

Q00C01
Maryland Parole Commission
 Department of Public Safety and Correctional Services

Operating Budget Data

(\$ in Thousands)

	<u>FY 08</u> <u>Actual</u>	<u>FY 09</u> <u>Working</u>	<u>FY 10</u> <u>Allowance</u>	<u>FY 09-10</u> <u>Change</u>	<u>% Change</u> <u>Prior Year</u>
General Fund	\$4,868	\$5,316	\$5,333	\$17	0.3%
Contingent & Back of Bill Reductions	0	0	-35	-35	
Adjusted General Fund	\$4,869	\$5,316	\$5,299	-\$17	-0.3%
Adjusted Grand Total	\$4,869	\$5,316	\$5,299	-\$17	-0.3%

- The adjusted fiscal 2010 allowance is approximately \$5.3 million, decreasing 0.3%, or \$17,000, below the fiscal 2009 working appropriation. Slight increases for personnel expenses, rent, and in-state routine travel are offset by the across-the-board reductions in the deferred compensation match.

Personnel Data

	<u>FY 08</u> <u>Actual</u>	<u>FY 09</u> <u>Working</u>	<u>FY 10</u> <u>Allowance</u>	<u>FY 09-10</u> <u>Change</u>
Regular Positions	78.00	75.00	75.00	0.00
Contractual FTEs	<u>2.00</u>	<u>3.00</u>	<u>3.00</u>	<u>0.00</u>
Total Personnel	80.00	78.00	78.00	0.00

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	4.50	6.00%
Positions and Percentage Vacant as of 12/31/08	9.00	12.00%

Note: Numbers may not sum to total due to rounding.

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Analysis in Brief

Issues

Impact of Parole Risk Assessment Tools: In June 2006, the Maryland Parole Commission (MPC) began using new parole guidelines and a revised risk assessment instrument to aid in evaluating offenders eligible for parole. MPC submitted a comparative assessment of the new guidelines at the end of fiscal 2008, but adequate recidivism data was not available at the time of the report in order to provide an appropriate assessment. The new guidelines have now been in place for two years, and one-year recidivism data should be available. In addition to granting release, MPC is also responsible for prescribing an offender's terms of supervision. Risk assessment tools might also provide guidance for this, as well. **MPC should comment on what tools and guidelines it uses for prescribing terms of supervision. The Department of Legislative Services recommends committee narrative to request that the commission again submit a comparative assessment of the new parole guidelines to determine the impact on recidivism.**

Recommended Actions

1. Adopt committee narrative requesting the Maryland Parole Commission to submit a report on new parole guidelines.

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Operating Budget Analysis

Program Description

The Maryland Parole Commission (MPC) hears cases for parole release and revocation and is authorized to parole inmates sentenced to a term of confinement of six months or more from any correctional institution in Maryland except the Patuxent Institution. The commission is authorized to issue warrants for the return to custody of alleged violators and revoke supervision upon finding that a violation of the conditions of parole or mandatory supervision release has occurred. The commission also makes recommendations to the Governor regarding pardons, commutations of sentences, and parole of inmates sentenced to life imprisonment.

