PRINCE

THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of Audits and Investigations

October 29, 2021

TO: Robert J. Williams, Jr.

Council Administrator

William M. Hunt

Deputy Council Administrator

THRU: Josh Hamlin

Senior Legislative Budget and Policy Analyst

FROM: Kassandra Fields

Legislative Budget and Policy Analyst

RE: Police Department FY22 YTD Programmatic/Operations Briefing

At the request of Chair Hawkins, Council staff has arranged for representatives from the Police Department to provide an operational update on various issues facing the Agency. In this memorandum, a historical overview of these issues is provided and potential questions identified. The issues and challenges were developed through review of prior year's budget documents; county, state and federal legislation relating to police reform; and insight from the Department.

Key Issues:

- Staffing issues/retention and recruitment;
- Status of Police Reform Taskforce recommendations/implementation;
- Status of implementation of appropriate policies, orders, legislation to ensure compliance with the Police Accountability Act of 2021;
- Forensic Science Division workload and backlog challenges;
- Overtime; and
- Body Worn Camera project implementation status.

Staffing Issues/Retention and Recruitment Issues:

The Department has consistently experienced the inability to meet authorized and civilian staffing levels over the past three (3) fiscal years.

In review of the past three (3) fiscal years' budget documents, the Department noted the following in regard to sworn vacancies:

- In FY 2019, the Department did not attain its sworn authorized level of 1,786 in any month, and was not expected to attain its authorized level in the remainder of FY 2019. In addition to its inability to fully attain its sworn authorized level in FY 2019, the Office of Audits and Investigations (A&I) projected that the Department would not be able to attain its FY 2020 proposed authorized sworn level of 1,786 in any month in FY 2020.
- In FY 2020, the Department reported a 13.8% sworn vacancy rate (246 sworn vacancies). This figure excluded recruits, since they cannot perform duties of fully certified police officers. As of March 20, 2020, 82 out of 317 full-time civilian positions were reported vacant, representing a 25.9% civilian vacancy rate (compared to 77 civilian vacancies reported in FY 2019). In addition, 67 part-time civilian positions (mostly Crossing Guards) were listed as vacant, representing a 43.2% vacancy rate.²

In the same year, the Department reported that 18.4% of its current sworn complement would be eligible to retire by the end of FY 2020 and 19.9% of the existing staffing sworn level was projected to be eligible to retire by the end of FY 2021.

• In FY 2021, the Department's General Fund full-time authorized staffing level was 2,105 positions: consisting of 1,786 sworn and 319 civilian positions. As of March 1, 2021, 1522 out of 1,786 General Fund authorized sworn positions were filled. This included forty-one (41) recruits who were enrolled in the Police Academy. excluding these recruits, since they cannot perform duties of fully certified police officers, the Department had a 17.1% sworn vacancy rate (305 sworn vacancies).

As of March 1, 2021, 78 out of 319 full-time civilian positions were reported as vacant, representing a 24.5% civilian vacancy rate (compared to 82 civilian vacancies reported last year). In addition, 74 part-time civilian positions (mostly Crossing Guards) were reported as vacant, representing a 47.7% vacancy rate for that classification. During that same time period, , the Department had lost 38 sworn officers and 19 civilians, which represented 7 officer per month sworn attrition rate and 2 civilians per month civilian attrition rate.

The Department reported that 20.5% of its current sworn complement would be eligible to retire by the end of FY 2021 and 22.2% of the existing staffing sworn level were projected to be eligible to retire by the end of FY 2022.³

¹ Memorandum to Chair of the Health, Human Services, and Public Safety (HHSPS) Committee from Audits and Investigations' Staff, Dated April 25, 2019, regarding the Police Department-Fiscal Year 2020 Budget Review.

² Memorandum to Chair of the Health, Human Services, and Public Safety (HHSPS) Committee from Audits and Investigations' Staff, Dated May 20, 2020, regarding the Police Department-Fiscal Year 2021 Budget Review.

³ Memorandum to Chair of the Health, Human Services, and Public Safety (HHSPS) Committee from Audits and Investigations' Staff, Dated May 10, 2021, regarding the Police Department-Fiscal Year 2022 Budget Review.

