

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

Operating Budget Data

(\$ in Thousands)

	<u>FY 15</u> <u>Actual</u>	<u>FY 16</u> <u>Working</u>	<u>FY 17</u> <u>Allowance</u>	<u>FY 16-17</u> <u>Change</u>	<u>% Change</u> <u>Prior Year</u>
General Fund	\$99,865	\$102,344	\$108,885	\$6,541	6.4%
Deficiencies and Reductions	0	0	-353	-353	
Adjusted General Fund	\$99,865	\$102,344	\$108,532	\$6,188	6.0%
Special Fund	6,599	6,097	6,148	51	0.8%
Deficiencies and Reductions	0	0	-7	-7	
Adjusted Special Fund	\$6,599	\$6,097	\$6,141	\$43	0.7%
Reimbursable Fund	125	112	105	-7	-5.9%
Adjusted Reimbursable Fund	\$125	\$112	\$105	-\$7	-5.9%
Adjusted Grand Total	\$106,590	\$108,554	\$114,778	\$6,224	5.7%

- The fiscal 2017 allowance for the Division of Parole and Probation (DPP) increases by \$6.2 million when compared to the fiscal 2016 working appropriation. This is driven by a General Fund increase of about \$5.7 million for personnel expenses. The allowance also includes an additional \$540,000 in general funds to create a day reporting center in Baltimore City, as recommended by the Heroin and Opioid Emergency Task Force.

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

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Personnel Data

	<u>FY 15</u> <u>Actual</u>	<u>FY 16</u> <u>Working</u>	<u>FY 17</u> <u>Allowance</u>	<u>FY 16-17</u> <u>Change</u>
Regular Positions	1,204.00	1,201.00	1,198.00	-3.00
Contractual FTEs	<u>68.61</u>	<u>69.59</u>	<u>69.59</u>	<u>0.00</u>
Total Personnel	1,272.61	1,270.59	1,267.59	-3.00

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	47.20	3.94%
Positions and Percentage Vacant as of 12/31/15	126.00	10.49%

- DPP loses 3 regular positions in the fiscal 2017 allowance, all vacant from the Drinking Driver Monitor Program (DDMP).
- At the close of calendar 2015, DPP had 126 vacant positions. This is more than twice what is needed on average to meet the budgeted turnover rate. Fifty-three of the vacancies are for nonsupervisory parole and probation agent positions, and an additional 13 vacancies are for DDMP agent positions. **DPP should comment on the effect that the high vacancy rate has had on its ability to carry out its mission, as well as the plan to fill vacant positions.**

Analysis in Brief

Major Trends

Pretrial Release Services Program: Between fiscal 2006 and 2015, pretrial investigations declined by more than 25,000, or nearly 60%. On average, the Pretrial Release Services Program (PRSP) receives 4,780 cases annually and supervises approximately 1,175 defendants in any given fiscal year. PRSP staff has been successful in meeting the goals of having 4% or less of its population arrested on new charges while under supervision and having 8% or less of the population fail to appear for required court dates.

Supervision Population: Between fiscal 2010 and 2015, the total number of offenders with active cases decreased by just more than 14,700, or an average of 4.2% each year. The department has continued to meet its target of having the percent of cases under supervision closed due to revocation for a new offense below fiscal 2011 levels for the past four years. The overall number of revocations decreased in fiscal 2015 by 443, or 9.3%.

Issues

Parole and Probation Caseload and Staffing Analysis: Identifying appropriate caseloads for parole and probation agents has been an area of ongoing concern. A December 2015 caseload and staffing report indicates that Maryland's average general caseload of 116 cases is the fourth highest average compared to 31 other states. Based on the DPP case count, standard time to handle a case, and the available staffing hours, the report indicates that DPP needs a total of 700 supervision agents to handle the current workload. **The Department of Legislative Services (DLS) recommends adopting committee narrative expressing intent that DPP reduce the general caseload to the national average of 82. DPP should comment on the projected impact of Justice Reinvestment Initiative recommendations on the number of agents that it will need to handle the supervision population in future years.**

Parole and Probation Focus Group Study: The submitted December 2015 caseload and staffing analysis report also includes a supervision agent focus group study. The focus groups expressed concern about a range of issues, most notably including the use of kiosks, urinalysis testing, fee and restitution collection, and remote access to records. **DLS recommends adopting committee narrative requesting an analysis of the kiosk program and alternative reporting options, expressing intent that the Department of Public Safety and Correctional Services (DPSCS) add an enforcement mechanism for the availability of technicians to testify to the drug testing procurement request, requesting that DPSCS submit the final procurement request to the budget committees, expressing intent that the department receive sufficient funding for urinalysis testing kits in future years, expressing intent that DPSCS submit legislation during the 2017 session that would transfer authority for collections from DPP to the Central Collection Unit, and requesting a report on the feasibility of providing remote access to the Offender Case Management System**

and other electronic databases for supervision agents and Warrant Apprehension Unit officers to facilitate field work capabilities.

Recommended Actions

1. Add budget language restricting funds for the purpose of creating a day reporting center.
2. Adopt committee narrative expressing intent that the Division of Parole and Probation reduce the general caseload size.
3. Adopt committee narrative expressing intent regarding the forthcoming drug testing procurement and requesting that the department submit the final procurement request to the budget committees.
4. Adopt committee narrative expressing intent that the Division of Parole and Probation receive sufficient funding for urinalysis testing kits.
5. Adopt committee narrative expressing intent that the Department of Public Safety and Correctional Services submit legislation transferring the authority for collections from the Division of Parole and Probation to the Central Collections Unit of the Department of Budget and Management.
6. Adopt committee narrative requesting a report analyzing the kiosk program and alternative supervision reporting options.
7. Adopt narrative requesting a report on the feasibility of providing remote access to electronic records and databases.

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

Operating Budget Analysis

Program Description

The Division of Parole and Probation (DPP) provides offender supervision and investigation services under the Correctional Services Article, Title 6, *Annotated Code of Maryland*. The division's largest workload 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 because of mandatory release, are also supervised by the division. The Drinking Driver Monitor Program (DDMP) supervises offenders sentenced by the courts to probation for driving while intoxicated or driving under the influence. DPP also includes the Pretrial Release Services Program (PRSP), which interviews, investigates, and presents recommendations to Baltimore City courts concerning the pretrial release of individuals accused of crimes in Baltimore. The PRSP also supervises defendants released on personal recognizance or conditional bail as ordered by the court.