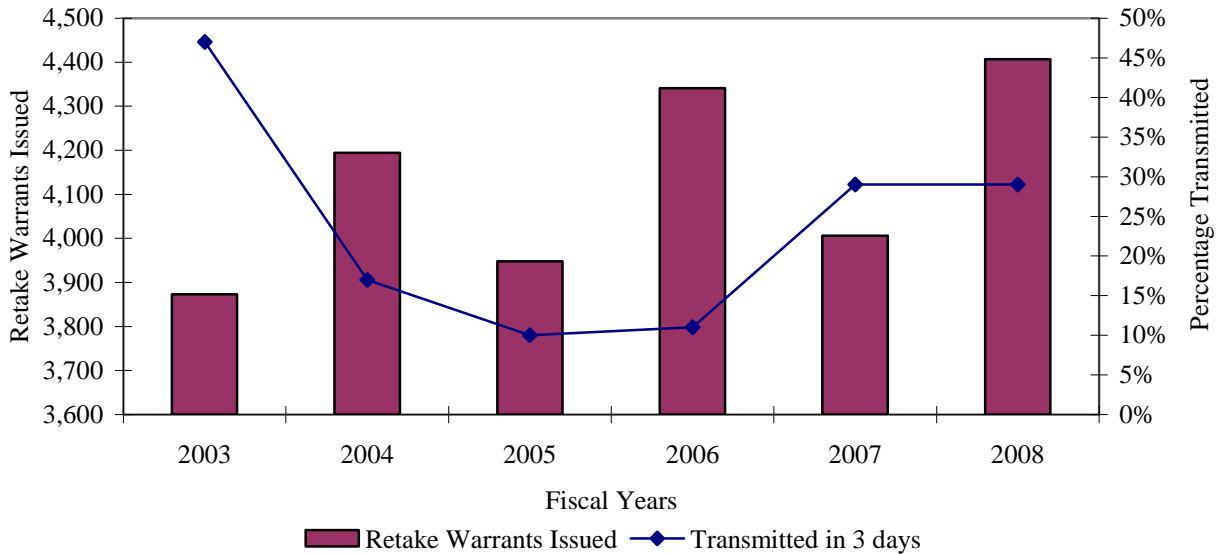
Performance Analysis: Managing for Results

The mission of MPC is to enhance public safety and promote safe communities through sound and timely decisions regarding parole grants and revocations. Mandatory release and parole are integral to managing the inmate and supervisee populations, available bed space, and other public safety resources. The level of efficiency at which MPC operates can have significant impacts on other areas of the department's operations; therefore, timeliness is one of the most important performance measures that this agency has.

Exhibit 1 reveals the agency's inability to process retake warrants in a timely fashion. Since fiscal 2005, MPC has aimed to process at least 35% of its retake warrants within three business days. Although it has demonstrated improvement, the agency has consistently fallen short of its goal, and no improvement was made between fiscal 2007 and 2008. **MPC should comment on why it has yet to meet its goal of improving the turnaround time to process retake warrants.**

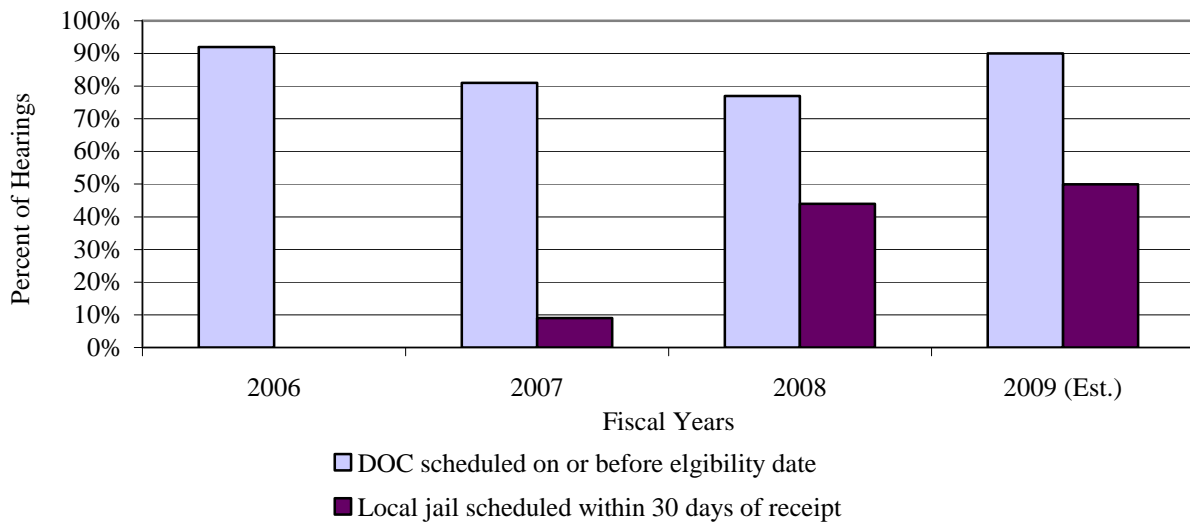
One of the primary functions of the commission is to ensure that inmates at the State and local levels who are eligible for parole have an initial hearing scheduled in a timely fashion. This ensures that an offender capable of lawfully existing in the community is not incarcerated for longer than necessary. **Exhibit 2** illustrates the agency's progress toward meeting its goal of having 90% of Division of Correction (DOC) hearings scheduled on or before the inmate's parole eligibility date. It also includes a new measure to track the proper scheduling of inmates held at local detention facilities, as well.

