



Staff: Susan J. Farag, Legislative Analyst
Purpose: To make preliminary decisions – straw vote expected
Keywords: #Corrections, #FY21OperatingBudget

AGENDA ITEM #24
 April 30, 2020
Worksession

SUBJECT

FY21 Operating Budget – Department of Correction and Rehabilitation

EXPECTED ATTENDEES

Angela Talley, Director, DOCR
 Rachel Silberman, Office of Management and Budget

EXECUTIVE RECOMMENDATION

FY21 Executive Recommendation	\$72,673,907	541.57 FTE
Increase from FY20	\$2,058,837 2.92%	0 FTE 0%

COUNCIL STAFF RECOMMENDATION – CONTINUITY OF SERVICES BUDGET

FY21 Council Staff Recommendation	\$70,887,737	541.57 FTE
Increase (Decrease) from FY20	\$272,667 0.4%	6 1.1%
Increase (Decrease) from CE FY21 Rec	(\$1,786,170) (2.5%)	0 FTE 0%

EXECUTIVE RECOMMENDED ITEMS NOT INCLUDED IN CONTINUITY OF SERVICES

The following items are included in the FY21 recommended budget and reflect expenditures beyond the approved FY20 budget.

Council staff recommends these items for reduction.

Enhance cell vent, bunk, door retrofitting to reduce self-harm	\$234,000
FY21 Compensation Adjustment	\$1,552,170
Total:	\$1,786,170

The cell vent, bunk, and door enhancements are a result of National Institute of Corrections (NIC) findings about how to reduce the risk of inmate self-harm or suicide.

CONTINUITY OF SERVICES FROM FY20

- The FY21 operating budget includes six new positions at a cost of \$468,786 to comply with a new State law (Chapter 526 of 2019) that places conditions on restrictive housing

for certain inmates, including minors. While this addition constitutes a service impact, it does fulfill a legal mandate. Council staff recommends retaining this item.

- The recommended budget also includes funding for Electronic Health Records (\$102,948). While this is listed as an enhancement, it is a critical addition that will provide for additional efficiency in carrying out State-mandated medication treatment protocols for individuals with opioid addiction. The new records management system would help increase the number of inmates who can be provided with medication management within the jail, rather than require them to be transported to an independent clinic. This change enhances safety for both the inmates and the Sheriff, who provides prisoner transport for medical treatment. It also may have an indeterminate impact on reducing overtime for the Sheriff's Office. Council staff recommends retaining this item.

PROPOSED REDUCTIONS DUE TO SOCIAL DISTANCING RESTRICTIONS

- None.

POTENTIAL ITEMS RELATED TO COVID-19

- There are several COVID-related costs that may continue into FY21, depending on the public health requirements, including COVID pay differential, additional cleaning and social distancing requirements, and the need to replace or increase personal protective equipment.

This report contains:

CE Recommended FY21 Operating Budget for DOCR

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Correction and Rehabilitation

RECOMMENDED FY21 BUDGET

\$72,673,907

FULL TIME EQUIVALENTS

541.57

 ANGELA TALLEY, DIRECTOR

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 operation of well-managed and effective correctional programs, including: the use of pre-trial supervision; secure incarceration; community treatment; reintegration programs; highly accountable security methods and procedures in each operating unit and program; and effective, progressive administration and management oversight.

BUDGET OVERVIEW

The total recommended FY21 Operating Budget for the Department of Correction and Rehabilitation is \$72,673,907, an increase of \$2,058,837 or 2.92 percent from the FY20 Approved Budget of \$70,615,070. Personnel Costs comprise 89.10 percent of the budget for 539 full-time position(s) and no part-time position(s), and a total of 541.57 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 10.90 percent of the FY21 budget.

COUNTY PRIORITY OUTCOMES

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

Safe Neighborhoods

INITIATIVES

-  Begin phased initiative to retrofit cell vents, bunks, and doors to reduce opportunities for self harm. Highest priority areas will be addressed first.
-  Implement electronic health records to modernize the correctional health records system.
-  Add six correctional officers to support new mandates and legal requirements related to the management of inmates located in restrictive housing per Maryland Chapters 526 and 324 of 2019.
-  Correct a structural budget deficiency in funding for sanitation, hygiene, and disease control. Vents at the Montgomery County Correctional Facility will also be cleaned.

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- ★ In collaboration with Department of Health and Human Services, institute a Medication Assisted Treatment program for Opioid Disorders for inmates within DOCR.
 - ★ Expand General Education Diploma (GED) services to include Spanish speaking classes.
 - ★ Install new all-in-one recycling stations at the Montgomery County Correctional Facility and the Montgomery County Detention Center to promote a greener County.
 - ★ Continue to develop Departmental dashboards to produce timely and accessible critical information for the purpose of improved monitoring and analysis of operational issues, tracking outcomes, creating priorities, and making substantive decisions.

