>	<b><u>FY 19</u></b> <b><u>Working</u></b>	<b><u>FY 20</u></b> <b><u>Allowance</u></b>	<b><u>FY 19-20</u></b> <b><u>Change</u></b>
Regular Positions	1,118.00	1,118.00	1,115.00	-3.00
Contractual FTEs	<u>35.55</u>	<u>61.45</u>	<u>61.45</u>	<u>0.00</u>
<b>Total Personnel</b>	<b>1,153.55</b>	<b>1,179.45</b>	<b>1,176.45</b>	<b>-3.00</b>

### ***Vacancy Data: Regular Positions***

Turnover and Necessary Vacancies, Excluding New Positions	59.22	5.35%
Positions and Percentage Vacant as of 12/31/18	154.00	13.77%

- In the DPP fiscal 2020 personnel allowance, there is a net loss of 3 regular positions and no changes in contractual full-time equivalents. Overall, DPP has 154 vacancies, more than 2.5 times what is needed to meet budgeted turnover.
- Of the 154 vacancies, nearly 40% of the vacancies are in DPP's Central Region Operations with 61 vacant positions. That office is followed by the South Region Operations and North Region Operations, with 41 and 39 vacancies, respectively. All remaining vacancies are general administration positions. Over 26% of the division's vacant positions have been unfilled for over a year – an improvement over the previous fiscal year when nearly 43% of vacancies went unfilled for a year or more.

## ***Key Observations***

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- ***Parole and Probation Cases Continue to Decline:*** In fiscal 2018, DPP total active cases declined 21.4% compared to fiscal 2013. The division expects the number of active cases to continue to fall in fiscal 2019, in part due to the Justice Reinvestment Act.
- ***DPP Agent Caseload Ratios Rise, Nearing the National Average:*** In recent fiscal years, DPP has been working to reduce caseload ratios to a manageable level for its agents. In fiscal 2017, the division successfully reduced its caseload ratios to under the national average, but in fiscal 2018, cases per agent have risen to 81.4 – just under the national average of 82. In addition, several regional offices report caseloads of over 100 per agent.

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- ***Technical Violation Information Should Be Provided to the Budget Committees:*** Reducing the number of offenders reincarcerated due to technical violations is a key area of justice reinvestment. DPP should provide more detail about new offenses and technical violations.
- ***DPP Offender Post-supervision Employment Remains Stable:*** The number of offenders employed when their cases were closed has declined since fiscal 2011 due to a lower number of cases, but the percentage employed has remained relatively stable in the 30% range.
- ***DPP Fee Collections and Restitution to Victims of Crime:*** DPP collections continue to decrease due to lower inmate populations, but transferring collection duties to the State's Central Collection Unit could save money and reduce parole and probation agent workloads.

**Operating Budget Recommended Actions**

	<b><u>Funds</u></b>
1. Increase turnover to 10%.	\$ 3,700,000
2. Adopt committee narrative requesting a report on regional parole and probation caseloads by November 30, 2019.	
3. Adopt committee narrative requesting a report due August 1, 2019, on the Division of Parole and Probation collections and the feasibility of transferring collections to the Central Collection Unit.	
4. Adopt committee narrative requesting a report due July 1, 2019, on the types of new offenses and technical violations committed for fiscal 2018.	
<b>Total Reductions</b>	<b>\$ 3,700,000</b>

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## ***Operating Budget Analysis***

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### **Program Description**

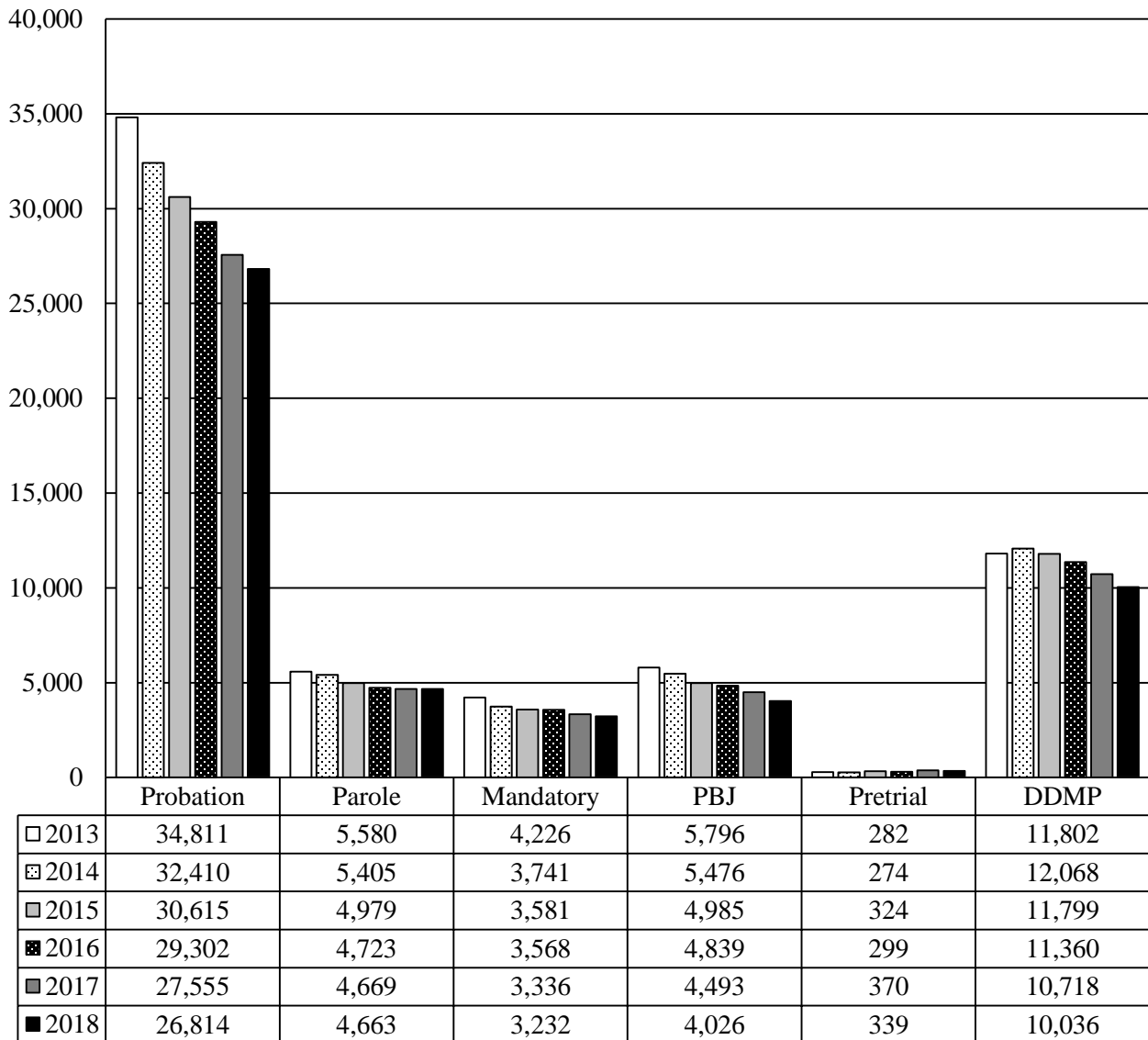
The Division of Parole and Probation (DPP) provides offender supervision and investigation services for the State, and its largest mandate involves the supervision of probationers assigned to the division by the courts. Inmates released on parole by the Maryland Parole Commission or released from the Division of Correction (DOC) because of mandatory release are also supervised by DPP as well as offenders in the Drinking Driver Monitor Program (DDMP). The community supervision function of DPP works to ensure that offenders are complying with the division and receiving the guidance that they need to avoid recidivism and remain in their communities.

### **Performance Analysis: Managing for Results**

#### **1. Parole and Probation Active Cases Continue to Decline**

**Exhibit 1** shows the number of active cases supervised from fiscal 2013 through 2018 in the following categories: criminal supervision (which includes probation, parole, probation before judgment, pretrial supervision, and mandatory release) and the DDMP program.

