

**Q00P00**  
**Division of Pretrial Detention and Services**  
**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>
General Fund	\$142,476	\$153,077	\$154,752	\$1,675	1.1%
Contingent & Back of Bill Reductions	0	0	-2,037	-2,037	
<b>Adjusted General Fund</b>	<b>\$142,476</b>	<b>\$153,077</b>	<b>\$152,715</b>	<b>-\$362</b>	<b>-0.2%</b>
Special Fund	1,513	2,160	1,752	-408	-18.9%
Contingent & Back of Bill Reductions	0	0	-39	-39	
<b>Adjusted Special Fund</b>	<b>\$1,513</b>	<b>\$2,160</b>	<b>\$1,713</b>	<b>-\$447</b>	<b>-20.7%</b>
Federal Fund	7,415	8,235	7	-8,228	-99.9%
<b>Adjusted Federal Fund</b>	<b>\$7,415</b>	<b>\$8,235</b>	<b>\$7</b>	<b>-\$8,228</b>	<b>-99.9%</b>
<b>Adjusted Grand Total</b>	<b>\$151,404</b>	<b>\$163,472</b>	<b>\$154,435</b>	<b>-\$9,037</b>	<b>-5.5%</b>

- The fiscal 2012 allowance for the Division of Pretrial Detention and Services (DPDS) decreases by \$9.0 million, or 5.5%. The \$8.2 million reduction in federal funds is the result of the end of the American Recovery and Reinvestment Act of 2009 (ARRA) funding. The ARRA funding was used to support ongoing salary expenditures, and these funds are supplanted with general funds in fiscal 2012. The total general fund allowance remains level-funded in fiscal 2012, however, as inmate medical expenses are reduced by \$8.7 million. Personnel expenses increase by a net \$824,000, which includes an additional \$1.1 million for employee furlough restoration and a reduction of \$869,000 for overtime expenses.

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

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## ***Personnel Data***

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	<b><u>FY 10 Actual</u></b>	<b><u>FY 11 Working</u></b>	<b><u>FY 12 Allowance</u></b>	<b><u>FY 11-12 Change</u></b>
Regular Positions	1,557.00	1,551.00	1,551.00	0.00
Contractual FTEs	<u>16.81</u>	<u>35.40</u>	<u>35.40</u>	<u>0.00</u>
<b>Total Personnel</b>	<b>1,573.81</b>	<b>1,586.40</b>	<b>1,586.40</b>	<b>0.00</b>

### ***Vacancy Data: Regular Positions***

Turnover and Necessary Vacancies, Excluding New Positions	63.59	4.10%
Positions and Percentage Vacant as of 12/31/10	62.00	4.00%

- Fiscal 2012 budget turnover expectancy is 4.1%, 1.6 positions, or 0.1% greater than the agency's current vacancy rate.

## ***Analysis in Brief***

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### **Major Trends**

***Division of Pretrial Detention and Services Population:*** In fiscal 2010, DPDS processed 70,638 arrestees, a 26.0% reduction from fiscal 2006. Similarly, 10,614 fewer commitments were processed by Baltimore City Detention Center in fiscal 2010 than in fiscal 2006, a reduction of 23.5%. The rate of commitment increased from 47.4% in fiscal 2006 to 52.0% in fiscal 2008. The end-of-month population for DPDS has been declining since fiscal 2008, and over 90.0% of the population is pre-trial status. As of January 1, 2011, there were 633 inmates in Division of Correction (DOC) facilities with sentences of 18 months or less, and 162 of those were sentenced to less than 12 months. Although this is not ideal policy, it does help the department address problems with overcrowding in its Baltimore City facilities and logistical concerns with maintaining sight and sound separation among male, female, and juvenile detainees. **DPDS should comment on how it is managing its detainee population and the need to utilize DOC bed space for sentenced inmates.**

***Detainee Assault Rates:*** Assaults between detainees occur at a rate three times higher than assaults on staff; however, both assault rates increased between fiscal 2009 and 2010. **DPDS should discuss what has driven the increase in assault on both detainees and staff and what is being done to reduce inmate violence and idleness.**

