

QP.00
Division of Pretrial and Detention Services
Department of Public Safety and Correctional Services

Operating Budget Data

(\$ in Thousands)

	FY 01	FY 02	FY 03		% Change
	<u>Actual</u>	<u>Working</u>	<u>Allowance</u>	<u>Change</u>	<u>Prior Year</u>
General Fund	\$93,220	\$97,078	\$104,278	\$7,201	7.4%
Special Fund	2,438	2,225	2,282	57	2.5%
Federal Fund	<u>95</u>	<u>100</u>	<u>100</u>	<u>0</u>	_____
Total Funds	\$95,753	\$99,403	\$106,660	\$7,257	7.3%

- The budget provides for a single general fund deficiency item of \$340,000 for increased steam heat utility costs.
- The Governor's fiscal 2003 allowance is \$106.7 million which represents a \$7.3 million, or 7.3% increase over the fiscal 2002 working appropriation. \$5.4 million, or 73.9% of that increase is in personnel, largely attributable to 79 additional custodial positions for the Baltimore City Detention Center (BCDC) and Central Booking and Intake Facility (CBIF).

Personnel Data

	FY 01	FY 02	FY 03	
	<u>Actual</u>	<u>Working</u>	<u>Allowance</u>	<u>Change</u>
Regular Positions	1,497.00	1,496.00	1,575.00	79.00
Contractual FTEs	<u>22.11</u>	<u>41.47</u>	<u>41.47</u>	<u>0.00</u>
Total Personnel	1,519.11	1,537.47	1,616.47	79.00

Vacancy Data: Regular Positions

Budgeted Turnover: FY 03	144.59	9.18%
Positions Vacant as of 12/31/01	0.00	0.00%

- 79 regular positions are included as a part of the Governor's fiscal 2003 allowance. The additional positions are custody staffing for CBIF, 27 positions; and for BCDC, 52 positions.

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

For further information contact: James V. Finlayson

Phone: (410) 946-5530

Analysis in Brief

Issues

Custodial Staff Levels: Custody staffing levels at BCDC and CBIF continue to be a chronic problem leading to extensive use of sick-leave and overtime.

Recommended Actions

	<u>Funds</u>	<u>Positions</u>
1. Reduce funds for 12 long-term vacancies.	\$ 522,474	12.0
2. Delete 12 additional long-term vacancies.		12.0
3. Reduce funds for steam utility.	468,540	
4. Reduce funding to reflect lower-than-estimated average daily population at Central Booking and Intake Facility.	380,000	
5. Phase-in additional custody staffing over two years.	1,186,576	40.0
Total Reductions	\$ 2,557,590	64.0

QP.00
Division of Pretrial and Detention Services
Department of Public Safety and Correctional Services

Operating Budget Analysis

Program Description

The Division of Pretrial Detention and Services (DPDS) includes pretrial release, the Baltimore City Detention Center (BCDC), and the Central Booking and Intake Facility (CBIF) in Baltimore City. The Pretrial Release Program interviews, investigates, and presents recommendations to the Baltimore City courts concerning pretrial release of individuals accused of crimes in Baltimore City and then monitors those defendants released on personal recognizance or conditional bail. Defendants not released on bail are housed in BCDC while awaiting trial. The detention center also houses offenders sentenced in Baltimore City whose sentence is less than one year. CBIF is the booking facility for all offenders arrested in Baltimore City and has limited detention capabilities.

CBIF also houses a courtroom, known as Courtroom 200, Part 40, which is cross-designated. This means that judges that preside in this particular courtroom are empowered to hear both circuit court and District Court cases. CBIF is also where Early Disposition (ED) Court hears cases. ED Court began in October 2000 and was implemented so that simple cases could be heard in an expedited fashion and cleared from the docket. The idea was that by clearing the docket quickly fewer beds would be required and cost savings would be realized. It was also thought that having a courtroom in the facility would reduce risks associated with transporting defendants to outside facilities for hearings.

