

Q00D00
Patuxent Institution
 Department of Public Safety and Correctional Services

Operating Budget Data

(\$ in Thousands)

	<u>FY 16</u> <u>Actual</u>	<u>FY 17</u> <u>Working</u>	<u>FY 18</u> <u>Allowance</u>	<u>FY 17-18</u> <u>Change</u>	<u>% Change</u> <u>Prior Year</u>
General Fund	\$49,270	\$54,210	\$52,240	-\$1,970	-3.6%
Adjustments	0	0	-118	-118	
Adjusted General Fund	\$49,270	\$54,210	\$52,122	-\$2,088	-3.9%
Special Fund	139	114	71	-43	-38.0%
Adjusted Special Fund	\$139	\$114	\$71	-\$43	-38.0%
Federal Fund	0	300	0	-300	-100.0%
Adjusted Federal Fund	\$0	\$300	\$0	-\$300	-100.0%
Reimbursable Fund	144	162	157	-4	-2.7%
Adjusted Reimbursable Fund	\$144	\$162	\$157	-\$4	-2.7%
Adjusted Grand Total	\$49,553	\$54,785	\$52,350	-\$2,436	-4.4%

Note: Includes targeted reversions, deficiencies, and contingent reductions.

- The fiscal 2018 allowance for the Patuxent Institution decreases by approximately \$2.4 million, or 4.4%, from the fiscal 2017 working appropriation.
- Over 99.0% of the allowance is general funds. General fund personnel expenses decrease by a net of \$1.3 million when adjusted for the fiscal 2018 contingent reduction to eliminate a supplemental pension payment. General fund utility expenses decrease by \$421,000 consistent with prior year actual spending. Funding for inmate medical expenses also decreases by \$508,000, reflective of a projected decline in the inmate population.
- Federal funds to provide services for inmates nearing re-entry to Baltimore City communities are eliminated in the allowance, as the grant has ended. Services were discontinued in September 2015 due to lack of available funding.

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

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Personnel Data

	<u>FY 16 Actual</u>	<u>FY 17 Working</u>	<u>FY 18 Allowance</u>	<u>FY 17-18 Change</u>
Regular Positions	457.00	452.00	452.00	0.00
Contractual FTEs	<u>0.95</u>	<u>1.21</u>	<u>2.32</u>	<u>1.11</u>
Total Personnel	457.95	453.21	454.32	1.11

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	26.80	5.93%
Positions and Percentage Vacant as of 12/31/16	69.00	15.27%

- The fiscal 2018 allowance for the Patuxent Institution reflects an increase of 1.11 contractual full-time equivalents (FTE). According to the Department of Public Safety and Correctional Services, this is a budgeting error in the fiscal 2017 working appropriation. A total of 2.32 FTEs are funded in fiscal 2017 and 2018.
- As of December 31, 2016, the Patuxent Institution had nearly 15.3% of its regular positions vacant. This is 42.2 vacancies beyond what is needed to meet budgeted turnover for fiscal 2018 and 22.0 positions above the number of vacancies the agency had in December 2015. Of the 69.0 current vacancies, 54.0 positions (78.0%) are correctional officers. Nearly 57.0% of the vacancies have existed for more than 12 months.

Analysis in Brief

Major Trends

Population Trends: The average daily population (ADP) for inmates housed at the Patuxent Institution has decreased by 9.5% since fiscal 2012. The decrease has been driven by a decline in inmates under the jurisdiction of the Patuxent Institution, partially offset by a slow increase in the number of Division of Correction offenders in need of Patuxent Institution services. **The Patuxent Institution should discuss how changes to the flagship programs have affected remediation efforts and facility operations. The Patuxent Institution should explain the decrease in ADP for the Regimented Offender Treatment Center program and how the provision of substance abuse treatment to fewer inmates correlates with the State’s intention to provide increased treatment services expressed through the provisions of the Justice Reinvestment Act.**