• The chart below delineates the authorized and proposed staff levels, to include vacancies:

FY 2022 Authorized a	nd Pro	posed S	taffing	Levels	,							
	Full-Time		Part-Time			Limited Term						
	-	ons	Vaca	ncies	ncies 👨	Filled Positions	Vaca	ncies –		ons	Vacancies	
	Authorized	Filled Positions	Funded Vacancies	Unfunded Vacancies	Authorized		Funded Vacancies	Unfunded Vacancies	Authorized	Filled Positions	Funded Vacancies	Unfunded Vacancies
General Fund												
Civilian	322	241	29	52	155	81	10	64	0			
Sworn	1,786	1,481	305		0				0			
Sub-Total	2,108	1,722	334	52	155	81	10	64	0	0	0	0
	Grant Fund											
Civilian	0				0				0			
Sworn	0				0				0			
Sub-Total	0	0	0	0	0	0	0	0	0	0	0	0
				Ot	her Fur	nd						
Civilian	0				0				0			
Sworn	0				0				0			
Sub-Total	0	0	0	0	0	0	0	0	0	0	0	0
Total	2,108	1,722	334	52	155	81	10	64	0	0	0	0
YTD as of: 3/1/21					_	_						

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⁴ Memorandum to County Auditor from Interim Chief of Police, dated April 2, 2021, regarding the First Round of FY 2022 Proposed Budget Responses.

• It was previously reported that on average, of fifty (50) applications for sworn officers, one (1) qualified/successful candidate will proceed forward in the process. In Fiscal Year 2021, the agency was able to fill recruitment classes to the desired capacity only due to the fact that the original approved allotment of one hundred (100) recruit officers was reduced to forty (40).⁵

Graduation Year	Class #	Class Start Date	Class End Date	# Recruits Enrolled/ Expected to Enroll	# Recruits Graduated/ Expected to Graduate
Anton			OTHERS I		Sections
FY 2019	136	11-Dec-17	15-Aug-18	19	18
FY 2019	137	5-Mar-18	14-Nov-18	15	12
FY 2019	138	11-Jun-18	13-Mar-19	9	6
FY 2019	139	1-Oct-18	26-Jun-19	9	8
Total				<u>52</u>	<u>44</u>
FY 2020	140	10-Dec-18	6-Sep-20	8	8
FY 2020	141	28-May-19	5-Feb-20	9	8
Total				<u>17</u>	<u>16</u>
FY 2021	142	16-Sep-19	16-Sep-20	16	12
FY 2021	143	6-Jan-20	16-Dec-20	10	7
FY 2021	144	30-Mar-20	24-Mar-21	11	6
FY 2021	EPO146	29-Mar-21	21-May-21	2	2
Total				<u>39</u>	<u>27</u>
FY 2022	145	26-Oct-20	4-Aug-21	17	15
FY 2022	EPO147	21-Jun-21	4-Aug-21	1	1
FY2022	146	29-Mar-21	1-Jan-22	24	17
FY2022	147	29-Nov-20	1-Jun-22	30	26
Total				72	60

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⁵ Id.

⁶ As provided by Deputy Chief Webster, Bureau of Administration, via email October 28, 2021.

The following shows authorized number of recruit positions and classes from the proposed FY 21 budget responses.

Graduation Year	Class #	Class Start Date	Class End Date	# Recruits Enrolled/ Expected to Enroll	# Recruits Graduated/ Expected to Graduate
FY 2018	132	27-Dec-16	3-Aug-17	19	18
FY 2018	133	20-Mar-17	1-Nov-17	25	24
FY 2018	134	12-Jun-17	27-Feb-18	25	17
FY 2018	135	18-Sep-17	2-May-18	23	22
Total				92	<u>81</u>
FY 2019	136	11-Dec-17	15-Aug-18	25	19
FY 2019	137	5-Mar-18	14-Feb-19	15	12
FY 2019	138	11-Jun-18	13-Mar-19	15	6
FY 2019	139	1-Oct-18	1-May-19	15	9
Total			H 2	<u>70</u>	<u>46</u>
FY 2020	140	10-Dec-18	1-Aug-19	15	8
FY 2020	141	13-May-19	1-Dec-19	15	14
FY 2020	142	8-Jul-19	1-Feb-20	20	19
FY 2020	143	26-Sep-19	1-May-20	20	19
Total				<u>70</u>	<u>60</u>
FY 2021	144	30-Mar-20	25-Nov-20	25	20
FY 2021	145	22-Jun-20	17-Feb-21	25	20
FY 2021	146	14-Sep-20	21-May-21	40	30
FY 2021	147	7-Dec-20	8-Apr-21	40	30
FY 2022	148	1-Mar-21	27-Oct-21	30	30
FY 2022	149	7-Jun-21	2-Feb-22	30	30

