

Status of DPS/DAC Transition

Report to the Joint Legislative Justice and Public Safety Oversight Committee

April 25, 2022

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.

Division of Juvenile Justice. In addition to establishing a new Department of Adult Correction, the 2021 Appropriations Act also separated Juvenile Justice from Adult Correction into a new division of the Department of Public Safety. Adult Correction and Juvenile Justice had been merged administratively in 2013. To make the separation of Adult Correction clearer, Secretary Eddie Buffaloe directed that the separation of Adult Correction and Juvenile Justice occur in December 2021. The budgets have been fully separated and a working group is determining how to set up facility maintenance and capital planning for the Division of Juvenile Justice.

Values and Structure. The Task Force established working groups to address specific concerns such as fiscal structure, human resources, information technology governance, and contracts, while the Task Force itself developed guiding principles and organizational structure. The vision of the new agency includes values of focusing on the health and well-being of employees, professionalism, collaboration, and offender accountability. The key elements of the organizational structure to address these concerns include the creation of a new Division of Reentry Services and a Division of Comprehensive Health Services, as well as reinforcement of employee programs such as Integrated Behavioral Health Services and SHIELD.

Transition Timeline. Agency staff have been in contact with the Office of State Human Resources and the Office of State Controller to assure that the switchover of employees can be accomplished smoothly. The Task Force has agreed to target October 1, 2022, for the mass transfer of Adult Correction employees into the new departmental budget structure to assure any irregularities can be addressed by December 31. Detailed structures must be prepared by June 1 to stay on this schedule.

Administration Division. The Task Force appointed a working group to look closely at the Administration Division of the Department to determine how to divide the positions to set up both Departments equitably. At this time, the Task Force has accepted transfer agreements on the following Sections: Controller, Internal Audit, Central Engineering, Human Resources, and Budget. These agreements will account for 295 positions to transfer to Adult Correction. Workload analysis and agreement are ongoing for Legislative Affairs, Victim Services, General Counsel, and Communications. Furthermore, some division of Information Technology will have to occur, but as that component of the Division is actually provided by the Department of Information Technology through the optimization process, the mechanism for splitting will work differently.

Legislative Initiatives. The Department will be seeking several items in the 2022 short legislative session. First, we will request a bill to permit us to certify the FY 2022-23 budget under the new structure so we do not have to change accounting structures midyear. We may also request clarification that we can begin hiring critical staff as early as July 1 to assure that administrative structures are in place when the Department officially comes into existence on January 1, 2023. We intend to request a \$500,000 increase in the \$2 million reserve for management positions; 22 new positions in Human Resources, which is inadequately staffed for such a large organization; and \$8 million to close the structural deficit in our Information Technology budget so that neither agency begins operation without adequate technology support.