

MEMORANDUM

April 28, 2022

TO: Public Safety Committee
FROM: Susan J. Farag, Legislative Analyst
SUBJECT: FY23 Operating Budget
Sheriff's Office

PURPOSE: To review and vote on recommendations for Council consideration

Today the Committee will review the County Executive Recommended FY23 Operating Budget. Those expected to attend include:

Sheriff Darren Popkin
Deputy Chief Maxwell Uy, Sheriff's Office
Mary Lou Wirdzek, Sheriff's Office
Taman Morris, Office of Management and Budget (OMB)

Budget Summary

The recommended budget adds a Principal Administrative Aide to assist with COVID-related evictions.

The State's new Use of Force law will change how some Prisoner Transports are handled. Giving additional transports to the Sheriff may be cost prohibitive and difficult to implement.

Overview

For FY23, the County Executive recommends total expenditures of \$26,928,523, an increase of \$491,806 or 1.86% from the Approved FY22 Operating Budget.

	<i>FY21 Actual</i>	<i>FY22 Approved</i>	<i>FY23 Recommended</i>	<i>% Change FY22-FY23</i>
<i>Expenditures by fund</i>				
General Fund	\$24,590,122	\$25,533,071	\$25,994,986	1.8%
Grant Fund	\$3,044,538	\$903,646	\$933,537	0.0%
<i>Total Expenditures</i>	\$27,634,660	\$26,436,717	\$26,928,523	1.9%
<i>Positions</i>				
Full-Time	190	190	189	-0.5%
Part-Time	5	5	5	0.0%
<i>FTEs</i>	192.8	192.8	191.76	-0.5%

The net increase \$491,806 comes from the following changes with service impacts:

<i>FY23 Changes with Service Impacts</i>	
Restoration of Lapsed PAA to Support Tenant Eviction Services	\$43,110
Enhance Vet Treatment for Retired Canines	\$10,000
<i>Net Service Impact Adjustment Total:</i>	\$53,110

As well as from the following same service adjustments:

<i>FY 23 Identified Same Service Adjustments</i>	
Increase Cost: Annualization of FY22 Compensation Increases	\$513,923
Increase Cost: FY23 Compensation Adjustment	\$420,487
Increase Cost: Restoration of Pre-Covid Costs to Security Budget	\$129,470
Increase Cost: Motor Pool Adjustment	\$107,148
Increase Cost: Deputy Sheriff to Backfill MCGEO Reassignment	\$104,749
Increase Cost: Six Percent Inflationary Increase to Providers	\$35,068
Increase Cost: Software Subscriptions	\$28,602
Increase Cost: Replacement of Ballistic Vests	\$24,412
Increase Cost: Differential Adjustments	\$19,475
Reversal of Taser Elimination Item from FY22	\$17,789
Increase Cost: Printing and Mail Adjustment	\$3,355
Increase Cost: Software for Certain HR Functions	\$3,055
Increase Cost: Protective Order Enforcement Grant Adjustment	\$29,891
Decrease Cost: Elimination of One-Time Items Approved in FY22	(\$17,789)
Decrease Cost: Promotional Exams	(\$80,000)
Decrease Cost: Annualization of FY22 Personnel Costs	(\$186,783)
Decrease Cost: Retirement Adjustment	(\$714,156)
<i>Net Same Services Adjustment Total:</i>	\$438,696

FY23 Expenditure Issues

Restore Lapsed PAA to Support Tenant Eviction Services (\$43,110)

While the Sheriff's Civil Section has always worked with Health and Human Services (HHS) to help tenants resolve eviction notices, the Sheriff advises that the issues have become more complicated because of COVID and the changes in the law. The Sheriff now works with the CE to provide information to Health and Human Resources (HHR) about residents are being evicted due to COVID-related issues. The Sheriff's Civil Section provides relevant information to HHS, who then reaches out to those residents with information that may help avert an eviction.

This PAA position would relieve Deputies of administrative duties such as answering the calls from landlords and tenants who call during the day to check on eviction statuses. Right now, Deputies return landlord and tenant calls in the morning when they arrive to work, and in the afternoon when they are done with their regular daily duties. Because of this narrow calling window, they often are not able to reach the callers, which cause more delays and more calls. Currently, a Deputy on light duty is answering the calls during the day, but the light duty assignment will not last much longer. Having a PAA answer calls and relay important information to Deputies would make the process more efficient and allow better communication between Sheriff's Office and the landlords and tenants.

Additionally, Maryland HB 180 has established that the Maryland Legal Service Corporation develop a pamphlet for the Sheriff's Office to distribute along with Landlord and Tenant notices to tenants regarding legal representation that may be available to them. The process for performing this extra duty is being developed by the Sheriff's Office to make sure all documents are distributed in a timely manner. This process will involve stuffing envelopes which is also complicated because of the size, weight and width of the papers involved.

