# Operating Budget Data

(\$ in Thousands)

	FY 17 <u>Actual</u>	FY 18 Working	FY 19 Allowance	FY 18-19 Change	% Change Prior Year
General Fund	\$103,431	\$108,091	\$113,148	\$5,057	4.7%
Adjustments	0	28	24	-5	
Adjusted General Fund	\$103,431	\$108,120	\$113,172	\$5,053	4.7%
Special Fund	1,888	2,291	2,188	-102	-4.5%
Adjustments	0	-1	1	3	
Adjusted Special Fund	\$1,888	\$2,289	\$2,190	-\$100	-4.4%
Federal Fund	25,787	49,062	40,153	-8,909	-18.2%
Adjustments	0	-18	6	24	
Adjusted Federal Fund	\$25,787	\$49,044	\$40,159	-\$8,885	-18.1%
Reimbursable Fund	312	307	320	13	4.2%
Adjustments	0	0	0	0	
Adjusted Reimbursable Fund	\$312	\$307	\$320	\$13	4.2%
Adjusted Grand Total	\$131,417	\$159,760	\$155,840	-\$3,920	-2.5%

Note: FY 18 Working includes targeted reversions, deficiencies, and across-the-board reductions. FY 19 Allowance includes contingent reductions and cost-of-living adjustments.

• One deficiency appropriation provides \$50,974 in general funds to the Governor's Office of Crime Control and Prevention (GOCCP) for fiscal 2018 to begin recruiting for 2 new positions fully funded in the fiscal 2019 allowance for the newly established Maryland Criminal Intelligence Network (MCIN). The positions include 1 criminal justice coordinator to oversee MCIN and a data analyst.

Note: Numbers may not sum to total due to rounding.

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- Additional adjustments to the Governor's budget for GOCCP include the reduction of \$41,208 in fiscal 2018 to reflect two payroll holidays for employee health insurance in an attempt to spend down a fund balance in the current fiscal year and an additional \$31,289 in fiscal 2019 for a 2% general salary increase.
- The fiscal 2019 allowance decreases by a net \$3.9 million, or 2.5%, as more than \$5 million in additional general funds is offset by an \$8.9 million decrease in federal funds. The funding changes for the agency primarily occur within the various grant programs administered by GOCCP.

#### Personnel Data

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	FY 17 <u>Actual</u>	FY 18 <u>Working</u>	FY 19 <u>Allowance</u>	FY 18-19 <u>Change</u>			
Regular Positions	37.00	36.00	38.00	2.00			
Contractual FTEs	<u>14.63</u>	<u>17.63</u>	<u>14.63</u>	<u>-3.00</u>			
<b>Total Personnel</b>	51.63	53.63	52.63	-1.00			
Vacancy Data: Regular Positions							
Turnover and Necessary Vacancies	, Excluding New						
Positions		1.19	3.30%				
Positions and Percentage Vacant as	of 12/31/17	4.00	11.11%				

- The fiscal 2019 allowance provides 2 new positions for GOCCP, although a fiscal 2018 general fund deficiency provides funding for the agency to begin recruiting for the positions prior to the start of the fiscal year. Both positions are related to the newly established MCIN, created by the Governor through an executive order to coordinate improved data sharing among law enforcement agencies in order to better identify violent criminal networks. The allowance funds a new criminal justice coordinator to oversee MCIN and a data analyst to provide analytical support. The annual cost of these new positions is approximately \$255,000.
- The agency loses 3 contractual full-time equivalents (FTE) in fiscal 2019. Two FTEs are lost due to the end of federal grant programs, and the third was a vacant FTE. The number of FTEs allocated in fiscal 2019 is in line with the fiscal 2017 actual allotment.
- The agency's turnover expectancy for fiscal 2019 is budgeted at 3.3%, requiring slightly more than 1 position to be held vacant throughout the fiscal year. As of December 31, 2017, the agency was operating with 4 vacant positions (11% vacancy rate), although all the vacancies are relatively recent, having occurred within the past four months.

# Analysis in Brief

#### **Major Trends**

Administrative Performance Data: Formerly a simple grant administrator, GOCCP is now regarded as Maryland's one-stop shop for resources to improve public safety. A review of the agency's administrative performance data has shown that the vast majority of grants are closed with above average compliance, despite an increase in the ratio of grants per monitor. With recent increases in a variety of crime measures, GOCCP is currently implementing a new Strategic Management Process to assist in its grant-making decisions. Instead of monitoring a variety of identified outputs for each grant award, the new process will focus on evaluating program outcomes centered around one of five goals and demonstrating how the use of GOCCP funding has impacted those outcomes. This new evaluation system will be a significant undertaking for the agency's grant monitors and statistical analysts. GOCCP should discuss how utilization of the new outcome-based performance data will impact development of the State's criminal justice strategies and grant decision-making process, in comparison to current practices. Furthermore, while the new Managing for Results measure tracks the agency's focus on outcome-based analysis, GOCCP should also comment on what measures should be evaluated by the General Assembly to determine whether the desired outcomes are truly being achieved.

#### **Issues**

Justice Reinvestment: Chapter 515 of 2016, the Justice Reinvestment Act, established Maryland's path to comprehensive criminal justice reform by altering provisions relating to sentencing, corrections, parole, and the supervision of offenders. The effective date for the majority of the components of the legislation was October 1, 2017. GOCCP serves as staff to the Justice Reinvestment Oversight Board tasked with monitoring the progress of the Act's implementation and is responsible for administering the yet-to-be-established Performance Incentive Grant Fund. In addition, the agency is supporting the board in establishing and analyzing a variety of performance measures to assess the overall impact of the Act. GOCCP should update the committees on the progress made regarding implementation of the Act. The agency should also discuss its plans and timeline for establishing the formula used to calculate savings to be placed in the Performance Incentive Grant Fund and the plans for distributing the funds once the new grant program is established. Finally, the agency should brief the committees on its data collection process and how it intends to measure performance outcomes.

