



Department of Public Safety and Correctional Services
Division of Correction

Case Management Manual

DOC.100.0002

Office of the Commissioner
Policy Development, Analysis and Management

Issue Date: April 1, 2010
Effective Date: March 31, 2010

Authorized by:

A handwritten signature in black ink, appearing to read "Paul B. O'Flaherty", written over a horizontal line.

Paul O'Flaherty, Assistant Commissioner
Programs and Service

Approved by:


A handwritten signature in black ink, appearing to read "J. Michael Stouffer", written over a horizontal line.

J. Michael Stouffer
Commissioner

FOREWORD

The case management process is a unique and critical component to the successful operation of the Division of Correction (DOC). Case management staff is responsible for developing the course of action by which all program, treatment, and security components of an inmate's case are managed. Case management staff is also responsible for the "plan of action" that provides for participation in programs, job assignments, treatment, and activities for which the inmate qualifies. There is an active and ongoing interaction between inmates and case management specialists. These components are vital to our mission to reduce criminal behavior and improve the quality of life for all Marylanders through diverse programs, services, and community partnerships.

This manual provides the procedures by which case management staff manages its caseloads to best assist inmates in their rehabilitative efforts. This is accomplished by first utilizing available assessment information effectively. With this information, case management staff can provide inmates with appropriate opportunities to facilitate a successful and permanent return to the community.



J. Michael Stouffer
Commissioner

Division of Correction Manual: DOC.100.0002

Case Management

March 31, 2010

Case Management Manual Revision Dates

Prepared By:

Document Owner(s)	Project/Organization Role
Kendall Gifford	Director, Case Management

Inmate Release Process: Version Control

Version	Date	Author	Change Description
1	3/26/08	Kendall Gifford, Assistant Director	New Manual
2	3/31/10	Kendall Gifford, Director	Revised Manual

REFERENCES/RESCISSIONS

A. REFERENCES:

- (1) Correctional Services Article, Annotated Code of Maryland
- (2) Criminal Law Article
- (3) COMAR 12.02.07
- (4) DOC.020.0009, *DNA Sampling of Inmates by the Department of MD State Police*
- (5) DOC.020.0012, *Access to Inmate Case Records*
- (6) DOC.075.0003, *Photocopy Fees*
- (7) DOC.095.0001, *Crime Victim Services Manual*
- (8) DOC.095.0006, *Sexual Offender Registration*
- (9) DOC 105 series, *Inmate Disciplinary Procedures*
- (10) DOC.110.0005, *Record of Segregation Confinement*
- (11) DOC.110.0006, *Disciplinary Segregation*
- (12) DOC.110.0012, *Security Levels and Custody Factors*
- (13) DOC.110.0013, *Inmate Transfers and Housing*
- (14) Medical Parole, §7-309 CSA
- (15) COMAR 12.08.02
- (16) Medical Clearance form - DPSCS Form OTS 130-150-1
- (17) DOC.175.0002, *Indigent Inmates*
- (18) DOC.220.0004, *Inmate Personal Property*
- (19) DOC.250.0001, *Incoming and Outgoing Mail*
- (20) DOC.245.0005, *Inmate Assignments, and Wage Scales*
- (21) Administrative Remedy Program Procedures
- (22) OBSCIS I Manual
- (23) ACA Standards 4-4140, 4-4249 through 4-4258, 4-4260 through 4-4265, 4-4273, 4-4285, 4-4289 through 4-4291, 4-4295 through 4-4304, 4-4446, 4-4452
- (24) MCCS Standards .01O; .01P; .04F; .04I, .05F; .05G; .06A; and .06B
- (25) DPSCSD 124-220, Psychological Evaluations
- (26) DSS Ex-Offender Resource Manual

B. RESCISSIONS:

- (1) DOC.100.0001 Case Management Manual, dated February 28, 2008.
- (2) DCIB #17-09, *Inmates Participating in Outside Detail Assignments with a History of Escape*, dated December 14, 2009.
- (3) DCIB #08-10, *Community Transition Special Leaves*, dated February 8, 2010.

Table of Contents

Section Number	Subject
1.....	Case Management Mission Statement
2.....	Definitions
3.....	Criminal History Verification
4.....	General Commitment Information for Inmates
5.....	Inmate Assignments
6.....	Inmate Transfers
7.....	Security Classification
8.....	Program Eligibility
9.....	Home Detention
10.....	Mutual Agreement Program (MAP)
11.....	Individual Case Plans (ICP)
12.....	Mandatory Remediation Programs
13.....	Work Release
14.....	Community Leave
15.....	Substance Abuse Programming
16.....	Program Resources/Transition Services
17.....	Restoration of Revoked Diminution Credits
18.....	Special Confinement Housing
19.....	Enemy Alerts
20.....	Interstate Corrections Compact (ICC)
21.....	Inmate Progress Reports
22.....	The Base File
23.....	Parole
24.....	Inmate Releases
25.....	Miscellaneous Information
26.....	Audit Compliance

SECTION 1

Case Management Mission Statement

Section 1 ~ Case Management Mission

Case Management Mission Statement

Although public safety remains the focus, the mission of case management is to serve the public interest through the development and monitoring of individual case plans to support inmates' rehabilitative efforts. The development of a multidisciplinary program plan is based on available assessment information, and includes education, occupational training, substance abuse/mental health treatment, cognitive behavior programming, and assignment to work release.

An increased emphasis has been placed on active and ongoing interaction between inmates and case management specialists in order to develop a plan that includes appropriate and attainable goals relating to an inmate's program and treatment needs, and provide for monitoring and adjustment of those plans as necessary. Case management staff shall facilitate the inmate's personal growth, development, and preparation for release through close interaction. In order to assist inmates in their rehabilitative efforts, the Division has developed an ongoing relationship with community organizations, volunteers, and outside agencies that provide transitional services to the inmate population. Those services include transitional housing, personal identification documents, education, training, substance abuse therapy, and cognitive skills development.

Ultimately, case management staff seeks to maximize the opportunity for inmates to make a successful and productive re-entry into the community.

SECTION 2

Definitions

Section 2 ~ Definitions

A. In this manual, the following terms have the meanings indicated.

B. Terms Defined.

- (1) “Administrative assignment” means the process of classifying or assigning inmates by administrative action and supervisory review without case management team action.
- (2) “Administrative Segregation” means a special housing status for an inmate who requires close supervision or segregation from the general population. This status may be utilized to ensure the safety and security of the facility, staff, individual inmate, or the general inmate population.
- (3) “Anticipated Release Date” means the mandatory supervision release date, delayed parole release date, or any scheduled parole hearing or rehearing date that is likely to result in approval for parole (both immediate and delayed release decisions).
- (4) “ASI-CV (Addictions Severity Index-Correctional Version) means” the substance abuse assessment tool utilized to determine an inmate’s eligibility for substance abuse programming offered within the Division of Correction.
- (5) “Authority Move” means an administrative action conducted by a case management manager or designee that carries out a case management action from a general assignment to a specific assignment. Authority moves may be used to assign inmates who are on a waiting list or job bank or in a job or program assignment. Authority moves may not be used for initial assignments, to terminate an inmate from a job or program assignment, or to assign an inmate to a sensitive job (i.e., maintenance, outside detail, etc.) unless the inmate was assigned to the job bank for that specific position.
- (6) “Behavior Management Program (BMP)” means an inmate program based on the cognitive behavioral management program or the Quality of Life program model.
- (7) “CARC means” a community adult rehabilitation center established under §§ 11-301 through 11-320 of the Correctional Services Article of the Annotated Code of Maryland; and COMAR 12.02.03.
- (8) “Central Home Detention Unit (CHDU)” means the Division of Parole and Probation unit responsible for the management and monitoring of inmates assigned to home detention.
- (9) “Child Sexual Offender” means an individual convicted of violating a crime under the age of 15, to include:
 - (a) Violating § 3-602 of the Criminal Law Article;

- (b) Violating any of the provisions of the rape or sexual offense statutes under §§ 3-303 through 3-307 of the Criminal Law Article for a crime involving a child under the age of 15 years;
 - (c) Violating the fourth degree sexual offense statute under § 3-308 of the Criminal Law Article for a crime involving a child under the age of 15 years, and ordered by the court to register under this subtitle; or
 - (d) Committing a crime in another state or in a federal, military, or Native American tribal court that, if committed in this state, would constitute one of the crimes listed in items (a) and (b) of this subsection.
- (10) “Commissioner” means the Commissioner of the DOC.
- (11) “Community Leave” means temporary discharge from confinement for the purposes of participating in a compassionate, family, or special leave.
- (12) “Compassionate Leave means” the conditional leave of an inmate in accordance with § 3-808 of the Correctional Services Article for a specified period of time to visit an immediate family member who is terminally ill, or to attend the family member’s memorial service (excluding burial).
- (13) “Crime of Violence” means as defined in § 14-101 of the Criminal Law Article. As of October 1, 2007, the crimes of violence are: Abduction, Arson in the first degree; Kidnapping; Manslaughter (except Automobile Manslaughter and Involuntary Manslaughter); Mayhem and Maiming as previously proscribed under Article 27, §§ 384, 385, and 386; Murder, Rape, Robbery under §§ 3-402 or 3-403, Robbery with a Deadly Weapon, Carjacking or Armed Carjacking; Sexual Offense in the first degree, Sexual Offense in the second degree; Use of a Handgun in the Commission of a Felony or other crime of violence; an attempt to commit any of the aforementioned offenses; Assault in the first degree; Assault with Intent to Murder; Assault with Intent to Rape; Assault with Intent to Rob; Assault with Intent to Commit a Sexual Offense in the first degree; and Assault with Intent to Commit a Sexual Offense in the second degree; child abuse in the first degree under § 3-601 of this article; sexual abuse of a minor under § 3-602 of this article if:
- (a) The victim is under the age of 13 years and the offender is an adult at the time of the offense; and
 - (b) The offense involved:
 - (i) Vaginal intercourse, as defined in § 3-301 of this article;
 - (ii) A sexual act, as defined in § 3-301 of this article;

- (iii) An act in which a part of the offender's body penetrates, however slightly, into the victim's genital opening or anus; or
- (iv) The intentional touching, not through the clothing, of the victim's or the offender's genital, anal, or other intimate area for sexual arousal, gratification, or abuse.

Note: Prior to October 1, 1994, Burglary and Daytime Housebreaking were also crimes of violence.

(14) "Current Incarceration" means:

- (a) For inmates that have not had their parole revoked during the current term of confinement, the period spans the earliest sentence start date to the maximum expiration of sentence.
- (b) For inmates that have had their parole revoked during the current term of confinement, the period spans their date of return to the Division from parole or mandatory supervision to the maximum expiration of sentence.

(15) "Definite Release Date" means a delayed parole release date, MAP release date, mandatory supervision release date, or maximum expiration of sentence.

(16) "Detainer" means a notification sent by an authorized government or law enforcement official to a correctional administrator:

- (a) Advising the administrator that a specific prisoner has pending charges in the official's jurisdiction; and
- (b) Requesting continued detention of the prisoner or advanced notification of the prisoner's impending release.

The four types of detainers are:

- (i) Highest: detainers, warrants, or pending charges based on adjudicated and unadjudicated charges for a Category I offense, a U.S. Immigration Customs Enforcement agency deportation hearing, an extraditable, unadjudicated charge in a jurisdiction other than the State of Maryland regardless of the category of the offense, a parole violation, or any detainer not listed below.
- (ii) High/Moderate: detainers, warrants, or pending charges based on unadjudicated and adjudicated charges for a Category II-V offense, or criminal non-support.

- (iii) Low: detainers, warrants, or pending charges based on unadjudicated and adjudicated charges for a Category VI-VII offense or a local jail commitment for a consecutive sentence of 12 months or less, or for an overlapping concurrent commitment which will expire 12 months or less after the expiration date, mandatory release date, or predetermined parole release date of the inmate's total sentence.
 - (iv) Non-scoreable: detainers, warrants, or pending charges based on a payable fine; non-incarcerable offenses; civil contempt; traffic offenses, except for manslaughter by automobile, homicide by motor vehicle while intoxicated, or unauthorized use; a commitment for a concurrent sentence that will expire or that has a presumptive parole date on or before the expiration date, mandatory release date, or predetermined parole release date of the inmate's total Maryland sentence; or a documented, non-extraditable charge.
- (17) “Diminution of Confinement” means a reduction in time served in custody through the application of good conduct, industrial, education, or special project credits earned by an inmate in accordance with the provisions of §§ 3-701 through 3-711 and 11-501 through 11-509 of the Correctional Services Article.
- (18) “Disciplinary Segregation” means a special housing status, removed from the general inmate population, for those inmates who have been found guilty at an adjustment hearing of violating Division rules, institutional rules, or both.
- (19) “Domestic Violence” means a pattern of abusive and controlling behaviors, both emotional and physical, exercised by one intimate partner over another.
- (20) “Enemy” means an inmate who has been determined by case management staff to have the potential to inflict physical or mental harm on another inmate, should they come in contact.
- (21) “Escape” means a documented incident of unauthorized absence from lawful confinement or custody (adult facilities). For the purpose of security classification and statistical data collection, escapes shall be divided into two categories:
- (a) Secure Confinement Escape: the unauthorized departure from within the secure perimeter of any administrative, maximum, medium, or minimum- security level facility, or unauthorized departures by an inmate or detainee while being escorted or transported in restraints.
 - (b) Breach of Trust Escape: the unauthorized departure from a pre-release security level facility, including all incidents of inmates or detainees classified minimum or pre-release security, who depart while in the community, without restraints, with or without supervision.

- (22) “Exclusionary Offender” means an inmate who is excluded from consideration for a reduction in security level until the inmate is within a specified period to a definite release date as prescribed by case management policy. Once within the specified period, the inmate is no longer considered an exclusionary offender.
- (23) “Family Leave” means a leave:
- (a) Authorized in accordance with § 3-811 of the Correctional Services Article;
 - (b) Granted to a pre-release security inmate that allows him or her the opportunity to reestablish family ties; and
 - (c) To assist the inmate in developing a stable home environment upon release through authorized leave to his or her home.
- (24) “Home Detention” means a community-based program in which an eligible inmate resides in an approved private dwelling under monitoring and supervision by the Community Surveillance and Enforcement Program (CSEP).
- (25) “Home Detention Sponsor” means a person who:
- (a) Is willing to assist the inmate while assigned to the home detention program;
 - (b) Need not be a relative of the inmate;
 - (c) Is a responsible adult and is willing to assist the inmate with routine tasks of daily living; and
 - (d) Is willing to abide by all rules and guidelines established by the Executive Director of the CSEP.
- (26) “Housing Identifier” means:
- (a) “G” (General): an inmate has been reviewed for placement in general population and is considered suitable for double-cell or dormitory housing.
 - (b) “S” (Special): that certain factors such as aggressive behavior, health problems (medical or mental), or a history of victimization preclude the inmate’s assignment to the general population and requires special confinement housing.
- (27) “Immediate Family Member” means the inmate’s spouse, parent, sibling, child, grandchild, grandparent or great grandparent. This includes a person who maintains any of these relationships through marriage or adoption.
- (28) “Inmate Case Record” means paper or automated records assembled, maintained, and used by case management staff in accordance with Correctional Services Article, § 3-

602, ACM. It excludes other parts of the case record maintained by education, medical, mental health, addictions treatment and social work service providers, access to which is governed by regulations and directives specific to those areas.

- (29) “Interstate Corrections Compact (ICC)” means a legal agreement that enables states that are signatories to the Compact and that have a contractual agreement between them to consider the transfer of inmates confined or sentenced to a correctional facility of one signatory state for confinement and program participation in another, if appropriate.
- (30) “Job Bank” means a chronological listing of the names of all inmates who are eligible to work or attend an educational assignment, but for whom no work or education assignment currently exists.
- (31) “Labor Pool” means a facility job assignment by which an inmate earns industrial credits, but does not receive pay.
- (32) “Major Adult Incarceration” means any adult incarceration where the inmate has been sentenced to a total term of confinement of six months or more.
- (33) “Mandatory Remediation Program” means any structured program designated by the Commissioner or by state law in which an inmate shall participate if deemed eligible and qualified. Refusal to participate in such a program shall subject an inmate to the disciplinary process.
- (34) “Mandatory Supervision Release (MSR)” means the conditional release, under the provisions of §§ 7-501 through 7-506 of the Correctional Services Article, of an inmate who was sentenced for an offense committed on or after July 1, 1970, and who has served the term(s) less the diminution of confinement deductions provided for in §§ 3-701 through 3-711 and 11-501 through 11-509 of the Correctional Services Article. Upon release, such an inmate shall be deemed as if on parole and shall remain under the supervision of the Division of Parole and Probation until the expiration of the maximum term(s) for which the inmate was sentenced.
- (35) “Maryland Parole Commission (MPC)” means an agency within the Department of Public Safety and Correctional Services that has the statutory authority to parole inmates.
- (36) “Mutual Agreement Plan (MAP)” means a three-party agreement among the Maryland Parole Commission, the DOC, and an inmate that provides access to programs and services, as well as a specific date of release on parole supervision.
- (37) “Occupational Skills Training Center (OSTC)” means a correctional facility with programs designed to provide skill training to eligible inmates in the Baltimore metropolitan area. The Maryland State Department of Education in conjunction with the DOC and area community colleges sponsor programs.

- (38) “Official Version of an Offense” includes any of the following:
- (a) A report from a state’s attorney describing an offense;
 - (b) A pre-sentence investigation that includes a description of the offense other than the inmate’s version;
 - (c) A police report of the offense or the statement of charges;
 - (d) A description of the offense, other than the inmate’s version, which is included in Patuxent Institution case records; or
 - (e) A description of the offense, other than the inmate’s version, which is included in previous parole decisions from the Maryland Parole Commission.
- (39) “On-Site Job Check” means a staff visit to any inmate’s work release job site to ensure proper supervision and working conditions and, where possible, to physically observe the inmate.
- (40) “Parole” means a conditional release order from imprisonment granted by the Maryland Parole Commission, evidenced by a written order, which entitles the recipient to serve the remainder of the term outside the facility if the inmate satisfactorily complies with all terms and conditions provided in the order.
- (41) “Protective Custody” means a special housing status for an inmate who requires long term separation from the general population, protection for safety reasons, or both.
- (42) “Reception Status” means the time between an inmate’s arrival in a Division of Correction reception unit for the purposes of identification, evaluation, initial classification, and the inmate’s transfer to a maintaining institution.
- (43) “Release” means any type of discharge from custody of the supervising authority. This includes release on parole, by court order, mandatory supervision release, expiration of sentence, work release, and community leave. Release does not include an escape.
- (44) “Release by Expiration” means the unconditional release of an inmate:
- (a) Whose only sentence or sentences are for offense(s) committed before July 1, 1970, and who has served the term, less diminution of confinement deductions provided for in §§ 3-701 through 3-711 and 11-501 through 11-509 of the Correctional Services Article;

- (b) Who has served a term of confinement of twelve months or fewer, less diminution of confinement deductions provided for in §§ 3-701 through 3-711 and 11-501 through 11-509 of the Correctional Services Article; or
 - (c) Who has served the maximum term or terms for which the inmate was sentenced without the benefit of diminution credits.
- (45) “Special Confinement Housing” means an assignment of an inmate to administrative segregation, disciplinary segregation, protective custody, or other special needs housing.
- (46) “Special Leave” means leave authorized in accordance with § 3-810 of the Correctional Services Article, for a specified period of time in order to participate in certain programs and activities deemed beneficial to the rehabilitative process of the inmate and not detrimental to the public.
- (47) “TCU (Texas Christian University) Assessment Tool” means the preliminary method utilized to identify inmates that require additional assessment for placement in substance abuse programming offered within the DOC.
- (48) “Terminally Ill” means a medical condition resulting from injury or illness where the subject’s survival is not expected and death is imminent.
- (49) “Term of Confinement” means the period of time listed on the OBSCIS 09 “Maintain Legal Data” screen from the earliest start date to the maximum expiration date.
- (50) “Violent Crime” means as defined in §7-101 of the Correctional Services Article, ACM, as of October 1, 2007, violent crime means Burglary in the first, second, or third degree; and the crimes of violence as defined in § 14-101 of the Criminal Law Article.
- (51) “Work Release Earnings” means any of the following:
 - (a) Earned wages;
 - (b) Worker’s Compensation checks;
 - (c) Gratuities and tips;
 - (d) Vacation pay;
 - (e) Bonuses (i.e., Christmas, production);
 - (f) Checks received as replacements for checks returned; and
 - (g) Training stipends.

- (52) “Work Release Net Earnings” means the amount of funds remaining after deduction of mandatory Federal, State, and FICA taxes.
- (53) “Youth Program” means a specialized program offered at the Patuxent Institution in accordance with §4-401 of the Correctional Services Article, for an eligible and approved inmate under the age of 21 at the time of their reception into the Division of Correction, who are serving a term of confinement of three years or more.

SECTION 3

Criminal History Verification

Section 3 ~ Criminal History Verification

A. Division of Correction staff shall obtain criminal history information from sources that include, but are unlimited to:

- (1) The Federal Bureau of Investigation (FBI);
- (2) Maryland State Police (MSP);
- (3) Maryland Division of Parole and Probation (DPP); and
- (4) Other state and local criminal justice agencies.

Criminal history information is confidential and may not be disclosed except as provided for under applicable federal and state laws and regulations.

B. Within 10 days of an inmate being received into the Division, designated staff shall retrieve the following criminal history documents:

- (1) CJIS Central Repository Inquiry (Ident or Index);
- (2) Maryland RAP Sheet;
- (3) NCIC III – FBI RAP Sheet (to include other states);
- (4) OBSCIS II (OBII) Supervision and Investigation Screens;
- (5) Maryland/NCIC Warrant Screen check; and
- (6) JIS – District Court Warrant search (to include committed name and all known aliases).

C. To comply with the MSP and NCIC standards for *NCIC Interstate Identification Index (III) Responses* (automated FBI report), case management staff shall adhere to the following procedures:

- (1) In cases where an FBI rap sheet is distributed to any individual other than the employee retrieving the information, an *NCIC III Dissemination Log*, Appendix 1 to CMM-03, shall be completed and attached to the corresponding case management action. At the completion of the action, the FBI rap sheet shall be destroyed, and the NCIC dissemination log is maintained on file for audit purposes for a period of three years. After three years, the log shall also be destroyed.
- (2) If the NCIC III Response is reviewed only by the case management specialist who has retrieved the record, the NCIC dissemination log is not required.

