



## Department of Public Safety and Correctional Services

### Office of the Secretary

300 E. JOPPA ROAD • SUITE 1000 • TOWSON, MARYLAND 21286-3020  
(410) 339-5000 • FAX (410) 339-4240 • TOLL FREE (877) 379-8636 • V/TTY (800) 735-2258 • [www.dpscs.maryland.gov](http://www.dpscs.maryland.gov)

STATE OF MARYLAND

January 28, 2016

LAWRENCE J. HOGAN, JR.  
GOVERNOR

BOYD K. RUTHERFORD  
LT. GOVERNOR

STEPHEN T. MOYER  
INTERIM SECRETARY

WILLIAM STEWART  
DEPUTY SECRETARY  
ADMINISTRATION

J. MICHAEL ZEIGLER  
DEPUTY SECRETARY  
OPERATIONS

RHEA L. HARRIS  
ASSISTANT SECRETARY  
PROGRAMS & SERVICES

DAVID N. BEZANSON  
ASSISTANT SECRETARY  
CAPITAL PROGRAMS

The Honorable James E. DeGrange, Sr.  
Chair, Senate Public Safety, Transportation, and  
Environment Subcommittee  
Room 120, James Senate Office Building  
Annapolis, Maryland 21401-1991

Re: Department of Public Safety and Correctional Service (DPSCS)  
Fiscal 2017 Budget Administration Responses

Dear Chairman DeGrange:

Attached for your reference is the Department's discussion pertaining to issues in the DPSCS Fiscal 2017 Budget Administration analysis.

I hope this information is helpful to you and your Subcommittee members. Please allow me to extend my sincere thanks to you and the Subcommittee for your ongoing interest in, and continued support of, the Department of Public Safety and Correctional Services. I welcome the opportunity to provide additional information and assistance should you have any questions with respect to this issue.

Sincerely,

Stephen T. Moyer  
Secretary

cc: Members of the Senate Subcommittee on Public Safety, Transportation & Environment  
Mr. Matthew Bennett, Staff, Senate Budget & Taxation Committee  
Ms. Hannah Dier, Policy Analyst, DLS  
Mr. Kyle Mansfield, Budget Analyst, DBM  
Deputy Secretary William Stewart, DPSCS  
Deputy Secretary J. Michael Zeigler, DPSCS  
Assistant Secretary Rhea Harris, DPSCS  
Assistant Secretary David Bezanson, DPSCS  
Director Christopher McCully, Financial Services, DPSCS  
Director Rachel Sessa, Government, Legislative & Community Affairs, DPSCS

**DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES  
FY 2017 ADMINISTRATION**

**Staffing**

**Issue:** DPSCS should comment on the effect the high vacancy rate has had on its ability to carry out its mission, as well as the plan to fill vacant positions.

**Response:** The Department intends to fill all vacancies in accordance with budgeted turnover requirements. It should be noted that current vacancies typically have a lower salary than the average salary across the Department. Since these vacancies carry a lower salary than the Departmental average, the Department is obligated to carry a higher number of vacancies than what is required in order to meet the value amount of the Department's budgeted turnover rate.

However, ensuring continuous fulfillment of the appropriate number of vacant positions is a priority for the Department. The Department recognizes the potential negative impact of carrying more vacancies than what is necessary to meet the value amount of the Department's budgeted turnover rate in terms of overtime reliance and the impact on operations. To address these vacancies, the Department has taken the following steps:

- In late September of 2015, the Department reorganized its Human Resources Services Division (HRSD) without losing any employees. The reorganization centralized recruitment and created uniformity in the recruitment processes. Since the reorganization, agency recruitments have increased from 23 to 90, representing an increase of almost 400 percent.
- The Department created a Recruitment Unit – staffed with three professional recruiters – that will be fully operational by the end of February 2016. The Department has established a recruitment plan to address all phases of recruitment within the organization. Specifically, the plan focuses on Correctional Officer positions and technical positions that are typically challenging to fill. The Department has also partnered with colleges that offer Criminal Justice and Correctional programs or other programs such as psychology, nursing, etc. In addition to partnering with higher education institutions, the Department has established a relationship with the military, veterans groups and retired military veterans associations in hopes of tapping into this great pool of talent.
- The Department is currently in the process of implementing a new, validated test for Correctional Officer recruitments that reduces the testing time from approximately five and a half (5.5) hours to two (2) hours.

