

AGENDA ITEM #1  
May 8, 2008

**WORKSESSION**

**MEMORANDUM**

May 6, 2008

TO: County Council

FROM: Linda McMillan, Senior Legislative Analyst *LMC*

SUBJECT: **Worksession: FY09 Operating Budget**  
**Department of Correction and Rehabilitation**

**Those expected for this worksession:**

Arthur Wallenstein, Director, DOCR  
Mark Wulff, Administrative Services, DOCR  
Alex Espinoza, Office of Management and Budget  
Ed Piesen, Office of Management and Budget

**Narrative from the County Executive's Recommended Budget is attached at ©1-8.**

**Summary of Public Safety Committee Recommendations**

The Public Safety Committee held worksessions on the Department of Correction and Rehabilitation budget on April 25 and May 2. The Committee recommends a net change of \$323,170 to the Executive's recommended \$65,635,130. All of the restorations are recommended for the reconciliation list.

<b>Item:</b>	<b>Dollar:</b>	<b>Page:</b>
Abolish Community Outreach Specialist	(\$146,250)	8
Restore Intake Processing Aide	\$55,420	5
Restore Principal Administrative Aide (MCDC)	\$56,280	6
Restore Principal Administrative Aide (MCCF)	\$75,130	6
Restore Correctional Officer in Job Shop	\$102,890	6-7

Restore Correctional Specialist (MCCF)	\$107,100	7
Purchase Flatbed Scanner (Historical Society request)	\$72,600	13-14
<b>TOTAL</b>	<b>\$323,170</b>	

The Public Safety Committee agreed to the following recommendations of the County Executive.

<b>Item:</b>	<b>Dollar:</b>	<b>Page:</b>
Abolish Principal Administrative Aide (Pre-Release Services)	(\$51,760)	5
Abolish Principal Administrative Aide (MCCF)	(\$69,780)	6
Abolish Correctional Officer (MCDC Maintenance)	(\$85,570)	6
Abolish Nurse Practitioner (MCDC)	(\$128,060)	7
Abolish Community Release Coordinator (Pre-Release Services)	(\$132,130)	8
Add Management and Budget position to handle SCAAP application (rather than continue to use contractor)	Offset by reductions	8-9
Shift cost of Bakery Position to Inmate Canteen Fund	\$70,170	9
Reduction of Roll Call from 30 to 15 minutes (overtime reduction)	(\$767,680)	10
<b>TOTAL</b>	<b>(\$1,164,810)</b>	

#### Overview

(in \$000's)	<b>FY07 Actual</b>	<b>FY08 Approved</b>	<b>FY09 CE Recommended</b>	<b>% Change FY08-FY09</b>
<b>Expenditures:</b>				
General Fund	61,048	63,302	65,635	3.7%
Grant Fund	32	-	-	NA
<b>TOTAL Expenditures</b>	<b>61,080</b>	<b>63,302</b>	<b>65,635</b>	<b>3.7%</b>
<b>Positions:</b>				
Full-time	562	573	565	-1.4%
Part-time	7	6	6	0.0%
<b>TOTAL Positions</b>	<b>569</b>	<b>579</b>	<b>571</b>	<b>-1.4%</b>
<b>WORKYEARS</b>	<b>626.1</b>	<b>635.5</b>	<b>622.0</b>	<b>-2.1%</b>

For FY09, the County Executive is recommending a net budget of \$65,635,130 and 622 workyears for the Department of Correction and Rehabilitation. This is a 3.7% increase in dollars and -2.1% decrease in workyears from the FY08 original approved budget. In addition, the budget notes that \$141,420 and 1.3 WYs are charged to Permitting Services and \$156,960 and 1.8WYs to the Sheriff's Office Grant Fund.

The Executive's budget recommends a net decrease of 8 full time positions and no change to part-time positions. There was one abolish/create action during FY08.

	Full-time	Part-time	Comments
<b>New positions for FY09</b>	2	0	1 New Position 1 Transferred Position
Positions created during FY08	1	0	
<b>Abolished positions for FY09</b>	-10		
Positions abolished during FY08	-1	0	reclassification abolish/create
<b>Net Change</b>	-8	0	

The Executive is recommending a net increase of \$2,333,610. The budget crosswalk indicates that there is a net increase of \$3.6 million from the categories that are generally considered same services adjustments.

<b>Identified Same Services Adjustments:</b>	
General Wage and Service Increment Adjustments	\$ 2,605,740
Annualization of FY08 Increments	\$ 225,910
Labor Contracts	\$ 447,300
MLS Adjustment	\$ 66,960
Annualization of FY08 Personnel Costs	\$ (198,690)
Annualization of FY08 Lapsed Positions	\$ 58,650
Group Insurance Adjustments	\$ 655,420
Retirement Adjustment	\$ (533,670)
Motor Pool Rate Adjustments	\$ 36,960
Printing and Mail Cost Adjustments	\$ 6,630
Central Duplicating Recovery Charge	\$ 8,290
Increased housekeeping and sanitation costs	\$ 262,500
Eliminate FY08 one time items	\$ (34,500)
<b>NET SAME SERVICES ADJUSTMENT TOTAL</b>	<b>\$ 3,607,500</b>

These increases have been offset by a series of cost decreases having "no service impacts."

Decrease operating expenses in Mang Services	\$ (105,020)
Decrease operating expenses in Director's Office	\$ (5,000)
Decrease overtime for IJIS project	\$ (25,000)
Decrease cleaning services from ARC	\$ (35,000)
Decrease psychological services - PRRS	\$ (51,440)
<b>TOTAL</b>	<b>\$ (221,460)</b>

**The Committee recommends (3-0) approval of these increases and decreases that have been evaluated as having no service impacts.**

The Executive is recommending the abolishment of 10 positions. These positions will be discussed individually later in this memo.

Abolish Principal Admin Aide - PRRS	\$	(51,760)
Abolish Intake Processing Aide	\$	(55,420)
Abolish Principal Admin Aide - MCDC	\$	(56,280)
Abolish Principal Admin Aide - MCDC	\$	(69,780)
Abolish Principal Admin Aide - MCCF	\$	(75,130)
Abolish Maintenance Correctional Officer	\$	(85,570)
Abolish Correctional Officer - Job Shop	\$	(102,890)
Abolish Correctional Specialist - MCCF	\$	(107,100)
Abolish Nurse Practitioner - MCDC	\$	(128,060)
Abolish Community Release Coordinator - PRRS	\$	(132,130)
<b>TOTAL</b>	<b>\$</b>	<b>(864,120)</b>

There are two major adjustments to overtime that result in a net decrease of \$267,680.

Structural Deficit - Overtime	\$	500,000
Reduce roll call for MCDC and MCCF	\$	(767,680)
<b>NET CHANGE</b>	<b>\$</b>	<b>(267,680)</b>

There are minimal cost increases for new items but they include 2 new positions.

Planning Specialist*	\$	-
Community Outreach Position	\$	146,250
Expenditures for 6 Federal inmates	\$	7,020
Parking Lot and Building Light at PRC	\$	47,000
Bedding Replacement PRC	\$	20,000
<b>TOTAL</b>	<b>\$</b>	<b>220,270</b>
*savings are assumed for a net cost of \$0		

FY09 savings are proposed to come from shifting the cost of one position and some food services costs to other funding sources.

Fund Bakery Manager from Inmate Fund	\$	(70,170)
Shift expenses to Child Nutrition Program	\$	(50,730)
<b>TOTAL</b>	<b>\$</b>	<b>(120,900)</b>

## FY09 Expenditure Issues

### 1. Abolished Positions

#### A. Comments from MCGEO

Committee Chair Andrews asked the representative from MCGEO to provide an overview of their concerns and suggestions to the Committee. Excerpts from the April 16 and 22 memos from MCGEO are attached at © 9-17. The Committee was urged not to underestimate the value of the positions that are recommended for abolishment as they provide very important functions including maintaining databases on inmate assaults, identifying gang activity and prohibited items that come in through the mail, and handling paperwork that is important to the criminal justice



**The Committee recommends (3-0) that \$55,420 be funded through the reconciliation list to restore this position.**

<b>D. Principal Administrative Aide – MCDC</b>	<b>\$56,280</b>
<b>Principal Administrative Aide – MCCF</b>	<b>\$69,780</b>
<b>Principal Administrative Aide – MCCF</b>	<b>\$75,130</b>

The Principal Administrative Aide at MCDC is currently a filled position assigned to Custody and Security.

One of the Principal Aide positions at MCCF is the aide to the Deputy Warden for Inmate Services and the other is located in Custody and Security. Both positions are filled. Information from the Department is that, in the case of the aide to the Deputy Warden, a portion of the duties will be shifted to the Warden’s Office.

The Committee discussed the types of duties these position currently have including responsibility for keeping data flowing into reports systems that are used internally as well as by outside sources. **The Committee recommends (2-0; Councilmember Knapp temporarily absent) that funding be placed on the reconciliation list to restore two of these three positions (\$56,280 for a PAA at MCDC and \$75,130 for a PAA at MCCF).**

<b>E. Correctional Officer (MCDC Maintenance Officer)</b>	<b>\$85,570</b>
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This position is filled, but as there are currently other vacant positions, the incumbent could move into a Correctional Officer position with other duties.

**The Committee recommends (2-0; Councilmember Elrich temporarily absent) approval of this reduction.**

<b>F. Correctional Officer (MCCF Job Shop)</b>	<b>\$102,890</b>
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This position is currently filled, but as there are currently other vacant positions, the incumbent could move into a Correctional Officer position with other duties. Information from the Department is that the Job Shop may or may not be able to stay open on a reduced schedule or one or two days a week. The digital scanning program will continue. If security staff cannot monitor both efforts, the Job Shop will be shut down.

**The Committee discussed with Director Wallenstein the work that is completed in the Job Shop including mailings for non-profits and packing for the school system. While the Job Shop does not provided the same level of specific job training that occurs in the digital scanning shop, it is an important service and teaches inmates job skills and good work habits.**

**Director Wallenstein said he suspects that the reduction of the Correctional Officer will result in the closing of the Job Shop.**

**The Committee does not want to have the Job Shop closed and recommends (2-0; Councilmember Elrich absent) \$102,890 be placed on the reconciliation list to restore this position.**

**G. Abolish Correctional Specialist MCCF \$107,100**

This position is currently filled and was approved when the last housing unit was opened. Correctional Specialists are critical to classification and management of inmates which is a critical part of a jail security system. While the last housing unit has not been open so far during FY08, there has been a recent increase in the number of inmates in the system and their classification issues are becoming more difficult.

The Committee discussed Council staff's concern about abolishing this position and losing a trained and experienced Correctional Specialist at a time when the inmate population is slowly showing an increase and when the workload is there for this position. It would be very difficult to abolish this position, find that the last unit must open and then have to recruit and train a new Correctional Specialist.

