

**Chapter 05 - Intake**  
**Section 05 - Reassessment and Classification**  
**Authority: MD Code Annotated, Correctional Services Article, §6-121**

**A. Introduction.**

Assessing an individual’s risk for re-offense throughout the individual’s period of community supervision is essential to public safety. The use of evidence-based reassessment tools and practices is designed to prioritize supervision resources, target interventions that directly relate to criminal behavior (criminogenic needs), reduce the chances of an individual reoffending, and enable an individual to successfully complete supervision.

**B. Purpose and Scope.**

(1) The purpose of this section is to establish procedures for the risk reassessment of individuals under supervision.

(2) This section does not apply to an individual who is:

(a) Supervised under the COMET containment model for sexual offender supervision;

(b) Supervised as a domestic violence offender under the policy and procedures outlined in General Order 10-002 (“Domestic Violence”); or

(c) Monitored as part of the Drinking Driver Monitor Program (“DDMP”).

(3) A monitor or agent assigned a DDMP case shall follow the reassessment policy and procedures set forth in Operations Manual Chapter 07, Section 03G (“Monitoring”) for cases monitored as part of the Drinking Driver Monitor Program.

**C. Cases Subject to Reassessment.**

(1) An agent shall conduct a reassessment for each supervised individual whose active case status is:

(a) VPI;

(b) High;

(c) Moderate; or

(d) Low Moderate.

(2) **Low Supervision Cases.** An active case in Low supervision level status is not required to be reassessed. They are, however, subject to rescreening pursuant to OM 05.04B if an individual

in Low supervision incurs a new criminal charge or a jailable traffic offense during the individual's term of supervision.

**D. Reassessment Policy.**

- (1) **Dynamic Risk Instrument.** An agent shall conduct a risk reassessment using the:
  - (a) Dynamic Risk Instrument ("DRI") found within the Assessment and Screening Dashboard in OCMS; and
  - (b) DRI Instructions and Guidelines found in the addendum to this policy.
- (2) An agent shall conduct a risk reassessment:
  - (a) On each active case identified in subsection C(1) above;
  - (b) Within 30 days of the one-year anniversary of the date on which the case was opened by the Division;
  - (c) Every 12 months after the initial reassessment; and
  - (d) Whenever an individual incurs new criminal charges or a jailable traffic offense.
- (3) **Supervisory Review and Approval Required.** Each risk reassessment shall be:
  - (a) Reviewed and approved by a supervisor; and
  - (b) Documented by the agent and supervisor in the Intake Classification and Supervision History screen of OCMS.

**E. Time Frame for Completing Reassessment.**

- (1) **Generally.** Except as provided in paragraph (2) below, an agent shall complete a reassessment in OCMS not later than 30 days following the:
  - (a) One-year anniversary that the case was opened with the Division; or
  - (b) One-year anniversary of the initial reassessment.
- (2) **New Arrest.** An agent shall conduct a reassessment not later than 10 days after the agent learns that an individual has been charged with committing a new criminal offense(s) or jailable traffic offense during the supervision term.
- (3) Within the same timeframe outlined in paragraph (2) above, an agent shall:

- (a) Assess whether an individual's new criminal charge or charges qualify the individual for placement in the Violence Prevention Initiative; and
- (b) Document the result of that assessment in OCMS.

**F. Interim Upgrades or Downgrades to Supervision Level.**

(1) With supervisory approval and in accordance with the procedures outlined in subsection (G) below, an agent shall upgrade an individual's supervision level in response to an incident involving the individual's uncooperative, non-compliant, or anti-social behavior.

(2) If an individual's supervision level is upgraded as a result of an incident, an agent shall maintain the upgraded level of supervision until the agent and the agent's supervisor agree that the:

- (a) Incident that prompted the upgrade is resolved; and
- (b) Individual may be returned to the previous supervision level.

(3) With supervisory approval and in accordance with the procedures outlined in subsection (G) below, an agent may downgrade an individual's supervision level in response to cooperative, compliant, or pro-social behavior.

**G. Override of Reassessment Score.**

(1) The assignment of a supervision level other than the supervision level indicated by the DRI is considered an override.

(2) With the supervisor's approval, an agent may override a reassessment score 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;
- (b) The Division receives a complaint from the community, a treatment provider, or one or more family members of the supervised individual that public safety may be compromised without a higher level of supervision; or
- (c) The individual's criminal background indicates that a higher level of supervision or monitoring is warranted.

(3) An agent shall perform a supervision level override in OCMS by:

- (a) Documenting in OCMS Case Notes the detailed reason(s) that justify upgrading or downgrading an individual's supervision level;

(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.

(4) The supervisor who approves an override to a higher or lower level of supervision shall document the reason for the override in OCMS.

**NOTE: SEE “DIVISION OF PAROLE AND PROBATION DYNAMIC RISK ASSESSMENT INSTRUMENT INSTRUCTIONS AND GUIDELINES” ADDENDUM ON NEXT 3 PAGES**

**DIVISION OF PAROLE AND PROBATION DYNAMIC RISK ASSESSMENT INSTRUMENT  
INSTRUCTIONS AND GUIDELINES**

<b>DYNAMIC RISK FACTORS</b>		<b>SCORE</b>
<b>1. Current Employment</b>		
	Employed Full-Time With No Problems, Homemaker, Full-Time Student, Retired, Disabled, Unable to Work	0
	Employed Part-Time, Seasonal Unstable Employment, or Underemployed	1
	Unemployed	2
<b>2. Residence</b>		
	Satisfactory	0
	Homeless, Unsatisfactory	2
<b>3. Compliance With Case Management Plan</b>		
	Full Compliance	0
	Partial Compliance	1
	Non-Compliance	3

<b>RISK LEVEL ADJUSTMENT</b>		<b>SCORE</b>
	Reduce One Level	0-1
	Retain at Current Risk Level	2-3
	Increase One Level	4+

**Scoring Dynamic Risk Factors**

1. Current Employment

*Employed Full-Time . . .*: During most or all of the period covered by the assessment, the subject has maintained steady, full-time employment with no problems; or is a homemaker, a student, or a retiree; or is unable to work due to disability. Generally, either through employment, or through the support of a family member or significant other, or through benefits received on the basis of a disability, the subject’s financial resources are adequate for his or her support.