State-funded Grant Assistance to Baltimore City Grows with the Increase in Violent Crime: Since 2015, Baltimore City has experienced a serious crime wave and record-breaking murder rates. Over the past three fiscal years, GOCCP has awarded more than \$68.5 million in grant funding to entities in Baltimore City. General funds constitute the majority of grant awards and increased by over \$3.5 million in fiscal 2018. Local government entities are the primary grant recipients, with the Baltimore City Police Department (BCPD) receiving the single largest grant award of \$9.2 million to support community policing, violent crime reduction, and technology upgrades. GOCCP should

discuss whether the agency has conducted any research regarding community policing and whether BCPD's community-based policing program is effective and in line with evidence-based practices. The agency should also discuss how it intends to apply its new outcome-based evaluation process to the grant funds provided to Baltimore City in order to ensure effective utilization of the resources supported with those funds and what additional assistance the agency is offering to address the city's growing crime problem.

## **Operating Budget Recommended Actions**

		<b>Funds</b>	<b>Positions</b>
1.	Reduce funding for new School Safety Program grants.	\$ 1,000,000	
2.	Reduce salary funding for new criminal justice coordinator position for the new Maryland Criminal Intelligence Network to base salary.	31,778	
3.	Delete new data analyst position for the new Maryland Criminal Intelligence Network.	101,875	1.0
4.	Delete deficiency appropriation for new Maryland Criminal Intelligence Network positions.	50,974	
	<b>Total Reductions to Fiscal 2018 Deficiency Appropriation</b>	\$ 50,974	
	<b>Total Reductions to Allowance</b>	\$ 1,133,653	1.0

# Operating Budget Analysis

#### **Program Description**

The Governor's Office of Crime Control and Prevention (GOCCP) is empowered to develop collaborative and deliberative approaches to impact crime through more effective management of Maryland's criminal justice resources. One of the GOCCP principal responsibilities is the development of Maryland's Comprehensive State Crime Control and Prevention Plan. A primary goal of the plan is to facilitate information sharing and coordination between all levels of the criminal justice system. GOCCP is also responsible for:

- administering many of Maryland's law enforcement grants;
- conducting crime data analysis;
- performing best practices research; and
- assisting the development of legislation, policies, plans, programs, and budgets related to the reduction and prevention of crime, violence, delinquency, and substance abuse.

# Performance Analysis: Managing for Results

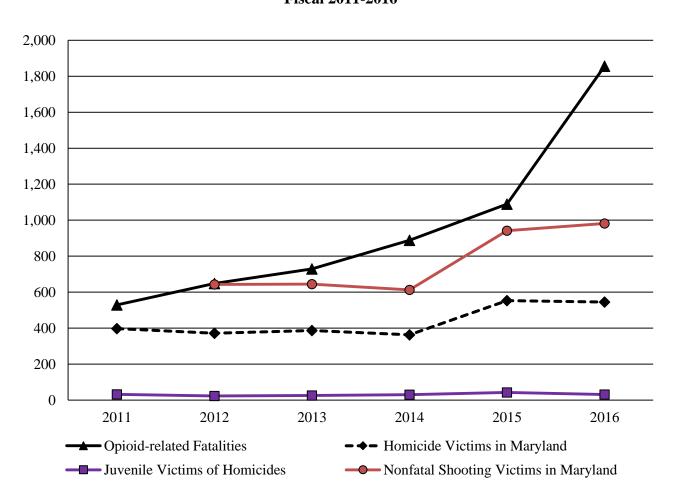
#### 1. Administrative Performance Data

Formerly a simple grant administrator, GOCCP is now regarded as Maryland's one-stop shop for resources to improve public safety. The agency's mission is to serve as a coordinating office that advises the Governor on criminal justice strategies. In that role, GOCCP plans, promotes, and funds efforts with government entities, private organizations, and the community to advance public policy, enhance public safety, reduce crime and juvenile delinquency, and serve victims. Performance analysis for the agency, therefore, encompasses both its administrative function, as well as the extent to which GOCCP's contributions result in a reduction in crime across Maryland.

With recent increases in a variety of crime measures, as illustrated in **Exhibit 1**, GOCCP is currently implementing a new Strategic Management Process to assist in its grant-making decisions. Instead of monitoring a variety of identified outputs for each grant award, the new process will focus on evaluating program outcomes centered around one of five goals and demonstrating how the use of GOCCP funding has impacted those outcomes. The goals identified by GOCCP include:

- coordinated criminal justice strategies;
- maximizing correctional spending;
- improving victim services;
- reducing victimization and criminalization in children; and
- increasing the quality of data used for data-driven decisions.

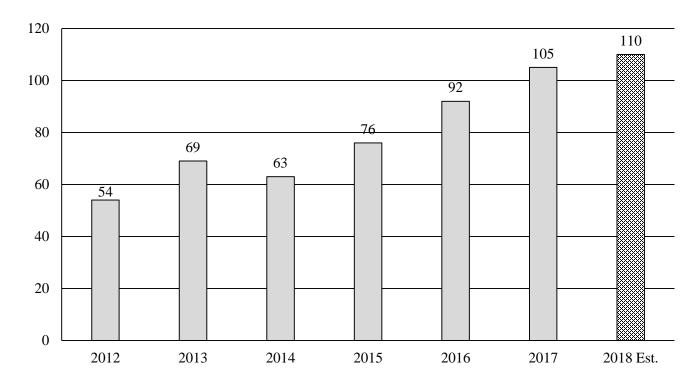
Exhibit 1
Select Crime Fighting Performance Measures
Governor's Office of Crime Control and Prevention
Fiscal 2011-2016



Source: Fiscal 2019 Managing for Results Performance Measures

According to the agency, the enhanced evaluation will continue to be handled by grant monitors and supplemented with staff from the Maryland Statistical Analysis Center. **Exhibit 2** illustrates the agency's ratio of grants to monitors since fiscal 2012. In fiscal 2017, the agency had eight grant monitors. The ratio increased from 92 to 105 grants per monitor largely because of an increase in Victims of Crime Assistance (VOCA) awards with a static number of program monitors. Federal VOCA funding increased by \$23.7 million in fiscal 2017, allowing GOCCP to award 100 more grants than the 737 administered in the previous fiscal year.

