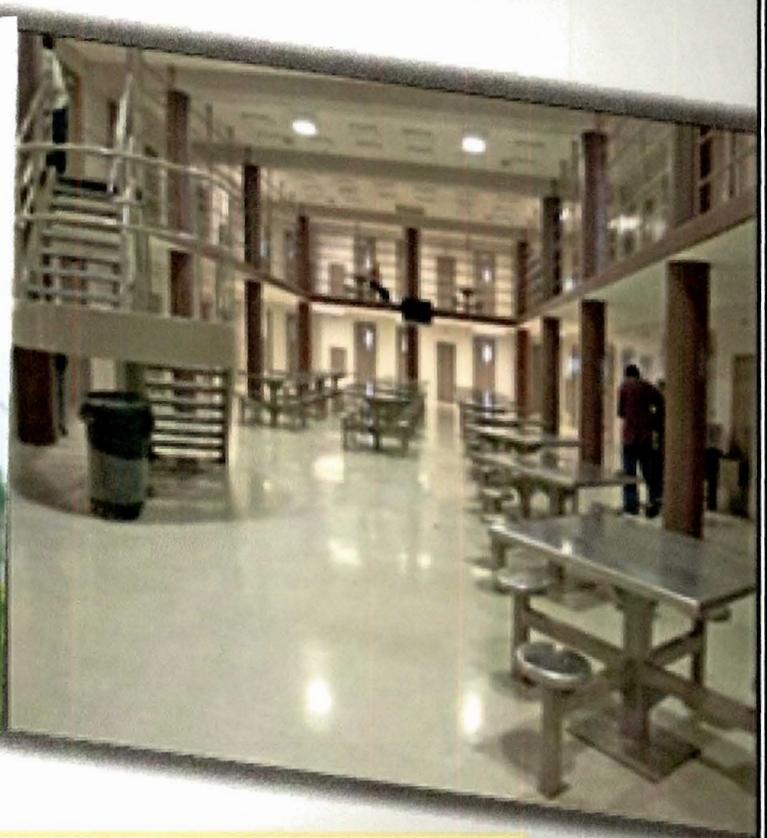




2012 ANNUAL REPORT

***MARYLAND COMMISSION ON
CORRECTIONAL STANDARDS***



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
Gary D. Maynard, Secretary
Robert Green, Chairman
Howard Ray Jr., Executive Director



Department of Public Safety and Correctional Services

Office of the Secretary

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STATE OF MARYLAND

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ANTHONY G. BROWN
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CAPITAL PROGRAMS

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DIRECTOR
CENTRAL REGION

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DIRECTOR
SOUTH REGION

PATUXENT INSTITUTION

MARYLAND COMMISSION
ON CORRECTIONAL
STANDARDS

CORRECTIONAL TRAINING
COMMISSION

MARYLAND PAROLE
COMMISSION

CRIMINAL INJURIES
COMPENSATION BOARD

EMERGENCY NUMBER
SYSTEMS BOARD

SUNDRY CLAIMS BOARD

INMATE GRIEVANCE OFFICE

February 19, 2013

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

Dear Governor O'Malley:

I am pleased to make available to you the Annual Report for the Maryland Commission on Correctional Standards, documenting agency activities for FY 2012. The information contained herein satisfies the reporting requirements set forth in the ANN. CODE MD., *Correctional Services Article*, §8-110.

During FY 2012, the Commission continued to address its mission of auditing State, local, and private adult correctional facilities and programs. This reporting period covers a portion of the cycles of auditing the over twenty adult places of confinement and 6 private home detention monitoring agencies in Maryland.

The Commission will continue to provide effective quality control services for the State's adult correctional system. This process will ensure the highest level of safety and protection for the citizens of Maryland, as well as provide for utilization of sound management principles for correctional operations.

Sincerely,


Gary D. Maynard
Secretary

c: Chief of Staff Matthew Gallagher
Deputy Chief of Staff Catherine Motz
Ms. Stacey Mayer, Governor's Legislative and Policy Director
Ms. Shanetta Paskel, Governor's Deputy Legislative Officer
Ms. Chantelle M. Green, Staff, House Committee on
Appropriations
Mr. Matthew Bennett, Staff, Senate Budget and Taxation
Committee
Ms. Kate Henry, Policy Analyst, DLS
Mr. Christopher McCully, Supervisor, Budget Analysis, DBM
Ms. Sarah Albert, Mandated Reports, DLS



Department of Public Safety and Correctional Services

Maryland Commission on Correctional Standards

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STATE OF MARYLAND

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CAPITAL PROGRAMS

ROBERT L. GREEN
CHAIRMAN

HOWARD RAY, JR.
EXECUTIVE DIRECTOR

January 8, 2013

Gary D. Maynard, Secretary
Department of Public Safety and Correctional Services
300 East Joppa Road, Suite 1000
Towson, Maryland 21286-3020

Dear Secretary Maynard:

I am pleased to present the thirtieth Annual Report for the Maryland Commission on Correctional Standards accounting for the agency activities during Fiscal Year 2012. 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.