*Employed Part-Time . . .*: During most or all of the period covered by the assessment, the subject has only been employed on a part-time or seasonal basis; or has held employment, whether full-time or part-time which, in the opinion of the assessor, is too irregular or unstable to be considered sufficient. The subject has failed to demonstrate during this period a sustained ability to provide for his or her own support, or to access appropriate resources for assistance in this area.

*Unemployed*: During most or all of the period covered by the assessment, the subject has been unemployed and without any source of income sufficient or steady enough to provide for his or her support.

2. Residence

*Satisfactory*: At the time of the assessment, the subject has a suitable, permanent place to reside on his or her own, with relatives or friends, or as a tenant of a third party; and has been able to maintain a stable residence throughout the period covered by the assessment.

*Homeless, Unsatisfactory*: At some time during the period covered by the assessment, the subject has been homeless or has resided in a homeless shelter; or the subject has spent some portion of this time in a living situation considered by the assessor to be inadequate or unacceptable, such as residing in a vacant or abandoned structure or in a tent outdoors.

3. Compliance With Case Management Plan

*Full Compliance:* The subject is in substantial or complete compliance with the current case plan and all special conditions. Any issues of non-compliance are infrequent and minimal in nature, and do not appear likely to increase the risk the subject presents to the community.

*Examples:*

*Treatment Conditions:* There is no indication that the offender is facing termination from treatment, and there have been no recent positive drug tests.

*Employment:* The offender is employed or actively seeking employment.

*Restitution:* The offender is current on restitution payments or is making a good faith effort to satisfy this obligation.

*Partial Compliance:* The subject is in partial compliance with the current case plan and one or more special conditions.

*Examples:*

*Treatment Conditions:* The offender is participating in treatment or testing but may be facing termination from treatment, or may be testing positive for drug use.

*Employment:* The offender's employment is too irregular or unstable to be considered sufficient. The subject has failed to demonstrate a sustained ability to provide for his or her own support, or to access appropriate resources for assistance in this area.

*Restitution:* The offender's restitution payments are irregular and not commensurate with his or her ability to make such payments.

*Non-Compliance:* The subject is non-compliant with most or all of the components of the current case plan and is not in compliance with special conditions.

### Applying Overrides

1. Mitigating Overrides

*If the assessor believes, after determining the Dynamic Risk Level Adjustment (see table) for an offender, that the risk level is higher than is justified by facts or circumstances currently applicable to the offender, one or more of the following overrides can be cited to reduce the risk level by one level only. A statement regarding the nature of and support for this override should be entered in a case note.*

*Stable Employment:* The subject has maintained a stable record of full-time employment during the period covered by the assessment. This may include verified self-employment if the subject maintains an employment license that enables the subject to work as an independent contractor (for example, a Commercial Driver's License, barber's license, etc.)

*Satisfactory Family Controls and Support:* The degree of family support and control available to the subject is considered above average and sufficient to mitigate the level of risk.

*Previous Success on Mandatory Supervision, Parole or Probation:* The subject has successfully completed – without violation activity – a prior period of mandatory supervision, parole, or probation. This override should not be applied, however, if there

have been a significant number of prior supervision periods, even if they were satisfactorily completed.

*Current Age:* The subject is over the age of 40 and has, during the period covered by the assessment, demonstrated a level of maturity that justifies the application of this override.

*Medical Impairment or Disability:* The subject's current medical condition is sufficiently poor so as to reduce the risk that he or she presents to the community.

*Age of Prior Arrests and Convictions:* The subject's last prior conviction occurred over ten years before the date of the assessment.

2. Aggravating Overrides

*If the assessor believes, after determining the Dynamic Risk Level Adjustment for an offender, that the risk level is lower than is justified by facts or circumstances currently applicable to the offender, one or more of the following overrides can be cited to increase the risk level by one level only. A statement regarding the nature of and support for this override should be entered in a case note.*

*Gang Member:* There is evidence that the subject is actively involved in gang activity which, in the opinion of the assessor, substantially increases the risk he or she presents to the community.

*Criminal Record More Serious Than Risk Score Reflects:* The subject's criminal record includes a substantial number of arrests, particularly for violent or handgun offenses, that did not lead to conviction but which, in the opinion of the assessor, reflect a level of risk that justifies the application of this override.

*Significant Untreated Mental Health Problem(s):* There is clear evidence of the existence of a mental health problem for which the subject is not being treated and which, in the opinion of the assessor, increases the level of risk the subject presents to the community.

*Recent Untreated Drug and/or Alcohol Abuse:* The subject has tested positive for drugs or alcohol during the reassessment period, experienced an overdose and relapse, **or** has a history of drug and/or alcohol abuse during the two years prior to the date of the reassessment for which he or she has not received treatment and which, in the opinion of the assessor, increases the level of risk the subject presents to the community.

*Recent Revocations:* Within the two years prior to the date of the reassessment, the subject has had a supervision case – mandatory supervision release, parole, or probation – closed in unsatisfactory status or by revocation, or continued on supervision after being found guilty of violating the terms of mandatory supervision release, parole, or probation.

*Unverifiable Residence or Employment Information:* As of the date of the assessment, the home and/or employment plan proposed by the subject has not been or cannot be adequately verified.

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