

# **Planning and Implementation Analysis: Pilot Programs for Video Conferencing of Inmate Grievance Appeal Hearings**



**Administrative Office of the Courts**

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# **Planning and Implementation Analysis: Pilot Programs for Video Conferencing of Inmate Grievance Appeal Hearings**

**A COLLABORATION BETWEEN:**

**MARYLAND ADMINISTRATIVE OFFICE OF THE COURTS**

**and**

**INSTITUTE FOR GOVERNMENTAL SERVICE AND RESEARCH,  
UNIVERSITY OF MARYLAND, COLLEGE PARK**

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## **Executive Summary**

In May 2009, Chief Judge Robert M. Bell issued an order that authorized circuit courts to conduct pilot programs in which certain judicial proceedings would be conducted via videoconferencing. Circuit courts in Allegany, Anne Arundel, and Somerset Counties had explored video conferencing of inmate grievance appeal hearings with representatives of the Department of Public Safety and Correctional Services (DPSCS) and the Office of the Attorney General (OAG). During the summer of 2010, a pilot program was established through execution of a memorandum of understanding by the Judiciary, DPSCS, and OAG. Information technology staff from the Judiciary and DPSCS led the implementation efforts.

The pilot program utilizes existing video-conferencing facilities and equipment operated by the DPSCS Division of Correction (DOC) at Western Correctional Institution (WCI) in Allegany County, Jessup Correctional Institution (JCI) in Anne Arundel County, and Eastern Correctional Institution (ECI) in Somerset County. Each of the correctional video-conferencing facilities was upgraded with an IP connection installed by the Judiciary. The Judiciary acquired video conferencing equipment and installed IP connections at each of the participating courts.

Under the pilot program, inmates appear before judges remotely from video-conferencing rooms at WCI, JCI, or ECI, rather than being transported to courthouses. Assistant Attorneys General representing DOC participate in hearings through video-conferencing equipment in the Parole Commission offices in Baltimore City.

The major benefit of the pilot program for the Judiciary is reduced risk of harm to court staff and the public because inmates are no longer brought to courthouses for grievance appeal hearings. DOC and OAG also benefit from reduced security risks. In addition, the cost and time commitments of DOC staff involved in transporting inmates is reduced. Travel costs and time

commitments of Assistant Attorneys General are also reduced. There is a potential for reductions in failure-to-appear rates and in the rate at which inmates file grievances and appeals of grievance decisions. Sheriff's offices may realize resource reallocation opportunities in that sheriff's deputies formerly required to enhance courthouse security during IGO appeal hearings will be available for other duties.

As of the date of this report the pilot program appears to be operating to the satisfaction of the participating organizations. Some logistical concerns have been identified, including whether shared video-conferencing facilities will be available when needed, whether inmates will be brought to the appropriate institution, and where interpreters will be stationed. Also, it is not yet known whether an adequate mechanism is in place to respond to problems that occur with the equipment and/or service access.

Before the pilot program is expanded to include other courts and/or correctional facilities, it is advisable for the collaborating organizations to consider the workload of inmate grievance appeal hearings in other jurisdictions and locations from which inmates will be transported to these hearings. Prior to expanding video conferencing to other judicial proceedings, workload factors should be taken into consideration.

## **Introduction**

### **Overview**

On May 20, 2009, Robert M. Bell, Chief Judge of the Court of Appeals of Maryland issued an Administrative Order authorizing circuit courts or the District Court to establish two-year pilot programs to use video conferencing for hearings and/or appeals. The Administrative Order also required that each pilot program be evaluated by the State Court Administrator and that the results of the pilot program be collected and analyzed prior to the expiration of the two-year pilot period.

Prior to Chief Judge Bell's order, the Conference of Circuit Judges had explored the use of video conferencing for judicial reviews of inmate grievance proceedings. A committee of the Conference had collaborated with representatives of the Division of Corrections (DOC) in the Department of Public Safety and Correctional Services (DPSCS), the Office of the Attorney General (OAG), and the Administrative Office of the Courts (AOC) to develop a video conferencing approach and the framework of a memorandum of understanding (MOU) to support implementation of the approach in three counties, Allegany, Anne Arundel, and Somerset. A MOU was executed by all agencies in August 2010, and the video conferencing of judicial review hearings of inmate grievance proceedings<sup>1</sup> had commenced operation by mid-November 2010.

This report describes an analysis of implementation of the three pilot programs conducted by the Court Research and Development Department with assistance from the University of Maryland, Institute for Governmental Service and Research. The analysts relied on interviews and discussions with knowledgeable project participants as the primary method for gathering data. Appendix 1 contains a list of the individuals who provided information considered in the

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<sup>1</sup> Also referred to as "IGO appeal hearings" elsewhere in this report.

analysis. Additional methods included observation of settings and processes involved in preparing and administering video conferencing of inmate grievance appeal hearings and review of manuals, forms, and reports obtained from interviewed individuals and the Internet.

### **Legal Background**

The legal framework for responding to grievances filed by inmates in Maryland state correctional facilities is contained in Title 10, Subtitle 2, of the *Correctional Services Article* of the *Annotated Code of Maryland* and in the Prisoner Litigation Act, codified in Title 5, Subtitle 10, of the *Courts and Judicial Proceedings Article* of the *Annotated Code*. Section 10-202 of the *Correctional Services Article* establishes the Inmate Grievance Office (IGO) within DPSCS. Section 10-206 allows an inmate with a grievance against an official or employee of the DPSCS Division of Correction (DOC) or Patuxent Institute to submit a complaint to IGO. Regulations adopted by IGO and contained in Title 12, Subtitle 7, of the *Code of Maryland Regulations* require that an inmate exhaust internal grievance procedures before submitting a complaint to IGO.

Section 10-207 of the *Correctional Services Article* requires IGO to conduct a preliminary review of each complaint it receives and, within 60 days, determine whether the inmate should receive a hearing. If IGO finds an inmate's complaint to have merit on its face, IGO must refer the complaint to the Office of Administrative Hearings (OAH), which must promptly hold a hearing and issue a decision. OAH may dismiss the complaint or, if OAH concludes that the complaint is wholly or partly meritorious, OAH must forward a proposed order to the Secretary of DPSCS. Within 15 days of receiving a proposed order, the Secretary of DPSCS must issue an order affirming, reversing, or modifying the OAH order or remanding the complaint to OAH for further proceedings.

Under Section 10-210 of the *Correctional Services Article*, an inmate is entitled to judicial review of the Secretary's order in the circuit court of the county in which the inmate is confined. (Under the statute, a decision by IGO or OAH to dismiss the complaint constitutes a final decision of the Secretary, and consequently is subject to judicial review.) Section 10-210 prohibits the court from considering an inmate grievance within the jurisdiction of OAH unless the inmate has exhausted the remedies provided in the subtitle. The section also limits review by the court to a review of the record of IGO and OAH proceedings and the Secretary's order. If an inmate is dissatisfied with a decision of the circuit court, the inmate may file an appeal to the Court of Special Appeals.