Governor's Proposed Budget

As shown in **Exhibit 1**, the Governor's proposed budget is \$106,660,212. This represents an increase of \$7,257,485, or 7.3% over the fiscal 2002 working appropriation, of which \$7,200,827 is general funds. \$5,362,890 of the general fund increase is a result of increased personnel costs and \$2,352,768 of that is associated with an additional 79 custody/security positions. The remainder of the personnel increase includes general salary increases, increments, other compensation and fringe benefits, and turnover adjustments.

Additional general fund increases include \$659,986 for fuel and utilities (primarily a \$548,345, or 46% increase in the cost of steam); \$883,215 for contractual services, including a \$560,936 increase in the food service contract; and \$347,019 increase in office assistance. The contractual increases are offset somewhat by a reduction of \$336,269 in medical and dental care.

The remaining general fund increases are a result of normal growth in operating expenses for communication, supplies, equipment, and travel. The increases in these categories are offset by decreases in the areas of motor vehicles, additional equipment, and technical and special fees.

Exhibit 1

QP.00 - DPSCS - Division of Pretrial and Detention Services

**Governor's Proposed Budget
Division of Pretrial and Detention Services
(\$ in Thousands)**

How Much It Grows:	<u>General Fund</u>	<u>Special Fund</u>	<u>Federal Fund</u>	<u>Reimb. Fund</u>	<u>Total</u>
2002 Working Appropriation	\$97,078	\$2,225	\$100	\$0	\$99,403
2003 Governor's Allowance	104,278	2,282	100	0	106,660
Amount Change	\$7,200	\$57	\$0	\$0	\$7,257
Percent Change	7.4%	2.6%	0.0%	0.0%	7.3%

Where It Goes:

Personnel Expenses

New positions	\$2,353
Fiscal 2003 increments	625
Annualize fiscal 2002 general salary increase	1,034
Health insurance	1,322
Other adjustments	29

Other Changes

Utilities	660
Contractual food services	561
Other contractual services	322
Supplies	380
Communication, travel, equipment, and other adjustments	(29)

Total **\$7,257**

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

Performance Analysis: Managing for Results

Selected indicators of the division's performance are provided in **Exhibit 2**. For fiscal 2002 the division revamped its Managing for Results and performance measurement data based on previous recommendations. The goal was to have the division provide data that not only measured progress towards an objective but reflected how the measurements contributed to the overall achievement of the division's mission and vision.

The division has four operating units (General Administration, Pretrial Release Services, BCDC, and CBIF), which support the mission of ". . . ensuring the safety of Maryland citizens . . . by processing and managing the care, custody, and control of Baltimore City arrestees and inmates in a safe, humane, and secure environment." As such, each operating unit's goals and objectives appropriately reflect a self-assessment process of operations and indicate a desire to improve.

To that end, the revised performance measures begin to address the stated goals of security and crime reduction in that they measure incidence of events that take place and the assumption of a generally safer environment. The measurement of arrests of pretrial release services (PRS) defendants and the number that fail to appear for court dates also imply a measure of safety in the community.

Performance measurements reflecting the division-wide usage of sick leave and overtime are also important. Overtime expenses continue to be a major issue for the division. As a consequence, the estimates provided by the division need to be accurate. In addition, estimated sick-leave in the department was dramatically lower than the actual amount used in fiscal 2001. Overall there was a 27.4% reduction in overtime costs between fiscal 2000 and 2002, with a fiscal 2002 working appropriation of \$6,573,250. This decline coincides with an increase of 78 positions over the same period, but the allowance for 2003 increases 9.8%, or \$646,620.

The stated strategy for this measurement is that "the wardens of CBIF and BCDC will ensure that the data and information relative to this goal and objective is reported in the *Bi-weekly Staffing and Overtime Report* and overtime manager system." Given the ongoing nature of the sick-leave/overtime issue, the wardens of the facilities involved should articulate the specific strategies in place to achieve the stated goals.

The division should continue to work towards providing performance measures that show not only a change in data but how that change benefits the division and contributes to mission achievement. They should also address the continued evolution of strategies used to achieve the stated goals. Further, the division should discuss the increase in overtime expenses in view of the increased PINs.

