

**Action**

**MEMORANDUM**

May 24, 2011

TO: County Council

FROM: Amanda Mihill, Legislative Analyst *A. Mihill*

SUBJECT: **Action:** Bill 2-11, Criminal Justice Coordinating Commission – Staff Support

**Government Operations and Fiscal Policy Committee recommendation (2-1):** do not enact Bill 2-11. Councilmember Reimer recommended enacting Bill 2-11.

Bill 2-11, Criminal Justice Coordinating Commission – Staff Support, sponsored by the Council President on recommendation of the Organizational Reform Commission (ORC), was introduced on March 8, 2011. A public hearing was held on March 29. There were no witnesses at the hearing on this issue, but the Council has received some correspondence from constituents questioning the salary and position. The Executive opposed Bill 2-11; the Mid-County Citizens Advisory Board supported the ORC recommendation (©13). The Government Operations and Fiscal Policy Committee held a worksession on Bill 2-11 on April 14.

**Background.** Bill 2-11 would eliminate the Criminal Justice Coordinating Commission (CJCC) Director position and require the Police Department to provide staff support to the Commission.

In its report to the Council dated January 31, 2011, ORC recommended the County eliminate the CJCC Executive Director position and house the Commission in the Police Department (©4). The Executive opposed this recommendation (©5, 7). Bill 2-11 would implement the ORC recommendation as it relates to the CJCC.

**Fiscal Impact Statement (FIS, ©11).** The Office of Management and Budget's FIS for Bill 2-11 argues that eliminating the Executive Director position and requiring the Police Department to provide staffing for the CJCC would actually increase County expenditures by \$2,680 each fiscal year. The FIS assumes that a Police Captain would staff the CJCC. Council staff questions whether a Police Captain is required to provide staff support and whether a less senior staff person could fulfill the same functions. Additionally, Council staff questions why the FIS assumes that the Police Department would hire an additional Police Captain rather than assign the CJCC staffing duties to an existing staff member.

**Staffing history.** Senior Legislative Analyst Linda McMillan provided the following information regarding the history of staffing the CJCC. Staffing for the Criminal Justice Coordinating Commission has varied in size and organizational location. For example, in 1989, the Criminal Justice Coordinating Commission was housed in the State’s Attorney’s Office. The FY89 budget stated that, “The Criminal Justice Coordinating Commission (3.0 WYs) maintains independent authority from the State’s Attorney’s Office, was established and authorized by Section 2-60 of the Montgomery County Code. The Commission is responsible for inquiries regarding the organization and adequacy of law enforcement and the administration of justice. The Commission also involves itself in other matters relevant to the prevention and control of crime, and seeks the achievement of fair and effective law enforcement.” The budget further noted that the staff included three full-time positions: a Senior Management Specialist (Grade 28); a Planning Program Coordinator (Grade 27); and an Office Services Manager (Grade 13). In 1989, the CJCC’s work included a task force to review alternatives to incarceration in order to minimize the impact of a growing inmate population (this eventually led to development of programs like the Pre-Trial Services Unit), coordination of victim services, a study of prisoner transport, and coordination of the local Criminal Justice Information System (CJIS).

In FY92, the CJCC staff was transferred from the State’s Attorney’s Office to the Office of the County Executive. In FY94, the staff of the CJCC was reduced to an Executive Staff Specialist (Grade 28) and a part-time Office Services Manager (Grade 15). The FY94 budget noted this lower number of staff would impact the ability of the CJCC to provide the same quantity of statistical analysis and research, write grant proposals, and administer grants. During FY95, the staff support for the CJCC was absorbed by other staff in the Executive’s Office. The CJCC Director functions were assigned to a Senior Assistance Chief Administrative Officer. The CJCC continued to be assigned to an Assistant CAO until the current Executive Director position was added.

