

~~(9) "EVIDENCE-BASED PROGRAMS AND PRACTICES" MEANS~~
~~PR~~ ~~IONS~~
~~IN~~
 Administrative "Graduated Sanctions" for "Technical Violations" – CS Art., §6-121
~~TH~~ ~~AMS~~
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~~OF~~ ~~D OF~~

~~(9) THE DIVISION SHALL USE PROVEN AND SOUND METHODS THAT~~
ARE CONSISTENT WITH EVIDENCE-BASED PROGRAMS AND PRACTICES AND
INNOVATIVE PROGRAMS AND PRACTICES TO AID AND ENCOURAGE A PROBATIONER
OR PAROLEE TO IMPROVE CONDUCT, TO REDUCE THE RISK OF RECIDIVISM, AND TO
PAY RESTITUTION.

(C) THE DIVISION SHALL HAVE AN INDEPENDENT VALIDATION STUDY
CONDUCTED EVERY 3 YEARS ON THE RISK AND NEEDS ASSESSMENT TOOL.

6-120.

THE DEPARTMENT SHALL REQUIRE ALL PAROLE AND PROBATION AGENTS AND
SUPERVISORS, COMMISSION MEMBERS, AND HEARING OFFICERS TO UNDERGO
ANNUAL TRAINING BASED ON THE MOST CURRENT RESEARCH, REGARDING:

(1) IDENTIFYING, UNDERSTANDING, AND TARGETING AN
INDIVIDUAL'S CRIMINAL RISK FACTORS;

(2) PRINCIPLES OF EFFECTIVE RISK INTERVENTIONS; AND

(3) SUPPORTING AND ENCOURAGING COMPLIANCE AND BEHAVIOR
CHANGE, INCLUDING REGARDING THE PAYMENT OF RESTITUTION.

6-121.

(A) THIS SECTION SHALL APPLY TO ALL INDIVIDUALS UNDER THE
SUPERVISION OF THE DIVISION.

(B) (1) THE DIVISION SHALL IMPOSE GRADUATED SANCTIONS IN
RESPONSE TO TECHNICAL VIOLATIONS OF CONDITIONS OF SUPERVISION.

(2) GRADUATED SANCTIONS MAY NOT INCLUDE INCARCERATION OR
INVOLUNTARY DETENTION.

1 **(3) THE DIVISION SHALL PROVIDE NOTICE TO THE COURT OF A**
 2 **TECHNICAL VIOLATION COMMITTED AND A GRADUATED SANCTION IMPOSED AS A**
 3 **RESULT OF THE VIOLATION.**

4 **(C) THE DEPARTMENT SHALL:**

5 **(1) ESTABLISH A PROGRAM TO IMPLEMENT THE USE OF GRADUATED**
 6 **SANCTIONS IN RESPONSE TO TECHNICAL VIOLATIONS OF THE CONDITIONS OF**
 7 **COMMUNITY SUPERVISION;**

8 **(2) ADOPT POLICIES AND PROCEDURES TO IMPLEMENT THE PROGRAM**
 9 **AND TO ENSURE THAT DUE PROCESS PROTECTIONS ARE IN PLACE FOR AN**
 10 **INDIVIDUAL UNDER THE SUPERVISION OF THE DIVISION TO CHALLENGE**
 11 **GRADUATED SANCTIONS IMPOSED UNDER THE PROGRAM; AND**

12 **(3) DEVELOP A MATRIX TO GUIDE A PAROLE AND PROBATION AGENT**
 13 **IN DETERMINING THE SUITABLE RESPONSE TO A TECHNICAL VIOLATION THAT**
 14 **INCLUDES A RANGE OF THE MOST COMMON VIOLATIONS AND A RANGE OF POSSIBLE**
 15 **NONCUSTODIAL SANCTIONS TO BE IMPOSED.**

16 **(D) IF THE AVAILABLE GRADUATED SANCTIONS HAVE BEEN EXHAUSTED,**
 17 **THE DIVISION SHALL REFER THE INDIVIDUAL TO THE COURT OR THE COMMISSION**
 18 **FOR ADDITIONAL SANCTIONS, INCLUDING FORMAL REVOCATION OF PROBATION,**
 19 **PAROLE, OR MANDATORY SUPERVISION UNDER § 7-401 OR § 7-504 OF THIS ARTICLE**
 20 **OR § 6-223 OR § 6-224 OF THE CRIMINAL PROCEDURE ARTICLE.**

21 **7-101.**

22 **(a) In this title the following words have the meanings indicated.**

23 **(m) “Violent crime” means:**

24 **(1) a crime of violence as defined in § 14-101 of the Criminal Law Article;**

25 **or**

26 **(2) burglary in the first, second, or third degree.**

27 **7-103.**

28 **(a) In this section, “offender” has the meaning stated in § 6-101 of this article.**

29 **(b) The Department may issue a certificate of completion to an offender who:**

30 **(1) was supervised by the Department under conditions of:**