

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

Operating Budget Data

(\$ in Thousands)

	<u>FY 04</u> <u>Actual</u>	<u>FY 05</u> <u>Working</u>	<u>FY 06</u> <u>Allowance</u>	<u>FY 05-06</u> <u>Change</u>	<u>% Change</u> <u>Prior Year</u>
General Fund	\$350	\$481	\$512	\$31	6.4%
Total Funds	\$350	\$481	\$512	\$31	6.4%
Contingent & Back of Bill Reductions			-3	-3	
Adjusted Total	\$350	\$481	\$510	\$28	5.9%

- The increase of approximately \$28,000, or 5.9% can be attributed largely to increased salaries and wages expenses.

Personnel Data

	<u>FY 04</u> <u>Actual</u>	<u>FY 05</u> <u>Working</u>	<u>FY 06</u> <u>Allowance</u>	<u>FY 05-06</u> <u>Change</u>
Regular Positions	6.00	6.00	6.00	0.00
Contractual FTEs	<u>0.72</u>	<u>2.00</u>	<u>2.00</u>	<u>0.00</u>
Total Personnel	6.72	8.00	8.00	0.00

Vacancy Data: Regular Positions

Turnover, Excluding New Positions	0.00	0.00%
Positions Vacant as of 12/31/04	2.00	33.33%

- Since July 2003 the vacancy rate has consistently been 16.67% or higher.

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

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Analysis in Brief

Recommended Actions

	<u>Funds</u>
1. Increase turnover expectancy.	\$ 19,799
Total Reductions	\$ 19,799

Updates

1. ***The Commission's New Statutory Authority:*** The General Assembly passed legislation in the 2004 session that gave new statutory authority to the Maryland Commission on Correctional Standards.

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Operating Budget Analysis

Program Description

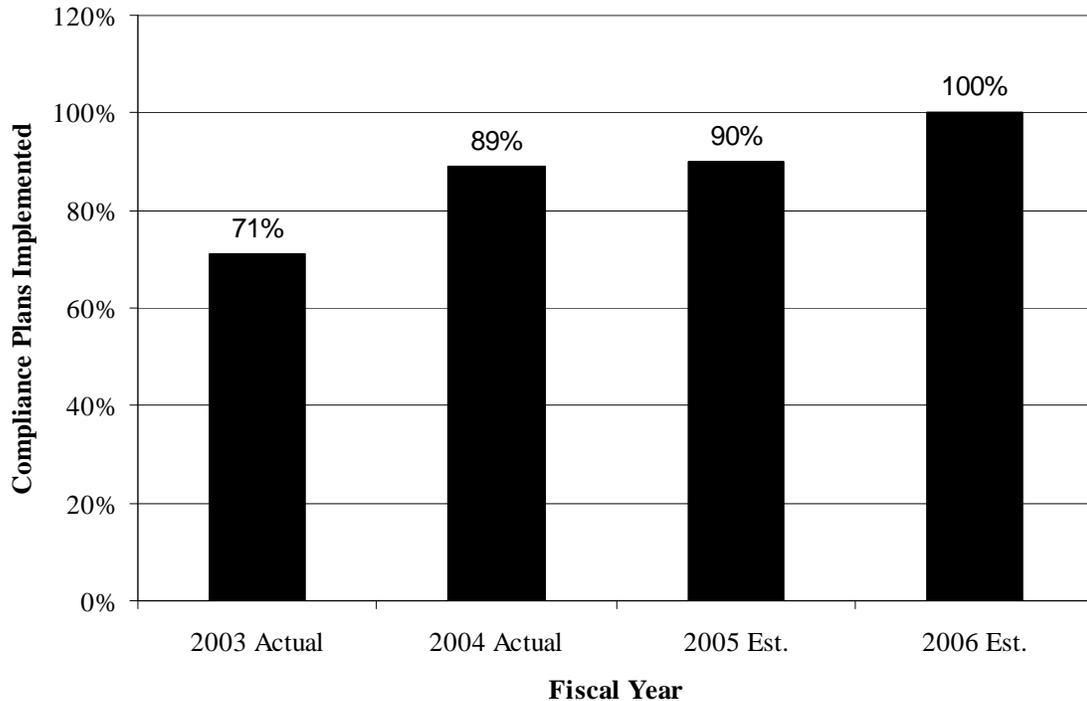
The Maryland Commission on Correctional Standards (MCCS) develops standards and enforces regulations addressing life, health, safety, and constitutional issues for the operation of Maryland's prisons, detention centers, and community correctional centers. Legislation enacted in 1998 requires the commission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

Performance Analysis: Managing for Results

The primary goal of MCCS is good management. MCCS defines this goal as efficiently conducting timely and high quality audits and compliance audits of all adult correctional confinement facilities and private home detention monitoring agencies. Compliance audits are follow-up, on-site visits which are performed six months after the commission's approval of the initial audit report, to determine if deficiencies have been corrected to bring the institution or agency into full compliance with MCCS standards.

One of the objectives of MCCS is to have all adult correctional confinement facilities successfully implement their commission-approved compliance plans within the six months following the commission's approval. As seen in **Exhibit 1**, MCCS plans to have 100% of compliance plans implemented within six months during fiscal 2006.