**Committee recommendation**

As part of its discussion of the FY12 operating budget for the County Executive’s Office, **the Committee recommended** (2-0) against enacting Bill 2-11. Councilmember Riemer recommended enacting Bill 2-11 and assign a Special Assistant to the Executive or Special Projects Manager to provide staff support to the CJCC. The Council discussed the budget for the County Executive’s Office on May 16 and tentatively supported the Committee’s recommendation.

| <u>This packet contains:</u>                       | <u>Circle #</u> |
|--|-----------------|
| Bill 2-11  | 1               |
| Legislative Request Report                         | 3               |
| Excerpt of Organizational Reform Commission Report | 4               |
| Excerpt of Executive response to ORC Report        | 5               |
| Memorandum from Executive                          | 7               |
| Fiscal Impact Statement                            | 11              |
| Testimony from Mid-County Citizens Advisory Board  | 13              |

Bill No. 2-11  
Concerning: Criminal Justice  
Coordinating Commission -- Staff  
Support  
Revised: 3/2/2011 Draft No. 2  
Introduced: March 8, 2011  
Expires: September 8, 2012  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: \_\_\_\_\_  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

---

By: Council President on the recommendation of the Organizational Reform Commission

---

**AN ACT** to:

- (1) eliminate the Criminal Justice Coordinating Commission Director position;
- (2) require the Police Department to provide staff support to the Commission; and
- (3) generally amend County law regarding the Commission.

By amending

Montgomery County Code  
Chapter 2, Administration  
Sections 2-26 and 2-60

|                              |  |
|------------------------------|--|
| <b>Boldface</b>              | <i>Heading or defined term.</i>                            |
| <u>Underlining</u>           | <i>Added to existing law by original bill.</i>             |
| [Single boldface brackets]   | <i>Deleted from existing law by original bill.</i>         |
| <u>Double underlining</u>    | <i>Added by amendment.</i>                                 |
| [[Double boldface brackets]] | <i>Deleted from existing law or the bill by amendment.</i> |
| * * *                        | <i>Existing law unaffected by bill.</i>                    |

*The County Council for Montgomery County, Maryland approves the following Act:*



## LEGISLATIVE REQUEST REPORT

Bill 2-11

*Criminal Justice Coordinating Commission – Staff Support*

**DESCRIPTION:** Bill 5-11 would eliminate the Criminal Justice Coordinating Commission Director position and require the Police Department to provide staff support to the Commission.

**PROBLEM:** The Organizational Reform Commission recommended that the director position be eliminated and the Commission housed in the Police Department.

**GOALS AND OBJECTIVES:** The CJCC performs an important function in helping to coordinate the programs and activities of the County's various criminal justice agencies. However, it meets only 4 times a year, does not require an annual report, and in other ways has had its duties modified in recent years. In the past, it has been staffed by County personnel who also had other duties, rather than by a dedicated staff of its own. The goal is to restructure this function to reduce County expenses in response to the County's fiscal constraints.

**COORDINATION:** County Executive, Police Department

**FISCAL IMPACT:** To be requested.

**ECONOMIC IMPACT:** To be requested.

**EVALUATION:** To be requested.

**EXPERIENCE ELSEWHERE:** To be researched.

**SOURCE OF INFORMATION:** Organizational Reform Commission Report.  
Amanda Mihill, Legislative Analyst, 240-777-7815

**APPLICATION WITHIN MUNICIPALITIES:** Not applicable.

**PENALTIES:** None.

This change would result in saving a substantial portion of the \$1.7 million currently budgeted for the HRC. We propose that the HRC and Committee on Hate/Violence be combined to make their efforts more concentrated and provide a singular focal point for research and dissemination of information. This new combined commission can be aligned with the Office of Community Partnerships or another suitable entity, as determined by the Council and Executive. Finally, the activities of the Interagency Fair Housing Coordinating Group – currently supported by the Human Rights Office – should be returned to the Department of Housing and Community Affairs, from which it was removed in 1996.

**c) Interagency Coordinating Board for Community Use of Public Facilities (CUPF) – Current Budget - \$9,325,840.**

- *The ORC recommends a major modernization of the property management system for Community Use of Public Facilities. We also believe it is appropriate that the functions of the Office and Board move to the Department of General Services.*

Since CUPF is an enterprise fund, no taxpayer savings would be generated by these reforms, but it is highly likely that the efficiencies resulting from the moves could reduce costs to users or assist in improving services, thereby allocating a portion of its \$9.3 million budget to more effective uses.

