



## Department of Public Safety and Correctional Services

### Office of the Secretary

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December 1, 2021

STATE OF MARYLAND

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SCRUGGS  
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SECRETARY

GARY W. McLHINNEY  
ASSISTANT  
SECRETARY

The Honorable Guy Guzzone  
Chair, Senate Budget and Taxation Committee  
3 West Miller State Building  
Annapolis, Maryland 21401-1911

The Honorable Maggie McIntosh  
Chair, House Appropriations Committee  
House Office Building, Room 121  
Annapolis, Maryland 21401-1911

RE: Joint Chairmen's Report – Q00 –State and Local Pre-release Cooperation  
Report:

Dear Chair Guzzone and Chair McIntosh:

Pursuant to the 2021 Joint Chairmen's Report, the Department of Public Safety and Correctional Services is required to submit a Pre-release cooperation report. The reporting requirement, which is found on page 150 states:

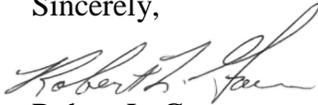
***State and Local Pre-release Cooperation Report:*** *The budget committees would like the Department of Public Safety and Correctional Services (DPSCS) to explore options to house and provide programming to State Pre-release inmates in local jail facilities rather than State-owned Pre-release units. Two State-owned Pre-release units are scheduled for closure by the start of fiscal 2022, which requires significant commute times for offenders and risks the loss of long-standing relationships with Pre-release programming partners. The committees believe there exists ample space within many local jail facilities to house State Pre-release offenders and provide re-entry services. The requested report, due December 1, 2021, should provide the following:*

- *local jails with a Pre-release unit;*
- *local jails that consistently have excess bed space or underutilized programming space;*
- *existing partnerships between local jails and DPSCS Pre-release or re-entry programs; and*
- *an evaluation of opportunities to cooperate with local jails to provide Pre-release and re-entry services to citizens returning from State custody.*

Attached is the Department's submission in satisfaction of the reporting requirement.

I hope this letter and the attachments meet with your approval. If the Department or I can be of further assistance, please do not hesitate to contact me or Chief of Staff, Rachel Sessa, at [rachel.sessa@maryland.gov](mailto:rachel.sessa@maryland.gov).

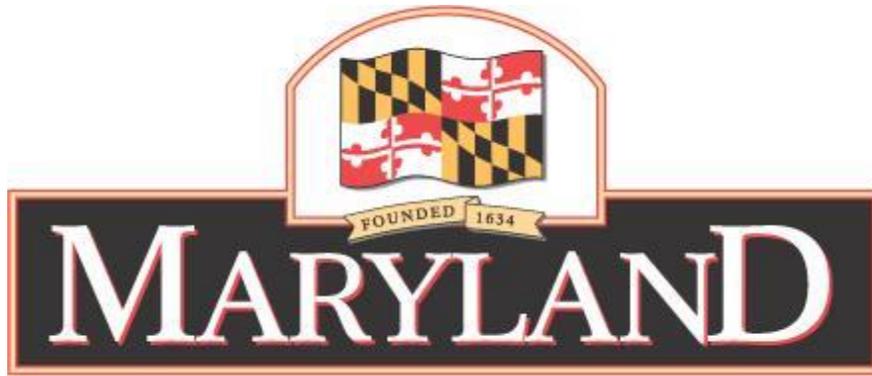
Sincerely,



Robert L. Green  
Secretary

Attachment

cc: Members of the Senate Budget and Taxation Committee  
Members of the House Appropriations Committee  
Ms. Sarah Albert, Department of Legislative Services  
Ms. Cathy Kramer, Department of Legislative Services  
Mr. Matthew Bennett, Counsel to the Senate Budget and Taxation Committee  
Mr. Kenneth Weaver, Policy Analyst to the House Appropriations Committee  
Ms. Amelia Chassé Alcivar, Chief of Staff, Governor's Office  
Mr. Keiffer Mitchell, Senior Counsel and Chief Legislative Officer,  
Governor's Office  
Ms. Erin Chase, Deputy Legislative Officer, Governor's Office  
Mr. Jacob Cash, Policy Analyst, Department of Legislative Services  
Ms. Cristina Jorge-Tuñón, Budget Analyst, Department of Budget and  
Management