**Exhibit 1**  
**Parole and Probation Active Cases**  
**Fiscal 2013-2018**



DDMP: Drinking Driver Monitor Program

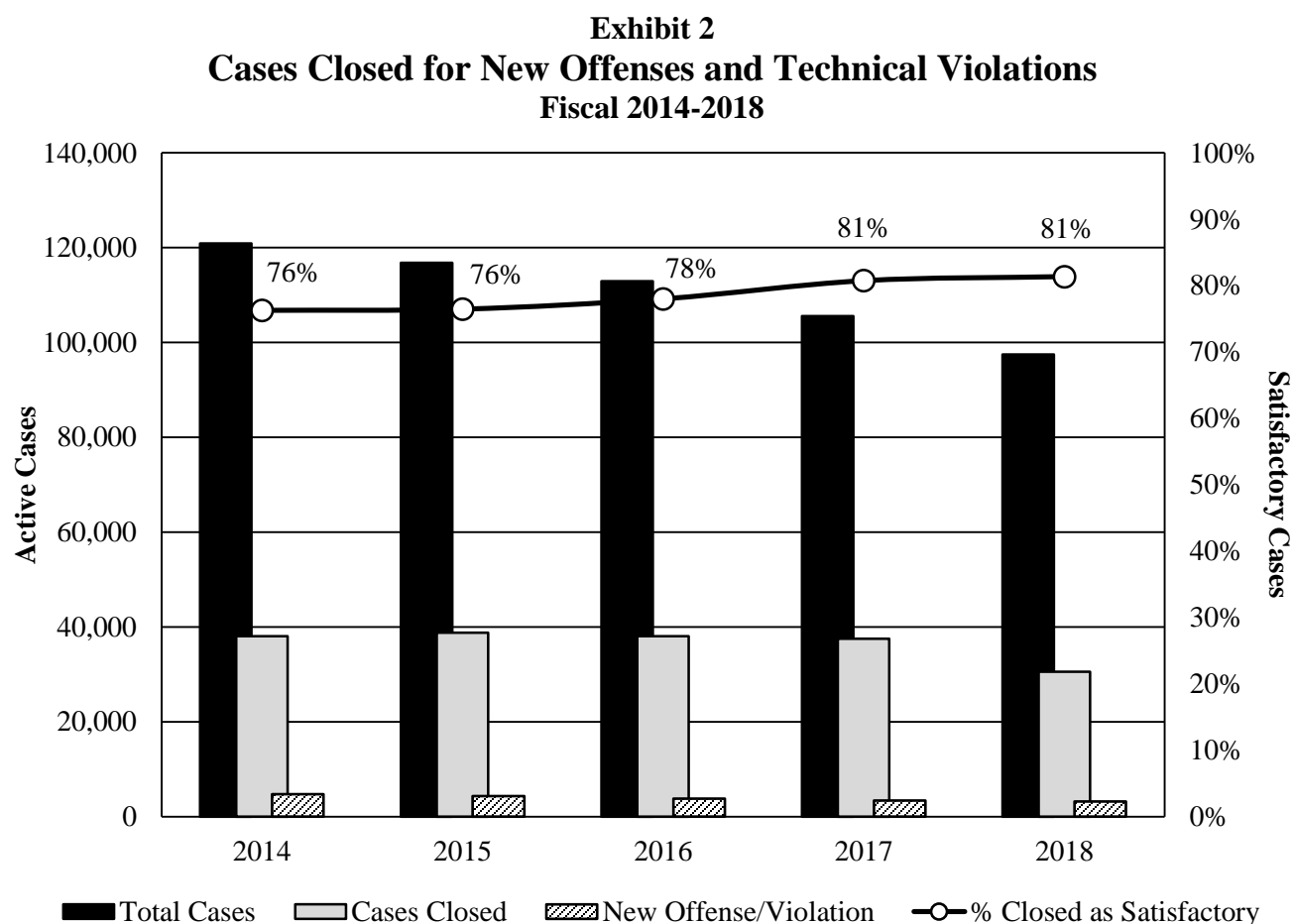
PBJ: probation before judgment

Source: Department of Public Safety and Correctional Services

In fiscal 2013, DPP had 62,497 total active cases that have declined 21.4% in fiscal 2018 to 49,110. The division expects the number of active cases to continue its decline in fiscal 2019. The courts are the largest driver of DPP intakes – over 68% of the supervised population is under probation supervision, a decline of 12% from the previous fiscal year.

## 2. Cases Closed Due to a New Offense or Technical Violation Decline

**Exhibit 2** shows the total number of cases supervised in fiscal 2018, along with the number of cases closed as satisfactory and those closed for either a new offense or technical violation. DPP has identified the following goals to have the percentage of cases closed for a new offense at fiscal 2011 levels or lower. The percentage goals are 3.9% for all cases, 3.2% for those on parole, 3.9% for probationers, and 5.1% for those under mandatory supervision. The division has met each of these goals since fiscal 2012.



Source: Department of Public Safety and Correctional Services

In addition, a separate metric for closed cases is depicted across the top of Exhibit 2 for case ratings; the percentage of closed cases that were rated satisfactory is at 81% for the second year in a row, up 3 percentage points from fiscal 2016.

### **Technical Violation Data Needs to Be Examined**

The Justice Reinvestment Act (JRA) also maintains graduated sanctions for offenders who commit a technical violation (such as not reporting in to their parole officer). Reducing the number of offenders who are reincarcerated for technical violations is a key area of justice reinvestment, particularly because more than 75% of those on parole and probation nationwide were convicted of nonviolent offenses.

While DPP reports the number of cases closed due to new offenses and technical violations, it does not provide the exact number for each category. **The Department of Legislative Services (DLS) recommends the addition of committee narrative requesting that DPP provide this information along with the type of new offenses and technical violations that its offenders committed for the most recent fiscal year. Finally, DPP should comment on the number of DDMP cases closed due to revocation (which should be under the DPP target of 0.7%) because there is no data for this category in the fiscal 2020 Managing for Results report.**

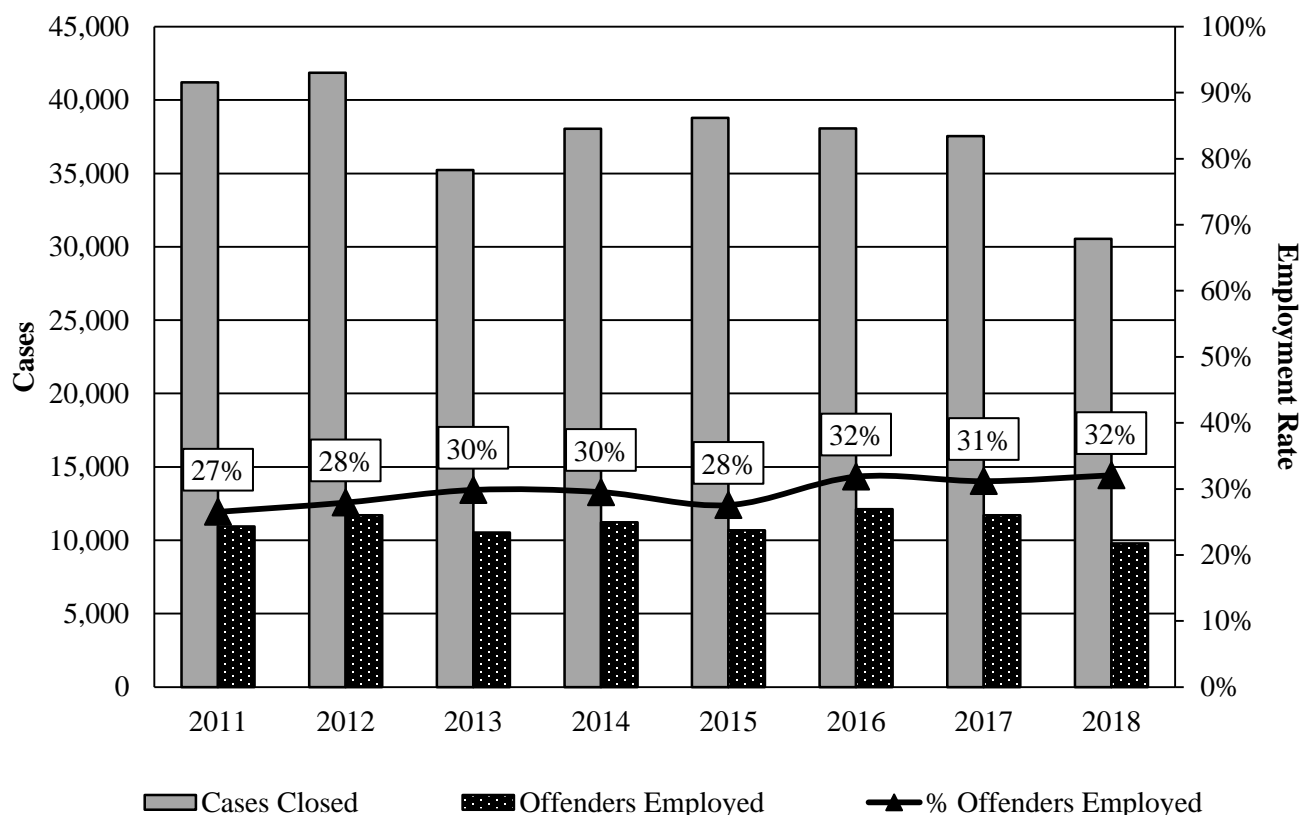
### **The Importance of DPP Offender Data**

