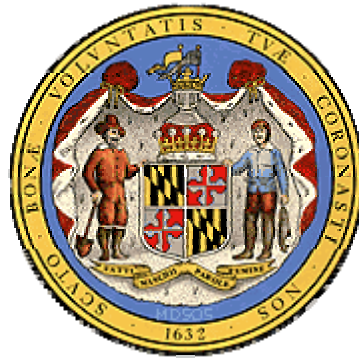


**PUBLIC SAFETY
TRANSITION SUBCOMMITTEE
TRANSITION REPORT**



FEBRUARY, 2007

Members of the Public Safety Transition Subcommittee sincerely wish to thank Governor Elect Martin O'Malley and Lieutenant Governor Elect Anthony Brown for the opportunity to present this report to them and to the citizens of Maryland. It has been our honor and pleasure to serve.

The Subcommittee appreciates the professionalism and cooperative nature of all agency leadership and other state officials with whom team members met during the research phase of the preparation of this report.

Finally, the Subcommittee would especially like to thank Michael Jacobson of the Vera Institute of Justice for the education provided to us and for Institute's commitment to improving the services people rely on for safety and justice.

With our best wishes,

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METHODOLOGY

The Public Safety Transition Subcommittee co-chairs took responsibility for studying one or more critical areas of public safety in Maryland:

Corrections - Stephen Z. Meehan, Team Leader
Parole and Probation- Shannon Avery, Team Leader
Therapeutic Communities and Re-Entry- Shelia Sullivan, Team Leader
Maryland State Police- Frank Kratovil, Team Leader
Governor's Office of Crime Control and Prevention- Frank Kratovil, Team Leader

The O'Malley Brown Transition Office supplied the Subcommittee with the names of citizens who volunteered to serve on the Public Safety Transition Subcommittee. On December 13, 2006, co-chairs met with Secretary Saar to explain the transition process and to receive from her a general briefing on the operation of the agency. The Co-Chairs held a meeting of volunteers at the offices of the Greater Baltimore Committee on December 18, 2006 to discuss the study process and to divide into study teams.

From there, the teams held to an aggressive schedule, conducting meetings with agency and program management, reviewing audits, budgets and legislation, and speaking with national experts and local stakeholders. Team leaders presented their draft recommendations to the Subcommittee at the Subcommittee's final meeting on January 8, 2007.

EXECUTIVE SUMMARY

Vision -- Action -- Urgency -- Maryland's public safety demands all three. Governor Elect O'Malley and Lieutenant Governor Elect Brown believe that making our neighborhoods more secure is a goal that every Marylander shares. Improving public safety -- everywhere in Maryland -- is an absolute must if we are to realize the full potential of our State's promise. Martin O'Malley and Anthony Brown know first hand that working together, neighbors, churches, community groups, police, prosecutors, and probation agents can improve the safety of Maryland's neighborhoods.

It was this commitment that inspired Public Safety Transition Subcommittee members to spend hours conducting interviews of key public safety officials and national experts, and studying audits, budgets, and legislative reports. As the teams developed their agency-specific recommendations, broader themes seemed to permeate discussions and research, such as:

- Improve technology and access to technology. Databases must be user friendly and collect the data end that users need to perform their jobs.
- Provide oversight, performance measures, timely data and deployment of resources to assist agencies in improving service.
- Consider moving agencies' physical locations closer together. Lack of proximity, coupled with difficulties accessing technology, could be an obstacle to team building and coordination.
- Allocate resources to specifically articulated, measurable goals.
- Increase coordination and accountability among and throughout agencies with a public safety mission.
- Implement strategic planning and its recommendations with a sense of urgency and a goal toward the prevention of operational and administrative crises in public safety agencies.

Governor-elect O'Malley, Lieutenant Governor-elect Anthony Brown, and their various Public Safety leaders will have to pay careful attention to these historical shortcomings, and some basic infrastructure reform will net immediate improvements and efficiencies in the services provided by these agencies. However, long term reform will only be achieved through an agency-wide commitment to:

- Accurate and timely data.
- Benchmarks and goals developed to serve an articulated purpose.
- Collaboration and communication among all agencies with a public safety mission.
- Constant review and evaluation of progress.

Finally, the Governor-elect and Lieutenant Governor-elect should mandate that the State manages its criminal justice data in a way that is user friendly and accessible to the public and criminal justice professionals.

This transparent form of governing will encourage citizen participation and it will improve quality of service. Removing the anonymity and the prioritizing resources to target our most violent offenders demands reliable and accessible data. Without it, agencies and the public will be at a huge disadvantage.

In June of 2005, the State of Maryland issued its "Technology Master Plan." It contains many promises but has shown little progress. With the prior administration's failure to staff and fund the criminal justice technology operation, future negative findings from that Board are to be expected. In June of 2005, the Advisory Board to the Governor wrote:

"The Maryland State Police have not been successful in obtaining the necessary resources that would foster its leadership role within the statewide law enforcement community."

"Two-thirds of Maryland's 24 subdivisions submit manual fingerprint cards through the mail, just as it was done when CJIS Central Repository was established in 1977."

"Offender data is keyed or stored manually by every agency and division of the Department of Public Safety and Correctional Services, resulting in large amounts of costly, error-prone, and duplicate data entry that cannot be quantified or reported because of a lack of a centralized, automated systems for storage and retrieval."

"(Prison) Automated Booking System users are not currently using the proper release type to report release without charge dispositions, but instead are choosing the "exception release" code and typing the letters "RWOC" in the free form text area provided. While this entry methodology is less cumbersome for the user, it results in a criminal arrest record and a State and FBI fingerprint card that does not reflect the fact that the arrest resulted in a RWOC. Since a court record (Charges and disposition) will never be received, the RAP sheet will not reflect that the arrest resulted in a RWOC."

"Maryland is not currently participating in the voluntary federal program to set IFFS (Identification for Firearms Sales) flags in Interstate Identification Index records. Therefore, manual research must be performed in response to a NICS (National Instant Check System) inquiry to determine eligibility of an individual to purchase a firearm. Compounding the issue, the results of that manual research cannot be entered in to the system so a subsequent firearms purchase by the same individual requires performing the same manual research again. Participation in the IFFS flag program will provide instant clearance or disqualification for those individuals for which the records are complete and it would enable records to be updated so subsequent searches would be automated."