• On top of the specific recruitment issues the Department has experienced over the past three years, there is another national trend that poses a challenge: the law enforcement sector as a whole is facing unprecedented challenges in regard to recruitment. The applicant pool has changed and continues to change. Sociologists note that there is a major shift from the "live to work" philosophy in the professional realm to those professionals who have taken on the "work to live" thought process. As such, recruiting techniques that emphasize salary and benefits (long-term retirement, even) are not successful with the generation that seemingly

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⁷ Memorandum to County Auditor from Chief of Police, dated April 30, 2020, regarding the First Round of FY 2021 Proposed Budget Responses.

focuses on the here and now, and doesn't see a long-term commitment with a particular agency (through retirement) as personally advantageous.⁸

Fiscal Years	Number of Applicants	
FY 2016	3,257	
FY 2017	2,388	
FY 2018	2,308	
FY 2019	1,828	
FY 2020	1,469	

Status of Police Reform Work Group recommendations/implementation:

In July 2020, Prince George's County Police Reform Work Group was established to provide the County with substantive recommendations that would create and implement fair practices in law enforcement to maximize transparency and restore public trust in its County law enforcement. The Work Group was comprised of community advocates and public officials tasked with providing a comprehensive operations and policy review of the Prince George's County Police Department to develop recommendations that would help guide the County's police reform efforts. These policies covered a full spectrum of its operations including hiring, training, and use of force.¹⁰

The ultimate desired outcomes were to provide high-quality, short-term internal policy changes and recommendations for best practices in the delivery of critical services to County residents. In addition, the Work Group sought to develop long-term strategies that involved the police and community working collectively to ensure safe living and working environments, in an effort to strengthen and bolster healthy relationships where they already exist and repair relationships with the community where trust had been compromised.

Forty-six (46) of the Fifty (50) recommendations were adopted: 35 were adopted as written; 11 were adopted as amended; and 4 were omitted entirely. Part of the project included a real time status of these recommendations on the County's website. It is updated frequently as progress occurs. ¹²

⁸ https://www.policechiefmagazine.org/a-crisis-facing-law-enforcement-recruiting-in-the-21st-century/.

⁹ Memorandum to County Auditor from Interim Chief of Police, dated April 2, 2021, regarding the First Round of FY 2022 Proposed Budget Responses.

¹⁰ https://www.princegeorgescountymd.gov/3542/Police-Reform

 $[\]frac{11}{\text{https://www.princegeorgescountymd.gov/DocumentCenter/View/34211/Police-Reform-Recommendation-Adoption-Report}{Adoption-Report}$

¹² https://www.princegeorgescountymd.gov/DocumentCenter/View/35822/Police-Reform-Implementation-Tracker

Status of implementation of appropriate policies, orders, legislation to ensure compliance with the Police Accountability Act of 2021:

In response to public outcry over the deaths of people of color and other abuses in encounters with police around the nation, as well as mass protests against racial injustice in the criminal justice system last year, the Maryland General Assembly passed new legislation during its 2021 Session aimed increasing accountability in the investigations of police shootings and complaints against officers. The reform initiatives included the creation of a unit in the Attorney General's Office to investigate all civilian deaths at the hands of police in the State. It will have the full investigatory powers of a state's attorney, including use of a grand jury in any county. Additionally, the enacted legislation will expand public access to police personnel disciplinary records that have been traditionally shielded under the state's public information law because they were considered personnel files exempt from the law. It limited law enforcement's use of no-knock warrants in their investigations. Furthermore, October 1st, law enforcement agencies will be prohibited from buying certain surplus military equipment, such as weaponized aircrafts, drones or vehicles. It repealed the Law Enforcement Officers Bill of Rights, which was enacted in 1974 and set forth the procedure for investigating police misconduct. It also established use-of-force standards and requirements for the use of body cameras.¹³ The full text of the bill can be found on the State's General Assembly website. The bill is HB670: Maryland Police Accountability Act of 2021 - Police Discipline and Law Enforcement Programs and Procedures. 14

