

Q00E00
Inmate Grievance Office
 Department of Public Safety and Correctional Services

Operating Budget Data

(\$ in Thousands)

	<u>FY 10</u> <u>Actual</u>	<u>FY 11</u> <u>Working</u>	<u>FY 12</u> <u>Allowance</u>	<u>FY 11-12</u> <u>Change</u>	<u>% Change</u> <u>Prior Year</u>
Special Fund	\$599	\$726	\$989	\$263	36.2%
Contingent & Back of Bill Reductions	0	0	0	0	
Adjusted Special Fund	\$599	\$726	\$989	\$263	36.2%
Adjusted Grand Total	\$599	\$726	\$989	\$263	36.2%

- The \$263,000 increase in the fiscal 2012 allowance for the Inmate Grievance Office (IGO) is attributable to growth for personnel costs and payments to the Office of Administrative Hearings.

Personnel Data

	<u>FY 10</u> <u>Actual</u>	<u>FY 11</u> <u>Working</u>	<u>FY 12</u> <u>Allowance</u>	<u>FY 11-12</u> <u>Change</u>
Regular Positions	6.00	7.00	7.00	0.00
Contractual FTEs	<u>0.22</u>	<u>0.92</u>	<u>0.75</u>	<u>-0.17</u>
Total Personnel	6.22	7.92	7.75	-0.17

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	0.00	0.00%
Positions and Percentage Vacant as of 12/31/10	0.00	0.00%

- IGO added 1 Deputy Director position in fiscal 2011, which was transferred from the Criminal Injuries Compensation Board, to assist with agency operations and ensure the agency remains current in addressing grievances, in order to avoid the perpetual backlog experienced in prior years.

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

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Q00E00 – DPSCS – Inmate Grievance Office

- The agency loses 0.17 contractual full-time equivalent positions in the fiscal 2012 allowance. With a full staffing complement, responsibilities associated with the contractual position have been reassigned to a permanent secretary position.

Analysis in Brief

Major Trends

Timely Review of Inmate Grievances: Year after year, the majority of grievances are administratively dismissed. In the past 10 fiscal years, at least 50% of grievances fall into this category. The Inmate Grievance Office was able to eliminate the chronic grievance backlog as of fiscal 2009. In fiscal 2010, the agency had a total of 3,272 inmate grievances to consider; – 560 cases were carried over from fiscal 2009; 2,434 cases were new; and 278 cases were reopened. IGO aims to have 98% of grievances reviewed within 60 days of receipt by the end of fiscal 2011. In fiscal 2010, 97% of grievances were reviewed within the targeted timeframe.

Recommended Actions

1. Concur with Governor's allowance.

Q00E00
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Operating Budget Analysis

Program Description

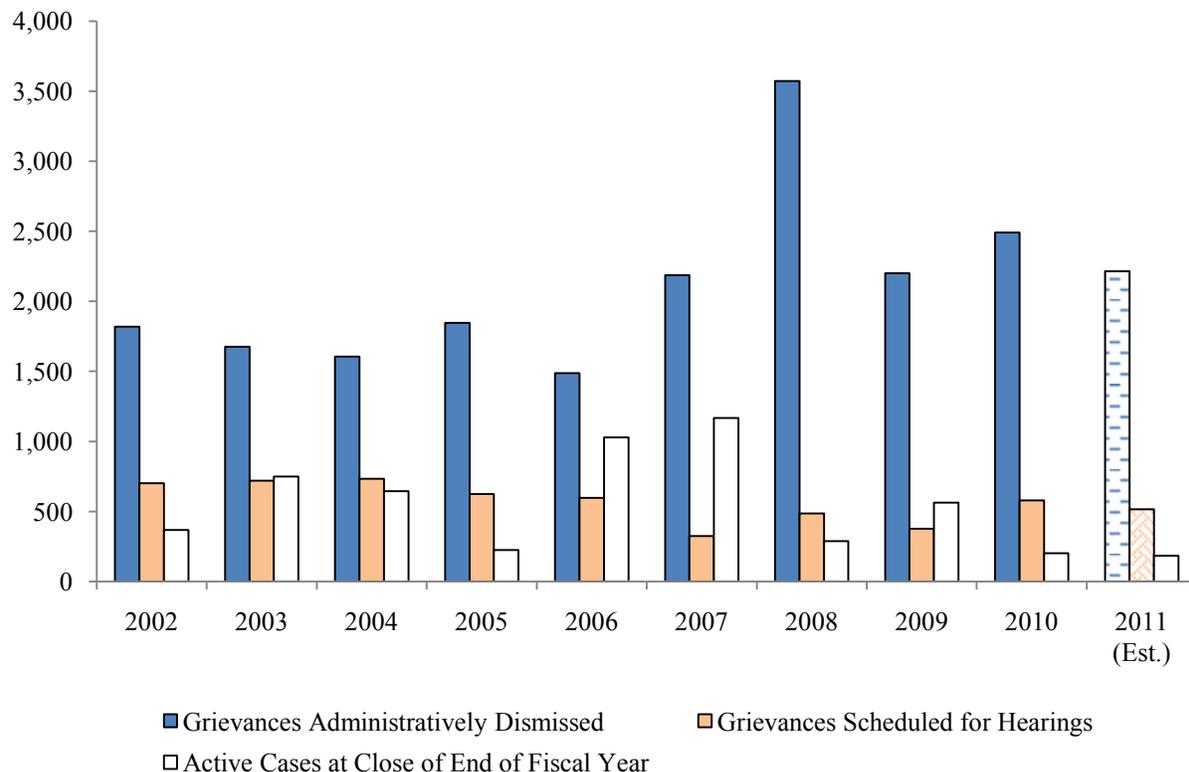
The Inmate Grievance Office (IGO) reviews grievances against officials and employees of the Division of Correction and the Patuxent Institution filed by inmates incarcerated in those institutions. Inmates may appeal to the office after they have exhausted all relevant institutional procedures. The office's 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

