



Department of Public Safety and Correctional Services

Office of the Secretary

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December 31, 2014

The Honorable Thomas V. Michael Miller, Jr.
President of Senate
State House, H-107
Annapolis, MD 21401 – 1991

The Honorable Michael Erin Busch
Speaker of House of Delegates
State House, H-101
Annapolis, MD 21401 – 1991

RE: Report on Chapter 162 - Criminal Procedure – Certificate of Completion
(MSAR # 10121)

Dear Mr. Speaker and Mr. President:

According to the language on page 2 of Chapter 162 – Criminal Procedure – Certificate of Completion enacted in 2014, the Department of Public Safety and Correctional Services (DPSCS) is required to submit an annual report. The language specifically states:

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2014, the Department of Public Safety and Correctional Services shall report to the Governor and, subject to § 2-1246 of the State Government Article, the General Assembly on the number of certificates of completion issued under this Act.

Enclosed is a detailed report pursuant to the aforementioned language. We hope that this report will be informative and helpful to you and your members. If I can be of further assistance, please do not hesitate to contact me at 410-339-5005 or Kevin Loeb, Director of Legislative Affairs, at 410-260-6070.

Sincerely,

Carroll A. Parrish

c: Mr. John Griffin, Chief of Staff, Governor's Office
Ms. Jean Hitchcock, Governor's Chief Legislative Officer
Ms. Shanetta Paskel, Governor's Deputy Legislative Officer
Ms. Hannah Dier, Policy Analyst, Department of Legislative Services
Mr. Matthew Schmid, Budget Analyst, Dept. of Budget & Management
Ms. Sarah Albert, Department of Legislative Services
Deputy Secretary Patricia Donovan
Acting Deputy Secretary Wayne Webb
Director Kevin C. Loeb, Office of Government, Legislative and Community Affairs



DEPARTMENT OF PUBLIC SAFETY
AND CORRECTIONAL SERVICES

Report on Chapter 162 of the Acts of 2014
(SB 398/HB 921)

Certificate of Completion

December 2014

Governor Martin O'Malley
Lt. Governor Anthony G. Brown
Acting Secretary Carroll Parrish

Chapter 162 - Criminal Procedure - Certificate of Completion – authorizes the Department of Public Safety and Correctional Services (“Department”) to issue certificates of completion to individuals who are no longer under the jurisdiction of the Department and who have completed all special and general conditions of supervision, including the payment of all required restitution, fines, fees, and other payment obligations.

The law took effect on October 1, 2014, and applies prospectively to individuals under the supervision of the Department on or after July 1, 2014. The Department is submitting this report in accordance with Section 2 of the act.

The Department, through its Parole and Probation Headquarters Unit, regularly receives requests from individuals who are in need of official, written confirmation that they are no longer under supervision. These requests are most often received by telephone, though some are received by written correspondence. The requests are usually prompted when former offenders are pursuing an employment prospect or enlistment in one of the Armed Services. They are also requested by former offenders who need proof of supervision completion to maintain employment or reinstate certification in a particular field of employment.

The Department handles these requests by researching its offender case management records to verify, firstly, that the requester is not currently under the jurisdiction of the Department. Once that is confirmed, then closed supervision cases pertaining to the requester are reviewed to ensure that no case was closed in “pending warrant status”, which would indicate the possible existence of an open violation warrant after the expiration of the community supervision sentence. If there are no open violation warrants, then a letter is drafted to certify the requester’s completion of community supervision.¹

The completion letter is prepared on departmental letterhead and addressed to the requester. Each closed supervision case is identified by the Parole and Probation case number, case type (probation, parole, or mandatory release supervision), date the case was opened by Parole and Probation and the date the case was closed by Parole and Probation. The originating District Court or circuit court case number may be included for clarification purposes. Finally, the letter includes a sentence to verify that the requester is not currently under the supervision of Parole and Probation. The Department responds to these requests within 10 business days of receiving them and in no case more than 30 days of receipt.

¹ If there is an open violation warrant, then the field office that was assigned the supervision case researches the warrant status to determine whether the warrant was served since the case closed or whether the warrant was quashed by the courts post case closure.

The Department's practices are in line with the requirements of Chapter 162 with the exception of one item: the Department will provide a completion letter even if payment obligations have not been completely paid at the time of case closure. The Department will still issue a completion letter to individuals upon case closure because outstanding payment obligations that have not been waived or deemed uncollectable by the imposing authority are referred to the Central Collection Unit of the Department of Budget and Management for continued collection efforts. Therefore, these cases are no longer under the jurisdiction of the Department.

During calendar year 2014, the Department issued 44 completion letters to individuals who requested them. The Department believes it has established an efficient methodology for issuing letters certifying completion, but the Department will continue to monitor the issuance of these letters and address any issues that may allow for any improvement in the process.