

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 856
Judiciary

Correctional Services – Baltimore City Convicted Gun Offenders Pilot Program

This bill establishes the Baltimore City Convicted Gun Offenders Pilot Program, implemented and administered by the Division of Parole and Probation (DPP) within the Department of Public Safety and Correctional Services (DPSCS), to provide convicted gun offenders with individualized case treatment plans, specialized guidance and supervision, and rehabilitation services. The bill establishes related requirements for DPP. A court may order an individual to participate in the program as a condition of probation, and a violation of a court order to participate in the program is a violation of probation. DPP must accept any individual a court has ordered to participate in the program. DPP must adopt implementing regulations and submit an annual report on the program.

Fiscal Summary

State Effect: General fund expenditures increase by \$229,600 in FY 2024 for DPSCS to hire additional staff and for one-time computer programming costs for the Judiciary. Future years reflect annualization, inflation, the elimination of a contractual position at the end of FY 2025, and ongoing costs. Revenues are not affected.

(in dollars)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	229,600	217,900	148,900	155,600	163,900
Net Effect	(\$229,600)	(\$217,900)	(\$148,900)	(\$155,600)	(\$163,900)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill is not anticipated to have a direct, material effect on Baltimore City finances.

Small Business Effect: None.

Analysis

Bill Summary: The program applies only in Baltimore City. DPP must (1) develop an individualized case treatment plan for each individual admitted into the program and (2) establish performance goals for the program.

By December 1 each year beginning December 1, 2024, DPP must report to the General Assembly, for the previous one-year period, the following information: (1) the number of individuals who satisfied the program; (2) the cost of administering the program; (3) the effectiveness of the program; and (4) any other information that may be useful in determining whether a statewide program should be established.

Current Law:

Division of Parole and Probation: Generally, DPP must:

- administer a validated screening tool on each individual on parole or mandatory supervision under the supervision of DPP;
- administer a risk and needs assessment and develop an individualized case plan for each individual on parole or mandatory supervision who has been screened as moderate or high risk to reoffend;
- supervise an individual on parole or mandatory supervision based on the results of a validated screening tool or risk and needs assessment;
- supervise an individual under mandatory supervision until the expiration of the individual's maximum term or terms of confinement;
- regularly inform the Maryland Parole Commission (MPC) of the activities of offenders who are supervised by DPP, as specified;
- issue a warrant for the retaking of an offender charged with a violation of a condition of parole or mandatory supervision, if this authority is delegated by MPC to the Director of DPP; and
- administer the Drinking Driver Monitor Program, collect supervision fees, and adopt guidelines for collecting the required monthly program fee.

DPP may recommend that MPC modify any condition of parole or mandatory supervision and that MPC issue a warrant for the retaking of an offender.

Violence Prevention Initiative: The Violence Prevention Initiative (VPI) within DPP was implemented in 2007 in response to a finding that approximately 30% of all homicides in Baltimore City involved individuals under adult parole or probation supervision. VPI has since expanded to a statewide initiative.

The initiative focuses DPP's resources on (1) the accurate identification of those offenders with the greatest potential for violent re-offense and (2) the intensive, containment-model approach to the management of these potentially dangerous individuals. DPP uses validated risk and needs screening instruments to classify individuals under supervision upon intake and to determine the appropriate level of supervision to provide for each case. DPP's screening instrument considers criminal history, age, and previous arrests for weapons. First among the factors considered is whether the present age of the offender is younger than age 30. Offenders with the highest risk of reoffending are placed into the VPI caseload. The containment-model approach to supervising VPI offenders involves increased contacts between the offender and agent in conjunction with immediate and consistent responses to violations of the conditions of supervision.

State Expenditures: General fund expenditures increase by a total of \$229,613 in fiscal 2024, which accounts for the bill's October 1, 2023 effective date. Future year expenditures reflect annualization, inflation, and ongoing costs, as discussed below.

Department of Public Safety and Correctional Services

General fund expenditures for DPSCS increase by \$188,333 in fiscal 2024, which accounts for the bill's October 1, 2023 effective date. This estimate reflects the cost of hiring two parole and probation agents and one contractual researcher to develop the program, supervise offenders in the program, and submit required reports. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Regular Positions	2.0
Contractual Position	1.0
Salaries and Fringe Benefits	\$166,106
Operating Expenses	<u>22,227</u>
Total FY 2024 DPSCS Expenditures	\$188,333

This estimate does not include any health insurance costs that could be incurred for the contractual employee under the State's implementation of the federal Patient Protection and Affordable Care Act.

Future year expenditures reflect (1) full salaries with annual increases and employee turnover; (2) annual increases in ongoing operating expenses; and (3) termination of the contractual employee at the end of fiscal 2025. Costs may vary depending on the number of offenders who participate in the program.

Judiciary (Administrative Office of the Courts)

General fund expenditures for the Judiciary increase by \$41,280 in fiscal 2024 only for HB 856/ Page 3

computer programming costs to add the new probation terms and to update electronic forms. The Judiciary can otherwise implement the bill with existing resources.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Baltimore City; Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services; Department of Legislative Services

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