



2010 ANNUAL REPORT

***MARYLAND COMMISSION ON
CORRECTIONAL STANDARDS***



**Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
Gary D. Maynard, Secretary
Walter B. Ridley, Chairman
Howard Ray Jr., Executive Director**



Department of Public Safety and Correctional Services

Office of the Secretary

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January 7, 2011

STATE OF MARYLAND

MARTIN O'MALLEY
GOVERNOR

ANTHONY G. BROWN
LT. GOVERNOR

GARY D. MAYNARD
SECRETARY

G. LAWRENCE FRANKLIN
DEPUTY SECRETARY
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CHIEF OF STAFF

DIVISION OF CORRECTION

DIVISION OF PAROLE AND
PROBATION

DIVISION OF PRETRIAL
DETENTION AND SERVICES

PATUXENT INSTITUTION

MARYLAND COMMISSION
ON CORRECTIONAL
STANDARDS

CORRECTIONAL TRAINING
COMMISSION

POLICE TRAINING
COMMISSION

MARYLAND PAROLE
COMMISSION

CRIMINAL INJURIES
COMPENSATION BOARD

EMERGENCY NUMBER
SYSTEMS BOARD

SUNDRY CLAIMS BOARD

INMATE GRIEVANCE OFFICE

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

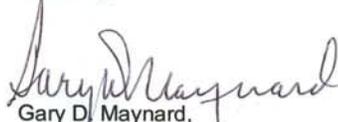
Dear Governor O'Malley:

I am pleased to make available the Annual Report for the Maryland Commission on Correctional Standards, documenting agency activities for Fiscal Year 2010. The information contained herein satisfies the reporting requirements set forth in the *Annotated Code of Maryland*, Correctional Services Article, §8-110.

During Fiscal Year 2010, the Commission continued to address its mission of auditing State, local and private adult correctional facilities and programs. This reporting period covers a portion of the cycles of auditing the nearly sixty places of correctional confinement in Maryland.

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

Sincerely,


Gary D. Maynard,
Secretary

c: Chief of Staff Matthew Gallagher
Deputy Chief of Staff Ted Dallas
Mr. Joseph Bryce, Governor's Legislative and Policy Director
Mrs. Stacy Mayer, Governor's Deputy Legislative Officer
Mr. Joshua Watters, Staff, House Committee on Appropriations
Mr. David Smulski, Staff, Senate Budget and Taxation Committee
Ms. Rebecca Ruff, Policy Analyst, DLS
Mr. Christopher Zwicker, Budget Analyst, DBM
Ms. Sarah Albert, Mandated Reports, DLS



Department of Public Safety and Correctional Services

Maryland Commission on Correctional Standards

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STATE OF MARYLAND

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ROBERT J. JOHNSON
CHIEF OF STAFF

WALTER B. RIDLEY
CHAIRMAN

HOWARD RAY, JR.
EXECUTIVE DIRECTOR

November 19, 2010

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

Dear Secretary Maynard:

I am pleased to present the twenty-eighth Annual Report for the Maryland Commission on Correctional Standards accounting for the agency activities during Fiscal Year 2010. The issuance of this report is intended to satisfy the requirements set forth in the Annotated Code of Maryland, Correctional Services Article, Section §8-110.

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

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

As Executive Director of the Commission, I look forward to the challenges and accomplishments ahead. Through leadership, partnership, communication and advocating the use of standards as a management tool, we will make Maryland's correctional system a model for the nation.

