

Subject: ACTION: FY20 Operating Budget: Montgomery County Police Department (MCPD)	
Analyst: Susan J. Farag, Legislative Analyst <i>SJK</i>	Committee: PS
Keywords: #Police, FY 20 Operating Budget	

Montgomery County Police Department		
FY20 CE REC:	\$295,232,312	1965.26 FTEs
Increase/Decrease from FY19	\$15,193,981 (5.4%)	7.31 FTE (04%)

COMMITTEE RECOMMENDED CHANGES

- 1) The Committee voted 3-0 to add two School Resource Officers (\$122,514) to the Reconciliation List, as requested by Councilmember Rice.
- 2) The Committee also voted to add three tranches of 10 police officers each (\$604,885) to the Reconciliation List, to address attrition. Adding these helps fill the winter recruit class but does not increase the overall size of the sworn complement.

KEY CE CHANGES FROM FY19

- The CE recommends two recruit classes of 22 recruits each. This is less than the requested class size of 37 each. The Police Department is aggressively recruiting to fill the first class (summer class) up to 37 recruits. If this occurs, there is insufficient funding in the budget to fully cover a winter recruit class. OMB has indicated it would submit a supplemental appropriation to provide funding if the winter recruit class is filled as well. The Committee’s recommendation for up to 30 police officers fully funds the winter recruit class.
- The CE funds six police officer positions that were lapsed last year (\$1,031,339).
- The CE funds the new Police Leadership Service Pay for Performance as established by Expedited Bill 40-17 (\$335,789).
- The CE adds a Forensic Scientist for the Crime Lab (\$82,701).
- The CE adds funding to switch in-car video systems from Panasonic Arbitrator to Axon cameras (\$533,066). While this move is initially more expensive, MCPD projects at least a \$5 million savings over 10 years.

OTHER ISSUES

None.

This report contains:

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In-Car Video Cost Comparison Chart

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Attrition Chart

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Fiscal note for HB397, Carl Henn's Law, 911 Telephone System

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Councilmember Rice's Memo regarding SROs

©30

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PS COMMITTEE #2
May 1, 2019

Worksession

MEMORANDUM

April 30, 2019

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst 

SUBJECT: **Worksession: FY20 Operating Budget
Department of Police**

PURPOSE: Vote on Recommendations for Council Consideration

Those expected for this worksession:

Acting Chief Russ Hamill, Montgomery County Police Department (MCPD)
Assistant Chief Marcus Jones, MCPD
Assistant Chief Laura Lanham, MCPD
Assistant Chief David Anderson, MCPD
Acting Assistant Chief Dinesh Patil, MCPD
Neil Shorb, MCPD Management and Services
Rich Harris, Office of Management and Budget

Budget Summary:

- No new sworn positions are included in the FY20 Recommended Budget.
- There are two recruit classes, each with 22 recruits.
- Councilmember Rice is requesting two additional School Resource Officers.
- Recent State legislation is expected to impact 911 revenues received by the County.
- Several civilian positions are recommended, including a Forensic Scientist, IT Specialist for Bodyworn Camera redaction, and the conversion of several contractual positions to permanent merit staff positions.

Overview

For FY20, the County Executive recommends total expenditures of \$295,232,312 for the Police Department, a 5.43% increase from the FY19 Approved Budget of \$280,038,331.

	<i>FY18</i> <i>Actual</i>	<i>FY19</i> <i>Approved</i>	<i>FY20</i> <i>Recommended</i>	<i>% Change</i> <i>FY19-20</i>
<i>Expenditures by fund</i>				
General Funds	\$270,740,366	\$279,873,331	\$295,067,312	5.4%
Grant Funds	\$933,835	\$165,000	\$165,000	0.0%
TOTAL Expenditures	\$271,674,201	\$280,038,331	\$295,232,312	5.4%
<i>Positions:</i>				
Full-time	1,888	1,892	1,898	0.3%
Part-time	195	197	199	1.0%
TOTAL Positions	2,083	2,089	2,097	0.4%
TOTAL FTEs	1,950.30	1,957.95	1,965.26	0.4%

The FY20 County Executive's recommendation is a net increase of \$15,193,981. This net increase stems from the following identified changes with services impacts:

<i>FY20 Changes with Service Impacts</i>	
Add: Dashboard Camera Video System -- 100 New Units and 150 Replacements	\$533,066
Add: Forensic Scientist for the Crime Lab	\$82,701
Add: Equipment for Vehicles Associated with New FY19 Officers	\$77,512
Add: IT Specialist II for Body Worn Camera Redaction	76,682
Add: New Charge from County Attorney	\$71,833
NET SERVICE IMPACT ADJUSTMENT TOTAL:	841,794

As well as from the identified same service adjustments:

Identified Same Service Adjustments	
Increase Cost: FY20 Compensation Adjustment	\$8,188,669
Increase Cost: Annualization of FY19 Personnel Costs	\$2,762,070
Increase Cost: Motor Pool Adjustment	\$1,275,007
Restore: One-time Savings for FY19 Salaries/Op Expenses for 6 Officers	\$1,031,339
Increase Cost: Towing Charge Pass-through Expense	\$1,000,000
Increase Cost: Annualization of Next Generation 911 and Text to 911 Contract	\$717,294
Restore: One-time Reduction in Operating Expenses	\$619,000
Increase Cost: PLS Pay for Performance	\$335,789
Increase Cost: One-time Lapse Increase	\$119,861
Increase Cost: Annualization of School Safety Program Contractors	\$67,663
Increase Cost: Operating Expenses for New Officers Added in FY19 Winter Class	\$63,979
Increase Cost: Adjust Charges from State's Attorney	\$26,580
Increase Cost: Convert GIS Contractor to IT Specialist	\$5,030
Increase Cost: Convert Redaction Contractor to County Position	\$1,345
	Total Increases: \$16,213,626
Decrease Cost: Retirement Adjustment	(\$6,685)
Shift: Annualization of ESRI Enterprise Agreement to DTS	(\$9,950)
Decrease Cost: Convert School Bus Camera Program Contractor to County Position	(\$33,026)
Decrease Cost: Align Contract Security Cost in COB to Staffed Hours	(\$48,496)
Decrease Cost: Elimination of One-Time Items Approved in FY19	(\$143,225)
Decrease Cost: Align Lapse Budget to Vacancies	(\$1,620,057)
	Total Decreases: (\$1,861,439)
NET SAME SERVICES ADJUSTMENT TOTAL:	\$14,352,187

FY20 Expenditure Issues

Staffing Issues

MCPD currently has an authorized sworn complement of 1,305 officers. This includes 12 new positions added during FY18 by the Council, and four new positions added in FY19. No new police officer positions are added in FY20.

The department has included two recruit classes of 22 candidates each to address attrition (see attrition projection on ©17). The non-Discontinued Retirement Service Plan (DRSP) attrition rate is about 1-2 per month. Over the next fiscal year, sworn vacancy rates range from a low of 32 in January 2020 after Session 66 graduates 29 candidates, to a high of 44.5 vacancies, just before Session 68 graduates 18 candidates. The highest vacancy estimate is approximately 3% of the sworn complement.

The following chart shows Council staff's estimate of current vacancies at the six police districts:

District Station	Authorized Complement	Vacancies
1D	125	1
2D	134	0
3D	184	4
4D	184	0
5D	145	1
6D	140	4

Council staff has requested updated information from the Department.

Recruit Class Sizes: As stated above, MCPD plans on having two recruit classes in FY20, with 22 recruits each, for a total of 44 for the year. These recruits address attrition only, and do not increase the size of the sworn complement. MCPD has advised that the ideal number of recruits is 37 in each class, and it plans to proactively push to recruit that number for the first recruit class in the summer. If the Department is successful, then OMB states it will request a supplemental appropriation later in the fiscal year to fund a full winter recruit class. The additional cost is approximately \$1.9 million. The Executive took recent recruit class sizes into account when determining the FY20 recruit class. While it is understandable to be cautious about overfunding recruit classes that may not get filled, Council staff is concerned that the County's fiscal situation may not be conducive to such a large supplemental appropriation request mid-way through the Fiscal Year, especially in light of recent and regular Savings Plans.

The Committee should understand MCPD's attrition needs and how the recruit classes are expected to fill positions over the next year to 18 months. The Attrition Chart shows a slightly larger number of vacancies in the upcoming fiscal year than what was projected for FY19. Vacancies, however, do not reflect the entire picture of staffing needs. Certain positions may be on leave, or working light duty, adding to the challenge of providing full coverage.

What is MCPD's status regarding the summer recruit class? If the Committee chooses to add new police officer positions, the cost is \$165,406 for a summer class recruit and \$61,257 for a winter class recruit. The following table breaks down the associated costs:

Police Recruit Class Costs FY20				
Class	PE	OE	Fleet	Total
Summer	\$86,401	\$25,347	\$53,658	\$165,406
Winter	\$44,026	\$17,231	-	\$61,257

Councilmember Rice's Request for Two School Resource Officers (\$122,514): Councilmember Rice is requesting the addition of two new SROs to be located at middle schools. The cost reflects adding candidates to the winter recruit class. Mr. Rice's memo is attached at ©30.

Restore Six Sworn Positions Lapsed in FY19 (\$1,031,339): This increase reflects filling six police officer positions that were lapsed last year to meet savings targets.

Align Lapse Budget to Vacancies (\$-1,620,057): This savings reflects revised lapse based projected vacancies.

Police Leadership Service Pay for Performance (\$335,789): This increase reflects increased pay resulting from Expedited Bill 40-17. This law establishes a pay scale for Police Lieutenants and Captains that is similar to the Management Leadership Service (MLS) pay structure within County Government. The PLS provides a compensation system designed to attract and retain highly competent senior police managers and compensate Lieutenants and Captains based on individual and organizational performance. There are currently 58 Lieutenants and Captains in the PLS.