Exhibit 1 provides caseload data for IGO since fiscal 2002. Year after year, the majority of grievances are administratively dismissed. In the past 10 fiscal years, at least 50% of grievances fall into this category. IGO was able to eliminate the chronic grievance backlog as of fiscal 2009. As such, the number of active cases carried forward at the end of each fiscal year has been significantly reduced. This attributed to the growth between fiscal 2009 and 2010 in both cases dismissed administratively and those cases scheduled for hearings.

In fiscal 2010, the agency had a total of 3,272 inmate grievances to consider – 560 cases were carried over from fiscal 2009; 2,434 cases were new; and 278 cases were reopened. The agency made decisions on 94% of the cases, the majority of which were administratively dismissed without a hearing. At the end of the fiscal year, 201 cases were carried forward pending a review for either scheduling of a hearing or administrative dismissal.

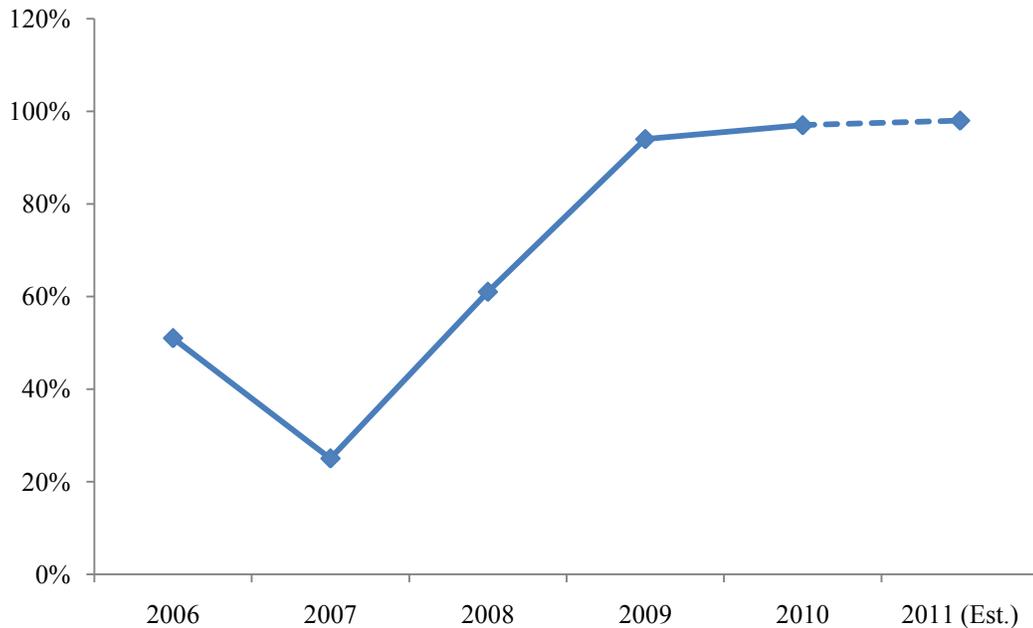
Exhibit 1
Inmate Grievance Cases
Fiscal 2002-2011 (Estimated)



Source: Governor’s Budget Books

IGO has set a goal of good management, which the office defines as handling inmate grievances in a timely manner. The measure of this goal is to have 98% of grievances reviewed within 60 days of receipt by the end of fiscal 2011. As seen in **Exhibit 2**, the agency has significantly improved its performance with regard to this goal, preliminarily reviewing 97% of cases within 60 days of receiving the complaint. The agency attributes this improvement to fewer turnovers at key positions, increased use of student interns, and the implementation of form decisions for the most common grievances, as well as other methods for streamlining the processing of grievances.

Exhibit 2
Preliminary Reviews Conducted within 60 Days of Complaint
Fiscal 2006-2011 (Estimated)



Source: Governor's Budget Books

Proposed Budget

As seen in **Exhibit 3**, the Governor's fiscal 2012 allowance increases by \$263,000, or 36.2%. Personnel costs for regular positions increase by \$112,000, largely the result of improved turnover and restoration of employee furloughs. This is offset slightly by the loss of \$6,000 associated with 0.17 contractual full-time equivalent positions. With a full staffing complement, the contractual position is no longer necessary as related responsibilities have been reassigned to a permanent secretary position.