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

Very truly yours,

Howard Ray, Jr.
Executive Director

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MISSION

VISION

STATEMENT

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

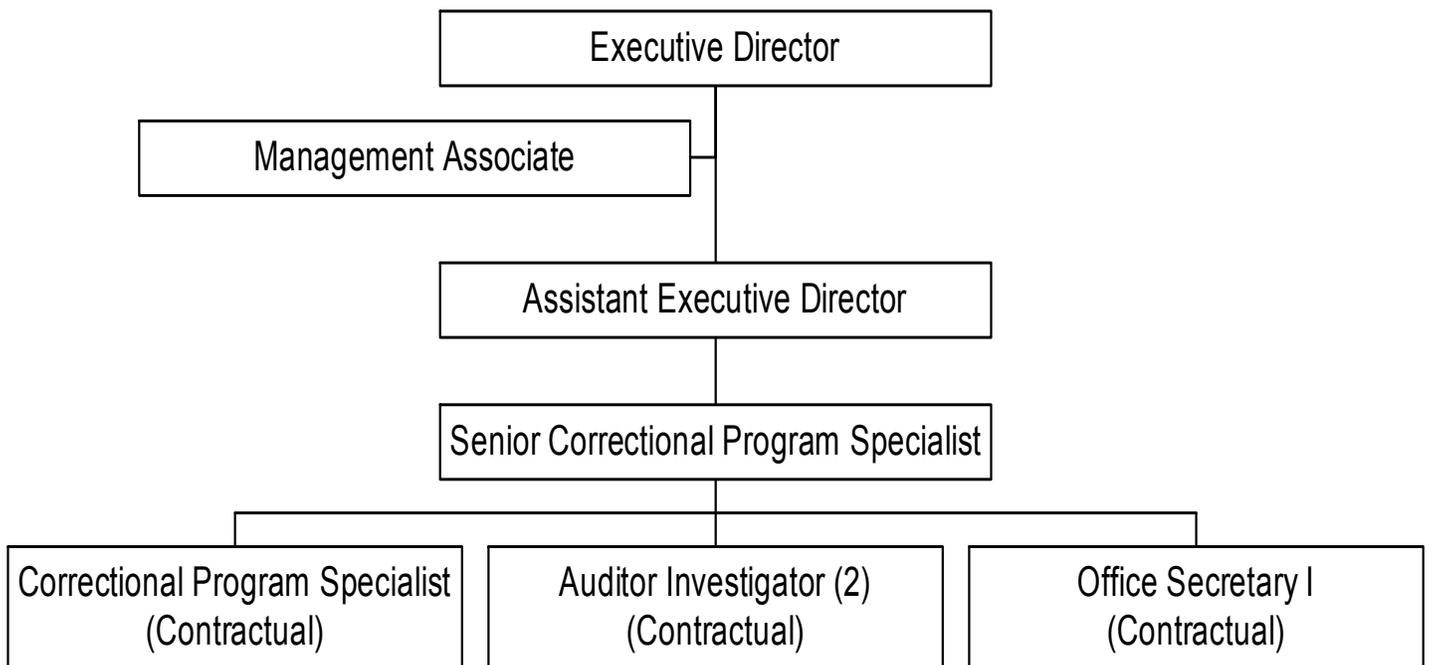
| MISSION: | VISION: | GOALS: |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none">▪ The Mission of the Maryland Commission on Correctional Standards is to provide the citizens of Maryland with an efficient correctional system with an emphasis on public safety, staff well-being, and inmate welfare by encouraging the application of sound correctional management principles and procedures. | <ul style="list-style-type: none">▪ Developing and promoting standards for excellence | <ul style="list-style-type: none">▪ Good Management ensure the Commission operates efficiently by conducting timely and high quality audits and compliance audits of all places of adult correctional confinement and private home detention monitoring agencies. |

MANAGING FOR RESULTS

| ADDITIONAL MEASURES | 2008 | 2009 | 2010 | 2011 |
|------------------------------------------------------------------------|--------|--------|--------|-----------|
| Baseline Measures: | Actual | Actual | Actual | Estimated |
| Number of DPSCS operated prisons | 18 | 17 | 17 | 17 |
| Number of DPSCS operated pre-release units | 13 | 13 | 10 | 10 |
| Number of local community correctional facilities | 4 | 3 | 3 | 3 |
| Number of local detention centers | 25 | 25 | 25 | 25 |
| Number of private home detention monitoring agencies | 4 | 4 | 4 | 7 |
| Percent of facilities audited during the last three years audit cycle: | | | | |
| DPSCS operated prisons | 100% | 100% | 100% | 100% |
| DPSCS operated pre-release units | 100% | 100% | 100% | 100% |
| Local community correctional facilities | 100% | 100% | 100% | 100% |
| Local detention centers | 100% | 100% | 100% | 100% |
| Private home detention agencies | 100% | 100% | 100% | 100% |

ORGANIZATIONAL CHART

MARYLAND COMMISSION ON CORRECTIONAL STANDARDS



EXECUTIVE SUMMARY

- The Maryland Commission on Correctional Standards is an agency within the Department of Public Safety and Correctional Services with legal authority referenced in the Annotated Code of Maryland, Correctional Services Article, Section §8-101, et seq. The Commission is empowered to develop and enforce minimum mandatory standards for all adult places of correctional confinement. In addition, the Commission provides technical assistance to these facilities. Some of the key events of Fiscal Year 2010 are noted below.



MCPRS RECEIPT OF ROA.