In addition to answering phone calls, and providing information to HHS, a PAA would also be able to:

- assist with scheduling evictions;
- assess the status of an eviction as well as screen more information coming from the court or tenant regarding potential stays;
- compute the amounts due to landlords which requires time and proper documentation for verification of dates and payments made to landlords.

Veterinary Treatment for Retired Canines (\$10,000)

Senate Bill 186 of 2021 – Veterinary Care of Retired Law Enforcement K-9s Act – requires reimbursement for usual and customary veterinary treatment that is not attributable to abuse or neglect of the dog and is verified by written receipt. It may not exceed \$2,500 during a calendar year and \$10,000 over the life of the dog. Other expenses such as food are not covered. The Sheriff's office currently has two retired canines and anticipates three more to retire within the next year.

Restoration of Pre-Covid Costs to the Security Budget (\$129,470)

This expenditure reflects the return to pre-COVID Court operations and the need to add additional funding to the security contract.

Deputy Sheriff to Backfill MCGEO Reassignment (\$104,749)

This expenditure reflects the transfer of a Deputy from the Sheriff's Office to the Union under the terms of the collective bargaining agreement. The CE and the Sheriff agreed that the vacant position would be backfilled to support the full staffing level of the Sheriff's Office.

Six Percent Inflationary Increase to Non-Profit Service Provider Contracts (\$35,068)

The Sheriff's Office has 12 Community Grants:

- Catholic Charities of the Archdiocese of Washington, DC

- DVS Legal Services, Inc.
- The Greater Washington Jewish Coalition Against Domestic Abuse, Inc.
- Montgomery County Family Justice Center Foundation, Inc.
- Montgomery County Family Justice Center Foundation, Inc.
- The Muslim Community Center, Inc.
- Asian/Pacific Islander Domestic Violence Resource Project, Inc.
- The Career Catchers, Inc
- Court Watch Montgomery, Inc.
- The Greater Washington Jewish Coalition Against Domestic Abuse, Inc.
- House of Ruth Maryland, Inc.
- Opening New Doors Foundation, Inc.

Replacement of Ballistic Vests (\$24,412)

There is a replacement schedule for vests, which have a five-year expiration date. The vests are custom, and each year the number to replace changes due to separation in service for retirements, etc. There are at least 17 replacement vests scheduled to be purchased in FY23.

Recruits/Recruiting Experience

The Sheriff's Office is budgeted for 10 recruits for FY23 but is also having the same recruiting and hiring challenges as the Police.

- Before August 2020, we were able to place at least five in a class. Between August 2020 and January 2022, there were four classes that graduated three, two, three, and zero. One transfer came from another law enforcement agency for a total of nine hired since August 2020.
- The Sheriff's Office will lose two more deputies by the end of June, and another by the end of August FY23.
- The Sheriff's Office is currently down seven deputy positions which will become 10 by the end of August.
- The Office has four in the academy now and hope to graduate all.

The Family Justice Center (FJC) Update

The Sheriff advises that the FJC has continued to thrive despite the many changes and challenges resulting from the COVID-19 pandemic. During the 2021 fiscal year, the Center provided critical, wraparound services to 1,726 survivors of domestic violence and their children, breaking the record set in FY20 for number of Clients served. The COVID-19 public health crisis created a perfect storm of horror for individuals living in fear due to abuse. The medical, occupational, emotional, and financial stressors resulting from the pandemic put victims in significantly more danger than they were already in, at a time when they were simultaneously cut off from many of their usual support systems like friends, family, and hobbies. As such, the FJC has seen a significant, enduring increase not only in the number of domestic violence cases, but in the severity of those cases, with many involving strangulation, firearms, and other major risk factors. Through the efforts of its team of providers at the Center, and through the guidance from county leaders, the FJC has remained fully open and operational to ensure help is available to all who need it.

The FJC has also launched several exciting new initiatives in the last year, including the FJC Training Institute and Virtual Forensic Medical Consultations. The Training Institute provides trainings free of charge to organizations, agencies, groups, and the public on a variety of topics related to domestic violence and teen dating violence. More information is available on the [Training Institute website](#). The Virtual Forensic Medical Consultations program is a partnership with Shady Grove Medical Center, in which FJC Clients who have been physically and/or sexually abused can connect directly with a Forensic Nurse to discuss their options, available medical services and interventions, and make an in-person appointment at the hospital for further care. The idea is that making this initial connection will increase the likelihood of follow-through for Clients to receive much-needed medical assistance. These consultations are free of charge and facilitated by FJC staff. While COVID-19 brought on countless challenges, the FJC remained open and has not only adjusted to its "new normal," but continued to find ways to evolve, improve and thrive.

