PS COMMITTEE #3 April 23, 2012

#### Worksession

#### MEMORANDUM

April 20, 2012

TO:

**Public Safety Committee** 

FROM:

Susan J. Farag, Legislative Analyst

SUBJECT:

Worksession: FY13 Operating Budget

Sheriff's Office

Those expected for this worksession:

The Honorable Darren Popkin, Sheriff for Montgomery County Mary Lou Wirdzek, Sheriff's Office Bruce Meier, Office of Management and Budget

The County Executive's recommendation for the Sheriff's Office is attached at ©1-6.

#### Major Issues:

- The Sheriff's Office budget contains funding for six new candidates in the upcoming recruit classes.
- Child Enforcement Grant funding has been changed slightly to provide for new security services.
- There are several new updates on Family Justice Center Operations.

#### Overview

For FY13, the Executive recommends total expenditures of \$21,428,236 for the Sheriff's Office, a 5.2% increase from the FY12 approved budget of \$20,374,170.

	FY11 Actual	FY12 Approved	FY13 CE Recommended	% Change FY12-FY13
Expenditures				
General Fund	\$20,147,280	\$19,747,550	\$20,765,236	5.2%
Grant Fund	\$1,133,302	\$626,620	\$663,000	5.8%
TOTAL Expenditures	\$21,280,582	\$20,374,170	\$21,428,236	5.2%
Positions:				
Full-time	178	177	176	-0.6%
Part-time	4	5	5	0.0%
TOTAL Positions	182	182	181	-0.5%

The FY13 County Executive's recommendation is a net increase of \$1,054,066. The following are identified same service adjustments:

Identified Same Service Adjustments	
Increase Cost: Group Insurance Adjustment	\$339,862
Increase Cost: Lump Sum Wage Adjustment	\$338,027
Increase Cost: Rookie Class for 3 Candidates for July 2012	\$227,590
Increase Cost: Rookie Class for 3 Candidates for January 2013	\$126,575
Increase Cost: Annualization of FY12 Lapsed Positions	\$92,270
Increase Cost: Motor Pool Adjustment Rate	\$78,240
Increase Cost: Longevity Adjustment	\$12,604
Increase Cost: Lapse for Grant Match of PAA for Child Support	\$12,508
Increase Cost: Operating Cost Adj. for Child Support Grant Match	\$10,822
Increase Cost: Decrease Lapse for PAA	\$27,264
Increase Cost: Operating Expenses for the Child Support Enforcement Grant	\$26,750
Increase Cost: Salary and Benefit Adjustment	\$11,655
Total Increase:	\$1,304,167
Shift: Help Desk - Desk Side Support to the Desktop Computer Modernnization	
NDA	(\$1,710)
Decrease Cost: Printing and Mail Adjustment	(\$1,930)
Decrease.Cost: Miscellaneous Operating Expenses	(\$5,545)
Decrease Cost: Child Support Contract	(\$17,785)
Decrease Cost: Retirement Adjustment	(\$65,122)
Decrease Cost: Elimination of One-Time Items Approved in FY12	(\$128,720)
Decrease Cost: Adj. to Child Support Enforcement Grant - PAA	(\$29,289)
Total Decreases:	(\$250,101)
NET SAME SERVICES ADJUSTMENT TOTAL:	\$1,054,066

## **FY13 Expenditure Issues**

#### ADMINISTRATION

Three Candidates in July 2012 Class (\$227,590) Three Candidates in January 2013 Class (\$126,575)

The authorized sworn complement for the Sheriff's Office is currently 146. The last Deputy candidate was in the July 2008 recruit class. The six candidates will replace positions lost through attrition. In FY11, the attrition rate was three sworn deputy sheriffs and three civilians. In FY12, it has been two sworn deputy sheriffs.

