

PS COMMITTEE #3  
May 2, 2011

Worksession

MEMORANDUM

April 29, 2011

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst *SJF*

SUBJECT: **Worksession: FY12 Operating Budget**  
**Department of Correction and Rehabilitation (DOCR)**

Summary of April 14 Committee Worksession

The Committee discussed last year's reorganization and its impact on the three remaining divisions within DOCR. Council staff voiced concerns about safety and accountability in all three divisions:

- The reduction of supervisory staff at PRRS has caused some security and safety concerns and the Committee asked DOCR how it envisioned ensuring adequate supervision;
- The reduction of inmate programming at MCCF has led an increased average length of stay for inmates, requiring that the last housing wing be open at least 127 days this fiscal year. The Committee asked DOCR to provide additional information on whether the last wing needed to be opened to house just a few inmates (e.g. five or 10), and if so, the number of days and the associated cost. DOCR will provide this information at the Committee meeting. Council staff is recommending the restoration of one Correctional Officer I position (\$76,520) to reinstate the Job Shop program, along with Digital Imaging. The lack of inmate program is not only a fiscal concern, but a safety concern for both staff and inmates.
- The merger of ACS and IPSA in Pre-Trial Services, including the abolishment of a manager position, has led to insufficient supervision/management of 16 positions and three very different functional units (ACS, IPSA, and a Work Crew Unit). It has reduced Pre-Trial's ability to maintain sufficient contact with the State's Attorney's Office and refer as many cases as necessary. Pre-Trial is redistributing certain workloads at this time to help correct the problem. The Committee also discussed the

need to have front desk staff at the office as a first-line contact for the large number of clients who are under supervision.

The Committee also asked MCGEO to provide comments in writing. These are attached at ©47-50.

**This packet contains**

Packet for April 14 Committee Worksession

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MCGEO Comments Regarding DOCR Operating Budget

47-50

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PS COMMITTEE #2  
April 14, 2011

Worksession

MEMORANDUM

April 11, 2011

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst *SJF*

SUBJECT: **Worksession: FY12 Operating Budget  
Department of Correction and Rehabilitation (DOCR)**

*Those expected for this worksession:*

Arthur Wallenstein, Director, Department of Correction and Rehabilitation (DOCR)  
Robert Green, Warden, Montgomery County Correctional Facility (MCCF)  
Stefan LoBuglio, Chief, Pre-Release and Re-Entry Services  
Sharon Trexler, Chief, Pre-Trial Services  
Craig Dowd, Budget and Procurement Manager, DOCR  
Mary Lou Wirdzek, Budget Specialist, DOCR  
Florence Bartlett, Finance Manager, DOCR  
Ed Piesen, Office of Management and Budget (OMB)

**Major Issue: DOCR's FY11 reorganization provided many operational efficiencies and cost reductions; however, Council staff has identified several areas where staff/resident safety and/or program oversight have been significantly reduced. Council staff recommends the restoration of some inmate programming within MCCF to help reduce security/safety problems as well as help reduce the number of days the last housing unit must be opened and staffed. See discussion below.**

The Executive's recommendation for the Department of Correction and Rehabilitation is attached at ©1-7.

## Overview

For FY12, the Executive recommends total expenditures of \$61,187,930 million for the Division of Correction and Rehabilitation (DOCR), a 1.0% reduction from the FY11 approved budget.

	FY10 Actual	FY11 Approved	FY12 CE Recommended	% Change FY11-FY12
<b>Expenditures</b>				
<b>General Fund</b>	\$65,666,060	\$61,806,240	\$61,187,930	-1.0%
<b>Grant Fund</b>	\$144,159			
<b>TOTAL Expenditures</b>	\$65,810,219	\$61,806,240	\$61,187,930	-1.0%
<b>Positions:</b>				
<b>Full-time</b>	548	515	509	-1.2%
<b>Part-time</b>	4	4	5	25.0%
<b>TOTAL Positions</b>	552	519	514	-1.0%
<b>WORKYEARS</b>	597.9	554.2	557.2	0.5%

The FY11 County Executive recommendation is a net reduction of \$2,957,300 listed below as same-service adjustments.

<b>Identified Same Service Adjustments</b>	
Increase Cost: Restore Personnel Costs: Furloughs	\$686,700
Increase Cost: Retirement Adjustment	\$308,090
Shift: Two Correctional Specialist III Positions (DV Program)	\$196,070
Increase Cost: Annualization of FY11 Personnel Costs	\$32,530
Increase Cost: Printing and Mail Adjustment	\$20,570
Increase Cost: Help Desk - Desk Side Support	\$5,130
<b>Total Increase:</b>	<b>\$1,249,090</b>
Decrease Cost: Increase Project Charges to DGS - Fleet	(\$1,420)
Decrease Cost: Reduced Charges from the Department of Public Libraries	(\$5,410)
Decrease Cost: Motor Pool Rate Adjustment	(\$15,260)
Decrease Cost: Verizon Frame Relay Replacement	(\$19,130)
Decrease Cost: Verizon Point to Point T1 Replacement	(\$45,430)
Decrease Cost: Multilingual Pay Adjustment	(\$90,690)
Decrease Cost: Pharmacy Expense (Detention Services)	(\$154,000)
Decrease Cost: Re-organize Central Processing Unit	(\$642,780)
Decrease Cost: Group Insurance Adjustment	(\$893,280)
<b>Total Decreases:</b>	<b>(\$1,867,400)</b>
<b>NET SAME SERVICES ADJUSTMENT TOTAL:</b>	<b>(\$618,310)</b>

## FY12 Expenditure Issues

### PRE-RELEASE AND RE-ENTRY SERVICES:

Last year, when the County was faced with significant budget deficits, DOCR took a whole systems approach to restructuring its operations in an effort to streamline operations and reduce costs. The department collapsed its five operational divisions down into three. Part of this downsizing significantly reduced supervisory staff within PRRS. The FY11 budget abolished two Unit Managers, even after four supervisory positions had been abolished in the two previous fiscal years. Currently, there are four supervisory staff members (including the Division Chief) remaining at PRRS to manage 49 direct line correctional staff in a facility that operates 24 hours a day.

*Council staff is concerned that the reduction of supervisory staff may have a detrimental impact on public safety within the facility.* DOCR has advised that its margins of safety at PRRS are below what it is comfortable with given the absence of regular supervision in the evening and night shifts. DOCR has seen an increase in undetected positive drug tests and episodes of unaccountability, resident grievances, staff deviations from policy, poorer overall condition of the facility, and instances of managers being called into the facility on emergency bases to deal with issues ranging from escapes, staffing shortages, to serving meals. DOCR has also stated that it is "learning to work with a different work culture and is currently examining different management approaches to insure adequate supervision." *Committee members should understand what DOCR plans to do to ensure adequate safety for both PRRS staff and residents. What new management approaches is DOCR considering and how will these address the safety issues that have arisen over the past year?*

### DETENTION SERVICES

#### **ELIMINATION OF THE CENTRAL PROCESSING UNIT'S IPA POSITIONS (-642,780)**

The FY12 recommended budget abolishes nine filled positions, for a savings of \$642,780. These positions, all intake processing aides (IPAs), were established in 1995 to support the arrest booking process at that time. The process was heavily paper-based, and each IPA made a hard copy paper file for each offender processed in the unit. These files were then catalogued and stored by the Police Department in a County warehouse in case they were needed for future reference.

DOCR is in the process of implementing the first stages of its new web-based jail management system: Correction and Rehabilitation Information Management System, or CRIMS. The first component of the new system is its automated booking system, which is scheduled to go live in June 2011. The automated booking function will eliminate the need to create and maintain paper files on each offender who is booked at the CPU.

DOCR advises that the booking data on CRIMS will be immediately accessible not only by DOCR but by the Police Department as needed. In addition, it will be backed up electronically in multiple places within the system.

#### IMPACT OF ABOLISHING INMATE PROGRAMS AND ADP/COSTS

Over the past few years, Detention Services has abolished several inmate programs, such as the job shop, digital imaging, and the bakery program. The elimination of these programs was due solely to the budget constraints faced by the County. Inmate programming is used to legally reduce an inmate's stay in the facility by allowing inmates to earn industrial or education credits. At the time these programs were recommended and approved for elimination, it was assumed these actions would impact the average length of stay (ALOS), but the extent to which the ALOS would increase was unknown. Over the past three fiscal years, the ALOS has increased by 7.4%. The following chart shows how the ALOS has increased over the past three fiscal years:

ALOS by Fiscal Year	
FY09	35.82
FY10	37.83
FY11	38.48
% Change FY09-FY11	7.4%

DOCR estimates that the reduction in both jobs and educational programming have added approximately 4,700 additional prisoner days to the length of stay at MCCF. Current programs are being maximized.

*The increase in the ALOS has two significant impacts on MCCF – safety and costs.* In September 2010, CountyStat conducted a cost/benefit analysis of inmate programming, and noted that in a meta-analysis of 68 studies, behavioral programs reduced prison misconduct by 26% and non-behavioral programs reduced prison misconduct by 10% (report attached at © 8-40). Inmates who are involved in meaningful programming demonstrate dramatically reduced levels of violence, both toward each other and toward staff. Currently, MCCF has staffing ratios of one correctional officer to 64 inmates in each housing unit. This ratio has always been based on a combination of security engagement and strong program participation. While security data are not yet available for FY11, if safety and security measures decrease significantly, the staffing ratios may have to be adjusted.

The ALOS also has a direct impact on DOCR expenditures in several ways. One is the marginal cost per prisoner day for clothing, food, medical care, etc. CountyStat estimated this to be \$12.54 per prisoner day in FY10. More significantly, additional prisoner days also have an impact on the need to open and staff the last housing pod (W-2-6). The additional operating expenses for opening and staffing the last housing pod are shown below<sup>1</sup>:

<sup>1</sup> The need to open the last housing pod is not driven solely by the number of prisoner days. The mix in prisoner population is also a significant factor.

Year	# of Days Open	Daily Rate	Total Cost
FY10	82	\$2,190	\$179,610
FY11	127	\$2,523	\$320,430

Given both the security/safety risks associated with lack of meaningful programming and the significant increase in the number of days MCCF has had to keep the last housing unit open, *Council staff advises that additional inmate programming is necessary to help maintain the safety of both staff and inmates, as well as to mitigate the number of days the last housing unit may need to be opened and staffed. For these reasons, Council staff is recommending that some limited inmate programming be restored, at a cost of \$76,520 in FY12.*

There are two former programs – the Job Shop and Digital Imaging – that were responsible for providing over 1,000 credited days in FY10. DOCR advises that these two programs could be reinstated at MCCF using one Correctional Officer as a program supervisor. This position would provide the opportunity to assign inmates various types of work performed for public and non-profit agencies, including a variety of production, light assembly, and scanning projects. While the primary customer for the Digital Imaging (scanning) program had been the Department of Permitting Services (which no longer funds this program), DOCR advises there is interest in the private sector for DOCR to provide this type of work. The cost of providing one entry level Correctional Officer One and associated operational expenses (equipment leasing, license, maintenance, and supplies) would total \$76,520 for FY12.