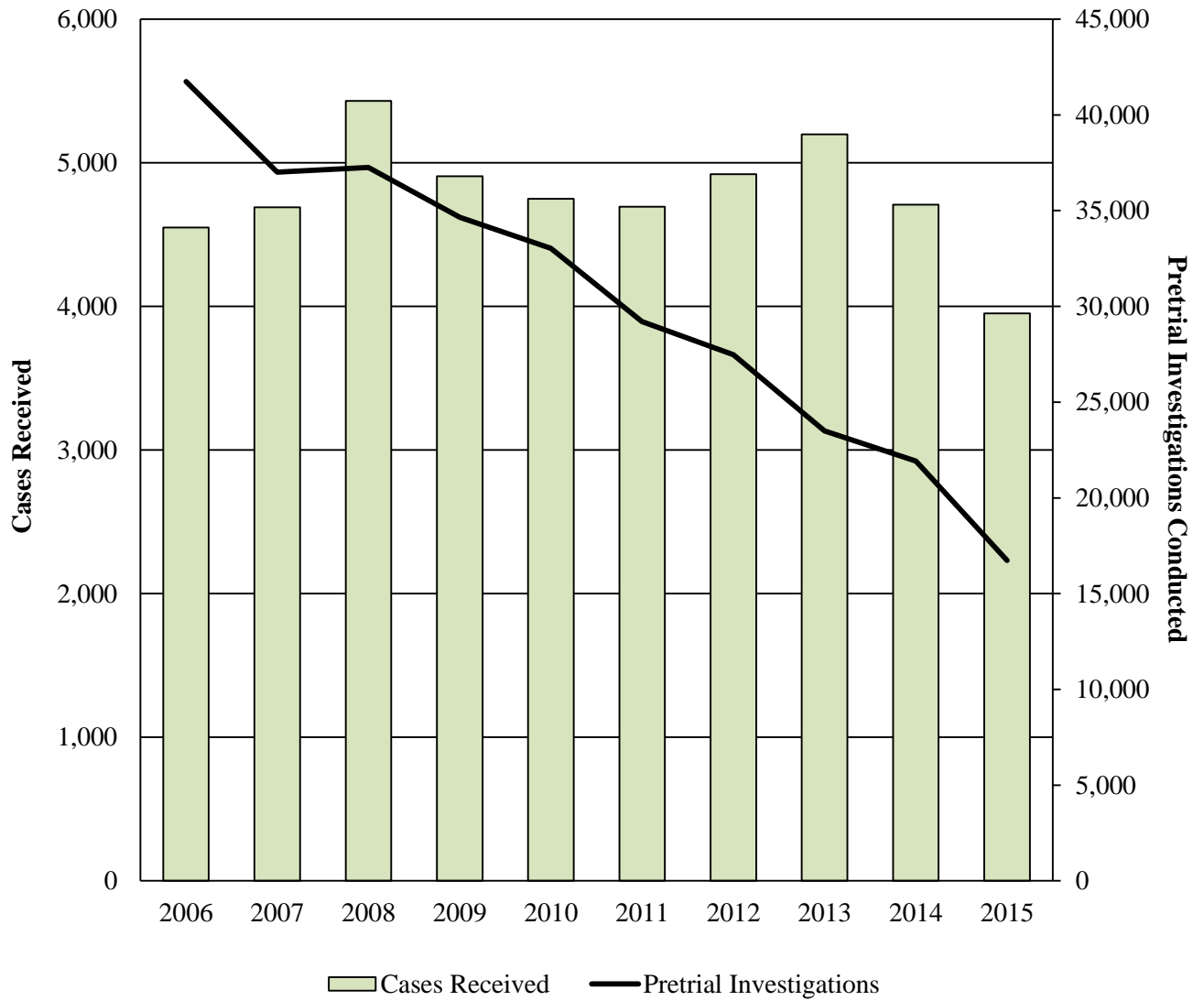
Performance Analysis: Managing for Results

1. Pretrial Release Services Program

As shown in **Exhibit 1**, the number of pretrial investigations has declined dramatically over the past decade, consistent with a decline in arrests and bookings over the same time period. Between fiscal 2006 and 2015, investigations declined by more than 25,000, or nearly 60%. Although the number of pretrial investigations has decreased since fiscal 2013, this generally has not coincided with fewer cases referred for supervision. Since peaking at 5,431 in fiscal 2008, the number of cases received annually remained between 4,600 and 5,200 through fiscal 2014. Fiscal 2015 was the first year that the PRSP received fewer than 4,000 cases. On average, the PRSP receives 4,780 cases annually and supervises approximately 1,175 defendants in any given fiscal year.

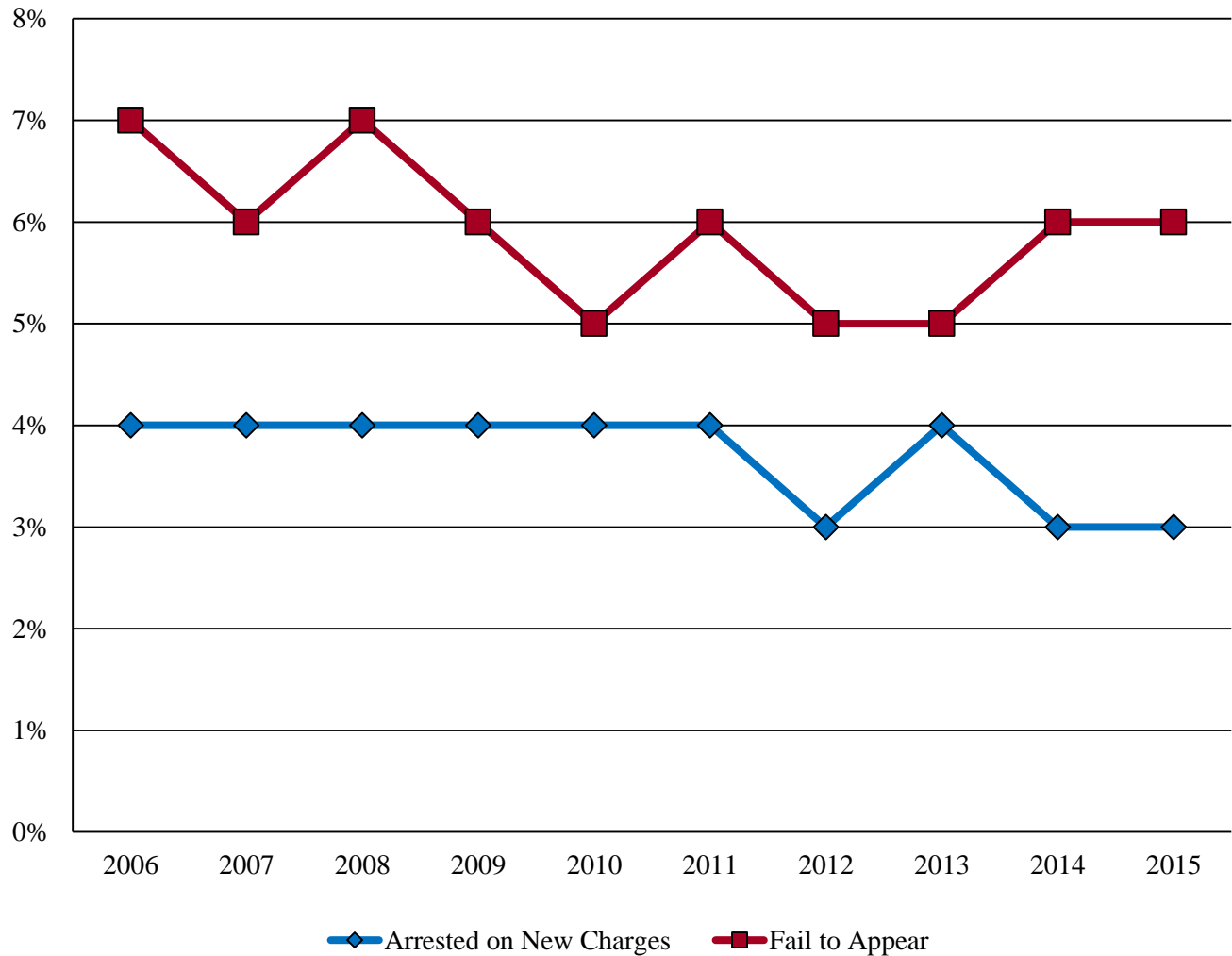
The purpose of the PRSP is to ensure that pretrial defendants released into the community comply with bail conditions, do not engage in criminal activity while on release, and appear for court when required. **Exhibit 2** shows that the PRSP staff has been successful in meeting the goals of having 4% or less of its population arrested on new charges while under supervision and having 8% or less of the population fail to appear for required court dates. The PRSP met both of these goals in all of the past 10 years.