**Exhibit 1
Timeliness of Retake Warrant Processing
Fiscal 2003-2008**



Source: Governor’s Budget Books, Fiscal 2010

**Exhibit 2
Timeliness of Initial Parole Hearings
Fiscal 2006-2009(Est.)**



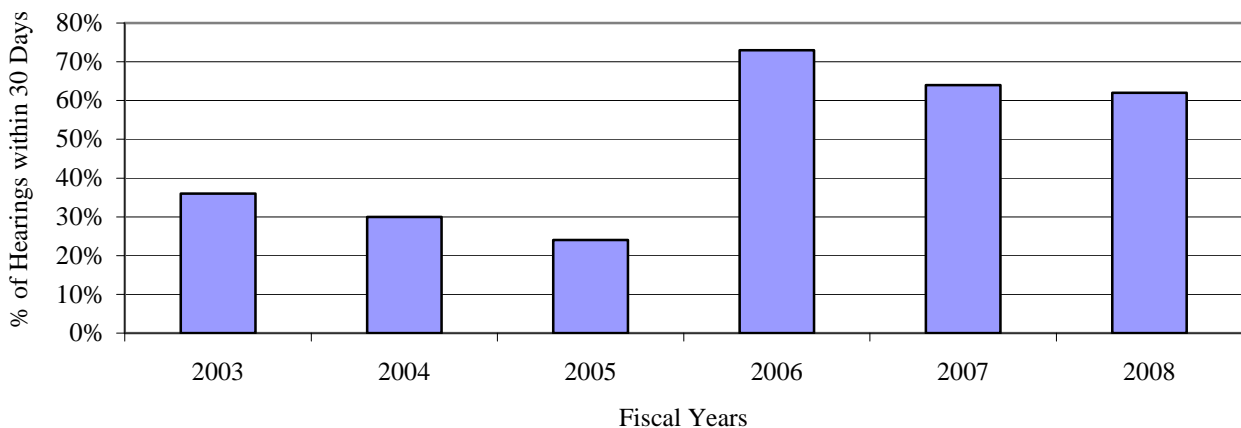
DOC: Division of Corrections

Source: Governor’s Budget Books, Fiscal 2010

MPC has made considerable progress in the percentage of parole hearings scheduled for locally held inmates within 30 days, increasing from 9 to 44% between fiscal 2007 and 2008. The agency appears to be on track for reaching its fiscal 2009 goal of having at least 50% of parole hearings for local inmates scheduled within 30 days of receiving the inmates' cases. With regard to scheduling for inmates held in the State's facilities, however, MPC has shown declining abilities to schedule in a timely fashion. The agency exceeded its target in fiscal 2006, with 92% of hearings scheduled before the eligibility date, but the percent has since declined to 77% in fiscal 2008. **MPC should comment on why it has struggled to meet its target for scheduling DOC hearings since fiscal 2006 and what is being done to address the issues. The agency should also explain its policy on using video-conferencing and whether it is effectively utilizing this tool to help with increased workloads.**