Judicial review of inmate grievance orders is governed in part by the *Maryland Rules*, Title 7, Chapter 200, Judicial Review of Administrative Agency Decisions. Under these rules, the inmate has 30 days from the date of the Secretary's order to file a petition for judicial review in circuit court. The form and content of the petition are specified in the *Rules*.<sup>2</sup>

The Prisoner Litigation Act in the *Courts and Judicial Proceedings Article* contains additional provisions that apply to inmate grievance appeals. Section 5-1003 requires that an inmate attach to the filing the initial complaint and proof that administrative remedies have been exhausted. The court is required to dismiss the action for judicial review if the inmate has not provided proof that administrative remedies have been exhausted. In addition, under Section 5-1004, the court may dismiss the petition for several other reasons, including a finding that the action is frivolous. Section 5-1005 provides that an inmate who has filed three or more actions that have been declared frivolous may not file any further actions without the consent of the

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<sup>2</sup> According to circuit court officials in Somerset County, the filing fee is \$135. The inmate may request a waiver of the filing fee based on indigence by submitting a standard form and a copy of their most recent bank statement. A circuit court judge decides whether to grant a full or partial waiver of the fee. Inmates are notified of the judge's decision and have 45 days to pay whatever portion of the fee has not been waived.

court, and the court may restrict the inmate to pursuing only one action at a time. Under Section 5-1007, a hearing is not required for an inmate grievance appeal if the court determines that a hearing is not necessary for the disposition of the matter.

Under Section 7-208 of the *Maryland Rules*, the circuit court judge may make any of the following decisions:

- (1) dismiss the action for judicial review
- (2) affirm, reverse, or modify the agency's order or action
- (3) remand the action to the agency for further proceedings; or
- (4) an appropriate combination of the above.

If a party to the action (i.e., either the inmate or DOC) is aggrieved by the decision of the circuit court, the party may file an appeal to the Court of Special Appeals. The procedures for filing such an appeal are contained in the *Maryland Rules*, Title 8, Chapter 200. Rule 8-202 specifies that an appeal be filed within 30 days of the decision that is being appealed.<sup>3</sup>

### **Establishment of Video-Conferencing Pilot Programs**

When inmates appear before a judge, extensive security measures are taken by DOC to transport inmates to courthouses and by sheriff's deputies at courthouses. Throughout transport and the time spent by inmates at courthouses, risk exists that inmates will escape or cause harm to correctional officers, deputies, court staff or the public.

Judge Gary Leasure in Allegany County and Judge Daniel Long in Somerset County were aware that video conferencing was being used for bond hearings and assessed that video conferencing could reduce risk and potentially reduce costs in the conduct of other judicial procedures involving inmates. Judge Leasure was particularly concerned about risk associated

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<sup>3</sup> Although judges typically rule against inmates, few inmates appeal these decisions. For example, court officials in Allegany report that only two or three of the 200 or so inmate grievance cases heard each year move on to the Court of Special Appeals.

with transporting maximum security inmates confined at North Branch Correctional Institution (NBCI) to the courthouse in Cumberland. As a result, inmate grievance appeal hearings appeared to be good candidates for video conferencing because no witness testimony or new evidence is considered at such hearings. Judges Leasure and Long presented the idea to the Conference of Circuit Judges, and it was reviewed by a committee of the Conference. The committee considered this application of video conferencing in other states. It also considered issues of access to justice, including the inmates' right of confrontation, and concluded that video conferencing would not impair inmates' rights.

The committee also found support for the proposed video conferencing at DOC. Some OAH hearings of inmate grievances by administrative law judges were already conducted by video conferencing.

In May 2010, the State Court Administrator and administrative judges of the Circuit Courts for Allegany, Anne Arundel, and Somerset Counties signed a MOU to initiate video conferencing in these counties as pilot/evaluation sites for inmate grievance appeal hearings. The MOU was signed by DPSCS in July 2010 and by the Maryland Attorney General in August 2010. The Attorney General's concurrence was required because Assistant Attorneys General represent DOC at the appeal hearings.

Under the MOU, DPSCS agreed to utilize its existing video systems at Western Correctional Institution (WCI) in Allegany County, Jessup Correctional Institution (JCI) in Anne Arundel County, and Eastern Correctional Institution (ECO) in Somerset County to serve as sites for video conferencing of inmate grievance appeal hearings. According to the MOU, the existing equipment "provides the level of quality needed for successful transmission of video and audio testimony" and meets the standard used by other states with similar applications. DPSCS agreed

to procure an Internet Protocol (IP) circuit for each facility to connect into the Judiciary's network and each of the courthouses in the pilot program. DPSCS also agreed to make available its existing video-conferencing equipment at the Maryland Parole Commission for use by OAG attorneys in their representation of DOC during inmate grievance appeal hearings. The MOU also provided for DPSCS to do testing of equipment as needed and, if necessary, install a circuit and router at the Parole Commission similar to those at the correctional facilities. The Judiciary agreed to deploy video-conferencing systems in the courthouses in Allegany, Anne Arundel and Somerset Counties; configure the router and modems at the correctional facilities in coordination with DPSCS in order to interface with the Judiciary system (DPSCS would not have access to the configurations); and train correctional facility staff on the new connection.

An operating plan included in the MOU calls for DPSCS to manage the video systems located at the correctional facilities and the Parole Commission and for the Judiciary to manage the systems in the three courthouses. The Judiciary is to maintain routers and modems at the correctional facilities. The MOU calls for OAG to use the Parole Commission system to participate in hearings. The Judiciary is responsible for coordinating the efforts of all parties and to assure that there will be audio recordings of the proceedings. The AOC is responsible for compiling and analyzing data for use in its evaluation of the program and preparing an evaluation report. The AOC is also to provide an assessment of the need for and content of a new rule to be referred to the Standing Committee on Rules of Practice and Procedure.

Under the terms of the MOU, DPSCS is responsible for all costs associated with the utilization of video conferencing from its facilities and the Parole Commission, including data lines, video-conferencing equipment, and monthly costs of IP circuits and analog modem lines. The Judiciary is responsible for all costs associated with the three court locations.

The MOU identified Ronald C. Brothers, Chief Information Officer, as the authorized technical representative on the project for DPSCS. Randy Sayers of Judicial Information Systems (JIS) was identified as the authorized technical representative for the Judiciary.

## **Implementation Analysis**

### **Video Conferencing Facilities and Usage at Pilot Sites**

A factor considered in the choice of DOC pilot sites was experience with video conferencing. As described below, all three facilities included as pilot sites have video-conferencing equipment and are experienced in conducting a variety of proceedings.