#### **PHARMACY EXPENDITURE REDUCTION (-\$154,000)**

This reduction stems from using a new capitated rate in the pharmacy drug contract. DOCR also advises that year-to-date expenditures have been unusually inexpensive in certain medical expense categories.

#### **PRE-TRIAL SERVICES**

##### **SHIFT: TWO CORRECTIONAL SPECIALIST III POSITIONS – DV PROGRAM (\$196,070)**

These two positions (1.8 WYs) have been primarily grant funded for the past several years, although at times, they were funded by general funds (unbudgeted). The two positions manage domestic violence caseloads within Pre-Trial Services, providing community monitoring and referrals for services for defendants who are pending trial for domestic violence crimes. These types of cases require very intensive supervision because the likelihood of recidivism is very high. Over the past two fiscal years, these positions have been funded in part by a US DOJ Office of Violence Against Women grant and GOCCP Grants (Violence Against Women Act). These grants have all been short-term grants, and as such can be very unstable. For those reasons, the County Executive has chosen to fund the two positions (one full-time, one part-time) with general funds.

**FY11 MERGER OF ACS AND IPSA**

Part of last year’s restructuring included the merger of two units within Pre-Trial Services – Alternative Community Service (ACS) and the Intervention Program for Substance Abusers (IPSA). These two programs were merged into a new Diversion Unit under one senior manager. The ACS manager position, a Correctional Specialist V, was abolished as part of the department’s overall downsizing. The new Diversion unit also includes the Work Crew Unit (comprised of three separate crews of one Correctional Officer III and 10 offenders).

Over the past year, it has become apparent that one manager position is insufficient for all three functions and 16 direct-report employees. All areas in IPSA and ACS have recently seen decreased revenue, referrals, community service hours, and clients graduating from the programs. In addition, DOCR has lost the resources to continue keeping daily contact with the State’s Attorney’s Office to continue referrals and oversight of each caseworker to make sure they are maximizing the production of every case. The following chart shows projected reductions in several categories:

	ACS and IPSA		
	FY10	FY11 (Projected)	Change
Revenues	\$845,564	\$711,830	(\$133,734)
Referrals	5,787	5,424	(363)
Community Service Hours	138,327	126,780	(11,547)
Graduation Rates	4,506	3,958	(548)

*Pre-Trial is currently exploring ways to redistribute workloads in an effort to maximize referrals and case oversight. Due to budget constraints, Council staff is not recommending the restoration of an additional manager position at this time. However, if Pre-Trial loses any additional positions in the Diversion Unit over the next year, the ability to provide adequate supervision to ACS and IPSA cases could be significantly impaired.*

**COUNCIL STAFF COMMENTS AND RECOMMENDATION**

*Council staff is recommending the restoration of one Correctional Officer I position to restart the Job Shop work program within MCCF, which would include digital scanning. The cost of this restoration is \$76,520 for FY12. Council staff is making this recommendation due to concerns for staff and inmate safety within MCCF, as well as the dramatic increase in the number of days the last housing unit has been open in the FY11. Council staff is recommending approval of the rest of the County Executive recommended FY12 budget as submitted.*

**This packet contains**

Recommended FY12 Operating Budget

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DOCR Inmate Programming Cost/Benefit Analysis, CountyStat (September 17, 2010)

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# Correction and Rehabilitation

## MISSION STATEMENT

The mission of the Department of Correction and Rehabilitation (DOCR) is to protect and serve the residents of Montgomery County and the general public by providing progressive and comprehensive correctional, rehabilitative, and community re-entry services. These functions are achieved through the employment of well-managed and effective correctional programs, including: the use of pretrial supervision; secure incarceration; community treatment; reintegration programs; highly accountable security methods and procedures in each operating unit and program; and effective and progressive administration and management oversight.

## BUDGET OVERVIEW

The total recommended FY12 Operating Budget for the Department of Correction and Rehabilitation is \$61,187,930, a decrease of \$618,310 or 1.0 percent from the FY11 Approved Budget of \$61,806,240. Personnel Costs comprise 89.5 percent of the budget for 509 full-time positions and five part-time positions for 557.2 workyears. Operating Expenses account for the remaining 10.5 percent of the FY12 budget.

## LINKAGE TO COUNTY RESULT AREAS

While this program area supports all eight of the County Result Areas, the following are emphasized:

- ◆ *Safe Streets and Secure Neighborhoods*

## DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below, with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY11 estimates incorporate the effect of the FY11 savings plan. FY12 and FY13 targets assume the recommended FY12 budget and FY13 funding for comparable service levels.

Measure	Actual FY09	Actual FY10	Estimated FY11	Target FY12	Target FY13
Zero Tolerance security incidents - Number of jail escapes <sup>1</sup>	0	0	0	0	0
Zero Tolerance security incidents - Number of sexual misconduct or Prison Rape Elimination Act (PREA) incidents	0	1	0	0	0
Zero Tolerance security incidents - Number of inmates suicides	0	2	0	0	0
Security incidents - Number of escapees apprehended or returned to the Pre-Release Center, a community located, minimum security program	8	2	4	6	6
Security incidents - Number of escapes from the Pre-Release Center, a community located, minimum security program	8	2	4	6	6
Zero Tolerance security incidents - Number of inappropriate releases of an inmate	0	2	4	4	4
Zero tolerance security incidents - Number of inappropriately released inmates returned	0	2	4	4	4
Accreditation standards from the Maryland Commission on Correctional Standards and the Correctional Education Association - Percent of standards met	100	100	98	95	95
Percent of inmate bed needs met, percent of inmates receiving a bed assignment before overcrowding measures need to be taken	100	100	100	100	100
Per diem cost per inmate, cost to house one inmate for one night (in dollars)	173	176	182	182	182

<sup>1</sup> Zero Tolerance incidents include: suicides, attempted and actual escapes from the jails (but not Pre-Release), deaths, inappropriate releases from custody, assaults on staff by inmates, staff sexual misconduct, and Prison Rape Elimination Act (PREA) incidents.

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## ACCOMPLISHMENTS AND INITIATIVES

- ❖ *Developed a collaborative project among Department of Correction and Rehabilitation (DOCR), Department of General Services (DGS) and the Silver Spring Urban District (SSUD) providing supervised weekend labor (6-10 people) yielding significant cost savings by the SSUD.*
- ❖ *Strategically closing portions of the Montgomery County Detention Center (MCDC) to reduce the footprint of an aging building.*
- ❖ *Implemented with the State's Attorney a preliminary hearing docket that diverts to Pre-Trial Services (PTS) uninsured motorists and defendants driving with suspended licenses due to failure to pay court fines or child support payments. Alternate Community Service (ACS) staff assist offenders to reinstate their driver's license and obtain insurance ultimately leading to administrative dismissal of charges.*
- ❖ *Collaborating with all public safety agencies to identify duplicative practices to lower costs via unified bulk purchases.*
- ❖ *Increased utilization of surgical clinics rather than hospitals for routine inmate orthopedic procedures.*
- ❖ *Greatly reduced pharmaceutical costs by a new vendor contract with a capped rate structure.*
- ❖ **Productivity Improvements**
  - *Abolished weekend incarceration at the Montgomery County Detention Center (MCDC) enabling staff to better focus on the core inmate population.*
  - *Instituted a Unified Command structure for the Montgomery County Detention Center (MCDC) and the Montgomery County Correctional Facility (MCCF) enabling increased flexibility to move staff among facilities and functions.*
  - *Developed an internal departmental bi-weekly reporting/review process to help ensure operating expenses are tightly controlled.*
  - *Instituted an automated cash system eliminating inmate cash and money order handling by staff at MCDC and MCCF.*
  - *Implemented an automated case assignment system for assigning cases to Pre-Trial Services (PTS) from the jail to reduce processing time and increase document accuracy.*
  - *PTS implemented a new assessment tool for objectively determining risk levels of defendants. A key outcome is increased capacity for additional defendants to be placed under supervision rather than remain in jail.*

## PROGRAM CONTACTS

Contact Craig Dowd of the Department of Correction and Rehabilitation at 240.777.9982 or Edmond M. Piesen of the Office of Management and Budget at 240.777.2764 for more information regarding this department's operating budget.

## PROGRAM DESCRIPTIONS

### Office of the Director

The Director's Office provides oversight and direction for all Department of Correction and Rehabilitation activities in coordination with the Chief Administrative Officer and County Executive.

<b>FY12 Recommended Changes</b>	<b>Expenditures</b>	<b>WYs</b>
<b>FY11 Approved</b>	<b>730,660</b>	<b>4.6</b>
Miscellaneous adjustments, including restoration of employee furloughs, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-129,320	-0.7
<b>FY12 CE Recommended</b>	<b>601,340</b>	<b>3.9</b>

### Pre-Release and Re-Entry Services

The Pre-Release and Re-Entry Services Division (PRRS) provides community-based residential and non-residential alternatives to secure confinement for sentenced adult offenders in which they engage in work, treatment, education, family involvement, and other services to prepare them for release. The program primarily serves inmates who are within one year of release and who are sentenced



to DOCR. In addition, the program also provides re-entry services to Federal and State sentenced inmates and Federal probationers who are within six months of release and who are returning to Montgomery County and the greater Washington Metro area upon release.

The residential program, located at the 171-bed Pre-Release Center, Rockville, has a capacity to serve individuals who live within the Center's one female and three male housing units. The non-residential Home Confinement program, allows 40-50 individuals to live in their homes, although they are required to report to the Pre-Release Center several times a week for drug testing and for meetings with counselors.

<i>Program Performance Measures</i>	Actual FY09	Actual FY10	Estimated FY11	Target FY12	Target FY13
Self growth and development programs - Percent of inmates at the Pre-Release Center participating in programs	100	100	100	100	100

<i>FY12 Recommended Changes</i>	Expenditures	WYs
<b>FY11 Approved</b>	<b>6,708,180</b>	<b>64.6</b>
Miscellaneous adjustments, including restoration of employee furloughs, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	150,340	2.4
<b>FY12 CE Recommended</b>	<b>6,858,520</b>	<b>67.0</b>

### **Pre-Trial Services**

The Pre-Trial Services Division (PTS) is responsible for assessing newly arrested defendants for the possibility of release from incarceration while awaiting trial and for follow through while supervising those defendants safely in the Community. The PTS Division also supervises those defendants who are offered diversion from trial in return for satisfactorily completing a community service or substance abuse program. There are four independent programs within the Division: Pre-Trial Assessment Unit, Pre-Trial Supervision Unit, Alternative Community Service Program (ACS), and Intervention for Substance Abusers Program (IPSA).

The Assessment Unit is housed at the Montgomery County Detention Center and is responsible for assessing those who have been newly arrested and have been unable to make bond. Staff verifies personal information, analyzes criminal histories, and formulates recommendations to the Court to enable the Judge to make informed bond decisions. Recommendations are made with public safety as the main priority following the national models of assessment for the judicial system.