Civilian Staffing: While no new sworn positions are included in the recommended budget, there are several non-sworn and contractual personnel changes.

Forensic Scientist for Crime Lab (\$82,701): This position will work in the Biology Unit within the Crime Lab. The County currently has a backlog of Physical Evidence Recovery Kit (PERK) testing. Unlike some other jurisdictions, MCPD has maintained all evidence collected; however, certain PERK kits that likely have no evidentiary value had not been tested, including *Jane Doe* kits, cases where the suspect was already known to the victim, or the suspect pled guilty and no further adjudicatory evidence was needed. MCPD began testing all PERK kits in 2018. While many of these kits are sent to an outside laboratory, Crime Lab staff still take significant amount of time to prep kits and analyze results. The turnaround time to test PERK kits was 128 days in 2018. An additional forensic scientist position will help reduce the backlog.

IT Specialist II for Body Worn Camera (BWC) Redaction (\$76,682): The Body Worn Camera Program was implemented in 2016. Since then, requests for BWC and in-car video has increased. The work is currently performed by a contractual position, but an additional position is needed to manage increasing numbers of Maryland Public Information Act (MPIA) requests.

Convert Contractual GIS Position to County Position (\$5,030)

Convert Contractual Redaction Specialist to County Position (\$1,345)

Convert Contractual School Bus Camera Position to County Position (-33,026)

These changes reflect hiring contractors to permanent merit staff positions and have no substantive impact on operations.

Operational Issues

Annualization of Next Generation 911 Service (\$717,294): This increase reflects full-fiscal year costs of changes implemented last year.

MCPD has also provided an update on the Next Generation 911 Service. The umbrella of Next Generation 911 has many facets, encompassing ESINets, Next Generation Core Services that provide functionality such as text-2-911 and geo-spatial call routing, and of course 9-1-1 center phone systems. The evolution of the i3 standard coupled with the implementation of interim solutions for short-term gains has in many cases lead to disconnects between the various parts. This has affected the pace of implementation across the country and in this region. Montgomery County has numerous inter-related projects as follows:

- Recent changes to the Interim Text-to-911 standard as it evolves to the i3 standard has led to incompatibility between the phone system and the Text-to-911 service. The two vendors have performed updated lab testing and the department is anticipating a software release by July 2019, at which point it will be able to resume the implementation process.
- As part of the ESINet provisioning:
 - a) AT&T is working with Verizon to provide links between the current 911 network and the AT&T ESINet;
 - b) Following a survey of the ECC facilities, a project has been initiated to create an additional fiber entrance to one of the buildings to improve physical circuit-path diversity; and
 - c) Based on lab testing related to geo-based call routing as part of the i3 standard, changes have been required both from the ESINet provider and the 911 phone system provider. At this time, MCPD is anticipating a fall 2019 software update to the 911 phone system in order to move forward.

State Legislation that Impacts 911 Fees and Revenues: County Executive Elrich and Council President Navarro recently announced the ability to provide additional funds to Montgomery County Public Schools (MCPS), due to recent legislation that passed in Annapolis that modifies 911 fees that will be distributed to the County. The Bill, HB397, or Carl Henn's Law,¹ makes several changes to the State's regulatory framework that govern the 911 system. These changes were recommended by the State Commission to Advance NG911 Across Maryland. As of the date of this staff report, the Bill is enrolled, but has not yet been signed by the Governor. The Fiscal and Policy Note for HB397 is attached at ©18-29.

HB397 provides additional 911 fees and will increase 911 revenues that all counties receive. These revenues fund each county's respective Public Safety Answering Point (PSAP), including 911 call taking centers and supporting infrastructure. For FY20, the recommended budget for the County's Emergency Communication Center (ECC) is \$23,415,893. The County expects to receive \$12,000,000 from 911 revenues to help pay for these services. This reflects about a \$5 million increase from last year. Increased 911 revenues will free up general funds that have historically been used to fund the ECC and allow them to be used for other governmental purposes.

In-Car Video System (\$533,066): This cost increase reflects purchasing 150 replacement cameras and 100 new additional cameras for patrol vehicles. Currently, MCPD uses Panasonic Arbitrator cameras. The Department is transitioning over to Axon cameras, under the

¹ Text of Enrolled Bill HB397, Carl Henn's Law
<http://mgaleg.maryland.gov/2019RS/bills/hb/hb0397e.pdf>

same contract as the bodyworn cameras and cameras in interview rooms. While the initial cost of transitioning over to Axon is slightly more expensive, over the course of 10 years, the Department expects to realize at least \$5 million in savings (see chart attached at ©16).

Equipment for Vehicles Associated with New Officers Added in FY19 Winter Class (\$77,512): This cost reflects equipment costs to outfit new patrol vehicles. The Motor Pool Fund Contribution NDA includes \$123,861 for new patrol vehicles for the additional FY19 winter class recruits.

Towing Charge Pass-Through Expense (\$1,000,000): This increase reflects an accounting change only. MCPD tows certain vehicles and maintains an impound lot. When vehicle owners pick up their vehicle, they can pay both their citation and the towing fee directly to the Police Department. The Department, in turn, remits payment to the towing companies with which it has contracted. This revenue and expenditure has always netted out, but has not been accounted for in the MCPD budget. This change reflects actual expenditures, while corresponding revenues are paid into the general fund. It continues to net out and has no impact on police.

Council Staff Recommendation

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

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Police

RECOMMENDED FY20 BUDGET
\$295,232,312

FULL TIME EQUIVALENTS
1,965.26

☀ **J. THOMAS MANGER, CHIEF OF POLICE**

MISSION STATEMENT

The mission of the Department of Police is to safeguard life and property, preserve the peace, prevent and detect crime, enforce the law, and protect the rights of all citizens. The Department is committed to working in partnership with the community to identify and resolve issues that impact public safety.

Community Policing Philosophy

The Montgomery County Department of Police embraces the concept of community policing as a philosophy and an organizational strategy. This approach allows the police and the community to work closely together in creative ways to solve the problems of crime or fear of crime, address physical and social disorder, and advance the overall quality of life in the community. This philosophy rests on the belief that the community deserves input into the process and that solutions to today's community problems require both the public and the police to address neighborhood concerns beyond a narrow focus on individual crime incidents. These partnerships and strategies have allowed the Department to address community concerns quickly, to improve the Department's ability to communicate with and better serve the community, and to enhance the Department's ability to accomplish its mission.

BUDGET OVERVIEW

The total recommended FY20 Operating Budget for the Department of Police is \$295,232,312, an increase of \$15,193,981 or 5.43 percent from the FY19 Approved Budget of \$280,038,331. Personnel Costs comprise 83.24 percent of the budget for 1,898 full-time position(s) and 199 part-time position(s), and a total of 1,965.26 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 16.76 percent of the FY20 budget.

COUNTY PRIORITY OUTCOMES

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

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

DEPARTMENT PERFORMANCE MEASURES



Performance measures for this department are included below (where applicable), with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY19 estimates reflect funding based on the FY19 Approved Budget. The FY20 and FY21 figures are performance targets based on the FY20 Recommended Budget and funding for comparable service levels in FY21.

Measure	Actual FY17	Actual FY18	Estimated FY19	Target FY20	Target FY21
Multi-Program Measures					
Average emergency 911 call response time (minutes)	8:35	8:21	8:15	8:09	8:03
Crime investigation and closure rate: Homicide	82%	87%	86%	86%	86%
Crime investigation and closure rate: Rape	70%	51%	68.3%	68.3%	68.3%
Crime investigation and closure rate: Robbery	41%	38%	40%	40%	40%
Crime investigation and closure rate: Aggravated Assaults	61%	58%	61%	61%	61%
Crime investigation and closure rate: Burglary	27%	26%	25%	25%	25%

INITIATIVES

- ★ Add a Forensic Scientist for the Crime Lab to ensure evidence is tested in a timely manner.
- ★ Purchase 250 dashboard video cameras to ensure community trust in the County's policing.
- ★ Add a position to prepare dashboard camera and body-worn camera footage for release when requested through the Maryland Public Information Act.
- ★ Transition animal-related emergency calls to the Animal Services Division during peak animal-related call times.

ACCOMPLISHMENTS

- ☑ Re-established the Community Engagement Division to maximize and enhance outreach and engagement efforts throughout the County.
- ☑ MCPD was awarded reaccreditation for the seventh time by Commission on Advanced Law Enforcement Accreditation (CALEA).
- ☑ The Crime Lab has completed the accreditation process through the American Society of Crime Laboratory Directors (ASCLAD).

INNOVATIONS AND PRODUCTIVITY IMPROVEMENTS

- ✦ Over the past year, the department has initiated or completed the following technology enhancements:
 - Complete the upgrade to enhance the radio infrastructure.
 - Complete Text-to-911 installation (integration pending).
 - Implementing a new records management system.
- ✦ Reorganize and strengthen the Prescription Drug Disposal Program as a demonstration of the department's commitment to reducing the amount of prescription drugs in the home, as unused medications create a public health and safety concern.

COLLABORATION AND PARTNERSHIPS

2

* **Vision Zero**

Continue to collaborate with the County government partners; the State Highway Administration; and several other associations, committees, and offices in the second year of the 2-year Vision Zero action plan.

Partners

County Council, Office of Emergency Management and Homeland Security, Department of Health and Human Services, Department of Transportation, Maryland-National Capital Park and Planning Commission, Non-Profits

* **Helping Victims of Domestic Violence**

MCPD continues to be a partner in the Family Justice Center, which offers comprehensive services for victims of domestic violence.

Partners

Department of Correction and Rehabilitation, Department of Health and Human Services, Sheriff's Office, State's Attorney's Office, Non-Profits

* **Police Cadet Program**

The Department continues to partner with Montgomery College to maintain the Montgomery County Police Cadet Program.

Partners

Montgomery College

* **School Resource Officer (SRO) Program & Critical Incident Response Training**

Partnership with the Montgomery County Public Schools to operate a School Resource Officer (SRO) program and provide training related to critical incident response.