#### Eastern Correctional Institution (ECI)

The Eastern Correctional Institution complex in Somerset County includes two medium security compounds together referred to as ECI and a minimum security compound referred to as ECI Annex. ECI started using the video-conferencing equipment in 2009 for inmate adjustment (i.e., disciplinary) hearings, parole commission hearings, employee grievances, and inmate grievance hearings conducted by OAH administrative law judges. Judge Long, First Judicial Circuit Administrative Judge, toured the facility and received a demonstration of the equipment prior to development of the pilot program.

Four rooms are equipped for video conferencing at ECI, two at each of ECI's medium security compounds. One video-conferencing room at each compound is reserved for adjustment and parole hearings. The other video-conferencing room in each compound is reserved for inmate grievance hearings by OAH administrative law judges and, under the pilot program, circuit court inmate grievance appeal hearings.

Adjustment and parole hearings represent the greatest usage of video conferencing at ECI. According to ECI representatives, there are approximately 1,000 adjustment hearings per year at the facility. Parole hearings are scheduled for eight or nine days each month. Eight to twelve parole hearings occur on each parole-hearing day. This results in between 750 and 1,300 parole hearings per year.

Inmate grievance hearings conducted by OAH administrative law judges are scheduled in whole-day blocks; seven hearings per day take place on two days per month. This results in an estimated 150 to 200 inmate grievance hearings per year. ECI representatives estimate that 30% to 40% of the cases (or four to six per month) proceed to judicial review.

ECI representatives described a backlog of adjustment hearings because of prolonged repairs to the facility's video-conferencing equipment. There are no on-site resources available to repair equipment quickly. Currently repairs are done by a contractor. A contingency plan is in place for when video-conferencing equipment is down or producing inadequate quality. In these situations inmates are escorted to the video-conferencing room used for the same purpose in the other compound. ECI representatives indicated that there may be a need for an upgrade in the facility's video-conferencing equipment.

#### Jessup Correctional Institution (JCI)

JCI maintains a single video-conferencing room that has been used for several years to conduct inmate grievance hearings, and JCI was the first institution designated for the video conferencing pilot program for inmate grievance appeal hearings. Testing with the Anne Arundel County Circuit Court began September 9, 2009. Representatives of JCI, DPSCS Information Technology and Communication Division, and JIS conducted a testing session for the Anne Arundel County Circuit Court, the State Court Administrator, and the Deputy State Court Administrator on September 16, 2009. Participants in that session were reportedly pleased with the audio and video. The bandwidth of service to the facility was increased for the pilot program by installation of an IP connection. Based on a subsequent demonstration for representatives of the Circuit Court, adjustments were made such as painting the wall behind where inmates will sit during appeals hearings such that the camera can better focus on the subject's face.

JCI representatives reported that their video-conferencing equipment is used for parole hearings with an average of 12 inmates per docket on two to three docket days per month. In addition, the equipment is used for an average of four inmate grievance hearings per month with OAH. Another four to five miscellaneous hearings are conducted via video conferencing each year. JCI representatives expressed concern regarding scheduling issues associated with IGO appeal hearings. They suggested that, if scheduling problems occur, one resolution would be to obtain another video-conferencing setup from an institution where video-conferencing equipment has been removed.

#### Western Correctional Institution (WCI)

According to WCI representatives, video conferencing of inmate grievance hearings conducted by OAH became more prevalent several years ago after an administrative law judge was attacked by an inmate. WCI has one video-conferencing room that is used for adjustment hearings and a second video-conferencing room that is used for inmate grievance hearings conducted by OAH (about 16 hearings per month) and for parole hearings (about 35 hearings per month). The latter room and equipment are also being used for the inmate grievance appeal hearing pilot program.

With assistance from JIS, representatives of WCI, the Circuit Court for Allegany County, and DOC tested the equipment in September 2010. They were generally satisfied with the results, although they reported some freezing of the screen during the test. This problem subsequently was corrected by JIS.

## Courts

The IGO appeal hearing pilot program is the first use of video conferencing by the participating courts. The equipment and wiring required were purchased and installed by JIS.<sup>4</sup> The video equipment is portable, so it can be moved between courtrooms for hearings. JIS has trained bailiffs on equipment setup. JIS has also trained judges and other court staff on equipment operation. Due to installation of a network bridge, any of the three circuit courts participating in the pilot can connect with equipment at any of the three correctional institutions and the Parole Commission.

### **Inmate Grievance Appeal Hearings Workload**

Inmate grievance appeals heard by the Circuit Courts for Allegany, Anne Arundel, and Somerset Counties involve inmates confined at institutions in addition to ECI, JCI and WCI. Appendix 2 shows the average daily population (ADP) of inmates at state correctional facilities in fiscal year 2009 by jurisdiction. Inmates confined in Allegany County at either WCI or NBCI may seek judicial review of grievance orders in the Allegany County Circuit Court; inmates confined at any of the six state correctional facilities in Anne Arundel County may seek judicial review of grievance orders in the Anne Arundel County Circuit Court; and inmates at either ECI or ECI Annex may seek judicial review of grievance orders in Somerset County. Furthermore, because it is common for inmates to be transferred between facilities, an inmate who filed an appeal while confined in one county may be confined in another county at the time the hearing is scheduled. For example, an inmate who was confined at ECI when he filed an appeal of a grievance decision subsequently may be confined at Roxbury Correctional Institution in Washington County. Under the procedures in effect prior to the pilot program, the inmate would

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<sup>4</sup> In the Circuit Court for Allegany County, county facilities staff installed the wiring and built a storage cabinet for the equipment.

be transported back to Somerset County to appear before a judge for the appeal hearing. Not all inmates confined at WCI, JCI, and ECI would have their appeal hearings in Allegany, Anne Arundel, or Somerset Counties. For example, an inmate confined at ECI would be transported from ECI back to Washington County for an appeal hearing if the inmate had requested the judicial review while confined at Roxbury Correctional Institution.

The greatest workload of inmate grievance appeals could be expected to occur in the circuit courts of the jurisdictions in which the greatest numbers of inmates are confined. Referring again to Appendix 2, the jurisdictions with by far the most inmates in FY 2009 were in rank order: (1) Washington County, (2) Anne Arundel County, (3) Baltimore City, (4) Allegany County, and (5) Somerset County. DOC does not currently maintain records to support verification of this assumption.

OAG is the only entity that maintains a statewide count of inmate grievance appeal hearings. According to OAG, there were 375 inmate grievance appeals filed with the Judiciary in 2009. More than half of these appeals were dismissed, and 143 appeal hearings were actually conducted during 2009. This number translates to about 12 hearings per month. Although OAG data are not aggregated by county, OAG personnel estimate that the jurisdictions to which attorneys most frequently traveled to inmate grievance appeal hearings in 2009 were: Allegany County (50 hearings), Somerset County (37 hearings), Washington County (20 hearings), Anne Arundel County (19 hearings), and Baltimore City (17 hearings).<sup>5</sup> These are the five counties with the highest inmate populations, but ordered differently.