QP.00 - DPSCS - Division of Pretrial and Detention Services

Exhibit 2

**Program Measurement Data
Division of Pretrial and Detention Services
Fiscal 1999 through 2003**

	<u>Actual 1999</u>	<u>Actual 2000</u>	<u>Est. 2001</u>	<u>Actual 2001</u>	<u>Est. 2002</u>	<u>Est. 2003</u>	<u>Ann. Chg. 99-01</u>	<u>Ann. Chg. 01-03</u>
Sick leave hours used by staff – division-wide	n/a	121,166	109,529	149,812	147,414	143,318	n/a	-2.2%
Overtime hours incurred due to sick leave usage – division-wide	n/a	45,302	40,948	44,605	43,602	41,930	n/a	-3.0%
BCDC ADP	2,607	2,355	2,605	2,611	2,605	2,605	0.1%	-0.1%
BCDC annual cost per capita	\$19,665	\$22,464	\$20,012	\$21,585	\$21,169	\$22,505	4.8%	2.1%
BCDC ADP to custodial positions	4.29:1	3.94:1	4.22:1	4.22:1	4.22:1	3.89:1	-0.8%	-4.0%
CBIF ADP	975	680	900	676	900	1,100	-16.7%	27.6%
CBIF annual cost per capita	\$29,991	\$40,096	\$34,763	\$45,869	\$36,222	\$33,082	23.7%	-15.1%
CBIF ADP to custodial positions	3.18:1	2.23:1	2.12:1	1.59:1	2.14:1	2.46:1	-29.3%	24.4%
Number of inmates assaulted by other inmates	n/a	343	315	387	367	367	n/a	-2.6%
Number of inmate assaults on employees	n/a	101	90	76	60	58	n/a	-12.6%
% of defendants under PRS who fail to appear for their court date	n/a	10%	n/a	9%	10%	10%	n/a	5.4%
Inmates & offenders who are incorrectly released	n/a	1	0	3	0	0	n/a	-100%

Note: BCDC = Baltimore City Detention Center
 CBIF = Central Booking and Intake Facility
 ADP = Average Daily Population

Source: Department of Public Safety and Correctional Services

Issues

1. Custodial Staff Levels

Custodial staffing levels at CBIF and BCDC continue to be an issue within the Department of Safety and Correctional Services (DPSCS). Custodial staff refers to positions that are directly responsible for the custody, security, and care of inmates. That will include Correctional Officers I and II (CO), Sergeants, Lieutenants, Captains, and Majors. It does not include maintenance, administrative, health and education, or other program staff. All custody staff are ranked officers, but not all ranked officers are assigned to custody. The chronic problems in maintaining staffing levels lead to utilization of sick-leave and as a result overtime.

BCDC (formerly the Baltimore City jail) is a pretrial detention facility for any person committed or transferred to the custody of the Commissioner of Pretrial Detention and Services. BCDC may also house any person held in custody by any agency of the DPSCS. CBIF is the central facility for the initial processing of arrestees in the Baltimore region and has a limited amount of detention capacity. Originally designed to process 56,000 persons per year, it is estimated that 90,000 persons will be processed in fiscal 2002. Functions performed at the facility include: booking (fingerprinting and photograph), security (escort to court commissioner, bail review, housing or release areas, programming and ancillary services), and investigations. The building also houses the cross-designated Part 40 Court which is where Early Disposition Court is held. The combined capacity for both facilities is 3,359.

Staffing Plans

Periodically the division prepares comprehensive staffing reports which calculate the optimal number of custody staff required to maintain appropriate security levels at the facilities. The most recent report was developed in 1999 and is part of a multi-year plan to bring staffing up to optimal levels. The staffing plan in place through 1999 called for 945 COs for CBIF and BCDC combined. The new report set forth a new staffing level of 1270 COs, an increase of 325 COs or 34%.