- Lastly, the Department is taking the following actions to address the vacant positions identified in the Administration budget:
  - Twelve (12) vacancies identified are assigned to the Intelligence and Investigative Division (IID). The Department is actively recruiting candidates for all twelve (12); seven (7) of which are already in the offer stage.
  - Twenty-three (23) vacancies fall under the Central Transportation Unit. Upon completion of the Baltimore staffing plan the Department anticipates these vacancies will be filled through transfers.
  - Eight (8) vacancies fall under the Home Detention Unit and these are under active recruitment within the next several weeks.
  - The remaining vacancies are within general Administration and are within various stages of recruitment, including critical positions within the Information & Communications Technology Division (ITCD).

### **Polygraph Unit**

**Issue: DPSCS should comment on whether the addition of the polygraph examination in the application process has affected its ability to fill vacant correctional officer positions in a timely fashion.**

**Response:** The Department began administering polygraph examinations in September 2015, in anticipation of the October 2015 statutory mandate. The Department anticipated a decrease in the number of eligible Correctional Officers candidates as a result of the polygraph implementation, but believes this process creates a more veracious pool of candidates. As of December 31, 2015:

- 125 applicants completed the polygraph background booklet;
- 97 applicants were scheduled for interviews;
- 86 applicants were scheduled for the polygraph;
- 70 applicants took the polygraph and 23 passed (33 percent).

Although the implementation of the polygraph examination has reduced the candidate pool, it is too early in the implementation stage to draw any reliable or validated statistical conclusions.

As previously mentioned, the Department views the polygraph as a useful tool that assists in vetting candidates and combatting corruption.

## **Commitment Unit**

**Issue:** DPSCS should comment on whether all incorrectly released offenders have been returned to custody and the steps taken to avoid similar mistakes in the future.

**Response:** The Department has verified that five of the seven incorrectly released offenders have been returned to custody, one offender is now under community supervision and the remaining offender has not been located. An arrest warrant remains open for the remaining offender.

Unfortunately, these instances were the result of human error and institutional staff failing to follow proper protocol and procedures. The Department has conducted investigations into these instances and taken disciplinary action where appropriate. Additionally, the Department has reviewed and bolstered its policy in hopes of preventing these future errors.

## **Inmate Banking Accounts**

**Issue:** DPSCS should comment on the status of actions taken to correct the reconciliation of accounts.

**The Department of Legislative Services recommends adding budget bill language restricting \$100,000 in general funds until DPSCS submits monthly reconciliation reports beginning in July 2016, including indication of corrective actions to be taken for any identified differences.**

**Response:** As noted in the Legislative analysis, the Department has made considerable strides in addressing inmate account reconciliations. Additionally, the Department is taking action to ensure future reconciliation issues do not occur.

In May of 2013, the unreconciled difference was identified as being \$382,000 for the Jessup Region and Baltimore facilities, excluding what was the Baltimore City Detention Center (BCDC) and Baltimore City Booking and Intake Center (BCBIC). This number is not reflective of the Department's overall unreconciled difference. In accordance with budget bill language, the Department took the following actions which reduced the unreconciled balance to \$82,000:

- In Fiscal Year 2014, the Department transferred \$200,000 towards reconciling inmate accounts;
- In Fiscal Year 2015, the Department transferred an additional \$100,000 towards reconciling inmate accounts.

In August of 2014, the Department implemented the Maryland Offender Banking System - II (MOBS-II). MOBS-II provides certain automation of various inmate account functions, which eliminates staff from manually transferring inmate accounts

between facilities when an inmate is moved. This process has assisted in resolving some of the reconciliation issues previously experienced. As a result of the implementation of MOBS-II, the Department established a plan to conduct regional as well as Departmental reconciliations.

While conducting Departmental reconciliations, it was discovered that some of the balances being used to reconcile against were incorrect based on the various reports that were generated out of the original MOBS. This discovery changed the unreconciled difference bottom-line for the Department by approximately \$46,000. As a result of this discovery, the balance reported in Financial Management Information System (FMIS) slightly exceeds the balances reported in the MOBS-II.

Moving forward, the Department is taking action to prevent future reconciliation errors from occurring. Specifically, the Department is working with the Department of Information Technology (DoIT) to establish an interface between MOBS-II and the State accounting system (FMIS). This interface will eliminate manual posting of FMIS transactions and thus significantly simplifying the reconciliation process. The Department is hopeful that testing of this interface will begin by mid-February 2016.