"Because Maryland Interagency Law Enforcement System is so cumbersome, all State, county and municipal law enforcement units maintain separate local warrant files pertaining to each respective jurisdiction. None of this information is readily available through any automated process or system."

The Governor-elect and Lieutenant Governor-elect should implement across the board criminal justice technology initiatives that can address and solve these problems within months, not years, of assuming office.

The subject matter teams have developed comprehensive recommendations for progress. Some reforms should net immediate short term improvements while others will require discipline and diligence to achieve desired results. Highlights include:

Corrections

- Address technological deficits and aging buildings.

- Adopt effective oversight in the Secretary's Office to hold corrections systems administrators accountable for progress towards a safer, more secure environment.
- Evaluate medical care budget..
- Improve staffing and training. The staffing shortages and training and skills deficits within the corrections system continue to serve as the driving factor for security and safety issues.
- Streamline procurement and add oversight to the contract and delivery process.

Parole and Probation

- Consider restructuring to better coordinate release and supervision.
- Develop and deploy a uniform/coordinated risk assessment for Parolees.
- Put into practice proactive community supervision, statewide, for all qualified probationers
- Launch a case management database.
- Initiate the collection of millions in parole and probation fees as well as other uncollected victim restitution fees.

Maryland State Police

- Identify and articulate a renewed statewide mission; especially with regard to the reduction of violent crime.
- Consider conducting an agency management review to examine the responsibilities of various divisions within MSP and of other State law enforcement agencies.
- A plan, with timelines and interim performance measures, should be developed to resolve previously identified audit issues such as: (a) the lack of a uniform dispatch and record management system in Maryland; (b) the continuing backlog in DNA collection, submission and analysis; (c) the increasing backlog in outstanding warrants; (d) and the lack of reimbursement to MSP for various services provided.
- MSPStat, a weekly performance management system, should be implemented.

Drug Treatment and Re-entry

- Assess an individual, pretrial, to increase likelihood of treatment success.
- Establish a case management database to track inmates waiting for programming including drug treatment. This database should include the standard assessment tool.
- Establish reentry services for everyone leaving prison, both DOC and local inmates with sentences of one year or more.
- Create a better blend of funding for treatment services.

Governor's Office of Crime Control and Prevention

- GOCCP's organizational structure should be carefully evaluated to determine its appropriateness and effectiveness in relation to GOCCP's identified mission.
- Programs that have been funded for years under both the current administration and the prior administration must be reviewed for effectiveness.
- Funding for victims and witness programs should be consolidated into one agency, such as GOCCP; ensuring that funding from the State Victims of Crime Fund is used exclusively for Board related purposes or positions; and limiting the duties of the Victim Services Coordinator's to those necessary to carry out the mission of the Board.

CORRECTIONS

On January 17, 2007, Governor-Elect O'Malley and his Secretary-Designee of the Department of Public Safety & Correctional Services (DPSCS) take control of a corrections system in crisis. Aging facilities, technology deficits, staffing shortfalls, staff morale, corruption, faulty health care system, violence, and gangs require the new Administration to engage in a paradigm shift. The Corrections Team has made recommendations in five areas that will help advance Governor-Elect O'Malley's objectives of improving the corrections system to create safer working environments for staff and more secure living environments for inmates. Safe, efficient and organized prisons will result in safer streets in Maryland.

I. Technological Deficits and Aging Buildings.

The Team concludes that the shortest distance from the current safety crisis to improved safety and security is effective deployment of technology and human resources. All facilities must be evaluated for safety and usefulness in the 21st Century.

RECOMMENDATIONS:

A. Improve and enhance database to enable DPSCS agencies, State Police, and local law enforcement and corrections facilities to access and supplement data on defendants and inmates.

B. Coordinate, via a watch center concept, all intelligence officers and analysts trained in collecting, analyzing and disseminating information. Develop standards for daily exchange of information with local law enforcement. Establish guidelines for production of a variety of analytic products: daily flash notices; weekly summaries by institution and division; weekly and monthly trend analysis; etc. Establish training capability at MPCTC in principles of intelligence; data collection and analysis; asset handling; defensive and offensive operations; technological tools; tactical and strategic planning; etc. These analysts could develop and implement a credible Early Warning System for each DPSCS facility.

C. Ensure that the Internal Affairs Unit of the Secretary's Office receives proper training and oversight from MPCTC.

D. Conduct a technology assessment to identify opportunities to implement technological innovations to improve security and reduce manpower requirements.

F. Develop and distribute a mandatory inmate uniform.

II. Adopt effective oversight in the Secretary's Office to make progress towards a safer, more secure environment for employees, arrestees, detainees, and inmates.

RECOMMENDATIONS:

A. Launch of CorrectionStat to improve the overall management of Maryland's correctional facilities. Areas of analysis may include human resources, staff vacancies, overtime spending, injury claims, resignations, and training; implementation status of recommendations of the emergency preparedness audit; review of internal complaints from staff; coordination with Inspector General to ensure appropriate and swift resolution; examination of critical incidents and pre and post activity review; inventory of facility equipment, its maintenance and replacement plan; status of inspections of all

equipment; review to staff training and preparedness; and, examination of weapons and other contraband items seized by facility.

B. Ensure the Inspector General (IG) is staffed adequately to independently review and act on all internal audits of policies and practices and complaints of criminal conduct, fraud, waste and abuse.

C. Conduct an Emergency Preparedness Audit of all corrections facilities to evaluate resource allocations (human, equipment and training) and verify compliance with standards and policies, including interviews with corrections employees and inmates to ensure all relevant feedback is included in a plan of action.

D. Consider the creation of Specialized Emergency Teams to proactively address conditions that lead to violence in prisons. These Units would act on briefings developed by the Intelligence Units to mediate disputes, address conditions that may lead to incidents and prevent violence.