- D. All criminal history documents to include correspondence shall be maintained in the inmate's case record, with the exception of NCIC III Responses.
- E. Reception Units ~ Clearing the Criminal History.
- (1) Case management specialists shall make a reasonable effort to obtain dispositions for all criminal offenses listed on the inmate's criminal history documents that have occurred in the last 10 years, with the following exception: arrests for civil contempt of court including non-support, traffic offenses, or failure to appear. This exception does not require the disposition to be verified regardless of the age of the charge. In determining final dispositions, case management specialists are to use all methods at their disposal, including access to court screens, METERS, web based criminal history information, and written or verbal communication with courts, prosecutors, and other criminal justice agencies. All attempts to obtain dispositions shall be documented on the *Criminal History Verification Record*, Appendix 2 to CMM-03.
 - (2) In cases where active warrants or open charges have been identified, case management specialists shall ensure the appropriate court, or agency of record is notified of the inmate's whereabouts. The court or agency may issue a writ, place a detainer, or take any other appropriate action. Any request from an agency wishing to place a detainer shall be forwarded to Commitment for processing.
 - (3) In cases where a probation, parole, or mandatory supervision release case is still open, case management specialists shall investigate the OBII and PARIS screens, as appropriate, to determine if any action has been taken on the case. If further clarification is necessary, the case management specialist shall contact the agent of record or other appropriate staff at the agent's office. Case management specialists shall take care to recognize cases that were closed pending warrant service, which may require follow-up action as appropriate.
 - (4) Male reception units are not required to obtain dispositions for inmates who are not program eligible and are initially classified to a medium or higher security level designation. The maintaining facility shall provide follow-up action in regard to obtaining dispositions as necessary as these cases.
 - (5) Inmates born outside the United States or its territories shall be referred to the Immigration Customs Enforcement (ICE) agency for investigation utilizing the request, for *ICE Investigation* form, Appendix 3 to CMM-03. Should it be determined the inmate is a U.S. citizen, designated staff shall enter the 3A code "US Citizen" on the OBSCIS 02, *Maintain Alerts* screen.

F. Maintaining Facility.

Within 30 days of transfer to a maintaining correction facility (at the time of initial classification for an inmate who will remain at a reception unit), the assigned case management specialist shall review

the *Criminal History Verification Record* and conduct any follow-up action necessary regarding open charges, warrants, and requests for missing dispositions.

G. Official Versions.

- (1) If not previously acquired, the assigned case management specialist shall request an official version of the offense(s) for all sentences an inmate is currently serving, excluding:
 - (a) Offenses where an inmate has been sentenced to 18 months, or less; and
 - (b) District court cases.
- (2) If OBII indicates a Pre-Sentence Investigation (PSI) had been completed prior to sentencing, and a copy has not been received within 45 days of the inmate's arrival at a maintaining facility, the assigned case management specialist shall request a copy from the appropriate DPP office, either via e-mail or written correspondence.
- (3) If an official version of the offense has not been received within 45 days of the inmate's arrival at a maintaining facility, the assigned case management specialist shall request a copy from the appropriate State's Attorney, utilizing the *Request for Official Version* form, Appendix 4 to CMM-03.

H. Intrastate Detainers.

When a notice of untried indictment, information, warrant, or complaint against an inmate who is serving a sentence in the Division is received by Commitment, designated staff shall:

- (1) Forward a copy of the document to case management staff, who shall inform the inmate of the detainer.
- (2) Take no additional action if the detainer is adjudicated, or if the detainer is for any of the offenses listed below. In these cases the inmate has no right to a fast and speedy trial. While an inmate may not file a request for a fast and speedy trial for Failure to Appear, the inmate may file a request for a fast and speedy trial for the underlying offenses:
 - (a) Parole Violation;
 - (b) Violation of Probation;
 - (c) Failure to Appear; and
 - (d) Failure to Pay.
- (3) If the detainer is unadjudicated, case management staff shall:

- (a) Notify the inmate within 15 days of receipt of an unadjudicated intrastate detainer utilizing the *Notice of Intrastate Detainer*, Appendix 5 to CMM-03.
- (b) Ensure the inmate is notified of:
 - (i) The source and content of the detainer; and
 - (ii) The inmate's right to request a final disposition of the untried indictment, warrant, information, or complaint upon which the detainer is based.
- (c) Complete the *Request for Disposition of Intrastate Detainer*, Appendix 6 to CCM-03, and have the inmate sign it, if the inmate desires a fast and speedy trial.
- (d) Complete the *Certificate of Inmate Status*, Appendix 7 to CMM-04.
- (e) Ensure that within 30 days of the date the inmate signs the *Request for Disposition of Intrastate* detainer, all paperwork is:
 - (i) Completed;
 - (ii) Signed by the managing official or designee; and
 - (iii) Distributed via certified mail to the State's Attorney Office, and the court of jurisdiction with a return receipt requested.
- (f) Attach the *Certified Mail Receipt* (PS Form 3800) and *Domestic Return Receipt* (PS Form 3811) to the original paperwork and place them in Section 1 of the inmate's case record once received.

I. Interstate Agreement on Detainers.

When a notice of untried indictment, information, warrant, or complaint against an inmate who is serving a sentence in the Division is received, the case management specialist shall follow the procedures outlined in the *Maryland Extradition Manual*. The *Maryland Extradition Manual* can be found at:

<http://www.sos.state.md.us/Services/MD-ExtraditionManual2009.pdf>

The section that deals with interstate detainers is on page 39, titled "Maryland as Incarceration (Sending) State".

J. Criminal History Verification Manual.

Specific information regarding the access to criminal history sources is outlined in the *Criminal History Verification Manual*, appendix 8 to this section.

Division of Correction Manual: DOC.100.0002

Case Management

March 31, 2010

K. Inmate Releases.

Inmate release responsibilities and requisite warrant checks are covered in DOC.230.0005.

SECTION 4

General Commitment Information for Inmates

Section 4 ~ General Commitment Information for Inmates

DETAINERS

How do I arrange to go to court and have my detainer lifted?

Your case management specialist can assist you with completing the paperwork to request a trial. However, you cannot request a fast and speedy trial if the detainer is for a parole violation, violation of probation, failure to appear or failure to pay a fine.

I went to court and was sentenced to a local detention center. Why do I still have an open detainer?

The sentence to the local detention center remains open as a detainer until the date of local sentence is completed. The reason for this is that if you were scheduled for release from the Division, and the local sentence was not completed, you would go to the detention center to finish serving that sentence.

SENTENCES

What is the difference between concurrent and consecutive sentences?

Concurrent means at the same time. For example, 5 years and 5 years concurrent is a total of 5 years, if both sentences begin on the same date. Consecutive means one followed by another. For example, 5 years and 5 years consecutive is a total of 10 years.

Why did my maximum expiration date change after I was returned from parole or mandatory supervision release date?

While you are under supervision, you are expected to serve your term until the maximum expiration date. When you violate the conditions of your release, a revocation hearing is held and the Maryland Parole Commission determines whether you may continue to serve the balance of the term on supervision. If your parole is revoked, the Maryland Parole Commission determines whether you will be given credit toward the service of your term while you were on parole. Your maximum expiration date is adjusted for the time you were not in custody. The time period that you were on parole is not considered time served unless the Maryland Parole Commission awards street credit. Street credit allowed at the revocation hearing will be deducted from the adjusted maximum expiration date. Your new maximum expiration date will reflect the number of days you were on parole and did not receive credit for time served toward your term.

DIMINUTION OF CONFINEMENT

What types of diminution credit are awarded?

The four types of diminution credits are:

Good Conduct Credit (GCC): Awarded in accordance with §3-704 of the Correctional Services Article, Annotated Code of Maryland,

Industrial Credit (IC): Awarded under §3-705, Correctional Services Article);

Education Credit (EC): Awarded under §3-706, Correctional Services Article); and

Special Project Credit (SPC): Awarded under §3-707, Correctional Services Article and in accordance

with COMAR 12.02.06.04. SPC is awarded for school programs and some job assignments. SPC may also be awarded for double cell, if all eligibility criteria are met in accordance with COMAR 12.02.06.04.

What is my release date? How can I get my release date?

Your mandatory supervision release date is the latest maximum expiration date of the term of confinement minus the number of diminution credits that you have earned. You may request your release date from your case management specialist once per year, or if there is a significant change in the length of your term of confinement. The release date is recorded on OBSCIS I, Screen 17, *Maintain Diminution of Confinement Record*.

How is it determined who is eligible for double good conduct credit?

Good conduct credit is awarded at the rate of ten credits per month for sentences imposed on or after October 1, 1992. However, if the term includes a sentence imposed on or after October 1, 1992 for a crime of violence (as defined in §14-101 of the Criminal Law Article, Annotated Code of Maryland) or for a sentence imposed for a crime of manufacturing, distributing, dispensing, or possessing a controlled dangerous substance in violation of §§ 5-602 through 5-609, § 5-612, or § 5-613 of the Criminal Law Article, Annotated Code of Maryland, good conduct credit is awarded at the rate of five credits per month.

Why is the date entered on Line 1, DATE GCC BEGINS on Screen 17 different from the day that my sentence began?

In accordance with Maryland Law (§3-704 of the Correctional Services Article), generally, good conduct credit is awarded from the date the sentence is imposed; in many cases this is not the same as the sentence start date. This is the date entered on line 1. of the diminution record. Credits earned between the sentence start date and the sentence imposition date shall be certified by the local detention center. If you were serving a sentence in another jurisdiction, good conduct credit will be awarded toward your Maryland sentence from the date you were received into the Division of Correction.

How are diminution credits calculated and when are they awarded?

Good conduct credit is awarded in advance over the entire term of confinement when you arrive in the Division. IC, EC, and SPC for program participation and job assignments are automatically awarded on the 8th day of each month for the previous month, based on the program assignment on OBSCIS I, Screen 13, *Maintain Program Assignment and Termination*. SPC for housing is awarded after the automated posting has been completed.

What if I think there is a problem with the number of credits I have been awarded?

Diminution credits are awarded based on the number of days you were assigned to a job or program. If you are assigned to a job or program for a partial month, credits are prorated and awarded for the partial month. If you believe that an error exists in your job or program assignment information, you may request that case management staff review your record. If you believe that an error exists in the number of credits that were awarded, you may write the commitment office and request that commitment staff review your diminution record. However, you shall state specifically where you believe the error has been made.

How is it determined who is eligible for special project credits for housing (double celling)?

The sentencing criteria and housing requirements for SPC for housing is listed in COMAR 12.02.06.04. The application of this credit may not exceed the statutory maximum allowed by law for any given month.

What is the maximum number of credits that may be awarded each month and how is this determined?

In accordance with the Correctional Services Article, Annotated Code of Maryland, if all sentences were imposed before October 1, 1992, the maximum number of credits that may be applied toward the term is fifteen (15) credits per month (the sum total of GCC, IC, EC and SPC). For a term imposed, on or after October 1, 1992, or for a period of the term that is represented by sentences imposed on, or after October 1, 1992, the maximum number of credits that may be awarded is twenty (20) credits per month (the sum total of GCC, IC, EC, and SPC).

If my parole or mandatory supervision release is revoked, can I still earn diminution credits?

If you were sentenced for offenses committed on, or after July 1, 1989, released to mandatory supervision and your supervision is later revoked by the Maryland Parole Commission, in accordance with §7-504 of the Correctional Services Article, Annotated Code of Maryland, you may not earn new credits toward the term on which you were released. You may earn credits toward a new sentence.

If parole is revoked, you may begin to earn new credits after parole is revoked. If you are also serving a new sentence, you may earn credits toward the new sentence.

(Rev. 3/10)

SECTION 5

Inmate Assignments

Section 5 ~ Inmate Assignments

A. A case management specialist in its entirety shall complete the *Case Management Assignment Sheet*, Appendix 1 to CMM-05, for the following case management actions:

- (1) Assignment to programs and security designations that are contingencies of an approved parole decision;
- (2) Lateral transfers;
- (3) Work release consideration;
- (4) Restoration of revoked diminution credits;
- (5) Initial job assignments;
- (6) Outside Detail assignments; and
- (7) Administrative segregation placement.

These actions may also be addressed separately without completing a *Case Management Assignment Sheet* during the conduct of a security classification action restoration excluded.

B. Administrative assignment shall be used for all case management actions except:

- (1) Administrative segregation reviews;
- (2) Behavior management program reviews;
- (3) Actions conducted by authority move; or
- (4) Any other action by law, or DOC procedures now, or in the future that requires case management team review.

C. A minimum of three employees comprise a case management team. Unless noted otherwise, the team shall consist of a:

- (1) Case management manager, supervisor, or specialist II, who shall chair the team;
- (2) Case management specialist, psychological associate, or social worker; and
- (3) Correctional officer at the rank of sergeant, or above.

Other staff members, although not required, may participate as a member of a case management team when appropriate, for example education staff.

D. Supervisory Review.

- (1) The case management supervisor, case management manager, or facility administrator shall review the case manager's recommendation and relevant case record material. The individual shall:
 - (a) Make a decision regarding the case manager's recommendation; and
 - (b) Provide rationale for the decision as appropriate.
- (2) In facilities without a case management supervisor, or manager, the facility administrator may sign as both the reviewing supervisor and managing official's designee.
- (3) In all other facilities, the reviewing supervisor may not sign as the managing official's designee.

E. Managing Official's Review.

- (1) Based on a thorough review of the facts and circumstances concerning the case and any rationale expressed by case management staff, only the managing official may approve, disapprove, order further proceedings, or make an independent decision different from any recommendation made by the case management specialist with supporting rationale, for that decision in all of the following case management actions:
 - (a) Work release;
 - (b) CARC transfers;
 - (c) Outside detail participation;
 - (d) Initial community leave approval, suspension, removal;
 - (e) Restoration of revoked diminution credits;
 - (f) Any override to deny a decrease from medium to minimum security; and
 - (g) Any other case management recommendation, which by law, or directive now, or in the future, requires the managing official's personal review.
- (2) The managing official may designate the assistant warden to approve, disapprove, order further proceedings, or make an independent decision different from any recommendation made by the case management specialist with supporting rationale, for that decision in all of

the following case management actions:

- (a) Administrative segregation reviews;
 - (b) Removals from disciplinary segregation; and
 - (c) Assignment to and removal from protective custody.
- (3) Although encouraged personally to review all case management recommendations, the managing official may designate other staff to review other case management actions. The designee is to approve, disapprove, order further proceedings, or make an independent decision different from any recommendation made by the case management specialist with supporting rationale for that decision.

F. Commissioner's Review.

The Commissioner, or as allowed by law the Commissioner's designee shall serve as the final reviewing authority in all of the following case management actions:

- (1) Increases from lesser security to maximum;
- (2) Decreases from maximum to lesser security;
- (3) Transfer for behavior management program consideration;
- (4) Work release consideration for an inmate serving a suspended life sentence;
- (5) Special leave, or compassionate leave;
- (6) ICC transfers;
- (7) Repatriation program consideration;
- (8) Public safety compact consideration;
- (9) A recommendation for an inmate to remain on administrative segregation for greater than one year;
- (10) Out of state work release assignments;
- (11) Recommendations for restoration of lost diminution credits where the credits were revoked for a mandatory remediation program violation;
- (12) Any classification action disapproving an inmate for participation in a program, or

assignment that is a contingency of a delayed parole release decision;

- (13) All recommendations regarding contractual transfers under the provisions of *Intergovernmental Agreement*, ODT-1-8-0007;
- (14) All recommendations regarding international prisoner transfer;
- (15) Any case management action previously disapproved by the Commissioner that warrants reconsideration; and
- (16) Any other recommendation, which by law, or Division procedures now, or in the future, requires the Commissioner's review.

G. Institutional Job and Program Assignments.

- (1) Unless unavailable for review, an inmate shall be seen by case management staff for an initial program assignment within 30 calendar days of arrival. This action shall include the identification and discussion of the inmate's future programming needs, and review and adjustment of any component of the inmate's individual case plan. When the inmate does not possess a report of separation from military service (DD214), if applicable; or a signed digital identification card, the case management specialist shall:
 - (a) Assist the inmate in obtaining the document, or identification by completing and submitting the appropriate application to the facility coordinator as outlined in Section 24, letter D. of this manual; and
 - (b) Document in the inmate case record all information regarding the initial contact with the inmate
- (2) An inmate is expected to maintain a work or program assignment. If an assignment is not available, the inmate shall be placed on a waiting list or labor pool. An inmate may not decline facility job, program, or housing assignments. To do so is a violation of facility rules and shall subject the inmate to disciplinary action.
- (3) An inmate shall be notified either verbally, or in writing by utilizing the *Waiver and Notification of Case Management Action* form, Appendix 2 to CMM-05, of the final decision in all case management actions.
- (4) An inmate may perform janitorial duties, maintenance work, or deliver food in the facility's health care unit. However, under no circumstances shall an inmate have access to medical records, perform clerical duties for the medical department, or be given direct or indirect knowledge of another inmate's medical status.
- (5) Authority moves may be used to assign inmates who are on a waiting list, job bank, in a job, or program assignment utilizing the *Authority Move* form, Appendix 3 to CMM-05. Authority

moves may not be used for initial assignments to terminate an inmate from a job or program assignment for punitive reasons; or to assign an inmate to a sensitive job that is maintenance, or outside detail, unless the inmate was assigned to the job bank for that specific position.

- (6) An inmate may work in traffic, commissary, or case management areas. However, under no circumstances shall an inmate be placed in a position of authority over another inmate, or have access to confidential records or information.
- (7) An inmate may not be assigned to a facility job, program, or be allowed to change a job, or program assignment when the inmate is within 60 days of mandatory release, unless approved by the Director of Case Management. Valid exceptions that may be referred for approval include:
 - (a) Assignment to home detention;
 - (b) Assignment to special education as mandated; or
 - (c) To fill a critical need in the correctional facility, for example dietary assignment in a pre-release unit.

Note: Placement in a special confinement housing unit that necessitates a change in the inmate's job or program assignment does not require headquarters approval.

- (8) An inmate may participate in both program and work activities, but may only receive diminution credits where eligible for a single program or assignment for which the inmate has been formally assigned by case management staff. In order to participate in a voluntary assignment, an inmate shall sign an acknowledgement form in accordance with facility policy.
- (9) An inmate with at least one documented disability shall be afforded job and program opportunities that are appropriate, considering their limitation(s).
- (10) An inmate may not begin a job or program assignment prior to the date of the case management action recommending the assignment. The effective date of the assignment shall be the date of the approving authority's signature, unless otherwise specified. If the assignment is made by an authority move, the effective date of the assignment shall be the date listed on the authority move form.
- (11) Before assignment to a job, or job bank an inmate who is ineligible to earn diminution credits shall sign the *Notification and Waiver* form, Appendix 4 to CMM-05, acknowledging the inmate will receive only monetary compensation, if assigned to a facility job, or program.
- (12) An inmate may decline to be present for any required case management team action by completing the waiver of appearance section of the *Waiver and Notification of Case Management Action* form, Appendix 2 to CMM-06.

- (13) An inmate may submit informal remedy requests regarding case management recommendations and decisions by following facility procedures. Case management recommendations, decisions, and actions may not be addressed through the Administrative Remedy Procedure (ARP).
- (14) An inmate may not request a change of job assignment more frequently than once every six months. An inmate may not request a change in program assignment until the program has been successfully completed or the program completion date has expired, or the program has been cancelled.
- (15) An inmate returned to the custody of the DOC solely on the strength of a parole retake warrant, and who has not had a parole revocation hearing may volunteer for a facility job or program of which the inmate may not receive diminution credit.
- (16) An inmate held in temporary custody for more than 10 days shall be removed from any program to which the inmate was assigned by case management action. Whenever possible, the inmate shall be returned to the same assignment when returned to the facility.
- (17) Waiver of Extradition.
 - (a) Before being considered for the privilege of pre-release security, home detention, work release, community leave, or assignment to an outside detail, an inmate shall sign a *Waiver of Extradition* form, Appendix 5 to CMM-06, which shall be obtained by the staff person initiating the action being considered.
 - (b) The inmate shall sign next to each privilege being considered. The failure of an inmate to sign shall be sufficient reason for not considering the action any further.
- (18) An inmate shall be removed from work release, or terminated from facility work and program assignments without case management team action:
 - (a) On the date the inmate is assigned to administrative segregation, or protective custody, as recommended by case management and as approved by the managing official;
 - (b) On the date of the beginning of a disciplinary segregation sentence approved by the managing official;
 - (c) On the date an inmate escapes from custody; or
 - (d) On the date an inmate in the pre-release system or BARS is found guilty of a category I, II, or III rule violation, regardless of sanction.

H. Mandatory Education Assignments.

- (1) An inmate who is not a high school graduate, does not possess a GED, and have at least 18 months remaining to serve upon reception into the DOC shall be assigned to or placed on a waiting list for school at their initial program assignment, unless the inmate completed mandatory education requirement during a prior incarceration.
 - (a) The inmate is required to participate in school for a minimum of 120 calendar days, and is to be encouraged to remain in school at the conclusion of the required period. An inmate's refusal to participate in mandatory education shall subject the inmate to disciplinary action.
 - (b) Once assigned to school, an inmate may not be transferred unless the managing official, or designee determines a transfer is necessary. If any inmate is transferred before completing 100 days of a required 120-day assignment, the inmate shall be assigned to school and shall complete the balance at the facility where the inmate is transferred.
- (2) Case management staff shall notify the principal of any new inmate, who is under 21 years of age and, does not have verification of a high school diploma or GED. On the written request of the principal, any inmate under 21 years of age with an active Individual Education Plan (IEP), or prior special education shall be assigned by authority move to school (special education) within 10 days of the inmate's arrival at the facility. Except in extraordinary cases, the principal shall submit the request in sufficient time to allow five working days for the authority move to be completed. Inmates in this status may not be housed at an institution where special education services are not available.
- (3) Wherever possible an inmate shall be allowed to remain at their current facility in order to complete programming.

I. Inmate Job Bank.

- (1) Each facility shall establish job banks as necessary to maintain waiting lists for assignment to general program and work assignments. The number of job banks and work details they serve will be determined at the facility level to meet the specific needs of each facility.
- (2) An inmate shall be assigned to a job or program from a job bank in order of placement, with those inmates who have been waiting the longest being assigned first. However, if a job or program requires special skills, education, or has restrictions based on the nature or location of the position, an inmate who possesses the special skills, education, or who is not restricted may be assigned ahead of other inmates on the job bank, provided the special circumstances are documented by case management and the inmate is selected by the detail supervisor.
- (3) An inmate who completes a program such as GED, etc., and occupational shop shall be reassigned within 30 days of completion. These inmates shall be given priority in the assignment to a new job or program. An inmate who is unassigned due to a removal from a job, or assignment or completion of a special confinement status, for example disciplinary segregation shall be reassigned within 90 days of removal. This provision does not apply to an

inmate who is terminated or fired. This reassignment may result in assignment to a program, job, or job bank, or continuation of an unassigned status.