The Supervision Unit provides monitoring of Court ordered conditions to offenders released to the Community while awaiting trial. Violations of release conditions are immediately reported to the Court for possible action and Pre-Trial Supervision maintains a failure to appear (FTA) rate of less than 3%.

The diversion programs, ACS and IPSA, are predominantly for first-time misdemeanor offenders who will ultimately have their charges expunged following successful completion of one of these programs. There is an administrative fee with these programs.

<i>FY12 Recommended Changes</i>	Expenditures	WYs
<b>FY11 Approved</b>	<b>4,700,740</b>	<b>38.1</b>
Shift: Two Correctional Specialist III Positions - Domestic Violence Program	196,070	1.8
Miscellaneous adjustments, including restoration of employee furloughs, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	114,140	2.7
<b>FY12 CE Recommended</b>	<b>5,010,950</b>	<b>42.6</b>

### **Detention Services**

Under the supervision of the Warden, Detention Services is responsible for the operation of two detention facilities, the Montgomery County Detention Center (MCDC) located in Rockville, and the Montgomery County Correctional Facility (MCCF) located in Clarksburg.

MCDC is primary responsible for the intake and law enforcement processing of adult male and female offenders arrested in Montgomery County and has a facility capacity to accommodate approximately 200 inmates. Over 15,000 offenders annually arrive at MCDC's Central Processing Unit (CPU).

The CPU conducts psychological screening, medical screening, and risk assessment to determine the appropriate classification level of inmates and provides for the initial care, custody, and security of inmates for up to 72 hours prior to transfer to MCCF. At this facility, bond hearings are conducted by the Maryland District Court Commissioners via closed circuit television between MCDC and the District Court. The Office of the Public Defender determines eligibility of offenders for legal representation.

Following an initial intake at MCDC, inmates transfer to the 1,029-bed Montgomery County Correctional Facility (MCCF) MCCF,

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usually within 72 hours. MCCF is responsible for the custody and care of male and female offenders who are either in a pre-trial status of serving sentences of up to 18 months. Progressive, and comprehensive correctional services are provided to all inmates covering substance abuse, mental health issues, cognitive behavioral modification, basic education, life skills, and work force preparation.

<i>Program Performance Measures</i>	Actual FY09	Actual FY10	Estimated FY11	Target FY12	Target FY13
Self growth and development programs - Percent of inmates at the Montgomery County Correctional Facility (MCCF) participating in programs.	68	68	63	63	63

<i>FY12 Recommended Changes</i>	Expenditures	WYs
<b>FY11 Approved</b>	<b>49,666,660</b>	<b>446.9</b>
Decrease Cost: Pharmacy Expense	-154,000	0.0
Decrease Cost: Re-organize Central Processing Unit (CPU) Operations	-642,780	-9.0
Miscellaneous adjustments, including restoration of employee furloughs, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-152,760	5.8
<b>FY12 CE Recommended</b>	<b>48,717,120</b>	<b>443.7</b>

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## BUDGET SUMMARY

	Actual FY10	Budget FY11	Estimated FY11	Recommended FY12	% Chg Bud/Rec
<b>COUNTY GENERAL FUND</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	40,498,745	37,147,800	38,674,120	37,465,980	0.9%
Employee Benefits	17,781,672	18,001,020	18,228,280	17,277,150	-4.0%
<b>County General Fund Personnel Costs</b>	<b>58,280,417</b>	<b>55,148,820</b>	<b>56,902,400</b>	<b>54,743,130</b>	<b>-0.7%</b>
Operating Expenses	7,385,643	6,657,420	6,025,700	6,444,800	-3.2%
Capital Outlay	0	0	0	0	—
<b>County General Fund Expenditures</b>	<b>65,666,060</b>	<b>61,806,240</b>	<b>62,928,100</b>	<b>61,187,930</b>	<b>-1.0%</b>
<b>PERSONNEL</b>					
Full-Time	548	515	515	509	-1.2%
Part-Time	4	4	4	5	25.0%
Workyears	597.9	554.2	554.2	557.2	0.5%
<b>REVENUES</b>					
Alternative Community Services	554,804	600,000	612,000	600,000	—
Illegal Alien Inmate Reimbursement	1,453,755	1,455,000	1,575,420	1,550,000	6.5%
ACS Work Crews	0	112,000	90,000	91,000	-18.8%
State Reimbursement: Major Medical	35,136	175,000	161,900	175,000	—
Care of Prisoners (Federal) - Detention Services	316,199	401,500	50,000	0	—
Care of Prisoners (State)	207,278	382,900	433,170	652,230	70.3%
Pre-Release Room and Board	209,932	300,000	135,000	225,000	-25.0%
Pre-Release (Federal)	1,291,982	1,250,000	1,605,600	1,250,000	—
Pre-Release Room and Board - Federal	0	85,000	104,500	0	—
Pre-Release Center (State)	111,521	143,620	28,910	0	—
CART (Federal)	62,350	43,240	40,000	0	—
CART (Home Detention)	40,254	58,110	52,600	58,110	—
Weekender Program Fees	4,871	9,000	1,330	0	—
Substance Abusers Intervention Program (IPSA) Fees	287,291	364,000	309,400	286,000	-21.4%
Offender Medical Fees-Detention Services	6,408	7,000	5,300	7,000	—
Inmate Workforce Fees	86,965	0	0	0	—
Public Pay Phone Commissions - Corrections	0	122,970	0	0	—
Sundry/Miscellaneous DOCR	-1,235	0	0	0	—
<b>County General Fund Revenues</b>	<b>4,667,511</b>	<b>5,509,340</b>	<b>5,205,130</b>	<b>4,894,340</b>	<b>-11.2%</b>
<b>GRANT FUND MCG</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	45,630	0	0	0	—
Employee Benefits	17,763	0	0	0	—
<b>Grant Fund MCG Personnel Costs</b>	<b>63,393</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>—</b>
Operating Expenses	80,766	0	0	0	—
Capital Outlay	0	0	0	0	—
<b>Grant Fund MCG Expenditures</b>	<b>144,159</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>—</b>
<b>PERSONNEL</b>					
Full-Time	0	0	0	0	—
Part-Time	0	0	0	0	—
Workyears	0.0	0.0	0.0	0.0	—
<b>REVENUES</b>					
ARRA - JAG Recovery	52,202	0	0	0	—
Family Intervention	63,392	0	0	0	—
Correctional Officer Safety Vest	28,565	0	0	0	—
<b>Grant Fund MCG Revenues</b>	<b>144,159</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>—</b>
<b>DEPARTMENT TOTALS</b>					
<b>Total Expenditures</b>	<b>65,810,219</b>	<b>61,806,240</b>	<b>62,928,100</b>	<b>61,187,930</b>	<b>-1.0%</b>
<b>Total Full-Time Positions</b>	<b>548</b>	<b>515</b>	<b>515</b>	<b>509</b>	<b>-1.2%</b>
<b>Total Part-Time Positions</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>5</b>	<b>25.0%</b>
<b>Total Workyears</b>	<b>597.9</b>	<b>554.2</b>	<b>554.2</b>	<b>557.2</b>	<b>0.5%</b>
<b>Total Revenues</b>	<b>4,811,670</b>	<b>5,509,340</b>	<b>5,205,130</b>	<b>4,894,340</b>	<b>-11.2%</b>

5  
11

## FY12 RECOMMENDED CHANGES

	Expenditures	WYs
<b>COUNTY GENERAL FUND</b>		
<b>FY11 ORIGINAL APPROPRIATION</b>	<b>61,806,240</b>	<b>554.2</b>
<b>Other Adjustments (with no service impacts)</b>		
Increase Cost: Restore Personnel Costs - Furloughs	686,700	10.2
Increase Cost: Retirement Adjustment	308,090	0.0
Shift: Two Correctional Specialist III Positions - Domestic Violence Program [Pre-Trial Services]	196,070	1.8
Increase Cost: Annualization of FY11 Personnel Costs	32,530	0.0
Increase Cost: Printing and Mail Adjustment	20,570	0.0
Increase Cost: Help Desk - Desk Side Support	5,130	0.0
Decrease Cost: Increase Project Charges to Department of General Services - Fleet Management	-1,420	0.0
Decrease Cost: Reduced Charges from the Department of Public Libraries	-5,410	0.0
Decrease Cost: Motor Pool Rate Adjustment	-15,260	0.0
Decrease Cost: Verizon Frame Relay Replacement	-19,130	0.0
Decrease Cost: Verizon Point to Point T1 Replacement	-45,430	0.0
Decrease Cost: Multilingual Pay Adjustment	-90,690	0.0
Decrease Cost: Pharmacy Expense [Detention Services]	-154,000	0.0
Decrease Cost: Re-organize Central Processing Unit (CPU) Operations [Detention Services]	-642,780	-9.0
Decrease Cost: Group Insurance Adjustment	-893,280	0.0
<b>FY12 RECOMMENDED:</b>	<b>61,187,930</b>	<b>557.2</b>

## PROGRAM SUMMARY

Program Name	FY11 Approved		FY12 Recommended	
	Expenditures	WYs	Expenditures	WYs
Office of the Director	730,660	4.6	601,340	3.9
Pre-Release and Re-Entry Services	6,708,180	64.6	6,858,520	67.0
Pre-Trial Services	4,700,740	38.1	5,010,950	42.6
Detention Services	49,666,660	446.9	48,717,120	443.7
<b>Total</b>	<b>61,806,240</b>	<b>554.2</b>	<b>61,187,930</b>	<b>557.2</b>

## CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY11		FY12	
		Totals	WYs	Totals	WYs
<b>COUNTY GENERAL FUND</b>					
Fleet Management Services	County General Fund	102,020	1.0	269,360	3.0
Sheriff	Grant Fund MCG	119,140	1.0	0	0.0
<b>Total</b>		<b>221,160</b>	<b>2.0</b>	<b>269,360</b>	<b>3.0</b>

## FUTURE FISCAL IMPACTS

Title	CE REC.		(5000's)				
	FY12	FY13	FY14	FY15	FY16	FY17	
<b>This table is intended to present significant future fiscal impacts of the department's programs.</b>							
<b>COUNTY GENERAL FUND</b>							
<b>Expenditures</b>							
<b>FY12 Recommended</b>	<b>61,188</b>	<b>61,188</b>	<b>61,188</b>	<b>61,188</b>	<b>61,188</b>	<b>61,188</b>	
No inflation or compensation change is included in outyear projections.							
<b>Annualization of Positions Recommended in FY12</b>	<b>0</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	
New positions in the FY12 budget are generally lapsed due to the time it takes a position to be created and filled. Therefore, the amounts above reflect annualization of these positions in the outyears.							
<b>Motor Pool Rate Adjustment</b>	<b>0</b>	<b>38</b>	<b>38</b>	<b>38</b>	<b>38</b>	<b>38</b>	
<b>Subtotal Expenditures</b>	<b>61,188</b>	<b>61,244</b>	<b>61,244</b>	<b>61,244</b>	<b>61,244</b>	<b>61,244</b>	

