



**Department of Public Safety and Correctional Services
Office of the Secretary**

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Department of Public Safety and Correctional Services
Administration and Offices - Q00A
Fiscal Year 2024 Operating Budget
Response to Department of Legislative Services Analysis

Senate Budget and Taxation Committee
Public Safety, Transportation and Environment Subcommittee
Senator Sarah K. Elfreth, Chair
February 23, 2023

Appropriations Committee
Public Safety and Administration Subcommittee
Delegate Tony Bridges, Chair
February 22, 2023

Proposed Deficiency

Issue: DPSCS should brief the committees on the purpose of this task force and the progress in setting it up, including a plan for onboarding employees, organizing operational activities, and future funding needs.

Response:

In November 2022, the U.S. Attorney's Office for the District of Maryland, along with federal, State, and local law enforcement partners, announced the Baltimore Organized Crime Drug Enforcement Task Force Strike Force (Strike Force). The mission of the Strike Force is to disrupt and dismantle the most violent gangs and drug trafficking organizations, and their financial infrastructure, in the Baltimore metropolitan area. Strike Force investigators work in one shared location, which is a key part of the Strike Force concept that has proven successful in other cities.

Baltimore and its surrounding communities suffer from criminal violence, much of it driven by gangs and violent drug-trafficking organizations. The Strike Force was born of the desire for federal, State, and local law enforcement agencies in the Baltimore area to better coordinate and combine their resources and efforts to combat that violence. The mission of the Strike Force is to reduce violent, firearms-related, and drug-related crime in Baltimore by

identifying criminal organizations and individuals most responsible for generating violence, sharing information about drug trafficking, illegal firearms, and violence, and pursuing the proceeds generated by drug trafficking organizations. The implementation of the Strike Force resulted in the positions listed below all of which are filled.

10 Special Investigators - DPSCS sworn Intelligence and Investigation Division (IID) police officers who are certified by the Maryland Police Training and Standards Commission. They are also sworn Federal Task Force Officers given authority to investigate Federal criminal cases.

5 Administrative Officers - DPSCS IID Intelligence Analysts who have Federal Clearances and are embedded within the Strike Force. These positions are currently contractual.

2 Administrators - Assistant Attorney General (AAG) Prosecutor positions within the Office of the Maryland Attorney General. The AAGs are cross-designated so they can prosecute Federal Cases.

Major Vacancies

Issue: DPSCS should comment on the roles that the administrators, office staff, and administrative staff play in the department's daily operations and the impact of having a third of the above positions vacant. DPSCS should continue to seek ASR adjustments for specific classifications with critical roles that are hard to fill or have salaries well below the labor market.

Response:

The roles of the administrators, office staff, and administrative staff are essential to the operations of the Department. The Department has two Deputy Secretary positions, one for Operations and one for Administration that are integral to the oversight of the Department. These positions experienced significant turnover in CY 2022 due to retirements and resignations. The Department promoted other administrators to these roles. These promotions resulted in the need to fill other administrator positions. In addition, Procurement, Finance, ITCD, and other units/divisions require office and administrative staff to support their functions.

Office and administrative professionals are essential to ensuring the efficient operation of all DPSCS units and divisions. As multi-taskers, these professionals are responsible for a variety of key duties, including communication related tasks such as answering phones, compiling reports and other written communication, and using problem solving skills to resolve

office related issues. Scheduling tasks are another essential function which includes scheduling meetings, conferences and coordinating travel. Another vital role of administrative and office professionals are organizational tasks including maintaining calendars, creating filing systems and maintaining databases. Administrative and office professionals keep offices running smoothly.

In January 2023, the Department posted six classifications of administrative positions including Office Secretary II, Office Secretary III, Office Services Clerk, Fiscal Account Technician, Administrative Officer III, and Administrative Aide. The Department expects to be able to create a master recruitment list that can be used to fill vacancies in multiple divisions/units.