**d) Criminal Justice Coordinating Commission (CJCC) – Current Budget \$158,000 -** The CJCC performs an important function in helping to coordinate the programs and activities of the County's various criminal justice agencies. However, it meets only four times a year, does not require an annual report, and in other ways has had its duties modified in recent years. In the past, it has been staffed by County personnel who also had other duties, rather than by a dedicated staff of its own.

- *The ORC believes that staff support for the CJCC does not require an executive director post that is now staffed by a high-level appointee. We recommend elimination of this position. We also recommend that the CJCC be housed in the Police Department, which would provide for its part-time staff support.*

collaboration. The operation of CUPF is intertwined closely with MCPS, and its success today is the result of many years of relationship building.

Financial impact: As noted above, no savings would be generated by moving CUPF, an Enterprise Fund, under DGS. It should also be noted that Section 44-5A of the County Charter requires reimbursing MCPS for the costs of supporting community use, which mean more than 70% of CUPF's budget is returned to MCPS to cover staff, utility, custodial, and maintenance costs, with the remaining 30% covering operations to include funds returned to the General Fund.

Another observation made by ORC was that with efficiencies, perhaps fees could be reduced. The ICB has continually worked to keep rates affordable to ensure access to public space by community groups (98% of which are non-profits) while at the same time meeting its own financial obligations. Without any tax dollar support, CUPF's fees remain among the most competitive in the area.

**6. Reorganize the Criminal Justice Coordinating Commission and eliminate the Executive Director position.**

County Executive Position: **Oppose with Explanation**

The Executive Director is part of the County Executive's Office and staff. I have already reduced my Office's direct support over the past few years with a 25% reduction in FY 2011 and an additional 15% recommended in my FY 2012 budget. The additional loss of another position would further compromise my staff's ability to fulfill the mission of the County Executive's Office. Placement of the Executive Director position as a collateral duty for an individual in another agency would compromise the ability to implement the work of the Commission. The Executive Director position must be a high-level, appointed position, directly representing the County Executive in order to integrate the Executive's priorities and work with the other high-level appointees on the Commission. In addition, placing the position or duties of the Executive Director in one department would create the appearance of either favoritism or a particular direction which would undermine the rationale of the Commission. Further, adding the duties to an already existing position would minimize the ability to coordinate inter-agency activities.

The Executive Director, as either a representative of me or as an ex-officio attends the following Board, Committee or Commission or agency meetings: the Disproportionate Minority Contact Committee of the Collaboration Council, the Juvenile Justice Commission, the Domestic Violence Coordinating Council, the Domestic Violence Fatality Review Team, the Commission on Veterans Affairs, the Criminal Justice Behavioral Health Initiative, and the Department of Correction and Rehabilitation's Re-Entry Program. Time constraints and the need for overall coordination would not permit that to continue if the Executive Director position were eliminated, regardless of whether those memberships are distributed among several individuals or one person.

While the full Criminal Justice Coordinating Commission (CJCC) meets quarterly, the Steering Committee meets during the intervening months (8 meetings per year) to discuss Commission policies, identify macro criminal justice issues, resolve conflicting inter-agency issues, discuss participation in agency proposals and discuss possible CJCC studies; addresses budget issues facing either individual agencies or the entire Public Safety Clusters (the Steering Committee had already been examining budget reductions and their ripple effects prior to the OMB generated cluster budget meetings); discuss participation in agency initiatives to address problems in other CJCC participating agencies (i.e. the HHS initiative to establish a diversion program to address the pressures on the District Court and the Department of Corrections and Rehabilitation); and, identify issues of macro concern for presentation to the full Commission. The Steering Committee also identifies areas where studies are required to mitigate problems being faced by one or more of the component agencies.