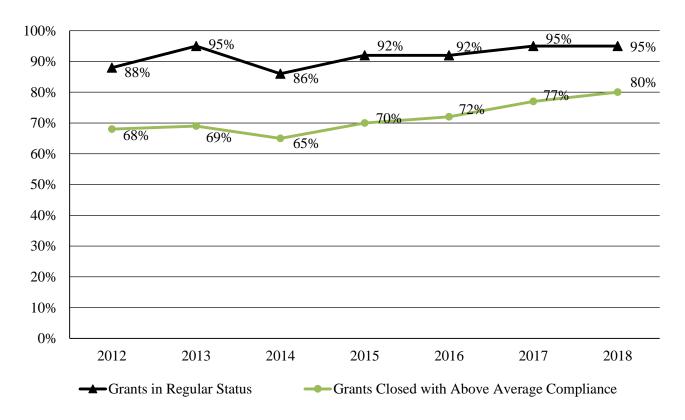
Exhibit 2
Grants Per Monitor
Fiscal 2012-2018 Est.



Source: Fiscal 2019 Managing for Results Performance Measures

The increase in the ratio of grants per monitor does not appear to have negatively impacted grant performance (by current measures), as evidenced in **Exhibit 3**. Despite the increased workload, 95% of grants administered by the agency were in a regular status, meaning that they were not identified as at-risk, troubled, or dysfunctional. Additionally, the percentage of grants closed with above average compliance increased in fiscal 2017 to 77%, which is 8 percentage points higher than the five-year average.

Exhibit 3
Grant Status Performance Measures
Fiscal 2012-2018



Source: Fiscal 2019 Managing for Results Performance Measures

GOCCP added a new administrative performance measure to its fiscal 2019 Managing for Results (MFR) submission. The new measure reports the percentage of grant funding streams with developed outcome-based performance measures. According to the agency, this measure will assist in determining the true impact of GOCCP-funded programs on improving public safety in the State and will help in the evaluation of whether each grant project is accomplishing the goals of the program based on the services provided within the program. In fiscal 2017, 76% of grant funding had developed outcome-based performance measures associated with the award packet. GOCCP should discuss how utilization of the new outcome-based performance data will impact development of the State's criminal justice strategies and grant decision-making process, in comparison to current practices. Furthermore, while the new MFR measure tracks the agency's focus on outcome-based analysis, GOCCP should also comment on what measures should be evaluated by the General Assembly to determine whether the desired outcomes are truly being achieved.

#### Fiscal 2018 Actions

#### **Proposed Deficiency**

The Governor's allowance provides a \$50,974 general fund deficiency appropriation for fiscal 2018 to allow GOCCP to begin recruiting for 2 new positions fully funded in the fiscal 2019 allowance. The agency receives 1.0 new criminal justice coordinator (classification executive aide VI) and a data analyst (classification administrator III) to support the newly created Maryland Criminal Intelligence Network (MCIN) and the Governor's Council on Gangs and Violent Criminal Networks. Both MCIN and the council were created by an executive order in fall 2017 and are discussed in greater detail later in this analysis.

#### **Cost Containment**

Cost containment reductions adopted by the Board of Public Works in September 2017 reduced the fiscal 2018 appropriation for GOCCP by \$41,640 in general funds. The agency achieved these savings by reducing its use of contractual office assistance and holding positions vacant. As of January 1, 2018, GOCCP had 4 vacancies, with all positions vacant for less than six months.

#### **Across-the-board Employee and Retiree Health Insurance Reduction**

The budget bill includes an across-the-board reduction for employee and retiree health insurance in fiscal 2018 to reflect a surplus balance in the fund. This agency's share of this reduction is \$22,480 in general funds, \$1,116 in special funds, and \$17,612 in federal funds.

# **Proposed Budget**

As illustrated in **Exhibit 4**, the Governor's fiscal 2019 allowance for GOCCP decreases by a net \$3.9 million, or 2.5%, when compared to the fiscal 2018 working appropriation. Funding changes primarily occur among grant programs administered by the agency. General funds increase by more than \$5 million (4.7%) in fiscal 2019, which is offset by an \$8.9 million (18.1%) reduction in federal grant funding.

# Exhibit 4 Proposed Budget Governor's Office of Crime Control and Prevention (\$ in Thousands)

How Much It Grows:	General <u>Fund</u>	Special <u>Fund</u>	Federal <u>Fund</u>	Reimb. <u>Fund</u>	<u>Total</u>		
Fiscal 2017 Actual	\$103,431	\$1,888	\$25,787	\$312	\$131,417		
Fiscal 2018 Working Appropriation	108,120	2,289	49,044	307	159,760		
Fiscal 2019 Allowance	<u>113,172</u>	<u>2,190</u>	40,159	<u>320</u>	<u>155,840</u>		
Fiscal 2018-2019 Amount Change	\$5,053	-\$100	-\$8,885	\$13	-\$3,920		
Fiscal 2018-2019 Percent Change	4.7%	-4.4%	-18.1%	4.2%	-2.5%		
Where It Goes:							
<b>Personnel Expenses</b>							
New positions (net fiscal 2018 deficiency)							
Salaries and wages							
Reclassifications							
General salary increase							
Employee retirement							
Employee and retiree health insuran	ce				25		
Other fringe benefit adjustments					10		
Turnover adjustments					6		
Workers' compensation premium as	ssessment				-2		
General and Special Fund Grants							
Maryland Criminal Intelligence Net	work (new pro	ogram)			2,000		
School Safety Program (new progra	m)				2,000		
State Aid for Police Protection					742		
Sexual Assault Rape Crisis Grant Pr	rogram				127		
Animal Abuse Emergency Compens	sation Fund (n	ew program)			100		
Victims of Crime Fund					-77		
Other general and special fund gran	ts				-125		
Criminal Justice Coordinating Council							
Federal Fund Grants							
Crime Victim Assistance					-7,688		
Byrne grant programs					-499		
Forensic Sciences Improvement Gra	ant				-337		

#### Where It Goes:

Community-based Violence Prevention Program	-200
State Justice Statistics Program	-143
Other federal grants	-42
Other Changes	
Contractual employment	-148
Rent paid to the Department of General Services	-21
Grants management system updates previously deferred for cost containment	61
Other	42
Total	-\$3,920

Note: Numbers may not sum to total due to rounding.

#### **Personnel Expenses**

Funding for personnel expenses increases by nearly \$508,000 in fiscal 2019, after including adjustments to account for the fiscal 2018 cost containment, deficiency appropriation, and health insurance holidays, as well as a 2% general salary increase in fiscal 2019.