Partners

Montgomery County Public Schools

* **Mental Health and Substance Abuse**

Ongoing partnerships with HHS to provide critical services including support to the Crisis Intervention Team; the Opiate Overdose Response Program; and the Stop, Triage, Engage, Educate, and Rehabilitate (STEER) program, which deflects low-risk individuals with substance use disorders away from the criminal justice system and directly into community-based treatment.

Partners

Department of Health and Human Services

* **Keeping Seniors Safe Program**

Partnership between the Montgomery County Commission on Aging and the MCPD Volunteer Resources Sections to administer the Keeping Seniors Safe program, which is designed to increase awareness of safety issues within the senior community and provide related guidance and resources to seniors.

Partners

Department of Health and Human Services

③

✧ **Embracing Diversity**

Expanded community partnerships through the Office of the Chief, including the African American, Asian, Hispanic, Latino, and LGBTQ liaison committees, and the Interfaith community working group. The partnerships help aid investigations and responses to the increase in the number of bias incidents in the County.

Partners

Office of Human Rights

PROGRAM CONTACTS

Contact Neil Shorb of the Department of Police at 240.773.5237 or Richard H. Harris of the Office of Management and Budget at 240.777.2795 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

✧ **Office of the Chief**

The Office of the Chief has responsibility for the overall management, direction, planning, and coordination of all Department of Police programs and operations. The Chief is responsible for administering the Department in accordance with applicable laws and regulations, and ensuring that organizational objectives are met.

The Internal Affairs Division (IAD) is organizationally located in the Office of the Chief. The Department strives to maintain a relationship of trust and confidence with the community that it serves. A critical part of maintaining this level of trust is through an effective and sound disciplinary process, and objectively investigating complaints of misconduct. The IAD manages this process and ensures that each complaint is thoroughly reviewed and investigated so that corrective action is taken on sustained cases for improper conduct, and employees are safeguarded from unwarranted criticism for properly engaging in their duties.

FY20 Recommended Changes	Expenditures	FTEs
FY19 Approved	2,289,072	12.00
Add: New Charge from County Attorney	71,833	0.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(43,974)	(1.00)
FY20 Recommended	2,316,931	11.50

✧ **Patrol Services**

The Patrol Services Bureau (PSB) is responsible for providing direct police patrol services to the public through the six District Stations. Personnel provide initial response to incidents; identify crime, traffic, and community hot spots; and work in partnership with residents to solve problems of mutual concern. This bureau provides specially trained units such as the District Traffic Section, Special Assignment Team (SAT), District Community Action Team (DCAT), and School Resource Officers (SROs) to support preventive methods of crime suppression through planning, education, and community involvement, and to actively pursue and apprehend those involved in serious and high-risk crimes. In addition, the Community Engagement Division (CED) is

responsible for outreach throughout the County to engage citizens in their neighborhoods, places of worship, and in the business community.

The District Traffic Sections enforce traffic laws and support efforts for overall collision reduction. The Special Assignment Teams employ undercover surveillance as an effective crime fighting tool in situations such as drug and weapons offenses and where the mitigation of crime trends are enhanced by the deployment of officers in street clothes. The DCATs are deployed to conduct targeted enforcement operations in response to identified crime increases and crime trends. These teams engage the community in community policing efforts to sustain improvements achieved through joint partnership efforts. The SROs are deployed in public high schools for protection while also providing mentoring, mediation, and educational services to all stakeholders in the school system with the goal of preventing crimes before they occur.

FY20 Recommended Changes	Expenditures	FTEs
FY19 Approved	115,048,710	934.50
Restore: One-time Savings for FY19 Salaries and Operating Expense for 6 Sworn Positions	1,031,339	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	3,041,359	(11.50)
FY20 Recommended	119,121,408	923.00

Field Services

The Field Services Bureau (FSB) is responsible for providing specialized services in several key service delivery functions, necessary for safely and effectively executing both routine and complex field operations. The FSB consists of the following divisions: the Special Operations Division, the Traffic Division, the Public Information Office, the Animal Services Division, the Security Services Division, and the Crisis Response and Support Division.

The Special Operations Division consists of the Special Weapons and Tactical Team (SWAT), Canine Unit, the Special Events Response Team (SERT), the Emergency Services Unit (ESU), and the Managed Search Operations Team (MSOT).

The Traffic Division focuses on enforcement of traffic laws, investigation of serious traffic collisions, and providing safety education for students and the general public. This division consists of the Automated Traffic Enforcement Section, the School Safety Section, and Special Traffic Operations Section, which includes four specialized units: Alcohol Initiatives Unit (AIU), Collision Reconstruction Unit (CRU), Commercial Vehicle Unit, and the Chemical Test for Alcohol Unit.

The Department's Public Information Office provides information to the public on matters of interest and safety through timely and accurate reports using traditional media routes and the latest social media trends.

The Animal Services Division is charged with responding to citizen complaints regarding animals that may endanger the public or cause public nuisances, and animals in need of protection. The Division also operates the Animal Services and Adoption Center facility, which provides housing and care to animals in need, and an adoption program that seeks to place those animals with appropriate caregivers.

The Security Services Division provides security staffing at various County facilities to prevent or mitigate disorder and/or disruption. The Division is also responsible for providing executive protection duties for the County Executive.

The Crisis Response and Support Division is responsible for coordinating the duties of the various support teams, programs, and organizations that provide specialized support to the Department and/or the community during times of crisis or special needs.

Program Performance Measures	Actual FY17	Actual FY18	Estimated FY19	Target FY20	Target FY21
Number of traffic collisions in Montgomery County	23,400	21,666	21,341	21,021	20,706

FY20 Recommended Changes	Expenditures	FTEs
FY19 Approved	44,260,371	285.20
Increase Cost: Annualization of School Safety Program Contractors	67,663	0.00
Technical Adj: FTE Adjustment	0	(1.00)
Decrease Cost: Align Contract Security Cost in the Council Office Building to Staffed Hours	(48,496)	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	1,974,179	4.00
FY20 Recommended	46,253,717	288.20

☀ Investigative Services

The Investigative Services Bureau is the primary investigative branch for serious and violent crime in Montgomery County. Detectives are assigned to one of the four divisions in this Bureau and are responsible for investigations leading to the detection, identification, apprehension, and prosecution of persons responsible for committing serious crimes in the County. The Bureau is comprised of four major divisions.

The Criminal Investigations Division is responsible for investigating a wide range of property crimes and crimes against persons. This Division consists of the District Investigative Section (fully operational investigative units at each district station), the Financial Crimes Section (fraud, pawn, and electronic crimes), and the Central Auto Theft Section. The Crime Laboratory and the Forensic Services Section is also a part of the Criminal Investigations Division.

The Major Crimes Division includes the Homicide Section, the Robbery Section, the Fugitive Section, the Victim/Witness Assistance Section, and the Missing Persons/Cold Case Section.

The Special Investigations Division consists of two sections: the Criminal Enterprise Section and the Drug Enforcement Section. The Criminal Enterprise Section includes the Repeat Offender Unit, the Vice/Intelligence Unit, the Criminal Street Gang Unit, and the Electronic/Technical Surveillance Unit. The Drug Enforcement Section provides investigative capabilities in pharmaceuticals, asset forfeiture, and multi-level drug enforcement involving the participation of Federal, State, and local agencies. It also includes the Firearms Investigations Unit.

The Special Victims Investigations Division consists of: the Child Abuse/Sexual Assault Section, the Missing Persons/Runaway Section, the Domestic Violence/Elder Abuse Section, the Sex Offender Unit, the Polygraph Unit, and the Child Exploitation Section. The Division is responsible for investigating sex crimes against children and adults, physical child abuse, runaways, missing children, felony domestic violence, elder abuse, and registration violations of sex offenders.

FY20 Recommended Changes	Expenditures	FTEs
FY19 Approved	39,920,930	297.00

FY20 Recommended Changes	Expenditures	FTEs
Add: Forensic Scientist for Crime Lab	82,701	1.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	765,075	(9.00)
FY20 Recommended	40,768,706	289.00

☀ **Management Services**

The Management Services Bureau provides crucial administrative and management support services to the Department and technical support to police operations through various types of technology, analysis, education, training, and maintenance of active and historical records and warrants. The Bureau is comprised of nine divisions.

The Management and Budget Division is responsible for preparation and management of the Department's operating budget, financial matters, fleet management, grants, supplies and equipment, contracts and procurement, the Vehicle Recovery Section, and the False Alarm Reduction Section.

The Communications Division is responsible to answer all 911 calls in Montgomery County, as well as non-emergency police service calls. Calls are screened, redirected, and dispatched as necessary.

The Information Management and Technology Division provides leadership and strategic direction on law enforcement technology issues and leads the Department's technology innovations. This Division includes the Field Services Section, which manages service and support for the department's mobile data computers (MDC) and other state systems and applications; the Records Section, which is the clearinghouse for criminal histories, court orders, crash reports, crime statistics, and includes the Message Routing Unit, Warrant Control Unit, Data Systems Unit, and the Records Management Unit; and the Technology Section, which is responsible for the evaluation, procurement, installation, and maintenance of all hardware, software, and wireless systems used by the Department.

The Employee Health and Wellness Division is responsible for promoting the health and well being of Department personnel; coordinating the administration of the Worker's Compensation program; and coordinating other initiatives with the County's Division of Risk Management.

The Personnel Division handles recruitment and selection of police-specific job classes; provides technical assistance to the Chief of Police and Executive Staff on all personnel matters; coordinates the development and administration of all promotional examinations with the Office of Human Resources; and conducts pre-employment background investigations for all Police Department personnel.

The Training and Education Division is responsible for the training and performance evaluation of police recruits, developing and providing in-service training for sworn officers and civilian employees, managing other programs including the Leadership Development Program, the Police Explorer Program, and the Citizens Academy.