The JRA also emphasizes drug treatment for all offenders and reduced sanctions for nonviolent offenders. To more effectively address these issues, it is important to know the percentage of DPP offenders with a substance use disorder (SUD) and additionally, what crime(s) DPP clients were convicted of. DPSCS currently provides this information for State prisoners and detainees. **DPP should provide details on what percentage of its offender population has SUD issues as well as a breakdown of crimes that its offender population was convicted for in fiscal 2018.**

## **3. Offender Post-supervision Employment Meets Goals**

**Exhibit 3** shows DPP offender employment data. The division has a goal of having at least 30% of offenders employed at case closing. The number of offenders employed when their cases were closed has declined since fiscal 2011 due to a lower number of cases, but the percentage employed has remained relatively stable and above the goal for the last three fiscal years.

**Exhibit 3**  
**Offender Post-supervision Employment Rates**  
**Fiscal 2011-2018**



Source: Department of Public Safety and Correctional Services

DPP should comment on current offender employment data as well as the programs that it offers to assist offenders in securing and maintaining employment. DPP should also comment on the relatively low number of offenders who applied for the Certificate of Rehabilitation program to enhance their job market employability. In addition, the division should comment on whether the benchmark of 30% for offender employment is sufficient or whether it should be raised.

#### 4. DPP Parolees Returned to Prison

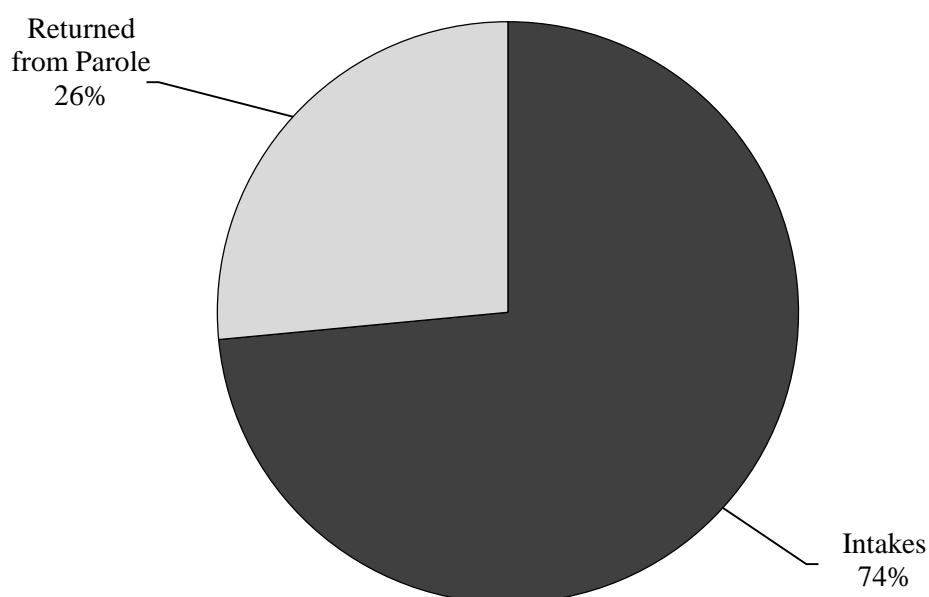
Along with the overall declines in prison and parole and probation populations in the State, the total percentage of offenders at intake who are returning to prison due to a parole violation (instead of a new crime) is also on the decline. While this metric is not a direct measure of recidivism, which tracks



all inmates over several years and classifies their return to prison based on the year that they commit a new crime, tracking the number of parolees returning to prison each year is valuable. In fiscal 2017, over 30% of offenders entering prison were classified as returned from parole. In fiscal 2018, that percentage decreased to 26% as the Department of Public Safety and Correctional Services (DPSCS) had 7,952 total offenders at intake with 2,107 of those returning from parole, as shown in **Exhibit 4**. **DPP should discuss the types of violations committed by the parolees that returned to prison.**

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**Exhibit 4**  
**Percentage of Inmates Returned from Parole**  
**Fiscal 2018**



Source: Department of Public Safety and Correctional Services

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## **5. DPP Treatment Programs for Offenders**

The division has a variety of programs for offenders that range from court-level alternatives to incarceration and substance abuse treatment to transitional housing and reentry services. Major division initiatives are depicted in **Exhibit 5** with total spending per program as well as services by type. Over 5,500 offenders received these particular services in fiscal 2018.

**Exhibit 5**  
**DPP Offender Services**  
**Fiscal 2018**

<b><u>Program</u></b>	<b><u>Services</u></b>	<b><u>Enrollees</u></b>	<b><u>Funding</u></b>
Baltimore City Health Department	Addiction treatment services	2,215	\$450,000
Baltimore Mayor's Office Grants	Reentry and employment services	1,952	500,000
Sexual Offender Treatment	Offender treatment for reentry	524	600,000
Baltimore City Drug Treatment Court	District and circuit courts that offer treatment rather than incarceration	414	476,100
UMD Special Offenders Clinic	Outpatient treatment for sex offenders and violent offenders	215	75,000
Threshold	Counseling, drug treatment, medical, educational, and employment services	133	587,472
Washington County Health Department	Addiction treatment services	50	25,000
Marian House	Transitional services for female offenders, including temporary housing	22	280,000
<b>Total</b>		<b>22</b>	<b>\$2,993,572</b>

