

Q00N00
Maryland Commission on Correctional Standards
 Department of Public Safety and Correctional Services

Operating Budget Data

(\$ in Thousands)

| | <u>FY 15 Actual</u> | <u>FY 16 Working</u> | <u>FY 17 Allowance</u> | <u>FY 16-17 Change</u> | <u>% Change Prior Year</u> |
|------------------------------|-------------------------|--------------------------|----------------------------|----------------------------|--------------------------------|
| General Fund | \$560 | \$531 | \$560 | \$28 | 5.4% |
| Deficiencies and Reductions | 0 | 0 | -1 | -1 | |
| Adjusted General Fund | \$560 | \$531 | \$559 | \$28 | 5.2% |
| Adjusted Grand Total | \$560 | \$531 | \$559 | \$28 | 5.2% |

- The fiscal 2017 allowance for the Maryland Commission on Correctional Standards (MCCS) increases by \$28,000, or 5.2%, compared to the fiscal 2017 working appropriation. Contractual full-time equivalents (FTE) account for nearly all of the growth.

Personnel Data

| | <u>FY 15 Actual</u> | <u>FY 16 Working</u> | <u>FY 17 Allowance</u> | <u>FY 16-17 Change</u> |
|------------------------|-------------------------|--------------------------|----------------------------|----------------------------|
| Regular Positions | 4.00 | 4.00 | 4.00 | 0.00 |
| Contractual FTEs | <u>2.53</u> | <u>3.19</u> | <u>3.19</u> | <u>0.00</u> |
| Total Personnel | 6.53 | 7.19 | 7.19 | 0.00 |

Vacancy Data: Regular Positions

| | | |
|---|------|-------|
| Turnover and Necessary Vacancies, Excluding New Positions | 0.00 | 0.00% |
| Positions and Percentage Vacant as of 12/31/15 | 0.00 | 0.00% |

- The allowance includes no change in regular positions or contractual FTEs.

Note: Numbers may not sum to total due to rounding.

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Analysis in Brief

Major Trends

Facility Audit Workload: The commission has continued to successfully meet its objectives to have all places of adult correctional confinement audited within a three-year cycle and all private home detention monitoring agencies audited within a two-year cycle. Additionally, MCCS has met its goal of successfully implementing commission-approved compliance plans within six months for facilities that do not meet 100% of standards during the initial audit each year from fiscal 2010 through 2015, except in fiscal 2013.

Recommended Actions

1. Concur with Governor's allowance.

Updates

MCCS Standards Modifications: MCCS correctional standards are mandatory and require 100% compliance from State and local correctional facilities. Pursuant to Chapters 142 and 143 of 2014, MCCS began reviewing its standards and evaluating proposed modifications in May 2014. In November 2015, the commission adopted three standards modifications regarding training and evacuation plans. The commission plans to consider another four proposed standards modifications regarding sexual assault, inmate classification, nontoxic cleaning materials, and security and inmate control in March 2016.

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Operating Budget Analysis

Program Description

The Maryland Commission on Correctional Standards (MCCS) develops standards and enforces regulations addressing life, health, safety, and constitutional issues for the operation of Maryland's prisons, detention centers, and community correctional centers. Legislation enacted in 1998 requires that the commission also serve as a regulatory licensing authority for private home detention monitoring agencies.