Exhibit 1
Pretrial Release Services Program
Workload Trends
Fiscal 2006-2015



Source: Governor's Budget Books, Fiscal 2006-2015

Exhibit 2
Pretrial Release Services Program
Performance Measures
Fiscal 2006-2015

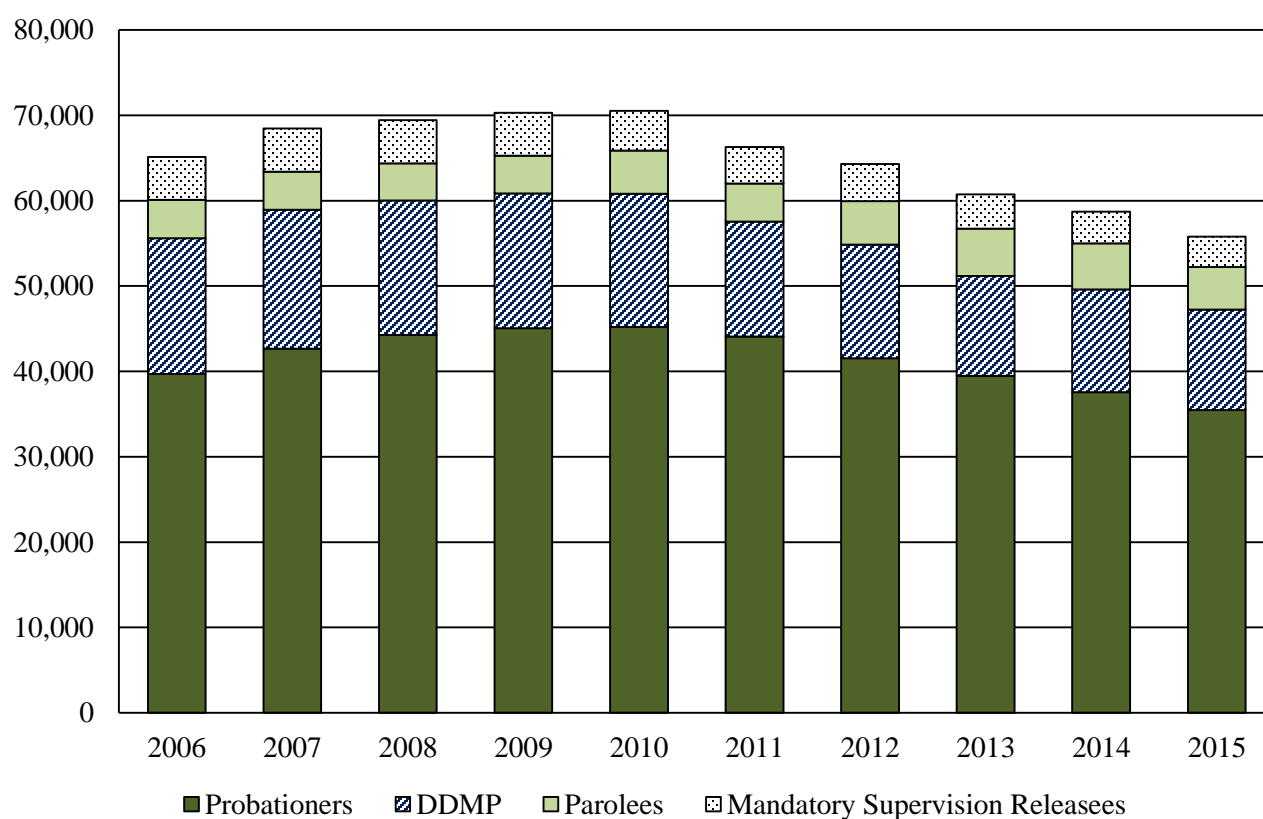


Source: Governor's Budget Books, Fiscal 2006-2015

2. Supervision Population

Exhibit 3 shows the number of offenders with active cases under supervision from fiscal 2006 through 2015 by the following types of supervision: probation, parole, mandatory release, and the DDMP. Probationers account for the largest portion of the fiscal 2015 supervision population, at 63.6%, followed by DDMP participants (21.1%), parolees (8.9%), and mandatory supervision releases (6.4%). Between fiscal 2010 and 2015, the total number of offenders with active cases decreased by just more than 14,700, or an average of 4.2% each year. Parole release cases saw the smallest decrease over this period, declining by only 2.0% over five years. The DDMP saw a decline of almost 25.0% between fiscal 2010 and 2015, despite a slight increase in fiscal 2013. The total supervision population decreased by about 2,930, or 5.0%, between fiscal 2014 and 2015.

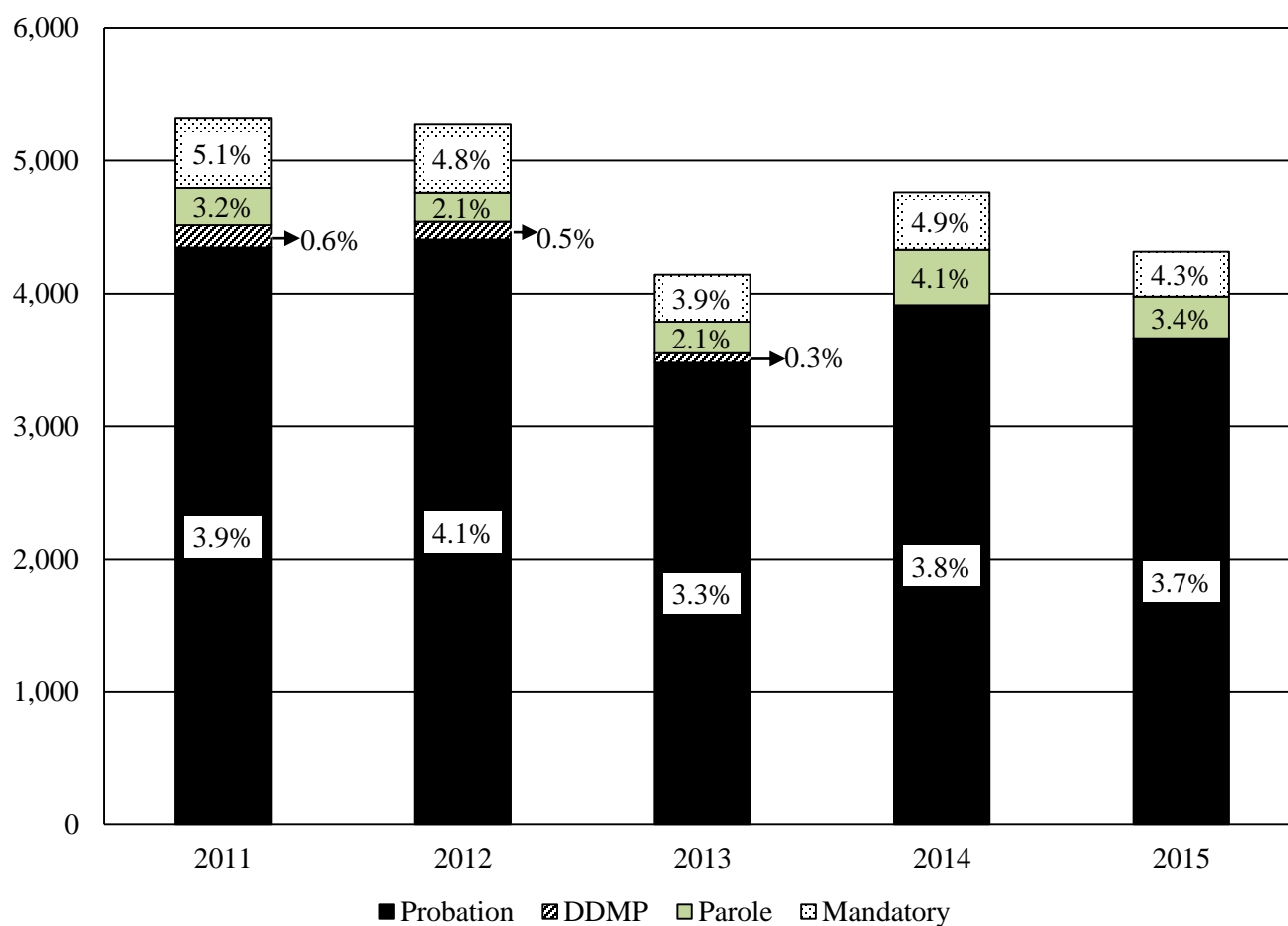
Exhibit 3
Offenders with Active Cases under Supervision at End of Fiscal Year
Fiscal 2006-2015



Source: Department of Public Safety and Correctional Services; Governor's Budget Books, Fiscal 2006-2015

The number and percent of supervision cases closed due to revocation for a new offense are demonstrated in **Exhibit 4**. Overall, the department has met its target of having the percent of cases under supervision closed due to revocation for a new offense below fiscal 2011 levels for the past four years, despite increases in the numbers and rates of revocations for all supervision types except the DDMP in fiscal 2014. The overall number of revocations decreased between fiscal 2014 and 2015 by 443, or 9.3%. The mandatory supervision release population, which consistently has the highest revocation rate each year, had 338 revocations in fiscal 2015. Probationers account for the largest number of revocations each year and totaled 3,662 in fiscal 2015.