**Recommended Actions**

1. Concur with Governor's allowance.

*Q00P00 – DPSCS – Division of Pretrial Detention and Services*

**Q00P00**  
**Division of Pretrial Detention and Services**  
**Department of Public Safety and Correctional Services**

***Operating Budget Analysis***

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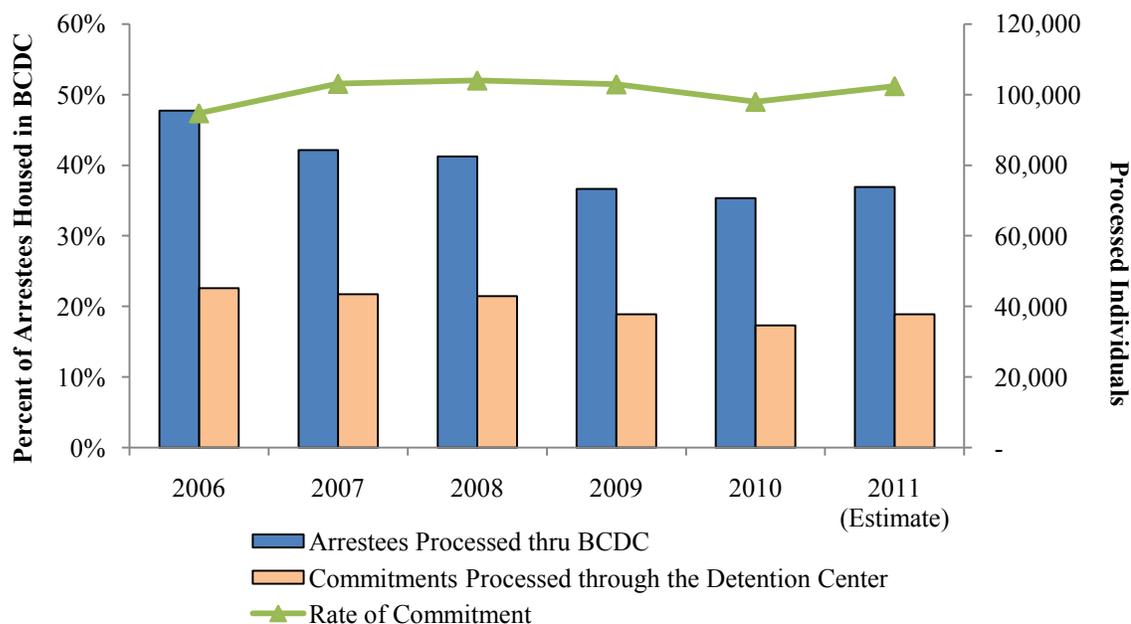
**Program Description**

The Division of Pretrial Detention and Services (DPDS) is responsible for processing and managing the care, custody, and control of Baltimore City arrestees and detainees in a safe, humane, and secure environment. DPDS also provides bail recommendations to the courts in Baltimore City and supervises defendants who have been released to the community to await trial.

**Performance Analysis: Managing for Results**

Both the number of arrestees processed through the Central Booking and Intake Facility and the number of commitments processed through the Baltimore City Detention Center (BCDC) have been declining over the past five fiscal years. The percent of arrestees committed to DPDS facilities, however, has been increasing. These trends are demonstrated in **Exhibit 1** for fiscal 2006 through 2011. In fiscal 2010, DPDS processed 70,638 arrestees. This is a 26.0% reduction from fiscal 2006, when 95,463 arrestees were processed. Similarly, 10,614 fewer commitments were processed by BCDC in fiscal 2010 than in fiscal 2006, a reduction of 23.5%. The rate of commitment increased from 47.4% in fiscal 2006 to 52.0% in fiscal 2008. The percent of arrestees committed to DPDS facilities has declined slightly since fiscal 2008, to 49.0% in fiscal 2010; however, this data still shows that nearly 50.0% of people arrested in Baltimore City are ultimately housed in DPDS facilities, which represents a significant cost to the State.