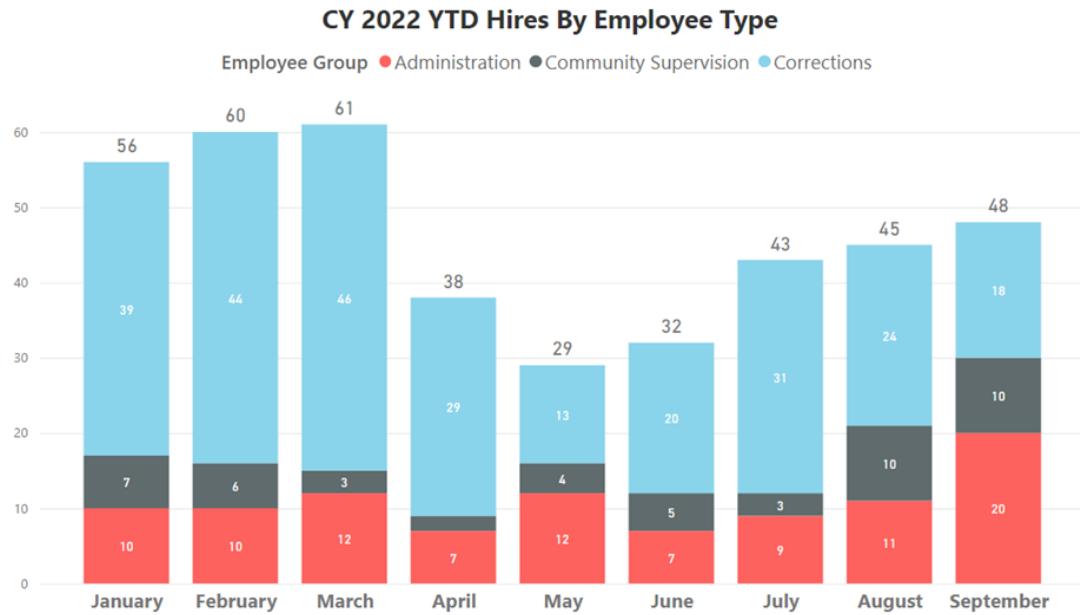
Recruitment Strategies

The Human Resources Services Division (HRSD) identified several challenges that impacted the Department's ability to fill administrative positions, including but not limited to, low applicant response, minimally qualified candidates, the length of time to schedule selection interviews, and lack of applicant engagement. In 2021, the Department launched a Recruitment Strategy intake to improve collaboration and develop a recruitment strategy prior to advertising the position including a review of past recruitments for lessons learned.

Through a more collaborative process with Hiring Managers, the HR Analyst has been able to develop a customized plan to attract the ideal candidate. This targeted approach was intended to increase the number of qualified candidates, particularly for hard to fill positions. As the Department and everyone else began to emerge from the COVID-19 pandemic, this targeted effort bore positive results in 2022. As reported in the July - September 2022 Joint Chairmen's Report - Quarterly Hiring Report the Department saw improvements in the hiring of administrative positions.

OVERALL HIRING

Following first quarter improvements (FY23) in hiring for community supervision, the Department has continued its improvement of hiring for administrative positions and community supervision positions in the third quarter of CY 2022. From July to September 2022, the Department hired an additional 136 new employees across all employee types as illustrated in the below graph.



In addition to a 17% increase in the number of correctional positions filled compared to the prior quarter, the Department saw its largest month of administrative hires this year. This was the expected result of recruitment efforts and new job postings for administrative positions in the first two quarters of the year. At the end of CY 2022, the Department hired 212 new employees to administrative positions, the majority of its non-correctional hires.

Major IT Projects Delayed

The Department of Information Technology (DoIT) is responsible for overseeing the planning and implementation of all MITDPs regardless of fund source. Each MITDP is assigned a DoIT Oversight Project Manager (OPM) to fulfill responsibilities of the State Finance and Procurement Statute. The role of the DoIT OPM is to provide independent project management oversight. DPSCS' Department of Information, Technology and Communications Division (ITCD) serves as the subject matter expert who provides input to the OPM. The OPM participates in DPSCS initiated Monthly Health Assessments (MHA) throughout the life-cycle of each MITDP. MHAs provide real time technical and financial assessment of the MIDTPs while providing live project status updates.