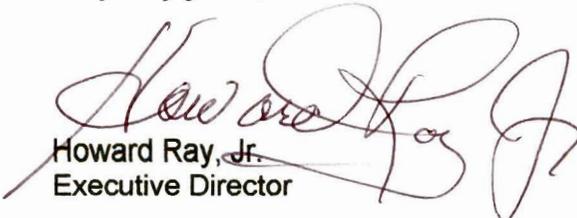
In the year covered by this report, the key objectives identified under the agency's Managing for Results process continue to demonstrate encouraging progress in conducting timely audits for Maryland's adult places of confinement. During this year the Commission continued the eleventh audit cycle and commenced the twelfth cycle of auditing.

During this fiscal year, correctional facilities audited continue working to achieve total compliance with the minimum standards at the time of the initial audit. This demonstrates the managing official's commitment to utilizing standards as a management tool. The Commission continues to utilize new and innovative ideas to provide technical assistance to correctional facilities. The Commission remains committed to encouraging the application of sound correctional management principles and practices.

As Executive Director of the Commission, I look forward to the challenges and accomplishments ahead. Through leadership, partnership, communication 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 this important mission for the citizens of Maryland.

Very truly yours,



Howard Ray, Jr.
Executive Director

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For dates, locations of the commission meetings and MCCS audit schedule visit the MCCS webpage at:

<http://www.dpscs.maryland.gov/agencies/mccs.shtml>

MISSION & VISION STATEMENT



MISSION

The mission of the Maryland Commission Correctional Standards is to collaborate with criminal justice agencies and organizations in the development, measurement, monitoring, and enforcement of statewide correctional standards.

VISION

The Maryland Commission on Correctional Standards will be recognized as an agency that collaborates with and performs quality compliance audits that are firm, fair, and consistent.

We will be known for promoting correctional standards as a best practice.

We will be recognized as a resource for the development of correctional employees.

The Maryland Commission on Correctional Standards will be known as a leader in the value of accountability in correctional agencies operations.

MARYLAND COMMISSION ON CORRECTIONAL STANDARDS

AUDITOR ETHICS STATEMENT

AUDITORS EXERCISE HONESTY, OBJECTIVITY AND DILIGENCE. THEY ARE IMPARTIAL AND UNBIASED IN THE PERFORMANCE OF THEIR DUTIES AND RESPONSIBILITIES.

AUDITORS ARE PRUDENT MANAGERS OF INFORMATION. THEY EXHIBIT THE HIGHEST LEVELS OF CONFIDENTIALITY AND RESPECT INDIVIDUALS AND PRIVACY.

AUDITORS ARE ABOVE REPROACH, VOID OF CONFLICTS OF INTEREST, GIFTS, FAVORS AND PRIVILEGES.

MANAGING FOR RESULTS (MFR)

The State of Maryland's Managing for Results (MFR) is a strategic planning process that emphasizes achieving measurable results in state government that meet or exceed customer and stakeholder needs. This initiative is linked to the State budget process and strategies for efficient agency operations. As authorized under the Correctional Services Article, §8-101 et seq. (Maryland Annotated Code), the Maryland Commission on Correctional Standards (MCCS) develops standards and enforces regulations addressing: life, health, safety, and constitutional issues for the operation of Maryland's prisons, detention centers, and community correctional centers. In 1998, the MCCS acquired regulatory and licensing authority over private home detention monitoring agencies. The Commission ensures adherence to requirements for both public adult correctional facilities and private home detention monitoring agencies through regular auditing and submission of formal reports of compliance. The compliance results are incorporated as a part of this report for fiscal year reporting requirements for MFR.

