

THE MARYLAND PAROLE COMMISSION



FISCAL YEAR 2019 ANNUAL REPORT

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Robert L. Green
Secretary

David R. Blumberg
Chairman

<u>TABLE OF CONTENTS</u>	<u>PAGE</u>
Letter to the Governor	2
Letter to the Secretary	3
Mission Statement	4
Overview	5
Definitions	6-8
FY2019 Highlights	9-11
Commission Units	12-14
Commissioners Biographies	15-17
APPENDIX	
I. Standard Conditions of Parole	18
II. Parole Hearing Process Flow Chart	19
III. Parole and Mandatory Supervision Flow Chart	20
IV. Budget Expenditures	21



Department of Public Safety and Correctional Services

Maryland Parole Commission

6776 REISTERSTOWN ROAD • SUITE 307 • BALTIMORE, MARYLAND 21215-2343
(410) 585-3200 • FAX (410) 764-4355 • TOLL FREE (877) 241-5428 • www.dpss.maryland.gov
STATE OF MARYLAND

December 19, 2019

LARRY HOGAN
GOVERNOR

BOYD K. RUTHERFORD
LT. GOVERNOR

ROBERT L. GREEN
SECRETARY

DAVID R. BLUMBERG
CHAIRMAN

The Honorable Secretary Green
Maryland Department of Public Safety and Correctional Service
Maryland Parole Commission
300 Joppa Road, Suite 1000
Towson, MD 21286

Dear Secretary Green,

It is with great pleasure that I present to you the Maryland Parole Commission Annual Report for Fiscal Year 2019.

The report provides an overview of the agency, highlights of some of our administrative accomplishments, outlines of each functioning unit, and highlights from a collaboration of Parole Agencies across the country from our APAI Conference held here in Baltimore in April.

During this reporting period, the Commission continues to perform satisfactorily under each managing for results objective while implementing guidelines under the Justice Reinvestment Act. In addition, this year the agency was part of a legislative task force to reform geriatric parole.

The commitment and dedication of the staff at the Commission makes it possible to operate in an efficient and effective manner to meet the organizational objectives without jeopardizing the safety of the citizens of the State of Maryland.

Sincerely,

David R. Blumberg
Chairman

MISSION STATEMENT

The Maryland Parole Commission aims to provide offenders with timely parole and revocation hearings, strives to promote safe communities by promptly processing retake warrants, uses sound judgment in conjunction with utilizing validated risk assessment tools during the decision making process, encourages victim input when applicable, maintains strong relationships with other criminal justice agencies, allows access to the general public and releases those offenders who have the potential to become law abiding citizens.



OVERVIEW

Under Title 7 of the Correctional Services Article of the annotated Code of Maryland, the Maryland Parole Commission hears cases for parole release and revocation across the entire state. The Commission 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 Commissioners' are authorized to issue warrants for the return of alleged violators to custody and revoke supervision upon a 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.

At the conclusion of the fiscal year, there were 8 commissioners (with two vacancies) including the Chairman, 10 hearing officers, and 48 other staff members employed at the Maryland Parole Commission.



DEFINITIONS

- **Administrative Release** allows certain offenders to be released without a hearing after serving one fourth of their sentence and meeting other certain eligibility requirements created by the Justice Reinvestment Act (JRA).
- **Administrative Reviews** are not in-person hearings but rather “paper” reviews of offender files at the Commission office. These reviews are done at five-year intervals until an offender reaches parole eligibility and ensures that all the 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.
- **Geriatric Parole** allows offenders that have reached the age of sixty to petition the parole commission for relief under certain criteria established by statute. Maryland Criminal Law Article §14-101(f).
- **Gubernatorial Commutation** is an order by the Governor giving the grantee a lesser penalty for the offense than originally imposed by the court.
- **Gubernatorial Pardon** is an order by the Governor absolving the grantee of guilt for his criminal act(s), and exempts the grantee from the resulting penalties. Criteria for pardon consideration are set by the Governor and normally require the passage of a substantial period following the end of the incarceration or any form of supervision before a pardon will be entertained.
- **Hearing Officer Cases** are cases initially heard by a Hearing Officer who makes a recommendation that is reviewed by a Commissioner. If the reviewing Commissioner agrees with the Hearing Officers recommendation, that recommendation becomes the Commissioner’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 Officers 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 a “special interest” in the status of the offender as determined by the Commission’s Victim Services Coordinator.
- **Justice Reinvestment Act (JRA)** Bill passed by the Maryland General Assembly that became law on October 1, 2017. The JRA seeks to reduce

