

**DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
FY 2020 BUDGET DIVISION OF CORRECTION**

Population Statistics

Issue: In the 2018 Joint Chairmen’s Report, the department reported that Brockbridge Correctional Facility in Jessup, built in 1966, could be depopulated. The division should update the budget committees on this possible change.

Response: The Department’s Division of Correction (DOC) transferred 187 inmates from Brockbridge Correctional Facility (BCF) to Dorsey Run Correctional Facility (DRCF). BCF’s current population is 296.¹

BCF continues to provide several key pre-release services for the DOC, including transportation, release processing, and special housing. The DOC is in the process of exploring ways to continue to safely downsize and potentially close BCF.

Inmates with Mental Health or Substance Use Disorder Issues

Issue: DPSCS should comment on this issue and if there are additional methods used to reduce or prevent inmate suicides.

Response: The Department recently entered into a new contract with a mental health services provider. The contract, effective January 1, 2018, significantly increases the mental health staff within the State’s correctional facilities; the previous contract required a total of 112 mental health positions statewide while the new contract mandates a total 206 positions statewide.

Under the new contract, staffing will be increased across all disciplines, including psychiatrists, psychiatric nurse practitioners, mental health counselors, and nurses. The new contract also has positions specific to addressing the programmatic and care needs of the Maximum II Structured Housing program and the Serious Mental Illness Structured Housing program. Specifically, the new contract dedicates the following positions to these programs:

- Mental Health Technicians who will assist in psycho-educational groups in the structure housing programs; and,
- Activities therapists who implement and oversee groups and activities to meet the educational, recreational, and social needs of the patients.

¹ As of February 25, 2019.

The new contract also increases the number of nurses dedicated to administrative and disciplinary segregation units, which will enable the Department to expand its Taking a Chance on Change (TCC) program.

Facility Security

Issue: Offender-on-offender assault rates remain above the division's goal. DOC should comment on the reasons that these assault rates remain high and what it is doing to address this problem.

Response: As stated in the Department of Legislative Services' (DLS) analysis of the Department's fiscal year (FY) 2020 Budget Overview, "the department has fewer inmates, but those who remain tend to be more dangerous – as nonviolent offenders have more options in terms of shorter sentences and non-jail sanctions such as parole and probation."² Not only is the inmate population more violent, but the percentage of inmates who are validated members of a security threat group (STG)³ has remained steady despite the decline in the inmate population. The Department conducted a recent review of reports generated in response to serious incidents and confirmed that the majority of offender-on-offender assaults are driven by conflicts between STGs. However, the Department is dedicated to ensuring the safety and security of its facilities and aims to prevent offender-on-offender violence by offering cognitive-based programming to the inmate population, conducting routine searches for contraband, and providing training to custody staff on crisis de-escalation.

In an effort to address the issue of violence, many of the DOC facilities offer cognitive-based programming aimed at behavior modification, including programs such as Problem Resolution; Anger Management; Alternatives to Violence; Men for Change; Thinking for Change; and, Victim Awareness. It is important to note that the DOC's ability to provide said programming is impacted by the number of correctional officer vacancies as custody staff must be present to ensure the safety and security of the program participants and leaders.

The DOC is also focused on contraband interdiction as the presence of controlled dangerous substances, weapons and cellphones seriously jeopardize the safety and security of the correctional facilities. The DOC closely partners with the Department's Intelligence and Investigative Division in conducting frequent searches and sweeps of housing units. The DOC deployed Cellsense

² See Maryland Gen. Assembly. Dept. of Legis. Services *Department of Public Safety and Correctional Services Fiscal 2020 Budget Overview*. Annapolis: Department of Legislative Services, 2019. Maryland General Assembly. January 2019. Available at: <http://mgaleg.maryland.gov/Pubs/BudgetFiscal/2020fy-budget-docs-operating-Q00-DPSCS-Overview.pdf>

³ Commonly referred to as "gang."

scanners in every facility, which helps to detect the presence of cellphones and other contraband that leads to violence within the correctional facilities. The DOC has full-body scanners and security inspection systems strategically located in several of the correctional facilities to help detect contraband concealed on an inmate's person.

Additionally, the Department is in the process of expanding its crisis de-escalation training in order to strengthen communication skills and effectively de-escalate situations when inmates are experiencing mental and behavioral crises. The Department partnered with the National Institute of Corrections (NIC) and the National Alliances for Mental Illness (NAMI) Maryland in September 2016 and received crisis intervention training certification. The Department adopted this training and set a goal to train 25% of each facility's workforce in crisis de-escalation.