Staffing plans for the division put forth recommended staffing levels in terms of the minimum number of COs and supervisors and the ratio of supervisors to COs. The plan calls for a ratio of 1:8, or 1 supervisor for every 8 COs. The plan also lays out the number of overall positions required and whether they are front-line or supervisory. The following chart shows the number of custody staff required by the staffing numbers provided and the number of actual positions:

Number of Custody Staff (Previous Optimal Level)	Number of Custody Staff (Revised DPSCS Estimate)	Number of Custody Staff (Fiscal 2002)	Number of Custody Staff (Fiscal 2003 Allowance)
945	1270	1130	1209

Currently, the division has 1,130 authorized custody positions, and BCDC and CBIF have a combined average daily population (ADP) of 3,463, thus the ratio of inmates to custody staff is 3.06:1. That figure is

QP.00 - DPSCS - Division of Pretrial and Detention Services

above the average inmate-to-custody staff ratio of 2.99:1 for fiscal 2000 and 2001. The allowance would add 79 positions to bring the complement of COs to 1,209. The estimate for ADP in fiscal 2003 is 3,705, which results in a ratio of 3.06:1. Therefore, based on department estimates of ADP, the additional COs are necessary to maintain the current staffing ratio.

The division's most recently implemented staffing plan calls for a total of 1270 COs: 764 for BCDC and 506 for CBIF. At the proposed 2003 ratios, that would require an ADP of 1,315 for CBIF and 2,887 for BCDC. The current population projections do not account for those levels of need.

The staffing analysis is revised yearly and is based in part on the number of posts that need to be filled, the number of hours that a CO can be expected to work, the amount of coverage per shift, safety, and other issues. As the number of positions increases the number of man-hours required increases.

Individually, BCDC's security level is comparable to a medium security facility. The staffing ratio from 1999 through 2001 has averaged 4.15:1. Authorized custodial PINs now stand at 636, and the additional 52 PINs would increase that to 688. The fiscal 2003 estimate for ADP is 2,605, which would result in a ratio of 3.78:1, well below historical average.

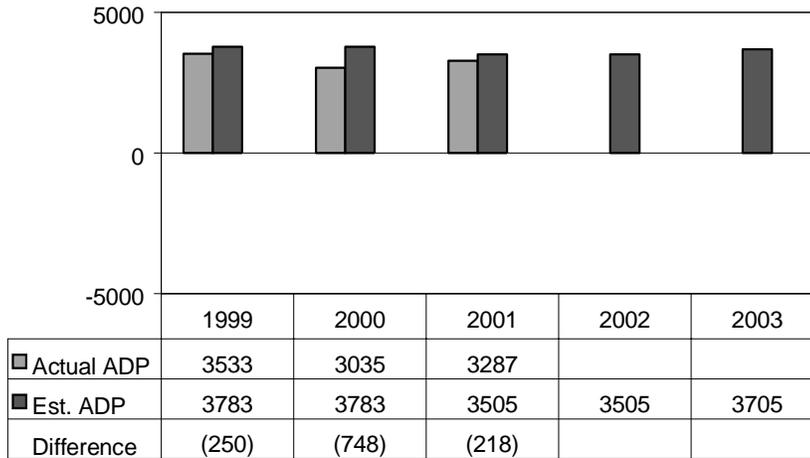
Because of the as-yet-unclassified nature of the offenders at CBIF, its staffing level is that of a maximum security facility. The staffing ratio from 1999 through 2001 has averaged 2.51:1. Authorized custodial PINs now stand at 396, and the additional 27 PINs would increase that to 423. The fiscal 2003 estimate for ADP is 1,100 which would result in a ratio of 2.6:1, slightly higher than the 1999 through 2001 actual average. CBIF assumes significant ADP growth of 33% from actual fiscal 2001 population to fiscal 2002, and an additional 22% growth in ADP from 2002 to 2003.

The division also uses the historical ADP to calculate population estimates for outlying years. **Exhibit 3** shows that the projections put forward by the division for ADP regularly overestimate the ADP between 218 and 748 inmates.

