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Department of Public Safety and Correctional Services
Division of Correction - Q00B
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 10, 2023

Appropriations Committee
Public Safety and Administration Subcommittee
Delegate Tony Bridges, Chair
February 13, 2023

Issue: DPSCS should discuss the most recently released staffing analysis and the estimated number of additional positions required in comparison to previous staffing studies. In light of the ongoing struggles to fill CO positions, the department should also comment on what steps can be taken to improve working conditions, reduce overtime, and continue to evaluate staffing needs and operations until hiring efforts are more successful.

Response:

Staffing Analysis

Historically, the Department and previous staffing consultants utilized a methodology referred to as the Shift Relief Factor (SRF) to project staffing needs for correctional facilities. Simply, this consisted of projecting staffing needs based on coverage for an entire shift for periods ranging from 8 - 10 hours. However, national correctional experts, including the National Institute of Corrections, are moving to a more accurate method to project staffing needs - the Net Annual Work Hours method (NAWH).

The NAWH calculates the actual number of hours that an employee is available to work a post instead of calculating the entirety of the shift hours; expanding the categories of time that required an individual to be away from the post (i.e. sick leave, training, military leave, administrative leave, and

FMLA); and defining Full Time Equivalent (FTE) by employee classification which allows for guidance for shift construction and employee assignment.

Utilizing the NAWH methodology, the Moss Group, Inc.'s report illustrates the need for additional Correctional Officer I and II and Sergeant positions across the Division of Correction and the Division of Pretrial Detention and Services. If these positions were budgeted and filled, the Department's overtime would nearly zero out.

The outcome of each analysis can be determined by knowledge and experience in conducting staffing audits and understanding each Facilities Staffing Plan and moreover each physical plant. Therefore, staffing analysis methodology may vary based on the method i.e NAWH versus SRF and an auditors view on each facility's security post needs.

Improve Working Conditions

The Department continues to look at ways to improve working conditions for all staff and understands the importance of being fully staffed to improving working conditions. One of the first steps we have taken was to improve hiring and we continue to enhance recruitment processes to include streamlining the hiring process and onboarding employees sooner.

The Department understands the value of developing employees; therefore, we offer training based on best practices in a correctional setting for all levels of staff, i.e developing communication skills and implicit bias training. The Department also recognizes the importance of building morale by continuing with Staff Appreciation week each year.

In addition to recruitment and training, the Department has been adding new technology to enhance staff and offender safety, such as drone detection, new surveillance cameras and key control systems. The Department implemented the Offender Tablet system during calendar year 2022. Providing every incarcerated person with a tablet enhances opportunities for learning and entertainment to include access to games, movies, and music in lieu of idle time.

Reduce Overtime

The Department monitors overtime usage on a biweekly basis in an effort to detect the highs and lows of overtime and to determine driving factors such as increased call outs and use of sick leave. Each facility administrator understands the importance of ensuring staff are relieved on time and the importance of collapsing posts that do not cause a security risk or affect offender programming.

Continued Staffing Needs

With regard to the continued staffing needs and operations, the Department reviews each Facility's Staffing Plan (FSP) annually as well as what each facility submits for additional Security Posts i.e. Special Assignment Posts (SAP). The SAPs are operationally driven based on additional security enhancements, such as construction projects, offender programs, facility emergencies and special functions such as Offender Family Days

Issue: DPSCS should comment on the new tablet program, including steps taken to ensure that access to tablets and electronic resources is not dependent on or impacted by the personal spending habits of offenders.

Response:

There are multiple efforts regarding deployment and utilization of tablets to deliver education and programming to individuals incarcerated in State correctional facilities. Beginning as a pilot program in 2016, the Department of Labor awarded a contract to expand the tablet program from 87 tablets to nearly 500 tablets. The tablet software includes but is not limited to: GED and TABE Academy, National Corrections Works, a teacher learning management system, Calibri educational videos, Recovery Library, and other occupational testing and social/emotional resources.

During calendar year 2022, the Department began the process of rolling out its own tablet program. Through its contract with GTL/ViaPath, the Department deployed operational tablets to the incarcerated population. Both tablet programs are at no cost to the incarcerated population. Free content via the Department's tablet roll out includes the Edge commissary app; books; CareerOne; Khan Academy; the Law Library; GTL/ViaPath Help App; Merriam Webster Dictionary; calculator; education and career apps, religious apps, and self-help learning opportunities including the Calm App. Also at no cost, the offender is able to secure message with friends and family.

This content is downloadable through a locked down wifi. This is an internal network operating only within specific areas of the incarcerated individuals' housing units. It's a "closed" system, meaning no access to the internet or internal Departmental sites. The Department's Tablet Computer Program policy is available on its webpage.

