AGENDA ITEM #71
May 5, 2009

Worksession

MEMORANDUM

May 1, 2009

TO: County Council

FROM: Susan J. Farag

SUBJECT: FY10 Operating Budget
Department of Correction and Rehabilitation (DOCR)

Those expected for this worksession:

Arthur Wallenstein, Director, Department of Correction and Rehabilitation (DOCR)
Robert Green, Warden, Montgomery County Correctional Facility (MCCF)
W. L. Smith, Warden, Montgomery County Detention Center (MCDC)
Stefan LoBuglio, Chief, Pre-Release and Re-Entry Services
Sharon Trexler, Chief, Pre-Trial Services
Mark Wulff, Administrative Services, DOCR
Ed Piesen, Office of Management and Budget (OMB)

Summary of Public Safety Committee Recommendations

The Public Safety Committee held worksessions on the DOCR budget on April 22 and May 1, 2009. **The Committee recommended (3-0) restoring a laboratory assistant position at Pre-Trial Services and putting $72,140 for this position on the Reconciliation list.** This item is outlined in more detail on page 6. **The Committee also recommended (3-0) approving the rest of the CE Recommended FY10 budget as submitted.** Discussion at both worksessions focused on the elimination of 20 positions and what impact this would have on service delivery and public safety. MCGEO also offered alternative reductions, which the Committee discussed on May 1. MCGEO's list of reductions, DOCR's response, and MCGEO's additional comments are attached at ©19-34.

DOCR also noted in the April 22 worksession that it had worked out an agreement with the Department of General Services (DGS) to take over a portion of DGS' bus cleaning requirements, currently performed under an outside contract. This work will be performed instead with work release crews under the supervision of Pre-Trial Services. This agreement

obviates the need to abolish the Work Crew Supervisor position, as proposed in the CE Recommended FY10 Budget and discussed on page 7 of this packet. Under a proposed agreement between DGS and DOCR, this item must be budget-neutral. It will add $0 and no workyears to the budget, but will increase the total number of positions from 550 to 551 for FY10.

The Executive's recommendation for DOCR is attached at ©1-8.

Overview

For FY10, the Executive recommends total expenditures of $65.6 million for the Division of Correction and Rehabilitation (DOCR), a 0% increase from the FY09 approved budget.

	FY08 Actual	FY09 Approved	FY10 CE Recommended	% Change FY09-FY10
Expenditures				
General Fund	$64,935,562	$65,602,820	$65,621,060	0.0%
Grant Fund				
TOTAL Expenditures	$64,935,562	$65,602,820	$65,621,060	0.0%
Positions				
Full-Time	573	562	546	-2.8%
Part-Time	6	6	4	-33.3%
TOTAL Positions	579	568	550	-3.2%
TOTAL WORKYEARS	635.5	620.6	599.9	-3.3%

The FY10 CE recommendation is a net increase of $18,240. The budget contains one change with a service impact, adding a grant to the Prison Outreach Ministry to fund a contractual prisoner Welcome Home program. This change increases expenditures by $55,000. Identified same services adjustments reduce expenditures by $36,760, as shown below.

Identified Same Services Adjustments		
Increase Cost:	Annualization of FY09 Personnel Costs	$1,090,390
Increase Cost:	Retirement Adjustment	$554,040
Increase Cost:	Service Increment	$483,330
Increase Cost:	Group Insurance Adjustment	$127,030
Increase Cost:	Provide community re-entry services	$40,000
Increase Cost:	Marginal cost due to inmate population increase	$12,950
Increase Cost:	Printing charges adjustment	$6,420
Increase Cost:	Inter-office mail revenue adjustment	$2,900
	Total Increases:	$2,317,060
Decrease Cost:	Records management adjustment	($210)
Decrease Cost:	Mail charges adjustment	($1,970)
Decrease Cost:	Central duplication recovery charge	($7,480)
Decrease Cost:	Abolish Program Manager (Baker) - MCCF	($15,790)
Decrease Cost:	Retirement Incentive Program Savings	($20,180)
Decrease Cost:	Domestic Violence Caseworkers charges to federal grant	($23,210)
Decrease Cost:	Motor Pool Rate Adjustment	($25,950)
Decrease Cost:	Abolish Public Service Intern - Pre-release and Re-entry	($37,630)
Decrease Cost:	Abolish Correctional Health Nurse - MCCF	($40,640)
Decrease Cost:	Elimination of one-time items approved in FY09	($47,000)
Decrease Cost:	Abolish OSC position (Pre-release and Re-entry)	($53,410)
Decrease Cost:	2% contract reductions	($53,560)
Decrease Cost:	Abolish PAA position - MCCF	($66,980)
Decrease Cost:	Abolish Laboratory Assistant position - Pre-Trial Services	($72,140)
Decrease Cost:	Abolish Maintenance Officer - MCCF	($73,960)
Decrease Cost:	Abolish Work Crew Supervisor - Pre-Trial Services	($73,960)
Decrease Cost:	Abolish Training Coordinator - MCCF	($73,960)
Decrease Cost:	Abolish Psychiatric Comm. Health Nurse - MCCF	($84,910)
Decrease Cost:	Abolish Library Associate II	($85,960)
Decrease Cost:	Reduce cost of Vol. Coordinator by charging half to Canteen	($95,310)
Decrease Cost:	Reduce various operating expenses	($102,230)
Decrease Cost:	Abolish Administrative Captain and create Lieutenant position	($117,580)
Decrease Cost:	Abolish IPSA Caseworker - Pre-Trial Services	($127,810)
Decrease Cost:	Abolish Workforce Manager - MCCF	($138,780)
Decrease Cost:	Abolish two Lieutenant positions - MCDC	($271,070)
Decrease Cost:	Abolish two Comm. Release Coord. Positions - Pre-Release	($284,280)
Decrease Cost:	Decrease spending on overtime	($357,860)
	Total Decreases:	($2,353,820)
Net Same Services Adjustment Total:		($36,760)

FY10 Expenditure Issues

Performance Plan (CountyStat)

As the Committee is aware, DOCR has for many years provided a very complete set of performance measures on their programs. County Executive Leggett has required each department to develop a performance plan as a part of the CountyStat process. This new measure has replaced measures that were previously included in the budget or the *Montgomery Measures Up!* Document. The DOCR performance plan is attached at ©9-16. Director Wallenstein can provide the Committee with an overview briefing of the DOCR performance plan and the CountyStat effort as it applies to his department.

Abolished Positions

The FY10 recommended budget reduces total staff from 568 positions to 548 positions, for a total reduction of 20 positions and 20.7 workyears. These changes are discussed below.

FY10 Personnel Changes		
Decrease Cost:	Abolish Program Manager (Baker) - MCCF	($15,790)
Decrease Cost:	Domestic Violence Caseworkers charges to federal grant	($23,210)
Decrease Cost:	Abolish Public Service Intern - Pre-release and Re-entry	($37,630)
Decrease Cost:	Abolish Correctional Health Nurse - MCCF	($40,640)
Decrease Cost:	Abolish OSC position (Pre-release and Re-entry)	($53,410)
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Decrease Cost:	Abolish Workforce Manager - MCCF	($138,780)
Decrease Cost:	Abolish two Lieutenant positions - MCDC	($271,070)
Decrease Cost:	Abolish two Comm. Release Coord. Positions - Pre-Release	($284,280)
TOTAL Reduction:		($1,737,380)

Public Service Intern – Pre-Release and Re-Entry

This position assist in screening individuals for eligibility into the program and assists in coordinating treatment activities for the resident population.

This position is vacant and will not cause a Reduction in Force situation.

Office Services Coordinator – Pre-Release and Re-Entry

This position provides administrative duties, including maintaining operational databases that track disciplinary records, the program's census, and maintenance work orders; overseeing and coordinating bill payment; assisting with procurement; updating the website; and directly supporting unit operations.

The position is vacant and will not cause a RIF situation. Its duties have been distributed to existing staff, resulting in some additional overtime. A work reorganization by the Management Services Division will start providing bill payment services during regular hours. DOCR indicates no further overtime will be needed for this function.

Two Community Release Coordinator Positions – Pre-Release and Re-Entry

These positions assist PRRS in providing re-entry services to soon-to-be-released offenders by overseeing disciplinary hearings, providing onsite coordination of medical services, and filling in for staff on extended leave, including work release coordinators, case managers, and unit managers. DOCR states that the loss of these positions will diminish the quality and extensiveness of re-entry services to PRRS clients, as the duties will have to be assumed by other staff. The change will decrease administrative capacity to engage in partnerships with outside organizations and handle mission critical functions required of an accredited correctional agency. The impact is somewhat mitigated by the increased responsibilities assumed by Correctional Specialist IIIs within PRRS.

Both positions are filled. Because of the County's Retirement Incentive Program (RIP), possible retirement scenarios are developing. At least one of these incumbents could be eligible to move into a vacant Correctional Specialist IV position at MCCF.

Domestic Violence Caseworkers – Pre-Trial Services

The Sheriff's grant for the two caseworkers (1.75 workyears) expired on December 30, 2008. The positions are proposed to be abolished July 1, but will be handling caseloads in the interim. The personnel costs budgeted under DOCR have not been fully reimbursed by the grant, because the chargeback arrangement was not adjusted to meet the increases in personnel costs over the past year, and because the grant had no more available funds. The net difference is $23,210.

The incumbents are not eligible for Reduction in Force placement because the positions were part of a grant.

The Sheriff's Office is reapplying for this grant, at a reduced award amount of $1 million instead of $1.5 million. If it is awarded, the full-time Domestic Violence caseworker position will be funded.

Laboratory Assistant – Pre-Trial Services

The position oversees urine collection on all female defendants and is responsible for inventory maintenance of drug testing supplies, disposal of hazardous waste, HATS management, data entry of urine results, and urinalysis statistics.

The Pre-Trial Services Division conducts over 21,000 urine tests annually between the IPSA program and the Pre-Trial Supervision Unit. The laboratory assistant position is located within IPSA, but serves all client bases as needed. The abolishment of this position, which is currently responsible for supervising the urine collection of 20% of the clients (the female clients), would shift a significant workload onto the remaining Pre-Trial caseworker staff. Most administrative functions, such as inventory, HATS, supply ordering, and data entry of urine results, would be assumed by the IPSA manager. DOCR estimates that the administrative duties alone would add six hours of work per week to the IPSA manager's workload. The supervision of urine tests would be assumed by other female caseworkers within the unit. Currently, the IPSA manager, in addition to managerial duties, maintains a caseload of about 40 clients per month. Other IPSA caseworkers maintain caseloads of about 100 clients per month.

This position is filled. This is a specialty position and no other exists in the department.