Performance Measures:	2009	2010	2011	2012
	Actual	Actual	Actual	Actual
Input: Number of adult correctional facilities audited	58	55	55	54
Output: Number of adult correctional facilities audited	18	14	23	18
Number of DPSCS operated prisons	17	17	17	17
Number of DPSCS operated pre-release units	13	10	10	10
Number of local community correctional facilities	3	3	3	3
Number of local detention centers	25	25	25	7
Number of private home detention monitoring agencies	4	4	7	2
Quality: Percent of facilities audited during the last three years audit cycle:				
DPSCS operated prisons	100%	98%	100%	100%
DPSCS operated pre-release units	100%	100%	100%	100%
Local community correctional facilities	100%	100%	100%	100%
Local detention centers	75%	100%	100%	100%
Private home detention agencies	100%	100%	100%	100%
Input: Number of PHDMA	4	4	8	7
Output: Number of PHDMA audited	2	2	6	2
Quality: Percent of private home detention monitoring agencies audited during the two-year cycle ending in the fiscal year	100%	100%	100%	100%

Executive Summary/Progress Report

The Maryland Commission on Correctional Standards is an agency within the Department of Public Safety and Correctional Services with legal authority referenced in the Annotated Code of Maryland, Correctional Services Article, Section 8-101, et seq. The Commission is empowered to develop and enforce minimum mandatory standards for all adult places of correctional confinement. In addition, the Commission provides technical assistance to these facilities. Some of the key events of Fiscal year 2012 are noted below.

The MCCS remains focused on its mission of encouraging correctional administrators to utilize management principles and practices to maintain efficient operations. During fiscal year 2012, the Commission continued its 12th audit cycle of conducting high quality compliance audits for all places of adult confinement and private home detention monitoring agencies.

The results of key objective strategies identified under the agency's Managing for Results process continue to demonstrate encouraging progress. **In FY 12**, the agency continued to utilize outcome measures to evaluate the audit process and technical assistance provided. A total of 18 audits were conducted at adult places of correctional confinement and 2 audits were conducted at private home detention monitoring agencies.

The Commission continued to utilize senior staff members to act as Audit Team Leaders, while continuing to solicit volunteer services of the Duly Authorized Inspectors to participate in the completion of standard audits. Ninety-nine percent of the managing officials of audited facilities rated the audit process as **"Good"** or **"Better"** in terms of accuracy, helpfulness, and objectivity.

Of the 18 correctional facilities audited during FY 12, all were found to be in compliance with the minimum standards for places of adult confinement. The **Recognition of Achievement award** was awarded to 18 adult places of confinement. 3 were awarded (ROA) in their initial audit and 15 required monitoring for 100% compliance upon completion of the monitoring process. This achievement continues to be the benchmark for correctional facilities in the State, and represents a commitment to the standards and the audit process by managing officials.

Private Home Detention Monitoring Companies are audited on a two-year cycle. FY 12 began a new auditing cycle with 2 of the 7 home detention monitoring agencies receiving a full scale compliance audit in their first 6 months of operation. However, monitoring visits are needed to attain compliance status. Commission staff continues to remain a resource to aid private home detention companies in achieving compliance with standards. During FY 12 there were a total of 7 licensed companies in Maryland.

The Duly Authorized Inspector program continues to be a vital part of the Commission's success. This unique program remains a model for other correctional auditing agencies around the country. On completion of the FY 12 DAI training held on June 12, 2012 at the Police and Correctional Training Commission. The Commission began using recently trained DAI's on audits. The recently trained DAI's were able to attend audits and assist the Commission with its findings.

The DAI's worked with the Commission staff and other experienced DAI's. Additionally, the newly trained DAI's will be able to assist their facilities in preparation for future MCCS audits and to aid with achieving the highest level of compliance with greater understanding of the audit process. The DAI's will also enhance facility procedures and provide additional tools to conduct in-house audits to assess compliance prior to the Commission audits.

Executive Summary/Progress Report (Con't)

The Commission staff strives to provide training in **technical assistance** in areas that benefit both the agency and correctional facilities. The Commission continues to receive tremendous support from both State and local managing officials for the DAI program which demonstrates the value of utilizing correctional standards as a management tool.

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 12th audit cycle began in July 2012.

During the last audit cycle, three correctional facilities achieved total compliance as a result of a commitment to viewing the inspection process as a management tool. Positive networking and communication between the Commission and correctional administrators contributes to achieving standards compliance.

The major concerns of life, health, safety, and constitutional issues continued to be aggressively addressed. The facilities that attained full compliance with the applicable standards during this period received the Commission's "**Recognition of Achievement**" (ROA) award.

