

**Written Testimony of Marsha Briley**  
**Former DPSCS Employee**  
**In Support of SB 87**  
**Maryland Senate Judicial Proceedings Committee**  
**February 7, 2023**

I want to thank the Chair, Vice-Chair, and members of the Senate Judicial Proceedings Committee for the opportunity to provide written testimony in support of SB 87, a bill to establish an independent ombudsman office within the Office of the Maryland Attorney General, to provide independent oversight of the Maryland Department of Public Safety and Correctional Services (DPSCS).

I am a former employee of DPSCS and advocate working with the Maryland Alliance for Justice Reform. I was a state employee that held several positions in state government to include leadership with oversight of staff, contracts, MOUs, programs and policy development and implementation. I am in support of independent oversight of DPSCS because of the unscrupulous practices for which I have personally witnessed from my seat in various positions with DPSCS. I have personally been subjected to retaliation for being ethical and transparent in the performance of my duties which were aligned with state policies, procedures and legislation as will be enumerated in this document.

There were a couple of organizations that receives funding through DPSCS to provide reentry and transition services. One of the organizations billed for services that were not performed and due to their personal and political relationships with executive leadership within DPSCS, they have been able to submit substandard reports and invoice for services in the amount of \$250,000 per year. During COVID and prior to my departure from DPSCS, this organization submitted an invoice for several thousands of dollars for services they stated were performed during COVID. I refused to approve the invoice and requested documentation of services as all facilities were closed to all programs. The organization was unable to submit appropriate documentation. There were several meetings held to discuss my request. The organization contacted the Office of the Secretary and I was pressured to sign the invoice, however I refused. Additionally, the organization submitted a letter stating that they were a sole-sourced service and were the only organization that provided this service. I found that not to be true as another jurisdiction provided this service in their detention center, however they were independent of this organization. I involved the Procurement office to ensure we were in compliance with State procurement laws and was involved in developing the IFB, however that process never was completed. I and the former Deputy Director of Procurement were ostracized by Office of the Secretary. Our work life became very difficult and was ultimately ended. There was a lack of accountability on every level and most importantly, as with several other instances, the population lack access to appropriate services.

In October 2017, the Maryland General Assembly passed the Justice Reinvestment Act. We are 6 years later and they still are struggling to implement various components of this legislation. DPSCS has failed with implementation of the law specifically in the following areas:

- Inmate Risk and Needs Assessments to Focus Corrections Programs and Treatments – Correctional Services (CS) Art., § 3-601
- All Offenders Screened for “Risk Level”; Use of Risk Needs Assessment – CS Art., §6-104 & 6-111
- “Evidence-Based” and Innovative Corrections Programs – CS Art., §6-119
- Annual training for all Parole & Probation staff on risk factors, interventions & behavior mgt.
- Restitution Withheld from Inmate Earnings – CS Art., §9-614

In closing, DPSCS has historically and most recently been a closed society operating outside of the rules and laws of this state. The accounts from the population and the advocacy groups of the physical mistreatment of the incarcerated population and the lack of staff accountability from the Office of the Secretary down to the line staff is really the surface account of the embedded culture of bullying and arrogance of this state agency. These incidents are merely symptoms of the engrained culture and mismanagement of resources. DPSCS is required to implement evidence-based programs, however they are creating invisible barriers to vetted organizations to provide services to the incarcerated population. Additionally, the individuals who are under supervision by Parole and Probation are also lacking in gaining appropriate services due to the failure to conduct a validated risk and needs assessment. The agency is broken from the time an individual is incarcerated to the time they are placed on community supervised. It is imperative that this legislation passes to ensure there is transparency and accountability within DPSCS, who is charged with protecting our community, their staff and with the care and custody of our most vulnerable populations.

Respectfully submitted,

*Marsha Briley*