Maryland's prison population and use the savings to provide more effective treatment before, during, and after incarceration. The intention is to reduce the likelihood of reoffending, as well as to benefit victims and families. JRA mandates the Maryland Parole Commission determine eligibility for administrative release of non-violent offenders, and caps for technical violations of parole or mandatory release.

- **Liaison Agent/ Waiver (LAW)** hearings are revocation hearings conducted by the Commissioners on offenders who admit fault/guilt to the stated violations and have an opportunity to provide mitigation. These offenders waive the presence of an attorney or their agent of record. For these hearings, the Division of Parole and Probation LAW unit provides an agent to act as a liaison agent who testifies during the entire docket as to the facts of each case using information provided by the agent of record.
- **Medical Parole** allows consideration for an inmate who is chronically debilitated, or incapacitated by a medical or mental health condition, disease or syndrome as to be physically incapable of presenting a danger to society to be released on medical parole at any time during the term of that inmate's sentence without regard to parole eligibility.
- **Mandatory Supervision Release** is the release of an offender from the Division of Correction due to diminution credits earned and awarded. The offenders are supervised by parole agents 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.
- **Open Parole Hearings** are essentially the same as regular parole grant hearings except it has been opened to the public at the request of the victim or victims 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 Department of Parole and Probation 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 in Absentia** a parole hearing that occurs when an offender is housed in a jurisdiction outside the State of Maryland.
- **Parole Eligibility** is determined by sentence length and the specific crime (s) for which the offender is incarcerated. Parole Eligibility is codified in Maryland Correctional Services Article 87-301.

- **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, institutional adjustment, circumstances of the crime, victim impact, recommendations by the sentencing judge, and whether there is a reasonable probability the offender will not violate the law if paroled form the basis of the Commissions' decisions. Maryland Correctional Services Article §7-305.
- **Preliminary Revocation Hearing** is held before a Hearing Officer who determines if probable cause exists with respect to the stated violations. If probably cause is found, the offender is scheduled for a revocation hearing before a Commissioner. Alleged violators may elect to have or waive preliminary revocation hearings.
- **Public Safety Program** 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 program for qualified offenders returning to Baltimore City.
- **Revocation Hearings** are conducted by Commissioners on those offenders who allegedly have violated the conditions of parole or mandatory supervision and are returned to the custody of the Division of Correction or a Local Detention Facility. The supervising agent, who initiated the retake warrant process testifies at this hearing and is subject to cross-examination. An offender may elect to be represented by The Public Defenders Officers or a private attorney.
- **Victim** is a person (or a designated family member of a deceased person) who has suffered actual or threatened physical, emotional, or financial harm as a direct result of a crime.