#### CHILD SUPPORT GRANT CHANGES:

**GENERAL FUND CHANGES:** 

**Decrease Child Support Contract (-\$17,785)** 

Lapse for Grant Match of PAA for Child Support (\$12,508)

Operating Cost Adj. for Child Support Grant Match (\$10,822)

**GRANT FUND CHANGES:** 

**Increase Operating Expenses for the Child Support Grant (\$26,750)** 

Decrease Lapse for PAA (\$27,264)

Adjustment to Child Support Grant – Abolish PAA (-\$29,289)

The FY13 recommended budget contains multiple line item changes to the Child Support Enforcement Contract. The contract has been modified to abolish a lapsed PAA position, as well as to add contractual security staff and equipment to the Child Support Office.

The Child Support contract is a renewable grant. The current contract for Child Support Enforcement went into effect in October 2011. This grant is generally prepared in July or August, after the budget has already been approved by Council. There are often minor adjustments that must be displayed in the following fiscal year operating budget request since the grant cycle is on a Federal cycle rather than the County's fiscal year.

According to the Sheriff, in the previous budget cycle, a vacant Principal Administrative Aide (PAA) position was lapsed as part of a budget reduction, but the funds were still in the approved Child Support contract. That position was abolished in the current contract that was approved in October 2011. The FY13 recommended budget is now abolishing that position. The position has been vacant for several years. In addition, the workload associated with the position (handling administrative subpoenas) decreased after the incumbent retired. The remaining workload has been distributed and managed efficiently by other existing staff.

Over the past year, the Sheriff's Office determined that additional security was needed for the Child Support Office, which is located at 51 Monroe Street and outside the existing courthouse and security screening. Many Child Support clients are in contentious relationships and may have a domestic violence history with the non-custodial parent. As a result, the Sheriff explored adding security screening at the Child Support Office as part of the new contract.

The FY13 recommended budget includes two contractual security staff and related screening equipment. The net effect of this addition and the abolishment of the vacant PAA position is a slight increase in the contract and match. The total contract for October 2011 to September 2012 is \$1,050,865. Of this, \$653,872 is grant funds, and \$396,993 is a general fund match.

#### FAMILY JUSTICE CENTER UPDATE

#### Internship Program with the University of Maryland

The Sheriff's Office has worked with the University of Maryland to place interns and volunteers at the Family Justice Center. The intern provides 120 hours at the Center to receive three credit hours. This has been beneficial to both the FJC and the intern, who receives direct experience in criminal justice, family studies, and other related fields of study.

#### **Forensic Interview Rooms**

The Sheriff's Office is currently creating forensic interview rooms at the FJC with grant funding from the FJC Foundation. These rooms will permit police to conduct interviews at the FJC with video and audio equipment. Both the primary victim and children exposed can be interviewed at the FJC. These interviews are critical to the successful prosecution of criminal cases. The Sheriff's Office has ordered the needed equipment and it is due to be installed shortly.

#### Therapist Provided by House of Ruth

The House of Ruth Maryland is currently providing a therapist at the FJC for 12 hours a week. This time is used to oversee therapy groups and to see clients individually. The therapist is bilingual (English/Spanish), and supplements the work of the APP therapeutic staff.

#### **New Conference Center**

With grant funding from Verizon, the FJC has modified a conference room into a training center. It is equipped with wide-screen monitors and presentation equipment, and has off-site meeting capability.

### COUNCIL STAFF RECOMMENDATION

Council staff recommends approval of the FY13 budget as recommended by the County Executive.

This packet contains
Recommended FY13 Sheriff Operating Budget

1-6

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# Sheriff

#### MISSION STATEMENT

The mission of the Sheriff's Office is to serve the residents of Montgomery County in a lawful, fair, impartial, and non-discriminating manner by providing leadership and professional support, as required, and to ensure that Court mandates are carried out in a manner that respects individual rights and freedoms. The Sheriff's Office is committed to establishing and maintaining cooperative working relationships with all other law enforcement, governmental, and Criminal Justice agencies, and the Courts to ensure that the residents of Montgomery County are receiving the fullest range of law enforcement services required for a safe and orderly society.