The bill has significant impacts on the operations of local law enforcement agencies across the State. Among others, these include the establishment of a new accountability and discipline process and changes to police officer certification requirements and training. All of the new provisions of the law will require internal policy and/or code revisions. The Department has advised that in anticipation of the effective date of these new laws, the agencies impacted have been meeting monthly with the Deputy Chief Administrative Officer for Public Safety and Homeland Security and attorneys from the Office of Law to ensure planning and preparation for all necessary administrative and operational changes are in the process of being fully implemented, in a timely manner, enabling the County to be in full compliance on the appropriate time schedule.

Forensic Science Division workload and backlog challenges:

The Forensic Sciences Division (FSD) is comprised of the Drug Analysis Laboratory, Firearms Examination Unit, Serology/DNA Laboratory and the Regional Automated Fingerprint Identification System (RAFIS). These units are responsible for the analysis of all controlled dangerous substances, firearms, DNA evidence and latent fingerprints. The Crime Scene Investigations Division (CSID) is a highly technical and specialized group whose primary mission is the investigation of crime scenes. Their responsibilities include the collection, processing, documentation and subsequent court presentation of evidence recovered at various scenes. The CSID supports traditional investigations by conducting separate parallel investigations into evidence at a crime scene. The Criminal Intelligence Division is comprised of the Gun Unit/ATF Task Force, Gun Registry Unit and the Crime Intelligence Unit. The primary and collective function of assigned investigators/agents is to investigate, identify

¹³ https://mgaleg.maryland.gov/2021RS/fnotes/bil 0000/hb0670.pdf

¹⁴ https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/HB0670

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and apprehend individuals in violation of firearms statues and reduce firearm related crimes. Assigned personnel also support various divisions/units by gathering intelligence to enhance their respective investigations and identity violent offenders.¹⁵

The Forensic Science Division faces several challenges to its overall operations. While there is an overall inability to fill positions both sworn and civilian Department-wide, many of the civilian positions that are vacant are contained within this division of the Department. It was noted that this division has the highest turnover rate, even with employees being hired in excess of the minimum of the salary thresholds. These are highly technical and specialized positions, and the market is quite competitive to recruit these individuals, both locally, regionally and even at the national level. The prior responses to FY 2022 budget questions cited volume of the workload and stress as factors for incumbents in these positions to separate from employment.¹⁶

In the last two years, the DNA Unit has experienced severe staff shortages, with the loss of four (4) staff members in an eighteen (18) month period. This created a backlog of cases waiting for analysis and review. This backlog is likely to increase until the staffing levels are at the appropriate level and new Analysts are trained.

Another major factor imposing backlog challenges is the continued trend of an increase in crime. With these increases, more crime scenes must be processed, thereby creating more submissions to the Forensic Science Division. It was noted that, as of March 2021, the biggest trend observed has been an increase in the submission of firearms. This, however, coincides with an overall increase in firearm recoveries by the Department.¹⁷

In addition to personnel shortages, the lack of physical space for the Forensic Lab facilities may be a factor in the number of backlogged cases. In FY 2021, there was \$14.1 million funding within the Capital Improvement Projects budget for the Forensics Lab Renovations (\$30.1 million total project cost). The anticipated completion date is within the current fiscal year. This project includes consolidation of the forensics labs to include the DNA/Serology Lab, the Drug Analysis Lab, the Firearms Examination Unit, the Regional Automated Fingerprint Identification System (RAFIS), and the property warehouse. ¹⁸ Once the construction is completed, the facility will be able to accommodate current staff and have additional room for future anticipated growth.