III. Medical Care. The Department's FY07 budget for medical care will have an estimated \$35 Million deficiency.

RECOMMENDATIONS:

A. Request assistance from Department of Management and Budget to perform budget analysis of this area and make recommendations to the Secretary.

B. Assign a qualified individual to serve as medical services contract monitor.

C. Investigate regulatory relief from pricing structure of the Health Services Cost Review Commission.

D. Evaluate cost savings and improvement in quality of care through use of DOC-employed medical providers, as opposed to private contractor; evaluate costs savings in the area of prescription drugs; and conduct a review of Medicaid reimbursements.

IV. Staffing.

RECOMMENDATIONS:

A. Address staffing shortages, recruitment and training issues with a particular focus on the challenges faced by the Jessup Regional Institution.

B. Consider enhancements to the promotion process by using outside-agency evaluators, requiring all candidates for middle management promotions (Lieutenant, Captain or Major) to complete training in administration, personnel management, and personal relationship skills prior to receiving permanent promotion; and mandate a standardized annual evaluation process for every employee designed to nurture professional growth.

C. Evaluate staff compensation package.

E. Analyze and consider modifications the selection process for field training, fire/safety, and intelligence officers; e.g. job description for each position and a protocol for selection.

F. Seek innovative ways to professionalize the image of corrections officers and corrections management as well as improving morale in the workforce.

V. Maryland Police and Corrections Training Center (MPCTC).

RECOMMENDATION:

A. Review the organizational structure of all DPSCS training academies and curricula and consider centralizing location to promote standardized training after consultation with all relevant stakeholders

Meetings and Sources of Information:

The Team reviewed and analyzed Departmental responses to questions, annual reports, Department of Legislative Services audit reports, past and proposed departmental budgets, and other agency documents. The team conducted interviews with Mary Ann Saar, outgoing Secretary; Larry Franklin, Deputy Secretary for Administration; David Bezanson, Assistant Secretary for Property Services; John Rowley, Acting Commissioner of Correction; James Pegeuse, Assistant Commissioner for Security; Howard Ray, Acting Commissioner of Pretrial Detention & Services; Benjamin F. Brown, Assistant Commissioner for Administration; Randall Nero, Director of the Patuxent Institution; Ronald Brothers, Director of Information Technology and Computer Design (ITCD); and Nathan Le, University of Maryland IT consultant under a federal High Intensity Drug Area (HIDA) grant. The Team toured the Police and Corrections Training Facility at Sykesville and met with Patrick Bradley, Executive Director; Raymond Franklin, Deputy Executive Director; and Nancy Hoffman, Director of Instruction. The Team, along with Acting COC Rowley, and ACOC Puguese, with Franklin Galaski, DOC Director of Intelligence Unit at the Unit's offices in Jessup.

PAROLE AND PROBATION

Despite efforts to coordinate inmate release and supervision, the parole and probation organizational structure impedes the common goal to lower recidivism. Reform efforts must include structural changes in and among the Division of Parole and Probation, the Maryland Parole Commission, and the Office of the Secretary, the uniform enforcement of policies and the implementation of accountability measures.

I. Efficient Organization

RECOMMENDATIONS:

A. Consider restructuring to place the Division of Parole and Probation under the leadership of the Maryland Parole Commission, consistent with models in New York, Missouri, and Kansas where release and supervision would be coordinated by an Assistant Deputy Secretary for Community Corrections.

Currently, the Maryland Parole Commission determines parole release and the Division of Parole and Probation supervises parolees. This disconnect is inefficient and dangerous. Under the proposed restructuring, release and supervision would be coordinated by an Assistant Deputy Secretary for Community Corrections.

B. Consider consolidating the offices of the Division of Parole and Probation physically within the Office of the Secretary. Conduct a management audit to aid in identifying cost-saving measures in the process of physically and operationally consolidating the services of Parole and Probation.

II. Parole and Parole Hearing Reform

RECOMMENDATION:

A. Consider restructuring the Maryland Parole Commission by use of an Administrative Law Judge (ALJ) assigned by the Office of Administrative Hearings (OAH) to conduct parole release and parole revocation hearings, to make findings of facts, and recommendations on action to the Maryland Parole Commission. Use of ALJs will professionalize the fact finding process, allow for uniform application of a risk instrument, and result in cost saving by reducing the number of Parole Commissioners.

B. Develop and require the members of the Parole Commission to uniformly apply a uniform/coordinated risk assessment for parolees.

The Division of Correction, the Maryland Parole Commission and the Division of Parole and Probation use separate classification criteria and do not coordinate between each other. As an example, the Division of Correction will classify an offender convicted of a violent crime not lower than medium security and prohibit him from participating in work release and other outside testing; the Parole Commission will not grant parole release without successful outside testing; and Parole and Probation will request a warrant based on noncompliance without including risk as a variable. Re-entry goals cannot be achieved without the effective coordination of a risk assessment.

In the context of Parole, the risk assessment should be applied uniformly to all offender categories within the general purview (women offenders, domestic violence, and sex offenders appropriately).

distinguished). Performance measurement should be tied to the proper application of the risk assessment, thereby reducing unnecessary incarceration of non-violent offenders and enhancing re-entry and supervision efforts.

III. Offender Supervision Reform

RECOMMENDATIONS:

A. Implement uniform/coordinated guidelines for violations.

Presently, there are no guidelines that consider risk, category of violations, and consistent sanctions for particular administrative violations. An absconder, the most frequent violation category, may not have a warrant issued for two to three months; a drug use violator may be returned to prison for three months to three years. Guidelines should be implemented, and performance measured accordingly, that include progressive sanctions and alternatives to re-incarceration such as treatment or other referrals for service.