#### **New Positions**

The fiscal 2019 allowance provides \$254,780 in general funds for 1.0 criminal justice coordinator (classification executive aide VI) and a data analyst (classification administrator III) to support MCIN and the Governor's Council on Gangs and Violent Criminal Networks. A \$50,974 general fund deficiency appropriation is also provided in fiscal 2018 to allow GOCCP to begin recruiting for the positions immediately upon passage of the fiscal 2019 budget. The net impact in fiscal 2019 is an increase of approximately \$204,000 for the positions.

MCIN and the council were both created by an executive order in fall 2017. The purpose of these entities is discussed in greater detail later in this analysis, as the allowance also includes a \$2 million general fund grant appropriation to support MCIN activities.

According to GOCCP, the criminal justice coordinator position will be the primary staff dedicated to MCIN, supporting statewide coordination of data gathered by 135 law enforcement agencies, as well as federal partners and regional/national intelligence and information centers. The data analyst position will support the office's overall need to collect, collate, and analyze data in order to transform it into actionable information, perform link analysis for identifying criminal networks, support the coordination of data-sharing initiatives, and perform data analysis to support policy development.

Neither of the new positions are being hired at the base salary for their respective grades. The starting salary for the criminal justice coordinator position is budgeted at Grade 25, Step 13 (\$110,373),

with a total cost of \$152,905 once all fringe benefits are calculated. Excluding the executive director, whose position is budgeted through the Executive Pay Plan, this new position will have the second highest salary in the agency. Although GOCCP has no other positions classified as executive aide VI, the majority of positions in its entire executive aide classification earn salaries of less than \$100,000.

Similarly, the data analyst position is budgeted at a Grade 18, Step 13, which provides a starting salary of \$70,049 and total personnel costs of \$101,875. This is the fifth highest salary in the entire administrator classification. The average salary for the administrator classification is approximately \$63,092.

The Department of Legislative Services (DLS) recommends reducing the starting salary for the criminal justice coordinator position to the base salary for Grade 25 and eliminating the data analyst position. GOCCP should attempt to fulfill its analytical needs for MCIN and the council within existing resources until both entities are better established. In addition, DLS recommends deleting the fiscal 2018 deficiency appropriation for these positions. GOCCP should attempt to fill the new coordinator position in fiscal 2019.

#### **Other Personnel Expenses**

Funding for salaries and position reclassifications increases by approximately \$208,000, or 8.8%, reflective of a reorganization within the agency. As a result of the redistribution of responsibilities, several vacant positions were hired at salaries above the base amount and filled positions were reclassified at higher salary levels, as well.

GOCCP should comment on its new reorganization and how it compares to its previous operations, in addition to discussing how the increased salaries have impacted overall hiring and the ability to retain staff.

#### **General Salary Increase**

The fiscal 2019 allowance includes funds for a 2% general salary increase for all State employees, effective January 1, 2019. These funds are budgeted in the Department of Budget and Management's statewide program and will be distributed to agencies during the fiscal year. This agency's share of the general salary increase is \$23,911 in general funds, \$1,459 in special funds, and \$5,919 in federal funds. In addition, employees will receive another 0.5% increase and a \$500 bonus effective April 1, 2019, if actual fiscal 2018 general fund revenues exceed the December 2017 estimate by \$75 million. These funds have not been budgeted. The Administration will need to process a deficiency appropriation if revenues are \$75 million more than projected.

# General and Special Fund Grants Reflect Expanding Role for GOCCP

The fiscal 2019 allowance provides \$111.9 million in State-funded grants administered through GOCCP, including \$74.5 million in State Aid for Police Protection (SAPP) grants. This reflects an increase of approximately \$4.5 million, or 4.8%, over the fiscal 2018 working appropriation. **Exhibit 5** 

provides a comparison of general and special fund grants for fiscal 2017 through 2019. Nearly half of the new funding is in response to legislation enacted during the 2017 session. Two new grant programs, totaling \$4 million in new general fund spending, reflect a significant expansion of GOCCP's responsibilities.

Exhibit 5 General and Special Fund Grants Fiscal 2017-2019

		Working			
G I I	Actual	Approp.	Allowance	Change	% Change
Grant Program	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2018-2019</u>	<u>2018-2019</u>
Body Armor for Local Law Enforcement	\$49,088	\$49,088	\$49,088	\$0	0.0%
Baltimore City Police Department	7,180,112	9,180,112	9,180,112	0	0.0%
Baltimore City State's Attorney	1,955,951	1,955,951	1,955,951	0	0.0%
Child Advocacy Centers	300,000	300,000	300,000	0	0.0%
Community Program Fund	0	500,000	500,000	0	0.0%
Criminal Justice Coordinating Council	219,500	219,500	0	-219,500	-100.0%
Day Reporting Center	540,000	270,000	270,000	0	0.0%
Domestic Violence Prevention	2,089,779	2,089,779	2,089,779	0	0.0%
Domestic Violence Unit Pilot Program	196,354	196,354	196,354	0	0.0%
Internet Crimes Against Children	0	2,000,000	2,000,000	0	0.0%
Juvenile State Match	304,828	304,828	304,828	0	0.0%
Maryland Criminal Intelligence Network	0	0	2,000,000	2,000,000	n/a
Maryland Safe Streets	4,589,746	4,589,746	4,589,746	0	0.0%
Prince George's County Drug Grant	1,214,610	1,214,610	1,214,610	0	0.0%
Prince George's County State's Attorney's Office	1,272,889	1,272,889	1,272,889	0	0.0%
Prince George's Violent Crime Unit	2,292,489	2,292,489	2,292,489	0	0.0%
Roper Victim Assistance Academy	156,933	156,933	156,933	0	0.0%
School Safety Program	0	0	2,000,000	2,000,000	n/a
State's Attorney's Coordinating Council	224,627	224,627	224,627	0	0.0%
Sexual Assault Rape Crisis	1,673,027	1,673,027	1,800,027	127,000	7.6%
Sex Offender Compliance and Enforcement	728,916	728,916	728,916	0	0.0%
STOP Gun Violence	926,940	926,940	926,940	0	0.0%