J. Inmate Labor Pool.

- (1) Any facility that maintains a general population idleness rate of 30 percent or greater shall establish an inmate labor pool except for work release units. Any facility with a lesser idleness rate may utilize an inmate labor pool if they so choose.
- (2) Labor pool details may include, but are unlimited to:
 - (a) Paint details;
 - (b) Sanitation; and
 - (c) Snow removal.
- (3) An inmate assigned to the labor pool shall work a minimum of three days per week.
- (4) Case management staff shall ensure the OBSCIS I, screen 13 is updated for each inmate assigned to the labor pool.
- (5) The managing official shall designate staff to record the days an inmate actually worked on the *Monthly Inmate Payroll* form, and ensure at the end of every month the form is forwarded to the facility case management department head. The documentation shall be forwarded by the Monday following the last day of the month. The case management department head shall:
 - (a) Review the documentation to ensure the inmate has worked the required minimum of three days per week;
 - (b) If it is determined that the inmate is not working the required number of days, the inmate shall be reassigned by case management from the labor pool to an unassigned or job bank status; and
 - (c) If an inmate has been credited for days not worked, staff shall make the appropriate changes to the OBSCIS I screen 13 database, and immediately notify the commitment office of the changes.

On notification, commitment staff shall deduct diminution credits that were awarded for any period the inmate was unassigned.

- (6) The managing official at each facility that utilizes an inmate labor pool shall issue a facility directive to designate the number of inmates that may be assigned to the labor pool, and implement the provisions of this manual.

K. Outside Detail Participation.

Participation in an outside detail serves to provide beneficial work experience and to prepare an inmate for eventual work release assignment.

Eligibility.

An inmate may be considered for placement on an outside detail assignment provided the inmate:

- (1) Is classified to minimum or pre-release security;
- (2) Is within five years of an anticipated release date;
- (3) Has no scoreable open charges or detainers;
- (4) Has not escaped within the last 10 years; and
- (5) Does not have to register as a sex offender upon release.

Note: In accordance with DOC.110.0012, minimum security inmates assigned to outside details shall be directly supervised by DOC staff. Pre-release security inmates may participate in outside detail assignments without direct observation, or supervision.

L. Reservation Codes:

An updated listing of inmate job and program assignment codes is routinely distributed, but is also available upon request to the Director of Case Management.

- (1) Screen 13 "*Maintain Program Assignment and Termination*": Data entry on the 13 screen may be backdated up to five days by all staff that has basic OBSCIS permission levels. In addition, each facility has staff identified and authorized by HQ Data Processing to enter information beyond the five day mark. It is critical that Commitment be notified of any changes that may require manual credit adjustment.

In regard to cases where the inmate is within 60 days of release and their record is locked, upon request Commitment shall unlock the record for necessary changes to be entered.

- (2) Screen 14 "*Maintain Reservation Data*": Program reservations may be entered to schedule an inmate for participation in any program with available cycles entered on the reservation screen. When entering a reservation, case management staff shall utilize the type code "GR" for "general reservation".

The only disposition code for use on the 14 screen is 04 "INITIATED", which is utilized to indicate participation in a reserved program has commenced. Under no circumstances

Division of Correction Manual: DOC.100.0002

Case Management

March 31, 2010

should any other disposition code be used. Reservations that need to be updated should be deleted and re-entered rather than cancelled.

SECTION 6

Inmate Transfers

Section 6 ~ Inmate Transfers

A. General Transfers:

- (1) An inmate may request a lateral transfer if the inmate has:
 - (a) Been housed at the current facility for a minimum of two years;
 - (b) Not received a guilty finding for a facility rule violation for at least two years; and
 - (c) Been removed from disciplinary segregation for at least two years.

An eligible inmate shall be placed on a transfer waiting list and moved as bed space becomes available. Note: An inmate who requests placement on the transfer list shall be transferred to an available facility at a similar security level. No guarantee shall be made to the inmate regarding specific facilities or regions. Further, given the limited number of facilities at certain security levels, transfers might not be an option. As such, the inmate can maintain no expectation regarding transfer.

- (2) In considering an inmate for transfer, case management staff shall take into account the inmate's programming needs, existing enemy alerts, and prior traffic history. An inmate may not be transferred to an institution where previously housed unless three years have elapsed or special circumstances are documented that warrant the return.
- (3) A facility may not refuse to accept a properly classified inmate without sufficient justification. The Director of Case Management shall in consultation with the Commissioner, or designee, make the final determination should any dispute arise regarding an inmate's transfer.
- (4) An inmate may not be transferred from one DOC maintaining correctional facility to another when the inmate is within 60 days of a scheduled parole hearing or release unless:
 - (a) The transfer is the result of reclassification to increased security;
 - (b) The inmate is being placed on home detention;
 - (c) The inmate is transferred for a disciplinary hearing;
 - (d) The transfer is effected in accordance with the release directive, DOC.230.0005; or
 - (e) A documented emergency necessitates the move.

- (5) An inmate who receives a stayed sentence and is transported to a minimum or pre-release facility shall automatically be assigned to pre-release security status until returned to the custody of the DOC. At that time, the inmate's security status shall be re-assessed by case management staff.

B. Medical or Mental Health Transfers.

- (1) Temporary transfers from one facility to another for medical, or mental health reasons may be effected without case management action.
- (2) If an inmate has been transferred for medical or mental health reasons to another facility, except for the Correctional Mental Health Center - Jessup, and has not returned for 10 days, the inmate shall automatically be assigned without classification action to the facility that is holding the inmate in accordance with DOC.230.0004, *Inmate Transfers and Housing*.
- (3) Case management action shall be necessary only if an intervening event occurs which would require a change to the inmate's security level, or the inmate is not returned to the originating facility when there is no longer a need for the medical or mental health treatment for which the inmate was originally transferred. When the inmate is not returning to the sending facility, the receiving facility shall be notified prior to the inmate's arrival of the reason for the transfer. When case management action is necessary, the receiving facility shall conduct the action.

C. CARC (Community Adult Rehabilitation Center) Transfer Eligibility:

- (1) Current contractual pre-release units include:
 - (a) Dismas House, Inc., Baltimore City;
 - (b) Threshold, Inc., Baltimore City;
 - (c) Cecil County CARC, Cecil County;
 - (d) Montgomery County Pre-Release Center (MCPRC), Montgomery County; and
 - (e) Howard County Detention Center, Howard County.
- (2) In accordance with the provisions of Correctional Services Article §11-316, Annotated Code of Maryland, an inmate shall be eligible for consideration for placement in a Baltimore City or Cecil County CARC unit, if the inmate:
 - (a) Plans to reside in the city or county in which the CARC is located; and

- (b) Is assigned to pre-release security; and
 - (c) Is within six months of a definite release date; or
 - (d) Is serving a total sentence of three years or less; and
 - (e) Has at least 90 days remaining to serve.
- (3) An inmate who applies for transfer to the Montgomery County Pre-Release Center:
- (a) May be referred for assessment and consideration when within 12 months of release; but
 - (b) May not be transferred until the inmate is within six months of release.
- (4) An inmate who applies for transfer to the Howard County Detention Center may be referred for assessment when within 30 days of becoming eligible for work release.
- (5) Applicants shall be screened for suitability by:
- (a) DPP staff for placement in a Baltimore City CARC;
 - (b) County staff for placement in the Cecil and Howard County Detention Centers; or
 - (c) Montgomery county staff for placement in the Montgomery County Pre-Release Center (MCPRC).

Note: All CARC transfers shall be approved by the managing official, and all prospective participants shall be medically cleared for participation utilizing the medical clearance form (DPSCS Form OTS 130-150-1).

(6) Exclusions.

Dismas House and Threshold define a prospective resident as an inmate that has:

- (a) Never been charged with Murder, Child Abuse, Arson, or a Sexual Offense; and
- (b) Not been found guilty of a facility rule violation in the past six months.

SECTION 7

Security Classification

Section 7 ~ Security Classification

A. General Information:

- (1) An inmate shall be classified to the least restrictive security level consistent with the inmate's needs, public safety, and the safe and orderly operation of the facility.
- (2) An inmate who escapes shall, on return to the Division's custody, be placed on administrative segregation. An inmate who escapes from a minimum, or pre-release security facility, shall automatically be classified to no less than medium security without case management action. An inmate who escapes from a medium or maximum-security facility shall automatically be classified to no less than maximum-security without case management action.
- (3) An inmate may be maintained at an institution of higher security than the inmate's classification as bed space needs dictate. An inmate of a greater security level temporarily housed at a lesser security facility shall be transferred as soon as possible to a correctional facility consistent with the inmate's classification status. An inmate may not be maintained at a facility of lesser security than the inmate's classification status, unless temporarily housed for:
 - (a) Medical reasons;
 - (b) Pending release; or
 - (c) Any other documented exceptional circumstance.

B. Exclusionary Offenders ~ Maximum-Security.

An inmate in any of the following exclusionary categories may not be classified below maximum security without the approval of the Commissioner, or a designee:

- (1) An inmate who has escaped or attempted to escape from maximum or medium security during the current incarceration; or
- (2) An inmate who has two or more escapes or attempted escapes from secure confinement.

C. Exclusionary Offenders ~ Medium-Security.

- (1) An inmate in any of the following exclusionary categories may not be reduced below medium security unless the inmate is within three years of a definite release date, or has been approved for a delayed parole release contingent upon transfer to lesser security:
 - (a) An inmate who has escaped within the last five years and does not meet the criteria for a maximum security exclusionary offender;

- (b) An inmate who has two or more escapes and does not meet the criteria for a maximum-security exclusionary offender;
- (c) An inmate who has escaped from minimum, or pre-release security during the current term of confinement. For these cases only:
 - (i) There shall be an administrative or criminal conviction for escape or attempted escape.
 - (ii) Juvenile escapes are not counted, exclusions.
 - (iii) Attempted escapes or escapes for which there is no conviction may be considered as part of the inmate's overall record.
- (d) An inmate who has been convicted of a new criminal offense committed during the current term of confinement (This includes all offenses committed after the earliest sentence start date while the inmate was incarcerated, regardless of whether the inmate was in the custody of the DOC.);
- (e) An inmate serving a life sentence with all but a specific term of years suspended; and
- (f) An inmate serving a term of confinement that includes a conviction for:
 - (i) Rape or rape in the first or second degree;
 - (ii) Sex offense in the first or second degree;
 - (iii) Sodomy;
 - (iv) Child abuse or sexual child abuse; and
 - (v) Assault with intent to commit, attempt to commit, conspiracy to commit, solicitation, or being an accessory to any of the aforementioned offenses.
- (2) Once within the period specified to be considered for a reduction in security level, the inmate is no longer considered an exclusionary offender. In these cases, the assigned case manager shall remove the 02 alert screen code from the OBSCIS database.

D. Sentences of Life or Death.

- (1) An inmate serving a sentence of death or life without the possibility of parole shall remain in no less than maximum security, unless approved by the Commissioner, or designee for reduction to medium;

- (2) An inmate who is serving a life sentence or who has a detainer or commitment for a life sentence in another jurisdiction shall be classified to no less than maximum security;
- (3) A medium security inmate serving a life sentence that is refused parole shall be placed on administrative segregation pending review for an increase to maximum. The Commissioner, or designee shall approve a recommendation for the inmate to remain medium security; and
- (4) An inmate serving a life sentence, but with a specific term of years suspended shall be classified by considering the length of the unsuspended portion of the sentence as the inmate's total term of confinement. However, the inmate may not be classified below medium security unless the inmate is within three years of a definite release date.

E. Technical Parole Violators.

- (1) An inmate returned to the custody of the Division solely on the basis of a retake warrant shall be housed at a facility designated by the Commissioner pending the parole revocation hearing and initial case management action. The inmate shall be operationally defined as being on medium security status;
- (2) The traffic code entry shall automatically designate on the OBSCIS 03 screen that the inmate is on medium security status;
- (3) After the results of the revocation hearing are received, and the inmate's sentence is recalculated, case management staff shall within 15 calendar days conduct an initial classification action to:
 - (a) Classify the inmate to the appropriate security level; and
 - (b) Screen the inmate for DOC programs.

F. Initial Security Classification.

- (1) Initial security classification to include a job, or program assignment shall be completed within 15 business days of an inmate's arrival at a reception unit, but with the following exceptions:
 - (a) An inmate with less than 90 days remaining to serve when reviewed by case management staff may be automatically classified to pre-release using the "R1" code on the OBSCIS 14 screen (type SL) if they have:
 - (i) No scoreable detainers or open charges;
 - (ii) Never been convicted of child abuse; and
 - (iii) Never been found guilty of escape.

- (b) An inmate with less than 90 days remaining to serve when reviewed by case management may be automatically classified to minimum using the "I2" code on the OBSCIS 14 screen (type SL) if they have never been:
 - (i) Convicted of child abuse; and
 - (ii) Found guilty of escape.
- (2) The initial security classification shall be conducted by the assigned case management specialist utilizing the *Initial Security Classification Instrument* form, Appendix 1 to CMM-07. The instrument shall be completed in its entirety as prescribed by the *Initial Security Classification Instrument Instructions*, Appendix 2 to CMM-07.
- (3) An inmate received at a reception unit via the Interstate Corrections Compact (ICC) shall be classified using the *Security Reclassification Instrument*, Appendix 3 to CMM-07 as prescribed by the *Initial Security Reclassification Instrument Instructions*, Appendix 4 to CMM-07.
- (4) The Metropolitan Transitional Center (MTC) staff shall be responsible for the initial security classification of an inmate housed in the Baltimore City regional infirmary.
- (5) Initial classification of an inmate housed at the Correctional Mental Health Center-Jessup (CMHC-J) or the Maryland Correctional Institutional for Women (MCIW) Mental Health Unit shall occur upon the inmate's discharge.
- (6) In cases where the inmate is being initially classified subsequent to a parole revocation, designated staff shall purge the 02 alert screen of any entry related to previous substance abuse assessments or program completion.

G. Security Reclassification:

- (1) An inmate shall have a security status review at least every 12 months unless:
 - (a) The inmate is housed temporarily (less than seven days) at CMHC-J, where the inmate shall be reclassified after returning to a maintaining facility (Patuxent DOC staff shall process the security reclassification on an inmate housed long-term at CMHC-J); or
 - (b) Other logistical reasons exist that render reclassification impractical (i.e. an out to custody inmate); or
 - (c) The inmate is minimum security and within 36 months of an anticipated release date, in which case the inmate shall be reviewed at least every six months.
- (2) The *Security Reclassification Instrument*, Appendix 3 to CMM-07, shall be reapplied when:
 - (a) An inmate is removed from the "eligible persons" program at Patuxent;

- (b) The inmate's sentence structure changes in a way that warrants review, that is, new sentences, detainers, or open charges resolved;
 - (c) The initial classification involved the use of an override, and the reason(s) for the override no longer exists;
 - (d) The inmate's MAP agreement is cancelled;
 - (e) The inmate is approved for a delayed parole release that will require a decrease in security level as a contingency of the decision; or
 - (f) A medium security inmate serving a life sentence is refused parole (see §D, Sentences of Life or Death, above).
- (3) Case management staff shall review inmate job and program assignments at each security review, which shall include:
- (a) A comparison of actions in the inmate's case record versus the OBSCIS *13 Maintain Job and Program Assignment* screen for the past year. If discrepancies are detected, appropriate staff shall:
 - (i) Take the necessary corrective action on the 13 screen; and
 - (ii) Notify commitment staff immediately to modify the inmate's diminution record as necessary.
 - (b) The inmate's emergency notification information contained in the inmate case record and OBSCIS screen 11 *Maintain Name and Address List*.

H. Mental Health Risk Assessments.

- (1) A mental health risk assessment may be requested by case management staff as a function of security status or program consideration for an inmate who:
- (a) Has a history of significant mental illness or a pattern of violent institutional behavior related to possible mental illness; or
 - (b) Is serving a sentence for a violent offense, the circumstances of which raise concerns regarding the involvement of mental health problems in the commission of the offense; or
 - (c) Both
- (2) A referral is to be submitted to the facility chief of psychology utilizing Appendix 5. The Chief shall:

- (a) Determine on a case-by-case basis what manner of testing or assessment, if any, is appropriate;
- (b) Notify case management staff of that decision within 7 days; and
- (c) If a risk assessment is to be completed, it shall be completed and forwarded to case management staff within 30 days of the receipt of the referral.

I. Domestic Violence Program:

- (1) Excluding an inmate serving a sentence of death or natural life, the assigned case management specialist shall determine whether the inmate has a pattern of domestic violence offenses as defined in Section 2 of this manual. This shall be completed through reference to verified sources, which includes criminal history documents and inmate self report.
- (2) If the case management specialist determines there is a pattern of domestic violence offenses, the assigned case management specialist shall enter the alert code 76, "DOMES VIOL", on the OBSCIS 02 maintain alerts screen.
- (3) The Director of Case Management shall provide a monthly data run of inmates with the OBSCIS 02 alert screen code 76 to the Director of Social Work services to assist Social Work staff in the identification of inmates for assessment or recruitment for domestic violence programming.

J. Disciplinary Reviews:

- (1) A case management specialist and supervisor shall review and determine if an out of schedule review is appropriate for an inmate, who is found guilty of rule violations;
- (2) An inmate with minimum or pre-release security status, who is found guilty of a category I, II, or III rule violation shall have the security level automatically increased utilizing the "I2" minimum or "E3" medium code on the OBSCIS 14 screen when deemed appropriate by a case management supervisor or manager. For these cases, the date of the next security review shall be entered on the 14 screen utilizing the "ZZ" case management review code.

SECTION 8

Program Eligibility

Section 8 ~ Program Eligibility

A. General Information

- (1) At the time of initial security classification, reception unit case management staff shall screen an inmate for program eligibility, utilizing the *Program Eligibility Screening* form, Appendix 1 to CMM-08.
- (2) Case management staff at maintaining facility shall screen an inmate received from Maryland Reception Diagnostic Classification Center (MRDCC) for program eligibility within 30 calendar days of the inmate's arrival. If an inmate is received from any other institution, case management staff shall review the inmate's program eligibility at the time of the inmate's initial assignment, make any proper notations, and take appropriate action regarding programs in which the inmate has been identified as eligible for consideration or participation.
- (3) Case management staff shall be exempt from screening maximum-security inmates for all programming with the exception of the mandatory education requirement and behavior management programs when appropriate. The results of the screening shall be documented in case notes.
- (4) Case management staff shall review an inmate's program eligibility:
 - (a) At each security status review;
 - (b) When an inmate's sentence status changes, for example, detainers placed, or lifted, adjudication of all open charges;
 - (c) On receipt of a parole decision (administrative refusals, holds excluded); and
 - (d) At any other time a change in eligibility occurs.
- (5) The inmate's eligibility for each program shall be noted on the *Program Eligibility Screening Form*, leaving no blank comment fields on the form. If an inmate:
 - (a) Is eligible for home detention, a screening form specific to that program shall be completed by the assigned case management specialist and the inmate shall be referred in accordance with established procedures;
 - (b) Is never eligible for a particular program, a notation shall be made in the Comments section on the *Program Eligibility Screening* form that permanently disqualifies the inmate from that program;
 - (c) Might become eligible for a particular program at a later date, the period and condition(s) for eligibility shall be noted on the screening form. To assist in identifying

future eligibility, the case management specialist shall utilize “potential codes” when an inmate receives a delayed parole release decision, or when the inmate is within three years of the release date. The following codes shall be placed on OBSCIS Screen 14, *Maintain Reservation Data*:

(i) “OS” code potential HDU eligible;

(ii) “OP” code potential SAT eligible

(d) The code “type” for OBSCIS purposes is “PO” (potential).

(6) The case management specialist shall obtain the inmate’s signature and inform the inmate of their status for each program listed. The inmate shall then sign and date the form.

(7) Upon subsequent reviews with no change noted in program eligibility, the case management specialist shall sign and date the screening form, and enter any appropriate comment(s).

Note: To promote consistency, enhance training, and improve audit performance the screening form shall be available in a locked template format utilizing drop-down menus that contain appropriate rationale, or comments regarding the inmate’s eligibility for programs.

B. Mandatory Education Requirement ~ Eligibility Criteria.

The case management specialist shall refer to Section 5, *Inmate Assignments*, for information regarding the mandatory education requirement eligibility.

C. Substance Abuse Treatment:

The case management specialist shall refer to Section 15, *Substance Abuse Programming*, for information regarding eligibility.

D. Community Supervision and Enforcement Program (CSEP) Eligibility Criteria.

An inmate may be considered for placement on home detention except an inmate who:

(1) Is serving a life sentence (including life with all but a specific term of years suspended);

(2) Has ever been criminally convicted of a crime of violence, unless:

(a) Five years have elapsed since the expiration of any prior term on confinement that included a conviction for a crime of violence; or

(b) The inmate is within three months of a definite release date;

(3) Has ever been criminally convicted of Child Abuse under Criminal Law Article, § 3-601 or

§ 3-602;

- (4) Is currently serving a term that includes a sentence for Distribution, Possession with Intent to Distribute, or Conspiracy to Distribute a controlled dangerous substance under the Criminal Law Article, unless the inmate is within six months of a definite release date;
- (5) Has ever been criminally convicted of Escape or Attempted Escape under Criminal Law Article § 9-404 or § 9-405;
- (6) Has ever been removed from the CHDU program for violation of any program rule during the current incarceration, except an inmate removed while in pretrial status;
- (7) Has a highest, high, or moderate detainer or pending charge as defined in established procedures;
- (8) Is classified to minimum, medium, or maximum security;
- (9) Does not have a telephone or home plan within the defined catchment area;
- (10) Has not completed prerequisites for delayed parole release other than work release and/or substance abuse therapy;
- (11) Fails to meet the medical screening criteria for home detention placement in accordance with established procedures; or
- (12) Has been found guilty of a category I or III rule violation as defined in inmate disciplinary procedures within the six-month period prior to consideration.

E. Community Adult Rehabilitation Centers (CARC):

The case management specialist shall refer to Section 6, *Inmate Transfers*, for information regarding CARC eligibility.

SECTION 9

Home Detention

Section 9 ~ Home Detention

A. The Division provides select inmates an opportunity to stabilize home, employment, and treatment programs before release into the community. CHDU staff shall assign an inmate to the Central Home Detention Unit (CHDU) program. Once assigned, the inmate shall be supervised by electronic monitoring devices and have direct contact by CHDU staff.

B. Eligibility.

The case management specialist shall refer to Section 8, *Program Eligibility*, to determine an inmate's eligibility criteria for home detention placement.