There are some pre-paid programs that can be accessed including phone time/calls, movies, music, additional books and games, etc. Electronic resources are not dependent on or impacted by the personal spending habits of offenders.

Issue: MCE should comment on current efforts to reduce MCE order delivery times, increase sales, and increase inmate employment. There may be a need to adjust MCE sales prices and tactics to sustain the sales volume necessary to continue providing opportunities to offenders.

Over the course of the past few years, Maryland Correctional Enterprises (MCE) has experienced numerous operational interruptions in an effort to maximize safety within the institutions. As a result, MCE has experienced shutdowns and supply chain issues that continue in many areas across the country, which have heavily affected our operations.

Delivery Times:

- Although delivery times increased during the height of COVID-19, MCE has already experienced a significant decline in delivery times.
- As MCE continues to implement the new Enterprise Resource Management System, Global Shop Solutions, we anticipate an improved capacity to track deliveries in real-time.
- In partnership with HRSD, MCE also was able to focus recruitment efforts on PINs for our CDL delivery drivers. We have minimal vacancies remaining in this classification.
- MCE is re-visioning operations with the implementation of Global Shop Solutions by working towards a faster delivery business module. (Fulfillment center model).
- We are actively assessing our product line to identify products that can be readily available to customers. (Fulfillment center model – stock products that are consistently in demand).
- In addition, our team is actively assessing the procurement of additional and replacement vehicles to improve MCE delivery times. (Over the past three years, the purchasing of trucks for deliveries was virtually nonexistent because of the chip shortages).
- MCE also continues efforts to fill vacancies in the business units to improve production times. By implementing these practices, over 80% of MCE deliveries remain on time.

Increase Sales:

- MCE revenues increased from FY21 to FY22 while simultaneously exceeding the business plan goal of \$50 million.
- Due to the constantly evolving product market, MCE continues to research new developments in product needs for state agencies.
- MCE currently has a Research and Development Specialist in the background process. The goal of this position will be to better align practices with current customer trends and needs.
- MCE will also continue to survey customers and meet with the new products committee, which consists of stakeholders and MCE team members. The committee assists in reviewing and adding new items to product lines, to ensure its processes and offerings continue to remain innovative and effective for customers.
- Changes and improvements to MCE's product offerings will be visible in MCE's FY24 catalog, which will be released July 1, 2023.
- MCE is also in the process of hiring additional cost accounting staff to ensure that pricing is adjusted as needed in order to maintain our self-supporting status.
- MCE has had to deal with price increases of its raw materials due to rising inflation across all product lines. We have adjusted pricing on hundreds of products to compensate for these unforeseen price increases.
- We also anticipate the receipt of several large project orders at the end of FY23 and throughout FY24 as we assist state agencies in their transition to new locations outside of the State Center building

Increase inmate (program participant) employment:

- Ensuring the safety and security of the Department's correctional facilities remains an utmost priority.
- As operations have begun to normalize in a post-pandemic environment in conjunction with a declining vacancy rate, MCE has increased vocational training participation to over 1,100 incarcerated persons (IPs).
- MCE's civilian to incarcerated person staffing ratio remains at 1:20 to ensure continuance of a safe environment.
- We are currently investigating new avenues to expand our business and apprenticeship training, which should translate to increased participation rates. Our Research and Development Specialist will also be instrumental in this function.

- We intend to add additional 50-100 program participants by the end of the fiscal year. Normal attrition rates require an even greater number of new program participants to achieve this goal.
- MCE brings on new participants every month.

In conclusion:

As MCE continues to evolve, we still rely on a constant re-education of procurement staff to understand the preference laws as outlined in COMAR and the Annotated Code of Maryland. In conjunction with Blind Industries and Services of Maryland and the Employee Works Program, MCE will be presenting at the March SPAG meeting and hopes to continue joint efforts to share the importance and necessity of the preferred provider program. As a self-supporting, vocational training entity, within the Department of Public Safety and Correctional Services, MCE continues to enthusiastically support our joint mission of rehabilitation and successful reentry.

Recommended Action: DLS recommends the adoption of budget bill language restricting \$200,000 in general funds pending the development and reporting of numerical hiring goals for COs, community supervision agents, and administrative staff.

Response: The Department concurs with this recommended Action.

Recommended Action: Fiscal 2023 Budget Bill language restricted \$100,000 in general funds until DPSCS submitted the second of four hiring and attrition reports on January 12, 2023. The report was received on February 1, 2023. Having reviewed the report and used it in development of the fiscal 2024 budget analyses, DLS recommends these withheld funds be released to DPSCS upon conclusion of the budget hearings and recommends the adoption of this language again for fiscal 2024.

Response: The Department concurs with this recommended Action, but requests that the due date of the reports be moved to the 25th of the month, as the data required to complete reports is not available in enough time to submit the report by the current due date of the 12th.