In FY 12, there were 18 complete audits performed, (8 DPSCS operated prisons, 3 Local Community Correctional Facility, 7 Local Detention Centers, and 2 Private Home Detention Agencies).

When deficiencies are noted during formal audits, compliance plans are developed in partnership with facility officials. The plan is then presented to the Commission for approval. Upon approval, the Commission staff regularly monitors each plan until total compliance is achieved.

Facilities must implement the plan within a time frame of 6 months 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 the presentation of the ROA award. The Commission has found that the Recognition of Achievement award has become a symbol of excellence in the correctional environment.

Also in FY 12, in collaboration with the Office of the State Fire Marshal, the Maryland Police and Correctional Training Academy and the Maryland Commission on Correctional Standard led by the Executive Director Mr. Howard Ray conducted an enhanced **Fire Safety Officers Training Program** for Institutional Fire Safety Officers.

The objective was to provide the Fire Safety Officer(s) with the information necessary to construct, implement, and document an in-house fire safety inspection program. Such a program is vital for the maintenance of devices, equipment, systems, conditions, arrangements, levels of protection, and other features that are required for compliance with the provisions of the State Fire Prevention Code.



Executive Summary/Progress Report (con't)

It further helps identify the section of the MCCS Standards Manual applicable to the Fire Safety Officer(s) for Adult Correctional Institutions, Adult Detention Centers and Adult Community Correctional Facilities in Maryland.

The Fire Safety Officers for ACI, ADC and ACCF shall become intimately familiar with section .02 INMATE SAFETY of the MCCS Compliance Criteria and Compliance Explanations. A properly administered in-house fire safety inspection program will afford safer surroundings for the staff and inmates/residents of a detention and correctional facility.

RECOGNITION OF ACHIEVEMENT AWARD



MCI-H

THE ROA AWARD WAS AWARDED TO 18 ADULT PLACES OF CONFINEMENT.

THIS ACHIEVEMENT CONTINUES TO BE THE BENCHMARK FOR CORRECTIONAL FACILITIES IN THE STATE.



Dorchester Co. Det. Ctr.



EPRU



Talbot Co Det. Ctr.



AA Co. Jennifer Rd. Det. Ctr.



RCI



Central MD Corr. Facility

**MCCS DULY AUTHORIZED
INSPECTORS TRAINING
CONFERENCE**



Maryland Commission on Correctional Standards, 2012 DAI Training Conference Lecture presented by Executive Director Howard Ray, Jr.



and Assistant Executive Director Veronica Moore.



A cross section of DPSCS Staff attended the DAI conference at the Police and Correctional Training Commission.



2012 DAI Graduates.

AUDIT RESULTS

Institution Non-Compliance Breakdown - 11th cycle (July 1, 2011 through June 30, 2012)

Institution	Date	Type	#F	#TC	#MV	01	02	03	04	05	06	07	08	Total
Anne Arundel Co-Jennifer Rd Det. Ctr.	9/20-23/11	ADC	1		✓	2	0	0	0	0	0	0	0	2
Anne Arundel Co-Ordinance Rd Det. Ctr.	11/29-12/1/11	ADC	1	✓		0	0	0	0	0	0	0	0	0
Baltimore Central Booking & Intake Facility	2/27-3/2/12	ADC	1		✓	0	0	0	2	0	0	0	0	2
Calvert County Detention Center	9/13-15/11	ADC	1	✓		0	0	0	0	0	0	0	0	0
Chesapeake Detention Facility	1/30-2/3/12	ACI	1		✓	1	0	0	1	0	0	0	0	2
Eastern Correctional Institution	6/18-22/12	ACI	1	✓		0	0	0	0	0	0	0	0	0
Eastern Correctional Institution-Annex	3/13-16/12	ACI	1		✓	1	1	0	2	0	0	0	0	4
Garrett County Detention Center	4/10-12/12	ADC	1		✓	1	0	0	0	0	0	0	0	1
Jessup Pre-Release Unit	8/22-25/12	ACCF	1		✓	0	0	0	1	0	0	0	0	1
Maryland Correctional Inst-Hagerstown	7/12-15/11	ACI	1		✓	0	1	0	2	0	0	0	0	3
Maryland Reception Diagnostic & Class. Ctr.	12/5-9/11	ACI	1		✓	0	2	0	0	0	0	0	0	2
Metropolitan Transition Center	10/17-21/11	ACI	1		✓	1	1	0	1	0	0	0	0	3
Montgomery County Pre-Release	2/12-16/12	ACCF	1		✓	3	2	0	2	1	0	0	0	8
Poplar-Hill Pre-Release Facility	11/1-3/11	ACCF	1		✓	0	1	0	0	2	0	0	0	3
Roxbury Correctional Institution	10/4-7/11	ACI	1		✓	1	1	0	0	0	0	0	0	2
Talbot County Detention Center	8/9-11/11	ADC	1		✓	0	0	0	0	1	1	0	0	2
Western Correctional Institution	5/15-18/12	ACI	1		✓	0	0	0	1	0	0	0	0	1
Worcester County Jail	4/24-27/12	ADC	1		✓	0	3	0	0	0	0	0	0	3
11 th Cycle Audits			18	3	15	10	12	0	12	4	1	0	0	39

