

**DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
FY 2019 PATUXENT INSTITUTION**

Inmate Assault Rates

Issue: Despite recent declines, the Department of Public Safety and Correctional Services (DPSCS) should comment on the elevated level of assaults, why the long-term assault rate against staff has been substantially higher than the rate against other offenders, and its efforts to reduce assaults.

Response: The institution is committed to addressing all forms of assaults within the facility. As noted by the analyst there has been a significant decrease in both offender on staff and offender on offender assaults for Fiscal year 2017. The assault rates within the in-patient mental health unit are a function of the severity of both the symptoms related to the referral to the unit and the criminogenic personality factors with their behavior in the community that resulted in incarceration. The reduction in the assault rate for the in-patient unit is primarily related to the use of plexiglas shields during rounds, meals, and dispensing medications. The institution also continues to utilize the following interventions that are designed to enhance the delivery of clinical services within a safe and secure facility.

- 1) Institution Violence Reduction Committee meets on a monthly basis to review incidents for the purpose of developing strategies to address areas of assaults.
- 2) The institution is committed to the reduction of contraband entering the institution which can be a significant factor associated with assaultive behavior among inmates. The institution utilizes a comprehensive search process for all visitors, staff, inmates, and packages.
- 3) The institution has modified day-to-day operations and movement on the tiers, which gives the Correctional Officers additional control. Examples of these modified activities include:
 - a. Requiring inmates to log their request to use the phones on a list maintained by the Correctional Officers. This allows more equitable use of the phones and prevents certain offenders or security threat groups from monopolizing the phones.
 - b. Minimizing the number of inmates in the recreation area at one time.
 - c. Increasing the supervisor presence on the tiers that are presenting the greatest concerns.
 - d. Providing additional training to staff on how to manage the different population.

Inmate Variable Costs

Issue: The Patuxent Institution should comment on the JRA and the impacts that it will have on the institution's population and operations, particularly on Maryland Correctional Enterprises operations located at the facility.

Response: The Department estimates that the most significant impact on the Patuxent Institutions Average Daily Population (ADP) will be on the parole violator population as a result of the enactment of the Justice Reinvestment Act (JRA). However, it's important to keep in mind that JRA has only been in place since October 2017 and therefore, with limited data available is impossible to predict what the ultimate impact will be. In addition, it is possible that with the implementation of alternative sanctions associated with the JRA that there may be a reduction in the number of male offenders being transferred to the facility for parole violation hearings.

The institution has a collaborative relationship with Maryland Correctional Enterprises (MCE) and does not believe there will be any adverse impact on MCE operations. MCE vocational operations are primarily staffed with a cadre of offenders with more lengthy sentences including offenders in the Eligible Person and Youth Programs with longer sentences and who are receiving training in each operation as well as developing effective work habits. The institution's focus will be on the continued support of these operations as they provide a valuable experience associated with preparation for re-entry to the community.

Residential Offender Treatment Center

Issue: DPSCS should comment on the reduced substance abuse spending, reasons why the previous contract was terminated, and how plans for a new contract will comport with JRA guidelines for expanded drug treatment.

Response: The Department entered into a new contract to provide substance abuse services in April of 2015. However, the vendor was not able to meet various requirements to serve the population and as a result the contract was ended for convenience due to performance issues.

The Department fully supports JRA and as indicated in prior testimony the Department is currently in the process of drafting a scope of work to expand and enhance substance abuse treatment within correctional facilities. This new contract will incorporate the requirements of conducting the risk and needs assessment upon intake as well as the increased treatment and programming. The Department estimates that a formal solicitation will be issued in late April 2018.

Transient Population

Issue: DPSCS should comment on the impact of service delivery given that ADP is above capacity and whether DOC inmates, particularly those from JCI, are still meeting criteria for needing Patuxent services.

Response: The institution is committed to the delivery of specialized clinical services to a wide array of offenders within the Department of Public Safety and Correctional Services. Despite increases at the institution associated with accommodating male parole violator hearings, and the depopulation and reorganization of offenders across the State, the institution has not discontinued any of its mental health programming. As noted in the analysis the facility population did increase from September to December 2017. This increase was largely attributable to an increase in the number of parole violators. This population is subject to more frequent changes. However, the population has since leveled off and in fact as of Tuesday, February 20th the population at the facility has decreased to 886 offenders.

Additionally, there has not been an impact on any of the facility services. The statutory Eligible Person and Youth Programs continue to accept admissions. The Patuxent Assessment Unit and the Correctional Mental Health Center-Jessup continue to provide services to offenders across the State with serious mental illness. These programs are augmented by the continued delivery of structured programming for both parole violators and offenders with mental illness who are being prepared for an effective transition to the community. The cooperative relationship between custody and clinical professionals at this unique facility has allowed for the appropriate operational adjustment to allow for the continued delivery of quality services.

Recommended Actions

1. Adopt the following narrative:

Staffing and Overtime Issues at the Patuxent Institution: In fiscal 2017, the Patuxent Institution had a vacancy rate of 21%, higher than the department's overall vacancy rate of 15.7%. When compared to all Department of Public Safety and Correctional Services (DPSCS) institutions, the Patuxent Institution is in the top five for overtime spending and the highest in overtime spending per capita. The budget committees request that DPSCS submit a report by December 1, 2018, which outlines why the Patuxent Institution population has increased, which facility each inmate came from, and the current enrollment of inmates delineated by Patuxent Institution programs. In addition, DPSCS should provide information on whether the current average daily population is sustainable given that the population has exceeded full capacity. Finally, the department should report on the status of the Regimented Offender Treatment Center drug treatment program and when it is likely to be operational, as well as information on why overtime costs at the institution are the highest per capita among all DPSCS State prisons.

Response: The Department concurs with the recommended action.