**The Committee recommends (3-0) placing \$107,100 on the reconciliation list to restore this position.**

**H. Nurse Practitioner MCDC \$128,060**

This position is currently filled. Information from the Department states that if this recommendation is approved and implemented, Montgomery Medical Associates (the DOCR physician contractor) will provide sick-call services at MCDC five days per week as the Nurse Practitioner currently does. Sick-call service is an essential NCCHIC standard. Physicals for inmates housed at MCDC will be completed by the Nurse Practitioner at MCCF. It will cost less for the contractor to perform sick-call services than for the Nurse Practitioner. At \$165.00 per hour (contractor) times 1.5 hours per day (average), 5 days per week, 52 weeks per year, the cost would be \$64,350 versus \$128,000 (Nurse Practitioner salary at MCDC). This of course is not a "wash" but there is a savings. Additionally, the money will not come from personnel but from operating costs since the cost of this service comes from a contract.

**Director Wallenstein said if monies are available they would prefer to continue to have these services provided by DOCR staff but he was asked to identify reductions and believes this can be done.**

**The Committee recommends (2-0; Councilmember Knapp temporarily absent) approval of this recommendation.**

**I. Community Release Coordinator (PRRS)**

**\$132,130**

This position is currently filled. Information from the Department is that PRRS has three Correctional Specialist (CS) IV positions (all filled). However, two of the CS IV positions are serving as Acting Unit Managers. The third CS IV assists a Unit Manager, oversees the female housing unit (Unit 1), provides work release services to female residents, oversees disciplinary hearings, serves as our disciplinary hearing officer, and participates as part of the management team. Assuming that PRRS can hire the Unit Manager positions and thus return the other two CS IV positions to service, PRRS will reallocate the duties to the remaining CS IV staff.

**The Committee recommends (2-0; Councilmember Knapp temporarily absent) approval of this reduction.**

**2. New Positions**

There are two new positions recommended in the DOCR budget for FY09.

**A. Community Outreach Specialist**

**\$146,250**

This position is currently filled and was transferred from the Office of the Executive. The position was assigned to the Re-Entry/Workforce development Program at MCCF. The duties include the following:

- Work with Offenders within 90 days of release to assist with re-entry activities and planning
- Participate in group case conference and meeting of the larger Re-Entry Council
- Seek out community-based organizations to assist in re-entry
- Provide education and information to community organizations regarding involvement with MCCF
- Assist in building new programmatic initiatives that are part of the re-entry effort
- Serve as part of the community voice for offender re-entry as it relates to DOCR
- Such other re-entry focused duties as may be assigned.

**The Committee agreed with Council staff's recommendation that there is no reason for a Community Outreach Specialist to be added to DOCR for FY09, especially given the other reductions that have been recommended for the Department. The Committee recommends (2-0; Councilmember Knapp temporarily absent) abolishing this position for a savings of \$146,250.**

**B. Management and Budget Position**

**Offset by savings**

The Department has generated revenues in excess of \$1.0 M annually for the past several years from the State Criminal Alien Assistance Program (SCAAP). This level of reimbursement far exceeds the average for other counties of equal size, and many states, as well. To date, this has been accomplished with the support of a vendor specializing in SCAAP submissions. A significant

fee is paid that vendor – on the order of \$200,000 as a percentage of the reimbursement achieved. The Department feels that, with the addition of a strong midlevel management position, it could achieve the same level of reimbursement at significantly lower cost without using an outside vendor. A position was requested and Recommended by the Executive and an offset equal to the cost of the position (in FY09) was included. The level of support needed for that new position (relating to the effort of taking over the SCAAP submission data research, analysis, work with the FBI on federal records extraction, and the process of generating for final submission) is uncertain. Note that this position was lapsed at 0.8 WY and the subsequent annual cost will be higher.

The Committee discussed this position with the Department. The Committee was told that the position is being requested to prepare the SCAAP reimbursement and it is expected the job will require financial, budget, data, and potentially grant writing skills. The person in the position may assist the department with other data collection, analysis, and programmatic planning if time allows. About \$50,000 remains in the budget for some contractor hours. Overall, the cost to prepare the SCAAP application should be about \$100,000 less than the cost from relying 100% on the contractor. While the Executive's budget describes this position as a Planning Specialist, it is now expected to be a management and budget classification.

**The Committee recommends (3-0) approval of this proposal as it is expected to bring in the same amount of revenue while potentially saving the county \$100,000 in consulting costs. The Committee asked to receive an update on this proposal after the SCAAP application is submitted.**

### **3. Shifted Position**

**Baker**

**\$70,170**

The Executive is recommending this position, which runs the Bakery Training Program, be charged to the Inmate Canteen Fund for FY09. While Council staff has no objection to this recommendation, the Committee should discuss how this type of decision is made. As a part of the FY08 savings plan, the Volunteer Coordinator was charged to the Inmate Fund. Council staff understands that the funding for the Volunteer Coordinator is returned to the General Fund for FY09 and now the Baker will be charged. It is the Inmate Council that has the final say over decisions regarding the Fund.

**The Committee recommends (3-0) approval of this recommendation.**

### **4. Overtime**

For FY09, the County Executive is recommending \$3,681,349 for overtime for the Department. Within this amount, there is a \$500,000 increase to close the "structural deficit" and a \$767,680 decrease based on the reduction of overtime for roll call. Overtime is paid to staff at the jails for roll call as it requires staff to work an 8 and ½ hour shift daily. Unlike other County employees, staff at the jail may not leave for lunch and a ½ hour lunch is included with the shift.

**DOCR – Overtime Wages Only (no FICA)**

FY04	FY05	FY06	FY07	FY08 Budget	FY08 Projected	FY09 Recommend
3,493,481	3,685,889	4,306,892	4,312,616	3,575,517	3,915,671	3,681,349

The Department has provided the following information regarding this proposal.

The Department has determined that there will be no significant impact on operations at the two jails, especially on Custody & Security, if the current 30 minute Roll Call for Officers (prior to each 8-hr. shift) was reduced to 15 minutes. To meet the Executive's mandated FY09 Reduction Plan, this proposal was made to and accepted by the Executive. Because Roll Call is in excess of the standard 8-hour day (during which a *paid* half hour for a meal is included ... paid because the Officers are not allowed to leave the facility and are on-call to respond to crises or security events), payment of 30 minutes of OT is required for each Officer in attendance. That OT would essentially be cut by 50% by reducing R/C to 15 minutes.

A copy of the 1998 settlement is attached at © 18-19. Attached at © 13-14 is an excerpt from the April 22 memo from UFCW Local 1994 (MCGEO) that presents their objections to this recommendation.

**The Committee recommends (2-0; Councilmember Knapp temporarily absent) approval of the recommendation to reduce overtime by reducing the length of roll call.**

In addition to the reduction for roll-call overtime, the County Executive has included a \$500,000 adjustment to overtime address a structural deficit. This amount is about \$160,000 more than would be needed to address the \$340,150 deficit that was projected in the information provided to the Committee for their April 10 discussion of overtime. Projections based on 18.5 pay periods indicate that the deficit might be in the range of \$250,000.

The Committee discussed whether a reduction in overtime could be taken because of the progress being made by the Department to control overtime. However, there are two categories: Shift Differential Overtime and Holiday Premium Pay where there is no funding in the budget (nor was there in FY08) but there are substantial expenditures.

For FY08, the Department expects to spend \$659,000 in the Holiday Premium category with no dollars in the budget. **The Committee recommends (3-0) that instead of taking a reduction of \$340,000 in overtime, these funds be reallocated to Holiday Premium Pay. In addition, there is \$257,000 in the category Holiday Pay but usually less than \$20,000 in expenses. Council staff recommends that \$240,000 be reallocated from Holiday Pay to Holiday Premium Pay. This will create of budget of \$580,000 for the Holiday Premium Pay category.**

## 5. Operating Expenses

For FY09, the Department is recommended to have \$7.52 million in operating expenses. The following table provides information related to the largest categories of medical expenses and on food service costs. Together, these categories account for about \$4 million of the total.

<b>Medical Services</b>	<b>FY06</b>	<b>FY07</b>	<b>FY08</b>	<b>FY08</b>	<b>FY09</b>
<b>Operating Expenses:</b>	<b>Actual</b>	<b>Actual</b>	<b>Budget</b>	<b>Projected*</b>	<b>REC</b>
Dental	199,210	174,995	224,459	177,330	224,459
Medical Services	884,270	1,088,046	566,246	369,020	566,246
Pharmacy	641,260	717,274	751,669	746,120	566,246
Physician Services	489,530	248,294	562,570	699,080	562,566
Hospital Services	545,320	757,546	527,070	497,380	527,070
Psychological Services	47,200	31,290	135,400	1,530	83,960
Radiology	95,530	132,188	113,390	36,460	113,390
<b>TOTAL</b>	<b>2,902,320</b>	<b>3,149,633</b>	<b>2,880,804</b>	<b>2,526,920</b>	<b>2,643,937</b>
Food Service	1,254,400	1,159,970	1,316,770	1,393,990	1,272,700

\*projection made by Council staff from financial warehouse data through 18.5 pay periods - no encumbrances

The following table provides information on the some of the other larger categories of operating expenses. Please note that the reduction in the budget for consultant services is from the recommendation to complete the SCAAP application in-house instead of through a consultant.

<b>Operating Expenses:</b>	<b>FY06</b>	<b>FY07</b>	<b>FY08</b>	<b>FY08</b>	<b>FY09</b>
	<b>Actual</b>	<b>Actual</b>	<b>Budget</b>	<b>Projected*</b>	<b>REC</b>
Consultant Services	144,810	29,167	210,520	348,720	56,120
Communication Services	377,280	347,250	276,110	256,280	276,110
Motorpool	195,490	194,930	182,280	182,970	219,240
Travel, Education, Training	127,400	159,500	140,270	118,680	140,270
Office Supplies/Equipment	336,220	289,560	240,850	274,800	238,350
Uniforms	220,930	238,700	225,880	204,390	239,540
Cleaning Supplies	137,060	179,690	175,510	259,046	220,510
Restroom Supplies	156,173	167,900	-	152,550	30,000
Miscellaneous Operating	235,820	265,710	231,930	170,780	226,930
<b>TOTAL</b>	<b>1,931,183</b>	<b>1,872,407</b>	<b>1,683,350</b>	<b>1,968,216</b>	<b>1,647,070</b>

\*projection made by Council staff from financial warehouse data through 18.5 pay periods - no encumbrances

UFCW Local 1994 (MCGEO) has raised several issues regarding operating expenses within the Department. The following information, which was provided at the request of Council staff, addresses several of these issues.

**For FY07 what was the actual amount spent on toilet paper and soap?**

**Bar Soap**                      144 bars per case    \$30.19/case

	450 cases (Housing Units)	
	80 cases (Workforce for hygiene kits)	
<b>Total costs:</b>	<b>\$16,000</b>	
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<b>Liquid Hand Soap</b>	125 gal. (staff and visitor restrooms)	\$15.00/gal.
<b>Total cost</b>	<b>\$1,875</b>	
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<b>Toilet paper</b>	Approx. 2,500 cases (both facilities)	\$26.90/case
<b>Total cost</b>	<b>\$67,250</b>	
	<i>{Note: Price went up to \$28.44/case this week}</i>	

**What is the policy on distribution of these products?**

MCCF reviewed this issue during the FY08 budget submission process. In FY07, the average inmate, based on the average ADP for that year, utilized 2.5 rolls of toilet paper every 7 days. This is already within the range noted by the union. Out of approximately 2600 cases of toilet paper purchased annually, 500 cases are utilized by visitors and staff. The amount of County issued soap, (that provided to inmates verses that which they purchase on commissary) also falls within the two bars per week guideline at MCCF. We can imagine that a large amount is used at MCDC due to rapid turnover in the intake population.