B. Improved supervision of violent offenders; reduction of costs.

Supervision under parole and/or probation should be overhauled to effect the improved supervision of violent and recidivist offenders and to reduce overall cost of supervision. First, initial and on-going supervision should be determined, as stated above, through the uniform application of a risk instrument. Low risk individuals should be minimally supervised, through the use of a kiosk system, or self-monitoring. While this will affect cost-savings, it is indicated from research that minimal intervention results in fewer violations. Second, resources should be “front-loaded” to affect substantive and targeted programming in the first few months of supervision. In other words, instead of parceling out resources equally from the beginning to the end of a period of parole or probation, funds should be concentrated in the first few high risk months to evaluate individuals and secure appropriate services, including drug or mental health treatment, transitional housing, or job training. During this period, supervision and intervention should be intensive. After the initial period of investment, resources dedicated to supervision should decrease progressively. Finally, as stated above, uniform guidelines must be used to address technical violations, that include progressive and other alternative sanctions to incarceration.

In addition, as a general matter, the case load of individual probation agents must be reduced in order to effectively supervise violent and recidivist offenders.

C. Improve the collection of mandated restitution and fees.

The Division currently uses an archaic, manual system of collecting monies due from offenders for restitution. In addition, probation supervision fees are often waived by the courts instead of requirement of a partial payment on a sliding scale. As a result, there is unnecessary loss of revenue.

A modernized collection system using contemporary collection tool needs to be instituted. Outsource of this collection feature should be considered. Millions in revenues are not being collected.

D. Develop and implement performance measurement systems.

In addition to the structural reforms discussed above, there is a need within the Division of Parole and Probation and the Parole Commission for performance-based measurement systems. A Parole and Probation “Stat” should be developed and implemented to effect accountability for decision making in the

areas of parole and probation supervision. The system should hold accountable decisions relating to release, retake, targeted and programmatic supervision, tracking, and cost containment.

E. Implement an offender case management system to provide for data sharing within the agencies of the Department of Public Safety and Correctional Services, the Maryland State Police and local corrections and law enforcement agencies.

F. Improve monitoring and tracking of child sex offenders. Currently, no sex offender treatment is available to offenders while they are serving their time in Maryland correctional facilities. Treatment must be provided during incarceration and upon release. Parole and Probation should be prepared to implement GPS tracking for certain types of sex offenders.

As Maryland institutes lifetime supervision and GPS tracking, it will no longer have to rely on violent sex offenders to provide information about their activities. Parole and probation agents must know whether offenders are living up to the terms of their release. Tracking of sexual offenders must be a major benchmark in the Parole/ProbationStat program.

Meetings and Sources of Information:

December 20, 2006- Meeting with Chair of the Parole Commission, David Blumberg
January 2, 2007- Meeting with Director of Parole and Probation, Judith Sachwald

In addition, the team relied upon various documents from Open Society and The Vera Institute of Justice.

MARYLAND STATE POLICE

I. MSP's Mission and Focus

With the substantial growth in population in Maryland's jurisdictions; the growth in size and number of local law enforcement agencies; the increase in multi-jurisdictional and cyber-space crimes; the heightened concerns regarding homeland security; the increase in legislatively mandated MSP responsibilities; and a limited number of available personnel; MSP's mission and focus has become more diluted and unclear. Although MSP currently has a listed mission statement and individual Memorandum of Understandings (MOU) with many local law enforcement agencies, MSP has not deliberately or comprehensively considered the aforementioned factors in determining its overall mission and focus now and for the future. The consequence, according to the vast majority of individuals interviewed, is that although MSP is currently performing many functions, it is not performing many of them as well as they could.

RECOMMENDATION:

A. MSP should reconsider, identify and articulate its statewide mission and focus. In particular, MSP must establish how it will contribute to the reduction of violent crime. To do so, it should identify those functions where statewide law enforcement leadership is appropriate and necessary. In making that determination, consideration should be given to functions MSP has the unique ability or expertise to undertake. Examples discussed by the Subcommittee include, intrastate communications, homeland security, forensic laboratories, multi-jurisdictional crimes, cyber crimes, aviation, and traffic safety. Having determined those priority functions, MSP should enter into MOUs with all local law enforcement agencies articulating leadership and primary responsibility for those functions and identifying other functions to be performed based on local needs and resources. In identifying and articulating those functions in the individual MOUs, MSP's statewide mission and focus will be consistent and will be effectively determined by MSP and not, as currently appears to be the case, by individual local jurisdictions. Finally, having entered into such MOUs, MSP needs to abide by the commitments contained therein. The Subcommittee identified MOUs where both MSP and local commitments were not being kept.

II. Distribution and Use of Resources

RECOMMENDATIONS:

A. MSP would benefit from a comprehensive management and operational evaluation. Considering its mission, focus, and legislatively mandated responsibilities, MSP must undergo such an evaluation to improve its support to a changing Maryland. A comprehensive evaluation of resources would review all sworn and civilian positions to determine whether each is appropriate, efficient and effective in carrying out those functions. Although a comprehensive evaluation may suggest some functions are adequately staffed and some divisions overstaffed, the Subcommittee's unanimous conclusion is that additional resources are needed. The population served by MSP has become larger and its issues more complex and demanding since initial resource allocations were made.

B. The Superintendent of the MSP must take a leadership role to avoid redundancy within MSP and among other state agencies. Within the specialty divisions of MSP, it appears troopers may be performing the same tasks as those within other units. Additionally, the Subcommittee is concerned that

MSP may be performing functions duplicating the efforts of other State or local law enforcement agencies.

A comprehensive management evaluation of all state law enforcement agencies will identify internal and external areas of redundancy.

III. Recruitment and Retention

Attrition resulting from retirement, disability, termination, death and resignation; traditional MSP training and eligibility requirements; unavailability of lateral law enforcement transfers; increase in number and size of other competing law enforcement agencies; limitations with regard to salaries and benefits; lack of geographic stability for troopers as compared to officers from other agencies; additional legislatively mandated responsibilities; insufficient funding; and inefficient administrative funding practices within DBM; have all affected MSP's ability to maintain sufficient manpower to carry out its mission. Although many of these factors have historically impacted MSP recruitment and retention, the recent increase in attrition rate has substantially worsened the situation. Put succinctly by one Captain with whom we met, although MSP can argue about understaffing and overstaffing within and among barracks and specialty divisions, sufficient staffing levels can never be appropriately addressed so long as recruitment cannot keep up with attrition.