**Exhibit 1**  
**Division of Pretrial Detention and Services**  
**Detainee Processing and Rate of Commitment**  
**Fiscal 2006-2011 (Estimate)**



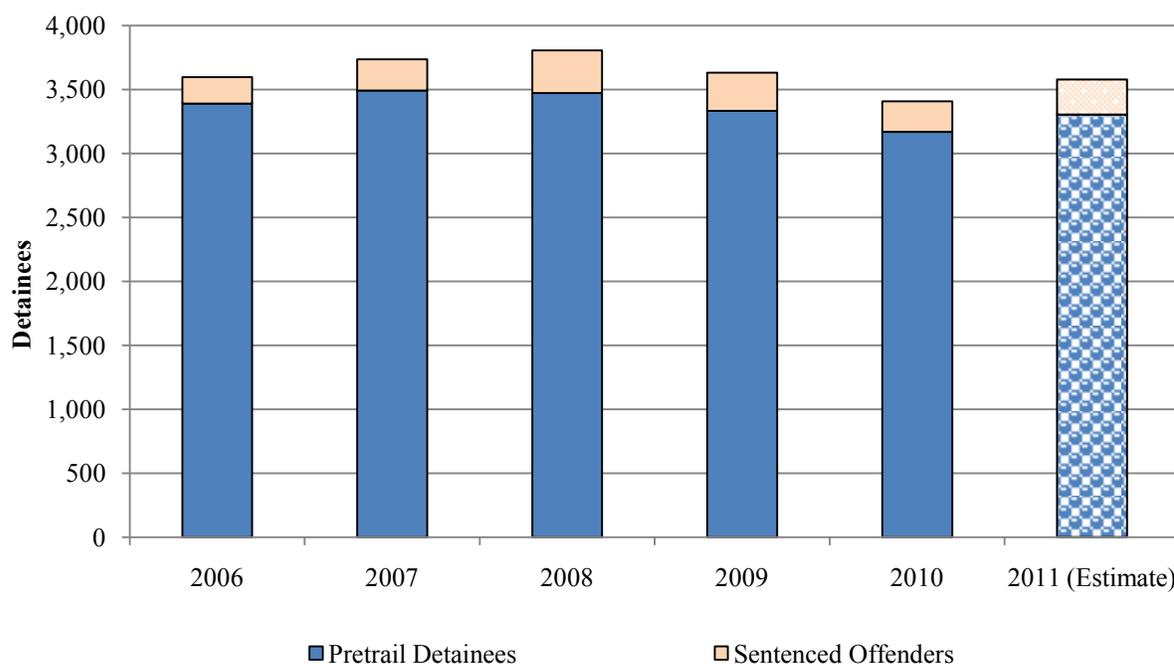
BCDC: Baltimore City Detention Center

Source: Governor’s Budget Books; Department of Legislative Services

Fortunately, as shown in **Exhibit 2**, the end-of-month population for DPDS has been declining since fiscal 2008, and over 90.0% of the population is pre-trial status. In fiscal 2010, DPDS’ total end-of-month population was 3,408 detainees, of which 240 were sentenced offenders. Pre-trial populations are typically less expensive to maintain; however, this population data is somewhat deceiving. Since the State operates both the Baltimore City local detention center and the State prison facilities, the Department of Public Safety and Correctional Services has the ability to house offenders in State prison facilities when the offender might have a sentence that in any other jurisdiction would place them in a local detention center. As of January 1, 2011, there were 633 inmates in Division of Correction (DOC) facilities with sentences of 18 months or less, and 162 of those were sentenced to less than 12 months. Although this is not ideal policy, it does help the department address problems with overcrowding in its Baltimore City facilities and logistical concerns with maintaining sight and sound separation among male, female, and juvenile detainees.

**DPDS should comment on how it is managing its detainee population and the need to utilize DOC bed space for sentenced inmates.**

**Exhibit 2**  
**Division of Pretrial Detention and Services**  
**End-of-month Detainee Population**  
**Fiscal 2006-2011 (Estimate)**