- The Maryland Commission on Correctional Standards remains focused on its mission of encouraging correctional administrators to utilize sound management principles and practices to maintain efficient operations. During FY10, the Commission continued its eleventh audit cycle of conducting high quality compliance audits for all places of adult confinement and private home detention monitoring agencies.

- The results of key objectives identified under the agency's Managing for Results process continue to demonstrate encouraging progress.



AA Co Executive and Superintendent Receive ROA

- In FY10, the agency continued to utilize outcome measures to evaluate the audit process and technical assistance provided. A total of 18 audits were conducted at adult places of correctional confinement and two audits were conducted at private home detention monitoring agencies.



HARFORD CDC ROA

- The Commission continued to utilize the senior staff members to act as Audit Team Leaders,

while continuing to solicit the volunteer services of the Duly Authorized Inspectors to participate in the completion of standards audits. Ninety percent of the managing officials of audited facilities rated the audit process as good or better in terms of accuracy, helpfulness and objectivity.

- Of the eighteen correctional facilities audited during FY10, all facilities were found to be in compliance with all of the minimum standards for places of adult confinement.

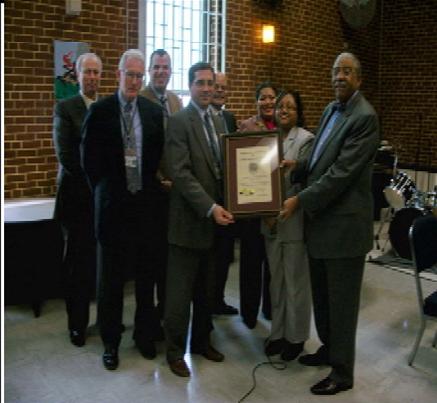


FREDERICK CDC ROA

- The Recognition of Achievement award was awarded to sixteen adult places of confinement. Seven were awarded (ROA) award in their initial audit and 9 required monitoring for 100% compliance upon completion of the monitoring process. This achievement continues to be the benchmark for correctional facilities in the State, and represents a commitment to the standards and the audit process by managing officials.

EXECUTIVE SUMMARY (CON'T)

• **Private Home Detention** monitoring companies are audited on a two-year cycle. FY10 began a new auditing cycle with two of the four home detention monitoring agencies receiving a full scale compliance audit. One agency received 100% compliance at the time of the initial audit. Commission staff continues to remain a resource to aid private home detention companies in achieving compliance with standards. During FY10, there were a total of seven licensed companies in Maryland.



MONTGOMERY COUNTY
PRE-RELEASE CTR. ROA

• The DAI's either worked with Commission staff or with experienced DAI's. Additionally, the newly trained DAI's will be able to assist their facilities in preparation for future MCCS audits and to aid with achieving a high level of compliance and a greater understanding of the audit process.

• The DAI's will also enhance facility procedures in order to provide additional tools and conduct in-house audits to assess compliance prior to the Commission audits. The audits began ten years ago as a program to assist correctional staff in conducting audits. The program has also helped correctional facilities achieve compliance with the standards. Training has been provided to many correctional managers and employees in standards and the audit process. The correctional staff have taken the knowledge gained from this

training experience and successfully applied it within their facilities. This has led to a decrease in time required to conduct a facility audit and an increase in overall compliance.



MCAC ROA

Commission staff strive to provide training in a variety of technical assistance in areas that benefit both the agency and correctional facilities.

The Commission continues to receive tremendous support from both State and local managing officials for the DAI program which demonstrates the value in utilizing correctional standards as a management tool.



WCI ROA

• **The Duly Authorized Inspector** program continues to be a vital part of the Commission's success. This unique program remains a model for other correctional auditing agencies around the country. In FY10, the Commission began using recently trained DAI's on audits. The recently trained DAI's were able to participate and assist the Commission with the audit process.

EXECUTIVE SUMMARY (CON'T)

The primary function of the Maryland Commission on Correctional Standards is to enforce, through regular on-site audits, the regulations for all adult places of confinement to determine levels of compliance. The eleventh audit cycle began July 2009.



BCBIC RECEIPT OF ROA

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

- **In FY10, there were sixteen complete audits performed. (6) DPSCS operated prisons. (1) Local Community Correctional Facility. (9) Local Detention Centers and (2) Private Home Detention Agencies.**

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

• The Commission has found that the Recognition of Achievement award has become a symbol of excellence in the correctional environment.