The Department will continue to work on reconciling all inmate accounts back to August 2014 in order to comply with requirements identified by the Office of Legislative Audits (OLA). As indicated in the corrective action plan, which was submitted to the Office of Legislative Audits, June 30, 2016 is the established target to have all regions reconciled. In order to assist in meeting this target date, the Department has centralized supervision of the regional finance offices to report up through the Chief Financial Officer. Additionally, the finance offices in conjunction with Finance Headquarters meet on a bi-weekly basis to discuss the status of reconciliations.

*[Response to recommended action is included under the Recommended Actions section.]*

### **Offender Case Management System**

**Issue:** DPSCS should comment on improvements that still need to be made in order to allow for efficient use of the system and whether the department can accomplish necessary modifications with existing resources.

**Response:** The Department continues to make improvements to the Offender Case Management System (OCMS). Specifically, as issues identified in the Parole and Probation Agent Workload Study and outlined in the analysis on page 13, the Department has specifically addressed the following:

- **Inadequate training and outdated operations manuals** - While a full OCMS Users Guide is currently in development, instructions for opening and closing a case have been sent to all users.

- **Lack of interface between OCMS and other existing systems, such as OBSCIS II; necessitating additional data entry to complete tasks as well as leading to errors from data entry** – OCMS current interfaces with OBSCIS II via an data feed from OCMS to OBSCIS II. Once in OBSCISII, users update restitution data.
- **Insufficient procedures and controls over user access** - User roles have been defined and security measures developed by the site security staff.
- **Improperly transferred data from OBSCIS I to OCMS, resulting in discrepancies with inmate release dates** – It's important to note that **no inmates were released early as result of data migration errors**. Cases are being thoroughly audited prior to release, and during routine case reviews for changes in sentencing information, in release date order, earliest to latest.
- **Inability to generate key information and alerts for supervision cases** - the Division of Parole and Probation was recently awarded a grant for data analytics which will provide this key information and supervision alerts.
- **Difficulty generating regular annual and quarterly population reports** - OCMS now has a reporting tool for all users and the Office Grants, Policy and Statistics produces monthly and quarterly reports.

The Department has currently identified an estimated \$1.8 million in further required OCMS enhancements and continues to review and approve all enhancement requests through an established Steering Committee. The Committee prioritizes requests based on available resources, staffing, and timeframe for implementing enhancements.

### **Computerized Criminal History Major IT Project**

**Issue:** DPSCS should comment on the need for and timeliness of this project.

**Response:** The current Criminal History system is a mainframe based system that is over 30 years old. Due to the outdated technology, higher education courses on mainframe systems are no longer taught, which makes it extremely difficult to recruit staff that are qualified and capable to maintain this antiquated system. The Department recently received a federal grant that will provide financial assistance to begin replacement of the Criminal History system project. If the Department does not replace the mainframe based system, the Department will likely experience failures resulting in the inability to provide critical information to law enforcement agencies pertaining to criminal history and background checks. Therefore, it's critical that the mainframe based Criminal History system be replaced.

## **Recommended Actions**

1. Add the following language to the general fund appropriation:

,provided that \$100,000 of this appropriation made for the purpose of general administration may not be expended until the Department of Public Safety and Correctional Services submits monthly inmate banking account reconciliation reports, including indication of corrective actions to be taken for any identified differences, to the budget committees. Monthly reports shall be submitted by the first of each month, beginning on July 1, 2016 and ending May 1, 2017. Funds shall not be released until all 11 reports have been received. The budget committees shall have 45 days from receipt of the final report to review and comment. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted to the budget committees.

**Response:** The Department disagrees with the recommendation to restrict funding pending submission of submitting monthly reconciliation reports. As outlined in the recommendation, the funds would not be released until all eleven (11) reports have been received which would end in May of 2017. Additionally, the budget committees would have forty-five (45) days to review and comment. Given the timeframe as recommended the Department would essentially lose this funding as there would be no way to spend it within the timeframe as recommended.

Additionally, while the Department appreciates concerns raised by the Department of Legislative Services (DLS) on this issue, the Department is well under the threshold set by the Joint Audit Committee, which is to restrict funding if a Department's audit has four or more repeat findings. The most recent Office of Legislative Audits' audit contained only two repeat findings for Office of the Secretary.

Restricting the budget for the Department's "Administration" means that critical vacancies remain unfilled. Therefore, this action would be counterproductive to the Department's efforts in reducing critical vacancies as discussed above.

The Department understands the importance of this issue and will work with DLS and provide monthly reconciliation reports as requested; however, the Department respectfully requests the recommendation to restrict funding to be rejected.