Inmate Assault Rates: Maintaining the safety and security of both staff and inmates at the Patuxent Institution is of significant importance. Although assaults continue to occur at a higher rate in the Mental Health Unit (MHU) versus among the general population, in fiscal 2016, the rate at which offenders and staff were assaulted for the MHU declined, while assault rates among the general population increased. **The Patuxent Institution should comment on efforts to reduce assault rates on offenders and staff.**

Recommended Actions

1. Concur with Governor’s allowance.

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DPSCS Patuxent Institution
Department of Public Safety and Correctional Services

Operating Budget Analysis

Program Description

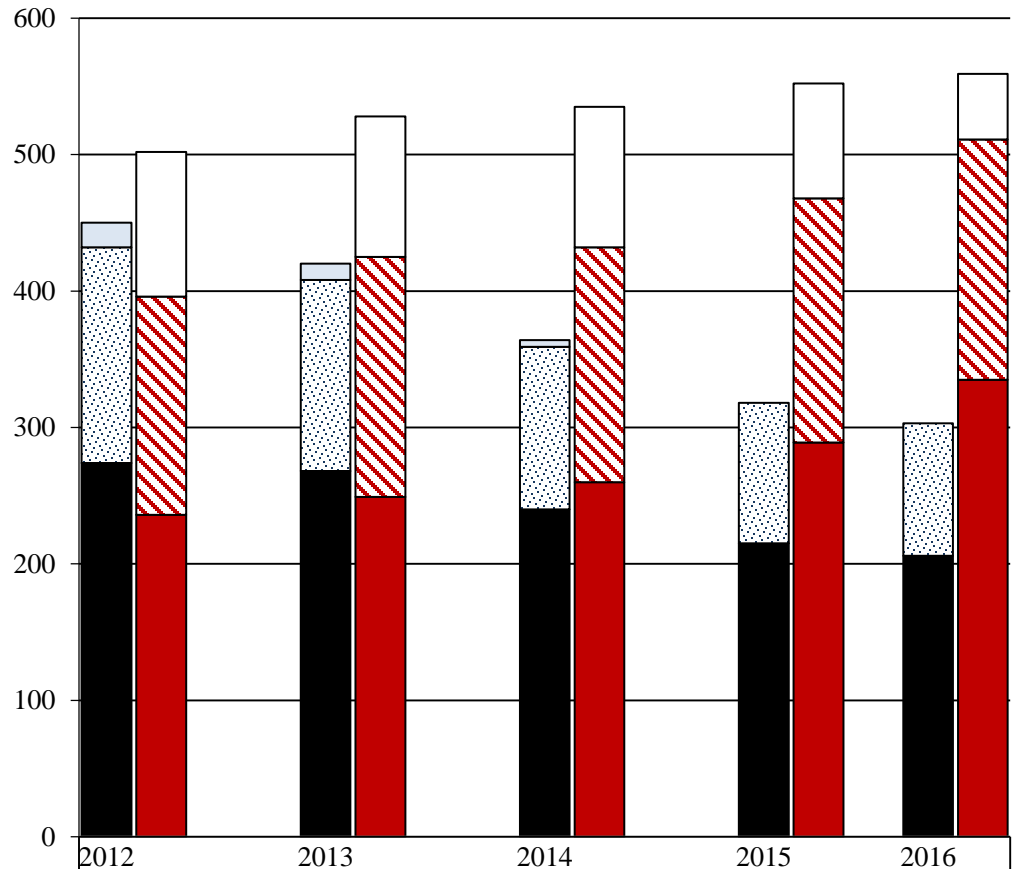
Patuxent Institution operates as a maximum security, treatment-oriented facility that provides remediation services to male and female offenders in its Eligible Person (EP) Program and Patuxent Youth Program (PY). The institution also addresses the needs of mentally ill offenders throughout the correctional system within the Correctional Mental Health Center – Jessup (CMHC-J), as well as Patuxent’s Transition Unit and Step-Down Mental Health Unit. The remaining population is comprised of Division of Correction (DOC) inmates who may be participating in the Patuxent Assessment Unit, the Regimented Offender Treatment Center (ROTC), the Parole Violators Program, or stand-alone cognitive-behavioral treatment modules.