The Policy and Planning Division is responsible for policy development and promulgation, maintaining accreditation under the Commission on Accreditation for Law Enforcement Agencies (CALEA) standards, conducting inspections and audits of Department units, and coordination of short- and long-term planning for the agency.

The Legal and Labor Relations Division is responsible for serving as a liaison with employee unions, investigation and response to employee grievances, training of supervisors in labor relations, and serving on the County negotiation team.

The Capital Projects and Facilities Division is responsible for managing the Department's facilities and the Capital Improvements Program (CIP).

Program Performance Measures	Actual FY17	Actual FY18	Estimated FY19	Target FY20	Target FY21
Average time to answer 911 calls (seconds)	8.0	4.0	5.0	5.0	5.0

FY20 Recommended Changes	Expenditures	FTEs
FY19 Approved	78,519,248	429.25
Increase Cost: Towing Charge Pass-through Expense	1,000,000	0.00
Increase Cost: Annualization of Next Generation 911 and Text to 911 Contract	717,294	0.00
Add: Dashboard Camera Video System – 100 New Units, 150 Replacement Units	533,066	0.00
Add: IT Specialist II for Body Worn Camera Redaction	76,682	1.00
Increase Cost: Adjust Charges from State's Attorney	26,580	0.50
Increase Cost: Convert GIS Contractor to IT Specialist II	5,030	1.00
Increase Cost: Convert Redaction Contractor to County Position	1,345	1.00
Technical Adj: FTEs Associated with Four Cadets Added in FY18	0	1.31
Technical Adj: Term Position Approved as a Mid-year Action in FY19	0	1.00
Decrease Cost: Convert School Bus Camera Program Contractor to County Position	(33,026)	1.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	5,925,331	17.50
FY20 Recommended	86,771,550	453.56

BUDGET SUMMARY

	Actual FY18	Budget FY19	Estimate FY19	Recommended FY20	%Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	167,889,254	174,376,900	171,906,386	182,696,677	4.8 %
Employee Benefits	57,841,885	60,057,183	59,263,733	62,897,861	4.7 %
County General Fund Personnel Costs	225,731,139	234,434,083	231,170,119	245,594,538	4.8 %
Operating Expenses	44,769,085	45,439,248	44,672,664	49,395,262	8.7 %
Capital Outlay	240,142	0	0	77,512	—
County General Fund Expenditures	270,740,366	279,873,331	275,842,783	295,067,312	5.4 %
PERSONNEL					
Full-Time	1,887	1,891	1,891	1,897	0.3 %
Part-Time	195	197	197	199	1.0 %
FTEs	1,949.30	1,956.95	1,956.95	1,964.26	0.4 %
REVENUES					
Emergency 911	7,742,320	7,000,000	7,000,000	7,000,000	—
Miscellaneous Revenues	142,464	150,000	690,843	650,000	333.3 %

BUDGET SUMMARY

	Actual FY18	Budget FY19	Estimate FY19	Recommended FY20	%Chg Bud/Rec
Motor Pool - Insurance Recoveries	37,640	0	0	0	—
Other Charges/Fees	2,052,606	1,800,000	2,000,000	2,192,000	21.8 %
Other Fines/Forfeitures	7,606,690	2,274,500	7,938,867	8,309,500	265.3 %
Other Intergovernmental	(677,382)	250,000	250,000	250,000	—
Other Licenses/Permits	87,816	76,300	76,300	110,300	44.6 %
Parking Fines	14,546	10,500	10,500	1,010,500	—
Pet Licenses	351,272	650,000	650,000	650,000	—
Photo Red Light Citations	3,894,499	4,600,000	4,600,000	4,600,000	—
Speed Camera Citations	15,954,868	18,985,000	18,985,000	18,985,000	—
State Aid: Police Protection	14,167,756	14,180,847	14,180,847	14,180,847	—
Vehicle/Bike Auction Proceeds	1,138,476	900,000	900,000	900,000	—
County General Fund Revenues	52,513,571	50,877,147	57,282,357	58,838,147	15.6 %

GRANT FUND - MCG

EXPENDITURES

Salaries and Wages	433,451	97,718	97,718	95,544	-2.2 %
Employee Benefits	65,781	50,282	50,282	52,456	4.3 %
Grant Fund - MCG Personnel Costs	499,232	148,000	148,000	148,000	—
Operating Expenses	434,603	17,000	17,000	17,000	—
Grant Fund - MCG Expenditures	933,835	165,000	165,000	165,000	—

PERSONNEL

Full-Time	1	1	1	1	—
Part-Time	0	0	0	0	—
FTEs	1.00	1.00	1.00	1.00	—

REVENUES

Federal Grants	279,866	0	0	0	—
Miscellaneous Revenues	4,518	0	0	0	—
State Grants	471,027	165,000	165,000	165,000	—
Grant Fund - MCG Revenues	755,411	165,000	165,000	165,000	—

DEPARTMENT TOTALS

Total Expenditures	271,674,201	280,038,331	276,007,783	295,232,312	5.4 %
Total Full-Time Positions	1,888	1,892	1,892	1,898	0.3 %
Total Part-Time Positions	195	197	197	199	1.0 %
Total FTEs	1,950.30	1,957.95	1,957.95	1,965.26	0.4 %
Total Revenues	53,268,982	51,042,147	57,447,357	59,003,147	15.6 %

FY20 RECOMMENDED CHANGES

	Expenditures	FTEs
Police		
<i>Public Safety</i>	44.9	

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FY20 RECOMMENDED CHANGES

Expenditures FTEs

COUNTY GENERAL FUND

FY19 ORIGINAL APPROPRIATION 279,873,331 1,956.95

Changes (with service impacts)

Add: Dashboard Camera Video System – 100 New Units, 150 Replacement Units [Management Services]	533,066	0.00
Add: Forensic Scientist for Crime Lab [Investigative Services]	82,701	1.00
Add: Equipment for Vehicles Associated With New Officers Added in FY19 Winter Class	77,512	0.00
Add: IT Specialist II for Body Worn Camera Redaction [Management Services]	76,682	1.00
Add: New Charge from County Attorney [Office of the Chief]	71,833	0.50

Other Adjustments (with no service impacts)

Increase Cost: FY20 Compensation Adjustment	8,188,669	0.00
Increase Cost: Annualization of FY19 Personnel Costs	2,762,070	0.00
Increase Cost: Motor Pool Adjustment	1,275,007	0.00
Restore: One-time Savings for FY19 Salaries and Operating Expense for 6 Sworn Positions [Patrol Services]	1,031,339	0.00
Increase Cost: Towing Charge Pass-through Expense [Management Services]	1,000,000	0.00
Increase Cost: Annualization of Next Generation 911 and Text to 911 Contract [Management Services]	717,294	0.00
Restore: One-time Reduction in Operating Expenses	619,000	0.00
Increase Cost: PLS Pay for Performance (Increase to Base Pay)	335,789	0.00
Restore: One-time Lapse Increase	119,861	0.00
Increase Cost: Annualization of School Safety Program Contractors [Field Services]	67,663	0.00
Increase Cost: Operating Expenses for New Officers Added in FY19 Winter Class	63,979	0.00
Increase Cost: Adjust Charges from State's Attorney [Management Services]	26,580	0.50
Increase Cost: Convert GIS Contractor to IT Specialist II [Management Services]	5,030	1.00
Increase Cost: Convert Redaction Contractor to County Position [Management Services]	1,345	1.00
Technical Adj: Term Position Approved as a Mid-year Action in FY19 [Management Services]	0	1.00
Technical Adj: FTEs Associated with Four Cadets Added in FY18 [Management Services]	0	1.31
Technical Adj: FTE Adjustment [Field Services]	0	(1.00)
Decrease Cost: Retirement Adjustment	(6,685)	0.00
Shift: Funds for Annualization of ESRI Enterprise Agreement to DTS	(9,950)	0.00
Decrease Cost: Convert School Bus Camera Program Contractor to County Position [Management Services]	(33,026)	1.00
Decrease Cost: Align Contract Security Cost in the Council Office Building to Staffed Hours [Field Services]	(48,496)	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY19	(143,225)	0.00
Decrease Cost: Align Lapse Budget to Vacancies	(1,620,057)	0.00

FY20 RECOMMENDED 295,067,312 1,964.26

GRANT FUND - MCG

FY19 ORIGINAL APPROPRIATION 165,000 1.00

FY20 RECOMMENDED 165,000 1.00

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PROGRAM SUMMARY

Program Name	FY19 APPR Expenditures	FY19 APPR FTEs	FY20 REC Expenditures	FY20 REC FTEs
Office of the Chief	2,289,072	12.00	2,316,931	11.50
Patrol Services	115,048,710	934.50	119,121,408	923.00
Field Services	44,260,371	285.20	46,253,717	288.20
Investigative Services	39,920,930	297.00	40,768,706	289.00
Management Services	78,519,248	429.25	86,771,550	453.56
Total	280,038,331	1,957.95	295,232,312	1,965.26

CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY19 Total\$	FY19 FTES	FY20 Total\$	FY20 FTES
COUNTY GENERAL FUND					
Emergency Management and Homeland Security	Grant Fund	125,000	0.70	120,000	0.70

FUTURE FISCAL IMPACTS

CE RECOMMENDED (\$000S)

Title	FY20	FY21	FY22	FY23	FY24	FY25
COUNTY GENERAL FUND						
EXPENDITURES						
FY20 Recommended	295,067	295,067	295,067	295,067	295,067	295,067
No inflation or compensation change is included in outyear projections.						
Annualization of Positions Recommended in FY20	0	130	130	130	130	130
New positions in the FY20 budget are generally assumed to be filled at least two months after the fiscal year begins. Therefore, the above amounts reflect annualization of these positions in the outyears.						
Elimination of One-Time Items Recommended in FY20	0	(439)	(439)	(439)	(439)	(439)
Items recommended for one-time funding in FY20, including equipment for new vehicles, mobile video cameras, and equipment for new positions, will be eliminated from the base in the outyears.						
Savings From Contractual Conversions	0	(93)	(93)	(93)	(93)	(93)
This item represents operating expense savings for the three contractual conversions in the County Executive's budget.						
Labor Contracts	0	1,328	1,328	1,328	1,328	1,328
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	295,067	295,994	295,994	295,994	295,994	295,994