Limiting access to hygiene items would challenge every professional correctional and health care guideline to diminish the spread of disease and would clearly impact, in a very negative way, our exemplary record in regards to Methicillin-Resistant Staphylococcus Aureus (MRSA) infection – for more information review : <http://www.mayoclinic.com/health/mrsa/DS00735>

A restriction of personal hygiene items creates, without question, a clear and present security danger to every Correctional Officer and their colleagues who work in contact with inmates in our maximum security jails. Hygiene supplies would be taken by force from smaller and more vulnerable prisoners, and staff would have to intervene and would be placed at risk as a result of any mandated program that would change existing practice;

Staff already have tools at their command to respond to those prisoners who use hygiene items in a malicious manner – disciplinary action can be taken, funds can be deducted from their account (if funds exist), and even criminal action could be taken in a serious case. At no time will the administration of DOCR place the safety of staff members at risk through a restriction of personal hygiene items. Inmates wanting to cause unrest will not misbehave only because toilet paper is in limited supply. They will simply turn to another avenue. Discipline and guidance is the proper response.

**What are the annual expenditures for buffer pads?**

The Department spends approximately \$4,500 annually for buffer pads (we have reduced annual use from 600 cases annually in prior years to 400 currently).

**How often are the floors buffed and is this work performed by County staff or inmate laborers?**

Floors have both strip and buff schedules. There are multiple types of pads used. Cleaning pads are used once a week to take ground-in dirt off the floor. Buffing pads are used once a week when the floors are spray-buffed to put a shine on the floor. Stripping pads are used once per quarter when floors are stripped. Inmates do all of the buffing.

**What is the annual amount spent by the Department on batteries?**

The jails spend between \$6,000 and \$8,000 annually for batteries for inmate headsets (used to listen to television in the housing units to keep down noise and help maintain an orderly environment in which small group sessions can take place concurrently due to the resulting quiet). This is not County funds. The inmates pay for these batteries through the Inmate Commissary Fund.

Batteries for the 800 MHz radios used by Officers and other staff are provided by the County Radio Shop and are not funded under the DOCR budget.

Approximately \$1,500 a year in County funds (DOCR) is spent on replacement batteries for flashlights

**What is the policy regarding the dumping of unused cleaning products?**

A majority of the chemicals utilized at MCCF are diluted prior to distribution. MCCF utilizes a closed system of chemical control. This has been shown to be one of the most efficient and cost effective methods to manage chemical inventory. While there is minimal waste, this is unavoidable in any building environment let alone this very large facility occupied by DOCR and operated for housing offenders.

**What efforts has the Department taken to limit energy use at MCCF, including minimizing the use of lights?**

MCCF is fully equipped with an energy management system and the latest in cost efficient lighting. Every office has movement sensors that turn off lights when not in use. In the past, we had given the inmate population more light control within their cells. The staff and union thoughtfully argued that it was unsafe for the Correctional Officers and we agreed from a substantive perspective as well as in support of collaborative labor relations.

**The Committee recommends (3-0) approval of operating expenses as recommended by the County Executive.**

**6. Flatbed Scanner for Digital Imaging Shop  
(Grant Request from Montgomery County Historical Society)**

The Montgomery County Historical Society submitted a Council Grant application requesting \$72,600 to purchase an overhead camera flatbed scanner in order to digitize and index a

unique collection of local newspapers. The proposal calls for the equipment to be given to the Department of Correction and Rehabilitation and the scanning would be performed by the inmates in the workforce program's digital imaging services.

Because the equipment would become an asset of DOCR and be available to them for this and any other projects requiring the type of camera, it was determined that this proposal should not go to the Grants Advisory Group but to the Public Safety Committee. If the Committee wants to recommend funding, it would be added to **the reconciliation list for the Department** and, if appropriated, the county would directly purchase the equipment – there would be no grant to the Historical Society.

The Department and Historical Society will be present to discuss the proposal. Council staff notes that the digital scanning program gives inmates skills that they have been able to use to gain employment after they are released. Having this additional equipment will broaden the training efforts. This project will also preserve the only known surviving copies of the older Gazettes (and its predecessors) in this collection that begins in 1942. The digitized collection would be available to the public. An excerpt from the Council Grant application is attached at © 21-28.

**The Committee recommends (3-0) the Committee place \$72,600 on the reconciliation list to fund this equipment.**

# 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 and rehabilitative 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 FY09 Operating Budget for the Department of Correction and Rehabilitation is \$65,635,130, an increase of \$2,333,610 or 3.7 percent from the FY08 Approved Budget of \$63,301,520. Personnel Costs comprise 88.5 percent of the budget for 565 full-time positions and six part-time positions for 622.0 workyears. Operating Expenses account for the remaining 11.5 percent of the FY09 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*

## PERFORMANCE MEASURES

This table presents what the department estimates and projects will be the FY08 through FY10 data for its performance measures if there are no changes in funding.

Measure	Actual FY06	Actual FY07	Estimated FY08	Projected FY09	Projected FY10
Percentage of Montgomery County Correctional Facility prisoners participating in Self Growth and Development Programs	75	78	78	80	80
Percentage of pre-release & re-entry services prisoners participating in Self Growth and Development Programs (PRRS)	100	100	100	100	100
Percentage of accreditation standards met	95	99	99	99	100
Percentage of total bed needs met	100	100	100	100	95
Per diem cost (\$) per inmate	128	133	137	142	147
Number of instances of staff use of force of any nature	96	116	120	120	120
Number of Pre-Release escapes	9	10	10	10	9
Number of zero tolerance security incidents <sup>1</sup>	11	4	6	7	8

<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 incidents

## ACCOMPLISHMENTS AND INITIATIVES

- ❖ *National accreditation by the American Correctional Association, MCCF (100%) - MCDC (100%)*
- ❖ *National accreditation by the National Commission on Correctional Health Care, MCCF (100%) - MCDC (100%)*
- ❖ *MCCF and MCDC selected as correctional facilities with the finest correctional health care in the nation*
- ❖ *Doubling of pretrial release recommendations by Pretrial Services Division using new evaluation matrix*
- ❖ *Maryland Correctional Standards Accreditation, MCCF (100%)*
- ❖ *National accreditation by the Correctional Education Association (100%)*
- *Re-Entry Planning Stakeholders Work Group established at the Montgomery County Correctional Facility*

❖ **Community linkage for Reentry Housing (Women with Children), Pre-Release and Re-Entry Services (PRRS)**

❖ **Expanded use of PRRS to engage in prisoner retry**

## PROGRAM CONTACTS

Contact Mark J. Wulff of the Department of Correction and Rehabilitation at 240.777.9980 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.

### FY09 Recommended Changes

	Expenditures	WYs
<b>FY08 Approved</b>	<b>415,760</b>	<b>3.0</b>
Decrease Cost: Operating Expenses, Director's Office	-5,000	0.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	82,980	0.0
<b>FY09 CE Recommended</b>	<b>493,740</b>	<b>3.0</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 goals of the Division include both reducing the inmate population in the detention facilities by managing carefully screened and selected individuals in a community setting and reducing future offending and victimization by equipping soon-to-be released individuals with the skills, direction, services, and cash savings that will assist them in leading law-abiding and productive lives. The program primarily serves inmates who are within one year of release and who are sentenced to DOCR. However, through contractual agreements with the State and Federal correctional system, the program also provides re-entry services to a small number of Federal and State sentenced inmates and Federal probationers who are within six months of release and who are returning to Montgomery County upon release.

The residential program is located in Rockville at the Pre-Release Center and has a capacity to serve individuals who live within the Center's one female and three male housing units. The nonresidential program, called Home Confinement, 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. Many program participants begin their stay at the Pre-Release Center and graduate to the Home Confinement program once they have secured a stable job and housing and can demonstrate strong family and social support.

### FY09 Recommended Changes

	Expenditures	WYs
<b>FY08 Approved</b>	<b>7,645,660</b>	<b>76.5</b>
Increase Cost: Parking Lot and Building Lights at Pre-Release Center.	47,000	0.0
Increase Cost: Bedding Replacement - PRRS	20,000	0.0
Decrease Cost: Psychological Services Contracts, PRRS	-51,440	0.0
Decrease Cost: Principal Administrative Aide, PRRS	-51,760	-1.0
Decrease Cost: Community Release Coordinator, Pre-Release and Re-Entry Services (PRRS)	-132,130	-1.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	388,670	0.0
<b>FY09 CE Recommended</b>	<b>7,866,000</b>	<b>74.5</b>

### Pre-Trial Services

The Pre-Trial Services is responsible for assessing newly arrested defendants for the possibility of release into the community while awaiting trial and for follow through with supervising those defendants safely in the community. The Pre-Trial Services 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 Pre-Trial Assessment Unit is housed at the Montgomery County Detention Center and is responsible for interviewing 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 Pre-Trial Supervision Unit provides monitoring of Court ordered conditions to offenders released to the community awaiting trial. Supervision in the community ranges from telephone contact for lower risk defendants to two or more face-to-face contacts per week for those assessed to be at higher risk. Visits to the defendants' homes or places of employment are conducted when warranted. Offenders are referred to substance abuse, mental health, sexual offender and/or spousal abuse counseling if needed. Drug testing is also conducted in-house. GPS and electronic monitoring services are also used to verify conditions of restrictions in movement to certain geographic areas and to monitor curfew compliance. Violations of release conditions are immediately reported to the Court for possible action and Pre-Trial maintains a failure to appear (FTA) rates 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. The ACS program is typically for underage alcohol offenses and shoplifting charges and requires completion of community service hours and payment of an administrative fee. The IPSA program is for controlled dangerous substance (CDS) possession charges and requires completion of either a drug education series or substance abuse treatment with community service hours, drug testing (two times per week), and attendance at a twelve-step program. There is an administrative fee with this program as well.

**FY09 Recommended Changes**

	Expenditures	WYs
<b>FY08 Approved</b>	<b>4,296,350</b>	<b>37.3</b>
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-35,260	0.2
<b>FY09 CE Recommended</b>	<b>4,261,090</b>	<b>37.5</b>

**Detention Services - MCDC**

The Montgomery County Detention Center (MCDC) is responsible for the intake and processing of adult male and female offenders and will maintain a capacity of up to 200 inmates. Over 15,000 offenders annually arrive at the Central Processing Unit (CPU) within MCDC. The facility operates as the Intake Unit, providing 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 the MCCF. The CPU provides law enforcement processing of all arrested offenders. Bond hearings are conducted by the Maryland District Court Commissioners at the CPU via closed circuit television between MCDC and the District Court. The Office of the Public Defender determines eligibility of offenders for legal representation and the Intake Unit assesses inmates' needs using a classification and case management system to determine risk and custody level. The Custody and Security program for the facility has essentially the same function as the same program at the MCCF.