In the absence of this position, a significant caseload would be distributed to staff who already manage large caseloads. Stretching remaining staff with higher caseloads may reduce the ability to supervise clients who are placed in the community rather than incarcerated.

IPSA Caseworker – Pre-trial Services

IPSA is a diversion program that serves as an alternative to prosecution for misdemeanor drug cases in the County. With six current caseworkers and an average program caseload of 500, each IPSA caseworker averages 84 clients per month. After this reduction is taken, remaining IPSA caseworkers will each manage caseloads of 100 clients. The increased caseload could result in a reduction in the number of clients who successfully complete the program and avoid prosecution of their cases. In addition, it could result in a decrease of fees collected by the program (IPSA is currently projected to collect $279,900 for FY09).

This position is vacant and will not cause a RIF situation.

Work Crew Supervisor – Pre-Trial Services

The Alternative Community Services program (ACS) currently runs two separate work crews that service approximately 14 paying customers and seven non-paying agencies. The work crews perform trash pick-up of public areas, cleaning Ride-On bus stops and depots, complete lawn maintenance of both County jails, remove gang graffiti in public areas, and other beautification efforts around the County. Abolishing a work crew will decrease available services to these organizations by nearly 50%. ACS has an average daily caseload of 1,000 offenders. Each of these individuals must complete an average of 30 hours of community service, for which caseworkers must find them a placement site. One work crew provides 3,215 eight-hour slots of community service per year. The loss of 3,215 slots per year will result in longer periods of time for offenders to successfully complete the programs. This will cause higher caseloads, and possibly lower successful completion rates for each program.

The Work Crew Supervisor position is a Corrections Officer position. The incumbent will be absorbed into the security workforce.

Administrative Captain – MCDC

This recommendation abolishes an Administrative Captain position and replaces it with a newly-created Lieutenant position. The resulting savings is $117,580.

This position is filled, but the incumbent is retiring June 1, 2009.

Two Lieutenant Positions – MCDC

This recommendation abolishes two lieutenant positions, whose duties will be assumed by existing staff (Sergeants). Sergeants are already assigned to the CPU and function as senior floor officers and first line supervisors.

The positions are filled. Because of the County's RIP offer, retirement scenarios are developing.

Program Manager – Baker – MCCF

The Bakery Program provides participating inmates with a food service certificate as well as practical food preparation skills that have resulted in a nearly 100% job placement rate upon release. The program also provides baked goods that are used as part of the larger inmate nutritional plan, supporting the service of approximately 2,300 meals per day. The program is being eliminated to provide fiscal capacity to support other functions in the DOCR budget. The baker position has been funded alternately between the County budget and the Inmate Canteen Fund for four years to keep it functioning when faced with budgetary constraints. In FY09, the position was funded under the Inmate Canteen Profits Fund, but cannot continue to be funded as

it represents a significant drain on the fund. It cannot be transferred to the general fund due to fiscal constraints.

The abolishment of the program means that job skills development for approximately 25 inmates per year will be eliminated.

The position is filled. The incumbent will be transferred to a Correctional Dietary Office position, which is currently vacant.

Correctional Health Nurse – MCCF

This part-time nursing position has been vacant since July 2008. The establishment of the DOCR nurse pool three years ago has provided DOCR with per diem nurses as needed. DOCR estimates that approximately $5,000 of nursing pool salaries will be required to offset the loss of this position.

Psychiatric Community Health Nurse – MCCF

This position has been vacant since September 2008. The DOCR nurse pool has been used to provide periodic nursing duties. MCCF has also seen a change in the acuity levels of the population needing mental health services. For that reason, MCCF has had to increase the number of psychiatric hours provided by a doctor and correspondingly reduced the number of inmates needing to be seen by a nurse.

Since the position is vacant, it will not cause a Reduction in Force situation.

Library Associate II – MCCF

This is one of two part-time positions that support the full-time librarian in the delivery of approximately 48 hours of library services per week to more than 750 incarcerated inmates. The loss of the services of this position (20 hours weekly) will affect the DOCR departmental headline measure "percent of prisoners participating in self-growth and development programs" and will decrease the number of inmates served weekly by about 75-100.

This position is vacant. DOCR will discontinue use of the position and will no longer pay Public Libraries for its personnel costs. The savings taken for the Detention Center Library total $85,960; Council staff understands that this represents annualized savings from two separate personnel actions. First, approximately $36,000 of the savings is due to abolishing the vacant Library Associate II position. Second, the Senior Librarian in the complement retired as part of the FY09 Retirement Incentive Program. That position was refilled; approximately $50,000 of the savings represents the annualized turnover savings associated with refilling the position at a lower cost.

Montgomery County Public Libraries (MCPL) and DOCR staff both indicate that this abolishment will reduce library services to inmates. MCPL staff also state that the library operated with only one part-time library associate for many years; the complement was increased to two in response to community advocacy. The reduction will leave one Senior Librarian and one part-time Library Associate III at the Detention Center Library.

Volunteer Coordinator – MCCF

This position is a Program Manager I. Half will be charged to the Inmate Canteen Fund.

Workforce Manager – MCCF

This position is a managerial position within the Workforce Development Program. The leadership of the program will be lowered to a Security Sergeant position. DOCR states the loss of this position will limit its interaction outside with stakeholder agencies. Instead, the program will refocus all efforts on direct services and maintaining current levels of service (i.e., not building new relationships).

The position is filled. The incumbent may be eligible for retirement under the proposed Retirement Incentive Program (RIP).

Maintenance Officer – MCCF

This position is a Correctional Officer III position with specialization. It was created in 2003 with the opening of MCCF to provide a focused security presence in the area of institutional maintenance. This position provides security escort to persons performing routine, scheduled, or emergency repairs inside the building. The position maintains tool control and conducts operational services such as supply delivery, trash removal from secure areas, and other minor repairs and installations as necessary.

The loss of this position may transfer more institutional maintenance workload to the Department of General Services (DGS) and may result in additional chargebacks. DOCR will do everything possible to keep this from occurring while maintaining core institutional safety and physical plant operations. Minor repairs will go undone unless they are of a security or life safety nature. More workload will be spread to duty officers to assist in assignments once completed by this position.

The position is filled. The incumbent will be transferred into another correctional officer position.

Detention Services Division Training Coordinator – MCCF

This position (Sergeant with special assignment) primarily coordinates and delivers roll call trainings at MCDC and MCCF. Roll call training has been successful in enabling DOCR to accomplish mandated levels of training each year while reducing the back-fill overtime and travel costs of having officers go to the Training Academy. The duties of this position will be spread to each individual shift at the jails to coordinate and conduct the trainings for its own team. The DOCR Training Unit will be relocated from SPSTA to MCCF, further enhancing the on-site focused training capacity.

The position is filled. The incumbent will be transferred into a correctional officer position as they become vacant.

Principal Administrative Aide – MCCF

The re-entry program provides community re-entry and bridge services to approximately 350 inmates being returned to the streets of Montgomery County each year. This position provides administrative support to the program. Program staff will do their own administrative work, including typing, filing, research, community contacts, meeting minutes, and other administrative duties.

The position is filled. There are no other open PAA positions in DOCR.

Overtime

For FY10, the County Executive is recommending $3,446,520 for overtime for the Department. The FY10 CE Recommended budget includes reduction in overtime in the following areas:

- $8,670 in Pre-Trial Release Services
- $42,190 in MCDC
- $85,000 in MCCF

At the March 5, 2009 Public Safety Committee worksession, the Committee update on Public Safety Overtime indicated that DOCR expected to exceed its FY09 overtime budget by 12% (©17-18). The Committee may want to ask DOCR staff how it is planning on taking these overtime reductions when also reducing its workforce by 20 positions, and how the FY10 recommended budget relates to projected FY09 overruns.

State Per Diem Reimbursement

The Maryland General Assembly recently acted to reduce per diem payments to the counties as part of its own cost-containment measures. The Committee may want to ask DOCR what the estimated impact of this action is on County general fund revenues.

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Correction and Rehabilitation

MISSION STATEMENT

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

BUDGET OVERVIEW

The total recommended FY10 Operating Budget for the Department of Correction and Rehabilitation is $65,621,060, an increase of $18,240 or 0.0 percent from the FY09 Approved Budget of $65,602,820. Personnel Costs comprise 88.7 percent of the budget for 546 full-time positions and four part-time positions for 599.9 workyears. Operating Expenses account for the remaining 11.3 percent of the FY10 budget.

LINKAGE TO COUNTY RESULT AREAS

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

- ***A Responsive, Accountable County Government***
- ***Safe Streets and Secure Neighborhoods***

DEPARTMENT PERFORMANCE MEASURES

This table presents the department's headline measures or submeasures that relate to multiple programs including projections from FY09 through FY11. These estimates reflect funding based on the FY09 savings plan, the FY10 budget, and funding for comparable service levels in FY11.

Measure	Actual FY07	Actual FY08	Estimated FY09	Projected FY10	Projected FY11
Headline Measures					
Zero Tolerance security incidents: suicides	0	0	0	0	0
Zero Tolerance security incidents: jail escapes[1]	0	0	0	0	0
Zero Tolerance security incidents: inappropriate releases/prisoners returned	3/3	5/5	0/0	0/0	0/0
Zero Tolerance security incidents: sexual misconduct/PREA[2]	0	1	1	1	0
Number of security incidents - assaults on staff	3	8	8	9	10
Number of security incidents - Pre-Release escapes/returned apprehended	9/9	10/10	8/8	7/7	7/7
Number of security instances - staff use of force	116	135	NA	NA	NA
Per diem cost per inmate[3]	141	146	152	157	163
Percentage total bed needs met	100	100	100	95	93
Percentage accreditation standards met	95	100	100	100	100
Percentage of prisoners participating in Self Growth and Development Programs - Pre-Release and Re-entry Services (PRRS)	100	100	100	100	100
Percentage of prisoners participating in Self Growth and Development Programs - Montgomery County Correctional Facility (MCCF)	78	75	70	65	65
Recidivism and Achievement[4]	NA	NA	NA	NA	NA

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

[2] PREA: Prison Rape Elimination Act

[3] The FY09, FY10, and FY11 per diem cost per inmate (MCDC and MCCF Detention Services) are subject to the outcome of the budgetary decision-making and labor negotiation process.

[4] Work in progress.

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ACCOMPLISHMENTS AND INITIATIVES

- ***National accreditation by the American Correctional Association, Montgomery County Correctional Facility (MCCF) (100%) - Montgomery County Detention Center (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***
- ***Productivity Improvements***
  - ***CRIMS (Correction and Rehabilitation Management Information System): negotiations with the new vendor have been completed and work on Phase I of the System started January 2009 to implement modules for booking and the connection to the Police-Sheriff reporting tool***
  - ***Custody & Security Staffing Deployment (CSSD) System: installed in late FY08, now used daily by both jails to deploy staff for each shift, manage and track overtime (by cause), and gather data on leave and unavailability of staff***

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.

