



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

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Department of Public Safety and Correctional Services  
Administration/Offices - Q00A  
Fiscal Year 2027 Operating Budget  
Response to Department of Legislative Services Analysis

Senate Budget and Taxation Committee  
Public Safety, Transportation and Environment Subcommittee  
Senator Shelly Hettleman, Chair  
February 26, 2026

Appropriations Committee  
Public Safety and Administration Subcommittee  
Delegate Gabriel Acevero, Chair  
February 25, 2026

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**Three-year Recidivism**

**ISSUE: DPSCS should provide one-year recidivism data for the fiscal 2024 release cohort and discuss the reasons for discontinuing one-year recidivism data in its annual MFR submission.**

**Response:** In FY 2026 after years of comprehensive 3-year recidivism evaluation, the Department aligned its MFR recidivism reporting with its annual recidivism reported within the Joint Chairman's Report. This alignment was done in response to the continued demonstrable inaccuracy of recidivism measurement before return and commitment data had time to mature. Pre-emptive measurement dramatically misrepresented the rate of recidivism during the time when it is the highest. For example, in FY 2019 reporting, first year recidivism within the 3 year period resulted in a calculated rate of 7.97%, when the actual rate of Year 1 recidivism for the FY 2018 cohort was 22.31% for any reason, and 8.01% for new offenses alone. This known shortcoming led to misunderstandings of recidivism trends, and is sufficiently measured and reported in full as a one year measure within the Department's JCR response. Because continued one-year measurement reporting would result in two year delays in MFR submission, with the prior two years never reporting data, the Department, in discussion with DBM, aligned the reporting to memorialize the comprehensive three year rate, and preserve the focus on new offense recidivism report, by reporting the 3-year outcomes within its annual reporting. This ensures that even absent a JCR reporting requirement, this

central outcome will remain part of the Department's performance measurement.

Due to these described shortcomings in early measurement, the one year recidivism rate for FY 2024 will not be available until FY 2028.

### **Contraband Finds**

**ISSUE: The department should explain the factors contributing to the rise in weapons discoveries and outline the actions underway to curb weapons contraband within its facilities. DPSCS should also discuss metrics that it uses to clarify whether the increase reflects improved detection and enforcement efforts or an actual increase in contraband in circulation.**

### **Response:**

A comprehensive review of Intelligence & Investigative Division (IID) and Contraband Interdiction Team (CIT) data reflects that recovery increases are largely attributable to expanded permanent staffing, enhanced intelligence integration, and strengthened detection efforts completed in 2025, rather than solely an increase in contraband circulation.

### **Increased Permanent Staffing (Completed 2025)**

In 2025, the IID was authorized significant permanent staffing enhancements within the Intelligence and Contraband Interdiction Teams:

- IID Intelligence Staffing Expansion:  
IID added additional Correctional Sergeants to the permanently assigned facility intelligence structure department wide consisting of 16 Sergeants. This represents a substantial increase in institutional intelligence capacity and supervisory oversight.
- Permanent Contraband Interdiction Team:  
CIT, which began as a temporary duty (TDY) or as needed unit in 2021, transitioned in 2025 to a fully permanent team staffed with 8 Sergeants, 1 Lieutenant, and 1 Captain This structural stabilization strengthened coordination, intelligence integration, and operational focus statewide.

The increase of permanent staffing in 2025 directly resulted in:

- Increased search operations
- Expanded regional and institutional intelligence coverage
- Greater intelligence exploitation capacity GTL and Tablets

- More frequent unannounced search and response deployments (guided by institutional intelligence)

As search and enforcement activity increases, contraband detection correspondingly increases.

While certain categories of contraband recovery show fluctuation, the data demonstrates disruptive effects rather than unchecked proliferation. The increased cellphone recoveries, interdictions and intelligence exploitation, suggests that enforcement efforts are dismantling disrupting coordination mechanisms used to facilitate violence and smuggling within the institutions.

### Actions Underway

The Intelligence and Investigative Division continues to implement a comprehensive investigative and interdiction strategy:

- Intelligence-Driven Searches: Monitoring inmate communication systems and tablet platforms to identify coded contraband discussions
- Data Exploitation: Intelligence analysts extracting actionable intelligence from recovered cellular devices to prevent assaults and disrupt contraband trafficking
- Enhanced Recruit Training: CIT provides hands-on contraband detection instruction to incoming correctional officer recruits, expanding frontline detection capabilities
- Emergency Deployment Model: Increased rapid response operations following overdoses and assaults
- Interagency Collaboration: Continued coordination with facility administrations and sworn law enforcement members of the IID Special Investigations Section to address corruption and external supply chains.

### Metrics Used to Distinguish Detection vs. Circulation

To assess whether increased recoveries reflect improved enforcement or increased contraband presence, DPSCS evaluates: (greater evaluation of 2026 statistics given the full time CIT team and additional staff assigned)

1. Year-over-Year Recovery Comparisons by Category
2. Search Volume and Operational Tempo (driven by expanded permanent staffing)
3. Intelligence Leads Generated from Device Exploitation
4. Correlated Violence and Overdose Indicators
5. Training Output and Frontline Detection Expansion

Where increased staffing and operational tempo correspond with stable or declining violence indicators, recovery increases are interpreted as evidence of improved interdiction effectiveness.

The increase in reported contraband discoveries is closely aligned with the Department's 2025 completion of expanded permanent institutional intelligence staffing, the establishment of a permanent Contraband Interdiction Team, and enhanced intelligence-driven investigative and enforcement strategies.

