

**QC.02**  
**Division of Parole and Probation**  
**Department of Public Safety and Correctional Services**

***Operating Budget Data***

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(\$ in Thousands)

	<b>FY 00</b>	<b>FY 01</b>	<b>FY 02</b>		<b>% Change</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	\$60,502	\$67,976	\$79,316	\$11,340	16.7%
Special Fund	109	70	85	15	21.4%
Federal Fund	451	561	400	(161)	(28.7%)
Reimbursable Fund	<u>468</u>	<u>1,229</u>	<u>274</u>	<u>(954)</u>	<u>(77.7%)</u>
<b>Total Funds</b>	<b>\$61,531</b>	<b>\$69,836</b>	<b>\$80,076</b>	<b>\$10,240</b>	<b>14.7%</b>

- \$7,014,244 increase over the fiscal 2001 working appropriation is due to growth in personnel expenses.
- The decrease in federal and reimbursable funds is associated with the HotSpots program and the High Intensity Drug Treatment Area (HIDTA) program. The initial start-up of the HotSpots has been completed so funding has decreased to an operating level, and HIDTA grants will be lower in 2002 than in prior years.
- \$3,145,547 is for 108 new positions, of which 67 are Parole and Probation Agent I's to phase in the Proactive Community Supervision model that is predicated on the premise that intense concentrated supervision should function as a deterrent to offenders committing another offense.

***Personnel Data***

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	<b>FY 00</b>	<b>FY 01</b>	<b>FY 02</b>	
	<b><u>Actual</u></b>	<b><u>Working</u></b>	<b><u>Allowance</u></b>	<b><u>Change</u></b>
Regular Positions	1,192.50	1,260.50	1,368.50	108.00
Contractual FTEs	<u>110.23</u>	<u>151.78</u>	<u>158.95</u>	<u>7.17</u>
<b>Total Personnel</b>	<b>1,302.73</b>	<b>1,412.28</b>	<b>1,527.45</b>	<b>115.17</b>

***Vacancy Data: Regular***

Budgeted Turnover: FY 02	107.70	7.87%
Positions Vacant as of 12/31/00	95.50	7.58%

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

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- The Governor's allowance includes 108 new regular positions; 67 of those new positions are for Parole and Probation Agent I's as part of the four-year initiative to phase in Proactive Community Supervision.
- Full-time equivalent (FTE) contractual positions were altered in the fiscal 2002 allowance by an increase of 7.17 FTEs. The new positions are Agent Assistants and are part of the new Proactive Community Supervision Plan.

## *Analysis in Brief*

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### Issues

***Break the Cycle:*** The second year analysis of the program reveals that full implementation will require three to five years due the substantial changes to daily operations, treatment of offenders, and interaction with other criminal justice agencies. **The division should discuss with the committees how the program is evolving and what safeguards are in place to ensure that the program functions as it is supposed to so that recent tragedies, such as the shooting death of a Maryland State Police Corporal, are prevented.**

***Proactive Community Supervision:*** The new model of supervision that the Division of Parole and Probation is implementing assumes that intense, concentrated supervision should deter offenders from committing another incarcerable offense. **The division should discuss with the committees how Proactive Community Supervision will not only fundamentally change how supervision occurs but what will be done to ensure that supervision is as effective as it is claimed that it will be.**

### Recommended Actions

	<u>Funds</u>	<u>Positions</u>
1. Add language to restrict the use of general funds in Break the Cycle, Correctional Options Program, Drug Treatment Court, and HotSpots until a report on Resource Deployment Among Program Initiatives is submitted.		
2. Eliminate PIN 050212, Fiscal Clerk III, which has been vacant for more than two years.	\$ 30,960	1.0
3. Add committee narrative requiring the division to report on the implementation of Proactive Community Supervision.		

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4. Add committee narrative requiring the division to report on the Kiosk Offender Reporting System.

<b>Total Reductions</b>	<b>\$ 30,960</b>	<b>1.0</b>
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## **Updates**

***Kiosk Offender Reporting System:*** The system was funded in fiscal 2001 as a pilot project and began operating on February 1, 2001, in the lobby area of the Prince George's County Police Station -- District One Headquarters.

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**QC.02**  
**Division of Parole and Probation**  
**Department of Public Safety and Correctional Services**

***Operating Budget Analysis***

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**Program Description**

The Division of Parole and Probation (DPP) provides offender supervision and investigation services. The division's largest workload involves the supervision of probationers assigned to the division by the courts. Inmates released on parole by the Parole Commission or released from the Division of Correction (DOC) because of mandatory release are also supervised by the division. The Drinking Driver Monitor Program supervises offenders sentenced by the courts to probation for driving while intoxicated or driving under the influence. The division also monitors offenders in the Correctional Options Program (COP), which diverts offenders from the prison system whose criminal acts result from drug use.

The division investigates possible violations committed by offenders under its supervision and by inmates appearing before the Parole Commission. The Governor, through the Parole Commission, can request an investigation if a pardon is being considered. The courts request investigations of particular suspects appearing in court. Law enforcement agencies in other states also request investigations of suspects and offenders with criminal histories in Maryland.

**Governor's Proposed Budget**

Compared to the fiscal 2002 working appropriation, the fiscal 2001 allowance increases by approximately \$10.2 million, to \$80.1 million. **Exhibit 1** shows that most of the general fund increase is attributed to personnel expenses. The remainder of the general fund increase is due to the annualization of costs associated with the HotSpots expansion.