Taser Update

Last year, the Council added sufficient funding (\$17,789) for the Sheriff to purchase new tasers in FY22. The Sheriff purchases tasers under the County Police contract with Axon and tasers must be replaced every five years. Additionally, the Sheriff would like to ensure that all Deputies are trained and certified to carry Tasers. The Sheriff currently has about 54 certified Deputies, and the Sheriff has been training about 15 Deputies per year. Council staff is concerned that a delay in the training and issuance of Tasers across all staff impairs the ability to use a less-lethal tool when necessary. It is Council staff's understanding that Deputies train at the Academy to learn how to use the Tasers, and that the Police Department has moved to the new Axon 7 Taser. In order to get trained on this Taser, the Sheriff's Office would need to have the same version.

South Tower Wi-Fi

Some Deputy Sheriffs maintain office space in the South Tower at Terrace Level. It is Council Staff's understanding that this level of the building has never had Wi-Fi and that this can impair the Deputies' ability to conduct basic work operations. ***The Committee may wish to ask more about any technology needs.***

Prisoner Transports

The State's new Use of Force Statue (SB 71/Chapter 60 of 2021) may create operational changes that significantly impact both DOCR and the Sheriff's Office.

The Sheriff's Office is primarily responsible for prisoner transports, including those from MCDC or MCCF to court, between MCDC and MCCF, and medical transports to hospitals. The Sheriff currently provides prisoner transports between 5:30am and midnight on weekdays, and between 8am and 4pm on weekends. These shifts cover court transportation and other types of transport as necessary. Occasionally, there is the need to transport a prisoner between correctional facilities or to the hospital. The Montgomery County Police Department (MCPD) currently provides these inter-jail transports or hospital transports after hours.

MCPD is concerned about continuing after-hour transports because it is not required by law to do so, and the Department has received legal guidance that it should not do unnecessary

transports where there may be a need to use force. It plans to discontinue prisoner transports to reduce its liability exposure. Chapter 60 states in part:

“A police officer may not intentionally violate subsection (D) of this section, resulting in a serious physical injury or death to a person. A police officer who violates Paragraph (1) of this subsection is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 10 years.”

The Executive is exploring options to both minimize the need to transport prisoners after hours, such as recently modifying four cells at MCDC and providing sight/sound separation to accommodate lower acuity medical/mental health patients and separate male and female inmates until the Sheriffs are on duty and can provide transportation. However, there are still some required transports to move prisoners to MCCF where they can be provided with acute treatment and supervision for those with urgent medical or mental health needs. Council staff advises some potential solutions include:

- Additional modifications and staffing at MCDC;
- Adding 10 Deputy Sheriffs to provide overnight transports; or
- Police taking prisoners to the hospital rather than MCCF.

None of these solutions is ideal; all are expensive. The Sheriff’s Office has 155 sworn positions, of which 106 are Deputies. It is too small to absorb the additional work without significant impact. The Deputy Sheriff option would cost approximately \$1.1 million, and it would take 18 months to hire 10 additional Deputies. Given currently public safety recruiting challenges, it is unknown whether the Office can recruit that number. The Executive continues to work to address

Council Staff Recommendation

Council staff recommends approval of the budget as submitted by the Executive.

This Staff Report Contains

FY23 Recommended Operating Budget Sheriff
Sheriff Responses

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Sheriff

RECOMMENDED FY23 BUDGET

\$26,928,523

FULL TIME EQUIVALENTS

191.76

 DARREN POPKIN, SHERIFF

MISSION STATEMENT

The mission of the Sheriff's Office is to provide general law enforcement, judicial enforcement, and specialized public safety services to the residents of Montgomery County in a lawful, fair, impartial, and non-discriminatory manner; and to ensure that Court mandates are carried out with respect for individual rights and freedoms. The Sheriff's Office is committed to establishing and maintaining cooperative working relationships with all other law enforcement, governmental, and criminal justice agencies, and the Courts to ensure that the residents of Montgomery County receive the full range of law enforcement services required for a safe and orderly society.

BUDGET OVERVIEW

The total recommended FY23 Operating Budget for the Sheriff's Office is \$26,928,523, an increase of \$491,806 or 1.86 percent from the FY22 Approved Budget of \$26,436,717. Personnel Costs comprise 83.76 percent of the budget for 189 full-time position(s) and five part-time position(s), and a total of 191.76 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 16.24 percent of the FY23 budget.

COUNTY PRIORITY OUTCOMES

While this program area supports all seven of the County Executive's Priority Outcomes, the following are emphasized:

-  **Effective, Sustainable Government**
-  **Safe Neighborhoods**

INITIATIVES

-  In accordance with Chapter 90 of 2021 from the Maryland General Assembly, the Sheriff's Office will reimburse reasonable and necessary veterinary treatment expenses for retired canines.
-  The Family Justice Center is working with the Montgomery County Department of Technology Services to develop paperless and fully electronic systems for intake and record-keeping. Full implementation of the new procedures is expected during the first half of FY23.
-  The Family Justice Center is developing a training institute that will cover topics such as Domestic Violence Dynamics, Domestic Violence in the Workplace, How to Talk to Children About Dating Violence, and Bystander Intervention. The

Family Justice Center Training Institute is expected to launch in early 2022 and will be available to the general public and Montgomery County employees.

