

Chapter 05 – Intake, Classification, and Assessment
Section 04 – Assessment, Classification, and Case Planning

Authority: Correctional Services Article, §§ 6-101, 6-104, and 6-111,
Annotated Code of Maryland

A. Introduction. As with other elements of community supervision related to the series of laws known collectively as the Justice Reinvestment Act, certain supervision tools, long used by the Division in various forms, are now mandated by law. Effective October 1, 2017, State statutes pertaining to individuals placed with the Division require the Division to:

(1) Administer a validated screening tool on each supervised individual;

(2) Administer a risk and needs assessment and develop an individualized case plan for each individual who has been screened as moderate or high risk to reoffend; and

(3) Supervise an individual based on the individual’s probation or release order and, to the extent not inconsistent with the probation or release order, on the results of a validated screening tool or risk and needs assessment, as applicable.

B. Risk Assessment Process.

(1) Assessing risk is a process that begins with an initial screening, which is described below. For some cases, the process may end with the initial screening and periodic reassessments. Other cases may require the development of a case plan, which may be revised from time to time.

(2) Except as provided in paragraphs (3) and (4) below, an individual placed with the Division shall be screened using:

(a) The VPI Screener if the individual is age 29 years or younger; and

(b) The Initial Screener if the individual:

(i) Is age 30 years or older; or

(ii) Did not qualify for VPI supervision as a result of the administration of the VPI Screener.

(3) Individuals who qualify for sexual offender supervision are screened, and their risk assessed, by use of another validated risk instrument, the STATIC-99. (*See Operations Manual 07.09.02 for detailed information regarding the STATIC-99.*)

(4) Individuals identified for domestic violence supervision are screened and their supervision level determined as set forth in General Order 10-002.

(5) **The VPI Screener.** VPI Screener consists of three questions designed to determine whether

enhanced supervision consistent with the Violence Prevention Initiative is necessary. If the answer to each and all three questions is “yes”, then the individual is to be assigned to VPI supervision. The VPI Screener is available through SafetyNet (Go: SafetyNet > Agencies > Division of Parole and Probation > Forms > Supervision and Monitoring > DPP-SUP-29).

(6) **The Initial Screener.** The validated screening tool, called the Initial Screener, or screener, was developed for the Department by George Mason University’s Center for Advancing Correctional Excellence. The *Initial Screener* is available through the Assessment Dashboard found in OCMS.