(6)  
(12)

## ANNUALIZATION OF PERSONNEL COSTS AND WORKYEARS

	FY12 Recommended		FY13 Annualized	
	Expenditures	WYs	Expenditures	WYs
Shift: Two Correctional Specialist III Positions - Domestic Violence Program [Pre-Trial Services]	196,070	1.8	214,470	2.0
<b>Total</b>	<b>196,070</b>	<b>1.8</b>	<b>214,470</b>	<b>2.0</b>

(17)  
(13)

71 6

# **DOCR Inmate Programming Cost/Benefit Analysis**

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**Art Wallenstein, Director  
September 17, 2010**



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## CountyStat Principles

- **Require Data Driven Performance**
- **Promote Strategic Governance**
- **Increase Government Transparency**
- **Foster a Culture of Accountability**

10



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## Agenda

- **Welcome and introductions**
- **The role of inmate programs in a correctional setting**
- **Introduction to inmate programs**
- **Cost/benefit of programs**
- **Recommendations**
- **DOCR Reorganization**
- **Review of headline measures**
- **Wrap-up**



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## Meeting Purpose

- Establish performance expectations for FY11
- Evaluate the costs versus the benefits of providing programming for inmates at DOCR facilities and provide recommendations about the optimal level of programming



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## **Role of Inmate Programming**

- **Contributes to the safety and security of the facility**
- **Reduces violence and the associated costs of institutional violence**
- **Provides rehabilitation opportunities in a controlled environment**
- **Reduces length of stay at the facility thus reducing prisoner days in custody**
- **Provides positive interactions in a traditionally less than positive environment**
- **Prepares inmates for community re-entry**

**75% of inmates in segregated housing due to disciplinary problems were not participating in any programs prior to being moved**



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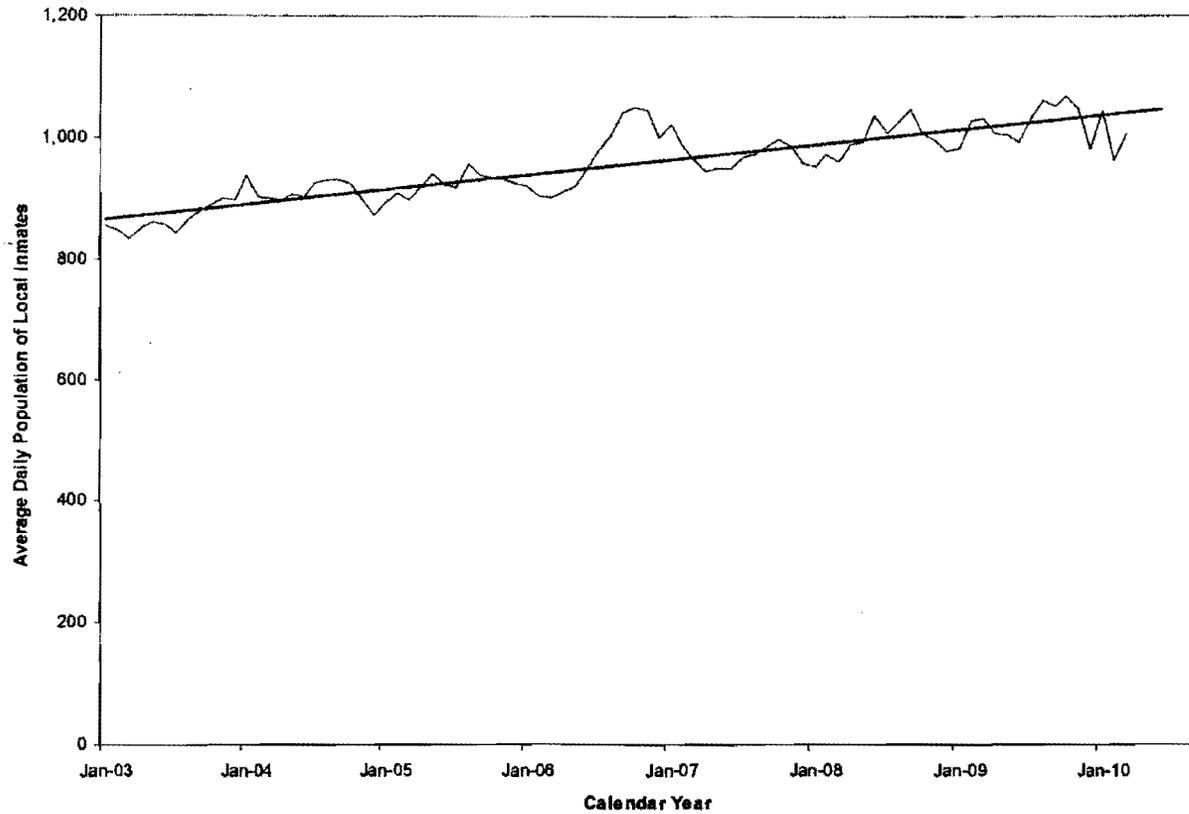
## Role of Inmate Programming Studies and Experiences of Other Jurisdictions

- **French & Gendreau (2006) “Reducing Prison Misconducts”**
  - Meta-analysis of 68 studies
  - Behavior programs reduced prison misconduct 26%
  - Non-behavioral programs reduced prison misconduct 10%
- **Indiana Department of Correction**
  - Adult correctional education programs saved 1.3 million bed days and \$68 million in averted costs
  - GED completers had a 20% lower recidivism rate than average
  - College degree completers had a 44% lower recidivism rate
- **Mississippi Department of Corrections – Parchman Farm**
  - Introduced programming and educational classes as part of a consent decree with the ACLU over conditions in the prison
  - Trouble-makers were easier to identify
  - Incidents of prisoner-on-prisoner violence dropped 70%



French, S.A., & P. Gendreau (2006). *Reducing Prison Misconducts: What Works! Criminal Justice and Behavior*, 33, (2), 185-218.

# Inmate Population Trend – Local Inmates



Inmate population shows an increasing long-term trend.



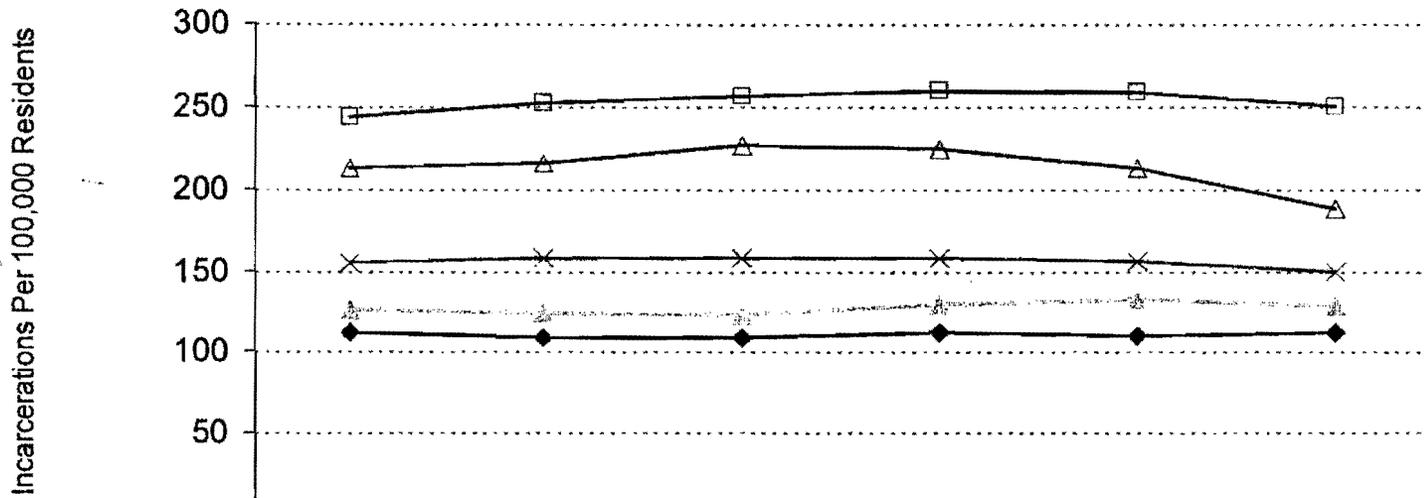
*Note: Federal inmates being housed in Montgomery County facilities have been excluded.*

DOCR Programming

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# Inmate Population Trend - Incarceration Rate at Local Facilities Per 100,000 Population



	2004	2005	2006	2007	2008	2009
◆ Mont. Co.	112	109	109	113	110	112
□ National	243	252	256	259	258	250
▲ Fairfax	126	124	123	129	133	128
× Westchester	155	159	158	158	156	150
△ Frederick	212	216	226	224	212	188

Incarceration rate per 100,000 population = average daily population / total jurisdiction population (Census estimate) \* 100,000

Source for national rate: Bureau of Justice Statistics, Jail Inmates at Midyear 2009

<http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=2195>



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## Introduction to Inmate Programs

- **DOCR programs at MCCF mandated by law**
  - Education, pre-trial, pre-release, and religious programming
  - Pre-trial and pre-release needed to secure state capital funding
  - 6 major programs
    - Cost to the General Fund: \$11,578,000
    - Prisoner days saved: 1,275
- **Other DOCR programs offered at MCCF**
  - Mix of education, work, therapeutic, and special project programs
  - 17 major programs still operational
    - Cost to the General Fund: \$922,096
    - Prisoner days saved: 25,004
  - 5 programs abolished in FY11
    - Cost to the General Fund: \$152,480
    - Prisoner days: 3,960



# Introduction to Inmate Programs

## Programs Required By Law

Program Name	Description	Provided By	Program Cost	Credited Days*
MCPS — General Education	Provided to individuals who request High School services who have not yet reached their 22nd birthday-Derived from "No Child Left Behind".	MCPS Employees	\$0	605
MCPS — Special Education	Same as above—Services provided to individuals previously identified as having special needs mandated through IDEA.	MCPS Employees	\$178,000	670
Pre-Trial Services Unit	Pre-trial diversion of offenders from traditional incarceration. Required to receive state CIP funding.	DOCR Employees	\$4.7 million	**
Pre-Release and Reentry Services	Required for state CIP funding.	DOCR Employees	\$6.7 million	**
Religious Programming	Access to religious faiths of one's choosing. Derived from "Religious Freedoms Restoration Act".	Good News Mission/ Chaplain Volunteers	Inmate Council \$15,000	0
Intake Education and Orientation	Required within the first 14 days of incarceration.	DOCR Staff	\$0	0