The public safety/criminal justice field is unique in that almost all of the participating agency criminal justice related programs are inextricably linked to the point that the elimination of a program in one agency will affect several other agencies.

As to the comment about CJCC responsibilities having been modified in recent years, if anything, those modifications have increased, rather than decreased, the responsibilities of the CJCC.

Finally, the law does not require the CJCC to write an annual report because all of its activities are part of its constituent agencies. Any additional report would be duplicative of the other submissions.

**7. Enable the Workforce Investment Board and the Division of Workforce Services to coordinate oversight of the workforce grants awarded by the Executive and the Council.**

County Executive's Position: **Support with Conditions**

The County Executive generally supports the ORC recommendations regarding Workforce Training with the following exceptions:

- The Division of Workforce Services (DWS) contractors should only work with the grantees to increase their knowledge and skills.
- The DWS should oversee grants and develop the network among the grantees.
- Checks are issued by the Department of Finance. Therefore, there would be no assumption about lower costs due to oversight of grants by the one-stop operator.
- Assigning DWS contractors to oversee other contractors would be problematic.



OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

MEMORANDUM

April 11, 2011

TO: Valerie Ervin, County Council President

FROM: Isiah Leggett, County Executive 

SUBJECT: Bill 2-11, Criminal Justice Coordinating Commission – Staff Support

I am writing to express my concerns about the above referenced bill, which implements the recommendation of the Organizational Reform Commission (ORC) to eliminate the Criminal Justice Coordinating Commission (CJCC) Director position and require the Police Department to provide staff support to the CJCC. I previously expressed my opposition to this ORC recommendation in my February 21, 2011 memorandum to you regarding all of the recommendations in the ORC report. I am forwarding this additional memorandum to further clarify my position and address inaccurate statements that have recently appeared in the media regarding the role and responsibility of the CJCC Director.

At the outset, it is important to understand that Bill 2-11 does not save money. As reflected in the attached Fiscal Impact Statement, the CJCC Director currently handles CJCC duties (0.8 work years) and non-CJCC duties (0.2 workyears). The FY12 cost associated with the CJCC work is \$153,470. If the CJCC Director position is eliminated, the CJCC work would have to be transferred to a Police Captain at a cost of \$155,620. The FY12 cost associated with the non-CJCC work, including serving as a hearing officer for administrative hearings (e.g., transportation construction projects, Disruptive Behavior Order Hearings, taxicab-related hearings, and other administrative hearings required by law), is \$38,370. These duties were previously assigned to a full-time Special Projects Director in my office for which funding has been eliminated in my FY12 recommended budget. If the CJCC Director position is eliminated, additional funding would have to be included in the budget to fund a part-time position in my office to handle administrative hearings.

As discussed in more detail below, the CJCC Director is an integral part of my staff. I previously reduced the direct staff support for the Office of the County Executive by about 25% in FY11 -- and have recommended an additional 15% reduction for FY12. The additional loss of another position would further compromise the ability of my office to fulfill its mission.

Valerie Ervin, County Council President  
April 11, 2011

The scope of the CJCC Director's duties and responsibilities are outlined in County law. Under Section 2-60 of the County Code, the role of the CJCC Director is to help the Commission achieve its objectives by: (1) facilitating the coordination of Commission meetings; (2) facilitating the coordination and communication of Commission members; (3) assisting the Commission in obtaining information and assistance from other County agencies and programs as needed; and (4) assuring that the Commission has the staff and other resources that it needs. A more detailed position description for the CJCC Director is set out in Executive Regulation No. 12-07, which was approved by the Council on June 19, 2007 (See Council Resolution 16-191). This regulation outlines a position description, a definition of work, examples of duties and responsibilities, and recommended qualifications, knowledge, skills, and abilities for the position.

