



Department of Public Safety and Correctional Services

Office of the Secretary

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Department of Public Safety and Correctional Services
Overview - Q00
Fiscal Year 2022 Operating Budget
Response to Department of Legislative Services Analysis

Senate Budget and Taxation Committee
Public Safety, Transportation and Environment Subcommittee
Senator Cory McCray, Chair
February 5, 2021

House Appropriations Committee
Public Safety and Administration Subcommittee
Delegate Keith Haynes, Chair
February 5, 2021

COVID-19 Changes

Issue: DPSCS should provide information on necessary spending, inmate population reduction strategies, and one-time or recurring changes to normal operating procedures related to the COVID-19 pandemic.

Response: The Department has provided a detailed list of COVID-19 expenditures to the Department of Legislative Services (DLS). To summarize, in fiscal year (FY) 2020, the Department spent a total of \$25.7 million on COVID-19 salary enhancement efforts. Of the \$25.7 million, \$13.3 million was spent in the pay period ending March 24, 2020 for premium pay. Effective April 1, 2020, eligible employees received a response pay differential of \$3.13/hr for every hour they actually worked in a correctional facility. In addition, for every hour an eligible employee worked in a quarantine area, they received a pay differential of \$2.00/hr. In FY 2020, the Department spent \$12.4 million for response pay and quarantine pay. Effective September 8, 2020, response pay of \$3.13/hr ended but quarantine pay rates increased from \$2.00/hr to \$5.13/hr. From the beginning of FY 2021, through the pay period ending January 12, 2021, the Department has spent \$30.5 million on response and quarantine pay, and estimates an additional \$23.9 million in expenses through the end of the fiscal year. As the analysis indicates, \$28.7 million of federal funds is provided for in the budget, in exchange for general funds related to salary expenses.

In FY 2020, the Department spent \$39 million on non-salary related COVID-19 expenses. At the onset of the pandemic, the Department received approval to purchase personal protective equipment (PPE), information and technology equipment, hygienic supplies, and other goods and services necessitated by the pandemic. Of the \$39 million,

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the Department spent \$24.7 million on PPE (gowns, N95 masks, surgical masks, gloves, boot covers, etc.). Due to the size of the agency and the rate at which these items were being utilized, the Department was not initially included in the bulk procurement purchases through the Department of Health (MDH) and the Maryland Emergency Management Association (MEMA). This allowed time for these entities to bulk up on PPE supplies. However, in May the Department was incorporated into MDH and MEMA's larger distribution process. As such, the Department has not purchased these commodities since May 2020. In addition to PPE, the Department spent \$11.3 million on inmate medical care costs, \$729,000 on disinfection services and janitorial supplies, \$538,000 on COVID-19 dietary supplies and meal enhancements for the incarcerated population, \$982,000 on building repair, maintenance, & improvements, and \$377,000 on equipment, maintenance supplies.

Thus far in FY 2021, the Department has spent \$2.6 million on disinfection services to slow the spread of the disease. The Department estimates spending an additional \$5.8 million through the end of the fiscal year. The Department will receive \$1.26 million in deficiency funding to offset the cost of disinfection services in DPP offices. The Department also has \$7 million in planned inmate medical expenditures directly related to COVID-19, and has received confirmation that these expenditures will be covered with CARES funding.

The Department has made significant operational changes due to the ongoing pandemic. The health, safety, and well-being of inmates in the care and custody of the Department is a top priority. Maryland was one of the first states in the country to suspend visitation and volunteer-led programs at all correctional facilities. The Department has worked closely with the Maryland Department of Health (MDH) and Maryland Emergency Management Agency (MEMA) to:

- Enhance hygiene and sanitation practices consistent with the recommendations of Maryland Department of Health and the Centers of Disease Control
- Conduct temperature checks and completing health questionnaires for staff at every shift change
- Ensure an adequate supply of cleaning, safety and other critical operational supplies for all facilities
- Modify inmate movement and meal service to more closely align with social distancing protocols
- Waive all inmate medical co-pays
- Ensure those privatized medical doctors and nurses who provide on-site care to the inmate population at infirmaries in each region are prepared
- Provide five free, 15-minute phone calls a week for all inmates as a means of keeping incarcerated men and women closely connected to their loved ones during this challenging time
- Implement virtual video visitation at every state correctional facility, at no cost to the incarcerated population
- Establish a 24-hour family hotline so that loved ones of incarcerated men and women can receive COVID-19 related information around the clock

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- Increase communication to staff and communicating messages to thousands of department employees multiple times a week; employees are also receiving operational updates daily
- Expand teleworking opportunities for most staff, to include parole and probation agents, supervisors, and monitors
- Require correctional staff to wear protective gear, to include face masks, gloves, and face shields
- Disseminate face masks to the inmate population
- Utilize professional deep cleaning services

The Department has also been taking aggressive clinical precautionary and response measures. The Department utilizes a multidisciplinary vendor approach, composed of contractual and full-time licensed clinical professionals, to treat the incarcerated population. Overseen by the Department's Director of Clinical Services, these healthcare providers - which includes epidemiologists - have been working around the clock within the State prisons.