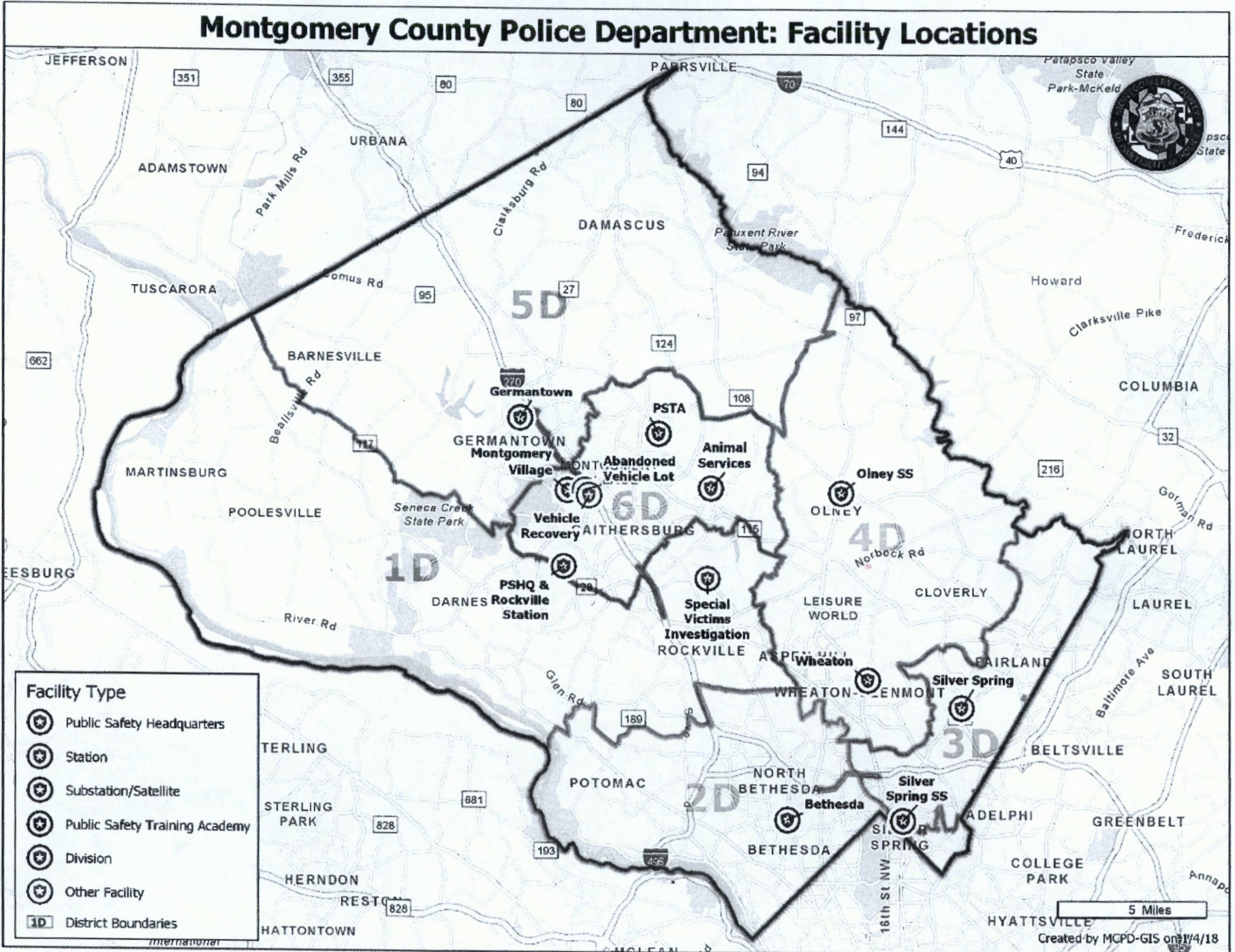
ANNUALIZATION OF PERSONNEL COSTS AND FTES

FY20 Recommended FY21 Annualized

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	Expenditures	FTEs	Expenditures	FTEs
Convert GIS Contractor to IT Specialist II	84,025	1.00	112,033	1.00
Forensic Scientist for Crime Lab	77,701	1.00	103,601	1.00
IT Specialist II for Body Worn Camera Redaction	71,682	1.00	95,576	1.00
Convert Redaction Contractor to County Position	84,025	1.00	112,033	1.00
Convert School Bus Camera Program Contractor to County Position	71,682	1.00	95,576	1.00
Total	389,115	5.00	518,819	5.00

Montgomery County Police Department: Facility Locations



- Facility Type**
- Public Safety Headquarters
 - Station
 - Substation/Satellite
 - Public Safety Training Academy
 - Division
 - Other Facility
 - District Boundaries



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1. Could you provide a list of current vacancies, by position?

See attached for vacancies as of April 2019.

2. Please provide a staffing plan, if available.

Attached is back-up information for the new positions (excluding contractual conversions) included in the CE's recommended budget.

3. Provide a brief update on Next Gen 911 project status.

The umbrella of Next Generation 911 has many facets, encompassing ESINets, Next Generation Core Services that provide functionality such as text-2-911 and geo-spatial call routing, and of course 9-1-1 center phone systems. The evolution of the i3 standard coupled with the implementation of interim solutions for short-term gains has in many cases lead to disconnects between the various parts. This has affected the pace of implementation across the country and in this region.

Montgomery County has numerous inter-related projects as follows:

- Recent changes to the Interim text-2-911 standard as it evolves to the i3 standard has led to incompatibility between our phone system and the text-2-911 service. The two vendors have performed updated lab testing and we are anticipating a software release by July 2019 at which point we will be able to resume the implementation process.
- As part of ESINet provisioning:
 - o AT&T is working with Verizon to provision links between the current 9-1-1 network and the AT&T ESINet,
 - o Following a survey of our facilities, a project has been initiated to create an additional fiber entrance to one of our buildings to improve physical circuit-path diversity, and
- Based on lab testing related to geo-based call routing as part of the i3 standard, changes have been required both from the ESINet provider and our 9-1-1 phone system provider. At this time, we are anticipating a fall 2019 software update to our 9-1-1 phone system in order to move forward.

4. Please provide a brief description of current Panasonic Arbitrator in-car video replacement schedule and cost. And a brief description of the five year plan to transition over to Axon. I'd like to be able to show how it is eventually a cost savings.

See attached for a 10-year cost comparison between the staying with Panasonic's mobile video system and transitioning to Axon (in Years 1-4) and remaining with Axon thereafter (Years 5-10).

Generally, if the County were to stay with Panasonic, 1,000 mobile video systems would have to be replaced over the course of a five year cycle at \$6,600 each, in addition to storage costs (servers and backups) reflected in the Department of Technology Service's budget (\$250,000 every five years, next needed in FY21).

The five-year transition to Axon started in FY19 with 66 units and is expected to continue through FY23 (Year 4 on the attached chart). The plan calls for 250 units to be purchased in FY20, 200 units in FY21 and FY22, and 184 units in FY23. DTS will continue to support Panasonic's data during the transition period and estimates \$200,000 in server replacement costs in FY21.

Axon's mobile video system is expected to save the County money because the unit price is lower (\$1,406 per system) and the annual licensing fee (\$950 per year) includes cloud data storage (at no additional cost) and hardware replacement every three years. Panasonic's system requires hardware replacement every five years at \$6,600 per unit, and data storage costs are borne by the County.

5. How many people are in the PLS Pay for Performance salary structure?

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6. Neil, is the attrition chart you just gave me the most current? And/or can I use it in my staff report?

Yes, the last full analysis was done at the end of December, and it can be used in the staff report.

7. I forgot to ask about Prisoner Medical Services NDA. What was the amount spent in FY18?

The Prisoner Medical Services NDA was not used in FY18.

Cost Comparison of Transitioning from Panasonic Mobile Video to Axon vs. Staying with Axon

		Year 1 FY20	Year 2 FY21	Year 3 FY22	Year 4 FY23	Year 5 FY24	Year 6 FY25	Year 7 FY26	Year 8 FY27	Year 9 FY28	Year 10 FY29	10-Year Total
Axon	Hardware Units	\$351,540 250	\$281,232 200	\$281,232 200	\$258,733 184	\$0 0	\$0 0	\$0 0	\$0 0	\$0 0	\$0 0	\$1,172,737
	Licenses ¹ # of Licensed Units	\$181,526 316	\$395,366 516	\$585,446 716	\$767,923 900	\$855,360 900	\$855,360 900	\$855,360 900	\$855,360 900	\$855,360 900	\$855,360 900	\$7,062,422
	DTS Storage ²		\$200,000									\$200,000
	Total	\$533,066	\$876,598	\$866,678	\$1,026,657	\$855,360	\$855,360	\$855,360	\$855,360	\$855,360	\$855,360	\$855,360

¹Licensing cost assumes 6 months of funding in the budget year, the full annual cost of previously purchased units, and the licensing cost for 66 units installed in FY19.

²DTS Storage costs represent what is needed to support Panasonic mobile video data during the transition period.