The mission of the CJCC is to coordinate the efforts of all County and State agencies involved in the criminal justice system in Montgomery County for the purpose of fully understanding and addressing issues that impact this system. The CJCC seeks to enhance cooperation among the various criminal justice agencies, as well as mental health agencies that support the criminal justice system. In recognition of the critical roles that the Fire Marshall and Montgomery County Public Schools (MCPS) play in the administration of justice, Council enacted legislation in 2007 at my request which added representatives of these two entities to the CJCC.<sup>1</sup>

The CJCC is guided by a Steering Committee which, in addition to the CJCC's quarterly meetings, meets in the eight intervening months to direct the efforts and deliberations of the CJCC. Using a Steering Committee in this way allows the CJCC to operate as an efficient and effective advisory body for the County Executive and County Council. In addition to setting the agenda for CJCC meetings, the Steering Committee: directs studies; reviews and edits all communications from the CJCC; reviews legislation; continually discusses issues and shares information on a daily basis; resolves conflicting inter-agency issues; discusses participation in member agency proposals; discusses possible CJCC studies; addresses budget issues facing either individual agencies or the entire Public Safety Cluster; discusses participation in particular initiatives aimed at addressing unique problems (such as the Drug Court and Criminal Justice Behavioral Health Initiative (CJBHI)); addresses docket problems being faced by the District Court, State's Attorney and Department of Correction and Rehabilitation (DOCR); and identifies macro issues that need to be addressed by the CJCC.

Under former County Executive Duncan, Executive staff (led by DOCR Director Arthur Wallenstein) collaborated with Council to enhance the functioning of the CJCC with the primary goal of increasing member participation and visibility. These efforts were facilitated by the involvement of the Chief Administrative Judges of the Circuit and District Courts, Public Defender, and State's Attorney. The Council approved a number of changes, including changes to the Steering Committee membership, new meeting times for the CJCC, and the annual rotation of the Chair and Vice-Chair between a government member and a County resident member in

---

<sup>1</sup> Bill 25-07, Criminal Justice Coordinating Commission – Amendments was adopted by the Council on October 30, 2007.

Valerie Ervin, County Council President  
April 11, 2011

order to increase public participation and leadership. As a result of these changes, attendance of CJCC members increased dramatically, collaboration became the norm, and budget issues within the Public Safety Cluster were resolved in a rational and effective way.

Currently, the CJCC Director, either as my designee or the CJCC's representative, participates in the following Board, Committee and Commission meetings: the Disproportionate Minority Contact Committee of the Collaboration Council; the Juvenile Justice Commission; the Domestic Violence Coordinating Council; the Domestic Violence Review Team; the Commission on Veterans Affairs; the Criminal Justice Behavioral Health Initiative; and the Department of Correction and Rehabilitation's Reentry Program.

In order to properly serve the CJCC, the CJCC Director must be a high-level, appointed position that is filled by a person who directly represents the Executive and integrates the Executive's priorities with the priorities of the other high-level appointees and elected officials on the Commission, including the Chief Judge of the Circuit Court, Chief Judge of the District Court, State's Attorney and Sheriff. Bill 2-11 would compromise the CJCC's ability to accomplish its mission because it would create the appearance of either favoritism, or a particular policy direction. In this regard, it is important to remember that the various stakeholder agencies represented on the CJCC often have competing goals and interests. Requiring the CJCC to be staffed by the Police Department, or any other single stakeholder agency, would give rise to issues of conflict of interest and independence that would impede the CJCC's work.

As you consider Bill 2-11, please keep in mind that the CJCC was originally placed in the Judicial Branch with a staff complement that included a Director, an Assistant Director (dedicated to research activities), and one full-time aide. That office also included a number of positions funded with Local Law Enforcement Block Grants (LLEBG) and Drug/Alcohol Highway Safety Coordination Grants obtained from the federal Law Enforcement Assistance Administration (LEAA). The LEAA was abolished in 1982. When the CJCC's first Director retired, the staffing function was moved to the Executive Branch, where the Assistant Director continued to lead the effort.