Performance Analysis: Managing for Results

1. Population Trends

Exhibit 1 shows the average daily population (ADP) for inmates housed at the Patuxent Institution. The Patuxent Institution’s overall ADP has decreased since fiscal 2012, by a total of 90 offenders, or 9.5%, through fiscal 2016. The decrease has been driven by a decline in inmates under the jurisdiction of the Patuxent Institution, which includes the adult EP program, the PY program, and the Patuxent Re-entry Facility (REF) in Baltimore City. REF, which at most in the past five years housed 18 inmates, was absorbed within other facilities in fiscal 2014. The EP and PY programs declined by 68 and 61 offenders, respectively, between fiscal 2012 and 2016. In fiscal 2016, the Patuxent Institution operated 147 offenders below its combined capacity of just over 450 for these programs. In fiscal 2013, the EP program was changed from open-ended to time limited, and in fiscal 2014 the Patuxent Institution began piloting intensive nine-month EP and PY programs in order to allow the programs to accommodate more inmates. **The Patuxent Institution should discuss how changes to the flagship programs have affected remediation efforts and facility operations.**

**Exhibit 1
Patuxent Institution Average Daily Population
Fiscal 2012-2016**



	2012	2013	2014	2015	2016
□ Patuxent Re-entry Facility	18	12	5	0	0
▨ Patuxent Youth Program	158	140	119	103	97
■ Patuxent Eligible Person Program	274	268	240	215	206
□ DOC ROTC	106	103	103	84	48
▨ DOC CMCH-J	160	176	172	179	176
■ DOC Other	236	249	260	289	335

ADP: average daily population
 CMCH-J: Correctional Mental Health Center – Jessup
 DOC: Division of Correction
 ROTC: Regimented Offender Treatment Center

Source: Annual ADP Reports, Fiscal 2011-2016

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The Patuxent Institution also serves inmates under the jurisdiction of DOC through CMHC-J, ROTC, and other smaller programs. The size of the populations housed in CMHC-J and ROTC remained fairly stable between fiscal 2011 and 2015. In fiscal 2016, however, the ROTC program, responsible for providing substance abuse treatment for male offenders, decreased to an ADP of 48, reflecting a 42.9% decrease from the previous year. **The Patuxent Institution should explain the decrease in ADP for the ROTC program and how the provision of substance abuse treatment to fewer inmates correlates with the intention to provide increased treatment services expressed through the provisions of the Justice Reinvestment Act.**

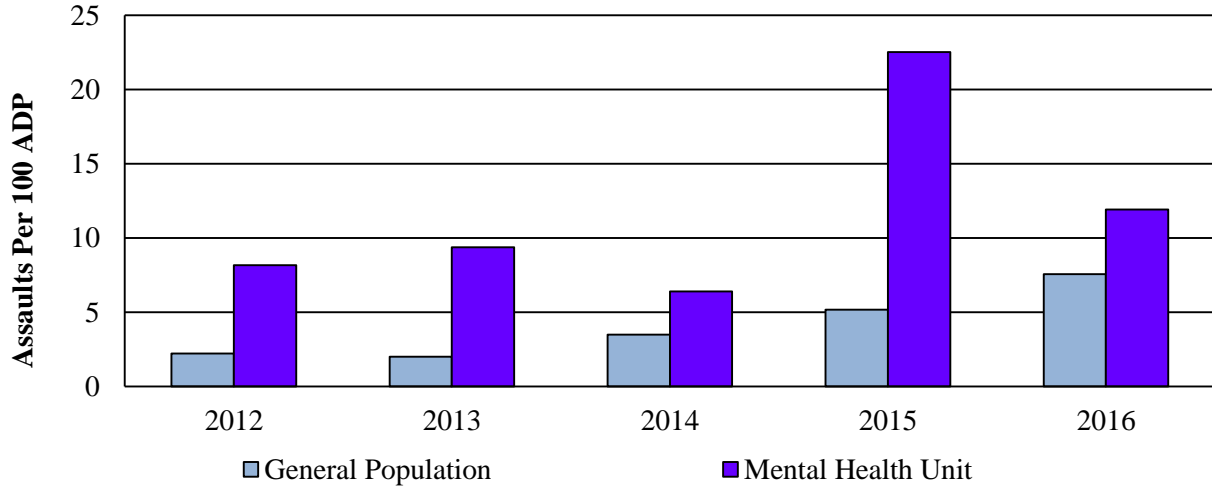
The only population to show an increase in fiscal 2016 was the number of other DOC offenders in need of Patuxent services, which grew by an ADP of 46 in the past year. This population includes those awaiting evaluation for the EP or PY programs, receiving specialized services through the Parole Violator Program or the Patuxent Assessment Unit, or transitioning between the Patuxent Institution and other departmental institutions. In fiscal 2016, DOC offenders accounted for 64.8% of the total population at the Patuxent Institution, whereas in fiscal 2012, DOC offenders accounted for only 52.7% of the total population. According to the department, there are 5,100 offenders within the Department of Public Safety and Correctional Services (DPSCS) who have been diagnosed as mentally ill or seriously mentally ill, an increase of 6.3% over the prior fiscal year.