The Table below delineates the number of submissions each department experienced in FY 2021. It includes the distinction between the number of cases each processed in-house, as opposed to outsourcing. It highlights the backlog anticipated at year end, as well as the personnel vacancies each department is encountering.

https://www.princegeorgescountymd.gov/DocumentCenter/View/35044/Police-Department

¹⁵ FY 2022 Proposed Budget Document:

¹⁶ Memorandum to County Auditor from Interim Chief of Police, dated April 2, 2021, regarding the First Round of FY 2022 Proposed Budget Responses.

¹⁸ Memorandum to Chair of the Health, Human Services, and Public Safety (HHSPS) Committee from Audits and Investigations' Staff, Dated May 10, 2021, regarding the Police Department-Fiscal Year 2022 Budget

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Laboratory	Number of Submissions	Number of Cases Processed In- House	Number of Submissions Outsourced	End of Year Backlog	Personnel Vacancies
Drug Analysis	2,439	768	239	15,525	1
Fire Arm Examination	2,883	492	n/a	54	1
Latent Print	256	215	n/a	3,547	4
DNA	231	147	385	2,119	3
FSD Admin	n/a	n/a	n/a	n/a	1

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The Table below highlights the backlogs for each laboratory of the Forensic Science Division from Calendar Year (CY) 2018 through CY 2020.

Laboratory	CY 2020 Backlog	CY 2019 Backlog	CY 2018 Backlog
Drug Analysis Lab	15,525	12,049	6,785
Fire Arm Exam Unit	54	1	6
Latent Print	3,547	3,444	3,155
DNA Lab	2,119	585	808

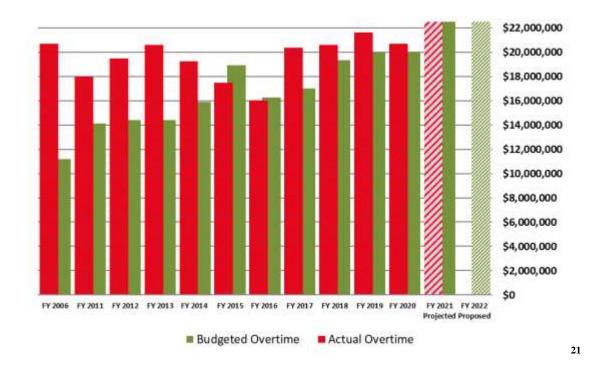
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Overtime:

The Department has historically experienced the need for supplemental budget requests to accommodate the actual overtime expenditures throughout the fiscal year. There is a myriad of reasons for this, and each year provides a unique challenge in controlling these costs. Over the past three (3) fiscal years, the original approved overtime line item has more closely aligned with actual expense activity, however, each of those years has required an additional supplemental appropriation.

²⁰ Id.

¹⁹ Memorandum to County Auditor from Interim Chief of Police Velez, dated April 2, 2021, regarding the First Round of FY 2022 Proposed Budget Responses.



Chief Aziz and his staff are intimately aware of the causal factors and have been working to combat these challenges. The Department has begun transitioning from manual scheduling to utilizing the "Power Details" software module. This mechanism helps simplify the management of extra-duty details and special events. It provides a more efficient, accurate, and equitable process for scheduling and helps significantly reduce the amount of staff time expended coordinating special events and extraduty jobs. It also helps to streamline internal communications.²²

Body Worn Camera project implementation status:

In advance of the State reform discussions and imposed time-line through enacted legislation, Prince George's County Police Department has been gradually acquiring and outfitting every patrol officer with a body worn camera. It was previously reported that the Department was on track to accomplish this goal by the current fiscal year. Funding for this countywide endeavor is included within the Department of Homeland Security's budget (as of FY 2021).²³ The Department has updated and implemented all policies regarding the use and maintenance of the equipment.

²¹ Memorandum to Chair of the Health, Human Services, and Public Safety (HHSPS) Committee from Audits and Investigations' Staff, Dated May 10, 2021, regarding the Police Department-Fiscal Year 2022 Budget ²² https://www.powerdetails.com/.

²³ Memorandum to Chair of the Health, Human Services, and Public Safety (HHSPS) Committee from Audits and Investigations' Staff, Dated May 20, 2020, regarding the Police Department-Fiscal Year 2021 Budget Review.