

**MARYLAND COMMISSION
ON
CORRECTIONAL STANDARDS**

**M
C
C
S**

ANNUAL REPORT



Robert L Ehrlich, Jr
Governor

Michael S. Steele
Lt. Governor

Mary Ann Saar
Secretary

Marie Henderson
Chairperson

Donald Jones
Executive Director

FISCAL YEAR 2001-2002

**STATE OF MARYLAND
DEPARTMENT OF PUBLIC SAFETY
AND CORRECTIONAL SERVICES**



Department of Public Safety and Correctional Services

Office of the Secretary

300 E. JOPPA ROAD • SUITE 1000 • TOWSON, MARYLAND 21286-3020
(410) 339-5000 • FAX (410) 339-4240 • TOLL FREE (877) 379-8636 • V/TTY (800) 735-2258 • www.dpsscs.state.md.us

STATE OF MARYLAND

ROBERT L. EHRLICH, JR.
GOVERNOR

MICHAEL S. STEELE
LT. GOVERNOR

MARY ANN SAAR
SECRETARY

May 15, 2003

DIVISION OF CORRECTION

DIVISION OF PAROLE AND
PROBATION

DIVISION OF PRETRIAL
DETENTION AND SERVICES

PATUXENT INSTITUTION

MARYLAND COMMISSION OF
CORRECTIONAL STANDARDS

CORRECTIONAL TRAINING
COMMISSION

POLICE TRAINING
COMMISSION

MARYLAND PAROLE
COMMISSION

CRIMINAL INJURIES
COMPENSATION BOARD

EMERGENCY NUMBER
SYSTEMS BOARD

SUNDRY CLAIMS BOARD

INMATE GRIEVANCE OFFICE

The Honorable Robert L. Ehrlich, Jr.
Governor of the State of Maryland
State House
100 State Circle
Annapolis, Maryland 21401

Dear Governor Ehrlich:

I am pleased to make available the Annual Report for the Maryland Commission on Correctional Standards, documenting agency activities for Fiscal Years 2001 and 2002. The enclosed information is intended to satisfy the reporting requirements set forth in the *Annotated Code of Maryland*, Correctional Services Article, Section 8-110.

In this reporting period, the Commission continued to meet its mission of inspecting State, local, and private adult correctional facilities and programs. The seventh cycle of auditing the nearly sixty places of adult correctional confinement came to a close, and the eighth audit cycle began. In addition, private home detention monitoring agencies were audited for the first time using standards developed by the Commission.

The Commission will continue to provide innovative quality control services for all adult correctional systems to ensure the highest level of safety and protection for the people of Maryland, as well as provide for efficient, effective, and accountable correctional operations.

Sincerely,

Mary Ann Saar
Secretary



Department of Public Safety and Correctional Services

Maryland Commission on Correctional Standards

115 SUDROOK LANE • SUITE 200 • PIKESVILLE, MARYLAND 21208-3878
(410) 585-3830 • FAX (410) 318-6020 • V/TTY (800) 735-2258 • www.dpccs.state.md.us

STATE OF MARYLAND

ROBERT L. EHRLICH, JR.
GOVERNOR

MICHAEL S. STEELE
LT. GOVERNOR

MARY ANN SAAR
SECRETARY

May 1, 2003

MARIE C. HENDERSON
CHAIRPERSON

THOMAS G. FITZGERALD
ACTING EXECUTIVE DIRECTOR

Mary Ann Saar, Secretary
Department of Public Safety and Correctional Services
Suite 1000, 300 East Joppa Road
Towson, Maryland 21286-3020

Dear Secretary Saar:

I am pleased to present the twentieth Annual Report for the Maryland Commission on Correctional Standards accounting for the agency activities during Fiscal Years 2001 and 2002. The issuance of this report is intended to satisfy the requirements set forth in the Annotated Code of Maryland, Correctional Services Article, Section 8-110.

The Commission continued to consistently meet its mandate of addressing life, health, safety and constitutional issues concerning Maryland's adult places of confinement. This is best demonstrated by the achievement of several facilities to attain total compliance with standards at the time of the audit – a first in the State of Maryland. Another first was the auditing of private home detention monitoring agencies against standards developed by the Commission. These standards are new for the State and the nation. For this reporting period, we also continued to develop and refine the Duly Authorized Inspector's program. This program trains correctional professionals to work as inspectors under the guidance of Commission staff.

We are pleased with the progress of the Commission and look forward to the challenges ahead. Through leadership, partnership and advocating the use of standards as a management tool, we will make Maryland's correctional system a model for the nation.

Thank you for your continued support as we faithfully dedicate ourselves to carrying out our important mission for the citizens of Maryland.

Very truly yours,

Marie C. Henderson
Chairperson

CONTENTS

	PAGE
EXECUTIVE SUMMARY.....	1
AUDIT RESULTS.....	3
MEETINGS OF THE COMMISSION.....	5
TECHNICAL ASSISTANCE.....	6
ADVISORY BOARDS.....	7
DULY AUTHORIZED INSPECTOR CONCEPT.....	8
HISTORY OF STANDARDS DEVELOPMENT.....	10
ESTABLISHMENT OF THE COMMISSION.....	12
COMMISSION MEMBERSHIP	13
ORGANIZATIONAL CHART.....	15
AGENCY STAFF.....	16
MANAGING FOR RESULTS.....	17
BUDGET REPORT.....	18
ADVISORY BOARDS AND COMMITTEE MEMBERSHIPS.....	20
FORMER COMMISSION MEMBERS.....	24

EXECUTIVE SUMMARY

The Maryland Commission on Correctional Standards is an agency within the Department of Public Safety and Correctional Services with legal authority referenced in Annotated Code of Maryland, Correctional Services Article, Sections 8-101 et seq. The Commission is empowered to develop and enforce minimum mandatory standards for all adult places of correctional confinement and private home detention monitoring agencies. In addition, the Commission provides technical assistance to these facilities and companies. Some of the key activities that occurred in Fiscal Years 2001 and 2002 are noted below.