The Records Section is responsible for assuring the lawful confinement and release of any individual incarcerated by or committed to the DOCR. The Records Section processes inmate transfers; performs sentence interpretation; computes diminution of sentence credits; lodges and processes local, interstate, and intrastate detainer actions; and coordinates the parole process. Records also maintains institutional counts; arranges inmate transportation; and maintains current and past records. Responsibilities include updating the Victim Identification and Notification Everyday (VINE) system, coordinating registration of inmates who meet the criteria of a sex offender, and coordinating the testing of persons required to submit to State-mandated DNA testing.

Maintenance staff performs routine and emergency maintenance for MCDC and MCCF. Food services are provided under the management of the Food Services Manager housed at the MCCF.

Medical and dental care are primarily provided at MCCF with a small satellite unit at MCDC. The MCDC Medical Services Unit is overseen by the Health Services Administrator, also housed at the MCCF. Initial medical screening is performed for all inmates processed through MCDC as is evaluation for suicide prevention and related health care concerns.

The Department of Health and Human Services has staff assigned to MCDC's Clinical Assessment Triage Services (CATS) unit. This unit is responsible for conducting mental health assessment during the intake process. Those inmates identified as having need for additional mental health services are referred to the Crisis Intervention Unit (CIU) at MCCF. This is a life safety program.

Only minimal inmate services are provided at MCDC. A small cadre of sentenced inmates is housed at MCDC in various work assignments. These inmate workers are afforded programs such as life skills and job readiness as well as religious services and recreation activities. Recreational options are limited and are available only to inmate workers. All other sentenced inmates are

housed at MCCF and have the full range of inmate services and programs available to them. The MCDC is in compliance with standards issued by the American Correctional Association (ACA) and the National Commission on Correctional Health Care (NCCHC). The MCDC is also accredited by the Maryland Commission on Correctional Standards (MCCS).

**FY09 Recommended Changes**

	Expenditures	WYs
<b>FY08 Approved</b>	<b>14,811,110</b>	<b>165.7</b>
Decrease Cost: Intake Processing Aide, Central Processing Unit, MCDC	-55,420	-1.0
Decrease Cost: Principal Administrative Aide, MCDC	-56,280	-1.0
Decrease Cost: Maintenance Officer, Correctional Officer III, MCDC	-85,570	-1.0
Decrease Cost: Nurse Practitioner, MCDC	-128,060	-1.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	569,110	-0.3
<b>FY09 CE Recommended</b>	<b>15,054,890</b>	<b>161.4</b>

**Detention Services - MCCF**

The 1,029-bed Montgomery County Correctional Facility (MCCF) was opened in March 2003. Following an initial intake at the existing Montgomery County Detention (MCDC), inmates transfer to MCCF. The MCCF Detention Services Division is organized into three major functional areas, each led by a Deputy Warden: Custody and Security, Facility Operations, and Inmate Services. A comprehensive approach to inmate programming is in place covering substance abuse, mental health issues, cognitive behavioral modification, basic education, life skills, and work force preparation.

The Custody and Security program is responsible for facility security, internal order, and discipline at MCCF. A safe environment is accomplished by direct supervision of inmates and by conducting security and perimeter patrols and inspections. Uniformed staff supervise sanitation, inmate meals, inmate movement, visits, cell searches, security inspections, preparation of inmates for transport by the Sheriff's Office, and emergency preparedness programs. The Emergency Response Team, Gang Intelligence Unit, and other special operations are functional components of this section. Constitutional practices guide all security operation.

Facility Operations is responsible for facility maintenance, food services, and laundry operations. Maintenance officers perform routine and emergency maintenance for the jail and, in coordination with the Department of General Services (DGS), also supervise contractors performing on-site work and oversee work being performed by other County employees.

A Food Services Manager oversees the food services program that provides three nutritionally balanced meals per day to all inmates at both jails (and at the Pre-Release Center). The Food Services section also provides work and technical training for inmates in the facilities, allowing them to earn industrial and special project credit of up to ten days per month toward early release. One meal per shift is also provided to staff since most staff members are required to remain in the facilities during meal breaks.

The Inmate Services program provides classification, case management, program management, recreation, library, education, substance abuse, medical, and mental health services to inmates at MCCF.

A Classification and Intake Unit at MCDC provides inmate screening upon admission to determine the appropriate security risk level for housing unit assignment. Inmate Services is responsible for orientation of inmates, management of special inmate needs, evaluation and re-evaluation of inmate security level status, program referral and assignment, inmate job assignments, special visits and telephone calls, and disciplinary adjustment hearings.

Recreational activities are provided for inmates and include use of exercise equipment, jogging, basketball, and board games in the dorm day area. All equipment and supplies are purchased by the Inmate Council's Canteen Fund, (funded with a portion of the profits from the sale of canteen items to inmates, not with tax revenues).

The Department of Public Libraries operates a branch library at MCCF which provides book circulation services and legal reference resources to inmates as mandated by State law, the American Correctional Association (ACA) accreditation standards, and the Maryland Commission on Correctional Standards. Staff and materials for the library are charged to the DOCR budget.

DOCR operates the Model Learning Center to provide educational programming at MCCF. The Center offers basic education, preparation for the Graduate Equivalency Diploma (GED); English for Speakers of Other Languages (ESOL), course work through Montgomery College, vocational training in the computer learning center, and services in compliance with Federal Law No. 94-142, which requires that services be available for inmates under the age of 21 with special education needs. Inmates participating in educational programs earn sentence diminution credits, thereby reducing bed space needs at MCCF. Specific education services are provided by the Montgomery County Public Schools.

The Youthful Offender Program addresses offenders under the age of 21 and is based on a cognitive therapy approach using a technique known as Moral Reconciliation Therapy (MRT). The program functions within a dedicated housing unit at MCCF and is highly structured with planned activities throughout the day, including: education, structured leisure time, health education, and anger management. There is also a research component built into the program to measure the impact of MRT on recidivism and the institutional behavior of participants.

Substance abuse treatment (the Jail Addiction Services program) is a collaborative effort between DOCR and the Department of Health and Human Services (HHS). This program integrates jail-based substance abuse treatment with a public community-based treatment system. Inmates participating in the program are educated regarding the symptoms and treatment strategies for their chronic, progressive, and potentially fatal diseases. DOCR operates a national model Crisis Intervention Unit for serious mental illness.

The Medical Services Unit at MCCF provides legally-mandated medical and dental care to inmates, including emergency, acute, and chronic care; detoxification; prenatal care; preventive education; and care of the terminally ill. The Health Care Administrator heading this Unit also oversees medical services and staff at the Detention Center and Pre-Release Center. If inpatient care and treatment are required, services are provided at area hospitals under contractual agreement with DOCR. The MCCF is in compliance with medical standards issued by the ACA and the NCCHC. When services beyond the capabilities of the Medical Services unit are required, transportation to service providers is provided by the Sheriff. Recently, services once provided externally have been moved inside MCCF (chest x-rays and dialysis), reducing the need for transportation and lessening the potential for escape when inmates are taken outside of the secured facility. The County Department of Health and Human Services works directly with the Medical Services Unit to provide services in the control and treatment of communicable diseases and other community health issues.

**FY09 Recommended Changes**

	Expenditures	WYs
<b>FY08 Approved</b>	<b>33,060,620</b>	<b>326.1</b>
Increase Cost: Hygiene, Housekeeping & Sanitization Items	262,500	0.0
Increase Cost: Revenue Enhancement: Continue to accept 6 additional Federal detainees from the US Marshal at MCCF	7,020	0.0
Decrease Cost: Cleaning Services Provided by The ARC, MCCF	-35,000	0.0
Shift: Child Nutrition Program Reimbursement, MCCF	-50,730	0.0
Decrease Cost: Principal Administrative Aide to Deputy Warden of Inmate Services, MCCF	-69,780	-1.0
Shift: Program Manager I, Baker Program, MCCF	-70,170	-1.0
Decrease Cost: Principal Administrative Aide, Custody & Security, MCCF.	-75,130	-1.0
Decrease Cost: Correctional Officer III, Job Shop, MCCF.	-102,890	-1.0
Decrease Cost: Correctional Specialist II, Housing Unit Support for Pod 6 at MCCF	-107,100	-1.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	1,991,530	-2.9
<b>FY09 CE Recommended</b>	<b>34,810,870</b>	<b>318.2</b>

**Management Services**

The Management Services Division (MSD) provides central administrative and management services and direction for all administrative functions across the Department, develops and coordinates the implementation of the department's operating budget and capital improvement program (CIP), and develops administrative policies and procedures. Core services provided include: fiscal and human resources management and financial audits oversight; accounts payable management; training (pre-service and in-service) and training program development; grants, contracts, and procurement development; expenditures and revenues oversight; information technology and telecommunications systems development, training, and maintenance; management analysis; planning support; and special projects.

Divisional administration (within each Division and facility) consists of administrative and management oversight and support to the staff and service components of the division. Programmatic responsibilities vary by division, but include: program planning, operational management of fiscal and human resources, supplies, purchasing, equipment maintenance, audits, certifications, and inventory control. Costs and resources for divisional administration are considered to be an integral component of each division, not an element of the central administration program.

**FY09 Recommended Changes**

	Expenditures	WYs
<b>FY08 Approved</b>	<b>3,072,020</b>	<b>26.9</b>
Add: Planner, Management Services Division (shift operating expenses to personnel cost)	0	0.8
Decrease Cost: IJIS/CRIMS OT	-25,000	-0.3
Decrease Cost: Operating Expenses, Management Services Division	-105,020	0.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	206,540	0.0
<b>FY09 CE Recommended</b>	<b>3,148,540</b>	<b>27.4</b>