Panasonic	Hardware Units	\$1,320,000 200	\$1,320,000 200	\$1,320,000 200	\$1,320,000 200	\$660,000 100	\$1,320,000 200	\$1,320,000 200	\$1,320,000 200	\$1,320,000 200	\$1,320,000 100	\$12,540,000
	DTS Storage		\$250,000				\$250,000					\$500,000
	Total	\$1,320,000	\$1,570,000	\$1,320,000	\$1,320,000	\$660,000	\$1,320,000	\$1,570,000	\$1,320,000	\$1,320,000	\$1,320,000	\$1,320,000

Savings / (Cost)	\$786,934	\$693,402	\$453,322	\$293,343	(\$195,360)	\$464,640	\$714,640	\$464,640	\$464,640	\$464,640	\$464,640	\$4,604,840
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Axon Unit cost \$1,406.16
 Axon License \$950.40
 Panasonic Unit cost \$6,600.00

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MCPD Sworn Attrition Projection: November 2018-October 2021

- Assumptions: 1. Variance=comparison to sworn operating strength at a given point in time
 2. Non-DRSP Attrition rate= 1.5/month
 3. DRSP participants remain for the 3 years-early departures are captured to date
 4. POCs do not count in complement until they graduate from recruit school
 5. POC classes assume a 80% retention rate at graduation
 6. 2 POC classes in FY20-start with 22 and graduate 18-per current FY20 MARC
 7. No POC classes shown in FY21

				Normal	DRSP	Monthly total	Variance	Complement	
FY2019	November			-1.5	-1	-2.5	-39.0	1301	
	December			-1.5	-1	-2.5	-41.5		
2019	January			-1.5	-2	-3.5	-45.0		
	February			-1.5	-2	-3.5	-48.5		
	March			-1.5	-1	-2.5	-51.0		
	Session 67 graduates 18						-33.0		
	April			-1.5		-1.5	-34.5		
	May			-1.5		-1.5	-36.0		
	June			-1.5	-1	-2.5	-38.5		
FY2020	July			-1.5	-1	-2.5	-41.0		1305
	August			-1.5	-2	-3.5	-44.5		
	Session 68 graduates 16						-32.5		
	September			-1.5	-1	-2.5	-35.0		
	October			-1.5	-3	-4.5	-39.5		
	November			-1.5	-1	-2.5	-42.0		
	December			-1.5	-1	-2.5	-44.5		
2020	January			-1.5	-4	-5.5	-50.0		
	Session 69 graduates 18						-32.0		
	February			-1.5		-1.5	-33.5		
	March			-1.5		-1.5	-35.0		
	April			-1.5	-1	-2.5	-37.5		
	May			-1.5	-1	-2.5	-40.0		
	June			-1.5	-1	-2.5	-42.5		
FY2021	July			-1.5	-2	-3.5	-46.0		
	Session 70 graduates 18						-28.0		
	August			-1.5	-2	-3.5	-31.5		
	September			-1.5	-1	-2.5	-34.0		
	October			-1.5	-1	-2.5	-36.5		
	November			-1.5	-2	-3.5	-40.0		
	December			-1.5	-2	-3.5	-43.5		
2021	January			-1.5	-1	-2.5	-46.0		
	February			-1.5	-2	-3.5	-49.5		
	March			-1.5	-1	-2.5	-52.0		
	April			-1.5	-1	-2.5	-54.5		
	May			-1.5	-1	-2.5	-57.0		
	June			-1.5	-1	-2.5	-59.5		
FY2022	July			-1.5	-4	-5.5	-65.0		
	August			-1.5		-1.5	-66.5		
	September			-1.5	-1	-2.5	-69.0		
	October			-1.5	-2	-3.5	-72.5		

12/21/18 NS

Department of Legislative Services
 Maryland General Assembly
 2019 Session

FISCAL AND POLICY NOTE
Enrolled

House Bill 397

(Delegates Krebs and Jackson, *et al.*) (By Request -
 Commission to Advance Next Generation 9-1-1 Across
 Maryland)

Health and Government Operations

Finance

Public Safety - 9-1-1 Emergency Telephone System (Carl Henn's Law)

This bill enhances and alters the regulatory framework that governs the State's 9-1-1 system. Among other things, the bill expands the responsibilities of the Emergency Number Systems Board (ENSB), increases the State 9-1-1 fee, authorizes a local government to increase its 9-1-1 fee under specified circumstances, and applies both fees to each separate outbound call voice channel capacity instead of each account. **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: Special fund revenues for ENSB increase by at least \$53.8 annually beginning in FY 2020; special fund expenditures increase correspondingly. State expenditures (all funds) increase, potentially significantly, beginning in FY 2020 as State agencies pay increased 9-1-1 fees under the bill.

(\$ in millions)	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
SF Revenue	\$53.8	\$53.8	\$53.8	\$53.8	\$53.8
SF Expenditure	\$53.8	\$53.8	\$53.8	\$53.8	\$53.8
GF/SF/FF Exp.	-	-	-	-	-
Net Effect	(-)	(-)	(-)	(-)	(-)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local government revenues increase significantly as additional 9-1-1 fee revenues are collected and distributed. Local government expenditures increase correspondingly as the additional funding is used to enhance and maintain local 9-1-1 systems and as local governments pay additional 9-1-1 fees under the bill.

Small Business Effect: Minimal.

Analysis

Bill Summary: The bill enhances and alters the regulatory framework that governs the State's 9-1-1 system in the following ways:

- References to “emergency calls” are clarified to “requests for emergency services.”
- The responsibilities of ENSB are significantly expanded.
- The purpose and authorized uses of the 9-1-1 Trust Fund are expanded and clarified.
- A definition of “9-1-1 specialist” is established.
- Additional responsibilities related to cybersecurity are established for public safety answering points (PSAPs).
- The State 9-1-1 fee is increased from \$0.25 per month to \$0.50 per month.
- A local government is authorized to temporarily increase its local 9-1-1 fee under specified circumstances. Combined with the existing local 9-1-1 fee, the maximum amount a local government may charge is increased from \$0.75 per month to \$1.50 per month.
- The State 9-1-1 fee and local 9-1-1 fee both apply to each separate outbound call voice channel capacity, instead of each account, as specified.
- Emergency services Internet protocol network providers and core service providers of Next Generation 9-1-1 (NG 9-1-1) are granted immunity from liability for transmission failures in a specified manner.
- Beginning in fiscal 2020, the Governor must provide a plan to repay to the 9-1-1 Trust Fund any monies transferred from the fund under budget reconciliation and financing legislation or by other means that would result in the use of monies for a purpose other than the original intended use.

A more extensive discussion of the bill's provisions can be found below.

Expansion of Responsibilities for the Emergency Number Systems Board

The responsibilities of ENSB are expanded to include establishing (1) minimum standards for cybersecurity, oversight, and accountability of service level agreements between counties and core service providers of NG 9-1-1 services; (2) training standards for PSAP personnel based on national best practices; and (3) establishing minimum standards for records retention, as specified. The standards established for record retention must include procedures related to record security, disposal, and maintenance.

ENSB must establish minimum standards for 9-1-1 systems that ensure improved access for individuals with disabilities and individuals who use assistive technologies. The standards must include mandatory connectivity requirements for core service providers for

NG 9-1-1 services to device-based and cloud-based data repositories. The standards must be regularly updated based on available technology and equipment.

In consultation with the Maryland Cybersecurity Council, ENSB must establish cybersecurity standards for PSAPs based on national industry and 9-1-1 system trade association best practices. At least once each year, on a date determined by ENSB and in advance of submitting a request for or receiving any money from the 9-1-1 Trust Fund, the director of each PSAP must determine whether the cybersecurity defenses employed by the PSAP satisfy these standards and submit a report detailing the results. If the director of a PSAP fails to submit the report, ENSB may not authorize any money for the PSAP from the 9-1-1 Trust Fund. The funding may not be released until the report is submitted.

Expanded Purpose of the 9-1-1 Trust Fund

The purpose of the 9-1-1 Trust Fund is expanded to include funding for:

- the operation and maintenance of 9-1-1 systems, including specified (1) services, such as interpretation services for a PSAP; (2) equipment, such as voice, data, and call log recorders; (3) software, such as automatic number and location identification programs; and (4) other technologies, such as geographic information and mapping systems;
- PSAP facilities costs, including access control, security systems, and standby power;
- public education materials;
- the training of county personnel working in or directly supporting a PSAP;
- cybersecurity for 9-1-1 systems; and
- the provision of tuition reimbursement for 9-1-1 specialists (as defined by the bill) for educational programs related to the 9-1-1 specialist career field.

Funding allocated for these purposes may not be used to pay the salary of PSAP personnel or county personnel.

State and Local 9-1-1 Fees

The State 9-1-1 fee is increased from \$0.25 per month to \$0.50 per month. Under the bill, the additional fee authorized for counties to assess remains \$0.75 per month. However, if a county's local 9-1-1 fee revenues do not cover the county's operational costs for its 9-1-1 system in a fiscal year, then the county may impose an additional charge of up to \$0.75 per month for the following fiscal year. When combined with the existing local 9-1-1 fee of \$0.75 per month, the local government may charge a maximum of \$1.50 per month under these circumstances.

Furthermore, the bill applies the State 9-1-1 fee, existing local 9-1-1 fee, and local additional charge to each separate outbound call voice channel capacity, regardless of the technology used for the voice channel (*i.e.*, phone lines, Voice over Internet Protocol (VoIP), etc.). This means that the fees may be applied multiple times each month to a single account holder depending on the voice channel capacity of the account, whereas each account only pays the fees once per month under current law.

The fees may not be applied to a broadband connection that is not used for telephone service. If a telephone service provides shared simultaneous services to multiple locations configured to provide local dial in different states, the fees are only applied to the portion in the state identified by the service supplier's books and records, which must be calculated in a specified manner. Commercial mobile radio service provided to multiple devices that share a mobile telephone number must be treated as a single 9-1-1 accessible service when calculating the 9-1-1 fee that is due.

The bill clarifies that money collected from the State 9-1-1 fee may *only* be used to (1) pay the administrative costs chargeable to the 9-1-1 Trust Fund; (2) pay the costs associated with the expanded purpose of the 9-1-1 Trust Fund; (3) reimburse counties for the cost of enhancing a 9-1-1 system; and (4) pay contractors, as specified.