Note:

- Total Institution Audited -18
- Number of "ADC" Facilities Audited -7
- Number of "ACI" Facilities Audited -8
- Number of "ACCF" Facilities Audited-3
- #TC - Total compliance-3
- #MV - Monitoring Visit-15
- F - Facilities-18

AUDIT RESULTS

PHDMA Non-Compliance Breakdown - 11th Cycle (July 1, 2011 through June 30, 2012)

Licensed Private Home Detention Monitoring Agencies

Institution	Audit date	Type	S					T					Total				
			#T	A	N	D	A	R	D	S	C	MV		.01	.02	.03	.04
Active Home Confinement, LLC		PHDMA			0	0	0	0	0	0	0	0	0	0	0	0	0
Advance Home Detention Services		PHDMA			0	0	0	0	0	0	0	0	0	0	0	0	0
Advantage Sentencing Alternative Program Inc.		PHDMA			0	0	0	0	0	0	0	0	0	0	0	0	0
Alert Private Home Detention Program	9/15/2012	PHDMA		√	3	1	0	0	3	0	0	0	0	0	0	0	7
Alternative Sentencing, Inc.	7/26/2011	PHDMA			2	0	0	0	0	0	0	0	0	0	0	0	2
Home Monitoring Services, Inc.		PHDMA			0	0	0	0	0	0	0	0	0	0	0	0	0
Jesus Christ Home Detention		PHDMA			0	0	0	0	0	0	0	0	0	0	0	0	0
Ocean Answer, LTD.		PHDMA			0	0	0	0	0	0	0	0	0	0	0	0	0
11th Cycle Audits					0	2	5	1	0	3	0	0	9				

Total PHDMA Institutions - **8**

Total PHDMA Institutions Audited - **2**

#TC - Indicates institutions found to be in Total Compliance - **0**

#MV - Monitoring visit needed to attain compliance status - **2**

PHDMA Standards:

- .01 Management of Monitored Individuals
- .02 Contingency Plans
- .03 Rights of Monitored Individuals
- .04 Records of Monitored Individuals
- .05 General Administrations

Private Home Detention Stats

July 1, 2011 - June 30, 2012

Population Contact Months

Company Name	July	Aug	Sept.	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Total	Average
Alert Private Home Detention Program	29	29	29	27	27	31	27	24	21	23	26	21	314	26.2
Home Monitoring Service, Inc	54	49	54	48	47	48	44	43	43	43	36	36	545	45.42
Alternative Sentencing, Inc	14	18	16	19	18	19	18	19	23	23	20	19	226	18.83
Advantage Sentencing Alternative Program, Inc,	102	107	108	112	111	115	117	112	110	111	101	95	1301	108.41
Advanced Home Detention Services	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Active Home Confinement	4	0	0	0	0	0	0	0	0	0	0	0	4	0.33
Ocean Answer	5	8	4	4	3	2	4	3	2	2	1	1	39	3.25
Jesus Christ Home Detention	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Monthly Total	208	211	211	210	206	215	210	201	199	202	184	172	2429	202.44