An analysis of the number of inmate grievance appeal hearings conducted at each circuit court was not conducted prior to decisions on which courts and which correctional institutions would participate in the pilot program. A cursory review of the limited data available suggests

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<sup>5</sup> Email from Sandy Cole, Office of Attorney General, 1/28/11.

that the courts participating in the pilot conduct among the highest numbers of inmate grievance appeal hearings in the state.

It could not be confirmed whether the correctional institutions selected for the pilot program are the institutions at which the inmates scheduled for hearings are most often confined. DOC representatives interviewed in Allegany County indicated that the vast majority of the appeal hearings at the Cumberland institutions involve inmates from NBCI, rather than WCI. DOC staff at JCI and ECI reported that most hearings in their respective counties involve inmates from their institutions.

### **Pre-Existing Process for Inmate Grievance Appeal Hearings**

The inmate grievance appeal hearing process prior to the pilot has involved face-to-face interactions among a judge, inmate, and an Assistant Attorney General representing DOC in a courtroom setting. Rarely are inmates represented by private counsel.<sup>6</sup>

The pre-existing process requires that Assistant Attorneys General travel from their office in Baltimore City to courthouses and DOC transport inmates from their current institution to courthouses. Inmates as well as Assistant Attorneys General may be traveling a considerable distance to attend the hearing. For example, for Assistant Attorneys General it is a drive of approximately 130 miles from Baltimore City to Cumberland and Princess Anne.

DOC and court staff reported that inmates may pursue appeals of grievance decisions to take advantage of the current process to travel outside the walls of the institutions in which they are incarcerated. Some inmates file frivolous grievances as a means of doing so. DOC representatives refer to inmates who file multiple grievances and appeals as “frequent fliers.”

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<sup>6</sup> DOC reported that the Prisoners’ Rights Information System of Maryland (PRISM) represents inmates in an estimated 3% to 4% of inmate grievance cases.

Maximum security inmates facing long prison sentences, in particular, are reported to have time on their hands to engage in the grievance and grievance appeal processes.

### DOC Procedures

The pre-pilot responsibility of the correctional institutions for inmate grievance appeal hearings is the secure transportation of inmates between DOC institutions and courthouses. Standard operating procedures for the transportation of inmates are detailed in the Maryland Correctional Transportation Unit Manual. The transportation protocol is instrumental to the secure transportation of inmates. The procedures include steps such as strip search of inmates prior to leaving institutions, appropriate restraints, and the escort of inmates by at least two armed correctional officers. DOC procedures not only account for inmates while they are in transit, but also while they are at courthouse sites of hearings.

The pre-existing process by which DOC fulfills its responsibility begins with notification from the courts that inmates have scheduled hearings to attend. Courts fax writs to DOC's Maryland Central Transportation Unit (MCTU). One week prior to scheduled hearings, MCTU disseminates writs to correctional institutions in which subject inmates are confined. After correctional institutions receive the writs, they determine the transportation needs of the inmates, such as whether they will be transported individually or in a group, medication that may be needed, or disabilities that may require accommodation.

DOC representatives reported that most inmates are confined at the correctional institution nearest to the circuit court holding the hearing (e.g., most inmates heard at Somerset are housed at ECI). As described earlier, however, there is the potential for inmates to require transportation from any of the state's correctional institutions to any circuit court.

When inmates must be transported to hearings in counties other than that of their current incarceration, they are brought to one of two correctional institution transit hubs. The Central/East hub is located at JCI, and the West hub is located at WCI. Inmates are transported by correctional officers from institutions at which they are currently confined to the transit hub that serves the county in which their cases are to be heard. To minimize the impact of traffic-related delays the morning of the hearing, subject inmates spend the night in cells at the hub institutions. Inmates are usually taken to a hub the day before their hearings. The morning of the appeal hearing inmates are escorted to courthouses by correctional officers. At courthouses correctional officers coordinate with sheriff's deputies to lodge inmates in holding cells and escort them to courtrooms. After their hearings, inmates are taken back to the transit hubs, from which they are transported back to institutions where they are currently incarcerated.

There are differences across correctional institutions in the steps for transporting inmates. These differences result from differences in proximity to courthouses, security level of the inmate populations, and other characteristics of the institutions involved. For instance, JCI faces the responsibilities related to management of the largest senior inmate population among institutions in the state. JCI also has 250 maximum security inmates, whose security requirements must be addressed with additional manpower and restraints when preparations are made for transport to courthouses.

In general, however, the process for transporting inmates is similar across institutions. Depending on the number of appeals hearings on a given docket, the process of transporting inmates can be a two- to four-hour investment for two to seven correctional officers. Correctional officers prepare for transport by first summoning inmates to the transportation unit of the institution. Inmates are strip searched, restrained, and loaded onto one or more vans,

depending on the party size and security requirements of the subject inmates. When transporting one inmate, a minimum of two armed officers is required for escort. As the number of inmates increases, the 2:1 ratio is not maintained, however; two inmates can be accompanied by three armed officers, seven inmates can be accompanied by six armed officers. Correctional officers allow adequate transit time to reach courthouses and unload inmates one by one into courthouse holding cells. During hearings DOC vans remain at courthouses in designated parking areas. The courthouses in Allegany and Somerset Counties are historic structures that present special public safety challenges. In Allegany County correctional officers enter through a public handicap entrance at the rear of the building via an electronic security system controlled by sheriff's deputies. In Somerset County the entrance used for escorting inmates into the courthouse is in immediate proximity to a public entrance.

At all courthouses inmates are kept in holding cells and supervised by correctional officers until they are called for their hearings. Two or three correctional officers and one or two sheriff's deputies escort inmates to courtrooms.

The courthouses in Somerset and Allegany Counties present additional challenges. In Somerset County, inmates are escorted to the courtroom via an elevator that also serves the public. After passing by a number of court staff desks, including the judge's chambers, inmates are seated in the courtroom in restraints. The situation in Allegany County is somewhat more secure. Inmates are escorted on an elevator designated solely for transporting inmates to the second floor where courtrooms are located. Once in the courtroom, however, inmates must pass by a clerk's desk in order to reach their designated seat before the judge.

## Court Procedures

Local circuit courts are responsible for scheduling inmate grievance appeal hearings in conformance with Maryland's statutory and court rule framework. When a hearing is scheduled, the responsible court sends a writ to the MCTU, which notifies the correctional institution where the subject inmate is incarcerated.

