

**Department of Legislative Services**  
 Maryland General Assembly  
 2016 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

Senate Bill 193 (Senator Waugh)  
 Judicial Proceedings

**Criminal Procedure - Victim Demographics - Reporting**

This bill requires the State Board of Victim Services to include, in its annual written report to the Governor, demographics for crime victims in the State. The bill also requires the board to collect, from each county, the demographics of crime victims, including (1) race or ethnicity; (2) age; (3) gender; (4) marital status; (5) household income; (6) location of the crime; and (7) the crime committed.

**Fiscal Summary**

**State Effect:** General fund expenditures increase by \$117,080 in FY 2017 for the Governor’s Office of Crime Control and Prevention (GOCCP) to collect and analyze demographics for crime victims in the State. Future year expenditures reflect annualization and inflation. Revenues are not affected.

(in dollars)	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	117,100	145,500	151,300	157,300	163,600
Net Effect	(\$117,100)	(\$145,500)	(\$151,300)	(\$157,300)	(\$163,600)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** Local government expenditures likely increase to assist with the bill’s reporting requirements. Local revenues are not affected.

**Small Business Effect:** None.

## Analysis

**Current Law/Background:** The State Board of Victim Services in GOCCP consists of 22 members representing crime victims, service providers, and various criminal justice related agencies. Subject to the authority of the Executive Director of the Governor's Office of Crime Control and Prevention, the board must:

- submit to the Governor an annual written report of its activities, including its administration of the State Victims of Crime Fund;
- monitor the service needs of victims;
- advise the Governor on the needs of victims;
- recommend the appointment of the Victim Services Coordinator to the Executive Director;
- review and approve the Victim Services Coordinator's plans and annual reports, and the Victim Services Coordinator's implementation, operation, and revision of programs;
- approve or disapprove each grant application submitted by GOCCP;
- advise the State's Attorneys' Coordination Council on the adoption of regulations governing the administration of the Victim and Witness Protection and Relocation Program;
- advise the State's Attorneys' Coordinator on the administration of the Victim and Witness Protection and Relocation Program;
- develop pamphlets to notify victims and victim's representatives of the rights, services, and procedures provided under Article 47 of the Maryland Declaration of Rights or State law and how to request information regarding an unsolved case, including (1) one pamphlet relating to the Maryland Electronic Courts (MDEC) system protocol registration process and the time before and after the filing of a charging document other than an indictment or information in circuit court and (2) a second pamphlet relating to the time after the filing of an indictment or information in circuit court; and
- develop a notification request form and an MDEC system protocol in consultation with the Administrative Office of the Courts, through which a victim or victim's representative may request to be notified.

The Victim Services Coordinator provides staff support to the board on victim services matters in addition to other duties.

**State Fiscal Effect:** General fund expenditures increase by \$117,080 in fiscal 2017, which reflects the bill's October 1, 2016, effective date. This estimate reflects the cost of hiring two analysts in GOCCP to collect and analyze the required information regarding victim

demographics. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Positions	2
Salary and Fringe Benefits	\$107,451
Additional Equipment	8,726
Other Operating Expenses	<u>903</u>
<b>Total FY 2017 State Expenditures</b>	<b>\$117,080</b>

The required victim demographic information is not currently collected or analyzed and is not currently available electronically. Given that nearly 200,000 crime incidents are reported annually in the State, the potential number of victims in the State could be substantial. Assuming that gathering the required information requires coordination with local jurisdictions and the development of new reporting procedures, the two additional analysts are necessary to analyze and format the data for the annual report.

The Judiciary reports that while the bill does not impose any reporting requirements on the Judiciary, if the board were to request the required data from the Judiciary, there would be some level of effort required. Legacy systems in the Judiciary do not currently record consistent demographic data about victims. While most Judiciary information systems permit the court to collect demographic data about victims, the information is not always entered or available.

**Local Expenditures:** Although the bill does not establish a direct requirement for local jurisdictions to provide the demographics of crime victims to the State Board of Victim Services, the bill requires the board to collect such data from counties. Thus, it is assumed that counties cooperate with GOOCP to provide the required information. As counties do not currently collect all of the demographic information required in the bill, additional staff are likely needed to collect and provide the information to the board.

Baltimore City estimates that it needs to hire two full-time support staff at an estimated cost of about \$111,000 in fiscal 2017 and \$101,000 annually thereafter to collect the victim demographic information in each criminal case and then make that information available to the State Board of Victims Services.

Worcester County estimates that it needs to hire one full-time support staff at an estimated cost of \$42,600 in fiscal 2017 and approximately \$40,600 annually thereafter to collect the victim demographic information in each criminal case and then make that information available to the State Board of Victims Services.

Washington County estimates that it incurs costs of approximately \$15,000 to \$20,000 annually in additional time for records personnel to produce reporting procedures that are not currently in place.

Montgomery County noted that all of the demographic information required in the bill is not currently collected in the county and that the bill, therefore, has an operational impact.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Baltimore City; Kent, Montgomery, Washington, and Worcester counties; Governor's Office of Crime Control and Prevention; Judiciary (Administrative Office of the Courts); State's Attorneys' Association; Department of State Police; Department of Legislative Services

**Fiscal Note History:** First Reader - February 2, 2016  
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