

Report of the
Task Force to Study Prison Violence in Maryland

December 1, 2009

Governor Martin O'Malley
Lt. Governor Anthony G. Brown
Senator Verna Jones, Co-Chair
Delegate Christopher Shank, Co-Chair
C. Jeff Beeson, Staff



Task Force to Study Prison Violence in Maryland

Department of Public Safety and Correctional Services

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January 14, 2010

STATE OF MARYLAND

MARTIN O'MALLEY
GOVERNOR

ANTHONY G. BROWN
LT. GOVERNOR

SENATOR Verna JONES
CO-CHAIR

DELEGATE CHRISTOPHER
SHANK
CO-CHAIR

The Honorable Martin O'Malley
Governor of Maryland
State House, State Circle
Annapolis, Maryland 21401-1991

RE: Report for the Task Force to Study Prison Violence in Maryland

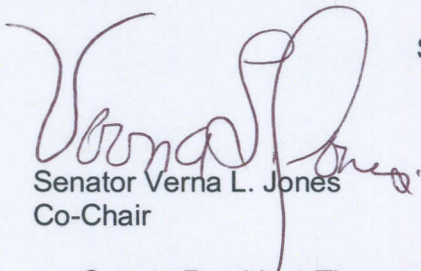
Dear Governor O'Malley:

During the 2007 legislative session, *Senate Bill 69 - Task Force to Study Prison Violence in Maryland* was designed to evaluate violence within Maryland prisons and develop a set of recommendations to address key issues. The Task Force was required to submit an interim report to the Governor on December 31, 2007 followed by a final report on December 31, 2008. The Task Force was not fully appointed until the spring 2008, and produced the Interim Report in the fall of 2008.

The members of the Task Force remain committed to producing a set of recommendations that will have meaningful impact within Maryland's correctional system. In order to accomplish this goal, the Task Force supported the introduction of SB 817, which provides an extension through December 31, 2010.

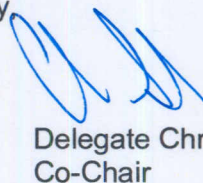
This report is an overview of Task Force activity to date. It includes the membership and specific subcommittee activities that will be included in the final report to be submitted on December 31, 2010.

Please do not hesitate to contact us, if we can be of further assistance to you and your staff.



Senator Verna L. Jones
Co-Chair

Sincerely,



Delegate Christopher B. Shank
Co-Chair

c: Senate President Thomas V. Michael Miller, Jr.
Speaker Michael E. Busch
Members of the Task Force to Study Prison Violence in MD
Mr. Matthew Gallagher, Governor's Chief of Staff
Mr. Joseph Bryce, Governor's Chief Legislative Officer
Mr. Stacey Mayer, Governor's Deputy Legislative Officer
Ms. Rebecca Moore, Policy Analyst, Dept of Legislative Services
Ms. Sarah Albert, Mandated Reports, Dept of Legislative Services

I. INTRODUCTION

The *Task Force to Study Prison Violence in Maryland* (Task Force) was first established during the 2007 General Assembly Session after passage of *Senate Bill 69* (Chapter 518). Due to the complexity of this issue and the desire to develop a comprehensive set of recommendations designed to address the issue of prison violence within Maryland's correctional system, the Task Force recommended an extension to conclude on December 31, 2010.

Senate Bill 817 – Task Force to Study Prison Violence in Maryland – Reconstitution (Chapter 102) was passed to accomplish this goal. In accordance with the language of the law, this interim report is being submitted to the Governor.

II. BACKGROUND

Senate Bill 69 was signed into law by the Governor on May 17, 2007. *Senate Bill 817* was introduced to extend the work of the Task Force until December 31, 2010. The new legislation did not call for the termination and alteration of existing Task Force members. Representatives were selected based upon the following criteria:

- One member of the House of Delegates, appointed by the Speaker of the House to serve as a co-chair;
- One member of the Senate of Maryland, appointed by the President of the Senate to serve as a co-chair;
- The Secretary of Public Safety and Correctional Services, or a designee of The Secretary;
- The Commissioner of the Division of Correction, or a designee of the Commissioner;
- The Attorney General, or a designee of the Attorney General;
- The Secretary of Juvenile Services, or a designee of the Secretary;
- The Public Defender of Maryland, or the Public Defender's designee;
- The following members appointed by the Governor:
 - Two representatives, one male and one female, of the American Federation of State, County and Municipal Employees who are also employed as correctional officers in a State prison;
 - One representative of the Justice Policy Institute;

- One representative of the criminology department of a Maryland institution of higher learning;
- Two former prisoners, one male and one female, of a State prison that were incarcerated for a minimum of 5 years;
- One expert in the field of chemical engineering or toxicology;
- One representative of a Maryland prison reform advocacy group;
- One intelligence lieutenant from the Division of Correction;
- One representative knowledgeable and experienced in the field of medical and health care services for prisoners;
- One representative of the Department of State Police; and
- Two members, at least one of whom is a member of the Maryland Classified Employees Association, and each of whom is employed as a case manager, psychologist, addiction counselor, or warden in a State prison.