Exhibit 4
Cases Closed Due to Revocation for New Offense
Fiscal 2011-2015



DDMP: Drinking Driver Monitor Program

Source: Governor's Budget Books, Fiscal 2011-2015

Proposed Budget

As seen in **Exhibit 5**, the Governor’s fiscal 2017 allowance for DPP increases by \$6.2 million, or 5.7%, when compared to the fiscal 2016 working appropriation. Nearly all of the increase is attributable to an increase in the agency’s general fund spending in the allowance.

Exhibit 5
Proposed Budget
DPSCS – Division of Parole and Probation
(\$ in Thousands)

How Much It Grows:	<u>General Fund</u>	<u>Special Fund</u>	<u>Reimb. Fund</u>	<u>Total</u>
Fiscal 2015 Actual	\$99,865	\$6,599	\$125	\$106,590
Fiscal 2016 Working Appropriation	102,344	6,097	112	108,554
Fiscal 2017 Allowance	<u>108,532</u>	<u>6,141</u>	<u>105</u>	<u>114,778</u>
Fiscal 2016-2017 Amount Change	\$6,188	\$43	-\$7	\$6,224
Fiscal 2016-2017 Percent Change	6.0%	0.7%	-5.9%	5.7%

Where It Goes:**Personnel Expenses**

Employee and retiree health insurance	\$2,415
Turnover adjustments	1,849
Employee retirement.....	1,776
Workers’ compensation premium assessment.....	-169
Abolished positions	-199
Other fringe benefit adjustments	16

DPP Support Services

Extraditions.....	60
Vehicle replacement	42
Maryland State Police polygraph testing of sex offenders	30
Contractual full-time equivalents	-30
Global positioning and home monitoring contract	-50
Urinalysis testing	-50

Pretrial Release Services

Vehicle replacement	21
Equipment rental	20

Q00C02 – DPSCS – Division of Parole and Probation

Where It Goes:

Office supplies	-30
Regional Supervision	
Day reporting center in Baltimore City	540
Non-Department of General Services rent	139
Vehicle replacement	-14
Fuel and utilities	-62
Security services	-79
Total	\$6,224

DPSCS: Department of Public Safety and Correctional Services

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

Personnel Expenses

The allowance for personnel expenses increases by a net \$5.7 million. The largest increases occur for health insurance (\$2.4 million), the turnover adjustment (\$1.8 million), and retirement (\$1.8 million). DPP increased the reduction made for turnover in the fiscal 2016 working appropriation in order to account for a large number of vacant positions, and to apply the vacancy savings toward the department's fiscal 2016 2% General Fund reduction. However, the budgeted turnover rate is reduced in the allowance.

The increases are slightly offset by decreases for the workers' compensation premium assessment and abolished positions. The allowance includes a reduction of 3 regular positions from the DDMP and \$199,000 in associated funding. The department has been making efforts to reduce DDMP operating expenditures, as special fund revenues from the DDMP are no longer adequate to fully fund the program's operations. Beginning in fiscal 2015, DPP began charging only salaries and wages to the DDMP special fund.

The allowance for the Department of Budget and Management (DBM) also includes funding for employee increments. A general fund amount of \$144,902 will be transferred by budget amendment to DPP to allocate funding for increments.

DPP Support Services

DPP Support Services includes General Administration, the Warrant Apprehension Unit (WAU), and the Urinalysis and Treatment Services. The allowance for costs associated with extraditions increases by \$60,000. Prior to fiscal 2014, the Maryland State Police (MSP) performed all extraditions for the Department of Public Safety and Correctional Services (DPSCS). DPSCS began handling all regional extraditions partway through fiscal 2014. In fiscal 2015, DPSCS assumed

responsibility for all extraditions. DPSCS continues to receive assistance from MSP for aspects of certain extraditions, such as the use of the State plane when offenders are denied passage on commercial airliners and, therefore, still reimburses MSP for associated costs. The fiscal 2017 allowance reflects the annualization of extradition costs.

Funding for polygraph testing of sex offenders, conducted for DPSCS by MSP, increases by \$30,000 in the allowance, consistent with prior year actual spending. As discussed in the fiscal 2017 DPSCS Administration analysis, the new DPSCS Polygraph Unit is now fully staffed and began administering polygraph tests in September 2015. **DPSCS should comment on whether assuming responsibility of polygraph testing for sex offenders within the DPSCS Polygraph Unit could achieve operational or cost efficiencies in future years.**

The allowance includes decreases of \$50,000 each for the urinalysis testing and global positioning and home monitoring contracts. Funding for contractual full-time equivalents (FTE) also decreases in the allowance. The inclusion of contractual health insurance is more than balanced by decreases for the contractual FTE payroll and the contractual turnover adjustment. DPP Support Services and Pretrial Release Services receive a total of \$63,000 to replace three vehicles; however, this is partially offset by the removal of the \$14,000 deficiency appropriation for vehicle replacement.

Day Reporting Center

The Governor's allowance includes \$540,000 in general funds for the creation of a day reporting center pilot program in Baltimore City, as recommended by the Heroin and Opioid Emergency Task Force. Day reporting centers typically are equipped to provide comprehensive, nonresidential services, which can include substance abuse treatment, cognitive behavioral therapy, employment training, mental health counseling, job readiness and training, and education. The task force recommendation is to task DPSCS, the Governor's Office of Crime Control and Prevention, and the Judiciary with collaborating to establish a day reporting center pilot program aimed at integrating treatment into offender supervision. **DPSCS should comment on the size and characteristics of the particular offender population to be served by the pilot program.**

The Department of Legislative Services (DLS) recommends adding budget bill language restricting the funds associated with the day reporting center pilot program to that purpose within the DPSCS appropriation.

