

MARYLAND PAROLE COMMISSION

2012 FISCAL YEAR ANNUAL REPORT



Martin O'Malley
Governor

Gary D. Maynard
Secretary

Anthony G. Brown
Lieutenant Governor

David R. Blumberg
Chairman

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Department of Public Safety and Correctional Services

Office of the Secretary

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February 15, 2013

STATE OF MARYLAND

MARTIN O'MALLEY
GOVERNOR

ANTHONY G. BROWN
LT. GOVERNOR

GARY D. MAYNARD
SECRETARY

G. LAWRENCE FRANKLIN
DEPUTY SECRETARY
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NORTHERN REGION

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DIRECTOR
SOUTHERN REGION

PATUXENT INSTITUTION

MARYLAND COMMISSION
ON CORRECTIONAL
STANDARDS

CORRECTIONAL TRAINING
COMMISSION

MARYLAND PAROLE
COMMISSION

CRIMINAL INJURIES
COMPENSATION BOARD

EMERGENCY NUMBER
SYSTEMS BOARD

SUNDRY CLAIMS BOARD
INMATE GRIEVANCE OFFICE

The Honorable Martin O'Malley
Governor of the State of Maryland
100 State Circle
Annapolis, Maryland 21401

Dear Governor O'Malley:

The Maryland Parole Commission is proud to present the Fiscal Year 2012 Annual Report which includes significant technological and organizational changes.

In FY2012, the Commission merged the MPC Warrant Unit with the NCIC Community Supervision Warrant Unit for a seamless processing effort from start to finish. This has proven to be effective as the timeliness of warrants processed within 3 days increased by over 50%.

Other technological changes include the automation of the local jail parole order and retake warrant, and establishing an electronic storage system for delivery of pre-parole jail investigations from Community Supervision. As a result of these changes, the Commission was able to increase the number of warrants/subpoenas produced, increase the number of parole hearings scheduled and conducted, and increase the number of parolees released for FY2012.

The Commission continues to communicate with and/or participate in various professional organizations such as the Association of Paroling Authorities Incorporated (APAI), the Maryland Correctional Administrators Association (MCAA), and the National Institute of Corrections (NIC) to stay abreast of the best current practices.

Sincerely,

Gary D. Maynard
Secretary



Department of Public Safety and Correctional Services

MARYLAND PAROLE COMMISSION

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STATE OF MARYLAND

MARYLAND PAROLE
COMMISSION

MARTIN O'MALLEY
GOVERNOR

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SECRETARY

DAVID R. BLUMBERG
CHAIRMAN

February 15, 2013

The Honorable Gary D. Maynard
Maryland Department of Public Safety and
Correctional Services
300 Joppa Road, Suite 1000
Towson, Maryland 21286

Dear Secretary Maynard:

I am proud to present you with the Commission's Fiscal Year 2012 Annual Report which includes significant technological and organizational changes.

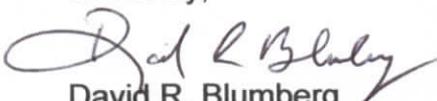
Those changes include the merger of the MPC Warrant Unit with the NCIC Community Supervision Warrant Unit, the automation of the local jail parole order and retake warrant, and the creation of the electronic storage system for delivery of pre-parole jail investigations from Community Supervision.

As a result of those changes, the timeliness of warrants processed within 3 days improved by over 50%. The number of warrants and subpoenas produced, the number of parole hearings scheduled and conducted, and the number of parole releases all increased during this reporting period as well.

The Commission continues to communicate with and/or participate in various professional organizations such as the Association of Paroling Authorities Incorporated (APAI), the Maryland Correctional Administrators Association (MCAA), and the National Institute of Corrections (NIC) to stay abreast of the best current practices in the criminal justice field.

Thank you for your leadership and support.

Sincerely,


David R. Blumberg
Chairman

OVERVIEW

During FY2012, the Maryland Parole Commission was comprised of ten Commissioners and eleven Hearing Officers. The Chairman of the Commission has a dual role of Chairman and Commissioner.

Commissioners

Commissioners are appointed by the Secretary of the Department of Public Safety and Correctional Services with the approval of the Governor for six year terms.

