LIBER 0006 FOLIO 860

FILED

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CIRCUIT COURT
DORCHESTER COUNTY

COUNTY COUNCIL

OF

DORCHESTER COUNTY, MARYLAND

2016 Legislative Session,
Legislative Day No. 9

Introduced By: County Council

BILL NO. 2016-6

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO SECTION 44-9 OF ARTICLE 10 OF THE CODE OF PUBLIC LOCAL LAWS OF MARYLAND, BEING CODIFIED IN CHAPTER 44 OF THE DORCHESTER COUNTY CODE, TO REPEAL AND TO REENACT CHAPTER 75 OF THE DORCHESTER COUNTY CODE, ENTITLED "DEPARTMENT OF CORRECTION", PROVIDING FOR THE CREATION OF A DEPARTMENT OF CORRECTION AND PROVIDING FOR THE CREATION OF THE DORCHESTER COUNTY DETENTION CENTER AND PROVIDING FOR A DIRECTOR OF THE DORCHESTER COUNTY DEPARTMENT OF CORRECTION AND PROVIDING FOR THE DUTIES AND QUALIFICATIONS OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTION.

Introduced, read first time, ordered posted on the official bulletin board of County, County Office Building, 501 Court Lane, Cambridge, Maryland 21613.

Ordered publication for once a week for two (2) successive weeks, and public hearing scheduled on Tuesday, November 15, 2016, Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland at 8:00 p.m.

LIBER0006 FOLIO861

By order: _____
Ricky C. Travers
President of the County Council

Sep.16
DorCo.DeptCorrPub/mlh

LIBER0006 FOLIO862

COUNTY COUNCIL
OF
DORCHESTER COUNTY, MARYLAND

BILL NO. 2016 - 6

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO SECTION 44-9 OF ARTICLE 10 OF THE CODE OF PUBLIC LOCAL LAWS OF MARYLAND, BEING CODIFIED IN CHAPTER 44 OF THE DORCHESTER COUNTY CODE, TO REPEAL AND TO REENACT CHAPTER 75 OF THE DORCHESTER COUNTY CODE, ENTITLED "DEPARTMENT OF CORRECTION", PROVIDING FOR THE CREATION OF A DEPARTMENT OF CORRECTION AND PROVIDING FOR THE CREATION OF THE DORCHESTER COUNTY DETENTION CENTER AND PROVIDING FOR A DIRECTOR OF THE DORCHESTER COUNTY DEPARTMENT OF CORRECTION AND PROVIDING FOR THE DUTIES AND QUALIFICATIONS OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTION.

SECTION ONE: Acting under the Act, be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 75 of the Dorchester County Code, entitled "Department of Correction" be repealed and reenacted to read as follows:

Chapter 75

DEPARTMENT OF CORRECTION

§ 75-1. Creation; general purpose.

A. There is hereby created a Department of Correction (the "Department") under the immediate direction of a Director who shall be appointed by the County Council as recommended by the County Manager.

B. The Department shall operate all programs pertaining to detention and rehabilitation of persons under the jurisdiction of the county government awaiting trial or having been convicted of a crime and sentenced by a court of competent jurisdiction for a term in the Dorchester County Detention Center or being held for any other lawful purpose.

§ 75-2. County Detention Center.

The Dorchester County Jail is an institution within the Department of Correction, and it shall hereafter be named the "Dorchester County Detention Center."

§ 75-3. Powers and Duties of Director.

A. The Director of the Department of Correction shall be responsible for the safekeeping, care and custody of all inmates in the County Detention Center from the time they are lawfully committed thereto until they are lawfully discharged, released or withdrawn therefrom.

B. The Director shall promulgate rules and regulations of the county which pertain to the administration and operation of the Department of Correction, not inconsistent with law, necessary to exercise the responsibilities and duties of the position.

C. The Director will be provided with staff, equipment and office space at the Detention Center adequate to fulfill the duties and responsibilities of the Department.

D. The Director shall be responsible for the maintenance and care of the inmates in his custody and shall be responsible for the safe transportation of such inmates within the boundaries of Dorchester County for the purpose of transporting said inmates to hospitals, the offices of physicians for medical consultations and dentists for dental care and to such other locations that may be necessary to keep appointments for the health, safety and protection of the inmates and the community. Any department personnel assigned to escort an inmate outside the Detention Center shall be equipped with a firearm.

E. The Director or his designee may in cases of emergency (fire, flood or other disaster) order the evacuation of inmates from the Detention Center even when such evacuation may increase the opportunity to escape, provided that such evacuation is initiated to prevent death or serious injury to inmates.

F. The Director is empowered to authorize the staff at the Detention Center to use deadly force in accordance with law and in accordance with the Departmental standard operating procedures.

G. The Director or his designee shall have the authority to transfer custody of inmates to authorized personnel of any other county, state or the government of the United States for transportation to the courts or to some other place of incarceration that may otherwise be provided for by law.

H. The Director or his designee shall have the authority to designate staff members to escort selected inmates outside the Detention Center for employment interviews.