The small courthouses of Allegany and Somerset Counties are generally staffed by a single sheriff's deputy during operating hours. The presence of inmates for grievance appeal hearings requires at least two additional deputies to staff the courthouse and assist with ensuring security while inmates are present. As a result, the courts must also notify their county's sheriff's offices of the schedule of inmate grievance appeal hearings.

Inmate grievance appeal hearings are not heard on a daily basis, but rather a few days per month. Small counties such as Somerset County schedule one day per month to hear grievance appeals. The Circuit Court for Allegany County schedules two days per month to hear grievance appeals, which are split between two judges. In Anne Arundel County, inmate grievance appeal hearings are scheduled as part of the complex motions docket, which is heard on Mondays. Individual judges may stagger hearings an hour apart or hear them immediately adjacent to one another. Court staff present in courtrooms during hearings are a judge, clerk, law clerk, and a court recorder. If foreign language or sign language interpreters are needed, courts arrange for them to be present as well. Hearings are open to the public, but court representatives reported that the public rarely attends them. Judges may question inmates and Assistant Attorneys General, but no new evidence may be presented and no witness testimony is taken. Microphones are stationed in front of judges, inmates, and Assistant Attorneys General, and audio recordings of hearings are made.

According to judges interviewed, the appeal hearings generally proceed without physical disruption from inmates. The presence of inmates in courtrooms, however, presents potential danger to court staff. For instance, in Allegany County the clerk and court reporter must walk in front of inmates in order to exit the courtroom. Court representatives reported disruptive behavior among maximum security inmates, including spitting in the direction of judges.

Judges either determine the disposition at the end of hearings or decide in chambers after hearings. After hearings inmates are escorted back to courthouse holding cells by sheriff's deputies and correctional officers. At the conclusion of hearings for all subject inmates, correctional officers escort inmates back into DOC vans one at a time and return to the transit hub correctional institutions.

#### OAG Procedures

Assistant Attorneys General travel to the courthouse where IGO appeal hearings are to be held. OAG has organized its caseload so that an individual Assistant Attorney General can handle all hearings held in a particular county on a particular day. The Assistant Attorneys General who serve DOC are based in Baltimore City. Assistant Attorneys General who attend hearings in Allegany and Somerset Counties must travel approximately 130 miles each way, an investment in time of approximately three hours each way. While some dockets may take a few hours to complete, there are occasional dockets that involve two or three cases and are heard in less than an hour. Regardless, a typical IGO appeal hearing sequence in Allegany and Somerset Counties involves an Assistant Attorneys General time investment of over eight hours.

## **Pilot Program Process**

Under the pilot process inmates scheduled for inmate grievance appeal hearings in Allegany, Anne Arundel, and Somerset Counties participate in hearings via video conferencing. Subject inmates do not have the option of in-person hearings.

The process of filing for an appeal is not affected by the use of video conferencing. Courts continue to send writs to MCTU, which will distribute them to correctional institutions in the pre-existing manner. Under the new process, however, writs for hearings in Allegany, Anne Arundel, and Somerset Counties will instruct that inmates be brought to the nearest video conferencing facility for hearings. Writs that were issued prior to the operationalization of the pilot program are reissued with this new notation.

## DOC Procedures

Under the pilot program, inmates who have appeal hearings scheduled in Allegany, Anne Arundel, and Somerset Counties and are confined at ECI, JCI, and WCI have their cases heard remotely from those facilities. For example, inmates at JCI who have hearings scheduled in Allegany, Anne Arundel, and Somerset Counties participate in hearings by video conferencing with the courts that scheduled the hearings. Use of video conferencing essentially eliminates transportation for IGO appeal hearings. Inmates at ECI, WCI, and JCI are called from their cells and report to the institution's administrative office unescorted.

NBCI is not one of the DOC facilities participating in the pilot program as a video-conferencing site. It is affected, however, by the new video-conferencing process. NBCI is a maximum security prison located adjacent to WCI. It was opened in 2003 as part of WCI, but became independently operated in 2008. Since 2008, NBCI has been transporting its maximum security inmates to Allegany Circuit Court for inmate grievance appeals independently of WCI.

Under the pilot program, two NBCI correctional officers escort an NBCI inmate to WCI on foot for video conferencing of their appeal hearings.

Inmates at other correctional facilities who have appeal hearings scheduled in Allegany, Anne Arundel, and Somerset Counties are transported to ECI, JCI, or WCI, whichever is closest. All aspects of the pre-existing process of transporting inmates remain the same under the pilot program, except for the final step. Rather than being transported to courthouses with correctional officer escorts, inmates are escorted to video-conferencing rooms at ECI, JCI and WCI.

Video-conferencing equipment used for IGO appeal hearings is stored in designated video-conferencing rooms at each of the participating correctional institution campuses. There are four video-conferencing machines located at ECI, an institution comprised of two campuses; two of which are reserved for inmate grievance OAH and appeal hearings (one on each campus), and two for parole hearings (also one on each campus). JCI and WCI each have one set of video-conferencing equipment for their campuses. Each video-conferencing room features a television with the video-conferencing equipment mounted on top, a desk for the inmate, and a number of chairs.

Upon arriving at the video conferencing room, inmates are seated and, at ECI and WCI, they are free of restraints unless they are under disciplinary sanctions. At JCI, the video-conferencing room is beyond a security door, so once inmates pass through that door they are placed in handcuffs, which remain on during the hearing. DOC officers connect video-conferencing equipment to the network bridge, a virtual conference room where correctional institutions' visual and audio feeds can connect with the video and audio feeds for judges and Assistant Attorneys General. The equipment is set up through the use of remote control, and involves turning on televisions and selecting the on-screen prompt "connect to bridge." Hearings

commence once all three parties are connected. Correctional officers wait outside video conferencing rooms, with inmates in view. During hearing sequences involving more than one inmate, inmates waiting to be heard may be summoned to the video-conferencing room and wait outside the room or in adjacent rooms for their hearings. After hearings, inmates confined at the same facility return to their cells unescorted. Inmates from other facilities are escorted to their holding cells to await transport.

### Court Procedures

Court bailiffs are responsible for setting up video-conferencing equipment prior to IGO appeal hearings. This involves taking the equipment from its storage locations, positioning the equipment directly in front of judges' benches, and readying systems for use. The same court staff are present for video-conferenced inmate grievance hearings as under the pre-existing process. Hearings continue to be open to the public despite the lack of physical presence of inmates.

Judges initiate video-conferencing connections and, once connected with the other parties, commence the hearing. In order to assist with fact-finding, judges are able to manipulate the camera view of inmates via remote control. Judges can control the amount of zoom the camera places on inmates, potentially aiding judges' assessment of inmate deportment. Judges can also rotate the camera angle and pan the area of the rooms, which may assist viewing of inmates of varying heights and seating positions.