Issue: DPSCS should brief the committees on the updated status of each MITDP with particular attention to the CCH and EPHR projects.

Response:

Computerized Criminal History (CCH) Project Status

Following the release of its RFP for an on-site CCH solution, the project released an amendment to change the deployment approach from an on-site deployment to a cloud-based deployment. Vendors were instructed to amend previously submitted proposals, and the project team subsequently completed its review of viable solutions. Two vendors were disqualified as their solutions no longer met cloud-based requirements, and one vendor rescinded their proposal. The agency proceeded with a Single-Vendor Award Recommendation for Board of Public Works (BPW) approval in November 2021, which it later withdrew with the intention of restarting the procurement process in hopes of increased vendor participation. DoIT and OSP completed a revised RFP review in Q4 FY 2022, and a solicitation was reissued by the agency in Q1 FY 2023. DPSCS Procurement anticipates submitting the award package for BPW approval in Q4 FY 2023.

Electronic Patient Health Records (EPHR) Project

DPSCS is in the process of replacing the outdated EPHR with a new and more robust system. The application will provide the facility with an automated Electronic Medication Administration Records (EMAR) system including a scheduling system that interfaces with internal systems and external vendors. The new system will comply with legal requirements as outlined in the *Duvall v Hogan* case, and offer DPSCS comprehensive, primary, secondary, and specialty health services EPHR, as well as provide inpatient services, utilization management, and social work mental health services.

Subsequent to the vendor contract termination of Fusion, LLC, DPSCS received BPW approval for a two-year contract extension for the legacy EPHR vendor (NextGen) on June 8, 2022. DPSCS is actively working with NextGen to enhance the legacy application to meet the legal requirements as set forth in the 'Duvall vs. Hogan' consent decree. DPSCS is mandated by law to comply with a number of requirements to avoid costly penalties, including:

1. Process Improvement
2. Training
3. System Improvements
4. Enhanced Reporting

As the result of the contract termination with Fusion, LLC, the EPHR Schedule needs to be re-established. The new timeline is FY 2024.

In line with this Rebaseline the DPSCS has scheduled the following activities:

Milestone Description	Original Completion Date	Rebaseline Completion Date
Pre- planning (planned to deliver)	1/31/2019	10/1/2023
Gather Requirements and procurement (planned to deliver)	12/31/2020	12/31/2023
Planned Vendor Kick-off (planned to deliver)	1/15/2021	7/1/2024
Data Migration Planning and Processing (planned to deliver)	9/30/2021	12/1/2024
Development and Integration (planned to deliver)	3/31/2022	3/1/2025
Testing (planned to deliver)	8/31/2022	9/1/2025
Training (planned to deliver)	10/31/2022	1/1/2026
Data Synchronization and Final Implementation (planned to deliver)	1/31/2023	7/1/2026

DPSCS is requesting that the costs associated with the legacy system contract extension be paid through MITDP funds versus operational funds. The DPSCS further anticipates that at a future time (as outlined in the schedule) a new vendor will be onboarded to deliver additional capabilities beyond the capability of the legacy system and carry costs which are unknown at this time. DPSCS will submit additional funding requests once the solicitation process is restarted, inline with mandated ITPR submission process requirements.

Learning Management System Replacement (LMSR) Project Status

The DPSCS Police and Correctional Training Commissions (PCTC) is in the process of implementing a new LMSR. PCTC provides regulatory oversight of entry-level training, ongoing in-service training, and certification of the sworn public safety professionals in the State. The new LMSR will replace the legacy

system that has serviced public safety professionals for the last 20 years. The new system will track public safety professional's certification throughout their careers, as well as: original certification or recertification, separation of employment, changes in officer status, promotion/demotion, name change, instructor certification, and transfers. In addition to tracking a public safety professional's training and certification history, the system will also be used to: respond to public disclosure requests, create custom and standard reports, track course/class information history, scheduling and student attendance (Academy and in-service classes) history, firearms qualification records, law enforcement agency information, agency contact information, and instructor certification and training area expertise information.