They are responsible for conducting face to face parole hearings on cases identified as "commission cases" because the offender is serving a life term or there was a loss of life involved in the offense; conducting revocation hearings on alleged mandatory supervision or discretionary parole violators; conducting parole in absentia hearings on offenders serving their Maryland sentence in another State; conducting public safety compact negotiations on offenders serving eligible offenses and planning to reside in Baltimore City upon release; and conducting open parole hearings on offenders serving sentences in which there is a victim or victim's representative and the offense meets the eligibility criteria to be scheduled as an open parole hearing.

In addition to conducting hearings, commissioners are responsible for reviewing/signing all Hearing Officer recommendations, reviewing/signing warrant and subpoena requests, reviewing informative reports from Community Supervision agents, reviewing in-house appeals, reviewing balloted cases, reviewing medical parole recommendations, and conducting office appointments with the general public that may include the victim or offenders' family.

Lastly, commissioners are also responsible for reviewing special condition requests from DPSCS Corrections and/or DPSCS Community Supervision and imposing same when needed.

Hearing Officers

Hearing Officers are merit employees responsible for conducting face to face parole hearings with offenders throughout the State of Maryland to include the local detention facilities serving parole eligible sentences of six months or more. Administrative reviews are conducted by hearing officers on cases in which the sentence is greater than five years at five year intervals. Hearing officers are also responsible for conducting preliminary parole revocation hearings on offenders returned to DPSCS Corrections for allegedly violating the conditions of their parole or mandatory release supervision.

Hearing officers must ensure that a risk assessment instrument, a violence prevention screener, victim notification, and a case plan have been completed for each DPSCS offender prior to conducting the hearing. This requires a comprehensive review of case materials including pre-sentence investigations, FBI reports, psychological/psychiatric reports, admission summaries, police reports, probable cause statements, victim impact statements, and correspondence from judges, attorney's and/or family members of the victim or offender.

They are also responsible for ensuring that the offender is serving a parole eligible offense. This requires review of court commitment records, and State's versions of offenses to determine that the sentence structure has been calculated correctly and the offense does not require a mandatory period of incarceration before a parole hearing can be conducted.

This information is then analyzed in conjunction with the Commission's risk assessment guidelines, the case plan, sentence length, and parole hearing interview to determine the timeframe within which parole may be considered and/or parole suitability.

FY 2012 SUMMARY

- **July 2011, the local jail parole release order was automated.**
- **August 2011, a pre-parole document storage system was created so that Community Supervision could submit local jail investigations to MPC electronically instead of the through the mail. Also, during this month, a shared drive was created in which Corrections and Community Supervision could access parole orders and/or warrants to eliminate faxing and mailing.**
- **September 2011, the local jail warrant was automated and electronic signatures were created for all commissioners.**
- **October 2011, the NCIC warrant unit was transferred from Community Supervision at Guilford Avenue, to MPC at the Reisterstown Road Plaza Office Center.**
- **October 2011, the Commission participated in a Kaizen event which is a process improvement approach and set of methods that seek to eliminate non-valued added activities or waste conducted in a relatively short timeframe.**
- **November 2011, pardon applications were added to the DPSCS website and can be downloaded for those seeking to be absolved from their criminal acts.**
- **March 2012, Commissioner Sheila Sullivan started with the Commission.**
- **April 2012, Hearing Officers Mya Collins, Laurie Rubin, and Ronald Williams were hired.**

COMMISSION UNITS

DECISION

This unit is responsible for processing and entering onto the Commission's database system decisions from parole grant hearings, PSCA negotiations, preliminary, and revocation hearings.

INSTITUTIONAL PAROLE ASSOCIATES

Throughout the State, Institutional Parole Associates (IPA) play a pivotal role in the parole hearing process. They are responsible for conducting file review with offenders prior to the parole hearing, delivering parole decisions to DPSCS offenders, explaining the appeal process, and ensuring that offenders are properly released when scheduled. This unit is also responsible for ensuring that attendees of open parole hearings are informed of the process and provided an opportunity to ask questions and complete the open parole hearing questionnaire.

The Institutional Parole Associates serve as the MPC liaison at DPSCS institutions by providing assistance to the Hearing Officers and Commissioners during parole and revocation hearings.

PARDON AND EXECUTIVE CLEMENCY

This unit is responsible for reviewing and processing all pardon and executive clemency applications, reviewing and distributing all medical parole requests, and handling all Governor's correspondence.