FISCAL YEAR 2019, HIGHLIGHTS

- July 11th, Announcement of Association of Paroling Authorities International (APAI) to hold their annual Conference in Baltimore, Maryland. MPC selected as Host Committee to assist in organizing.
- July 25th, Hearing Officer David Law participated in the Office of the Public Defender's Back to the Neighborhood Expungement event.
- September 4th, Chairman Blumberg and Christine Burke toured Marian House, a facility offering transitional housing and rehabilitative services for women.
- September 21st, MPC staff volunteers for Day of Service at the Elkridge 50+ Senior Center crab feast.
- September 24th-28th, Chairman Blumberg participated in APAI Mentoring Program in Denver, Colorado for new Parole Board Chairs.
- October 17th, Kate Wolfson, Program Manager and Catherine Pitchford from the Center for Urban Families presented their program at the Commission Meeting.
- November 9th, Chairman Blumberg and Commissioner Jane Miller conducted a training with the Maryland States Attorney Association.
- December 2nd, Chairman Blumberg attended the Northwest Citizens Patrol Awards Dinner.
- January 25th, Christine Burke and Linda Dodge presented to the Justice Reinvestment Act (JRA) Oversight Board regarding Geriatric Parole.
- March 30th -April 3rd Association of Paroling Authorities International (APAI) Annual Training Conference was held at the Hyatt Regency Baltimore hosted by MPC with the highest attendance in the last five years.
- April 17th, Chrysanthemum Desir, Esq, and Tavin Hawn, LCSW-C of Free State Justice gave presentation to the Commission about gender equality issues. The organization advocates for, and provides legal assistance to the LGBTQ Community.
- May 16th, Christine Burke and Linda Dodge participate in JRA Geriatric Parole Working Group.
- June 17th, Commissioner Jane Miller presented at the Maryland State's Attorneys Association Annual Conference.

Association of Paroling Authorities International Annual Conference

March 30th – April 3rd 2019 Hyatt Regency Baltimore



The Maryland Department of Public Safety and Correctional Services Color Guard presenting the Colors at the opening of the conference.



Chairman Blumberg, President of APAI, addressing the attendees



Former Governor Robert Ehrlich, receiving APAI Presidential Honor of Excellence Award



Christine Burke, Maryland Parole Commissioner Chief Administrator, presents APAI Community Service Award to Katie Allston, Director of Marian House

COMMISSION UNITS

ADMINISTRATION

Oversees daily operations of the Commission and ensures compliance with statutory and regulatory requirements. Responds to Public Information Act requests, processes candidates for Public Safety Program, fee waiver and travel requests.

INSTITUTIONAL PAROLE ASSOCIATES

Institutional Parole Associates (IPA) are assigned in each region to relay information between the Commission and the Division of Correction. They serve parole decisions to inmates, conduct file reviews, and coordinate releases statewide. They also ensure attendees of Open Parole Hearings are informed and provided an opportunity to ask questions during the process.

PARDON AND EXECUTIVE CLEMENCY UNIT

This unit is responsible for reviewing and processing all pardon and executive clemency applications; reviewing and distributing all medical and geriatric parole requests; and handles all correspondence between the Parole Commission and the Governor's Office.

PAROLE SERVICES UNIT

The Parole Services Unit handles all scheduling and docketing of parole hearings for the Division of Correction DOC and Local Detention facilities to include parole in absentia cases where Maryland offenders are serving sentences in other states. They also open cases and preliminarily calculate parole eligibility.

POST- RELEASE UNITS

The Warrant Unit is responsible for preparing and processing retake warrants, notifying outside jurisdictions of pending parole violations, and updating the appropriate databases for each case.

The NCIC Unit ensures warrants are tracked appropriately in the national database and responds to inquiries from law enforcement and other jurisdictions.

The Revocation Unit is responsible for scheduling preliminary hearings, issuing subpoenas, and scheduling both revocation and LAWS hearings for offenders charged with violating the terms of supervision. This unit coordinates with private attorneys and public defenders to provide representation to these individuals.

RECORDS UNIT

The Records Unit maintains files on all offenders until five years past the maximum expiration of sentence. This includes currently incarcerated inmates as well as those under supervision by the Department of Parole and Probation. This Unit is also responsible for retrieving and processing supervision reports and warrant requests from the Division of Parole and Probation.

RELEASE UNIT

The Release Unit is responsible for preparing parole release orders and coordinating releases for offenders granted parole from the Division of Correction and Local Detention facilities statewide.