\* Total days credited to inmates in FY10

\*\* Diversion from secure incarceration

DOCR Programming

## Introduction to Inmate Programs Programs Required by Standard Institutional Practice

Program Name	Description	Provided By	Program Cost	Credited Days*
Men's Jail Addiction Services (JAS)	Substance abuse treatment focused on drug and alcohol education, recovery, and decreasing criminal offenses committed by alcohol and drug abusers. An aftercare component is utilized to link offenders with services and support in the community.	HHS Employees	Grant \$216,998 County \$711,987	3,600
Women's JAS	Same as above.	HHS Employees		600
Moral Reconciliation Therapy (MRT) Youthful Offender Unit	Highly structured therapeutic unit utilizing cognitive-behavioral therapy (MRT) focusing on making decisions on a higher moral level and developing personal responsibility.	DOCR Employees	Inmate Council \$15,000	900
Men's MRT	Program pod utilizing cognitive-behavioral therapy (MRT) with adjunct programming.	DOCR Employees	\$0	0
Women's MRT	Same as above.	DOCR	\$0	900
One-Stop Re-Entry	Provides pre and post release job search and employment skills development and secures employment placements for offenders.	Montgomery Works	\$73,000	0

21  
10



\* Total days credited to inmates in FY10

DOCR Programming

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## Introduction to Inmate Programs Programs Required by Standard Institutional Practice

Program Name	Description	Provided By	Program Cost	Credited Days*
ESOL	English instruction for people who do not speak English as their first language.	Education Contract	\$19,720	1,549
GED	Instruction for individuals working at or above a 9.0 grade equivalency skill level.	Education Contract	\$24,652	1,045
Pre-GED	Instruction for individuals working at a 5.0-8.9 grade equivalency skill level.	Education Contract	\$24,652	975
ABE	GED instruction for individuals working at a 3.0-4.0 grade equivalency skill level.	Education Contract	\$24,652	855
Library	Branch of the Montgomery County Library system operating within the confines of the facility.	LIB Staff	Inmate Council \$10,000	0
Inmate Work Program	Institutional work assignments designed to promote positive work ethics and skills which can be beneficial to inmates' reintegration into the community.	DOCR Staff	\$0	14,580

81



\* Total days credited to inmates in FY10

DOCR Programming

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## Introduction to Inmate Programs Programs Required by Standard Institutional Practice

Program Name	Description	Provided By	Program Cost	Credited Days*
Vocational Math	Overview of vocational-oriented math skills ranging from basic skills through algebra.	Education Contract	\$6,573	0
Life skills- MRT- Youth	Overview of job-related skills with a focus on personal responsibility.	Education Contract	\$9,860	0
Health Promotion Class	Consists of a sexual health curriculum on the prevention and treatment of HIV and other sexually transmitted diseases. HIV testing is offered to participants.	Identity, Inc.	Grant \$51,000	0
Volunteer Programming (Volunteer Coordinator)	A variety of self-help, faith-based, and personal improvement programs supervised by the Volunteer Coordinator. (See Attachment)	DOCR Coordinator Volunteers	Inmate Council \$50,000 County \$27,000	0
Fatherhood Program	Help incarcerated fathers develop and maintain healthy relationships with their children and spouses or partners in order to reduce recidivism and to break the intergenerational cycle of violence and crime.	Identity, Inc.	Funded with Health Class grant	0

*(Handwritten scribbles)*



\* Total days credited to inmates in FY10

DOCR Programming

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## Introduction to Inmate Programs Programs Abolished in FY11

Program Name	Description	Provided By	Program Cost	Credited Days*
Job Shop/Workforce	Work assignments completed for public and non-profit agencies including a variety of production and light assembly projects.	DOCR Employees	\$80,720	480
Digital Imaging	Partnership with Department of Permitting Services in which documents and blue prints were scanned, indexed, and imported into their system by inmate labor.	DOCR Employees	\$64,060	600
Bakery	Program in which inmates attend a 12 week training program to obtain a certified food service license.	DOCR Employee	Grant \$69,080	1,080
Remedial Reading	Life skills oriented literacy instruction for people reading below a 3rd grade level.	Education Contract	\$7,700	600
Dialectical Behavioral Therapy (DBT) 2009	Cognitive-behavioral therapy geared toward the treatment of those with borderline personality disorders.	CIU Therapists	\$0	1,200



\* Total days credited to inmates in FY10  
DOCR Programming

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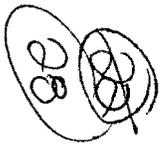
# Cost/Benefit of Inmate Programs

- **Costs**

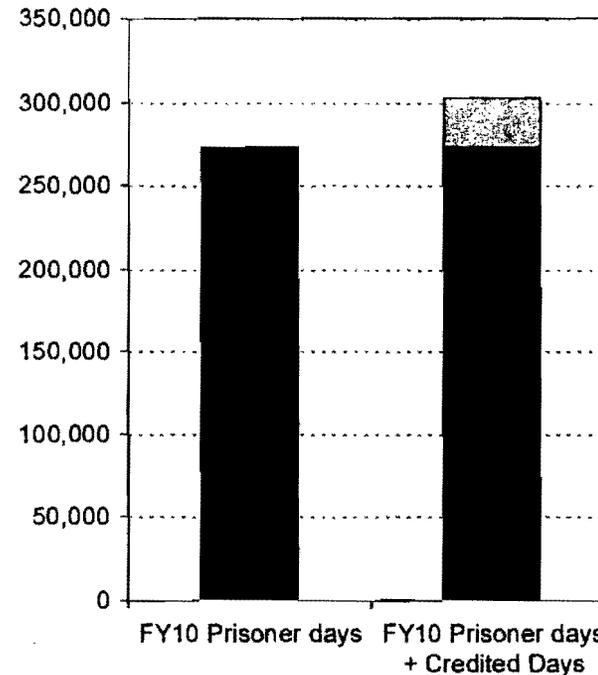
- Cost of the program itself

- **Benefits**

- Avoided costs associated with housing additional inmates
  - Marginal costs (clothing, food, medical care, etc.)
  - Additional staffing costs from opening up the last pod
- Population reduction
  - Total FY10 prisoner days = 273,000
  - Total FY10 credited days = 30,239



Prisoner Days at MCCF in FY10



Credited days due to programs effectively reduced the number of prisoner days in the facility by 10% from 303,000 to 273,000.



## Actual FY11 Savings from Eliminating Programs

Cost Category	Incurred Costs	Savings
<b>Total County cost of programs cut in FY11</b>		<b>\$152,480</b>
<b>Costs incurred due to program cuts</b>		
Prisoner days per year of programs cut	3,960	
Marginal cost per prisoner day (FY10) for clothing, food, medical care, etc.	\$12.54	
<b>Total marginal cost of increased prisoner days</b>	<b>\$49,651</b>	
Number of days last pod open	37	
Cost per day for last pod (2 posts * 24hrs)	\$2,184	
<b>Total cost of last pod days open</b>	<b>\$80,826</b>	
<b>Actual savings = Total County cost of programs – costs incurred due to program cuts</b>		<b>\$22,003</b>

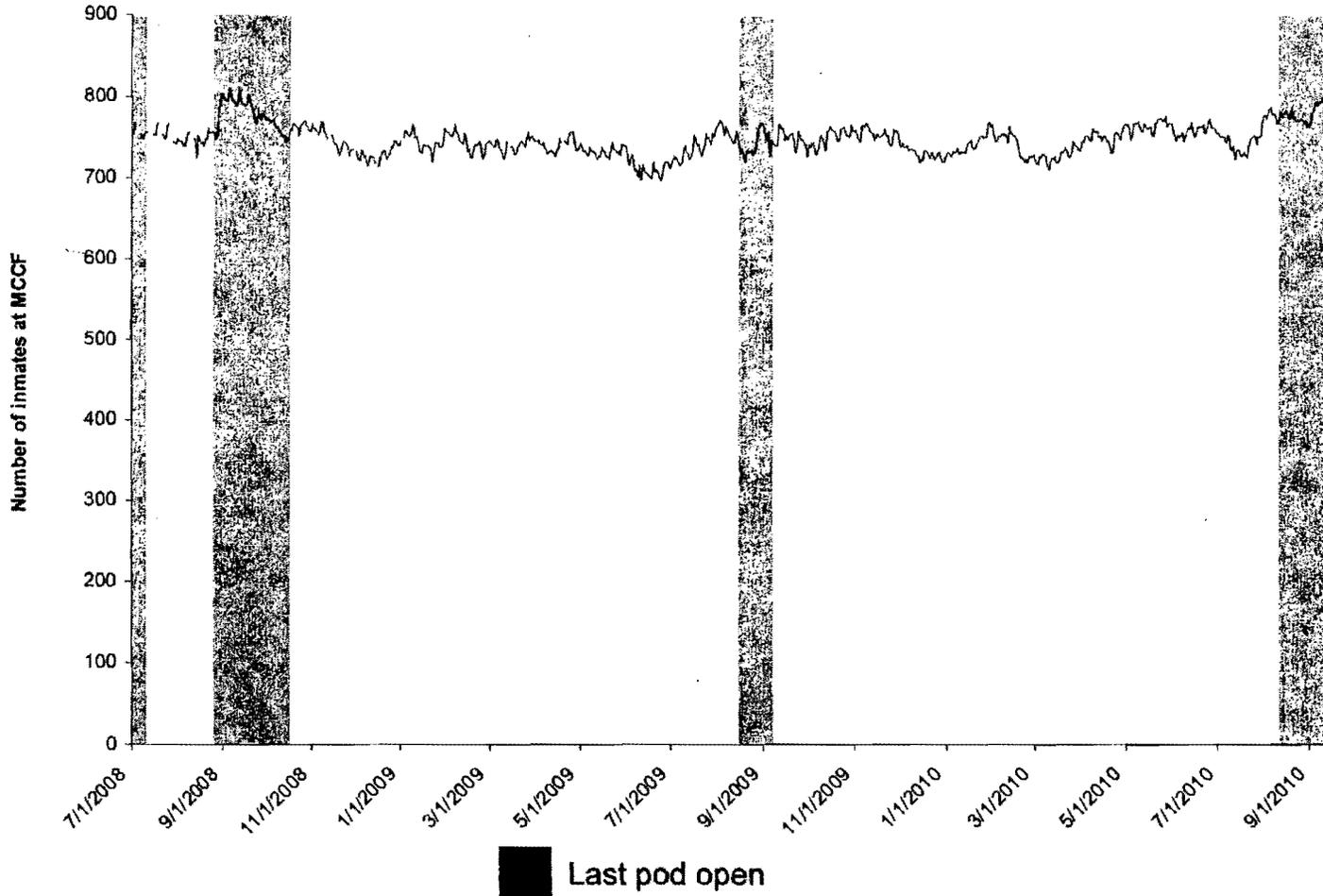
The last pod must remain open another 11 days for actual savings to be zero.



*Actual savings = Total cost of programs – marginal costs – last pod costs*

*Not all days the last pod has been open can necessarily be attributed to program cuts.*

# Actual MCCF Inmate Population FY09 and FY10



30  
34



Note: Opening the last pod is driven by the population mix in the jail as well as total population.