DPP: Division of Parole and Probation

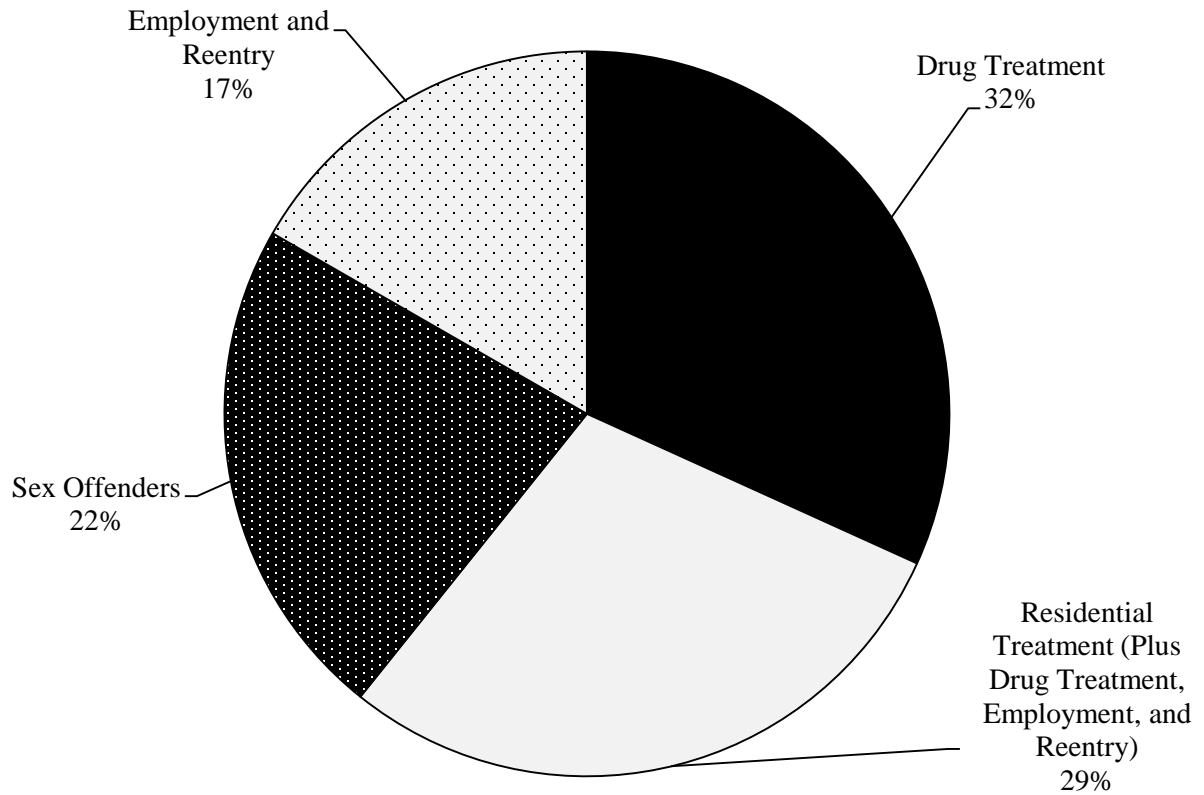
UMD: University of Maryland

Source: Department of Public Safety and Correctional Services

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**Exhibit 6** shows the same programs, delineated by the type of services provided to offenders.

**Exhibit 6**  
**DPP Offender Services by Type**  
**Fiscal 2018**



DPP: Division of Parole and Probation

Source: Department of Public Safety and Correctional Services

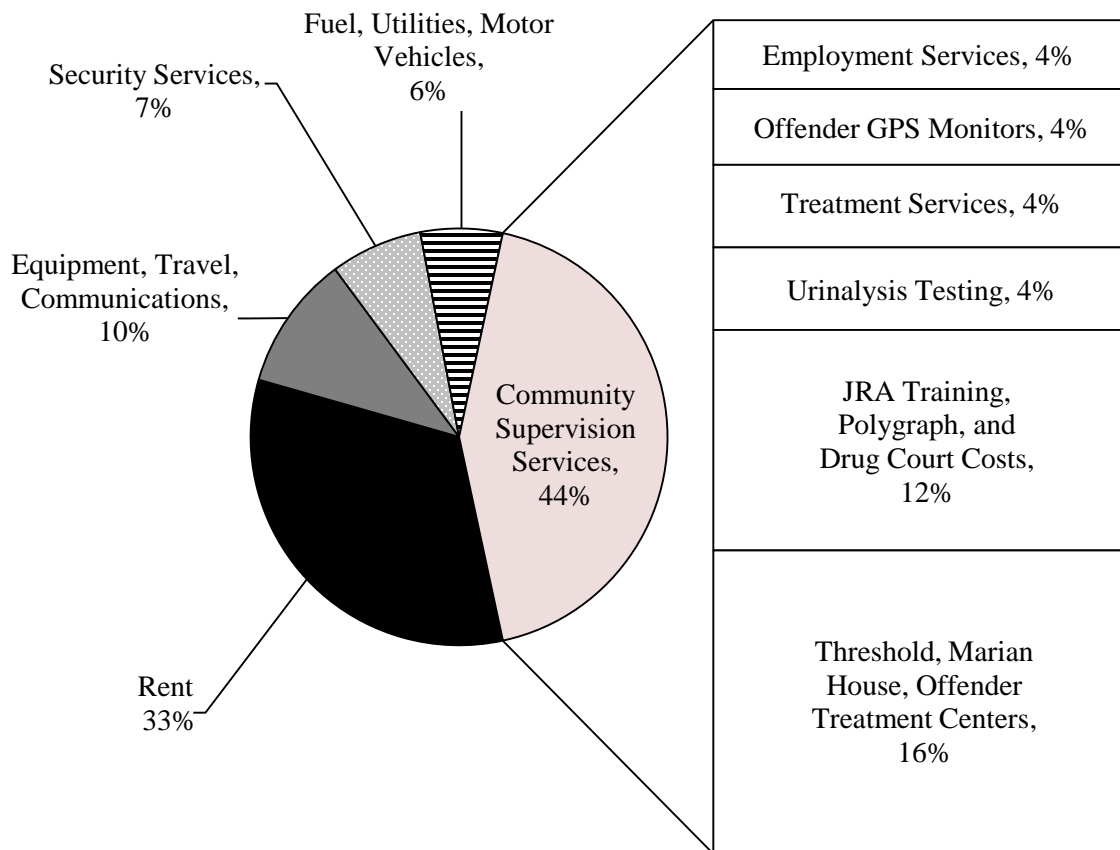
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## Fiscal 2020 Allowance

### Overview of Agency Nonpersonnel Spending

The fiscal 2020 budget allowance proposes over \$113.8 million in total expenditures for DPP. While the majority of the allowance (87%) is used to pay personnel costs of \$98.9 million, the remainder of the allowance, approximately \$15 million, is allocated mainly for parole and probation office rent; fuel, utilities, and vehicles; and costs to treat and supervise offenders. **Exhibit 7** displays all fiscal 2020 nonpersonnel spending by item.

**Exhibit 7**  
**Agency Nonpersonnel Spending**  
**Fiscal 2020**



GPS: Global Positioning System  
JRA: Justice Reinvestment Act

Source: Department of Public Safety and Correctional Services

## Proposed Budget Change

**Exhibit 8** provides detail on the department's fiscal 2020 allowance increase of nearly \$3 million and changes in particular programs and spending initiatives.

### Exhibit 8 Proposed Budget DPSCS – Division of Parole and Probation (\$ in Thousands)

<b>How Much It Grows:</b>	<b>General Fund</b>	<b>Special Fund</b>	<b>Reimb. Fund</b>	<b>Total</b>
Fiscal 2018 Actual	\$100,581	\$5,114	\$95	\$105,790
Fiscal 2019 Working Appropriation	104,021	6,748	105	110,875
Fiscal 2020 Allowance	<u>106,771</u>	<u>6,955</u>	<u>106</u>	<u>113,832</u>
Fiscal 2019-2020 Amount Change	\$2,751	\$206	\$0	\$2,957
Fiscal 2019-2020 Percent Change	2.6%	3.1%	0.3%	2.7%

#### Where It Goes:

##### Personnel Expenses

General salary increase .....	\$2,394
Employee retirement costs .....	680
Employee earnings .....	359
SLEOLA salary increase .....	216
Workers' compensation premium assessment .....	142
Social Security contributions .....	26
Other fringe benefit adjustments .....	12
Position realignments .....	-229
Turnover expectancy .....	-247
One-time fiscal 2019 \$500 employee bonus .....	-600
Employee and retiree health insurance .....	-116

##### Community Supervision Services

Sex offender mental health treatment .....	125
Justice Reinvestment Act Training .....	17
Threshold, Marian House, and other offender service providers .....	9
Out-of-state extraditions .....	-8

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**Where It Goes:**

Offender risk assessment training and drug treatment court expenses .....	-31
Parole and probation agent vehicle replacements and maintenance .....	-157

**DPP Support Services and Operations**

Rent.....	338
Facility repairs, maintenance, and equipment rental.....	149
Fuel and utilities.....	71
Security guards at parole and probation offices.....	45
Employee uniforms and office supplies.....	-85
Contractual full-time equivalents.....	-146
Other .....	-7

**Total** **\$2,957**

DPP: Division of Parole and Probation  
DPSCS: Department of Public Safety and Correctional Services  
SLEOLA: State Law Enforcement Officers Labor Alliance

Note: Numbers may not sum to total due to rounding.