- * The Commission's Recognition of Achievement award continued to be the most sought after prize in Maryland's correctional facilities. The Commission presented this award to thirty-five adult places of confinement in the reporting period. A special recognition was granted to the Charles County Detention Center for becoming the first facility in the State to attain 100% compliance with standards at the time of the audit. With this achievement, a new benchmark was established and several facilities subsequently attained total compliance at the time of the audit.
- * The Duly Authorized Inspector (DAI) program continued to gain in strength. Training sessions were conducted in April 2001 and June 2002 bringing forty-four correctional employees into the ranks of the DAI. These and the already certified inspectors continue to assist in all audits. This unique peer review program has been shared with other states through the National Institute of Corrections' Jail Inspectors organization. This program has withstood the test of time, and many current correctional executives were at one time trained as a DAI.
- * Standards and licensing procedures for private home detention monitoring agencies continued to progress soundly. The final set of standards developed by the Commission for private home detention monitoring agencies became effective August 5, 2000. These standards were used as the basis for the audits of companies in February and March 2001 and the formal reports issued on May 4, 2001. The companies met with varying degrees of success in gaining compliance on their first audit. Technical assistance was provided in the months leading up to the audits, and follow-up monitoring visits were conducted subsequent to the audits. Meetings with the principals were convened periodically to address issues of concern to all parties.
- * The agency has continued to sharpen its focus on the Department's goals, while experiencing staffing changes. Through the Managing for Results process, this agency has begun to move away from quantitative measures of facility compliance with standards and adopt measures that gauge the audit process and technical assistance provided. This is best reflected in an objective where managing officials of audited agencies are requested to rate the audit in terms of accuracy, usefulness and objectivity. In the years covered by this report, three staff persons left the agency, one retired, one transferred and one resigned. Two new staff were hired.

- * Staff provided and received training in a variety of areas that benefited both this agency and correctional facilities. In addition to the DAI training provided by staff noted above, the Executive Director provided training in standards and the audit process through the Maryland Police and Correctional Training Commissions to midlevel managers and to Division of Correction non-uniformed personnel through their in-service training program. The Executive Director also made a presentation to County administrative officials at the annual meeting of the Maryland Association of Counties meeting in August 2001. To assist in the audit process, the first statewide meeting of Audit Coordinators was convened in May 2001. Staff received training in the areas of first line supervision, midlevel management, auditing automated information systems, and a variety of programs sponsored by the Maryland Criminal Justice Association and the Maryland Correctional Administrators Association.

- * Collaboration with other regulatory agencies and criminal justice organizations continued over the past two fiscal years. The staff has been involved with both the Maryland Criminal Justice Association and the Maryland Correctional Administrators Association, with the Executive Director serving on the Executive Board of each organization. The Executive Director was actively involved in the National Jail Inspectors Association, a group operating under the auspices of the National Institute of Corrections addressing concerns of similar agencies. Ongoing consultation between the Maryland Board of Nursing, the Maryland Occupational Safety and Health Administration and the State Fire Marshal continue to help ensure safe correctional facilities.

AUDIT RESULTS

The primary function of the Maryland Commission on Correctional Standards is to enforce, through regular on-site audits, the regulations for all adult places of confinement to determine levels of compliance. The seventh audit cycle of inspections came to a close and the eighth cycle began in January 2001. This began the fourth cycle in which Duly Authorized Inspectors (DAI's) participated with Commission staff. During the seventh audit cycle, many correctional facilities achieved total compliance as a result of a commitment to view the inspection process as a management tool. The improved networking and communication between the Commission and local, state and private correctional administrators contributed to an increased level of standards compliance. The eighth audit cycle has seen a few facilities achieve total compliance at the time of the audit. This is a first for corrections in the State, and reflective of the work and dedication of many to correctional standards. In FY 2001 and 2002 there were forty-two complete audits performed (19 detention centers, 12 prisons and 11 community-based facilities) and forty-eight follow-up monitoring visits conducted.

The major concerns of life, health, safety and constitutional issues continued to be aggressively addressed. The level of cooperation and participation from managing officials increased. The facilities that attained full compliance with the applicable standards during this period received the Commission's Recognition of Achievement award. While the Commission has no accrediting or licensing authority, it recognizes the need to acknowledge the positive efforts of these facilities. Where deficiencies are noted during formal inspections, compliance plans are developed in partnership with facility officials. The plan is then presented to the Commission for approval. Upon approval, Commission staff regularly monitor these plans until total compliance is realized. Facilities must meet the plan within one year from the date the Commission approves the final report. If the compliance plan's requirements are met within the time frame, the Commission votes on whether an award will be presented to the facility. In many cases, favorable media attention and positive feedback resulted from the award presentation. We find that the Recognition of Achievement award has become a symbol of excellence in the workplace. It is the premiere award recognizing achievement in Maryland's correctional arena.

The following adult places of correctional confinement received the Recognition of Achievement award at ceremonies planned by the respective administrations.

Washington County Detention Center – M. Van Evans, Warden – July 27, 2000
Kent County Detention Center – Richard Darling, Warden – October 10, 2000
Queen Anne's County Detention Center – LaMonte Cooke, Warden – October 10, 2000
Cecil County Detention Center – William Jacobs, Director – October 13, 2000
Cecil County Community Corrections Center – Jeffrey Clewer, Director – October 13, 2000
Dismas House (East/West) – Charles Muskausk, Executive Director – October 17, 2000
Somerset County Detention Center – Earl Charnick, Warden – October 24, 2000
Maryland Correctional Institution – Jessup – William O. Filbert, Warden – November 2, 2000
Threshold, Incorporated – Julian Morgan, Executive Director – November 6, 2000
Maryland Correctional Training Center – Michael Stouffer, Warden – February 22, 2001
Talbot County Detention Center – Lawrence DiNisio, Warden – March 9, 2001
Prince George's County Correctional Center – Barry Stanton, Director – March 12, 2001
Maryland Reception, Diagnostic and Classification Center – Sewall Smith, Warden – March 29, 2001
Charles County Detention Center – Captain William Mancuso, Director – May 11, 2001
Baltimore City Correctional Center – Thomas Passaro, Facility Administrator – May 31, 2001
Baltimore Pre-Release Unit – Ralph Robinson, Facility Administrator – May 31, 2001
Central Laundry Facility – Pamela Sorenson, Facility Administrator – May 31, 2001
Kent County Detention Center – Richard Darling, Warden – May 31, 2001
Southern Maryland Pre-Release Unit – Dayena Corcoran, Facility Administrator – May 31, 2001
Volunteers of America – James Shannon, Program Director – May 31, 2001
Caroline County Detention Center – Charles L. Andrew, Superintendent – June 28, 2001
Dorchester County Detention Center – Steven Williams, Warden – June 28, 2001
Eastern Pre-Release Unit – Captain William Blackiston, Facility Administrator – June 28, 2001