FY12 Unit Data

Pardon Applications Pending	456
Medical Parole Cases Coordinated	40
Governor's Correspondences Addressed	342

PAROLE SERVICES

This unit is responsible for scheduling and docketing all parole grant hearings for DPSCS and Local correctional facilities, and coordinating parole in absentia cases for offenders serving state sentences in other jurisdictions.

FY12 Unit Data

DPSCS Parole Hearings Scheduled	11,055
Detention Center Parole Hearings Scheduled	2,869
Parole in Absentia Hearings	5
Total Hearings Scheduled	13,929

Detention Center Hearing Breakdown

Detention Center Hearings On Site	2,460
Detention Center Hearings Video	409
Detention Center Hearings Approved	1,220
Detention Center Hearings Refused	585
Detention Center Hearings Cancelled	215
Detention Center Hearings Waived	330
Detention Center Hearings Other	519

POST RELEASE

The warrant section is responsible for preparing and processing retake warrants, preparing subpoenas, notifying outside jurisdictions pending parole violations, and updating the appropriate data base for each case.

The revocation section is responsible for scheduling preliminary hearings and revocation hearings for offenders incarcerated at DPSCS as well as the local detention facilities. It is also the responsibility of this unit to coordinate these hearings with private attorneys and/or public defenders.

FY12 Unit Data

Violence Prevention Warrants Prepared	1,281
Other Warrants Prepared	2,813
Subpoenas Processed	404
Total Warrants/Subpoenas Prepared	4,498
 	
Revocation/LAW Hearings	3,869
Preliminary Hearings	103
Total Revocation/Preliminary Hearings Conducted	3,972

RECORDS

This unit is responsible for maintaining parole files on offenders currently incarcerated as well as those under supervision for five years after expiration. They are also responsible for retrieving and processing supervision reports from DPSCS Community Supervision agents. All reports must be prioritized in accordance with the specificity of the request.

FY12 Unit Data

DPSCS Community Supervision Reports Retrieved	8,937
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RELEASE

This unit is responsible for preparing parole release orders and coordinating releases for offenders granted parole from DPSCS and local detention centers. Prior to preparing release orders, staff must confirm that all pre-release contingencies have been met, no detainers have been lodged, and a home plan has been approved.

FY12 Unit Data

DPSCS Releases	2,468
Local Center Detention Releases	838
Total Parole Releases	3,306

SUPPORT SERVICES

This unit is responsible for personnel matters, inventory to include fleet management, injury reporting, computer and/or network accessibility, key control, property transfers, and training coordination.

SECRETARIAL

This unit is responsible for providing secretarial support to Commissioners, Hearing Officers, and Administrative staff. This unit is also responsible for coordinating video parole hearings to include discretionary parole and revocation hearings, processing parole decision appeals, monitoring cases placed on hold, distributing incoming mail, and providing coverage to the switchboard.

FY12 Unit Data

Telephone Calls Answered & Directed	26,438
Mail Received & Distributed	47,701
Appeals Processed	1,347

VICTIM SERVICES

This unit is responsible for ensuring timely notification to victims and/or their representatives of parole hearings, parole decisions, and parole release dates. They are also responsible for scheduling/ coordinating open parole hearings, advising victims and/or their representatives of their rights, and providing referrals for services.

FY12 Unit Data

Victim notification letters sent	4,971
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DEFINITIONS

