



ADMINISTRATIVE OFFICE OF THE COURTS

MARYLAND JUDICIAL CENTER
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Pamela Harris
State Court Administrator
410-260-1295

February 26, 2019

Honorable Lawrence J. Hogan, Jr.
Governor
100 State Circle
Annapolis, Maryland 21401

Honorable Thomas V. "Mike" Miller, Jr.
President of the Senate
State House, H-107
Annapolis, Maryland 21401

Honorable Michael E. Busch
Speaker of the House
State House, H-101
Annapolis, Maryland 21401

Re: JRA – Number of Substance Abuse Assessments Ordered
Pursuant to Chapter 515, Section 15 of the 2016 Session – Number of Substance Abuse
Disorder Assessments Ordered by Courts in Criminal Cases

Dear Governor Hogan, President Miller and Speaker Busch,

Pursuant to the Justice Reinvestment Act, SB 1005/Ch. 515, 2016, the Judiciary herein submits its report on the number of substance abuse assessments ordered by courts in criminal cases under § 8-505 Health – General Article.

The report covers the period January 1, 2018 – December 31, 2018. If you have any questions, please contact Jamie Walter at (410) 260-1725, or via email at jamie.walter@mdcourts.gov.

Sincerely,

Pamela Harris
State Court Administrator

Enc.

Hon. Lawrence J. Hogan, Jr.
Hon. Thomas V. "Mike" Miller, Jr.
Hon. Michael E. Busch
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cc: Honorable Mary Ellen Barbera, Chief Judge, Court of Appeals
Honorable Laura S. Ripken, Chair, Conference of Circuit Judges
Honorable Daniel M. Long, Chair, Justice Reinvestment Oversight Board
Honorable John P. Morrissey, Chief Judge, District Court
Christopher Shank, Chief Legislative Officer, Office of the Governor
Yaakov E. (Jake) Weissmann, Chief of Staff, Senate President
Alexandra Hughes, Chief of Staff, House Speaker
Kelley O'Connor, Assistant Administrator, Government Relations and Public Affairs
Sarah Albert, Mandated Reports Specialist

Maryland Judiciary

Calendar Year 2018

**JRA- Number of Substance Abuse
Assessments Ordered**



Administrative Office of the Courts

February 2019

Substance Abuse Disorder Assessments Ordered, § 8-505 –Health – General Calendar Year 2018

Between Circuit and District Court locations, there were 1,916 substance abuse disorder assessments ordered in calendar year 2018. A detailed breakdown is below.

CY 2018 § 8-505 Orders			
County	Circuit Court	District Court	Total
Allegany	26	27	53
Anne Arundel	302	31	333
Baltimore City	192	77	269
Baltimore County	133	2	135
Calvert	35	14	49
Caroline	37	1	38
Carroll	75	1	76
Cecil	34	2	36
Charles	58	3	61
Dorchester	72	5	77
Frederick	82	4	86
Garrett	21	14	35
Harford	63	5	68
Howard	49	3	52
Kent	12	9	21
Montgomery	70	4	74
Prince George's	89	0	89
Queen Anne's	34	1	35
Saint Mary's	18	3	21
Somerset	27	6	33
Talbot	1	2	3
Washington	93	2	95
Wicomico	107	46	153
Worcester	15	9	24
Grand Total	1,645	271	1,916

Commentary Regarding Data Findings and Collection

The total number of calendar year 2018, § 8-505 substance abuse disorder assessment orders reflect a 57 percent increase over calendar year 2017, with a total of 1,223 orders in calendar year 2017 and 1,916 in calendar year 2018. The growth in the number of § 8-505 orders may be attributable to several factors. Historically, defendants in District Court awaiting § 8-505 assessments could remain incarcerated longer than the typical time served for similar offenses. This has made some courts reluctant to order the § 8-505 assessment. Additionally, there is a greater use of § 8-505 assessment codes across case management systems because of the recent and ongoing efforts to train and educate clerks about use of these codes.

Of note for calendar year 2018 data, the North Central Maryland Counties of Carroll, Harford, and Howard converted to MDEC. Baltimore County was the most recent county converted on February 19, 2019, leaving only Montgomery County, Prince George's County, and Baltimore City remaining. Please see below for specific notes regarding each case management system.

UCS (Baltimore County) – There are several codes used to identify § 8-505 orders for assessment in the UCS case management system. The following steps were taken with the raw data analysis to capture the most accurate number of § 8-505 orders using all relevant UCS codes:

- Any order/ruling for assessment that was denied is not included.
- If the receipt of assessment from Maryland Department of Health and Mental Hygiene (DHMH) was the only notation used in a case, there is a presumption that an order for assessment was granted and the receipt of assessment is counted to capture the order.
- If there are multiple assessments identified in the same case across the time period, all instances were counted presuming that multiple orders for assessment were granted.

Montgomery County Circuit Court – The Quality Control Division confirmed that the numbers provided are the number of granted orders. They attested that the count is of court orders, not unique cases or defendants.

Prince George's County Circuit Court – A query was run through docket text and comments to get total number of assessment ordered as no code existed to properly identify these orders. New codes have been created in Prince George's case management system to report a more accurate total moving forward.

Baltimore City Circuit Court – Confirmed that the number provided is the number of orders, not the number of defendants.

District Court Mainframe – As referenced in the Judiciary's fiscal year 2018 and fiscal year 2017, § 8-505 legislative reports, a new code identifying § 8-505 orders was implemented in the District Court Mainframe in May of 2017. However, to control for any instances in which the

code wasn't utilized and to ensure all § 8-505 orders were captured, several data queries were run through docket text and comments to get a total number of assessments ordered.

MDEC (Circuit & District Court) – MDEC “Event Listing” report was run for calendar year 2018 to identify the frequency of codes indicating in-custody assessments. This process does not necessarily return all § 8-505 orders in counties operating on MDEC as problems have been identified in pinpointing the out-patient assessments due to code mapping from UCS to MDEC. The number of § 8-505 orders were added across case management systems for those counties that transitioned to MDEC.