DOCR Programming

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## DOCR Programming Recommendations

- Re-evaluate credited days for remaining work, education, and special project programs
- Pursue legislative changes to allow county correctional facilities to award the same total amount of time off for productive behaviors as state correctional facilities

(2) (2)

Facility Type	Maximum days per month credited by category				Total allowed days per month
	Good conduct	Work tasks	Education	Special projects	
State	5-10*	5	5	10	20
County	5	5		5	15



\* Sentences imposed before 1992 earn 5 days, later sentences earn 10 days

# DOCR Programming Recommendations

## Credited Days for Therapeutic and School Programs

Program	Current Credits		Proposed Additions		Proposed Total Credits
	IT	SPT	IT	SPT	
<b>Therapeutic Programs</b>					
Jail Addiction Services	5			5	10
Jail Addiction Services-Women	5			5	10
Moral Reconciliation Therapy-Adult					-
Moral Reconciliation Therapy-Youth			5		5
Moral Reconciliation Therapy-Female			5		5
CIU					-
<b>Pod Representatives</b>	5			5	10
<b>School Programs</b>					
GED	5				5
ESOL	5				5
High School	5				5

(32) (30)



Numbers shown are days earned per month

IT = Industrial time

SPT = Special project time

DOCR Programming

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# DOCR Programming Recommendations Credited Days for Workforce Programs

Program	Current Credits		Proposed Additions		Proposed Total Credits
	IT	SPT	IT	SPT	
Kitchen	5	5			10
Core Worker	5				5
Cluster/HAZ	5	5			10
Laundry/HAZ	5	5			10
Outside Recycling/HAZ	5	5			10
Library	5	5			10
Medical/HAZ	5	5			10
MLC	5			5	10
Outside Warehouse/HAZ	5	5			10
Night Floor	5				5

33  
27



Numbers shown are days earned per month

IT = Industrial time

SPT = Special project time

DOCR Programming

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9/17/2010



# DOCR Reorganization Structural Changes

FY10 Organization



FY11 Organization



Handwritten initials: "HS" and "SS" circled.



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## **DOCR Reorganization**

### **Reasons for the Reorganization**

- **FY11 budget reduction of \$4.3 million**
- **33 position abolishments**
  - 10 personnel chose retirement
  - 22 personnel have been reassigned to other positions within DOCR and in other departments
  - 1 person remains to be reassigned
- **DOCR headquarters office space at 51 Monroe St. in Rockville was vacated and the lease not renewed**
  - Functions have been both physically and organizationally moved to other divisions
- **Both the Warden and Deputy Warden at MCDC have retired**
  - This provided an opportunity to combine all detention services into a single organizational unit

51  
\$



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## **DOCR Reorganization Effect on Operations**

- **Detention Services Division staff reduced by 22 positions**
  - At the same time, population expanded to highest numbers since 2008
- **Loss of programs appears to be impacting length of stay**
  - Full extent of impact is unknown at this time
  - Other factors such as the courts must be evaluated
- **Loss of the MCDC reuse project**
  - Internal budget and operation decisions had already been made based on the project moving forward
  - Full review and assessment of resources necessary to keep MCDC running into the future will be required
- **Effect of reorganization on headline measures had not been projected yet**

20



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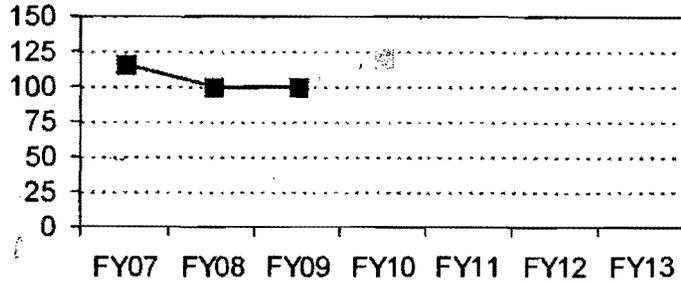
## Headline Measure Performance Review

1. Number of security incidents
2. Percent of total bed needs met
3. Per diem cost per inmate
4. Percent of accreditation standards met
5. Percent of prisoners participating in self growth and development programs
6. Recidivism and achievement

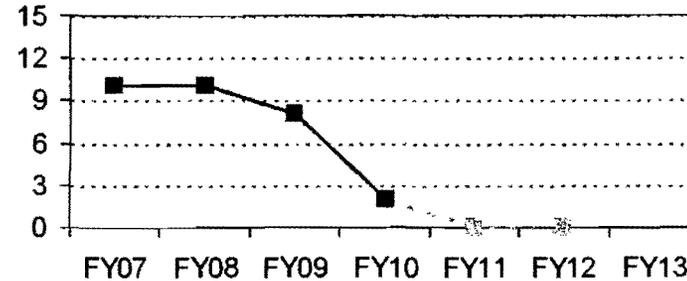


# Headline Measure #1: Security Incidents

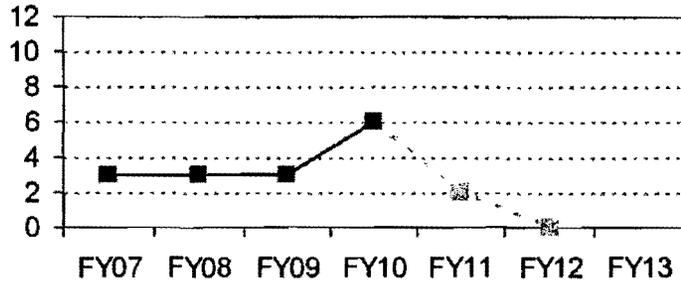
Number of incidents of staff use of force



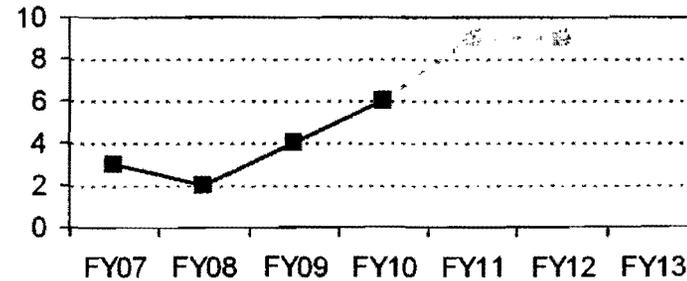
Number of Pre-Release escapes



Zero Tolerance Incidents



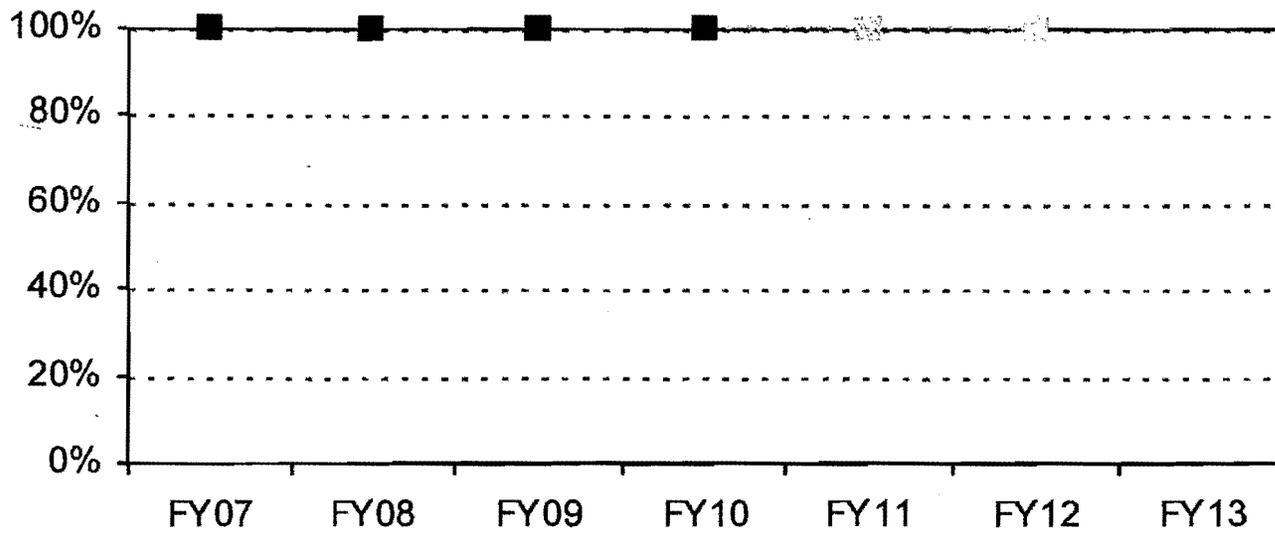
Number of assaults on staff



Security incidents measures the number of zero-tolerance incidents [types of incidents where DOCR considers even one to be too many], staff use of force, assaults on staff, and Pre-Release escapes. It reflects conditions inside the jails.



## Headline Measure #2: Percent of Bed Needs Met



Percent of bed needs met equals the percent of inmates that are able to receive a bed assignment before overcrowding measures are taken.



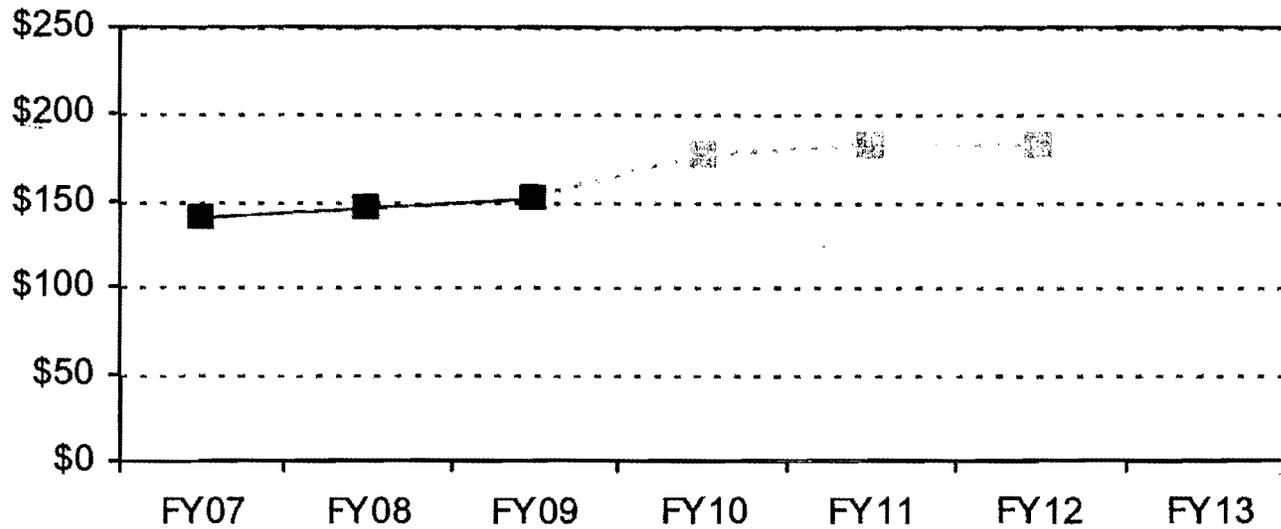
Actual performance  
DOCR Programming

Projected performance  
26

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### Headline Measure #3: Per Diem Cost Per Inmate



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Per diem cost per inmate = Total expenditures / Total prisoner days  
This is the cost to house one prisoner for one night.