SUPPORT SERVICES UNIT

The Support Services Unit handles time keeping and personnel matters, travel arrangements, fleet usage and maintenance, supplies and property inventory, securing access for employees, and training.

SECRETARIAL UNIT

The Secretarial Unit provides support to Commissioners and Hearing Officers during video dockets, processes decisions, schedules appeals, and updates information in the DPSCS database.

VICTIM SERVICES UNIT

The Victim Services Unit ensures timely notification to victims and/or their representatives of hearings, decisions, and release dates. They also advise victims of their right to “open” a parole hearing and are responsible for scheduling and coordinating these hearings. In addition, the Unit advises victims or their representatives of their rights and provides referrals for services when appropriate.

AGENCY WORKLOAD INFORMATION FY2019



HEARINGS SUMMARY

Parole Hearings (DOC and Local Detention Facilities)	8,119
Preliminary and Revocation Hearings Scheduled	2,973
Total Hearings	11,092

TOTAL PAROLE RELEASES

DOC	2,213
Local Detention Centers	636
Total Parole Releases	2,849

POST-RELEASE SUMMARY

Warrants Issued	2,236
Subpoenas Issued	68
DPP Agent Reports Processed	6,859

VICTIMS SERVICES

Correspondence to Victims	9,444
Open Parole Hearings Scheduled	72

COMMISSIONERS ADMINISTRATIVE ACTIVITY

Total Appeal Decisions	1,696
Office Appointments	152
Executive Clemencies Reviewed	68
Medical Paroles Reviewed	18

COMMISSIONER BIOGRAPHIES

Sharon Trexler Begosh – appointed in June 2015; left Commission in April 2019. Commissioner Begosh graduated Magna Cum laude from the University of Maryland with a BA degree in Criminology. She was elected to the Phi Beta Kappa National Honor Society at that time due to her academic accomplishments. She began her career with the Maryland Division of Parole and Probation where she rose to the rank of Agent Senior. She was hired by the Montgomery County Department of Correction and Rehabilitation as a founding member of the Pre-trial Services Agency. During her tenure with Montgomery County she held various positions such as Pre-Trial Caseworker, Supervisor for the Drug Intervention Program, and ultimately as Chief of the Pre-Trial Division. Mrs. Begosh retired from county service after twenty six years.

David R Blumberg- Chairman- appointed as a Commissioner October 2003; appointed Chairman July 1, 2004; continuing for three consecutive terms, which will expire in December 2021. Chairman Blumberg received a BA degree in political Science from Loyola College and a MS 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. Chairman Blumberg is a member of the Board for John Hopkins Club, Chairman of Santa Claus Anonymous, President of the Village at Home, an aging in place non-profit for North Baltimore City, as well as the Secretary of the Hampden Midtown Kiwanis. In May 2015, Chairman Blumberg was recognized by the Association of Paroling Authorities International, (APAI) a worldwide organization representing all releasing authorities, with the Ben Baer Award. This award was established to recognize and reward an individual who has demonstrated significant service in the field of parole or community corrections. Chairman Blumberg was elected July 1, 2018 to be the President of APAI.

John W. E. Cluster Jr. – appointed August 2016; term to expire December 2021. Born in Baltimore Maryland, graduated Catonsville High School 1972, and attended Essex Community College. Commissioner Cluster is a former member of the Maryland House of Delegates from July 2003 to January 2007, January 2011 to July 2016; resigned from membership in July 2016. While serving in the House of Delegates he was honored to be named Legislator of the year many times from the law enforcement community. As a member of the House he served in both the House Environmental Matters from 2003-2007 and House Judiciary Committees 2011-2016. Prior to the House Delegates, Commissioner Cluster worked as the Director of Facilities at the Department of Juvenile Services 2003. Member of Charles H. Hickey Jr., School Advisory Board, 2005-07. Chair, Maryland Correctional Enterprises Management Council, 2015-16.

