PHILADELPHIA DEPARTMENT OF PRISONS FISCAL YEAR 2020 BUDGET TESTIMONY MAY 1, 2019

INTRODUCTION

Good Afternoon, President Clarke and Members of City Council. I am Blanche Carney, Commissioner of the Philadelphia Department of Prisons. Joining me today are Terence Clark, Deputy Commissioner and Gerald Buck, Administrative Services Director. I am pleased to provide testimony on the Philadelphia Department of Prisons' Fiscal Year 2020 Operating Budget.

DEPARTMENT MISSION & PLANS

Mission: The Philadelphia Department of Prisons (PDP) provides a secure correctional environment to detain people accused or convicted of illegal acts. PDP operates five facilities: the Alternative and Special Detention Center (ASD); the Curran-Fromhold Correctional Facility (CFCF); the Detention Center (DC); the Philadelphia Industrial Correctional Center (PICC); and the Riverside Correctional Facility (RCF). To prepare incarcerated people for successful re-entry after their release, PDP also offers the following programs and services: job training; educational services; parenting classes; substance abuse services; behavioral health therapy; and counseling, individual, and group therapy.

Plans for Fiscal Year 2020:

The Prisons Department will support the Administration's goal of criminal justice reform by continuing to offer programs and services designed to enable the successful reintegration of returned citizens into society. This continuity of care starts while individuals are incarcerated and links them to services and support when they leave the prison system with the ultimate goal of reducing recidivism and decreasing the number of incarcerated individuals in Philadelphia.

In further support of the Administration's goal, the PDP commissioned a Cost Efficiency Analysis by CGL and the final report of February 2019 concluded the following: "...the Philadelphia Department of Prisons, (PDP) is a cost-effective user of City of Philadelphia (City) resources within the context of its performance objectives and the constraints under which it must operate. While potential opportunities are available to achieve some savings, the overall PDP budget supports an efficient approach to management of the City's correctional system. PDP spending patterns did not develop in a vacuum. They largely stem from the policies, professional standards, and operational priorities established by Department leadership. For example, the specific performance requirements and staffing levels established by the PDP in its medical contract drive both the current level of spending for the program, as well as they high quality of service provided. Constraints and obligations created by factors such as the system's current physical plant and current collective bargaining agreements also shape system resource need."

Our plans for Fiscal Year 2020 and beyond are broad-based and take into account most areas throughout the Prisons system and support our primary goals, which include:

- House on average 4,500 inmates over the course of FY20 and 4,100 at year-end. The 4,100 figure is the new goal of the MacArthur Safety and Justice Challenge grant.
- Reduce staffing/expenses:
 - Reduce the number of positions from 2,325 to 2,160 from FY19 to FY20, respectively;
 - Reduce overtime expenses from the high-point of nearly \$33.5 million in FY18 to just \$24.1 million in FY20;
 - Reduce class 200 (contracts) by \$5.5 million from FY19 to FY20 due to food and medical cost reductions, down \$12.5M from the high-point of \$105.3M in FY17.
- Provide Medication Assisted Treatment ("MAT") to all opioid-addicted inmates.¹
- Effectively link all MAT patients to community MAT providers upon release.
- Provide Naloxone kits to every inmate upon release.
- Initiate ten hours of out-of-cell behavioral health therapy per week for all segregated inmates.²
- Implement Hepatitis C treatment linkage program.³
- Improve continuity of care by enrolling all eligible inmates in Medical Assistance.
- Complete implementation of the federal lowest possible cost 340B pharmacy arrangement.
- Make post-release appointments for chronically ill, sentenced inmates with community providers.
- Implement the KRONOS Time and Attendance system for the remaining facilities as a pilot project beginning July 1, 2019 and expand the system to other prison facilities by the end of the fiscal year. This will eliminate the existing antiquated and inefficient time clock punching system and provide a more efficient automated comprehensive time entry and reporting system to monitor staffing levels and overtime.
- Inventory Management System: Complete the entering of inventory into the new inventory system and implement the tracking of supplies and equipment and work orders. This system replaced an outdated system that was established over 20 years ago and can no longer be supported. The system will provide state-of-the-art inventory management so that warehoused inventory may be reduced. It will allow for barcode scanning and integration with the maintenance unit's Prison Work Order System.
- Continue to provide correctional staff with professional development and continuing education opportunities whenever possible. This will allow PDP to maintain the highest level of professionalism among its correctional staff, ensuring that all staff persons treat inmates with respect and dignity while following all personal safety protocols.