INNOVATIONS AND PRODUCTIVITY IMPROVEMENTS

- ★ In collaboration with Department of General Services, implement the Montgomery County Detention Center (MCDC) Stabilization project to reduce the facility's existing footprint by demolishing unused space that will save on building maintenance, repairs and energy costs.
- ★ Replaced kitchen equipment at the Montgomery County Correctional Facility (MCCF) that was beyond useful life to reduce maintenance and repair costs for aging and obsolete equipment, eliminate service disruptions, and provide safer more efficient food service operations.
- ★ Implemented Telestaff system to create efficiencies in scheduling and staff deployment.
- ★ In collaboration with Department of Technology Services, completed several modules of the DOCR Jail Management System to improve efficiencies throughout the department. The new modules eliminate the manual diminution process and streamlines business systems to process sentence diminution and restitution payment in a real-time.

PROGRAM CONTACTS

Contact Kaye Beckley of the Department of Correction and Rehabilitation at 240.773.9908 or Rachel Silberman of the Office of Management and Budget at 240.777.2770 for more information regarding this department's operating budget.

PROGRAM PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable), with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY20 estimates reflect funding based on the FY20 Approved Budget. The FY21 and FY22 figures are performance targets based on the FY21 Recommended Budget and funding for comparable service levels in FY22.

PROGRAM DESCRIPTIONS

★ Administration and Support

Management Services and the Director's Office serve an advisory function to Department of Correction and Rehabilitation (DOCR) and implement performance accountability programs and general management practices. The program is comprised of the Director's Office; Accreditations and Professional Standards; Human Resources; Training; Procurement; Employee Health, Welfare and Safety; Fiscal Management; Information Technology; Capital Improvement Projects (CIP); and Special Projects.

FY21 Recommended Changes	Expenditures	FTEs
FY20 Approved	3,587,641	24.00
Realignment of Programs	924,089	6.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	44,330	0.00
FY21 Recommended	4,556,060	30.00

Detention Services

Under the supervision of the Warden, Detention Services is responsible for the operation of two detention facilities, the Montgomery County Detention Center (MCDC) located in Rockville, and the Montgomery County Correctional Facility (MCCF) located in Clarksburg.

MCDC is responsible for the intake, reception, and diagnostic functions of the Department including law enforcement processing of adult offenders arrested in Montgomery County. The facility has the capacity to accommodate approximately 200 inmates. Over 12,000 offenders annually arrive at MCDC's Central Processing Unit (CPU) for arrest processing.

MCDC conducts 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 MCCF. At MCDC, bond hearings are conducted by the Maryland District Court Commissioners. They also determine eligibility of offenders for legal representation by the Public Defender's Office.

Following an initial intake at MCDC, inmates may transfer to the 1,029-bed Montgomery County Correctional Facility (MCCF), normally within 72 hours. MCCF is responsible for the custody and care of male and female offenders who are either in a pre-trial status or serving sentences of up to 18 months. Progressive and comprehensive correctional services and programs are provided to all inmates covering substance abuse treatment, mental health issues, cognitive behavioral modification programs, education, life skills, and workforce development.

Program Performance Measures	Actual FY18	Actual FY19	Estimated FY20	Target FY21	Target FY22
Detention Services average daily population	655	643	636	636	636
Mandatory training completed by December 31	75%	75%	75%	77%	80%
Accreditation standards met from the Maryland Commission on Correctional Standards and the American Correctional Association	100%	100%	100%	100%	100%
Zero tolerance security incidents - Number of inappropriate releases of an inmate	4	5	0	0	0
Zero tolerance security incidents - Number of inappropriate inmate releases remedied	4	5	0	0	0
Zero tolerance security incidents - Number of inmate suicides	0	2	0	0	0
Zero Tolerance security incidents - Number of jail escapes	0	0	0	0	0
Zero tolerance security incidents - Number of substantiated sexual misconduct or Prison Rape Elimination Act (PREA) incidents	4	1	0	0	0
Recidivism: Former individuals committed and sentenced back to DOCR's custody within 3 years of release	51%	45%	48%	45%	44%
Portion of population participating in core curriculum programs at Correctional Facility	N/A	37%	37%	40%	45%

FY21 Recommended Changes	Expenditures	FTEs
FY20 Approved	54,386,552	411.39
Realignment of Programs	(6,939,923)	(36.69)

FY21 Recommended Changes	Expenditures	FTEs
Add: New Mandates and Legal Requirements Related to the Management of Inmates Located in Restrictive Housing per Maryland Chapters 526 and 324 of 2019	468,786	6.00
Increase Cost: Adjust Sanitation, Hygiene, and Disease Control Budget to Address Structural Deficiency	267,000	0.00
Enhance: Cell Vent, Bunk, and Door Retrofitting to Reduce Opportunities for Self-Harm	234,000	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	1,118,775	0.00
FY21 Recommended	49,535,190	380.70

☀ Medical and Behavioral Health Services

Medical and Behavioral Health Services provides medical and behavioral care to all incarcerated inmates in compliance with recognized health care, legal and correctional standards. The facilities are accredited by the Maryland Commission on Correctional Standards (MCCS) and American Correctional Association (ACA).