Steven J. Deboy Sr. – appointed January 2017; term to expire December 2022. Commissioner Deboy graduated from Catonsville Community College with an Associate of Arts degree in Criminal Justice; also graduated from University of Baltimore with a Bachelor of Arts degree in Political Science. Commissioner Deboy graduated from the Baltimore County Police Department Academy in 1977 and served as a police officer and

detective for over twenty years before retiring in 1995. He served in the Maryland House of Delegates from 2003-2015 as a representative of Baltimore and Howard Counties. During his legislative tenure, he served on the House Appropriations Committee and championed legislation promoting public safety for law enforcement, the fire service, and corrections. Upon his retirement from the legislature, he was asked to serve as Deputy Legislative Officer for Governor Larry Hogan. Stationed in the Governor's legislative office he was responsible for the public safety agenda before the Maryland General assembly.

John R. Greene – appointed to an interim term in July 2015; left Commission in March 2019. Before joining the Maryland Parole Commission, Commissioner Greene served as Director of Safety and Security for the Maryland Department of Health and Mental Hygiene (DHMH). In January 2013, Commissioner Greene retired as an Assistant Bureau Chief of the Maryland State Police (MSP) with a combined twenty-six years of law enforcement and military experience. While serving with the MSP, Commissioner Greene commanded the following units: Drug Enforcement Division, Internal Affairs Section, Administrative Hearing Section and also served as the Executive Officer for the Field Operations Bureau. Commissioner Greene serves on the Justice Reinvestment Oversight Board. Commissioner Greene has earned his M.S. and B.S. degrees in Business Management and an A.A. Degree in Criminal Justice.

Donna M. Hill-appointed to an interim term in September 2010; and re-appointed in March 2014; term will expire in December 2019. Commissioner Hill earned an AA degree in Paralegal Studies from the Prince George's Community College, a BA degree in Afro-American studies from the University of Maryland College Park, a MS degree in Counseling from the University of Maryland College Park. In September 2015 Commissioner Hill earned her certification as a Sherpa Executive Coach, an also an Ordained Minister, Trained Counselor, former School Principal, graduate of Leadership Prince George's, and served as a member of the Prince George's Community College Foundation Board from 2010- 2012. In 2011, Commissioner Hill was appointed by the Maryland Parole Commission to briefly serve as a member of the Re-Entry Feasibility Committee governed by the Circuit Court of Prince George's County.

Jason Keckler -appointed in January 2018; term will expire December 2023. Commissioner Keckler retired from the Frederick Police Department as a Lieutenant with 22 years of service. He possesses numerous certifications and was a member of the International Association of Chiefs of Police and International Association of Ethics Trainers. He remains actively involved in the FBI National Academy Associates. Commissioner Keckler is a graduate of the 246th Session of the FBI National Academy in Quantico, Virginia. In addition to holding college degrees from Frederick Community College and the University of North Carolina at Wilmington, he possesses a Graduate Certificate in Criminal Justice Education from the University of Virginia.

Jane Chace Miller– appointed September 2016; term expires December 2021. Commissioner Miller is an attorney with a background in family law and criminal defense. She previously served as an Assistant State's Attorney on Maryland's Eastern Shore and as a Special Prosecutor in several other Maryland counties. Commissioner Miller is a Member of the Maryland State Bar Association and former President of her

local Bar Association. Commissioner Miller is the former President of the Chesapeake Women's Network and is currently on the United Way's Board of Directors. She also donates her time to Bosom Buddies, Inc.

Christopher J. Reynolds – appointed to an interim term in April 2011; re-appointed in January 2012, Commissioner Reynolds was re-appointed January 2019; term expires December 2023. Commissioner Reynolds has been engaged in the private practice of law for over 45 years in the District of Columbia and Maryland. He has been active in a number of civic and community groups serving in leadership positions and giving guidance on governance issues. When he is not working on with the Parole Commission, he is a volunteer for the United States Tennis Association (USTA) serving on numerous committees and in several leadership roles.

