



Committee: PS
Committee Review: Completed
Staff: Susan J. Farag, Legislative Analyst
Purpose: To make preliminary decisions – straw vote expected
Keywords: #Sheriff; #OperatingBudget

AGENDA ITEM #24
 May 12, 2021
Action
REVISED

SUBJECT

Office of the Sheriff FY22 Operating Budget

EXPECTED ATTENDEES

None.

FY22 COUNTY EXECUTIVE RECOMMENDATION

Sheriff	FY21	FY22	Change from FY21 Approved
	Approved	CE Recommended	
General Fund	\$24,657,675	\$25,515,282	3.48%
Personnel Costs	\$20,778,420	\$21,761,506	4.73%
	187.89 FTEs	187.62 FTEs	1.91 FTEs
Operating Costs	\$3,879,255	\$3,753,776	-3.23%
Grant Fund	\$903,646	\$903,646	0.00%
Personnel Costs	4.91 FTEs	5.18 FTEs	5.50%
Operating Costs	\$317,125	\$317,125	-
Total Expenditures (All Funds)	\$25,561,321	\$26,418,928	3.36%
	192.80 FTEs	192.80 FTEs	-

COMMITTEE RECOMMENDATIONS

- The Public Safety Committee (3-0) recommended restoring \$17,789 to the Sheriff’s budget to maximize the availability of less-lethal force options.

This report contains:

Staff Report
 FY22 Recommended Operating Budget

Pages 1-2
 © 1-8

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FY22 Operating Budget: Committee Consent Calendar

PS Committee #4A

April 29, 2021

Department/Office: Sheriff

Staff: Susan J. Farag, Legislative Analyst

1. Staff Recommendation

Council staff recommends moving this item to discussion so that the Committee can understand the reduced funding for Tasers.

Council staff recommends approval of the rest of the FY22 Sheriff Operating Budget as submitted by the County Executive.

2. Summary of FY22 Recommended Budget

The County Executive's complete FY22 Recommended Operating Budget for the Sheriff is attached at ©1-8.

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	192.80 FTEs	192.80 FTEs	-

3. Summary of FY22 Recommended Changes/Adjustments

Changes with Service Impacts:

- **Lapse Client Assistance Specialist for Six Months (\$43,110).** This change extends the lapse in FY22 as first realized in Round 1 of the FY21 Savings Plan.
- **Reduce Entry Level Security Hours for Contract Security Officers (\$129,470).** This change extends the reduction first realized in Round 1 of the FY21 Savings Plan.

Changes without Service Impacts:

- **Increase Recruitment Class Size (\$107,352).** This increase funds 10 recruits in FY22 to address attrition.

- **Reduce Taser Purchases (-\$17,789).** This reduction will delay the purchase of new tasers for FY22. The Sheriff purchases Tasers under the County Police contract with Axon and tasers must be replaced every five years. Additionally, the Sheriff would like to ensure that all Deputies are trained and certified to carry Tasers. The Sheriff currently has about 54 certified Deputies, and the Sheriff has been training about 15 Deputies per year. Council staff is concerned that a delay in the training and issuance of Tasers across all staff impairs the ability to use a less-lethal tool when necessary. ***Council staff recommends pulling the Sheriff budget off consent to discuss this item to fully understand the challenges associated with delay.***



Sheriff

RECOMMENDED FY22 BUDGET

\$26,418,928

FULL TIME EQUIVALENTS

192.80

 DARREN POPKIN, SHERIFF

MISSION STATEMENT

The mission of the Sheriff's Office is to provide general law enforcement, judicial enforcement, and specialized public safety services to the residents of Montgomery County in a lawful, fair, impartial, and non-discriminatory manner; and to ensure that Court mandates are carried out with respect for individual rights and freedoms. The Sheriff's Office is committed to establishing and maintaining cooperative working relationships with all other law enforcement, governmental, and criminal justice agencies, and the Courts to ensure that the residents of Montgomery County receive the full range of law enforcement services required for a safe and orderly society.

BUDGET OVERVIEW





The total recommended FY22 Operating Budget for the Sheriff's Office is \$26,418,928, an increase of \$857,607 or 3.36 percent from the FY21 Approved Budget of \$25,561,321. Personnel Costs comprise 84.59 percent of the budget for 190 full-time position(s) and five part-time position(s), and a total of 192.80 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 15.41 percent of the FY22 budget.