Over \$7.0 million of the increase over the fiscal 2001 working appropriation is due to growth in personnel expenses. Specific increases are for the general salary increase, health insurance, Social Security contributions, the sick leave incentive program, workers' compensation, and overtime earnings.

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**Exhibit 1**

**Governor's Proposed Budget  
Division of Parole and Probation  
(\$ in Thousands)**

<b>How Much It Grows:</b>	<b><u>General Fund</u></b>	<b><u>Special Fund</u></b>	<b><u>Federal Fund</u></b>	<b><u>Reimbursable Fund</u></b>	<b><u>Total</u></b>
2001 Working Appropriation	\$67,976	\$70	\$561	\$1,229	\$69,836
2002 Governor's Allowance	79,316	85	400	274	80,076
Amount Change	\$11,340	\$15	(\$161)	(\$954)	\$10,240
Percent Change	16.7%	21.4%	(28.7)%	(77.7)%	14.7%
<b>Where It Goes:</b>					
<b>Personnel Expenses</b>					
New positions					\$3,146
Fiscal 2002 general salary increase					1,044
Increments, fiscal 2001 increase phase-in, and other					1,224
Employee and retiree health insurance rate change					1,574
Retirement contribution rate change					(481)
Workers' compensation premium assessment					206
Turnover adjustments					3,481
Other fringe benefit adjustments					(33)
<b>Other Expenses</b>					
Routine/in-state travel for Proactive Community Supervision					313
Telephone installation, service, and cell phones					180
Department of General Services and non-state vendor rent escalations, utilities					114
7.17 contractual full-time equivalent (FTE) agent assistants					36
No additional vehicles purchases in fiscal 2002					(164)
Contractual services, equipment, supplies, and materials decrease based on actual expenses					(400)
<b>Total</b>					<b>\$10,240</b>

Note: Numbers may not sum to total due to rounding

### ***QC.02 - DPSCS - Division of Parole and Probation***

The division received \$3,145,547 and 108 new positions to phase in the Proactive Community Supervision (PCS) model which assumes that intense concentrated supervision should function as a deterrent to offenders committing another offense that would result in incarceration in either a State or local facility. Under this type of supervision, the likelihood of detection or intervention is higher by virtue of agents regularly being present in the area since agents would spend much more time in the neighborhoods and communities instead of in an office.

<u>Position Title</u>	<u>Number of Positions</u>
Parole and Probation Agent I	67
Parole and Probation Field Supervisor I	9
Parole and Probation Field Supervisor II	2
Office Secretary I	13
Employment Training Specialist IV	5
Administrative Specialist III	4
Addictions Program Specialist I	1
Correctional Psychologist	1
Fiscal Specialist I	1
Computer Information Service Specialist I	<u>5</u>
<b>Total</b>	<b>108</b>

The \$35,734 increase in technical and special fees is attributable to the addition of 7.17 contractual FTEs. These positions are Agent Assistants and are part of the new phase-in of the new PCS plan.

Increases in communications totaled \$180,654 and were for telephone installation, telephone service, and the purchase of cell phones associated with the PCS initiative. The postage increases are based upon prior year actual expenditures and the impact of the U.S. Postal Service's rate increase that went into effect in January 2001 and miscellaneous communications, which is generally courier services.

Routine in-state travel increases of \$251,250 are a result of the PCS initiative since agents will spend much more time in the neighborhoods and communities instead of in an office. The remaining increase of \$38,930 for routine in-state travel is based upon prior year actual expenditures and estimated fiscal year 2002 requirements.

Several object classes experienced a net decrease. The net decrease of \$142,704 for additional and replacement motor vehicles and related accessories is because the fiscal year 2002 allowance provides for no additional (new) vehicles. The fiscal 2001 appropriation provided for two additional mini-cargo vans for the transportation of urinalysis samples in the Break the Cycle program and five additional sedans for the Fugitive Warrant Unit funded with grant funds. The fiscal 2002 allowance provides for six replacement sedans; the fiscal 2001 appropriation provided for one replacement sedan.

Contractual services has a net decrease due to: temporary agency assistance being reduced based on prior year actual expenditures and estimated fiscal 2002 requirements; employee education, training, and attendance of conferences and seminars being curtailed; and the deletion of funding since the one-time management study on field staff was completed. There were increases in: data processing application software and non-data processing contractual services for development of an assessment instrument for the PCS initiative; and in security services to maintain safety and order at offices.

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Supplies and materials had a net decrease of \$42,047 based on prior year actual expenditures, although laboratory expenses were increased to purchase more urinalysis testing materials.

Both replacement and additional equipment had an overall decrease. The distribution of funds to arrive at the net decrease are as follows:

- Increase of \$100,742 for replacement of office furniture and equipment. The allowance includes: 87 desk chairs; 82 side chairs; 81 desks; 61 file cabinets; and 43 bookcases. DPP has over 1,200 employees working in more than 35 offices throughout the State. Limited funding in recent years has not allowed the division to purchase new furniture and, therefore, much of the office furniture in the division is in poor condition.
- Decrease of \$50,695 for replacement of microcomputer equipment purchased with grant funds in fiscal 2001.
- Decrease of \$66,595 for replacement of Breathalyzer for Drinking Driver Monitoring Program in fiscal 2001.
- Net decrease of \$41,966 for additional office equipment, which includes an increase of \$162,000 associated with the PCS initiative.
- Decrease of \$219,120 for the one-time purchase in fiscal 2001 of additional microcomputers and other data processing equipment for the grant "HotSpots and Proactive Community Supervision Project."
- Increase of \$11,795 for security equipment, which includes an increase of \$19,095 for the PCS initiative.