C. On determining that an inmate is eligible and interested in home detention placement, the designated case management specialist shall attempt to contact the proposed sponsor to confirm the proposed sponsor's willingness to give an inmate a place of residence and assist, if needed with the tasks of daily living. This attempt shall be documented in the inmate's case record.

Note: The inmate's proposed sponsor may not be the victim of any domestic violence-related offense involving the applicant.

D. Prior to completing a case management action to consider an inmate for CHDU placement, the designated case management specialist shall:

- (1) Obtain the inmate's version of any crimes against persons for which, there is no official version available in the file (present offense or those within the last 10 years);
- (2) Complete victim notification protocols, if applicable; and
- (3) Obtain a victim impact statement, if applicable.

E. Consideration.

Should an inmate meet all applicable criteria, the designated case management specialist shall forward the home detention packet and inmate record to supervision for review. The home detention packet shall consist of:

- (1) A completed case management action with a recommendation for, or against approval, supported by appropriate rationale (if the inmate is not assigned to pre-release security status);
- (2) A completed and signed *Home Detention Program Screening/Interest* form, Appendix 1 to CMM-9;

- (3) A completed and signed waiver of extradition, Appendix 5 to CMM-05;
- (4) A recent MD and NCIC warrant check;
- (5) Medical and mental health clearance forms (DPSCS Form *OTS 130-150-1 Medical and DPSCS OTS 130-150-2 Mental Health*) indicating the inmate is able to participate; and
- (6) If applicable, a copy of the victim impact statement, response to the victim notification letter, or both.

F. Placement.

Ordinarily an inmate is to be within 10 months of a definite release date to be eligible for placement on home detention. However, this time limit may extend to a maximum of 18 months with the recommendation of correctional staff and the approval of the executive director of the CSEP and the Commissioner, or a designee.

- (1) An out of schedule security reclassification action shall be prepared by the assigned case management specialist as part of the CHDU screening and referral process for an inmate not classified to pre-release security status.
- (2) The managing official's review of the action is optional, as the executive director of the CHDU serves as the final reviewing authority in cases where an inmate is eligible for placement in the home detention program.
- (3) CSEP staff will ensure any data entry in regards to security status is completed before the inmate's placement.
- (4) The sending facility shall complete in accordance with directive DOC.095.0006, *Sex Offender Registration* before an inmate is placed on home detention.

SECTION 10

Mutual Agreement Program (MAP)

Section 10 ~ Mutual Agreement Program (MAP)

A. Status:

In order to develop and monitor individual case plans and other initiatives, the MAP program is suspended on the effective date of this manual. Facility case management staff will continue to monitor and support current MAP agreements.

B. Monitoring the Agreement:

The assigned case management specialist shall ensure components of the program are in compliance. The case management specialist shall enter the appropriate OBSCIS code at either initiation or completion of the agreement:

- (1) Enter the disposition code (04 INITIATED) in the field labeled "DISPOSITION".
- (2) Enter the date of scheduled activity that actually occurred in the field labeled "DISP DATE".

C. Non-compliance and Amendments.

- (1) The *Non-Compliance Amendment Report* (Appendix 1 to CMM-10) is used to change an existing program component, to report failures to carry out provisions of the agreement, or address other factors that may affect the inmate's continued participation, such as placement of a detainer.
- (2) The inmate's assigned case management specialist shall monitor the inmate's program for any needed action.
- (3) The Review Process:
 - (a) The non-compliance report shall be processed via administrative review. The case management specialist shall complete Part I of the report as soon as possible after obtaining information that may warrant a change, or a review; and
 - (b) The case management manager, supervisor, or the facility administrator shall review Part I to ensure that information is complete and accurate.
- (4) The Headquarters case management unit shall review recommendations reported on the non-compliance or amendment report:

- (a) The Headquarters case management unit will advise the Maryland Parole Commission of the Division's position regarding non-compliance. The Headquarters case management unit shall forward a copy of relevant correspondence to the correctional facility and place the non-compliance report in the inmate's case record;
- (b) The Maryland Parole Commission shall consider the DOC's position regarding the non-compliance or amendment and may agree to, or reject any proposed action(s); and
- (c) When a party does not agree to amend the program as necessary, the MAP shall be cancelled and the inmate shall be scheduled for a parole review as soon as administratively possible.

D. Cancellations.

- (1) Cancellation of a MAP may occur through the non-compliance review process, with the approval of the reviewing authority, or under certain circumstances automatically, without a hierarchical review.
- (2) Should any MAP be cancelled, the assigned case management specialist shall within 10 days:
 - (a) Advise the inmate of the cancellation;
 - (b) Review the inmate job and program assignment, and schedule the inmate for a security status review, if appropriate; and
 - (c) Remove all future reservations that were scheduled as a component of the program listed on the OBSCIS 14 *Maintain Reservations* screen, and enter the appropriate code and disposition indicating the program was cancelled.
- (3) Automatic cancellation:

A MAP may be automatically cancelled by completing section I of the *Case Management Process Program Noncompliance or Amendment Report* for an inmate who:

- (a) Is responsible for violating the terms of the agreement on two separate occasions;
or
- (b) Is assigned to an increased security level as a result of disciplinary action in accordance with established procedures; or

- (c) Is found guilty of a category I or III rule violation which results in a disciplinary segregation sentence of 30 days or more; or
- (d) Is convicted of a new criminal offense which occurred while under the jurisdiction of the Division of Correction; or
- (e) Requests cancellation of the program voluntarily; or
- (f) Is administratively or criminally found guilty of escape from a Division facility; or
- (g) Fails to participate in a mandatory remediation program; or
- (h) Is found to have been ineligible at the time the agreement was negotiated.

A copy of the automatic cancellation shall be placed in Section III of the inmate case record. **NOTE:** In these cases, no supervisory or managing official's review is required.

When processing an automatic MAP cancellation, the assigned case management specialist shall forward a copy of the noncompliance or cancellation report to the Parole Services Unit supervisor at the MPC, as well as to the Chief of Case Management at Division of Correction headquarters.

E. Home Plan Submission and Completion Certification:

- (1) The assigned case management specialist shall enter the inmate's home and employment plan on the OBSCIS screen 10, *Maintain Home and Employment Data* when the inmate is:
 - (a) Sixty (60) days from release for a Maryland resident; or
 - (b) One hundred and twenty (120 days) days from release for an inmate that will be residing outside the state of Maryland.

The process of home plan submission is outlined in Section 24.H of this manual.

- (2) The assigned case management specialist shall complete the *MAP Completion Certification* form, Appendix 2 to CMM-10, to confirm the inmate has successfully completed all MAP agreement components. The form shall be submitted to the MPC 30 days prior to the inmate's MAP release date, and shall have attached a copy of the OBSCIS 14, *Maintain Reservations* screen, and a *Maryland or NCIC Warrant* check.

SECTION 11

Individual Case Plans

Section 11 ~ Individual Case Plans

The 2004 cooperative of the National Institute of Corrections U.S. Department of Justice, Maryland Department of Public Safety and Correctional Services, Virginia Commonwealth University, University of Maryland and University of Massachusetts Lowell resulted in *Tools of the Trade: A Guide to Incorporating Science into Practice*. This work discusses the analysis of recidivism and identification of behavioral management techniques used to reduce recidivism, as well as violence within correctional facilities.

The individual case plan is the tool used by the Department of Public Safety and Correctional Services to identify the risk factors of the offender and establish a strategy to address those needs. This includes antisocial associates, antisocial thinking, substance abuse, education and occupational skills, employment, family and marital support, medical condition, mental health, and sexual offending.

While developing an individual case plan, the case management specialist shall take into consideration the offender's parole status, mandatory supervision release date, the needs of the offender, and availability of programming throughout the (DOC).

(A) Identification of Risk Factors.

The two main sources of information used in the identification of risk factors are the inmate case record and the motivational interview.

(1) Antisocial Associates.

- (a) While membership in a security threat group (STG) is the most common example of an inmate with antisocial associates, immersion in a group of criminal peers can occur without STG affiliation.
- (b) An inmate's association with peers engaged in criminal activity increases the offender's likelihood to also engage in criminal activity.
- (c) Identification of antisocial associates may occur by:
 - (i) Conducting the motivational interview;
 - (ii) Reviewing the official version of the offense; and
 - (iii) Identification of STG affiliation by DOC intelligence staff.

(2) Antisocial Thinking.

- (a) Antisocial thinking is indicative if the the offender is unable to see fault with the offender's actions.
 - (b) Antisocial thinking leads to a higher propensity toward criminal activity, given the means and opportunity.
 - (c) Identification of antisocial thinking may occur by:
 - (i) Conducting the motivational interview;
 - (ii) Reviewing the inmate's version of the offense; and
 - (iii) If available, reviewing the Criminal Sentiments Scale-Modified (CSS-M) assessment form.
- (3) Substance Abuse.
- (a) Not only is substance abuse illegal for offenders under supervision, it can lead to other criminal acts, such as committing crimes to obtain money for drugs.
 - (b) Identification of substance abuse may occur by:
 - (i) Conducting the motivational interview; and
 - (ii) Reviewing the official version of the offense, TCU and ASI-CV assessments, related inmate rule violations, and parole or probation violation reports.
- (4) Education and Occupational Skills.
- (a) Increased levels of education and acquisition of marketable skills are important factors in a successful return to the community by enabling offenders to seek employment in a field where they can earn a living wage.
 - (b) Identification of education and occupation skills may occur by:
 - (i) Conducting the motivational interview; and
 - (ii) Reviewing the pre-sentence investigation, school records, and employment history.
- (5) Employment.
- (a) Without employment that provides a living wage, offenders are unable to meet their basic needs (i.e. food, shelter, and clothing).
 - (b) Identification of employment needs may occur by:

- (i) Conducting the motivational interview; and
 - (ii) Reviewing the pre-sentence investigation and employment history.
- (6) Family and Marital Support.
 - (a) Most people lead lives that include regular human contact and everyday relationships with those around them.
 - (b) Offenders who have few ties to friends, family, and the community lack either the desire or ability to relate to others.
 - (c) Lack of a support system means less of a defense against the triggers of recidivism.
 - (d) Identification of family and marital support may occur by:
 - (i) Conducting the motivational interview; and
 - (ii) Reviewing the pre-sentence investigation and visiting records.
- (7) Medical Condition.
 - (a) The nature and circumstance of ongoing medical issues can greatly impact an offender's ability to successfully participate in programming or job assignments.
 - (b) Certain chronic conditions can affect an offender's ability to perform certain tasks and access programming.
 - (c) Identification of a medical condition may occur by:
 - (i) Conducting the motivational interview; and
 - (ii) Reviewing the pre-sentence investigation and medical screening forms.
- (8) Mental Health.
 - (a) Approximately twenty percent of the offender population is believed to have significant mental health issues and would benefit from mental health treatment. However, many of these inmates remain in general population and do not seek treatment.
 - (b) Identification of mental health needs may occur by:
 - (i) Conducting the motivational interview; and

(ii) Reviewing the inmate's adjustment history and any available reports from the mental health.

(9) Sexual Offending.

(a) A sex offense may include anything from non-consensual sexual contact, such as rape, to non-contact behaviors, such as offenses involving pornography. They tend to be related to power and control issues as opposed to physical pleasure.

(b) Sex offenders appear to be living according to society standards, that is, high school graduates, employed, etc.

(c) Many times there are other problems in play other than what the traditional risk assessments would indicate. Sexual offenders may also have mental health issues.

(d) Identification of sexual offending may occur by:

(i) Conducting the motivational interview;

(ii) Reviewing the official version of the offense, criminal history, registration requirements, and court commitments.

B. Developing the Plan.

(1) An individual case plan shall be developed for each inmate.

(a) Initial development of the plan or revision of an existing plan shall occur:

(i) Upon reception at initial classification;

(ii) At the time of initial assignment;

(iii) At security reclassification reviews, and prior to release.

(b) In addition, the assigned case management specialist has discretion to modify the plan when significant changes warrant a formal revision.

(2) Types of DOC individual case plans are:

(a) DOC Initial.

This is the first plan developed on an incarcerated offender. For offenders received after January 1, 2009, an initial plan is developed at reception. Initial plans began to be

developed in December of 2008 at reception units, and in January of 2009 at maintaining facilities.

(b) DOC Revision.

An offender's case plan shall be reviewed using the schedule indicated above. All revisions of the initial plan, except for those listed below under release plan, fall into this category.

(c) DOC Release.

Prior to release, a summative case plan shall be developed as a means of communicating the offender's needs to the Division of Parole and Probation or to DOC, should the offender return to custody.

(3) The assigned case management specialist is responsible for the development of individual case plans and utilizing the network based Case Plan system. The case management specialist shall:

(a) Complete all sections of the plan as prescribed by the Case Plan User Guide; and

(b) Forward it to a supervisor for review and further processing.

(4) Upon approval of the individual case plan by a supervisor, a copy shall be given to the offender.

(5) No section of the risk factor section of the plan shall be left blank.

(a) An appropriate selection from the drop down menu or entry in the free text field and corresponding note shall be entered for each risk factor.

(b) Additional notes may be entered at any time in the risk factor section without a formal revision of the plan. As the notes are included in the printing of the plan, the author shall ensure the use of proper grammar and punctuation in creating entries.

(6) Examples of Strengths, Goals, and Strategies by Risk.

(a) Antisocial Associates.

(i) Strength: The inmate has positive social connections and association with pro-social individuals.

(ii) Goal: The inmate eliminates association with criminal friends and develops association with pro-social individuals

(iii) Strategy: Cognitive behavior programming to include: Thinking for a Change, Thinking, Deciding, and Changing, problem solving skill development, anger management group, or counseling, social skills development, pro-social relationship development, release special condition.

(b) Antisocial Thinking.

(i) Strength: The inmate demonstrates an understanding of social norms and socially acceptable behavior.

(ii) Goal: The inmate recognizes high-risk thinking, finds alternatives, and improves problem solving skills.

(iii) Strategy: Thinking for a Change, Thinking, Deciding, and Changing, problem solving skill development, anger management, social skills development, pro-social relationship development, and release special conditions.

(c) Substance Abuse.

(i) Strength: The inmate has no history of substance free and is sober for specified period.

(ii) Goal: The inmate should abstain from the use of substances, reduce personal and interpersonal supports for abuse, and find alternatives to substance abuse.

(iii) Strategy: Addictions Treatment Protocol, Therapeutic Community, intensive outpatient program, halfway house, methadone maintenance program, Narcotics Anonymous (NA), Alcoholics Anonymous (AA), substance abuse screening and recommended treatment, random urinalysis, monitored urinalysis schedule.

(d) Education and Occupational Skills.

(i) Strength: The inmate possesses a high school diploma or high school equivalency degree (GED), some college, college degree, trade certificate or license, marketable skills.

(ii) Goal: The inmate should increase literacy, obtain a high school equivalency degree (GED), learn or enhance a job skill.

(iii) Strategy: GED, mandatory education, college, Maryland Correctional Enterprises (MCE), occupational training, release special condition, Department of Rehabilitative Services referral, Re-Entry Center (REC) referral, employment readiness program referral

(e) Employment.

- (i) Strength: The inmate is gainfully employed prior to incarceration; employment offer or plan.
 - (ii) Goal: The inmate obtains a job, keeps a job, pursues promotional opportunities, enhances job skills.
 - (iii) Strategy: road crew, work release, Good Will Industries, Maryland Correctional Enterprises (MCE), inmate aid, Department of Rehabilitative Services referral, Re-Entry Center (REC) referral, employment readiness program referral, medical assistance referral, Social Security disability referral
- (f) Family and Marital Support.
- (i) Strength: The inmate maintains regular, positive communication and visitation from family.
 - (ii) Goal: The inmate reduces conflict with family members, improves social skills and relationships, improves communication skills
 - (iii) Strategy: Fatherhood Initiative, pro-social relationship development, domestic violence counseling, social skills development, release special condition
- (g) Medical Condition.
- (i) Strength: The inmate has no medical issues
 - (ii) Goal: The inmate seeks medical treatment from health practitioner, complies with treatment recommendations.
 - (iii) Strategy: See health personnel when necessary, take medication as prescribed, verify eligibility and apply for entitlement benefits, release special condition, medical assistance referral, Social Security disability referral
- (h) Mental Health.
- (i) Strength: The inmate has no mental health issues, is compliant with the treatment plan, medication, or both.
 - (ii) Goal: The inmate seeks treatment from mental health practitioner and complies with treatment recommendations to stabilize medical condition(s).
 - (iii) Strategy: regular, active participation in counseling, see mental health personnel when necessary, take medication as prescribed, verify eligibility and apply for entitlement benefits, release special condition, psychological evaluation and

participation in recommended treatment, medical assistance referral, Social Security disability referral

(i) Sexual Offending.

(i) Strength: The inmate has no history of sexual offending.

(ii) Goal: The inmate minimizes contact with potential victims, develops understanding of offense cycle, improves problem solving skills, finds appropriate responses to high risk situations and develops a relapse prevention plan.

(iii) Strategy: sexual offender specific assessment and treatment, contact restrictions, mental health treatment, anger management treatment, domestic violence treatment, substance abuse restrictions treatment.

C. Cognitive Programming.

(1) As the authors of the individual case plan, case management staff identify criminogenic risk factors, and schedule programming designed to address those needs.

(2) Cognitive behavior groups may be facilitated by social work, mental health, addictions, case management, custody, and outside service providers.

(a) Social work, mental health, and addictions staff conduct groups based on a specific treatment plan, developed by licensed or certified staff based on a clinical assessment.

(b) Case management, custody, and outside service providers conduct groups that are preliminary instructional lessons of a cognitive design.

(i) They address concepts designed to educate in choices and effective behavior relative to ineffective patterns of behavior, beliefs, and associated expectations.

(ii) The case management facilitated groups rely on the motivational interviewing techniques in which case managers are trained.

(iii) They are supportive in a preparative way of the therapy groups conducted by the licensed mental health professionals for those inmates who are assessed by social work, addictions or mental health as needing therapeutic intervention.

D. Static Risk Instrument:

(1) The static risk instrument is a tool embedded in the case plan system designed to measure the inmate's risk of recidivism.

- (a) It's important that case management staff make the distinction between the risk of recidivism, and the security classification instruments, which suggest appropriate security status.
 - (b) The results of the static risk instrument are a factor to be considered in the conduct of security status classifications, but are only one of many factors considered.
- (2) The instructions for completing the static risk instrument are outlined in Appendix 1 to this section of the manual.
- (3) The case management specialist shall complete the instrument:
- (a) As a function of the initial security status classification and case plan development at reception; or
 - (b) If not previously completed during the current incarceration, at the time of an inmate's next security status review or parole hearing (whichever occurs sooner); or
 - (c) If not previously completed during the current incarceration, prior to release as a function of the development of the release ICP.

E. Dynamic Risk Instrument.

- (1) The dynamic risk instrument is a tool embedded in the case plan system designed to measure whether a change in the inmate's assessed risk level is indicated.
- (2) The instructions for completing the dynamic risk instrument are outlined in Appendix 2 to this section of the manual. The assigned case management specialist shall complete the instrument:
- (a) At the time of the inmate's next parole hearing; and
 - (b) Prior to release as a function of the development of the release ICP.

SECTION 12

Mandatory Remediation Programs

Section 12 ~ Mandatory Remediation Programs

- A. An inmate found eligible and suitable for participation in a program designated by the Commissioner of Correction or by Maryland statute as a mandatory remediation program shall be required to complete the program.
- (1) If an inmate is eligible for more than one program, the inmate shall be assigned to the program deemed most appropriate for the inmate by case management staff.
 - (2) Current mandatory remediation programs include:
 - (a) Mandatory Education;
 - (b) MCTC/MCIW Therapeutic Community (TC);
 - (c) Residential Substance Abuse Treatment (RSAT);
 - (d) Regimented Offender Treatment Center (ROTC);
 - (e) Intensive Treatment Program (ITP);
 - (f) Addictions Treatment Protocol (ATP);
 - (g) Substance Abuse Intervention (SAI); and
 - (h) Any aftercare component to a DOC structured substance abuse program.
 - (3) Under certain circumstances, an inmate assessed as ineligible may be mandated to participate in a DOC structured substance abuse program (see section 15. G. for additional information). In these cases, satisfactory participation on the part of the inmate is compulsory.
- B. An inmate shall be charged with the appropriate category II rule violation in accordance with the inmate disciplinary process if the inmate:
- (1) Refuses to be assessed, fails to attend when scheduled, or is assigned and refuses to participate in a program; or
 - (2) Is assessed by case management staff as being unsuitable for continued participation due to behavior or performance directly related to the program.

Note: In cases involving an inmate failure to complete a mandatory remediation program facilitated by a contractual service provider, case management staff shall author the notice of

inmate rule violation. In all other cases the program facilitator shall author the notice of inmate rule violation.

- C. The inmate shall be officially removed from the program by case management action prior to receiving a category II rule violation (this is not necessary when the inmate has been transferred, received a disciplinary segregation sentence, or other actions occurs that causes the inmate's removal from the program on the OBSCIS 13 Program Assignment screen).
- D. If convicted of a category II rule violation, the inmate shall lose all good conduct credits projected and all special project credits recorded up to and including, the date of the disciplinary conviction, in accordance with the DOC 105 series.
- E. If case management staff finds an inmate unsuitable for a mandatory remediation program through no fault of the inmate, that is, medical or developmental problems, the inmate may not be charged with a category II rule violation.
- F. An inmate's participation in a mandatory remediation program may be waived without sanction if case management staff determines there is insufficient time or resources for completion.
- G. An inmate who refuses to participate in a mandatory remediation program or who has been terminated from such a program may request reassignment by applying in writing to the assigned case management specialist.
- H. Upon receiving a request as noted in §12.G, immediately above, case management staff shall, after consultation with the service provider as appropriate, determine the inmate's suitability for reassignment.
- I. If warranted, an inmate's diminution credits revoked for refusing to participate in a mandatory remediation program or for termination from a program may be restored, through the case management review process in accordance with Section 17, *Restoration of Revoked Diminution Credits*.

SECTION 13

Work Release

Section 13 ~ Work Release

- A. If available, the DOC offers work release opportunities to an eligible inmate who can function well unescorted in the community.
 - (1) Work release will assist the inmate in preparation for release and reduce the likelihood of the inmate's return to incarceration.
 - (2) The main focus is to provide a work experience that may continue after release.
- B. Participation in the work release program is a privilege.
 - (1) An inmate should have no expectation regarding approval, as eligibility does not imply suitability.
 - (2) An inmate's work release status may be revoked, suspended, or cancelled at any time for any reason consistent with the case management review process.
- C. Designated facility staff shall have the authority to detain an inmate from reporting to work so that the inmate can address institutional matters. The DOC may not be responsible for any loss of wages.
- D. The victim impact and notification process shall be completed as prescribed by directive DOC.095.0001 prior to considering an inmate for placement by case management action. An eligible and accepted inmate being considered for transfer to a CARC unit need not meet the eligibility requirements for work release, including any prerequisites.
- E. An inmate approved for work release participation may be assigned to any outside detail without further case management action. Such assignments shall be documented in case notes.
- F. An inmate who holds an active work release assignment may be permitted to attend short-term occupational or educational programs as approved by case management staff.
 - (1) Such programs should be designed to help the inmate learn new skills or enhance existing skills and improve their standing in the job marketplace.
 - (2) No special leave authorization shall be required for the inmate to attend.
- G. Exclusions.