Issues

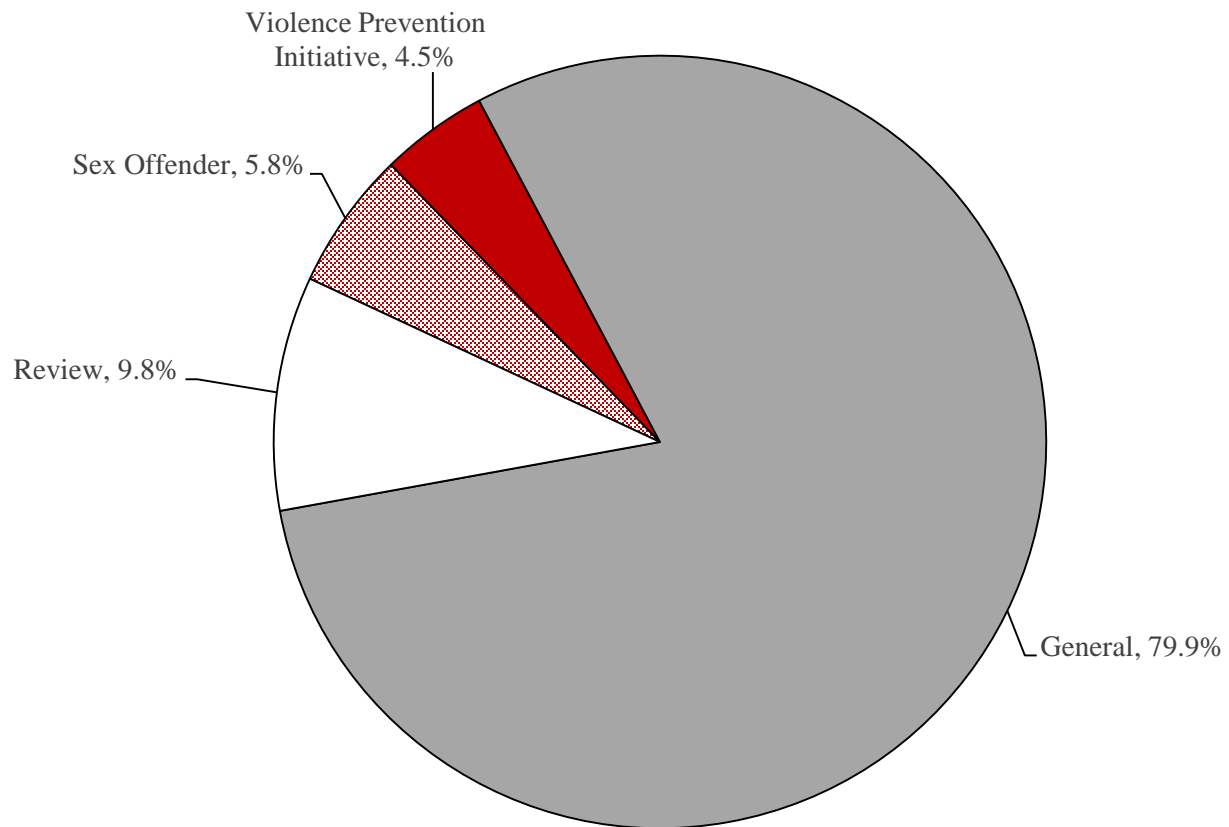
1. Parole and Probation Caseload and Staffing Analysis

Identifying appropriate caseloads for parole and probation agents has been an area of ongoing concern. In the past, DPSCS has indicated that 30 to 40 cases per agent is appropriate for specialized cases, such as sex offenders or Violence Prevention Initiative (VPI) participants, but establishing ideal caseloads for general supervision cases required completion of a time study. Budget bill language restricting funds until receipt of a time study report and appropriate caseload standards for the general caseload was added to the fiscal 2014 and 2015 budget bills. DPSCS submitted a draft report in May 2015, followed by a more comprehensive final report and recommendations in December 2015. The final time study, caseload analysis, and agent focus group report were completed by a research team at the University of Baltimore Schaefer Center for Public Policy.

Caseload Analysis

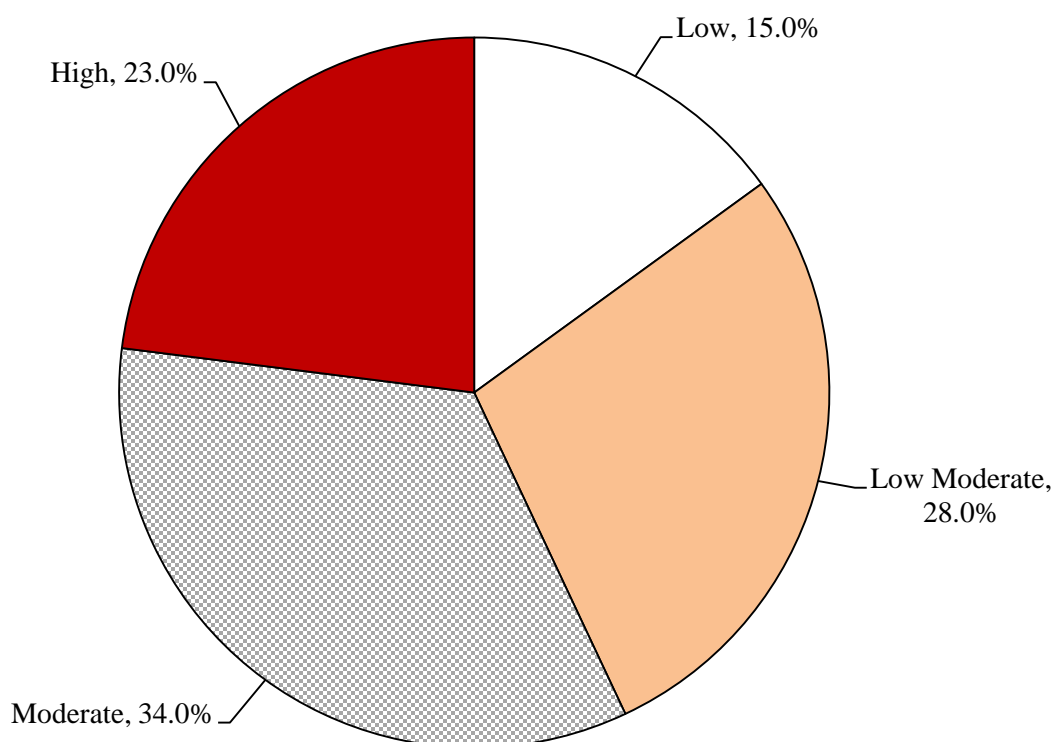
The research team conducted a four-week time study with 114 parole and probation agents and warrant apprehension officers recording a total of 25,743 hours of work activity for 6,388 offenders. The research team also analyzed caseload data for all offenders under supervision on September 29, 2014. The research team's analysis indicated that nearly 80% of offenders fall into the general supervision category, about 6% in the sexual offender category, about 4.5% in the VPI category, and the remaining 10% in review, as shown in **Exhibit 6**. **Exhibit 7** demonstrates the distribution of Maryland's general caseload by supervision level.

Exhibit 6
Offenders by Risk Classification
September 29, 2014



Source: Division of Parole and Probation Agent Workload Study, University of Baltimore – College of Public Affairs

