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Corrections in Maryland

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Chapter 7

Maryland Corrections

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Learning Objectives

After reading this chapter, you should be able to:

- Understand the context, development/growth, and challenges/current issues facing corrections (i.e., jails and prisons) in Maryland.

Introduction

In the United States the field of corrections subsumes both physical institutions (the bricks and mortar facilities) that house inmates who are convicted of a crime or awaiting trial, and non-institutional programs that are administered to individuals who are in the community awaiting trial or are on probation or parole. Although both of these aspects are important for the smooth functioning of the criminal justice system, this chapter focuses on the context, development/growth, and challenges/current issues facing corrections (i.e., jails and prisons) in Maryland.

United States and Maryland Corrections Systems

There is considerable variability in the provision and administration of incarceration throughout the United States. One of the most important distinctions is between the federal and state level institutions and programs. In general, individuals convicted of a federal offense (e.g., income tax evasion, kidnapping, money laundering, etc.) will spend time in one or more Federal Bureau of Prisons (FBOP) facility. Those who have convicted of a crime that violates a state

statute, and ordered by a judge to a jail or prison term, will be incarcerated in one or more of a state's correctional facilities. The state correctional facilities are typically run by the state Department of Corrections (DOC).

According to the most recent Bureau of Justice Statistics report (2013), approximately 2,227,500 individuals are locked up in prison or in a local jail. Maryland accounts for 32,700 of this total and is the 18th highest state among the 50 states plus the District of Columbia in terms of the number of inmates it incarcerates (Glaze and Kaeble, 2014).

Minimum Standards

In order to maintain standards throughout the state, The Maryland Commission on Correctional Standards "audits correctional facilities and private home detention monitoring agencies to determine levels of compliance, develop audit reports and provide technical assistance to correct areas of noncompliance." They focus on local, state, and private facilities and agencies (<http://www.dpscs.state.md.us/agencies/mccs.shtml>). Facilities may also be required to be accredited through one or more accrediting bodies including the National Commission on Correctional Health Care, the National Correctional Education Association, and the American Correctional Association.

Jails in Maryland

Maryland has twenty-four counties, and they, along with the city of Baltimore, operate one or more jails (e.g., Montgomery County Detention Center and Montgomery County Correctional Center) to serve the public safety needs of their jurisdiction. Inmates may be held at county jails (or in the case of Baltimore at the Baltimore City Detention Center) up to 18 months.¹ If the sentence is longer (typically a felony) then prisoners are typically transferred to one or more state prisons. Each county is free to administer their jails in the manner in which they deem fit. There is scant information on the administration of jails in the state.

In 2014, however, the state commissioned a study to examine and recommend changes in pretrial detention (i.e., the determination whether an individual who is charged with a crime should be released into the community in

1. One July 30, 2015, Governor Hogan announced the closing of the BCDC and the transferring of all inmates housed there. Exact protocols where convicts will be located are being worked out.

advance of trial or incarcerated until this date). The study noted that, “Although the state’s jail population has been on the decline since 2009, the state’s average daily jail population in 2014 (11,456) was still slightly higher than the average daily jail population in 1998 (11,433).” It added that,

“over the past ten years, the state’s pretrial jail population has ranged from 60–65.8%. Maryland’s FY 2014 pretrial jail population of 65.8% is the highest recorded in the state since the county jails began collecting this data in 1998.... At any given time in Maryland, there are roughly 7,000–7,500 defendants detained in jail awaiting trial with an average length of stay of 39 days. This costs the state approximately \$22.65–\$44.75 million each year (\$83–\$153 a day in jail) in detention costs” (State of Maryland, 2014).

Maryland’s Correctional Chaos

Like most states in the Union, Maryland has a number of correctional facilities, serving both convicts and the public safety interests of citizens of the “free state.” These institutions are located in both rural and urban parts of Maryland, in almost every region of the state. In some cases, the correctional institutions were built before there was urban development. In other situations, population growth and urban development existed before the appropriate land was secured for the correctional facility. In general, the building and operation of correctional facilities in Maryland, and the bodies that manage them, are a reflection of political party preferences, a spoils system, changing demographics, fluctuations in the crime rate, and changing public opinion regarding the appropriate manner in which to sanction those who break the law. This chapter provides a description and brief analysis of both the history and the organizational structure of institutional corrections with a focus on six of the most important prisons.