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

How Much It Grows:	Special Fund	Total
2011 Working Appropriation	\$726	\$726
2012 Allowance	<u>989</u>	<u>989</u>
Amount Change	\$263	\$263
Percent Change	36.2%	36.2%
 Contingent Reductions	 \$0	 \$0
Adjusted Change	\$263	\$263
Adjusted Percent Change	36.2%	36.2%

Where It Goes:

Personnel Expenses

Employee and retiree health insurance.....	\$12
Employee retirement system	5
Restoration of furloughs.....	6
Turnover adjustments.....	89
Loss of 0.17 contractual full-time equivalent positions	-6

Other Changes

Hearings with the Office of Administrative Hearings.....	159
Other.....	-2

Total **\$263**

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

Outside of personnel expenses, growth within the agency’s allowance is limited to payments made to OAH. These payments increase by \$159,446 in fiscal 2012, to \$421,344. This is a 60.9% increase over the fiscal 2011 working appropriation. 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

Q00E00 – DPSCS – Inmate Grievance Office

- the workload imposed upon OAH by IGO cases relative to the workload imposed by the cases of other agencies.

OAH estimates the average number of case hours spent per IGO case to be 5.75 hours. This is consistent for both fiscal 2011 and 2012. The increased cost is associated with an increase in the estimated number of cases disposed. In fiscal 2012, OAH estimates it will dispose of 517 cases, an increase of 202 cases from fiscal 2011. This estimate is based on the actual number of cases disposed of in fiscal 2010. IGO has little ability to control the number of cases referred to OAH and, therefore, cannot control the cost of payments to OAH. The agency does believe that the high number of cases in fiscal 2010, the year fiscal 2012 is based on, is the result of the elimination of a backlog of grievances. Since the backlog has been eliminated, the agency believes the number of cases referred to OAH, and therefore the payments, will decline in the future.

Impact of Cost Containment

The fiscal 2012 budget reflects several across-the-board actions. In fiscal 2012, IGO's share of the reduction is \$75 in special funds for changes in employee health insurance. Reductions contingent upon statutory changes include \$124 in special funds for retiree prescription drug benefits.

Recommended Actions

1. Concur with Governor's allowance.

Current and Prior Year Budgets

Current and Prior Year Budgets 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 2010					
Legislative Appropriation	\$0	\$610	\$0	\$0	\$610
Deficiency Appropriation	0	0	0	0	0
Budget Amendments	0	0	0	0	0
Cost Containment	0	-8	0	0	-8
Reversions and Cancellations	0	-3	0	0	-3
Actual Expenditures	\$0	\$599	\$0	\$0	\$599
Fiscal 2011					
Legislative Appropriation	\$0	\$726	\$0	\$0	\$726
Budget Amendments	0	0	0	0	0
Working Appropriation	\$0	\$726	\$0	\$0	\$726

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

Fiscal 2010

Special fund spending in fiscal 2010 was approximately \$599,000, a decrease of approximately \$11,000 from the legislative appropriation. Personnel related cost containment actions reduced the appropriation by \$8,000. The agency also cancelled approximately \$3,000 due to a reduction in inmate welfare fund expenditures.

**Object/Fund Difference Report
DPSCS – Inmate Grievance Office**

<u>Object/Fund</u>	<u>FY 10 Actual</u>	<u>FY 11 Working Appropriation</u>	<u>FY 12 Allowance</u>	<u>FY 11 - FY 12 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	6.00	7.00	7.00	0.00	0%
02 Contractual	0.22	0.92	0.75	-0.17	-18.5%
Total Positions	6.22	7.92	7.75	-0.17	-2.1%
Objects					
01 Salaries and Wages	\$ 400,838	\$ 396,092	\$ 507,999	\$ 111,907	28.3%
02 Technical and Spec. Fees	5,189	20,876	14,494	-6,382	-30.6%
03 Communication	3,727	4,675	4,245	-430	-9.2%
04 Travel	2,999	1,450	3,350	1,900	131.0%
06 Fuel and Utilities	3,742	3,700	3,900	200	5.4%
08 Contractual Services	152,711	268,698	427,044	158,346	58.9%
09 Supplies and Materials	3,459	4,000	4,000	0	0%
13 Fixed Charges	26,383	26,451	23,764	-2,687	-10.2%
Total Objects	\$ 599,048	\$ 725,942	\$ 988,796	\$ 262,854	36.2%
Funds					
03 Special Fund	\$ 599,048	\$ 725,942	\$ 988,796	\$ 262,854	36.2%
Total Funds	\$ 599,048	\$ 725,942	\$ 988,796	\$ 262,854	36.2%

Note: The fiscal 2011 appropriation does not include deficiencies. The fiscal 2012 allowance does not include contingent reductions.

Q00E00 – DPSCS – Inmate Grievance Office