- **Administrative Reviews** are not face-to-face hearings but rather “paper” reviews of offender files at the Commission office. These reviews are conducted at five-year intervals until an offender reaches parole eligibility and ensures that all essential documents and institutional adjustment summaries necessary for a parole hearing are obtained and placed in a case file.
- **Commission Cases** are heard by a panel of two Commissioners and include cases with a loss of life, life sentences, or life sentences with all but a fixed number of years suspended, and open parole hearings.
- **Gubernatorial Commutation** orders that the grantee shall suffer a lesser penalty for the offense than imposed by the court. The commutation of an offender’s sentence is normally considered by the Parole Commission only upon demonstration of extraordinary circumstances.
- **Gubernatorial Pardon** absolves the grantee of guilt for his criminal act(s), and exempts the grantee from the resulting penalties, such as loss of voting privileges. Criteria for pardon consideration are set by the Governor and normally require the passage of a substantial period of time following the end of incarceration or any form of supervision before a pardon will be entertained.
- **Hearing Officer Cases** are non-Commissioner cases heard by Hearing Officers who make recommendations reviewed by Commissioners. If the reviewing Commissioner agrees with the Hearing Officer’s recommendation, that recommendation becomes the Commission’s decision. An offender may appeal this decision to a panel of two Commissioners. In instances where the reviewing Commissioner does not adopt the Hearing Officer’s recommendation, an in-house appeal results and a panel of two Commissioners make a final decision that is not appealable by the offender.
- **Interested Party** is an individual who is not a “victim” but rather an individual who has “special interest” in the status of the offender as determined by the Commission’s Victim Services Coordinator.
- **Liaison Agent/Waiver I (LA/W I)** hearings are conducted by Commissioners on offenders who are “technical” violators and admit fault/guilt to the stated violations. These offenders waive the presence of an attorney of the agent of record in lieu of the liaison agent who testifies during the entire docket as to the facts of the case using information provided by the agent of record.
- **Liaison Agent/Waiver II (LA/W II)** hearings are also conducted by Commissioners under the same provisions as LA/W I, but the offender has been found guilty of a new offense(s) while under supervision.
- **Mandatory Supervision Release** is the release of an offender from the DPSCS due to diminution credits earned and awarded. The offenders are supervised by parole agents “as if on parole” and are subject to the jurisdiction of the Commission after release until the maximum expiration of their sentence. Any alleged violation of mandatory release supervision conditions may result in a revocation hearing.

DEFINITIONS CONTINUED

- **Open Parole Hearings** are essentially the same as “regular” grant parole hearings except it has been opened to the public at the request of the victim or victim’s representative who is permitted to speak at this hearing. Individuals must make a request in writing to attend these proceedings and the Commission determines who may or may not attend. Open hearings are conducted by two Commissioners.
- **Parole** is the discretionary and conditional release of an offender into the community by the Commission to continue serving the term of confinement under the supervision of an agent of the DPSCS Community Supervision Unit until the expiration of the full, undiminished term. If any conditions of parole are violated, the offender is subject to revocation and re-incarceration.
- **Parole Eligibility** is determined by sentence length and the specific crime(s) for which the offender is incarcerated.
 - Offenders serving a period of incarceration for **NON-VIOLENT CRIMES** are generally parole eligible at 25% of the sentence.
 - Offenders serving a period of incarceration for **VIOLENT CRIMES** as identified by the Annotated Code of Maryland, including **Burglary I, II and III**, are parole eligible at 50% of the sentence.
 - Offenders serving a **LIFE SENTENCE** are eligible after serving 15 years less diminution credits earned and awarded by DOC. If there had been a failed application of the death penalty, an offender becomes parole eligible after serving 25 years less diminution credits earned and awarded.
 - Offenders serving a **NON-PAROLEABLE SENTENCE** are not eligible for a hearing for that term of confinement.
- **Parole Grant Hearing** is an interview with the offender conducted by a Commission panel or Hearing Officer to elicit information from and about the offender. This interview along with information contained in the parole file form the basis of the Commission’s decision.
- **Preliminary Revocation Hearings** are held before a Hearing Officer who determines if probable cause exists with respect to the stated violations. If probable cause is found, the offender is scheduled for a revocation hearing before a Commissioner. Alleged violators may elect to have or waive a preliminary revocation hearing.
- **Public Safety Compact Agreement (PSCA)** is an agreement between the offender and the Commission in which the offender is granted discretionary parole with the stipulation that he/she will receive services through the compact provided to those returning to Baltimore City.

DEFINITIONS CONTINUED

- **Revocation Hearings** are conducted by Commissioners on those offenders who allegedly have violated the conditions of parole or mandatory supervision and are returned to DPSCS custody or local detention centers. The supervising agent, who initiated the retake warrant process, testifies at this hearing and is subject to cross-examination. An attorney paid for by the offender or a public defender will represent the offender.
- **Special Conditions** may be added to the standard rules of parole or mandatory supervision release. They generally include “no contact” orders with victims, substance abuse or mental health treatment, or any other condition that may positively impact the offender’s community adjustment.
- **Victim** is an individual who suffers personal harm or death as a direct result of a crime. If the victim is deceased, disabled, or a minor, a designated family member or person may represent the victim.