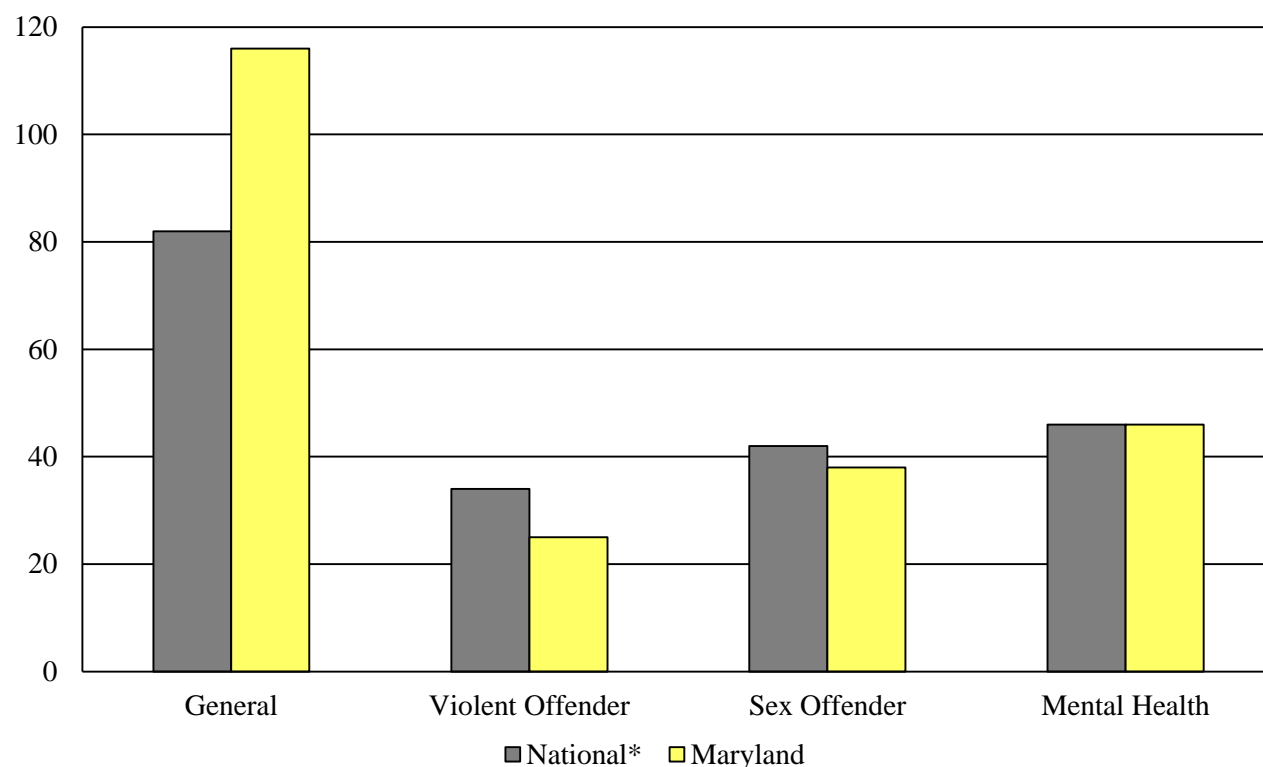
Exhibit 7
General Supervision Caseload by Supervision Level
September 29, 2014



Source: Division of Parole and Probation Agent Workload Study, University of Baltimore – College of Public Affairs

The analysis of cases assigned to supervision agents by supervision level demonstrated that agents responsible for offenders under general supervision handle about three times as many cases as agents responsible for any offenders under special supervision types, as illustrated in **Exhibit 8**. Some of this difference is attributable to the decreased amount of time needed to handle a general case versus a special case. However, a comparison of Maryland caseload data to other states revealed that Maryland's average general caseload of 116 cases is the fourth highest average compared to 31 other states. Maryland's average special caseload sizes though, fall at or below the national averages calculated by the research team. Agents and supervisors that participated in the focus group noted that high general supervision caseloads prevent agents from keeping up with supervision requirements. While the research team was unable to validate this claim with data, a review of case notes indicated that it is unlikely supervision standards are always met.

Exhibit 8
Average Caseload Size by Population



* The national average includes 32 states for general, 12 states for violent offender, 21 states for sex offender, and 13 states for mental health.

Source: Division of Parole and Probation Agent Workload Study, University of Baltimore – College of Public Affairs

The research team recommends that the general supervision caseload size be reduced. There is no industry standard, but Maryland's general caseload could be reduced to be more in line with the national average of 82 cases per agent. The research team suggests that adding more supervision agents would help to reduce the caseload, but the caseload could also be reduced by improving the effectiveness of supervision tools, management practices, and coordination with partner agencies. The Offender Case Management System (OCMS), urinalysis testing, and kiosks are specifically identified as tools that should be improved.

DLS recommends adopting committee narrative expressing intent that DPP reduce the general caseload to the national average of 82.

Staffing Analysis

The parole and probation staffing need was projected based on the case count, the measured standard time to handle a case, and the available staffing hours. The time study results indicate that VPI Level 2 supervision requires the most hours per offender, at 25.6, while general low-risk supervision requires the least hours per offender, at 8.3. The research team projects that DPP needs 700 supervision agents to handle a caseload of 48,731 offenders statewide. The 12-month average caseload data and projected staffing need by jurisdiction can be found in **Appendix 1**.

The report indicates that DPP has 672 supervision agent positions. In order to meet the recommendation, DPP would need an additional 28 positions. However, January 2016 vacancy data shows that DPP has 53 parole and probation agent positions vacant. DPP would likely need more than 700 authorized supervision agent positions in order to account for vacancies and actually have 700 working agents at any given time.

The staffing analysis estimate does not include an adjustment for the expected increase in the offender population under supervision associated with the implementation of Justice Reinvestment Initiative (JRI) recommendations, as discussed in the DPSCS Overview analysis. Should the supervision population increase, DPP would need additional agents in order to handle the additional offenders and maintain a reasonable caseload. As the State moves forward with JRI implementation, DPP should consider conducting caseload and staffing analyses on a regular basis to ensure the caseload is rebalanced when needed. **DPP should comment on the projected impact of JRI recommendations on the number of agents that it will need to handle the supervision population in future years.**

2. Parole and Probation Focus Group Study

The DPP December 2015 *Joint Chairmen's Report* submission included a focus group study. The same University of Baltimore research team that analyzed the DPP caseload and staffing also conducted 15 focus groups with 137 participants, including supervision agents and supervisors, as well as employees of the Court Liaison Unit, the Liaison Waiver Unit, and WAU. The participants identified a range of barriers to effectiveness and organizational challenges, as well as recommendations to improve supervision tools. The findings include deficiencies relating to:

- OCMS;
- the value of case plans;
- the usefulness of kiosks;
- availability of urinalysis testing;

- access to records in the field;
- personal safety;
- overtime;
- training; and
- inter- and intra-departmental cooperation and communication.

Concerns regarding OCMS and training are discussed in more detail in the DPSCS – Administration and the DPSCS – Police and Correctional Training Commissions analyses, respectively. Issues relating to kiosks, urinalysis testing, fee and restitution collection, and remote access to records are discussed further below.

Kiosks

The goals of the kiosk system are to reduce the number of personal interactions between supervision agents and low-risk offenders, and to provide off-site reporting capability for offenders during nonbusiness hours. A reduction in personal interactions between agents and offenders could reduce agent workloads. Offender access to kiosks during nonbusiness hours is desirable so as to encourage offender participation in other remedial opportunities, such as employment. The department originally intended to use kiosk reporting only for low-risk offenders, but in more recent years has expanded kiosk reporting to include more frequent reporting for high-risk offenders. In the future, DPP intends to use kiosk reporting only with moderate- and low-risk offenders as a reward for compliance with the conditions of supervision and stabilized adjustment to supervision.

The focus group report indicates mixed reactions among supervision agent participants regarding the usefulness of the kiosk system. Agents from some jurisdictions in particular noted that kiosks are in locations that offenders cannot access after-hours. The department began rolling out kiosks to DPP field offices in 2010, and by July 2011, all field offices had kiosk equipment installed and operating. DPP procured software for the kiosks from the New York City Department of Probation. DPSCS reports that because of technical requirements of the software, kiosk equipment must be placed in DPP offices and connected to the department's mainframe.

Other states and jurisdictions have explored and implemented electronic reporting systems aside from kiosks. United States probation offices, for example, allow certain supervised offenders (sentenced and pretrial) to participate in online reporting. This allows offenders to report at any time, regardless of day or time.

DLS recommends adopting committee narrative requesting an analysis of the kiosk program and alternative supervision reporting options.