Baltimore Central Booking and Intake Center – William Jednorski, Warden – September 27, 2001
Calvert County Detention Center – Robert Lusby, Jail Administrator – September 27, 2001
Ordnance Road Correctional Center – William Martin, Facility Administrator – September 27, 2001
Worcester County Jail – Ira Shockley, Warden, December 4, 2001
Eastern Correctional Institution – Robert Kupec, Warden – December 6, 2001
Maryland Correctional Adjustment Center – Thomas R. Corcoran, Warden – December 6, 2001
Metropolitan Transition Center – Patricia Allen, Warden – December 6, 2001
Poplar Hill Pre-Release Unit – Shirley Washington – Worthy, Facility Administrator – December 6, 2001
St. Mary's County Detention Center – Lt. Michael Merican, Acting Commander – January 8, 2002
Maryland Correctional Adjustment Center – Thomas R. Corcoran, Warden – May 6, 2002
Montgomery County Detention Center – W.L. Smith, Warden, Detention Services – May 8, 2002
Howard County Detention Center – Melanie Pereira, Director of Corrections – May 29, 2002

MEETINGS OF THE COMMISSION

The Commission meets on a regular basis, in locations throughout the state. The meetings usually are held at correctional facilities, so that a tour can be provided for members. All meetings are open to the public and are announced in the *Maryland Register*. Attendance by administrators of facilities whose audit reports are being considered is encouraged. Members maintain detailed meeting minutes on file after formal approval. Over the past 22 years the Commission has met a total of 188 times. During this reporting period the Commission held meetings on eight occasions at the following locations:

176 th Meeting	September 28, 2000	Maryland Correctional Institution – Women Jessup, Maryland
177 th Meeting	November 2, 2000	Maryland Correctional Institution – Jessup Jessup, Maryland
178 th Meeting	January 25, 2001	Ordnance Road Correctional Center Glen Burnie, Maryland
179 th Meeting	February 22, 2001	Maryland Correctional Training Center Hagerstown, Maryland
180 th Meeting	March 29, 2001	Maryland Reception, Diagnostic and Classification Center Baltimore, Maryland
181 st Meeting	May 31, 2001	Baltimore Pre-Release Unit for Women-Annex Baltimore, Maryland
182 nd Meeting	June 28, 2001	Dorchester County Detention Center Cambridge, Maryland
183 rd Meeting	August 1, 2001	State Use Industries Jessup, Maryland
184 th Meeting	September 27, 2001	Ordnance Road Correctional Center Glen Burnie, Maryland
185 th Meeting	October 25, 2001	Maryland Correctional Institution – Jessup Jessup, Maryland
186 th Meeting	December 6, 2001	Maryland House of Correction – Annex Jessup, Maryland
187 th Meeting	March 28, 2002	Baltimore Pre-Release Unit for Women-Annex Baltimore, Maryland
188 th Meeting	May 2, 2002	Maryland Correctional Pre-Release System – Headquarters Jessup, Maryland

TECHNICAL ASSISTANCE

The Commission provides technical assistance to agencies to aid them in attaining compliance with the standards. Technical assistance has taken many forms, including formal staff training, referrals to other agencies, and advice from staff, Commission members, or other correctional professionals. In addition, specific recommendations to enhance compliance are offered during and after each audit. The Chairperson established a Technical Assistance Committee as a part of the advisory board process in an effort to work with other regulatory agencies and those agencies that have an impact on Commission business.

The *Standards Manual* remains the foremost effort at providing a systematic approach to technical assistance. Every administrator subject to an audit has been given a copy of the manual to use as a reference guide. The manual contains the standards, compliance criteria and explanations, as well as other pertinent information to assist the reader in understanding the Commission's regulatory mandate. In the spring of 1995, the *Standards Manual* was revised to be more practical, functional, and reader-friendly. In June 1995, orientation sessions were conducted discussing the modifications made to the *Standards Manual* to coincide with the revisions to the standards. This technical assistance was provided to representatives of all agencies affected by the revisions. The Commission and staff continue to view technical assistance as an important element of its mandate. Providing this service has proved to be beneficial to all concerned.

A manual for private home detention monitoring agencies has been developed to assist licensees in complying with the regulations affecting them. This manual was distributed at a meeting attended by company representatives in December 2000. In addition, periodic meetings have been held to enable the licensees to discuss issues of mutual concern. In the period covered by this report, on site visits were conducted as a means to provide technical assistance and enhance compliance. Following the initial round of audits in February and March 2001, on-site technical assistance was provided to each private home detention company to assist them in developing a compliance plan.

The Executive Director is a member of the Executive Boards of the Maryland Correctional Administrators Association (MCAA) and the Maryland Criminal Justice Association. The Assistant Executive Director and Senior Correctional Program Specialist are voting members of both organizations. The meetings are opportunities for the staff to provide insight and updates about standards and audit preparation.

ESTABLISHMENT OF THE COMMISSION

The Maryland Commission on Correctional Standards was created to improve the manner in which standards for correctional facilities are established and to ensure compliance with those standards, and to better protect the health, safety and welfare of Maryland's citizens, correctional staff and the inmate population.

