

duct hearings for revocation of parole. The Commission can issue warrants for the return to custody of alleged violators of parole and can suspend or revoke parole upon a showing of its violation.

To hear certain cases for parole release, the Commission uses hearing examiners. Decisions of the examiners, if concurred with by the Commission on summary review, become final. A final decision of the examiner may be appealed to a panel of Commission members for review upon the record. The decision of the appeal panel is final.

The Commission may ask the Division of Parole and Probation, the Division of Correction, or the Division of Pretrial Detention and Services to make investigations to help determine the advisability of granting parole. The Commission evaluates information from the Division of Parole and Probation on the behavior of parolees. In addition, the Commission directs the Division of Parole and Probation to conduct investigations from which recommendations are made to the Governor on pardons, commutations of sentences, and parole of persons sentenced to life imprisonment.

The Commission also may negotiate and execute tri-party contracts for the release on parole of an inmate at a predetermined future date, and upon the fulfillment of conditions specified in the contract. Signatories to such mutual agreements are the Maryland Parole Commission, the Commissioner of Correction, and the inmate.

The Commission's eight members are appointed to six-year terms by the Secretary of Public Safety and Correctional Services with the Governor's approval and Senate advice and consent. With the Governor's approval, the Secretary of Public Safety and Correctional Services names the chair (Code 1957, Art. 41, secs. 4-501 through 4-512).

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## DIVISION OF PAROLE & PROBATION

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W. Roland Knapp, *Director of Parole & Probation*

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The Division of Parole and Probation was formed in 1939 to administer State parole and probation laws (Chapter 406, Acts of 1939). In 1953, the Division was renamed the Department of Parole and Probation (Chapter 653, Acts of 1953). The Department was reorganized in 1968 separate from the Board of Parole (Chapter 457, Acts of 1968). In 1970, the Department was renamed the Division of Parole and Probation (Chapter 401, Acts of 1970).

The Division supervises the conduct of parolees and adult probationers. It regularly informs the Maryland Parole Commission of parolees' activities and

notifies the District or Circuit Courts of probationers' activities. At its discretion, the Division recommends that the Commission issue arrest warrants for parole violators. Warrants also are requested from the courts to apprehend probationers charged with violating conditions of their probation.

The Division supervises and provides services to offenders based upon the risk of their continued criminal activity. For parolees, probationers, and offenders for whom supervision is mandatory, the Division offers counseling, social casework, and diagnosis of substance abuse and other problems. Citizen volunteers help counsel parolees and probationers to lead law-abiding lives.

Various types of investigations are undertaken by the Division. When requested, the Division conducts investigations for the courts of Maryland, the Maryland Parole Commission, and when the sentencing of a defendant convicted of felony in a Circuit Court may result in the defendant being remanded to the jurisdiction of the Division of Correction or Patuxent Institution.

At the direction of the Court of Special Appeals, the Division investigates, reports, and makes recommendations regarding applications for review of criminal sentences. Where a felony offense caused physical, psychological or economic injury, the Division prepares a victim impact statement as part of the presentence investigation. A victim impact statement also is prepared when a misdemeanor offense has caused serious physical injury or death.

Division investigations help the Maryland Parole Commission determine whether to grant parole. At the request of the Governor or the Governor's designee, the Division also investigates and reports on persons applying for pardon, commutation of sentence, or clemency. In addition, the Division investigates the home and employment proposals of parolees and probationers from other states wanting to live in Maryland under the Uniform Out-of-State Parolee Supervision Act.

The Director of Parole and Probation is appointed by the Secretary of Public Safety and Correctional Services with the approval of the Governor and Senate advice and consent. The Director serves at the pleasure of the Secretary. (Code 1957, Art. 41, secs. 4-601 through 4-613).

### DRINKING DRIVER MONITOR PROGRAM

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The Drinking Driver Monitor Program began in 1983. The Program requires that drivers suffering from alcoholism participate in substance abuse education or treatment. They also must learn to refrain from driving while under the influence of alcohol or any controlled dangerous substance.