## BUDGET SUMMARY

	Actual FY07	Budget FY08	Estimated FY08	Recommended FY09	% Chg Bud/Rec
<b>COUNTY GENERAL FUND</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	36,584,015	38,322,310	38,101,030	39,947,600	4.2%
Employee Benefits	16,325,902	17,514,960	17,408,440	18,165,950	3.7%
<b>County General Fund Personnel Costs</b>	<b>52,909,917</b>	<b>55,837,270</b>	<b>55,509,470</b>	<b>58,113,550</b>	<b>4.1%</b>
Operating Expenses	8,032,421	7,464,250	7,307,230	7,521,580	0.8%
Debt Service Other	1,168	0	0	0	—
Capital Outlay	104,051	0	0	0	—
<b>County General Fund Expenditures</b>	<b>61,047,557</b>	<b>63,301,520</b>	<b>62,816,700</b>	<b>65,635,130</b>	<b>3.7%</b>
<b>PERSONNEL</b>					
Full-Time	562	573	573	565	-1.4%
Part-Time	7	6	6	6	—
Workyears	626.1	635.5	635.5	622.0	-2.1%
<b>REVENUES</b>					
Alternative Community Services	293,612	240,000	420,340	489,770	104.1%
Illegal Alien Inmate Reimbursement	1,313,737	1,382,200	1,616,110	1,460,000	5.6%
Care of Prisoners (State)	3,172,927	3,395,000	3,490,000	3,490,000	2.8%
Care of Prisoners (Federal) - Detention Services	603,520	759,200	697,860	934,400	23.1%
State Reimbursement: Major Medical	102,821	142,000	308,000	175,000	23.2%
Pre-Release Room and Board	244,902	240,000	298,000	300,000	25.0%
Pre-Release (Federal)	673,919	761,250	867,470	644,080	-15.4%
Pre-Release Room and Board - Federal	0	60,000	48,000	60,000	—
Pre-Release Center (State)	170,766	205,000	202,000	205,000	—
CART (Federal)	58,348	82,100	59,690	67,480	-17.8%
CART (Home Detention)	82,175	97,900	74,500	124,200	26.9%
Weekender Program Fees	11,047	9,000	9,000	9,000	—
Substance Abusers Intervention Program (IPSA) Fees	216,885	190,000	250,000	270,000	42.1%
Offender Medical Fees-Detention Services	8,146	7,000	8,500	7,000	—
Inmate Workforce Fees	164,169	150,000	150,000	150,000	—
Public Pay Phone Commissions - Corrections	191,297	0	172,800	0	—
<b>County General Fund Revenues</b>	<b>7,308,271</b>	<b>7,720,650</b>	<b>8,672,270</b>	<b>8,385,930</b>	<b>8.6%</b>
<b>GRANT FUND MCG</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	0	0	0	0	—
Employee Benefits	0	0	0	0	—
<b>Grant Fund MCG Personnel Costs</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>—</b>
Operating Expenses	32,013	0	0	0	—
Capital Outlay	0	0	0	0	—
<b>Grant Fund MCG Expenditures</b>	<b>32,013</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>					
Offender Employment Grant	32,013	0	0	0	—
<b>Grant Fund MCG Revenues</b>	<b>32,013</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>—</b>
<b>DEPARTMENT TOTALS</b>					
<b>Total Expenditures</b>	<b>61,079,570</b>	<b>63,301,520</b>	<b>62,816,700</b>	<b>65,635,130</b>	<b>3.7%</b>

	Actual FY07	Budget FY08	Estimated FY08	Recommended FY09	% Chg Bud/Rec
Total Full-Time Positions	562	573	573	565	-1.4%
Total Part-Time Positions	7	6	6	6	—
Total Workyears	626.1	635.5	635.5	622.0	-2.1%
Total Revenues	7,340,284	7,720,650	8,672,270	8,385,930	8.6%

## FY09 RECOMMENDED CHANGES

	Expenditures	WYs
<b>COUNTY GENERAL FUND</b>		
<b>FY08 ORIGINAL APPROPRIATION</b>	<b>63,301,520</b>	<b>635.5</b>
<b>Changes (with service impacts)</b>		
Add: Planner, Management Services Division (shift operating expenses to personnel cost) [Management Services]	0	0.8
<b>Other Adjustments (with no service impacts)</b>		
Increase Cost: General Wage and Service Increment Adjustments	2,605,740	0.0
Increase Cost: Group Insurance Adjustment	655,420	0.0
Increase Cost: Structural Deficit - Overtime	500,000	7.7
Increase Cost: Labor Contracts	447,300	0.0
Increase Cost: Hygiene, Housekeeping & Sanitization Items [Detention Services - MCCF]	262,500	0.0
Increase Cost: Annualization of FY08 Service Increments	225,910	0.0
Shift: OCE Community Outreach Position	146,250	1.0
Increase Cost: MLS Adjustment	66,960	0.0
Increase Cost: Annualization of FY08 Lapsed Positions	58,650	0.1
Increase Cost: Parking Lot and Building Lights at Pre-Release Center [Pre-Release and Re-Entry Services]	47,000	0.0
Increase Cost: Motor Pool Rate Adjustment	36,960	0.0
Increase Cost: Bedding Replacement - PRRS [Pre-Release and Re-Entry Services]	20,000	0.0
Increase Cost: Central Duplicating Recovery Charge	8,290	0.0
Increase Cost: Revenue Enhancement: Continue to accept 6 additional Federal detainees from the US Marshal at MCCF [Detention Services - MCCF]	7,020	0.0
Increase Cost: Printing and Mail Adjustments	6,630	0.0
Decrease Cost: Operating Expenses, Director's Office [Office of the Director]	-5,000	0.0
Decrease Cost: IJIS/CRIMS OT [Management Services]	-25,000	-0.3
Decrease Cost: Elimination of One-Time Items Approved in FY08	-34,500	0.0
Decrease Cost: Cleaning Services Provided by The ARC, MCCF [Detention Services - MCCF]	-35,000	0.0
Shift: Child Nutrition Program Reimbursement, MCCF [Detention Services - MCCF]	-50,730	0.0
Decrease Cost: Psychological Services Contracts, PRRS [Pre-Release and Re-Entry Services]	-51,440	0.0
Decrease Cost: Principal Administrative Aide, PRRS [Pre-Release and Re-Entry Services]	-51,760	-1.0
Decrease Cost: Intake Processing Aide, Central Processing Unit, MCDC [Detention Services - MCDC]	-55,420	-1.0
Decrease Cost: Principal Administrative Aide, MCDC [Detention Services - MCDC]	-56,280	-1.0
Decrease Cost: Principal Administrative Aide to Deputy Warden of Inmate Services, MCCF [Detention Services - MCCF]	-69,780	-1.0
Shift: Program Manager I, Baker Program, MCCF [Detention Services - MCCF]	-70,170	-1.0
Decrease Cost: Principal Administrative Aide, Custody & Security, MCCF. [Detention Services - MCCF]	-75,130	-1.0
Decrease Cost: Maintenance Officer, Correctional Officer III, MCDC [Detention Services - MCDC]	-85,570	-1.0
Decrease Cost: Correctional Officer III, Job Shop, MCCF. [Detention Services - MCCF]	-102,890	-1.0
Decrease Cost: Operating Expenses, Management Services Division [Management Services]	-105,020	0.0
Decrease Cost: Correctional Specialist II, Housing Unit Support for Pod 6 at MCCF [Detention Services - MCCF]	-107,100	-1.0
Decrease Cost: Nurse Practitioner, MCDC [Detention Services - MCDC]	-128,060	-1.0
Decrease Cost: Community Release Coordinator, Pre-Release and Re-Entry Services (PRRS) [Pre-Release and Re-Entry Services]	-132,130	-1.0
Decrease Cost: Annualization of FY08 Personnel Costs	-198,690	0.0
Decrease Cost: Retirement Adjustment	-553,670	0.0
Decrease Cost: Roll Call for Montgomery County Detention Center (MCDC) and Montgomery County Correctional Facility (MCCF)	-767,680	-11.8
<b>FY09 RECOMMENDED:</b>	<b>65,635,130</b>	<b>622.0</b>

## PROGRAM SUMMARY

	FY08 Approved		FY09 Recommended	
	Expenditures	WYs	Expenditures	WYs
Office of the Director	415,760	3.0	493,740	3.0
Pre-Release and Re-Entry Services	7,645,660	76.5	7,866,000	74.5
Pre-Trial Services	4,296,350	37.3	4,261,090	37.5
Detention Services - MCDC	14,811,110	165.7	15,054,890	161.4
Detention Services - MCCF	33,060,620	326.1	34,810,870	318.2
Management Services	3,072,020	26.9	3,148,540	27.4
<b>Totals</b>	<b>63,301,520</b>	<b>635.5</b>	<b>65,635,130</b>	<b>622.0</b>

## CHARGES TO OTHER DEPARTMENTS

Recipient Department	Recipient Fund	FY08		FY09	
		Totals	WYs	Totals	WYs
<b>GENERAL FUND</b>					
Permitting Services	Permitting Services	137,980	1.3	141,420	1.3
Sheriff	Grant Fund - MCG	107,100	1.8	156,960	1.8

## FUTURE FISCAL IMPACTS

Title	CE/REC		(S000's)			
	FY09	FY10	FY11	FY12	FY13	FY14
This table is intended to present significant future fiscal impacts of the department's programs.						
<b>COUNTY GENERAL FUND</b>						
<b>Expenditures</b>						
<b>FY09 Recommended</b>	<b>65,635</b>	<b>65,635</b>	<b>65,635</b>	<b>65,635</b>	<b>65,635</b>	<b>65,635</b>
No inflation or compensation change is included in outyear projections.						
<b>Annualization of Positions Recommended in FY09</b>	<b>0</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>12</b>
New positions in the FY09 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. The annualization is for the pass-through of bargaining unit salary schedule changes.						
<b>Elimination of One-Time Items Recommended in FY09</b>	<b>0</b>	<b>-47</b>	<b>-47</b>	<b>-47</b>	<b>-47</b>	<b>-47</b>
Parking lot and building lights at the Pre-Release Center						
<b>Labor Contracts</b>	<b>0</b>	<b>2,859</b>	<b>3,113</b>	<b>3,113</b>	<b>3,113</b>	<b>3,113</b>
These figures represent the estimated cost of general wage adjustments, service increments, and associated benefits.						
<b>Central Duplicating Deficit Recovery Charge</b>	<b>0</b>	<b>-7</b>	<b>-7</b>	<b>-7</b>	<b>-7</b>	<b>-7</b>
This per employee charge will be eliminated in FY10.						
<b>Subtotal Expenditures</b>	<b>65,635</b>	<b>68,452</b>	<b>68,706</b>	<b>68,706</b>	<b>68,706</b>	<b>68,706</b>

## ANNUALIZATION OF PERSONNEL COSTS AND WORKYEARS

	FY09 Recommended		FY10 Annualized	
	Expenditures	WYs	Expenditures	WYs
Add: Planner, Management Services Division (shift operating expenses to personnel cost) [Management Services]	49,380	0.8	61,730	1.0
<b>Total</b>	<b>49,380</b>	<b>0.8</b>	<b>61,730</b>	<b>1.0</b>

# From April 16 memo from MCGEO

## Department of Correction and Rehabilitation

1. PRRS – There are 4 M-IIIs and 1 M-II positions for a bargaining unit membership of approximately 55 people. 2 of the M-III positions could be abolished, they are currently vacant. The abolishment of the M-II positions could allow Resident Supervisor positions to be created to fully staff the newly opened Unit 1, which is operating without the appropriate front line staffing compliment, and still reduce costs.
2. Eliminate Correctional Specialist V (Support Services Manager) position – currently vacant with M-IIIs performing the duties of that position, therefore no need to fill position.
3. Eliminate proposed Planner position in the Management Services Division budget; we submit there is nothing to plan.
4. Limit the inmates to 2-3 rolls of toilet paper and 2 bars of soap a week. Inmates regularly use toilet paper to flood their toilets, and limiting the amount of toilet paper given would not only reduce the amount of money spent on that supply, but reduce plumbing expenditures. Inmates leave soap in the shower because they can get more – at no cost to them.
5. Charge non-DOCR staff a reduced fee to eat in the Officers Dining Room.
6. Restrict cell phones only for those staff that are in an on-call status (including the Emergency Response Team).
7. Reduce the amount spent on buffer pads – currently spending \$100,000 per year. Floors are being buffed almost every night, which is unnecessary. Surely a more cost effective buffing process can be found.
8. Reduce the amount spent on batteries – currently spending \$87,000 per year.
9. Maximize the number of federal inmates being housed in DOCR facilities. The Federal Bureau of Prisons pays a premium for housing their inmates.
10. Institute a chemical use program, currently dumping chemicals after one use, resulting in tremendous waste.
11. Reduce the hours lights are kept on by inmates and the hours the lights in the cluster areas at MCCF are kept on, unnecessary and costly waste of energy.
12. Eliminate non-rehabilitative programs – plumbing; film class and bakery program.