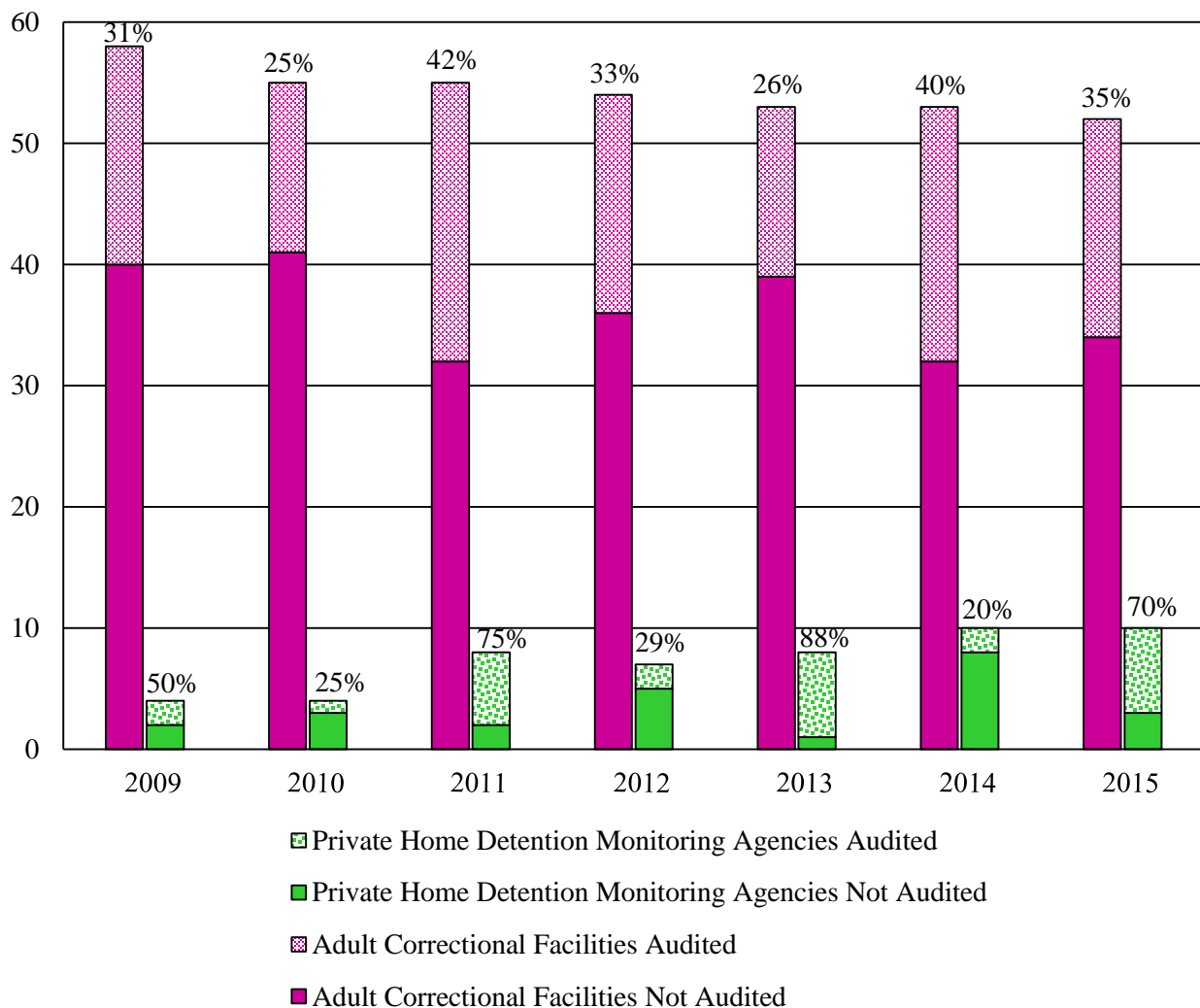
Performance Analysis: Managing for Results

1. Facility Audit Workload

The primary goal of MCCS is good management. MCCS defines this goal as efficiently conducting timely and high-quality compliance audits of all adult correctional confinement facilities and private home detention monitoring agencies. The commission has continued to successfully meet its objectives to have all places of adult correctional confinement audited within a three-year cycle and all private home detention monitoring agencies audited within a two-year cycle, as shown in **Exhibit 1**.