D15A0516 - Governor's Office of Crime Control and Prevention

Grant Program	Actual <u>2017</u>	Working Approp. <u>2018</u>	Allowance 2019	Change <u>2018-2019</u>	% Change 2018-2019
Survivors of Homicide	500,000	500,000	500,000	0	0.0%
War Room Baltimore City	715,211	715,211	715,211	0	0.0%
State Aid for Police Protection	73,714,998	73,714,998	74,457,216	742,218	1.0%
Victims of Crime Fund	791,447	1,190,611	1,113,174	-77,437	-6.5%
Victim/Witness Protection Program	300,000	350,000	300,000	-50,000	-14.3%
Legal Services for Victims	206,613	75,000	75,000	0	0.0%
Animal Abuse Emergency Compensation Fund	0	0	100,000	100,000	n/a
School Bus Safety	589,735	675,000	600,000	-75,000	-11.1%
Total State Grants, Not Including Police Aid	\$29,018,795	\$33,651,611	\$37,456,674	\$3,805,063	11.3%
<b>Total State Grants</b>	\$102,733,793	\$107,366,609	\$111,913,890	\$4,547,281	4.8%

STOP: Strategy, Technology, Officers, and Prosecutors

Source: Governor's Budget Books, Fiscal 2019

#### **Maryland Criminal Intelligence Network**

Executive Order 01.01.2017.30 established the Governor's Council on Gangs and Violent Criminal Networks. The Administration announced the creation of the council and MCIN in December 2017. The fiscal 2019 allowance provides approximately \$255,000 for 2 new positions and \$2 million in grant funding to support the goals of MCIN.

According to GOCCP, MCIN is a network of criminal justice agencies focused on identifying, disrupting, and dismantling criminal networks through collaboration and comprehensive data sharing, both locally and statewide. MCIN is an expansion of the agency's Maryland Safe Streets Initiative, which was developed in 2008 and operates in 10 locations around the State and in a limited capacity in Baltimore City. The Maryland Safe Streets Initiative is an offender-based model designed to significantly reduce crime through coordination, interagency collaboration, and information sharing across all levels of government. Maryland Safe Streets Initiative focuses on a core group of offenders who commit the majority of violent offenses in a particular jurisdiction. MCIN is utilizing the operational teams and data gathered through the Maryland Safe Streets Initiative, along with the drug-related data gathered by the 16 heroin coordinators newly funded in fiscal 2018, as a base for developing this broader information-sharing network.

Under the guidance of the council, the network (through GOCCP) will coordinate data-sharing efforts among the 10 Maryland Safe Streets Initiative locations, 36 specialized task forces, 135 law enforcement agencies in the State, the Washington/Baltimore High Intensity Drug Trafficking Area

program, the Maryland Coordination and Analysis Center (MCAC), and various intelligence and information centers at all levels of government. Data will be shared through centralized tools and once collaborated, link analysis will be performed to determine whether there are identifiable criminal network associations.

According to GOCCP, a variety of disparate data and data systems currently exist throughout the State, but the degree to which data is easily shared and analyzed (particularly for network associations) is lacking. Building the information technology infrastructure and providing the analytical personnel necessary to accomplish this level of information sharing and analysis is one of the main goals of MCIN and a primary purpose for the \$2 million in grant funding. To date, however, a quantified cost assessment for accomplishing this goal is not available.

The agency also notes that the new grant funds may be used to provide funding for State's attorneys resources to assist in processing offenders under the federal and State Racketeer Influenced and Corrupt Organizations laws.

To date, the council has been appointed and held one meeting in January 2018. GOCCP informs that it is yet to be determined whether meetings of the council will be open to the public and will be based on the need to discuss sensitive law enforcement data and procedures.

#### **School Safety Program**

The fiscal 2019 allowance includes \$2 million in general funds to establish a new School Safety Program in response to Chapter 732 of 2017, which created a grant program to provide funding for security-related projects to schools and child care centers at risk of a hate crime. Education Article § 7-1502.1 identifies the Maryland Center for School Safety (MCSS) as the entity responsible for making the grants; however, it was determined that GOCCP has better capacity and experience to administer the grant funds. GOCCP has indicated that it will consider input from MCSS when making award decisions.

To date, not much appears to have been developed with regard to this new grant program. Information is not available on how the grant funds will be distributed or what constitutes an eligible recipient. Furthermore, there is no comprehensive assessment of security-related needs to know whether \$2 million is an appropriate amount of funding for this program. The statute does not mandate an amount of funding for the program beyond what the Governor includes in the annual State budget. Specifically in relation to school security, funding exists in multiple places in the State budget for facility security improvements to both public and nonpublic schools. Finally, GOCCP has indicated its intention to award the grants and have the funds expended within fiscal 2019; however, the statute establishing the program allows for the possibility for the State Board of Education to adopt regulations for receiving and considering applications and for disbursing funds to applicants. If this avenue is pursued, it could be a lengthy approval process, calling into question the likelihood of awarding and expending the funds in fiscal 2019.

# Given that the program is new, DLS recommends reducing the funding for the School Safety Program by \$1 million in fiscal 2019.

On a related note, to be further discussed in the operating budget analysis for the Department of State Police (DSP), the statute establishing the MCSS (Education Article § 7-1502) identifies MCSS as an independent unit within State government based at Bowie State University; however, MCSS receives a mandatory \$500,000 general fund appropriation through DSP and is located at MCAC. MCSS provides a variety of services that include providing trainings and seminars, safety assessments and reviews/audits of school safety plans, technical assistance, and attending meetings of various task forces, commissions, and public organizations. MCSS' activities do not include law enforcement functions.

It is redundant and inefficient to have two programs serving similar purposes budgeted in separate State agencies with separate appropriations. **DLS recommends revising the statute and the fiscal 2019 allowance pertaining to MCSS to combine the funding and operations of MCSS with the newly created School Safety Program under the authority of GOCCP. This recommendation will appear in the DSP operating budget analysis.** 

#### **Other Changes**

Funding for the SAPP formula grant increases by \$742,218, or 1.0%, in fiscal 2019, after being level-funded in fiscal 2018. A breakdown of changes in the funding by local jurisdiction from fiscal 2016 to 2019 is shown in **Appendix 2**. The increase in funding is driven by an increase in the number of sworn officers and population per square mile.