# From April 16 memo from MCGEO

13. Eliminate the following positions: Chief Investigator; Workforce Manager (Program Specialist III); Deputy Warden of Operations; Baker; HR Manager; HR Assistant; Volunteer Coordinator; Therapist III position (person currently in position is not licensed and therefore cannot clinically supervisor under COMAR); IT manager; Administrative Specialist I; Maintenance Supervisor (has complained to staff they are working too fast).

Attached you will find a spreadsheet with the savings from the abolishment of several positions in DOCR. The Union has made additional information requests to the Office of Human Resources for the remaining positions included in this document. That information will be provided to Council upon receipt by the Union.

## Sheriffs Department

The union recently competed negotiations, in accordance with Maryland Statute, with the Sheriff over working conditions. Instead of retaining the services of the County's Office of Human Resources and County Attorney to assist in these negotiations, the Sheriff retained a high powered law firm out of Baltimore to negotiate with the union on his behalf. In comparison, both the Prince George's County and Frederick County Sheriffs utilize the internal services of their respective County Government agencies to negotiate their labor agreements.

This begs the question - why should the Montgomery County Sheriff squander tens of thousands of tax payers dollars on high priced outside attorneys when those services could be preformed by expert professionals who are already on the County payroll? For the record the union brought this concern to Councilmember Andrews attention, who showed absolutely no interest in the matter.

## General

1. Reduce the proposed "pass on" of the negotiated 4.5% cost of living adjustment to non-bargaining unit members. Management should not benefit from contract negotiations, when the average non-bargaining unit salary is 26% above the market.
2. Eliminate performance bonuses for supervisors and management staff who already receive higher than market salaries.
3. The union is prepared to submit specific recommendations on the amount of non-bargaining unit raises for FY09 should council be to inclined to consider this option.

**IF NEEDED, THE UNION AND ITS MEMBERS ARE PREPARED TO PROVIDE ADDITIONAL INFORMATION ON THESE PROPOSALS**

# UFCW LOCAL 1994

Municipal & County Government Employees Organization

GINO RENNE PRESIDENT  
YVETTE CUFFIE SECRETARY-TREASURER  
NELVIN RANSOME RECORDER  
WWW.MCGEO.ORG

NAN  
CC  
BSM

BUD, FIN & ECON DEV

## MEMORANDUM

TO: Michael Knapp, President  
Montgomery County Council

Duchy Trachtenberg, Councilmember, Chair  
Management & Fiscal Policy Committee

Phil Andrews, Vice President, Chair  
Public Safety Committee

Nancy Floreen, Councilmember, Chair  
Transportation, Infrastructure, Energy & Environment Committee

Valerie Ervin, Councilmember, Chair  
Education Committee

Roger Berliner, Councilmember

Marc Elrich, Councilmember

DATE: April 22, 2008

FROM: Gino Renne, President  
UFCW Local 1994 MCGEO *Gino Renne*

SUBJECT: Local 1994 Position on Proposed Position Abolishment and Reduction of  
DOCR Roll Call

2008 APR 23 AM 9:44

RECEIVED  
MONTGOMERY COUNTY  
COUNCIL

Attached please find Local 1994's response to many of the proposed bargaining unit position abolishments included in the County Executive's Recommended FY09 Operating Budget.

The union strongly opposes the bargaining unit position abolishments referenced for the reasons outlined therein.

The bottom line is that any further reductions to our front line members who are already over burdened with unreasonable workloads will compromise the quality and efficiency of the services delivered to the Montgomery County community at large.

VICE PRESIDENTS: LYNETTE ANDREWS-BAKER CYNTHIA CARRINGTON ANTHONY CHASE SEAN COLLINS PAULETTE KEE-DUDLEY  
GREGORY GOEBEL BARBARA JACKSON ROBERT LEHMAN CRAIG LONGCOR SUSAN SMITHERS TONY THOMAS KRISTINE TUC

11

UNITED FOOD & COMMERCIAL WORKERS LOCAL 1994 600 SOUTH FREDERICK AVENUE SUITE 200 GAITHERSBURG, MD 20877 301-977-2447 800-948-0654 FAX 301-977-6752

In reference to the proposed reduction of the Department of Corrections roll call, the union opposition is supported by two primary agreements.

1. To begin with we believe that this proposal is a mandatory subject of bargaining and therefore should be addressed by the County during the next contract re-opener scheduled for the fall of 2010.
2. In addition, we strongly believe such action would significantly jeopardize the safety and security of the respective detention facilities under the control of DOCR. Consequently, the end result would be in violation of the Collective Bargaining Agreement, article 34, SAFETY AND HEALTH, section 34.11 General Conditions, which mandates:
  - a). Employees are to be provided a safe workplace and are to be furnished with safety devices, protective clothing, and such safeguards as are necessary to reduce or eliminate accidents and injuries and acts of violence. Supervisors and employees are to do everything reasonably necessary to protect their life, health and safety and of that of the public.

THE UNION AND ITS AFFECTED MEMBERS ARE PREPARED TO PROVIDE ADDITIONAL INFORMATION AS NEEDED.

**UFCW Local 1994 MCGEO Position on Proposed RIF's and Reduction in Roll Call  
at DOCR**

**Submitted to Council on April 18, 2008**

**Commission for Women**

Social Worker II

This is the only person doing the work; employee transferred from HHS in January, 2008 and is now facing displacement.

 **Correction and Rehabilitation**

Correction Officer III (CO) (2 positions); Principal Administrative Aide (PAA) (4 positions); Nurse Practitioner (1 position); Intake Processing Aide (IPA) (1 position); Correctional Specialist II (CS) (1 position)

These positions are all front line custody and security or security support positions and their elimination would have a detrimental impact on the custody and security of the facilities. Examples of their duties include:

**PAA:** Enter incident reports into database; enter all disciplinary charges against inmates and their results into CJIS; enter additional required information into all criminal justice databases; process release paperwork for inmates; prepare communications to the courts regarding inmates, etc. Their function is essential to maintaining correctional institutions. This is all information that has to be entered, tracked and processed in a correctional setting.

**IPA:** Process all paperwork in the Central Processing Unit at the Montgomery County Detention Center. If position is eliminated, a uniform correctional officer will be doing that work, which will require either the payment of overtime or additional staff. Additionally, correctional officers are not as highly trained in the criminal justice databases that must be used in processing arrestees.

**CO:** Correctional Officers are front line custody and security, a reduction in numbers is a reduction in the safety and security of the staff, inmates, and public.

**CS:** Correctional Specialists are a key piece of the custody and security of the correctional facilities because of the relationships they have with the population and their knowledge of the inmate's personal and family issues. Often play key role in deescalating potentially combative inmates.

 **Reduction in Roll Call:** The proposed reduction in roll call would violate a federal magistrate's settlement, which requires officers to be paid for an uninterrupted lunch period, management is attempting to classify as roll call. Roll call is an essential part of mandatory uniform correctional officer training and the designated time period for the

exchange of security related information to include: assaults on staff; inmate fights; orders to keep inmates separate; notice of disciplinary actions against inmates (i.e. 24 hour lock in; no recreation time, etc.); notice of contraband found in security shakedowns or other forms of discovery of contraband; intelligence of activities of inmates are exchanged; incident reports are read; shakedowns are conducted; and many other items too long to list are accomplished in that 30 minute roll call.

Earlier this year, the Executive and Art Wallenstein came to roll call to congratulate the membership on receiving a 100% on their recent accreditation, and it was stated that roll call was essential to the safety of the staff. It was also referenced in a statement of charges for a bargaining unit member that in missing roll call, the member missed "**vital information**". Using the Department's own words, that roll call provides vital information, reducing the time to exchange that information is detrimental to the safety and security of the staff, inmates and public.

Moreover, the Union has taken the legal position that any reduction in hours that results in the reduction of compensation is a mandatory subject of bargaining. As such, we have filed an Unfair Labor Practice with the Labor Relations Administrator and we are currently awaiting a hearing date (see attached). Finally, please review the attached job announcement for an entry level correctional officer, when under compensation, it lists meal pay. That meal pay is a result of the current 8.5 hour day a correctional officer works.

#### **Health and Human Services:**

**ACT Team:** The proposed elimination of the ACT would place the program in control of the state, which would in turn contract it out. Montgomery County Government would not have any control over the program, how it is staffed, managed, etc. If the program were to achieve fidelity, which is not a very complicated process, the County would increase the amount of payments they could receive from the State. Also, in the Executive's budget proposal, the County would be paying the State to take over the program. Attached we have provided letters from ACT team clients and family members who are very concerned about the program being given to the state, the impact it would have on the client, all of which could lead to increased costs if the clients return to past behaviors and are hospitalized or incarcerated because of their actions resulting from their mental illness.

**Audiology Program:** If the audiology program is eliminated, senior citizens on fixed/low incomes would not have access to services for hearing related problems or hearing aids, as there is no other facility or program in the County capable of handling hearing related medical problems. It would also leave Montgomery County as the only county in the area to not have a hearing program. Attempts have been made in the past to eliminate this program, and the better decision to keep it was made then and should be made again.

BUTSAVAGE & ASSOCIATES, P.C.

ATTORNEYS AT LAW  
1920 L STREET, N.W., SUITE 301  
WASHINGTON, D.C. 20036  
202/861-9700  
FAX: 202/861-9711

Carey R. Butsavage  
Marc A. Stefan  
Mark H. Reynolds\*  
Dianna M. Louis\*

March 27, 2008

\*Admitted in Maryland Only

VIA ELECTRONIC & 1<sup>ST</sup> CLASS MAIL

Andrew M. Strongin  
Labor Relations Administrator  
for Montgomery County, MD  
P. O. Box 5779  
Takoma Park, MD 20913

RE: Charge of Prohibited Practice

Dear Mr. Strongin:

This office represents the Municipal & County Government Employees Organization, UFCW Local 1994 (MCGEO). MCGEO is the certified collective bargaining representative of certain Montgomery County, MD employees. Please accept this letter as a prohibited practice charge under Section 33-109(c) of the Montgomery County Code against Employer Montgomery County, MD.

MCGEO charges that the County has failed and refused to bargain in good faith in violation of §33-109(a)(5) of the Code, over the wages, terms and conditions of certain employees represented by the County has recently announced that it will alter (reduce) the compensation of Corrections Officers by eliminating payment for the roll call period at the start of each shift.

The Union seeks an order requiring the County to bargain in good faith over the altered working conditions of employees in the Department of Corrections. The Union requests that affected employees be made whole for all losses in wages and benefits, caused by the County's unlawful refusal to bargain.

