



**Department of Public Safety and Correctional Services
Office of the Secretary**

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Department of Public Safety and Correctional Services
Administration and Offices
Fiscal Year 2025 Operating Budget
Response to Department of Legislative Services Analysis

Senate Budget and Taxation Committee
Public Safety, Transportation and Environment Subcommittee
Senator Sarah K. Elfreth, Chair
Friday, February 2, 2024

Appropriations Committee
Public Safety and Administration Subcommittee
Delegate Jazz Lewis, Chair
February 1, 2024

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RE-ENTRY SERVICES

DPSCS Nonresponsive to PIA Complaints

Issue: DPSCS should provide information to the committees on efforts to increase transparency, train records custodians to correctly identify PIA exemptions, and avoid complaints being brought to the Maryland PIA Compliance Board.

Response:

The Department accepts responsibility for the mishandling of the Public Information Act (PIA) Requests and has been working to put measures in place that will correct the issue and ensure that it does not happen again.

The Office of Constituent Services (OCS) is responsible for handling these requests. After investigation the Department discovered that the leadership of OCS was not properly handling PIAs, and this necessitated a personnel change. The Department recently hired a new Director and Manager of OCS and many new OSC Administrators.

The new Director and Manager of OSC have received training conducted by the Maryland PIA Compliance Board/Ombudsman office. The training focused on the requirements of responding to a request in accordance with the PIA Act law. Department leadership has stressed the importance of complying with

PIAs and the necessity of transparency in our work. We anticipate PIAs will be handled more responsibly moving forward.

Recommended Action:

1. Add language withholding funds until the Department of Public Safety and Correctional Services submits a written plan to comply with the Public Information Act (PIA).

The Department agrees with this recommendation.

2. Adopt the following narrative:

Justice Reinvestent Act (JRA) Report: The committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by December 1, 2024.

The Department agrees with this recommendation.

3. Report on Recidivism: The committees are interested in the impact of incarceration on the future outcomes of returning offenders. The committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by November 15, 2024.

The Department agrees with this recommendation.

4. Adopt the following narrative:

Correctional Program Participation Measures: The budget committees are concerned that there is little information available to track the participation of offenders in the various programs, services, and opportunities available to them. The availability of programs and services was reduced during the COVID-19 pandemic, and there was little opportunity for the budget committees to review the effect this had on offender rehabilitative efforts. The budget committees request that the Department of Public Safety and Correctional Services (DPSCS) add data tables to the department's annual Managing for Results submission starting with the fiscal 2026 allowance that provide annual counts of programming participants by primary assignment and facility; counts of participants by secondary, tertiary, or subsequent programming assignments by facility; and annual counts of nonparticipants by facility.

The Department agrees with this recommendation.

5. Adopt the following narrative:

Medical Contract Award Notification: The budget committees are concerned about the ongoing efforts to procure new medical and mental health care contracts for the separate incarcerated and pretrial populations in Department of Public Safety and Correctional Services (DPSCS) custody. The incumbent medical contract has had several issues before, during, and following the COVID-19 emergency period. The budget committees request that DPSCS submit a report notifying the budget committees at least 14 days prior to presenting a contract to the Board of Public Works (BPW) for correctional or pretrial medical and mental health services.

The Department agrees with the recommendation, however because BPW does not release its agenda until the Friday of the week before the BPW, the Department would prefer to send the notification at the same time the agenda is released.