2. Inmate Assault Rates

While the primary focus of the Patuxent Institution is to provide mental health services and treatment, it is still a maximum security correctional facility. Maintaining the safety and security of both staff and inmates is of significant importance. **Exhibit 2** provides offender-on-offender assault data for inmates in the general population and at the Mental Health Unit (MHU) since fiscal 2012, and **Exhibit 3** provides similar data for offender-on-staff assaults. Due to the characteristics of the population housed at the Patuxent Institution, assault rates tend to be higher than those reported at other departmental institutions.

Assault rates at MHU occur with much greater frequency than among the general population. After increasing significantly between fiscal 2014 and 2015, MHU assault rates on staff and other offenders declined in fiscal 2016. The offender-on-offender assault rate in particular decreased by nearly half, although the 11.9 assaults per 100 ADP was still considerably higher than in fiscal 2012 through 2014. The offender-on-staff assault rate for MHU, which has historically been higher than the offender-on-offender assault rate, decreased to 29.0 assaults per 100 ADP from 31.3 assaults the previous year. Assaults on both offenders and staff increased among the general population in fiscal 2016. According to the Patuxent Institution, the increase is attributable to the growth in the population. **The Patuxent Institution should comment on efforts to reduce assault rates on offenders and staff.**

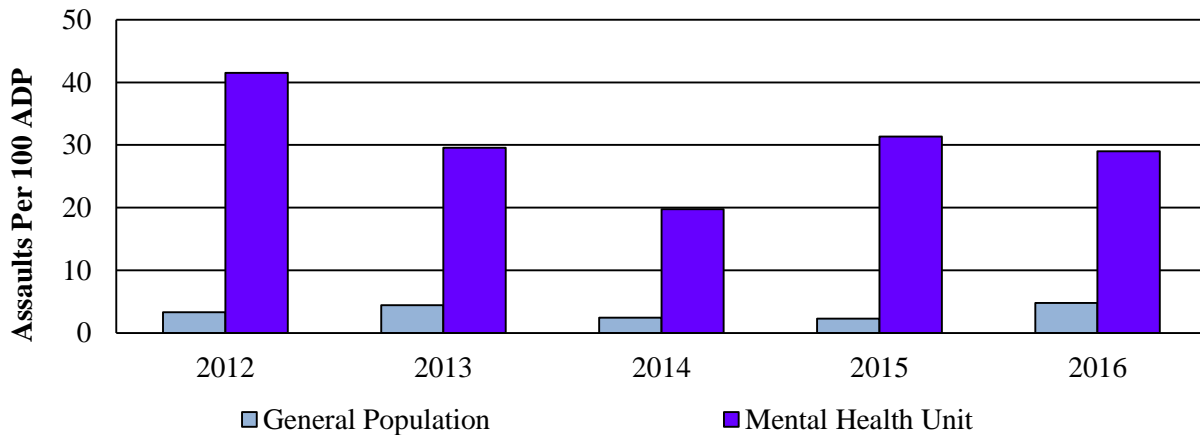
Exhibit 2
Patuxent Institution Offender-on-offender Assaults Rates
Fiscal 2012-2016



