

Q00E00
Inmate Grievance Office
 Department of Public Safety and Correctional Services

Operating Budget Data

(\$ in Thousands)

	<u>FY 17</u> <u>Actual</u>	<u>FY 18</u> <u>Working</u>	<u>FY 19</u> <u>Allowance</u>	<u>FY 18-19</u> <u>Change</u>	<u>% Change</u> <u>Prior Year</u>
Special Fund	\$1,065	\$1,244	\$811	-\$432	-34.8%
Adjustments	0	-10	5	15	
Adjusted Special Fund	\$1,065	\$1,234	\$816	-\$418	-33.9%
Adjusted Grand Total	\$1,065	\$1,234	\$816	-\$418	-33.9%

Note: FY 18 Working includes targeted reversions, deficiencies, and across-the-board reductions. FY 19 Allowance includes contingent reductions and cost-of-living adjustments.

- The fiscal 2019 allowance for the Inmate Grievance Office (IGO) decreases by \$418,000, or 33.9%, compared to the fiscal 2018 working appropriation. On a percentage basis, this is the largest decrease among the Department of Public Safety and Correctional Services' 10 subdivisions. The decrease is due primarily to a \$370,000 decline in payments to the Office of Administrative Hearings and a \$60,000 decrease in turnover expectancy.
- In addition, there is a fiscal 2018 across-the-board reduction of \$10,130 in special funds for health insurance and a fiscal 2019 increase of \$4,704 in special funds for an employee cost-of-living adjustment.

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

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Personnel Data

	<u>FY 17 Actual</u>	<u>FY 18 Working</u>	<u>FY 19 Allowance</u>	<u>FY 18-19 Change</u>
Regular Positions	7.00	7.00	7.00	0.00
Contractual FTEs	<u>0.33</u>	<u>0.75</u>	<u>0.75</u>	<u>0.00</u>
Total Personnel	7.33	7.75	7.75	0.00

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	0.00	0.00%
Positions and Percentage Vacant as of 12/31/17	3.00	42.86%

- At the close of calendar 2017, IGO had 3 vacancies – administrative officer, aide, and office secretary – with 2 of these positions vacant for more than 12 months. As the office has 7 regular positions, the vacancy rate is 43%. **IGO should comment on administrative vacancies and the effect on operations.**

Analysis in Brief

Major Trends

Inmate Grievance Caseloads: Since fiscal 2013, the majority of grievances processed by IGO are administratively dismissed. In fiscal 2017, 95% of cases were dismissed, well above the five-year average of 87%.

Operating Budget Recommended Actions

1. Concur with Governor’s allowance.

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Inmate Grievance Office
Department of Public Safety and Correctional Services