COUNTY PRIORITY OUTCOMES

While this program area supports all seven of the County Executive's Priority Outcomes, the following are emphasized:

-  **Safe Neighborhoods**
-  **Effective, Sustainable Government**

INITIATIVES

-  Collaborating with the Montgomery County Department of Technology Services to make Intake and Recordkeeping at the Family Justice Center, fully electronic and paperless.
-  Development of a training institute on Domestic Violence Dynamics, Domestic Violence and the Workplace, How to Talk to Children About Dating Violence, and Bystander Intervention at the Family Justice Center.
-  Continue to explore partnerships between the Family Justice Center, the County and other non-profit agencies to provide enhanced services for victims of domestic violence who are also substance abusers.
-  To address attrition and the rate of recruitment, the Sheriff's Office will increase each of the two recruitment classes by one.

INNOVATIONS AND PRODUCTIVITY IMPROVEMENTS

- ★ The Family Justice Center (FJC) served 1,652 victims of intimate partner violence. The clients ranged in age from 15 to 83, with the majority being between the ages of 18 and 35. The FJC provided the services in 20 different languages (English, Amharic, Arabic, Bengali, Cantonese, Dari, Farsi, French, Haitian Creole, Korean, Latvian, Mandarin, Pashto, Portuguese, Russian, Spanish, Thai, Urdu, Vietnamese, and Yoruba).
- ★ Rotational telework, social distancing, and routine disinfecting protocols were immediately put in place at the Family Justice Center to ensure victims could safely receive the same critical, wraparound care that has always been available at the FJC during this time. The Center also set up a dedicated safe e-mail account (safe@montgomerycountymd.gov) so that victims of abuse could discreetly send an e-mail to the FJC if they could not safely make a phone call. A 20% decline in victims seeking services at the FJC was initially observed in April and May of 2020, but by June, the number of clients rebounded back to pre-COVID levels and continued to increase throughout the summer.
- ★ In collaboration with the Montgomery County Animal Services and Adoption Center, the FJC finalized and implemented an agreement to expand the Safe Keep Program, which provides emergency shelter for pets of domestic violence victims. Staff from the FJC and from the Animal Services and Adoption Center also participated in a joint training on the link between animal abuse and domestic violence.
- ★ In collaboration with Chesapeake Counseling Associates (CCA), FJC adapted the highly successful Safe Start Summer Camp program to a virtual format due to the COVID-19 public health crisis. Since summer camps were widely shut down this year, CCA mailed activity kits to more than 30 children for use in therapeutic, summer camp-style group activities that were done virtually through Zoom.
- ★ Utilizing best practices, the FJC revamped its website to make it more user-friendly and accessible to clients and the general public. New features include a quick exit button, resource pages, and embedded links to allied agency websites.
- ★ The FJC Volunteer and Internship Program accepted 16 volunteers and interns who completed 558 hours of service until the program was temporarily suspended in March 2020 due to the COVID-19 public health crisis.

PROGRAM CONTACTS

Contact Mary Lou Wirdzek of the Sheriff's Office at 240.777.7078 or Taman Morris of the Office of Management and Budget at 240.777.2763 for more information regarding this department's operating budget.

PROGRAM PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable), with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY21 estimates reflect funding based on the FY21 Approved Budget. The FY22 and FY23 figures are performance targets based on the FY22 Recommended Budget and funding for comparable service levels in FY23.

PROGRAM DESCRIPTIONS

★ Administration

This division provides general administrative support to the Sheriff's Office including personnel and labor relation matters, planning and policy, training, background investigations, payroll, purchasing, internal investigations, automation, grants, and

budget-related functions. The Administrative Division provides technical support for the Sheriff's Records Management System (E*Justice). The Administrative Division also oversees the Sheriff's compliance with recognized accreditation standards. The Assistant Sheriffs direct research and development of policies, procedures, and regulations to meet professional standards developed for law enforcement agencies.

The Assistant Sheriffs also oversee internal investigations, represent the Sheriff's Office in legislative matters, and provide legal direction. The Sheriff's Office participates in school functions, civic association meetings, and serves on commissions and committees. The Sheriff's Office serves on applicant, promotional, and disciplinary boards of other public safety agencies. Administrative personnel organize and teach in-service and specialized deputy training and periodic weapons qualification, as required by the Maryland Police Training Commission. The Sheriff's Office also participates in law enforcement task forces and units such as the Special Response Team, Special Events Response Team, and Hostage Negotiation Team in cooperation with the Montgomery County Police Department, Montgomery County Fire and Rescue Service, and other law enforcement agencies; and in responses to mutual-aid calls as necessary.