Beginning in 1995, an Assistant Chief Administrative Officer (ACAO), supported by a Senior Executive Administrative Aide, was assigned to staff the CJCC on full-time basis. Between 1995 and 2004, the County Executive and County Council approved a number of innovative programs initiated by the CJCC, including: Community Accountability, Reintegration, and Treatment Program (CART) (now called Home Confinement); Pre-Trial Sentencing Unit (PTSU); Pre-Release Center (PRC); Prerelease and Reentry Services (PRRS); Intervention Program for Substance Abuse (IPSA); and Jail Addiction Services (JAS). In 2004, CJCC staffing duties were re-assigned to another ACAO on a part-time basis. The ACAO functioned primarily as a staff liaison for the various County criminal justice departments rather than direct staff to CJCC.

Valerie Ervin, County Council President  
April 11, 2011

When I was elected in 2006, I decided to renew the County's focus and attention on criminal justice issues by providing appropriate staff support to the CJCC. With Council's help, I created a part-time Question A position to lead and coordinate all CJCC matters.<sup>2</sup> Bill 2-11 would take the County backwards in its efforts to adequately address criminal justice issues that impact all of our interrelated State and County agencies. I urge you to reject Bill 2-11 and retain the CJCC Director position so that the CJCC can continue to function in a manner that best serves the County.

c: Joseph Beach, Director, Office of Management and Budget  
Kathleen Boucher, Assistant Chief Administrative Officer  
Thomas Manger, Police Chief  
Thomas Street, Assistant Chief Administrative Officer  
Arthur Wallenstein, Director, Department of Correction and Rehabilitation

---

<sup>2</sup> The Council made the CJCC Director a Question A appointment at my request in Bill 6-07, Structure of County Government – Non-Merit Positions, which was adopted by the Council on May 28, 2007.



OFFICE OF MANAGEMENT AND BUDGET

Isiah Leggett  
County Executive

Joseph F. Beach  
Director

MEMORANDUM

March 25, 2011

TO: Valerie Ervin, President, County Council  
FROM: Joseph F. Beach, Director  
SUBJECT: Bill 2-11, Criminal Justice Coordinating Commission – Staff Support

The purpose of this memorandum is to transmit a fiscal and economic impact statement to the Council on the subject legislation.

**LEGISLATION SUMMARY**

The Bill would eliminate the Criminal Justice Coordinating Commission (CJCC) Director position and require the Police Department to provide staff support to the Commission. For reference, Executive Regulation No. 12-07; provides a position description, a definition of the work, examples of duties and responsibilities, and the recommended qualifications, knowledge, skills, and abilities for the position. More importantly, enabling legislation contained in the Chapter 2-60 (b) (9) of the Montgomery County Code states that the Chief Administrative Office must provide staff support to the Commission subject to appropriation.

**FISCAL AND ECONOMIC SUMMARY**

The fiscal impact of the legislation is dependent upon actions the Council takes in regards to eliminating the CJCC Director's position and requiring the Department of Police to provide equivalent staff support to the CJCC. Whereas the Director's position was budgeted in both FY11 and FY12, elimination of the position simply shifts costs from the Offices of the County Executive to the Department of Police. To furnish the high-level of expertise and scope of responsibilities required, a position equivalent to a Police Captain would either have to be hired or diverted from current job duties to serve in this capacity. For purposes of this analysis, the number of staff work years needed to support the Commission will not change. In addition to personnel costs, other operating costs necessary for the CJCC Director, including furniture, office space, personal computers, telecommunications, contract services, and other miscellaneous expenses and supplies have historically been absorbed by the Offices of the County Executive, and will also be absorbed by the Department of Police. The Chief of Police indicated that filling this position by the Department of Police will be a staff person with the rank of Captain.