Operating Budget Analysis

Program Description

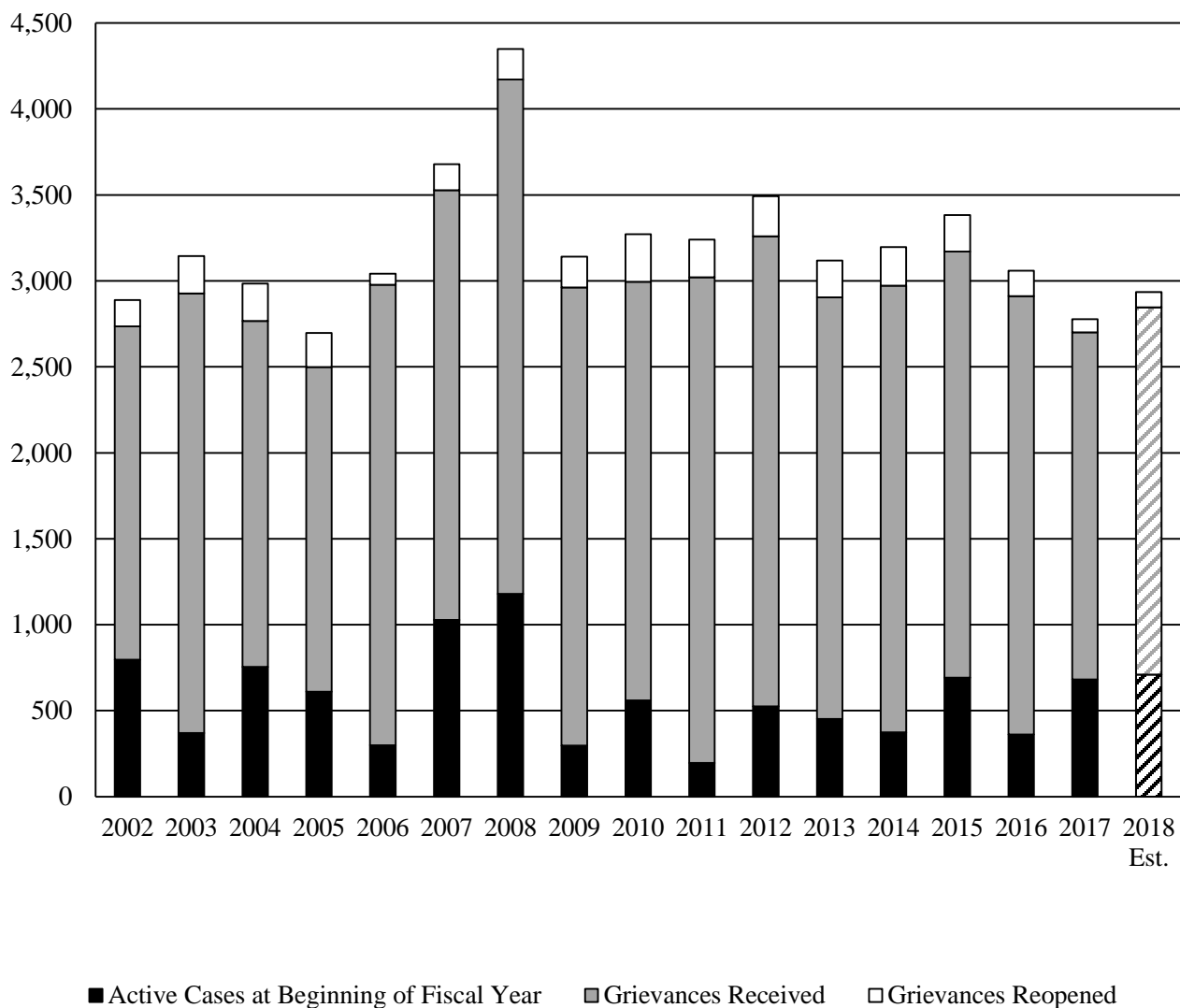
The Inmate Grievance Office (IGO) reviews grievances against officials and employees of the Division of Correction, the Division of Pretrial Detention, and the Patuxent Institution filed by inmates incarcerated in those institutions. Inmates may appeal to the office after they have exhausted all relevant institutional procedures. The office's executive director, without a hearing, may dismiss grievances without merit. Grievances that are not dismissed by the executive director are scheduled for hearings with the Office of Administrative Hearings (OAH). IGO is funded by inmate welfare funds.

Performance Analysis: Managing for Results

1. Inmate Grievance Caseloads

Exhibit 1 depicts caseload data for IGO since fiscal 2006. Overall, active cases averaged 554 per year, while grievances reopened averaged 181. The number of inmate grievances received makes up the majority of caseloads, averaging 2,577 per year, with 2,019 in fiscal 2017.

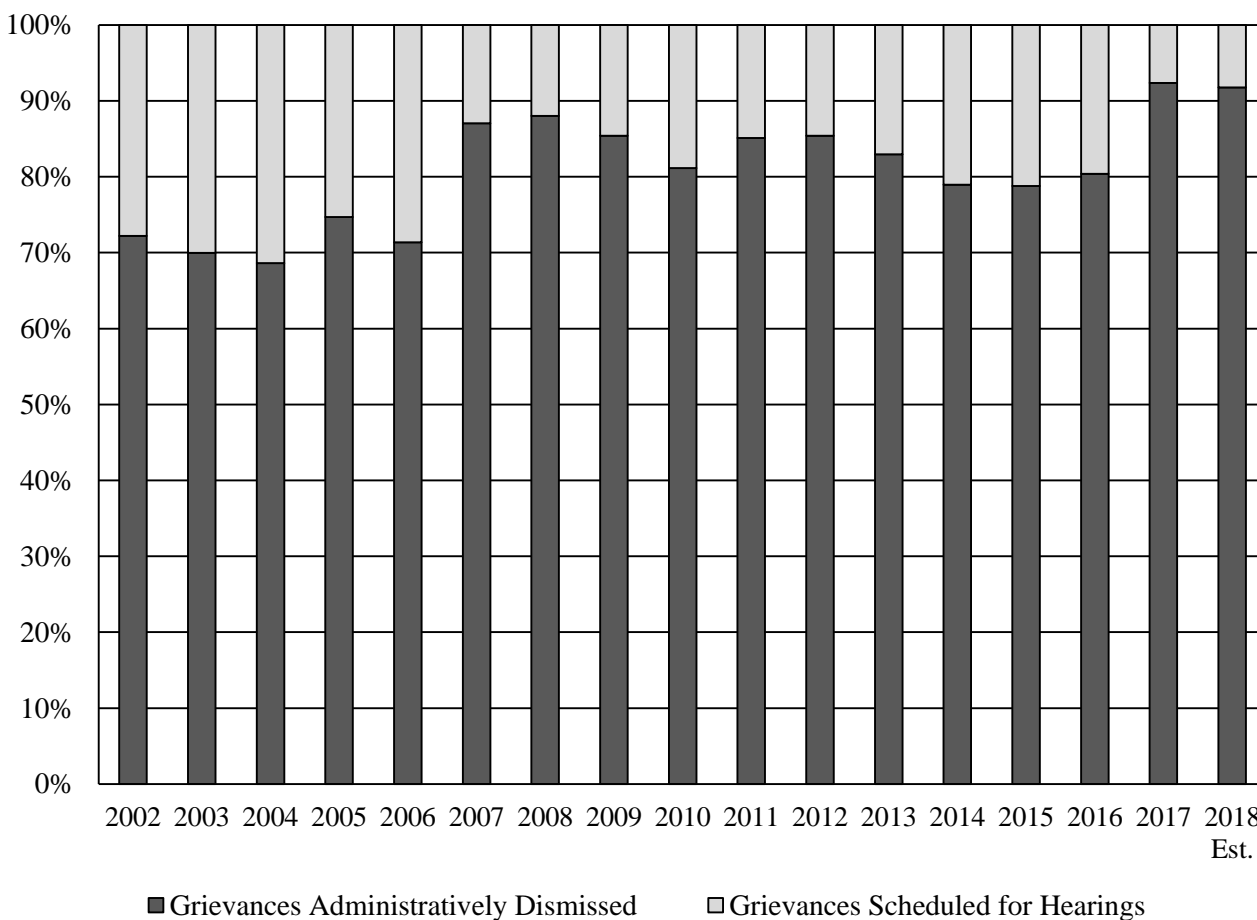
**Exhibit 1
Inmate Grievance Caseloads
Fiscal 2002-2018 Est.**