Inmates who present with COVID-19 symptoms (i.e. fever, coughing, sneezing, shortness of breath) are equipped with a surgical mask and brought for evaluation to the infirmary area of the correctional facility where they are assessed so that other causes of the symptoms are ruled out (i.e. Influenza A or B, Pneumonia, Asthma), consistent with CDC recommendations. Based on the assessment, a licensed clinical professional determines whether the inmate needs to be transported to an off-site care facility. Inmates who present with COVID-19 suspicious symptoms are quarantined unless they are exhibiting life threatening symptoms which require that they are transported to an offsite care facility. The Department has strict COVID-19 transportation policies and protocols regarding the donning of personal protective equipment and cleaning to protect those transporting the inmate and the inmate. All transport officers are issued N95s.

In addition, the Department has respiratory negative airflow rooms throughout designated correctional facilities as well as other isolation and quarantine housing. Inmates who test positive for COVID-19 are placed in these isolation areas within the facility. Medical and Occupational Health Services conduct contact tracing and other inmates who come into contact with the COVID-19 positive inmates are placed into areas that were previously identified as quarantine housing. An immediate contact tracing occurs to determine potential close contact. Inmates who display symptoms for COVID-19 or had close contact with suspected COVID-19 cases are either isolated or quarantined, equipped with personal protective equipment, and monitored for 14 days pending the outcome of the COVID-19 test.

When an inmate is symptomatic and tests positive, review of the pulse oximetry reading assists the clinician in determining the level of care needed. The Department also has established two COVID-19 infirmary annexes that are able to treat inmates with COVID-19 that do not require intubation.

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In terms of testing, the Department completed point prevalence testing across its entire correctional system – testing all inmates and correctional staff for COVID-19, even if asymptomatic. The Department is currently following the Department of Health's (MDH) interim guidance for Testing and Contact Tracing Individuals Reporting to State Correctional Facilities. Based on this guidance, individuals who are Departmental employees (other than employees engaged in direct patient care) are tested monthly. Employees at the Baltimore City Booking and Intake Center are tested on a weekly basis. Medical staff and providers are also tested on a weekly basis.

The Department is also testing the incarcerated population in accordance with MDH guidance. As such, the Department's inmate medical contractor is conducting serial testing across the general inmate population and chronic care subpopulations which are more closely monitored. In order to detect any potential outbreaks the Department's medical treatment provider conducts weekly serial testing. Over the past several months, the Department has tested over 1,427 inmates on average per week. Inmates committed to the Division of Correction from local jails are tested upon intake and quarantined for 14 days. The Department is also conducting rapid testing of arrestees at the Baltimore Booking and Intake Center prior to commitment. Testing results, as well as all COVID-19 related updates, are available on the Department's website at: <https://news.maryland.gov/dpscs/covid-19/>.

During these challenging times, the Department has been closely monitoring its population trends. The inmate population under the Department's custody is first filtered by the direction of law enforcement and sentencing decisions beyond the Department's control. That said, Maryland has led the nation in the decline of its prison population – dropping by nearly 20% since 2015.

Regularly scheduled releases of inmates continue and the Department is taking extra precautions to ensure successful reentry and connection to community resources while also limiting exposure to COVID-19. In addition, the Department continues to use and has expedited the two discretionary release mechanisms in its authority—placement on Home Detention and placement on Pretrial Release.

From March 1, 2020 - December 31, 2020 the Department released **15,487** individuals from its facilities:

- **4,697** bookings in Baltimore City were released after arrest and before commitment to pretrial detention - which is a determination made in conjunction with the Baltimore City Police Department, the Baltimore City State's Attorney's Office, the Office of the Public Defender, and the Judiciary.
- **5,437** individuals were released from pretrial detention prior to sentencing - which is a determination made in conjunction with the Baltimore City Police Department, the Baltimore City State's Attorney's Office, the Office of the Public Defender, the Judiciary, and the Department's Pretrial Release Services Program.

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- **4,398** individuals were released from sentenced custody - which is a determination based on the inmate's court ordered release date or a determination made by the Maryland Parole Commission based on parole eligibility.
- **955** individuals were transferred from facilities to be supervised by the Department's Home Detention Unit - which is a determination made by the Commissioner of Correction based on statutorily established criteria.

It is important to note that population trends in fiscal year 2021 are likely anomalous due to unprecedented circumstances, including court closures and the overall impact of the pandemic on the criminal justice system.