FY10 Recommended Changes	Expenditures	WYs
FY09 Approved	**493,740**	**3.0**
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	4,170	0.0
FY10 CE Recommended	**497,910**	**3.0**

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. It requires program participants to work, pay room and board, file State and Federal taxes, and address restitution and child support obligations. The goals of the Division include 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 Federal and State sentenced inmates and Federal probationers who are within six months of release and who are returning to Montgomery County and the greater Washington Metro area upon release.

The residential program is located in Rockville at the 171-bed Pre-Release Center and has a capacity to serve individuals who live within the Center's one female and three male housing units. The non-residential 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.

Program Performance Measures	Actual FY07	Actual FY08	Estimated FY09	Projected FY10	Projected FY11
Percentage of prisoners participating in Self Growth and Development Programs - Pre-Release and Re-entry Services (PRRS)	100	100	100	100	100

FY10 Recommended Changes	Expenditures	WYs
FY09 Approved	**7,701,490**	**73.5**
Add: Grant to the Prison Outreach Ministry, Inc. to fund a contractual prisoner Welcome Home program coordination position	55,000	0.0
Decrease Cost: Abolish Public Service Intern, Pre-Release and Re-Entry Services (PRRS)	-37,630	-1.0
Decrease Cost: Elimination of One-Time Items Approved in FY09	-47,000	0.0
Decrease Cost: Reduce administrative support to the Pre-Release and Re-Entry Services (PRRS) by abolishing an Office Services Cordinator (OSC) position	-53,410	-1.0
Decrease Cost: Reduce services at the Pre-Release and Re-Entry Services - abolish two Community Release Coordinator positions	-284,280	-2.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-211,630	-3.7
FY10 CE Recommended	**7,122,540**	**65.8**

Pre-Trial Services

The Pre-Trial Services Division is responsible for assessing newly arrested defendants for the possibility of release from incarceration 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 assessing those who have been newly arrested and have been unable to make bond. Staff verifies personal information, analyzes criminal histories, and formulates recommendations to the Court to enable the Judge to make informed bond decisions. Recommendations are made with public safety as the main priority following the national models of assessment for the judicial system.

The 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 a 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. Global Positioning Satellite (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 Supervision maintains a failure to appear (FTA) rate of less than 3%.

The diversion programs, ACS and IPSA, are predominantly for first-time misdemeanant 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.

FY10 Recommended Changes	Expenditures	WYs
FY09 Approved	**4,453,780**	**39.5**
Decrease Cost: Domestic Violence Caseworkers charges to Federal Grant	-23,210	0.0
Decrease Cost: Reduce Pre-Trial Services Support for the Intervention for Substance Abusers Program (IPSA) - abolish Laboratory Assistant	-72,140	-1.0
Decrease Cost: Reduce ACS Work Crew program - abolish One Work Crew Supervisor	-73,960	-1.0
Decrease Cost: Reduce Intervention for Substance Abusers Program (IPSA) - abolish Correctional Specialist IPSA Caseworker	-127,810	-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	164,820	0.0
FY10 CE Recommended	**4,321,480**	**36.5**

Detention Services - MCDC

The MCDC is responsible for the intake and processing of adult male and female offenders and has a program 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 offenders arrested in Montgomery County. 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 is 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).

FY10 Recommended Changes	Expenditures	WYs
FY09 Approved	**15,064,460**	**161.4**
Decrease Cost: Reduce administrative support at MCDC by abolishing an Administrative Captain and creating a Lieutenant position	-117,580	0.0
Decrease Cost: Reduce operational support at the Central Processing Unit (CPU), MCDC – abolish two Lieutenant positions)	-271,070	-2.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	734,760	-0.1
FY10 CE Recommended	**15,410,570**	**159.3**

Detention Services - MCCF

The 1,029-bed MCCF was opened in March 2003 and falls under the supervision of the facility Warden. The principle mission of MCCF is to operate a safe, humane, and constitutionally compliant correctional program that maintains a core focus on the eight principle initiatives of the County Executive's Mission Statement. Following an initial intake at the existing MCDC, inmates transfer to MCCF, usually within 72 hours. 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 offender discipline at MCCF. A safe environment is accomplished through 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 inspection, 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 operations.

Facility Operations is responsible for facility maintenance, food services, and laundry operations. Maintenance Officers perfor routine and emergency maintenance for the jail and, in coordination with the Department of General Services (DGS), also supervi 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, re-entry and employment development, substance abuse, medical, and mental health services to inmates at MCCF.

The MCCF Re-Entry Unit, known as the Re-Entry For All Program, provides offender services and connectivity to essential post-release community services. The Unit's Social Worker Benefits Specialist, Re-Entry Employment Development Endeavor (REDE) Team, Collaborative Case Management Group, and One Stop Employment Center collaborate to reduce the probability of offender's repeated contact with the criminal justice system, while greatly enhancing the transition from incarceration to the community.

The Re-Entry Employment Development Endeavor (REDE) provides essential pre-employment training via work in the Job Shop and Digital Imaging Shop. Meaningful work is the vehicle for teaching. Job Shop work is provided by other County agencies, community nonprofits, and DOCR. Digital Imaging work is provided by DOCR partners including the Department of Permitting Services and the County's Historical Society.

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.

Program Performance Measures	Actual FY07	Actual FY08	Estimated FY09	Projected FY10	Projected FY11
Percentage of prisoners participating in Self Growth and Development Programs - Montgomery County Correctional Facility (MCCF)	78	75	70	65	65

FY10 Recommended Changes	Expenditures	WYs
FY09 Approved	**34,746,680**	**315.8**
Increase Cost: Provide community re-entry services to youthful Latino inmates in a culturally competent context	40,000	0.0
Decrease Cost: Abolish Program Manager (Baker) - MCCF	-15,790	0.0
Decrease Cost: Retirement Incentive Program (RIP) Savings	-20,180	0.0
Decrease Cost: Abolish Correctional Health Nurse (CHN) II	-40,640	-0.5
Decrease Cost: Reduce administrative support to the "Montgomery County Correctional Facility Reentry for All Program" by abolishing a Principal Administrative Aide position	-66,980	-1.0
Decrease Cost: Abolish MCCF Maintenance Officer	-73,960	-1.0
Decrease Cost: Reduce training support by abolishing Detention Services Division Training Coordinator	-73,960	-1.0
Decrease Cost: Abolish Psychiatric Community Health Nurse II	-84,910	-1.0
Decrease Cost: Abolish Library Associate II (Chargeback from Library)	-85,960	-0.5
Decrease Cost: Reduce cost of Volunteer Coordinator by half to County by charging to the Inmate Canteen Fund	-95,310	-0.5
Decrease Cost: Reduce MCCF Workforce and Re-entry Program by abolishing Workforce Manager	-138,780	-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	830,750	-2.6
FY10 CE Recommended	**34,920,960**	**306.7**

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 plannir operational management of fiscal and human resources, supplies, purchasing, equipment maintenance, program audits, certificatio. 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.

FY10 Recommended Changes	Expenditures	WYs
FY09 Approved	**3,142,670**	**27.4**
Decrease Cost: Reduce various operating expenses	-102,230	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	307,160	1.2
FY10 CE Recommended	**3,347,600**	**28.6**

BUDGET SUMMARY

	Actual FY08	Budget FY09	Estimated FY09	Recommended FY10	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	39,369,549	40,134,780	41,649,310	39,853,780	-0.7%
Employee Benefits	17,632,718	17,952,320	16,848,120	18,382,690	2.4%
County General Fund Personnel Costs	***57,002,267***	***58,087,100***	***58,497,430***	***58,236,470***	***0.3%***
Operating Expenses	7,876,802	7,515,720	7,097,890	7,384,590	-1.7%
Capital Outlay	56,493	0	0	0	—
County General Fund Expenditures	***64,935,562***	***65,602,820***	***65,595,320***	***65,621,060***	***0.0%***
PERSONNEL					
Full-Time	573	562	562	546	-2.8
Part-Time	6	6	6	4	-33.3%
Workyears	635.5	620.6	620.6	599.9	-3.3%
REVENUES					
Alternative Community Services	445,717	489,770	550,000	556,800	13.7%
Illegal Alien Inmate Reimbursement	1,616,110	1,460,000	1,543,960	1,500,000	2.7%
ACS Work Crews	0	0	100,000	140,000	—
State Reimbursement: Major Medical	88,299	175,000	141,000	175,000	—
Care of Prisoners (Federal) - Detention Services	743,585	934,400	580,700	839,500	-10.2%
Care of Prisoners (State)	3,638,409	3,490,000	4,400,000	3,307,500	-5.2%
Pre-Release Room and Board	280,426	300,000	210,000	300,000	—
Pre-Release (Federal)	597,409	644,080	1,300,000	1,362,060	111.5%
Pre-Release Room and Board - Federal	0	60,000	45,000	85,000	41.7%
Pre-Release Center (State)	186,449	205,000	161,000	164,200	-19.9%
CART (Federal)	50,483	67,480	26,000	64,800	-4.0%
CART (Home Detention)	80,132	124,200	68,000	80,700	-35.0%
Weekender Program Fees	5,476	9,000	7,200	9,000	—
Substance Abusers Intervention Program (IPSA) Fees	264,527	270,000	279,900	308,000	14.1%
Offender Medical Fees-Detention Services	6,581	7,000	6,000	7,000	—
Inmate Workforce Fees	181,480	150,000	50,000	10,000	-93.3%
Public Pay Phone Commissions - Corrections	187,101	0	34,320	0	—
Sundry/Miscellaneous DOCR	-450	0	0	0	—
County General Fund Revenues	***8,371,734***	***8,385,930***	***9,503,080***	***8,909,560***	***6.2%***
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	0	0	0	0	—
Employee Benefits	0	0	0	0	—
Grant Fund MCG Personnel Costs	***0***	***0***	***0***	***0***	—
Operating Expenses	0	0	0	0	-
Capital Outlay	0	0	0	0	-
Grant Fund MCG Expenditures	***0***	***0***	***0***	***0***	—
PERSONNEL					
Full-Time	0	0	0	0	—

	Actual FY08	Budget FY09	Estimated FY09	Recommended FY10	% Chg Bud/Rec
Part-Time	0	0	0	0	—
Workyears	0.0	0.0	0.0	0.0	—
DEPARTMENT TOTALS					
Total Expenditures	**64,935,562**	**65,602,820**	**65,595,320**	**65,621,060**	**0.0%**
Total Full-Time Positions	**573**	**562**	**562**	**546**	**-2.8%**
Total Part-Time Positions	**6**	**6**	**6**	**4**	**-33.3%**
Total Workyears	**635.5**	**620.6**	**620.6**	**599.9**	**-3.3%**
Total Revenues	**8,371,734**	**8,385,930**	**9,503,080**	**8,909,560**	**6.2%**