Please see *Attachment A* for the roster of members on the Task Force.

There are goals delegated to the Task Force by the General Assembly in *Senate Bill 69* and *Senate Bill 817*, which are as follows:

- study available information on:
 - (i) the scope, nature, patterns, and causal relationships of violence in the State's prisons;
 - (ii) the impact of illegal drugs on violence in the State's prisons;
 - (iii) the impact of exposure to lead and other pollutants on violence in the State's prisons;
 - (iv) the best practices of other state correctional systems in dealing with prison violence;
 - (v) the impact of contraband on violence in the State's prisons;
 - (vi) the role of gang activity on violence in the State's prisons; and
 - (vii) any other issues that the Task Force considers relevant;

- (viii) make legislative recommendations; and prepare a report summarizing the findings and recommendations of the Task Force.

III. REPORT

An organizational meeting was convened on October 3, 2007 with the Senate and House Co-Chairs, Senator Verna Jones and Delegate Christopher Shank to finalize the appointments process. The organizational meeting goal was to plan a strategy for the Task Force. During the meeting, the Co-Chairs decided that due to the size of the Task Force, it would be beneficial to divide the group into manageable workgroups. The workgroups would represent perceived contributors to the violence in prison facilities. The workgroups are:

Best Practices
Environment and Health Issues
Contraband/Drugs/Gangs

The Task force began meeting in 2007 and have met on six occasions to focus on the following three areas of concern identified by the Co-Chairs:

1. To evaluate the impact on communities around the State upon re-entry of offenders leaving State prisons;
2. To evaluate Best Practices in combating violence in the prisons and include recommendations in the reports so that the Department of Public Safety and Correctional Services would seriously consider the implementation of the recommendations; and in the evaluation of Best Practices, consider the work of the various groups across the State and their recommendations on gangs and their effects on prison violence;
3. To evaluate the number of incidents of inmate-on-staff assaults as well as inmate-on-inmate assaults and determine whether there are any trends that can be eradicated.

Below is a brief overview of the meetings held by the Task Force to date:

June 18, 2008

This was the first formal meeting held by the Task Force and was designed to introduce members and provide an explanation of SB 69 and the expectations of the Task Force members. The Co-Chairs recommended that formal subcommittees be established to report out at each meeting regarding pertinent information related to specific areas impacting prison violence.

Members were asked to select a subcommittee and submit their preference to the Co-Chairs by June 24, 2008.

The remainder of the meeting included an overview of the Department of Public Safety and Correctional Services (DPSCS) specifically related to prison violence with the Division of Correction (DOC). Emphasis was placed on the Department's efforts to support gang related work in coordination with law enforcement partnerships through the Department sponsored Gang Kaizen. Secretary DeVore provided an overview of the Department of Juvenile Services with an emphasis on the need for continued information sharing, noting that correctional staff should know a juvenile's violent history in the event they are incarcerated as an adult.

The remainder of the meeting was spent discussing meeting framework, future meetings, and fulfilling the legislative mandate of the Task Force.

July 16, 2008

This meeting provided the first opportunity for the three subcommittees to report their activity and the direction that each would take in investigating their respective areas related to prison violence. Below are the preliminary findings and membership for each of those subcommittees:

Best Practices

Commissioner Mike Stouffer, Chair
Carolyn Atkins
Tara Andrews
Kimberly Haven
Jack Hughes

The subcommittee identified how they believed best practices should be interpreted for the purposes of the Task Force and identified research areas that would enlighten their work including the National Institutes of Correction, the Maryland Correctional Administrators Association, the Association of State Correctional Administrators and the American Correctional Association. The subcommittee was also asked to make a future presentation on gang violence.

Gangs/Contraband/Drugs

Shanetta Paskel, Chair
Dr. Ralph M. Hughes
Michael Morrisette
Brenda Mellerson
Mona Powell
Brother Ellsworth-Bey
Captain Ronald Cullison

The subcommittee provided an overview of their preliminary findings related to gang activity within Maryland's prisons as well as the introduction of contraband and drugs. The Task Force asked what steps were being taken to provide adequate substance abuse treatment to inmates and determined that a future presentation on this subject would be necessary.

Environment/Health

Secretary Gary D. Maynard, Chair
Yale H. Caplan, Ph.D.
(Medical/Health Care of Prisoners - Vacant)
Secretary Donald DeVore
Carol Martindale

The Subcommittee identified specific areas that agitate offenders related to access to adequate medical care and suggested that the Task Force engage in future research on the treatment of mental health. They also discussed the impacts of physical structures and environmental pathogens as a trigger to violent inmate behavior.