Urinalysis Testing

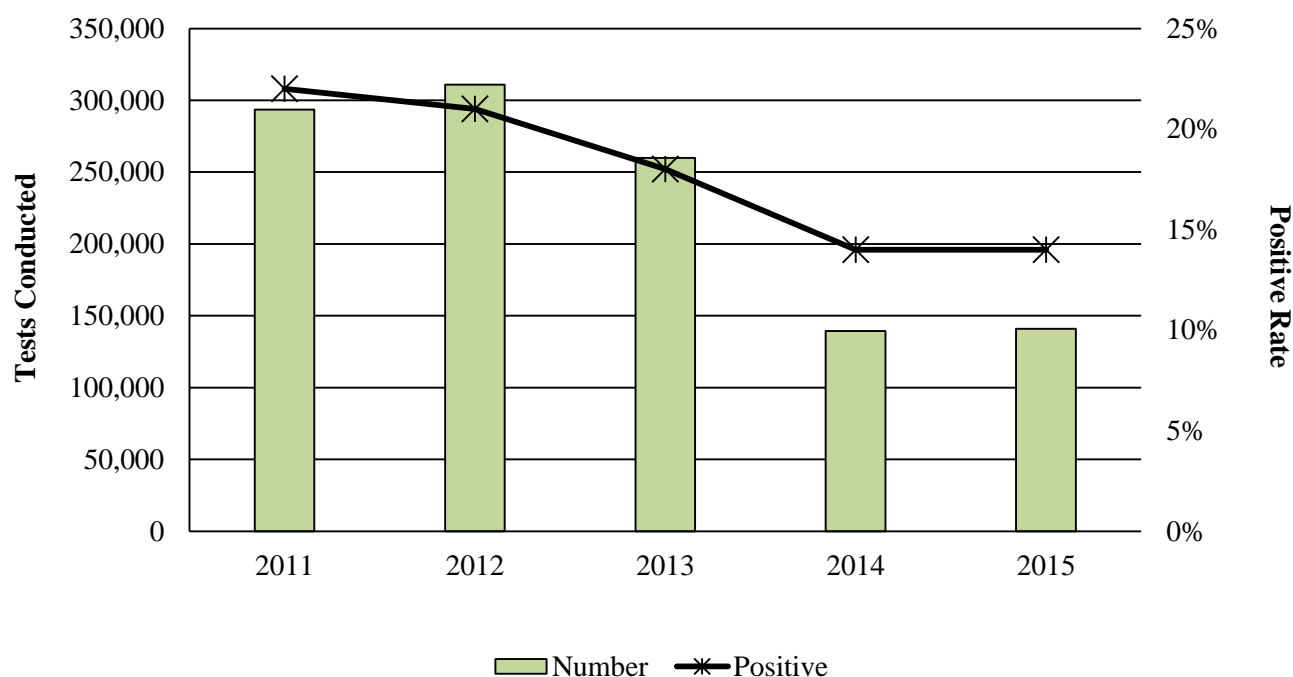
Focus group participants expressed dissatisfaction regarding a shortage of urinalysis testing kits, the unavailability of technicians, and the failure of positive results to hold up in court hearings. The department's current urinalysis vendor, Pharmatech, is located in California, which is where samples must be sent for testing. Additionally, although the department's contract with Pharmatech indicates technicians must be available to testify regarding the validity of test results, the vendor has been resistant to fly technicians to Maryland for court hearings. This can have the effect of diminishing the strength of positive urinalysis results.

The urinalysis contract with the current vendor ends at the end of September 2016. DPSCS has begun to research considerations for the next drug testing contract, which may include oral swab instant testing, traditional laboratory urinalysis, and urinalysis to detect synthetic compounds. **DLS recommends adopting committee narrative expressing intent that DPSCS continue to include the availability of technicians to testify to the procurement request, and also include an enforcement mechanism for that provision. The final procurement request should be submitted to the budget committees.**

Focus group participants also noted a lack of testing kits at some DPP offices. **Exhibit 9** shows urinalysis tests conducted and the rate of positive results between fiscal 2011 and 2015. The number of tests conducted decreased sharply between fiscal 2012 and 2014 and remained relatively flat in fiscal 2015. DPSCS has advised that the decrease is the result of changes to testing policy, as well as delayed shipment of specimens. Upon noting that 80% of urine samples yielded negative results, DPSCS changed its drug testing policy in fiscal 2012 to only regularly screen the high risk offender population, which includes violent offenders, sex offenders, and domestic violence offenders. This resulted in a 30% reduction in urinalysis tests conducted. In July 2013, the department was able to further reduce the number of urinalysis tests conducted by receiving approval from the Board of Public Works for a modification to the urinalysis contract to increase the reliability of urinalysis testing. Testing prior to July 2013 did not screen for benzodiazepines, opiates, and phencyclidine (commonly referred to as PCP), which caused a high number of false positives and resulted in additional court-ordered urinalysis testing. The July 2013 contract modification added testing for these elements, reducing the number of court-ordered retests conducted.

While these changes account for a significant portion of the decrease, DPSCS has reported that there have been months when samples were not tested due to delays in ordering and receiving testing supplies. An inadequate supply of testing kits negatively affects parole and probation agents' ability to supervise the offender population. **DLS recommends adding committee narrative expressing intent that the department receive sufficient funding for urinalysis testing kits in future years.**

Exhibit 9
Urinalysis Testing
Fiscal 2011-2015



Source: Governor's Budget Books, Fiscal 2011-2015

Fee and Restitution Collection

One area of frustration consistently identified in the focus groups was restitution and fee collection. Parole and probation agent participants indicated feeling that money collection is a time-consuming clerical activity that leaves them with less time for supervision. DPSCS introduced legislation in 2012 (HB 1365) that would have authorized DPP and the Department of Juvenile Services to refer all restitution accounts to the Central Collection Unit (CCU) of DBM for collection. CCU is responsible for collecting all delinquent debts, claims, and accounts against the State except for taxes, child support, unemployment and insurance contributions and overpayments, and overdue court orders for restitution. If DPP supervision is terminated and restitution is still owed, DPP is required to refer overdue restitution accounts for collection to CCU. The fiscal note for the 2012 bill estimated an increase in special fund revenue because the CCU expertise and collections tools would allow for more efficient collection. **DLS recommends adopting committee narrative expressing intent that DPSCS submit legislation during the 2017 session that would transfer authority for collections from DPP to CCU.**

Remote Access to Records

Supervision agents and WAU officers that participated in the focus group indicated that access to laptops for use in the field, similar to police officers, would increase productivity. Although some agents have agency issued laptops, they do not have read-access privileges required to access OCMS records or other databases in the field. Currently, if supervision agents or WAU officers want to look up information when they are out of the office, they must either go to a field office or call back to the office to have someone look up the information. The ability to access records and input information in the field would allow agents and officers to work more efficiently. **DLS recommends adopting committee narrative requesting a report on the feasibility of providing remote access to OCMS and other electronic databases for supervision agents and WAU officers to facilitate field work capabilities.**

Recommended Actions

1. Add the following language to the general fund appropriation:

.provided that \$540,000 of this appropriation made for the purpose of establishing a day reporting center may be expended only for that purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: This action ensures that funding provided to create a day reporting center is used only for that purpose.

2. Adopt the following narrative:

General Supervision Caseload Size: Identifying the appropriate caseload for parole and probation agents has been an area of ongoing concern. Review of Division of Parole and Probation (DPP) caseload data indicates that Maryland's average general caseload size of 116 is well above the national average of 82. It is the intent of the General Assembly that DPP reduces the average general caseload size to the national average of 82.

3. Adopt the following narrative:

Drug Testing Contract: The budget committees are concerned that the current urinalysis vendor does not provide technicians to testify regarding urinalysis testing results, as required under the current contract. The current urinalysis contract ends at the close of September 2016. It is therefore the intent of the General Assembly that the Department of Public Safety and Correctional Services (DPSCS) consider implementing an enforcement mechanism, such as a penalty, in an effort to ensure technicians can be available to testify at revocation hearings. A provision expressing this preference should be added to the forthcoming drug testing procurement request. The budget committees also request that DPSCS submit the final drug testing procurement request.