An inmate shall be ineligible for work release participation if the inmate:

- (1) Is serving a sentence of death or natural life (Note: Inmates serving life with all but a portion suspended shall be considered should they meet all other criteria);
- (2) Has a scoreable detainer or open charge;
- (3) Has ever been criminally convicted of a crime committed while on work release;
- (4) Has a documented history of:
 - (a) Two or more escapes;
 - (b) Escape within the last ten years; or
 - (c) Escape during the current term of confinement.
- (5) Is required to register as a sex offender upon release.

H. Eligibility Criteria.

- (1) An inmate shall have achieved pre-release security and be within 12 months of a definite release date.
- (2) An inmate incarcerated solely for civil contempt of court for failure to pay child support is eligible for consideration, regardless of the amount of time left to serve, provided the inmate is assigned to pre-release security and is housed at a work release facility.

I. Prerequisites.

- (1) An inmate shall have completed an employment readiness program during the current incarceration unless there is documentation indicating:
 - (a) The inmate possesses marketable job skills;
 - (b) The inmate has a work record that consists of 18 consecutive months of employment;
 - (c) The inmate completed a skill training or education program during the current incarceration that included an employment readiness component (Life Skills, Prison to Work, etc.);
 - (d) The inmate possesses a verified high school diploma or GED; or
 - (e) That unusual circumstances exist, which are explained in writing, and a waiver of the program has been recommended by case management staff and approved by the managing official.

- (2) An inmate who has been assessed and recommended for substance abuse programming shall have completed the requirement during the current incarceration.
 - (a) The case management specialist may waive the substance abuse programming requirement when the program is unavailable prior to the inmate's release date.
 - (b) In this case, the inmate shall participate in substance abuse programming, if available, while on work release.

J. Consideration.

When the inmate meets eligibility requirements, the assigned case management specialist shall:

- (1) Review the inmate's record for any victim impact and notification alerts, and take appropriate action in accordance with DOC.095.0001.
- (2) Prepare a packet for the managing official's review. This packet shall include a:
 - (a) *Case Management Assignment* sheet, Appendix 1 to CMM-05 or Appendix 3 to CMM-07;
 - (b) *Signed Work Release Agreement* form, Appendix 1 to CMM-13;
 - (c) *Signed Waiver of Extradition*, Appendix 5 to CMM-05;
 - (d) Signed medical clearance form (*DPSCS Form OTS 130-150-1*) indicating the inmate is medically able to participate, and
 - (e) Current MD or NCIC warrant check printout.

Note: An inmate who is being considered for placement with out-of-state employers or for positions that require them to work outside Maryland shall receive the approval of the managing official, or a designee. If the managing official or a designee approves, (facility) case management staff shall forward the case to the (headquarters) case management unit for review by the Commissioner, or a designee.

When an inmate is approved to work outside the state of Maryland, case management staff shall complete a *Notification to Out-of- State Law Enforcement Agency* form, Appendix 2 to CMM-14, and forward it to the local law enforcement authority in the jurisdiction where the inmate will be employed.

K. Catchment:

- (1) When determining which pre-release unit an inmate is to be assigned for work release, the unit in the catchment area, closest to the place where the inmate will reside upon release from incarceration, shall be selected.
- (2) The inmate shall have legitimate ties to the community in that area.
- (3) A male inmate with no home plan or community ties shall participate in the work release program at BPRU, where the inmate shall receive assistance from case management in contacting community resource providers and developing a workable home plan.
- (4) All approved female inmates participate in work release at MCIW.

L. Employment.

(1) Inmate's Responsibilities:

- (a) The inmate bears the responsibility of making an effort to secure work release employment utilizing all available resources and references provided by the inmate's assigned case management specialist, who shall assist the inmate in the process.
- (b) The inmate may pursue employment only in positions that can:
 - (i) Be reasonably accommodated by the DOC; and
 - (ii) Best serve the interest of public safety.

(2) Case Management's Responsibilities.

- (a) The inmate and potential employer shall be provided an orientation to the work release process by facility staff. Employers shall review and sign the *Work Release Employer Agreement* form, Appendix 3 to CMM-13.
- (b) The case management specialist shall assess the inmate's skills, education, work experience, and aptitude to ensure a realistic and appropriate job placement.
- (c) Case management staff shall assist the inmate to the greatest extent possible in securing suitable work release employment. It is not, however, the responsibility of case management staff to provide employment, but to assist the inmate in his or her search.

(3) Job Search and Employment Development.

- (a) The case management specialist may approve the inmate to attend a job interview after confirming the time with the potential employer. If the inmate is not escorted by facility staff to an interview, designated facility staff shall confirm the inmate's

attendance and document the confirmation, utilizing the *Work Release Itinerary* form, Appendix 4 to CMM-13.

- (b) When a potential employer who has completed the required orientation decides to hire an inmate, case management staff shall complete the *Work Release Employment Investigation Plan*, Appendix 5 to CMM-13, and submit the plan to the managing official or designee for approval.
 - (c) An approved work release plan shall be maintained on file, entered on OBSCIS 05 and 13 screens, and updated as necessary. A copy of the plan and any changes shall be provided to the inmate prior to starting a work release job.
- (4) Unless approved by the managing official, or a designee, an employment opportunity may not be acceptable if the:
- (a) Employer or supervisory staff of the employer are related to the inmate;
 - (b) Employer is a DOC employee or is closely related to a DOC employee;
 - (c) Inmate requests to be self-employed.

M. Monitoring the Inmate:

- (1) During the first 60 days of employment, the case management specialist shall conduct six job contacts, at least three of which shall be on-site.
 - (a) Thereafter, the case management specialist shall conduct at least one on-site job check and one telephone job check per month.
 - (b) These are minimum mandatory supervision requirements and should not limit efforts and activities by staff to fully supervise a work release participant.
- (2) The case management specialist shall maintain a work release case record for each participant assigned to the specialist's caseload.
 - (a) The case record shall include all significant case developments or changes and all monitoring activities undertaken.
 - (b) Monitoring activities shall be documented on the *Work Release Field Sheet*, Appendix 6 to CMM-13.
 - (c) This documentation may be maintained separately from the inmate record, but shall be incorporated into the inmate record upon the inmate's transfer or release.

- (3) Designated facility staff shall approve all requests by the employer for permission for the inmate to work overtime. If approved, the designated staff member shall notify custody staff, specifying the number of hours approved and the revised time by which the inmate is to be picked up by staff or returned to the facility.
- (4) An inmate may be removed from the work release program:
 - (a) Pending the results of a disciplinary hearing;
 - (b) As the result of a disciplinary violation;
 - (c) For failing to secure employment within a reasonable time;
 - (d) For failing to perform assigned work satisfactorily; or
 - (e) For health reasons, public safety concerns, or other reasons that DOC staff may deem appropriate.
- (5) An inmate shall be automatically removed from work release if convicted of escape or assigned to a more restrictive security level.

N. Monetary Deductions.

- (1) Upon receipt of earnings, DOC staff shall make all necessary and legal deductions.
- (2) Worker's compensation earnings are usually two-thirds of the inmate's regular earnings, and deductions shall be prorated accordingly.
 - (a) For example, an inmate who regularly worked 40 hours per week would be charged for working 26.8 hours (67 percent).
 - (b) The balance shall be placed in the inmate's spending account.
- (3) Deductions from an inmate's work release earnings shall occur in the following order of priority:
 - (a) The amount determined to be the cost to the state of providing food, lodging, and clothing;
 - (b) The actual and necessary costs of food, travel, and other expenses of the inmate while working in the community;
 - (c) The amount which the inmate may be legally obligated to pay for the support of dependents;

- (d) The amount ordered by a court while, in the DOC, to be paid as restitution or as court costs or fines; and
 - (e) An amount necessary to maintain a minimum balance of \$250.00 in the inmate's active account.
- (2) Withholding of inmates' earnings for the payment of restitution is required for work release approval and participation when the sentencing court has:
- (a) Ordered restitution;
 - (b) Designated who shall receive payment; and
 - (c) Specified the amount of money to be paid.
- (3) The inmate shall be issued a receipt from the person making any deductions as soon as administratively possible.
- (4) The managing official or a designee shall ensure:
- (a) Designated staff compares the inmate's pay statement to the facility's arrival and departure log, at the end of the inmate's pay period.
 - (i) Staff shall address any discrepancies by reviewing the employer's time records.
 - (ii) On a quarterly basis, for a work release participant who does not utilize state transportation, staff shall compare against the employer's time records a random sample of inmate pay statements versus the facility arrival and departure log;
 - (b) The receipt of inmate's earnings each pay period is documented on the *Disposition of Work Release Earnings* form, Appendix 7 to CMM-14;
 - (c) Initiation of disciplinary action in cases where an inmate willfully fails to surrender earnings;
 - (d) Collection of final earnings due the inmate when the inmate has been removed from the work release program through case management action, escape from custody, or lawful release from confinement; and
 - (e) The computation and collection of final room and board and transportation expenses, to include all earnings up to the day of release; and
 - (f) Work release case records are audited on a monthly basis to ensure they are consistent, accurate, and complete. The auditor shall document the review by signing and dating the work release case record.

- (5) The inmate's assigned case management specialist, the facility's accounting office, the commitment office, or some combination of the staff listed, shall coordinate all court ordered payments.

O. Cost of Food, Lodging, and Transportation.

- (1) The Division establishes a formula to determine the actual cost for food, clothing, and transportation to be reimbursed to the state utilizing the *Work Release Reimbursement Formula Worksheet*, Appendix 8 to CMM-13.
- (2) The managing official of the Maryland Correctional Pre-Release System (MCPRS) shall submit an updated work release reimbursement formula annually to the Commissioner's office for review and approval by September 15. Once approved, the new cost structure shall take effect on October 1.

P. Audits.

The headquarters case management unit shall conduct annual audits of work release facilities to monitor compliance with this manual utilizing the *Audit Worksheet for Work Release*, Appendix 9 to CMM-13. The Director of Case Management or designee shall issue an audit schedule in the first quarter of each year.

Q. Work Release Statistics.

Designated facility staff shall submit monthly work release statistics to the headquarters case management unit utilizing the *Headquarters Work Release Statistics* form, Appendix 10 to CMM-13, not later than the 15th of each month following the close of the reporting month.

SECTION 14

Community Leave

Section 14 ~ Community Leave

A. Designated facility staff may authorize community leave for an inmate who can function unescorted in the community within the state of Maryland if such leave does not adversely affect the orderly, efficient, and effective operation of the facility.

- (1) An eligible pre-release security inmate may be considered for approval of a community leave.
- (2) Community leave status may be modified, suspended, or rescinded if the inmate violates any of the standard or special conditions of the community leave, violates conditions of any of the program(s) in which the inmate is required to participate, or both.
- (3) Meeting the criteria for community leave consideration neither guarantees nor implies approval.

B. Upon receipt of a request for community leave by an eligible inmate, the assigned case management specialist shall complete and forward for review a signed:

- (1) *Community Leave Application*, Appendix 1 to CMM-14;
- (2) *Community Leave Rules*, Appendix 2 to CMM-14; and
- (3) *Waiver of Extradition*, Appendix 5 to CMM-06.

Note: A batch special leave application is available for use in considering groups of inmates for a specific assignment (Appendix 3 to CMM- 14).

C. A separate leave application shall be completed by designated staff for each inmate and each separate event (excluding family leave and batch special leaves as described above). However, when a particular event is expected to occur over a period such as athletic competition or skill training, leave authorization may be requested for each inmate for up to 90 days as approved by the managing official.

D. The managing official shall be the final reviewing authority for family leave requests. The Commissioner, or a designee, shall be the final reviewing authority for all compassionate and special leave requests approved by the managing official.

E. If an inmate approved for community leave is found to be in noncompliance with DOC rules or experiences a significant change to the current status (that is, release date, outside clearance, etc.), the leave approval may be suspended by the managing official, or a designee.

Continuation or reinstatement of the inmate's leave status shall then be subject to the case management review process.

- F. Case management staff shall verify all relevant information pertaining to a community leave request.
- (1) This shall include dates and times, documented proof of identity, and relationship of the proposed sponsors or persons providing transportation to the inmate.
 - (2) Verifying documents may include, but are unlimited to a:
 - (a) Valid driver's license or state-issued identification card;
 - (b) Birth certificate;
 - (c) Certificate of Adoption or Legal Guardianship;
 - (d) Telephone or other utility billing; or
 - (e) Voter registration card.
- G. Community leave sponsors and persons providing transportation shall be given an orientation by designated facility staff regarding the community leave program. This shall include receipt and acknowledgement of the community leave rules.
- H. Case management staff shall review the inmate's record for victim impact and notification alerts, and take appropriate action as prescribed by DOC.095.0001.
- I. Types of Community Leave.
- (1) Family Leave (§3-811 of the Correctional Services Article)
 - (a) An inmate may be considered for up to four separate family leaves when within six months of a definite release date, provided the inmate is currently employed and has completed a minimum of 30 consecutive days of work release, unless the inmate is medically unable to participate. Any change to an inmate's employment status that is, termination, etc., layoff, shall be cause for case management staff to review any previously approved family leave requests;
 - (b) The family leave sponsor shall be an immediate family member as defined in Section 2 (Definitions) of this manual;
 - (c) An inmate shall remain at the approved leave location from 11:00 pm to 6:00 am unless otherwise authorized by the managing official. Custody staff may contact an inmate by telephone to ensure compliance as specified in the facility inmate handbook addendum.

- (d) An inmate may be approved for a maximum of four family leave requests, the first of which may not exceed 12 hours in duration including travel time. Each subsequent leave time may be increased by up to 12 hours as approved that is 2nd = 24 hrs, 3rd = 36 hrs, and 4th = 48 hrs.;
- (e) Absent exceptional circumstances documented and approved by the facility administrator, family leave shall be scheduled between Friday and Sunday;
- (f) The managing official shall be the final reviewing authority for initial family leave requests. All subsequent leaves may be reviewed and approved by the facility administrator; and
- (g) The inmate shall carry a copy of page 1 of the approved family leave application at all times while in the community.

Note: Careful consideration should be given to the potential for the inmate's contact with the victim of the offense (if applicable) while on community leave.

(2) Compassionate Leave (§ 3-808 of the Correctional Services Article).

- (a) An inmate may be considered for no more than one compassionate leave to visit an immediate family member that is critically or terminally ill, or to attend the funeral or memorial service of the same family member (that is, the inmate may not visit a terminally ill family member and later attend that same person's funeral services);
- (b) The duration of a compassionate leave may not exceed six hours for travel and service attendance or visitation as approved by the managing official;
- (c) The Commissioner, or a designee, shall be the final reviewing authority for all compassionate leave requests approved by the managing official; and
- (d) The inmate shall carry a copy of the compassionate leave rules and page 1 of the leave request with approved time frames noted, while unescorted in the community.

(3) Special Leave (§ 3-810 of the Correctional Services Article).

- (a) Special leave may be authorized for a period not to exceed 12 hours for the following purpose(s):
 - (i) To attend a civil service or trade licensing examination;
 - (ii) To attend an occupational, educational, or employment interview provided the inmate is within 90 days of release;

- (iii) To participate in civic activities beneficial to the inmate or community, that is, Jaycees, speaking engagements; and
 - (iv) To visit the Motor Vehicle Administration (MVA) for the purpose of obtaining state issued identification;
- (b) Motor Vehicle Administration (MVA) special leaves may be considered for both minimum and pre-release security inmates. All approved inmates shall be escorted by custody staff at all times outside the institution; and
- (c) The Commissioner or designee shall be the final reviewing authority for all special leave requests approved by the managing official.

SECTION 15

Substance Abuse Programming

Section 15 ~ Substance Abuse Programming

A. Substance abuse treatment remains the cornerstone of the DOC's effort to assist an inmate with rehabilitative efforts, providing treatment opportunities that will continue upon release while under the supervision of the Division of Parole and Probation (DPP). Providing a continuity of care and sharing information with other agencies within the Department of Public Safety and Correctional Services shall serve to maximize the effectiveness of available treatment programs.

(1) Available Programs (Male).

(a) MCTC Therapeutic Community Program (MCTC TC).

This is a six month modified therapeutic community program that addresses changing negative patterns of thinking and behavior through individual and group counseling; daily community meetings where goals and objectives are reviewed, conflicts are resolved, and positive reinforcement are conveyed; occupational and educational activities; and a curriculum aimed at changing cognition and behavior.

The MCTC TC program utilizes two treatment phases, each designed to function as a reward for inmate progress. Each successive phase provides the inmate with additional rewards and privileges. Treatment focuses on initiating changes in behavior and the inmate's thought process.

The curriculum for treatment is constructed to include two primary cognitive approaches: cognitive skills training and cognitive restructuring. Cognitive skills training addresses the premise that chemically involved inmates have not adequately learned the thinking skills required to function as responsible, productive members of society. Cognitive restructuring addresses the premise that chemically involved inmates have learned maladaptive and destructive thinking patterns that promote criminal and drug abusing behavior.

The program's emphasis is the development of pro-social attitudes and thinking patterns that promote a drug-free lifestyle. Participants receive 15+ hours of treatment and staff contact per week while in the treatment phases. Treatment groups utilize a cognitive-behavioral format that includes role-playing and homework exercises.

(b) Residential Substance Abuse Treatment (RSAT) Program.

This is a six-month residential treatment program available only at the Central Maryland Correctional Facility (CMCF). The treatment protocol consists of a series of groups that instill pro-social values, attitudes, and behavior, while addressing abusive

habits and temptations. Participants are expected to develop an increased respect for themselves and each other as they prepare to return to community living.

The program is divided into two phases, the first of which deals exclusively with substance abuse treatment and is 120 days in length. The second involves the inmate being assigned to an institutional job when available during the day, followed by treatment group attendance in the evening. The second phase is 60 days in duration.

(c) Regimented Offender Treatment Center (ROTC).

This is a four-month educational program which includes counseling and intensive planning focused on relapse prevention and subsequent return to incarceration. The program is offered to any inmate housed at the Patuxent Institution who meets the eligibility criteria.

(d) Addictions Treatment Protocol (ATP).

This is a six-month cognitive behavioral program that utilizes skill building techniques with an emphasis on pro-social behaviors. This integrative model of treatment places responsibility at the core of its philosophy, emphasizing two major principles: that an individual is responsible for the individual's behavior and that the individual is able to change it.

With an emphasis on skill building techniques, this treatment focuses on providing the participant with the skills to change behavior and cope with high risk situations for drug abuse and criminal behaviors. This will enable the participant to:

- (i) Identify and correct criminal thinking patterns;
- (ii) Develop appropriate responses to reactive behaviors;
- (iii) Develop appropriate pro-social communication methods;
- (iv) Identify and build skills to cope with high risk situations; and
- (v) Develop personal wellness plans to improve on the participants physical and mental well-being.

A participant who completes ATP will also participate in an aftercare treatment module until either transferred to another facility or released from incarceration.

(e) Intensive Treatment Program (ITP).

This is a six-month therapeutic community model treatment program at the Metropolitan Transition Center. ITP focuses on substance abuse, emotional difficulties, and risk of recidivism factors.

(2) Available Programs (Female).

(a) MCIW Therapeutic Community Program (MCIW TC).

This is a six-month modified therapeutic community program that addresses changing negative patterns of thinking and behavior through:

- (i) Individual and group counseling;
- (ii) Daily community meetings, where goals and objectives are reviewed, conflicts are resolved, and positive reinforcement are conveyed;
- (iii) Occupational and educational activities; and
- (iv) A curriculum aimed at changing cognition and behavior.

The MCIW TC program utilizes two treatment phases, each designed to function as a reward for inmate progress. Each successive phase provides the inmate with additional rewards and privileges. Treatment focuses on initiating changes in behavior and the inmate's thought process. The curriculum for treatment is constructed to include two primary cognitive approaches: cognitive skills training and cognitive restructuring.

Cognitive skills training addresses the premise that a chemically involved inmate has not adequately learned the thinking skills required to function as responsible, productive members of society. Cognitive restructuring addresses the premise that a chemically involved inmate has learned maladaptive and destructive thinking patterns that promote criminal and drug abusing behavior.

The program's emphasis is the development of pro-social attitudes and thinking patterns that promote a drug-free lifestyle. Participants receive 15+ hours of treatment and staff contact per week while in the treatment phases. Treatment groups utilize a cognitive-behavioral format that includes role-playing and homework exercises.

(b) Substance Abuse Intervention (SAI).

This is a 90 day open enrollment program that offers group and individual counseling at MCIW. The counseling curriculum is a cognitive-behavioral based approach that targets addiction and criminogenic thinking and behavior. Group counseling shall be provided two times per week and individual counseling shall be a minimum of two times per month.

The protocol used is derived from the Addiction Treatment Protocol and has open enrollment. The program's emphasis is the development of pro-social attitudes and thinking. Particular focus will be placed on helping an inmate prepare an addiction recovery and reentry plan as to assist the inmate in preparation for release

An inmate may be referred to the program if the inmate is serving a short sentence at MCIW and, in the judgment of case management staff, will not be incarcerated long enough to complete the six-month program.

B. Eligibility Criteria.

Wherever possible, participation in substance abuse programming is the last therapeutic intervention prior to release. Only an inmate assigned to general population may participate in a substance abuse program.

(1) Addictions Treatment Protocol (ATP).

A participant:

- (a) Shall be within two years of an anticipated release date;
- (b) May not have a highest, high, or moderate type detainer or open charge;
- (c) Shall be physically and mentally able to participate in the program; and
- (d) Shall be assessed with a score of 4-6 in the Addictions Severity Index Correctional Version (ASI-CV).

(2) Intensive Treatment Program (ITP).

A participant:

- (a) Shall be within two years of an anticipated release date;
- (b) May not have a highest, high, or moderate type detainer or open charge;
- (c) Shall be physically and mentally able to participate in the program; and
- (d) Shall be assessed with a score of 7-9 in the Addictions Severity Index Correctional Version (ASI-CV).

(3) MCTC or MCIW Therapeutic Community Program.