The Commission's origin was at a state and local correctional administrators' conference in May 1979. The conference participants agreed that a need existed to revise the jail inspection program and to develop a mechanism to audit state facilities. The fact that several administrators were involved in civil lawsuits brought by inmates or special interest groups on their behalf, alleging unconstitutional facility conditions and/or management practices, hastened the need.

The state correctional system was engaged in a voluntary national accreditation process at that time. Some concerns, however, were raised by the Maryland General Assembly that this involvement required a sizeable expenditure of public funds prior to achieving accreditation. It was concluded that Maryland should develop regulations reflecting this state's correctional climate to meet professional standards.

The 1980 Session of the General Assembly passed an act establishing the Commission on Correctional Standards. This is codified in the Correctional Services Article, Title 8, Subtitle 1, Annotated Code of Maryland. Its salient provisions are to:

- Advise the Secretary of Public Safety and Correctional Services regarding regulations, which he is authorized to promulgate for state and local correctional facilities;
- Periodically inspect facilities to determine compliance with standards and prepare reports of same;
- Determine schedules for remedial action when jurisdictions are in noncompliance with certain standards;
- Review and act on appeals of staff inspection reports;
- Provide technical assistance to jurisdictions to aid in their efforts to meet standards;
- Hold public hearings in regard to the possible closure of a correctional facility or cessation of one of its elements/functions for failure to meet standards determined to be life-threatening or health-endangering;
- Consult and coordinate with national bodies promulgating correctional standards to ensure a reasonable compatibility between state regulations and nationally established standards; and
- Consult and cooperate with other state agencies and local jurisdictions concerning standards development and enforcement.

COMMISSION MEMBERSHIP

The eleven member Commission includes eight persons appointed by the Governor with the advice and consent of the Senate. They serve terms of three years. The statute requires members to be appointed as follows: two citizens; two state correctional officials; two local correctional officials; an elected official from a local governing body and an official of a national standards-setting and accrediting body. There are also three ex-officio members, including the Attorney General, the Secretary of the Department of General Services, and the Secretary of the Department of Budget and Management. Effective July 1, 1982, the General Assembly authorized ex-officio members to designate representatives. On July 1, 1989, the Secretary of the Department of State Planning was replaced with the Secretary, Department of Budget and Fiscal Planning. In 1996, that agency was renamed the Department of Budget and Management. Each November, the Commission elects a Chairperson and Vice-Chairperson.

The following were the members of the Commission during the reporting period.

CITIZEN MEMBERS

Marie C. Henderson, Chairperson (7/79)

- * The mandate requires that Commission members elect a Chairperson each year. The members since the inception of the Commission have consistently elected Ms. Henderson, a founding member, Chairperson.

Walter B. Ridley (4/99)

STATE CORRECTIONAL OFFICIALS

Jack Kavanagh (7/99)
Assistant Commissioner, Division of Correction

Renard Brooks (3/01)
Deputy Director for Criminal Justice Information Systems

LOCAL CORRECTIONAL OFFICIALS

Milton Crump (3/01)
Administrator, Allegany County Detention Center

John W. Welch, Jr., Vice-Chairperson (4/93 – 12/00)
Director, Wicomico County Detention Center

AGENCY STAFF

Thomas G. Fitzgerald, Acting Executive Director

Vacant, Assistant Executive Director

Ernestine C. DeVance, Sr. Correctional Program Specialist

Patricia J. Briggs, Correctional Program Specialist

Vacant, Auditor/Investigator

Vacant, Auditor/Investigator

Valerie J. Johnson, Management Associate

LaDonna Newman, Office Secretary

STAFF OFFICES

Suite 200, Sudbrook Station
115 Sudbrook Lane
Pikesville, Maryland 21208-3878
(410) 585-3830
(410) 318-6020 – facsimile

Website Address:

<http://www.dpscs.state.md.us/mccs>

Just prior to the publication of this report, Executive Director Donald Jones passed away after a short, but sudden illness. Mr. Jones served as the Executive Director for almost ten years. In this position, he earned the respect and appreciation of correctional administrators and staff for his professional work and personal concern for others. His work for the Commission will long be remembered.

The Executive Director is an appointed position selected by the Commission with the approval of the Secretary. The Assistant Executive Director position and the remaining agency positions are in the merit system.

MANAGING FOR RESULTS

The State of Maryland's Managing for Results (MFR) is a strategic planning process that emphasizes achieving measurable results in every State government agency based on customer and stakeholder needs. MFR was implemented over a three-year period throughout the Executive Branch of Maryland State government. This strategy is linked to the State budget process and decision-making. Each agency is required to submit with their annual budget requests their agency mission, vision, key goals and performance measures. The content of the submissions is considered when making budgetary decisions. The results in key performance areas are used to assess the progress that a State agency is making in addressing key policy issues and efficiently solving problems that confront the State.

Mission: The Mission of the Maryland Commission on Correctional Standards is to provide the citizens of Maryland with an efficient correctional system with an emphasis on public safety, staff well-being, and inmate welfare by encouraging the application of sound correctional management principles and procedures.

Vision: Developing and promoting standards for excellence

Goal: Good Management. Ensure the Commission operates efficiently by conducting timely and high quality audits and compliance audits of all places of adult correctional confinement and private home detention monitoring agencies.

Key Objectives

- Objective 1.1** By June 30, 2004, MCCA will ensure that all DPSCS adult institutions, all local community correctional facilities, all local detention facilities, and all private home detention monitoring agencies will be audited within a new two-year time frame, thereby reducing the audit interval by one year.
- Objective 1.2** By the end of fiscal year 2005, all places of adult correctional confinement will have implemented their Commission approved compliance plans, and all private home detention monitoring agencies will have implemented the Secretary's approved compliance plans within six months from the date of approval.
- Objective 1.3** By end of fiscal year 2004, 85 percent of the managing officials¹ surveyed will rate the audit process as good or better in areas of accuracy, usefulness and objectivity.