¹ As directed by the Mayor's Task Force to Combat the Opioid Epidemic in Philadelphia

² Following best practice guidelines and court actions nationwide.

³ Part of "C Change": Philadelphia's Plan to Eliminate HCV Among People Who Inject Drugs.

The following re-investments in medical care are being paid for from savings generated by census declines and by operational efficiency initiatives such as paperless medical records, e.g., conversion of nearly twenty medical records clerks to Medical Assistance enrollment specialists:

- Continue Medication-Assisted Treatment (MAT) and Cognitive Behavioral Therapy program to reduce segregation time and recovery support for substance abuse inmates. MAT reinvestment cost is \$1M.
- \$2.2M for out-of-cell therapy staff, a pilot for the female and youthful offender population to be expanded to all facilities.

In appreciation of Councilman Domb's Support:

I would like to take a moment to thank Councilman Domb for providing seed funding to support the Department's Coding and Financial Literacy programs. The Coding program began in 2019 and Financial Literacy Program in partnership with the Free Library of Philadelphia in 2018. Both programs assist the inmate population in learning coding skills and financial management that support workforce development opportunity and financial sustainability upon release.

BUDGET SUMMARY & OTHER BUDGET DRIVERS

Staff Demographics Summary (as of December 2018)										
	Total Minority		White	Female						
Number of Full-Time Staff	2,158	1,869	290	1,041						
Number of Exempt Staff	7	5	2	3						
Number of Executive Staff	7	5	2	3						
Average Salary, Full-Time Staff	\$66,735	\$52,340	\$54,544	\$51,262						
Average Salary, Exempt Staff	\$101,750	\$113,471	\$90,030	\$107,400						
Average Salary, Executive Staff	\$109,265	\$113,471	\$105,060	\$107,400						
Median Salary, Full-Time Staff	\$54,397	\$48,322	\$48,494	\$48,494						
Median Salary, Exempt Staff	\$101,750	\$105,060	\$90,030	\$92,700						
Median Salary, Executive Staff	\$109,265	\$105,060	\$105,060	\$92,700						

Employment Levels (as of December 2018)							
	Budgeted in FY19	Filled (as of December 2018)					
Number of Full-Time Positions	2,325	2,158					
Number of Exempt Positions	7	7					
Number of Executive Positions	7	7					
Average Salary of All Full-Time Positions	\$64,732	\$66,735					
Median Salary of All Full-Time Positions	\$52,765	\$54,397					

General Fund Financial Summary by Class

	FY18 Original	FY18 Actual	FY19 Original	FY19 Estimated	FY20 Proposed	Difference:
	Appropriations	Obligations	Appropriations	Obligations	Appropriations	FY20-FY19
Class 100 - Employee Compensation	\$147,427,858	\$149,461,758	\$145,430,918	\$146,211,349	\$139,765,668	(6,445,681)
Class 200 - Purchase of Services	\$105,455,001	\$102,219,139	\$98,365,387	\$98,365,387	\$92,842,354	(5,523,033)
Class 300/400 - Materials, Supplies & Equipment	\$4,773,744	\$4,768,862	\$4,373,744	\$4,373,744	\$4,373,744	\$0
Class 500 - Contributions	\$1,301,757	\$2,518,610	\$1,201,757	\$1,201,757	\$1,201,757	\$0
	\$258,958,360	\$258,968,397	\$249,371,806	\$250,152,237	\$238,183,523	(11,968,714)

Contracts Summary (Professional Services only)										
	FY14	FY15	FY16	FY17	FY18	FY19 YTD (Q1 & Q2)				
Total amount of contracts	\$50,073,627	\$59,594,695	\$48,911,320	\$51,937,245	\$52,993,869	\$65,940,683				
Total amount to M/W/DSBE	\$19,644,782	\$28,989,774	\$28,770,444	\$21,243,145	\$23,802,467	\$30,361,493				
Participation Rate	39%	49%	59%	41%	45%	46%				

