



North Carolina Department of Public Safety

Administration

Roy Cooper, Governor
Eddie M. Buffalo, Jr., Secretary

Cassandra S. Hoekstra, Chief Deputy Secretary

MEMORANDUM

TO: Joint Legislative Oversight Committee on Justice and Public Safety

FROM: Eddie M. Buffalo, Jr., Secretary 
Cassandra S. Hoekstra, Chief Deputy Secretary 

RE: Transfer of Positions to the Department of Adult Correction

DATE: March 25, 2022

Pursuant to Session Law 2021-180, Section 19C.9.(www), *the Department of Public Safety (DPS) shall determine the number of positions currently assigned to the Administrative Division of DPS that should be transferred to the Department of Adult Correction created in this section. DPS shall submit an interim report on this matter to the Joint Legislative Oversight Committee on Justice and Public Safety on or before March 15, 2022, and a final report no later than October 1, 2022.*

Please find attached an interim report as required by Session Law 2021-180.

Mailing Address:
4201 Mail Service Center
Raleigh, NC 27699-4201

www.ncdps.gov



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Office Location:
512 N. Salisbury Street
Raleigh, NC 27604
Phone: 919-733-2126

Interim Report on the Transfer of DPS Positions to DAC

Session Law 2021-180 established the Department of Adult Correction (DAC) as a new cabinet-level agency apart from the Department of Public Safety (DPS). The separation of DAC from DPS would be accomplished over a year, with a final effective date of January 1, 2023. In implementing this legislation, the Governor decided to create a task force of leaders from the Department to structure DAC as a premier State agency. This DPS/DAC Transition Task Force was established and began meeting in December 2021. Douglas Holbrook, DPS Chief Financial Officer, was appointed to chair the Task Force; the membership of the Task Force is listed as Attachment 1.

In the first meetings of the Task Force, a substructure of issue-specific working groups was established to make decisions and recommendations for the new agency as well as to assure that DPS would function optimally and without loss of service. These working groups include

- Fiscal
- Human Resources
- Information Technology
- Administration Division
- Comprehensive Health Services
- DPS Facility Services
- Legal
- Policy
- Division of Juvenile Justice
- Special Operations and Intelligence.

The Administration Division working group, chaired by Chief Deputy Secretary Casandra Hoekstra, was charged with determining needs for both agencies and developing legislative proposals to fill gaps in administrative services. All sections in the Administration Division, as well as the General Counsel's Office and the Office of Policy and Strategic Planning, have presented to the working group and have proposed structures for DPS and DAC reflecting the needs of both agencies. While the group has not yet made recommendations to the Task Force, their work has enabled a focused analysis of agency needs and position transfer strategies. Based on this analysis, there are some sections or areas that have clear destinations based on their function; these will be noted below. In other cases, section heads are identifying workload measures and monitoring those to determine disposition of positions in the coming year.

In addition to administrative positions transferring from DPS to DAC, there will be a need for expansion in several areas of the agency. The budget included \$2 million to stand up the new

agency. As part of the process of developing the new agency's organization chart, the Task Force will attempt to deploy this amount to set up necessary positions. Nevertheless, some sections, due to the disproportionate size of Corrections in their operations, would need additional new positions on the Public Safety side to prevent that department from losing functionality. Most sections will need some additional positions, but Human Resources and Information Technology are likely the most critical. These areas have separate working groups outside of the Administration Division group to develop plans for maintaining services.

The following list clarifies the process of separation for each section.

- *General Counsel* - The Office of General Counsel has 30 positions to support the combined agency; the Office provides legal advice to the Secretary and leaders throughout the Department. Within the office, there is a team of four attorneys and a paralegal that specifically serves the Corrections side of the Department with other lawyers on staff providing services to Corrections in subject areas, such as Human Resource matters. The task force will recommend how the subject matter teams will divide based on the volume and complexity of the respective area.
- *Internal Audit* - The Internal Audit section (22 positions) ensures compliance with accounting standards, laws, and fiscal policies which is necessary for every agency in government. Although Corrections represents a large share of the DPS Internal Audit workload, the work performed on the DPS side, including large federal grant programs, is highly complex and crucial. An analysis of both the volume and complexity of the workload will aid in determining an appropriate number of positions to be transferred.
- *Budget* - The Budget Section oversees the \$2.1 billion budget of the department and has 9 positions. One measure for division of positions is the share of the agency's overall budget – the Section's positions could be divided based on what proportion of the DPS budget is allocated to Corrections. This approach fails to take into account the nature of budgeting work between the two new agencies. While Corrections represents the overwhelming majority of the budget, some budgeting functions specific to Public Safety are significantly more complex, such as disaster funding and the federal grant programs managed by Public Safety. In addition, there are certain functions performed by a single Budget Analyst, such as Capital Improvement and Salary Control, that will need to be replicated in both agencies.
- *Purchasing* - The Purchasing Section primarily processes requisitions for goods and services required for agency operations. The State's procurement application, e-Procurement, allows management to track the volume of work performed for Adult Correction apart from the rest of DPS. These data will be used to apportion the 33 Purchasing Agents to the new agency. Nevertheless, there are certain teams whose work is performed for Adult Correction solely. For example, the Medical Team is comprised of three agents who procure medical goods and service for the Inmate Healthcare program. Although the team is also responsible for the procurement of medical goods and services for Juvenile Justice, it is not necessary to replicate positions to the same extent on the DPS side.