Additional Measures

	2001	2002	2003	2004
	Actual	Actual	Estimated	Estimated
Baseline Measures:				
Number of DPSCS operated prisons	18	18	19	19
Number of DPSCS operated pre-release units	13	13	13	13
Number of local community correctional facilities	4	4	4	4
Number of local detention centers	23	23	24	24
Number of private home detention monitoring agencies	7	6	6	6
Percent of facilities audited during the last two years at –				
DPSCS operated prisons	75%	78%	89%	100%
DPSCS operated pre-release units	50%	61%	85%	100%
Local community correctional facilities	75%	75%	100%	100%
Local detention centers	83%	74%	58%	100%
Private home detention agencies	86%	100%	100%	100%

BUDGET REPORT

FISCAL YEAR 2001

BUDGET APPROPRIATION AND ACTUAL EXPENDITURES

	<u>2001 APPROPRIATION</u>	<u>2001 EXPENDITURES</u>
.01 Salaries and Wages	342,981	341,843
.02 Technical & Special	57,096	56,711
.03 Communication	4,844	2,381
.04 Travel	9,750	13,547
.06 Utilities	4,030	2,527
.07 Motor Vehicle Operational/Maintenance	250	152
.08 Contractual Services	7,291	6,222
.09 Supplies/Materials	1,750	3,665
.10 Equipment Replacement	0	1,470
.11 Equipment Additional	0	174
.13 Fixed Charges	24,024	23,373
TOTAL	452,066	452,065

With a budget amendment to cover increased costs associate with salaries and wages, the agency was able to end the fiscal year at budget. The increased wages were the result of the pay for performance plan, the sick leave incentive program and certain personnel action.

BUDGET REPORT

FISCAL YEAR 2002

BUDGET APPROPRIATION AND ACTUAL EXPENDITURES

	<u>2002 APPROPRIATION</u>	<u>2002 EXPENDITURES</u>
.01 Salaries and Wages	354,522	328,867
.02 Technical & Special	60,738	35,100
.03 Communication	1,620	2,404
.04 Travel	13,812	8,072
.06 Utilities	4,080	2,201
.07 Motor Vehicle Operational/Maintenance	250	104
.08 Contractual Services	5,965	7,307
.09 Supplies/Materials	1,052	1,898
.13 Fixed Charges	22,813	22,899
TOTAL	455,852	408,852

The decrease in total expenditures is attributed to action taken for purposes of cost containment and the retirement and resignation of staff. By the end of the fiscal year, one contractual position remained unfilled.

**ADVISORY BOARD FOR
ADULT CORRECTIONAL INSTITUTIONS**

Jack Kavanaugh, Chairperson
Deputy Commissioner, Division of Correction
Baltimore, Maryland 21215

MEMBERS

William O. Filbert, Warden
Maryland Correctional Institution -
Jessup
Jessup, MD 20794

Ralph Logan, Warden
Baltimore City Detention Center
Baltimore, MD 21746

Patricia Schupple
Assistant Commissioner
Division of Correction
Baltimore, MD 21215

Marvin N. Robbins
Executive Director
Inmate Grievance Office
Pikesville, MD 21208

Stephen Meehan
P.R.I.S.M.
Baltimore, MD 21202

Lloyd Waters, Warden
Maryland Correctional
Institution-Hagerstown
Hagerstown, MD 21740

ADVISORY BOARDS

The Standards Act mandates that the Commission establish advisory boards to assist in the development of regulations. These boards also provide information and advice regarding various issues presented to them by the Commission. A Commission member chairs each board. Advisory board members are volunteers appointed by the board's chairperson, with the approval of the Commission. In May 1981, the following boards were instituted:

*ADULT DETENTION CENTERS;
ADULT CORRECTIONAL INSTITUTIONS;
ADULT COMMUNITY CORRECTIONAL FACILITIES.*

Technical assistance is, also, mandated by the Standards Act. The Commission Chairperson appointed a Technical Assistance Committee, which is co-chaired by the Chairperson and the Executive Director. This Committee assists the boards with issues such as fire safety, health, life safety and training, and also serves as a continuing resource to the staff.

Board and committee memberships include citizens, state and local correctional administrators, regulatory officials, legal authorities, academicians, government officials and others. Each January the Commission reviews the memberships.

In September 1993, the Chairperson appointed a Committee on Correctional Facility Safety. This committee was formed to network further with other regulatory agencies. A Committee on the Duly Authorized Inspector (DAI) Program was formed in August 1992 to assess the efficiency and effectiveness of this unique approach to auditing. These committees are comprised of Commission members and have met on several occasions.

Most recently, the Board and Committee members were instrumental in providing continuing support for the implementation of standards for private home detention monitoring agencies and the State's Central Home Detention Unit that they helped to develop.

The advisory boards and committees have played an integral role in shaping the direction of the Commission and will continue to assist in meeting its mandate.

DULY AUTHORIZED INSPECTOR CONCEPT

Fiscal restraints and a statutory requirement necessitated an innovative alternative to meet the legislative mandate. A concept of using trained volunteers from local, state, and private correctional facilities to augment Commission staff was broached by the Chairperson of the Commission, Marie C. Henderson, several times during its formative years. The concept, Duly Authorized Inspectors (DAI's) did not fully come to fruition until 1991 with the authorization of the Secretary of the Department of Public Safety and Correctional Services.

In 1991, the Secretary charged the Commission staff with the task of pursuing this concept. The Commission Chairperson met with the members and staff to outline a program responsive to the needs of all concerned. The DAI Program was determined to be a feasible and viable alternative. The Commission staff proceeded to contact every adult correctional facility in the state to introduce the new concept. The response from the managing officials of these facilities was extremely positive. Correctional officials acknowledged the benefit in having their staff trained as inspectors and wanted them to be included in the process. Over 100 individuals were nominated by their respective wardens, directors, and administrators to participate in this innovative program. These administrators had the foresight to view this opportunity as an instrument to enhance their facilities. The nominees came with varied backgrounds, to include correctional officers, wardens, classification counselors, case managers, correctional psychologists, DPSCS headquarters personnel and facility administrators. This group proved to be an interested and viable resource.