- While the Commission has no accrediting or licensing authority for adult places of correctional confinement, it recognizes the need to acknowledge the positive efforts of these facilities. Where deficiencies are noted during formal audits, compliance plans are developed in partnership with facility officials. The plan is then presented to the Commission for approval.

Upon approval, Commission staff regularly monitors each plan until total compliance is achieved.

- Facilities must implement the plan within a timeframe of six months from the date the Commission approves the final report. If the compliance plan's requirements are met within the time frame, the facility becomes eligible for the ROA. The Commission members vote on the presentation of the ROA award.



ORDNANCE ROAD-CORRECTIONAL FACILITY



JENNIFER ROAD DETENTION CTR

**INSTITUTIONS' STANDARDS
AND NON-COMPLIANCE
BREAKDOWN
(JULY 2009 – JUNE 2010)**

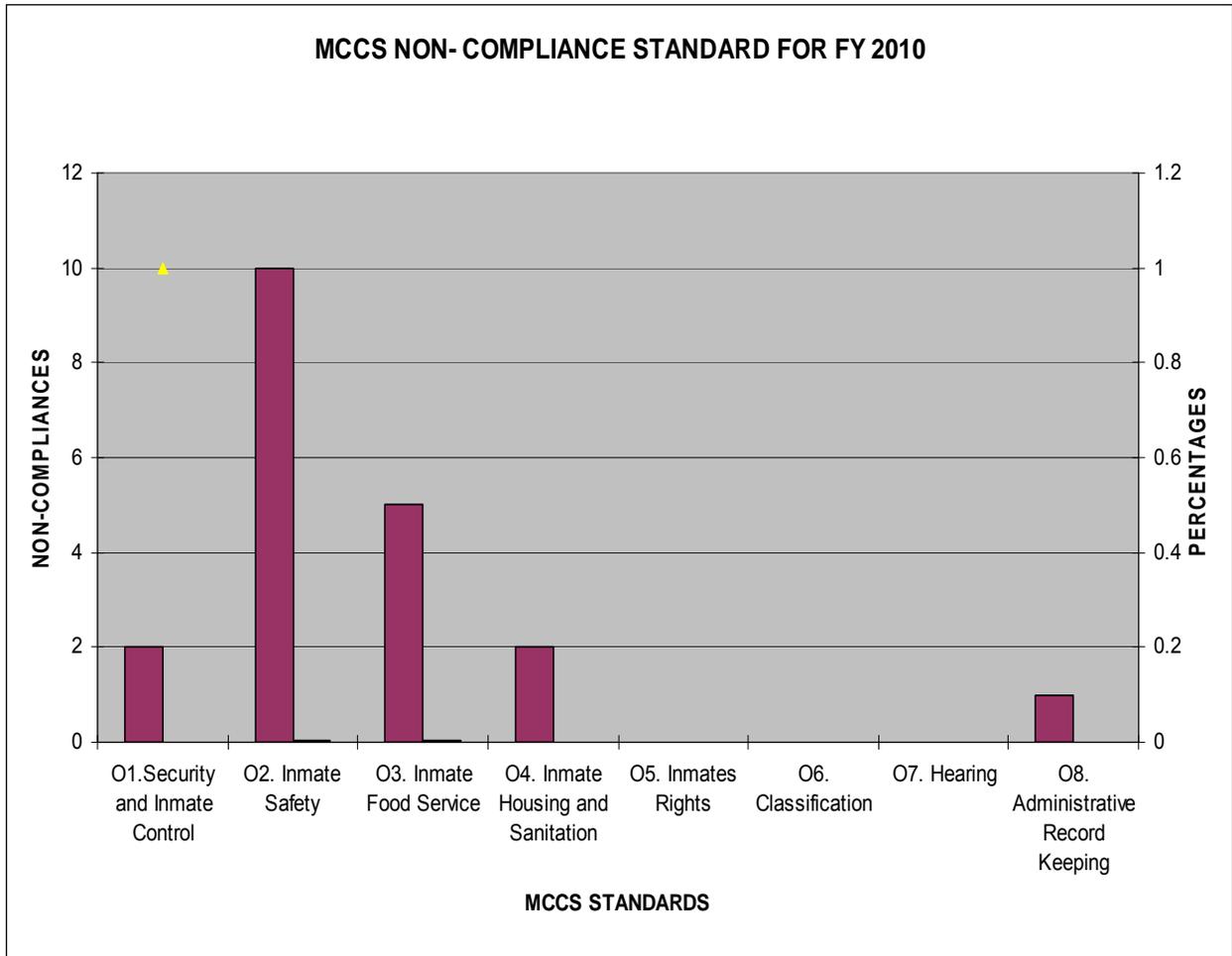
S T A N D A R D

| INSTITUTION | AUDIT DATE | TYPE | S T A N D A R D | | | | | | | | TOTALS | |
|-----------------------------------------------|---------------|------|-----------------|-----|-----|-----|-----|-----|-----|-----|--------|---|
| | | | .01 | .02 | .03 | .04 | .05 | .06 | .07 | .08 | | |
| Baltimore County Department of Corrections | 3/1-5/10 | ADC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Brockbridge Correctional Facility | 6/21-25/10 | ACI | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Cecil County Community Corrections Center | 5/18-21/10 | ACCF | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Cecil County Detention Center | 5/18-21/10 | ADC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Charles County Detention Center | 10/27-29/09 | ADC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Division of Correction - HQ | 03/04/10 | HQ | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 |
| Frederick County Detention Center | 12/8-11/09 | ADC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Harford County Detention Center | 11/3-5/09 | ADC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Howard County Detention Center | 12/14-16/09 | ADC | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| Jessup Correctional Institution | 4/19-23/10 | ACI | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| Kent County Detention Center | 10/6-8/2009 | ADC | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| Maryland Correctional Institution for Women | 4/5-9/10 | ACI | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Maryland Correctional Pre-Release System - HQ | 08/11/09 | HQ | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| North Branch Correctional Institution | 9/15-18/09 | ACI | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| Queen Anne's County Detention Center | 3/16-18/10 | ADC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Wicomico Co. Detention Center | 07/21/09 | ADC | 1 | 3 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 6 |