A participant:

- (a) Shall be within two years of an anticipated release date;
- (b) May not have a highest, high, or moderate type detainer or open charge;
- (c) Shall be physically and mentally able to participate in the program;
- (d) Shall be free of rule violations for at least 90 days; and
- (e) Shall be assessed with a score of 7-9 (men) or 4-9 (women) on the Addictions Severity Index Correctional Version (ASI-CV).

(4) Residential Substance Abuse Treatment (RSAT) Program.

A participant:

- (a) Shall be within two years of an anticipated release date;
- (b) May not have a highest, high, or moderate type detainer or open charge;
- (c) Shall be physically and mentally able to participate in the program; and
- (d) Shall be assessed with a score of 7-9 on the Addictions Severity Index Correctional Version (ASI-CV).

(5) Regimented Offender Treatment Center (ROTC).

A participant:

- (a) Shall be within two years of an anticipated release date;
- (b) May not have a highest, high, or moderate type detainer or open charge;
- (c) Shall be physically and mentally able to participate in the program; and
- (d) Shall be assessed with a score of 7-9 on the Addictions Severity Index Correctional Version (ASI-CV).

(6) Segregation Addictions Program (SAP).

A 90 day program at MCTC for inmates currently serving a disciplinary segregation sentence for 111-115, 301 or 303 rule violations. The inmates shall be medium security or lower and otherwise qualify for transfer to MCTC.

C. Mandatory Remediation.

- (1) All DOC substance abuse programs, with the exception of SAP, have been designated as mandatory remediation programs. An eligible inmate shall successfully complete all required components. Any failure on the part of an inmate to participate in the assessment process and successfully complete substance abuse programming shall subject the inmate to the disciplinary process in accordance with the DOC 105 series (see also Section 12, Mandatory Remediation Programs for additional information).

- (2) Aftercare.

A participant who successfully completes a DOC substance abuse program shall attend aftercare services as available. Attendance is mandatory, regardless of whether the participant is assigned to other facility employment. Failure to attend as directed shall subject the participant to the disciplinary process in accordance with the DOC 105 series (see also Section 12, Mandatory Remediation Programs for additional information).

D. Service Providers.

Facilitation of substance abuse programs and aftercare shall be the responsibility of DOC addictions staff and contractual service providers.

E. Assessment Referrals ~ Front End.

- (1) An inmate seen as a function of the front-end assessment process are referred by case management, and are assessed utilizing the Texas Christian University (TCU) assessment tool.
- (2) TCU scores:
 - (a) 0-2 = no or low treatment need;
 - (b) 3 or greater = positive result and further assessment required (ASI).
- (3) TCU assessment sheets are to be placed in the inmate's case record by designated case management staff, who shall enter the appropriate OBSCIS 02 alert screen code:
 - (a) 46 "SAT Not Required";
 - (b) 4A "POS TCU" .
- (4) The inmate's TCU score and the date the assessment was completed shall be entered in the Comment section. A positive TCU score requires additional screening by designated staff to determine program eligibility.

F. Assessment Referrals ~ Back-end.

- (1) An inmate seen as a function of the back-end assessment process shall be identified and referred by case management through:
 - (a) General screening of their caseloads by facility case managers;
 - (b) A data run via of inmates that may meet the eligibility requirements;
 - (c) Individual requests from case management staff based on:
 - (i) An inmate's pending parole review; or
 - (ii) An inmate's eligibility for programming based on the inmate's mandatory supervision release date.
- (2) Unless otherwise specified by the Director of Case Management, assessments shall be submitted via the DPSCS network assessment manager application.
- (3) Back-end assessments are conducted utilizing the Addictions Severity Index (ASI-CV) tool.
 - (a) ASI-CV scores (males):
 - (i) < 4 = no/low treatment need;
 - (ii) 4-6 = ATP eligible; and
 - (iii) 7-9 = Therapeutic Community eligible (RSAT, ROTC, MCIW TC, MCTC TC, and MTC TC).
 - (b) ASI-CV scores (females):
 - (i) < 4 = no/low treatment need; and
 - (ii) 4-9 = MCIW TC or SAI eligible.
- (4) ASI assessment packets are to be placed in the inmate's case record by case management staff, and based on the inmate's score, designated staff shall enter the appropriate OBSCIS 02 alert screen code:
 - (a) 45 "SAT Required";
 - (b) 46 "SAT Not Required".

- (5) The inmate's ASI-CV score and the date the assessment was completed shall be entered in the comments section (i.e. ASI=8, comp 3-23-06).

G. Validity of Results:

- (1) In cases where Case Management staff have reason to believe the result of an SAT assessment is invalid due to disingenuous responses or indifference to the assessment on the behalf of the inmate, they shall contact the Regional Addictions Supervisor and request approval to mandate placement, outlining the reason(s) for the request. If approved by the addictions supervisor, the assigned case management specialist shall schedule the inmate for participation as appropriate.
- (2) Similarly, the Maryland Parole Commission (MPC) maintains the authority to mandate an inmate's participation in substance abuse programming where deemed appropriate by MPC Hearing Officers and Commissioners.

H. Pay and Credits.

- (1) An inmate assigned by case management to a substance abuse program shall be:
 - (a) Awarded five special project and five education credits per month in accordance with the Commitment Procedures Manual (provided they are eligible to earn diminution credits); and
 - (b) Paid at the rate of \$.95 per day (five days per week for ATP/SAI/aftercare, and seven days per week for the therapeutic communities).
- (2) An inmate participating in aftercare receives credits and pay, provided they are formally assigned to aftercare by case management action.
- (3) The receipt of credits and pay assume an inmate is formally assigned by case management staff and are not parolees under the supervision of the DPP.

I. OBSCIS Program Completion Codes:

The appropriate OBSCIS 02, Maintain Alerts screen code shall be entered by case management staff upon completion of a program.

- (1) 27 "ATP COMPLETED";
- (2) 35 "TC COMPLETED";
- (3) 4S "SAI COMPLETED".

J. Removals and Refusals.

As participation in substance abuse programming and aftercare are compulsory, failure to participate in the assessment process, programming, or aftercare shall subject the inmate to the disciplinary process. Further, an inmate who is removed from a therapeutic community program on two separate occasions may not be considered for re-entry.

K. Parole Violators.

An inmate's assessment score may be used to determine eligibility during the current incarceration. When an inmate returns to the Division and has parole revoked, all assessment scores shall be removed from the OBSCIS 02 alert screen. The inmate shall be referred at the appropriate time for a new substance abuse assessment.

Also, an inmate who has been tested on the current incarceration may be submitted for retesting at the discretion of the assigned case management specialist with the approval of a supervisor. For example, an inmate that did not meet the minimum score required for program participation should be resubmitted, for re-testing, if the inmate receives a drug or alcohol related facility rule violation.

L. The Public Safety Compact (PSC):

A Maryland Opportunity Compact initiative, the Public Safety Compact seeks to safely restore ex-prisoners from Baltimore City to their families and communities via effective in-prison substance abuse treatment followed by community-based re-entry supports and services and proactive community supervision. It is designed to reduce incarceration rates and save public dollars for re-investment in expanding opportunity for more Marylanders.

The intervention to be supported by the Public Safety Compact has two phases:

- (1) Pre-release substance abuse treatment in the form of successful completion of any one of the DOC's substance abuse programs;
- (2) Post Release community-based drug treatment, case management and supportive services, along with proactive community supervision.

M. Eligibility for the Public Safety Compact.

A participant:

- (1) Shall be approved for conditional release by the Maryland Parole Commission to a Baltimore City home plan; and
- (2) Shall have successfully completed a DOC substance abuse program during the current incarceration; and

- (3) Shall have successfully participated in one full year of prison programming, which may include cognitive or behavioral programs, educational, vocational, facility employment, or prison-based drug treatment; and
- (4) May not have a current or prior conviction for Murder, Child Abuse, or any sex offense.

N. Identification of Participants and the Work Flow Process.

- (1) The Office of Treatment Services shall forward to the Director of Case Management, for screening, a listing of inmates that are completing the DOC substance abuse program. HQ Case Management staff shall screen each inmate for PSC eligibility, in appropriate cases enter the OBSCIS 02, Maintain Alerts screen code 4C "PS COMPACT" into the OBSCIS I database, and notify institutional staff.
- (2) Facility staff shall provide an eligible inmate with information detailing the program, and ascertain whether the inmate is interested in participation (utilizing Appendix 1, *PSC Interest and Certification* form). Completed forms shall be forwarded to the Director of Case Management, or a designee for processing.
- (3) HQ case management staff shall forward the interest/certification forms to the MPC for review. Should that review result in an approval for parole, the special condition of PSC participation will be included in the decision. The MPC shall notify the Director of Case Management of the results of the review, who shall notify the facility and compact community services facilitator.

SECTION 16

Program Resources and Transition Services

Section 16 ~ Program Resources and Transition Services

A. Occupational Training.

- (1) To expand the opportunities for training, case management staff shall make every effort to ensure an inmate receives training in no more than one occupational trade during the inmate's incarceration, absent exceptional circumstances.
- (2) An inmate within three years of release shall have priority for occupational training placement unless the training is accomplished in conjunction with an apprenticeship program or other Maryland Correctional Enterprise (MCE) training. In this case, the occupational training course can be taken as long as five years from release or transfer to lesser security. An inmate with no prior skill training, limited work experience or both shall have priority in occupational training.
- (3) An inmate assigned to an occupational training program is ineligible for placement on a transfer waiting list until completion of the occupational program.
- (4) An inmate assigned to MCE shop shall possess a high school diploma or GED, unless the managing official waives the requirement. The managing official may consider a request from a MCE regional, operational, or general manager for an inmate who possess documented specialized skills that are needed to meet MCE's production or business needs.

B. Re-Entry Services.

- (1) Social work staff shall provide services to the special needs population throughout the Division, and ensure continuity of care as the inmate re-enters the community. Staff shall also maintain an updated listing of resources the inmate may utilize to make a successful reintegration into the community upon release. These resources include transitional housing, substance abuse programs, and occupational and educational services. In addition, each inmate library shall maintain copies of the ex-offender resource manual, the most comprehensive listing of transition resources in the Baltimore metropolitan area.
- (2) Transition coordinators and case management specialists assigned as release coordinators shall be responsible for working with community resource providers and ensuring needs in the discharge plan have been addressed.

C. Re-Entry Partnership (REP).

- (1) This is a collaborative effort between the Metropolitan Transition Center (MTC) and the:
 - (a) Associated Catholic Charities;

- (b) Division of Parole and Probation (DPP);
 - (c) Christopher Place, Inc.; and
 - (d) Tuerk House, Inc.
- (2) Prior to release, the MTC transition coordinator shall assist in the development of the aftercare plan for each REP participant and coordinate implementation with the designated Community Development Corporation (CDC) case manager.
- (a) The CDC case manager shall assist offenders in accessing needed services while in the community and act as support while the inmate is dealing with transition issues.
 - (b) An agent from DPP and the CDC case manager shall be conduct an orientation with the inmate 90 days or less prior to release to discuss the needs of the inmate upon release.
 - (c) A follow-up orientation with the inmate shall be conducted prior to release with the CDC case manager to discuss any possible changes.
- (3) Staff of the Office of Research and Statistics shall furnish the MTC transition coordinator with a monthly list of eligible REP inmates, from which the initial orientation list is devised, who are:
- (a) 90 days from release;
 - (b) Baltimore City residents; and
 - (c) Non-sexual or child abuse offenders.
- (4) The MTC transition coordinator shall review the list and prepare a count-out for the eligible inmates on a monthly basis.
- (a) The transition coordinator, Catholic Charities director, case manager, Parole and Probation Agent and a representative of any other affected outside agency (e.g. Tuerk House) shall conduct a group orientation with the eligible inmates to recruit as many interested inmates as possible.
 - (b) Inmates who are interested shall be instructed by the orientation coordinator to report to the Daily Bread Employment Center, 725 Fallsway, upon release to begin REP services.
 - (c) The transition coordinator or designee shall place an 88 acceptance or 89 rejected code on the OBSCIS 02 alert screen to indicate acceptance or rejection of the program.

D. Jericho Program.

- (1) Jericho Program is an employment-oriented program funded by the U.S. Department of Labor.
- (2) A counselor will conduct a group recruitment orientation for inmates during, which the counselor will offer inmates the opportunity to attend a one or two-week job training class upon release.
- (3) The counselor will also instruct interested inmates to report to the Jericho Program office, 901 N. Milton Avenue in Baltimore after release. The program will provide lunches, transportation funds, and clothing. The program can also pay for transitional housing provided by partner service providers. The Jericho Program is currently available to any inmate from any correctional system with proof of inmate status as well as any individual on adult parole or probation.

SECTION 17

Restoration of Revoked Diminution Credits

Section 17 ~ Restoration of Revoked Diminution Credits

- A. Case management staff shall retrieve the automated restoration list weekly which is available on OBSCIS I database 03-06-15, Classification Printed Reports.
- (1) The case management specialist shall verify the eligibility of the inmate when the inmate's name appears on the automated report to ensure that no status change has taken place.
 - (2) If the case management specialist determines the inmate to be ineligible, the specialist shall document the reasons in the inmate's case record. If the inmate will become eligible later, the case management specialist shall record that date and review the inmate's case record when the inmate becomes eligible.
 - (3) If the case management specialist determines the inmate is eligible, the specialist shall consider the case utilizing the Case Management Assignment Sheet (Appendix 1 to CMM-05). Note: On rare occasions, an eligible inmate may fail to appear on the printed eligibility report. When staff becomes aware of such cases, the inmate shall be seen for consideration.
 - (4) The case management supervisor, or manager, or a designee shall monitor the process to ensure that all eligible inmates are considered for the restoration of revoked diminution of confinement credits.
- B. An inmate who has had parole or mandatory supervision revoked may not be eligible for restoration of diminution credits lost as the result of a rule violation prior to the inmate's release.
- C. An inmate who has had credits revoked for failure to participate in an authorized medical test impacting on public health or facility security, or for refusal to provide a DNA sample, shall be eligible for restoration of those credits once the medical test has been completed or a DNA sample has been collected.
- D. To be considered for restoration of revoked good conduct credits, an inmate:
- (1) Shall have no guilty finding(s) for a rule violation for the preceding six months;
 - (2) Shall have been removed from disciplinary segregation for six months;
 - (3) Shall be within 12 months of release with the application of the maximum amount of restored credit; and

- (4) May not have received prior consideration for restoration during the current term of confinement, unless prior consideration resulted in the imposition of a condition that has been met by the inmate.
- E. In reviewing a case for restoration of lost good conduct credits, the inmate's overall record shall be considered, including the nature and date of any violations, and the need for facility programming prior to release. If the inmate has the OBSCIS 02 alert screen code 30 (Social Work Required) entered, case management staff shall contact social work staff prior to the case management action to discuss what impact, if any, the restoration of days will have on release planning. The recommendation may be made for full, partial, or denial of restoration of revoked credits.
- F. The managing official shall be the final reviewing authority for cases involving the restoration of revoked diminution credits, except for category II rule violations, where the Commissioner shall serve as the final reviewing authority.
- G. After considering an inmate for restoration of revoked diminution credits, case management staff shall enter code 19 (Restoration) on the OBSCIS 02 Maintain Alerts screen. The placement of the code will ensure the inmate is excluded from future data runs designed to identify potential eligibles. (Note: Should an inmate have a contingency for reconsideration, the inmate's name will no longer appear on the automated report once this code is entered.)

SECTION 18

Special Confinement Housing

Section 18 ~ Special Confinement Housing

- A. The DOC utilizes special confinement housing when an inmate requires close supervision, segregation from the general population, or both. It may be used to ensure the safety and security of the facility, staff, individual inmate, the general inmate population, or some combination of these.
- (1) An inmate confined in a special confinement housing area may be assigned to administrative segregation, disciplinary segregation, protective custody, or a behavior management program.
 - (2) An inmate assigned to administrative segregation or protective custody who receives a disciplinary segregation sentence for violating facility rules may remain in the inmate's current status, but shall be subject to the conditions of confinement as prescribed by DOC.110.0006 *Disciplinary Segregation*. At the completion of the disciplinary segregation sentence, the inmate may remain assigned to administrative segregation or protective custody, unless removal is warranted.
 - (3) An inmate assigned to a behavior management program who receives a disciplinary segregation sentence shall be reviewed by the treatment team within 30 days to determine the impact the rule violation shall have regarding the inmate's current level status, and whether a reduction in level is warranted.
- B. Administrative Segregation.
- (1) An inmate may be placed on administrative segregation in response to a potential threat to the safety, security, and good order of the facility, when there is reason to believe the placement of an inmate on administrative segregation will reduce that threat.
 - (2) The following are examples of situations that warrant the placement of an inmate on administrative segregation:
 - (a) To prevent the escape of the inmate when there is reason to believe that the inmate is an escape risk;
 - (b) Pending an investigation, disciplinary proceedings, or both where there is reason to believe the inmate might otherwise intimidate potential witnesses or pose a threat to the security of the facility;
 - (c) Pending consideration for assignment to protective custody;
 - (d) Pending consideration for assignment to a behavioral management program;

- (e) For medical or mental health reasons;
- (f) When the inmate's continued misbehavior demonstrates an inability to conform to the rules and regulations of the facility, the Division, or both;
- (g) Pending investigation into a possible threat to the safety and wellbeing of the individual inmate.

(2) Placement and Review.

(a) Placement:

Designated staff shall provide the inmate a copy of the *Notice of Assignment to Administrative Segregation*, Appendix 1 to CMM-18, within 24 hours after the inmate's placement on administrative segregation, unless placed pending a disciplinary hearing. The inmate shall sign the acknowledgement at the bottom of the original notice and the original shall be forwarded to case management for further action.

- (i) The inmate's signature shall be witnessed by one staff member;
- (ii) If the inmate refuses to sign, the refusal shall be witnessed by two staff members;
- (iii) An initial investigation shall be conducted by assigned staff within three days of placement on administrative segregation;
- (iv) An *Administrative Segregation Investigative Report*, Appendix 2 to CMM-18, shall be prepared by designated staff with all available information regarding the placement of the inmate on administrative segregation, including a recommendation for or against continued assignment;
- (v) The report shall be forwarded to case management for review and consideration by the case management team.

(b) Initial Review:

- (i) A case management team shall review the inmate's administrative segregation status within five working days of the inmate's placement on segregation. The inmate shall have the opportunity to respond to the reasons stated for being placed on administrative segregation.
- (ii) The members of the case management team shall consider available alternatives to continued administrative segregation. Upon completion of the review, the chairperson of the team shall advise the inmate of the recommendation being

made to the managing official or designee, and document the review on the *Case Management Assignment Sheet* (Appendix 1 to CMM-05).

- (iii) For inmates placed on administrative segregation other than pending a disciplinary hearing, the managing official or designee shall review the case management team's recommendation within five days. The inmate shall be advised, in writing, by designated staff, of the decision within three days of the managing official's, or a designee's review.

(c) Subsequent Reviews:

- (i) An inmate assigned to administrative segregation shall be reviewed by the case management team at least once every 30 days. An inmate may refuse to appear before the case management team, and when doing so shall sign a waiver to indicate such action. One staff member shall witness the signing of the waiver. If the inmate refuses to appear and refuses to sign the waiver, the refusal to sign shall be witnessed by two staff members.
- (ii) In the course of the review, the case management team shall consider available alternatives to continued administrative segregation. The case management team may refer the inmate to a psychologist, chaplain, social worker, addictions counselor, or other staff as appropriate.
- (iii) When an inmate has remained on administrative segregation for 12 calendar months, a report detailing the circumstances of the inmate's administrative segregation shall be forwarded to the Director of Case Management for review by the Commissioner, or designee, who may then direct continued administrative segregation, or any other action as appropriate.

(d) Administrative Segregation Pending Disciplinary Cases.

- (i) Proper service of notification of inmate rule violation and disciplinary hearing shall satisfy the placement requirement listed in section B. 1.
- (ii) At any time prior to the disciplinary hearing, the inmate may be removed from administrative segregation and returned to the general population by order of the managing official, assistant warden, chief of security, or shift commander with documentation provided to case management.

(e) Medical Placement on Administrative Segregation.

- (i) An inmate may be placed on administrative segregation for medical or psychological reasons upon the recommendation of a health care provider. The health care provider shall complete a *Notice of Assignment to Administration*

Segregation. A case management team review is not necessary for the duration of the assignment to administrative segregation.

- (ii) The health care provider recommending placement on administrative segregation shall submit the notice to the managing official within four working days of the initial placement on administrative segregation. This report shall summarize the inmate's health issues and provide an estimated length of stay on administrative segregation.
- (iii) The inmate shall only be removed from administrative segregation by written request to the managing official from the health care provider, at which time the inmate shall be returned to the general population.
- (iv) The inmate shall be seen on administrative segregation by the health care provider and a new report prepared at least once every 30 days.
- (v) If an inmate remains on administrative segregation for medical or psychological reasons for more than 60 days, a report shall be forwarded by the managing official to the Assistant Commissioner for Program Services, detailing the date and reason(s) for placement, and the estimated date of release from administrative segregation.

C. Disciplinary Segregation:

- (1) When an inmate receives a disciplinary segregation sentence as the result of a guilty finding for a rule violation, the assigned case management specialist shall meet with the inmate within 30 days to review the hearing officer's finding and sanction(s). The case management specialist shall document the review on a *Disciplinary Segregation Review* form, Appendix 3 to CMM-18.
- (2) Subsequent reviews shall be conducted and documented on the *Disciplinary Segregation Review* form every 30 days. All segregation reviews shall be forwarded to a supervisor for review and consideration prior to submission to the managing official, or a designee for approval.

D. Behavior Management Program:

- (1) Prior to implementation, a managing official of a facility facilitating a behavior management program shall forward a summary of the program to the Assistant Commissioner for Program Services for review and approval.
- (2) An inmate identified by staff as a threat to the security of the facility or the safety of others, based on involvement in violent behavior, conduct with potential violence as a product or both is eligible to be considered for assignment to a behavior management program. Identification of such threat may occur as a result of, but not limited to:

- (a) Intelligence information;
 - (b) Staff reports;
 - (c) Disciplinary reports;
 - (d) Reduction in Violence Committee information;
 - (e) Case record information.
- (3) An inmate's participation in the BMP is voluntary.
- (4) An inmate being considered for assignment to a behavior management program shall be placed on administrative segregation (if not currently serving a disciplinary segregation sentence) pending the review process, and if applicable, transferred to a facility offering the program. An inmate being considered for the NBCI behavior management program shall be classified to maximum security prior to transfer to NBCI.
- (a) Upon transfer to the facility facilitating the behavior management program, the inmate shall be placed on administrative segregation pending the program committee review, at which time suitability for program participation shall be considered and specifics of the program shall be discussed with the inmate.
 - (b) The program committee shall then make a recommendation to the managing official for or against placement. The recommendation shall then be forwarded to the managing official of the facility administering the program for final review.
 - (c) If the inmate is accepted into the BMP program and refuses to participate, the inmate's case shall be reviewed in accordance with applicable administrative or disciplinary segregation policy.
- (5) The Program.
- (a) The program consists of an intake or entry level, and five successive levels of cognitive behavioral management programming and self-improvement.
 - (i) The inmate shall have the opportunity to study behavior control methodology and put learned techniques into practice.
 - (ii) The inmate shall earn an increased number of privileges as the inmate demonstrates progress with each higher level achieved.