FY10 RECOMMENDED CHANGES

	Expenditures	WYs
COUNTY GENERAL FUND		
FY09 ORIGINAL APPROPRIATION	**65,602,820**	**620.6**
Changes (with service impacts)		
Add: Grant to the Prison Outreach Ministry, Inc. to fund a contractual prisoner Welcome Home program coordination position [Pre-Release and Re-Entry Services]	55,000	0.0
Other Adjustments (with no service impacts)		
Increase Cost: Annualization of FY09 Personnel Costs	1,090,390	0.2
Increase Cost: Retirement Adjustment	554,040	0.0
Increase Cost: Service Increment	483,330	0.0
Increase Cost: Group Insurance Adjustment	127,030	0.0
Increase Cost: Provide community re-entry services to youthful Latino inmates in a culturally competent context [Detention Services - MCCF]	40,000	0.0
Increase Cost: Marginal Cost (operational cost for housing inmates) due to the inmate population increase	12,950	0.0
Increase Cost: Printing Charges Adjustment	6,420	0.0
Increase Cost: Inter-Office Mail Revenue Adjustment	2,900	0.0
Decrease Cost: Records Management Adjustment	-210	0.0
Decrease Cost: Mail Charges Adjustment	-1,970	0.0
Decrease Cost: Central Duplication Recovery Charge	-7,480	0.0
Decrease Cost: Abolish Program Manager (Baker) - MCCF [Detention Services - MCCF]	-15,790	0.0
Decrease Cost: Retirement Incentive Program (RIP) Savings [Detention Services - MCCF]	-20,180	0.0
Decrease Cost: Domestic Violence Caseworkers charges to Federal Grant [Pre-Trial Services]	-23,210	0.0
Decrease Cost: Motor Pool Rate Adjustment	-25,950	0.0
Decrease Cost: Abolish Public Service Intern, Pre-Release and Re-Entry Services (PRRS) [Pre-Release and Re-Entry Services]	-37,630	-1.0
Decrease Cost: Abolish Correctional Health Nurse (CHN) II [Detention Services - MCCF]	-40,640	-0.5
Decrease Cost: Elimination of One-Time Items Approved in FY09 [Pre-Release and Re-Entry Services]	-47,000	0.0
Decrease Cost: Reduce administrative support to the Pre-Release and Re-Entry Services (PRRS) by abolishing an Office Services Cordinator (OSC) position [Pre-Release and Re-Entry Services]	-53,410	-1.0
Decrease Cost: Contract reductions - 2%	-53,560	0.0
Decrease Cost: Reduce administrative support to the "Montgomery County Correctional Facility Reentry for All Program" by abolishing a Principal Administrative Aide position [Detention Services - MCCF]	-66,980	-1.0
Decrease Cost: Reduce Pre-Trial Services Support for the Intervention for Substance Abusers Program (IPSA) - abolish Laboratory Assistant [Pre-Trial Services]	-72,140	-1.0
Decrease Cost: Abolish MCCF Maintenance Officer [Detention Services - MCCF]	-73,960	-1.0
Decrease Cost: Reduce ACS Work Crew program - abolish One Work Crew Supervisor [Pre-Trial Services]	-73,960	-1.0
Decrease Cost: Reduce training support by abolishing Detention Services Division Training Coordinator [Detention Services - MCCF]	-73,960	-1.0
Decrease Cost: Abolish Psychiatric Community Health Nurse II [Detention Services - MCCF]	-84,910	-1.0
Decrease Cost: Abolish Library Associate II (Chargeback from Library) [Detention Services - MCCF]	-85,960	-0.5
Decrease Cost: Reduce cost of Volunteer Coordinator by half to County by charging to the Inmate Canteen Fund [Detention Services - MCCF]	-95,310	-0.5
Decrease Cost: Reduce various operating expenses [Management Services]	-102,230	0.0
Decrease Cost: Reduce administrative support at MCDC by abolishing an Administrative Captain and creating a Lieutenant position [Detention Services - MCDC]	-117,580	0.0
Decrease Cost: Reduce Intervention for Substance Abusers Program (IPSA) - abolish Correctional Specialist IPSA Caseworker [Pre-Trial Services]	-127,810	-1.0
Decrease Cost: Reduce MCCF Workforce and Re-entry Program by abolishing Workforce Manager [Detention Services - MCCF]	-138,780	-1.0
Decrease Cost: Reduce operational support at the Central Processing Unit (CPU), MCDC – abolish two Lieutenant positions) [Detention Services - MCDC]	-271,070	-2.0
Decrease Cost: Reduce services at the Pre-Release and Re-Entry Services - abolish two Community Release Coordinator positions [Pre-Release and Re-Entry Services]	-284,280	-2.0

	Expenditures	WYs
Decrease Cost: Decrease spending on Overtime	-357,860	-5.4
FY10 RECOMMENDED:	**65,621,060**	**599.9**

PROGRAM SUMMARY

Program Name	FY09 Approved Expenditures	FY09 Approved WYs	FY10 Recommended Expenditures	FY10 Recommended WYs
Office of the Director	493,740	3.0	497,910	3.0
Pre-Release and Re-Entry Services	7,701,490	73.5	7,122,540	65.8
Pre-Trial Services	4,453,780	39.5	4,321,480	36.5
Detention Services - MCDC	15,064,460	161.4	15,410,570	159.3
Detention Services - MCCF	34,746,680	315.8	34,920,960	306.7
Management Services	3,142,670	27.4	3,347,600	28.6
Total	**65,602,820**	**620.6**	**65,621,060**	**599.9**

CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY09 Total$	FY09 WYs	FY10 Total$	FY10 WYs
COUNTY GENERAL FUND					
Permitting Services	Permitting Services	141,420	1.3	152,940	1.3
Sheriff	Grant Fund MCG	156,960	1.8	0	0.0
Total		**298,380**	**3.1**	**152,940**	**1.3**

FUTURE FISCAL IMPACTS

Title	CE REC. FY10	FY11	FY12	FY13	FY14	FY15
				($000's)		
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY10 Recommended	**65,621**	**65,621**	**65,621**	**65,621**	**65,621**	**65,621**
No inflation or compensation change is included in outyear projections.						
Labor Contracts	**0**	**238**	**238**	**238**	**238**	**238**
These figures represent the estimated cost of service increments and associated benefits.						
Subtotal Expenditures	***65,621***	***65,859***	***65,859***	***65,859***	***65,859***	***65,859***

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Department of Correction and Rehabilitation
Performance Plan

Contribution to Montgomery County Results

Result: Safe Streets and Secure Neighborhoods

Contribution of DOCR:

What DOCR Does and for Whom	How Much
Incarcerates inmates securely and constitutionally and provides effective supervision for those in pretrial and prerelease programs in the community	• $64,684,380 (98.6%) • 612. WYs. • Total Projected Average Daily Population: 1,104. • Number of defendants enrolled in pretrial supervision: 2,200.
Continuously engages the communities surrounding each correctional facility (MCDC, MCCF, PRRS)	• Regular scheduled meetings with minutes on the County website. • Seek out community meetings for briefings.
Operates programs to improve inmate growth and development during custody and in anticipation of re-entry	• $918,440 (1.4%) (Includes teachers on contract). • 8.6 WYs.
Overall	• Gross Operating Budget (FY08): $65.6 million. • Approved Personnel Complement:: 568 positions; 620.6 WYs.

The Story Behind the Performance

Contributing Factors:

- Meeting Accreditation Standards. The Department regularly engages in a series of rigorous national and State accreditations (national are voluntary – State is mandatory) which cumulatively assess and provide feedback on operations across several hundred standards of quality performance. All of the standards are designed to diminish correctional security problems, diminish litigation against the County, create a safer work environment for staff, and provide a safe/constitutional living environment for inmates within the context of a safe community for local residents. In FY 08, DOCR completed all national standards at 100% - a unique accomplishment based on quality performance and attention to detail by all MCCF and MCDC staff members. PRRS is also fully accredited and includes performance measures as part of senior management work sessions. PRRS will complete a national reaccreditation in October, 2008, which is part of the regular voluntary accreditation cycle. MCCF took an additional unique step in receiving national accreditation for its education programs (Correctional Education Association) and completed this at 100% compliance. One in seven jails in the entire nation hold CEA accreditation. Pretrial Services does not have a set of national accreditation standards, but has developed their own statistical performance measures that form the basis of senior management work sessions twice monthly. They engage population management very directly.

- Daily Rigor on Basics. The Department maintains intensive attention to core operations, managing by group process with constant observation and review. Jail management teams (MCCF and MCDC) meet at the beginning of each work day (five days per week) to review operations, evolving issues, high impact issues, and cases and issues of concern. Senior management work sessions occur weekly at PRRS. This is a process that ensures rigorous attention and immediate follow up as any issues are identified, and provides a forum for engaging issues. Core operations are a central aspect of the daily meetings as are any evolving or special situations. Participation includes all security, program, and operational areas of jail administration. PRRS follows the same focus on national accreditation standards. Pretrial Services attends to daily performance measures as a core element in all review processes. These measures are shared with the broader criminal justice community through the County Criminal Justice Coordinating Commission and other advisory bodies and community groups.

Innovation

- Bed Space Challenge. Following an unprecedented, 2-month, 100-bed prisoner population growth in September/October of 2006, it appeared the criminal justice system might not have sufficient bed space by the end of 2006. This went far beyond any historic growth patterns and an explanation could not be developed based on any crime or arrest or jail booking growth. A Criminal Justice Coordinating Commission (CJCC) Jail Population Work Group (includes DOCR, Circuit Court, District Court, Office of the States Attorney, Office of Public Defense, Montgomery County Police, State Probation, and community members) was empanelled and recognized that space is impacted by process and operational considerations (especially pretrial) as much as by actual criminal behavior and arrests in the community. The population returned to normal levels and remained quite constant for all of 2007 and into 2008.

- Growing Diversity of Prisoner Population. The prisoner population is increasingly diverse ethnically and culturally and, in particular, there has been a significant growth in gang members and Hispanic/Latino prisoners. The number of Hispanic/Latino Correctional Officers and social service staff (with bilingual capability) is inadequate to meet this changing demographic current in the correctional population. Gang-focused criminal behavior is aggressively engaged by the Police and the States Attorney, and the adult correctional system needs to continue its efforts to manage this population in a safe, secure, and humane manner. Staff cultural diversity is a component of that effort. While DOCR has been recognized and honored for diversity recruitment efforts there is more to do. The number of Latino staff increased during the past year, and we are now involved in seeking the assistance of Montgomery College to provide test examination mentoring and support for applicants. We have plenty of applicants for entry level Correctional Officer but we seek a broader diversity of applicants to generate more Latino entry level Correctional Officers. We are receiving superior assistance from OHR (Joe Heiney-Gonzalez) in developing this relationship with Montgomery College as we seek out additional Latino Correctional Officers.