Source: Managing For Results, Fiscal 2019 submission

Exhibit 2 shows that the vast majority of cases are administratively dismissed. In fiscal 2017, nearly 95% of cases were dismissed, and during the last four fiscal years, an average of nearly 87% of cases were dismissed. The number of grievances accepted for a hearing has also declined. The total number of grievances scheduled for hearings has fallen from a high of 597 in fiscal 2016 to 158, a 74% decrease.

Exhibit 2
Inmate Grievance Outcomes
Fiscal 2002-2018 Est.



Source: Managing For Results, Fiscal 2019 submission

Fiscal 2018 Actions

Across-the-board Employee and Retiree Health Insurance Reduction

The budget bill includes an across-the-board reduction for employee and retiree health insurance in fiscal 2018 to reflect a surplus balance in the fund. The IGO share of this reduction is \$10,130 in special funds.

Proposed Budget

As seen in **Exhibit 3**, the Governor’s allowance for IGO decreases by \$418,000, or 33.9% from the fiscal 2018 working appropriation. The decrease is attributable to a \$373,000 decline in payments to OAH and a \$60,000 decrease in turnover expectancy.

**Exhibit 3
Proposed Budget
DPSCS – Inmate Grievance Office
(\$ in Thousands)**

How Much It Grows:	Special Fund	Total
Fiscal 2017 Actual	\$1,065	\$1,065
Fiscal 2018 Working Appropriation	1,234	1,234
Fiscal 2019 Allowance	<u>816</u>	<u>816</u>
Fiscal 2018-2019 Amount Change	-\$418	-\$418
Fiscal 2018-2019 Percent Change	-33.9%	-33.9%

Where It Goes:

Personnel Expenses

Health insurance reduction.....	\$10
General salary increase	5
Accrued leave payout.....	1
Turnover adjustments.....	-60
Other fringe benefit adjustments.....	1

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Where It Goes:

Other Changes

Office supplies	-1
In-state routine operations and association dues	-2
Administrative hearings	-373
Total	-\$418

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

General Salary Increase

The fiscal 2019 allowance includes funds for a 2% general salary increase for all State employees, effective January 1, 2019. These funds are budgeted in the Department of Budget and Management’s statewide program and will be distributed to agencies during the fiscal year. The IGO share of the general salary increase is \$4,704 in special funds. In addition, employees will receive another 0.5% increase and a \$500 bonus effective April 1, 2019, if actual fiscal 2018 general fund revenues exceed the December 2017 estimate by \$75 million. These funds have not been budgeted. The Administration will need to process a deficiency appropriation if revenues are \$75 million more than projected.

Personnel Expenses

Personnel expenses decrease by a net \$43,000 when accounting for the removal of health insurance reductions in fiscal 2018 and the cost-of-living adjustment increase in fiscal 2019. Additional personnel expenses include \$1,100 in accrued leave payout, which is offset by a decrease of \$60,000 for turnover.