ADP: average daily population

Source: Fiscal 2018 Managing for Results

Exhibit 3
Patuxent Institution Offender-on-staff Assault Rates
Fiscal 2012-2016



ADP: average daily population

Source: Fiscal 2018 Managing for Results

Fiscal 2017 Actions

Section 20 Position Abolitions

Section 20 of the fiscal 2017 budget bill required the Governor to abolish 657 vacant regular positions and reduce the fiscal 2017 budget by \$25.0 million. The impact to DPSCS was the loss of \$7.8 million in general funds, \$100,000 in special funds, and 58 regular positions. The Patuxent Institution’s share of that reduction was 1 position, with actual salary and fringe benefit savings of \$58,456.

Proposed Budget

As **Exhibit 4** illustrates, the fiscal 2018 allowance for the Patuxent Institution decreases by \$2.4 million, or 4.4%, when compared to the fiscal 2017 working appropriation.

Exhibit 4
Proposed Budget
DPSCS – Patuxent Institution
(\$ in Thousands)

How Much It Grows:	<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 2016 Actual	\$49,270	\$139	\$0	\$144	\$49,553
Fiscal 2017 Working Appropriation	54,210	114	300	162	54,785
Fiscal 2018 Allowance	<u>52,122</u>	<u>71</u>	<u>0</u>	<u>157</u>	<u>52,350</u>
Fiscal 2017-2018 Amt Change	-\$2,088	-\$43	-\$300	-\$4	-\$2,436
Fiscal 2017-2018 Percent Change	-3.9%	-38.0%	-100.0%	-2.7%	-4.4%

Where It Goes:

Personnel Expenses

Overtime	\$279
Workers’ compensation premium assessment	68
Other fringe benefit adjustments	22
Contingent reduction to supplemental pension payment	-105
Turnover adjustments	-615
Employee and retiree health insurance	-947

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Where It Goes:

Other Changes

Inmate food cost.....	91
Building maintenance	60
Per diems paid to the community members of the Patuxent Review Board.....	8
Other	-25
Inmate welfare funds.....	-43
End of federal Second Chance Act Prisoner Reentry Initiative grant.....	-300
Fuel and utilities.....	-421
Inmate medical contract costs.....	-508
Total	-\$2,436

DPSCS: Department of Public Safety and Correctional Services

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

Across-the-board Reductions

The fiscal 2018 budget bill includes a \$54.5 million (all funds) across-the-board contingent reduction for a supplemental pension payment. Annual payments are mandated for fiscal 2017 through 2020 if the Unassigned General Fund balance exceeds a certain amount at the close of the fiscal year. This agency’s share of these reductions is \$118,432 in general funds. This action is tied to a provision in the Budget Reconciliation and Financing Act of 2017.

Personnel

Personnel expenses decrease by approximately \$1.3 million, and account for 53.3%, of the total decline in fiscal 2018. Funding is reduced for employee retirement, health insurance, and to bring the budgeted turnover rate more in line with actual vacancies. These reductions are partially offset by an increase in overtime funding. The agency receives a 7.7% increase in its budgeted overtime, with the allowance providing a total of \$3.9 million for this purpose. Even with this increase, however, the fiscal 2018 allowance remains \$420,000 below fiscal 2016 actual spending. Similarly, the fiscal 2017 working appropriation for overtime is nearly \$700,000 below the most recent actual. As of the end of calendar 2016, Patuxent had 42 vacant positions beyond what is needed to meet the fiscal 2018 budgeted turnover rate of 5.9%. The current vacancy rate is nearly 15.3%. The funding associated with these excess vacancies will likely be used to cover any shortfalls in the budgeted amount for overtime. However, it is worth noting that the number of vacancies increased by 22 positions between the end of calendar 2015 and 2016, meaning that the overtime shortfalls identified when compared to fiscal 2016 actual spending could still be understated.