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**Personnel Spending Increases Are Driven by Statewide Salary Hikes**

Overall, the vast majority of the allowance (87%) is used for personnel costs of \$98.9 million. Most of the increase in this amount, over \$2.6 million, is for statewide general salary increases and State law enforcement officer salary increases.

**Modest Increases in Community Supervision Spending**

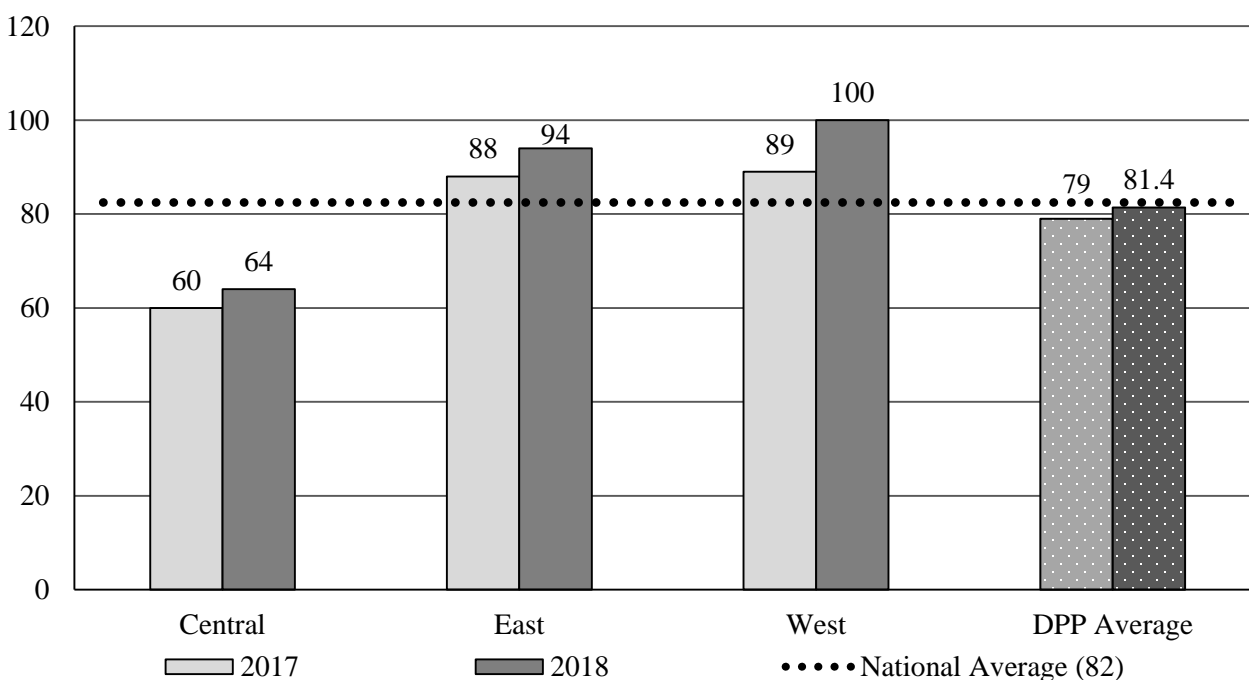
Overall changes in nonpersonnel funds total just over \$400,000, mainly due to increases for rent and maintenance for parole and probation offices (in DPP Support Services) and increases in sex offender treatment services. In total, a \$125,000 increase in funding is allocated for 6 contractual sex offender treatment providers; however, when compared to fiscal 2018 actual spending, this increase in services is only 7%. Smaller increases for JRA agent training (\$17,000) and treatment centers, such as the Marian House (\$9,000) for female offenders also account for the change.

## Issues

### 1. DPP Regional Office Caseloads

In recent fiscal years, DPP has been working to reduce caseloads to a manageable level for its parole and probation agents. A staffing study in fiscal 2016 by the University of Baltimore’s Schaefer Center revealed that Maryland DPP caseloads were 116 per agent – far above the national average of 82. In fiscal 2017, the division successfully reduced its caseload ratios to under the national average. However, in fiscal 2018, DPP caseloads per agent rose in each region, and the statewide DPP average is now 81.4 – just under the national average of 82. In addition, DPP’s East Region averages 94 cases per agent, and the West Region averages 100 cases per agent. **Exhibit 9** outlines the average DPP cases in each region in comparison to the national average.

**Exhibit 9**  
**Caseload Ratios by Region vs. National Average**  
**Fiscal 2017-2018**



Central: Baltimore City and Baltimore County

DPP: Division of Parole and Probation

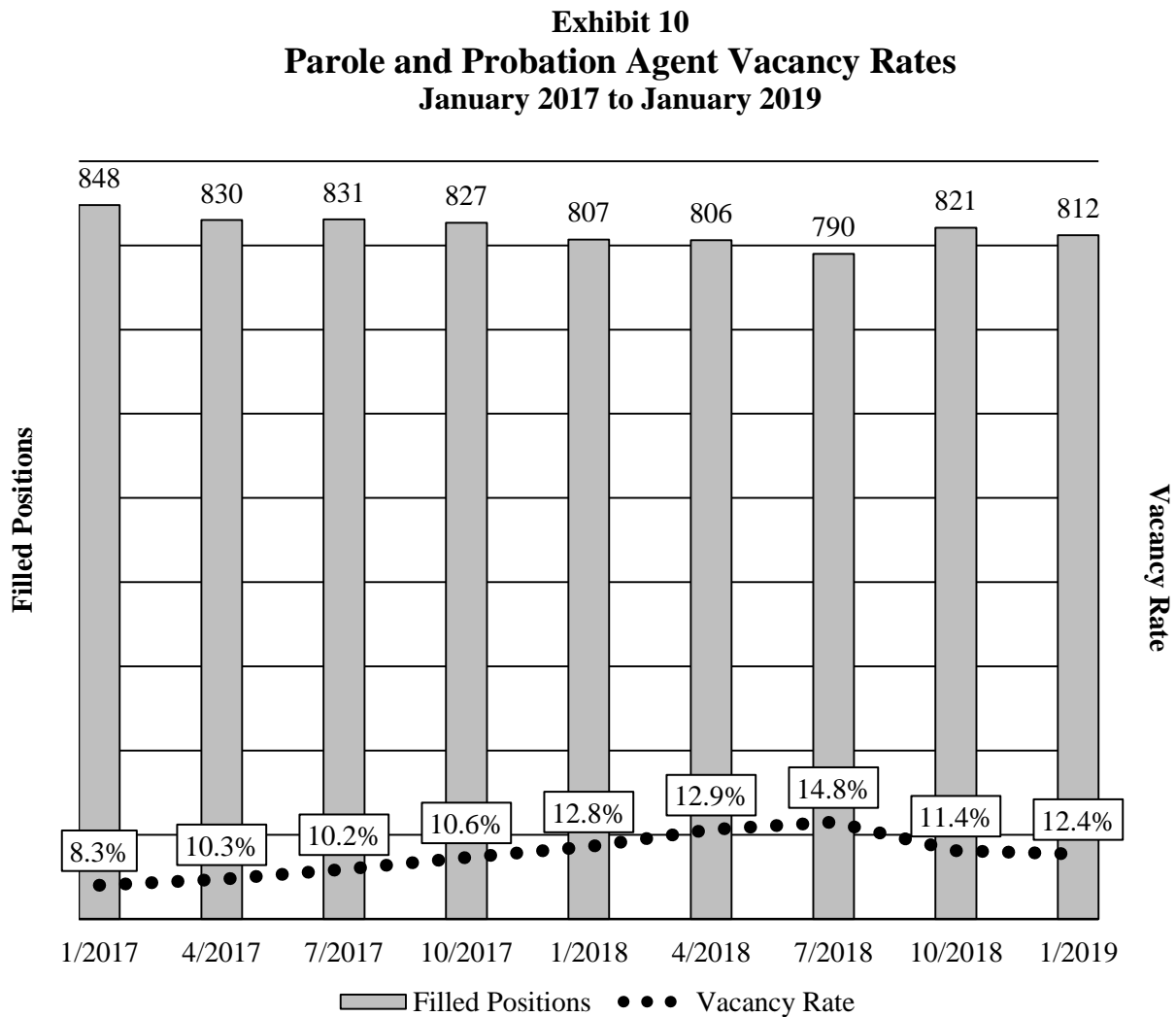
East: Anne Arundel, Calvert, Caroline, Cecil, Charles, Dorchester, Kent, Queen Anne’s, Prince George’s, St. Mary’s, Somerset, Talbot, Wicomico, and Worcester counties