Although, the same court staff are present in courtrooms as in the pre-existing setting, since security for these hearings is no longer required, correctional officers and sheriff's deputies are no longer present in courtrooms. Courthouses continue to be staffed by their normal contingent of sheriff's deputies, with no additional deputies needed.

Video recording of hearings are not made. An audio feed, however, continues to be preserved by courts, albeit through a different medium. Audio is captured directly through the video-conferencing equipment into the audio recorder, eliminating use of multiple microphones in courtrooms.

The Circuit Court for Allegany County began video conferencing of actual inmate grievance appeal hearings on October 15, 2010 and has been holding them regularly since then. Inmates have participated from a mix of correctional facility locations. The first video-conferencing hearings were held in Anne Arundel County Circuit Court on December 6, 2010. Two hearings were held; both inmates were housed at JCI. To date, no other video conference hearings have been held in Anne Arundel pending decisions on scheduling and logistics. Somerset County Circuit Court began hearing inmate grievance appeals by video conferencing on November 12, 2010. Three hearings were held, one with an inmate at WCI and the others with inmates at ECI. All three courts report satisfaction with how the initial hearings have proceeded.

#### OAG Procedures

The Assistant Attorneys General who serve DOC are located at DOC headquarters in Baltimore City. This building also houses the Parole Commission. The Assistant Attorneys General no longer have to travel to the courthouses for inmate grievance appeal hearings. They merely walk to the room containing the video-conferencing equipment used for Parole Commission hearings.

## **Impacts and Issues**

For this analysis, impacts of the pilot program on DOC, the participating courts, OAG, and other parties, as well as potential shared impacts were identified. Other issues that could affect the program's success were also identified.

### DOC Impacts and Issues

DOC benefits from the video-conferencing initiative in several ways: transportation cost savings, improved public safety, and fewer staff needed for IGO appeal hearings. The pilot program introduces some logistical issues for DOC and presents some minor new responsibilities. The logistical issues pertain to transport of inmates and scheduling of video-conferencing facilities.

#### *1. Transportation*

The new process allows for savings of transportation-related costs that would otherwise have been incurred under the pre-existing process. Costs associated with the transportation of inmates include staff time, motor fuel and wear on the one to three vehicles required to transport inmates to courthouses.

The pilot program does not add any new transportation costs to the process. The residual transportation costs associated with the transportation of inmates involve transportation from non-pilot correctional institutions to the nearest video-conferencing institution. It appears that in many instances this will result in net transportation cost reductions.

#### *2. Public Safety*

The improvement of public safety is produced by eliminating a need to transport inmates to courthouses. Each event of removing an inmate from the confines of an institution carries with it risk of escape, transference of contraband, and other disruptions that threaten DOC staff, court

staff and the public with physical harm. DOC representatives reported that, under the pre-existing hearing approach, inmates have access to public phones at DOC institutions and may try to coordinate a transfer of contraband at some point during the inmates' transit to hearings. Although this has rarely happened, it is a threat to be considered in transportation planning and risk assessment.

Inmates confined in the pilot correctional institutions will no longer leave the compound to participate in appeal hearings, thereby removing any of the aforementioned transportation risks.

### *3. Staffing Needs*

As the transportation and related security requirements are reduced, so is the number of DOC staff required to transport inmates from one of the pilot facilities to hearing locations. Under the pre-existing procedure, when a single inmate is escorted to a courthouse, the inmate must be accompanied by two correctional officers. The number of officers increases as the number of inmates increases. Under the pilot program, DOC staff members at the pilot institutions have reduced workloads. Medium security inmates confined at the pilot institutions are allowed to leave their cells and walk unaccompanied to the video-conferencing rooms. Maximum security inmates and inmates transported from other facilities are escorted from temporary housing by one correctional officer to video-conferencing rooms. Once at the video-conferencing rooms, one correctional officer is needed to oversee each inmate while hearings are conducted. Additional officers are brought to the video conferencing areas if multiple inmates are waiting for their hearings.

This reduction in the number of DOC staff members dedicated to IGO appeal hearings is complemented by the reduced amount of time that correctional officers must allocate to these

hearings. Currently, officers depart hub institutions with inmates 30 minutes or more prior to hearings and maintain inmates in secure settings at all times until they are returned. In total, the current inmate grievance appeal hearings can represent two- to four-hour investments of multiple correctional officers' time. This investment, occurring at a rate of one to two days a month for two to six correctional officers, is no longer a cost factor under the pilot process. Correctional officers that would have been utilized for transporting the inmates to the courthouse are available for other duties.

#### *4. Transport Standard Operating Procedures*

At the time of interviews for this analysis DOC had not issued standard operating procedures for transporting inmates to video-conferencing sites for inmate grievance appeal hearings. There did not seem to be consensus among DOC officials on which pilot institution would serve inmates from which other institutions which had inmate grievance appeal hearings in Allegany, Anne Arundel, or Somerset County. For example, would inmates from institutions in Washington County be brought to JCI, WCI, or ECI for a hearing scheduled for Somerset County Circuit Court? In the interest of effective coordination and accurate scheduling, the courts and OAG need to know which facility will be used for each hearing.

#### *5. Scheduling of Video-conferencing Facilities*

At JCI and WCI, the same video-conferencing equipment designated for inmate grievance appeal hearings is already used for both parole hearings and inmate grievance hearings by administrative law judges at OAH. The introduction of inmate grievance appeal hearings increases the potential for scheduling conflicts. Multiple demands on the use of video-conferencing equipment also may complicate scheduling of inmate grievance appeal hearings with courthouses outside of the institution's home county. For instance, while WCI and Allegany

County Circuit Court coordinate their hearing schedules, the schedule in Anne Arundel Circuit Court may conflict with another proceeding at WCI, such as a parole hearing. Scheduling may not prove as challenging at ECI, as the institution has four video-conferencing rooms, and the room reserved for inmate grievance appeal hearings is shared only with OAH hearings.

DOC representatives expressed concern that the implementation of the pilot program may encourage other counties and parties (e.g., public defenders or private attorneys) to request use of the system for interactions with inmates. If this were to happen, the question of which parties and cases get priority use of the equipment arises. The impact of expanding video-conferencing utilization on institutional operations and resources must be considered.

#### *6. New Responsibilities*

All DOC representatives are not familiar with all operating procedures inside courtrooms during hearings. Under the pilot process, a correctional officer “attends” hearings in video conferencing rooms at participating correctional facilities. Either a DOC video-conferencing coordinator or correctional officers who escorted inmates must be in the video-conferencing room to work the equipment. This is a new role for correctional officers.

#### Court Impacts and Issues

The primary impact of the pilot program on the courts is reduced risk to court staff and the public. A potential disadvantage is the lack of in-person interaction between judges and inmates. An issue that had not been resolved at the time of interviews is how interpreters will participate in hearings.

