



Department of Public Safety and Correctional Services

Office of the Secretary

Office of Legislative Affairs

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BILL: HOUSE BILL 1331

POSITION: LETTER OF INFORMATION

EXPLANATION: This bill under Criminal Procedure Article 6-226 would restrict the court from imposing a monthly supervision fee, a drug and alcohol abuse testing fee and any other monthly program fees provided under Correctional Services Article 6-115. In addition, the collection fees for non payment of restitution will also be prohibited under the bill. **HB 1331 will result in a loss of payment to the General Fund of the State of Maryland of over \$10 million.**

COMMENTS:

- The Department of Public Safety and Correctional Services (Department) is tasked with overseeing the Division of Parole and Probation (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 those individuals who have been court-ordered into the Drinking Driver Monitor Program.
- The bill prohibits the courts from imposing any monthly fee on a supervisee. Currently, the courts impose a monthly fee of \$50.00 and the court may waive the fee for those supervisees meeting specific criteria. DPP is mandated to pay the collected fees to the General Fund of the State. Prohibiting the court from imposing any monthly fee will result in an estimated decrease of **\$5.1 million** to the General Fund that DPP has collected and submitted.
- HB 1331 strikes payment of drug or alcohol abuse testing costs when the court orders testing. Removing the ability to collect the costs of testing will result in an estimated annual loss of more than **\$624,000**.
- HB 1331 strikes payment of any monthly program fees under Correctional Services Article, 6-115. Currently, this includes a monthly program fee that is collected by DPP and paid to the Drinking Driver Monitor Program Fund.

- The restriction on the collection of other program fees could result in lost revenues of approximately **\$5 million** annually to the State.
 - The restriction would limit the Department's ability to operate the Drinking Driver Monitor Program (DDMP), DDMP was created in 1984 to ensure abstinence and treatment of DUI and DWI offenders in order to enhance road safety.
 - The program provides an effective way to deal with the problems associated with offenders who operate motor vehicles while either intoxicated or while their abilities are impaired by alcohol. It is designed to maximize monitoring and reporting to gain compliance with court-ordered treatment or education.
- Lastly, HB 1331 strikes the collection of a 2% fee that covers the disbursement of restitution funds to victims. The Division of Parole and Probation (DPP) collected an average of **\$78,901** in 2% collection fees for restitution based on previous years collections. The funds collected from these fees are included in DPP's budget, therefore a restriction on the collection of this fee would decrease DPP's budget.
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- **CONCLUSION:** The Department of Public Safety and Correctional Services respectfully requests the Committee consider this information as it deliberates on House Bill 1331.

REVERSE