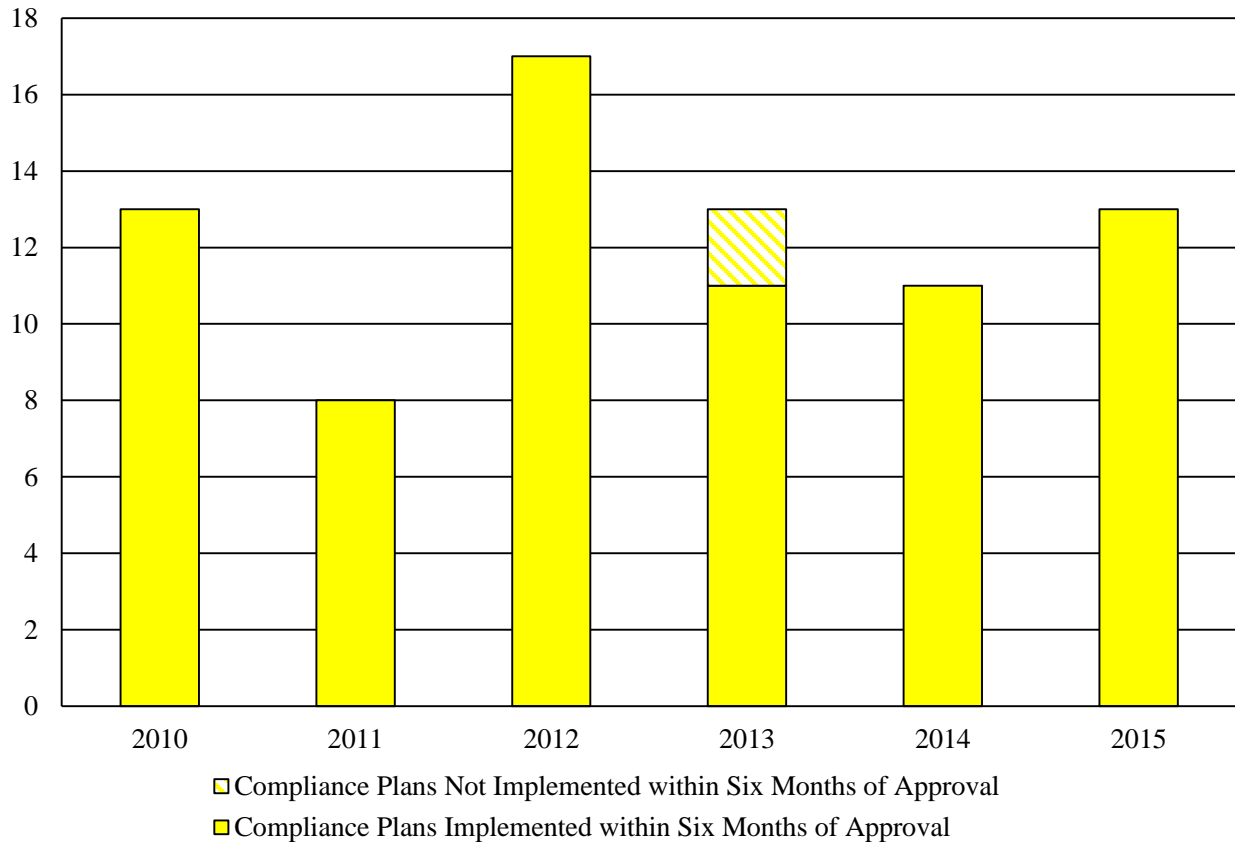
When exceptions are noted during an initial audit, MCCS works with the audited facility to develop a compliance plan for correcting the identified deficiencies. MCCS has established six months as the targeted timeframe for having facilities successfully implement the commission-approved compliance plan. This goal has been met each year from fiscal 2010 through 2015, except in fiscal 2013, when only 85% of compliance plans were completed. **Exhibit 2** shows the total number of compliance plans to be implemented each year, as well as the number of compliance plans that were not successfully implemented within six months. According to MCCS, this was due to inmate safety issues at the Metropolitan Transition Center and the Maryland Reception, Diagnostic, and Classification Center (MRDCC) in Baltimore City, and tool control issues at the Eastern Correctional Institution (ECI) – Annex. The issues at MRDCC and ECI have since been resolved.

Exhibit 1
Facilities Audited by the Maryland Commission on Correctional Standards
Fiscal 2009-2015



Source: Maryland Commission on Correctional Standards

Exhibit 2
Facility Compliance Plans
Fiscal 2010-2015



Source: Maryland Commission on Correctional Standards

Proposed Budget

As seen in **Exhibit 3**, the Governor’s fiscal 2017 allowance for MCCA increases by \$28,000 over the fiscal 2016 working appropriation. The increase reflects a reduced turnover adjustment for contractual full-time equivalents, resulting in an increase of \$43,000. Employee retirement system contributions and in-state travel costs also increase in the allowance by about \$8,000 and \$2,000, respectively. These increases are partially offset by reductions for employee and retiree health insurance (\$17,000) and rent (\$6,000). The allowance for the Department of Budget and Management also includes funding for employee increments. A general fund amount of \$3,471 will be transferred by budget amendment to MCCA to allocate funding for increments.

Exhibit 3
Proposed Budget
DPSCS – Maryland Commission on Correctional Standards
(\$ in Thousands)

| How Much It Grows: | <u>General</u> <u>Fund</u> | <u>Total</u> |
|-----------------------------------|---------------------------------------|---------------------|
| Fiscal 2015 Actual | \$560 | \$560 |
| Fiscal 2016 Working Appropriation | 531 | 531 |
| Fiscal 2017 Allowance | <u>559</u> | <u>559</u> |
| Fiscal 2016-2017 Amount Change | \$28 | \$28 |
| Fiscal 2016-2017 Percent Change | 5.2% | 5.2% |

Where It Goes:

Personnel Expenses

| | |
|---|-----|
| Employee retirement..... | \$8 |
| Turnover adjustments..... | -1 |
| Employee and retiree health insurance | -17 |

Other Changes

| | |
|--|----|
| Contractual full-time equivalents turnover adjustment..... | 43 |
| In-state travel | 2 |
| Cell phone expenditures..... | -1 |
| Non-Department of General Services rent..... | -6 |

| | |
|--------------|-------------|
| Total | \$28 |
|--------------|-------------|

Note: Numbers may not sum to total due to rounding.