- *Controller's Office* - The Controller's Office (76 positions) performs all the accounting functions of the agency. It has several functional areas that are specific to one side of the Department or the other. Inmate Banking and Enterprise Accounting only perform work for Adult Corrections, and will transfer intact, while the Grants Accounting section will remain whole in DPS, since the agency's two grant-making entities, the Governor's Crime Commission and Emergency Management, will remain in DPS. The largest section of the Controller's Office is Accounts Payable, which processes invoices for payment. The State's accounting system (NCAS) allows management to track volume of work performed for each division of the agency, and can therefore be applied to the positions in the AP team.
- *Human Resources* - In the original consolidation, DPS lost 35 positions in Human Resources, and this deficit has been felt throughout the existence of the agency; 178 remain to serve the needs of an organization with over 26,000 FTE. There are industry-standard measures for personnel staffing, such as one HR position per 100 FTE in the organization but doing a transfer at that level for Corrections would leave DPS too thinly staffed in HR to be functional. While a large percentage of HR positions will be transferred to the new agency, there will still be needs for additional staff for both.
- *Central Engineering* - The Engineering Section (108 positions) mainly provides facility planning and capital project management to the Division of Prisons, which has 19 million square feet of space to maintain and plan. Nevertheless, DPS will have capital planning needs and facility maintenance requirements in Juvenile Justice, State Highway Patrol, and other entities with real property. Central Engineering has already designated one project manager position to transfer with the Juvenile Justice portfolio and is identifying other positions to transfer for other Juvenile Justice requirements. Positions that serve juvenile facilities but that have been budgeted to Prisons Maintenance will be transferred back to the Division of Juvenile Justice and Delinquency Prevention.
- *Office of Special Investigations* - OSI was established to investigate serious violations of law or policy by department employees and has 13 positions. Over 90% of the office's work is with Corrections. Discussions are ongoing regarding how OSI will be structured and what investigatory responsibilities it will have in DPS going forward.
- *Warehouse* - The Central Supply Warehouse under the Purchasing Section only serves the Division of Prisons and would transfer intact.
- *Office of Policy and Strategic Planning* - OPSP was established in 2017 to centralize the functions of policy development and strategic planning processes through the Department. Current and legally sound policies are critical for both law enforcement and corrections focused agencies as they help to ensure the consistent application of state and federal law, rules, regulations, and guidelines. They also help to strengthen public trust in government by establishing standards by which public servants are held accountable. Additionally, the development, maintenance, and implementation of a Department-wide strategic plan is an important function in that it provides the blueprint by which a Department will, biennially as part of the budgeting process, allocate financial, personnel,

and capital resources to achieve its mission, and ultimately provide needed services to the residents of North Carolina. Both DPS and DAC will need fully staffed OPSPs in order to ensure requirements for both policy and strategic planning are being met.

- *Legislative Affairs* - Most state agencies are limited to two legislative affairs staff by law, but DPS has a special exception to allow for five because the Department has several independent sections, such as the SBI and National Guard. It is unlikely that any of the DPS positions will transfer to the new DAC, so two new positions will need to be set up for the new agency.
- *Communications* - The Communications Office serves the agency with 26 positions. Many of these positions serve an operating division within the agency and would be expected to transfer with their assignment, but some have specific skill areas that would need to be replicated. These would include videography, social media, and public information requests.
- *Victim Services* - The Office of Victim Services (28 positions) operates a victim compensation program, a rape victims assistance program, and provides victim notification services. There are a variety of ways to split this section, or to leave it intact; the working group is considering options and will make recommendations to the Task Force.
- *Information Technology* - Due to a legislative directive, most IT units in state agencies are deemed employees of the Department of Information Technology, and so are not included in the position count. As previously stated, there is a separate working group tackling the question of how IT services will be offered in the two agencies and what resources will be required to assure that both are delivering first-rate public safety services with the most effective technology available.

Attachment 1: Transition Task Force Members

<u>Name</u>	<u>Title</u>
1. Eddie M. Buffaloe, Jr.	Secretary
2. Douglas Holbrook	Chief Financial Officer / Task Force Chair
3. Casandra Hoekstra	Chief Deputy Secretary – Administration
4. Timothy Moose	Chief Deputy Secretary – Adult Correction
5. Jane Gilchrist	Chief of Staff
6. Tracy Lee	Director of Community Corrections
7. Todd Ishee	Commissioner of Prisons
8. Michael Dail	Director of Human Resources
9. Danielle Ward	Budget Director
10. Jody Donaldson	Director of Communications
11. Glenn Mack	Chief Information Officer
12. Ashby Ray	Chief Deputy General Counsel
13. Nicole Sullivan	Deputy Secretary for Analysis, Programming, and Policy
14. Wrenn Rivenbark	Clinical Director, Alcoholism and Chemical Dependency Programs
15. Jennifer Walsh	Warden, Columbus Correctional Institution
16. Jodi Harrison	Deputy General Counsel
17. Robin Griffin	Judicial District Manager, District 22
18. Gary Junker	Director of Health and Wellness Services, Prisons
19. Laura Howard	General Counsel
20. Mike Daniska	Director - Office of Policy and Strategic Planning