The Commission Chairperson met with the members and staff to develop criteria and procedures to implement the recruitment process. During June and July 1991 the Commission in conjunction developed a curriculum in conjunction with the Maryland Police and Correctional Training Commissions. In September 1991, the curriculum was approved for in-service training credit. At that time, an ad hoc committee comprised of the Commission Chairperson, members, and staff was developed to oversee the DAI Program. Two-day training sessions were conducted throughout Maryland. They began in October 1991 at the Maryland Police and Correctional Training Commissions' Academy located in Woodstock. Additional sessions were held in Hagerstown and Salisbury. Training was conducted in 1992 in LaPlata and again in Woodstock. One hundred six volunteers took the course.

The initial use of DAI's began in December 1991. Each audit has two or more volunteers under the supervision of a Commission staff member designated the Audit Team Leader. In addition, the administrator of each facility audited and the DAI's critique the process and forward their written comments to the Executive Director. The ad hoc committee then reviews these evaluations. This committee has met on several occasions since the inception of the DAI Program to monitor its progress.

In May 1992, as a result of the evaluations and critiques, a training update was developed. This training update was disseminated to all DAI's to assist them in their efforts and enhance their performance. In addition, the ad hoc committee's meetings resulted in the finalization of a select list of DAI's. The selection of this core group was based on their motivation, interest, knowledge, and availability.

In spring 1995, the Commission requested that the staff improve and expand the DAI Program. In response the staff recruited statewide for nominees to attend new training sessions. Approximately 100 nominations were received from local, state, and private correctional administrators, doubling the size of the pool of volunteers available to assist the staff in meeting the Commission's mandate. The training course was reduced from two days to one to limit the cost impact to correctional administrators. To offset the reduction in course hours, the training curriculum was made more task-oriented. A new testing instrument was developed to improve the nominees' understanding of the standards and audit process. Training seminars were held at the Calvert County Treatment Facility on September 1, 1995, Howard County Detention Center on September 29, 1995, Wicomico County Detention Center on October 15, 1995, Washington County Detention Center on October 30, 1995 and the Herman L. Toulson Correctional Boot Camp on December 15, 1995.

In December 1998, Commission staff began another series of training programs. In addition, a home-study course was sent to each seasoned DAI as a refresher to sharpen their auditing skills and for recertification as DAIs. Training sessions were held on December 15, 1998 at the Herman L. Toulson Correctional Boot Camp, on March 30, 1999 at the Baltimore Pre-Release Unit for Women, on June 23, 1999 at the Washington County Detention Center, and on January 14, 2000 at the Eastern Pre-Release Unit. These training sessions resulted in a larger number of inspectors assisting staff during audits.

In the years covered by this report, forty-four correctional staff were trained in two separate training sessions. One was conducted in April 2001 at the Herman L. Toulson Boot Camp, and the other in June 2002 at the Prince George's County Correctional Center. This brings the total number of certified DAIs to 183.

Begun ten years ago as a program to assist correctional staff in conducting audits, this training has also helped correctional facilities achieve compliance with the standards. Training has been provided to many correctional managers and employees in Standards and the audit process. The correctional staff have taken the knowledge gained from this training experience and successfully applied it within their facilities. This has led to a decrease in time required to conduct a facility audit, and an increase in the rate of compliance.

This innovative idea has proven to be the most unique process of "peer review" inspections in the nation. The Commission staff has been contacted by representatives from other states and agencies within Maryland for information about this program.

HISTORY OF STANDARDS DEVELOPMENT

In 1980, the Maryland General Assembly acknowledged the critical need for professional correctional standards. The then Minimum Jail and Lockup Standards did not address the needs of the 1980's. The General Assembly's newly created Commission on Correctional Standards centered their original initiatives on civil litigations concerning facility conditions and management practices. These initiatives were to establish the core requirements addressing basic life, health, and safety of the public, staff, and inmates. They addressed management and operational issues, as opposed to facility design or programmatic functions.

Given the scope of their mission, the Commission staff was then entrusted with the agenda of discovering and documenting all applicable core concepts. The culmination of these efforts was the result of extensive existing case law research, accepted national standards, local and state codes and various standards from several other states. The intent of this careful study was to guarantee adherence to court decisions, thereby, formulating acceptable correctional management principles.

In April 1981, the staff presented to the Commission a list of the core concepts from which the original standards were eventually developed. The Commission then determined that there were three distinct categories of correctional institutions. Minimum Standards had evolved and were applied to each distinct category. Though they differed in magnitude, the standards remained true to the concept. After review by the advisory boards, the Commission and the Secretary, these standards were approved and proposed for official publication in the *Maryland Register*. On April 26, 1982, COMAR 12.14.03, Minimum Standards for Adult Detention Centers; COMAR 12.14.04, Minimum Standards for Adult Correctional Institutions; and COMAR 12.14.05, Minimum Standards for Community Correctional Facilities became effective. The former Minimum Jail and Lockup Standards were rescinded.

On-site audits of facilities increased correctional practitioners' and the Commission staff's awareness of the intent and real requirements of the standards. In May 1983 the staff recognized the need for standards revisions as well as the need for new regulations. These suggested revisions and new standards were proposed in November 1983 as departmental regulations. The revisions and new standards became effective on February 27, 1984.

On February 15, 1984 over sixty agencies and public interest groups were invited to attend the Commission's Public Hearing on Future Directions. The hearing was an outreach to those organizations and agencies interested in correctional policy. The purpose was to assist the Commission in the identification of future directions, to guide the Commission in the development of standards and to revise the audit process. The main objective of this mission was to ensure consistency in format, structure, or organization, and eliminate ambiguities, redundancies, and problems with interpretation. Following the usual process of research and development by staff, the suggested concepts were presented to the Commission in May 1984. After approval by the Commission, advisory boards, and promulgation by the Secretary, they were adopted on July 29, 1985 and February 10, 1986.

The revisions to the Minimum Standards for Adult Detention Centers, approved by the Commission in December 1990 and the modifications to the Administrative Procedures, approved by the Commission in April 1991, were reviewed and approved by the Attorney General's Office and the Secretary of Public Safety and Correctional Services in August 1991. The proposed regulations were discussed before the Administrative, Executive and Legislative Review Committee of the General Assembly in September 1991. In October 1991, public comments were received, discussed with the affected parties and appropriate recommendations were made prior to submission in the *Maryland Register* for final action. The revisions to COMAR 12.14.01 and 12.14.03 became effective on November 25, 1991.