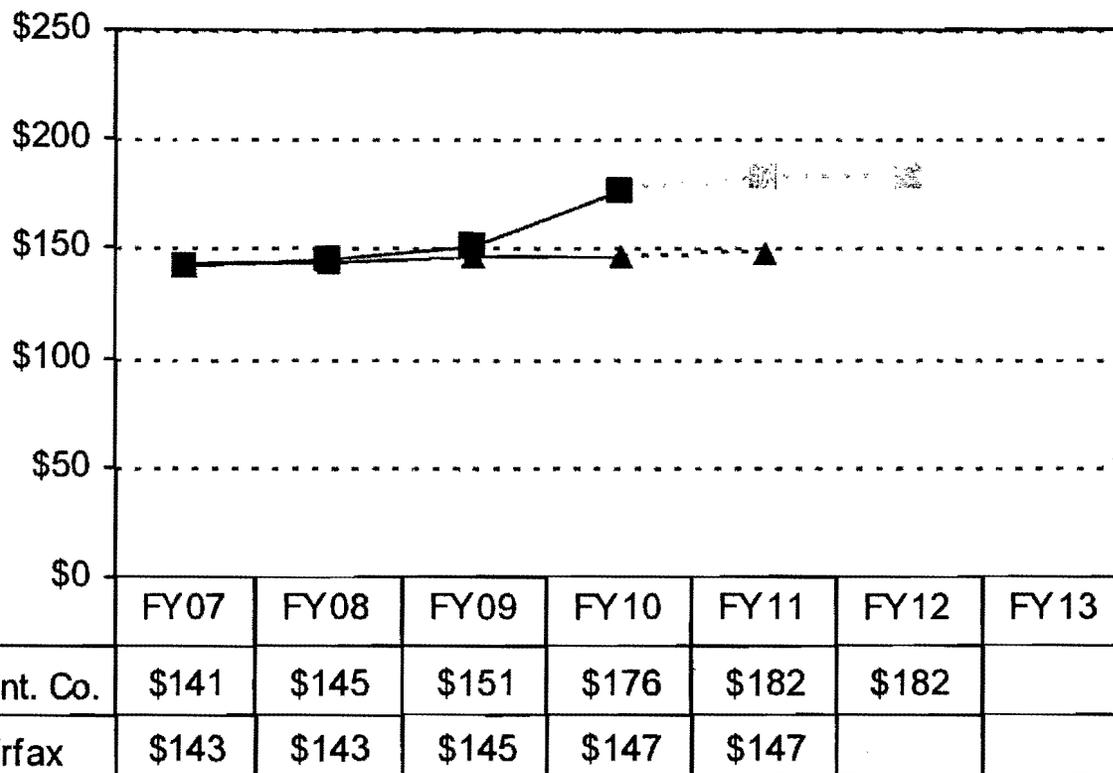
Actual performance  
DOCR Programming

Projected performance  
27

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## Headline Measure #3: Per Diem Cost Per Inmate Benchmarking

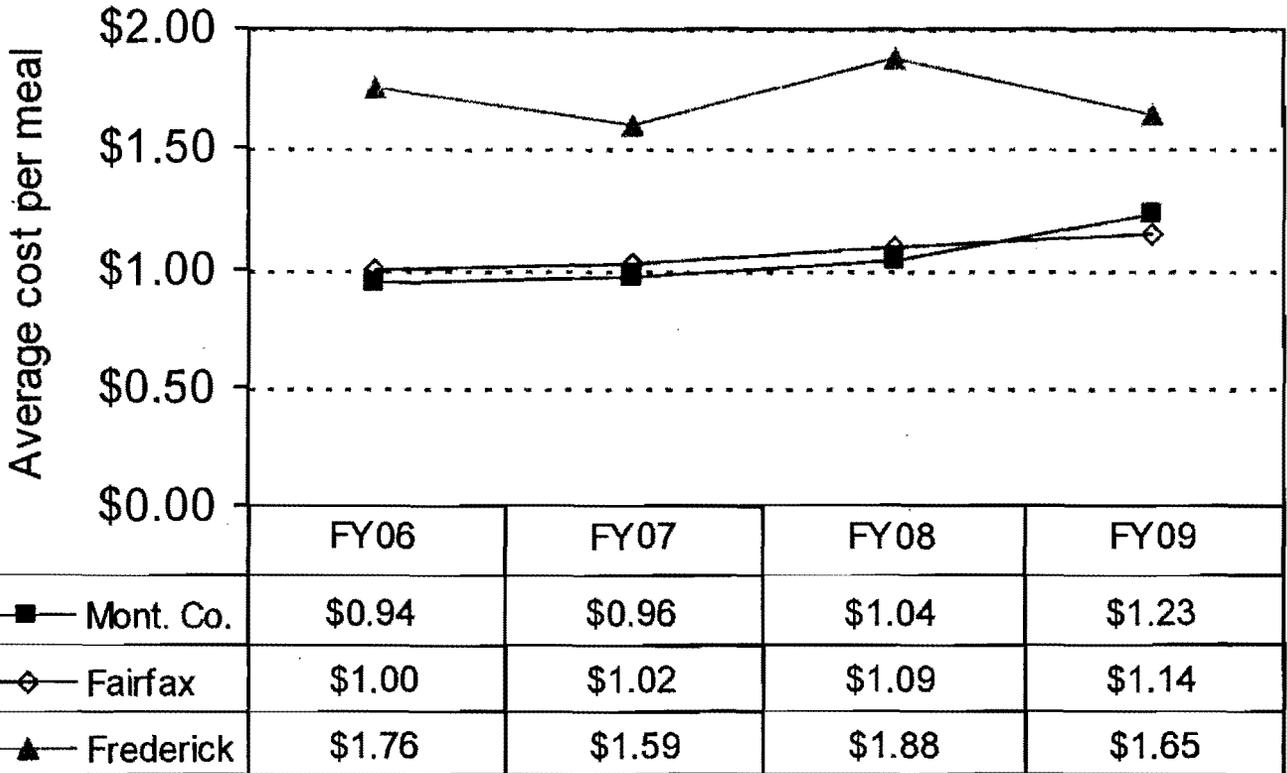


Actual performance



Projected performance

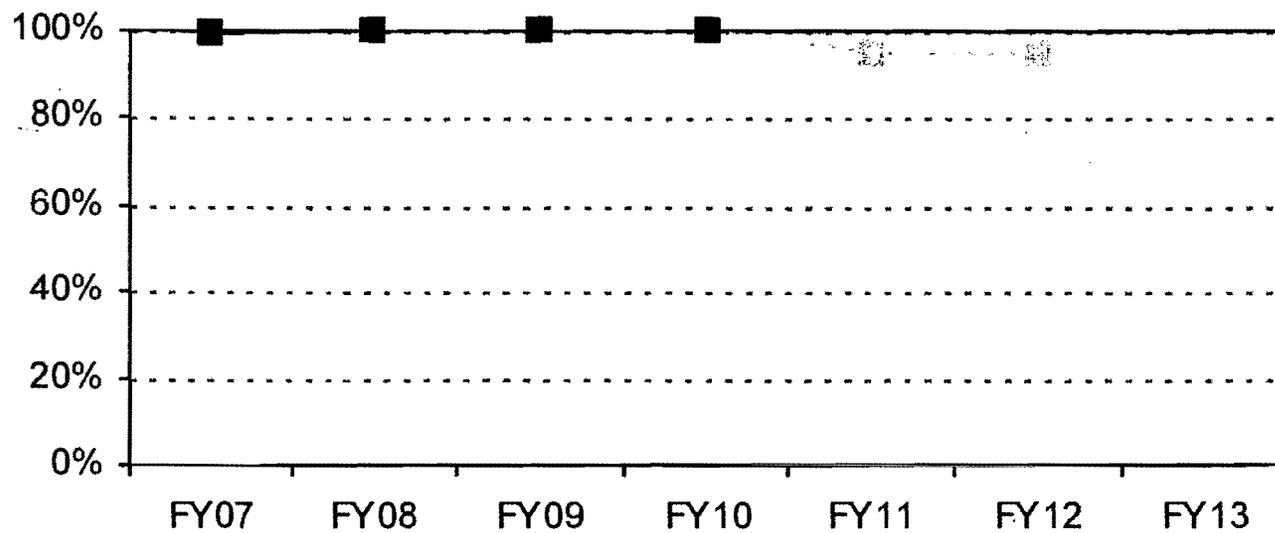
**Headline Measure #3: Per Diem Cost Per Inmate**  
**Benchmarking: Average Cost per Meal**



(ef) (of)



## Headline Measure #4: Percent of Accreditation Standards Met



(25) (25)

Percent of accreditation standards from the Maryland Commission on Correctional Standards and the Correctional Education Association met.



Actual performance  
DOCR Programming

Projected performance  
30

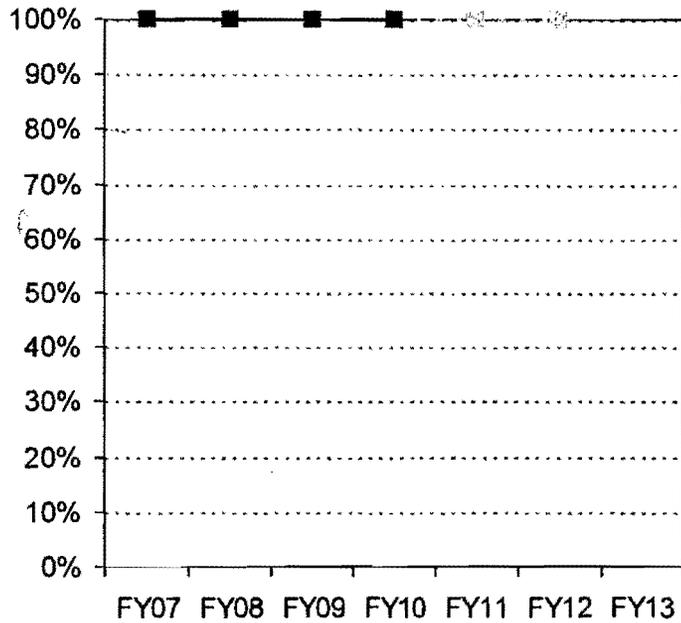
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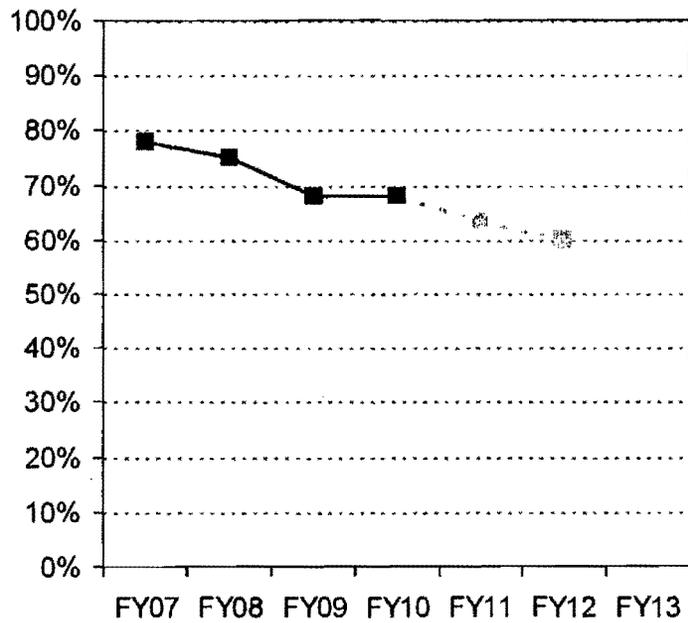
# Headline Measure #5: Prisoner Participation in Self Growth & Development