- Community Corrections. While escapes from Prerelease/community corrections are very low as a percent of admissions (less than 1.3% of 576 admissions in 2007), there is room for improvement. We need to research any trends, common factors, or predicting elements that would assist in keeping community correctional escapes to the lowest level possible while recognizing the deep commitment of the County to prisoner re-entry efforts for those returning to the community in a short period of time. These prisoners return to our community – not to other states or areas far away from this community.

- Overtime and Health Care Costs as Core Elements of the DOCR Budget. Cost overruns are primarily impacted by security overtime and prisoner healthcare.
  (1) Overtime Costs. Key security positions must be filled and key posts must never be left unfilled to keep our problem rate, assault rate, and violence rate low. This issue also directly impacts staff safety and larger issues of public safety in a maximum security environment. Overtime is being driven by coverage for hours when staff members are not available. On a 2080 hours/year paid base, the average Correctional Officer is available 1,546 hours when all sick leave, time for return to work after injury (at work or on personal time), training, and all other County granted leave categories are calculated. These categories represent the vast majority of all overtime expenditures in addition to lunch overtime pay decisions of a decade ago following legal hearings on shift work. DOCR seeks reduced levels of overtime as a means of providing support for staffing all posts on a 24/7 basis. Some combination of staffing, overtime, and labor policy will drive this outcome. CountyState has actively reviewed this issue and OT for post coverage has gone down as a function of keeping positions filled and attention as is permissible regarding work attendance and return to work management. The Office of the Inspector General (OIG) completed their audit of DOCR overtime accountability, and a very positive report was received that commended DOCR for both the outcome (accountability) and documentation and methodology. Reviews are conducted weekly to ensure process accountability remains high and CountyStat and County Reviews occur quarterly along with all other public safety agencies.
  (2) Health Care. Health care costs reflect meeting a community healthcare standard as well as all Maryland correctional standards for healthcare in a population that brings

- Diversity Recruitment. Refined techniques of diversity recruitment will be fostered to expand recruitment and hiring of Hispanic Correctional Officers and other Department staff. DOCR has won the County diversity award for its efforts in the past, but a greatly expanded focus towards seeking out and successfully recruiting well qualified Hispanics/Latino staff is mandatory for DOCR. Within the confines of resource availability, community outreach, expanded networking and community advertising, a language proficiency differential, and assistance of groups such as Montgomery College will be utilized in parallel to the County Executive's diversity recruitment focus currently being led by the County Office of Human Resources.

- County Executive Decides Upon New Jail and Training Unit to Replace MCDC - In October, 2008 the County Executive completed his review of the MCDC reuse project. He has sent to Council a proposal for a new criminal justice complex to be constructed on the site of the last District Police Station after it is relocated. This decision was based on cost projections that suggested it was not cost effective to repair an aging facility when a new complex in Rockville could be built for the future. The CIP supplemental also includes a full DOCR training facility added onto the correctional facility in Clarksburg. The project will take 3 – 4 years for planning, design, bidding and construction and replaces in total the previously proposed MCDC Reuse project. Council review begins in November, 2008.

- Address Culture of Work Attendance, Leave Utilization, and Return to Work Strategies. Engaging overtime must involve a County commitment to review the culture of work attendance, leave utilization, and return to work strategies. This issue will be discussed with the CAO, OMB, and OHR to determine the focus and action plan. Collaboration with OHR and labor relations coordination is a central element in responding to this area of attention, for staff availability is the core element of ongoing budget considerations. Resolution of this issue may involve additional full time staff to meet staffing requirements for security operations as well as changes in County practices and procedures. CountyStat attention and focus on overtime across all CJ agencies and Transportation speaks well of this as a County priority. DOCR welcomes the attention and analysis in an effort to diminish reliance on overtime to staff basic security posts. This is an ongoing iterative process.

- Develop Greater Pretrial Efficiencies. The Jail Population Work Group, with DOCR taking the lead, will examine every aspect of pretrial process to see where efficiencies can be enacted that provides bed space through improved process. The message is not simply quality operations but also collaboration in building efficient and speedy operations that foster reduced levels of bed space utilization. This is not a focus on more lenient outcomes or creating bed space through reducing standards of quality. That approach reduces community safety and creates a dysfunctional justice system. Our focus will be on improved process and the quality of decisions that foster better outcomes throughout the system. The absence of a highly skilled analytical capability within DOCR is a restricting factor and efforts for developing this internal capability are part of the FY09 budget submission to the Executive. DOCR needs the same level of planning and analytical capability as those Executive and Council groups that oversee and review accountability within this agency. DOCR must operate on an equal footing.

Appendix A:

Budget

1. **Revenue from Federal Prisoners** – Fewer federal detainees (pretrial for US Marshal) can now be accepted due to the spike in county jail population levels that reappeared starting in late summer, 2008 (reduced from 32 to 17). Federal prisoners will be accepted per County past practice (at $80 per diem) as long as space is available for local prisoners. This is a positive source of revenue and assists federal colleagues given the absence of any federal detention space in this state. Maryland is the largest federal judicial area without a federal detention facility. Local needs come first and federal detainee holds for the U.S. Marshal in Baltimore/ Greenbelt are completed on the first weekday of each month. Federal sentenced prisoners from the Bureau of Prisons returning to this area are also accepted on a case by case basis (increased from 20 to 46). The FBOP pays the County $113 per diem for housing soon to be released convicted federal prisoners at PRRS. These are all federal inmates returning to this area. This population group is expanding as is FBOP (Federal Bureau pf Prisons) revenue, as we do have space at PRRS that is otherwise not available for pretrial detention at MCCF. This revenue further assists with the local budget. Bed space is always available for County prisoners and this process, of long standing, assists federal colleagues, assists with local re-entry, and does not detract from any local program operations for County prisoners. Given the large number of criminal aliens (convicted) who pass through the County correctional system, DOCR remains attentive to the annual federal review of the State Criminal Alien Assistance Program (SCAAP) which generated over $1.5 million for the County budget that was most recently awarded in October, 2008. The Department does this in concert with the State and County federal delegation and our County Office of Intergovernmental Relations. The Department holds no detention cases for ICE – they are held in other Maryland jurisdictions.

2. **Funding Sought for Master Confinement/Population Projection Study and Analyst** – Given the importance of monitoring inmate population growth (and its impact on future capital project decision making), a formal "Master Confinement" population projection study is needed. Given the period of time to move from analysis to capital construction and requests for State funding, we must be at least five (5) years ahead of this effort to ensure the availability of cell capacity for criminal justice agencies. A formal Master Confinement study begins this process in earnest ($200,000 est.). DOCR has no skilled and trained analytical capability regarding program and population analysis. This lack places the Department at an ongoing deficiency compared to those organizations which analyze our work (Council Public Safety Committee, CountyStat, OMB, and other organizations).

4. **New Jail and CJ Campus Project (Rockville) and Training Unit (MCCF)**

   - CE completes project review, October, 2008;
   - Working with County departments and offices to proceed to implement the decision of the County Executive regarding the Reuse project and its options – November, 2008.

5. **Develop Greater Pretrial Efficiencies -** The work/performance plan for DOCR fully recognizes the strong data relationship between a robust pretrial program and serious efforts at population management. Pretrial Services helps moderate the population in a jail setting through responsible and safe support to the Courts with pretrial assessments and supervision of persons who might have otherwise remained in jail awaiting disposition of their cases. The following action elements are part of this program:

   - Review of the new Expeditor position to date – January/February 2008; Completed
   - Reviewing expeditor options with other large jail pretrial programs to maximize expeditor intervention – February 2008; Completed
   - Refinement of pretrial data categories and data elements to isolate impact on the pretrial population - accomplished through monthly Performance Driven Management Meetings; Completed and now sharing with CJ stakeholders
   - Intensive staff training on Motivational Interviewing to engage client participation and sustain more complex caseloads is scheduled to be presented by a national expert– April 2008; Completed
   - Formalize jail population work group of the Criminal Justice Coordinating Commission and reporting to the group – April 2008; Met and on call as needed
   - Collaborative meetings with judges of Circuit and District Court on process issues to facilitate greater pretrial utilization of services – Late fall, 2008.

6. **Engage Issue of Recidivism -** With funding from the Maryland Governor's Office of Crime Control and Prevention and full support from the DOCR, Justice & Security Strategies (a criminal justice consulting firm) will conduct the first ever comprehensive recidivism analysis of sentenced inmates leaving the local correctional system using a methodology developed by the Department. The study will find the rates and timing of subsequent re-offending - defined as arrests, convictions, violations (probation and parole), and incarcerations - for a sample of 300 male and 300 female sentenced offenders released in 2003/2004 using national, state, and local criminal record databases. This study will examine differences among subgroups by criminal history, sentence length, and background characteristics (age, gender, ethnicity, race, etc.) and will answer questions such as:

   - What are the rates of rearrest, reconviction, and reincarceration for inmates sentenced into the Montgomery County Department of Correction and Rehabilitation (DOCR)?
   - What were the original offenses for which these inmates were incarcerated, and what is the nature of the offense that resulted in their reconviction?
   - What are the demographics of recidivism? Are there differences in socioeconomic status, race, and ethnicity? Are men more likely to be rearrested or reconvicted of a crime than women? Are younger persons more likely to recidivate?
   - If an inmate did recidivate, what was the nature of the subsequent crime or crimes?
   - For those released under conditional supervision – parole and probation - are recidivism rates higher and what proportion commits new crimes and technical violations?

