



Department of Public Safety and Correctional Services

Office of the Secretary

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STATE OF MARYLAND

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GOVERNOR

BOYD K. RUTHERFORD
LT. GOVERNOR

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SECRETARY

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ASSISTANT SECRETARY

GARY W. McLHINNEY
ASSISTANT SECRETARY

October 5, 2020

The Honorable Larry Hogan
State House
90 State Circle
Annapolis, MD 21401

RE: Maryland Parole Commission Annual Report

Dear Governor Hogan:

Pursuant to Correctional Services Article § 7-208 HB 11/Ch. 54(2) 1999, the Maryland Parole Commission is required to submit an annual report. The statute-reporting requirement specifically states:

The [Maryland Parole] Commission shall:

- (1) maintain a record of its actions
- (2) make an annual report to the Governor of its work; and
- (3) make appropriate recommendations for the improvement of its functions MPC

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

I hope this letter and the attachments meet with your approval. If the Department or I can be of further assistance, please do not hesitate to contact me or Acting Director of Legislative Affairs, Cathy Kahl, at catherine.kahl@maryland.gov.

Sincerely,

Robert L. Green
Secretary

cc: The Honorable Bill Ferguson, President, Senate of Maryland
The Honorable Adrienne A. Jones, Speaker, House of Delegates
Ms. Sarah Albert, Department of Legislative Services, MSAR 200
Mr. Keiffer Mitchell, Acting Chief of Staff, Governor's Office
Ms. Cara Sullivan, Deputy Legislative Officer, Governor's Office

THE MARYLAND PAROLE COMMISSION



FISCAL YEAR 2020 ANNUAL REPORT

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Department of Public Safety and Correctional Services

Maryland Parole Commission

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STATE OF MARYLAND

September 2, 2020

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 2020.

The report provides an overview of the agency, highlights of some of the administrative accomplishments, outline of each functioning unit.

During this reporting period, the Commission continues to perform satisfactorily under each managing for results objective while implementing new guidelines under the Justice Reinvestment Act to include the impact that Covid - 19 has placed on the Department.

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.



INTRODUCTION

Pursuant to Correctional Services Article § 7-208 HB 11/Ch. 54(2) 1999, the Maryland Parole Commission is required to submit an annual report. The statute-reporting requirement specifically states:

The [Maryland Parole] Commission shall:

- (1) maintain a record of its actions
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- (3) make appropriate recommendations for the improvement of its functions MPC

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, and are 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 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.

Currently, there are 10 commissioners 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 sentence and meeting other certain eligibility requirements created by the Justice Reinvestment Act (JRA).
- **Administrative Reviews** are not face to face hearings but rather “paper” reviews of offender files at the Commission office. These reviews are conducted at five-year intervals until an offender reaches parole eligibility and ensures that all the essential documents and intuitional 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 the Maryland Parole Commission.
- **Gubernatorial Commutation** orders that the grantee shall suffer a lesser penalty for the offense than imposed by the court. The commutation of an offenders’ sentence is normally considered by the Parole Commission only upon demonstration of extraordinary circumstances.
- **Gubernatorial Pardon** absolves the grantee of guilt for his criminal act(s), and exempts the grantee from the resulting penalties. Criteria for the 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 non-Commissioner cases heard by the Hearing Officers who make recommendations reviewed by Commissioners. If the reviewing Commissioner agrees with the Hearing Officers recommendation, that recommendation becomes the Commissioners 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 Commissioners 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. The specific parts of the JRA that pertain to the Maryland Parole Commission provide for administrative release, 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 have “technical” violations and admit fault/guilt to the stated violations. 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 Community Supervision Unit 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 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 form the basis of the Commissions' decisions.
- **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 received services through the compact provided to those 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 customer 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. The Public Defenders Officers or a private attorney represents offenders.
- **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 2020, HIGHLIGHTS

- July 2019 ~ Chairman Blumberg began his second term as President of APAI
- September 2019 ~ Chairman Blumberg lectured at the Maryland Naval Academy on the parole decision making process
- October 2019 ~ Chairman Blumberg lectured at Essex Community College on Criminal Justice Reforms
- December 2019 ~ Chairman Blumberg was the invited guest and speaker for the Marian House Christmas Party
- December 2019 ~ Mary Joel Davis and Elizabeth Finney from Second Chance for Women presented to the Commissioners
- December 2019 ~ Lisa Vronch, appointed; term expires December 2024
- January 2020 ~ Robyn Lyles appointed; term expires December 2025
- February 2020 ~ Lashonda Campbell, Maryland Interstate Compact Administrator presented to the Commissioners
- March 2020 ~ The Governor of the State of Maryland enacted mandatory telework for all non-essential State employees; the Commission streamlined and modified its processes in order to continue conducting all scheduled parole hearings by videoconferencing or telephone
- April 2020 ~ The Governor of the State of Maryland issued an Executive Order that required the Commission to accelerate consideration of parole for otherwise eligible inmates who were sixty (60) years old and met other criteria that would deem the inmate to no longer be a threat to public safety; the Commission reviewed all eligible cases and paroled the qualified offenders
- June 2020 ~ Christine Burke resigned from the Commission; Commissioner Lyles appointed as Interim Chief Administrator