Liability Immunity for Emergency Services Internet Protocol Network Providers

Emergency services Internet protocol network providers and core service providers of NG 9-1-1 services have the same immunity from liability for transmission failures as that approved by the Public Service Commission (PSC) for local exchange telephone companies, or for a provider of telecommunications services through evolving technology, that are subject to regulation by PSC.

9-1-1 Specialists

A "9-1-1 specialist" is an employee of a county PSAP, or an employee working in a county PSAP, whose duties and responsibilities include (1) receiving and processing 9-1-1 requests for emergency services; (2) other support functions directly related to 9-1-1 requests for emergency services; or (3) dispatching law enforcement officers, fire rescue services, emergency medical services, and other public safety services to the scene of an emergency.

Current Law/Background: For information on the Commission to Advance NG 9-1-1 Across Maryland, the State's current 9-1-1 system, and the status of modernizing the 9-1-1 system, please see the **Appendix – 9-1-1 Funding and Modernization**.

Maryland Cybersecurity Council

Chapter 358 of 2015 established the Maryland Cybersecurity Council. The council is required to work with the National Institute of Standards and Technology (NIST), as well as other federal agencies, private-sector businesses, and private cybersecurity experts to address State issues. The council's responsibilities include (1) examining inconsistencies between State and federal cybersecurity laws; (2) assisting private-sector cybersecurity businesses in adopting, adapting, and implementing the NIST cybersecurity framework of standards and practices; and (3) recommending legislative changes to address cybersecurity issues.

PSC Liability Immunity for Transmission Failures

PSC advises that the liability immunity for transmission failures for a telecommunication service generally exists in the tariffs that govern the service's operations in the State. A commercial mobile radio service provider that pays or collects 9-1-1 fees and a provider and seller of prepaid wireless telecommunications service both have the same immunity from liability for transmission failures as that approved by PSC for local exchange telephone companies that PSC regulates.

State Revenues: ENSB advises that, under current law, the combined 9-1-1 fee (State and local) generates an average of about \$53.8 million annually; both fees accrue to the 9-1-1 Trust Fund, and the local portion is appropriately distributed to each local government. This amounts to approximately \$13.4 million in revenues from the State fee and \$40.3 million in revenues from the local fee.

Accordingly, increasing the State 9-1-1 fee (from \$0.25 to \$0.50) and authorizing a local government to increase its additional charge (from \$0.75 to \$1.50) at least doubles the total revenue that accrues to the 9-1-1 Trust Fund. Therefore, 9-1-1 Trust Fund special fund revenues increase by at least \$53.8 million annually beginning in fiscal 2020. This estimate makes the following assumptions:

- Based on historical patterns of 9-1-1 system underfunding (which are discussed in the Appendix), no county will have its local 9-1-1 fee revenues meet or exceed its 9-1-1 operational expenditures in fiscal 2019 and, therefore, each county will be authorized to and choose to increase its local charge from \$0.75 to \$1.50 beginning in fiscal 2020.
- Even though the bill takes effect at the beginning of fiscal 2020 (July 1, 2019), each local government is able to increase its fee for the entirety of fiscal 2020. To the extent that the fee increase begins later in that year, the revenue increase is less pronounced.



- As NG 9-1-1 systems are developed and implemented by the counties, and to counteract the existing underfunding issues, each county increases its expenditures beyond its revenues so that it can continue to maintain the local charge of \$1.50 in all future fiscal years. To the extent that some counties do not do so, the revenue increase is less pronounced.

This estimate does not include any revenues from changing the applicability of the fee from each account to each separate outbound call voice channel capacity, although the additional revenue generated from this change is anticipated to be significant. Specifically, the increase in revenues resulting from this change primarily relies on the average number of lines in existing accounts. That information, however, is considered proprietary by telecommunication companies and is, therefore, not ascertainable.

For illustrative purposes only, the Commission to Advance Next Generation 9-1-1 Across Maryland estimates that the total revenue collected under the bill's provisions could be as high as \$145 million annually (or an increase of about \$91 million annually over what is currently collected).

State Expenditures:

9-1-1 Trust Fund Total Expenditures

The State is accelerating its implementation of NG 9-1-1 services and, historically, most or all of the 9-1-1 Trust Fund's revenues are expended each year for this purpose and general operations. As such, this analysis assumes that total special fund expenditures by ENSB increase correspondingly to the special fund revenue increase. Therefore, special fund expenditures from the 9-1-1 Trust Fund increase by at least \$53.8 million annually beginning in fiscal 2020 as the fund is used for NG 9-1-1 implementation and the other purposes authorized under current law and the bill, including the hiring of necessary staff, which is discussed in the following section.

Emergency Number Systems Board Staff

Many of the responsibilities established for ENSB under the bill are similar or identical to functions that it is currently performing or planning to perform as the State transitions to NG 9-1-1 systems. For example, ENSB advises that it is recruiting an additional staffer to handle some of the project management and technology issues identified by the bill that are related to NG 9-1-1. Even so, ENSB does require one full-time accountant to handle the increased payments that it must make to vendors on behalf of counties due to the bill's expansion of authorized uses of 9-1-1 fee revenues.

Therefore, special fund administrative expenditures increase by \$55,098 in fiscal 2020, which accounts for a 90-day start-up delay. This estimate reflects the cost of hiring one full-time accountant. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	1
Salaries and Fringe Benefits	\$49,739
Operating Expenses	<u>5359</u>
Total FY 2020 Admin. Expenditures	\$55,098

Future year administrative expenditures reflect a full salary with annual increases and employee turnover and ongoing operating expenses.

State Agency Expenditures for Communications

State expenditures (all funds) for communications increase, potentially significantly, beginning in fiscal 2020 because the bill applies the 9-1-1 fees to each separate outbound call voice channel capacity, regardless of the technology used for the voice channel (*i.e.*, phone lines, VoIP, *etc.*). Many government entities have multiple lines on one account (paying very little under current law) and, under the bill, must pay significantly more for 9-1-1 fees. These additional costs have not been quantified for this analysis.

Local Fiscal Effect: As previously discussed, the State 9-1-1 fee generates approximately \$13.4 million annually, and the local charge generates approximately \$40.3 million annually. Moreover, this analysis assumes that each local government increases its additional charge (from \$0.75 to \$1.50) under the bill. Therefore, total local government revenues increase by at least \$40.3 million annually beginning in fiscal 2020, and more so to the extent that some portion of the State 9-1-1 fee revenues are used to support local 9-1-1 functions and upgrades.

Additional Information

Prior Introductions: None.

Cross File: SB 339 (Senators Kagan and Reilly, *et al.*) (By Request - Comm to Advance Next Generation 9-1-1 Across Maryland) - Finance.

Information Source(s): Department of Public Safety and Correctional Services; Maryland Association of Counties; Maryland Municipal League; Calvert, Montgomery, and Prince George's counties; City of Takoma Park; Comptroller's Office; Judiciary (Administrative Office of the Courts); Department of Budget and Management; Department of State Police; Public Service Commission; Verizon Maryland, LLC; Department of Legislative Services

Fiscal Note History: First Reader - February 22, 2019
mag/kdm Third Reader - March 19, 2019
Revised - Amendment(s) - March 19, 2019
Enrolled - April 6, 2019

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Appendix – 9-1-1 Funding and Modernization

Maryland's 9-1-1 System

Chapter 730 of 1979 established a statewide 9-1-1 system and the Emergency Number Systems Board (ENSB) to oversee the system. The legacy 9-1-1 model, which is based on a landline phone system, consists of local public safety access points (PSAPs) connected to an analog wireline phone network to deliver emergency calls via a circuit-switched architecture. However, 70% of 9-1-1 calls are now made from cell phones, and an increasing number are made via Voice over Internet Protocol networks, presenting a challenge as to how to process and obtain accurate caller location and phone number information.

The 9-1-1 system is funded through the 9-1-1 Trust Fund. The fund is administered by the Department of Public Safety and Correctional Services and includes revenue from the following three funding sources (as well as investment earnings):

- the State 9-1-1 fee, which is set at \$0.25 per subscriber per month;
- the county additional charge, at an amount determined by each county through local ordinances, up to a maximum of \$0.75 per bill per month (All counties and Baltimore City have passed local ordinances establishing the additional charge at the maximum level of \$0.75 per bill per month.); and
- the fee added to the sales of prepaid wireless service (\$0.60 per transaction), collected at the point of sale.

Telephone companies, wireless carriers, and other 9-1-1 accessible service providers collect and remit monthly the State 9-1-1 fee and the county additional charge to the Comptroller for deposit into the fund. The State 9-1-1 fee is distributed to counties at the discretion of ENSB in response to county 9-1-1 system enhancement requests. The county additional charge, the prepaid wireless 9-1-1 fee remittances, and any investment earnings of the fund are all distributed quarterly to each county in prorated amounts according to the level of fees collected in each jurisdiction. The State 9-1-1 fee and 25% of all collected prepaid wireless 9-1-1 fees may be used to reimburse counties for the cost of enhancing the 9-1-1 system. The county additional charge and the remaining 75% of all collected prepaid wireless 9-1-1 fees may be spent on maintenance and operating costs of 9-1-1 systems.



Next Generation 9-1-1 Modernization

As analog landline communication is phased out, state and local governments are preparing for “next generation” technology that will allow 9-1-1 centers to access not only more accurate information about caller location, but also other information that will assist emergency personnel in communicating with callers and responding more efficiently. This Next Generation 9-1-1 (NG 9-1-1) technology will allow PSAPs to receive text, chat, video, location, and various other types of data from a single 9-1-1 call. However, local governments face challenges both in maintaining existing 9-1-1 systems and in transitioning to NG 9-1-1 systems, primarily due to a lack of funding.