These structural improvements have strengthened the department's ability to proactively detect, disrupt, and dismantle contraband networks within correctional facilities. The Department remains committed to data-driven evaluation, transparency, and continued collaboration with all partners to ensure measurable and sustained improvements in facility safety and security.

### **Participation in Programming**

**ISSUE: DPSCS should comment on the reasons for the decrease in program participation and its efforts to engage incarcerated individuals.**

**Response:** The Department has taken steps to increase program participation. A dedicated coordinator has been assigned to actively engage with incarcerated individuals as well as community partners to identify and address participation. Additional outreach efforts have included hosting facility town hall meetings, providing opportunities for incarcerated individuals to ask questions directly to facility and community program staff to increase communication regarding available services. Lastly, we have collaborated with our community partners to expand programming availability by offering to expand programming availability by offering sessions during early evening hours and on weekends to better accommodate participant needs. The department will continue to monitor participation rates and barriers for participation as well as programming options offered to incarcerated individuals.

The Department will also note that the analysis incorrectly cites previously revised MFR figures, and the actual education participation rates in FY 2019 were 3,563 students, reflecting a decrease in engagement of 28.3% since fiscal 2019, not a decrease of 62.5%. The Department continues to prioritize the strategic expansion of its programming, especially GED programming, with the planned implementation of a GED testing center within DPDS, supported by grant funding. The Department measures outcomes for education by more than just enrollment, and is proud to report that through targeted improvements in testing preparation and program

design, it maintains a higher GED pass rate than the national average and the Maryland community average.

### **Private Home Detention Monitoring Companies**

**ISSUE:** The department should comment on MCCS' auditing procedures and standards for PHDMAs, including the scope and frequency of reviews and identified compliance issues.

**Response:** MCCS audits Private Home Detention Monitoring Agencies, initially 6 months after licensing and every two years thereafter. The audit assesses the PHDMAs compliance with the standards of operation (COMAR 12.11.10.09), which are the following standards, with substandards:

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

PHDMA licensees are notified of noncompliances assessed during the audit and are provided a compliance plan and date when the documentation is required to be submitted to MCCS to determine compliance over a 6 month period of time or when a monitoring visit will occur to assess the noncompliances after the 6 months compliance time. A shortened monitoring period may be imposed, if the PHDMA is found noncompliant with the same standards previously found noncompliant at the initial audit.

### **Payment of Outstanding Bills to Healthcare Providers**

**ISSUE:** The department should comment on how the payments to subcontractors factored into the final settlement payment to YesCare and how the final settlement was determined.

**Response:** The Department's final settlement payment to YesCare was directly informed by the resolution of outstanding obligations owed to YesCare's subcontractors and providers. On October 21, 2024, the Department withheld final payment to YesCare pursuant to the Prompt Payment clause in Section 33.1(c) of the Contract and COMAR 21.10.08, after multiple subcontractors alleged nonpayment for satisfactorily

performed services. The Department initially intended to withhold up to \$8 million until YesCare resolved these outstanding obligations.

After YesCare disputed the Department's authority to withhold payment in November 2024, the Department issued a final determination on April 4, 2025, reaffirming its position. The Department found that a majority of YesCare's outstanding invoices were significantly overdue by the contract's conclusion on July 31, 2024, that YesCare had ceased communicating with its subcontractors and providers, and that YesCare's prior performance history presented a substantial risk that these obligations would not be fulfilled. Based on these findings, the Department exercised its authority under the Prompt Payment clause to issue direct payments totaling \$2.8 million to subcontractors with whom YesCare had a contractual obligation to pay for services rendered.

Concurrent with this process, YesCare had filed numerous claims and bid protest appeals with the Maryland State Board of Contract Appeals (MSBCA). To resolve this litigation, the Department and YesCare executed a Settlement Agreement on June 13, 2025. The settlement amount of \$10 million reflected a negotiated resolution of all outstanding amounts owed to YesCare under the contract, net of the \$2.8 million the Department had already paid directly to YesCare's subcontractors on YesCare's behalf. The Department issued two lump-sum payments under the Agreement: \$4 million on June 18, 2025, and \$6 million on July 8, 2025. In exchange, YesCare accepted the settlement as full and final satisfaction of all amounts due, subject to any future offset the Department may be authorized to apply.

Through this process, the Department ensured that documented subcontractors were made whole for services satisfactorily rendered while resolving YesCare's outstanding claims in a manner that protected the State's financial interests.

### **Recommended Actions:**

**(1) Adopt narrative requesting a report on strategic overtime**

**Response:** DPSCS accepts this recommendation.

**(2) Adopt narrative requesting a report on healthcare contract oversight**

**Response:** DPSCS accepts this recommendation.

**(3) Adopt narrative requesting a report on Private Home Detention Monitoring Agencies**

**Response:** DPSCS accepts this recommendation.

**(4) Adopt narrative requesting a report on Major Information Technology Projects**

**Response:** DPSCS accepts this recommendation.

**(5) Adopt narrative requesting quarterly Hiring and Attrition Report**

**Response:** DPSCS will continue to provide this report as requested.

**(6) Adopt narrative requesting a Three Year Recidivism Report**

**Response:** The analysis requests a report on Recidivism by October 15, 2026. However, under the Recommended Actions, the due date is August 15, 2026. The Department recommends consistency with the October 15, 2026 date; report submission by August 15 is impossible as the cohort year closes on July 1, 2026 and returns and commitments will not be finalized in time for data extraction.

**(7) Adopt narrative request a Justice Reinvestment Act Report**

**Response:** DPSCS will continue to provide this report as requested.