Maryland Correctional Enterprises

Issue: With the declining inmate population, the division should comment on how this will impact MCE personnel and operations going forward. In addition, it should comment on whether the MFR goal of having 2,100 inmate employees is realistic given these circumstances.

Response: As a result of the declining inmate population the Maryland Correctional Enterprises (MCE) does estimate this will impact the number of inmates employed by MCE. Not only does the decline in the inmate population directly impact the number of inmates employed by MCE, but it also reduces need for goods for the inmate population, including clothing; bedding and linens; laundry services; and, furniture. MCE is revising the projection accordingly reflecting that 1,700 inmates will be employed which will be below the goal of 2,100 employed inmates.

MCE remains dedicated to its primary goal of providing training and job-readiness skills to the incarcerated population in order to assist inmates in obtaining employment upon release, which is a key factor in reducing recidivism. MCE will continue to look for new and expanded business opportunities with State and Local Government entities, and non-profit organizations

Correctional Officer Cadet Program

Issue: DPSCS should comment on the cadet program, why so many applicants were disqualified, and what changes will be introduced to increase enrollment.

Response: A significant number of the candidates were disqualified for having used an illegal substance in the prior three years. The program is currently under review to determine potential process improvements in order to onboard more cadets and ultimately make this program a viable pipeline for new correctional officers. The Department will be unable to pursue the cadet program if the budget committees adopt the recommended actions contained in the analysis.

Overtime

Issue: DOC should comment on the high amounts of overtime hours, particularly at JCI and MCI-J, and what the department is doing to ease the life, health, and safety issues associated with working high amounts of overtime. In addition, DOC should comment on why vacancy rates at North Branch Correctional Institution are the lowest among all facilities and why ECI spends less per CO than other facilities and has relatively low assault rates.

Response: Please see below, responses specific to the higher levels of overtime at Jessup Correctional Institution (JCI) and Maryland Correctional Institution – Jessup (MCIJ), as well as the lower vacancy rate at North Branch Correctional Institution (NBCI) and lower assault rates at Eastern Correctional Institution (ECI). In December 2018, the Department submitted four Joint Chairmen’s Reports addressing ways in which the Department is tackling overtime and bolstering its hiring efforts. These efforts include (1) establishing a dedicated Recruitment Unit; (2) engaging the media and increasing advertisements; (3) modifying the correctional officer applicant test; and, (4) offering monetary incentives.

(1) The Department created a Recruitment Unit within the Human Resources Services Division (HRSD) – staffed with three professional recruiters. Recognizing that current employees represent a tremendous recruiting resource, the Department has designated institutions that are responsible for identifying and attending community events to attract qualified applicants

(2) HRSD has works closely with the Department’s Communications Office to modernize and expand its media outreach and advertisements. All recruiting materials such as brochures, posters and videos were updated to ensure the materials are high quality and professional. The Communications Office produced a number of recruitment videos that were posted on social media and aired on several television channels. The Department purchased radio, television, print ads and implemented a text-to-hire program.

(3) HRSD made several modifications to the test all correctional officer applicants must pass before moving on to the background check phase. HRSD worked with

the test vendor to make two key adjustments to the tests: (1) HRSD decreased the timeframe established for retesting those candidates who failed from one year to three months; and, (2) HRSD decreased the passing threshold from 80 percent down to 70 percent. By decreasing the passing threshold from 80 percent down to 70 percent, the Department hopes to see an increase in the number of applicants who pass the test and move on to the next phase in the process. The Department also increased the frequency of correctional officer applicant testing in Baltimore City, Hagerstown, Cumberland and the Eastern Shore.

(4) Governor Hogan approved several incentive programs to improve DPSCS's ability to recruit and retain correctional officers, including a \$5,000 recruitment bonus, a \$3,000 attendance and retention bonus, and a \$500 bonus to any employee who recommends a successful correctional officer candidate. DPSCS has seen a decline in both the number of correctional officer retirements and overall employee separations over the past year. In 2017, approximately 316 employees in the correctional officer series retired. In 2018, only 270 employees in the correctional officer series retired. The number of overall employee separations decreased from 408 in calendar year 2017 to 355 in calendar year 2018. Since the establishment of the program in September 2017, 136 correctional officers qualified for the recruitment bonus. Rehires that returned after October 1, 2017 with six months of separation from state service as a CO I or CO II also qualify for the bonus. Approximately eight custody staff members who had previously separated from state service were reinstated and were eligible for the hiring bonus.