Increases in rent paid to the Department of General Services and outside vendors total \$95,317. The increases are due to adjustments in leases for field offices based on current leases with escalation clauses and expected increases in leases that will be renewed in 2002.

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The object class discussion reveals that there was only a \$44,069 increase in the fiscal 2002 allowance over the fiscal 2001 appropriation for non-personnel items, which is similar to the last two fiscal years in that the vast majority of the division's budgetary increases were associated with personnel. **The division should be prepared to comment on the impact of this minimal increase in nonpersonnel expenses on agency operations.**

Over the next three years DPP will submit budgetary requests of nearly \$15 million funding an additional 244 agents, 41 supervisors, 81 support staff, and 40 contractual agent assistants. It is clear therefore that future requests shall be personnel-based. The new PCS plan contains a comprehensive staffing matrix that spans fiscal 2002 through 2005 and outlines how caseloads will decrease, community visibility of agents and the division will be enhanced, recidivism will be reduced, and staff interaction with offenders will be increased.

Budget bill language from the 2000 legislative session mandated that the Department of Public Safety and Correctional Services (DPSCS) establish separate subprograms and cost centers for each program initiative, specifically naming Break The Cycle, Correctional Options Program, Drug Treatment Court, and HotSpots, so that expenditures could be tracked precisely. The agency established subprograms as required. However, a report entitled "Report on Resource Deployment Among Program Initiatives" that outlines how funds are allocated was never submitted. Therefore, though funds and personnel were allocated to the subprograms as listed in **Exhibit 2**, per legislative intent, the rationale for the particular distributions is not clear.

### **Exhibit 2**

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#### **Division of Parole and Probation Program Funding**

<b><u>Program</u></b>	<b><u>Funds</u></b>	<b><u>Positions</u></b>
Break The Cycle	\$5,559,665	84.5
Correctional Options Program	2,069,166	32.0
Drug Treatment Court	1,420,898	16.0
HotSpots	5,464,607	92.5
Drinking Driver Monitoring Program	7,406,185	152.5
Urinalysis and Treatment Services	4,624,897	25.0
Criminal Supervision	48,889,380	919.5

Source: Department of Public Safety and Correctional Services

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**Performance Analysis: Managing for Results**

Performance indicators relating to the DPP's goals of safe communities and victim services objectives can be found in **Exhibit 3**. For fiscal 2002, the division adjusted Managing for Results (MFR) documentation so that outcomes are more closely linked to goals and objectives.

**Exhibit 3**

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**Program Measurement Data**  
**Division of Parole and Probation**  
**Fiscal 1998 through 2002**

	<u>Actual</u> <u>1998</u>	<u>Actual</u> <u>1999</u>	<u>Est.</u> <u>2000</u>	<u>Actual</u> <u>2000</u>	<u>Est.</u> <u>2001</u>	<u>Est.</u> <u>2002</u>	<u>Ann.</u> <u>Chg.</u> <u>98-00</u>	<u>Ann.</u> <u>Chg.</u> <u>00-02</u>
Active cases at end of fiscal year	50,426	50,750	51,290	52,782	53,884	54,780	2.3%	1.9%
Parole revocations	n/a	n/a	n/a	329	324	315	n/a	-2.2%
Probation revocations	n/a	n/a	n/a	2,649	2,609	2,543	n/a	-2.0%
Mandatory revocations	n/a	n/a	n/a	410	404	393	n/a	-2.1%
Warrants issued	4,314	4,669	4,972	4,815	5,295	5,454	5.6%	6.4%
Number of community service hours assigned	n/a	n/a	n/a	955,944	979,848	994,536	n/a	2.0%

Source: Department of Public Safety and Correctional Services

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The first indicator is related to active or open cases that the division is responsible for at the end of each fiscal year. Though the case active figure is not a performance indicator, the figure is important because nearly every activity, service, and function performed at a DPP office is based in part on the number of open cases. The case ratio under which an agent is operating dictates how the agent will conduct business during the day. An agent with a sizeable case load may dedicate more time and resources to offenders that require a great deal of supervision and are most likely to recidivate as opposed to those that require minimal supervision. Other factors, such as the purchase of reagents for laboratory drug tests and the number of electronic monitoring anklets, are also based on the number of cases. Therefore, active cases are a major key to all planning and budgeting endeavors.

The next three indicators are for types of revocations and address the safe communities goal. The strategy to attain the objective of a 1% reduction in new offenses committed by offenders released by DPP is to "develop managerial/supervisory strategies to reduce the return rate of offenders re-entering the criminal justice system." The accompanying performance measurements are an accounting of parole, probation, and mandatory revocations of release status. An increase in these figures may mean that supervision services are not effective in reshaping offenders' behaviors, while a decrease may mean that services are lacking in some capacity. Consequently, more offenders are violating conditions of parole and probation and more revocations occur. And although movement in the figures in either direction does signal something, it is not clear exactly what is being signaled; therefore, as part of the strategy to reduce the return rate of offenders, contributing factors must be examined to determine why offenders are committing new offenses and what can be done to mitigate the effects of those contributing factors so the return rate may be reduced.