Other Changes

Excluding personnel expenses, the allowance for the Patuxent Institution decreases by approximately \$1.1 million. The largest reduction occurs for inmate medical contract costs, which decrease by \$508,000, based on anticipated decline in ADP. Funding is also reduced for fuel and utilities by \$421,000, consistent with fiscal 2016 actual spending. Inmate welfare funds decrease by approximately \$43,000, reflective of the loss of telephone commissions to the fund.

The end of a \$300,000 federal grant supporting services for inmates nearing re-entry to Baltimore City communities eliminates the entire federal fund appropriation for the agency. The grant provided intensive case management and mental health, substance abuse, and somatic treatment for offenders. Additionally, the contracted vendor would provide offenders with links to benefits, housing, clothing, and transportation. The grant concluded in September 2015 and services were discontinued at that time due to the lack of additional grant funding.

Offsetting these reductions is a \$91,000 (6.9%) increase in inmate food costs, with the increase in meal cost per day offsetting any anticipated savings from a reduced inmate population. Funding for building maintenance increases by \$60,000 to place the allowance more in line with fiscal 2016 actual expenditures. Finally, an additional \$8,000 is provided to increase the per diem paid to the five community members of the Patuxent Board of Review. The board meets twice a month to review the progress of inmates in the EP and PY programs to determine whether the offender continues to be eligible for the treatment program and to make recommendations regarding work release and parole. The additional funds provided in the fiscal 2018 allowance provide an increase of \$50 per meeting to each member. The current \$150 per diem has not been increased in over 12 years.

Recommended Actions

1. Concur with Governor's allowance.

**Appendix 1
Object/Fund Difference Report
DPSCS – Patuxent Institution**

<u>Object/Fund</u>	<u>FY 16 Actual</u>	<u>FY 17 Working Appropriation</u>	<u>FY 18 Allowance</u>	<u>FY 17 - FY 18 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	457.00	452.00	452.00	0.00	0%
02 Contractual	0.95	1.21	2.32	1.11	91.7%
Total Positions	457.95	453.21	454.32	1.11	0.2%
Objects					
01 Salaries and Wages	\$ 37,976,627	\$ 40,340,360	\$ 39,160,619	-\$ 1,179,741	-2.9%
02 Technical and Spec. Fees	90,240	102,961	115,254	12,293	11.9%
03 Communication	117,726	88,305	97,924	9,619	10.9%
04 Travel	818	4,000	2,000	-2,000	-50.0%
06 Fuel and Utilities	1,459,626	1,910,837	1,489,988	-420,849	-22.0%
07 Motor Vehicles	73,960	78,000	76,000	-2,000	-2.6%
08 Contractual Services	7,127,130	9,786,282	9,009,268	-777,014	-7.9%
09 Supplies and Materials	2,247,021	2,097,374	2,177,951	80,577	3.8%
10 Equipment – Replacement	159,029	12,190	12,340	150	1.2%
12 Grants, Subsidies, and Contributions	259,455	325,124	266,700	-58,424	-18.0%
13 Fixed Charges	38,465	40,000	60,158	20,158	50.4%
14 Land and Structures	3,190	0	0	0	0.0%
Total Objects	\$ 49,553,287	\$ 54,785,433	\$ 52,468,202	-\$ 2,317,231	-4.2%
Funds					
01 General Fund	\$ 49,270,030	\$ 54,209,609	\$ 52,240,006	-\$ 1,969,603	-3.6%
03 Special Fund	139,218	114,024	70,700	-43,324	-38.0%
05 Federal Fund	0	300,000	0	-300,000	-100.0%
09 Reimbursable Fund	144,039	161,800	157,496	-4,304	-2.7%
Total Funds	\$ 49,553,287	\$ 54,785,433	\$ 52,468,202	-\$ 2,317,231	-4.2%

DPSCS: Department of Public Safety and Correctional Services

Note: Does not include targeted reversions, deficiencies, and contingent reductions.