- ★ The Domestic Violence Coordinating Council's Victim Services Committee has identified potential partners to provide enhanced services for victims of domestic violence who also abuse substances.
- ★ The Family Justice Center will continue to explore a partnership with the Shady Grove Medical Center's Forensic Nursing Unit to provide virtual forensic medical consultations to clients that have been abused or assaulted, either physically or sexually.
- ★ The Family Justice Center will continue to explore ways to acknowledge October as Domestic Violence Awareness Month via virtual and in-person awareness events and social media campaigns.
- ★ The Sheriff's Office will fill a vacant Principal Administrative Aide position that was previously lapsed, to coordinate the administrative responsibilities associated with Tenant Eviction Services.

INNOVATIONS AND PRODUCTIVITY IMPROVEMENTS

- ★ The Family Justice Center has remained open throughout the COVID-19 public health crisis. As of June 7, 2021, all Family Justice Center staff were brought back on-site full-time. Safety precautions such as disinfecting interview rooms between each use, requiring COVID-19-related screening questions and temperature checks for all visitors, and mandatory face coverings continued to be implemented to protect the health and safety of staff and clients.
- ★ The Family Justice Center launched the Family Violence Prevention Campaign in collaboration with partner agencies and stakeholders. Due to the public health crisis created by the Covid-19 pandemic, its associated lockdowns, and the transition to more virtual public interactions, the dangers of family violence face are magnified. The campaign message of "Do You Feel Unsafe at Home?" is available in English and Spanish on all printed material and in French, Mandarin, Amharic, Korean, Swahili, Igbo, Arabic, Tagalog, Russian, Urdu, Hindi, Vietnamese, Farsi and Portuguese through electronic messaging. This fiscal year the Domestic Violence Coordinating Council will distribute over 48,000 awareness cards throughout the County.
- ★ RespectFest, which was part of the Domestic Violence Coordinating Council's Choose Respect Initiative, took place virtually in April 2021 and included a keynote survivor speaker, workshops for middle school and high school students, Yoga and Self Defense Classes, and workshops for parents and youth serving providers. In addition, students could also engage in online activities that addressed issues like consent, healthy vs. unhealthy relationships, how to help a friend, how to be an ally to LGBTQ+ folks, and technology abuse.

PROGRAM CONTACTS

Contact Mary Lou Wirdzek of the Sheriff's Office at 240.777.7078 or Taman Morris of the Office of Management and Budget at 240.777.2771 for more information regarding this department's operating budget.

PROGRAM PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable), with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY22 estimates reflect funding based on the FY22 Approved Budget. The FY23 and FY24 figures are performance targets based on the FY23 Recommended Budget and funding for comparable service levels in FY24.

PROGRAM DESCRIPTIONS

Administration

This division provides general administrative support to the Sheriff's Office including personnel and labor relation matters, planning and policy, training, background investigations, payroll, purchasing, internal investigations, automation, grants, and budget-related functions. The Administrative Division provides technical support for the Sheriff's Records Management System (E*Justice). The Administrative Division also oversees the Sheriff's compliance with recognized accreditation standards. The Assistant Sheriffs direct research and development of policies, procedures, and regulations to meet professional standards developed for law enforcement agencies.

The Assistant Sheriffs also oversee internal investigations, represent the Sheriff's Office in legislative matters, and provide legal direction. The Sheriff's Office participates in school functions, civic association meetings, and serves on commissions and committees. The Sheriff's Office serves on applicant, promotional, and disciplinary boards of other public safety agencies. Administrative personnel organize and teach in-service and specialized deputy training and periodic weapons qualification, as required by the Maryland Police Training Commission. The Sheriff's Office also participates in law enforcement task forces and units such as the Special Response Team, Special Events Response Team, and Hostage Negotiation Team in cooperation with the Montgomery County Police Department, Montgomery County Fire and Rescue Services, and other law enforcement agencies; and in response to mutual-aid calls as necessary.

Program Performance Measures	Actual FY20	Actual FY21	Estimated FY22	Target FY23	Target FY24
Number of Interim and Temporary Peace Orders received ¹	2,258	2,815	2,983	3,161	3,350
Number of Interim and Temporary Protective Orders received	4,557	5,343	5,663	6,002	6,362
Number of safety check violations resulting in arrest ²	0	0	2	3	4
Number of weapons seized as a result of Protective Orders	165	160	168	178	189

¹ The Sheriff's Office is required to immediately serve Court issued Peace and Protective orders in cases where petitioners seek protection from abuse. Each year, a higher number of Interim and Temporary Orders are received that require full processing through State and Federal law enforcement databases prior to physical service of the orders on the respondent.

