



TESTIMONY OF ASST. SHERIFF MICHAEL R. AMERICAN – WARDEN, ST. MARY’S CO., MD.,

DETENTION CENTER: I have 34 years of law enforcement experience with the St. Mary’s Co. Sheriff’s Department with investigations from disturbing the peace to murder. In the last 13 years, I’ve been assigned as the Warden of the St. Mary’s Detention Center.

Eleven years ago, our St. Mary’s Detention Center reached a point of severe overcrowding with a population of 370 for a 230-bed facility. We began planning construction for jail expansion and renovation that would have cost \$30 million to include 5 new units. One such new cell block unit might accommodate up to 50 more individuals, but each cell block also would require at least 7 additional staff to monitor 24/7 operation. But, when we were ready to begin construction in 2014, the St. Mary’s County Council rejected the funding. Our jail population had dropped to about 250 with a decrease in the crime rate, but we still were more than 50 over capacity.

From my experience as president of the Md. Correctional Administrators Association (MCAA) and as member of the 2014 Maryland Pretrial Commission, I knew many counties around the U.S. and Maryland had successfully used risk screening and community supervision to reduce their pretrial jail populations.

With advice from Montgomery and Anne Arundel Co., we decided to start up our own program. We used the risk screening instrument from Montgomery and spent a couple of days visiting and talking with the other counties’ staff. After about 6 months preparations – including consultation with our Sheriff, Health Department, local judges, Parole & Probation, State’s Attorney & Public Defender, our St. Mary’s Pretrial Screening and Supervision program went into effect in November 2015.

We did it by reorganizing the duties of two (2) floor officers and obtaining approval for one new position to serve as case manager. In the past year, we incurred \$89,981 on GPS equipment, \$90,981 on drug screening, supplies, etc., and salary and related costs (case mgr. supervisor and two officers-\$265,427. Our overall costs were approximately \$499,987 per year to supervise as many as 56 individuals per month. Comparing overall costs for pretrial detention vs. pretrial community monitoring, our jail realized annual cost savings in FY16 of almost \$595,000.

Our inmate housing issues clearly do not occur as they did in extremes 11 years ago, even if we still have some critical requests to improve existing infrastructure.

There also have been clear improvements in our sentenced jail population and other law enforcement costs: Before the pretrial program started, the average individual’s sentence for our

detention center was 1 year to 18 months. But, the vast majority of our pretrial participants are able to demonstrate their compliance with supervision, substance abuse treatment and no new offenses during the pretrial period. This is very persuasive for judges so 76% of these defendants a chance on probation in 2017 without further jail time.

Also, we have found that 99% of our pretrial defendants do not miss their court dates. This is a great improvement over the 15% average “failure to appear(FTA)” rate for all St. Mary’s defendants in 2013 when we had no pretrial supervision program—and much better than our 9.6% FTA rate for those with bail bondsmen. We also found more than 89 percent in our pretrial program did not commit any new offense during supervision. This major drop in new offenses and FTAs also saves time and money for law enforcement and for our community.

Another big savings involves our drug screening and drug treatment referrals: Just locking someone up for a few weeks or months doesn’t stop them from being a heroin addict or some other kind of drug user. But, when we find drugs in their screening, we can take them to the Health Dept., get them signed up under the Affordable Care Act, and help them get clean. At the same time, they still can hold a job and keep their housing.

Much the same way, we try to help mental health patients stick with their treatment and their medication so they can stay in the community, if they have housing.

The biggest thing I remember was, after we got the system all set up and running, the judges all said “thank you.” Now, some judges even combine bail bond and supervision, and since they’ve become familiar with the program, they sometimes refer cases even before a bail review.

From my perspective, cash bail never has guaranteed compliance [with public safety requirements] and our leadership appears to struggle with this issue. There’s a major change going [around the U.S.] as we can no longer afford or build bigger jails & prisons with our jurisdiction (St.Mary’s) being a case in point.

Inmate population management is paramount for local jails and a properly executed pretrial supervision component offers both population stability and increased community safety. Maryland reports half the jails have chosen to do it and they chose to do it for a reason.

[Updates of statistics, eff. 1/21/18]

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NOTE:

The Md. Dept. of Legislative Services reports “**St. Mary’s County** advises that its pretrial population is not placed on private home detention monitoring, and the county **does not charge for pretrial services.**”