RECOMMENDATION:

In order to address the increasing rate of attrition, MSP needs to examine and evaluate all of the above mentioned factors with an eye toward increasing recruitment and diversity among all ranks. The effort must be aggressive and creative. Salaries and benefits need to be reexamined to ensure they are competitive, if not superior, to those of other competing law enforcement agencies. Eligibility and training requirements need to be reconsidered to determine if they have a rational relationship to fulfilling MSP's mission. And consideration needs to be given to pay differential based on geographic location and cost of living comparisons; recruiting bonuses for long-term commitment; and, finally, lateral transfers from other law enforcement agencies.

IV. Homeland Security

Currently, multiple agencies, divisions, units and task forces are dealing independently with the issue of Homeland Security in Maryland. Although there is an Office of Homeland Security within the Governor's Office, there is no single controlling and responsible agency in the State. Additionally, because so many entities are dealing with the issue independently, there appears, once again, to be substantial duplication of effort and lack of coordinated resources and communication. Of greater concern than the efficiency issue, however, is the effectiveness issue.

RECOMMENDATION:

A. Maryland needs to conduct an audit of all resources allocated in furtherance of homeland security and evaluate their efficiency and effectiveness. In addition, consideration should be given to consolidating all relevant resources within one agency responsible for supervising and coordinating all homeland security efforts within the State and cooperating and communicating with Federal authorities.

V. Previously Identified Issues

While meeting with the various barrack and specialty division commands, the Subcommittee made

inquiry with regard to several issues previously identified in the completed audits and other materials provided.

RECOMMENDATIONS:

A. It is essential that funding immediately be provided to establish a uniform dispatch and record management system in Maryland as proposed by GOCCP. Each year that passes without implementation places Maryland further behind other States and inhibits essential communication and sharing of information between law enforcement agencies.

B. MSP should continue to enter into MOUs with other agencies that are in the best position to recover required DNA samples. In addition, consideration should be given to modifying current legal responsibility for the collection from MSP to those agencies. Parole and Probation and Corrections are obviously the agencies in the best position to know who needs to provide samples and also to recover them. MSP and GOCCP should apply for all available funding to pay for the analysis of samples recovered.

C. MSP should establish and implement a statewide procedure for serving outstanding warrants. Currently, warrant service procedures and results vary from barrack to barrack. Ideally, resources need to be provided to allow for small units within each barrack to gather necessary identification information and to serve the warrants that are unserved. If resources are not available to do so at each barrack, consideration should be given to providing such resources at a troop level or at a statewide level.

D. MSP needs to identify all services provided to other agencies and local governments to determine whether reimbursement efforts should be implemented. MSP conducts polygraph examinations for most allied law enforcement agencies' applicants, for example, but receives no reimbursement.

VI. Establishing a Management System to Ensure all Goals are Met- MSPStat

RECOMMENDATION:

A. MSPStat, based on ComStat, would be a weekly meeting, conducted by MSP Commanders, to review the MSP's ability to meet its defined goals within specific, measurable terms. Operationally, MSPStat would review crime patterns and trends in the areas in which MSP has primary law enforcement authority. Based on that real time, accurate crime data, MSP commanders would work to develop solutions to address the crime. Follow up MSPStat meetings would assess whether the measures taken in addressing the particular crime problem had the desired response. If more assets are requested, analysis at MSPStat could support such a claim or offer an alternative to assist the commander reach his or her objective. Administrative functions within MSP could also be evaluated regularly such as: rate of hiring, DNA collection, analysis, and data entry, and fleet management.

MSPStat will not only ultimately improve MSP's service to the community, it will improve working conditions within MSP and demonstrate measurable successes internally and externally.

Meetings and Sources of Information:

The Subcommittee reviewed numerous documents related to MSP including, but not limited to: transition documents; publicly available budgetary and organizational documents; recently completed audits and responses; descriptions, responsibilities, personnel and statistics of various specialty divisions within MSP; Memorandums of Understanding between MSP and local law enforcement agencies, county and

State correctional facilities, and other agencies and departments; criminal, motor vehicle, drug, warrant and arrest statistics for all barracks; MSP legislative proposals; policies and procedures for barracks related to the service of summonses and warrants; Department of Budget and Management's FY 2008 State of MD Information Technology Master Plan; 2005 Report of the Interoperability Project Team to the Public Safety Communications Governance Work Group; MSP's 2005 Annual Report; and privately-prepared position papers, strategic plans and histories regarding MSP. In addition, the Subcommittee visited and conducted interviews with command staff and other officers at the following barracks or divisions: Easton Barrack; Annapolis Barrack; Golden Ring Barrack; Leonardtown Barrack; Criminal Investigation Division; Homeland Security and Intelligence Division, and Commercial Vehicle Enforcement Division. The Chair also met with and interviewed the Secretary of State Police and the State Fire Marshal. Based on information obtained from the materials reviewed and interviews conducted, the Subcommittee identified several priority issues and proposed recommendations with regard to each.

December 18, 2006-	First Team Meeting
December 21, 2006-	Meeting with Secretary of State Police and State Fire Marshal
December 21, 2006-	Meeting with Executive Director of Auto Theft Council
December 28, 2006-	Visit and Meetings at Easton Barrack Visit and Meetings at Annapolis Barrack Visit and Meetings at Golden Ring Barrack
December 29, 2006-	Visit and Meetings at Leonardtown Barrack Visit and Meetings at Criminal Investigation Division
January 3, 2007-	Visit and Meetings at Homeland Security & Intelligence Division Visit and Meetings at Commercial Vehicle Enforcement Division
January 4, 2007-	Team Meeting at Bowie City Hall

DRUG TREATMENT/RE ENTRY

The Drug Treatment/Reentry Subcommittee of the Public Safety Workgroup of the O'Malley/Brown Transition Team reviewed current drug treatment programs within DOC, community based drug treatment programs, drug treatment options in facilities in other jurisdictions and reentry programs in Maryland. The subcommittee broke this task into two further subcommittees.