- (b) The specific components of the behavior management program may vary by institution. Appendix 6 to this section of the case management manual contains a description of a sample levels program.

(6) Reviews.

- (a) When assigned to a behavior management program, the facility assessment team shall conduct an initial review of the inmate's case within 30 days of the inmate's assignment to the behavior management program. Results of the review shall be entered on the *Case Management Assignment Sheet*, Appendix 1 to CMM-05. The facility assessment team shall be comprised of the program facilitator, case management staff, and a correctional officer supervisor. Other members may include, but are not limited to, the following staff:

- (i) Social work;
- (ii) Intelligence unit or investigative lieutenant or captain;
- (iii) Mental health staff;

- (b) Thereafter, each inmate's case shall be reviewed by the facility assessment team at least every 30 days, where the inmate's progress and current level status shall be reviewed.

(7) Additional Information.

- (a) An inmate serving a disciplinary segregation sentence shall have their sentences stayed by the managing official upon entry into the program. Upon successful completion, the stayed segregation time shall be terminated.
- (b) If appropriate, an inmate may be removed having not successfully completed the program. In that instance, any disciplinary segregation sentence shall be re-imposed in its entirety.

E. Protective Custody

- (1) Protective custody housing is appropriate only when required for the protection of the inmate. Every effort shall be made by case management staff and the managing official to find suitable alternatives to protective custody housing. Alternatives may include, but are not limited to:
 - (a) Transfer of the inmate to a different housing unit within the facility;
 - (b) A lateral transfer of the inmate to another facility of the same security level;
 - (c) Transfer of the inmate's documented enemy or enemies to another facility;

- (d) Transfer of the inmate to another state under the provisions of the Interstate Corrections Compact (ICC);
 - (e) Transfer to MCAC (in exceptional circumstances only); or
 - (f) Assignment to home detention (if eligible).
- (2) A case management team may consider an inmate for transfer to a designated protective custody facility to ensure the consistent and safe management of an inmate who is deemed to be at risk if housed in general population in any DOC facility.
- (3) Staff shall utilize the Notice of Assignment to Administrative Segregation, Appendix 1 to CMM-18, when considering an inmate for placement on protective custody.
- (4) An inmate may not be placed on protective custody for punitive reasons.
- (5) If the inmate is recommended by the case management team for transfer to a protective custody facility, the supporting rationale shall be documented on a *Case Management Assignment Sheet* (Appendix 1, CMM-05), and forwarded to the managing official for approval.
- (6) If placement on protective custody is approved, the transfer shall be coordinated through designated transportation staff.
- (7) If the managing official or designee disapproves placement on protective custody, the managing official or designee shall provide direction for housing the inmate.
- (8) Reviews.
- (a) An inmate's protective custody status shall be:
 - (i) Initially reviewed upon arrival at the facility designated to house protective custody inmates and at least annually thereafter; and
 - (ii) Reviewed by a case management team upon receipt of information that may warrant reconsideration of an inmate's continued assignment to protective custody.
 - (b) When the case management team does not recommend removal of an inmate placed on protective custody who has requested removal, or when the managing official, or a designee, disapproves a case management recommendation for an inmate's removal, the inmate shall remain on protective custody.
 - (c) When the case management team recommends continuing an inmate on protective custody and the managing official or designee disapproves that recommendation, the

inmate shall be removed from protective custody unless the managing official specifies otherwise. If the managing official or designee directs further case management action or review, the managing official or designee shall provide written rationale for such action.

F. Special Confinement Housing – Conditions of Confinement.

The conditions of confinement for an inmate serving a disciplinary segregation sentence are governed by DOC.110.0006. An inmate assigned to a behavioral management program shall be subject to the conditions of confinement as specified at each level of the program. An inmate assigned to administrative segregation or protective custody shall be subject to the conditions of confinement as follows:

(1) Supervision.

- (a) Correctional officers assigned to a special confinement housing unit shall establish and maintain a Record of Segregation Confinement, DOC Form 110-0005aR, for each inmate assigned to the housing unit.
- (b) At the end of each month, or when the inmate is removed from special confinement housing, the housing unit officer shall send this form to the case management office for placement in the inmate case record.

(2) Housing.

- (a) An inmate placed in special confinement housing shall, whenever possible, be double-celled unless documented reasons exist to justify single-cell housing.
- (b) Such reasons include, but are unlimited to, the following:
 - (i) The inmate has a history of violent acting-out behavior;
 - (ii) The inmate has been deemed a threat to other inmates; or
 - (iii) On receipt of a recommendation from a health care provider for single-cell housing.

(3) Movement.

- (a) A protective custody inmate shall be escorted when leaving the housing area with or without restraints as determined by facility procedures.
- (b) All other inmates assigned to special confinement housing shall be escorted with restraints whenever they leave the segregation housing area, unless otherwise determined by the shift commander.

(4) Hygiene.

- (a) An inmate assigned to a special confinement unit shall be permitted to:
 - (i) Shower twice a week;
 - (ii) Have access to laundry services once a week; and
- (b) An inmate assigned to a special confinement unit shall be permitted to shave, receive a haircut, and exchange bed linen in accordance with facility policy.

(5) Property.

- (a) An inmate assigned to protective custody or administrative segregation for reasons other than a pending disciplinary hearing shall be permitted to acquire and retain the same possessions in the same manner as a general population inmate in accordance with provisions of DOC.220.0004, *Inmate Personal Property*;
- (b) For security reasons, certain specified items of property may be denied an inmate assigned to administrative segregation or protective custody;
- (c) The shift commander shall approve any denial of authorized property;
- (d) Any property not permitted to the inmate assigned to administrative segregation or protective custody shall be secured for safekeeping in accordance with facility policy;
- (e) An inmate housed on administrative segregation pending disciplinary action shall be permitted property as outlined in DOC.110.0006, *Disciplinary Segregation*; and
- (f) An inmate assigned to a behavioral management program shall be subject to the conditions of confinement in regards to allowable property as specified at each level of the program.

(6) Out-of-cell activity.

- (a) An administrative segregation inmate shall be allowed at least one hour of out-of-cell activity daily, including one hour per week outdoors where possible. Under those circumstances in which it may constitute a risk to prison order and security, the managing official may, with the inclusion of documented rationale, deviate from this procedure.
- (b) Protective custody inmates shall be allowed out-of-cell activity at least one hour per day. An outdoor out-of-cell period shall be available as often as for general population inmates, provided there is appropriate space and sufficient staff to provide adequate security. Regular out-of-cell periods shall be available except when facility

circumstances or inmate misconduct preclude such activities or movement. Exceptions shall be authorized and documented by the shift commander.

(7) Health Care.

An inmate assigned to a special confinement unit shall be provided equal access to the full range of health care services available to the general population.

(8) Case Management.

At least one case management specialist shall be responsible for providing services, to include referrals for intervention by appropriate treatment staff. The assigned case management specialist shall review:

(a) Administrative segregation inmates at least every 30 days; and

(b) Protective custody inmates at least annually.

(9) Education.

An inmate assigned to administrative segregation or protective custody shall have access to educational programming services where available.

(10) Library.

The librarian or other designated staff member shall visit the administrative segregation and protective custody units as established by facility policy to receive requests and provide inmates with books, magazines, and newspapers.

(11) Legal.

An inmate assigned to a special confinement unit shall have the same access to legal reference materials as inmates in the general population.

(12) Visits.

(a) An inmate assigned to administrative segregation and protective custody shall be allowed the same number of visits as the general population, and the visits shall be for the same duration consistent with security staffing and institutional needs.

(b) Although close security is essential and the use of a separate visiting room is preferred, the warden or designee may designate other locations for such visits.

(13) Religion.

- (a) The chaplain shall make regular rounds of the special confinement housing areas.
- (b) Religious services shall be arranged in accordance with the Division's religious services program and good security practices.

(14) Food.

- (a) An inmate assigned to special confinement housing shall receive the same food as the general population.
- (b) The inmate shall be fed in the inmate's cell unless otherwise directed by the warden.

(15) Mail.

Policies and procedures pertaining to inmate correspondence and the movement of inmate mail may not be altered due to an inmate's assignment to special confinement housing.

(16) Commissary.

An inmate assigned to special confinement housing shall receive commissary privileges in accordance with Division policy and facility directives.

(17) Segregation Status.

Facility policy may provide for alternative housing locations away from the general protective custody housing area for a protective custody inmate who is assigned to administrative segregation or disciplinary segregation status, or whose actions or behavior affect the normal operation or security of the protective custody unit.

- G. Each managing official shall issue a facility directive to ensure compliance with the provisions of this section of the manual.

SECTION 19

Enemy Alerts

Section 19 ~ Enemy Alerts

- A. If an inmate claims to have an enemy within the Division of Correction, the staff member receiving the claim shall notify case management staff, or a custody supervisor.
- (1) If the alleged enemy is housed at the same facility, a custody supervisor shall interview all inmates involved and determine whether the claimant shall be placed on administrative segregation pending further investigation.
 - (2) If the claimant and the alleged enemy are both housed at the Maryland Correctional Adjustment Center (MCAC) and determined to be enemies, they shall be placed in separate housing units.
- B. If the alleged enemy is housed at another correctional facility, the inmate's assigned case management specialist shall attempt to verify the inmate's claim(s) with that correctional facility. Potential resources include, but are unlimited to the following:
- (1) Disciplinary reports;
 - (2) Incident reports;
 - (3) Reports from other correctional facilities or departments;
 - (4) Previous case records;
 - (5) Arrest records;
 - (6) An official version of the offense;
 - (7) A pre-sentence investigation; or
 - (8) Correspondence from attorneys, police agencies, and judges.
- C. On completion of the investigation, the case management specialist shall indicate on the *Enemy Status* form, Appendix 1 to CMM-19, whether the inmate's claim has been verified. If the claim is verified, the information shall be entered on the *Maintain Enemy List*, OBSCIS I, Screen 12.
- D. If two or more inmates had serious physical altercations, they shall be considered enemies until interviewed by custody, or case management staff for potential enemy listing.
- (1) If determined not to be enemies, designated staff shall complete and have the inmates sign the *Enemy Retraction* form, Appendix 2 to CMM-19.

(2) If determined to be enemies, designated staff shall complete an *Enemy Status* form referencing the date and the nature of the incident, and then forward the form to case management for entry on the *Maintain Enemy List*, OBSCIS I, Screen 12.

(3) The forms shall be filed in Section I of each inmate's case record.

E. During all security status reviews, case management staff shall verify that all enemies listed on the *Maintain Enemy List*, OBSCIS I, Screen 12, are documented in accordance with the procedures in this manual. Case management staff shall remove names of undocumented enemies from OBSCIS I, Screen 12 and notify the inmate of this action.

F. During consideration for transfer, case management staff shall:

(1) Ensure the inmate is recommended for movement to a correctional facility or unit other than where the inmate's enemy, or enemies are located; or

(2) Recommend the inmate for placement on protective custody, if the inmate cannot be safely housed at any DOC facility consistent with the inmate's current security level.

G. If an inmate desires to withdraw an enemy claim, the inmate shall notify the assigned case management specialist, who shall consider the request and determine whether to honor the enemy retraction.

(1) If a determination is made to remove an enemy, the case management specialist shall allow the inmate to complete the *Enemy Retraction* form. The case management specialist shall remove the enemy from the *Maintain Enemy List*, OBSCIS I, Screen 12.

Note: Before the removal of the name of any undocumented enemy, staff is to make every attempt to verify the claim, which includes a thorough review of the other inmate's case record. In addition, before the removal of any inmate from another inmate's enemy list per an inmate's request, staff shall verify from the other inmate named that they also wish to remove the named inmate from the requester's enemy list.

(2) If the request is denied, the inmate shall be notified and a copy of the decision filed in Section I of the inmate case record.

H. Under no circumstances shall an undocumented enemy be placed on the OBSCIS I, Screen 12, *Maintain Enemy Alerts*.

SECTION 20

Interstate Corrections Compact (ICC)

Section 20 ~ Interstate Corrections Compact (ICC)

- A. Eligible inmates may be considered by case management for voluntary or involuntary participation in the ICC process. An eligible inmate is:
- (1) Unable to be housed safely in any Maryland prison;
 - (2) Has been determined by the Commissioner or designee to be a special management case; or
 - (3) Was residing in a requested state prior to the current incarceration and does not have an unadjudicated Maryland or Immigration and Customs Enforcement (ICE) detainer, unless the inmate's transfer is being considered for reasons of protection.
- B. Case management staff shall administratively review an eligible inmate for consideration of a voluntary transfer to a signatory state within 15 days of request for consideration.
- C. Approved requests for transfer to, or from Maryland under the ICC shall be coordinated through the office of the DOC headquarters compact administrator.
- D. An inmate confined under the provisions of the ICC shall be released within the territory of the sending state, unless both the inmate and the sending and receiving states mutually agree on an alternate location. The sending state shall bear the cost of the return of the inmate to the release destination.
- E. Application for Transfer:
- (1) For voluntary transfers, the inmate shall complete Section I of the Application, *Interstate Corrections Compact Transfer form*, Appendix 1 to CMM-21, and clearly state the reason(s) for requesting the transfer. The inmate should review the inmate's rights as stated in Section III, and sign the appropriate spaces provided in Sections I and III.
 - (2) For involuntary transfers, the case management specialist shall complete Section II of the application. Designated staff shall give the inmate an opportunity to sign the application acknowledging the inmate has been advised of all rights and obligations under provisions of the ICC. For security reasons, the inmate shall be given this opportunity not earlier than the date of transfer.
 - (3) Designated staff shall give the inmate a copy of the application for the inmate's records and future reference.
 - (4) The case management action shall be administratively reviewed in accordance with established procedures.
- F. Managing Official's Review:

- (1) If the managing official disapproves the transfer application, the process shall end, and the case management action shall be placed in the inmate's record by designated staff,
- (2) If the managing official approves the application, the managing official shall return it to the facility compact coordinator for further processing.

G Referral Packet:

- (1) The facility compact coordinator shall:
 - (a) Inform the inmate of the managing official's decision;
 - (b) Prepare a referral packet within 10 days, if the application is approved. The packet shall include:
 - (i) The case management action; and
 - (ii) All information listed on the *ICC Referral Packet Letter of Transmittal and Checklist*, Appendix 2 to CMM-20.
 - (c) Forward the referral packet to the Headquarters compact administrator for the Commissioner's review.
- (2) The assigned DOC Headquarters case management specialist shall:
 - (a) Prepare the packet for review by the commissioner, or a designee;
 - (b) Notify the facility of the final decision.
 - (i) If disapproved, the assigned Headquarters case management specialist shall make an appropriate case note entry, return the packet to sending facility, and maintain a copy of application and cover sheet in HQ disapproval folder; or
 - (ii) If approved, the assigned Headquarters case management specialist shall make an appropriate case note entry, and send a copy of the packet back to the sending facilities compact coordinator.

H. Transfer.

- (1) Before transfer, the inmate shall be photographed and informed of the arrangements for transportation to the receiving state. For involuntary transfers, staff may not notify the inmate before the day of transfer, for security reasons.

(2) The managing official of the correctional facility where the inmate is currently housed shall ensure proper handling of the inmate's personal property, finances, and medication directed by HQ staff. The following items shall accompany the inmate:

- (a) Copies of all commitments, detainers, diminution of confinement records, and related correspondence;
- (b) All personal property the receiving state will allow;
- (c) All funds in the inmate's facility spending account (the reserve account shall be held in Maryland and no withdrawals permitted without special authorization of the managing official of the correctional facility that housed the inmate before transfer, or on release;
- (d) Copies of the following items:
 - (i) Application for ICC transfer;
 - (ii) The entire medical record shall be stamped, CONFIDENTIAL and MEDICAL RECORD – FORWARD TO MEDICAL; and
 - (iii) Any other significant case record material.

I. On the inmate's transfer, the managing official shall ensure:

- (1) An OBSCIS I traffic data entry "89 ICC TO" with a narrative comment, "ICC out to [name of state]" is entered;
- (2) A letter with the inmate's FBI, SID and DOC number indicating when the ICC transfer occurred, and name of the state the inmate was transferred is forwarded by the facility compact coordinator to the Maryland Criminal Records Central Repository, Attention: Records Supervisor, 1201 Reisterstown Road, Baltimore, Maryland 21208;
- (3) The inmate record and medical file are forwarded to the Headquarters compact administrator;
- (4) All agencies with active detainers are notified of the inmate's transfer;
- (5) All victims requesting notification are notified of the inmate's transfer; and
- (6) The DOC commitment office is notified of the transfer.

J. Receipt of an ICC Inmate.

- (1) Upon receipt of an ICC inmate from a signatory state, the case management manager or supervisor shall ensure:

- (a) An OBSCIS I alert entry code 68 is entered with a narrative, “ICC – See Section I Case Record;”
 - (b) An alert is entered in Section I of the inmate case record indicating the inmate is under the ICC;
 - (c) An OBSCIS I traffic data entry “25 ICC FROM” with a narrative comment, “ICC transfer” is made;
 - (d) The MSP (CJIS-006) and FBI (FD-249) fingerprint cards showing the disposition “ICC Transfer from [state] on [date]” and Maryland DOC number are submitted to the Maryland Criminal Records Central Repository, Attention: Records Supervisor, 1201 Reisterstown Road, Baltimore, Maryland 21208;
 - (e) The headquarters compact administrator is notified of the inmate’s arrival; and
 - (f) The inmate is classified utilizing the security reclassification instrument.
- (2) When the inmate is received at the maintaining correctional facility, subsequent reviews should be completed in conjunction with the Headquarters compact administrator.
- (3) All non-routine medical services require authorization of the sending state.
- (4) The inmate’s assigned case management specialist shall ensure the facility compact coordinator and Headquarters compact administrator are kept apprised of significant events pertaining to an inmate such as the following:
- (a) Serious incidents;
 - (b) Infractions;
 - (c) Special Housing;
 - (d) Parole hearings and results;
 - (e) Judicial matters;
 - (f) Pending release on parole, mandatory supervision, or at expiration of sentence; and
 - (g) Request by the inmate to return to the sending state.

K. Progress Reports.

- (1) Facility compact coordinators shall complete a progress report in January and July for each inmate housed within the DOC under the provisions of the ICC.
 - (2) The facility compact coordinator shall forward an ICC progress report to the ICC office in the sending state, as well as the DOC headquarters compact administrator. This packet shall include an *Institutional Progress Report*, Appendix 1 to CMM-20, and a *Progress Report Transmittal to Signatory State* form letter, Appendix 3 to CMM-20, which is utilized as a cover sheet. If the inmate has incurred inmate rule violations within the reporting period, a copy of the rule violation report shall be included with the progress report.
 - (3) The code "ZF" shall be entered on OBSCIS I, Screen 14, *Maintain Reservation Data*, to determine when subsequent progress reports are due.
- L. The facility compact coordinator shall monitor and maintain the inmate record, which shall include all ICC information for an inmate received from a signatory state under the ICC.
- M. The inmate's assigned case management specialist shall ensure the facility compact coordinator and Headquarters compact administrator are kept apprised of significant events pertaining to an inmate such as the following:
- (1) Serious incidents;
 - (2) Parole hearings and results;
 - (3) Judicial matters;
 - (4) Pending release on parole, mandatory supervision, or at expiration of sentence; or
 - (5) A request by the inmate to return to the sending state.
- N. Transfers under the provisions of the ICC are intended to be permanent. However, if an inmate received in Maryland requests to terminate the ICC process, the inmate shall notify the assigned case management specialist of this request in writing. The case management specialist shall forward the request to the headquarters compact administrator for review and consideration.
- O. When an inmate housed at a Maryland facility under provisions of the ICC reaches the scheduled release date, the inmate shall be processed in accordance with instructions provided by the sending state.
- P. The Headquarters compact administrator shall:
- (1) Monitor all inmates maintained under the provisions of the ICC;

- (2) Be aware of policy and procedures regarding active contracts with signatory states; and
- (3) Provide information and guidance to field staff, who require clarification regarding any aspect of the ICC process.

Q. Signatory States.

Maryland maintains an active ICC contract agreement with the following states:

Alabama	Alaska	Arizona
Connecticut	Delaware	Florida
Illinois	Kansas	Maine
Massachusetts	Minnesota	Nebraska
New Jersey	New Mexico	North Carolina
Oregon	Pennsylvania	South Carolina
Tennessee	Texas	Utah
Vermont	Virginia	Washington
Wyoming		

R. Other Out-of-State Agreements.

Maryland DOC authorities enter into other out-of-state agreements with the Federal Bureau of Prisons, Intergovernmental Authorities, International Authorities, and local jurisdictions. Case management staff should adhere to the guidelines outlined in the contract agreements. The Headquarters compact administrator is the liaison for these agreements.

SECTION 21

Inmate Progress Reports

Section 21 ~ Inmate Progress Reports

- A. The facility progress report is an objective statement designed to inform the requestor of any significant events regarding an inmate's program participation and accomplishments during the inmate's incarceration. The subject inmate, a representative of the judicial system, or another public safety agency that is ICC progress reports, may request the report for legitimate business purposes.
- B. Progress reports shall be compiled only by authorized case management staff by completing the *Institutional Progress Report*, Appendix 1 to CMM-21. Case management staff shall prepare the report using MS Word, or a typewriter. Subjective comments other than recommendations may not be included in the preparation of a facility progress report.
- C. On review by the managing official, or a designee, designated staff shall distribute the report as appropriate.
- D. An inmate may request one institutional progress report every 12 months, and shall demonstrate the legitimate need for the report. This includes, but is unlimited to:
 - (1) A pending court date;
 - (2) Application for post-release education, training, or housing; or
 - (3) Any other suitable purpose as deemed appropriate by case management staff.
- E. Other individuals with a legitimate interest, for example the inmate's attorney, may submit a request as necessary in the conduct of official business.