West: Allegany, Carroll, Frederick, Garrett, Harford, Howard, Montgomery, and Washington counties

Source: Department of Public Safety and Correctional Services

## DPP Vacancies Continue to Grow

As seen in previous fiscal years, the ability to manage caseloads is directly related to staffing issues and the inability to address vacancies within the division. **Exhibit 10** examines DPP's staff totals beginning in fiscal 2017. While vacancy rates are down from the recent peak of 14.8% in July 2018, there are still 115 vacant positions in January 2019. **DPP should comment on the recent difficulty in filling parole and probation agent positions, particularly as 43% of the vacant positions have been unfilled for over a year, and the average salary for vacant DPP agent positions is over \$56,000.**



Source: Department of Public Safety and Correctional Services



## **Total Active Cases Are Declining – Positive News for Managing Caseloads**

DPP supervision agent positions are regular positions; there are no contractual full-time equivalents. These agent positions account for less than 10% of the entire DPSCS workforce. Over the long term, supervision agent positions, like DPSCS administrative and correctional officer positions, have been on a downward trend. From fiscal 2002 to 2018, the number of supervision agents decreased by 70, from 995 to 925 positions. The impact from the loss of these positions has been somewhat mitigated by the decline in active cases. As the parole and probation population continues to decline, there is a possibility that simply filling vacant agent positions will equalize caseload ratios, and the division has stated as much.

## **DPP Needs More Agents in the East and West Regions**

**Exhibit 11** shows the number of agents and cases by region. Again, DPP Central Region is well under the national average of 82 cases per agent – it only has 64. The East and West regions, while smaller, have fewer agents and relatively more caseloads. In order for the division to be under the national average, the East Region would need 23 more agents, and the West Region would need 20 more – for a total of 43 new agents.

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**Exhibit 11**  
**Parole and Probation Agents Needed in Each Region**  
**January 2019**

<u><b>Region</b></u>	<u><b>Total Agents</b></u>	<u><b>Active Cases</b></u>	<u><b>Agents Needed</b></u>	<u><b>Agent Surplus</b></u>
Central	215	13,765	n/a	48
East	161	15,114	23	n/a
West	95	9,479	20	n/a
<b>Total</b>	<b>471</b>	<b>38,358</b>	<b>43</b>	

Source: Department of Public Safety and Correctional Services

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Because DPP's Central Region has the lowest caseload ratio in the State at 64 cases per agent, it has a surplus of 48 agents. In other words, if those 48 agents were removed, DPP's Central Region would still have a caseload ratio of 82 cases per agent – equal to the national average. To equalize caseload ratios, DPP could transfer 43 agents to the East and West region to move those caseload ratios in line with the national average.

## Multiple DPP Offices Have Over 100 Cases Per Agent

Overall, while caseload ratios vary by office, region, and caseload type, there are several offices in the State with extremely high caseloads. Again, while DPP as a whole is under the national average in caseloads, 49% of its offices remain above the national average. Offices with the highest caseload ratios are depicted in **Exhibit 12**.

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### Exhibit 12 Parole and Probation Offices with Caseloads Over 100 Per Agent Fiscal 2018

<u>Office</u>	<u>Agents</u>	<u>Active Cases</u>	<u>Cases Per Agent</u>	<u>Ratio of Support Staff to Agents</u>
Hagerstown	9	1,429	159	1:2.3
Prince Frederick	4	524	131	1:4
Temple Hills	12	1,574	131	0
Gaithersburg	8	965	121	1:4
Leonardtown	5	569	114	0
Glen Burnie	19	2,125	112	1:19
Rockville	8	885	111	0
Silver Spring	8	868	109	0
Denton	4	420	105	1:4

Source: Department of Public Safety and Correctional Services

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### Transferring Agents from DPP Central to East and West Regions Could Reduce Caseload Ratios

In a response to last session's analysis, DPP stated that it did not need to move Baltimore City and Baltimore County agents to other offices in the State to equalize caseloads and that it would continue to fill vacancies. While it is true that the mix of caseloads is different in each region and making adjustments is not as simple as transferring personnel, all three regions have similar caseload distributions. For example, all three regions have similar sex offender caseload totals. The only outlier is the Violence Prevention Initiative (VPI) for the much more violent offenders under supervision. DPP Central Region has 34 of these cases, while the East and West regions have just 4 VPI cases combined. However, as this analysis has shown, no agent transfers were conducted, vacancies have increased, and caseload ratios are now worse than one year ago. **DPP should comment on the potential of staff realignments to alleviate higher caseloads in the East and West regions.**

## The Feasibility of Using National Standards

Since the 1990s, the American Probation and Parole Association (APPA) has questioned the use of national standards for parole and probation caseloads. A 2006 APPA study notes that using a national caseload standard for all states is a challenge because of wide variations in offenders and crimes, court and parole orders, and the differences in jurisdictions. However, the study does note that supervision outcomes generally improve if caseloads are reduced below common standards. Overall, the study states that community supervision is based on human capital; as seen with the JRA, changes in policy and programs are important, but the ability of agents to properly monitor offenders without being overwhelmed is critical. The study also notes that in the 1980s, much smaller caseloads coupled with extremely punitive supervision led to higher rates of recidivism and more crowded jails.

The post-JRA approach of evidence-based intervention where agents are more involved with offenders and mete out fewer sanctions for technical violations continues to produce positive results. **Given that DPP has one year of JRA-related evidence-based training, DPP should comment on these efforts, the percentage of agents in each office that have successfully received the training, and the effect on caseloads and case closures.** Overall, APPA recommends the use of a system that takes into account variations in states, regions, and offenders and crimes and stresses the importance of conducting a workload study. The Schaefer Center study did in fact conduct a workload study of State parole and probation agents and recommended that DPP use the national average of 82 as a general guideline to work toward. In addition, APPA recommends the following caseload standards depicted in **Exhibit 13**.

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### Exhibit 13 APPA Caseload Recommendations

<u>Case Type</u>	<u>Case to Staff Ratio</u>
Intensive	20:1
Moderate to High Risk	50:1
Low Risk	200:1
Administrative	No limit/1,000

APPA: American Probation and Parole Association

Source: American Probation and Parole Association

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## **Additional Agent Concerns**

Additionally, there were several items in the Schaefer Center study regarding anonymous DPP agents in focus groups. In those discussions, some of the most common issues raised by agents were the need for updated and safe protective gear, including bulletproof vests, the continued and ongoing technology issues with the Offender Case Management System, and the lack of support staff in regional offices. In many cases, agents reported taking turns to rotate into purely clerical duties due to lack of staff. **DLS recommends the adoption of committee narrative requesting additional information regarding DPP caseloads and staffing.**

## **2. DPP Fee Collections and Restitution to Victims of Crime**

Overall, the DPP restitution process begins once the court has ordered restitution payments as part of a criminal sentence. In most cases, parole and probation agents will set up a payment plan so offenders can make timely payments during the course of their supervision. In addition, because of new provisions in the JRA, offenders in DOC or local detention centers pay restitution if they are earning any wages while incarcerated. Several steps encompass the now-combined DPP and DOC collection process that requires additional streamlining and coordination of collection efforts:

- a percentage of inmate earnings is collected through the existing inmate banking system and combined with the monthly disbursement process for DPP offenders; and
- for inmates in local detention centers, earnings are collected via a new process where each local jurisdiction submits payments to DPSCS, which then forward payments to the State Treasurer so that checks can eventually be sent to victims.