Other Changes

In fiscal 2019, IGO has decreases of \$1,000 for office supplies and \$2,000 for in-state routine operations and association dues. The largest change in the IGO budget is a decrease of \$373,000 for administrative hearings. Overall, inmate grievances that are not dismissed for procedural or substantive reasons are scheduled to be heard by judges at OAH, which are held in correctional institutions throughout the State. The majority of hearings are conducted by video conference. If a grievance has merit, it is forwarded by the Department of Public Safety and Correctional Services for review and a final decision.

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Payments made to OAH are a function of three variables:

- the number of cases disposed of by OAH;
- the average time spent by OAH on each IGO case; and
- the workload imposed upon OAH by IGO cases relative to the workload imposed by the cases of other agencies.

The \$373,000 decline for these hearings is based on fewer referrals for hearings from IGO. The Executive Director of IGO has the discretion to administratively dismiss a grievance or to refer it to OAH for hearing. While the lower number of cases could be affected by the lower average daily population of State prisons, encouraging settlement of cases prior to the referral process will have an effect on the total number of hearings. **IGO should comment on the decline in hearings and the reduction in the number of grievances scheduled for hearings.**

Operating Budget Recommended Actions

1. Concur with Governor's allowance.

**Appendix 1
Current and Prior Year Budgets
DPSCS – Inmate Grievance Office
(\$ in Thousands)**

	<u>General Fund</u>	<u>Special Fund</u>	<u>Federal Fund</u>	<u>Reimb. Fund</u>	<u>Total</u>
Fiscal 2017					
Legislative Appropriation	\$0	\$1,161	\$0	\$0	\$1,161
Deficiency Appropriation	0	0	0	0	0
Cost Containment	0	0	0	0	0
Budget Amendments	0	6	0	0	6
Reversions and Cancellations	0	-102	0	0	-102
Actual Expenditures	\$0	\$1,065	\$0	\$0	\$1,065
Fiscal 2018					
Legislative Appropriation	\$0	\$1,244	\$0	\$0	\$1,244
Cost Containment	0	0	0	0	\$0
Budget Amendments	0	0	0	0	\$0
Working Appropriation	\$0	\$1,244	\$0	\$0	\$1,244

DPSCS: Department of Public Safety and Correctional Services

Note: The fiscal 2018 appropriation does not include deficiencies, targeted reversions, or across-the-board reductions. Numbers may not sum to total due to rounding.

Fiscal 2017

Special Fund

Fiscal 2017 special fund expenditures were approximately \$1.1 million, a \$96,000 decrease from the legislative appropriation. The Inmate Grievance Office canceled \$102,000 at the close of the fiscal year due to departmental vacancies.

Appendix 2
Object/Fund Difference Report
Department of Public Safety and Correctional Services – Inmate Grievance Office

<u>Object/Fund</u>	<u>FY 17</u> <u>Actual</u>	<u>FY 18</u> <u>Working</u> <u>Appropriation</u>	<u>FY 19</u> <u>Allowance</u>	<u>FY 18 - FY 19</u> <u>Amount Change</u>	<u>Percent</u> <u>Change</u>
Positions					
01 Regular	7.00	7.00	7.00	0.00	0%
02 Contractual	0.33	0.75	0.75	0.00	0%
Total Positions	7.33	7.75	7.75	0.00	0%
Objects					
01 Salaries and Wages	\$ 499,896	\$ 615,070	\$ 557,450	-\$ 57,620	-9.4%
02 Technical and Spec. Fees	8,518	18,248	18,248	0	0%
03 Communication	2,588	4,400	3,150	-1,250	-28.4%
04 Travel	512	2,300	1,250	-1,050	-45.7%
06 Fuel and Utilities	4,098	3,350	4,155	805	24.0%
07 Motor Vehicles	9	0	0	0	0.0%
08 Contractual Services	515,202	564,530	192,104	-372,426	-66.0%
09 Supplies and Materials	3,302	4,200	3,500	-700	-16.7%
10 Equipment – Replacement	849	0	0	0	0.0%
11 Equipment – Additional	874	0	0	0	0.0%
13 Fixed Charges	29,291	31,558	31,410	-148	-0.5%
Total Objects	\$ 1,065,139	\$ 1,243,656	\$ 811,267	-\$ 432,389	-34.8%
Funds					
03 Special Fund	\$ 1,065,139	\$ 1,243,656	\$ 811,267	-\$ 432,389	-34.8%
Total Funds	\$ 1,065,139	\$ 1,243,656	\$ 811,267	-\$ 432,389	-34.8%

Note: The fiscal 2018 appropriation does not include deficiencies, targeted reversions, or across-the-board reductions. The fiscal 2019 allowance does not include contingent reductions or cost-of-living adjustments.