The Sexual Assault Rape Crisis Program receives an additional \$127,000 in general funds in fiscal 2019. The nearly \$1.7 million provided in fiscal 2018 funds support for 17 rape crisis centers across the State to provide a variety of victim services, such as a 24-hour hotline, counseling, medical accompaniment, and assistance in utilizing other support services. The additional \$127,000 provided in fiscal 2019 is to comply with funding requirements in Chapter 659 of 2017, which requires an appropriation of at least \$3.0 million (all funds) for the federally recognized State sexual assault coalition and sexual assault crisis programs.

Chapter 410 of 2017 created the Animal Abuse Emergency Compensation Fund to assist an animal welfare organization in paying costs associated with the removal and care of animals impounded under the State's animal abuse and neglect law. The fund consists primarily of fines levied as a result of conviction of an animal abuse crime and money appropriated in the State budget to the fund. The fiscal 2019 allowance provides an initial appropriation of \$100,000 for the fund, which began collecting earnings in October 2017. The grant funds will be distributed on a reimbursement basis.

In September 2017, Governor Lawrence J. Hogan, Jr. announced that he was defunding the Criminal Justice Coordinating Council and transferring the balance of the fiscal 2018 appropriation to Baltimore City to be used toward fighting violent crime. Funding for the council is eliminated in the fiscal 2019 allowance, a reduction of \$219,500 in general funds, and GOCCP has indicated that the funds have not been redirected elsewhere.

## **Federal Fund Grants Decline**

Federal fund grant revenues decrease by approximately \$8.9 million in fiscal 2019, as shown in **Exhibit 6**.

Exhibit 6 Federal Fund Income Fiscal 2017-2019

Federal Grant Income	Actual <u>2017</u>	Working Approp. 2018	Allowance 2019	Change <u>2018-2019</u>	% Change <u>2018-2019</u>
Sexual Assault Services	\$339,550	\$419,215	\$420,762	\$1,547	0.4%
Community-based Violence Prevention Program	482,281	200,000	0	-200,000	-100.0%
Juvenile Accountability Block Grant	1,020	0	0	0	0.0%
Juvenile Justice and Delinquency Prevention Formula Grants	651,159	566,154	572,486	6,332	1.1%
State Justice Statistics Program	40,550	204,832	61,593	-143,239	-69.9%
Crime Victim Assistance	14,887,364	37,440,088	29,752,428	-7,687,660	-20.5%
Crime Victim Assistance – Discretionary Grant	0	200,000	200,000	0	0.0%
Violence Against Women Grants	2,390,314	2,806,130	2,729,919	-76,211	-2.7%
Grants to Encourage Arrest Policies and Enforcement of Protection Orders Programs	48,689	0	0	0	0.0%
Residential Substance Abuse Treatment for State Prisoners	198,738	175,310	199,605	24,295	13.9%
Project Safe Neighborhoods	6,870	490,999	478,013	-12,986	-2.6%
Byrne Justice Assistance Grants	4,310,326	3,681,175	3,565,238	-115,937	-3.1%
Forensic DNA Backlog Reduction	187,676	0	0	0	0.0%
Paul Coverdell Forensic Sciences Improvement Grant	188,357	337,339	0	-337,339	-100.0%
Byrne Competitive Grant Program	0	383,070	0	-383,070	-100.0%
Children's Justice Grants	245,256	293,427	295,682	2,255	0.8%
Family Violence Prevention and Services	1,808,691	1,863,904	1,877,119	13,215	0.7%
<b>Total Federal Grants</b>	\$25,786,841	\$49,061,643	\$40,152,845	-\$8,908,798	-18.2%

Source: Governor's Budget Books, Fiscal 2019

#### **Crime Victim Assistance**

The majority of this decrease is attributable to the Crime Victim Assistance grant, which decreases by approximately \$7.7 million in fiscal 2019. The federal Crime Victims Fund consists of fines and other monetary penalties paid by federal criminal offenders. The money is then distributed to a variety of programs that help victims of all types of crimes, most of which is passed through State agencies to local programs that assist victims of domestic violence, sexual assault, child abuse, families of homicide victims, victims of drunk driving crashes, and other violent crimes. Due to the enhanced collection efforts, the State began receiving significant increases in VOCA funding beginning in fiscal 2017. To date, however, actual VOCA spending has not matched the anticipated amounts budgeted.

In fiscal 2017, GOCCP anticipated VOCA expenditures of approximately \$32.6 million. Actual spending was approximately \$14.9 million, more in line with historic levels of spending, as grant subrecipients were unable to expend the additional revenues within the fiscal year. According to the agency's MFR data, the number of victims served managed to increase by over 32,000, a more than 21% increase, despite the increased funding not being fully utilized.

GOCCP is able to carry forward the unused VOCA appropriation into fiscal 2018 and 2019. VOCA funds are budgeted at \$37.4 million in fiscal 2018, although the agency has indicated that this may be higher than anticipated, given the level of actual spending in fiscal 2017. The fiscal 2019 allowance reflects a nearly 21% decrease to \$29.8 million based on prior year spending and anticipated awards.

#### **Other Federal Grants**

Three discretionary federal grant programs end in fiscal 2019: the Community-based Violence Prevention Program, the Paul Coverdell Forensic Sciences Improvement Grant, and the Byrne Competitive Grant program (separate from the traditional Edward J. Byrne Memorial Justice Assistance Grant funding). GOCCP has indicated that all grant subrecipients are required to submit a sustainability plan if funding discontinues with their application for an award. The agency has also indicated an intention to apply for \$3 million to \$4 million in new discretionary federal grants.

#### Issues

#### 1. Justice Reinvestment

Chapter 515 of 2016, the Justice Reinvestment Act, implemented many of the recommendations made by the Justice Reinvestment Coordinating Council by altering provisions relating to sentencing, corrections, parole, and offender supervision. In addition, the Act (1) altered provisions relating to criminal gangs; (2) increased maximum penalties for second-degree murder and first-degree child abuse resulting in death; (3) modified provisions regarding drug treatment; (4) expanded expungement provisions; and (5) provided for the reinvestment of savings from changes in incarceration policies. Many of the provisions of the Act took effect October 1, 2017.