The contact information for the Charged Party is:

Sarah Miller  
Labor/Employee Relations Manager  
Office of Human Resources, Montgomery County, MD  
101 Monroe Street  
Rockville, MD 20850  
(240) 777-5118

In the past, the County has assigned these matters to David Stevenson, Assistant County Attorney. His phone number is (240) 777-6737.

The Charging Party's contact information is:

Gino Renne  
President  
MCGEO UFCW Local 1994  
600 S. Frederick Avenue, Suite 200  
Gaithersburg, MD 20877  
(301) 977-2447

This office will act as representative of record for Charging Party with the contact information listed above.

The Union anticipates submitting supporting documents at a later time. The prohibited practice is not a dispute that should be submitted under a negotiated grievance procedure or a matter governed by the Law Enforcement Officers' Bill of Rights, Article 27, Sections 727-734D, Annotated Code of Maryland. A copy of this charge is being mailed simultaneously to the charged party and the Montgomery County Director of Human Resources.

Thank you for your attention to this matter.

Very truly yours,

Carey R. Butsavage  
Counsel to MCGEO UFCW Local 1994

cc: Gino Renne, President  
Gail Heath, Field Services Coordinator

**Montgomery County**  
**Department of Correction and Rehabilitation**  
A PROFESSIONAL CAREER IN PUBLIC SAFETY  
**Correctional Officer I**  
**\$37,300 - \$56,643**

Application Periods: 1/5/2007-1/19/2007  
5/4/2007-5/18/2007  
9/7/2007-9/21/2007

The Montgomery County Department of Correction and Rehabilitation is seeking Correctional Officers for our Detention Center in Rockville, Maryland and for the adult Correctional Facility in Clarksburg, MD. Both facilities are located on the I-270 corridor. Accredited by the American Correctional Association, the centers house both pre-trial and locally sentenced adult offenders. We also operate a Pre-Release Center and a Pre-Trial Services unit offering additional career opportunities. Correctional officers are responsible for the custody and security of inmates and for maintaining order and discipline. Shift assignments are determined by seniority with annual re-bidding opportunities. Employees receive superior County benefits including tuition assistance, uniforms, and uniform maintenance.



Correctional Officers receive compensation for shift work, holidays and meal periods which may increase the starting salary an additional \$7,100. Eligible military veterans may receive from \$12,000 up to \$14,800 in tax-free apprenticeship education funds through the Veterans Administration. Promotion to Correctional Officer II and III is non-competitive.

To qualify, you must be a U.S. citizen or resident alien, minimum 18 years of age, possess a valid Class C driver's license, high school diploma (or G.E.D.), have one year of post high school work experience, and be fluent in English. Applicants must pass a comprehensive background investigation, physical examination, psychological evaluation and drug screen. Disqualifying factors may include a history of criminal convictions, poor work history or driving record, failure to meet physical or psychological standards, a positive drug test, or the inability to complete any part of the selection process, which includes a written examination and an oral interview.

**Correctional Officer I**  
**\$37,300 - \$56,643**

- Holiday Pay - Approximately \$1,100 Additional
- Meal Pay - Approximately \$3,500 Additional
- Shift Pay - Approximately \$2,500 Additional
- Language Stipend - \$2,000 Additional

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
Southern Division

JOHN V. ABENDSCHEIN, et al.,  
Plaintiffs,  
v.  
MONTGOMERY COUNTY, MARYLAND,  
Defendant.

Civil Action No. 96-3392  
Judge Williams

AGREED ORDER

Settlement of Certain Claims

The parties have agreed to settle the claims of the plaintiffs listed on Attachment A hereto on the following terms:

1. The County will begin paying these plaintiffs for their meal periods on a current basis effective January 1, 1998. As required by the Fair Labor Standards Act, said payments will be at a time and one-half overtime rate for each week in which the plaintiff works in excess of 40 hours; otherwise meal periods will be paid on a straight time basis.
2. The County will pay \$1,991,438.19 to these plaintiffs to compensate them for their claims for unpaid meal periods from October 1, 1993 through December 31, 1997 ("the backpay period"). The gross backpay to be paid each individual plaintiff has been determined in accordance with a formula presented by the plaintiffs and accepted by the County and is set forth on Attachment A. On April 3, 1998, plaintiffs' counsel notified the County of these individual gross amounts. On or before May 6, 1998, the County will (a) calculate the proper withholdings required by law to be withheld from each plaintiff's backpay, (b) provide plaintiffs' counsel with a written breakdown of such

withholdings, and (c) pay these plaintiffs an amount equal to \$1,991,438.19 less the aggregate of all the individual withholdings required of the plaintiffs by law by delivering a single check in that amount to their counsel. Said amount then will be distributed to these plaintiffs by their counsel.

3. The County is responsible for all employer tax filings as to these payments and will provide plaintiffs whatever individual tax statements [W-2 or 1099 as appropriate] that are required by law.

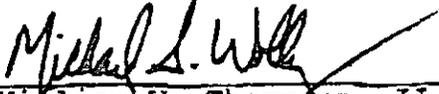
4. The County will pay the appropriate employer FICA contribution on behalf of each plaintiff based on the gross amount due each plaintiff, in addition to the \$1,991,438.19 payment described in paragraph 2.

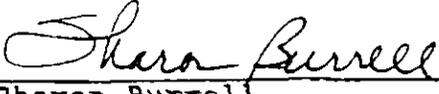
5. In addition to the payment to plaintiffs referred to above, the County will pay \$62,500 of plaintiffs' attorneys' fees and expenses by a check in that amount payable to plaintiffs' counsel on or before April 30, 1998.

Plaintiff Richard Green

The claims of plaintiff Richard Green shall be dismissed pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

IT IS SO AGREED:

  
\_\_\_\_\_  
William W. Thompson, II  
Michael S. Wolly  
ZWERDLING, PAUL, LEIBIG, KAHN,  
THOMPSON & WOLLY, P.C.  
1025 Connecticut Avenue, NW  
Suite 712  
Washington, D.C. 20036  
(202) 857-5000

  
\_\_\_\_\_  
Sharon Burrell  
Office of the County Attorney  
101 Monroe Street  
3rd Floor  
Rockville, MD 20850  
(301) 217-2600

IT IS SO ORDERED this \_\_\_ day of April, 1998.

\_\_\_\_\_  
United States District Judge

MONTGOMERY COUNTY COUNCIL  
FY 2009 Council Grant Application

APPLICANT/AGENCY INFORMATION:

A. Organization/Agency Name: **Montgomery County Historical Society (MCHS)**  
Street Address: **111 W. Montgomery Av.**  
City, State, Zip: **Rockville MD 20850**  
Telephone Number(s): **301-340-2825**  
Fax Number(s): **301-340-2871**  
Executive Director/CEO: **Mary Kay Harper**  
Contact person if different from Executive Director: **Robert Jenson**  
Email address for Director and/or Contact: **mkharper@montgomeryhistory.org**  
**rjenson@montgomeryhistory.org**  
Website address (URL) for organization: **http://www.montgomeryhistory.org**

B. Amount Requested: \$ 72,600

C. Please check one of the following in each of the 3 categories below: Your response to these questions is for information and categorization purposes only.

Non-Profit agency:

- Non-profit agency incorporated year 2000 or later  
 Non-profit agency incorporated prior to year 2000

Purpose of funding request:

- Requesting operating funds  
 Requesting capital funds

Type of activity to be funded:

- Community Development  
 Economic Development  
 Health, Behavioral Health  
 Services to Older Adults, People with Disabilities  
 Services to Children, Families (includes early childhood programs)  
 Basic Needs, Emergency Services, Housing-related Services  
 Youth Development Services (includes out-of-school time programs such as tutoring, mentoring, academic enrichment, recreation, and gang prevention programs)  
 Other: Please specify **Pre-employment job skills to inmates in the County Jail and preserve county history for all citizens.**

D. Give a brief summary of your application in the space below:

**One large-format overhead camera flatbed scanner to be deployed in the Digital Imaging Shop at the Montgomery County Correctional Facility. Scanner will be operated by inmates in a pre-employment skills training program to digitize and index a large and unique collection of local newspapers. The digitized newspapers will be accessible by all county residents.**

Mary Kay Harper  
Signature

2-1-2009  
Date

## APPLICATION NARRATIVE

### Agency Information

1. *Briefly describe the mission of your agency and the programs and services of your agency which support this mission. Please describe how your agency and services fit into the overall priorities for Montgomery County.*

The Montgomery County Historical Society (MCHS) is dedicated to encouraging the residents of Montgomery County and the public at large to discover their common heritage. To achieve this the Society uses its historic resources (historic buildings, artifact and library collections and educational programs) and fosters partnerships with others to create a shared sense of place in a changing environment. This mission is supported through the following programs and services:

- Management and preservation of MCHS library, archives and artifact collections
- Management and preservation of historic buildings in Montgomery County
- Provision of public access to the above collections through research facilities, reference staff, museum exhibits and educational programs
- Encouragement of accurate research and documentation of the cultural and social history of Montgomery County
- Presentation of a broad range of programs and initiatives that educate members of the public about the history and cultural heritage of Montgomery County
- Active participate in public events to increase awareness of County history

Montgomery County government places the highest priority in the education of its citizens. MCHS collects, preserves, interprets, and makes accessible historical resources to augment the formal education process provided by the public schools and colleges in Montgomery County. The collections of MCHS provide a unique opportunity for residents to learn about their county, the people with whom they live, and the social and cultural events that lead to the county as it exists today. MCHS has resources and opportunities for the education, recreation, and intellectual enrichment of all county citizens. The historical resources of MCHS are used on a regular basis by County employees and contractors, non-profit institutions, corporations and members of the public.

2. *Describe how these grant funds will be used in collaboration with other agencies, if appropriate.*

MCHS will partner with the Montgomery County Department of Correction and Rehabilitation (DOCR) and the Department of Technological Services (DTS), to digitize, index, and make available an archive of historical newspapers of Montgomery County.

MCHS will procure the scanner and have it installed at DIS. MCHS staff will prepare and arrange the newspapers for scanning, transfer the newspapers to the Montgomery County Correctional Facility (MCCF), retrieve the digitized images, metadata, and scanned newspapers, and load the images into a storage and retrieval system that will make the searchable newspapers available to the public. MCHS will also assist make the public aware of the availability of the newspapers, and assist the public in using the system.

Digitization, Optical Character Recognition (OCR) conversion, metadata entry and full-text indexing will be performed by MCCF inmates in the DIS. Over a two year period, at least 16 inmates will receive hands-on training and work experience with state-of-the-art technology. DOOCR collaborates with the County Department of Economic Development (DED) through the One Stop Jail and community-based employment centers. The positive work experience and technical skills will increase the likelihood of post-release lawful employment. Lawful employment post-release is proven to reduce recidivism rates, thereby reducing crime and the cost of incarceration for Montgomery County.

DTS will provide technical expertise in the use of the Zy enterprise suite of software currently used by DOOCR for other county projects, and in the use of the Zy software to create the digital archive and make it available to the public.