In order to delimit this discussion, additional aspects of corrections in Maryland are excluded from this discussion. First, federal correctional facilities located in the state, even if they are managed by the DPSCS, are ignored. Second, Maryland prisons have been the context for a considerable amount of health- and mortality-related scholarly research.² This includes studies regarding the prevalence and transmission of HIV (e.g., Brewer, Vlahov, Taylor, Hall, Munoz,

2. By scholarly I am referring to research that has been subjected to and published in peer reviewed journals.

& Polk, 1988; Bauserman, Richardson, Ward, Shea, Bowlin, Tomoyasu, & Solomon, 2003) and Hepatitis C (e.g., Vlahov, Nelson, Quinn, & Kendig, 1993). Studies on mortality have been completed by Salive, Smith and Brewer (1990), and Boyle (2002). Again, a review of this research is beyond the scope of this chapter. Finally, numerous rehabilitative programs have been operated in state correctional facilities (e.g., Project Restart). These efforts, though important, are not reviewed in this discussion.

Over the history of the state, government responsibility for managing corrections has periodically shifted. For example, the Penitentiary and the House of Corrections “operated autonomously until 1916, when they were reorganized under the State Board of Prison Control” (Kte’pi, 2012, p. 1074). In 1922, this entity was replaced by the Board of Welfare, and in 1939, the Department of Correction was formed and then renamed the Department of Correctional Services in 1968. In 1970, another name change resulted in the creation of the Department of Public Safety and Correctional Services (DPSCS), which still exists today.³

The DPSCS is “one of the largest departments in Maryland.” Almost 12,000 individuals work for this organization, with a budget in excess of one billion dollars to operate each year. The DPSCS is led and managed by a Secretary of Public Safety who is appointed by the governor. Each new governor selects an appropriate person to manage and lead the entity. Although the decision is partially based on political party affiliation and/or loyalty, the state senate must approve the appointment. The DPSCS consists of 23 units, including but not limited to: correctional facilities, parole/probation offices, Operations-Corrections, Maryland Parole Commission, Maryland Police and Correctional training commissions, Office of the Secretary, and Office of Treatment Services (<http://www.dpscs.state.md.us/agencies/index.shtml>). The DPSCS has 27 correctional facilities, “the Baltimore pre-trial detention facility and 45 Parole and Probation offices throughout the state.” The more prominent of these institutions are represented in Table 1 below.

Although a review of the history of each one of these institutions might be interesting, scholarly research regarding them is scant, if non-existent. More helpful is a brief review of the six prominent correctional facilities in Maryland: the Maryland Penitentiary, the House of Corrections, the Maryland Correctional Adjustment Center, Patuxent Institution, Maryland Correctional Institution for Women, and Baltimore City Detention Center.⁴

3. Information contained in this review is current as of June 2015.

4. Although the House of Corrections no longer exists, and the Maryland Correctional Adjustment Center is now the Chesapeake Detention Facility, both of these facilities were important in the development of corrections in Maryland.

Table 7.1 Founding Chronology of Prisons in Maryland

1811	Maryland Penitentiary, renamed Metropolitan Transition Center (Baltimore)
1879–2014	Maryland House of Corrections (Jessup)
1931	Maryland State Penal Farm (now Maryland Correctional Institution) (Hagerstown)
1939	Women's Prison of the State of Maryland (now Maryland Correctional Institution for Women) (Jessup)
1951	Patuxent Institution (Jessup)
1966	Maryland Correctional Training Center (Hagerstown)
1981	Maryland Correctional Institution (Jessup)
1983	Roxbury Correctional Institution (Hagerstown)
1987	Eastern Correctional Institution (Westover)
1989	Maryland Correctional Adjustment Center (now Chesapeake Detention Facility) (Baltimore)
1991	The state assumed control over the Baltimore City Jail (It was renamed the Baltimore City Detention Center, and is administered by the Division of Pretrial Detention Services).
1996	Western Correctional Institution (Cresaptown)
2008	North Branch Correctional Institution (near Cumberland)