COMMISSION UNITS

ADMINISTRATION

Oversees daily operations of the Commission and ensures compliance with statutory requirements. Responds to Public Information Act requests, processes candidates for Public Safety Compact 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 and coordinate releases statewide. They are also responsible for ensuring attendees of Open Parole Hearings are informed of the process and provided an opportunity to ask questions.

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, secure access for employees, and training.

SECRETARIAL UNIT

The Secretarial Unit provides support to Commissioners and Hearing Officers during video dockets, processes decisions, handles inmate appeals, and updates information in the DPSCS database. They also provide general secretarial support to the agency.

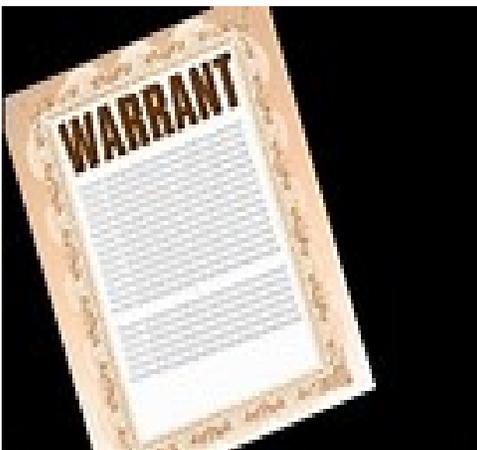
VICTIM SERVICES UNIT

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.

STATISTICAL INFORMATION OF WORK PRODUCTION FISCAL YEAR 2020



5,698 Parole Hearings conducted
In DPSCS & Local Detention Centers



1,567 Warrants issued



167 Subpoenas issued



1,269 Offenders Released on Parole
From DPSCS and Local Detention Centers



5,558 Letters sent to victims and or representatives and **72** Open Parole Hearings Held

COMMISSIONER BIOGRAPHIES

David R Blumberg- Chairman- appointed as a Commissioner October 2003; appointed Chairman July 1, 2004; continuing for three consecutive terms, term to December 2021. Chairman Blumberg received a Bachelor's of Arts degree in political Science from Loyola College and a Master's of Science 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 and re-elected in 2020. He also received the Vincent O'Leary Award for his vision, leadership and commitment to the field of parole.

Sam Billotti IV – appointed July 2019: term to expire December 2024. Commissioner Billotti received a Bachelor's of Arts degree from Shepherd College and a Juris Doctorate from University of Baltimore School of Law. For the six years prior to his appointment, he was in the private practice of law in the area of Criminal Defense, Civil, and Estate Work. Commissioner Billotti started his working career in law enforcement with the Frederick County Sheriff's Office where he rose to the rank of Lieutenant, and retired after twenty years of service with the agency. He then moved on to the Washington County Sheriff's Office and commanded several sections of the Office at the rank of Major, before retiring to practice of law.

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 has been married to his wife Jenny for 44 years resulting in 3 children, and 3 grandsons. He is a graduate 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.

Jason Keckler -appointed in January 2018; term to 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 Federal Bureau of Investigation (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.

Robyn Erica Lyles – appointed January 2020; term to expire December 2025. Commissioner Lyles is a twenty-year criminal justice professional. She received her Bachelor's of Science degree in Criminology and Criminal Justice from the University of Missouri – St. Louis and her Master's of Science degree in the same from the University of Baltimore. Commissioner Lyles has worked for the Department of Public Safety and Correctional Services since August of 2004, first as the Policy Management Unit Director for the Information Technology and Communications Division, and now as a Commissioner. Since August of 2011, she has been an Adjunct Instructor at Stevenson University. Commissioner Lyles is an active member of Alpha Kappa Alpha Sorority, Incorporated, a member of the Ladies of Vision Charities, Incorporated where she serves as the Bylaws Chairman and a member of the Monumental Bar Association, where she is the Secretary.

Jane Chace Miller– appointed September 2016; term to expire December 2021. Commissioner Miller is an attorney with a background in criminal law and domestic law. 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 local charities and events in our community.

Christopher J. Reynolds – appointed to an interim term in April 2011; re-appointed in January 2012, Commissioner Reynolds was re-appointed January 2019; term to expire 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 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 to expire 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.

