



## Department of Public Safety and Correctional Services

### Office of the Secretary Office of Government and Legislative Affairs

45 Calvert Street, Suite B7A-C, Annapolis MD 21401  
410-260-6070 • Fax: 410-974-2586 • [www.dpscs.state.md.us](http://www.dpscs.state.md.us)

STATE OF MARYLAND

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ACTING DIRECTOR

**BILL: HOUSE BILL 1419**  
**POSITION: LETTER OF INFORMATION**

**EXPLANATION:** This bill will require the Division of Parole and Probation (DPP) within the Department of Public Safety and Correctional Services (DPSCS) to maintain a 30:1 case ratio for parole and probation agents supervising offenders requiring a High Level Supervision, Level I Sexual Offender Supervision or Violence Prevention Initiative Level Supervision.

**COMMENTS:**

- The Department is tasked with overseeing DPP, which supervises individuals within the community who are either awaiting trial, placed on supervised probation, have been paroled by the Maryland Parole Commission, or placed on Mandatory Supervision upon release under the authority of the Maryland Parole Commission. DPP also supervises Marylanders who have been court-ordered into the Drinking Driver Monitor Program.
- The *Fiscal and Policy Note* for this bill states the average caseload size for DPP general supervision cases is 90:1. However, page 10 of the Department of Legislative Services' *Analysis of the fiscal year 2021 Community Supervision Budget* states, "[o]verall criminal supervision cases per [DPP] agent declined from 83 in fiscal 2018 to 78 in fiscal 2019, below the national average of 82 and the minimum ratio of 81 recommended by a 2015 University of Baltimore study."<sup>1</sup>
- As such, the current general caseload ratio for agent to supervisee is below the national average of 82:1 as it is only 78:1. This ratio is in line with national best practices.
- 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. The levels of supervision are indicative of the risk/needs factors involved with High (HGH) being the highest risk and progressively moving downward to LOW which are the lowest risk offenders.

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<sup>1</sup> See "DPSCS Community Supervision – Q00C," Department of Legislative Services, 22 January 2020, available at: <http://mgaleg.maryland.gov/pubs/budgetfiscal/2021fy-budget-docs-operating-Q00C-DPSCS-Community-Supervision.pdf>

- Sexual Offenders are initially placed on Level I supervision and are initially assessed using sex offender specific risk needs assessments. Gradually the level of supervision may be reduced based on compliance and updated risk assessments from Level I, the highest risk, to Level 4, the lowest risk.
- The Department strives to maintain an average caseload ratio per agent based on evidence based supervision techniques, best practices, and national ratio guidelines. There are 34 agents statewide with intensive supervision caseloads that exceed the proposed 30:1 threshold.
- Working closely with local authorities through the Violence Prevention Initiative, the Department has expanded its focus on known violent offenders under supervision to enhance community safety.
- Watch Centers in Baltimore City and County, Prince George's County, Eastern Shore, and the Maryland Coordination and Analysis Center (MCAC) further strengthen the relationship between parole and probation agents and law enforcement. Agents share intelligence and crime reports and monitor criminal activities in an effort to swiftly remove repeat and violent offenders from our streets.
- To comply with the bill, 12 additional DPP agents and one Field Supervisor position would be required to allow the Department to maintain the proposed 30:1 ratio for High Level Supervision, Level I Sexual Offender Supervision, or Violence Prevention Initiative Level Supervision. The estimated fiscal impact by FY 2025 is \$935,294.
- The Department's policies, practices, and procedures continue to change and evolve as science and evidence based national best practices change and improve over time. This bill would create a statutory mandate on an area in the criminal justice system that is similarly subject to change. It is imperative the Department's operations have the ability to remain nimble based on the ever-changing framework of the criminal justice arena.

**CONCLUSION:** The Department of Public Safety and Correctional Services respectfully requests the Committee consider this information as it deliberates on House Bill 1419.