COMMISSIONERS

David R. Blumberg, Chairman - appointed October 2003; appointed Chairman in July 2004; re-appointed in 2010; term will expire in January 2016. Chairman Blumberg received a Bachelor of Arts degree in Political Science from Loyola College and a Masters degree in Library Science from the University of Maryland. For twenty years, he was the Director of the Baltimore City Detention Center Enoch Pratt Library. He is active in the Roland Park Civic League, Kiwanis and Santa Claus Anonymous.

Michael C. Blount - appointed May 1990; re-appointed in 1995, 2001, and 2007; term will expire in January 2013. Commissioner Blount is a former Baltimore City Police Officer and Court Commissioner for the Baltimore City District Court. He received a Bachelor of Arts degree in Political Science from Morgan State University.

Jasper R. Clay- appointed March 2005; re-appointed in 2011; term will expire in January 2017. He possesses a Bachelor of Arts degree in Psychology from Morgan State University. Commissioner Clay is a former Correctional Officer, Parole and Probation Agent and Area Administrator. He was a member of the Maryland Board of Parole and its successor, the Maryland Parole Commission, from 1969 until his (first) retirement in 1984. Thereafter, he was appointed to the U.S. Parole Commission in 1984, serving as its Vice Chairman from 1992 until his retirement in 1996. Commissioner Clay then served on the District of Columbia Parole Board from 1999 until 2002, was the Senior Advisor to the District of Columbia Correctional Trustee from 1997 through 2002, and was a member of the Patuxent Institution's Board of Review in 2004 and 2005.

Donna M. Hill - appointed to an interim term in September 2010; term will expire in January 2014. Commissioner Hill earned an Associate degree in Paralegal Studies from the Prince George's Community College, a Bachelors degree in Afro-American Studies from the University of Maryland, College Park, and a Masters degree in Counseling also from the University of Maryland, College Park. She is an ordained minister, a former counselor, and a former school principal. Commissioner Hill is also a graduate of Leadership in Prince George's County. In addition, she currently serves as a member of the Prince George's County Community College Foundation Board, and a member of the Re-Entry Feasibility Committee governed by the Circuit Court of Prince George's County.

Mattie R. Meehan - appointed January 2010; term will expire in January 2016. Commissioner Meehan received a Bachelor of Arts degree in Psychology from the University of Virginia and a Masters degree from Virginia Commonwealth University. As a clinical social worker, she has worked in the fields of maternal, child health, and child welfare. Prior to her appointment, she served as Social Work Director for the Child Advocacy Project of the Eastern Shore (CAPES). CAPES is a child advocacy organization that provides legal representation and placement for children in need of assistance proceedings within the nine Eastern Shore counties as well as Baltimore City and Baltimore County.

Christopher Reynolds - appointed to an interim term in April 2011; re-appointed in January 2012; term will expire in December 2017. Commissioner Reynolds has engaged in the private practice of law for almost 40 years in the District of Columbia and Maryland. He has been and still remains active in a number of civic and community groups serving in leadership positions and giving guidance on governance issues. When he is not working with the Parole Commission, he is an officer of the United States Tennis Association and is a member of the Executive Committee. He enjoys the challenges of working on parole matters.

