

Department of Legislative Services  
 Maryland General Assembly  
 2012 Session

FISCAL AND POLICY NOTE  
 Revised

House Bill 140  
 Judiciary

(Delegate Hough, *et al.*)

Judicial Proceedings

Department of Public Safety and Correctional Services - Study and Reports on  
 Effectiveness of Programs for Offenders

This bill authorizes the Department of Public Safety and Correctional Services (DPSCS) to study the effectiveness of departmental programs for offenders. DPSCS may analyze (1) the cost of a selected group of programs per offender confined within a correctional facility or under supervision of the department; and (2) the benefits of a program to crime victims, taxpayers, and offenders. If DPSCS conducts the study, it is the intent of the General Assembly that DPSCS report to the General Assembly on the effectiveness of departmental programs for offenders by September 1 2013, and every three years thereafter.

Fiscal Summary

**State Effect:** General fund expenditures may increase by \$169,500 in FY 2013 depending on whether DPSCS conducts the authorized study. Future year expenditures reflect annualization and inflation. Revenues are not affected.

(in dollars)	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	169,500	210,600	225,000	236,600	246,700
Net Effect	(\$169,500)	(\$210,600)	(\$225,000)	(\$236,600)	(\$246,700)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

**Local Effect:** None.

**Small Business Effect:** None.

## Analysis

**Current Law:** DPSCS is not currently required to conduct a cost benefit or effectiveness analyses of offender programs.

**Background:** DPSCS advises that, for offenders in the custody of the department, there are at least 100 departmental programs – many offered at multiple facilities. These programs are provided by in-house staff, other State agencies, including:

- a variety of education programs offered by the Department of Labor, Licensing, and Regulation (DLLR);
- occupational training offered both as classes and as Maryland Correctional Enterprises (MCE) programs;
- programs relating to transitional/reentry preparation;
- reference (library) programs;
- behavioral programs offered by the psychology and social work divisions; and
- specialized programs offered by the Patuxent Institution as part of its remediation mission.

Although the term “program” is not defined in the bill, it is assumed that the programs covered by the bill are those whereby:

- offenders participate in an assignment or activity deemed beneficial;
- DPSCS directly or indirectly covers program costs; or
- the program is mandated for an offender (based on such requirements as risk assessments).

In fiscal 2011, there were 22,155 short- and long-term sentenced inmates housed throughout the Division of Correction, in the Patuxent Institution, the Baltimore City Detention Center, at contract care, and at Central Home Detention Unit. In addition, there were 3,300 pretrial detainees housed at the Baltimore City Detention Center and the Central Booking and Intake Facility (Baltimore City). The estimated number of offenders under departmental community supervision on June 30, 2011, totaled 6,274 parolees and mandatory supervision releasees and 66,693 probationers.

DPSCS reports that the Washington State Institute for Public Policy (WSIPP) has developed a cost-benefit analysis model that (1) analyzes available research and ranks programs based on costs, benefits, and risks; (2) predicts impacts of policy options; (3) calculates potential returns on investment and investment risk (for new programs); and (4) identifies ineffective programs for elimination. In particular, the WSIPP model is able to quantify benefits to both taxpayers and victims of crime, as required under the bill.

DPSCS believes the WSIPP cost-benefit analysis model would be the best choice to help meet the bill's requirements. The personnel and costs shown below assume such a model. The data collection and analyses would be performed by DPSCS' Office of Planning, Policy, Regulation, and Statistics.

DPSCS also reports that the Pew Center on the States, under a program called *Results First*, is currently partnering with 11 states (Connecticut, Florida, Idaho, Illinois, Iowa, Kansas, Kentucky, New Mexico, New York, Texas, and Vermont) to provide assistance in the knowledge transfer of the WSIPP process and model.

In the corrections field, annual analyses and evaluations are usually performed for selected programs each year (all programs being evaluated/analyzed once every several years). This is in part because successful outcomes for offenders need a longer period of time for measurement (*e.g.*, recidivism).

Finally, there are a number of uncertainties surrounding the fiscal estimate for this bill which may affect costs: (1) the definition of "program"; (2) the total resource requirements for optimal operation of the WSIPP cost-benefit analysis model; (3) potential new data requirements for the DPSCS Offender Case Management System (OCMS) which is under implementation at this time, and/or adjustments in fiscal data collection; and (4) resources required to modify or even to replace existing programs found to be not cost-beneficial.

**State Expenditures:** While the bill's provisions are enabling in nature, DPSCS indicates that the cost of meeting the bill's intent and goals, if begun in fiscal 2013, would increase general fund expenditures by \$169,500 in fiscal 2013, which accounts for the bill's October 1, 2012 effective date. Future year expenditures may total \$246,700 by fiscal 2017. This estimate includes the hiring of two full-time research analysts who will receive training on the WSIPP model, customize it to Maryland-specific data and programs, and implement the model; and one full-time administrator who will receive similar training and act as a continuing trainer to DPSCS staff, so that the principles of evidence-based, effective programs can be institutionalized and the appropriate data capture and analysis can be ensured over the long-term. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses as shown below.

Positions	3
Salaries and Fringe Benefits	\$154,831
Additional Equipment	13,455
Other Operating Expenses	1,238
<b>Total FY 2013 State Expenditures</b>	<b>\$169,524</b>

**Additional Comments:** A major reorganization of the department is already underway and expected to be accomplished over the course of the next 6 to 12 months.

The department announced the reorganization at the end of calendar 2011. The reorganization is expected to be completed by the end of September 2012.

The Department of Legislative Services has recommended, through budget bill language, that DPSCS be directed to submit an evaluation of its current programming needs and available resources. This evaluation must also assess any changes to programs and services resulting from the departmental reorganization currently under way and any need for increased resources. This evaluation must be submitted to Legislative Services by December 15, 2012. In the event that operational efficiencies are realized, Legislative Services further recommends that the report should identify those efficiencies and estimate the associated cost savings.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Public Safety and Correctional Services,  
Department of Legislative Services

**Fiscal Note History:** First Reader - February 3, 2012  
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