Program Performance Measures	Actual FY18	Actual FY19	Estimated FY20	Target FY21	Target FY22
Number of referrals to mental health providers	3,111	3,795	4,359	4,983	5,607
Number of inmates receiving sick-call services	10,355	8,257	8,110	7,963	7,816
Number of initial nursing intakes	4,717	4,990	5,284	5,568	5,852

FY21 Recommended Changes	Expenditures	FTEs
FY20 Approved	0	0.00
Realignment of Programs	7,252,618	37.69
Enhance: Implement Electronic Health Record to Modernize Correctional Medical Records System	102,948	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.	(76,634)	0.00
FY21 Recommended	7,278,932	37.69

☀ Pre-Release and Re-entry Services

The Pre-Release and Re-entry Services (PRRS) is a correctional program that 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 as they transition back into the community. The program primarily serves inmates who are within one year of release and are sentenced to Department of Correction and Rehabilitation (DOCR). In addition, the program provides re-entry services to federal- and state-sentenced inmates and federal probationers who are within one year of release and who are returning to Montgomery County and the greater Washington Metro area upon release.

The residential program, located in Rockville, is a 144-bed 24/7 community corrections facility that houses female and male offenders. The non-residential Home Confinement program allows 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 other required programming. The program provides for all aspects of care, custody, and security of all offenders on the program. Staff provide rehabilitative and case management services, as well as perform security responsibilities to maintain operations, offender accountability, and to ensure safe clean and orderly program operations.

Program Performance Measures	Actual	Actual	Estimated	Target	Target
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	FY18	FY19	FY20	FY21	FY22
Pre-Release and Re-entry Services average daily population	114	110	112	112	112
Security incidents - Number of residents absconded from custody returned to Community Corrections	4	4	0	0	0
Security incidents - Number of residents absconded from Community Corrections custody	4	4	0	0	0
Percent of offenders from Pre-Release and Re-Entry Services employed at time served	77%	79%	76%	76%	76%

FY21 Recommended Changes	Expenditures	FTEs
FY20 Approved	6,610,238	55.18
Realignment of Programs	(312,695)	(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.	(23,974)	0.00
FY21 Recommended	6,273,569	54.18

☀ Pre-Trial Services

There are four independent programs within Pre-Trial Services (PTS): Pre-Trial Assessment Unit, Pre-Trial Supervision Unit, Alternative Community Service Program (ACS), and Intervention Program for Substance Abusers (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 pre-trial programs.

The Pre-Trial Supervision Unit provides monitoring of court-ordered conditions to offenders released to the community while awaiting trial. Advanced technology such as GPS tracking and Radio Frequency Curfew equipment are used to monitor offenders' movements in the community. Drug testing is also performed. Violations of release conditions are immediately reported to the Court for possible re-incarceration.

The diversion programs, ACS and IPSA, are predominantly for first-time misdemeanor offenders who will ultimately have their charges expunged following successful completion of one of these programs. Community service, drug education, and treatment are core functions of these programs.

Program Performance Measures	Actual FY18	Actual FY19	Estimated FY20	Target FY21	Target FY22
Average daily caseload under Pre-Trial supervision	1,717	1,630	1,710	1,710	1,710
Court appearance rate while under supervision	95.3%	96.3%	95.7%	95.7%	95.7%

FY21 Recommended Changes	Expenditures	FTEs
FY20 Approved	5,106,550	39.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(76,394)	0.00
FY21 Recommended	5,030,156	39.00

REALIGNED PROGRAMS

Funding in the following programs has been realigned to other programs within this department.