**DEPARTMENT OF PUBLIC SAFETY  
AND CORRECTIONAL SERVICES**

State and Local Pre-release Cooperation Report

December 2021

Governor Larry Hogan  
Lt. Governor Boyd K. Rutherford  
Secretary Robert L. Green

## INTRODUCTION

The Budget Committees requested the Department of Public Safety and Correctional Services (DPSCS) submit a report on state and local pre-release cooperation. Language found on page 150 of the 2021 Joint Chairmen's Report is provided below.

**State and Local Pre-release Cooperation Report:** The budget committees would like the Department of Public Safety and Correctional Services (DPSCS) to explore options to house and provide programming to State Pre-release inmates in local jail facilities rather than State-owned Pre-release units. Two State-owned Pre-release units are scheduled for closure by the start of fiscal 2022, which requires significant commute times for offenders and risks the loss of long-standing relationships with Pre-release programming partners. The committees believe there exists ample space within many local jail facilities to house State Pre-release offenders and provide re-entry services. The requested report, due December 1, 2021, should provide the following:

- local jails with a Pre-release unit;
- local jails that consistently have excess bed space or underutilized programming space;
- existing partnerships between local jails and DPSCS pre-release or re-entry programs; and
- an evaluation of opportunities to cooperate with local jails to provide pre-release and re-entry services to citizens returning from State custody.

## OVERVIEW

The Department of Public Safety and Correctional Services (Department) oversees all aspects of supervision for sentenced inmates in the State prison system. The Division of Correction (DOC) operates 15 correctional facilities for individuals sentenced to serve a period of incarceration of over 18 months.

Programs, treatment, and re-entry services are top priorities for the entire Department as these functions are critical in ensuring an incarcerated individual is successful post-incarceration. In 2019, Ms. Carolyn J. Scruggs was selected as the Department's first Assistant Secretary, Programs, Treatment, and Re-entry Services. The Assistant Secretary oversees a team of Social Workers, Re-entry Specialists, and Treatment Providers, who are dedicated to providing essential services including, medical and mental health treatment, enrollment in Medicaid and SNAP benefits, connection to educational and vocational programming, employment readiness, and home planning services.

Case Managers across the DOC work with incarcerated individuals to develop a valid home plan - an integral component of returning to a stable environment. In fiscal year 2021, 4,600 incarcerated individuals within the DOC were released to the community and 96% of those individuals were released with a verified home plan.

However, successful re-entry is not simply a state driven function. Based on the development of these home plans, the DOC and the Re-entry Team have robust data that shows where individuals are returning to across the State. Connecting these individuals to the resources already available in those respective communities is of utmost importance. As such, the Department has partnered with local correctional facilities to allow certain, eligible individuals who are within 18 months of release to be placed in a local correctional facility in the community they will ultimately be released to. This transfer allows the individual to become acclimated with local support programs, participate in re-entry and work release opportunities, and provides more convenient access for their family members. By the end of FY 2022, the Department anticipates it will have released 1,558 individuals from the Division of Correction. Currently, less than 50% of the counties are currently participating in this program.

#### **I. LOCAL JAILS WITH PRE-RELEASE UNITS**

The Department has established memorandum of understandings (MOUs) with the local detention centers in each of the following nine counties:

- Alleghany
- Anne Arundel
- Charles
- Dorchester
- Howard
- Kent
- Montgomery
- Talbot
- Washington

In addition to these nine local jurisdictions, the Department is one of only two states that also operates a local detention facility, the Baltimore Pretrial Complex.