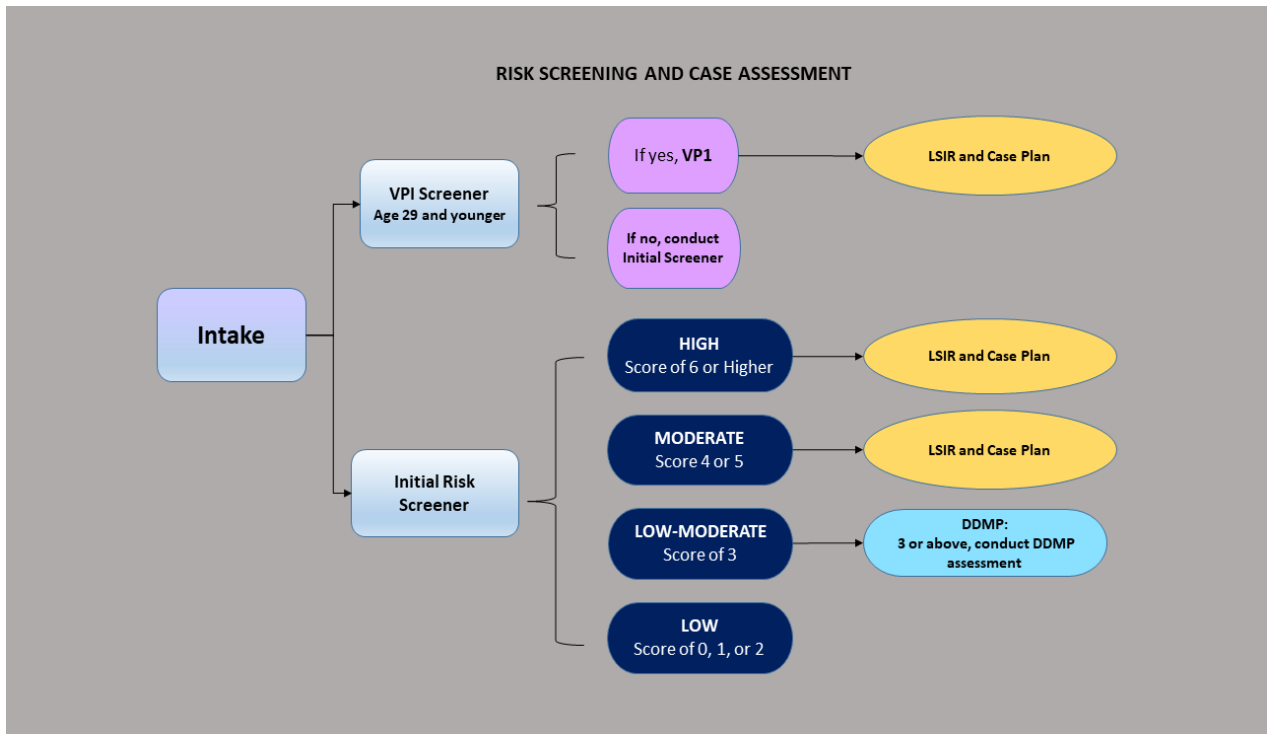
(7) **The Initial Screener Score Ranges.** The three screener questions ask the supervised individual’s present age, whether the individual has a current or prior weapons charge, and whether the individual has an arrest history. Each answer receives a numerical score. These scores are then tallied to calculate the individual’s supervision level as follows:

- (a) Screener score total of 0 to 2: Low supervision level;
- (b) Screener score total of 3: Low-Moderate supervision level;
- (c) Screener score total of 4 to 5: Moderate supervision level; or
- (d) Screener score total of 6 and above: High supervision level.

(8) **Drinking Driver Monitor Program.** An individual who is being monitoring within the Drinking Driver Monitor Program (DDMP) who scores 3 or more points on the Initial Screener shall be subject to further assessment using the DDMP Risk/Needs Assessment available through the Assessment Dashboard in OCMS.

(9) **Time Limitation.** The VPI Screener and Initial Screener, shall be completed not later than ten (10) calendar days after intake.

C. Flow Chart and Matrices. The inclusion of a flow chart and matrices in this policy is intended to provide a more user-friendly approach to explaining required procedures than would have been possible had the procedures been described in paragraph format. The flow chart and matrices contain procedural mandates. Accordingly, an employee shall follow the procedures in the flow chart and the matrices just as though the content had been set forth in paragraph format.



D. Overriding a Screening-Instrument Score.

(1) **Review and Approval Required.** An agent or monitor may not override a supervision level determined through the assessment process described in subsection B without the review and final approval of the agent or monitor’s immediate supervisor.

(2) An individual’s screening score may be overridden to a higher level if:

- (a) The Division receives credible information from a law enforcement official that public safety may be compromised without a higher level of supervision or monitoring;
- (b) The Division receives a complaint from the community, a treatment provider, or family members of the supervised or monitored individual that public safety may be compromised without a higher level of supervision or monitoring;
- (c) The supervised or monitored individual incurs a new arrest; or
- (d) The individual’s criminal background indicates that a higher level of supervision or monitoring may be warranted.

(3) **Override for Crimes of Violence.** An individual’s Initial Screener score indicating Low supervision may be overridden to Low-Moderate for the first six months of supervision if the underlying offense for which the individual is under supervision is:

- (a) A “crime of violence” as defined by the Annotated Code of Maryland, Criminal Law_

Article, § 14-101(a); or

(b) An offense involving a firearm or firearms.

(4) An individual whose supervision level was upgraded from Low to Low-Moderate in accordance with paragraph (3) above may be returned to “Low” if a subsequent reassessment results in a score of Low.