In January, 2019, all state employees received a 2% salary increase and will receive a \$500 bonus and additional .05% and 3% salary increase. Correctional officers received a 4% salary increase for a total salary increase of 10%.

- **Jessup Correctional Institution (JCI)**

JCI's high amount of overtime hours is attributable to its designation as a regional hub, the fact that it houses the regional hospital, and the fact that it houses pretrial detainees in B-Building. These functions result in the dispatch of a large number of transportation details to courthouses or hospitals in the community. Two armed correctional officers must accompany each transportation detail, resulting in the accrual of a significant amount of overtime.

- **Maryland Correctional Institution – Jessup (MCIJ)**

MCIJ has been experiencing significant maintenance issues, including flooding, due to the age and location of the facility. Each maintenance crew dispatched must be accompanied by a correctional officer. The increase in dispatching of maintenance crews has impacted overtime.

- **North Branch Correctional Institution (NBCI)**

NBCI has a lower vacancy rate for two primary reasons: (1) it is a newer facility that utilizes technology, requiring less manpower; and, (2) the economy and lack of job opportunities for the region.

- **Eastern Correctional Institution (ECI)**

In 2016, 80 individuals were indicted on corruption and contraband-related charges involving ECI. A significant amount of focus was placed on ECI, resulting in an increased emphasis on leadership throughout the facility.

Issue: DOC should comment on the increasing amounts of overtime earnings by COs and in particular, should outline any policies and procedures in place to combat overtime abuse as well as efforts to ensure that individual employees are not under excessive strain due to extra shifts and drafted overtime.

Response: As previously stated, in December 2018, the Department submitted four Joint Chairmen's Reports addressing ways in which the Department is tackling overtime and bolstering its hiring efforts. Additionally, the Department's collective bargaining agreement with the union limits the amount of overtime a correctional offer can earn to 80 hours of overtime per pay period. Supervisors are also empowered to remove an officer from their post if they appear un-attentive or strained.

Restrictive Housing

Issue: The division should comment on whether gang activity has led to the use of more restrictive housing due to violence and whether the use of protective custody has increased because of gangs.

Response: As previously stated, the percentage of inmates identified as members of STGs has remained consistent despite the continuous decline in the inmate population. This has resulted in an increase in the utilization of protective custody. In December 2018, the Department placed approximately 50 inmates who were validated as members of a particular STG on protective custody due to a conflict between the group and a rival gang.

However, the Department has seen a decline in the use of disciplinary segregation since the enactment of the new regulations in the Code of Maryland Regulation (COMAR), which became effective July 2018. Specifically, the Department has seen a 30% decrease in placements of inmates on disciplinary segregation as indicated by the chart below.

Reporting Period	Per Rule Violation		
	Total Disciplinary Segregation Placements	Percent of Change	Average Disciplinary Segregation Sentence
7/1/2016 - 1/31/2017	12402		67.6
7/1/2017 - 1/31/2018	11292	-8.95%	74.5
7/1/2018 - 1/31/2019	7837	-30.60%	44.6

Issue: DOC should comment on where restrictive housing suicide attempts and suicides took place.

Response: In conducting a review of suicide attempts and housing status, the Department’s Psychology staff and Office of Grants, Policy and Statistics discovered an error in its Offender Case Management (OCMS) System entries. Specifically, the OCMS data field for "suicide attempts" inadvertently consolidated “suicide attempts” with “suicide gestures.” After a careful review of each case, the DOC determined that there were only seven suicide attempts on restrictive housing for FY18.

Attempted Suicides in Restrictive Housing – FY 18	
Facility	Number
Eastern Correctional Institution	1
Jessup Correctional Institution	1
Maryland Correctional Institution – Women (MCIW)	2
Maryland Correctional Training Commission	2
Brockbridge Correctional Facility	1
Total	7

There were two suicides that took place in FY 18: one at MCIW; and, one at the Western Correctional Institution.

New Guidelines

Issue: The division should comment on what constitutes lower-level offenses.