Total M/W/DSBE Contract Participation Goal (Public Works; Services, Supplies & Equipment; and Professional Services combined)								
	FY18	FY19	FY20					
M/W/DSBE Contract Participation Goal	37%	35%	35%					

PROPOSED BUDGET OVERVIEW

Proposed Funding Request:

The proposed Fiscal Year 2020 General Fund budget totals \$238,183,523, a decrease of \$11,968,714 below Fiscal Year 2019 estimated obligation levels. This reflects a net decrease of \$22.7M from the FY17 high point in obligations of \$260.9M. Factoring in wage increases in FY18, FY19, and FY20 that offset reductions (a total of \$40.1M in wage increases), along with House of Correction utility savings of close to \$900,000, the true cost reduction in FY20 as compared to the FY17 high-point exceeds \$60M.

The proposed budget includes:

- \$139,765,668 in Class 100, a \$6,445,681 decrease from FY19. The decrease in funding primarily reflects the reduction in full-time employee cost due to a reduction in total employees and in overtime. This funding will primarily cover \$110,359,562 in full-time employee costs as well as \$24,139,596 in overtime costs. This is a decrease of \$9.3M in overtime from the high-point of \$33.5M spent on overtime in FY18.
- \$92,842,354 in Class 200, a \$5,523,033 decrease from FY19. This funding will primarily cover \$62,734,183 in medical costs, \$12,765,000 in CFCF/RCF maintenance costs, \$11,533,243 in food costs, \$327,600 in outside inmate housing costs, and \$1,948,985 in inmate vocational training/RISE program costs, including Industry Recognized Certification towards a career pathway and case management linkages to providers both pre- and post-release. This is a decrease of \$12.5M in Class 200 from the high-point of \$105.3M spent on Class 200 in FY17. This was realized through reductions in food, medical, and outside housing costs.
- \$4,373,744 in Class 300/400, level funding with FY19. This funding will primarily cover \$1,586,000 in inmate and correctional clothing costs, and \$751,760 in facility maintenance supplies and equipment costs. This is a decrease of \$400,000 in Class 300/400 from the high-point of \$4.8M spent on Class 300/400 in FY18.
- \$1,201,757 in Class 500, level funding with FY19. This funding will cover the cost of inmate work payments.

STAFFING LEVELS

The department is requesting 2,160 budgeted positions for FY20, a reduction of 165 positions from 2,325 in FY19.

This reduction is due to the closure of the House of Correction.

NEW HIRES

New Hires (from 7/1/2018 to December 2018)								
	Total Number of New Hires	Malayalam						
Black or African American	47							
Asian	15	7						
Hispanic or Latino	2							
White	4							
Total	68	7						

Since December 2018, Prisons hired 68 individuals: 47 who identify as Black or African American; 15 who identify as Asian, two who identify as Hispanic or Latino and four who identify as white. Seven of the new hires speak languages in addition to English.

PERFORMANCE, CHALLENGES, AND INITIATIVES

ADMINISTRATION PROGRAM

FY20 Strategic Goals

- Expand the Payroll Time and Attendance Management System from the CFCF pilot program to all PDP facilities.
- Continue to work with the EPA on creating protocols to provide food to local food banks.
- Select a new integrated jail management system to replace Lock and Track.

FY20 Performance Measures

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	FY18	FY19 YTD	FY19	FY20
Measure	Actual	(Q1 + Q2)	Target	Target
Percent of newly admitted inmates that are processed and housed within 24 hours of admission ¹	100%	100%	100%	100.0%
Percentage of budgeted positions (uniform only) filled ²	94.6%	99.0%	99.0%	99.0%
Average daily prison census: number of inmates in custody ³	6,158	5,012	5,200	4,500
Actual spend on overtime (year-to-date) ⁴		\$11.8 million	Reduction from prior year	Reduction from prior year

¹ The 24-hour period is a self-imposed threshold and not a legal requirement. However, the goal is for 100% of inmates to wait no longer than 24 hours (current average is 8-10 hours).