Appendix C

Data Development Agenda

Data development is a critical component for DOCR in several areas of agency practice. The following are noted as highest priorities:

- **Correct Distribution of Correctional Officer Positions and Overtime Dollars** - DOCR seeks to end a generation of cost overruns in the area of overtime to cover basic security staffing for the agency. It is a drain on agency time and on those who review our fiscal situation and process: OMB, the County Council, and now CountyStat. Seeking resolution of this matter requires collaboration with OMB, OHR on labor policy, the County Council Public Safety Committee, and the new CountyStat staff and program. This is a compelling data need that DOCR earnestly seeks to develop and implement within the next 12 months;
- **Basic Recidivism Data** - This has been a focus of DOCR and the County Council Public Safety Committee to push to the next level of correctional operations after security, constitutional practices, and quality operations have been achieved and sustained. A grant from the Governor's Office of Crime Control and Prevention, received by a noted national/local organization in 2008, will hopefully develop baseline data during 2008;
- **Population Management Data and Key Elements in that Process** - Given a slow but steady growth in the adult correctional population, the County must determine when it is most advantageous to complete the build-out of MCCF and add additional capacity. It is time for a full Master Confinement Study that includes a full population projection. This is a very complex study – requiring skill well beyond the Department's internal capacity - which should be completed by a neutral, professional, outside expert. Funding has been requested in the FY09 budget to issue an RFP for a highly qualified external vendor to complete this complex analysis. The second portion of this data need is the creation of an analytical component within DOCR and a first full time planner/analyst is part of the FY09 budget submission, for there are times when the Department is not fully sure of what data is most important for collection in a given situation;
- **Budget Development Data** - Refinement of budget needs and requests requires a deeper understanding of specific operational categories that should be addressed not only for OMB, the County Council, and CountyStat, but also for a greater departmental understanding as we seek to make resources last longer even in the face of inmate population growth. This is an iterative process that will be refined through summer, 2008, in close collaboration with OMB and CountyStat.

Correction and Rehabilitation Information Management System - We are taking this agency into the next generation of informational technology. CRIMS is part of IJIS (Integrated Justice Information System) and will provide IT applications for every single operating element of the County corrections system. The Department will move from pencil and paper to IT applications that will improve the efficiency of the correctional system. This is year seven of IJIS development and year three of CRIMS with the first applications to come on-line in the coming year. This effort has involved 64 DOCR staff members to date in screen development and process development. It will impact the work of 100% of DOCR staff members and many of our associated stakeholders.

Correctional Standards and Voluntary National Accreditations - There are 3360 jails in the United States. Only 125 hold full, national accreditation from the American Correctional Association. Two of those are the jails in Montgomery County. In addition, the PreRelease Center and both jails hold full national health care accreditation. Seven jails in the United States hold accreditation for Correctional Education. One of the seven is the Montgomery County Correctional Facility.

PS COMMITTEE #1
March 5, 2009

MEMORANDUM

March 3, 2009

TO: Public Safety Committee

FROM: Linda McMillan, Senior Legislative Analyst
Minna Davidson, Legislative Analyst

SUBJECT: **Update: Public Safety Overtime**

At this session the Committee will have an opportunity to discuss trends in overtime expenditures in the public safety departments/offices (MC Police Department, Correction and Rehabilitation, Sheriff's Office, and Fire and Rescue Service) and to discuss the review efforts undertaken as a part of the CountyStat effort. Two reports are attached to this packet. The first is a report from the Office of Management and Budget which provides data on the trends by fiscal year and includes comments from the departments/offices on expenditures in FY 2008 and FY 2009 to date. The second report is from CountyStat and provides an overview of their review process and the data that is used by those attending the CountyStat sessions.

Report from OMB

The report from OMB is provided at © 1-14. The table on the next page provides a summary of the information in the report provided by OMB regarding the budget for overtime, actual expenditures and the % of the budget actually spent. Comments from Departments are provided at © 5 (Police), © 10 (Correction), © 12 (Sheriff), and © 14 (Fire and Rescue). The summary indicates that:

- For FY 2008, each of the departments/offices overspent their overtime budgets but by varying percentages. The Police Department final expenditures were 1.4% over budget while Fire and Rescue exceeded their overtime budget by about 30%.

- The overtime budget for Fire and Rescue was increased significantly from FY 2007 to FY 2008 which dramatically lowered the over expenditure in this category (in FY 2007, Fire and Rescue expended 250% of its overtime budget.)

- As previously discussed by the Committee, an over expenditure in overtime does not necessarily mean an over expenditure by a department in total personnel costs. The FY

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2008 end of year transfer information provided to the Council on November 17, 2008 showed that the Police Department exceeded its General Fund personnel expenses budget by $2,097,062; Correction and Rehabilitation exceeded its personnel expense budget by $1,035,491; Fire and Rescue had a surplus of $825,000 in the personnel category; and the Sheriff's Office exceeded its personnel budget by $229,931.

- For FY 2009, the Police Department and Sheriff's Office are projecting a surplus in their overtime budgets. Correction and Rehabilitation projects it will exceed its budget by about 12%. Fire and Rescue projects it will exceed its overtime budget by about 40%; however, both the budget and the actual expenditures are expected to be lower that those in FY 2008.

OVERTIME - PS COMM REVIEW - March 5, 2009 (from OMB report)

Montgomery County Police	BUDGET	ACTUAL	% of BUDGET SPENT
FY 2005	9,583,566	9,651,753	100.7%
FY 2006	8,797,332	9,662,763	109.8%
FY 2007	9,825,831	10,280,966	104.6%
FY 2008	10,167,058	10,313,654	101.4%
FY 2009 projected	10,389,253	10,155,772	97.8%

Correction and Rehabilitation	BUDGET	ACTUAL	% of BUDGET SPENT
FY 2005	3,511,878	3,685,889	105.0%
FY 2006	4,241,515	4,306,892	101.5%
FY 2007	3,592,643	4,312,616	120.0%
FY 2008	3,575,517	3,998,821	111.8%
FY 2009 projected	3,779,030	3,924,318	103.8%

Sheriff's Office	BUDGET	ACTUAL	% of BUDGET SPENT
FY 2005	707,076	773,064	109.3%
FY 2006	879,557	1,019,597	115.9%
FY 2007	1,062,951	1,061,959	99.9%
FY 2008	879,500	1,019,643	115.9%
FY 2009 projected	947,611	855,624	90.3%

Fire and Rescue	BUDGET	ACTUAL	% of BUDGET SPENT
FY 2005	6,110,332	12,720,040	208.2%
FY 2006	8,448,181	15,027,878	177.9%
FY 2007	6,113,217	15,301,844	250.3%
FY 2008	11,742,629	15,281,941	130.1%
FY 2009 projected	9,515,153	13,500,000	141.9%

Report from County Stat

The report from CountyStat is provided at © 15-36. CountyStat has spent considerable time working with the three county departments (Police, Correction and Rehabilitation, and Fire

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Hondowicz, David

From: Gail H [gheath@mcgeo.org]
Sent: Tuesday, April 14, 2009 9:23 AM
To: Andrews' Office, Councilmember
Subject: Budget Recommendations

Councilmember Andrews,

Attached you will find a letter asking that the Union be permitted to speak at the Public Safety committee hearings on the proposed cuts to the DOCR and Police Department budgets. Additionally, I have attached budget cuts that our members have suggested. As the letter states, we would be more than happy to discuss our budget recommendations with you.

Gail

Gail Heath
Field Services Coordinator
UFCW Local 1994 MCGEO
600 S. Frederick Ave., Suite 200
Gaithersburg, MD 20877
(301) 977-2447
(301) 977-6752 fax

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UFCW LOCAL 1994
Municipal & County Government Employees Organization

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

SJF
CC
SBF
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LA

TO: Phil Andrews, Chair Public Safety Committee

FROM: Gail Heath, Field Services Coordinator

DATE: April 13, 2009 041678

SUBJECT: Budget savings

The Union is submitting for your committee's consideration alternatives to the proposed cuts to the position abolishment's that would have a negative impact on providing quality service to the community.

The enclosed list includes recommendations submitted to the County Executive for consideration prior to him finalizing his budget. While he did accept some of the Union's recommendations, many were put aside for further study.

Representatives from Local 1994 will be attending the Public Safety Committee hearings on the County Executive's recommended budget and would like the opportunity to speak to the committee on behalf of its membership. Additionally, Local 1994 and its members from the affected departments under your committee's jurisdiction would be happy to meet with you to discuss the budget alternatives we have submitted.

cc: Gino Renne, President

2009 APR 14 AM 9:42

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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

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Department of Correction and Rehabilitation

- Eliminate Community Release Coordinators position at PRC.
- Eliminate 1-2 MLS positions at PRC.
- Eliminate dessert in the Officer Dining Room at jails.
- Monitor the psychiatrist at MCCF – spending time on the internet, not with clients and is paid hourly.
- Decrease lotion and ensure ordered for inmates. Make the formulary smaller DOCR.
- Stop paying for accreditations.
- Reduce for next 2 years for training to only mandated 18 hours of training.
- ERT – when over on schedule train/shakedowns, etc would be straight time vs. OT.
- Unnecessary medical procedures for inmates.
- Re-entry program in the jail – if state not reimbursing, should be eliminated and handled by PRRS.
- Eliminate Recreational outings at PRRS conducted by paid interns. Could eliminate one of their full size vans; interns could be used in the facility to cover posts, learn the actual job, free up space in the parking lot; taxpayers paying for outings.
- Turn off cell lights in dorms during daylight hours.
- Stop providing medication to inmates they do not need, but want.
- Eliminate department investigator position – job can be done by Captain at each jail (and majority of investigations are) (approximately $125,000 savings when figure in total cost of employee – salary and benefits). Conducts very few investigations, tends to question employees at end of their shift, which results in payment of overtime to member and steward, spends inordinate amount of time coordinating award nominations, flu shot distribution, and other tasks not related to investigations.
- Increase program fees for PRRS.
- Increase federal inmate count (paid by federal government to house).
- Offer buy out packages to those close to 25 years or more of service, leave their positions (Sergeants and Lieutenants) vacant for 2 years and then fill.
- PRRS – reclassify unit managers from MLS to Correctional Specialist V.
- PRRS – reduce evening hours for non-security staff to reduce shift differential.
- Eliminate HR manager and 2 assistants – cost County over $100,000 (estimated, have not been given exact amount) in overpayments to employees by failing to comply with directions from OHR Labor Relations on implementation on Correctional Officer salary matrix. Consistently attempts to provide guidance on Labor Relations when not a labor relations professional, which results in appropriate discipline and unnecessary costs.

Department of Police

- Eliminate use of issuing uniforms to probationary employees at ECC until achieve merit status.
- Eliminate pre-scheduled mandatory overtime at ECC.
- Eliminate interoffice mail run on weekends from ECC – can wait until Monday.
- Review current crossing guard posts for needs.
- Employees in training at ECC no additional compensation for language differential until achieve permanent status – not allowed to use until they have been released.
- Abolish 3 Lieutenant positions in Security/unfreeze sergeant positions that have been created.
- Animal services – have court days on work days to avoid OT.
- Security – eliminate mobile patrol on second and third shift on weekend.
- Security – eliminate 7300 Calhoun Place, Dennis Ave, Up County Government Center (2nd floor), East County Regional Services Center (3rd shift), Public Safety Training Academy, 1301 Piccard Drive (2nd and 4th floor) (staffed by contractors and reduce contract security budget 380 hours or more per week).

Department of Correction and Rehabilitation- Responses to MCGEO Recommendations

- **Eliminate Community Release Coordinators position at PRC**.