Response: As previously stated, there are regulations in COMAR concerning inmate discipline. These regulations were recently overhauled in July of 2018. An inmate who commits a rule violation is subject to the inmate disciplinary process of the department. Sanctions for inmate rule violations include (1) placement of an inmate on disciplinary segregation; (2) revocation of good conduct and special projects credits; (3) suspension of inmate privileges; or (4)

restitution for lost, stolen, altered, damaged, or destroyed property of the State, a person, or an entity. Rule violations are categorized according to the severity of the offense. When staff believe a rule violation has occurred, an investigation is initiated within one calendar day of the alleged violation, and a shift supervisor determines whether the violation merits a hearing, informal disposition, or reduction to an incident report. Staff serves a notice of the inmate rule violation and disciplinary hearing on the inmate, and a shift commander may isolate the inmate if the inmate poses a threat to security. Following a hearing, and upon a determination of guilt, a hearing officer may permit the defendant inmate or, if represented, the defendant inmate's representative and, if assigned, the facility representative, to argue for appropriate sanctions. The hearing officer also (1) determines and imposes appropriate sanctions in regard to disciplinary segregation time and loss of diminution credits according to an adjustment history sentencing matrix and (2) informs the hearing participants of the sanction imposed and the period and effective date of the sanction.

The entire inmate rule violation summary can be found in section 12.03.01.04 of COMAR. Categories (I) – (II) of the inmate rule violation summary are considered to be more serious offenses. Lower-level offenses had previously been category (IV) and (V) rule violations, which include the alteration, misrepresentation, or forging of a document, disobeying a direct order, and being present in a location without authorization. The changes to inmate discipline in July 2018 removed many of the prior category (IV) and (V) rule violations and downgraded several level (III) infractions to lower-level rule violations.

Mental Health

Issue: Given that so many inmates have mental health issues, DOC should comment on its plans for additional mental health staff.

Response: The Department completed an analysis of the mental health needs of its inmate population in the development of the request for proposals for the recently awarded mental health contract. As noted in the analysis, the new contract contained an 84% increase in contracted mental health staff to address the increase in the number of offenders with mental health illnesses. The mental health contractor services are augmented by State mental health staff employees at each institution to deliver effective mental health care to offenders with these diagnoses. The Department does not currently intend to modify the contract with the mental health vendor and is working collaboratively to address the mental health needs of all offenders under its custody.

Recommended Actions

1. Add the following language to the general fund appropriation:

Provided that \$919,419,161 of this appropriation made for the purpose of Comptroller Object 01 Salaries and Wages may be expended only for that purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Response: The Department unequivocally and vehemently disagrees with the recommended action as it is irresponsible and jeopardizes the safety and security of the Department's operations. While the Department has been actively trying to recruit to fill its vacancies, the Department uses its vacancy savings to fund critical projects. The Department has been transparent in its utilization of vacancy savings, which has decreased due to the increase in budgeted turnover. This item would restrict 70% of the Department's entire budget and the remaining 30% is already allocated as it is dedicated to inmate medical care, inmate dietary, utilities and service contracts. By restricting 70% of the Department's entire budget, the Department will not be able to cover expenses for equipment used to increase the safety and security of its correctional facilities; emergency maintenance projects; items necessary in reaching compliance with the *Duvall* settlement agreement; certain items for the Maryland Correctional Enterprises (MCE); and require the Department to terminate certain contractual employees. The Department has been transparent in its utilization of vacancy savings as it submitted a report in November

The Department submitted a Joint Chairmen's Report in November 2018 identifying specifically how vacancy savings were utilized for FY 2018. Most of the vacancy savings, which was considerably lower than in previous years, were utilized to cover shortfalls in correctional officer overtime spending. Only \$6.4 million was utilized to cover other operational expenses, such as:

- \$2.4 million to provide contractual dietary staff for Baltimore City food service operations;
- \$500,000 to hire retired contractual correctional officers;
- \$1.3 million to purchase security radios for all facility staff in collaboration with union management;
- \$1.2 million for emergency repairs to underground wiring and steam lines for utilities at the Eastern Correctional Institution; and
- \$1 million for emergency security control and system upgrades at the Western Correctional Institution.

The amount of vacancy savings continues to decline as the Department's budgeted turnover has increased considerably to compensate for the number of vacant positions and due to concerns regarding available correctional officer salary savings. As illustrated in the following table, budgeted turnover has increased by almost \$22 million between the Fiscal Year 2020 budget and the Fiscal Year 2018 budget or by 37%. This means there are less salary savings available to spend on other operating expenses.