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Warrants issued is a companion component to the offenders revocation issue in that the offenders under the supervision of the division are subject to urinalysis testing and other conditions of release. Should those conditions be violated through positive drug tests or other means, a warrant can be issued for retake for violating conditions of release. Therefore, like the number of revocations, warrants increasing or decreasing is an indicator, but to make the figure more meaningful the factors leading to the request and issuance of the warrant must be analyzed to make knowing the number of warrants issued a more significant indicator.

The final factor on the chart is the number of community service hours assigned. This factor is important, because it supports the second goal: victim services. It is a measurable outcome that is aligned with the objective and participation in community service projects is a form of reparations to the community that was violated, a scheduled and required activity that teaches the offender responsibility, and depending on the type of community service activity performed the offender may learn a transferrable job skill and gain work experience that may assist the offender in acquiring gainful employment which is a factor that contributes to a decline in recidivism.

**The division should discuss with the committees the alterations to its MFR submission in terms of what changes were made, why the changes were made, and how the new indicators will provide better assessments. The division should develop a method to evaluate the factors that impact the effectiveness of supervision services provided and how to remedy those factors to the extent possible. Finally, for fiscal 2003, the division should add a goal, objective, and an outcome(s) to assess the Proactive Community Supervision plan.**

## *Issues*

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### **1. Break the Cycle**

Break the Cycle, an offender treatment management initiative, started in December 1997. The program aims to reduce recidivism among criminal offenders who are addicted to illicit drugs by attempting to integrate public safety and public health operations to create a "seamless system" of drug testing, sanctions, and treatment for addicted offenders throughout the criminal justice system.

There are three main pathways to supervision by the division. First, there are individuals who commit an offense, are sentenced to probation, are then subject to supervision by the division and placed in a supervisory program. Second, there are individuals who commit an offense, are sentenced to incarceration, are subject to supervision by the DOC, are incarcerated in a correctional facility, are later paroled by the Maryland Parole Commission, and as a condition of parole are supervised by DPP. Lastly, there are other individuals who commit an offense, are sentenced to incarceration, are subject to supervision by the DOC, are incarcerated in a correctional facility, and while in the facility the individuals are assessed to determine if assignment to a correctional options program would be appropriate. If deemed appropriate the individual is assigned to a correctional options program, and is then subject to supervision by the DPP.

Those that are assigned probation initially are placed in a supervisory program. One of the major supervisory programs is Break the Cycle. The program is a front-end program, meaning offenders are sentenced to probation, not incarceration.

The program also has a strong offender treatment orientation to reduce recidivism among criminal offenders who are addicted to illicit drugs. The program attempts to fully integrate public safety and public health operations to create a "seamless system" of drug testing, sanctions and treatment for addicted offenders throughout the criminal justice system. Under the initiative, every positive urine test or other non-compliant behavior will be met with a swift, certain, and progressive response. The response will come both from the criminal justice system, which will apply a standardized set of sanctions (and incentives), and from the treatment system, which will work with clinical specialists in DPSCS to move offenders into more (or less) intensive levels of treatment as appropriate. The combination of demanding offender accountability, appropriate referral to treatment and supervision levels, and applying the coercive leverage of sanctions has been documented to reduce drug use and criminal activity among this population.

Break the Cycle demonstrates that agents can positively impact offenders when a well-designed case management plan, including the appropriate rehabilitative services, is put in place. The programs create partnerships with the judiciary, law enforcement, treatment providers, and the community that function as a framework for the offender to build positive experiences in educational advancement, successful drug and/or alcohol rehabilitation, learning a vocation or job skills, gaining work experience, and other life skills. It also means that if the offender falls into non-compliant behavior and violates a condition of probation, graduated sanctions shall be applied. The concept of graduated sanctions is to demonstrate to the offender that there are degrees of sanctions based upon the severity of the infraction, and that a minor infringement does not necessarily mean a trip to jail. Instead, the offender's remediation plan may need to be adjusted so that the situation does not occur. It also is supposed to signal to the offender that should a violation be major the sanction will also be major.

Sanctions are designed to improve offender compliance with conditions of probation. There are two types of sanctions: administrative and court-ordered. Administrative sanctions provide DPP standards on how to respond to various instances of non-compliance. Court-ordered sanctions are special sanctions that a court directs DPP to impose for certain violations.

Unfortunately, recent events highlight that the sanction program is not as swift or as effective as it should be. The shooting death of a Maryland State Police Corporal by a probationer highlights the situation where during the first year of operation, agents responded to violations only 3.5% of the time; although the response rate in year two has increased to 18%, the response rate is still unacceptable for a program that vaunts swift and certain action.

Kofi Orleans-Lindsay was a probationer under the supervision of the division's Silver Spring office. His original probation for possession with intent to distribute began April 1997. Six months later a summons was issued due to his repeated probation violations for failure to remain in treatment, failure to report to agent, and failure to pay restitution. In

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December 1997, he was arrested on new drug-related charges. During his trial in March 1999, he pled guilty to possession with intent to distribute and the probation violation. When Orleans-Lindsay was sentenced in June 1999, the agent was not given the opportunity to speak about his lack of compliance during his initial period of probation. The court continued Orleans-Lindsay on probation. Immediately following sentencing, he complied with most of the requirements of his supervision. Beginning in May 2000, Orleans Lindsay began to violate the terms of supervision as he had during his stint on probation. The agent assigned to this case failed to promptly take the appropriate action. Tragically, it was not until late October 2000, two days before Corporal Edward Toatley was shot, that the agent started to prepare a warrant application on Orleans-Lindsay. DPP did not know that Orleans-Lindsay had become the target of a lengthy drug investigation by law enforcement.