Office of the Director

Below are the FY11-16 multi-year costs of the CJCC Director's Office. Under the assumptions listed, the FY12-16 budgeted costs are estimated at \$191,840 annually.

| Bill 2-11, Criminal Justice Coordinating Commission - Staff Support  |                |               |               |               |               |               |                |
|--|----------------|---------------|---------------|---------------|---------------|---------------|----------------|
| CJCC Director's Office   |                |               |               |               |               |               |                |
| Estimates: One Director, FY12 budgeted PC's.   |                |               |               |               |               |               |                |
| Item   | Year 1 (FY11)* | Year 2 (FY12) | Year 3 (FY13) | Year 4 (FY14) | Year 5 (FY15) | Year 6 (FY16) | Total Six Year |
| <b>Personnel Costs:</b> 1.0 WY in FY12 and beyond to reflect increasing CJCC responsibilities.   | 0.8 WY         | 1.0 WY        | 1.0 WY        | 1.0 WY        | 1.0 WY        | 1.0 WY        |                |
| Eliminate CJCC Director (Offices of the County Executive)<br>(FY12 and beyond Personnel Costs: \$144,700 base, plus \$47,140 fringe benefits estimate) | (26,410)       | (191,840)     | (191,840)     | (191,840)     | (191,840)     | (191,840)     | (985,610)      |
| Shift CJCC Director position to MCPD**   | 32,420         | 194,520       | 194,520       | 194,520       | 194,520       | 194,520       | 1,005,020      |
| Net Fiscal Impact***   | 6,010          | 2,680         | 2,680         | 2,680         | 2,680         | 2,680         | 19,410         |

**Notes:**  
 \* Analysis assumes that the position change is effective the last two  
 \*\* Average FY12 cost of a position with the rank of Captain.  
 \*\*\* CJCC Operating Costs are currently absorbed by Offices of the County Executive and assumes they will be paid through the Police Department's existing resources if shifted.

The legislation will have no economic impact on the County, as it is internally focused on helping to coordinate the programs and activities of the County's various criminal justice agencies; i.e., Circuit and District Courts, Corrections, Police, Sheriff, State's Attorney and multiple Boards, Committees or Commissions<sup>1</sup>.

The following contributed to and concurred with this analysis: Bryan Hunt, John Cuff, Edmond Piesen, Office of Management and Budget, Michael Coveyou, Department of Finance, and Neil Shorb of the Department of Police.

JFB:bh

- c: Kathleen Boucher, Assistant Chief Administrative Officer
- J. Thomas Manger, Chief of Police
- Lisa Austin, Offices of the County Executive
- Jennifer Barrett, Director, Department of Finance
- Michael Coveyou, Department of Finance
- Marc Hansen, County Attorney, Office of the County Attorney
- Michael L. Subin, Criminal Justice Coordinating Commission
- John Cuff, Office of Management and Budget
- Edmond Piesen, Office of Management and Budget
- Brian Hunt, Office of Management and Budget

<sup>1</sup> The Executive Director, as either the County Executive's representative or as an ex-officio member attends the following Board, Committee or Commission or agency meetings: Disproportionate Minority Contact Committee of the Collaboration Council, the Juvenile Justice Commission, the Domestic Violence Coordinating Council, the Domestic Violence Fatality Review Team, the Commission on Veterans Affairs, the Criminal Justice Behavioral Health Initiative, and the Department of Correction and Rehabilitation's Re-Entry Program.

GOVT



2011 APR -5 AM 8:07

SBF  
CC  
BSH

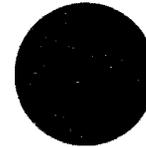
MID-COUNTY CITIZENS ADVISORY BOARD

March 29, 2011

RECEIVED  
MONTGOMERY COUNTY  
COUNCIL

The Honorable Valerie Ervin  
President, Montgomery County Council  
100 Maryland Avenue  
Rockville, Maryland 20850

061730



Dear Council President Ervin and Councilmembers:

The Mid-County Citizens Advisory Board (MCCAB) appreciates the opportunity to share with you our suggestions on how to address the very serious budget crisis facing our County and to re-enforce your resolve to address our residents' most critical needs and services as well as ensure that we lay a foundation that will lead to greater fiscal health and solvency in coming years.

The budget crisis that we are now facing has resulted in the need to make difficult but necessary recommendations. However, we must confront the fact that by avoiding or ignoring some of these options, no matter how undesirable they may be, will likely result in weakening our county's resources over an extended period of time, and prolong the negative impact that the economic downturn has imposed on our community.