The Department is able to utilize the Baltimore Pretrial Complex to place eligible returning citizens, who have identified Baltimore City as the local jurisdiction to which they plan to return, into a local detention setting. The MOUs with the nine other jurisdictions allow the Department to refer any returning citizen, who is within 12 months of a release date (parole, mandatory, or expiration release date), to the local jurisdiction identified in their home plan. The local jurisdiction has the discretion to accept or reject a participant.

During the COVID-19 pandemic, all discretionary transfers were paused to prevent the spread of disease. In October 2021, the Department contacted all participating

jurisdictions to inquire about re-establishing the transfer process. Only Anne Arundel County was prepared to begin accepting pre-release eligible individuals as of October 2021. The Director of Community Outreach will be reaching out to the local jurisdictions with established MOUs throughout the remainder of the year to determine if they are ready to accept transfers.

The Department is also actively seeking to establish MOUs with all remaining Maryland jurisdictions operating a local jail in order to expand the local transfer program. In October 2021, the Department contacted all jurisdictions without a current MOU to inquire about establishing a relationship for transfers. A meeting has been scheduled with Prince George's County in November 2021 to discuss establishing an MOU. The Department has already established a partnership with Prince George's County consisting of an emerging adults program. This program is conducted virtually for DPSCS inmates returning to Prince George's county and its surrounding jurisdictions.

## **II. LOCAL JAILS THAT CONSISTENTLY HAVE EXCESS BED SPACE OR UNDERUTILIZED PROGRAMMING SPACE**

The Department is the centralized reporting entity for monthly local jail population measurement and prepares quarterly reporting on jail capacities for the purposes of capital planning. Given the unprecedented disruption to court operations and changes in normal correctional flow during the COVID-19 pandemic, figures below reflect fiscal year end reporting from the period of FY 2019-FY 2020 for consistency.

## **III. EXISTING PARTNERSHIPS BETWEEN LOCAL JAILS AND DPSCS PRE-RELEASE OR RE-ENTRY PROGRAMS**

As previously discussed, the Department has established transfer agreements with nine local jurisdictions and has operational authority over Baltimore City. For the nine jurisdictions with MOUs, the Department has a policy allowing participants to receive program credits and work pay for participating in the local transfer program. This allows participants to receive work release credits and work pay in the jurisdiction of their home plan.

Due to the ongoing COVID-19 pandemic, there are currently no incarcerated individuals within the Division of Correction participating in a local re-entry program.

## **IV. AN EVALUATION OF OPPORTUNITIES TO COOPERATE WITH LOCAL JAILS TO PROVIDE PRE-RELEASE AND RE-ENTRY SERVICES TO CITIZENS RETURNING FROM STATE CUSTODY**

The Department has policies in place and the capability to allow transfers to all local jurisdictions for participation in local work and vocational programs. Prior to the COVID-19 pandemic, MOUs were in place with nine local jurisdictions and services were available for Baltimore City residents because of the Department's operation of

the Baltimore City Pretrial Complex. Due to the pandemic, transfers were paused in order to stop the potential spread of disease. The Department has a newly hired Director of Community Outreach and Special Projects. The Director is actively pursuing re-starting the program in jurisdictions with existing MOUs and establishing MOUs with non-participating jurisdictions to establish the transfer program in every county operating a local jail. The Department is willing to cooperate with local facilities to establish transfer procedures that will reduce risks and burdens on the local jurisdictions. These new transfer procedures may include COVID-19 testing and quarantine prior to transfer.

In addition to expanding transfer opportunities, the Department is currently participating in the Prince George's County Emerging Adults program where participants are provided counseling, mentoring, problem solving skills, and rehabilitative services through the state's attorney's office. This program is conducted virtually in the Department's statewide facilities for individuals who will be returning to Prince George's County and its surrounding counties upon release. The Department will also be soliciting similar programs from other jurisdictions.

## **Conclusion**

The Department remains committed to expanding pre-release and re-entry opportunities by expanding transfer opportunities to local jurisdictions. In addition to expanding transfer opportunities, the Department is pursuing opportunities to expand programming similar to the Prince George's County Emerging Adults Program to eligible individuals while they are incarcerated in State facilities.