Brief History of Prominent Correctional Facilities in Maryland⁵

Introduction

Detaining and punishing lawbreakers in Maryland predates the contemporary practice of corrections in the state. During the 1600s, those convicted of a felony could avail themselves of the benefit of clergy, which would allow them to be tried by an ecclesiastical court, instead of a provincial court (*so named during this time*). This option would prevent the accused from receiving the death penalty (Semmes, 1996). In 1662, "It is possible that ... one of the small buildings on the plantation of Hanna Lee ... [in St. Mary's County] was used for a prison" (Semmes, 1996, pp. 32–33). Despite a confusing historical record (pp. 32–33), in 1666, the Maryland "assembly passed another act providing for the construction of still another prison ... the new prison was built near a spring on the east side of St. Mary's."

5. No formal history of corrections in Maryland exists.

It is worth noting that “Before 1674 few of the counties had prisons ... In 1663 the assembly while giving no directions for the construction of prisons in the different counties ... order[ed] the county commissioners to set up stocks and pillory near the count court house and a ducking stool in the most convenient place in the county” (Semmes, pp. 34–35). In 1669, due to criminals fleeing the Maryland counties where they committed their crimes, those from other colonies, not to mention runaway slaves, the province built a “prison on the plantation of Augustine Herman in what is now Cecil County” (p. 37). “The prison was to be constructed of logs and to be twenty feet square. Prisoners were required to work in order to defray the cost of their imprisonment and if they would not do so they could be whipped by the keeper of the prison” (p. 37).

In 1674, the assembly also initiated the construction of a prison in St. Mary’s village (p. 35). “By 1676 prisons had been built in every county for the incarceration of debtors and criminals. The reason that the county commissioners so quickly complied with the law requiring them to build court houses and prisons was that a failure to do so made them liable to pay a fine of ten thousand pounds of tobacco” (p. 36). Moreover “[a]ny sheriff in charge of a prison who allowed any prisoners to escape ‘voluntarily or negligently,’ was fined” (p. 36). During this period in Maryland’s penal history, conditions were described as follows: “There was no fire place and probably straw was all the prisoners had to sleep on. Some of the more serious offenders were kept in irons” (Semmes, p. 37).

Before the construction of the Maryland Penitentiary (opened in 1811) in Baltimore and the Maryland House of Corrections (opened in 1879) in Jessup (Ann Arundel County, about 15 miles south of Baltimore), “convicts were kept in county jails for short periods of time or used in work gangs, spending their nights in guarded workhouses” (Kte’pi, p. 1074). In 1804, the state legislature in Annapolis approved and appropriated money for the construction of a large penitentiary in what was then considered the outskirts of Baltimore (Shugg, 2000). The history of both of these institutions was intimately tied to the contract labor system that was used to offset the costs of housing the inmates (Anonymous, 2015).

The Maryland Penitentiary

The original facility contained nine cells, measuring 8 by 16 feet, and a chapel. Men and women were kept separate, and they were required to either engage in hard labor or to remain in their cells in total solitude (Gettleman, 1992). The regime was modeled after the Pennsylvania/Walnut Street jail sys-

tem in which inmates were supposed to live and work separately and remain silent during their stay (Chapter 138, Acts of 1809). In 1829, an east wing, designed for nighttime solitary confinement was built. The old west wing was remodeled in 1837 so that the silent but separate system prison regime could also be used for the female inmates (Young, 2001). Due to multiple reasons, by 1842, the Penitentiary ran into fiscal problems.

After 1865, "the penitentiary was criticized for its working and living conditions, resulting in reformation that included a prison library, night school for illiterate convicts" (Kte'pi, 2012, p. 1074). Over time, the prisoner regime was increasingly aligned with the Auburn silent and congregate system, in which inmates were allowed to eat and work together, although they were required to remain silent at all times. Subsequently, the facility was expanded to include new cell blocks (called wings) and to eventually house the state's death row.

Between 1880 and 1912 the facility earned a considerable amount of money off the labor of its inmates. In 1913, however, due to reports of the inhumane treatment, the Maryland Penitentiary Penal Commission was formed to investigate these charges. The Commission made several recommendations including "the State Use and State Account Systems to replace contract labor; a central board to govern state prisons; a Board of Pardons and Paroles; a prison farm; and a separate institution for women offenders. The Commission wanted local jails used only for pretrial detention, not for final sentence, and sought state control of juvenile reformatory, passage of an Indeterminate Sentence Act, and classification of prisoners, with incentives for good behavior" (Chapter 465, Acts of 1922). Other suggestions included "educational programs for prisoners."