During the period when action should have been initiated in this case, the agent's caseload averaged 168 active cases. The statewide average caseload during this same period was 103 active cases. The agents in the division's Silver Spring office were handling exceptionally high caseloads because three agents had resigned. The loss of staff is a longstanding problem, especially in the division's Washington area offices. After a full investigation of the agent's action it was determined that disciplinary action was appropriate.

This initiative's fiscal 2002 budget allowance is \$5.5 million and it operates in seven jurisdictions: Baltimore City and Baltimore, Charles, Howard, Prince George's, Montgomery, and Washington counties. There is a standing population of 9,000 offenders in Break the Cycle and 86 agents are specifically assigned to Break the Cycle. There are also agents that manage Break the Cycle cases in addition to other cases.

The February 12, 2001, report entitled *Break the Cycle Overview of Offender and System Issues in Year 2 of Implementation* by Dr. Faye S. Taxman noted the following:

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- The average Break the Cycle offender is: male, between 21-33 years of age, has had 5.2 prior arrests, and 2 prior convictions. Additionally, the average offender is admitted into treatment, by the public health system, nearly 120 days after drug testing begins by the DPP. In the second year, efforts were undertaken to implement the Break the Cycle model with a focus on improvements in treatment access and retention and a focus on graduated sanctions.
- Nearly 59% of the offenders either tested positive for an illicit substance or failed to appear for a drug test. The average offender was drug tested every 7.2 days, and the positive test rate declined by 56% to 12% and the no-show rate declined by 38% to 20%. This appears to show that regular drug testing is deterring offenders from continuing to use/abuse illicit substances and offenders are appearing to take the drug tests. The likelihood of rearrest for Break the Cycle offenders during the first 180 days of supervision dropped by 28%.
- During the first year of operation, agents responded to violations only 3.5% of the time; in year two the response rate has increased to 18%. Although this is far below a level that would be deemed holding offenders accountable, there is promise that it will improve. A November 2000 audit of the Montgomery County Rapid Sanction Project, where the staff has been augmented with agent assistants, found the response rate to be 97%.
- Prior to Break the Cycle, the Judiciary took an average of 152 days to hold a revocation hearing for a probation. Since the advent of Break the Cycle in 1998, the number of days has dropped. In 1999 the average was 120 days, and in 2000 it was 86 days. However, although the revocation hearing are being held more rapidly, the serving of the warrants by local law enforcement needs to happen more quickly. As for October 30, 2000, the average length of time a warrant has been outstanding is 192 days. Therefore, on average 278 days pass from when a warrant is issued to when an individual appears for a revocation hearing.

The Year 2 review reveals that four major areas require additional assistance, including:

- development of a formal policy and procedures manual;
- training agents to use automated systems;
- timely retrieval of drug test results; and
- expediting referral to treatment providers of assessed offenders in Baltimore City.

To address those four issues the division has prepared a manual, trained more agents on automated systems, implemented new drug testing protocols to ensure timely processing and dissemination of results, and implemented management controls to expedite referrals to treatment in Baltimore City.

**The division should discuss with the committees increasing sanction imposition rates by agents under Break the Cycle, working with the Judiciary to continue reducing the number days before a revocation hearing, working with local law enforcement agencies to reduce the number of days that pass before a warrant is served, staff training to improve understanding of Break the Cycle principles and practices, and the purpose of agent assistants and how those positions have improved sanction imposition rates in the Montgomery County and Washington County pilots.**

## **2. Proactive Community Supervision**

The PCS model that DPP plans to implement assumes that intense, concentrated supervision should deter offenders from committing another offense that would result in incarceration in either a State or local facility. Under this type of supervision the likelihood of detection or intervention is higher by virtue of agents regularly being present in the area since agents would spend much more time in the neighborhoods and communities instead of in an office.

The differences between current supervision practices and how supervision will occur under the PCS methods are listed below. Major differences include:

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- Role of Agents
  - Agents will go to the offenders, be a presence in the community and function as a community resource for educational and employment opportunities.
  - Graduated sanctions will be available and will be able to be imposed more rapidly due to lower caseloads.
  - Technological assistance in the form of laptop computers, body armor, and mobile telephones will increase agent safety and enhance communication.
  - Other agents, supervisors, police, treatment providers, and other community partners will work as a team on home visits, locating offenders, surveillance, monitoring, and execution of both parole retake warrants and violation of probation.
  - Alternative work schedules will include evenings and weekends.
- Role of Supervisors
  - Reduce span of control to 1:5-6 agents ratio from 1:8-10 agents ratio.
  - Allow for greater out of office observation and assistance of agents within the new team approach, and community networking through alternative work schedules.
  - Assist with development and implementation of offender case management plans.
  - Enhance technology training and professional development opportunities.