**Department of Public Safety and Correctional Services
Budgeted Turnover – Correctional Officer Positions**

Facility	FY 2017	FY 2018	FY 2020	Difference FY20 – FY18
Division of Correction:				
MD. Corr. Inst. Hagerstown	-\$1,273,718	-\$7,758,134	-\$3,241,439	\$4,516,695
MD. Corr. Training Ctr.	-\$1,440,171	-\$1,646,027	-\$4,349,532	-\$2,703,505
Roxbury Corr. Inst.	-\$1,001,874	-\$1,158,786	-\$2,620,646	-\$1,461,860
Western Corr. Inst.	-\$1,126,677	-\$1,277,723	-\$3,090,132	-\$1,812,409
North Branch Corr. Inst.	-\$1,382,390	-\$1,578,519	-\$3,136,178	-\$1,557,659
Jessup Corr. Inst.	-\$1,534,781	-\$2,019,081	-\$5,832,414	-\$3,813,333
MD. Corr. Inst. Jessup	-\$886,363	-\$1,167,849	-\$2,812,375	-\$1,644,526
MD. Corr. Inst. Women	-\$928,236	-\$1,172,878	-\$2,855,768	-\$1,682,890
Brockbridge Corr. Facility	-\$502,682	-\$631,860	-\$1,460,100	-\$828,240
Southern MD. Pre-Release	-\$108,690	-\$131,690	-\$167,884	-\$36,194
Eastern Pre-Release	-\$118,807	-\$146,639	-\$183,342	-\$36,703
Eastern Corr. Inst.	-\$2,246,819	-\$2,888,541	-\$7,276,305	-\$4,387,764
Dorsey Run Corr. Facility	-\$749,145	-\$928,472	-\$2,284,690	-\$1,356,218
Central MD. Corr. Facility	-\$308,908	-\$383,523	-\$934,926	-\$551,403
Patuxent Institution	-\$1,083,585	-\$1,333,201	-\$3,752,294	-\$2,419,093
Subtotal	-\$14,692,846	-\$24,222,923	-\$43,998,025	-\$19,775,102
Div. of PreTrial Detention:				
Chesapeake Det. Facility	-\$675,973	-\$675,973	-\$1,262,279	-\$654,663
Balt. City Booking	-\$1,372,867	-\$1,644,741	-\$5,101,296	-\$3,456,555
YDC/BPC	-\$2,009,019	-\$8,279,486	-\$720,455	\$7,559,031
MD. Reception Diagn. Ctr	-\$865,457	-\$1,037,759	-\$2,763,354	-\$1,725,595
Balt. City Corr. Center	-\$358,875	-\$387,866	-\$1,001,853	-\$613,987
Metropolitan Transition	-\$1,058,239	-\$1,205,547	-\$4,524,642	-\$3,319,095
Administration	-\$4,000	-\$4,200	-\$4,500	-\$300
Subtotal	-\$6,344,430	-\$13,167,215	-\$15,378,379	-\$2,211,164
Department Total	-\$21,037,276	-\$37,390,138	-\$59,376,404	-\$21,986,266

In operating and overseeing its many correctional facilities, 43 parole and probation offices, and MCE, the Department needs flexibility in its budget to deal with unforeseen issues as they arise. This recommended action seems to suggest that the Department should resume the practice of requesting and relying on deficiency funding. However, this is irresponsible and unpractical as

the Department would have to wait until April of 2020 to have funding approved. In addition, the Department is concerned over its ability to fund items after April 2020 as the Department will not be able to submit deficiencies for the remainder to the fiscal year. Therefore, the Department would be unable to fund any urgent safety or maintenance issues, which would result in serious injury or harm to the Department's employees, the offenders under its custody, and the public.

It is also important that a substantive provision of the Duvall settlement agreement involves maintenance of the remaining buildings at the Baltimore City Jail. This provision requires the Department to address maintenance issues as they arise in a timely fashion instead of waiting for long periods of time and allowing conditions to worsen. This recommended action would prevent the Department from utilizing vacancy savings to rectify and immediately cure maintenance issues in Baltimore City which directly impedes the Department's progress in terms of reaching substantial compliance with the settlement agreement.

This recommended action would negatively impact the Department's ability to cover unanticipated costs incurred by MCE which could include the replacement or repair of vehicles, shortfalls in utilities or other seasonal related expenditures. MCE is statutorily obligated to operate like a business as closely as possible. This means ensuring MCE has adequate vehicles to transport goods to its customers and maintain utilities so its shops are operational.