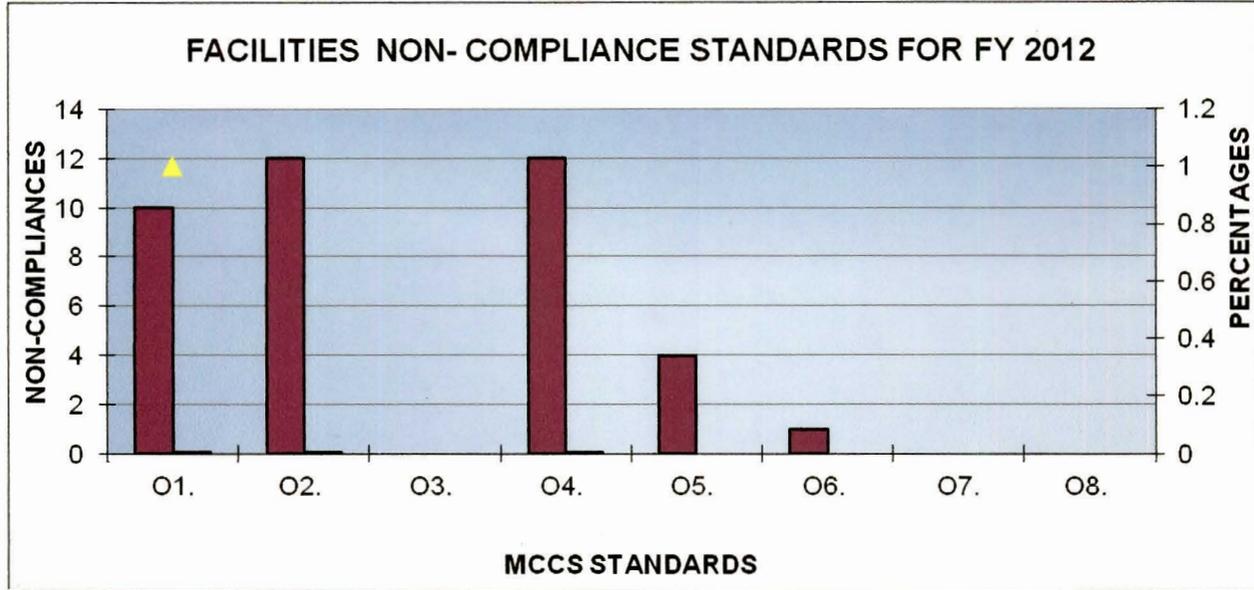
NOTE:

Total PHDMA Agencies-8.

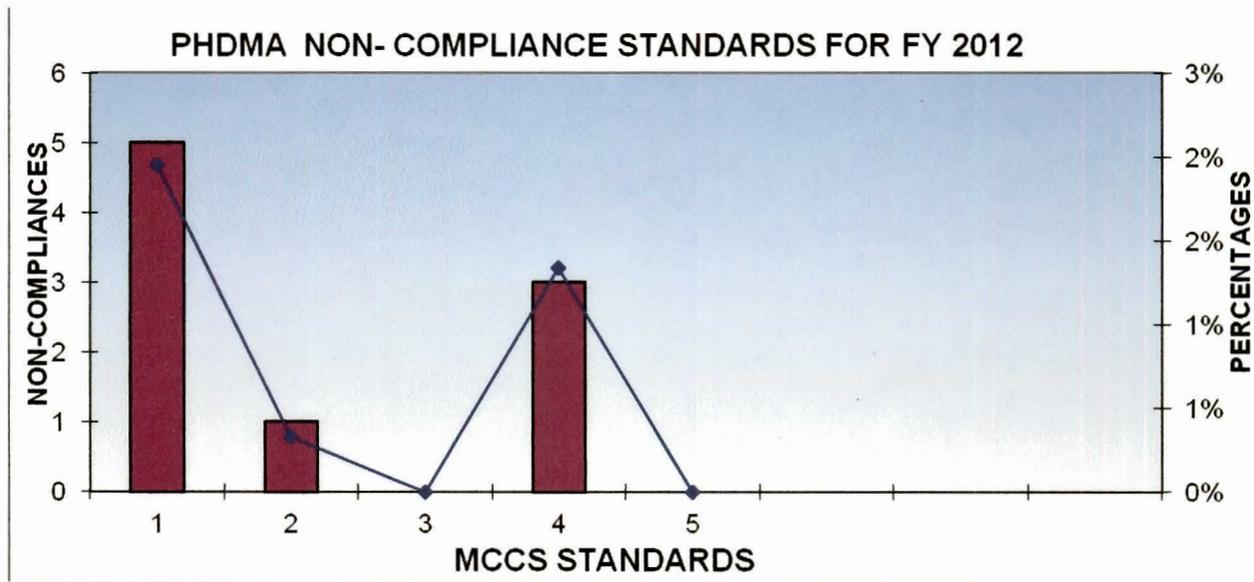
Total PHDMA Population FY2012 -2429.

Total Average monthly population FY 2012-202.44.