#### BUDGET OVERVIEW

The total recommended FY13 Operating Budget for the Office of the Sheriff is \$21,428,236, an increase of \$1,054,066 or 5.2 percent from the FY12 Approved Budget of \$20,374,170. Personnel Costs comprise 89.9 percent of the budget for 176 full-time positions and five part-time positions for 177.50 FTEs. Operating Expenses account for the remaining 10.1 percent of the FY13 budget.

#### LINKAGE TO COUNTY RESULT AREAS

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

- A Responsive, Accountable County Government
- ❖ 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 FY12 estimates reflect funding based on the FY12 approved budget. The FY13 and FY14 figures are performance targets based on the FY13 recommended budget and funding for comparable service levels in FY14.

### **PROGRAM CONTACTS**

Contact Mary Lou Wirdzek of the Office of the Sheriff at 240.777.7078 or Bruce Meier of the Office of Management and Budget at 240.777.2785 for more information regarding this department's operating budget.

#### PROGRAM DESCRIPTIONS

#### Administration

This division provides general administrative support to the Sheriff's Office including personnel and labor relation matters, training, background investigations, payroll, purchasing, internal investigations, automation, grants and budget-related functions. The Administration Section provides technical support for the Sheriff's Records Management System (E\*Justice).

The Administration Unit also oversees the Sheriff's compliance with recognized accreditation standards. The Assistant Sheriffs direct research and development of policies, procedures, and regulations to meet professional standards developed for law enforcement agencies. The Assistant Sheriffs also oversee internal investigations, represent the Sheriff's Office in legislative matters, and provide legal direction.

The Sheriff's Office participates in school functions, civic association meetings, and serves on commissions and committees. The Sheriff's Office serves on applicant, promotional, and disciplinary boards of other public safety agencies. Administrative personnel organize in-service and specialized deputies training and the annual weapons qualification, as required by the Maryland Police Training Commission.

The Sheriff's Office also participates in law enforcement task forces and units such as the Special Response Team (SRT), Special Events Response Team (SERT), and Hostage Negotiation Team in cooperation with the Montgomery County Police Department, Montgomery County Fire and Rescue Services, and other law enforcement agencies, and responses to mutual-aid calls as necessary.

Sheriff Public Safety 44-1



FY13 Recommended Changes	Expenditures	FTEs
FY12 Approved	3,224,540	14.80
Increase Cost: Rookie Class for three candidates for July 2012	227,590	0.00
Increase Cost: Rookie Class for three candidates for January 2012	126,575	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. Other large variances are related to the transition from the previous mainframe budgeting system to Hyperion.	43,533	3.84
FY13 CE Recommended	3,622,238	18.64

#### **Courtroom/Courthouse Security and Transport**

The Sheriff's Office provides security for the Montgomery County Judicial Center and the juvenile courtrooms located in 27. The Sheriff's Office is also responsible for transporting prisoners between the Montgomery County Correctional Facility (MCCF), Montgomery County Detention Center (MCDC), and the various court-holding facilities, as well as to and from healthcare facilities. The Sheriff's Office also provides for guarding prisoners while at these facilities. When a writ is received from other counties, deputies are required to transport MCDC and MCCF prisoners to other Maryland District and Circuit Courts. The Sheriff's Office administers temporary detention facilities in the Silver Spring and Rockville District Courts and the Circuit Court for prisoners and the Juvenile Court located at 27 Courthouse Square.

The Sheriff's Office provides security for the County's Circuit Court located in the Montgomery County Judicial Center and operates X-ray machines and magnetometers to screen visitors entering the buildings at five Courthouse entrances public entrances. The Sheriff's Office uses trained canines to detect explosives, weapons, and to serve as a general crime deterrent within the Courthouse. The Canine Unit also responds to mutual-aid calls from the Montgomery County Police Department, the Montgomery County Fire and Rescue Services, and other law enforcement agencies as necessary.