The State of Maryland should expand drug treatment options across the continuum of care for those in the criminal justice system. Treatment reduces recidivism, reduces violent crime, reduces violence in the prison facilities and aids reentry for people released from the criminal justice system. Drug treatment will decrease repeat incarcerations saving the Division of Corrections money associated with the revolving door of incarceration. It costs \$22,000.00 per year to incarcerate drug offenders. Depending on level of care, it costs between \$1,800.00 and \$6,800.00 per year to provide drug treatment to drug offenders.

In addition, the State of Maryland should improve available work force reentry programs to better prepare the 14,000 people who leave prison each year with a bag of clothes and \$50.00 in their pocket. Maryland's re entry programs should be a model to the country and they don't have to be implemented to the detriment of prison safety.

The report that follows covers three areas: Treatment Behind the Walls, Transition From Corrections to Community, and Treatment in the Community.

I. Treatment Behind The Walls

Currently drug treatment programs within DOC are very limited. There are five modified TC programs located at Central Laundry Facility (256 bed capacity), MCTC (75 bed capacity), MCIW (60 bed capacity), Patuxent ROTC (100 beds for men, 24 beds for women), and MTC (75 bed capacity). All five programs are contracted privately to Gaudenzia, Inc.

In the next two months, a sixth program for pretrial methadone detoxification will begin at Baltimore City Detention Center. It is hoped that 10,000 people per year will participate pretrial and will then be connected to community treatment when released. This is a front end treatment program which is less expensive than back end treatment provided at the 5 current DOC programs.

Second Genesis, Inc. has contracted with DOC to conduct all of the assessments within the institutions to determine each inmate's eligibility for the five modified TC programs that exist. At post sentencing classification, inmates are tested using the TCU assessment tool. Those inmates assessed at a certain minimum level and who have a sentence of greater than 18 months are again tested using the ASI assessment tool. This ASI assessment takes place when the inmate is within four years of their mandatory release date. If assessed to require a high level of care, the inmate is placed in one of the TCs. If assessed at a lower level, the inmate is placed in outpatient treatment which is offered at several institutions. Both high and low level of care are six month programs followed by after care in the institution. The use of two assessment tools and the tools themselves are suggested to be inefficient. This process needs to be reviewed.

These communities are not totally segregated from institution population. Some of the DOC TCs are not at full capacity. For example, MCIW is currently at 50% capacity. Other than the TC at MTC , no aftercare plans are made for the inmate's return to the community. DOC has funding to hire four new treatment counselors at prerelease units in January 2007. However, there are many vacant substance abuse positions within DOC. Reasons behind the large number of vacant positions need to be examined.

In assessing treatment behind the walls, the team briefly examined the Chester TC in Pennsylvania and the TC facility in Johnson County, Kansas. We suggest that both programs require further study. Both Kansas and Pennsylvania have extensive after care planning while the inmate still resides in the TC. In addition, both states have systems of community corrections in place for step down/step up capability as substance abuse is a chronic illness rarely cured by one treatment event. Until the aftercare plan component and community corrections component exist in Maryland, it would be difficult to establish a Chester-type facility. The team has reviewed many documents on the Chester Facility. All documents including a recent review of the Chester facility with recommendations should be reviewed.

A component of "behind the walls treatment" includes commitments under section 8-507 of the Health General Article. This section allows judges to commit a defendant or inmate in the criminal justice system to DHMH for long term residential treatment in lieu of incarceration. Commitments under 8-507 and supervision by Parole and Probation require collaboration and coordination between DPSCS and DHMH. Expanding the availability of 8-507 requests for inmates would expand the drug treatment option for those behind the wire.

There is a limited level of treatment for persons with co-occurring mental health and substance abuse disorders. More co-occurring programming and bed space are needed. This is mainly a funding issue. However, we recommend contracting for better mental health assessment and mental health treatment within the DOC for proper diagnosis before an inmate begins any substance abuse treatment program.

RECOMMENDATIONS:

- A. Review the assessment tools currently used (TCU/ASI) to properly assess for mental health and other issues to ensure proper placement for treatment.
- B. Increase capacity for treatment behind the walls. Consider segregation of TCs from general population by using two facilities as TC Facilities exclusively.
- C. Assess an individual detained pretrial to increase likelihood of diversion to the treatment community from incarceration.
- D. Consider parole or diversion programs for individuals identified as substance abusers.
- E. Establish a case management database to track inmates waiting for programming including drug treatment.

II. Transition From Corrections to Community

Approximately 14, 000 prisoners are released from prison each year. Most of those released are ill prepared for the extraordinary challenges that they will face. People convicted of drug felonies are not eligible for some public services, including public housing, until three years after their release from prison. Tuition assistance is not available and medical assistance is only available if the person has a disability. In order to change the high cost of recidivism, Maryland must change reentry both behind the wall and in the community.

There is a general lack of coordination between DOC and community based support services including drug treatment, employment and comprehensive case management programs. If an inmate receives treatment in prison, there seems to be a slightly better opportunity for some reentry coordination and support. If not in treatment while incarcerated., the ex-offender relies solely on the small numbers of community based non profits that serve a very small portion of the 14, 000 people released from institutions.

There are a number of workforce reentry programs throughout the State. Most programs are in Baltimore to respond to the demand of approximately 9,000 prisoners released annually who return to the Baltimore area. Ex offenders voluntarily participate in these programs. Most reentry programs offer the following services:

- A. Job readiness and life-skills training behind the fence. Case management to prepare pre-release plans and coordinate transitional services
- B. Direct help or access to employment services including job counseling, literacy, placement, career advancement, retention services. and occupational skills training such as construction, truck driver licensing.
- C. Post-incarceration transitional services such as identification, temporary housing, bus fare, clothing allowance.
- D. Linkage to no-cost community resources
- E. Partnering with local, state, federal governments, private foundations, and community based organizations.

Most of these programs rely on grants from foundations. Foundations limit their support of a program after a year or two, indicating that the State should be responsible to pick up the funding.