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- Agent Caseload Ratio
  - Optimum caseload levels:  
50-55 intensive level cases for offenders who pose a high risk or have a high level of need; or  
200 standard level cases for offenders who pose a low risk or have a low level of need.
- Performance Assessment
  - Performance will be measured by offender outcomes.
  - Performance measures will be assessed in terms of whether a particular measure increased or decreased.
- Training/Qualifications
  - A major component of PCS involves working as a team; therefore, agents and supervisors will be required to participate in training to develop:
  - Interpersonal and leadership skills;
  - Conflict management strategies;
  - Team building capabilities; and
  - Technological proficiencies.

Agents and supervisors must also be able to use the new offender risk assessment tool which focuses on case management and testing of the offender as well as teach decision making and other skills to offenders.

Career development will be a cornerstone of the new program so that the best candidates will be attracted to the positions, and retention of current agents and supervisors will not be an issue.

### **Additional Information Technology Resources**

The PCS plan relies heavily on the rapid exchange of data and information between multiple parties so as to provide an electronic safety net.

DPP is working in conjunction with other agencies under DPSCS's purview to develop a departmentwide information systems master plan that will provide DPP the access and functionality necessary to deploy and expand the PCS program. The department is examining the employment/creation of new enterprise architecture and will likely move from mainframe systems to a PC-based, web-enabled and/or web-based environment.

Access to the Criminal Justice Information System (CJIS), Offender Based State Correctional Information (OBSCIS), Community Offender Supervision Information System (COSIS), and High Intensity Drug Trafficking Area Automated Treatment Tracking System (HATTS) are programs and databases that DPP has deemed crucial to optimizing the PCS potential.

In addition to new programs, laptops, and mobile phones, a monitoring kiosk was deployed in Prince George's County on February 1, 2001. The kiosk allows a select group of low-risk/low need offenders to be monitored while also functioning as a supplemental reporting method for sexual offenders.

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### **Assessment Strategies/Treatment Needs**

New assessment tools are being developed to more effectively classify offenders and indicate more appropriate treatment recommendations. The PCS plan has two levels of classification: intensive and standard. A risk assessment tool will be employed to identify low-risk offender that may not need a full assessment, thus conserving valuable resources. The tools will be able to be used at all stages of supervision and the data/information will be accessible throughout the criminal justice system.

The division developed a comprehensive staffing matrix that spans fiscal 2002 through 2005. Once implemented, the plan will decrease caseloads, enhance community visibility, reduce recidivism, and increase staff interaction through total budgetary enhancements of nearly \$15 million, 244 agents, 41 supervisors, 81 support staff, and 40 contractual agent assistants.

There are areas of PCS that will need to be examined more closely to ensure a successful deployment program and that fiscal resources are sufficient to execute the program:

### **Information Technology**

The comprehensive departmentwide plan will need to clearly enumerate steps and the cost of each step to realization of the envisioned information technology component of DPP's plan. The departmentwide information technology plan that was released in September 2000 starts this process but further refinement is necessary.

### **Salaries**

\$2.4 million was appropriated during the 2000 legislative session for a two-step upgrade for 886 parole and probation positions, effective January 2001, in order to bring salary parity with similar law enforcement positions, increase hiring through more attractive entry salaries, and boost retention rates. However, new job descriptions are being written to reflect the enhanced skill sets that will be necessary for an agent to possess under the PCS model. It is not noted in the report if current salary levels only adjusted annually in accordance with the State general salary increase will be adequate. The salaries listed in the staffing plan only pertain to the new positions that will be requested and not current staff.

### **Offender Services**

Projections indicate that parole and probation cases will increase over the current and coming fiscal year. It is not clear that the mere reduction in caseload supervision ratios through a larger staff, which should lead to greater levels of contact between offenders and staff and better assessment tools, will prove adequate to meet the needs of a system that is projected to expand but currently lacking treatment resources. The increased interaction between offenders and staff should cause recidivism to decline; however, sustainable decreases may not be realized without proper treatment of offenders which is difficult to obtain in certain geographic regions of the State.

**The division should discuss with the committees:**

- **How information technology will impact how the division supervises offenders, when the technology will be deployed, and where technology will be located or utilized.**
- **What the impact of the 108 new regular positions will be on caseload ratios and how supervision will be more effective.**
- **Additionally the division should elaborate on future personnel and fiscal requirements associated with Proactive Community Supervision.**

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## Recommended Actions

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1. Add the following language:

, provided \$1,000,000 in general funds from each of the following programs: Break the Cycle, Correctional Options Program, Drug Treatment Court, and HotSpots may not be expended until the Report on Resource Deployment Among Program Initiatives is submitted for review and comment. The report shall reflect resource deployment and expenditure information for each program initiative to date in fiscal 2001, as well as the rationale used to determine the appropriate levels of deployment between the program initiatives. The report shall also provide to the extent possible for each program initiative the resource deployment and expenditures for the fiscal 2001 working appropriation.

**Explanation:** The division did not fully comply with the request for this information last year and the language ensures legislative oversight of resource deployment through budgetary discretion.

Information Request	Authors	Due Date
Report on Resource Deployment Among Program Initiatives	DPSCS	As determined by the department

- |  | <u>Amount Reduction</u> |    | <u>Position Reduction</u> |
|--|-------------------------|----|---------------------------|
| 2. Eliminate PIN 050212, Fiscal Clerk III, located in Field Services, which has been vacant for more than two years. | \$ 30,960               | GF | 1.0                       |
3. Adopt the following narrative:

**Report on Implementation of Proactive Community Supervision Model:** The committees are concerned about the new model of offender supervision being properly implemented and achieving the stated outcomes. The division should submit a report by October 15, 2001, that addresses the:

- progress of program implementation;
- continuing policy implications;
- budgetary impacts;
- information technology component of the plan;
- salary levels; and
- offender services.