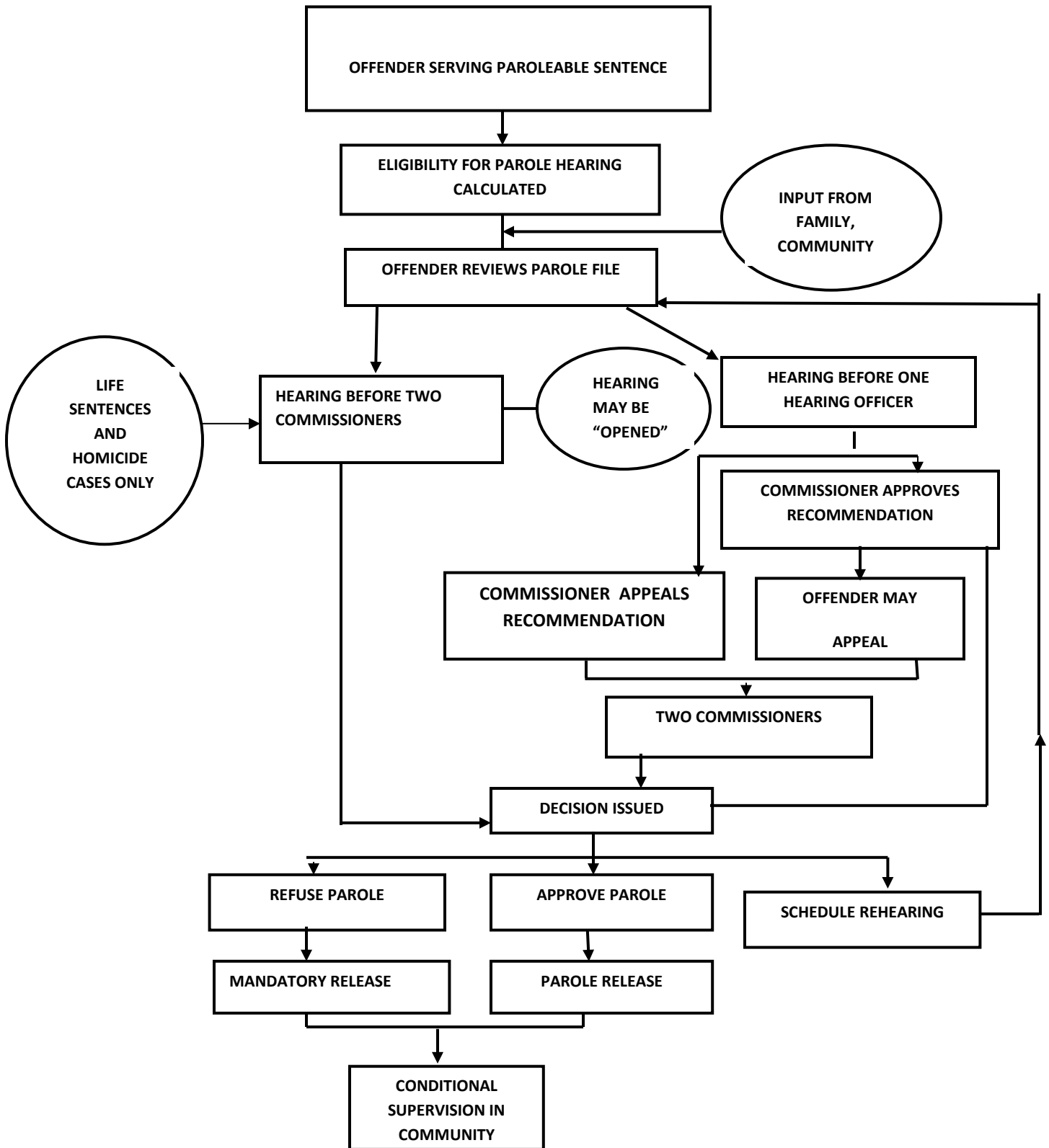
John D. Smack- appointed August 2016: term expires in December 2020. Commissioner Smack retired in July 2016 from the Worcester County Sheriff's Office at the rank of Chief Deputy with 29 years of law enforcement experience. Commissioner Smack served as a commander in Patrol, SWAT and Special Operations. Smack received additional training from the University of Louisville, Southern Police Institute and FBI Law Enforcement Executive Development. Smack was elected as an Orphans' Court Judge for Worcester County in 2006, 2010 and 2014. In 2014, Smack was appointed by Governor Hogan, as the Chief Judge until his current appointment. He has served with several organizations in his community as a member of the Board of Directors and as President.