Program Performance Measures	Actual FY19	Actual FY20	Estimated FY21	Target FY22	Target FY23
Number of Interim and Temporary Peace Orders received ¹	2,454	2,258	5,624	3,500	3,600
Number of Interim and Temporary Protective Orders received	4,559	4,557	3,392	5,800	5,800
Number of safety check violations resulting in arrest ²	2	0	1	1	1
Number of weapons seized as a result of Protective Orders	260	164	92	92	92

¹ The Sheriff's Office is required to immediately serve Court issued Peace and Protective orders in cases where petitioners seek protection from abuse. Each year, a higher number of Interim and Temporary Orders are received that require full processing through State and Federal law enforcement databases prior to physical service of the orders on the respondent.

² Safety checks involve efforts by Sheriff's deputies to ensure that victims are safe and court orders are being obeyed after the issuance of an Interim or Temporary Order. Safety checks are conducted by site visit or phone.

FY22 Recommended Changes	Expenditures	FTEs
FY21 Approved	5,904,683	28.55
Increase Cost: Increase Recruitment Class Sizes	107,352	0.00
Increase Cost: Promotional Exams	80,000	0.00
Increase Cost: Implementation of Longevity Increment Pass-through to Deputy Sheriff Management Salary Scale	23,464	0.00
Increase Cost: Ballistic Vests	23,000	0.00
Technical Adj: FTE Adjustment from General Fund for Child Support and Protective Order	0	0.27
Technical Adj: FTE Adjustment to Grants for Child Support and Protective Order	(1,660)	(0.27)
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	950,845	0.45
FY22 Recommended	7,087,684	29.00

Civil Process

The Sheriff's Office is mandated to serve all civil processes as directed by the Courts or private litigants and file returns to the Court. These papers include summonses, subpoenas, failure-to-pay rent notices, and other court documents. The Civil Process function is supported by deputies, who research and serve papers, and by administrative staff, who maintain the tracking process. The Sheriff's Office also executes court-ordered attachments, personal and real property seizures, and replevins (a civil action to recover property wrongfully held). As a final step in resolution of a court judgment, the Sheriff's Office conducts sales of seized or attached property. In the case of evictions, the Sheriff's Office restores real property to property owners by evicting tenants and

their possessions as directed by the Court. When appropriate, tenants are referred to human service agencies.

FY22 Recommended Changes	Expenditures	FTEs
FY21 Approved	2,421,340	22.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	8,350	0.00
FY22 Recommended	2,429,690	22.50

Courtroom/Courthouse Security and Transport

The Sheriff's Office is responsible for transporting inmates between the Montgomery County Correctional Facility (MCCF), Montgomery County Detention Center (MCDC), and various jails and court-holding facilities, as well as to and from healthcare facilities. The Sheriff's Office also guards inmates while at these facilities. When a writ is received from other counties, deputies are required to transport MCDC and MCCF inmates to other Maryland District and Circuit Courts. The Sheriff's Office administers temporary detention facilities in the Silver Spring and Rockville District Courts, the Circuit Court for adult inmates as well as the Juvenile Court holding facility located in the South Tower of the Circuit Court complex.

The Sheriff's Office provides security for the County's Circuit Court and operates X-ray machines and magnetometers to screen visitors entering the buildings at three public entrances. The Sheriff's Office uses trained canines to detect explosives, weapons, and to serve as a general crime deterrent within the courthouses.

The Sheriff's Office Canine Section is also the primary responder for explosive device detection calls, Monday through Friday and responds to mutual-aid calls from the Montgomery County Police Department, Montgomery County Fire and Rescue Service, and other law enforcement agencies as necessary.