MPC is responsible for conducting revocation hearings for offenders on parole or mandatory release who have allegedly committed a technical violation. Offenders are held in DOC custody until the revocation hearing is conducted, so efficient turnaround and scheduling has a direct impact on correctional resources. **Exhibit 3** shows the percentage of revocation hearings for alleged technical violations conducted within 30 days of the offenders' return to custody. The agency's target is to have 70% of hearings conducted in the 30-day time period. In the past six years, the agency has only met this goal once, in fiscal 2006. Since fiscal 2006, the agency has experienced decline, with only 62% of hearings scheduled within 30 days. **MPC should explain what is causing the recent decline in proper scheduling and what efforts are being made to improve its overall performance with regard to operating in a timely manner. The agency should also discuss any differences in consideration given for technical violators versus supervisees committing new offenses. The agency should also address what guidelines are used to determine whether a technical violator is returned to prison.**

Exhibit 3
Timeliness of Revocation Hearings for Technical Violators
Fiscal 2003-2008



Source: Governor's Budget Books, Fiscal 2010

Fiscal 2009 Actions

Impact of Cost Containment

Fiscal 2009 cost containment actions totaled \$303,296 in general funds. The majority of the reductions, approximately \$290,000, were personnel related and included the loss of three support positions. According to the department, the loss of the positions could further increase the backlog in the Parole Services and Release units. Additional reductions included \$1,400 for out-of-state conference travel and \$12,000 for motor vehicle replacement purchases.

Proposed Budget

As demonstrated by **Exhibit 4**, the fiscal 2010 allowance decreases by approximately \$17,000, once there is an accounting for the Back of the Bill action to delete the deferred compensation match. Personnel expenses decline by a net \$22,000 due in part to the deletion of the deferred compensation match but also as a result of increased turnover expectancy based on current vacancies. This net reduction is slightly offset by an increase for routine travel expenses associated with attendance at parole hearings at the various facilities throughout the State.

Exhibit 4
Proposed Budget
DPSCS Maryland Parole Commission
(\$ in Thousands)

How Much It Grows:	General Fund	Total
2009 Working Appropriation	\$5,316	\$5,316
2010 Allowance	<u>5,333</u>	<u>5,333</u>
Amount Change	-\$17	-\$17
Percent Change	-0.3%	-0.3%
 Where It Goes:		
Personnel Expenses		
Increments and other compensation.....		\$13
Employee and retiree health insurance		145
Workers' compensation premium assessment		17
Back of the Bill reduction for deferred compensation match		-35
Turnover adjustments.....		-180
Other fringe benefit adjustments.....		18
Other Changes		
Rent		4
Increase in-state routine travel in line with fiscal 2008 actual spending.....		4
Reduce vehicle maintenance in line with fiscal 2008 actual spending		-2
Other		-1
Total		-\$17

Note: Numbers may not sum to total due to rounding.

Issues

1. Impact of Parole Risk Assessment Tools

In June 2006, MPC began using new parole guidelines and a revised risk assessment instrument to aid in evaluating offenders eligible for parole. MPC submitted a comparative assessment of the new guidelines at the end of fiscal 2008, but adequate recidivism data was not available at the time of the report to provide an appropriate assessment. The report compares recidivism data for fiscal 2005 and 2006, but the new risk assessment was only utilized for one month in fiscal 2006. Fiscal 2007 recidivism data should reflect a full year of implementation.

In addition to granting release of offenders, MPC is also responsible for setting the terms of supervision for inmates released on parole or mandatory release. As the department moves forward with its community corrections model, it will require increased coordination with MPC, DOC, and the Division of Parole and Probation (DPP) in order to fully implement an effective intermediate sanctioning system and could potentially require deferral of responsibilities from MPC to DPP.

MPC should comment on what tools and guidelines it currently uses for determining supervision requirements and what efforts are being made to coordinate with DPP in developing the most effective model of community supervision. The Department of Legislative Services recommends committee narrative to request that the commission again submit a comparative assessment of the new parole guidelines to determine the impact on recidivism.