  (Response: This was part of the DOCR FY10 budget submission – December 4, 2008. The projected savings is **$284,280**.)

- **Eliminate 1-2 MLS positions at PRC**

  (Response: The Public Safety Committee will remember that PRRS will have abolished 4 senior staff member positions between the FY09 and FY10 budgets. The remaining senior managers – Unit Managers play a major role in daily operations of one of the largest county community correctional programs in the country. The senior managers direct program/housing units and have oversight responsibilities across the PRC including accounting, health care, food services and facility operations. They are on call 24/7 to engage security and staffing issues.

  Given the increased complexity and risks of serving clients with more significant criminal histories and poorer achievements to family, work and community, PRRS needs 4 Unit Managers to oversee reentry services for both staff support and public safety considerations. Our relationship to the community is a combined/collaborative effort between all staff – driving wedges between bargaining unit members and unrepresented managers is not a focus of this agency. Last year you will recall DOCR was commended by the Public Safety Committee for restructuring and removing senior management positions as retirements occurred. This year further senior management positions are being abolished as noted above in #1.)

- **Eliminate dessert in the Officer Dining Room at jails**.

  (Response: This was part of the DOCR FY10 budget submission – December 4, 2008). The projected savings is **$15,790** – the remaining costs were covered by the Inmate Benefits/Welfare Fund in FY09. The budget submission eliminates the highly regarded Sweet Release/Bakery/Food Service Manager training Program. The projected savings is with the abolishment will go any bakery goods or desserts that flowed from this instructional program. Regarding the suggestion that desserts be abolished this is very unclear. We seek to provide meals appealing to our staff members who at MCDC and MCCF cannot leave the facility for meals and are required to remain inside the facilities during meal breaks. Meals are provided and

desserts will always be part of the meal. Meals are part of the collective bargaining agreement.)

- **Monitor the psychiatrist at MCCF – spending time on the internet, not with clients and is paid hourly.**

  (Response: Routine and regular quality control and oversight of this contract shows excellent production for hours spent on-sight in our most vulnerable and used work location that engages seriously mentally ill offenders. We have no knowledge of internet use. We suggest a formal complaint to the DOCR Director so that any allegations may be properly investigated.)

- **Decrease lotion and ensure ordered for inmates. Make the formulary smaller DOCR.**

  (Response: Correctional health care is one of the most heavily litigated areas of correctional practice. This has not been the case within the Montgomery County correctional system because we follow national healthcare accreditation standards and non-medical staff does not intrude into healthcare decision making as it relates to the treatment of individuals prisoner/patients. Formulary decisions rest with healthcare administration and are regularly under review. Over a period of years we have continued to refine our formulary protocol and we have taken advantage of appropriate cost efficiency opportunities. This year's generic substitutions that are now available have decreased our projected pharmaceutical costs by over $50,000. This County has not diminished the quality of healthcare, and has received all the benefits of following much focused national standards through the National Commission on Correctional Health Care (NCCHC).

  In facilities and departments where inappropriate cost reductions or diminished state of the art correctional healthcare decisions become a factor, line correctional staff bear the brunt of the complaints, negative behaviors, and litigation that often follows. Quality healthcare is not something that relates simply to inmates. It supports line working correctional staff, every shift – every day of the week. This speaks to the history of judicial intervention in correctional operations as it relates to healthcare. This area of correctional/legal/judicial practice has remained firm ever since the Supreme Court first engaged it in 1976.)

- **Stop paying for accreditations.**

  (Response: following and adhering to the National/peer developed standards of the American Correctional Association (Adult local detention centers and community based correctional programs) and

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the National Commission on Healthcare (NCCHC) would likely be the last program element that we would ever recommend abolishing in our correctional operation. These national accreditation programs engaged every single aspect of line operations and agency policy development without any doubt or question there utilization diminishes litigation, improves staff safety, enhances community security, and provides for prisoner protection that creates a far safer correctional environment.

As resources diminish, the need to provide specific national guidelines increases to avoid the development or slippery slope of poor practices that create unsafe, ineffective, and litigation focused adult correctional environments. Evidence-based practice in Montgomery County speaks directly to this point – in the past 10 years for which this Director has personal knowledge, this County and its public safety Committee has never had to engage ineffective, inappropriate or dangerous correctional practices. This reflects quality staff working under very clear guidelines that in significant measure flow directly from our national accreditation efforts. When one further reviews community based communications and complaints that flow to County (County Executive and Council) the number for DOCR is virtually non-existent. While errors are always possible they are minimized given our operational practices that will always recognize voluntary national accreditations standards and mandatory Maryland correctional standards.)

- **Reduce for next 2 years for training to only mandated 18 hours of training**

(Response: Training for our staff members is a vital element of respect for staff and operating a safe, secure, and constitutional correctional environment. Eighteen hours is an arbitrary standard established in Maryland as a minimum? It applies to the smallest county correctional systems and to the largest. We owe our staff far more, and the changing and growing complexity in the field demands a far more rigorous application of training such as the MCGEO called for in FY09 and to which we agreed. Once one descends a slippery slope of eradicating or abolishing or grossly diminishing a core element there will always be another good reason of the moment to not reinstate it in the future. Given the enormous economic pressure on local government revenues there could be no valid assumption if additional training could ever be restored. In FY10 we will see the arrival under federal law (Prison Rape Elimination Act) and an array of new standards that will require further staff training and development.

We see new operating responsibilities every year in areas such as infectious disease control, staff engagement of the inmate population, gang control, DNA operations under Maryland State Law and numerous other new areas of practice. This does not include any of the current mandatory training areas and 18 hours would not touch our ability to professionally respond to these needs. Training is a priority and significantly diminishing the number of hours offers minimal savings and challenges our professional credibility. We will look for more efficient methods and staffing options to provide training and that would be a fair recommendation, but not the abolition of training in any aspect of our County correctional system. FY10 will see a significant reduction in attending valuable national training sessions at the same level that we participated in the past. That reflects a significant reduction in our total budget.)

- **ERT – when over on schedule train/shakedowns, etc would be straight time vs. OT.**

  (Response: The emergency response team was the top number one priority of MCGEO in responding to a new director's request of the Union at the time of the FY00. The Department and MCGEO have never looked back and ERT within the Department of Correction and Rehabilitation has been a priority in terms of equipment, training, staffing, and other operational considerations. We do routinely utilize staffing overages in this manner. Priority is also given to the approval of staff leave. We have concentrated of allowing our staff members to take more leave that they earn under the Collective Bargaining Agreement. As opposed to a negative we have hard data to demonstrate a very positive and continuously improving outcome – this practice has resulted in lower rates of unscheduled leave and a corresponding reduction in overtime. DOCR has realized some of these savings in the FY10 Budget Submission – utilizing O/T reduction to diminish further reduction of staff positions.)

- **Unnecessary medical procedures for inmates**.

  (Response: I have commented in detail on this proposal regarding the mandatory nature of correctional healthcare operations. We follow core constitutional practices including a community standard of care and a clear direction that non-medical staff does not engage in healthcare decision making, practices, treatment protocols, individual treatment decision making, or other substantive healthcare considerations. We follow Federal Constitutional Law, the standards of the National Commission on Correctional Healthcare, and the COMAR – Maryland Legal Standards that flow from the Maryland Commission on Correctional Standards. We a fortunate to be represented on that

Commission by Warden Robert Green, through Gubernatorial appointment to ensure we understand and follow standards to the letter. From 1976 when the US Supreme Court first confronted correctional healthcare, one driving element of law has never been altered – non-medical personnel do not make correctional healthcare decisions.)

- **Re-entry program in the jail – if state not reimbursing, should be eliminated and handled by PRRS**.

  (Response: Jail-based reentry is utilized for inmates that will never be approved for transfer to community based program and residence at PRRS. The FY10 budget significantly reduces the costs of MCCF reentry efforts with the elimination of the Bakery Program, a Program Manager I and a PAA position. Any decision to diminish or element or remove reentry focused efforts contradicts every grain of current and emerging correctional practice. I will start with the most obvious. Evidence based practice and research has demonstrated that inmate behavior diminished disciplinary infractions, a safer environment, and hardcore staff safety flow from well administered programs. Program involvement is not a simple adjunct to the security program; it is a core element in security operations. Our line working correctional staff is safer when inmates are involved in meaningful efforts. The current budget situation demands reductions and we will limit them to the greatest degree possible.

  Our line staff has been amongst the most vocal supporters of keeping inmates deeply occupied. The metrics of facility violence and discord and disruption speak directly to our success in this area. Council staff is again directed to the recent and exhaustive national report Life after Lockup – Improving Reentry from Jail to the Community, published in May, 2008, by the Urban Institute, John Jay College of Criminal Justice, and the Bureau of Justice Assistance – US Justice Department. Copies of this report were provided to all members of the Public Safety Committee and additional copies will be made available as needed.)

- **Eliminate Recreational outings at PRRS conducted by paid interns. Could eliminate one of their full size vans; interns could be used in the facility to cover posts, learn the actual job, free up space in the parking lot; taxpayers paying for outings.**

  (Response: Leisure activities such as visits to the Rockville Library or the Smithsonian Museums serve a management function of getting individuals into the community at locations and activities that can benefit their long-term success and improves the institutional culture of

the program. Many of these residents have recently entered the program and are ineligible for the community passes. These activities address an evidenced-based criminogenic factor of teaching residents to use their non-working time productively with their family members.

Residents pay any costs associated with the outings, and the activities also provide the Interns with excellent training in working with our challenging population in a setting away from the Pre-Release Center. Interns neither have the training or responsibilities of full-time Resident Supervisors, and their deployment on the units for their 24 hours a week would dramatically alter the nature of the internship. The internship has proved remarkably successful as recruitment mechanism for PRRS, and an estimated 40% of current staff began as interns. PRRS needs three vans for purposes other than these leisure activities, and eliminating leisure activities would lead to small savings on gasoline.)

- **Turn off cell lights in dorms during daylight hours.**

  (Response: In many units this is available at the discretion of the assigned Correctional Officer. Due to the positioning of the building many units at MCCF can remain in the shadows even during daylight hours. Correctional Officers can turn on lights as they deem appropriate to assist in their duties and assure that they have a full view of areas under their supervision.) The line staff at MCCF has made it clear they do not want the cell lights out as a policy decision. They have the ability to control most now. These cells can become very dark, even in daylight hours. This is a staff safety issue.)

- **Stop providing medication to inmates they do not need, but want.**

  (Response: I have previously responded to the area of correctional healthcare. If known abuse is occurring or suspected, it should be reported immediately through well known, established, and well tested work channels for investigation.)