APPENDIX I: STANDARD CONDITIONS of PAROLE

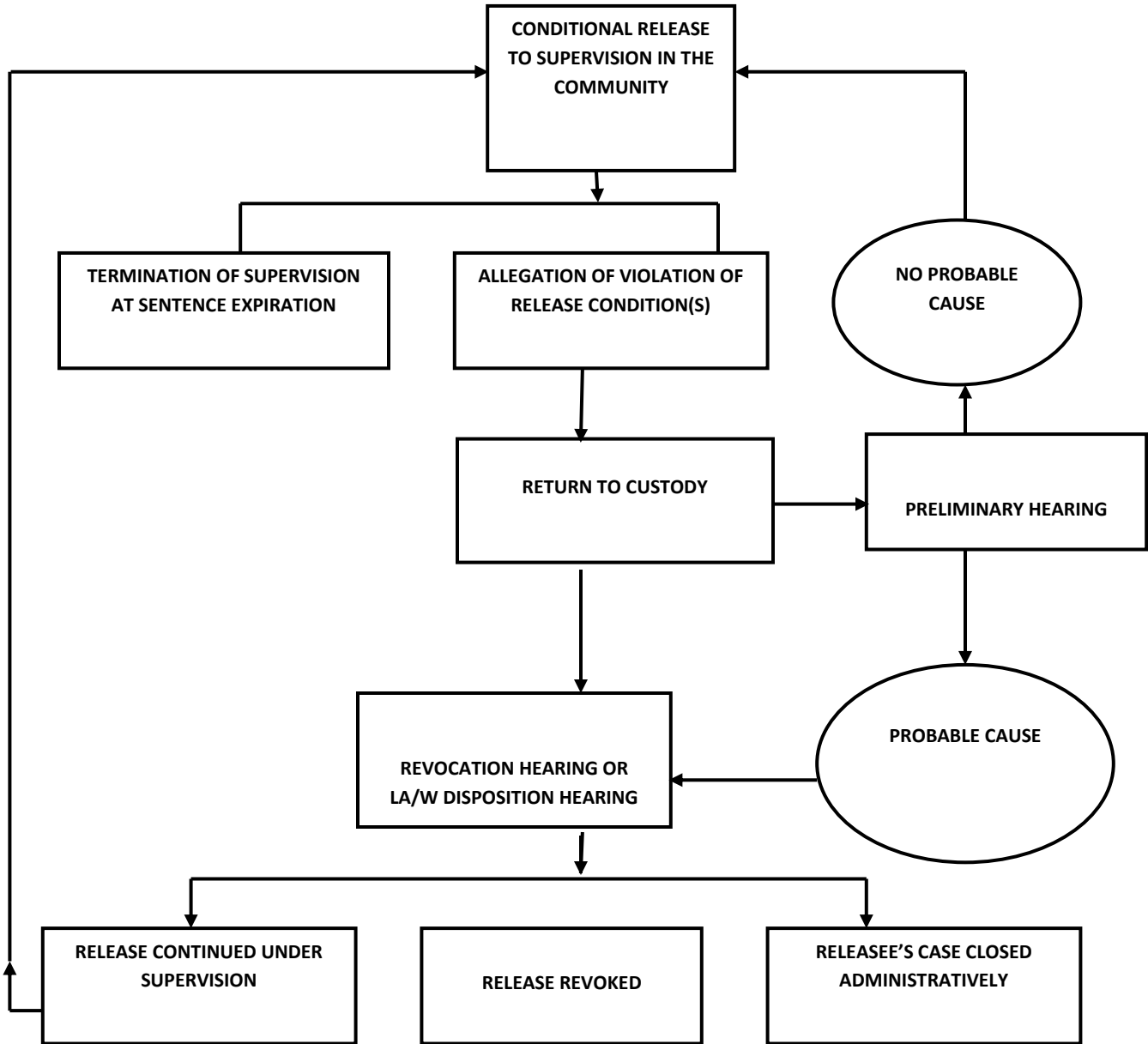
- 1. Report as directed to and follow your Parole Agent's instructions.**
- 2. Work regularly.**
- 3. Get permission before:**
 - a. Changing your home;**
 - b. Changing your job; or**
 - c. Leaving the State of Maryland**
- 4. Obey all laws.**
- 5. Notify your Parole Agent immediately if you are arrested.**
- 6. You shall not illegally possess, use, or sell any narcotic drug, "controlled dangerous substance", or related paraphernalia.**
- 7. You shall not own, possess, use, sell, or have under your control any dangerous weapon or firearms of any description without approval of the Parole Commission.**
- 8. You shall so conduct yourself as not to present a danger to yourself or others.**
- 9. Special conditions: See page 1 of this agreement.**