² Safety checks involve efforts by Sheriff's deputies to ensure that victims are safe and court orders are being obeyed after the issuance of an Interim or Temporary Order. Safety checks are conducted by site visit or phone.

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	7,087,684	29.00
Increase Cost: Restoration of Pre-Covid Costs to the Security Budget	129,470	0.00
Increase Cost: Six Percent Inflationary Increase to Non-Profit Service Provider Contracts	35,068	0.00
Increase Cost: Software Subscriptions	28,602	0.00
Increase Cost: Differential Adjustments	19,475	0.00
Decrease Cost: Elimination of Long-term Vacancies	0	(2.00)
Decrease Cost: Promotional Exams - Every Other Year	(80,000)	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(728,750)	(0.52)
FY23 Recommended	6,491,549	26.48

Civil Process

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

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

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	2,429,690	22.50
Enhance: Veterinary Treatment for Retired Canines	10,000	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	289,955	1.04
FY23 Recommended	2,729,645	23.54

Courtroom/Courthouse Security and Transport

The Sheriff's Office is responsible for transporting inmates between the Montgomery County Correctional Facility (MCCF), Montgomery County Detention Center (MCDC), and various jails and court-holding facilities, as well as to and from healthcare facilities. The Sheriff's Office also guards inmates while at these facilities. When a writ is received from other counties, deputies are required to transport MCDC and MCCF inmates to other Maryland District and Circuit Courts. The Sheriff's Office administers temporary detention facilities in the Silver Spring and Rockville District Courts, the Circuit Court for adult inmates as well as the Juvenile Court holding facility located in the South Tower of the Circuit Court complex.

The Sheriff's Office provides security for the County's Circuit Court and operates X-ray machines and magnetometers to screen visitors entering the buildings at three public entrances. The Sheriff's Office uses trained canines to detect explosives, weapons, and to serve as a general crime deterrent within the courthouses.

The Sheriff's Office Canine Section is also the primary responder for explosive device detection calls, Monday through Friday, and responds to mutual-aid calls from the Montgomery County Police Department, Montgomery County Fire and Rescue Services, and other law enforcement agencies as necessary.

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	9,726,121	81.50
Increase Cost: Deputy Sheriff to Backfill MCGEO Reassignment	104,749	1.00
Increase Cost: Replacement of Ballistic Vests	24,412	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	870,215	3.50
FY23 Recommended	10,725,497	86.00

Criminal Process/Warrants and Extraditions

The Sheriff's Office is responsible for serving District Court civil warrants, District Court criminal warrants associated with domestic violence, all Circuit Court warrants, both adult and juvenile, and Child Support Enforcement warrants. The Warrant Section maintains on-line warrants in the following systems: Maryland Electronic Telecommunications Enforcement Resource System (METERS), National Crime Information Center (NCIC), and E*Justice. METERS and NCIC are used to share data with other State and Federal systems. E*Justice is a local database used by Montgomery County law enforcement agencies to track

warrants. It also interfaces with the Law Enforcement Information Exchange to enable data sharing with law enforcement agencies in the National Capital Region. The Sheriff's Office also conducts investigations to locate and apprehend those fugitives for whom the Sheriff's Office holds a warrant. In addition, the Sheriff's Office is responsible for returning fugitives to Montgomery County from other jurisdictions for outstanding Circuit Court warrants and processing those fugitives when returned.

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	2,450,112	21.00
Increase Cost: Subscription for Clear Software to Automate Scheduling and Performance Reviews	3,055	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(34,443)	(0.56)
FY23 Recommended	2,418,724	20.44

Domestic Violence

The Sheriff's Office is the lead agency in Montgomery County for serving court orders related to domestic violence, including Protective and Peace Orders. The Office is also responsible for serving Child Custody Orders. The Domestic Violence Section serves domestic violence court orders 24 hours a day, seven days a week. The Section works collectively with other County agencies to ensure that the petitioners are referred to essential County services available to them and their families. In an effort to enhance protection for the victims of domestic violence, the Sheriff's Office offers cellular phones to domestic violence victims. The Sheriff's Office also serves Emergency Evaluation Petitions that include obtaining custody and transporting residents to the hospital for court ordered mental evaluation.