FY13 Recommended Changes	Expenditures	FTEs
FY12 Approved	7,942,090	64.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. Other large variances are related to the transition from the previous mainframe budgeting system to Hyperion.	560,050	10.50
FY13 CE Recommended	8,502,140	75.00

#### **Civil Process**

The Sheriff's Office is mandated to serve all civil processes as directed by the Courts or private litigants and file returns to the Court. These papers include summonses, subpoenas, failure-to-pay rent notices, and other court documents. The Civil Process function is supported by deputies, who research and serve papers, and by administrative staff, who maintain the tracking process.

The Sheriff's Office also executes court-ordered attachments, real and personal property seizures, and replevins (a civil action to recover property wrongfully taken). As a final step in resolution of a court judgment, the Sheriff's Office conducts sales of seized or attached property. In the case of evictions, the Sheriff's Office restores real property to property owners by evicting tenants and their possessions as directed by the Court. When appropriate, tenants are referred to human service agencies.

FY13 Recommended Changes	Expenditures	FTEs
FY12 Approved	2,008,970	20.20
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. Other large variances are related to the transition from the previous mainframe budgeting system to Hyperion.	103,330	0.30
FY13 CE Recommended	2,112,300	20.50

#### **Criminal Process/Warrants and Extraditions**

The Sheriff is responsible for serving District Court civil warrants, all Circuit Court warrants, both adult and juvenile, and Child Support Enforcement warrants. The Warrant Section maintains on-line warrant systems including National Crime Information Center (NCIC), Maryland Interagency Law Enforcement System (MILES), and the Warrant Component in the Records Management System (E\*Justice). The Warrant Component in E\*Justice is a shared resource used by the Montgomery County Police and the Sheriff's Office to track outstanding warrants. The Sheriff's Office also conducts investigations to locate and apprehend those fugitives for whom the Sheriff's Office holds a warrant. In addition, the Sheriff's Office is responsible for returning fugitives to Montgomery County from other jurisdictions for outstanding Circuit Court warrants and processing those fugitives when returned.

FY13 Recommended Changes	Expenditures	FTEs
FY12 Approved	2,123,780	18.40
Decrease Cost: Child Support Contract	-17,785	-0.38
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. Other large variances are related to the transition from the previous mainframe budgeting system to Hyperion.	130,220	0.98
FY13 CE Recommended	2,236,215	19.00

#### **Domestic Violence**

The Sheriff's Office is the lead agency in Montgomery County for serving court orders related to domestic violence, including Protective and Peace Orders. The Sheriff is also responsible for serving Child Custody orders. In an effort to enhance protection for the victims of domestic violence, the Sheriff's Office offers cellular phones to domestic violence victims and has a partnership with ADT Security for alarm pendants for victims who are most vulnerable. The Sheriff's Office also serves Emergency Evaluation Petitions that include obtaining custody and transporting residents to the hospital for court ordered evaluation.

In collaboration with state, local, and private agencies and the support of the Maryland Judiciary, the Montgomery County Family Justice Center implemented video court hearings for Temporary Protective Orders in December, 2010. This pilot video hearing project was the first of its kind in Maryland. The equipment was donated by the Verizon Wireless Hopeline Foundation through the Montgomery County Family Justice Center Foundation, Inc. Protective Order hearings are conducted by video from the center allowing petitioners to use Family Justice Center (FJC) services instead of waiting at court for a hearing. While at the FJC, petitioners are able to receive other emergency and social services in a timely manner that previously took numerous phone calls, travel to multiple locations, and days to receive.

Program Performance Measures	Actual FY10	Actual FY11	Estimated FY12	Target FY13	Target FY14
Number of Interim and Temporary Peace Orders served	1,670	1,513	1,443	1,443	1,443
Number of Interim and Temporary Protective Orders served	2,182	1,995	2,106	2,106	2,106
Number of "safety check" violations resulting in arrest1	2	12	8	12	12
Number of weapons seized as a result of Protective Orders	149	143	198	198	198

<sup>&</sup>lt;sup>1</sup> Safety checks involved efforts by Sheriff's deputies to ensure that victims are safe and court orders are being obeyed after the issuance of an Interim or Temporary Order. Safety checks are conducted by site visit or phone.