Other developments in the history of the Penitentiary include the construction of a library (1844) and the employment of a full time chaplain (1907). Later, in 1913, the prison facilitated prisoners taking correspondence courses and used convicts to instruct inmates who were illiterate (Shugg, 2000).

In 1922, counties were no longer permitted to administer the death penalty, and responsibility for carrying out this sanction was to be done at the Penitentiary (Chapter 465, Acts of 1922). Moreover, over the history of corrections in Maryland the way the death penalty was administered has changed. In 1922, hangings no longer took place in public, but were now administered inside the Maryland State Penitentiary. In 1955, hangings were discontinued and replaced by the gas chamber. In 1994, Maryland switched to death by lethal injection (Kte'pi, 2012, p. 1075). Capital punishment in Maryland was eventually abolished in December 2013.

During the 1960s, the facility was troubled by numerous riots. On July 8, 1966, sparked by rumors of an inmate being unnecessarily beaten by a cor-

rectional officer, a riot broke out and resulted in four buildings being set on fire. Approximately 1,000 inmates were involved. Another prominent riot occurred in 1972, with correctional officers being taken hostage. Although it soon subsided, this riot prompted a variety of employee walkouts, because the officers believed that the demands of the inmates were unmet and would require resolution if long-term order to the facility was to be restored (Shugg, 2000). In October 1984, Herman Toulson Jr., a correctional officer, was murdered by an inmate. This prompted another walkout, with 100 officers complaining of lax security at the Pen, and eventually led to an investigation and report by the state's attorney. These events provided one of a handful of arguments supporting the construction of the state's first Supermax prison. In 1998, the facility was renamed the Metropolitan Transition Center (MTC). According to Dechter (2007), despite periodic incidents of violence, like in 2007 when eighteen inmates were injured due to a knife fight, the facility has gardens and a greenhouse that are tended by inmates.

The House of Corrections

In 1874, the legislature authorized the construction of a second state prison near the town of Jessup. The House of Corrections, also known as "The Cut," operated from 1879 to 2014. "From 1921 to 1940 the facility served as Maryland's women's prison until a new women's prison was opened" (Kte'pi, p. 1074). Those incarcerated in "the House of Corrections were for not less than three months nor more than three years. Vagrants, the habitually disorderly, and habitually drunk were subject to commitment. Inmates were to be kept at useful employment, not hard labor, and good behavior could lead to remission of sentence" (Chapter 233, Acts of 1874). Due to shorter sentences, the House of Corrections had difficulties keeping prisoners employed. "Those who labored worked on the institution's farm or were hired out to neighboring farmers. As early as 1915, inmates were working on the roads of Anne Arundel and Howard counties, as well as manufacturing under the contract labor system" (Chapter 233, Acts of 1874).

Over time, the facility was transformed into Maryland's maximum-security prison. It was continuously plagued by riots, fights among inmates, assaults on correctional officers, and escapes. "Corrections officials, union leaders and lawmakers ... pushed for the closure of the House of Correction for years because its design is outdated and dangerous" (Helderman, 2007). "Officials had decided to convert the facility from maximum to minimum security after a correctional officer was killed in July, the first inside a Maryland prison since 1984" (Helderman, 2007). In addition, a guard was stabbed in March 2007. Al-

though the officer survived, Commissioner Maynard recommended that Governor Martin O'Malley (Democrat) close the facility (Helderman, 2007). In March 2007, when O'Malley was governor, the Cut was finally closed, and the inmates were transferred to other facilities (Helderman, 2007).