NOTE: Conditions 10 and 11 apply to parolees whose term of confinement resulted from a crime or crimes committed on or after May 1, 1991.
- 10. You must pay a monthly supervision fee as required by law unless the Parole Commission exempts you wholly or partly from payment of the fee.**
- 11. If ordered by the Parole Commission to undergo drug or alcohol abuse testing, you must pay for the testing if required to do so by the Division of Parole and Probation**

APPENDIX II: PAROLE HEARING FLOW CHART



APPENDIX III: PAROLE AND MANDATORY SUPERVISION PROCESS FLOW CHART

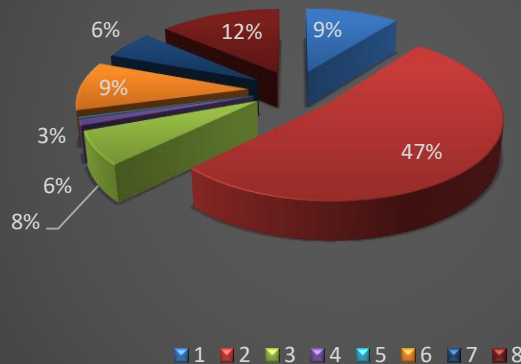


BUDGET EXPENDITURE – FISCAL YEAR 2019

CATERGORY	EXPENDITURES	% of Exp.
COMMUNICATION	26,401	0.47%
CONTRACTUAL SERVICES	131,487	2.18%
FUEL & UTILITIES	16,635	0.28%
MV OPERATIONS & MAINTENANCE	29,945	0.05%
REPLACEMENT EQUIPMENT	9	0.01%
FIXED CHARGES	183,117	3.03%
SALARIES, WAGES, AND FRINGE BENEFITS	5, 580,650	92.36%
SUPPLIES & MATERIALS	27,573	0.41%
TECHNICL/SPECIAL FEES/TEMP STAFF	34,737	0.57%
TRAVEL	14,477	0.24%
	6,045,031	
Total Expenditure:		6,045,031
Less Salaries/Fees:		<u>5,580,650</u>
		464,381
Less Lease (Fixed Charges):		<u>183,117</u>
Controllable Expenditures:		281,264
% of Expenditure:		4.7%

The remaining 4.7% of expenditures a depicted below:

4.7% EXPENDITURES



- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Communication 2. Contractual Services 3. Fuel & Utilities 4. MV Operations & Maintenance | <ol style="list-style-type: none"> 5. Replacement Equipment 6. Supplies & Material 7. Travel 8. Technical/Special Fees/Temp Staff |
|--|---|