The revised standards for correctional institutions and community correctional facilities were approved by the Commission, but were withheld pending the study of additional standards development. The standards remained on hold until May 1994 when Secretary Bishop L. Robinson directed the Commission and staff to revisit these issues. Copies of the draft proposed revisions from 1991 were sent to all correctional administrators in Maryland for review and comment. Those responses were then reported in July 1994 to the Commission members who instructed the staff to schedule advisory boards meetings. The advisory boards for Adult Detention Centers, Adult Community Correctional Facilities, Adult Correctional Institutions and the Technical Assistance Committee were convened in December 1994 and January 1995. Following the meetings, the suggestions from all advisory boards and the Technical Assistance Committee were compiled and forwarded to the Commission for consideration and inclusion in the draft document. The revisions were submitted to the Department's regulation coordinator and were forwarded to the Assistant Attorney General to review for legal sufficiency. The Secretary received the finalized versions in June 1995. After his review, the regulations were signed, thereby initiating the promulgation process. The revised standards became effective in December 1995. The Commission Chairperson and staff conducted orientation sessions on June 14, 1995 at the Division of Correction Headquarters and June 15, 1995 at Brockbridge Correctional Facility. Additional orientation sessions were conducted to ensure a smooth transition for all affected by the revisions. In addition, the training provided to Duly Authorized Inspectors in 1995 focused on the revised standards. Therefore, the majority of correctional facilities had at least one staff person familiar with the revisions.

In 1998, the General Assembly passed, and the Governor signed into law, a bill governing the operations of private home detention companies. The law required the Secretary of Public Safety and Correctional Services to establish regulations and licensing procedures for private home detention companies by July 1, 1999. The Secretary asked the Commission to develop standards applicable to operation of these companies. On August 6, 1998 the first in a series of meetings was convened by the Commission Chair with Commission staff and company principals in attendance. In January 1999, the Commission's Technical Assistance and Advisory Boards assembled to review and comment on a draft of the standards document. Taking into account the many comments made, the Commission took final action on the Standards at its meeting in March 1999, and formally recommended them to the Secretary. The Secretary approved and adopted these standards, and they became effective as emergency regulations in July 1999. These emergency regulations were modified to incorporate revisions to the Correctional Services Article of the Annotated Code of Maryland and became effective under COMAR 12.11.10 on August 5, 2000.

LOCAL ELECTED OFFICIAL

Marvin Long (3/01)
Wicomico County Council

NATIONAL STANDARDS REPRESENTATIVE

Robert Verdeyen (3/02)
Director of Standards and Accreditation
American Correctional Association

Michael Shannon (3/01 – 8/01)
Administrator, American Correctional Association

Christine Powers (7/98 – 11/00)
Administrator, American Correctional Association

EX-OFFICIO MEMBERS

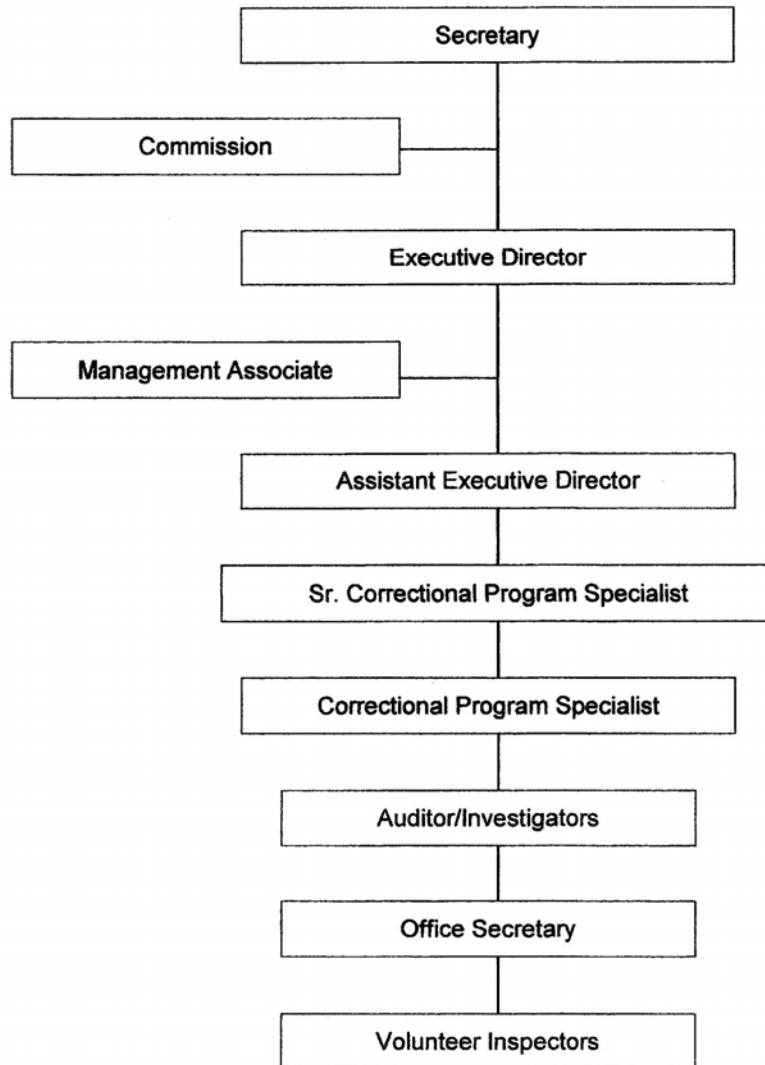
J. Joseph Curran, Jr., Attorney General, State of Maryland
(Represented by Alan Eason, Scott Oakley, Michael Doyle and Karl Pothier)

Boyd K. Rutherford, Secretary, Department of General Services (1/03)
Peta Richkus, Secretary, Department of General Services (1/99 – 12/02)
(Represented by Robert Taylor (7/90 – 9/00) Richard Montgomery (4/00 – 12/00) and Neb Sertsu (3/01)