² In order to control overtime costs and properly care for inmates, PDP needs to be able to maintain certain uniform (correctional officer) staffing levels at its facilities. These staffing levels depend on the size of the census, as well as the classification and custody level of the inmates and other factors outside of the Prisons' control, such as the need for prisoner transports. High vacancy rates and leave usage (in particular, FMLA) among correctional officers negatively impact PDP's ability to meet these staffing levels, resulting in the need for mandatory overtime. Those candidates that do not meeting the indebtedness criteria will be referred to central Human Resources for determination.

³ Since the PDP population is housed under judicial order, the PDP has little control over the population. Prisons' goal is based on historic census trend from FY14. This is the average of all of the days in the given reporting period.

⁴ This measure captures total department overtime and includes maintenance overtime. Closing HOC resulted in an increase in the number of Correctional Officers in the remaining five facilities, reducing overtime usage. In addition, the creation of the new Medical Transportation Unit also reduced overtime usage.

MAINTENANCE PROGRAM

FY20 Strategic Goals

- Complete the process of entering of inventory into the new inventory system and implement the tracking of supplies and equipment and work orders.
- Continue to upgrade to energy-efficient lighting throughout the PDP.
- Continue to implement security system upgrades at PICC.
- Continue system-wide upgrades as necessary.

FY20 Performance Measures				
	FY18	FY19 YTD	FY19	FY20
Measure	Actual	(Q1 + Q2)	Target	Target
Average daily rate of out-of-service cells ¹	49	16	≤ 20	≤ 20
			Reduction	Reduction
Total amount of overtime for maintenance staff ²	\$800,202	\$371,356	from prior	from prior
			year	year

 $\overline{}^{T}$ This measure tracks the average number of cells out of service due to maintenance issues. The lower targets take closure of the House of Corrections into account.

² Overtime for maintenance staff is driven by staffing levels and emergency needs.

MEDICAL AND PSYCHIATRIC SERVICES PROGRAM

FY20 Strategic Goals									
• Continue MAT and CBT programs, services to reduce segregation time, and recovery support for substance use inmates.									
FY20 Performance Measures									
	FY18	FY19 YTD	FY19	FY20					
Measure	Actual	(Q1 + Q2)	Target	Target					
Percentage of eligible inmates receiving behavioral medications within 48 hours of admissions ¹	90%	90%	90%	90%					
Percentage of STD-positive patients treated before release ²	86%	85%	90%	90%					

¹ Inmates are assessed by the PDP medical team and those presenting physical or behavioral health illnesses are eligible for treatment. However, some elect to decline treatment.

² Proper treatment for these diseases leads to better health outcomes for individual patients and a lower rate of transmission. PDP anticipates that an increase will be achieved during the second half of the year through continuing education of responsible clinical staff on all shifts (24/7) to assure that the new testing protocol provides test results as early as possible.

SECURITY AND OPERATIONS PROGRAM

FY20 Strategic Goals

- Continue efforts to safely reduce cost and assess and implement recommendations for effective and efficient operations of the PDP.
- Deploy staff as needed to accommodate the changing census throughout the PDP.
- Maintain the MTU to provide efficient staff to reduce overtime

• Work in tandem with MacArthur grant-funded efforts to reduce the inmate population.

FY 20 Performance Measures				
	FY18	FY19 YTD	FY19	FY20
Measure	Actual	(Q1 + Q2)	Target	Target
Overtime costs avoided through use of the Medical Transportation Unit (year-to-date) ¹	N/A	\$1,809,633	\$3,500,000	\$3,600,000

¹This is a new measure for FY19, so prior-year data is not available. The Medical Transportation Unit has a fixed number of staff to cover the local clinics and the first five open wards. Any additional open ward coverage and clinic emergencies are covered by the facilities. The MTU decreases the need for officers to leave the facility to cover outside housing medical trips, thus maintaining a staff complement in the facilities. These numbers are derived from the overtime rates of staff assigned to the MTU and are not net of the MTU's operating costs.