September 23, 2008

The Task Force welcomed Captain Phil Smith of the DOC who is responsible for implementing and maintaining the DOC's intelligence gathering practices. He provided an overview of current Security Threat Groups (STG), or identified gangs and how they interact and impact population management practices.

The Task Force determined that the continued growth of STG's would continue to influence violent activity within the correctional system and asked for regular updates from the DOC intelligence unit.

December 2, 2008

The Task Force convened and determined that more time was needed to fully investigate the root causes of prison violence and make educated recommendations that are to be implemented within the DOC. Part of the reason for the discussion of extending the Task Force was the initial delay in fully appointing the membership. The Co-Chairs discussed strategy for the implementation of legislation and asked for support from the full Task Force. Draft language was discussed and all members agreed that it was needed and expressed an interest in remaining on the Task Force to serve in the future.

July 28, 2009

The meeting opened with a discussion of the passage of SB 817 – Task Force to Study Prison Violence in Maryland – Reconstitution, the bill that extended the Task

Force to December 2010. The Task Force Co-Chairs discussed the need to develop a comprehensive set of recommendations to guide the state in ensuring that prison violence was part of the overall policy objectives of the Department of Public Safety and Correctional Services. The meeting also featured a presentation from Assistant Secretary for Treatment Services Richard Rosenblatt on the new Prison Rape Elimination Act (PREA) recommended guidelines. It was discussed that the Department currently follows the majority of the recommendations and will continue to look toward national policy to provide safe environments for prisoners.

October 14, 2009

Each Subcommittee reported out the final phase of analysis related to their particular topic area. The Task Force unanimously decided to conclude the investigative phase and asked each subcommittee to present the top contributing and/or potential factors related to prison violence from their respective areas of responsibility. A recommendation was made to establish a separate subcommittee to focus primarily on Mental Health issues. Assistant Secretary Richard Rosenblatt volunteered to lead this group. Below is a breakdown of the reconstituted subcommittees:

Best Practices

Mike Stouffer (Chair)
Tara Andrews
Kimberly Haven
Jack Hughes

Gangs and Contraband

Shanetta Paskel (Chair)
Dr. Ralph Hughes
Captain Phil Smith (recommended for appointment November 2009)
Mona Powell
Brother Ellsworth Johnson-Bey
Ron Cullison

Environment and Health

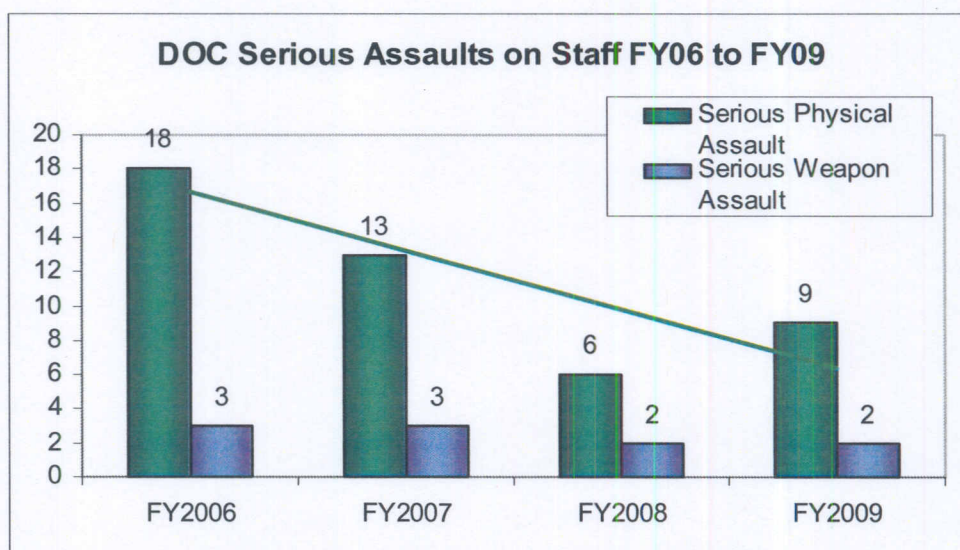
Secretary Gary Maynard (Chair)
Secretary Donald DeVore
Carol Martindale-Taylor
Dr. Asresahegn Getachew (appointed December 2009)

Mental Health

Richard Rosenblatt (Chair – voluntary member)
Dayena Corcoran (recommended for appointment November 2009)
Betsy Tolentino (representing Office of the Public Defender)
Senator Verna Jones
Delegate Christopher Shank

December 2, 2009

The Subcommittees reported out their findings which are detailed in the following section. The Task Force received a briefing from the DOC Statistics team related to incidents of prison violence throughout the DOC.