FY13 Recommended Changes	Expenditures	FTEs
FY12 Approved	4,448,170	41.70
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. Other large variances are related to the transition from the previous mainframe budgeting system to Hyperion.	-155,827	-1.70
FY13 CE Recommended	4,292,343	40.00

#### **Grants**

The Sheriff's Office has a contractual agreement with the State's Department of Human Resources to serve all summonses generated by the Child Support Enforcement Division. Staff assigned to the State Child Support Enforcement Program serve child support summonses and subpoenas, research complex cases dealing with defendants evading service, and respond to emergency situations that occur within the County's Child Support offices. As part of the agreement, the Sheriff's Office receives a fee for serving the warrants and partial Federal funding for salaries and operating expenses of the section.

FY13 Recommended Changes	Expenditures	FTEs
FY12 Approved	626,620	6.00
Increase Cost: Operating Expenses for the Child Support Enforcement Grant	26,750	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. Other large variances are related to the transition from the previous mainframe budgeting system to Hyperion.	9,630	-1.64
FY13 CE Recommended	663,000	4.36



# **BUDGET SUMMARY**

	Actual FY11	Budget FY12	Estimated FY12	Recommended FY13	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	12,156,478	11,826,580	12,254,129	12,654,340	7.0%
Employee Benefits	6,110,386	5,739,660	6,110,528	6,106,059	6.4%
County General Fund Personnel Costs	18,266,864	17,566,240	18,364,657	18,760,399	6.8%
Operating Expenses	1,880,416	2,181,310	2,024,810	2,004,837	-8.1%
Capital Outlay	0	0	0	0	
County General Fund Expenditures	20,147,280	19,747,550	20,389,467	20,765,236	5.2%
PERSONNEL					
Full-Time	171	170	170	170	
Part-Time	3	5	5	5	
FTEs	161.10	159.60	159.60	173.14	8.5%
REVENUES					
Facility Rental Fees	0	500	500	500	
Health and Human Services Fees	-61	0	0	0	
Health Inspection: Restaurants	-144	0	0	0	
Miscellaneous Revenues	8,642	4,000	4,000	4,000	
Sheriff Fees	1,059,758	1,200,000	1,200,000	1,200,000	
Other Charges/Fees	35,854	23,900	23,900	23,900	
Other Intergovernmental	12,294	20,460	20,460	20,460	
Other Licenses/Permits	-1,007	0	0	0	
County General Fund Revenues	1,115,336	1,248,860	1,248,860	1,248,860	
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	447 617	222 170	333,170	333,568	0.1%
Employee Benefits	647,517 260,869	333,170 155,720	155,720	164,952	5.9%
Grant Fund MCG Personnel Costs	908,386	488,890	488,890	498,520	2.0%
Operating Expenses	224,916	137,730	137,730	164,480	19.4%
Capital Outlay	224,710	137,730	137,730	104,480	17,70
Grant Fund MCG Expenditures	1,133,302	626,620	626,620	663,000	5.8%
PERSONNEL	1,100,301	020,020	010,010		
Full-Time	7	7	7	6	-14.3%
Part-Time			<del>-                                    </del>		-17.070
FTEs	7.90	6.00	6.00	4.36	-27.3%
REVENUES	7.70	0.00		7.00	27.070
Federal Grants	1,069,081	626,620	626,620	663.000	5.8%
State Grants	31,906	020,020	020,020	003,000	3.070
Other Intergovernmental	32,315	0	0	0	
Grant Fund MCG Revenues	1,133,302	626,620	626,620	663,000	5.8%
	1,100,002	020,020	020,020	_000,000	<b>4.0</b> 70
DEPARTMENT TOTALS					
Total Expenditures	21,280,582	20,374,170	21,016,087	21,428,236	5.2%
Total Full-Time Positions	178	177	177	176	-0.6%
Total Part-Time Positions	4_	5	5	5	
Total FTEs	169.00	165.60	165.60	177.50	7.2%
Total Revenues	2,248,638	1,875,480	1,875,480	1,911,860	1.9%