There are minor new responsibilities for court staff associated with setting up and operating the video-conferencing equipment. There is a minor negative impact on court reporters

who transcribe the proceedings. In the short term the Circuit Court for Allegany County must reissue writs with notations that hearings will be held via video conferencing.

### *1. Public Safety*

The courts experience the benefit of enhanced security and public safety. Since inmates are not brought into the courthouse, the risk of attack on or harassment of court staff is eliminated. The risk associated with potential inmate interaction with the public is also eliminated. This change is particularly noteworthy in relation to the older courthouses in Allegany and Somerset Counties where the pre-existing exposure is greatest.

### *2. Absence of In-person Interaction*

Court representatives initially speculated that the intimacy of the courtroom would be lost under the new process. In comparison to the pre-existing approach, factors related to inmate deportment during a hearing might only be reproduced to a lesser degree with the use of video-conferencing equipment. After several months' experience with video conferencing, however, these same court representatives do not feel that anything is lost under the new process. Judge Leasure reported that the absence of in-person interaction is not a disadvantage. In fact, he feels not having the in-person interaction is an advantage.

### *3. Interpreter Participation*

The courts are responsible for providing foreign language or sign language interpreters if needed by inmates. Under the pre-existing process, interpreters appear in courtrooms in view of all parties. At the time of the interviews, it was not clear whether the video-conferencing arrangements would enable an interpreter to be present in the courtroom or would require that interpreters be at correctional institutions with inmates. The latter requirement poses two concerns. First, the security procedures at correctional institutions are more stringent and time

consuming than those at courthouses, and the atmosphere inside the institutions is less relaxed. Interpreters who are used to working in a court room may be reluctant to report to a prison for work. Second, in some cases video conferencing in DOC facilities will not take place in counties of the courts that scheduled hearings. Courts in counties scheduling hearings may have to coordinate with courts in counties where inmates will be located to identify interpreters who can support the hearings.

It appears the preferred approach would be to have the interpreter stationed in the court room. JIS reports that a language interpreter's voice would be picked up by the microphone, and a sign language interpreter could be accommodated by widening the view of the judge's camera to include the signer. This approach has not been tested to date.

#### *4. New Responsibilities for Court Staff*

Under the pilot program, bailiffs are responsible for setting up video-conferencing equipment, and judges must use the equipment for hearings. These are new activities for these parties. Training and technical assistance provided by JIS should enable these individuals to easily assume these responsibilities.

#### *5. Transcription Challenges*

Court staff reported that audio recording with the video-conferencing equipment does not maintain separate audio tracks for each individual in the courtroom. Separate tracks are especially useful during periods when more than one person is talking; court reporters can mute the audio of others and focus on the individual of interest. This is currently attained through the placement of multiple microphones in courtrooms. In video conferencing, the audio feed is received directly from the video-conferencing equipment, which records all sounds in a given room with a single microphone. Thus, the court reporter can isolate court room sounds from the sounds transmitted remotely, but cannot differentiate among court room sounds or between the

sounds transmitted from the correctional facility and the Parole Commission office.

#### *6. Modification of Writs*

Writs issued under the pilot program state that DOC shall transport inmates to “the closest institution with video-conferencing equipment.” Writs that had been issued into April 2011 by the Allegany County Circuit Court prior to the start of the pilot did not include this notation. These writs have since been reissued with the new terms included.

#### OAG Impacts

Travel by Assistant Attorneys General for inmate grievance appeal hearings at the Allegany, Anne Arundel, and Somerset County courthouses is eliminated under the pilot program. The program saves OAH the cost of travel and eliminates travel time and risk of harm to Assistant Attorneys General associated with appearing in opposition to an inmate in the presence of inmates.

#### Impacts on Other Entities and Potential Shared Benefits

Entities that were not parties to the MOU, namely sheriff’s offices in the pilot counties, also benefit from the video-conferencing initiative. Potential benefits shared by all parties are possible reductions in inmate failures to appear for hearings and in the numbers of grievance appeals filed. Another potential shared benefit is the possible use of the video-conferencing equipment for other types of proceedings. The impact on counsel representing inmates of video conferencing is uncertain.

#### *1. Reduced Demand for Sheriff’s Deputies*

Courthouse security is among the responsibilities of county sheriff’s offices. Reduced presence of inmates in courthouses translates into reductions in workloads for sheriff’s offices. The effect of eliminating inmate grievance appeal hearings from courthouses can be expected to

be greater in small counties in which these hearings represent a greater portion of the overall workload. In Allegany County for example, prior to the pilot program, two sheriff's deputies were at the courthouse for dockets of inmate grievance appeals in addition to one sheriff's deputy at the courthouse daily. The pilot program allows for the reallocation of the two deputies' efforts.

## *2. Reduced Failures to Appear (FTAs)*

All parties involved in a proceeding are negatively affected by FTAs. Court time has been allocated that could have been put to some other use, and Assistant Attorneys General may have traveled unnecessarily. The proceeding must be rescheduled, and correctional officers may have to duplicate efforts they made the first time they attempted to get inmates to court.

The pilot program may result in a decrease in FTAs due to removal of time-delaying factors associated with transportation. FTAs tend to result from a lack of available staff, inclement weather, vehicle problems, and difficulty in securing inmate restraints or administering medication. These problems are reduced or eliminated under the video-conferencing approach.

In the short term, due to the new procedure, there may be an increased risk of FTAs associated with inmates confined at institutions outside the county of the circuit court that schedules their hearings. FTAs may occur if inmates fail to arrive or arrive late at host institutions.

## *3. Potential for Reduced Workload*

DOC and court representatives assessed that the switch to a video-conferencing process may eventually reduce the number of inmate grievance appeals filed. They report that inmates, particularly "frequent fliers," will realize that they will not be transported to the courthouse for a

hearing, and, as a result, may file fewer grievances and appeals. If this occurs, it will mean reduced resource demands for courts, DOC, OAG, and sheriff's offices.

#### *4. Use of Equipment for Other Proceedings*

Other judicial proceedings may be amenable to video conferencing, and could be tested relatively easily now that the pilot courts have acquired equipment and experience in using it. Expanded video-conferencing applications may further enhance courthouse safety and result in cost savings for courts and other organizations involved in the work of courts.

#### *5. Effect on Counsel for Inmates*

When inmates have attained private counsel, attorneys will have to travel to the correctional institution hosting the video conference, rather than the courthouse. The private counsel must notify the institution in advance of their intended hearing attendance such that necessary security procedures can be followed by DOC. Additional steps and time involved in entering correctional institutions may be burdensome to attorneys representing inmates. Depending on attorneys' office locations, appearing at correctional institutions may involve more or less travel than appearing at the courthouse. Consequently, the net effect of video conferencing on outside attorneys is uncertain.