SECTION 22

The Case Record

Section 22 ~ Case Record

- A. All printed inmate case record material shall be maintained by designated case management staff in six-part brown or red folders, except the files of inmates who meet the criteria for short-term processing (a sentence of 18 months or less), which shall be maintained in manila folders.
- B. The reception unit case management clerical staff shall establish the inmate case record not later than the second day after the inmate is received. The inmate case record shall include:
- (1) The inmate's name and DOC number;
 - (2) A copy of the inmate's current court commitments;
 - (3) On receipt, a DOC fingerprint card;
 - (4) On receipt, a photograph of the inmate;
 - (5) On receipt, a property inventory form and an inmate handbook or orientation materials receipt.
- C. Case Record Contents:
- (1) The case record shall be organized following the guidelines listed in Appendix 1 to CMM-22, Case Record - Filing Order.
 - (a) Each managing official shall ensure the filing of material within ten days of receipt, and where appropriate, case note entries are made. Items in Sections I and II shall be filed in order as listed in the appendix.
 - (b) Items in Sections III, V, and VI shall be filed in reverse chronological order.
 - (c) Items in Section IV shall be consolidated by incident, with each incident being filed in reverse chronological order.
 - (2) Designated staff shall file requests for dispositions of unresolved charges in Section II below the *Criminal History Verification Record*.
 - (3) Duplicate copies may not be placed in the case record. Whenever available, the original document is placed in the inmate case record and copies destroyed. If the case record distribution is a copy of an original document, file only one copy.
 - (4) All alert forms and corresponding documentation shall be filed directly under the fingerprint card in Section I. Case management staff shall ensure appropriate alert codes

are entered in the OBSCIS database in accordance with the procedures established in the OBSCIS I manual.

D. Each managing official shall ensure that:

- (1) Case management staff are aware of the method of the case record filing order;
- (2) The case management department develops and implements a sign-out system to promote accountability and track the location of files;
- (3) All files are maintained in a secure storage area; and
- (4) All case records are returned to the designated storage area daily or are placed in other secure locations.

E. When any section in the existing record has reached capacity, additional case record volumes shall be developed by designated staff, consistent with the instructions outlined in Appendix 2 to CMM-22, *Making a Second Case Record*.

F. When an inmate returns to the Division of Correction as a technical parole violator (TPV), designated staff at the receiving facility shall establish a temporary record in a manila folder and request the inmate's original case record by completing the *Request for Transfer of Records* form, Appendix 3 to CMM-22, and forwarding it to the facility where the inmate was previously released. Once received, designated staff shall consolidate the record with the temporary case record.

G. The Case Notes System:

- (1) Designated staff using the network based case notes systems shall document relevant entries regarding an inmate's case sheet;
- (2) Documentation shall include, but be unlimited to:
 - (a) Commitment related information to include fast and speedy trial requests and sentence status changes;
 - (b) Community leave consideration (family, compassionate);
 - (c) Interstate Corrections Compact (ICC) consideration;
 - (d) Consideration of restoration of lost good conduct credits;
 - (e) Program eligibility screenings;
 - (f) Parole information;

- (j) Psychological/social work referrals/information; and
 - (k) Relevant contact with case management staff.
- (3) In order to ensure the most efficient case notes system, no entries shall be made regarding information that can be found elsewhere in the OBSCIS I database, for example adjustment information, institutional movement, etc., or formal assignment to a job or program.

H. Inmate Transfers.

- (1) The office supervisor or designee of the sending correctional facility shall ensure the file is complete, current, and in proper order before an inmate's transfer to another facility;
- (2) A case record shall be forwarded to the Chief of Case Management at DOC headquarters when:
 - (a) An inmate is transferred to another state under the provisions of the ICC;
 - (b) An inmate is released by stay of sentence; and
 - (c) An inmate is out to custody for six months or more.
- (3) Designated case management staff shall forward corresponding reports and correctional facility disciplinary reports to the case management unit at either MRDCC or MCIW, if an inmate escapes.

I. Inactive Records.

- (1) An inactive record consists of the printed case management record and inmate health records for any inmate released from the DOC.
 - (a) Inactive records shall be stored by year of release and arranged alphabetically or numerically by DOC number as deemed appropriate by the case management manager, or supervisor;
 - (b) All inactive records shall be maintained for two years at the facility where the inmate was released, after which they shall be appropriately packaged, inventoried, and transferred to the State Records Center; and
- (2) Requesting Inactive Records.
 - (a) Designated staff shall complete a request form for transfer of records and forward it to the case management supervisor responsible for the maintenance of the inactive record.

- (b) Designated staff at the receiving correctional facility shall process the request within 10 days and forward the record requested. In cases where the record requested is unavailable, the request form shall be returned to the requesting correctional facility with an appropriate response listed.
- (c) If the record requested is maintained at the State Records Center, the case management supervisor or designee shall complete and submit a request for archived records on the *Records Request* form (DGS 550-8). Once received, the record will be forwarded to the correctional facility currently housing the inmate, as appropriate.

SECTION 23

Parole

Section 23 ~ Parole

- A. The managing official, or designee of the correctional facility shall provide suitable space for the conduct of parole hearings by the Maryland Parole Commission (MPC).
- B. Case management staff is to promote an ongoing cooperative relationship with the MPC, and shall respond as soon as administratively possible to requests for information. This may include, but be unlimited to, the following:
- (1) Copies of updated case plans with a narrative recommendation;
 - (2) Official versions of offense(s);
 - (3) Disciplinary reports;
 - (4) Program completion certificates;
 - (5) Education information;
 - (6) Criminal history documentation; and
 - (7) Other information that relates to the determination of suitability for release under parole supervision.
- C. Case management staff may contact the Institutional Parole Associate (IPA) for clarification regarding issues that relates to an inmate's parole status. Failing resolution at that level, a case management supervisor may approve correspondence to the MPC.
- D. Case Management Pre-Parole Recommendations.
- The MPC provides a master list of inmates scheduled for parole hearings to staff in each DOC correctional facility 90 days before the week of hearings, makes additions and deletions up to 30 days before the week of hearings, and then issues a final list. Case management shall provide:
- (1) An updated copy of the inmate's individual case plan; and
 - (2) A narrative recommendation utilizing Appendix 1, that addresses the inmate's suitability for release on parole supervision. The recommendation shall include a summary of the inmate's facility adjustment record, as well as relevant information regarding the inmate's participation in jobs and programs.
- E. Medical Parole (§7-309 CSA).

The regional medical director may recommend parole for an inmate who is, incapacitated by a medical, or mental health condition, disease, or syndrome to be physically incapable of presenting a danger to society.

Although not involved directly in the process of consideration, Medical or Social Work staff may ask the Case Management designee to assist in the adjudication of open charges that may impede the consideration process.

F. Open Parole Hearings (COMAR 12.08.02):

- (1) DOC staff shall assist the MPC in scheduling open parole hearings at designated regional correctional facilities;
- (2) The managing official, or designee shall identify a regional hearing coordinator as the facility representative who shall represent the Division in the setup and conduct of the hearing;
- (3) A victim or a victim's representative may submit a request to the MPC to attend an open parole hearing;
- (4) The case management official, or designee shall provide adequate space with reasonable accommodations to separate the victim and public during the conduct of the open hearing; and
- (5) The case management specialist shall refer to the *Open Parole Hearing Fact Sheet*, Appendix 2 to CMM-23, for additional information regarding the open parole hearing process.

G. Monitoring Release Decisions.

In monitoring the release contingencies of an inmate approved for parole, the MPC should be notified as soon as administratively possible of any non-compliance. In regard to inmate adjustment, staff shall notify the Commission of a rule violation that results in:

- (1) Disciplinary segregation; or
- (2) Cell restriction in excess of 10 days (including informal dispositions).

H. Submission of Home Plans.

In cases where an inmate receives an approved parole decision, the assigned case management specialist shall submit the home and employment plan to DPP for investigation:

- (1) In cases where an inmate is being released to DPP supervision; or

- (2) Where the inmate is being released to a detainer when the inmate is expected to serve 90 days or less.

In cases where the inmate is being released to the community, home plan approvals expire after a period of 90 days. With that in mind, it is prudent to submit the plan at the beginning of the month before a delayed release decision date.

For Maryland residents, the assigned case management specialist shall send an email to the DPP intake mailbox in the jurisdiction where the inmate will reside, requesting investigation of the home and employment plan. The request shall include a screenshot of the OBSCIS 10 screen, and the subject line shall include the inmate's name, DOC number, and current facility.

Allegany County – Alleganyct@dpscs.state.md.us

Anne Arundel County – annearunct@dpscs.state.md.us

Baltimore City – baltocity@dpscs.state.md.us

Baltimore County – baltocty@dpscs.state.md.us

Calvert – calvertct@dpscs.state.md.us

Caroline – midshore@dpscs.state.md.us

Carroll - carrollet@dpscs.state.md.us

Cecil - uppershore@dpscs.state.md.us

Charles - chaprehe@dpscs.state.md.us

Dorchester - wicprehe@dpscs.state.md.us

Frederick County - mddppfrederick@dpscs.state.md.us

Garrett County – garrett@dpscs.state.md.us

Harford County – uppershore@dpscs.state.md.us

Howard – howardct@dpscs.state.md.us

Kent - midshore@dpscs.state.md.us

Montgomery – montgomeryct@dpscs.state.md.us

Prince Georges - princegeorgesct@dpscs.state.md.us

Queen Annes - midshore@dpscs.state.md.us

St. Marys – stmaryct@dpscs.state.md.us

Somerset - wicprehe@dpscs.state.md.us

Talbot - midshore@dpscs.state.md.us

Washington County – washingtonct@dpscs.state.md.us

Wicomico - wicprehe@dpscs.state.md.us

Worcester - wicprehe@dpscs.state.md.us

For out of state residents, the assigned case management specialist shall submit an interstate parole packet to the Interstate Compact Unit of the DPP (see section 24, B.3.)

The DPP intake mailboxes are checked daily, and home plan investigations are to be completed within 10 days in accordance with DPP policy. Per the interagency agreement, the investigative agent shall respond to email requests as a notification the investigation is completed and the OBSCIS 10, *Maintain Home and Employment Plan* screen is updated.

I. Patuxent Parole Violator Program (PPVP):

The PPVP is a 6 month cognitive based treatment program designed to address criminogenic risk factors in a therapeutic group setting, and prepare participants for transition into the community. Participants attend up to 9 separate therapeutic modules during the course of treatment, addressing decision making, substance abuse, employment readiness, and re-entry.

An eligible inmate is one that volunteers for participation and:

- (1) Has been revoked parole during the current term of confinement;
- (2) Has 6-18 months remaining to serve;
- (3) Has unadjudicated, but scoreable charges or detainers; and
- (4) Has no category I rule violations in the preceding 6 months.

In addition, the Maryland Parole Commission (MPC) maintains the authority to mandate a parolee's participation. Under that circumstance, the parolee need not meet the eligibility criteria listed above. Most commonly, this will include a decision to continue the parolee on parole, or mandatory supervision on satisfactory completion of the program.

Case management staff shall schedule eligible and interested inmates for participation utilizing the OBSCIS screen 14 code PV.

J. Repatriation Program.

The Repatriation Program is a collaborative effort among the DOC, the Maryland Parole Commission, and the Immigration Customs Enforcement (ICE) Office of Detention and Removal Operations (DRO). The focus of the program is to identify inmates that are not naturalized citizens of the United States, but have an existing order for deportation, and wish to be considered for release to an ICE detainer. Participation in the program and approval by the DOC, ICE, and MPC shall result in removal from the United States.

- (1) Eligibility.

Participation in the program is limited to those inmates that volunteer and:

- (a) Have no unadjudicated offenses or unserved commitments in other jurisdictions;
 - (b) Have been issued a current order for deportation;
 - (c) Are serving a term of confinement that includes no convictions for a crime of violence;
and
 - (d) Are serving a sentence for which the Maryland Parole Commission maintains parole authority.
- (2) For those inmates that are not naturalized citizens, the assigned case management specialist shall take any required action to assist the inmate in obtaining a deportation hearing, and resolving any unadjudicated charges.
- (3) Identification of participants.
- (a) Case management specialists shall routinely screen inmates on their caseloads to identify potential participants.
 - (b) Inmates born outside the United States or its territories shall be referred to ICE for investigation utilizing the *Request for ICE Investigation* form, Appendix 3 to CMM-03.
 - (c) Should it be determined the inmate is a U.S. citizen, designated staff shall enter the 3A code "US Citizen" on the OBSCIS 02 Maintain Alerts screen.

(4) Tracking.

To support the tracking and status of potential participants, the following OBSCIS 02 alert screen codes has been generated for use:

- (a) 6D – entered to indicate the inmate has an adjudicated ICE detainer and has been ordered by the court to be deported.
- (b) 6E – entered to indicate the inmate meets the eligibility criteria to be considered for participation in the repatriation program.
- (c) 6F – entered to indicate the inmate is ineligible for participation in the program.
- (d) 6G – entered to indicate an eligible inmate either was uninterested, or was disapproved for participation by the DOC, ICE, or the MPC.

- (e) 6H – entered to indicate the inmate has been considered and approved for participation in the program by the DOC, ICE, and MPC. These inmates are pending release.

Note: All inmates with an active order for deportation should have the 6D code displayed on their 02 alert screen code. The other codes (6E thru 6H) are subject to change as a function of the consideration process. In that circumstance, only the code that best depicts the current status of the case should be entered. For example, an inmate that declines participation will have the 6G code displayed. If the inmate reconsiders and wishes to pursue participation, the 6G is removed by the assigned case management specialist and the 6E eligible code entered.

(5) Work Flow.

- (a) An inmate with the 6E OBSCIS 02 alert code is eligible for consideration.
 - (i) The assigned case management specialist shall meet with the inmate to discuss the inmate's eligibility and review the information listed on the *Repatriation Program Referral* form (Appendix 3).
 - (ii) If interested in participation, the inmate shall sign the referral form. The assigned case management specialist shall sign the referral form, and prepare an administrative case management action (Appendix 1 to section 5) to consider the inmate for participation.
 - (iii) On the managing official's review, the *Case Management Action and Program Referral* form shall be forwarded to the DOC Headquarters case management unit for processing.
- (b) Actions approved by the Commissioner or designee shall be forwarded by the Director of Case Management to the ICE DRO for review. On receipt of a favorable decision from ICE DRO, a copy of the approval, case management action, and referral form shall be forwarded to the MPC as a formal request for parole consideration.
- (c) For approved cases, the MPC shall notify the DOC, and contact the ICE DRO.
 - (i) The ICE DRO shall adjudicate all protocols involved in the deportation process with the country of origin.
 - (ii) When travel arrangements and documents have been secured, the DRO shall notify the DOC and MPC at least 14 days in advance of scheduled travel in order for the MPC to process the case and issue a release order.
- (d) On release, the DOC case management unit shall work with the FBI and NCIC in order to enter an NCIC alert so that:

- (i) Any future NCIC checks will result in a hit confirmation;
- (ii) The inquiring agency will be made aware the inmate's return to the United States constitutes a parole violation; and
- (iii) A warrant from the MPC will be forthcoming.

SECTION 24

Inmate Releases

Section 24 ~ Inmate Releases

- A. DOC staff shall ensure the release of an inmate is conducted timely and efficiently, that is, consistent with current policy and procedures that relates to the transfer of custody to other agencies, and to community supervision. The inmate release process is outlined in DOC.230.0005 and DOC.230.0006.
- B. Home Plans.
- (1) Case management staff and transition coordinators shall assist an inmate in the development of a work release plan to effect a smooth transition into the community. If case management staff is unable to develop a definitive release plan, staff shall instruct the inmate to report to the Division of Parole and Probation (DPP) intake office that serves the jurisdiction where the inmate was sentenced.
 - (2) Case management staff shall refer an inmate with a special, or a mental health need to the regional social work supervisor for housing placement assistance through referral to community-based resources.
 - (3) Out-of-State Home Plans.
 - (a) The assigned case management specialist shall forward the following documents to the Interstate Compact Unit of the DPP:
 - (i) A copy of OBSCIS I, Screen 10, *Maintain Home and Employment Data*;
 - (ii) A copy of the inmate's court commitment(s);
 - (iii) An official version of the offense;
 - (iv) A completed application for interstate compact services;
 - (v) An interstate transfer request form; and
 - (vi) If approved, and upon an inmate's release, a notice of departure form.
 - (b) Forms are available through the Interstate Commission for Adult Offender Supervision (ICAOS) website, <http://interstatecompact.org/resources/forms/wordtemplates.shtml>.
 - (c) A released inmate may not leave Maryland, unless approved through the Interstate Compact Unit of DPP.

C. Special Conditions for Mandatory Release.

Case management staff may request the Maryland Parole Commission (MPC) to place a special condition for mandatory supervision before an inmate's release in accordance with applicable laws and regulations.

- (1) The most common request is a "no contact" order with the victim of the offense, but can include other conditions such as participation in post release transition programs.
- (2) Case management staff shall utilize Appendix 1 to this section to submit the request. The approval process is outlined on the form.

D. Personal ID Documents.

Absent exceptional circumstances, the inmate shall have the opportunity to apply for duplicate birth certificates and social security cards when within 180 days of release, when the inmate meets with the facility coordinator to receive a presentation on the personal ID document process.

(1) Birth Certificates.

- (a) Forms may be accessed at <http://vsa.maryland.gov> for Maryland born inmates. Forms may be accessed at <http://www.vitalchek.com> for inmates born outside the state of Maryland. Completed applications shall be forwarded to the facility coordinator for submission as prescribed by DOC.230.0006. On receipt, the facility coordinator shall maintain birth certificates in Section I of the inmate's record until the time of the inmate's release.
- (b) When appropriate, requests for duplicate birth certificates may be processed outside the established time frames. For example, it may be necessary to obtain a birth certificate for an inmate to take the GED examination. All efforts relating to the processing of a request for a duplicate birth certificate shall be documented in case notes.

(2) Social Security Cards.

- (a) Forms may be found at www.ssa.gov/online/ss-5.pdf. Completed application packets shall be forwarded to the facility coordinator for submission as prescribed by DOC.230.0006. Duplicate social security cards shall be maintained in Section I of the inmate's record until the time of the inmate's release.
- (b) When appropriate, requests for duplicate social security cards may be processed outside the established time frames. For example, it will be necessary for an inmate to obtain a card prior to participation in a work release assignment.
- (c) A completed request packet contains:

- (i) A replacement social security card application www.ssa.gov/online/ss-5.pdf;
 - (ii) A copy of the inmate's ID and fingerprint card from the inmate record; and
 - (iii) A consent to release of information form, <http://www.ssa.gov/online/ssa-3288>.
- (d) All efforts relating to the processing of a request for a duplicate social security card shall be documented in case notes.
- (3) Military Discharge Certification.
- (a) For an inmate who is a veteran of the U.S. military, a *Certificate of Release or Discharge from Active Duty* (DD Form 214), can help:
 - (i) Secure other forms of identification; and
 - (ii) Obtain veterans' services.
 - (b) Case management staff shall encourage and assist the inmate to obtain a copy of the DD Form 214, by:
 - (i) Obtaining a copy of the *Request Pertaining To Military Records* (Standard Form 180) at <http://www.dd214.us/reference/standard-form-180.pdf> ;
 - (ii) Providing the form to the inmate for completion; and
 - (iii) Submitting the completed Form 180, to the appropriate records center, as indicated at the bottom of the form accompanied by a request for records on facility letterhead and a photocopy of the inmate's facility ID card.
 - (c) The inmate shall be responsible for postage through an inmate money voucher when making a request for the DD Form 214.
 - (d) If the inmate is indigent as prescribed by DOC.175.0002, the case management specialist shall ensure funds for postage are taken from the inmate welfare fund.
 - (e) The case management specialist shall ensure that:
 - (i) All efforts regarding the requesting of a DD Form 214 are documented on the case notes; and
 - (ii) When the inmate's prior military record is confirmed, the OBSCIS alert code 96 ("VETERAN") is entered on the 02 Maintain Alerts screen.

- (f) The DD Form 214 shall be maintained in Section I of the inmate's case record until the time of the inmate's release.

(4) Release Identification Cards.

The inmate ID process is outlined in the *Transition Services and Community Initiatives Program* manual. The entering of relevant OBSCIS 02 alert screen code is covered under DOC.230.0006, *Inmate Release Process Manual*.

SECTION 25

Miscellaneous Information

Section 25 ~ Miscellaneous Information

A. Inmate Name Changes:

- (1) When received into the DOC, the inmate is identified through the OBSCIS database by the name listed on the court commitment.
- (2) The inmate is issued an ID card – an I card with the inmate’s committed name.
- (3) Should an inmate be serving multiple commitments under different names, the name on the commitment with the earliest sentence imposition date shall be the name listed on the OBSCIS database and inmate identification card.
- (4) All other names an inmate is sentenced under, or wishes to be known as shall only be listed as aliases.
- (5) The inmate may apply for a new ID that includes an alias name by completing the *Request for Inmate Name Change*, Appendix 1 to CMM-25.
- (6) The inmate shall be responsible for the cost of the new ID. The inmate may use alias names to conduct personal business, that is, sending and receiving funds, mailing, etc., and purchasing commissary items.
- (7) The inmate may pursue a court order for a legal change of name. However, the new name shall be listed in the Division’s records as an alias. For an inmate’s committed name to be changed, the sentencing judge must issue an amended commitment showing the new name.
- (8) All requests for an inmate to declare an alias name are subject to the managing official’s approval.
 - (a) If approved, the inmate shall be issued a new identification card and shall be responsible for the expense.
 - (b) The alias name shall be listed on the *Maintain Alerts*; OBSCIS screen 02 by case management utilizing the 43 code Inmate Name Change.

B. OBSCIS Alert Codes.

- (1) An updated listing of codes utilized on the OBSCIS 02 Maintain Alerts screen may be accessed by entering: OBSG, 04 Housekeeping, 04 Table Inquiry, and entering “alert” in the table identification field and hitting enter.
- (2) There is an expanded description for each code. Staff may contact the Chief of Case Management at DOC Headquarters for any additional information or clarification, if needed.

C. Use of Existing Forms.

The revision of the manual resulted in the renumbering of several current forms being used as a function of the case management process. In most cases there was no change made to the content of the form. That said, in order to be fiscally responsible and efficient, the expectation is each correctional facility will continue using its current stock of forms where appropriate, and order new forms with the updated numbers when necessary.

SECTION 26

Audit Compliance

Section 26 ~ Audit Compliance

- A. The Director of Case Management shall conduct audits, annually of correctional case management operations. The Director, or designee shall assign members of the audit team in each case.
- B. In the conduct of the audit the team will utilize the case management *Audit Screening Form*, Appendix 1 to CMM-26, and the *Correctional Assessment Form*, Appendix 2 to CMM-26. Although the audit forms detail specific areas of compliance to be addressed by the team, the scope of the review is unlimited to information contained on the sheets. The audit is an overall review of the correctional case management operation. As a result, additional aspects of the case management operation will be reviewed and will be observed as a function of the audit process.