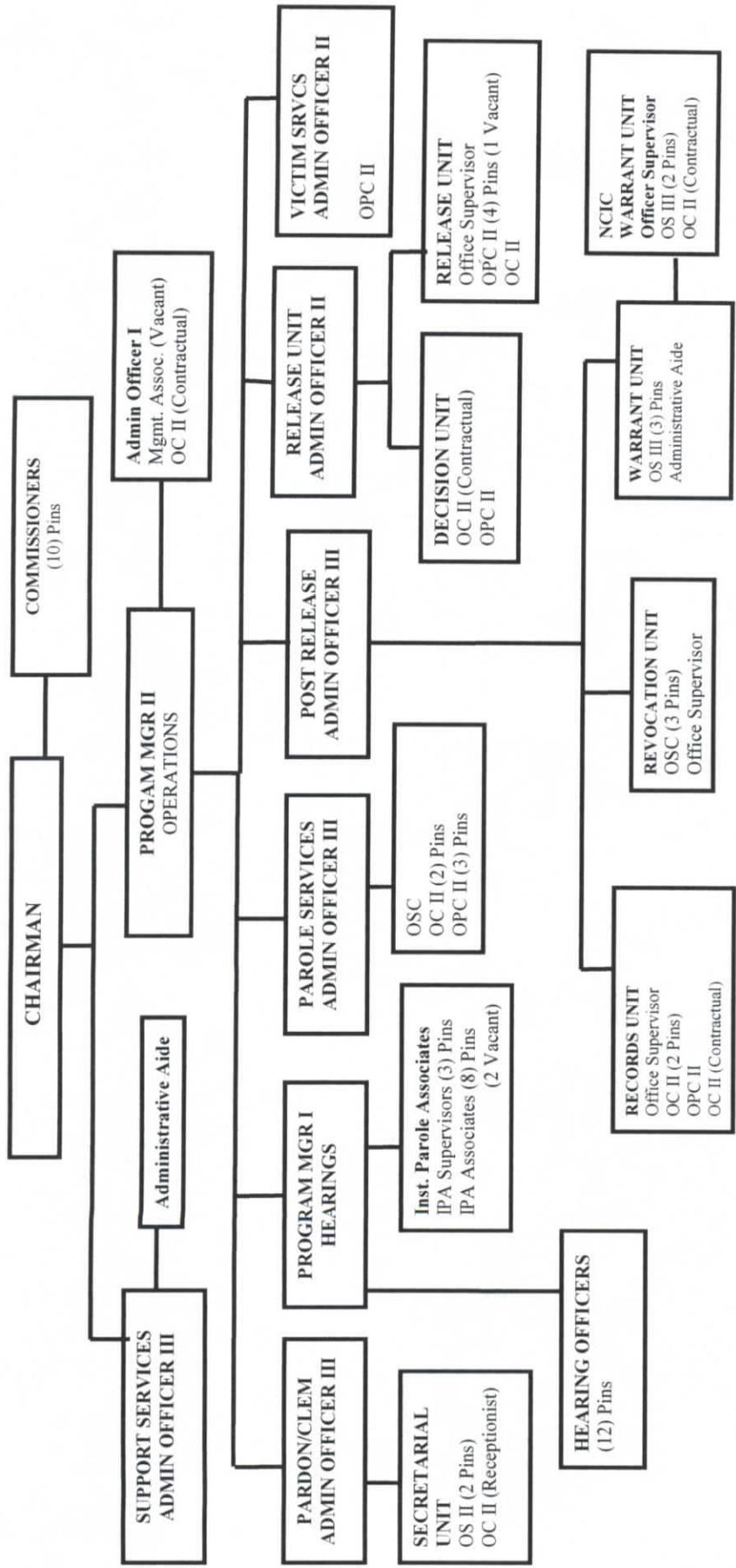
H. Erle Schafer - appointed to an interim term in May 2011; his term will expire in December 2012. Commissioner Schafer has served in numerous capacities during his career to include, Councilman, Senator, and Clerk of the Court for Anne Arundel County. He was the Director of the first Urban Renewal and the Director of the first Drug Court both for Anne Arundel County. Commissioner Schafer is a veteran of the United States Marines and a graduate of the University of Baltimore School of Law. He currently serves on many boards and organizations throughout the State.

Perry Sfikas - appointed September 2002; re-appointed in 2007 and 2012; term will expire in December 2017. Commissioner Sfikas is a retired Maryland State Senator. He graduated from George Washington University and received his law degree from the University of Baltimore Law School. He is admitted to the Pennsylvania and District of Columbia Bars. A lifelong resident of Baltimore City, Commissioner Sfikas has been active in multiple community task forces and associations, as well as the American Hellenic Education Progressive Association.

William C. Simpson - appointed October 2009; his term will expire in January 1, 2015. A native of the District of Columbia, Commissioner Simpson is a retired court manager with over 35 years of experience in the criminal and juvenile justice systems. For eight years, Commissioner Simpson served as a consultant for the U.S. Department of Justice's National Institute of Corrections. In this position, he trained and consulted with criminal and juvenile justice administrators throughout the United States in leadership development, organizational diagnosis, and other administrative challenges. He has a graduate degree in Education from Bowie State University.

Sheila J. Sullivan - appointed to the Commission March 2012; her term will expire December 31, 2015. Commissioner Sullivan graduated with a Bachelor of Arts degree from the University of Maryland in 1985. She attended the University of Maryland Law School graduating in 1988. After passing the Maryland Bar, Commissioner Sullivan practiced with a private firm in Montgomery County for a year before joining the Maryland Office of the Public Defender as a staff attorney. Within the Public Defender's office, she handled numerous misdemeanor, felony and juvenile cases in the Prince George's County office before assuming the position of Manager of the Calvert County Office of the Public Defender in 2001. She later served as District Public Defender for Southern Maryland which includes Calvert, Charles, and St. Mary's Counties from 2005 to 2012.