Across-the-board Reductions

The fiscal 2017 budget bill includes an across-the-board reduction for employee health insurance, based on a revised estimate of the amount of funding needed. This agency's share of these reductions is \$899 in general funds. There is an additional across-the-board reduction to abolish positions statewide, but the amounts have not been allocated by agency.

Recommended Actions

1. Concur with Governor's allowance.

Updates

1. MCCS Standards Modifications

MCCS has been auditing adult State and local facilities since its establishment in 1980. All Maryland State correctional standards, which fall into eight main disciplines, are mandatory and require 100% compliance from State and local correctional facilities. MCCS correctional standards are intended to provide facilities with a template for best practices for correctional operations. While correctional facilities must have written policies and procedures to address certain elements of each standard, there is flexibility in the acceptable policies and procedures in order to allow for different facility layouts, areas of concern, or other variables.

Beginning in May 2014, in accordance with Chapters 142 and 143 of 2014, MCCS underwent a process of reviewing its standards and evaluating proposed modifications. A subcommittee was formed in November 2014 to review and recommend proposed standards modifications. In November 2015, the subcommittee reported seven proposals to MCCS for consideration. Three of the seven proposals were adopted including:

- **Training:** Requirement regarding a written policy for ensuring compliance with Correctional Training Commission background checks;
- **Training:** Requirement regarding a written policy for ensuring compliance with Correctional Training Commission training requirements; and
- **Evacuation Plan:** Requirement regarding a written evacuation plan that is to be reviewed annually.

The remaining four proposals from the subcommittee were tabled and referred for legal review. MCCS has indicated that the proposals will be considered at the commission's March 2016 meeting. The proposed modifications affect standards regarding sexual assault, inmate classification, nontoxic cleaning materials, and security and inmate control.

**Object/Fund Difference Report
DPSCS – Maryland Commission on Correctional Standards**

| <u>Object/Fund</u> | <u>FY 15 Actual</u> | <u>FY 16 Working Appropriation</u> | <u>FY 17 Allowance</u> | <u>FY 16 - FY 17 Amount Change</u> | <u>Percent Change</u> |
|-----------------------------|-------------------------|--|----------------------------|--|---------------------------|
| Positions | | | | | |
| 01 Regular | 4.00 | 4.00 | 4.00 | 0.00 | 0% |
| 02 Contractual | 2.53 | 3.19 | 3.19 | 0.00 | 0% |
| Total Positions | 6.53 | 7.19 | 7.19 | 0.00 | 0% |
| Objects | | | | | |
| 01 Salaries and Wages | \$ 406,868 | \$ 410,088 | \$ 401,284 | -\$ 8,804 | -2.1% |
| 02 Technical and Spec. Fees | 98,573 | 64,086 | 106,983 | 42,897 | 66.9% |
| 03 Communication | 3,131 | 3,750 | 3,200 | -550 | -14.7% |
| 04 Travel | 17,088 | 15,350 | 17,225 | 1,875 | 12.2% |
| 06 Fuel and Utilities | 2,964 | 3,400 | 3,100 | -300 | -8.8% |
| 07 Motor Vehicles | 1,754 | 1,540 | 1,860 | 320 | 20.8% |
| 08 Contractual Services | 3,760 | 4,850 | 4,350 | -500 | -10.3% |
| 09 Supplies and Materials | 1,481 | 3,000 | 3,000 | 0 | 0% |
| 13 Fixed Charges | 23,884 | 25,040 | 18,580 | -6,460 | -25.8% |
| Total Objects | \$ 559,503 | \$ 531,104 | \$ 559,582 | \$ 28,478 | 5.4% |
| Funds | | | | | |
| 01 General Fund | \$ 559,503 | \$ 531,104 | \$ 559,582 | \$ 28,478 | 5.4% |
| Total Funds | \$ 559,503 | \$ 531,104 | \$ 559,582 | \$ 28,478 | 5.4% |

Note: The fiscal 2016 working appropriation does not include deficiencies or reversions. The fiscal 2017 allowance does not include contingent reductions.