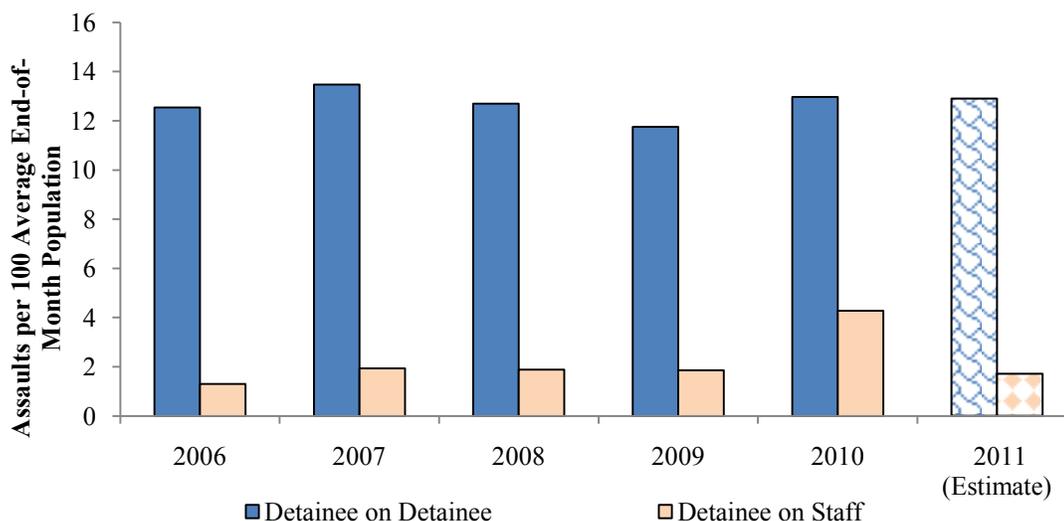
Source: Governor’s Budget Books

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A significant problem that can arise from overcrowding is increased safety risks. **Exhibit 3** provides information on detainee assault rates on both staff and other detainees since fiscal 2006. Assaults between detainees occur at a rate three times higher than assaults on staff; however, both assault rates increased between fiscal 2009 and 2010. The detainee-on-detainee assault rate increased from 11.8 to 13.0 assaults per 100 detainees, and in BCDC, a portion of the increase was for serious assaults. The detainee-on-staff assault rate also increased from 1.9 to 4.3 assaults per 100 detainees.

**DPDS should discuss what has driven the increase in assaults on both detainees and staff and what is being done to reduce inmate violence and idleness.**

**Exhibit 3**  
**Division of Pretrial Detention and Services**  
**Detainee Assault Rates**  
**Fiscal 2006-2011 (Estimate)**



Source: Governor’s Budget Books

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## Fiscal 2011 Actions

### Impact of Cost Containment

Section 44 of the fiscal 2011 budget bill required the Governor to abolish 500 positions in the Executive Branch as of June 30, 2011. The positions and the funds associated with them have been removed from the fiscal 2011 working appropriation. This agency’s share of the reduction was 6 full-time equivalent positions and \$149,160 in fiscal 2011, which represents an ongoing annualized savings of \$410,557 for employee salary and fringe benefit expenditures. The impact of the loss of these positions is minimal, as the responsibilities associated with these positions have been absorbed by existing personnel.

## **Proposed Budget**

As seen in **Exhibit 4**, the Governor's allowance for DPDS in fiscal 2012 decreases by \$9.0 million, after accounting for nearly \$2.1 million in across-the-board reductions. Personnel expenses increase by a net \$824,000. Approximately \$1.1 million is provided to restore employee furloughs. Overtime spending is reduced by \$869,000. This is an 11.9% reduction from the fiscal 2011 working appropriation, and a 4.8% decrease from fiscal 2010 actual expenditures.

Outside of personnel expenses, the agency receives decreased funding for a variety of other operating costs, all budgeted in line with fiscal 2010 actual expenditures. Fuel and utility expenditures are reduced by \$442,000, and building and road maintenance are \$250,000 below the fiscal 2011 working appropriation. Spending for commissary purchases and contractual food services are both reduced based on fiscal 2012 population estimates. Funding for motor vehicle purchases is eliminated as a cost containment action. The most significant reduction is to the fiscal 2012 allowance for inmate medical services, which is approximately \$8.7 million below the fiscal 2011 working appropriation. Funding is reduced to better reflect fiscal 2010 actual expenditures. The fiscal 2012 allowance is approximately \$1.1 million above fiscal 2010.

## **Impact of Cost Containment**

The fiscal 2012 budget reflects several across-the-board actions. In fiscal 2012, the division's share of the reduction is \$451,673 in general funds and \$14,570 in special funds for changes in employee health insurance. Reductions contingent upon statutory changes include \$747,589 in general funds and \$24,115 in special funds for retiree prescription drug benefits and \$837,566 general funds for retirement benefits. To the extent that DPDS has positions abolished under the Voluntary Separation Program, additional reductions will be implemented by the Administration.

