



Department of Public Safety and Correctional Services

Office of Government and Legislative Affairs

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BILL: SENATE BILL 763

POSITION: LETTER OF INFORMATION

EXPLANATION: The bill as amended would require the Division of Parole and Probation (DPP) to submit a annual report on how DPP will improve oversight of offenders under supervision, and the number of supervised individuals involved in specific activities.

Comments:

- The Division of Parole and Probation (DPP) supervises individuals who have been placed on supervised probation, have been paroled by the Maryland Parole Commission, or placed on Mandatory Supervision upon release from a correctional facility. The primary goal of DPP is to ensure supervisees comply with the terms of their supervision as stipulated by the courts and Maryland Parole Commission.
- DPP agents utilize evidence-based risk and needs assessments to determine the level of supervision of an individual. These risk and needs assessments are not static and can be re-administered on an as needed basis. While the assessments and subsequent measures are effective tools for supervision it is ultimately impossible to predict and control human behavior.
- DPP cases have significantly declined in recent years. Criminal supervision cases decreased by 19% from 95,167 in fiscal year (FY) 2019 to 77,117 in FY 2021.
- In addition, 89% of supervision cases were closed in a satisfactory status in FY 2021.

SB 763 as amended would require DPP report on:

- the measures taken to improve oversight of offenders under supervision who are involved in homicides; and
- the number of supervised individuals that were shooting and homicide victims; or charged with homicide, non-fatal shooting, police involved shooting, rape or any other crime involving a firearm.

- DPP currently has mechanisms in place for tracking homicide and non-fatal shooting victims and suspects who are supervised by the agency. There are also mechanisms in place to improve oversight of offenders under supervision who are involved in homicides.
- Statewide, 3% of supervisees were involved in a homicide or a nonfatal shooting as a suspect from July 2018 - July 2021 - a three year period.
- When a supervisee is involved in a violent incident (shooting victim/suspect, homicide victim/suspect, robbery suspect, rape suspect, any crime involving the offender's use of a firearm, or involvement with a police-involved shooting) a Critical Incident Analysis (CIA) is conducted. The CIA process involves a thorough review of the supervision of any case involving violent incidents.
- The CIA process is conducted for both suspects and victims. A case staffing is conducted for both victims and suspects. When a victim is involved, the need for additional services is evaluated and referrals are made. For suspects, case staffings consider:
 1. Whether the individual was in compliance with supervision and, if not, determine if the non-compliance warranted a sanction. If it did, a sanction is imposed.
 2. If the case plan is current and accurate based on the risk and needs of the individual; and if not a new case plan is developed.
 3. If there were any behaviors that should have been addressed through supervision.

Once an individual is determined to be a suspect in a homicide, attempted murder, or non-fatal shooting, DPP immediately requests a warrant.

- While DPP does follow the CIA process, DPP may need additional positions as the reporting requirements extend beyond what DPP currently tracks.

CONCLUSION: The Department of Public Safety and Correctional Services respectfully requests the Committee consider this information and as it deliberates Senate Bill 763.