To date, the Justice Reinvestment Oversight Board, tasked with overseeing implementation of the Act, has met five times between January 2017 and January 2018 to review efforts being made by State agencies to comply with the Act's requirements. GOCCP serves as staff to the board and as administrator of the yet-to-be-established Performance Incentive Grant Fund created to make use of the savings accrued from implementing the Act's provisions. The calculation of savings for the fund is not a set formula, but a process that will need to be established in conjunction with the board and the Department of Public Safety and Correctional Services. The calculation is based in part upon the difference between the baseline population measured on the sentencing effective date of October 1, 2017, and October 1, 2018. As the measurement date is in the future, GOCCP is unable to provide savings estimates at this time; however, an appropriation to the fund would likely be anticipated for fiscal 2020.

GOCCP is also assisting the board with establishing performance measures to track and assess the outcomes of the various provisions of the Act as well as the effectiveness of grants provided under the Performance Incentive Grant Fund. The agency has indicated that there will likely be more than 100 separate data measures, which will include data pertaining to:

- Division of Correction intakes and releases;
- local detention center intakes, releases, and pretrial detentions;
- parole releases;
- recidivism;
- sentencing;
- restitution payments and collections;
- inmate vocational and educational courses:

- sanctions for parole violations; and
- substance use disorder assessments and treatment.

In addition, the Act requires each county to annually report specified data from the prior calendar year regarding individuals held in pretrial detention. GOCCP performed an initial analysis of the pretrial population on January 1, 2017, which showed an average daily population of 5,113 inmates. Baltimore City accounted for 34% of this population, followed by Prince George's County (17%). Nearly 49% of pretrial inmates had not secured release because they were being held without bond. An additional 34% were unable to post bond. Approximately 29% of the inmates had a length of stay of one to three months, while an additional 23% were held for 3 to 6 months. Montgomery County had the longest average length of stay (205 days) followed by Charles County (163 days). Queen Anne's County had the shortest average length of stay (56 days). Assault, murder/manslaughter, robbery, and weapons charges accounted for the majority of charges for the over 5,000 offenders held in local facilities.

These performance measures reflect a variety of outputs, many of which are already collected and reported by various State agencies. It is not completely clear how GOCCP intends to transform these outputs into a substantive analysis of how the Act's provisions are achieving desired outcomes.

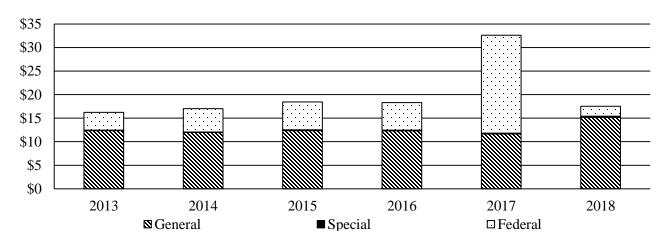
GOCCP should update the committees on the progress made regarding implementation of the Act. The agency should also discuss its plans and timeline for establishing the formula used to calculate savings to be placed in the Performance Incentive Grant Fund and the plans for distributing the funds once the new grant program is established. Finally, the agency should brief the committees on its data collection process and how it intends to measure performance outcomes.

# 2. State-funded Grant Assistance to Baltimore City Grows with the Increase in Violent Crime

Baltimore City has been experiencing a serious crime wave, including an increase in murders, since the death of Freddie Gray in 2015. City homicides totaled 344 in calendar 2015, which is second only to the 353 homicides recorded in 1993, when the population was 100,000 higher. In 2016, there were 318 killings, and 2017 finished with 343 people killed.

Since 2015, GOCCP has awarded over \$68.5 million in grant funding to various entities in Baltimore City. **Exhibits 7** and **8** illustrate Baltimore City grant funding since fiscal 2013 by fund and recipient type.

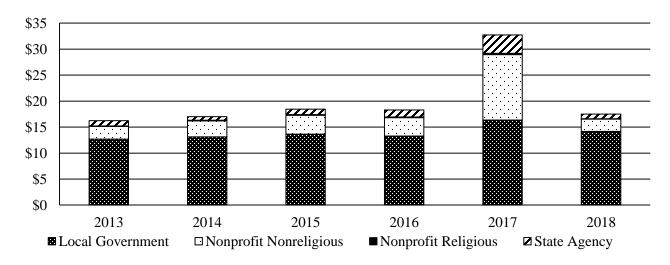
Exhibit 7
Baltimore City Grant Awards by Fund
Governor's Office of Crime Control and Prevention
Fiscal 2013-2018
(\$ in Millions)



Source: Governor's Office of Crime Control and Prevention; Department of Legislative Services

Exhibit 8

Baltimore City Grant Awards by Recipient Type
Governor's Office of Crime Control and Prevention
Fiscal 2013-2018
(\$ in Millions)



Source: Governor's Office of Crime Control and Prevention; Department of Legislative Services

In fiscal 2018, GOCCP awarded \$17.5 million in grant funds to recipients in Baltimore City of which \$15.2 million was general funds. The majority of the funding was provided to local government entities, with the Baltimore City Police Department (BCPD) being the largest single recipient. Although fiscal 2018 was not the highest year of overall grant funding in the past six years, it does reflect the largest amount of State-funded awards to the city since fiscal 2013. General fund awards in fiscal 2018 reflect an increase of more than \$3.5 million over fiscal 2017. The fiscal 2017 award amount is considerably higher than the other years illustrated in the chart because of an influx of federal grant funding focused on victims services for that year.

#### **BCPD** Grant

The fiscal 2019 allowance includes nearly \$9.2 million in general funds for the local law enforcement grant to BCPD. Prior to fiscal 2017, this grant was administered as three separate grants; however, the funds were consolidated for administrative purposes. There was very little change in the award amount at the time of consolidation. The fiscal 2019 allowance is consistent with the amount provided in the fiscal 2018 working appropriation; however, this does reflect a \$2 million increase over fiscal 2017 actual spending. The fiscal 2018 working appropriation was increased to provide BCPD with additional funds to purchase mobile data terminals. These funds are carried forward into fiscal 2019, although it is not clear whether the allowance funds will continue to be used for the mobile data terminals or will be expended for another purpose. The base grant amount of \$7.2 million is used to support the salary and fringe benefit costs for 75 police officers dedicated to the Neighborhood Foot Patrol Program, the Violent Crime Reduction Program, and the Neighborhood Policing Program. These programs are consistent with the grant purposes prior to the consolidation of awards in fiscal 2017.