It is recommended that funding for fiscal 2003 be reduced based on an ADP 200 less than estimated by the division. It is further recommended that funding for new positions be reduced to reflect historic staffing ratios and the current fiscal environment.

Exhibit 3

Estimated vs Actual ADP

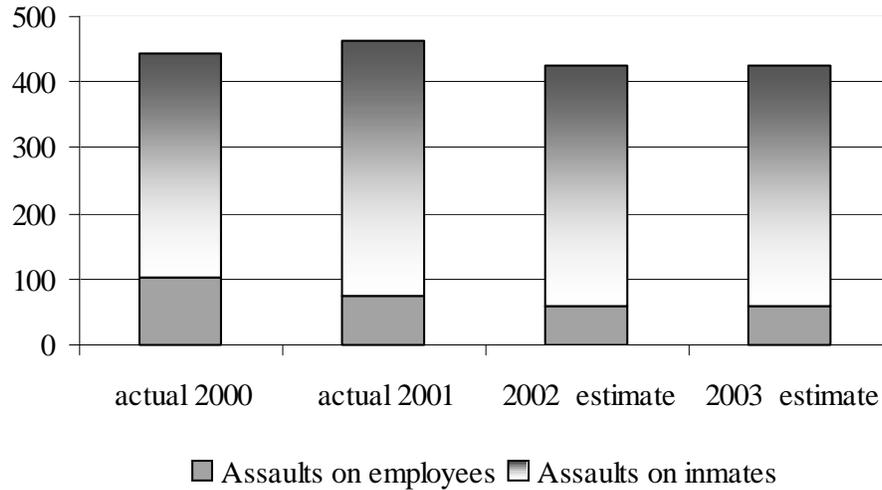


Source: Division of Pretrial Detention and Services

Another factor utilized by the division for staffing levels is safety. **Exhibit 4** shows that the number of assaults by inmates, both against staff and against other inmates, increased by 4.3% from fiscal 2000 to 2001 but is projected to decrease by approximately 8.2% from that level in fiscal 2003. The decrease coincided with an increase in the number of PINs in fiscal 2001. It is anticipated that the additional positions proposed for fiscal 2003 will further reduce assaults in subsequent years.

Exhibit 4

Inmate Assaults on Staff and Inmates

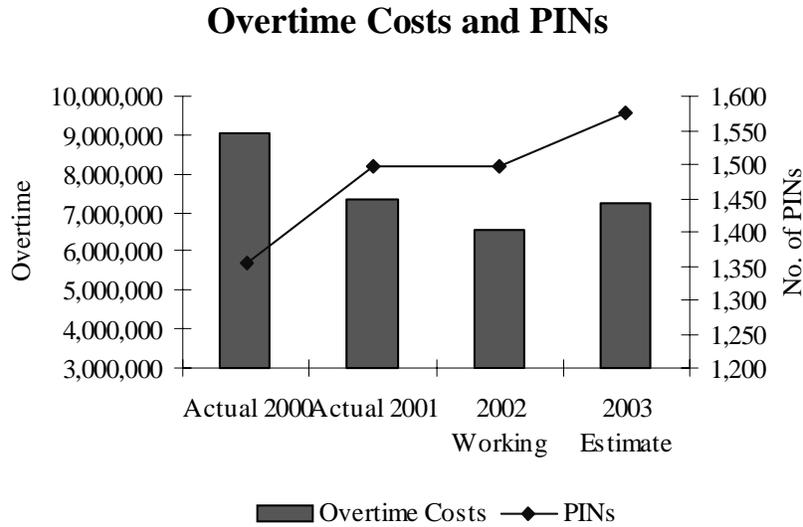


Source: Division of Pretrial and Detention Services

Overtime

The division regularly requires the use of overtime and has historically required a deficiency appropriation in order to cover that expense. The fiscal 2003 allowance has no deficiency. **Exhibit 5** shows the cost of overtime throughout the division from fiscal 1999 through estimated 2003. The reduction in overtime has generally coincided with an increase in the number of authorized PINs, as the exhibit also indicates. The estimate presented for fiscal 2003 shows an increase in the cost of overtime even with the allowance for 79 new officers. The exhibit shows that while the number of PINs has increased 5.28%, the cost of overtime increases 9.83%.