The Department is taking extra precautions to ensure successful reentry and connection to community resources while also limiting exposure to COVID-19. Prior to release, inmates are being screened utilizing a COVID-19 questionnaire that has been approved/developed by our medical staff and adheres to the Centers for Disease Control and Prevention (CDC) recommendations. Additionally, all inmates are provided with COVID-19 educational materials, as well as a completed continuity of care (COC) form. The COC includes information confirming the inmate has been evaluated within 24-hours prior to release and is asymptomatic for COVID-19, directions to self-quarantine for a minimum of 14 days immediately upon release, and instructions to wear and keep the face mask provided by the Department.

The Department continues striving to ensure inmates are provided with appropriate attire, medication, pertinent information, Medicaid application, release funds, and personal identification documents in order to facilitate their successful transition back into the community. Case management specialists work with reentry, social work and psychology to provide connections to community resources, including transitional housing. The Division of Parole and Probation (DPP) continues to review and verify home plans.

The health, safety, and well-being of staff, inmates, and citizens continues to be a priority and we will continue to act to prevent and mitigate the spread of COVID-19.

Vaccination Distribution

Issue: Given the importance of returning to normal operations, DPSCS should comment on their vaccination efforts and provide a timeline for reaching full administration of their allocation.

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Response: The Maryland Department of Public Safety and Correctional Services has been among the most aggressive and successful mass vaccinators anywhere in Maryland.

To reduce the potential strain on the Department of Health, the Department of Public Safety and Correctional Services has been conducting its own vaccination clinics for its employees.

The Department held its first clinic the same day it received its first shipment of the vaccine. The Department's Office of Health and Occupational Safety conducted its first vaccination clinic, vaccinating those responsible for administering the vaccine to the Department's employees.

The Department administered 3,268 first dose vaccines to its employees in a little over two weeks. From January 6th - January 27th - the Department's nursing staff held approximately 12 first dose vaccination clinics at its facilities across the state.

The vaccine is not mandatory and employees could also receive the vaccine at their local health department since they were prioritized in group 1A. Excluding contractual staff, the Department has approximately 8,084 employees. Considering the Department itself administered 3,368 first dose vaccines, the Department should be heralded for its efficiencies and rapid deployment.

Second dose clinics began Saturday, January 30th. As of close of business on February 2nd, the Department had administered a total of 1,133 second doses of the vaccine.

The Department has been sending out videos, flyers, and educational materials to its staff, practically on a daily basis to keep them informed.

The Department has already completed Phase 1B - vaccinating the incarcerated population in its facilities who are 75 and older. The Department is in the process of continuing working through Phase 1C, which includes vaccination of inmates who are 65 and older or who have immunodeficiencies.

The Department is working with the Maryland Department of Health and the Maryland Emergency Management Agency to ensure that supplies of COVID-19 vaccine are allocated according to the state's vaccine distribution plan. The Department has been prioritizing correctional facility staff and medical workers and is expanding vaccinations to higher-risk inmates and other inmates as quickly as possible and as permitted by the federal allocation of vaccines to Maryland.

Staffing Issues

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Issue: DPSCS should comment on its strategies to maintain adequate staffing after the economy recovers and temporary employee incentives expire.

Response: The Department is committed to continuing to improve upon its recruitment and hiring processes. The pandemic forced the Department to suspend, adapt, and reimagine its recruitment and hiring process to facilitate remote work and continue applicant engagement in response to widespread closures of State functions, and safely adapt in-person components.

The background processes that required in-person elements were reassessed and revised to reduce the risk of COVID-19 exposure to candidates and staff. Other recent changes to the background process include, an improved applicant tracking system, new appointment scheduler, and new mobile equipment deployed to investigators.

The new streamlined hiring process was designed to accelerate the assessment process and provide conditional offers earlier, improving candidate engagement. The virtual processes put in place have led to a more efficient use of resources, increased the number of applicant appointments, and the ability to reach a larger number of candidates.

Despite all the challenges faced during calendar year 2020, the Department was able to hire 703 new employees across all sectors. Although the Department experienced a decrease in the number of applications received in calendar year (CY) 2020, the Department successfully hired the largest number of correctional officers (491) in the past six years (CY 2014 - 425). The table below shows how the process has evolved and become more efficient in the past 5 years.

Calendar Year	Applications	CO Hired	Applicant to Hire Ratio
2016	9581	63	152:1
2017	5688	102	56:1
2018	4286	160	27:1
2019	4578	267	17:1
2020	3806	491	8:1

Calendar year 2021 will be the second consecutive year where all promotional opportunities are available for all ranks in the correctional series, increasing engagement amongst the largest group of employees for the Department. In addition, the Department looks forward to increased advertisement of vacant positions for all areas including those with new teleworking opportunities and improving the use of technology to increase candidate engagement.