The Maryland Correctional Adjustment Center

Almost every state has a Supermax prison. If it is not a stand-alone prison, then it is an annex attached to an existing correctional facility, or a wing, or a tier that specifically houses these kinds of inmates (Ross, 2007; Ross, 2013). In the history of the Maryland prison system, there have been two Supermax prisons. The very first Supermax was called the Maryland Correctional Adjustment Center (MCAC), otherwise known as the Baltimore Supermax. Not only was MCAC built as a reaction to the previously mentioned, stabbing death of Correctional Officer Toulson, but the planning for this institution had been on the books since 1972, but the state lacked the finances to go ahead with this decision. Also the state recognized that it had a difficulty controlling inmates who were disproportionately violent, particularly those who had life sentences (Mears, 2006, pp. 15–16). In 1984, the Maryland Division of Corrections (MDOC) demolished the south wing (or Annex) of the penitentiary, located at the corner of Madison and Fallsway. Construction began in 1986 and the facility was opened in 1989 (Mears, p. 16). MCAC was located amongst the other downtown correctional facilities, including the City Detention Center, Central Booking, the Penitentiary, and the Diagnostic Center.

Modeled after the USP Marion, the first modern federal Supermax, it housed Maryland's worst criminals. With a capacity for 288 inmates, the Supermax finally opened in 1989 at a cost of \$21 million. Over time, MCAC evolved into a complex institution, housing not only the most incorrigible of Maryland's inmates, but also the state's death row and federal pre-trial detainees. In the fall of 2003, the Supermax had 13 death row inmates. The prison also had a contract with the U.S. Marshals to hold federal detainees.

The facility started with an emphasis on treatment, but it quickly shifted to a punitive era that resulted in inmates throwing feces and urine at staff, and regularly flooding their cells. In the mid-1990s, a number of individuals and groups protested against conditions at the facility. This prompted the United States Department of Justice (DOJ), Civil Rights Division, to investigate allegations of abuse, that the facility's medical and mental health care was deficient, that inmates were prevented from proper exercise, and that indefinite segregation was practiced (Mears, pp. 18–19). In 1994, Federal investigators tried to get access to the prison but were repeatedly denied. During that time, ap-

proximately 70 convicts were transferred out. The Justice Department threatened to sue the Maryland Division of Corrections. The DOJ was finally allowed inside in May and June of 1995 (Gavora, 1995). In response to the DOJ investigation, the therapeutic model returned. The MDOC sent staff to the Colorado State Penitentiary (CSP) in Canon City to study their Supermax program in order to make changes.

In 2010, in addition to the reasons listed above, complaints regarding continuous incidents of disorder, staff problems, and costs, MCAC inmates were transferred to the North Branch Correctional Institution, the state's new Supermax facility near Cumberland. MCAC was renamed the Chesapeake Detention Facility, and although it is still owned by the government of Maryland, it now houses federal pre-trial detainees.

Patuxent Institution (Correctional Mental Health Center—Jessup)

This is a maximum-security facility, opened in 1955, and is used for individuals charged or convicted of crimes but who suffer from acute mental disorders. Patuxent was originally separate from the Maryland Department of Corrections. Located in Jessup, it includes 987 beds and houses both male and female inmates. Between 1970 and 1976 Patuxent was faced with three pressures including: "legal actions..., militancy and violence within prison walls, [and] mounting criticism" (Coldren, p. 112). As a result, in 1976 laws in Maryland were changed so that Patuxent could be "a prison that inmates volunteer for, where treatment programs are available and the hope of rehabilitation exists" (Coldren, 2004, p. 1). "Patuxent operates its own correctional system, with its own admissions, inmate review, and paroling functions separate from the Division of Corrections (DOC) in Maryland. Both Patuxent and the DOC exist side-by-side within the MDPSC" (p. 2).

Starting in 1988, news media reports started surfacing regarding individuals who participated in brutal murders, but after spending some time in Patuxent were granted parole from the institution (Coldren, p. 134). This forced a Maryland House of Delegates (in 1989) to pass a new law which now required the Patuxent Board of Review decisions to be subjected to the review of the Secretary of Public Safety and Correctional Services (Coldren p. 134). Other changes included tightening conditions for granting parole and the prevention of murderers and rapists from being housed at Patuxent (Coldren, p. 135).

Initially the facility served males, but in 1990 the 109-bed Patuxent Institution for Women was opened. The institution runs a series of programs for inmates with different types of mental illnesses and, in addition to correc-

tional officers, employs numerous helping professions including: social workers, psychologists, psychiatrists, education and doctors (Coldren, p. 109). Over the years outsiders, including private research contractors that the state has hired, have scrutinized the utility of operations and programs that Patuxent provides.