This recommended action would inhibit the Department's ability to rehire retired correctional officers and would effectively terminate its ability to utilize contractual employees to carry out food services in Baltimore City. Currently, the Department rehires retired correctional officers to counter the impact of its vacancy rate and benefit from the expertise of the retiree. The Department utilizes vacancy savings to hire these retired correctional officers so the Department would be forced to terminate this program which would only increase its reliance and utilization of overtime. The Department also utilizes contractual dietary officers for food services in Baltimore City which – again – are funded out of vacancy savings. Should this action be adopted, the Department will be forced to eliminate all non-budgeted contractual employees on July 1st which means the Department will not be able to provide food services to approximately 2,800 detainees in the City.

In summary, this recommended action would nearly cripple the Department's ability to operate by eliminating its ability to utilize vacancy savings. The Department understands the Committees' concerns in its ability to fill its vacant positions; however, this recommended action is overly punitive and does little to address the underlying cause of its vacant positions. It is a prudent and acceptable budgetary practice to utilize any budgeted savings available to cover unanticipated costs throughout the entire year to assist in ensuring the Department has a balanced budget.

The Department is asking for the same operational flexibility as practiced with all other State Agencies, the Judiciary, and the General Assembly budgets and strongly urges the Committee to reject this recommended action.

2. Reduce funding for personnel expenses based on current vacancy rates.

Amount of Reduction = \$15,700,000 General Funds

Response: The Department strongly opposes this recommended action. The recommendation is based on incorrect data as it:

- (1) makes incorrect assumptions regarding the value of the Department's budgeted turnover;
- (2) fails to acknowledge already proposed reductions in other DPSCS analyses;
- (3) fails to adjust for estimates regarding Fiscal Year 2020 overtime spending;
- (4) fails to adjust for the Department's recent success in its hiring efforts and future improvements with the 10% increase in correctional officer salaries; and,
- (5) fails to assist the Department in any way to assist with filling vacancies, which DLS had previously determined was a "staffing crisis".

(1) DLS's recommended action makes incorrect assumptions regarding the value of the Department's budgeted turnover.

The Department acknowledges that the budgeted value of current Correctional Officer vacancies is \$74.1 million. However, basing a proposed reduction on this number alone fails to adequately account for the Department's budgeted turnover which overall reduces the amount of salaries available. Acknowledging the increased level of correctional vacancies and concerns previously expressed by the Budget Committee's, the FY 2020 budgeted turnover was substantially increased to more closely align with current vacancies but allow for some room to hire based on increased levels of new CO hires and cover projected overtime shortfalls. As such, the Department's budgeted turnover for custody programs is budgeted at -\$59.4 million for FY 2020, representing an increase of more than -\$21.9 million over the value of budgeted turnover for FY 2018. The following table details the actual impact that the increased budgeted turnover has in FY 2020 versus what the savings would have been if the budgeted turnover was not increased.

Department of Public Safety and Correctional Services

Fiscal Year 2020 Budgeted Turnover Impact

→ Vacant Correctional Officer Salaries = \$74,100,000
With Fringe Benefits

Facility	Fiscal Year 2018 Turnover Value	Fiscal Year 2020 Turnover Value
Division of Correction:		
MD. Corr. Inst. Hagerstown	-\$7,758,134	-\$3,241,439
MD. Corr. Training Ctr.	-\$1,646,027	-\$4,349,532
Roxbury Corr. Inst.	-\$1,158,786	-\$2,620,646
Western Corr. Inst.	-\$1,277,723	-\$3,090,132
North Branch Corr. Inst.	-\$1,578,519	-\$3,136,178
Jessup Corr. Inst.	-\$2,019,081	-\$5,832,414
MD. Corr. Inst. Jessup	-\$1,167,849	-\$2,812,375
MD. Corr. Inst. Women	-\$1,172,878	-\$2,855,768
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Southern MD. Pre-Release	-\$131,690	-\$167,884
Eastern Pre-Release	-\$146,639	-\$183,342
Eastern Corr. Inst.	-\$2,888,541	-\$7,276,305
Dorsey Run Corr. Facility	-\$928,472	-\$2,284,690
Central MD. Corr. Facility	-\$383,523	-\$934,926
Patuxent Institution	-\$1,333,201	-\$3,752,294
Subtotal	-\$24,222,923	-\$43,998,025
Div. of PreTrial Detention:		
Chesapeake Det. Facility	-\$675,973	-\$1,262,279
Balt. City Booking	-\$1,644,741	-\$5,101,296
YDC/BPC	-\$8,279,486	-\$720,455
MD. Reception Diagn. Ctr	-\$1,037,759	-\$2,763,354
Balt. City Corr. Center	-387,866	-1,001,853
Metropolitan Transition	-\$1,205,547	-\$4,524,642
Administration	-\$4,200	-\$4,500
Subtotal	-\$13,167,215	-\$15,378,379
Department Total	-\$37,390,138	-\$59,376,404
Hypothetical Net Salary CO Salary Savings	\$36,709,862	
Net CO Salary Savings w/ Correct T/O		\$14,723,596