(5) **Discretionary Override for Institutional Infractions.** An individual on parole or mandatory release supervision may be overridden to VPI (for individuals under the age of 30) or High (for individuals age 30 or over), regardless of an individual’s Initial Screener score, if the individual’s institutional record includes the issuance of any of the following Inmate Rule Violations within two (2) years of the individual’s release:

(a) Rule 101 – Commit assault or battery on staff;

(b) Rule 102 – Commit assault or battery on an inmate;

(c) Rule 103 – Commit assault or battery on a person who is neither staff nor an inmate;

(d) Rule 104 – Make threats that include the use of physical harm to objects, property, or individuals;

(e) Rule 105 – Possess, use, or manufacture a weapon;

(f) Rule 124 – Be involved with or participate in willful or negligent homicide; or

(e) Rule 125 – Be involved with or participate in the taking of a hostage.

(6) **Documenting Override in OCMS.** An agent or monitor shall perform a pending supervision level override in OCMS by:

(a) Documenting in OCMS Case Notes the detailed reason(s) for why an individual’s supervision or monitoring level should be upgraded or downgraded;

(b) Initiating a supervision level change within the Intake Classification/Supervision Level History screen for the affected case;

(c) Selecting “Override” in the Assessment field of the Supervision Level Change sub-screen;

(d) Selecting the appropriate reason from the drop-down menu in the “Reason for Override” field on the Supervision Level Change sub-screen; and

(e) Selecting the “Supervisor Approval” button on the Supervision Level Change sub-screen.

(7) The supervisor who approved an override to a higher level of supervision shall document the

reason for the override in OCMS.

E. Case Planning.

(1) Case planning is a critical, dynamic and ongoing process which requires the involvement of the supervised individual, the individual's agent, and the agent's supervisor.

(2) Proper development and revision of a case plan requires application of:

(a) The supervised individual's release or probation order;

(b) *Tools of the Trade: A Guide to Incorporating Science into Practice* and the instructions for completing a case plan (available on SafetyNet, at <http://intranet.dpscs.mdstate/>); and

(c) The Level of Services Inventory-Revised, or LSI-R, an automated application that is available through SafetyNet. (Go: SafetyNet > Applications > Applications J – Z > LSI-R.) After the application is accessed, the user is guided and instructed through each of the LSI-R elements.

(3) **Case Plan Mandated.** Except as provided in paragraph (4) below, an agent shall establish a case plan for each individual who has been screened or placed by override into one of the following supervision levels:

(a) Moderate;

(b) High; and

(c) VPI.

(4) **Pre-Existing Case Plan.** If an agent finds a Divisional or Division of Correction case plan in OCMS that was conducted six (6) months or less before the inmate's release, the agent shall:

(a) Review that case plan in advance of conducting the LSIR for supervision case planning; and

(b) Incorporate uncompleted items from the DOC case plan into the case plan developed by the agent through the LSIR.

Note: If an agent locates a case plan developed by the Division of Correction for a recently released individual and the case plan includes a recommendation for post-release substance abuse treatment, the agent shall ensure that the case plan prepared by the agent includes the individual's substance abuse treatment enrollment and related information.

(5) **Time Limitation - Agent.** An agent shall:

(a) Submit a completed case plan to the agent's supervisor not later than 60 calendar days after the individual's active case is opened at an intake office; and

(b) Revise the plan when the individual's reassessment is due.

(6) **Time Limitation – Supervisor.** Not later than five (5) business days after an agent submits a case plan pursuant to paragraph (5) above, a supervisor shall:

(a) Approve the case plan as submitted; or

(b) Inform the agent that the case plan could not be approved as submitted and advise:

(i) How the plan should be revised; and

(ii) The new due date for the revised case plan to be submitted for supervisor approval.

Note: A supervisor shall approve a case plan when the supervisor is satisfied that the proposed plan or revision is responsive to the supervised individual's criminogenic factors.