When transitioning from prison to community, ex-offenders encounter reentry programs with differing eligibility criteria, programming content, location of services and quality of staff. The program may lack the continuum of care needed to successfully transition to life outside prison. Many ex-offenders fall between the cracks and do not have access to the full complement of needed services. In addition to lack of services, there is limited access to job opportunities. Without needed transition support, the ex-offender re-offends, usually within the first year of release, which raises corrections costs in the long run. In order to reduce the high cost of recidivism, we recommend systemic changes in policies and programming behind the wall as well as in the community.

RECOMMENDATIONS:

- A. Increase reentry services for everyone leaving prison, both DOC and local inmates with sentences of one year or more, by providing high quality case management prior to release.
- B. Increase services prior to release for:
 - Substance abuse treatment and after care.
 - Education for High school diploma or GED.
 - Providing Maryland State ID, birth certificate and social security cards.
 - Proper medical and dental care.
 - Expedited approval/reinstatement of Medicaid for ex-offenders.
- C. Require that community based reentry programs provide referrals based on an individual's needs.
- D. Evaluate reentry programs to determine components that reduce recidivism. Establish quality standards to hold programs accountable.
- E. Identify incentives for employers to train and hire ex-offenders. Eliminate legal exposure for businesses hiring ex-offenders.

III. Treatment in the Community

Some people are released from institutions to the community with inappropriate referrals to drug treatment and after care. Co-occurring treatment is limited and needs expanded funding. However, too often people with severe mental health problems are referred to treatment programs which do not provide co-occurring services.

In Maryland, more funding is needed to meet the drug treatment needs for the entire population. Some community program have the capacity to serve more people if funding were available. In the more rural areas, there are limited treatment options.

Community treatment is important for successful after care when released from prison to reduce recidivism. Community treatment is also important in terms of parole and probation and pretrial release. Front end treatment is less expensive and more productive than treatment during and after incarceration. Correctional officials, judges and treatment provides agree that we should not incarcerate for treatment when community corrections and community treatment are more appropriate.

Drug courts have begun to operate in most counties in Maryland. These courts have been shown to have a significant impact on drug addiction and recidivism in other parts of the country. These courts rely on intensive probation supervision using community drug treatment. The courts use a sanctions and incentives approach in handling the drug addiction problem. Using drug courts appropriately can reduce DOC costs. In the future, the State needs to evaluate the Maryland Drug Court success in reducing recidivism.

RECCOMENDATIONS:

- A. Create a better blend of funding for treatment services. For example, 8-507 commitments are technically in the custody of DPSCS. However, funding for treatment comes from Alcohol and Drug Abuse Administration (ADAA) within DHMH.

B. Increase funding for statewide contracts that provide services to specific populations (e.g. persons in criminal justice system, women with children, co-occurring disorders).

C. Increase block grants to local jurisdictions to meet local priorities and needs for drug treatment as identified by Local Councils on Alcohol and Drug Abuse.

Meetings and Sources of Information:

The team analyzed documents from DPSCS, documents from the Chester TC Facility in Pennsylvania, documents from Kansas TC programs and interviews from additional contacts with experience in the fields of Drug Treatment and Reentry. The subcommittee's work took place between December 18, 2006 and January 3, 2007.

- December 19, 2006- Meeting with Sara E. Gallagher
Director
Jericho Episcopal Community Services
- Meeting with Felix Mata
Project Manager, Ex-Offender Task Force
Baltimore City Mayor's Office of Employment Development
- December 20, 2006 Phone Communication with Tommy Heirs
Executive Assistant to the Deputy Secretary of Operations - Restart
- Phone Communication with Mary Anne O'Donnell
Director of Community Service, Catholic Charities
- December 22, 2006- Meeting with Richard B. Rosenblatt, Esquire
Assistant Secretary of Treatment Services, DPSCS
- December 27, 2006- Meeting with Community Treatment Providers.
- Gale Saler, Executive Director, Gaudenzia, Inc.
Ken Martiz, Psy. D., Division Director of MD Prison Services,
Gaudenzia Inc.
Michael McGuinness, Acting Executive Director, Second Genesis, Inc.
Marilyn Moran, Director of Nursing, Hope House
Richard Sawyer, Clinical Director of Adult Outpatient Services and
Director of Contracts Management, Mountain Manor.
Walter Dolata, Coordinator of Adult Outpatient Services and Clinical
Supervisor, Mountain Manor.
- December 28, 2006- Phone & E-mail Communication with
Joshua M. Sharfstein, MD, Commissioner of Health for Baltimore City
- December 29, 2006- Meeting re: Chester TC Facility
- Personnel from Gaudenzia Inc.:

Michael Harle, MHS, President/Executive Director; Cecilia M. Velasquez, Director of Correctional Services; Gale Saler, Executive Director; Ken Martz, Psy. D., Division Director of MD Prison Services

January 2, 2007-

Follow up Communication with
Joshua Shafstein, MD

January 2, 2007-

Meeting with Greg Warren
Director, Substance Abuse Treatment Services
DPSCS

January 3, 2007-

Phone Communications with
Martin Horn
Secretary of Corrections NYC, NY
Former Secretary of PA Department of Corrections
During time when Chester TC established

GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION

The Governor's Office on Crime Control and Prevention was created in 1995 through an Executive Order, consolidating the activities of state offices dealing with crime, drugs, alcohol and the administration of justice. In 2005, Executive Order 01.01.2005.36 broadened GOCCP's responsibilities, giving the office principal responsibility for coordinating all interagency public safety and crime control and prevention activities throughout Maryland. The office is also the main link between federal, state, regional and local public safety activities.

Below are recommendations the Team believes will help Governor O'Malley improve the effectiveness of GOCCP by addressing deficiencies in customer service, developing relationships with jurisdictions that promote best practices in criminal justice programs, providing technical assistance and effective oversight of grant programs, supporting improved delivery of victim services, and working with state and local agencies on strategies that will result in a measurable and sustained reduction of crime.

I. GOCCP: Mission Focused, Staff Ready.

In recent years, GOCCP has earned the reputation of a partisan office focused on politics rather than results. The mission of the office was unclear and many individuals working within the agency did not receive the proper training or guidance to contribute to improving Maryland's public safety. These vaguely defined roles and responsibilities that have not always proved to relate to the primary mission of distributing, administering, and monitoring state and federal grant funds for crime fighting and crime prevention-related initiatives. While it has sought significant input from local jurisdictions regarding funding priorities in the past, GOCCP no longer reviews priorities with its statewide advisory council, which has resulted in some negative attitudes aimed towards this agency.