**Exhibit 4**  
**Proposed Budget**  
**DPSCS – Division of Pretrial Detention and Services**  
**(\$ in Thousands)**

<b>How Much It Grows:</b>	<b><u>General</u> <u>Fund</u></b>	<b><u>Special</u> <u>Fund</u></b>	<b><u>Federal</u> <u>Fund</u></b>	<b><u>Total</u></b>
2011 Working Appropriation	\$153,077	\$2,160	\$8,235	\$163,472
2012 Allowance	<u>154,752</u>	<u>1,752</u>	<u>7</u>	<u>156,511</u>
Amount Change	\$1,675	-\$408	-\$8,228	-\$6,961
Percent Change	1.1%	-18.9%	-99.9%	-4.3%
 Contingent Reductions	 -\$2,037	 -\$39	 \$0	 -\$2,076
Adjusted Change	-\$362	-\$447	-\$8,228	-\$9,037
Adjusted Percent Change	-0.2%	-20.7%	-99.9%	-5.5%

**Where It Goes:**

**Personnel Expenses**

Overtime.....	-\$869
Employee and retiree health insurance (net contingent and across-the-board reductions).....	984
Employee retirement system (net contingent reductions).....	34
Workers' compensation premium assessment .....	-539
Restoration of furloughs.....	1,122
Turnover adjustments.....	116
Other fringe benefit adjustments .....	-24

**Other Changes**

Inmate medical services .....	-8,723
Fuel and utilities.....	-442
Building and road repairs and maintenace .....	-250
Commissary purchases funded with Inmate Welfare Funds .....	-198
Contractual food services.....	-186
Eliminate funding for motor vehicle purchases .....	-44
Other.....	-17

**Total** **-\$9,037**

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

## ***Recommended Actions***

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1. Concur with Governor's allowance.

## *Current and Prior Year Budgets*

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### **Current and Prior Year Budgets Division of Pretrial Detention and Services (\$ in Thousands)**

	<b><u>General Fund</u></b>	<b><u>Special Fund</u></b>	<b><u>Federal Fund</u></b>	<b><u>Reimb. Fund</u></b>	<b><u>Total</u></b>
<b>Fiscal 2010</b>					
Legislative Appropriation	\$154,220	\$2,164	\$1,720	\$0	\$158,104
Deficiency Appropriation	915	0	0	0	915
Budget Amendments	-6,497	0	5,700	0	-797
Cost Containment	-6,158	-2	0	0	-6,160
Reversions and Cancellations	-4	-649	-5	0	-657
<b>Actual Expenditures</b>	<b>\$142,476</b>	<b>\$1,513</b>	<b>\$7,415</b>	<b>\$0</b>	<b>\$151,404</b>
<b>Fiscal 2011</b>					
Legislative Appropriation	\$153,077	\$2,160	\$7,402	\$0	\$162,639
Budget Amendments	0	0	833	0	833
<b>Working Appropriation</b>	<b>\$153,077</b>	<b>\$2,160</b>	<b>\$8,235</b>	<b>\$0</b>	<b>\$163,472</b>

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

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## **Fiscal 2010**

General fund spending in fiscal 2010 was approximately \$142.5 million, a decrease of \$11.7 million from the legislative appropriation.

- One deficiency appropriation for approximately \$915,000 million provided additional funding for inmate medical services.
- Budget amendments reduced the appropriation by nearly \$6.5 million due to the realignment of funds throughout the department in accordance with actual expenditures.
- Cost containment actions further reduced the legislative appropriation by an additional \$6.2 million. The majority of the reduction (\$4.2 million) was the result of a fund swap utilizing federal stimulus funding in lieu of general funds for various operating expenses. The remainder of the reduction related to personnel expenses including across-the-board reductions to health insurance and employee furloughs.
- The agency reverted nearly \$4,000 due to lower than anticipated operating expenditures.

Special fund expenditures totaled \$1.5 million in fiscal 2010.

- Cost containment actions reduced the legislative appropriation by \$2,000. The reductions were to personnel-related expenses.
- The division cancelled an additional \$649,000 in unused funds due to lower than anticipated Inmate Welfare Fund expenditures.

Federal fund spending was approximately \$7.4 million as a result of budget amendments providing \$5.7 million in federal stimulus funding to be used in lieu of general funds. The agency also cancelled approximately \$5,000 due to underattainment of estimated reimbursements for housing federal prisoners.