## Project Description

3. *Specifically describe the project for which these grant funds will be used. Clearly list all proposed items/services to be purchased, explain nature and purpose of items/services. Provide a timeline for when services will be provided.*

MCHS recovered a collection of historic newspapers in 2005 that were at risk of destruction. The collection consists of local issues of the *Gazette* newspaper and predecessor companies from 1942 to 2003. These are the only surviving copies of local newspapers that have reported on the news and events of Montgomery County. The collection comprises 490 cubic feet of loose newspapers, and 81 bound volumes.

MCHS and DOOCR have been collaborating to prevent the permanent loss of this important piece of Montgomery County history. DOOCR provided emergency storage space for the collection until MCHS could transfer it to a leased storage facility. Due to the rate of newsprint deterioration, and the volume of the collection, it is not economically feasible to preserve the newspapers in their original state. In their current state, it is also impossible to make those newspapers available to the public. The Reentry Employment Development Endeavor (REDE) of DOOCR has a successful digitization program in which inmates in the MCCF are trained to scan, index, and process digital images for various projects. MCHS and DOOCR will partner to digitize the newspapers into a digital archive that will be available to the public.

Grant funds will be used for the purchase of one Zeutschel Omniscan 10000 A1 color scanner, to be installed in the Digital Imaging Shop (DIS) of the MCCF in Boyds, MD. The funds will also purchase the first year of hardware and software maintenance. Procurement of a scanner for DIS is a critical component for the success of this project. DIS currently does not have a large-format scanner necessary to handle large objects such as newspapers, maps, and historical artifacts. The only scanner usable for this project at DIS is a single, antiquated scanner that is capable of a maximum 11" x 17" image. This scanner is at the end of its useful lifecycle and may not survive scanning all the newspapers that it can support.

Many of the loose newspapers and all the bound volumes require a larger scanning bed in order to be effectively imaged. The scanner will increase the capacity of the DIS so that additional incarcerated offenders can receive training and gain work experience and computer skills before their release. The increased scanner throughput will also enable the digitization of all the newspapers in much less time than would be possible with the single scanner now available.

Other funding sources, including existing staff budgets, volunteer workers, and other grant resources will be used to fund other aspects of the project. MCHS staff retrieve the newspapers, organize the newspapers chronologically into work units, and deliver the prepared units to the DIS. DIS inmates, under the supervision of DOCR staff, will scan the newspapers, assign metadata, operate the OCR software and the database ingest process to store the image, text and metadata into an archive. The archive will be fractionally exported and transferred back to MCHS on portable magnetic media. MCHS staff will then import the completed fractions into a database server, perform quality assurance, and make the searchable images available via a workstation in the MCHS library.

4. *Describe how this proposal improves or creates access for the population you wish to serve. Include any barriers to service delivery and how you propose to overcome them.*

The project will allow all residents of Montgomery County to access the searchable text and digital page images of the local newspapers. The proposed scanner will make those images accessible sooner, and will ensure that the searchable text is as accurate as is possible within the current limits of OCR technology. The scanner will also create access to technical training and work skills to at least 16 inmates.

Once the images are added to the database, the greatest barrier to service delivery will be the number of simultaneous users who will be able to use the digital archive. In the short term, the number of simultaneous users can be increased only by adding viewing stations in existing library facilities. The current license agreement with PMNI does not allow the creation of an Internet presence for the database. However, two alternative (and not mutually exclusive) scenarios are being explored to make the searchable images accessible to more county residents. They are: (1) with permission from PNMI, the deployment of additional standalone newspaper archive servers in publically accessible locations, such as specific branches of the Montgomery County Public Libraries that are not geographically near the MCHS research facilities; (2) incorporation of the images into the Internet server of *The Gazette* to make them accessible to the general public.

5. *Provide information about the number of proposed staff and volunteers and their qualifications.*

**MCHS:** Robert Jenson, Archivist. Mr. Jenson has 5 years of library/ archives experience and 20 years experience as a I.T. professional. (B.S. Computer Science, M.L.S.)

**MCHS:** Kera Manion, Archives Project Specialist. Ms. Manion has experience working with paper preservation as a volunteer, with teaching experience. (B.A. History)

**MCHS** Volunteers will prepare newspapers and perform quality assurance work.

**DOCR:** Craig Dowd, Reentry Employment Development Endeavor (REDE) Manager. Mr. Dowd is an experienced project manager and grants administrator. (B.A. Graphic Design, M.P.A.)

**DOCR:** Sgt. Gary Powell, Digital Imaging Shop Administrative Sergeant. DOCR employee for more than 20 years. Supervisor of two ongoing imaging projects for Montgomery County agencies. (B.S. Criminal Justice)

**DOCR** Inmates will operate the scanner in DIS.

**DTS:** Grace Denno, I.T. Specialist. Will provide technical support as needed.

**DED:** Joyce Reimherr and Dr. Michel Carter will provide offender employment placement. Both are certified Offender Employment Specialists and will be working with Faith-Based Organization volunteers trained to work in the MCCF - One Stop Employment Center.

6. *What innovative features, if any, are associated with the use of these funds?*

This may be the first correctional facility-based newspaper imaging initiative in the United States. This project enables inmates to “give back” to the community while in jail, and gain valuable job skills that will enable lawful employment upon reentering the local community. The volume of newspapers to be scanned will make this one of the largest public-sector digital preservation projects to date. The availability of a large-end scanner in the DOCR will enable future digitization projects with other County agencies and with non-profit organizations in the County.

## **Outcome Measurement**

7. *Specifically describe the outcomes that will result from the expenditure of these grant funds. Please include information on the numbers of persons to be served and any characteristics of the targeted population (e.g. low-income, frail elderly)*

The REDE program will prepare an additional 16 inmates with job experience and computer skills prior to their reentry into society. Outcome will be evaluated in terms of the number of years of newspapers available to the public in the digital archive. Additionally, increasing demand for the digital archive will be used as an indicator of project success.

MCHS will collect, at minimum, the following metrics from the project: number of complete newspapers digitized on the new scanner; number of page images digitized on the new scanner; date ranges of historical newspapers made available on the digital archive; total number of users and individual searches made on the digital archive.

DOCR will collect the following metrics from the project: number of inmates employed by the new scanner; total number of inmate pre-employment training hours realized; number of program ex-offender employment placements/ cost savings to the community by using the REDE services.

8. *Describe the internal mechanisms for measuring outcomes.*

MCHS staff will record the number of newspapers sent to MCCF to process, the number of successfully produced page images, and the number of reimage jobs required. MCHS will also record all usage of the digital archive. Users will be periodically surveyed to determine the quality of the digital archive and how useful to research it is.

DOCR metrics are collected by staff in the DIS. Consultation with DED job placement staff about the qualitative employability experience of inmates who were trained on the new equipment.

9. *If you are requesting funds for an existing program, indicate how long it has been in operation and describe results/outcomes achieved to date.*

This is a new project.



10. *If you are requesting funds for a new program, provide information on success of program in other jurisdictions, evidence of best practices, etc.*

Digitizing forty years of newspapers is a new correctional facility-based program. This new project will be similar to the digitizing services done at the jail for the Department of Permitting Services during the past five years. (2007, Montgomery's Best, Partnership Award, recipient.) It will also have similarities to the DOCR "clip service" for the Office of Public Information that been provided for six years.

MCHS has been involved in digitizing photograph collections for ease of access for nearly ten years. MCHS has successfully produced preservation reformatting projects, in microfilm, with other historical newspaper collections.

## **Project Budget**

11. *How does this grant request fit into your overall agency budget? If your grant request is decreased, how will you accommodate this decrease to accomplish what you intend to do as described in Question 3? Is there a minimum County funding amount needed in order to accomplish your proposal? What is the per unit cost of the service or activity (grant request divided by number of individuals served)?*

The cost of the scanner is not available in the current MCHS budget. The cost of staffing the project, hardware and software for creating the digital archive, ongoing storage of the loose newspapers until they can be disposed of, etc. will be borne by the existing budget and/or other financial grants. Without County funding of the scanner, the timeline for the project will be extended from 2 to 6 years, at minimum, presuming that the existing equipment at DIS does not fail. Should funding for the scanner be reduced, MCHS will attempt to procure hardware that will be less costly (and subsequently less effective) than the proposed unit. The minimum amount to obtain a viable alternative to the proposed unit would be \$35,000 - \$40,000 for hardware alone.

Cost per unit, assuming use of the scanner for 1,000,000 pages, would be \$ 0.07 per page. The cost of contracting this work to a commercial firm would be approximately \$0.50, and the total project cost would exceed \$500,000. 16 inmates would receive advanced technical training and job skills prior to release, at a cost of \$4,500 per individual, in the two years of the project. Assuming the maximum useful life of ten years for the scanner and the availability of work for the DIS the cost is \$910 per inmate to significantly reduce the likelihood of repeat offenses and reincarceration. Incarceration currently costs the county \$2,550 per inmate, per month, on average.

## **Application Narrative (continued)**

12. *If this is not a new project, list any County funding previously received for this project. Please indicate the amount of funding in each prior year. (Does not count toward 5 page limit)*

This is a new project. No County funding has been applied to this project to date.

13. List all County funding awarded to your agency within the past five years. Please indicate the amount of funding in each prior year. (Does not count toward 5 page limit)

Source	FY03	FY04	FY05	FY06	FY07
Montgomery County	69,500	54,500	54,500	64,500	64,500
Montgomery County Council	6,000	6,000	3,000	6,000	14,500
Arts & Humanities Council	15,874	14,973	17,581	17,820	18,500
Historic Preservation Commission	2,500	1,500	3,000	2,500	

14. Will this project be completed by the end of FY 09 or is it expected to continue into future years? If the project is expected to continue, what is the plan to sustain the effort with other funding sources?

Two years will be required to scan all the loose newspapers and bound volumes with the scanner. MCHS will pay for the hardware and software maintenance costs for the second year of the project. At the end of FY 2010, equipment maintenance costs will be transferred to DOCR. The scanner will remain at the DIS for the remainder of its useful lifetime for additional REDE utilization. MCHS, other non-profit and County agencies will continue to benefit from the added capacity available for digitization projects of a similar nature.

## PROJECT BUDGET

The following budget information pertains only to the project for which you are requesting funds. This should not be your organization's total operational budget. Please separately identify each staff position for which you are requesting funding along with a per hour cost for each. Identify major categories of any operating expenses for which you are requesting funding. Operating and capital items should be listed by the number, type and unit cost. Renovation plans should be separately attached. Identify any non county funding sources specifically received for the project, if applicable.

<b>Items</b>	<b>Requested Grant Funds for this Item</b>	<b>Organization's Funds for this Item (If Applicable)</b>	<b>Total</b>
1. One Zeutschel Omniscan 10000 A1 Color Scanner unit. Price includes flatbed unit, controller unit, software, installation at DOCR, integration support, training, and 90-days Hardware and Software Maintenance.	\$ 64,900		\$ 64,900
2. One 12-month Hardware Maintenance Service Contract for the Omniscan.	\$ 5,900		\$ 5,900
3. One 12-month Software Support /Upgrade Service Contract for the Omniscan.	\$ 1,800		\$ 1,800

Total Amount Requested: \$ 72,600