

1            **[(i)] (J)**        “Program” means a home detention program established under § 6–108  
2 of this subtitle.

3            **(K) “RISK AND NEEDS ASSESSMENT” MEANS AN ACTUARIAL TOOL**  
4 **VALIDATED ON THE STATE’S CORRECTIONAL POPULATION THAT DETERMINES:**

5                    **(1) AN INDIVIDUAL’S RISK OF REOFFENDING; AND**

6                    **(2) THE CRIMINAL RISK FACTORS THAT, WHEN ADDRESSED, REDUCE**  
7 **THE INDIVIDUAL’S RISK OF REOFFENDING.**

8            **(L) “TECHNICAL VIOLATION” MEANS A VIOLATION OF A CONDITION OF**  
9 **PROBATION, PAROLE, OR MANDATORY SUPERVISION THAT DOES NOT INVOLVE:**

10                    **(1) AN ARREST;**

11                    **(2) A CONVICTION; OR**

12                    **(3) A VIOLATION OF A NO–CONTACT ORDER.**

13 **6–104.**

14            (a) Subject to the authority of the Secretary and in addition to any other duties  
15 established by law, the Division:

16                    (1) shall:

17                            **(I) ADMINISTER A RISK AND NEEDS ASSESSMENT ON EACH**  
18 **INDIVIDUAL ON PAROLE OR MANDATORY SUPERVISION UNDER THE SUPERVISION**  
19 **OF THE DIVISION;**

20                            **(II) DEVELOP AN INDIVIDUALIZED CASE PLAN FOR EACH**  
21 **INDIVIDUAL ON PAROLE OR MANDATORY SUPERVISION WHO HAS BEEN ASSESSED AS**  
22 **MODERATE OR HIGH RISK TO REOFFEND;**

23                            **[(i)] (III) supervise [the conduct of parolees] AN INDIVIDUAL ON**  
24 **PAROLE OR MANDATORY SUPERVISION BASED ON THE RESULTS OF A RISK AND**  
25 **NEEDS ASSESSMENT CONDUCTED UNDER ITEM (I) OF THIS ITEM;**

26                            **[(ii)] (IV) supervise an individual under mandatory supervision**  
27 **until the expiration of the individual’s maximum term or terms of confinement;**

28                            **(V) NOTWITHSTANDING ANY OTHER LAW, MODIFY THE**  
29 **CONDITIONS OF PAROLE AND MANDATORY SUPERVISION FOR THE PURPOSE OF**

1 **IMPOSING GRADUATED SANCTIONS UNDER § 6–121 OF THIS SUBTITLE IN RESPONSE**  
2 **TO TECHNICAL VIOLATIONS AS AN ALTERNATIVE TO REVOCATION UNDER § 7–401**  
3 **OR § 7–504 OF THIS ARTICLE;**

4 **[(iii)] (VI)** regularly inform the Commission of the activities of  
5 offenders who are supervised by the Division, **INCLUDING, IF REQUESTED BY THE**  
6 **COMMISSION, ANY GRADUATED SANCTIONS IMPOSED UNDER § 6–121 OF THIS**  
7 **SUBTITLE;**

8 **[(iv)] (VII)** issue a warrant for the retaking of an offender charged  
9 with a violation of a condition of parole or mandatory supervision, if this authority is  
10 delegated by the Commission to the Director of the Division; and

11 **[(v)] (VIII)** administer the Drinking Driver Monitor Program, collect  
12 supervision fees, and adopt guidelines for collecting the monthly program fee assessed in  
13 accordance with § 6–115 of this subtitle; and

14 (2) may recommend:

15 (i) that the Commission modify any condition of parole or  
16 mandatory supervision; and

17 (ii) that the Commission issue a warrant for the retaking of an  
18 offender.

19 (b) Funding for the Drinking Driver Monitor Program shall be as provided in the  
20 State budget.

21 6–111.

22 If a court suspends the sentence of an individual convicted of a crime and orders the  
23 individual to continue under the supervision of the Division for a specified time or until  
24 ordered otherwise, the Division shall:

25 (1) **[supervise the conduct of] ADMINISTER A RISK AND NEEDS**  
26 **ASSESSMENT ON** the individual;

27 (2) **[determine whether the individual is complying with the conditions of**  
28 **probation or suspension of sentence] SUPERVISE THE INDIVIDUAL BASED ON THE**  
29 **RESULTS OF THE RISK AND NEEDS ASSESSMENT CONDUCTED UNDER ITEM (1) OF**  
30 **THIS SECTION; [and]**

31 (3) **DEVELOP AN INDIVIDUALIZED CASE PLAN FOR EACH INDIVIDUAL**  
32 **ASSESSED AS MODERATE OR HIGH RISK TO REOFFEND;**

## Links

The text above is extracted from the original HB1312 dated 2/13/2016.

To return to the page that sent you here, just close this window.

To see the current text of this legislation go to:

<http://mgaleg.maryland.gov/2016RS/bills/hb/hb1312f.pdf> or

<http://mgaleg.maryland.gov/2016RS/bills/sb/sb1005f.pdf>

To view the Maryland Alliance for Justice Reform summary page go to:

<http://www.ma4jr.org/jra-summary/>

To view the Maryland Alliance for Justice Reform's index to the JRA:

<http://www.ma4jr.org/jra-index/>

To see the legislative initiatives of the Maryland Alliance for Justice Reform:

<http://www.ma4jr.org/initiatives/>

To get further information about the Maryland Alliance for Justice Reform:

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Maryland Alliance for Justice Reform (MAJR) played a central 2015 role in advocating and supporting efforts to pass the Justice Reinvestment initiative in Maryland. While the 2016 JRA bill is not perfect from MAJR's viewpoint, its many important reforms could reduce Maryland's prison population by 16% and save \$270 million within 10 years.

By reinvesting those funds in alternatives to incarceration, our state's crime rate also could be reduced, taxpayer funds could be saved, while communities and families are strengthened. **For all these reasons, MAJR strongly recommends support and passage of the 2016 Maryland Justice Reinvestment Act.** Together, we can work to fill policy gaps and make further improvements through supplemental policy initiatives and legislation in future years.