FY23 Recommended Changes	Expenditures	FTEs
FY22 Approved	4,743,110	38.80
Enhance: Restoration of Lapsed Principal Administrative Aide to Support Tenant Eviction Services	43,110	0.00
Technical Adj: Protective Order Enforcement Grant Adjustment	29,891	(0.04)
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(253,003)	(3.46)
FY23 Recommended	4,563,108	35.30

BUDGET SUMMARY

	Actual FY21	Budget FY22	Estimate FY22	Recommended FY23	%Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	15,899,167	16,680,115	16,932,266	17,100,545	2.5 %
Employee Benefits	4,957,268	5,081,391	4,861,349	4,839,550	-4.8 %
County General Fund Personnel Costs	20,856,435	21,761,506	21,793,615	21,940,095	0.8 %
Operating Expenses	3,733,687	3,771,565	4,156,242	4,054,891	7.5 %
County General Fund Expenditures	24,590,122	25,533,071	25,949,857	25,994,986	1.8 %
PERSONNEL					
Full-Time	182	182	182	181	-0.6 %
Part-Time	5	5	5	5	—
FTEs	187.89	187.62	187.62	186.62	-0.5 %

BUDGET SUMMARY

	Actual FY21	Budget FY22	Estimate FY22	Recommended FY23	%Chg Bud/Rec
REVENUES					
Facility Rental Fees	0	500	0	0	-100.0 %
Miscellaneous Revenues	1,144	4,000	3,000	4,000	—
Other Charges/Fees	8,287	20,000	5,000	20,000	—
Other Intergovernmental	7,468	20,460	0	0	-100.0 %
Sheriff Fees	359,706	1,200,000	500,000	800,000	-33.3 %
County General Fund Revenues	376,605	1,244,960	508,000	824,000	-33.8 %

GRANT FUND - MCG

EXPENDITURES

Salaries and Wages	2,590,862	441,580	441,580	486,088	10.1 %
Employee Benefits	203,384	144,941	144,941	130,324	-10.1 %
Grant Fund - MCG Personnel Costs	2,794,246	586,521	586,521	616,412	5.1 %
Operating Expenses	250,292	317,125	317,125	317,125	—
Grant Fund - MCG Expenditures	3,044,538	903,646	903,646	933,537	3.3 %

PERSONNEL

Full-Time	8	8	8	8	—
Part-Time	0	0	0	0	—
FTEs	4.91	5.18	5.18	5.14	-0.8 %

REVENUES

Federal Grants	2,912,395	903,646	903,646	933,537	3.3 %
Miscellaneous Revenues	21,000	0	0	0	—
Other Intergovernmental	(21)	0	0	0	—
State Grants	(2,184)	0	0	0	—
Grant Fund - MCG Revenues	2,931,190	903,646	903,646	933,537	3.3 %

DEPARTMENT TOTALS

Total Expenditures	27,634,660	26,436,717	26,853,503	26,928,523	1.9 %
Total Full-Time Positions	190	190	190	189	-0.5 %
Total Part-Time Positions	5	5	5	5	—
Total FTEs	192.80	192.80	192.80	191.76	-0.5 %
Total Revenues	3,307,795	2,148,606	1,411,646	1,757,537	-18.2 %

FY23 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
	FY22 ORIGINAL APPROPRIATION	25,533,071 187.62
<u>Changes (with service impacts)</u>		

FY23 RECOMMENDED CHANGES

	Expenditures	FTEs
Enhance: Restoration of Lapsed Principal Administrative Aide to Support Tenant Eviction Services [Domestic Violence]	43,110	0.00
Enhance: Veterinary Treatment for Retired Canines [Civil Process]	10,000	0.00
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Annualization of FY22 Compensation Increases	513,923	0.00
Increase Cost: FY23 Compensation Adjustment	420,487	0.00
Increase Cost: Restoration of Pre-Covid Costs to the Security Budget [Administration]	129,470	0.00
Increase Cost: Motor Pool Adjustment	107,148	0.00
Increase Cost: Deputy Sheriff to Backfill MCGEO Reassignment [Courtroom/Courthouse Security and Transport]	104,749	1.00
Increase Cost: Six Percent Inflationary Increase to Non-Profit Service Provider Contracts [Administration]	35,068	0.00
Increase Cost: Software Subscriptions [Administration]	28,602	0.00
Increase Cost: Replacement of Ballistic Vests [Courtroom/Courthouse Security and Transport]	24,412	0.00
Increase Cost: Differential Adjustments [Administration]	19,475	0.00
Technical Adj: Reversal of Elimination of One-time Item for Tasers (M3)	17,789	0.00
Increase Cost: Printing and Mail Adjustment	3,355	0.00
Increase Cost: Subscription for Clear Software to Automate Scheduling and Performance Reviews [Criminal Process/Warrants and Extraditions]	3,055	0.00
Decrease Cost: Elimination of Long-term Vacancies [Administration]	0	(2.00)
Decrease Cost: Elimination of One-Time Items Approved in FY22	(17,789)	0.00
Decrease Cost: Promotional Exams - Every Other Year [Administration]	(80,000)	0.00
Decrease Cost: Annualization of FY22 Personnel Costs	(186,783)	0.00
Decrease Cost: Retirement Adjustment	(714,156)	0.00
FY23 RECOMMENDED		25,994,986 186.62