The DOC's Intelligence Unit updated the Task Force on data related to the number of validated STG members throughout the DOC. These are individuals who have gone through an investigation and were either found to be a member of a specific gang based upon a set of criteria administered by the Division's intelligence unit. As of December 2009, there were over 3,400 validated STG members throughout the Division.

Below is a breakdown of the five largest STG's:

Bloods	-	1,069
Black Guerilla Family (BGF)	-	1,026
Dead Men Incorporated (DMI)	-	575
Crips	-	395
Murder Inc.	-	115

IV. CONCLUSION

The Task Force has taken the necessary steps to evaluate and understand issues contributing to prison violence. The make-up of the membership and their respective backgrounds has proven vital in understanding the full scope of these issues and will ultimately influence and inform the final recommendations submitted to the Governor.

The Task Force has benefited from strong support and cooperation from the Maryland Department of Public Safety and Correctional Services. Secretary Maynard has ensured that appropriate staff members have remained involved and that requested data was provided to the Task Force during appropriate meetings. This has allowed the four subcommittees to dig deep with respect to their areas of responsibility and generate a road map for future investigation and recommendations.

Below is a full listing from the Subcommittees regarding those areas that have the potential to drive prison violence:

Environment and Health

1. Timely responses to inmate sick calls and follow-up care for chronic care inmates.
2. Ensuring the accuracy of inmate medical prescriptions.
3. Ensuring that staff provides transportation to inmates for scheduled medical appointment appropriately.
4. Ensuring the accuracy and completeness of inmate medical records
5. Overcrowding of prison facilities
6. Aging prison facilities

Mental Health

1. Need to invest in adequate cognitive behavioral restructuring programs to manage mentally ill inmates.
2. Need to examine medication practices of the Department related to specific psychotic inmates posing or threatening to engage in violent activities.
3. Need to examine suicide prevention practices related to the identification of potentially suicidal inmates.
4. Need to examine policies, procedures, and practices of the Department related to self-mutilating inmates.

Gangs, Contraband, and Drugs

1. Need to continue to invest in the Department's intelligence unit ensuring that adequate staff and resources are available.

2. Need to investigate models of gang management including methods for renunciation of gang ties in a safe and secure manner.
3. Need to generate a stronger electronic database to track and analyze inmates who are potential security risks.
4. Continued investment in stronger contraband interdiction practices including technology to identify and prevent the transmission of cell phone signals from within prisons.
5. Develop stronger prosecutorial practices for inmates and staff in possession of contraband
6. Continued investment in substance abuse programming including community services to assist offenders transitioning home.

Best Practices

1. Further investment and study of methods designed to better control contraband management.
2. Continue to study models of gang management including initiation and renunciation.
3. Look to evidence-based practices for handling inmates with undiagnosed or unmanaged mental health problems.
4. Look to models for interpersonal development and dispute mediation within the inmate population.
5. Look to models to better control behavior of segregation inmates

The Task Force will spend the next year evaluating a comprehensive set of recommendations to address these twenty-one issues that contribute to violence within Maryland's prisons. The expertise brought from every member of the Task Force will provide insight from a variety of perspectives ensuring that the recommendations are sound and represent the best information to strengthen the Maryland Department of Public Safety and Correctional Services and continue to maintain the safety and security of the staff and inmates within those institutions.

TASK FORCE TO STUDY PRISON VIOLENCE IN MARYLAND
Senate Bill 69, Chapter 518, Acts Of 2007

<u>Name/Title</u>	<u>Appointed By</u>	<u>Representing</u>
Senator Verna Jones	President of Senate	Senate
Delegate Christopher Shank	Speaker of the House	House of Delegates
Gary D. Maynard	Ex-Officio	Secretary, DPSCS
J. Michael Stouffer	Ex-Officio	Commissioner, DOC
Shanetta Paskel	Ex-Officio	Attorney General
Donald W. DeVore	Ex-Officio	Secretary, DJS
Betsy Tolentino *	Ex-Officio	Public Defender
Jack Hughes	Governor	AFSCME (Male)
Mona Powell	Governor	AFSCME (Female)
Tara Andrews	Governor	Justice Policy Institute
Dr. Ralph Hughes	Governor	Coppin State University
Brother Ellsworth Johnson-Bey	Governor	Former Prisoner (Male)
Kim Haven	Governor	Former Prisoner (Female)
Carol Martindale	Governor	Prison Reform Group
Phil Smith *	Governor	Deputy Director of Intelligence, DOC
Dayena Corcoran *	Governor	Warden, DOC
Ronald Cullison	Governor	Maryland State Police
Yale Caplan	Governor	State Toxicologist
Dr. Asresahegn Getachew	Governor	Medical Doctor

* - indicates that the individual is serving in a voluntary capacity until the appointment is official

Jeff Beeson, DPSCS serves as staff to the Task Force.