11th Cycle Audits | | | 2 | 10 | 5 | 2 | 0 | 0 | 0 | 1 | 20

-TOTAL INSTITUTIONS AUDITED: 16
 -NUMBER OF "ADC" FACILITIES AUDITED: 9
 -NUMBER OF "ACI" FACILITIES AUDITED: 4
 -NUMBER OF "ACCF" FACILITIES AUDITED: 1
 -NUMBER OF "HQ" FACILITIES AUDITED: 2

AUDIT RESULTS



The categories listed above reflect the cumulative non-compliances for audits conducted in FY-2010.

AUDIT RESULTS

Recognition of Achievement Award FY- 2010.

| INSTITUTION | Date | TYPE | Total Compliance | ROA |
|-----------------------------------------------|----------|------|---------------------|-----|
| Baltimore County Department of Corrections | MAR '10 | ADC | √ | ROA |
| Brockbridge Correctional Facility | JUNE'10 | ACI | √ | ROA |
| Cecil County Community Corrections Center | MAY '10 | ACCF | √ | ROA |
| Cecil County Detention Center | MAY '10 | ADC | √ | ROA |
| Charles County Detention Center | OCT '09 | ADC | √ | ROA |
| Division of Correction - HQ | MAR '10 | HQ | * | |
| Frederick County Detention Center | DEC '09 | ADC | √ | ROA |
| Harford County Detention Center | NOV '09 | ADC | √ | ROA |
| Howard County Detention Center | DEC '09 | ADC | * | |
| Jessup Correctional Institution | APR '10 | ACI | * | |
| Kent County Detention Center | OCT'09 | ADC | * | |
| Maryland Correctional Institution for Women | APR '10 | ACI | * | |
| Maryland Correctional Pre-Release System - HQ | SEPT '09 | HQ | * | |
| North Branch Correctional Institution | SEPT '09 | ACI | * | |
| Queen Anne's County Detention Center | MAR '10 | ADC | * | |
| Wicomico Co. Detention Center | JULY '09 | ADC | * | |

√ RECEIVED 100% COMPLIANCE AND ROA AWARD

* R.O.A PENDING MONITORING VISIT.

BUDGET REPORT FOR FISCAL YEAR 2010

BUDGET APPROPRIATION AND ACTUAL EXPENDITURES

| | <u>2010 APPROPRIATION</u> | <u>2010 EXPENDITURES</u> |
|----------------------------------------------|---------------------------|--------------------------|
| .01 Salaries and Wages | 389,901 | 325,187 |
| .02 Technical & Special | 44,302 | 49,903 |
| .03 Communication | 4,315 | 3,299 |
| .04 Travel | 24,400 | 19,030 |
| .06 Utilities | 4,658 | 3,742 |
| .07 Motor Vehicle Operational/Maintenance | 200 | 867 |
| .08 Contractual Services | 5,704 | 4,825 |
| .09 Supplies/Materials | 3,100 | 2,290 |
| .10 Equipment Replacement | 0 | 248 |
| .11 Equipment Additional | 0 | 3,128 |
| .13 Fixed Charges | 26,072 | 26,168 |
| TOTAL | 502,652 | 438,687 |