RECOMMENDATIONS:

- A. Evaluate GOCCP organizational structure staffing plan to determine that the office can meet its identified mission.
- B. Demonstrate non-partisan policymaking by fostering collaboration with relevant stakeholders, including members of an effective policy advisory council.
- C. Create a professional, nonpolitical, core workforce of individuals trained and experienced in grant fiscal and program management. Conduct a desk audit of individuals currently employed and ensure that responsibilities are consistent with education and experience. Develop job descriptions consistent with grant management; e.g. fiscal technician, accounting supervisor, program specialist, senior program specialist. Consider federal job descriptions and titles as models.
- D. Assist the Governor in ensuring all criminal justice related boards are filled with competent, reliable, committed individuals and that they are meeting the objectives envisioned by their enabling legislation.

II. Improve program and grant oversight.

A recent Department of Legislative Services' audit stated: GOCCP'S oversight procedures "were inadequate to ensure that State grant funds were spent in accordance with grant provisions." Additionally, the team was unable to determine from its interviews whether funds spent were having the substantive impact envisioned when the grants were awarded. Verification that monies are being spent appropriately does not mean that the programs are producing results without adequate performance measures.

RECOMMENDATIONS:

- A. Establish performance measures to evaluate grant and grant program's performance and review performance on a regular basis.
- B. Require compliance with reporting requirements before disbursement of grant funds.
- C. Conduct a performance audit on the current oversight procedure and follow appropriate recommendations.
- D. Provide on going training to staff on best practices regarding monitoring.
- E. Encourage staff to develop supportive relationships with grantees to address problems proactively, before something goes wrong with the implementation of a grant.
- F. Ensure grant requirements are clear to grantees and prospective applicants through training, manuals and a "Help Desk". Work with grantees and prospective applicants to develop formal, customer friendly communications tools to assist grantees understand grant administration and criminal justice substantive areas.
- G. Provide substantive training to grant staff so they understand the challenges local governments face in fighting and preventing crime. Staff must develop a better awareness of issues such as domestic violence, violent crime reduction strategies, inter-relationship between local and state public safety strategies, and what federal resources that can be brought to assist local governments.

III. Propensity for Funding "Flavor of the Month" Programs.

Traditionally, priority for GOCCP funding appears to have been given to new and allegedly innovative programs, rather than using funds to leverage local efforts or using funds to support more traditional law enforcement needs. This is due in large part because funding is driven by federal initiatives where GOCCP is the funding conduit, as opposed to its originator. The problem is that substantial resources are spent on initiatives that suddenly become popular despite insufficient evidence of need or effectiveness. Proven initiatives or demonstrated needs go under funded or ignored. Although short-term funding cycles may be appropriate for new initiatives, GOCCP should also consider, where able to do so, long-term funding cycles for existing and successful programs which are available through other State agencies.

RECOMMENDATIONS:

A. While complying with funding eligibility requirements, GOCCP should nevertheless base its grant awards on demonstrated need, program effectiveness and sustainability and not on sensational “flavor of the month” initiatives.

B. Where possible, greater consideration should be given to traditional law enforcement needs: improved technology and enhanced communications.

IV. Dilution of Funding and Resources for Victim & Witness Services

The 22-member Maryland State Board of Victim Services is housed within GOCCP and is comprised of representatives from criminal justice agencies, service providers, and crime victims. Members serve five year terms. By statute, the Board is staffed by a Victim Services Coordinator who is appointed and supervised by the GOCCP Executive Director. The Board’s duties include recommending the appointment of the Victim Services Coordinator, monitoring the service needs of victims, and advising the Governor on needs of victims. For many years, the Board has argued for the creation of an independent State agency responsible for victim and witness issues and funding, in large part because of its view that funding is not managed properly, is used for unrelated purposes, and that the Victim Services Coordinator’s ability to effectively staff the Board is limited because of unrelated additional responsibilities within GOCCP.

RECOMMENDATION:

A. Ensure that funding from the State Victims of Crime Fund is used exclusively for Board-related purposes.

B. Limit the duties of the Victim Services Coordinator’s to those necessary to carry out the mission of the Board.

V. Efficiency and Effectiveness of Administration.

Even though an overall review of programs and funding should be undertaken, GOCCP should continue to foster and promote several existing programs and initiatives designed to address specific and clearly identifiable crime control and prevention needs. GOCCP funds a variety of grants across many different subject matter areas. A number of the GOCCP grants terminate after three years making it difficult to conduct outcome evaluations. Further, outcome evaluations are often very expensive to conduct, more expensive in some cases than the program that is being evaluated. While the team observed that GOCCP has made real efforts to improve the evaluation process for their grant programs, what is still lacking is the follow-through and the discipline required for a true evaluation process.

RECOMMENDATION:

A. GOCCP should be required to publish their evaluation findings in an annual evaluation report. This could be a best (and worst practices) description of projects for all to read and learn from.

B. Additional efficiencies may be achieved through merging GOCCP with the Governor’s Office of Grants as some local government representatives surveyed questioned the value added to the grants process by having both GOCCP and the Governor’s Office of Grants.

C. Similarly, some local officials suggested GOCCP accepting administrative responsibility of Homeland Security grants rather than creating a separate, duplicate administrative system within the Maryland Emergency Management Agency, (MEMA). Operational decisions and grant allocations would continue to be the responsibility of MEMA. GOCCP would only serve as MEMA's financial/grants management division.

Meetings and Sources of Information:

Individuals who were interviewed included Alan Woods, Executive Director of GOCCP; Grey Leyko, Deputy Executive Director of GOCCP; Roberta Roper, Chair of the Maryland State Board of Victim Services; and Russell Butler, Executive Director of the Maryland Crime Victims Resource Center. Additionally, phone interviews were conducted with Michael Cohen of the Maryland Network Against Domestic Violence and Glenn Plutscak.