44  
80

PRC



MCCF



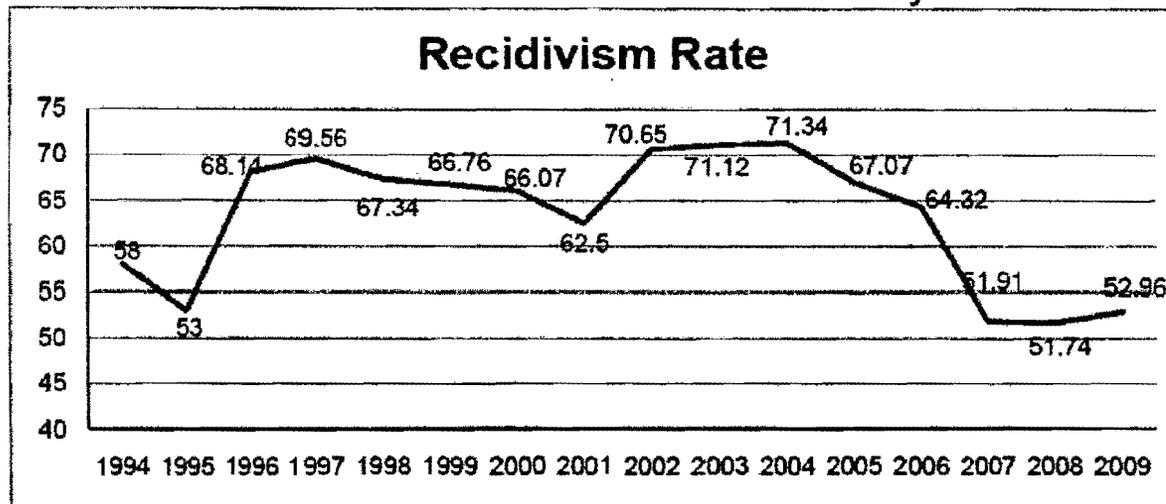
Actual performance

Projected performance

## Headline Measure #6: Recidivism Rate

- Montgomery County recidivism measure is still under construction
- Benchmarks for this measure can be constructed if methodology similar to other jurisdictions is used

Recidivism Rate – Frederick County\*



\* Source: Frederick County Adult Detention Center 2009 Annual Report  
DOCR Programming

2010-09-17 10:46:11 AM [redacted]

## Wrap-up and Follow-up Items

- Wrap-up

46  
46



DOCRC Programming

**April 22, 2011**

**To: Public Safety Committee  
Committee Chairman Councilmember Andrews  
Councilmember Berliner  
Council member Elrich**

**From: Carlos Mellott, Field Representative UFCW Local 1994 MCGEO**

**Re: Work session FY12 Operating Budget Department of Correction and  
Rehabilitation (DOCR) - Union Response**

As there were time constraints at the committee meeting, the Union would like to respond in writing to the planned budget cuts, as well as to address the safety concerns raised by Council Staff.

Director Wallenstein noted the cuts that he felt needed to be made, and also gave a response to detail the reasons for "slippage" in terms of the security overview at the various facilities in their ability to get around and manage operations and provide the same level of supervision that they have heretofore been able to generate, while at the same time continue working with the same level of inmate population.

The Union has been saying for years that safety has decreased and there was a higher risk posed to staff and inmates. The Union is pleased that the Department has finally decided to publically recognize these safety risks.

**Pre Release and Re Entry Services Division (PRRS)**

Chief LoBuglio noted that there was an increase in undetected drug tests and increased rate of grievances against staff, staff deviations of policies, lack of supervision, and that the facility as a whole was more vulnerable to mistakes. The Chief attributed this to last year's cuts in Unit managers and other supervisory staff.

The Union stands firm in its belief that the "slippage" at PRRS is not completely due to lack of managers, but problems with the reorganization of that facility, erroneous policies and lack of enforcement of existing policies and procedures. First and foremost, the minimum staffing compliment is five for day shift, five for evening shift and four for the midnight shift. Any time that a staff member goes to lunch (which they are not compensated for), and they leave the building this drops the minimum. This could occur for up to 2.5 hours per shift, decreasing the amount of staff in the building. The day and

evening shifts are a bit better off since they have case managers and other staff in the building to help with coverage. The midnight shift is in a more delicate situation, as at any given night there is usually only four Resident Supervisors on duty to supervise anywhere up to 170 residents. Also, on midnight shift, with only four resident supervisors present, if there is a transport of a resident back to secure confinement, this requires two staff members to complete the transport. This leaves only two correctional line staff to supervise up to 170 criminal offenders! This has been brought up numerous times at Labor Management Relation Committees (LMRCs) however; the Department is saying it is "willing to take the hit". With the issue of transports and the issue of the paid lunch break, the Union would suggest in this case to compensate midnight shift employees for their "lunch", and mandate that they stay in the building and be "on call" for emergency situations as is done in the detention facilities.

The Department is in the process of working with the Union to possibly abolish six RS II positions and create six RS III positions which would be equivalent to a Sergeant at the jails. This would help in terms of supervision of staff, but does not do anything for the number of staff, nor does it increase the level of safety for residents or staff at the facility.

In terms of policy, the Management staff at PRRS is very quick to bring back residents who have repeatedly violated PRRS policies and is not strict in its enforcement of the rules. Although it is a work release program, many residents are not serious about job search and do not take full advantage of the services that staff work so hard to provide. In other words, when someone gets into a physical altercation, or comes up positive for a drug test, it is really quite easy for them to return to PRRS. This is not due to line staff but is due to the policies that Management has created.

Also, the Union would urge the hiring of more case managers if possible, if not the restoration of a Resident Supervisor for the Home Confinement/CART position. There are currently three Case Managers on Units 2, 3 and 4 and one Case Manager for Unit 1 (the female unit). This leaves a high case load for Case Managers and with home confinement set up, and home visits, along with their regular duties, this decreases the amount of time that Case Managers can dedicate to case management, and therefore reduces the amount of quality service and attention that a resident receives. If new case managers cannot be hired, the Union would like to see the restoration of the Home Confinement Monitor position to take over these essential duties and with that position, a resident who is on home confinement can be more closely monitored and be held accountable. This position was eliminated several years ago with the reorganization and those responsibilities have fallen on the shoulders of the Resident Supervisors and Case Managers, and this has detracted from their other duties.

The Staff report from Ms. Farag lists that in FY11 changes due to staff turnover in the PRRS Division was an issue affecting the budget. The Union would like to make known that three years ago Chief LoBuglio received a no confidence vote of over 90%, and since that time, many experienced and capable staff members have left PRRS. Low morale continues to be an issue at PRRS. This is due to management style, policies and procedures and the reorganization and change in schedules.

More managers or the creation of RS IIIs will not curve the "slippage" or evade taking PRRS to a "tipping point". Creation of the RSIII position is not the end all be all. The Union believes the Committee should look closely at Staff morale, policies and procedures, the reorganization of the Division and its effects on daily operations of the facility, and finally to look at staffing levels.

### **Pre Trial Services Division**

In terms of Pre Trial Services Division, the Union is in agreement with the need to fill the receptionist position in order to facilitate the service of the clients at the facility as well as moving the two CS III DV positions to permanent positions as they handle a sensitive caseload. The Union also recognizes the hardships due to the elimination of one of the managers due to last year's cuts. The Union would urge collaboration in seeking solutions to ongoing issues due to budget cuts.

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### **Detention Facilities**

#### **Montgomery County Detention Center & Montgomery County Correctional Facility**

In terms of the cuts of the Intake Processing Aides, the Union does agree that these cuts are due to technology, and not to the budget issues, however cutting these positions will create problems in Inmate processing. The Union is concerned about the timing of this transition to CRIMS, as this program has been in the planning stages for years, yet has not gone live at any of its target dates. The Union is concerned that the target date of June/July will not be met, and this will create undue hardship on the officers working in Central Processing and the Police Officers taking defendants to MCDC. The training for CRIMS is to be done "on the fly", and the Union to date has not seen a transitional plan to move to the CRIMS system. Until the transition is complete the Union foresees a line out the door of MCDC of Police Officers and defendants waiting for processing. This delay will take officers off the streets and spend money paying officers salaries to essentially wait in line, instead of being on the streets serving their essential public safety duties.

### **Conclusion**

The Union opposes any elimination of bargaining members on the front lines. Instead of these cuts and in order to provide other cost savings measures, the Union would propose eliminating one to two of the four Deputy Wardens, as well as eliminate the contracting out of individuals such as Mark Wolf who is currently serving as a consultant at MCCF.

The Union would also recommend the elimination of the Records Manager/Investigations Unit position. Bernard Woodard was the lead investigator for DOCR, and now is in

charge of Records. Mr. Woodard continues to serve in an investigative role for DOCR. Investigations can be carried out by Captains. The records position was also supposedly abolished last year, as the Records Manager was Carl Furr. Carl Furr is now a supervisor at Pre Trial Services Unit at DOCR under Chief Sharon Trexler.

The Union would also like the Council to recognize that there are currently four Deputy Wardens to serve at two of the detention facilities. This amount of top heavy management is not necessary.

Money could also be saved if the Department Head and Division Chiefs all drove their own vehicles, as rising fuel costs and ongoing maintenance also make a dent in the DOCR budget.

Also, the Union recommends looking closely at creating an apprenticeship program involving residents at PRRS. Opportunities for growth and learning are limited as a result of their criminal histories. An apprentice program crossed with work crews (supervision by a CO) in the facilities division of Department of General Services (DGS) would not only grant learning opportunities for inmates, and programmatic options for the staff at PRRS/DOCR, but it could limit "contracting out" by DGS. Many inmates coming from the State and Federal systems already possess the knowledge, skills and various certifications obtained in previous facilities, so the learning curve could be potentially short. PRRS has recently limited the amount of services provided at the facility and has heavily relied on outside community programs for job skills training and development. As the state of the economy on a National level is delicate, it would be prudent to utilize the resources we already have within the County Government as opposed to relying on outside agencies with limited funding.