SOCIAL SERVICES/REENTRY PROGRAM

FY20 Strategic Goals									
 Implement the selected risk/needs assessment tool and an analysis of current program services to ensure that programming is designed to meet individuals' needs. Increase training for RTS staff for cognitive behavioral interventions and best practices evidence-based programming. Identify, implement, and/or enhance cognitive behavioral health interventions. 									
	FY18	FY19 YTD	FY19	FY20					
Measure	Actual	(Q1 + Q2)	Target	Target					
Sentenced inmates participating in an educational or treatment program ¹	81.5%	82.6%	80.0%	83.0%					
Re-incarceration rate: one-year ²	38.1%	36.7%	38.0%	38.0%					
Re-incarceration rate: three-year ³	55.0%	56.0%	≤ 55.0%	≤ 55.0%					
Re-incarceration rate: five-year ⁴	62.9%	63.1%	≤ 63.0%	≤ 63.0%					
Percentage of inmates with completed 5-, 30-, 75-day interviews and discharge plans ⁵	N/A	70.5%	80.0%	80.0%					
Percentage of inmates assigned to programs and work assignments ⁵	N/A	83.2%	85.0%	85.0%					
Percentage of medium and close custody inmates assigned to programs and work assignments ⁵	N/A	54.7%	70.0%	70.0%					
Percentage of pretrial population assigned to programs and work assignments ⁶	N/A	66.0%	70.0%	70.0%					

¹ Prisons is making every effort to enroll sentenced inmates in programs and work assignments. This measure refers to educational or treatment programs, which are one component of inmate placements. Pretrial inmates are placed into institutional or job training programming. All sentenced inmates have to participate in a program, but some are between jobs or are in segregation, meaning that they cannot participate in a program (thus, this measure is unlikely to reach 100%).

² PDP's one-year re-incarceration rate is based on the number of prisoners who are released from PDP custody and return to PDP custody. The measure for FY19 is comprised of prisoners released from July 1, 2017 through June 30, 2018. If an inmate returns within the specified date ranges one year from that window, that inmate is counted in the one-year figure.

³ PDP's three-year re-incarceration rate is based on the number of prisoners who are released from PDP custody and return to PDP custody. The measure for FY19 is comprised of prisoners released from July 1, 2015 through June 30, 2016. If an inmate returns within the specified date ranges three years from that window, that inmate is counted in the three-year figure.

⁴ PDP's five-year re-incarceration rate is based on the number of prisoners who are released from PDP custody and return to PDP custody. The measure for FY19 is comprised of prisoners released from July 1, 2013 through June 30, 2014. If an inmate returns within the specified date ranges five years from that window, that inmate is counted in the three-year figure.

⁵ This is a new measure for FY19, so prior-year data is not available.

⁶ This is a new measure for FY19, so prior-year data is not available. Policy states that priority is given to sentenced inmates that are mandated to participate in program and job assignments.

OTHER BUDGETARY IMPACTS

Federal and State (Where Applicable)

In Pennsylvania, the Administration in Harrisburg has been unceasingly supportive of PDP's efforts to enroll inmates in Medical Assistance, a cornerstone of Philadelphia Department of Prisons, Department of Public Health and Department of Behavioral Health & Intellectual Disability Services' efforts to assure continuity of care for seriously ill inmates after release.

At the same time, a variety of federal government proposals would end eligibility for Medical Assistance of many economically impoverished inmates and their families, and there are parallel federal efforts to materially diminish Medical Assistance benefits.

Likewise, proposals exist in Congress that would eliminate correctional institution access to the very low (if not lowest possible) medication prices made available by the federal 340B pharmacy program that was designed to assist providers serving economically disadvantaged population.