### **Fee Collection Duties Are Adding to DPP Agent Workloads**

In the 2016 Schaefer Center parole and probation study, restitution and fee collection were a key point of frustration for agents who felt that collections were a time-intensive activity that added to their workload and reduced the time they had to supervise offenders. In addition, the fact that many DPP offices have less support staff than is necessary has added to agent frustration in this area.

### **The Central Collection Unit**

In a 2005 Office of Legislative Audits report, it was noted that estimates of DPP restitution payments, fees, and collection rates were more accurate when closed cases (and not all cases) were examined. Because restitution payments to victims are the first priority, supervision fees are paid out later, often as the case advances toward closure. From fiscal 2002 to 2004, only 25% of parole and probation accounts were collected. As a result, the Central Collection Unit (CCU) in DBM was required by law to collect those overdue fees. In recent discussions, the State's Justice Reinvestment Oversight Board noted that DPP collection efforts and DOC inmate wage withholding orders were being slowed down by frequent delays because offenders do not pay on a timely basis. The panel mentioned that

because CCU is already involved in DPP's overdue accounts, it could get involved earlier in the process to ensure efficient collections, as it does for the Department of Juvenile Services, and reduce DPP agent workloads.

### **Consolidating Fee Collection May Result in Cost Savings for the State**

In previous fiscal years, the possibility of consolidating restitution collection has been debated in the General Assembly. In 2012, DPSCS introduced HB 1365 that would have allowed CCU to assume DPP collection duties. Because CCU already had a variety of collection tools in place, the expectation was that collections could increase significantly under CCU. One example in this regard includes CCU's Tax Intercept Program that garnishes wages and tax returns to ensure that restitution is paid.

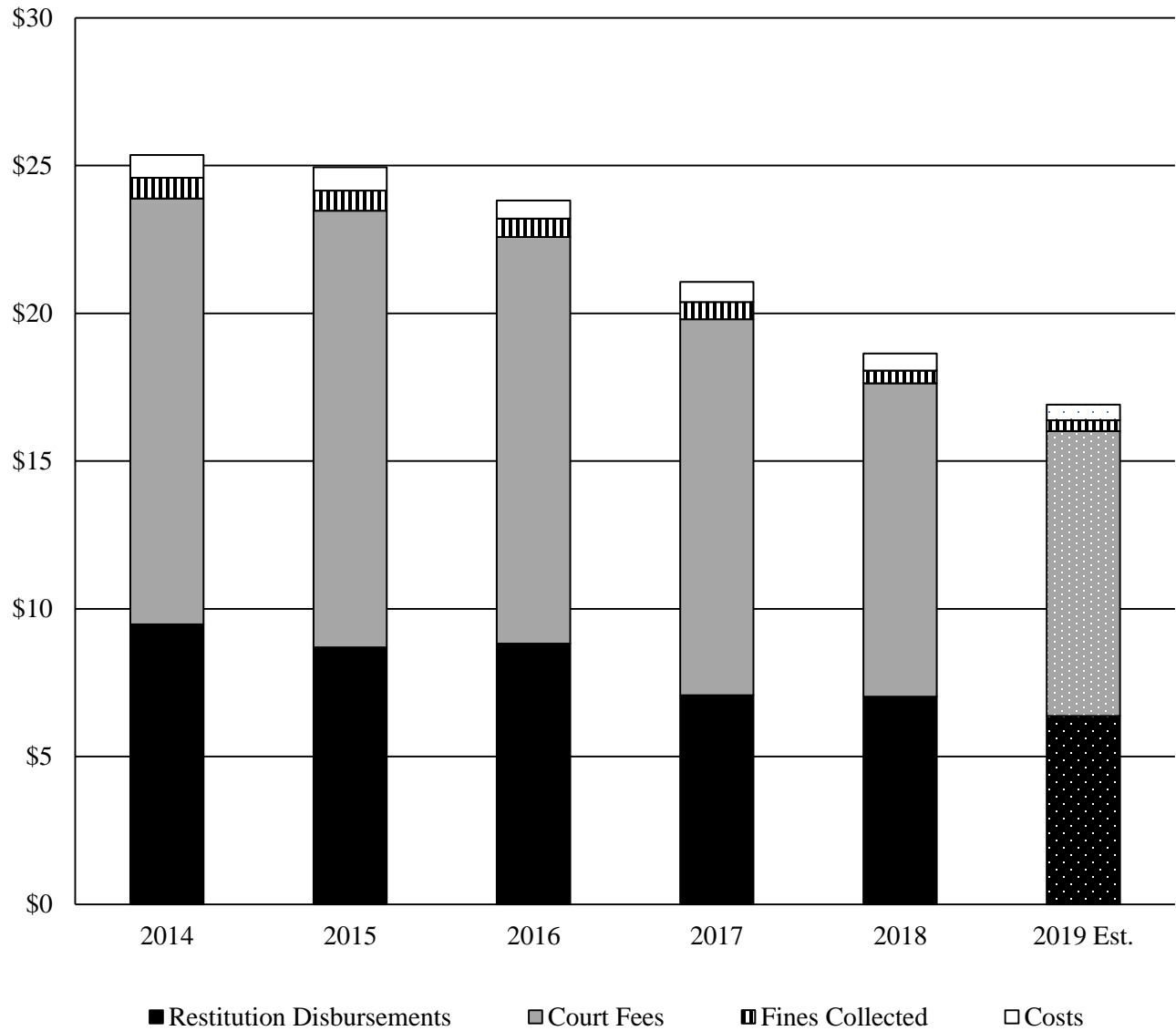
**Exhibit 14** shows DPP's collections including restitution disbursements to crime victims, fines, costs, and court fees assessed against offenders. Since fiscal 2014, total collections have declined 26.4% and are projected to fall further in fiscal 2019. Given that supervision population and active cases continue to fall, the amounts collected by DPSCS will decline further, collections workloads for agents will remain, and the opportunity to create efficiencies and receive special fund savings may be lost.

### **Victim Services Unit**

Chapter 422 of 2018 established a Victim Services Unit (VSU) in the Governor's Office of Crime Control and Prevention (GOCCP) to coordinate State responsibilities concerning victim services, including the collection of restitution. In addition, the law allows for VSU to coordinate with DPP and CCU to modernize and improve restitution collection (including expediting case referrals to CCU) and finally, to clarify the role of DPP agents in the restitution collection process. While Chapter 422 does not specifically state that parole and probation fees would be addressed by VSU, the ability of this new unit to assist DPP and potentially achieve special fund savings is important.

**DLS recommends the adoption of committee narrative requesting a report from DPP on the steps in its collection process and continued decline in restitution fees, as well as the advantages and impediments to transferring parole and probation collection authority to CCU and its coordination with the new VSU.**

**Exhibit 14**  
**Total Restitution and Fee Collections**  
**Fiscal 2014-2019 (Est.)**  
**(\$ in Millions)**



Source: Department of Public Safety and Correctional Services

## ***Operating Budget Recommended Actions***

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- |  | <b><u>Amount<br/>Reduction</u></b> |
|--|------------------------------------|
| 1. Increase turnover to 10%. The agency has maintained vacancy rates at or above the 10% level for more than four years. If additional funds are needed to fill positions, the agency can transfer funds resulting from correctional officer vacancies to this agency. | \$ 3,700,000 GF                    |
| 2. Adopt the following narrative:  |                                    |

**Division of Parole and Probation Regional and National Caseload Report:** In recent fiscal years, the Division of Parole and Probation (DPP) has been working to reduce caseloads to a manageable level for its parole and probation agents. In fiscal 2018, caseloads per agent were 81.4 – just under the national average of 82. However, some offices have over 100 cases per agent. The budget committees request a report due by November 30, 2019, from DPP on the following:

- efforts to maintain uniform caseloads in each region that are under the national average;
- the exact breakdown of general supervision caseloads by office into DPP categories (low, moderate, high risk, administrative, and Violence Prevention Initiative (VPI)) for fiscal 2016 to 2018;
- an explanation of why VPI caseload numbers are dramatically lower than during the time of the fiscal 2016 workload and staffing study;
- an evaluation of staff realignment to move regions with surplus agents to regions that are far above the national average, as well as an evaluation of whether the relatively low Central Region Operations caseload of 64 per agent is manageable given the prevalence of violent offenders and very low agent to support staff ratios; and
- an evaluation of the agent to support staff ratios in the fiscal 2018 DPP Caseloads and Vacancies Report with the goal of determining how many support staff members are needed for each office in each region.