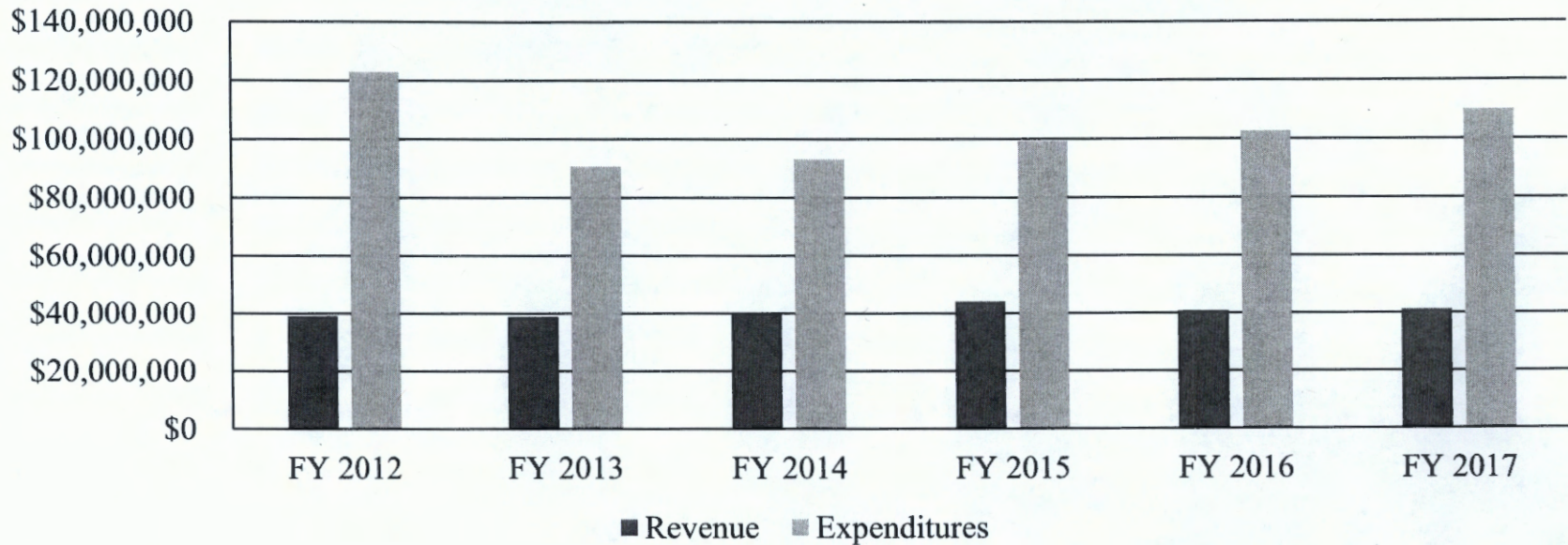
Funding Challenges

County expenditures for 9-1-1 systems consistently exceed available fee revenues. **Exhibit 1** shows the total 9-1-1 fee revenues collected and total 9-1-1 operating expenditures per fiscal year from fiscal 2012 to 2017 (the most recent publicly available data). Across all counties, in fiscal 2017, fee revenues covered 39.7% of operating costs. However, the percentage of costs offset by revenues varied significantly by county in that year. For example, only 10.5% of Dorchester County’s costs were offset by fee revenues, while in Baltimore County, 66.1% of costs were offset. **Exhibit 2** shows fiscal 2017 fee revenues and operating expenditures by county.

Commission to Advance NG 9-1-1 Across Maryland

Chapters 301 and 302 of 2018 established the Commission to Advance Next Generation 9-1-1 Across Maryland to study and make recommendations regarding next generation 9-1-1 emergency communication services. The commission’s preliminary report, released November 2019, makes 23 recommendations regarding numerous issues including, among other things, technology standards, cybersecurity, NG 9-1-1 implementation, staffing, and fees. Ten of the recommendations in the report, such as those that adjust the State’s 9-1-1 fees, funding levels, and staffing, require legislation to implement. The report emphasizes the importance of adjusting the State’s 9-1-1 fee structure, concluding that, “current 9-1-1 funding is grossly insufficient to support the current 9-1-1 system, let alone the updated NG 9-1-1 technology.” A copy of the commission’s December 2018 report can be found [here](#). A final report is expected by December 1, 2019.

Exhibit 1
Total County 9-1-1 Fee Revenue and Operating Expenditures
Fiscal 2012-2017

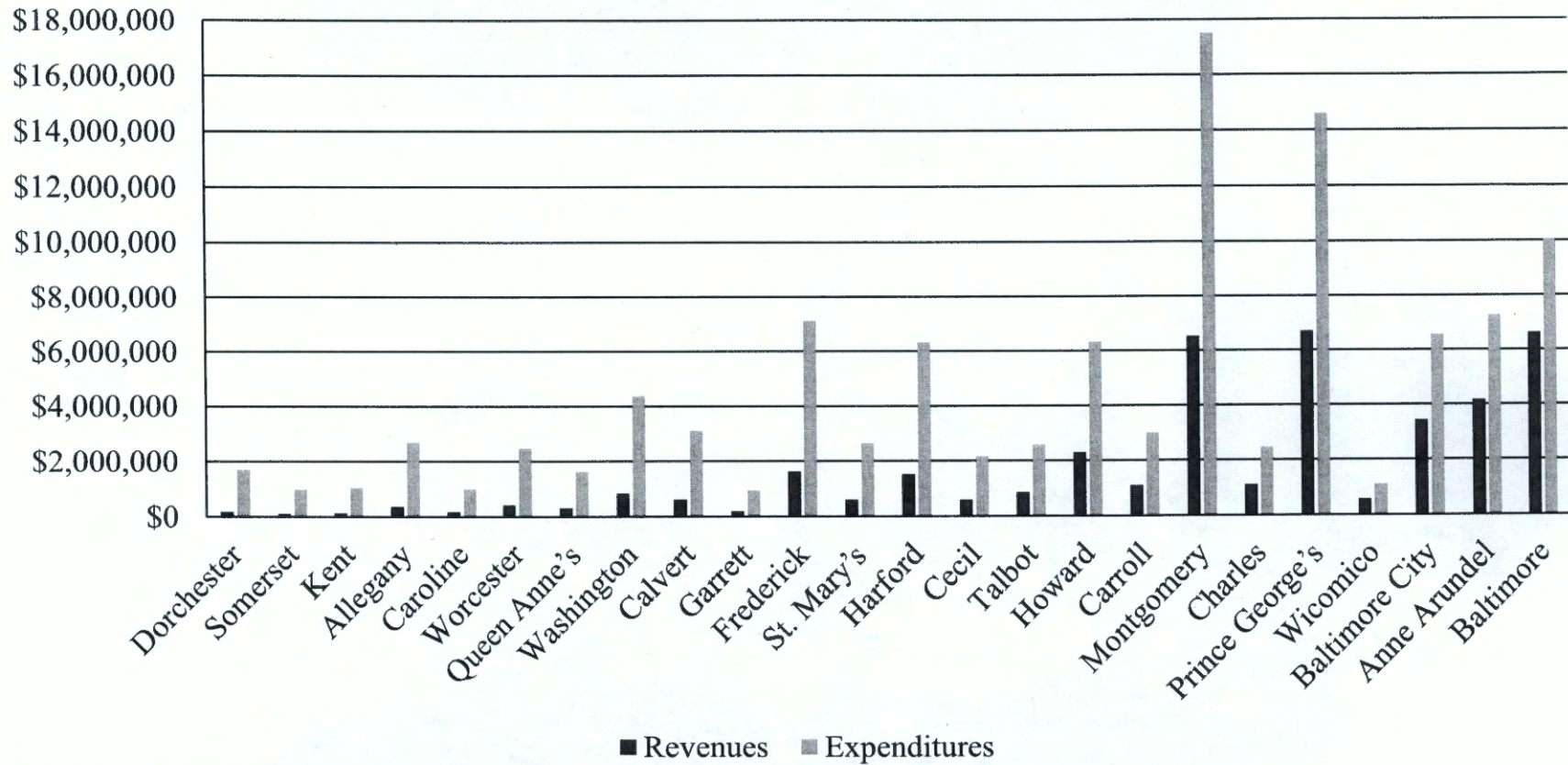


Note: Prepaid wireless 9-1-1 fee revenues were first collected in fiscal 2014. County operating expenditures are costs as reported by county-selected independent auditors and typically include 9-1-1-related personnel salaries and benefits, recurring maintenance and service fees, mapping maintenance and updates, network associated fees, and capital expenditures not covered by the Emergency Number Systems Board.

Source: Emergency Number Systems Board annual reports, Commission to Advance Next Generation 9-1-1 Across Maryland – December 2018 Report

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Exhibit 2
9-1-1 Fee Revenues and Operating Expenditures by County
Fiscal 2017



Source: Commission to Advance Next Generation 9-1-1 Across Maryland – December 2018 Report

2018



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

CRAIG RICE
COUNCILMEMBER
DISTRICT 2

To: Public Safety Committee Members

From: Councilmember Craig Rice

Date: April 30, 2019

Re: Funding for (2) School Resource Officers (SROs)

School security incidents, both locally and nationally, continue to highlight the important role our School Resource Officers have in securing and protecting our schools. Last year, the Maryland General Assembly adopted a bill requiring all jurisdictions to provide a plan for police coverage or SROs in every public school.

To continue to address these security and safety needs in our schools, **I propose that we increase our School Resource Officers by 2 to continue to expand their presence in our middle schools at a cost of \$122,514.** This allows two officers from the Winter recruit class (half year) to fill these positions. It would provide a SRO in each of the Board of Education's five districts and provide a meaningful presence within the middle schools in those districts.

We are again in a tight budget year, but the council has historically supported keeping our SRO program viable even during the lean recession years and has continued to increase its complement in the years since to include every high school and now into middle schools.

Our children benefit in so many ways with the presence of School Resource Officers in our schools to not only enhance school security in more of our schools, but to improve the student-law enforcement dynamic within these schools. We need to ensure that our schools continue to be a safe haven for all our students.

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