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Patrick Moran - President

Testimony
HB 1419 – Correctional Service – Division of Parole and Probation
Favorable with Amendments

AFSCME is the union that represents Parole and Probation Agents in Maryland. We are ground zero for the efforts of the Justice Reinvestment Act and we are doing our best, given limited resources, to assist parolees and probationers in securing safe and productive lives.

HB 1419 is an effort to improve our chances of success by limiting caseload sizes for individuals who are in caseloads requiring high level supervision, sexual offender supervision, and violence prevention initiative. It provides a cap at 30 cases. We would suggest two things with these caseload caps. First, we are seeing an increase in offenders with mental health issues and with substance abuse problems. Theoretically these would also be good areas to have a cap. There is a problem, however.

Whenever there is a caseload cap in one area, it increases the caseloads for general supervision agents in other areas. General caseloads, even at low and moderate levels (according to the assessment tools) may still include dangerous individuals. Just recently one of our agents reported that a low-moderate individual was just charged with murder. So, to leave the general caseloads alone could lead to big problems. The solution would be to also place a cap on general supervision cases. We would suggest a cap of 60 cases. This number would allow an agent to truly provide the attention and the services needed to be successful.

HB 1419 also includes some uncodified language. Generally we support the idea of research and reports, however, our current emphasis is on finding employment for offenders. Therefore, internship which result in possible employment would be a higher priority to us. We would add internship and employment to #1 and #4 of the reports.

There is one more area of concern. Given the high incidence of substance abuse issues, we would recommend that there be a way found to provide 90 days of drug treatment to our offenders rather than the current 30 days. Our experience is that this would be more likely to be successful.

Under Justice Reinvestment, much more is being done with assessment tools. It is worth noting that these tools remove the discretion from Parole and Probation Agents. We would like to have some of that discretion back, if possible, since we are often in the best position to determine the needs of our caseload. Whether that is appropriate for this legislation is another matter, but we thought it is worth mentioning.

Finally, adequate staffing is critical to success. The use of caseload caps can help, but as long as we continue to have an 11% vacancy rate, we will continue to have problems and not even meet those caps. We often hear that new agents, once trained, are drawn to other higher paying jobs. So, at least in part, more competitive salaries could help with that vacancy rate.

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