GRANT FUND - MCG

FY22 ORIGINAL APPROPRIATION		903,646 5.18
<u>Other Adjustments (with no service impacts)</u>		
Technical Adj: Protective Order Enforcement Grant Adjustment [Domestic Violence]	29,891	(0.04)
FY23 RECOMMENDED		933,537 5.14

PROGRAM SUMMARY

Program Name	FY22 APPR Expenditures	FY22 APPR FTEs	FY23 REC Expenditures	FY23 REC FTEs
Administration	7,087,684	29.00	6,491,549	26.48
Civil Process	2,429,690	22.50	2,729,645	23.54
Courtroom/Courthouse Security and Transport	9,726,121	81.50	10,725,497	86.00
Criminal Process/Warrants and Extraditions	2,450,112	21.00	2,418,724	20.44
Domestic Violence	4,743,110	38.80	4,563,108	35.30

PROGRAM SUMMARY

Program Name	FY22 APPR Expenditures	FY22 APPR FTEs	FY23 REC Expenditures	FY23 REC FTEs
Total	26,436,717	192.80	26,928,523	191.76

FUNDING PARAMETER ITEMS

CE RECOMMENDED (\$000S)

Title	FY23	FY24	FY25	FY26	FY27	FY28
COUNTY GENERAL FUND						
EXPENDITURES						
FY23 Recommended	25,995	25,995	25,995	25,995	25,995	25,995
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Items Recommended in FY23	0	(13)	(13)	(13)	(13)	(13)
Items recommended for one-time funding in FY23, including certain operating expenses for new Deputy Sheriff position, will be eliminated from the base in the outyears.						
Labor Contracts	0	932	932	932	932	932
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	25,995	26,914	26,914	26,914	26,914	26,914

- 1) Restoration of Lapsed Principal Administrative Aide to Support Tenant Eviction Services [Domestic Violence]. Can you please describe this issue? What support is provided for eviction services? Is this related to COVID?

The Sheriff agreed to the release of three lapsed positions from the MCSO complement and to replace them with a fully funded PAA position to be added to the MCSO complement in the Civil Division.

The Sheriff is working with the CE to provide information to HHS regarding residents who are being evicted because of COVID related issues. The Civil Section provides pertinent information to HHS who reach out to those residents with information that may help them avert an eviction. The Civil Section has always worked with HHS to help tenants resolve eviction notices, but the issues have become more complicated because of COVID and the changes in law.

This particular request doesn't require a full-time position, but it is one more task that adds to an already over-burdened section. An additional PAA position would relieve deputies of admin duties such as answering the calls from landlords and tenants who call during the day to check on eviction statuses.

When the deputies arrive in the morning, they return calls from the previous day. When the deputies return from their daily duties at the end of the day, they return calls. Many times, they are not able to reach the callers which cause more delays and more calls. Currently, a deputy on light duty is answering the calls during the day, but the light duty assignment will not last much longer. Having a PAA answer calls and relay important information to deputies would make the process more efficient and allow better communication between MCSO and the landlords and tenants.

Additionally, Maryland HB 180 has established that the Maryland Legal Service Corporation develop a pamphlet for the Sheriff's Office to distribute along with Landlord and Tenant notices to tenants regarding legal representation that may be available to them. The process for performing this extra duty is being developed by the Sheriff's Office to make sure all documents are distributed in a timely manner. This process will involve stuffing envelopes which is also complicated because of the size, weight and width of the papers involved.

As the number of evictions began to increase, the extra responsibilities will become more challenging.

In addition to answering phone calls, and providing information to HHS, a PAA would also be able to:

- assist with scheduling evictions
- assess the status of an eviction as well as screen more information coming from the court or tenant regarding potential stays
- Compute the amounts due to Landlords which requires time and proper documentation for verification of dates and payments made to Landlords

- 2) Veterinary Treatment for Retired Canines [Civil Process]: Is this to comply with the new State law? How many retired canines does this provide care for? Do you already pay for any other expenses, like food?

Yes. SB156 Veterinary Care of Retired Law Enforcement K-9s Act

Reimbursement may **only be for usual and customary veterinary treatment** that is not attributable to abuse or neglect of the dog and is verified by written receipt. It may not exceed **\$2,500 during a calendar year** and **\$10,000 over the life of the dog.** Other expenses such as food is not covered. The Sheriff's office currently has 2 retired canines and anticipates 3 more to retire within the next year.

- 3) Restoration of Pre-Covid Costs to the Security Budget [Administration]: Does this reflect the return to normal court operations and the need to provide security staff?

Yes

- 4) Deputy Sheriff to Backfill MCGEO Reassignment [Courtroom/Courthouse Security and Transport]: Please describe this change.

The Union position of Recorder became vacant. Pursuant to the current collective bargaining agreement, specifically 36.5, the Union requested to fill that position with a bargaining unit deputy in the Sheriff's Office which was subsequently approved by Sheriff Popkin. Thereinafter an agreement was reached between County Executive Elrich and Sheriff Popkin that Sheriff's Office position would be backfilled to support the full staffing level of the Sheriff's Office.