AUDIT RESULT STATS



There were 18 audits completed and (1404) standards reviewed for adult places of confinement.



There were 2 audits completed and (68) standards reviewed for PHDMA places of confinement.

PHDMA Standards:

- .01 Management of Monitored Individuals
- .02 Contingency Plans
- .03 Rights of Monitored Individuals
- .04 Records of Monitored Individuals
- .05 General Administrations

Special Recognition

The following adult places of correctional confinement were found to be in 100% compliance in their initial audit and received the **Recognition of Achievement Award** during FY 2012.

Date	Facility / Managing Officials	
-------------	--------------------------------------	--

November 12, 2012	<p>Anne Arundel Co-Ordinance Road Detention Center.</p> <p>Superintendent: Terry Kokolis Facility Administrator: William Martin Assistant Facility Administrator: Thomas Fitzgerald</p> <p>Audit Coordinators: Corporal Alan Becker Corporal Peter Glerum</p>	
September 15, 2011	<p>Calvert County Detention Center</p> <p>Administrator: Thomas Reece</p> <p>Audit Coordinator: Lt. Paul Norris</p>	
June 22, 2012	<p>Eastern Correctional Institution</p> <p>Warden: Kathleen Green Asst. Warden: Robert Hanke Asst. Warden: Ronald Dryden Sec. Chief: William Maycock</p> <p>Audit Coordinators: Captain Karen Raimundo Sergeant Patrick Stephenson</p>	

AUDIT DAY FACILITY POPULATION

FY 2012 July 1, 2011 through June 30, 2012,	TYPE	AUDIT Date	OPERATING Capacity	MALE	FEMALE	TOTAL Population	DIFF
INSTITUTION							
Anne Arundel Co-Jennifer Rd Det. Ctr.	ADC	9/11	761	538	20	558	-203
Anne Arundel Co-Ordinance Rd Det. Ctr.	ADC	11/12	721	247	64	311	-410
Baltimore Central Booking & Intake Facility	ADC	2/12	951	872	0	872	-79
Calvert County Detention Center	ADC	9/11	228	178	32	210	-18
Chesapeake Detention Facility	ACI	1/12	570	451	14	465	-105
Eastern Correctional Institution	ACI	6/12	2766	2631	0	2631	-135
Eastern Correctional Institution-Annex	ACI	3/12	608	590	0	590	-18
Garrett County Detention Center	ADC	4/12	68	48	10	58	-10
Jessup Pre-Release Unit	ACCF	8/12	596	589	0	589	-7
Maryland Correctional Inst-Hagerstown	ACI	7/11	2140	2097	0	2097	-43
Maryland Reception Diagnostic & Class. Ctr.	ACI	12/11	808	701	0	701	-107
Metropolitan Transition Center	ACI	10/11	1640	743	0	743	-897
Montgomery County Pre-Release	ACCF	2/12	200	137	7	144	-55
Poplar-Hill Pre-Release Facility	ACCF	11/11	192	192	0	192	0
Roxbury Correctional Institution	ACI	10/11	1771	1705	0	1705	-66
Talbot County Detention Center	ADC	8/11	145	78	15	93	-52
Western Correctional Institution	ACI	5/12	1777	1700	0	1700	-77
Worcester County Jail	ADC	4/12	512	439	73	512	0
			16454	13936	235	14171	-2282

BUDGET REPORT FOR FISCAL YEAR 2012

Budget Appropriation and Actual Expenditures

	<u>2012 APPROPRIATION</u>	<u>2012 EXPENDITURES</u>
.01 Salaries and Wages	395,390	366,268
.02 Technical & Special	104,062	119,961
.03 Communication	4,235	2,370
.04 Travel	21,000	19,523
.05 Utilities	3,623	3,046
.06 Motor Vehicle Operational/Maintenance	1,240	1,522
.07 Contractual Services	4,854	4,001
.08 Supplies/Materials	3,100	2,179
.09 Equipment Replacement	0	0
.10 Equipment Additional	0	0
.11 Fixed Charges	23,541	24,523
TOTAL	561,045	543,393

COMMISSION MEMBERSHIP



The twelve-member Commission includes nine 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, a member with medical and/or mental health credentials 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

Walter Ridley
Delores Alexander

STATE CORRECTIONAL OFFICIALS

J. Michael Stouffer, Deputy Secretary Operations, DPSCS
Wendell France, Executive Director, Central Region, DPSCS

COMMISSION MEMBERSHIP (CONT'D)