## **Fiscal 2011**

The fiscal 2011 federal fund working appropriation reflects an increase of \$833,000 over the legislative appropriation. This is due to a realignment of the American Recovery and Reinvestment Act of 2009 funding throughout the department in line with actual expenditures in the first quarter of fiscal 2011.

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

<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>
<b>Positions</b>					
01 Regular	1,557.00	1,551.00	1,551.00	0.00	0%
02 Contractual	16.81	35.40	35.40	0.00	0%
<b>Total Positions</b>	<b>1,573.81</b>	<b>1,586.40</b>	<b>1,586.40</b>	<b>0.00</b>	<b>0%</b>
<b>Objects</b>					
01 Salaries and Wages	\$ 107,639,611	\$ 108,808,868	\$ 111,708,531	\$ 2,899,663	2.7%
02 Technical and Spec. Fees	514,740	874,966	874,821	-145	0%
03 Communication	489,720	590,120	520,302	-69,818	-11.8%
04 Travel	14,367	12,100	14,900	2,800	23.1%
06 Fuel and Utilities	3,998,780	4,703,184	4,261,050	-442,134	-9.4%
07 Motor Vehicles	210,881	250,439	202,975	-47,464	-19.0%
08 Contractual Services	33,852,948	44,004,516	34,881,556	-9,122,960	-20.7%
09 Supplies and Materials	2,323,244	1,982,230	2,021,900	39,670	2.0%
10 Equipment – Replacement	61,334	73,745	19,930	-53,815	-73.0%
11 Equipment – Additional	231,520	0	0	0	0.0%
12 Grants, Subsidies, and Contributions	1,710,063	1,994,765	1,777,500	-217,265	-10.9%
13 Fixed Charges	155,294	177,151	227,201	50,050	28.3%
14 Land and Structures	201,595	0	0	0	0.0%
<b>Total Objects</b>	<b>\$ 151,404,097</b>	<b>\$ 163,472,084</b>	<b>\$ 156,510,666</b>	<b>-\$ 6,961,418</b>	<b>-4.3%</b>
<b>Funds</b>					
01 General Fund	\$ 142,476,028	\$ 153,077,035	\$ 154,751,627	\$ 1,674,592	1.1%
03 Special Fund	1,513,076	2,160,354	1,752,039	-408,315	-18.9%
05 Federal Fund	7,414,993	8,234,695	7,000	-8,227,695	-99.9%
<b>Total Funds</b>	<b>\$ 151,404,097</b>	<b>\$ 163,472,084</b>	<b>\$ 156,510,666</b>	<b>-\$ 6,961,418</b>	<b>-4.3%</b>

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

**Fiscal Summary**  
**DPSCS Division of Pretrial Detention and Services**

<u>Program/Unit</u>	<u>FY 10 Actual</u>	<u>FY 11 Wrk Approp</u>	<u>FY 12 Allowance</u>	<u>Change</u>	<u>FY 11 - FY 12 % Change</u>
01 General Administration	\$ 9,386,773	\$ 9,409,544	\$ 8,102,191	-\$ 1,307,353	-13.9%
02 Pretrial Release Services	5,747,840	5,664,161	6,180,042	515,881	9.1%
03 Baltimore City Detention Center	86,292,693	96,108,388	90,969,639	-5,138,749	-5.3%
04 Central Booking and Intake Facility	49,976,791	52,289,991	51,258,794	-1,031,197	-2.0%
<b>Total Expenditures</b>	<b>\$ 151,404,097</b>	<b>\$ 163,472,084</b>	<b>\$ 156,510,666</b>	<b>-\$ 6,961,418</b>	<b>-4.3%</b>
General Fund	\$ 142,476,028	\$ 153,077,035	\$ 154,751,627	\$ 1,674,592	1.1%
Special Fund	1,513,076	2,160,354	1,752,039	-408,315	-18.9%
Federal Fund	7,414,993	8,234,695	7,000	-8,227,695	-99.9%
<b>Total Appropriations</b>	<b>\$ 151,404,097</b>	<b>\$ 163,472,084</b>	<b>\$ 156,510,666</b>	<b>-\$ 6,961,418</b>	<b>-4.3%</b>

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