Information Request	Author	Due Date
Drug testing procurement request	DPSCS	September 30, 2016

4. Adopt the following narrative:

Funding for Urinalysis Testing Kits: The budget committees are concerned that there is not enough funding to purchase a sufficient amount of urinalysis testing kits for all Division of Parole and Probation jurisdictions. It is therefore the intent of the General Assembly that a sufficient level of funding be provided in future fiscal years for urinalysis testing kits.

5. Adopt the following narrative:

Supervision Fee and Restitution Collection: The budget committees are concerned that fee and restitution collection is more appropriately handled by the Central Collection Unit (CCU) within the Department of Budget and Management, rather than by offender supervision agents. It is therefore the intent of the General Assembly that the Department of Public Safety and Correctional Services submit legislation during the 2017 session transferring the authority for collections from the Division of Parole and Probation to CCU.

6. Adopt the following narrative:

Kiosk Program and Supervision Reporting Options: The Division of Parole and Probation's (DPP) kiosk system is intended to reduce the number of personal interactions between supervision agents and low-risk offenders and to provide off-site reporting capability for offenders during nonbusiness hours. However, a December 2015 DPP supervision agent focus group study indicates that the program may not be meeting these goals. The budget committees, therefore, request that DPP submit an analysis of the value and utility of the kiosk system and alternative supervision reporting options. The report should include annual costs associated with operating the kiosk program and offender kiosk reporting statistics. The report should also consider the feasibility and utility of implementing other electronic reporting systems, such as a web-based or mobile systems.

Information Request	Author	Due Date
Kiosk program and supervision reporting options	DPP	December 1, 2016

7. Adopt the following narrative:

Remote Access to Electronic Records and Databases: A December 2015 Division of Parole and Probation (DPP) focus group study indicates that supervision agents and Warrant Apprehension Unit (WAU) officers do not have remote access to the Offender Case Management System (OCMS) and other electronic databases while in the field. When an agent or officer wants to access electronic information in the field, they must go to a field office or call back to the office in order to do so. The budget committees are concerned that this process

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creates inefficiencies. The budget committees, therefore, request that DPP submit a report analyzing the feasibility of providing remote access to the OCMS and other electronic databases for supervision agents and WAU officers to facilitate field work capabilities. The submitted report should include any estimated costs associated with providing laptops or other mobile electronic devices to agents and officers, as well as adjustment that may need to be made to the OCMS to allow for remote access.

Information Request	Author	Due Date
Remote access to electronic records and databases	DPP	December 1, 2016

Average Caseload and Projected Staffing Need by County

<u>County</u>	<u>12-month Average Caseload</u>			<u>Staffing Projected Need</u>
	<u>Total</u>	<u>Special</u>	<u>General</u>	
Allegany	512	16.4%	83.6%	8
Anne Arundel	3,494	11.1%	88.9%	53
Baltimore	5,930	9.6%	90.4%	85
Baltimore City	14,467	12.9%	87.1%	208
Calvert	539	10.9%	89.1%	8
Caroline	599	8.3%	91.7%	9
Carroll	1,277	8.3%	91.7%	18
Cecil	1,038	9.8%	90.3%	15
Charles	1,122	11.9%	88.1%	16
Dorchester	590	10.7%	89.3%	7
Frederick	1,284	12.5%	87.6%	19
Garrett	308	6.5%	93.2%	4
Harford	2,186	8.6%	91.4%	33
Howard	1,018	6.7%	93.3%	14
Kent	230	8.3%	91.7%	4
Montgomery	3,171	8.2%	91.8%	43
Prince George's	5,669	7.8%	92.2%	77
Queen Anne's	570	6.3%	93.7%	7
Somerset	310	11.0%	89.0%	4
St. Mary's	744	8.6%	91.4%	11
Talbot	483	7.7%	92.5%	6
Washington	1,267	13.0%	87.0%	19
Wicomico	1,559	10.8%	89.2%	23
Worcester	650	8.2%	91.8%	9
Statewide	49,017	10.5%	89.5%	700

Source: Division of Parole and Probation Agent Workload Study, University of Baltimore – College of Public Affairs

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

<u>Object/Fund</u>	<u>FY 15 Actual</u>	<u>FY 16 Working Appropriation</u>	<u>FY 17 Allowance</u>	<u>FY 16 - FY 17 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	1,204.00	1,201.00	1,198.00	-3.00	-0.2%
02 Contractual	68.61	69.59	69.59	0.00	0%
Total Positions	1,272.61	1,270.59	1,267.59	-3.00	-0.2%
Objects					
01 Salaries and Wages	\$ 92,672,860	\$ 93,762,080	\$ 99,810,240	\$ 6,048,160	6.5%
02 Technical and Spec. Fees	2,212,397	2,160,963	2,143,698	-17,265	-0.8%
03 Communication	874,065	839,670	830,770	-8,900	-1.1%
04 Travel	296,788	276,050	348,400	72,350	26.2%
06 Fuel and Utilities	267,981	336,300	276,600	-59,700	-17.8%
07 Motor Vehicles	605,857	683,466	742,384	58,918	8.6%
08 Contractual Services	4,900,494	5,473,960	5,849,621	375,661	6.9%
09 Supplies and Materials	431,629	569,800	487,800	-82,000	-14.4%
10 Equipment – Replacement	50,917	64,481	84,526	20,045	31.1%
11 Equipment – Additional	20,509	0	0	0	0.0%
12 Grants, Subsidies, and Contributions	500,000	500,000	500,000	0	0%
13 Fixed Charges	3,756,349	3,886,797	4,064,368	177,571	4.6%
Total Objects	\$ 106,589,846	\$ 108,553,567	\$ 115,138,407	\$ 6,584,840	6.1%
Funds					
01 General Fund	\$ 99,865,452	\$ 102,344,027	\$ 108,884,840	\$ 6,540,813	6.4%
03 Special Fund	6,598,953	6,097,468	6,148,163	50,695	0.8%
09 Reimbursable Fund	125,441	112,072	105,404	-6,668	-5.9%
Total Funds	\$ 106,589,846	\$ 108,553,567	\$ 115,138,407	\$ 6,584,840	6.1%

Note: The fiscal 2016 working appropriation does not include deficiencies or reversions. The fiscal 2017 allowance does not include contingent reductions.

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Appendix 2

Fiscal Summary
DPSCS – Division of Parole and Probation

<u>Program/Unit</u>	<u>FY 15 Actual</u>	<u>FY 16 Wrk Approp</u>	<u>FY 17 Allowance</u>	<u>Change</u>	<u>FY 16 - FY 17 % Change</u>
01 General Administration	\$ 16,562,385	\$ 15,977,533	\$ 16,243,548	\$ 266,015	1.7%
01 Parole and Probation – North Region Operations	20,376,053	20,778,941	22,295,266	1,516,325	7.3%
01 Parole and Probation – South Region Operations	25,730,163	26,781,881	28,532,516	1,750,635	6.5%
01 Parole and Probation – Central Region Operations	38,144,066	38,944,183	41,674,421	2,730,238	7.0%
02 Pretrial Release Services	5,777,179	6,071,029	6,392,656	321,627	5.3%
Total Expenditures	\$ 106,589,846	\$ 108,553,567	\$ 115,138,407	\$ 6,584,840	6.1%
General Fund	\$ 99,865,452	\$ 102,344,027	\$ 108,884,840	\$ 6,540,813	6.4%
Special Fund	6,598,953	6,097,468	6,148,163	50,695	0.8%
Total Appropriations	\$ 106,464,405	\$ 108,441,495	\$ 115,033,003	\$ 6,591,508	6.1%
Reimbursable Fund	\$ 125,441	\$ 112,072	\$ 105,404	-\$ 6,668	-5.9%
Total Funds	\$ 106,589,846	\$ 108,553,567	\$ 115,138,407	\$ 6,584,840	6.1%

Note: The fiscal 2016 working appropriation does not include deficiencies or reversions. The fiscal 2017 allowance does not include contingent reductions.