COMMISSION MEMBERSHIP



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

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

CITIZEN MEMBERS

Walter B. Ridley – Elected Chairman

Delores Alexander

STATE CORRECTIONAL OFFICIALS

Commissioner, Division of Pretrial Detention and Services

J. Michael Stouffer Commissioner, Division of Correction

COMMISSION MEMBERSHIP (CON'T)

LOCAL CORRECTIONAL OFFICIALS

Milton Crump, Vice Chairman
Director, Calvert County Department of Corrections
Robert Green Warden, Montgomery County Correctional Facility
Department of Correction and Rehabilitation

MEDICAL/MENTAL HEALTH PROFESSIONAL

Maria Elmo, M.D.

LOCAL ELECTED OFFICIAL

Sheree Sample-Hughes
Councilwoman, Wicomico County Council

NATIONAL STANDARDS REPRESENTATIVE

Jeffrey Washington
Director of Standards and Accreditation
American Correctional Association

EX-OFFICIO MEMBERS

Douglas F. Gansler., Attorney General, State of Maryland
(Represented by Diane Bustos, Assistant Attorney General)

Alvin Collins, Secretary, Department of General Services
(Vacant)

T. Eloise Foster, Secretary, Department of Budget and Management
(Represented by Sean Egan, Budget Analyst)

MEETINGS OF THE COMMISSION FY-2010 MEETINGS SCHEDULE

The Commission meets on a regular basis in locations throughout the state. The meetings usually are held at correctional facilities, so that a tour can be provided for members. Attendance by administrators of facilities whose audit reports are being considered is encouraged.

| | | |
|--------------------------------------|--------------------|-----------------------------------------------------------|
| 231 st Commission Meeting | July 30, 2009 | Maryland Correctional Institute Jessup, Maryland |
| 232 nd Commission Meeting | September 24, 2009 | Brockbridge Correctional Institution Jessup, Maryland |
| 233 rd Commission Meeting | November 19, 2009 | Jessup Correctional Institution Jessup, Maryland |
| 234 th Commission Meeting | January 28, 2010 | Brockbridge Correctional Facility Jessup, Maryland |
| 235 th Commission Meeting | March 18, 2010 | Baltimore County Dept. of Corrections Jessup, Maryland |
| 236 th Commission Meeting | June 10, 2010 | Patuxent Institution Jessup, Maryland |

ADVISORY BOARDS

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

ADULT DETENTION CENTERS

ADULT CORRECTIONAL INSTITUTIONS

ADULT COMMUNITY CORRECTIONAL FACILITIES



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

Board and committee memberships include citizens, state and local correctional administrators, regulatory officials, legal authorities, academicians, government officials and others. The Commission periodically reviews the membership of each board.

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

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

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

ESTABLISHMENT OF THE COMMISSION

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

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

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

The 1980 Session of the General Assembly passed an act establishing the Commission on Correctional Standards. This is codified in the Correctional Services Article, Title 8, Subtitle 8-101 seq., Annotated Code of Maryland. Its salient provisions require the Commission to:

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

Consult and cooperate with other state agencies and local jurisdictions concerning standards development and enforcement

HISTORY OF STANDARDS DEVELOPMENT

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

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

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

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

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

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

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

In 1998, the General Assembly passed, and the Governor signed into law, a bill governing the operations of private home detention companies. (See Annotated Code of Maryland, Business Occupations and Professions Article, §20-101, et seq). The law required the Secretary of Public Safety and Correctional Services to establish regulations and licensing procedures for private home detention companies by July 1, 1999. The Secretary asked the Commission to develop standards applicable to the operation of these companies. On August 6, 1998, the first in a series of meetings was convened by the Commission Chair with Commission staff and company principals in attendance. In January 1999, the Commission's Technical Assistance and Advisory Boards assembled to review and comment on a draft of the standards document. Taking into account the many comments made, the Commission took final action on the Standards at its meeting in March 1999, and formally recommended them to the Secretary. The Secretary approved and adopted these standards, and they became effective as emergency regulations in July 1999. These emergency regulations were modified to incorporate revisions to the Correctional Services Article of the Annotated Code of Maryland and became effective under COMAR 12.11.10 on August 5, 2000.