## **Conclusions and Recommendations**

A cooperative effort of the Judiciary, DOC, and OAG to conduct inmate grievance appeal hearings via video conferencing has both tangible and intangible benefits. The primary tangible benefits involve reductions in correctional officers' time and DOC transport costs associated with transporting inmates from correctional institutions to courthouses. Similar tangible benefits accrue to the OAG, as Assistant Attorneys General no longer have to travel from their offices in Baltimore City to courthouses in Allegany, Anne Arundel, and Somerset Counties for inmate grievance appeal hearings. Sheriff's offices in these counties benefit from reduced requirements for deputies to provide security around inmate appearances in court. Video conferencing offers to these organizations, the Judiciary and the public the less tangible, but no less important, benefit of reduced risk of harm because inmates no longer appear in the subject courthouses.

As of the date of this report, the video-conferencing pilot program appears to be performing as intended, and the organizations involved in the pilot are satisfied with its performance. If satisfactory performance continues, it is reasonable to make the pilot permanent and expand it to other courts and correctional facilities. A few concerns have been identified that should be addressed to ensure that the new approach continues to work beneficially for all involved organizations. Efforts should be made to monitor the continuing impacts of video-conferencing such that implications for program expansion can be assessed.

### **1. Procedures for Transporting Inmates**

To avoid confusion that may lead to missed hearings, DOC should clearly identify which institutions will be used for video conferencing inmate grievance appeal hearings based on the courts that schedule hearings and where inmates are confined.

## **2. Equipment Performance**

Officials at one DOC facility reported equipment malfunctions that have disrupted other video conferencing applications. Other minor issues with video quality were reported during testing for inmate grievance appeal hearings. Participants in the pilot program should track their experiences with equipment performance and repairs to ensure that, if the program is made permanent or expanded, equipment/connection problems do not interfere with proceedings.

## **3. Equipment Scheduling**

Adding a new hearing type and new remote participants may pose scheduling problems for DOC video-conferencing facilities. The pilot agencies should be alert to the need for coordination so that such conflicts do not occur.

## **4. Participation of Interpreters**

The courts should determine how interpreters will be integrated into the process and anticipate the first opportunity for testing the selected approach.

## **5. Tracking Changes to FTA, Workload, and Further Appeals**

DOC and court officials have speculated that video conferencing may have the effect of reducing the numbers of FTAs and the numbers of inmate grievance appeals filed. Both sets of numbers should be tracked to determine whether the potential reductions actually occur. It also would be useful to determine whether the shift to video conferencing has an impact on the rate at which inmates appeal circuit court decisions to the Court of Special Appeals.

## **6. Planning for Expansion**

In deciding whether to expand video conferencing of inmate grievance appeal hearings to other correctional institutions or courts, the participating organizations should consider the numbers of appeals filed by inmates at each correctional institution. Institutions and courts

should be selected for the program to achieve the greatest impact in terms of transport costs and public safety. Workload considerations should also enter into plans for expanding video conferencing to other types of proceedings.

## Appendix 1

### List of Individuals Providing Information for the Implementation Analysis

#### **Department of Public Safety and Correctional Services**

##### Inmate Grievance Office

Scott Oakley, Executive Director

##### Information Technology and Communications Division

Ronald Brothers, Chief Information Officer

Arthur Ray, Chief Network Officer

##### Division of Correction

Jay Miller, IT Manager

David Greene, Assistant Commissioner, East Region

Randy Watson, Executive Assistant to Assistant Commissioner, East Region

##### *Eastern Correctional Institution:*

Robert Hanke, Assistant Warden

Greg Ward, Inmate Grievance Coordinator

Sheila Brown-King, Correctional Officer

Ronald Dryden, Correctional Officer

Shanika Gustus, Correctional Officer

Michael King, Correctional Officer

William Maycock, Correctional Officer

Walter West, Correctional Officer

##### *Jessup Correctional Institution:*

John Wolfe, Warden

Cherie Peay, Assistant Warden

Sergeant Carolyn Murray, Inmate Grievance Coordinator (outgoing)

Captain Anthony Lewis, Inmate Grievance Coordinator (incoming)

##### *Western Correctional Institution:*

Jeffrey Nines, Case Manager

#### **Judiciary**

##### Allegany County Circuit Court

Judge Gary Leasure, Administrative Judge, Circuit Court for Allegany County

Anne SanGiovanni, Court Administrator

Anne Arundel County Circuit Court

Douglas Hofstedt, Director of Court Operations

Somerset County Circuit Court

Judge Daniel Long, Administrative Judge, Circuit Court for Somerset County

Theodore Phoebus, Clerk of the Court

Sally Rankin, Court Administrator

Penny Custis, Civil Department Supervisor

Administrative Office of the Courts, Judicial Information Systems

Richard Rau, Video Network Specialist

Randy Sayers, Senior Manager - Technology

**Office of the Attorney General**

Sandy Cole, Administrative Officer, Office of Chief Counsel for DPSCS

Appendix 2

Average Daily Population (ADP) of Inmates by Jurisdiction (FY 2009)

County/City	Correctional Institution(s)	Security Level	FY 2009 ADP	County/ City Total ADP
Allegany	North Branch Correctional Institution	Maximum	868	2,555
	Western Correctional Institution	Maximum/ Medium	1,687	
Anne Arundel	Brockbridge Correctional Facility	Minimum	641	4,818
	Jessup Correctional Institution	Medium/ Maximum	1,722	
	Jessup Pre-Release Unit	Minimum	589	
	Maryland Correctional Institution-Jessup	All	1,024	
	Maryland Correctional Institution for Women	All	842	
Baltimore City	Baltimore City Correctional Center	Minimum	501	3,468
	Baltimore Pre-Release Unit	Pre-release	189	
	Baltimore Pre-Release Unit for Women	Minimum	84	
	Maryland Correctional Adjustment Center	Maximum	386	
	Maryland Reception, Diagnostic and Classification Center	All	661	
	Metropolitan Transition Center	Minimum	1,647	
Carroll	Central Maryland Correctional Facility	Minimum	509	509
Charles	Southern Maryland Pre-Release Unit	Pre-release	177	177
Howard	Patuxent Institution (non-DOC facility)	Maximum	853	853
Queen Anne's	Eastern Pre-Release Unit	Pre-release	174	174
Somerset	Eastern Correctional Institution	Medium	1,947	2,532
	Eastern Correctional Institution-Annex	Minimum	585	
Washington	Maryland Correctional Institution-Hagerstown	Medium	2,035	6,267
	Maryland Correctional Training Center	Medium	2,488	
	Roxbury Correctional Institution	Medium	1,744	
Wicomico	Poplar Hill Pre-Release Unit	Pre-release	150	150

Source: Maryland Division of Correction Annual Report ~ FY 2009; Patuxent Institution Annual Report – FY 2009; email correspondence with DPSCS staff.