As indicated in the table, if the Department utilized the same turnover values from the FY 2018 budget than there would be an estimated \$36.7 million available. The adjusted turnover rate leaves only \$14.7 million available in for FY 2020 which is less than the proposed reduction by DLS of \$15.7 million.

(2) The recommended action fails to acknowledge already proposed reductions in other DPSCS analyses.

In both the Division of Parole and Probation (DPP) and the Maryland Parole Commission (MPC) budget analyses, DLS recommended cuts totaling \$4.2 million in salary reductions and indicate that if the Department fills vacancies than the Department may realign funds from vacant correctional officer savings. However, the current proposed reduction of \$15.7 million exceeds the current identified correctional officer vacancy savings and combined with the previously mentioned \$4.2 million in salary reductions leaves a gap of \$7.2 million in unaccounted for salary reductions. It is unclear based on the various DLS analysis how this reduction is going to be covered.

(3) The recommended action fails to adjust for estimates regarding Fiscal Year 2020 overtime spending.

The Department has disclosed to DLS and has identified in the analysis that an anticipated shortfall in correctional officer overtime is anticipated. The Department has previously estimated this shortfall to be \$14 million but combined with current spending rates and the impact of the 10% salary reduction the Department has revised this shortfall to be potentially \$22.1 million in correctional officer overtime for Fiscal Year 2020. The Department offers the following information for the Budget Committee's consideration:

→ Estimated Correctional Officer Salary Savings	= \$14.7 million
→ Proposed DOC CO Salary Reduction	= -\$15.7 million
→ Proposed DPP Salary Reduction	= -\$3.7 million
→ Proposed MPC Salary Reduction	= -\$238,000
→ Estimated Overtime Shortfall	= -\$22.1 million
→ <i>Total Estimated Fiscal Year 2020 Deficiency Created</i>	<u>= <i>-\$27.03 million</i></u>

Based on the information provided above there is not adequate salary savings to cover the various proposed DLS recommended actions and covering the anticipated shortfall in spending. If this reduction is adopted, the Department will most certainly require a large salary deficiency, which has previously been highly criticized by the budget committees.

In summary, the DLS proposed reduction inadequately covers the actual value of CO vacancies and combined with other proposed reductions and the revised impact to correctional officer overtime, will result in a large salary deficiency for

the Department. While admittedly, there are other vacancies beyond correctional officers, there is only so much vacancy savings to cover these identified expenses and these savings will be inadequate to cover large proposed reductions and projected overtime expenses.

(4) The recommended action fails to adjust for the Department's recent success in its hiring efforts and future improvements with the 10% increase in correctional officer salaries.

The Department's increased efforts in hiring are truly starting to make an impact, as indicated below.

- In calendar year 2016, the Department hired 63 correctional officers.
- In calendar year 2017, the Department hired 101 correctional officers.
- In calendar year 2018, the Department hired 160 correctional officers.
- Year-to-date, the Department has hired 57 correctional officers.

The Department believes the increase in correctional officer salaries as contained in the Governor's FY 2020 budget will result in continued success in hiring.

(5) The recommended action fails to assist the Department in any way to assist with filling vacancies, which DLS had previously determined was a "staffing crisis".

Over the past several years, DLS and the legislature has stressed the need for the Department to prioritize the recruitment and hiring of correctional officers (COs), requiring the Department to submit numerous Joint Chairmen's Reports (JCR) to fill vacant CO positions. This reduction directly impedes and is contradictory to the Department's hiring efforts. If the proposed reduction is meant to incentivize hiring, the result will actually be the opposite as it will reduce the Department's ability to hire these critical positions.

The Department strongly recommends that the Budget Committee's reject this proposed reduction.