Information Request	Authors	Due Date
Report on Implementation of Proactive Community Supervision	DPSCS	October 15, 2001

4. Adopt the following narrative:

**Report on Kiosk Offender Reporting System:** The committees are concerned about the new kiosk method of offender supervision achieving the stated outcomes and being an effective method of supervision. The division should submit a report by October 15, 2001, that addresses:

- utilization levels;

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- rearrest and violation rates between kiosk users and offenders under traditional supervision;
- removal of offenders from the kiosk option of reporting;
- response rates to kiosk generated correspondence;
- verification of kiosk entered data by agents.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>	
Report on Kiosk Offender Reporting System	DPSCS	October 15, 2001	
<b>Total General Fund Reductions</b>		<b>\$ 30,960</b>	<b>1.0</b>

## *Updates*

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### **1. Kiosk Offender Reporting System**

The Kiosk Offender Reporting System (KORS) was funded in fiscal 2001 as a pilot project. The aim of the kiosk project is to allow low-risk offenders who require minimal supervision to report to a remote site during specified hours. The kiosk was installed on January 7, 2001, staff was trained January 8-10, 2001, and the remainder of the month of January was spent enrolling offenders. On February 1, 2001, offenders actually began reporting to the kiosk.

The kiosk is in the lobby area of the Prince George's County Police Station -- District One Headquarters located at 4900 Rhode Island Avenue in Hyattsville. The site was chosen based upon an analysis of where the greatest number of low-level offenders are located, and because the location is approximately 100 feet from the Division's Hyattsville office. Under an agreement with the Prince George's County Police, offenders may report between the hours of 6:00 a.m. to 11:00 p.m., 7 days a week.

The kiosk is being used as the primary form of reporting for low-risk offenders and as a supplemental reporting method for sexual offenders. The sexual offenders continue to report to their agents on their regular schedule. Offenders sign onto the machine utilizing biometric identification scanners and passwords and then complete a series of customized, offender-specific questions. The system also permits offenders to update basic information electronically, such as home and work addresses and phone numbers, which are then verified by agents. The low-risk offenders are required to report to an agent under certain circumstances, such as failing to respond to a computer generated letter from the kiosk, a new arrest, or an address change that cannot be verified. As such, specific concerns from last year regarding face-to-face contact with agents and agents' ability to closely monitor offenders have been addressed. Agents will indeed see offenders periodically, and as with offenders who are still on the standard report to an office and see an agent protocol, sanctions shall be levied when an infraction or violation occurs.

Discussions with the supervising agent of the project revealed that some offenders have actually reported to the kiosk up to three times in the first month. The offenders like the relative ease of the touch screen, the convenience and flexibility of reporting, and that the entire process takes approximately three minutes to complete, all of which should help keep offenders reporting regularly. About 130 offenders currently are reporting via the kiosk, therefore the first month's projections have been realized. The machine is capable of handling up to 1,500 offenders. The division plans to utilize the kiosk up to its full capacity.

The cost of the kiosk, software, set-up, and maintenance is \$60,000 per year. The kiosk pilot project will be evaluated after a year of operation.

## ***Current and Prior Year Budgets***

<b>Current and Prior Year Budgets</b>					
<b>Division of Parole and Probation</b>					
(\$ in Thousands)					
	<b><u>General</u></b>	<b><u>Special</u></b>	<b><u>Federal</u></b>	<b><u>Reimb.</u></b>	<b><u>Total</u></b>
	<b>Fund</b>	<b>Fund</b>	<b>Fund</b>	<b>Fund</b>	
<b>Fiscal 2000</b>					
Legislative Appropriation	\$59,464	\$95	\$572	\$832	\$60,963
Deficiency Appropriation	0	0	0	0	0
Budget Amendments	1,038	15	96	0	1,149
Reversions and Cancellations	0	0	(217)	(364)	(581)
<b>Actual Expenditures</b>	<b>\$60,502</b>	<b>\$110</b>	<b>\$451</b>	<b>\$468</b>	<b>\$61,531</b>
<b>Fiscal 2001</b>					
Legislative Appropriation	\$67,481	\$70	\$561	\$842	\$68,954
Budget Amendments	496	0	0	386	882
<b>Working Appropriation</b>	<b>\$67,977</b>	<b>\$70</b>	<b>\$561</b>	<b>\$1,228</b>	<b>\$69,836</b>

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

Actual expenditures in fiscal 2000 totaled \$61.5 million and were \$0.5 million greater than the legislative appropriation. The majority of the additional general funds (\$798,988) were for the implementation of the annual salary review for fiscal and clerical employees, an additional six weeks cost-of-living adjustment, and implementation of the deferred compensation match program statewide.

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- A second general fund budget amendment for \$239,000 was to transfer surplus funds at year-end from the other agencies within the department to DPP to cover deficiencies in salaries, temporary agency assistance, postage, and telephone expenses.
- A special fund amendment of \$15,000 was due to the increase in the collection of fines, fees, and restitution.
- A federal fund amendment of \$96,200 was from the Drug Court Enhancement Initiative for Baltimore City to develop a law enforcement component to work with drug treatment court.