Maryland Correctional Institution for Women

In 1939, the state built the Maryland Correctional Institution for Women (MCIW), the only prison for females in Jessup. Until then, from 1921–1940, female inmates were housed at the Maryland House of Corrections (Kte’pi, 2012, p. 1074). MCIW includes first time offenders with sentences as low as three months and hardened criminals who are sentenced to life (25 years in Maryland). They are incarcerated for crimes ranging from murder to drug possession with a considerable number who have a history of drug addiction. Approximately 1,300 are processed through the facility each year. The facility houses 900 inmates and is divided into four main housing units and a segregation unit, referred to as the Lock, where convicts are confined 23 hours a day. The ratio of inmates to correctional officers can be approximately 112 - 1. The incarceration rate of women in Maryland is twice as much as it is for men. At any given time, approximately 20 women are pregnant, and they give birth at a local hospital. 80 percent of the inmates are mothers, and their children either live with relatives or foster care. The prison has a sew shop where inmates can earn about \$3.00 per day (National Geographic Television, 2009). As of 2014 there were numerous programs. Warden Chippendale boasted that the prison had 81 programs including college courses, classes in graphic design, job and transitional skills, yoga, and dog training (Lundin, 2014).

Baltimore City Detention Center

Formerly the Baltimore City Jail, and run by the city of Baltimore, since 1991, the Baltimore City Detention Center (BCDC) is administered by the MDPSCS. It is part of a sprawling complex of detention facilities in downtown Baltimore, not far from the Jones Falls Expressway, where there are three jails (i.e., Baltimore City Detention Center, Baltimore Correctional Center, and Baltimore Pre-Release Unit), a prison (i.e., the Maryland House of Corrections), and the Chesapeake Detention Center, although at one point in city’s history, this prison district/correctional campus was remote from the city center. Over time, however, the city expanded, and the jails and prisons are now bounded by The Penn-Fallsway, East Egar, Greenmount, and East Madison.

BCDC is one of the largest detention facilities in the United States, and nine out of ten inmates here are there awaiting trial. "The BCDC holds between two thousand and twenty-three hundred inmates at a time, and the authorities estimate that about half are addicts of one kind or another" (Toobin, 2014, p. 26). Built in 1804, this is one of the longest used correctional facilities in the United States. In recent years, the facility has faced difficulties with overcrowding and gangs. A considerable amount of contraband (e.g., drugs, cell phones, etc.) is brought into the facility, and allegations of correctional officer corruption have been routinely made. Numerous initiatives have been implemented.

In August 2002, the U.S. Department of Justice issued a damning report on the BCDC after an investigation found unconstitutional conditions there. The report concluded, "persons confined suffer harm or the risk of harm from deficiencies in the facility's fire safety protections, medical care, mental health care, sanitation, opportunity to exercise and protection of juveniles" (ACLU, August 25, 2004).

In December 2003, "the ACLU and PJC filed a motion to enforce the medical and physical plant provisions in a decade-old consent decree that is now being challenged by Maryland officials. The terms of the order in *Duvall v. Glendening* require BCDC to maintain suitable health and safety standards but, according to detainees, jail officials have not fulfilled their obligations" (ACLU, August 25, 2004).

In 2004, conditions in the Baltimore jail became so deplorable that the DOJ issued a consent decree. Why was it implemented? According to Elizabeth Alexander, Director the ACLU's National Prison Project at the time, "Dangerous inadequacies in the provision of medical services and maintenance at the jail pose grave risks to the health and safety of detainees confined there" (ACLU, August 25, 2004).

In July 2009, Governor O'Malley asked "the federal government to block cellphone transmission in Maryland Prisons. The F.C.C. refused, citing the possible impact on cell reception in the area. At the news conference, O'Malley revealed that there was now managed access technology which differentiates between authorized and unauthorized devices in a given area and block use of the latter (Toobin, 2014, p. 32).