LOCAL CORRECTIONAL OFFICIALS

Robert Green, (Chairman), Warden, Montgomery County Correctional Facility

Department of Correction and Rehabilitation

Thomas Reece, Administrator, Calvert County Department of Corrections

MEDICAL/MENTAL HEALTH PROFESSIONAL

Maria Elmo, M.D. (Private Practice)

LOCAL ELECTED OFFICIAL

Sheree Sample-Hughes, Vice Chairman

Councilwoman, Wicomico County Council

NATIONAL STANDARDS REPRESENTATIVE

Jeffrey Washington, Director of Standards and Accreditation

American Correctional Association

EX-OFFICIO MEMBERS

Douglas F. Gansler., Attorney General, State of Maryland

(Represented by Diane Bustos, Assistant Attorney General)

Alvin Collins, Secretary, Department of General Services

(Vacant)

T. Eloise Foster, Secretary, Department of Budget and Management

(Represented by Sean Egan, Budget Analyst)

For dates, locations of the commission meetings and MCCS audit schedule visit the MCCS webpage at:

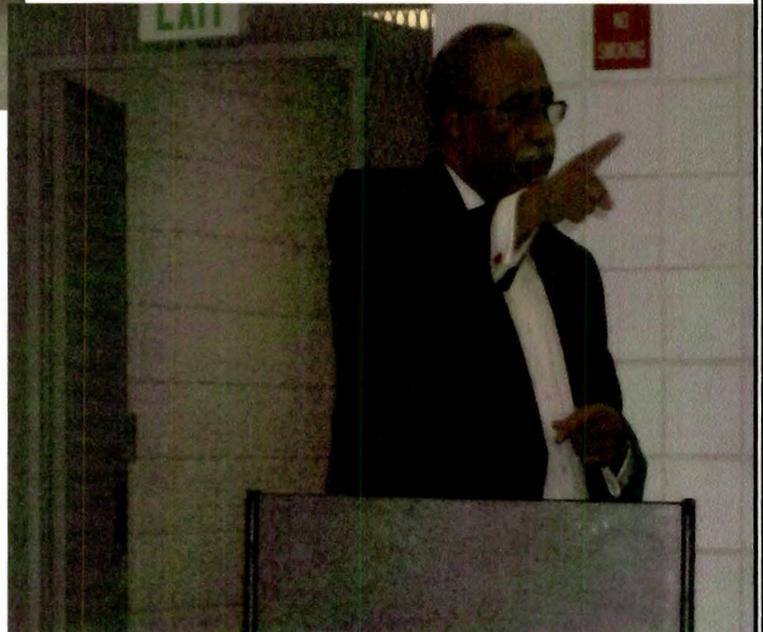
<http://www.dpscs.maryland.gov/agencies/mccs.html>

TRIBUTE TO THE OUTGOING COMMISSION CHAIRMAN MR. WALTER B. RIDLEY

- Secretary Gary Maynard, DPSCS
- Chairman Robert Green
- Executive Director Howard Ray, Jr.



Mr. Ridley is presented with the Governors Citation and a Citation from the Department of Public Safety and Correctional Services for his 13 years of service with the Commission on Correctional Standards and his outstanding contribution and commitment to standards compliance to the state of Maryland.



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

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. The Commission periodically reviews the membership of each board.

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 Boards and Committee members were instrumental in providing continuing support for the implementation of standards for private home detention monitoring agencies. 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.

ESTABLISHMENT OF THE COMMISSION

The Maryland Commission on Correctional Standards was created to improve the manner in which standards for correctional facilities are established, 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 8-101 seq., Annotated Code of Maryland. Its salient provisions require the Commission to:

- Advise the Secretary of Public Safety and Correctional Services regarding regulations, which the Secretary is authorized to promulgate for state and local correctional facilities;
- Periodically inspect facilities to determine compliance with standards and prepare reports;
- 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 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.

HISTORY OF STANDARDS DEVELOPMENT

In 1980, the Maryland General Assembly acknowledged the critical need for professional correctional standards. The Minimum Jail and Lockup Standards in use during this time did not effectively address the needs of correctional facilities. 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 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 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 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* to become part of the Code of Maryland Regulations (COMAR). 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 true 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 strategies, 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.

Additionally, revisions to the Minimum Standards for Adult Detention Centers were 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 the Secretary of Public Safety and Correctional Services 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. (See Annotated Code of Maryland, Business Occupations and Professions Article, §20-101, et seq). 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 the 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.