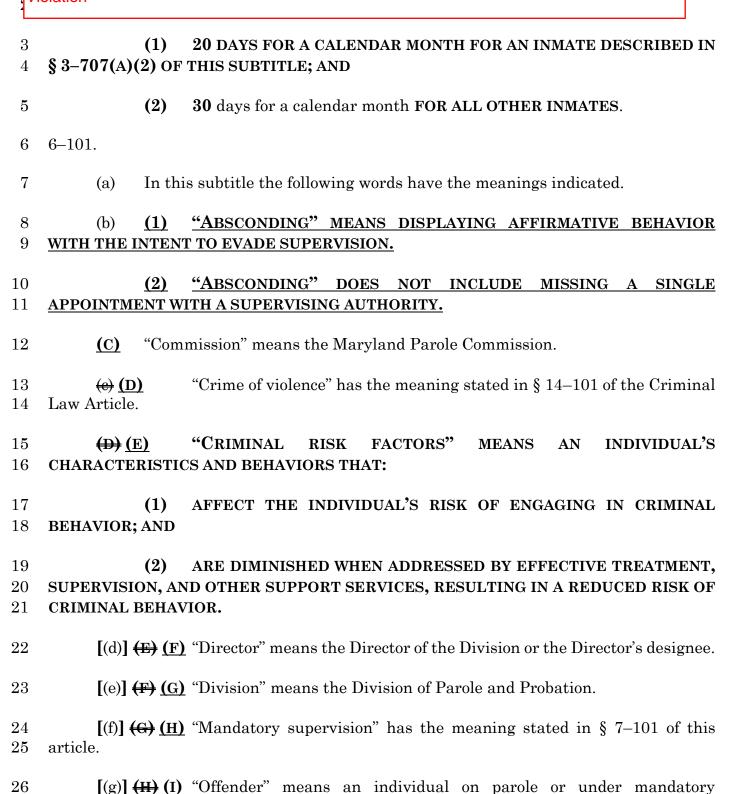
Maryland Justice Reinvestment Act of 2016 Senate Bill 1005

Definitions Including "Risk Factor," Risk Needs Assessment (RNA)," and "Technical Violation"

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[(h)] (1) (1) (The content of the co

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supervision.

- [(i)] (K) "Program" means a home detention program established under § 6–108 1 2 of this subtitle. "RISK AND NEEDS ASSESSMENT" MEANS AN ACTUARIAL TOOL (K) (L) 3 VALIDATED ON THE STATE'S CORRECTIONAL POPULATION THAT DETERMINES: 4 AN INDIVIDUAL'S RISK OF REOFFENDING; AND 5 **(1)** 6 **(2)** THE CRIMINAL RISK FACTORS THAT, WHEN ADDRESSED, REDUCE 7 THE INDIVIDUAL'S RISK OF REOFFENDING. 8 (L) (M) "TECHNICAL VIOLATION" MEANS A VIOLATION OF A CONDITION 9 OF PROBATION, PAROLE, OR MANDATORY SUPERVISION THAT DOES NOT INVOLVE: 10 AN ARREST OR A SUMMONS ISSUED BY A COMMISSIONER ON A **(1)** 11 STATEMENT OF CHARGES FILED BY A LAW ENFORCEMENT OFFICER; 12 **(2)** A CONVICTION; OR **(3)** 13 A VIOLATION OF A NO-CONTACT OR STAY-AWAY ORDER; OR **(4)** 14 ABSCONDING. 15 6–104. 16 Subject to the authority of the Secretary and in addition to any other duties established by law, the Division: 17 shall: 18 (1) 19 ADMINISTER A RISK AND NEEDS ASSESSMENT VALIDATED **(I)** 20 SCREENING TOOL ON EACH INDIVIDUAL ON PAROLE OR MANDATORY SUPERVISION UNDER THE SUPERVISION OF THE DIVISION; 2122(II) ADMINISTER A RISK AND NEEDS ASSESSMENT AND DEVELOP AN INDIVIDUALIZED CASE PLAN FOR EACH INDIVIDUAL ON PAROLE OR 2324MANDATORY SUPERVISION WHO HAS BEEN ASSESSED <u>SCREENED</u> AS MODERATE OR HIGH RISK TO REOFFEND; 2526 [(i)] (III) supervise [the conduct of parolees] AN INDIVIDUAL ON PAROLE OR MANDATORY SUPERVISION BASED ON THE RESULTS OF A VALIDATED 27
- PAROLE OR MANDATORY SUPERVISION BASED ON THE RESULTS OF A <u>VALIDATED</u>
 SCREENING TOOL OR RISK AND NEEDS ASSESSMENT CONDUCTED UNDER ITEM
 ITEMS (I) OR (II) OF THIS ITEM;

- 1 [(ii)] (IV) supervise an individual under mandatory supervision 2 until the expiration of the individual's maximum term or terms of confinement; 3 NOTWITHSTANDING ANY OTHER LAW, MODIFY THE CONDITIONS OF PAROLE AND MANDATORY SUPERVISION FOR THE PURPOSE OF 4 5 IMPOSING GRADUATED SANCTIONS UNDER § 6–121 OF THIS SUBTITLE IN RESPONSE TO TECHNICAL VIOLATIONS AS AN ALTERNATIVE TO REVOCATION UNDER § 7-401 6 7 OR § 7–504 OF THIS ARTICLE; 8 [(iii)] (VI) regularly inform the Commission of the activities of offenders who are supervised by the Division, INCLUDING, IF REQUESTED BY THE 9 COMMISSION, ANY GRADUATED SANCTIONS IMPOSED UNDER § 6-121 OF THIS 10 11 SUBTITLE: 12 [(iv)] (VII) issue a warrant for the retaking of an offender charged with a violation of a condition of parole or mandatory supervision, if this authority is 13 delegated by the Commission to the Director of the Division; and 14 15 (v) (VIII) administer the Drinking Driver Monitor Program, collect supervision fees, and adopt guidelines for collecting the monthly program fee assessed in 16 accordance with § 6–115 of this subtitle; and 17 18 (2) may recommend: that the Commission modify any condition of parole or 19 20 mandatory supervision; and that the Commission issue a warrant for the retaking of an 21(ii) 22offender. 23 Funding for the Drinking Driver Monitor Program shall be as provided in the (b) 24State budget. 6–111. 25 26 If a court suspends the sentence of an individual convicted of a crime and orders the 27 individual to continue under the supervision of the Division for a specified time or until 28 ordered otherwise, the Division shall:
- 29 (1) [supervise the conduct of] ADMINISTER A RISK AND NEEDS 30 ASSESSMENT ON the individual;
- 31 (2) [determine whether the individual is complying with the conditions of 32 probation or suspension of sentence] SUPERVISE THE INDIVIDUAL BASED ON THE