We do want to acknowledge that both the Council and County Executive Leggett have done an outstanding job of addressing a number of stakeholders and in an attempt to address the needs of a large and diverse population. It is with our appreciation and thanks that we move forward with our recommendations to further promote the mission of the Council through a financially healthy and stable county economy.

We have four recommendations that we will relay below.

**Recommendation #1**

We are in agreement with County Executive Leggett that, in order to preserve as many services as our budget will allow, and with the knowledge that the vast majority of our budget is allocated to fixed costs, we must attempt to reduce our operating costs in a way that will be fair, will maximize the number of jobs and services preserved, and transparent. To that end, we are in agreement with the plan to restructure health insurance and pension benefits and support extending it across all county employees, including those in the Montgomery County Public School System. We also support changes in the Maintenance of Effort Law and the State Education Article to authorize the Council to approve and reject economic provisions of a collective bargaining agreement (see Attachment A).

While we understand that MCPS provides valuable services to the community and has contributed to making the school system in our county among the most admired in the nation, we believe that not only is the current restructuring plan modest, but that by extending it to all employees, we are indicating a commitment to parity and equality.

5

The Honorable Valerie Ervin  
President, Montgomery County Council  
March 29, 2011  
Page 2

All employees contribute to the success and well-being of our community and, our suggestion is that in these painful times, we stand together and ask everyone endure a little bit of the pain instead of a select few absorbing the brunt of it.

**Recommendation #2**

Looking beyond the current moment, we believe there is a long-term structural budget deficit, especially if you account for the unfunded County liabilities and the potential for a rating downgrade and the ensuing reputational and opportunity cost this would create. We recommend modest 3% cut, 3% in public employee salaries in order to preserve some critical services, with significant savings going toward reserves.

**Recommendation #3**

While we support creation of the Office of Community Engagement, we do not support proposed staffing reductions in the Regional Services Centers. We urge you to maintain current staffing levels at the Regional Services Centers. We also support increased use of the Regional Services Centers' Citizens Advisory Boards (see Attachment A).

**Recommendation #4**

The MCCAB recommends that the County Council and the County Executive pursue efforts to reorganize and streamline county functions as reflected in the attached recommendations proposed by the Organizational Reform Commission (see Attachment A).

**Recommendation #5**

Given the proposed cutbacks to the Olney police satellite station in a time when violent crimes are occurring in that community, we recommend reconsidering and eliminating those cutbacks, and funding the station to a level that will allow adequate service to Olney residents.

**Recommendation #6**

We support the \$.05 bag tax to promote environmental concerns and promote consumer responsibility.

We thank you for the opportunity to share our suggestions with you and we wish you well in your budget deliberations.

Sincerely,



Blaine Charak  
Chair

Attachment

cc: County Executive Isiah Leggett

Attachment A

Dear Mr. Leggett and President Ervin,

The Montgomery County Organizational Reform Commission (the Commission) released its final report on January 31, 2011. The deliberations of the Commission have been discussed at several meetings of the Mid-County Citizens Advisory Board (MCCAB).

Most recently the MCCAB reviewed the Commission's final report at its February 15, 2011 meeting and passed motions in support of the following Commission recommendations:

**I. Structural and Organizational Changes**

*Boards, Committees and Commissions*

2. Increase use of the Regional Services Centers' citizen advisory boards and the Office of Community Partnerships, whenever possible, in lieu of creating new citizen boards or committees.

4. Reorganize the Human Rights Commission, folding its functions into other entities, and eliminate the HRC office.

6. Reorganize the Criminal Justice Coordinating Commission (CJCC) so that it is housed and staffed within the County Police Department, and eliminate the executive director position. \*

*Workforce Training*

7. Enable the Montgomery County Workforce Investment Board, the Division of Workforce Services (DWS), and its contractors to coordinate oversight of the workforce grants awarded by the Executive and the Council.

*Legal Services*

8. Increase efforts to substitute costly contracted legal services with in-house expertise.

9. Form a Task Force to create a consolidated Montgomery County Law Office that would serve multiple agencies.

*Housing*