Exhibit 5



Source: Department of Safety and Correctional Services

The level of staffing required within the division is critical to determining costs and therefore appropriate funding. The 1999 plan called for a 34% increase over the plan in place. The Department of Legislative Services (DLS) recommends:

- The staffing report should be provided, and the division should be prepared to discuss why and what factors drove the change in staff requirements.
- The discussion should include what factors are considered in the formation of the staffing plan, the effect of the average daily population, how ADP directly effects the staffing requirements, and the basis for the population projections.
- How the acquisition of new PINs addresses the need for overtime hours.

DLS also recommends that the committees request the Office of Legislative Auditors to review the process by which staffing plans are formulated to assure appropriate staffing levels.

Recommended Actions

	<u>Amount Reduction</u>		<u>Position Reduction</u>
1. Reduce the following positions which have been vacant for at least 12 months. The specific PIN s are: 078198, 078199, 078200, 078201, 078202, and 078203 (these PINs are recorded in the RSTARS system as Correctional Officer Captains, but they are recorded in the budget system as Lieutenants), also PINs 067135, 078308, 078309, 078310, 078311, 078329, and 078330 - Lieutenant. These positions have not been previously affected by cost containment measures.	\$ 522,474	GF	12.0
2. Delete the following PINs which have been vacant for at least 12 months: <ul style="list-style-type: none"> ● Administrator I – 067703; ● Administrative Officer II – 078331, 078332, 078333, 078334, 078335, 078336, 078337; and ● Administrative Officer – 078338, 078339, 078340, and 078341. <p>These positions have been previously been affected by cost containment measures.</p>			12.0
3. Reduce the funds necessary for steam to 2000 actual plus 3%. The actual costs for 2001 were a result of a nationwide spike in prices that has since abated. The resulting appropriation would provide still an increase over fiscal 2002.	468,540	GF	
4. Reduce funding to reflect lower-than-estimated average daily population (ADP) at Central Booking and Intake Facility. The ADP is consistently overestimated at CBIF. The reduction is for 200 inmates and still provides for approximately 18% growth in inmate population.	380,000	GF	
5. Phase-in additional custody staffing over two years based on historical staff-to-inmate ratios, history of overestimation of inmate population, and the State's current fiscal position.	1,186,576	GF	40.0
Total General Fund Reductions	\$ 2,557,590		64.0

Current and Prior Year Budgets

Current and Prior Year Budgets					
Division of Pretrial Detention and Services					
(\$ in Thousands)					
	<u>General</u> <u>Fund</u>	<u>Special</u> <u>Fund</u>	<u>Federal</u> <u>Fund</u>	<u>Reimb.</u> <u>Fund</u>	<u>Total</u>
Fiscal 2001					
Legislative Appropriation	\$90,207	\$2,290	\$0	\$0	\$92,497
Deficiency Appropriation	1,458	0	0	0	1,458
Budget Amendments	1,959	250	100	0	2,309
Reversions and Cancellations	(403)	(102)	(5)	0	(510)
Actual Expenditures	\$93,221	\$2,438	\$95	\$0	\$95,754
Fiscal 2002					
Legislative Appropriation	\$97,078	\$2,225	\$100	\$0	\$99,403
Budget Amendments	0	0	0	0	0
Working Appropriation	\$97,078	\$2,225	\$100	\$0	\$99,403

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

QP.00 - DPSCS - Division of Pretrial and Detention Services

Fiscal 2001

- \$1.5 million of general funds is provided as a deficiency for increased overtime costs.
- A budget amendment for \$750,000 in general funds for BCDC to pay for overtime costs.
- A budget amendment of \$795,000 in general funds for BCDC and CBIF for increased costs in health insurance.
- \$200,000 in general fund amendment for operational costs of the Part 40 courtroom.
- \$328,000 in a general fund amendment for the fiscal 2001 cost-of-living adjustment.
- \$115,000 decrease of general funds for other amendments.