In 2013, the state correctional system was rocked by scandal when it was discovered that five female correctional officers working at the BCDC were impregnated by Tavon White, the leader of the Black Guerilla Family (BGF) who was incarcerated there. Not only were these officers the mothers of his children, but they were also pivotal in smuggling in contraband. One of the reasons popularly given for the corruption was that the "the female guards in



Baltimore came from the same neighborhoods as the inmates. Many of them knew each other, or knew of each other, in their prior lives,” and many were in awe of the BGF and White (Toobin, 2014, p. 27). One news media report indicated that “As many as three-quarters of the approximately 650 officers at the Baltimore City Detention Center were involve in contraband smuggling” (Duncan, 2013). In the end, while both COs and inmates were indicted, 40 of 44 defendants were convicted or pled guilty to charges ranging from racketeering, conspiracy, distribution of drugs and money laundering (Duncan, 2013; Oppel, 2015).

In response to the allegations, the O’Malley Democratic administration proposed the construction of a brand new jail that would replace the BCDC. As O’Malley’s term ended in December 2014, it was clear that no money was left in the state budget to go forward with the plan. On July 30, 2015, however, Governor Larry Hogan (Republican) announced the closing of the BCDC and the transferring of all inmates housed there to other Maryland correctional facilities. Exact protocols where convicts will be located are being worked out (Oppel, 2015).

Current Issues Facing Maryland Corrections

Like most jail and prison systems, correctional facilities in Maryland have experienced challenges such as overcrowding, gangs, graying prison population, lack of funding, violence, problems with the delivery of rehabilitation programs, and correctional officer corruption. Over the past twenty-five years numerous news media reports have confirmed that these problems exist and are largely unresolvable in the Maryland system. Some of the most pressing challenges, briefly touched on above, have been inadequacies in the provision of services to prisoners who are disabled, corruption by correctional officers, poor/substandard living conditions, and violence inside facilities. Although no systematic study of these challenges has been conducted, the following is a sampling of recent incidents and, where possible, their resolution.

For example, in 1991, prisoners housed at Roxbury Correctional Institution filed a Section 1983 class action suit against the Maryland Department of Public Safety and Correctional Services. They claimed that the MDPSCS had discriminated against them and were in violation of section 504 of the Americans with Disabilities Act (ADA) and Rehabilitation Act. In February 2000, a settlement was reached (*Amos v. Maryland Department of Public Safety and Correctional Services*). Other issues include a lawsuit filed in February 2012 on behalf of inmates claiming that Maryland correctional facilities “refuse to pro-

vide plaintiffs with access to effective telecommunication devices, visual notifications about events and safety announcements, and other auxiliary aides and services that would allow them to communicate effectively with prison personnel” (Washington Lawyers Committee, 2012). In February 2015, they reached a settlement.

In March 2008, shortly after its closing, correctional officers at the Maryland House of Corrections were charged with smuggling contraband into the facility. This was nothing compared to the 2013 federal indictments for racketeering and convictions mentioned above against correctional officers who were working in the Baltimore City Detention Center and provided members of the Black Guerilla Gang cellphones and other types of contraband over a two-year period. Other lawsuits brought by inmates brought to attention collusion by correctional officers in the brutal beatings of prisoners (Smith, 2013).

Since the early 1990s, the Baltimore City Detention Center has been at the center of numerous lawsuits initiated by the American Civil Liberties Union (ACLU), sometimes along with or in conjunction with partners such as the Public Justice Center (PJC), claiming that the facility has violated inmates’ constitutional protections against cruel and unusual punishment. The 1993 filing forced the federal government to intervene, and a settlement was achieved in 2009. More recently, in June 2015, the ACLU, PJC, and Washington, DC based lawyer Elizabeth Alexander filed a motion to reopen the 1993 lawsuit (Simpson, 2015). The plaintiffs claimed that “inmates often lacked prescription drugs, provision of medicine was interrupted, medical record-keeping was slipshod and inmates with disabilities did not have their needs met.” They also singled out other health-related shortcomings of the facility.