I. The Director shall also:

Manage the day to day operations of the Dorchester County Detention Center;

Supervise clerical, administrative and security employees either directly or through supervisors;

Develop and implement detention center internal policies and procedures and communicate to staff;

Ensure rules, regulations, policies and procedures are followed in order to protect inmates, personnel and the public from harm;

Oversee inmate affairs, involving monitoring of intake/discharge, classification of inmates, inmate grievances and requests in order to protect the county against litigation;

Ensure inmate support functions, such as medical and community service, are provided;

Initiate emergency evacuation when needed to prevent death or serious injury to inmates and/or staff;

Transfer custody of inmates to authorized personnel of other County, State or Federal agencies for transportation to court or another place of incarceration;

Oversee financial matters of the detention center, such as securing purchases in accordance with County policies and procedures, overseeing the work release accounts, ensuring appropriate costs for inmate food vendors by implementing cost saving measures, ensuring proper handling of inmate accounts and commissary funds;

Administer the Detention Center/Corrections budget in accordance with County policies and procedures;

Oversee employee work schedules and make every effort to reduce overtime and stay within approved budget; and

Resolve Detention Center operational issues in regard to housing of inmates, transportation, and physical building and grounds matters.

J. The Director shall also perform additional duties and functions as directed by the County Manager.

K. The Director shall serve at the pleasure of the County Council and is not a merit county employee.

§ 75-4. Qualifications of the Director.

The Director of the Dorchester County Detention Center shall have the following minimum qualifications:

A. Education: Graduation from High School or GED.
Degree from an accredited college or university in the field of law enforcement, criminal justice or corrections. Prefer Bachelor's Degree.

B. Experience: Minimum of ten (10) years of progressively responsible experience with a corrections agency or related work experience at a level of Lieutenant or higher.

NOTE: Experience in corrections at a level of Lieutenant or higher may be used as a substitute for the required education on a year to year basis.

C. Necessary Knowledge, Skills and Abilities:

A comprehensive knowledge of correctional policies and generally accepted procedures. Also required is the ability to supervise and manage administrative, maintenance and correctional officers. The ability to evaluate policies and program objectives is important. This position requires strong written and verbal skills, as well as strong interpersonal skills.

Thorough knowledge of modern correctional principles, procedures, techniques and equipment;

Thorough knowledge of the principles, practices and standards of operating a correctional institution;

Thorough knowledge of County, State and federal laws and regulations pertaining to incarceration;

Considerable knowledge of effective methods of supervision;

Working knowledge of basic principles of governmental budgeting and fiscal procedures;

Skill in operating the listed tools and equipment;

Ability to plan, initiate and execute policy and rehabilitative programs and understand and interpret modern correction standards applicable to the Detention Center;

Ability to manage and oversee the operation, control and regulation of the Detention Center;

Ability to enforce current policies, procedures and issues and interpret institutional policies;
Ability to analyze reports on cost and operation of the Detention Center to determine whether operating cost standards are being met;

Ability to communicate effectively with employees, inmates, visitors, attorneys, law officers, court officials, the media and the general public;

Ability to read and understand court papers and other legal documents;

Ability to supervise a staff of clerical, administrative and Correctional employees; and

Ability to define problems, collect and analyze data/information, establish facts and draw valid conclusions.

D. Licenses, Registrations, Certifications and Other Special Requirements.

Valid Driver's License.

Availability by pager, cell phone and/or radio 24 hours a day, 7 days a week, every day of the year is required.

Shall have certifications provided by the Maryland Correctional Training Commission and the Maryland Department of Public Safety and Corrections. Shall be required to satisfactorily complete Maryland Correctional Training Programs for Director level correctional positions.

E. Tools and Equipment Used.

Firearms, restraining devices, control room panels and automated systems, two-way radios and any other radio equipment, personal computer, calculator, telephone, pager, fax and any other equipment necessary to operate the Detention Center.

F. Physical Demands.

The physical demands described herein are representative of those that must be met by an employee to successfully perform the essential functions of Director. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The Director must be physically capable of moving about in the Detention Center. Hand-eye coordination is necessary to operate various equipment.

While performing the duties of Director, the Director is frequently required to sit; and talk or hear. The Director is occasionally required to use hands to finger, handle or feel

objects, tools or controls and reach with hands and arms. The Director must occasionally lift and/or move objects weighing up to 25 pounds.

Specific vision abilities required by the job of Director include close vision, distance vision, color vision, peripheral vision, depth perception and the ability to adjust focus.

G. Work Environment.

The work environment characteristics described herein are representative of those the Director will encounter while performing the essential functions of Director. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Work is usually performed in an office and correctional setting. While performing the duties of Director, the Director is occasionally exposed to loud noise, verbal or physical abuse, stressful situations and threats to their well-being or life. The noise level in the work environment is normal to noisy.

SECTION TWO: Be it further ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that General Code Publishers is directed to codify new Chapter 75 of the Dorchester County Code accordingly.

SECTION THREE: Be it further ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that this Bill shall be known as Bill No. 2016-6 of Dorchester County, Maryland and shall take effect sixty (60) days after its final passage.

PASSED this 15th day of November, 2016.

ATTEST:

BY: _____
Jeremy Goldman
County Manager

COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND

BY: _____
Ricky C. Travers
President

APPROVED this 15th day of November, 2016.

ATTEST:

BY: _____
Jeremy Goldman
County Manager

COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND

BY: _____
Ricky C. Travers
President

Nichols – aye
Satterfield – aye
Bradshaw – aye
Price – aye
Travers – aye

Sep.16
DorCo.DeptCorrBill/mlh
Corrections made 10/21/16/DFL