- **Eliminate department investigator position – job can be done by Captain at each jail (and majority of investigations are) (approximately $125,000 savings when figure in total cost of employee – salary and benefits). Conducts very few investigations, tends to question employees at end of their shift, which results in payment of overtime to member and steward, spends inordinate amount of time coordinating award nominations, flu shot distribution, and other tasks not related to investigations.**

(Response: Internal investigations are a core function of any quality public safety or law enforcement organization. We have a very small unit for a large and growing agency of a single person –a DOCR veteran – who completes serious yearly training and works in close collaboration with the Office of the County Attorney, OHR Labor Relations, County EEO, Law enforcement, and other appropriate groups as needed. The complexity of the work far supersedes parceling out cases from Division to Division. This is not an acceptable option and it would take staff away from their core operational missions. The current Senior DOCR Investigator works additional hours to handle numerous other functions, such as representing the agency in major new projects such as MC311, continuity of operations, awards programs, and other tasks for which staff are simply not available. The agency receives serious cost-benefit gains from this process. The Department will not participate in any personality issues – the function is critical and will remain as staffed.)

- **Increase program fees for PRRS.**

  (Response: Few program participants have sufficient income from their employment to max out the current program fee cap at $460 per month - $300 for home confinement. Increasing the program fee which stands at 20% of gross income for those residing at PRRS and 10% on home confinement, would impair their ability to meet other responsibilities such as legally mandated Court restitution and child support, as well as planning for post-release housing. Study after study highlights the critical element of housing upon release, and little more need be said as the cost of housing in this region is well known to all members of the Public Safety Committee.)

- **Increase federal inmate count (paid by federal government to house).**

  (Response: DOCR is very pleased that MCGEO is supporting an increase in the number of federal prisoners at PRRS who are returning home to this region from the Federal Bureau of Prisons. An increase is contained within the FY10 Budget Submission moving from 24 to 35 BOP participants. This addition generating $113 per day per participant diminished further staff reductions within DOCR for the agency received dollar for dollar credit against further reductions in the FY10 budget matrix. We personally review any cases being recommended by the Federal Bureau of Prisons, we exercise a full veto and we can terminate any participants who violate program guidelines. This is a positive recommendation and reflects the DOCR Budget Submission for FY10. This item strongly advocated by the

PRRS Division Chief and also by MCGEO, added revenue of over **$450,000** and diminished further reductions by an equal amount.)

- **Offer buy out packages to those close to 25 years or more of service, leave their positions (Sergeants and Lieutenants) vacant for 2 years and then fill.**

  (Response: This is a County policy issue and not within the scope of any specific agency decision making.)

- **PRRS – reclassify unit managers from MLS to Correctional Specialist V.**

  (Response: The complexity of their work, supervision, and responsibilities as well as years of past practice merits the MLS classification particularly as other senior manager positions have been abolished.) Classification is the purview of OHR and is not arbitrarily defined by management desires, but rather by the range and complexity of responsibilities and necessary skills and experience required to handle the necessary functions. When these positions were upgraded to MLS level a few years ago, the position description provided to OHR was accurate, supported by the Director, and reflective of the true growth in requirements for these management positions.")

- **PRRS – reduce evening hours for non-security staff to reduce shift differential.**

  (Response: this recommendation directly contradicts agency practice of seeking to expand the coverage hours of staff when offenders are present in the facility. Case Managers are seen as part of the core complement for a total security focus and it is vital that they be present in the evenings given that most participants are not in the building during the day. Data analysis and basic matrix, well known to all PRRS staff, show that most incidents requiring a staff response occurred during evening shifts. Case Managers have provided significant support to Resident Supervisors and have taken the initiative time after time to defuse, mediate or diminish/remove behavior or situations that could generate a confrontation, outburst or escape. Their presence is vital and it would be difficult to justify the positions for daytime hours only.)

- **Eliminate HR manager and 2 assistants – cost County over $100,000 (estimated, have not been given exact amount) in overpayments to employees by failing to comply with directions from OHR Labor Relations on implementation on Correctional**

Officer salary matrix. Consistently attempts to provide guidance on Labor Relations when not a labor relations professional, which results in appropriate discipline and unnecessary costs.

(Response: OHR does not operate line HR operations within almost all County agencies. DOCR needs an HR Section and indeed is far too small given the growth in staff and the complexity of HR operations at the line level. Comments in this recommendation are not accurate and personality issues will not be engaged. Any substantive concerns can utilize the components of the Collective Bargaining Agreement for thoughtful and collaborative Labor Management discussions. Any suggestion that specific individuals in DOCR are responsible for any issues in a new Correctional Officer matrix is simply not accurate in this area involving several offices and groups.)

UFCW LOCAL 1994
Municipal & County Government Employees Organization

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TO: Phil Andrews, Chairman Public Safety Committee

FROM: Gail Heath, Field Services Coordinator

DATE: April 27, 2009

SUBJECT: Response to Budget Proposal and Rebuttal of Department's Responses

UFCW Local 1994 MCGEO was asked to provide some additional comments in writing regarding our budget proposals to the Public Safety Committee.

Elimination of 1-2 MLS positions at PRRS – The MLS series is the most senior managers in County government outside of those who are in appointment positions. To have a total of 5 MLS positions in a 60 employee unit does not make sense. The workforce is senior and experienced and does not require much oversight. Furthermore, these positions pretty much work Monday to Friday, 9am-5pm, even though PRRS is a 24-7 operation. Additionally, with a population of approximately 150 residents, and the 2 jails having 900+ inmates, with less MLS positions, it is not justified to maintain such a disparate ratio of high level managers to line custody and security and counselor staff.

Monitor the psychiatrist at MCCF – Staff and the Union have complained to management on multiple occasions about the performance of the psychiatrist. He is a contracted doctor who does not spend as much time with inmate clients as he should, and as we have complained to management, spends time on the phone and internet on personal business in lieu of seeing clients, staying past his normal time and increasing the costs to the County for additional hours and the burden on the psychiatric nurse and medical staff.

Stop paying for accreditations – Accreditations are nice to have from ACA and other organizations, however, no direct benefit is received by the County taxpayers and the staff by having them. The training requirements are met by the department training staff regardless of the ACA requirements as they have to meet state and federal training requirements. The state is the only accreditation DOCR needs to have to operate, other certifications are not. No funding is tied to having ACA accreditation.

ERT – when over on schedule train to avoid overtime – This would save the County overtime expenditures and enhance the safety and security of the staff, inmates and public. This would occur when the minimum staffing levels are met and there is the ability to have ERT train on straight time. ERT are specially trained to conduct cell extractions, shakedowns, etc and allowing them to conduct them on site would provide untold benefits to the staff and the security of the facilities. This would not decrease ERT training, but conduct it in a more efficient manner.

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(14)

Unnecessary medical procedures for inmates -- The Union and its membership are not referring to necessary medical procedures, but things such as dentures, providing medical care for pre-existing, non-life threatening conditions.

Re-entry program in the jail – Having a reentry program at MCCF and PRRS essentially means the County is paying for two separate re-entry programs, that are separate and apart from each other, with their own management structures, etc. Council has talked extensively about eliminating redundant and overlapping programs; this is an example of one.

Eliminate recreation programs at PRRS -- The intern program has been to train and as a recruiting tool for the resident supervisor position. The purpose of the intern is not to conduct field trips, where residents have been seen at Redskins games flashing gang signs (our gang officer has pictures to support his assertion) or to accompany residents to public outings. The County should not be responsible for having interns (which are generally paid at PRRS) taking residents out in the community because they cannot get a community pass. If they are not eligible for a community pass because they recently entered the PRRS program or have been denied a pass for other reasons, we should not be providing them recreation activities. This is a cost to the County in lost time because the interns are out of the facility and cannot participate in learning the true functions of the resident supervisor position, which is a greater cost than gas for a van.

Eliminate Department Investigator – As the information provided to the Committee on April 22, 2009 shows, the total compensation costs of this position are more than $127,000 since the memo presented was from 2008 and does not include the 4.5% COLA that was passed on to non-bargaining unit members or the increment that would be do if eligible. In that packet, also attached were copies demonstrating the pure administrative duties that could be conducted by someone else. No other public safety department in Montgomery County or surrounding jurisdictions has their chief investigator conducting anything but investigations. Other information provided came from County Stat showing the exorbitant amount of time employees have been placed on administrative leave while the chief investigator does his investigation. Currently, there is an employee who has been on administrative leave for almost 8 weeks, the report is not done and not expected to be done for another 2 week or so, and all of this is before a statement of charges has been issued, if one is issued. For everyday someone is on administrative leave, you have potential overtime costs attached to that vacancy. The longer it takes to conduct an investigation, the higher the cost. Also, the majority of investigations are conducted by Captains, which is part of their position description, as it is for Lieutenants, which information was provided to you. Finally, the chief investigator has caused additional overtime costs by often conducting investigations near or at the end of employees' shifts, requiring them to stay for **hours** past their stop time, causing overtime. People have been in investigations for 3 and 4 hours on fairly simple issues. As this position was only

created in the past few years for the former recruiter, there was not then nor is their now, a need for such a position. The savings from abolishing this job could save front line positions that provide direct services to the community and the inmate population.

Eliminate HR manager and 2 assistants – The HR liaison office has grown expedientially over the past few years (ironically just adding a position as the Department proposes to eliminate 1/3 of the training program for the Department, which is a core responsibility and necessary to maintain state accreditation). All the while, this office has cost the County an untold amount of money because of the lack of expertise and refusal to work with and follow the direction given by the Office of Human Resources (OHR). Examples include the implementation of the correctional officer matrix, in which, despite several meetings, emails, and phone calls from OHR on the proper way to place people on the matrix, the HR liaison office of DOCR decided to give 132 officers an extra step prior to placement on the matrix, thus causing an overpayment. Much of this was done at the end of fiscal year 2008. The exact amount of the overpayment has yet to be calculated by Payroll and the process for repayment has just begun. It is important to note the Union brought the improper placement up immediately in an effort to avoid overpayment and other problems. Another example is guidance regarding MC-Time. Improper directions were given to supervisors by the HR liaison and that office which in turn required OHR to create a word chart with specific instructions and having to clarify all the misinformation given. This information has been provided to OHR to support the Union's statements. Additionally, we have others in the County already doing the same work that could provide the services necessary without the County in essence paying for things twice.

Finally, I would like to respond to Councilmember Elrich's question regarding unaccounted for costs if the DOCR is approved as recommended. After consultation with our membership, it is generally agreed that if the proposed cuts to staff at Pre-Trial Services go through, there is a strong possibility that judges will decide there is not enough staff to sufficiently monitor clients and instead of sentencing persons to IPSA, Pre-Trial and ACS would then sentence them to the detention facilities. This would lead to an increase in jail population, permanently opening the West 2-6 housing unit at MCCF and possible trying to open additional housing at MCDC, and these units would have to be staffed.