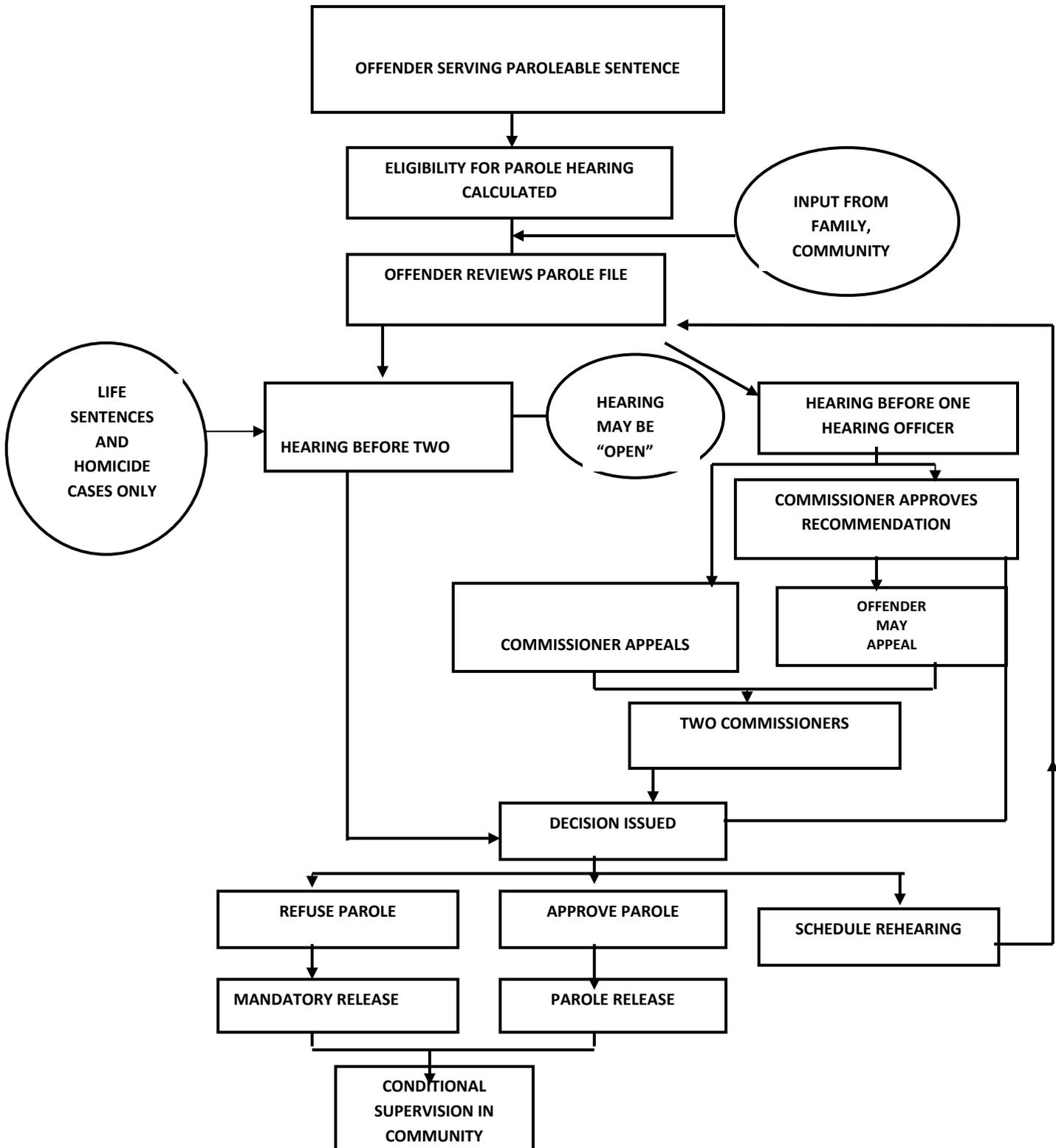
Lisa A. Vronch – appointed December 2019; term to expire December 2024. Commissioner Vronch graduated from the University of Baltimore with a Bachelor of Science degree in Criminal Justice. In 1984, she graduated from the University of Maryland Police Department Training Academy and served on the police department at the University of Maryland Baltimore until 1988, and the Anne Arundel County Police Department until 1999. Since then Commissioner Vronch worked in the science and technology fields at the Department of Justice, the Department of Homeland Security, and the United States Army Research Laboratory, managing various technology portfolios. Most recently, Commissioner Vronch worked in the Information Technology and Communications Division of the Department of Public Safety and Correctional Services managing the criminal history and law enforcement systems. Commissioner Vronch is an active member of the Project Management Institute, the American Society for Testing and Materials (ASTM) International Standards Development E-54 Committee, the National Criminal Justice Association, the American Society for Public Administration, and the American Institute of Conservation.