## **FY13 RECOMMENDED CHANGES**

	Expenditures	FTE
OUNTY GENERAL FUND		
FY12 ORIGINAL APPROPRIATION	19,747,550	159.6
Other Adjustments (with no service impacts)		
Increose Cost: Group Insurance Adjustment	339,862	0.0
Increase Cost: Lump Sum Wage Adjustment	338,027	0.0
Increase Cost: Rookie Class for three candidates for July 2012 [Administration]	227,590	0.0
Increase Cost: Rookie Class for three candidates for January 2012 [Administration]	126,575	0.0
Increase Cost: Annualization of FY12 Lapsed Positions	92,270	1.3
Increase Cost: Motor Pool Rate Adjustment	78,240	0.0
Increase Cost: Longevity Adjustment	12,604	0.0
Increase Cost: Lapse for grant match of Principal Admin aide for Child Support	12,508	0.3
Increase Cost: Operating Cost adjustment for Child Support Grant Match	10,822	0.0
Technical Adí: Conversion of WYs to FTEs in the New Hyperion Budgeting System; FTEs are No Longer Measured for Overtime and Lapse	0	12.2
Shift: Help Desk - Desk Side Support to the Desktop Computer Modernization NDA	-1,710	0.0
Decrease Cost: Printing and Mail Adjustment	-1,930	0.0
Decrease Cost: Miscellaneous Operating Expenses	-5,545	0.0
Decrease Cost: Child Support Contract [Criminal Process/Warrants and Extraditions]	-17,785	-0.3
Decrease Cost: Retirement Adjustment	-65,122	0.0
Decrease Cost: Elimination of One-Time Items Approved in FY12	-128,720	0.0
FY13 RECOMMENDED:	20,765,236	173.1
RANT FUND MCG		
FY12 ORIGINAL APPROPRIATION	626,620	6.0
Other Adjustments (with no service impacts)		
Increase Cost: Decrease Lapse for Principal Administrative Aide	27,264	0.0
Increase Cost: Operating Expenses for the Child Support Enforcement Grant [Grants]	26,750	0.0
Increase Cost: Salary and Benefit adjustment	11,655	0.0
Technical Adj: Adjust for FY12 ARRA grant positions	0	-1.6
Technical Adj: Conversion of WYs to FTEs in the New Hyperion Budgeting System; FTEs are No Longer Measured for Overtime and Lapse	0	0.6
Decrease Cost: Adjustment to Child Support Enforcement Grant FY13-Abolish Principal Administrative Aide	-29,289	-0.6

# **PROGRAM SUMMARY**

	FY12 Appr	FY13 Recommended		
Program Name	Expenditures	FTEs	Expenditures	FTEs
Administration	3,224,540	14.80	3,622,238	18.64
Courtroom/Courthouse Security and Transport	7,942,090	64.50	8,502,140	75.00
Civil Process	2,008,970	20.20	2,112,300	20.50
Criminal Process/Warrants and Extraditions	2,123,780	18.40	2,236,215	19.00
Domestic Violence	4,448,170	41.70	4,292,343	40.00
Grants	626,620	6.00	663,000	4.36
Total	20,374,170	165.60	21,428,236	177.50



# **FUTURE FISCAL IMPACTS**

Title	CE REC.					
	FY13	FY14	FY15	FY16	FY17	FY18
his table is intended to present significant future fiscal imp	pacts of the de	partment's	orograms.			
COLINITY OFFICE FLIND						
COUNTY GENERAL FUND						
Expenditures						
FY13 Recommended	20,765	20,765	20,765	20,765	20,765	20,765
No inflation or compensation change is included in outyear pro	ojections.	•	-	-	•	·
Elimination of One-Time Lump Sum Wage Adjustment	0	-338	-338	-338	-338	-338
This represents the elimination of the one-time lump sum wage	e increases pai	d in FY13.				
Longevity Adjustment	0	3	3	3	3	3
This represents the onnualization of longevity wage increments	s paid during F	<b>/13</b> .				
Subtotal Expenditures	20,765	20,430	20,430	20,430	20,430	20,430