MARYLAND PAROLE COMMISSION



David R. Blumberg 2/15/13

David R. Blumberg Date

BUDGET EXPENDITURES – FISCAL YEAR 2012

CATEGORY	Expenditures	% of Exp.
COMMUNICATIONS	34,441	0.7%
CONTRACTUAL SERVICES	18,027	0.4%
ELECTRICTY	24,613	
FLEET OPERATION & MAINTENANCE	11,114	0.2%
LEASE (FIXED CHARGES)	220,482	4.5%
NEW EQUIPMENT	0	0.0%
REPLACEMENT EQUIPMENT	4,172	0.1%
SALARIES, WAGES AND FRINGE BENEFITS	4,387,809	90.3%
SUPPLIES & MATERIALS	38,276	0.8%
TECHNICAL/SPECIAL FEES/TEMP STAFF	124,502	2.5%
TRAVEL	23,630	0.5%
	4,887,067	100%

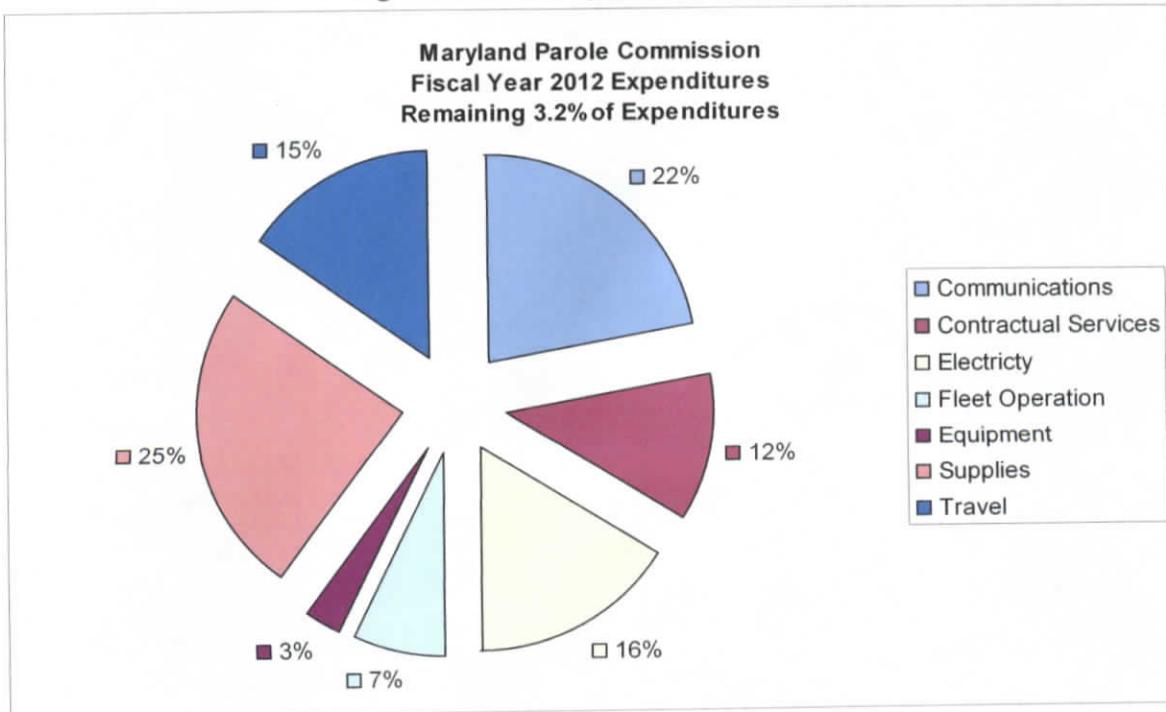
Total Expenditures: 4,887,067
 Less Salaries/Fees: 4,512,311
 374,756

Less Lease (Fixed Charges): 220,482

Controllable Expenditures: 154,274

% of Expenditures: 3.2%

The remaining 3.2% of the expenditures is depicted below:



Controllable Expenditures by Category