Status: Procurement Stage; Awaiting Procurement 'Notice to Proceed'

DRONE Project Status

DPSCS is implementing a drone detection system to mitigate unlawful entry of contraband into State correctional facilities. The project was initiated in two phases: (a) a sole- source contract to define the requirements of the system and development of an RFP, and (b) procuring the services of a contractor to deliver and implement a system. The project scope was expanded to address an increase in the number of correctional facilities protected by drone detection technology and the inclusion of future response capabilities in compliance with Federal and State guidelines

Status: The Drone Project has completed the installation of one-third of the systems at correctional facilities, and the remaining two-thirds are ready to be installed.

Maryland Automated Fingerprinting Identification System (MAFIS) Project Status

MAFIS is used to perform fingerprint searches on individuals taken into custody by law enforcement and charged with an arrestable offense and is used by other agencies as well. Searches are completed via MAFIS for applicants requiring background checks for non-criminal justice purposes, and for latent prints collected at crime scenes.

DPSCS is replacing its current outdated fingerprinting system. The new MAFIS will have enhanced requirements for the processing capabilities, record storage, and management capacity of the system to support the continued growth of the identification databases, and identification- processing workload.

Status: Application Deployed; Stabilization Phase: Project team is moving through Closeout Activity with the DoIT Oversight Program Manager (OPM)

Enterprise Resource Planning Program (ERPIP) Project Status

The Maryland Correctional Enterprises (MCE) replaced its legacy application with a new Enterprise Resource Planning (ERP) solution. The new solution automated manual processes that currently lead to delays in account payables, account receivables, and other financial workstreams. The new application provides a centralized system to address the current limitations of decoupled processes and systems by providing automated tools that will replace manual and inefficient business processes.

Status: This project is fully implemented

Mail Room Renovations

Issue: DPSCS should brief the committees on the type of systems employed to prevent contraband and the implications of these systems on inmate privacy and property.

Response:

Like many other correctional agencies, the Department of Public Safety and Correctional Services (DPSCS) grapples with the introduction and manufacturing of various forms of contraband within its institutions. Contraband may enter the institution through external sources, such as smuggled in during visitation, sent through the mail, throwing contraband over the fence, or through the use of unmanned aerial vehicles (aka drones). Contraband is also manufactured within the institutions in the form of inmate-made weapons. The most common types of contraband are Suboxone (buprenorphine), tobacco, and weapons; specifically, inmate-made weapons. Inmate-made weapons are typically pieces of metal or plastic that the inmate has broken or manipulated from a fixture within the institution and altered so that it can be used as a sharp, penetrating object. Cell phones and other types of electronic equipment (thumb drives, SIM cards, smart watches, etc.) are also frequently recovered. To detect contraband, DPSCS uses technology such as X-ray machines and scanners, while also conducting physical searches/pat downs. Other methods employed to detect and recover contraband include drug detection dogs (K-9), cell phone detection equipment such as Cell Sense, and the use of the Department's Contraband Interdiction Team.

Since FY18, the Department has made continual improvements in contraband interdiction efforts across all of its facilities. This is due to continual improvements in the staffing of key interdiction units, technology improvements, and targeted intelligence-driven security operations to keep facility environments secure. From FY19 to FY20, interdiction rose sharply as increasing amounts of controlled dangerous substances (CDS) were intercepted.

The K-9 Unit is essential to the Department's efforts to find contraband and has made a significant impact in stopping contraband from entering the facility as well as finding contraband that may have come over or through the fences. Between FY19 and FY20, the Department nearly doubled the efficiency of its K-9 searches, which enhanced outcomes of routine searches. With sustainable improvements in its K-9 units, the Department has been able to maintain higher efficiency in its routine searches, which now account for 37% of its contraband interdiction. In FY22, the Department increased the number of total K-9 searches conducted by 12% over the previous fiscal year. This resulted in an increase of more than 1,000 contraband finds than in FY 2021.

The Department has multiple specialized teams dedicated to the detection and removal of contraband from the system. The Intelligence and Investigative Division (IID), which includes the K-9 Unit, the Intelligence Unit, the Contraband Interdiction Team and the Special Operations Group are among the units that are capable of detecting contraband within the Department's facilities. The Contraband Interdiction Team, assisted by the Special Operations Group members and K-9, conduct targeted missions, sweeping and searching large numbers of cells and dormitories as the result of information provided by IID. These sweeps frequently lead to recoveries of contraband, and the reclassification to higher security of incarcerated offenders dealing in contraband and drugs.