FY22 Recommended Changes	Expenditures	FTEs
FY21 Approved	9,650,616	77.50
Increase Cost: Structural Deficit - Security Contract	75,000	0.00
Decrease Cost: Reduce Funding for Tasers for FY22 - To be reinstated in FY23	(17,789)	0.00
Reduce: Entry Level Security Hours for Contract Security Officers	(129,470)	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	129,975	4.00
FY22 Recommended	9,708,332	81.50

Criminal Process/Warrants and Extraditions

The Sheriff's Office is responsible for serving District Court civil warrants, District Court criminal warrants associated with domestic violence, all Circuit Court warrants, both adult and juvenile, and Child Support Enforcement warrants. The Warrant Section maintains on-line warrants in the following systems: Maryland Electronic Telecommunications Enforcement Resource System (METERS), National Crime Information Center (NCIC), and E*Justice. METERS and NCIC are used to share data with other State and Federal systems. E*Justice is a local database used by Montgomery County law enforcement agencies to track warrants. It also interfaces with the Law Enforcement Information Exchange to enable data sharing with law enforcement agencies in the National Capital Region. The Sheriff's Office also conducts investigations to locate and apprehend those fugitives for whom the Sheriff's Office holds a warrant. In addition, the Sheriff's Office is responsible for returning fugitives to Montgomery County

from other jurisdictions for outstanding Circuit Court warrants and processing those fugitives when returned.

FY22 Recommended Changes	Expenditures	FTEs
FY21 Approved	2,549,768	22.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(99,656)	(1.00)
FY22 Recommended	2,450,112	21.00

Domestic Violence

The Sheriff's Office is the lead agency in Montgomery County for serving court orders related to domestic violence, including Protective and Peace Orders. The Office is also responsible for serving Child Custody Orders. The Sheriff's Office Domestic Violence Section serves domestic violence court orders 24 hours a day, seven days a week. The Section works collectively with other County agencies to ensure that the petitioners are referred to essential County services available to them and their families. In an effort to enhance protection for the victims of domestic violence, the Sheriff's Office offers cellular phones to domestic violence victims. The Sheriff's Office also serves Emergency Evaluation Petitions that include obtaining custody and transporting residents to the hospital for court ordered mental evaluation.

FY22 Recommended Changes	Expenditures	FTEs
FY21 Approved	5,034,914	42.25
Shift: Community Grants moved from Community Grants Non Departmental Account to Sheriff's Base Budget	115,000	0.00
Reduce: Lapse Client Assistance Specialist for 6 months	(43,110)	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(363,694)	(3.45)
FY22 Recommended	4,743,110	38.80

BUDGET SUMMARY

	Actual FY20	Budget FY21	Estimate FY21	Recommended FY22	%Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	17,186,392	15,797,510	16,010,952	16,680,115	5.6 %
Employee Benefits	5,707,506	4,980,910	5,183,068	5,081,391	2.0 %
County General Fund Personnel Costs	22,893,898	20,778,420	21,194,020	21,761,506	4.7 %
Operating Expenses	3,018,945	3,879,255	3,707,802	3,753,776	-3.2 %
Capital Outlay	59,784	0	0	0	—
County General Fund Expenditures	25,972,627	24,657,675	24,901,822	25,515,282	3.5 %
PERSONNEL					
Full-Time	182	182	182	182	—
Part-Time	5	5	5	5	—
FTEs	187.89	187.89	187.89	187.62	-0.1 %
REVENUES					
Facility Rental Fees	0	500	500	500	—

BUDGET SUMMARY

	Actual FY20	Budget FY21	Estimate FY21	Recommended FY22	%Chg Bud/Rec
Federal Grants	2,000	0	0	0	—
Miscellaneous Revenues	16,530	4,000	4,000	4,000	—
Other Charges/Fees	13,029	20,000	20,000	20,000	—
Other Intergovernmental	0	20,460	20,460	20,460	—
Sheriff Fees	729,941	1,200,000	1,200,000	1,200,000	—
County General Fund Revenues	761,500	1,244,960	1,244,960	1,244,960	—

GRANT FUND - MCG

EXPENDITURES

Salaries and Wages	420,911	443,136	443,136	441,580	-0.4 %
Employee Benefits	172,224	143,385	143,385	144,941	1.1 %
Grant Fund - MCG Personnel Costs	593,135	586,521	586,521	586,521	—
Operating Expenses	194,619	317,125	317,125	317,125	—
Grant Fund - MCG Expenditures	787,754	903,646	903,646	903,646	—

PERSONNEL

Full-Time	8	8	8	8	—
Part-Time	0	0	0	0	—
FTEs	4.91	4.91	4.91	5.18	5.5 %

REVENUES

Federal Grants	685,385	903,646	903,646	903,646	—
Other Intergovernmental	21,000	0	0	0	—
State Grants	42,572	0	0	0	—
Grant Fund - MCG Revenues	748,957	903,646	903,646	903,646	—