APPENDIX I: STANDARD CONDITIONS of PAROLE

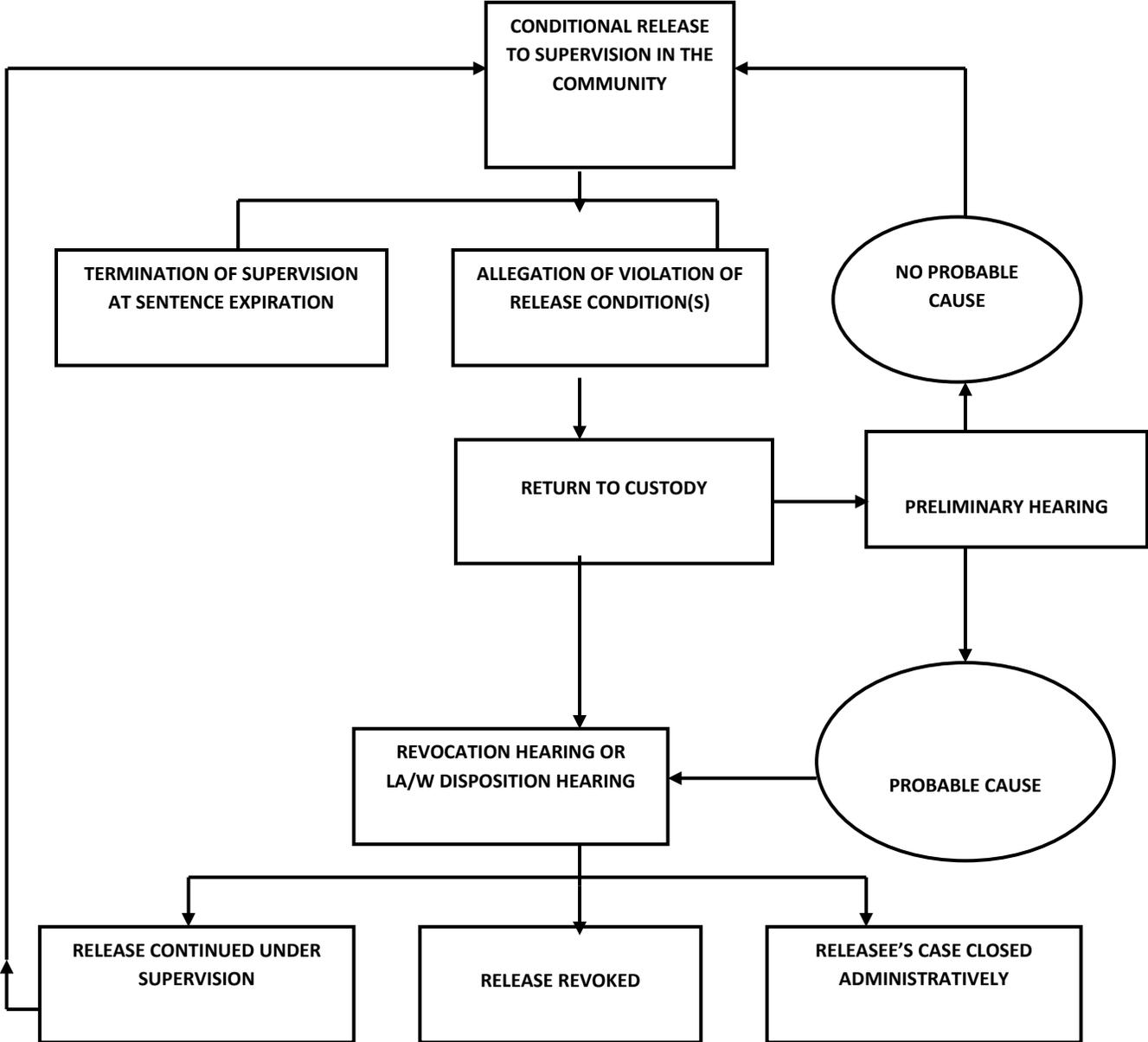
- 1. Report as directed to and follow your Parole Agent's instructions.**
- 2. Work regularly.**
- 3. Get permission before:**
 - a. Changing your home;**
 - b. Changing your job; or**
 - c. Leaving the State of Maryland**
- 4. Obey all laws.**
- 5. Notify your Parole Agent immediately if you are arrested.**
- 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

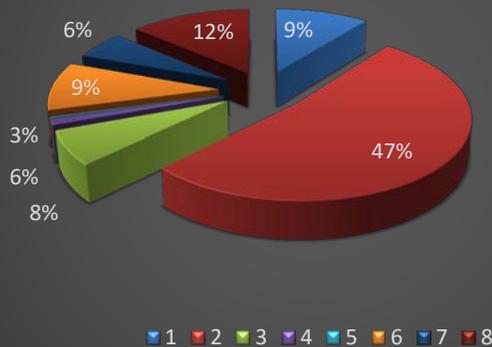


BUDGET EXPENDITURE – FISCAL YEAR 2020

| 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 |
|--|---|