Exhibit 1
Compliance Plans Implemented within Six Months



Source: Department of Public Safety and Correctional Services

Governor's Proposed Budget

As shown in **Exhibit 2**, the fiscal 2006 allowance provides approximately \$28,000, or a 5.9% increase primarily attributable to increases in increments, employee and retiree health insurance, and retirement contribution costs and decreased turnover adjustments. The allowance also provides an increase for in-state travel and decreases for janitorial services and the purchase of office supplies and equipment.

Contingent Reductions

The fiscal 2006 allowance reflects the elimination of \$2,508 (subobject 0172), the appropriation for matching employee deferred compensation contributions up to \$600, contingent upon enactment of a provision in budget reconciliation legislation.

Exhibit 2
Governor's Proposed Budget
Maryland Commission on Correctional Standards
(\$ in Thousands)

How Much It Grows:	General Fund	Total
2005 Working Appropriation	\$481	\$481
2006 Governor's Allowance	512	512
Contingent & Back of Bill Reductions	<u>-3</u>	<u>-3</u>
Adjusted Allowance	510	510
Amount Change	\$28	\$28
Percent Change	5.9%	5.9%

Where It Goes:

Personnel Expenses

Increments and other compensation.....	\$8
Employee and retiree health insurance	12
Retirement contribution cost increase.....	3
Turnover adjustments.....	4
Other fringe benefit adjustments.....	2

Other Changes

In-state travel/routine operations	1
Contractual services (janitorial).....	-1
Office supplies and equipment.....	-1

Total **\$28**

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

Recommended Actions

	<u>Amount Reduction</u>	
1. Increase turnover expectancy to 5% based on historical trends.	\$ 19,799	GF
Total General Fund Reductions	\$ 19,799	

Updates

1. The Commission's New Statutory Authority

Chapter 213, Acts of 2004 gave new statutory authority to the Maryland Commission on Correctional Standards. The law provides for the commission to take the following steps:

- Send a compliance plan to facilities in violation of standards. The plan must contain specified information about the violations.
- If, after sending the compliance plan and reinspecting the facility, the commission determines that the facility still fails to meet standards, the commission sends a letter of reprimand to the facility.
- If the facility continues to be in violation during a post-letter of reprimand inspection, the commission must conduct a full standards and performance audit of the facility addressing specific items. The commission must then conduct an unannounced inspection within a reasonable amount of time after the date specified for compliance in the audit findings.
- If, after performing an audit, an unannounced inspection, and holding a hearing on the issue, the commission determines that the facility has still not complied with standards, the commission must (1) petition a circuit court for a court order to cease operation of the facility or any of its components; or (2) issue an order to cease operation of the correctional facility or any of its components. The commission must provide reasonable notice of a hearing and may subpoena witnesses.

To date the commission has not exercised this statutory authority.

Current and Prior Year Budgets

Current and Prior Year Budgets Maryland Commission on Correctional Standards (\$ in Thousands)

	<u>General Fund</u>	<u>Special Fund</u>	<u>Federal Fund</u>	<u>Reimb. Fund</u>	<u>Total</u>
Fiscal 2004					
Legislative Appropriation	\$476	\$0	\$0	\$0	\$476
Deficiency Appropriation	0	0	0	0	0
Budget Amendments	-115	0	0	0	-115
Cost Containment	0	0	0	0	0
Reversions and Cancellations	-11	0	0	0	-11
Actual Expenditures	\$350	\$0	\$0	\$0	\$350
Fiscal 2005					
Legislative Appropriation	\$477	\$0	\$0	\$0	\$477
Budget Amendments	4	0	0	0	4
Working Appropriation	\$481	\$0	\$0	\$0	\$481

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

Fiscal 2004

- General fund spending was reduced by approximately \$115,000 through an amendment that redistributed the funds to other agencies within DPSCS, in order to align the general fund appropriation with actual expenditures. The reductions were taken from salaries, wages and fringe benefits, technical and special fees, and travel.

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

<u>Object/Fund</u>	<u>FY04 Actual</u>	<u>FY05 Working Appropriation</u>	<u>FY06 Allowance</u>	<u>FY05 - FY06 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	6.00	6.00	6.00	0	0%
02 Contractual	0.72	2.00	2.00	0	0%
Total Positions	6.72	8.00	8.00	0	0%
Objects					
01 Salaries and Wages	\$ 279,734	\$ 367,900	\$ 398,492	\$ 30,592	8.3%
02 Technical & Spec Fees	24,852	57,020	56,774	-246	-0.4%
03 Communication	2,973	2,503	3,173	670	26.8%
04 Travel	8,213	16,760	17,990	1,230	7.3%
06 Fuel & Utilities	2,462	2,400	2,465	65	2.7%
07 Motor Vehicles	69	150	150	0	0%
08 Contractual Services	6,429	7,357	6,639	-718	-9.8%
09 Supplies & Materials	1,913	2,900	2,600	-300	-10.3%
11 Equip - Additional	0	400	0	-400	-100.0%
13 Fixed Charges	22,962	23,910	23,796	-114	-0.5%
Total Objects	\$ 349,607	\$ 481,300	\$ 512,079	\$ 30,779	6.4%
Funds					
01 General Fund	\$ 349,607	\$ 481,300	\$ 512,079	\$ 30,779	6.4%
Total Funds	\$ 349,607	\$ 481,300	\$ 512,079	\$ 30,779	6.4%

Note: The fiscal 2005 appropriation does not include deficiencies, and the fiscal 2006 allowance does not reflect contingent reductions.