QP.00 - DPSCS - Division of Pretrial and Detention Services

Appendix 2

Object/Fund Difference Report
DPSCS - Division of Pretrial and Detention Services

Object/Fund	FY01		FY02		FY03	FY02 - FY03		Percent Change
	Actual	Working Appropriation	Allowance	Amount Change		Amount Change	Percent Change	
Positions								
01 Regular	1497.00	1496.00	1575.00	79.00		5.3%		
02 Contractual	22.11	41.47	41.47	0		0%		
Total Positions	1519.11	1537.47	1616.47	79.00		5.1%		
Objects								
01 Salaries and Wages	\$ 67,377,538	\$ 75,066,766	\$ 80,429,656	\$ 5,362,890		7.1%		
02 Technical & Spec Fees	605,173	881,291	834,472	(46,819)		(5.3%)		
03 Communication	658,834	479,439	543,339	63,900		13.3%		
04 Travel	49,115	10,600	31,877	21,277		200.7%		
06 Fuel & Utilities	3,817,197	2,770,742	3,430,728	659,986		23.8%		
07 Motor Vehicles	239,285	232,173	177,835	(54,338)		(23.4%)		
08 Contractual Services	19,931,014	17,053,571	17,936,786	883,215		5.2%		
09 Supplies & Materials	1,525,311	1,340,681	1,720,245	379,564		28.3%		
10 Equip - Replacement	75,889	23,584	47,459	23,875		101.2%		
11 Equip - Additional	42,099	29,615	528	(29,087)		(98.2%)		
12 Grants, Subsidies, Contr	1,336,478	1,413,297	1,370,000	(43,297)		(3.1%)		
13 Fixed Charges	95,300	100,968	137,287	36,319		36.0%		
Total Objects	\$ 95,753,233	\$ 99,402,727	\$ 106,660,212	\$ 7,257,485		7.3%		
Funds								
01 General Fund	\$ 93,220,328	\$ 97,077,543	\$ 104,278,370	\$ 7,200,827		7.4%		
03 Special Fund	2,437,755	2,225,184	2,281,842	56,658		2.5%		
05 Federal Fund	95,150	100,000	100,000	0		0%		
Total Funds	\$ 95,753,233	\$ 99,402,727	\$ 106,660,212	\$ 7,257,485		7.3%		

Note: Full-time and contractual positions and salaries are reflected for operating budget programs only.

		Fiscal Summary				
		DPSCS - Division of Pretrial and Detention Services				
<u>Unit/Program</u>	<u>FY01</u>	<u>FY02</u>	<u>FY02</u>	<u>FY01 - FY02</u>	<u>FY03</u>	
	<u>Actual</u>	<u>Legislative</u>	<u>Working</u>	<u>% Change</u>	<u>Allowance</u>	
		<u>Appropriation</u>	<u>Appropriation</u>		<u>%</u>	
01 General Administration	\$ 4,371,327	\$ 7,424,436	\$ 7,424,436	69.8%	\$ 7,523,014	
02 Pretrial Release Services	4,015,680	4,233,006	4,233,006	5.4%	4,812,432	
03 Baltimore City Detention Center	56,359,047	55,145,197	55,145,197	(2.2%)	58,489,013	
04 Central Booking and Intake Facility	31,007,179	32,600,088	32,600,088	5.1%	35,835,753	
Total Expenditures	\$ 95,753,233	\$ 99,402,727	\$ 99,402,727	3.8%	\$ 106,660,212	
General Fund	\$ 93,220,328	\$ 97,077,543	\$ 97,077,543	4.1%	\$ 104,278,370	
Special Fund	2,437,755	2,225,184	2,225,184	(8.7%)	2,281,842	
Federal Fund	95,150	100,000	100,000	5.1%	100,000	
Total Appropriations	\$ 95,753,233	\$ 99,402,727	\$ 99,402,727	3.8%	\$ 106,660,212	