CONTRACTING EXPERIENCE

	M/W/DSBE Participation on Large Professional Services Contracts										
Top Largest C Vendor Name	ontracts, FY19 Service Provided	Dollar Amount of Contract	RFP Issue Date	Contract Start Date	Ranges in RFP	% of M/W/DSBE Participation Achieved	\$ Value of M/W/DSBE Participation	Total % Participation - All DSBEs	Total \$ Value Participation - All DSBEs	Local Business (principal place of business located within City limits) [yes / no]	Waiver for Living Wage Compliance? [yes / no]
	Inmate Physical				MBE: 20-23%	21%	\$8,972,254.83				
	Health Care				WBE: 17-20%	7%	\$2,990,751.61				
Corizon	Services	\$42,725,023	2/1/2017	7/1/2017	DSBE: 0%	0%	\$0	28%	\$11,963,006.44	No	No
GD					MBE: 20-25%	21%	\$3,182,057.13				
Correctional	Inmate and PDP				WBE: 10-15%	11%	\$1,666,791.83				
Services.	Staff Food										
LLC	Services	\$15,152,653	3/2/2017	7/1/2017	DSBE: 0%	0%	\$0	32%	\$4,848,848.96	No	No
	Maintenance				MBE: 19-22%	99%	\$12,733,305.83				
	Service for two				WBE: 16-19%	1%	\$128,619.25				
U.S.	(2) PDP										
Facilities	facilities - CFCF				DSBE: Best						
Inc.	and RCF	\$12,861,925	1/29/2018	7/1/2018	Efforts	0%	\$0	100%	\$12,861,925.08	Yes	No
	Inmate				MBE: 3-6%	3%	\$423,044.82				
	Behavioral				WBE: 2-5%	2%	\$282,029.88				
	Health Care										
Centurion	Services	\$14,101,494	2/1/2017	7/1/2017	DSBE: 0%	0%	\$0	5%	\$705,074.70	No	No

EMPLOYEE DATA

<u> </u>	ics (as of Decemb	er 2018)			
Full-Time Staff			Executive Staff		
	Male	Female		Male	Female
	African-	African-		African-	African-
Г	American	American	F	American	American
Total	706	881	Total	3	3
% of Total	33%	41%	% of Total	43%	43%
Average Salary	\$50,231	\$50,258	Average Salary	\$101,343	\$113,000
Median Salary	\$48,494	\$48,494	Median Salary	\$101,343	\$113,000
F	White	White		White	White
Total	203	87	Total	1	0
% of Total	10%	4%	% of Total	14%	0%
Average Salary	\$54,061	\$55,028	Average Salary	\$105,060	N/A
Median Salary	\$48,494	\$48,494	Median Salary	\$105,060	N/A
-	Hispanic	Hispanic		Hispanic	Hispanic
Total	90	58	Total	0	0
% of Total	4%	3%	% of Total	0%	0%
Average Salary	\$50,858	\$50,049	Average Salary	N/A	N/A
Median Salary	\$48,494	\$48,494	Median Salary	N/A	N/A
_	Asian	Asian		Asian	Asian
Total	118	7	Total	0	0
% of Total	5%	0%	% of Total	0%	0%
Average Salary	\$48,494	\$54,734	Average Salary	N/A	N/A
Median Salary	\$48,494	\$48,494	Median Salary	N/A	N/A
	Other	Other		Other	Other
Total	5	8	Total	0	0
% of Total	0%	0%	% of Total	0%	0%
Average Salary	\$65,565	\$49,007	Average Salary	N/A	N/A
Median Salary	\$48,494	\$47,188	Median Salary	N/A	N/A
	Bilingual	Bilingual		Bilingual	Bilingual
Total	107	45	Total	0	0
% of Total	5%	2%	% of Total	0%	0%
Average Salary	\$48,494	\$48,494	Average Salary	N/A	N/A
Median Salary	\$48,494	\$48,494	Median Salary	N/A	N/A
· · · · · · · · · · · · · · · · · · ·	Male	Female		Male	Female
Total	1,117	1.041	Total	4	3
% of Total	52%	48%	% of Total	57%	43%
Average Salary	\$52,871	\$51,262	Average Salary	\$105,060	\$107,400
Median Salary	\$48,494	\$48,494	Median Salary	\$116,648	\$92,700

LANGUAGE ACCESS

1) Has your leadership received language access training?

Yes, 2,681 staff, which includes Contracted Employees, and including leadership staff, have received training on our Language Access Implementation Policy.

2) Do you currently have a language access coordinator?

Yes, Dr. Leroy Pendleton, Director of Community, Justice & Outreach.

3) Has your department written a language access plan and is it posted online?

We have a language access plan/policy which has been provided to the Office of Immigrant Affairs and has been posted online: <u>https://beta.phila.gov/documents/language-access-plans/</u>

4) Explain what your department has done to improve language access services over the past year.

Over 2,680 staff persons have been trained on the Language Access Implementation Policy. Further, we have created a spreadsheet of staff who are bi-lingual, totaling 152 different staff persons. Additionally, every facility has Language Line phone services as well as signage providing information and instructions in our visiting lobbies.