In considering the changes in the Department's contraband interdiction outcomes, it is important to bear in mind not just the types and volume of contraband that is encountered, but how and where it is encountered. Over the past three years the Department has invested in technology and strategies aimed at interdicting contraband earlier on in the process of individuals trying to introduce it into the facilities. Two avenues of introduction including the use of unmanned aerial vehicles (UAV) more commonly referred to as drones and via the mailroom. Stemming from these attempts to introduce contraband, the Department's drone interdiction and mailroom enhancement programs were conceived.

The mailroom enhancement programs that were implemented during the COVID-19 pandemic sought to stop the introduction of any contraband into the facilities and had tremendous success in interdicting Suboxone, an easily diverted and smuggled formulation of CDS contraband. This interdiction consisted of employing the use of machines utilizing ultraviolet light, which improved the detection of buprenorphine strips concealed within paper documents (e.g between the pages of letters, documents, books, etc). The success of the interdiction program in the mailroom led to the Department seeking additional options to interdict contraband prior to its entry into the facilities.

In the continued effort to reduce the introduction of contraband through mail, DPSCS began an initiative to design and develop a mailroom system that would open, scan, print, sort and deliver the scanned mail to the incarcerated population. Working with a Statewide contractor, a system was designed to complete the aforementioned mail handling process. This system has been tested at the Eastern Correctional Institution and proven to be effective in accomplishing these goals; however, the pilot of the system has not been completed. Recognizing the value of this system, the Department is seeking to expand this initiative to retrofit and establish a regional mailroom in the Jessup, Baltimore, Hagerstown and Cumberland regions.

The integrity of an incarcerated person's mail is not compromised through the deployment of this system as the originally received mail is scanned and the scanned copies are distributed in accordance with existing policies. The originals, including the envelope, will be secured and stored based on current retention policies. This process will eliminate the possibility of various forms of controlled dangerous substances, such as Suboxone film and synthetic drugs saturated in paper, from entering into the facilities and being disseminated to the incarcerated population. The FY 2024 allowance provides \$3.5 million for materials, service and equipment used in the outfitting of the remaining regional mailrooms.

The Department has existing policies and procedures regarding inmate searches. Additionally, staff are instructed at both entry level and annual in-service training on how to conduct searches and retrieve those items that would be viewed as contraband; such as CDS, weapons and cellular communication devices. Additional awareness training also occurs on a continual basis during shift operations. Policy states that these searches are to be done in a manner that promotes professionalism and integrity, while making an effort to respect the privacy and property of those incarcerated individuals being subjected to search.

As reported in FY 2022, The Department was conducting a procurement for a Drone/Unmanned Aerial Vehicle Detection System. The drone detection system was procured and is in the process of being installed. To date, one-third of the installations have been completed. The Department began tracking warnings and breaches in September 2022 and there have been 20 warnings and 45 breaches across the facilities that have the systems installed. Drones are confiscated and if an incarcerated individual owns a drone that is found within the facility's property, it is confiscated.

In the institutions where the detection has been installed, the Intelligence and Investigation Division (IID) has been able to initiate investigations into contraband introduction by drones.

Recommended Actions:

1. Adopt narrative requesting a report on the Justice Reinvestment Act.

Response: The Department concurs with this recommended action.

2. Adopt narrative requesting a report on recidivism.

Response: The Department concurs with this recommended action.

3. Adopt narrative requesting a report on contraband.

Response: The Department concurs with this recommended action.

4. Adopt narrative requesting a report on major information technology projects.

Response: The Department disagrees with this recommendation. The Department of Information Technology is responsible for overseeing the planning and implementation of MITDPs. DoIT is required to submit a fiscal year, mid year and end of year reports to the Governor and General Assembly detailing the status of all MITDPs.

5. Adopt narrative requesting a report on program and service participation measures.

Response: The Department concurs with this recommended action.