FY21 Recommended Changes	Expenditures	FTEs
FY20 Approved	924,089	6.00
Realignment of Programs	(924,089)	(6.00)
FY21 Recommended	0	0.00

BUDGET SUMMARY

	Actual FY19	Budget FY20	Estimate FY20	Recommended FY21	%Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	47,980,418	47,723,596	49,889,413	50,057,619	4.9 %
Employee Benefits	14,564,830	15,573,326	15,360,317	14,696,062	-5.6 %
County General Fund Personnel Costs	62,545,248	63,296,922	65,249,730	64,753,681	2.3 %
Operating Expenses	8,536,280	7,318,148	8,405,099	7,920,226	8.2 %
Capital Outlay	12,495	0	0	0	—
County General Fund Expenditures	71,094,023	70,615,070	73,654,829	72,673,907	2.9 %
PERSONNEL					
Full-Time	538	533	533	539	1.1 %
Part-Time	0	0	0	0	—
FTEs	537.82	535.57	535.57	541.57	1.1 %
REVENUES					
Alternative Community Services	247,807	385,000	385,000	385,000	—
Care of Federal/State Prisoners	968,447	1,160,000	1,160,000	1,341,205	15.6 %
Home Confinement Fees	12,397	30,000	30,000	30,000	—
Miscellaneous Revenues	1,563	0	0	0	—
Other Charges/Fees	50,321	75,100	75,100	75,100	—
Other Intergovernmental	(1,420)	120,000	120,000	60,000	-50.0 %
Other Licenses and Permits	16	0	0	0	—
Substance Abusers Intervention Program (IPSA)	58,262	74,000	74,000	74,000	—
County General Fund Revenues	1,337,393	1,844,100	1,844,100	1,965,305	6.6 %
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	25,000	0	0	0	—
Grant Fund - MCG Expenditures	25,000	0	0	0	—
PERSONNEL					
Full-Time	0	0	0	0	—

BUDGET SUMMARY

	Actual FY19	Budget FY20	Estimate FY20	Recommended FY21	%Chg Bud/Rec
Part-Time	0	0	0	0	—
FTEs	0.00	0.00	0.00	0.00	—

DEPARTMENT TOTALS

Total Expenditures	71,119,023	70,615,070	73,654,829	72,673,907	2.9 %
Total Full-Time Positions	538	533	533	539	1.1 %
Total Part-Time Positions	0	0	0	0	—
Total FTEs	537.82	535.57	535.57	541.57	1.1 %
Total Revenues	1,337,393	1,844,100	1,844,100	1,965,305	6.6 %

FY21 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY20 ORIGINAL APPROPRIATION	70,615,070	535.57
<u>Changes (with service impacts)</u>		
Add: New Mandates and Legal Requirements Related to the Management of Inmates Located in Restrictive Housing per Maryland Chapters 526 and 324 of 2019 [Detention Services]	468,786	6.00
Enhance: Cell Vent, Bunk, and Door Retrofitting to Reduce Opportunities for Self-Harm [Detention Services]	234,000	0.00
Enhance: Implement Electronic Health Record to Modernize Correctional Medical Records System [Medical and Behavioral Health Services]	102,948	0.00
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY21 Compensation Adjustment	1,552,170	0.00
Increase Cost: Annualization of FY20 Compensation Increases	671,130	0.00
Increase Cost: Adjust Sanitation, Hygiene, and Disease Control Budget to Address Structural Deficiency [Detention Services]	267,000	0.00
Increase Cost: MLS Pay for Performance (Increase to Base Pay)	22,207	0.00
Increase Cost: Print and Mail Adjustment	4,268	0.00
Decrease Cost: Motor Pool Adjustment	(12,428)	0.00
Decrease Cost: Retirement Adjustment	(1,251,244)	0.00
FY21 RECOMMENDED	72,673,907	541.57

PROGRAM SUMMARY

Program Name	FY20 APPR Expenditures	FY20 APPR FTEs	FY21 REC Expenditures	FY21 REC FTEs
Administration and Support	3,587,641	24.00	4,556,060	30.00
Detention Services	54,386,552	411.39	49,535,190	380.70
Director's Office	924,089	6.00	0	0.00

PROGRAM SUMMARY

Program Name	FY20 APPR Expenditures	FY20 APPR FTEs	FY21 REC Expenditures	FY21 REC FTEs
Medical and Behavioral Health Services	0	0.00	7,278,932	37.69
Pre-Release and Re-entry Services	6,610,238	55.18	6,273,569	54.18
Pre-Trial Services	5,106,550	39.00	5,030,156	39.00
Total	70,615,070	535.57	72,673,907	541.57

FUNDING PARAMETER ITEMS

CE RECOMMENDED (\$000S)

Title	FY21	FY22	FY23	FY24	FY25	FY26
COUNTY GENERAL FUND						
EXPENDITURES						
FY21 Recommended	72,674	72,674	72,674	72,674	72,674	72,674
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Items Recommended in FY21	0	(136)	(136)	(136)	(136)	(136)
Items recommended for one-time funding in FY21, including vent cleaning and electronic health records implementation, will be eliminated from the base in the outyears.						
Labor Contracts	0	355	355	355	355	355
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	72,674	72,892	72,892	72,892	72,892	72,892