Other challenges for MDPSCS facilities have been high levels of inmate violence (both against each other and towards correctional personnel). Periodic news reports indicate that “while the numerous of serious assaults on prisoners dropped 47% from 2006 through 2012, and serious assaults on prison staff fell 65% during the same time period, the number of homicides in 2012 jumped to six—a three-year high—and additional murders occurred in 2013 and 2014” (Prison Legal News, 2015). Some of the solutions that have been advanced were the closing of the notorious House of Corrections in Jessup and “a closer working relationship between law enforcement agencies to share intelligence about gangs” which is supposed to assist in keeping rival gang members separated while they are behind bars (Prison Legal News, 2015). In the case of Northern Branch facility, where a spate of inmate on inmate and inmate on correctional officer attacks took place in 2014, the MDPSCS ended up firing its warden, Bobby Shearin, believing he had not done enough

to reduce the violence. Most disturbing have been reports that some of the inmate on inmate violence has involved officer collusion (Sentementes, 2004; Smith, 2013).

Conclusion

The correctional facilities of Maryland serve a diverse population of inmates with differing security, education, medical, and rehabilitative needs. Along with the growth of corrections, there has been an increasing professionalization of correctional officers, including improved teaching and training opportunities. This currently takes place at the state training facility, the Maryland Police and Correctional Training Commissions in Sykesville. Although there have been a handful of state correctional facilities that have closed their doors and ceased operations, the state has been slowly but steadily building new prisons.

Like most states, notwithstanding the political party currently in power, changing demographics, and the crime rate, the correctional system in Maryland is subject to numerous internal and external factors. There will not be a shortage of individuals who commit crimes and who will need to be sanctioned and incarcerated. The state will do its best to marshal scarce resources to deal with the individuals the court orders it to detain.

Key Terms and Definitions

Accreditation: A method to determine if a criminal justice agency meets a standard established by a respected accrediting body (e.g., American Correctional Association, Commission on Accreditation for Law Enforcement Agencies, etc.).

Contraband: Items that inmates are prohibited from having while incarcerated (e.g., drugs, cell phones, etc.). Also includes anything not authorized to be in possession of person on probation or parole (e.g., alcohol, a computer, drugs, pornography, etc.).

Correctional Officer: Individual who is responsible for maintaining custody of inmates and order in the cellblocks, tiers and wings of a correctional facility.

Corrections: Broad encompassing term for the institutions/facilities, policies, procedures, programs, and services that we associate with jails, prisons, inmates, correctional officers and administrators, and other correctional workers.

Department of Corrections (DOC): The typical name given to the bureaucracy in each state in the United States that runs the state correctional facilities.

Jail: State-run correctional facilities where inmates are sentenced for crime up to one year. Typically operated by cities and counties. (Maryland, unlike other states, has jail sentences up to 18 months.)

Parole: When an inmate is released from a correctional facility back into the community in advance of the expiration of their term. They are subjected to numerous sanctions that they must abide by.

Probation: Process/sentence whereby a judge imposes a prison term on a person convicted of a crime, but then suspends the execution of it for a period of time as long as the offender adheres to certain conditions (i.e., court-ordered sanctions).

Prison: A physical institution where individuals who are convicted of a crime are incarcerated. Typically the individual has committed a felony and the duration of the sentence is more than a year.

Supermax prisons: Standalone correctional institutions, or wings or annexes inside already existing correctional facilities. Known for their strict lock-down policies and practices, lack of amenities and use of prisoner isolation techniques.

Websites

American Correctional Association: <http://www.aca.org>

Maryland Department of Public Safety and Correctional Services: <http://www.dpscs.state.md.us/>

American Civil Liberties Union National Prison Project: <https://www.aclu.org/aclu-national-prison-project>

American Civil Liberties Union Maryland: <http://www.aclu-md.org/>

Review Questions

1. How many inmates are currently incarcerated in Maryland jails and prisons?
2. What was the name of the oldest prison in Maryland?
3. How many correctional facilities in the state of Maryland serve the needs of female inmates?
4. Why is the area in downtown Baltimore referred to as the correctional campus or prison district?

5. What is the name of the correctional facility in the state of Maryland that serves the needs of individuals suffering from a mental illness?

Critical Thinking Questions

1. What factors are involved in the development and growth of prisons in Maryland?
2. Do you think that the factors that contribute to the development and growth of prisons in Maryland are the same in others states?
3. Does closing a prison lead to a decrease in violence or simply displace the problem?
4. What were the causes of corruption prevalent in the BCDC in 2013 that led to a federal indictment against correctional officers and their eventual criminal convictions?

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