Recommended Actions

1. Adopt the following narrative:

Impact of Parole Guidelines on Recidivism: The committees direct the Maryland Parole Commission to conduct and report the findings of a comparative assessment of its current parole guidelines after two years of implementation. The report should provide a comparison of the number of paroles and the parolee return rates for fiscal 2005 through 2007. The report should also compare the recidivism rates of parolees who had an education, substance abuse, or vocation program completion versus those who did not. The report shall be submitted to the budget committees no later than November 1, 2009.

Information Request	Author	Due Date
Impact of Parole Guidelines on Recidivism	MPC	November 1, 2009

Current and Prior Year Budgets

Current and Prior Year Budgets Maryland Parole Commission (\$ in Thousands)

	<u>General Fund</u>	<u>Special Fund</u>	<u>Federal Fund</u>	<u>Reimb. Fund</u>	<u>Total</u>
Fiscal 2008					
Legislative Appropriation	\$5,050	\$0	\$0	\$0	\$5,050
Deficiency Appropriation	0	0	0	0	0
Budget Amendments	-182	0	0	0	-182
Cost Containment	0	0	0	0	0
Reversions and Cancellations	0	0	0	0	0
Actual Expenditures	\$4,868	\$0	\$0	\$0	\$4,868
Fiscal 2009					
Legislative Appropriation	\$5,538	\$0	\$0	\$0	\$5,538
Cost Containment	-303	0	0	0	-303
Budget Amendments	81	0	0	0	81
Working Appropriation	\$5,316	\$0	\$0	\$0	\$5,316

Note: Numbers may not sum to total due to rounding.

Fiscal 2008

General fund spending for fiscal 2008 was approximately \$4.9 million.

- Budget amendments reduced the appropriation by a net \$182,000. A \$79,000 increase from the cost-of-living adjustment (COLA) that was centrally budgeted in the Department of Budget and Management was offset by a \$261,000 reduction as a part of a departmentwide amendment that realigned funds in accordance with actual expenditures.

Fiscal 2009

The fiscal 2009 general fund working appropriation is approximately \$5.3 million, a net reduction of \$222,000 from the legislative appropriation.

- Cost containment reductions totaled \$303,000. The majority of the reductions, approximately \$290,000, were personnel related and included the loss of three support positions in the Parole Services and Release units. Additional reductions were taken from travel expenses and motor vehicle replacement funds.
- One budget amendment slightly offset the cost containment reductions, providing \$81,000 for COLAs.

**Object/Fund Difference Report
DPSCS Maryland Parole Commission**

<u>Object/Fund</u>	<u>FY08 Actual</u>	<u>FY09 Working Appropriation</u>	<u>FY10 Allowance</u>	<u>FY09 - FY10 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	78.00	75.00	75.00	0	0%
02 Contractual	2.00	3.00	3.00	0	0%
Total Positions	80.00	78.00	78.00	0	0%
Objects					
01 Salaries and Wages	\$ 4,440,600	\$ 4,885,968	\$ 4,899,138	\$ 13,170	0.3%
02 Technical and Spec. Fees	49,925	56,278	57,162	884	1.6%
03 Communication	50,419	60,043	59,172	-871	-1.5%
04 Travel	29,744	19,250	25,650	6,400	33.2%
07 Motor Vehicles	22,076	13,886	10,375	-3,511	-25.3%
08 Contractual Services	24,567	26,950	25,250	-1,700	-6.3%
09 Supplies and Materials	35,654	39,500	39,500	0	0%
10 Equipment – Replacement	1,422	5,500	6,352	852	15.5%
11 Equipment – Additional	3,627	0	0	0	0.0%
13 Fixed Charges	210,463	208,525	210,799	2,274	1.1%
Total Objects	\$ 4,868,497	\$ 5,315,900	\$ 5,333,398	\$ 17,498	0.3%
Funds					
01 General Fund	\$ 4,868,497	\$ 5,315,900	\$ 5,333,398	\$ 17,498	0.3%
Total Funds	\$ 4,868,497	\$ 5,315,900	\$ 5,333,398	\$ 17,498	0.3%

Note: The fiscal 2009 appropriation does not include deficiencies. The fiscal 2010 allowance does not include contingent reductions.