James C. DiPaula, Jr., Secretary, Department of Budget and Management (1/03)
T. Eloise Foster, Secretary, Department of Budget and Management (6/2000-12/02)
(Represented by Richard Andrews)

ORGANIZATIONAL CHART

MARYLAND COMMISSION ON CORRECTIONAL STANDARDS



ADVISORY BOARDS AND COMMITTEE MEMBERSHIPS

TECHNICAL ASSISTANCE COMMITTEE

Marie C. Henderson, Chairperson
Marie Henderson Enterprises, Inc.
Randallstown, Maryland 21133

Executive Director, Co-Chairperson
Maryland Commission on Correctional Standards
Baltimore, Maryland 21215

MEMBERS

John F. Bender
Chief Fire Protection Engineer
Office of the State Fire Marshal
Towson, MD 21286

Donald G. Hopkins, Executive Director
Maryland Police and Correctional
Training Commissions
Woodstock, MD 21163

Richard J. Kropka, R.S., Chief
Division of Food Control
Department of Health and
Mental Hygiene
Baltimore, MD 21201

Theodore E. Shea, III
Administrative Assistant
Wicomico Board
Of County Commissioners
Salisbury, MD 21803

Raymond C. Love, Pharmacy Director
Mental Health Programs
University of Maryland at Baltimore
Baltimore, MD 21201

Chairperson
Division of Criminology, Criminal Justice and
Social Policy, University of Baltimore
Baltimore, MD 21201

MOSHA Administrator
Maryland Occupational Safety and
Health Administration
Baltimore, MD 21202

Donald Keldsen, Director
Emergency Management and
Civil Defense Agency
Pikesville, MD 21208

Barbara Newman, RM, M.S.
Maryland Board of Nursing
Baltimore, MD 21215

**ADVISORY BOARD FOR
ADULT COMMUNITY CORRECTIONAL FACILITIES**

Walter Ridley, Chairperson
Fort Washington, Maryland 20744

MEMBERS

Patrick Conroy, Warden
Maryland Reception and Diagnostic Center
Jessup, MD 20794

Charlie Messiner, Director
Washington County Health Department
Hagerstown, MD 21740

Marsha Maloff, Warden
Maryland Correctional Institution - Women
Jessup, MD 20794

Charles Muskauski, Executive Director
Dismas House, Inc.
Baltimore, MD 21223

James Shannon, Program Director
Volunteers of America (SRC)
Baltimore, MD 21201

Patricia Allen, Asst. Commissioner
Division of Correction
Baltimore, MD 21215

Jeffrey Clewer, Director
Cecil County Community Corrections
500 Landing Lane
Elkton, Maryland 21921

Shirley Washington-Worthy
Facility Administrator
Poplar Hill Pre-Release Unit
Quantico, MD 21856

Julian L. Morgan
Executive Director
Threshold, Inc.
Baltimore, MD 21202

Jackie Harris, Deputy Director
Prince George's County
Department of Corrections
Hyattsville, MD 20781

Deborah Richardson
Facility Administrator
Baltimore Pre-Release Unit - Women
Baltimore, MD 21202

Robert McWhorter, Commander
Central Home Detention
Baltimore, MD 21218

Richard Sullivan, Deputy Exec. Director
Division of Parole and Probation
Baltimore, MD 21218

FORMER COMMISSION MEMBERS

The positions noted are those held by the Members at their time of service to the Commission.

- **Founding Member**

Sterling E. Bollinger, Sr.
County Commissioner
Frederick County

*Robert H. Fosen, Ph.D.
Executive Director
Commission on Accreditation
For Corrections (ACA)

Paul J. Davis, Warden
Baltimore City Jail

Elmanus Herndon, Deputy Commissioner
Division of Correction

*David M. Doxzen
Frederick County Jail Administrator

*Sarah Ada Koonce, Chairperson
Prince George's County Council

*J. Brown Hardy
Deputy Secretary
Department of Public Safety
and Correctional Services

*Constance Lieder, Secretary
Department of State Planning

Frank Mazzone, Assistant Commissioner
Division of Correction

*Louis Hyatt, Citizen

Mark A. Levine, Undersheriff
Baltimore County

John W. O'Rourke, Councilperson
Baltimore County Council

*Calvin A. Lightfoot, Warden
Baltimore City Jail

*Patricia L. Quan, Superintendent
Maryland Reception, Diagnostic and
Classification Center

J. Max Millstone, Secretary
Department of General Services

Michael Ruggio, Citizen

Ralph Packard, Superintendent
Patuxent Institution

Earl F. Seboda, Secretary
Department of General Services

W. Hardy Rauch, Director
Correctional Standards
American Correctional Association

John Stotler, County Commissioner
Allegany County

*Stephen H. Sachs, Attorney General
State of Maryland

Kenneth E. Taylor, Sr., Warden
Eastern Correctional Institution and
Citizen Member

Richard Singleton, Warden
Maryland House of Correction

John Brown, Warden
Maryland Correctional Institution –
Hagerstown

Jack F. DeWitt, Sheriff
Cecil County

William L. Smith, Warden
Maryland House of Correction and
Administrator, American Correctional
Association

FORMER COMMISSION MEMBERS (cont'd)

Jeffrey Washington, Administrator
American Correctional Association

Melanie C. Pereira, Deputy Commissioner
Division of Correction

Charles McDevitt, Director
Division of Correction

Archie Gee, Warden
Patuxent Institution

Christine Powers, Administrator
American Correctional Association

Gene Lynch
Department of General Services

William Sondervan, Ed.D., Commissioner
Division of Correction

John A. Bone, Administrator
Allegany County Jail

Frank Ward, III
Citizen Member

Clarence Hawkins, President
Kent County Commissioners

John Welch, Director
Wicomico County Detention Center

Michael Shannon, Administrator
American Correctional Association

Frederick Puddester, Secretary
Department of Budget and Management

Charles L. Benton
Department of Budget and Fiscal Planning