In fiscal 2001, three budget amendments totaling \$882,259 have been processed.

- \$495,772 in general funds for implementation of the new State salary plan and deferred compensation program;
- \$286,813 grant in reimbursable funds through the Governor's Office of Crime Control and Prevention to fund equipment projects related to Break the Cycle, Hotspots, and PCS; and
- \$99,674 grant in reimbursable funds through the Governor's Office of Crime Control and Prevention; the grant entitled Fugitive Warrant Unit, for the period from August 28, 2000, through September 30, 2000, was for the purpose of equipping a fugitive warrant unit with covert vehicles, weapons, prisoner restraints, and desktop computers for the unit to operate in the Baltimore metropolitan area.

**Object/Fund Difference Report  
DPSCS - Division of Parole and Probation**

<b>Object/Fund</b>	<b>FY00</b>	<b>FY01</b>	<b>FY02</b>	<b>FY01 - FY02</b>	<b>Percent Change</b>
	<b>Actual</b>	<b>Working Appropriation</b>	<b>Allowance</b>	<b>Amount Change</b>	
<b>Positions</b>					
01 Regular	1192.50	1260.50	1368.50	108.00	8.6%
02 Contractual	110.23	151.78	158.95	7.17	4.7%
<b>Total Positions</b>	<b>1302.73</b>	<b>1412.28</b>	<b>1527.45</b>	<b>115.17</b>	<b>8.2%</b>
<b>Objects</b>					
01 Salaries and Wages	\$ 49,073,756	\$ 55,663,644	\$ 65,823,435	\$ 10,159,791	18.3%
02 Technical & Spec Fees	2,734,253	3,248,815	3,284,549	35,734	1.1%
03 Communication	1,193,021	1,460,482	1,641,136	180,654	12.4%
04 Travel	635,751	527,284	840,794	313,510	59.5%
06 Fuel & Utilities	57,095	37,711	56,970	19,259	51.1%
07 Motor Vehicles	424,694	412,991	249,487	(163,504)	(39.6%)
08 Contractual Services	2,798,418	3,100,145	3,006,891	(93,254)	(3.0%)
09 Supplies & Materials	1,395,100	1,279,224	1,237,150	(42,074)	(3.3%)
10 Equip - Replacement	19,291	166,470	149,922	(16,548)	(9.9%)
11 Equip - Additional	129,267	430,386	181,095	(249,291)	(57.9%)
12 Grants, Subsidies, Contr	757,663	654,830	654,830	0	0%
13 Fixed Charges	2,312,244	2,854,197	2,949,514	95,317	3.3%
<b>Total Objects</b>	<b>\$ 61,530,553</b>	<b>\$ 69,836,179</b>	<b>\$ 80,075,773</b>	<b>\$ 10,239,594</b>	<b>14.7%</b>
<b>Funds</b>					
01 General Fund	\$ 60,501,595	\$ 67,976,476	\$ 79,316,237	\$ 11,339,761	16.7%
03 Special Fund	109,376	70,000	85,000	15,000	21.4%
05 Federal Fund	451,439	560,850	400,124	(160,726)	(28.7%)
09 Reimbursable Fund	468,143	1,228,853	274,412	(954,441)	(77.7%)
<b>Total Funds</b>	<b>\$ 61,530,553</b>	<b>\$ 69,836,179</b>	<b>\$ 80,075,773</b>	<b>\$ 10,239,594</b>	<b>14.7%</b>

Note: Full-time and contractual positions and salaries are reflected for operating budget programs only.

		Fiscal Summary						
		DPSCS - Division of Parole and Probation						
<u>Unit/Program</u>	<u>FY00 Actual</u>	<u>FY01 Legislative Appropriation</u>	<u>FY01 Working Appropriation</u>	<u>FY00 - FY01 % Change</u>	<u>FY02 Allowance</u>	<u>FY01 - FY02 % Change</u>		
01 General Administration	\$ 3,969,467	\$ 3,932,826	\$ 3,965,958	(0.1%)	\$ 4,640,875	17.0%		
02 Field Operations	57,561,086	65,021,093	65,870,221	14.4%	75,434,898	14.5%		
<b>Total Expenditures</b>	<b>\$ 61,530,553</b>	<b>\$ 68,953,919</b>	<b>\$ 69,836,179</b>	<b>13.5%</b>	<b>\$ 80,075,773</b>	<b>14.7%</b>		
General Fund	\$ 60,501,595	\$ 67,480,704	\$ 67,976,476	12.4%	\$ 79,316,237	16.7%		
Special Fund	109,376	70,000	70,000	(36.0%)	85,000	21.4%		
Federal Fund	451,439	560,850	560,850	24.2%	400,124	(28.7%)		
<b>Total Appropriations</b>	<b>\$ 61,062,410</b>	<b>\$ 68,111,554</b>	<b>\$ 68,607,326</b>	<b>12.4%</b>	<b>\$ 79,801,361</b>	<b>16.3%</b>		
Reimbursable Fund	\$ 468,143	\$ 842,365	\$ 1,228,853	162.5%	\$ 274,412	(77.7%)		
<b>Total Funds</b>	<b>\$ 61,530,553</b>	<b>\$ 68,953,919</b>	<b>\$ 69,836,179</b>	<b>13.5%</b>	<b>\$ 80,075,773</b>	<b>14.7%</b>		