- 5) Six Percent Inflationary Increase to Non-Profit Service Provider Contracts: What service providers does this impact?

The Sheriff's Office has 12 Community Grants:

- Catholic Charities of the Archdiocese of Washington, DC
- DVS Legal Services, Inc.
- The Greater Washington Jewish Coalition Against Domestic Abuse, Inc.
- Montgomery County Family Justice Center Foundation, Inc.
- Montgomery County Family Justice Center Foundation, Inc.
- The Muslim Community Center, Inc.
- Asian/Pacific Islander Domestic Violence Resource Project, Inc.
- The CareerCatcher, Inc
- Court Watch Montgomery, Inc.
- The Greater Washington Jewish Coalition Against Domestic Abuse, Inc.
- House of Ruth Maryland, Inc.
- Opening New Doors Foundation, Inc.

- 6) Replacement of Ballistic Vests [Courtroom/Courthouse Security and Transport]: How many vests will be replaced? Is there a replacement schedule for all vests?

There is a replacement schedule for vests. The vests have a 5-year expiration date. The vests are custom, and each year the number to replace changes due to separation in service for retirements, etc. There are at least 17 replacement vests scheduled to be purchased in FY23.

- 7) Reversal of Elimination of One-time Item for Tasers (M3). Please describe this increase.
The Sheriff's budget has supported a yearly taser replacement plan of \$17,789 for several years. For the FY22 budget, the Sheriff offered to suspend the \$17,789 for one year as part of his reduction plan for FY22. After Council review, it was reinstated. However, the reinstatement didn't roll over correctly. The original Funding Parameter presented it as an "Elimination of one-time item approved in FY22." It was corrected.
- 8) Elimination of promotional exams: Please describe this change.
A budget of \$80,000 that is received every other year by the Sheriff's Office for Lieutenant and Sergeant promotional exams. OHR uses their purchase order to charge our budget when the work is done by the contractor who prepares the tests. We have the \$80,000 in FY22, but not in FY23.
- 9) How many authorized deputy positions do you have now? How many vacancies?
The full sworn complement is 155. Of that amount, there are 106 Deputy Sheriff III positions.
- 10) How many recruits are budgeted for FY23?
10
- 11) What has your recent hiring experience been like? Are you suffering from the same types of recruiting and hiring challenges that the police department is?
The Sheriff's Office is budgeted for 10 recruits for FY22 but is also having the the same recruiting and hiring challenges as the Police.
- Before August 2020, we were able to place at least 5 in a class. Between August 2020 and January 2022, there were four classes that graduated 3,2,3 and 0. One transfer from another law enforcement agency for a total of 9 hired since August 2020.
 - We will lose two more deputies by the end of June, and another by the end of August FY23.
 - We are currently down 7 deputy positions which will become 10 by the end of August
 - We have four in the academy now and hope to graduate all.
- 12) Could you provide a brief update on the Family Justice Center? Particularly how it's been operating during COVID. Have you seen increases in clients? Or reductions? Changes in severity of circumstances
The Family Justice Center (FJC) has continued to thrive despite the many changes and challenges resulting from the COVID-19 pandemic. During the 2021 fiscal year, the Center provided critical, wraparound services to 1,726 survivors of domestic violence and their children, breaking the record set in FY20 for number of Clients served. The COVID-19 public health crisis created a perfect storm of horror for individuals living in fear due to abuse. The medical, occupational, emotional, and financial stressors resulting from the pandemic put victims in significantly more danger than they were already in, at a time when they were simultaneously cut off from many of their usual support systems like friends, family, and hobbies. As such, we have seen a significant, enduring increase not only in the number of domestic violence cases, but in the severity of those cases, with many involving strangulation, firearms, and other major risk factors. Through the efforts of our team of providers here at the Center, and through the guidance from our county leaders, we have remained fully open and operational to ensure help is available to all who need it.

We have also launched several exciting new initiatives in the last year, including the FJC Training Institute and Virtual Forensic Medical Consultations. The Training Institute provides trainings free of charge to organizations, agencies, groups, and the general public on a variety of topics related to domestic violence and teen dating violence. More information is available on the Training Institute website (<https://www.montgomerycountymd.gov/fjc/traininginstitute.html>). The Virtual Forensic Medical Consultations program is a partnership with Shady Grove Medical Center, in which FJC Clients who have been physically and/or sexually abused can connect directly with a Forensic Nurse to discuss their options, available medical services and interventions, and make an in-person appointment at the hospital for further care. The idea is that making this initial connection will increase the likelihood of follow-through for Clients to receive much-needed medical assistance. These consultations are free of charge and facilitated by FJC staff. While COVID-19 brought on countless challenges, the FJC remained open and has not only adjusted to its "new normal," but continued to find ways to evolve, improve and thrive.