DEPARTMENT TOTALS

Total Expenditures	26,760,381	25,561,321	25,805,468	26,418,928	3.4 %
Total Full-Time Positions	190	190	190	190	—
Total Part-Time Positions	5	5	5	5	—
Total FTEs	192.80	192.80	192.80	192.80	—
Total Revenues	1,510,457	2,148,606	2,148,606	2,148,606	—

FY22 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
	FY21 ORIGINAL APPROPRIATION	24,657,675 187.89
<u>Changes (with service impacts)</u>		
Reduce: Lapse Client Assistance Specialist for 6 months [Domestic Violence]	(43,110)	0.00
Reduce: Entry Level Security Hours for Contract Security Officers [Courtroom/Courthouse Security and Transport]	(129,470)	0.00

FY22 RECOMMENDED CHANGES

	Expenditures	FTEs
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY21 Compensation Adjustment	649,525	0.00
Increase Cost: FY22 Compensation Adjustment	382,732	0.00
Shift: Community Grants moved from Community Grants Non Departmental Account to Sheriff's Base Budget [Domestic Violence]	115,000	0.00
Increase Cost: Increase Recruitment Class Sizes [Administration]	107,352	0.00
Increase Cost: Promotional Exams [Administration]	80,000	0.00
Increase Cost: Structural Deficit - Security Contract [Courtroom/Courthouse Security and Transport]	75,000	0.00
Increase Cost: Retirement Adjustment	46,543	0.00
Increase Cost: Motor Pool Adjustment	25,904	0.00
Increase Cost: Implementation of Longevity Increment Pass-through to Deputy Sheriff Management Salary Scale [Administration]	23,464	0.00
Increase Cost: Ballistic Vests [Administration]	23,000	0.00
Decrease Cost: Print and Mail Adjustment	(130)	0.00
Technical Adj: FTE Adjustment to Grants for Child Support and Protective Order [Administration]	(1,660)	(0.27)
Decrease Cost: Reduce Funding for Tasers for FY22 - To be reinstated in FY23 [Courtroom/Courthouse Security and Transport]	(17,789)	0.00
Decrease Cost: Annualization of FY21 Personnel Costs	(173,760)	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY21	(304,994)	0.00
FY22 RECOMMENDED	25,515,282	187.62

GRANT FUND - MCG

FY21 ORIGINAL APPROPRIATION	903,646	4.91
<u>Other Adjustments (with no service impacts)</u>		
Technical Adj: FTE Adjustment from General Fund for Child Support and Protective Order [Administration]	0	0.27
FY22 RECOMMENDED	903,646	5.18

PROGRAM SUMMARY

Program Name	FY21 APPR Expenditures	FY21 APPR FTEs	FY22 REC Expenditures	FY22 REC FTEs
Administration	5,904,683	28.55	7,087,684	29.00
Civil Process	2,421,340	22.50	2,429,690	22.50
Courtroom/Courthouse Security and Transport	9,650,616	77.50	9,708,332	81.50
Criminal Process/Warrants and Extraditions	2,549,768	22.00	2,450,112	21.00
Domestic Violence	5,034,914	42.25	4,743,110	38.80
Total	25,561,321	192.80	26,418,928	192.80

FUNDING PARAMETER ITEMS

CE RECOMMENDED (\$000S)

Title	FY22	FY23	FY24	FY25	FY26	FY27
COUNTY GENERAL FUND						
EXPENDITURES						
FY22 Recommended	25,515	25,515	25,515	25,515	25,515	25,515
No inflation or compensation change is included in outyear projections.						
Restoration of Costs to Pre-COVID-19 Levels	0	147	147	147	147	147
Restoration of costs that were eliminated in the operating budget development year to return to pre-COVID-19 service delivery levels.						
Restore Client Assistance Specialist Position Lapsed in FY21	0	(95)	(95)	(95)	(95)	(95)
Position was lapsed in FY21 as part of the Sheriff's FY21 Revised Spending Plan. The Sheriff's Office will continue hold position vacant for the first half of FY22.						
Labor Contracts	0	514	514	514	514	514
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	25,515	26,081	26,081	26,081	26,081	26,081