(7) **Resources.** When a screener result or override requires the administration of an LSI-R, an agent shall conduct the LSI-R, using as many of the following resources as are available:

(a) The LSI-R User's Manual;

(b) An interview using motivational interviewing techniques with the supervised individual;

(c) A review of the individual's criminal justice history, to include, as applicable, arrests, convictions, criminal charges, driving record, offense reports and statements of charges, pre-sentence investigation reports, jail and prison records, and previous monitoring and supervision terms and outcomes; and

(d) Collateral sources, such as the individual's significant other, family, associates, and previous agents and monitors.

(8) **Refusal to Participate.** If an individual refuses to participate in the case-planning process, an agent shall document the refusal in the Department's Offender Case Management System (OCMS), complete the LSI-R, and identify in OCMS the resources relied upon to complete the LSI-R.

(9) **Criminogenic Factors.** An agent shall consider each criminogenic factor identified within an administered LSI-R. If a criminogenic factor is a:

(a) Strength, no further action is required; and

(b) Weakness, then all fields in that section shall be completed by the agent.

(10) **Involvement of Supervised Individual and Case Plan Review.** An agent shall:

(a) Involve the supervised individual in the case planning, if the supervised individual agrees

to participate;

(b) Provide to the individual a copy of the approved case plan; and

(c) Review the completed case plan monthly to:

(i) Gauge the individual's progress toward the objectives listed in the plan; and

(ii) Determine whether the plan's objectives should be changed.

(11) **Interim Revisions.** In addition to revising a case plan at established reassessment intervals, an agent:

(a) Shall revise a case plan in response to Intermediate-level infractions or technical violations committed by the individual; and

(b) May revise a case plan in response to the individual's compliant behavior.

(12) **Supervisor's Review and Approval Required.** An agent may not implement revisions to a case plan before obtaining supervisory approval.

(13) An agent shall submit a revised case plan to the agent's supervisor not later than five (5) business days from the date of:

(a) Reassessment; or

(b) One of the events described in paragraph (11) above.

(14) Not later than five (5) business days after a supervisor receives a revised case plan submitted by an agent pursuant to paragraph (13) above, a supervisor shall:

(a) Approve the case plan as submitted; or

(b) Inform the agent that the case plan could not be approved as submitted and advise:

(i) How the plan should be revised; and

(ii) The new due date for the revised case plan to be submitted for supervisor approval.

Note: A supervisor shall approve a revised case plan when the supervisor is satisfied that the proposed plan or revision is responsive to the individual's criminogenic factors.

(15) **Issues for Remediation.** This portion of the case plan requires an agent to draw upon the agent's training, experience, knowledge of evidence-based supervision practices, professional judgment, and knowledge of the individual's criminal history to identify the individual's criminogenic factors.

(16) **Prioritizing Factors.** An agent shall identify the factors that, if left unaddressed during the supervision period, would likely result in the individual's continued criminal activity. These factors take top priority in establishing the overall case plan and for which the action listed in the case plan is to be immediate.

Example: An individual has special conditions to attend GED classes, complete substance abuse treatment as directed, and to enroll in vocational training. Based upon the agent's training and experience, the agent takes immediate action to refer the individual for a substance abuse evaluation but makes no referral for GED or job training, pending the outcome of the evaluation. If the individual is referred for treatment, the agent may, if the plan is approved by the agent's supervisor, delay action on the other special conditions until the individual is stabilized in recovery (a time period that varies from individual to individual) and reasonably can be expected to meet the GED or vocational training requirements.

(17) **Contact Standards.** The frequency of an agent's interactions with moderate to high-risk and VPI-placed individuals shall be primarily driven by the case plan and the individual's criminogenic needs. For all individuals who have an upcoming goal or action step due during the calendar month, there shall be a positive contact to review case plan progress. If there is no goal or action step due during the calendar month, the following contact minimums are for all individuals who are moderate and high risk:

(a) The minimum frequency of interactions for high risk and VPI-placed individuals shall be determined by the agency's current matrix for high-level supervision; and

(b) The minimum frequency of interactions for moderate risk individuals shall be determined by the agency's current matrix for moderate level supervision.