Information Request	Author	Due Date
DPP regional and national caseload report	DPP	November 30, 2019

3. Adopt the following narrative:

**Division of Parole and Probation Collections and Restitution Report:** The Division of Parole and Probation (DPP) collections are labor-intensive and continue to decline in recent years. Transferring collection duties to the State's Central Collection Unit (CCU) could save money and reduce parole and probation agent workloads. The budget committees request a joint report from DPP and the Department of Budget and Management (DBM) on the collection process and continued decline in restitution fees, as well as the advantages and impediments of transferring collection authority to CCU and DPP coordination with the new Victim Services Unit. This report should be submitted to the committees by August 1, 2019.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
DPP collections and restitution report	DPP DBM	August 1, 2019

4. Adopt the following narrative:

**New Offense and Technical Violation Information:** The Division of Parole and Probation (DPP) reports the number of new offenses committed when cases are closed for revocation. In addition, it reports the number of new intakes at its facilities each year who are classified as returned from parole. To better understand this data, and why offenders are returning to prison, the budget committees request that DPP submit a report that outlines how many cases were closed in fiscal 2018 due to new offenses, how many were closed due to technical violations, and what types of offenses and violations were committed. The report should be submitted to the committees by July 1, 2019.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
New offense and technical violation information	DPP	July 1, 2019

<b>Total General Fund Reductions</b>	<b>\$ 3,700,000</b>
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**Appendix 1**  
**Current and Prior Year Budgets**  
**DPSCS – Division of Parole and Probation**  
**(\$ in Thousands)**

	<b><u>General Fund</u></b>	<b><u>Special Fund</u></b>	<b><u>Federal Fund</u></b>	<b><u>Reimb. Fund</u></b>	<b><u>Total</u></b>
<b>Fiscal 2018</b>					
Legislative Appropriation	\$109,184	\$6,633	\$0	\$104	\$115,922
Deficiency/Withdrawn Appropriation	-1,253	-44	0	0	-1,297
Cost Containment	0	0	0	0	0
Budget Amendments	-6,829	-24	0	0	-6,853
Reversions and Cancellations	-521	-1,452	0	-9	-1,982
<b>Actual Expenditures</b>	<b>\$100,581</b>	<b>\$5,114</b>	<b>\$0</b>	<b>\$95</b>	<b>\$105,790</b>
<b>Fiscal 2019</b>					
Legislative Appropriation	\$102,597	\$6,630	\$0	\$105	\$109,332
Budget Amendments	786	56	0	0	843
<b>Working Appropriation</b>	<b>\$103,384</b>	<b>\$6,686</b>	<b>\$0</b>	<b>\$105</b>	<b>\$110,175</b>

DPSCS: Department of Public Safety and Correctional Services

Note: The fiscal 2019 appropriation does not include deficiencies, a one-time \$500 bonus, or general salary increases. Numbers may not sum to total due to rounding.

## **Fiscal 2018**

### **General Fund**

General fund expenditures for fiscal 2018 were approximately \$100.6 million, a decrease of \$8.6 million from the legislative appropriation. Overall, fiscal 2018 budget amendments and withdrawn appropriations totaled approximately a net negative \$8.1 million that consisted of \$6.3 million in funding removed via budget amendment to transfer the Pretrial Release Services Program to the Division of Pretrial Detention. Of the remaining amount, \$1.3 million was an across-the-board reduction for employee and retiree health insurance to reflect a surplus balance in the fund. General fund reversions totaled \$521,000 in salary savings for contractual employees and unspent funds for the Division of Parole and Probation contractual and rental obligations.

### **Special Fund**

Fiscal 2018 special fund expenditures totaled \$5.1 million, a net \$1.5 million decrease from the legislative appropriation. The special fund appropriation decreased by a net \$68,000 in budget amendments and across-the-board reductions; \$24,000 was allocated to realign funds with actual expenditures, and \$44,000 in reductions for employee and retiree health insurance surpluses. At the close of fiscal 2018, funds were canceled due to decreases in the Drinking Driver Monitor Program revenue collections and parole and probation fees.

### **Reimbursable Fund**

Reimbursable funds totaled \$95,000, a decrease of \$9,000 from the legislative appropriation, all of which is related to unused Governor's Office of Crime Control and Prevention grant funds for the Interagency War Room.

## **Fiscal 2019**

Budget amendments increase the fiscal 2019 working appropriation by approximately \$786,000 in general funds and \$56,000 in special funds for statewide general salary increases.

**Appendix 2**  
**Object/Fund Difference Report**  
**DPSCS – Division of Parole and Probation**

<u>Object/Fund</u>	<u>FY 18 Actual</u>	<u>FY 19 Working Appropriation</u>	<u>FY 20 Allowance</u>	<u>FY 19 - FY 20 Amount Change</u>	<u>Percent Change</u>
<b>Positions</b>					
01 Regular	1,118.00	1,118.00	1,115.00	-3.00	-0.3%
02 Contractual	35.55	61.45	61.45	0.00	0%
<b>Total Positions</b>	<b>1,153.55</b>	<b>1,179.45</b>	<b>1,176.45</b>	<b>-3.00</b>	<b>-0.3%</b>
<b>Objects</b>					
01 Salaries and Wages	\$ 91,472,154	\$ 93,890,681	\$ 94,519,360	\$ 628,679	0.7%
02 Technical and Special Fees	1,203,042	1,788,434	1,692,143	-96,291	-5.4%
03 Communication	784,020	778,525	764,921	-13,604	-1.7%
04 Travel	234,576	292,900	269,400	-23,500	-8.0%
06 Fuel and Utilities	295,776	234,900	306,200	71,300	30.4%
07 Motor Vehicles	776,532	741,069	583,789	-157,280	-21.2%
08 Contractual Services	5,543,596	7,183,422	7,474,572	291,150	4.1%
09 Supplies and Materials	274,189	410,500	325,950	-84,550	-20.6%
10 Equipment – Replacement	857,331	92,456	99,238	6,782	7.3%
11 Equipment – Additional	2,907	0	0	0	0.0%
12 Grants, Subsidies, and Contributions	500,000	500,000	500,000	0	0%
13 Fixed Charges	3,846,095	4,261,989	4,587,454	325,465	7.6%
<b>Total Objects</b>	<b>\$ 105,790,218</b>	<b>\$ 110,174,876</b>	<b>\$ 111,123,027</b>	<b>\$ 948,151</b>	<b>0.9%</b>
<b>Funds</b>					
01 General Fund	\$ 100,581,351	\$ 103,383,742	\$ 104,248,937	\$ 865,195	0.8%
03 Special Fund	5,113,948	6,685,730	6,768,325	82,595	1.2%
09 Reimbursable Fund	94,919	105,404	105,765	361	0.3%
<b>Total Funds</b>	<b>\$ 105,790,218</b>	<b>\$ 110,174,876</b>	<b>\$ 111,123,027</b>	<b>\$ 948,151</b>	<b>0.9%</b>

DPSCS: Department of Public Safety and Correctional Services

Note: The fiscal 2019 appropriation does not include deficiencies, a one-time \$500 bonus, or general salary increases. The fiscal 2020 allowance does not include general salary increases.