(18) **Re-screening of Individual If Criminally Charged.** If a supervised individual is criminally charged during the supervision or monitoring term and is in Low supervision, the individual's agent or monitor shall, in addition to other actions that may be warranted, re-screen the individual not later than:

(a) Five (5) days after the agent or monitor learns of the new criminal charge or outcome of a criminal charge if the offense is a felony; or

(b) Ten (10) days after the agent or monitor learns of the new criminal charge or outcome of a criminal charge if the offense is a misdemeanor.

(19) If there is an upward change in score as a result of the rescreening conducted pursuant to paragraph (18) above, the agent or monitor shall follow the applicable procedures to determine whether an LSI-R is to be conducted or the individual is to be placed with VPI.

F. Minimum Contact Requirement Matrices. The following matrices set forth minimum contact requirements. An additional matrix, applicable only to agents who supervise sexual offenders, may be found in Chapter 07.09 of this manual.

GENERAL SUPERVISION CONTACT STANDARDS – Effective July 1, 2022				
LEVEL	HIGH and REV	MODERATE	LOW-MODERATE	LOW
REQUIRED HOME VERIFICATION	Verification of home address by Home Positive contact within 20 days of: (1) Intake; and (2) An address or residence change	Verification of home address by Home Positive contact within 20 days of: (1) Intake; and (2) An address or residence change	By documentation or positive video call within 20 days of: (1) Intake; and (2) An address or residence change	By documentation or positive video call within 20 days of: (1) Intake; and (2) An address or residence change
MONTHLY HOME CONTACT	At least ONE home contact per month which may be: Home Positive or Home Collateral	As directed above	As directed above	As directed above
MINIMUM IN PERSON CONTACTS FIRST 90 DAYS OF SUPERVISION	At least TWO positive contacts per month for first 90 days which may be: Office Positive; Home Positive; or Community Positive	At least ONE positive contact per month for first 90 days which may be: Office Positive; Home Positive; or Community Positive	At least ONE positive contact per month which may be: Office Positive; Telephone Positive; or Video Positive	Positive contact shall be determined by incident-driven behaviors and non-compliance.
MINIMUM FACE-TO-FACE CONTACTS AFTER 90 DAYS OF SUPERVISION	At least TWO positive contacts per month one of which may include a Video Positive if the offender is in compliance with special conditions (other than fines, costs, and fees)	At least ONE positive contact per month which may be Video Positive on alternating months if the offender is in compliance with special conditions (other than fines, costs, and fees)		
SPECIAL CONDITION VERIFICATION	ONE per month	ONE per month	ONE per month	ONE per month
EMPLOYMENT VERIFICATION	ONE per month	ONE per month	As needed	As needed

Note: Additional contact requirement. An agent or monitor shall effect a face-to-face contact with a supervised or monitored individual not later than seven calendar days after intake.

**Table 1 DRINKING DRIVER MONITOR PROGRAM
Effective 04/01/2022**

LEVEL	REV and LOW-MODERATE	LOW	
MINIMUM CONTACT	<p>ONE Positive face-to-face contact per month</p> <p style="text-align: center;">AND</p> <p>ONE Positive telephone contact per month</p>	<p><u>Cases with Outstanding Special Conditions:</u></p> <p>ONE Positive face-to-face contact per month</p>	<p><u>Cases with Completed Special Conditions:</u></p> <p>Positive telephone contact as needed</p>
FACE-TO-FACE CONTACT DEFINED	<p>A face-to-face contact may be accomplished by any one of the following:</p> <p>(1) A video positive contact; or</p> <p>(2) An office positive contact.</p>		
HOME VERIFICATION	<p>Home verification by documentation not later than 20 days of:</p> <p>(1) Intake; and</p> <p>(2) The monitor being notified that the address of record has changed.</p>		
SPECIAL CONDITION VERIFICATION	<p>One per month until special condition(s) are completed</p>		
EMPLOYMENT VERIFICATION	<p>One per month</p>	<p>As needed</p>	
KIOSK CONTACTS	<p>As needed</p>		

Administrative History

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