#### **Safe Streets**

Baltimore City operates a Safe Streets Initiative, which is funded through the local health department and is different and separate from GOCCP's Maryland Safe Streets Initiative. GOCCP's initiative provides grant funding to bring stakeholders together in specific locations to target, track, and arrest (if necessary) the most violent/repeat offenders in that area and also provide links to supportive services (*e.g.*, substance abuse treatment, housing, education, health care, *etc.*). The 10 official sites funded through the GOCCP initiative do not include Baltimore City; however, GOCCP has provided funding to the city through this initiative, specifically targeting juvenile crime. In fiscal 2018, Baltimore City received approximately \$652,000 through the Maryland Safe Streets Initiative. That funding increased to more than \$945,000 in fiscal 2018.

Baltimore City's Safe Streets Initiative provides funding to community-based organizations to target specific neighborhoods within the city to send a message that violence is no longer accepted in that area. Ex-offenders are utilized to canvass the area and speak to youth, hold community events, *etc.* Currently, Baltimore City's Safe Streets Initiative program is operational in four neighborhoods. GOCCP provided \$500,000 in Byrne Justice Assistance Grant funds to support Baltimore City's Safe Streets Initiative in fiscal 2017. An additional \$148,730 was provided for the program in fiscal 2018. It is not known whether funds will be provided in fiscal 2019, as GOCCP has not made award determinations for the budgeted fiscal year.

GOCCP should discuss whether the agency has conducted any research regarding community policing and whether BCPD's community-based policing program is effective and in line with evidence-based practices. The agency should also discuss how it intends to apply its new outcome-based evaluation process to the grant funds provided to Baltimore City in order to ensure effective utilization of the resources supported with those funds and what additional assistance the agency is offering to address the city's growing crime problem.

# **Operating Budget Recommended Actions**

		Amount Reduction		Position Reduction
1.	Reduce funding for new School Safety Program grants. This action still provides \$1 million to fund the new grant program.	\$ 1,000,000	GF	
2.	Reduce salary funding for new criminal justice coordinator position for the new Maryland Criminal Intelligence Network to the base salary level.	31,778	GF	
3.	Delete new data analyst position for the new Maryland Criminal Intelligence Network. Analysis functions should be absorbed within existing resources until additional need can be demonstrated.	101,875	GF	1.0
4.	Delete the deficiency appropriation for 2 new positions to support the new Maryland Criminal Intelligence Network. Positions can be filled at the start of the fiscal year once the network has been better established.	50,974	GF	
	<b>Total Reductions to Fiscal 2018 Deficiency</b>	\$ 50,974		
	<b>Total General Fund Reductions to Allowance</b>	\$ 1,133,653		1.0

Appendix 1
Current and Prior Year Budgets
Governor's Office of Crime Control and Prevention
(\$ in Thousands)

Fiscal 2017	General <u>Fund</u>	Special <u>Fund</u>	Federal <u>Fund</u>	Reimb. <u>Fund</u>	<u>Total</u>
FISCAL 2017					
Legislative Appropriation	\$103,800	\$2,183	\$43,265	\$332	\$149,580
Deficiency Appropriation	0	0	0	0	0
Cost Containment	-263	0	0	0	-263
Budget Amendments	-55	2	-150	0	-202
Reversions and Cancellations	-51	-298	-17,329	-20	-17,698
Actual Expenditures	\$103,431	\$1,888	\$25,787	\$312	\$131,417
Fiscal 2018					
Legislative Appropriation	\$108,277	\$2,241	\$49,062	\$307	\$159,886
Cost Containment	-42	0	0	0	-42
Budget Amendments	-144	50	0	0	-94
Working Appropriation	\$108,091	\$2,291	\$49,062	\$307	\$159,750

Note: The fiscal 2018 appropriation does not include deficiencies, targeted reversions, or across-the-board reductions. Numbers may not sum to total due to rounding.

#### **Fiscal 2017**

Fiscal 2017 general fund expenditures totaled \$103.4 million, a net decrease of \$369,000. Cost containment actions adopted by the Board of Public Works reduced the agency's funding for contractual positions and rent costs by \$263,000. Budget amendments further reduced the appropriation by a net \$55,000. Approximately \$83,000 in additional funding for employee increments and health benefit expenses was offset by the realignment of \$138,000 to other units within the Governor's Office of Crime Control and Prevention (GOCCP) based on the actual impact of position reductions associated with Section 20 of the fiscal 2017 budget. The agency reverted approximately \$51,000 in miscellaneous general funds at the close of the fiscal year.

Special fund expenditures totaled nearly \$1.9 million in fiscal 2017. The agency received an additional \$2,000 via budget amendment for employee increments and canceled \$298,000 in unspent grant awards at the close of the fiscal year.

Federal fund expenditures of nearly \$25.8 million reflect a decrease of almost \$17.5 million from the legislative appropriation. Budget amendments reduced the agency's appropriation by \$150,000, as funds were realigned to cover other initiatives in the Governor's Office of Community Initiatives. GOCCP canceled \$17.3 million at the close of the fiscal year. The canceled funds were primarily unspent Victims of Crime Assistance awards. The agency had received a sizeable increase in its federal appropriation for fiscal 2017; however, the subrecipients of the grant funding were unable to fully expend the additional funding. Unspent funds will carry forward into the current and budgeted fiscal years.

Reimbursable fund expenditures totaling \$312,000 for fiscal 2017 reflect the cancellation of \$20,000 in unspent grant awards.

#### **Fiscal 2018**

The fiscal 2018 working appropriation is approximately \$136,000 below the legislative appropriation. Cost containment reductions totaling \$41,640 in general funds were achieved by reducing the use of contractual office assistance and holding positions vacant. Budget amendments provided a net decrease of \$94,000 (all funds). The agency received a \$50,000 increase in special fund revenue from the Victim and Witness Protection Fund to address an unforeseen need for additional support in Baltimore City. This was offset by the reduction of \$143,828 in general funds transferred to the Governor's Coordinating Offices – Shared Services Unit as part of a consolidation of administrative funds among the various units within GOCCP.

## Appendix 2 State Aid for Police Protection Fund Fiscal 2016-2019

<b>County</b>	Actual <u>2016</u>	Actual <u>2017</u>	Working Approp. 2018	Allowance 2019	Change <u>2018-2019</u>	Chang <u>e</u> 2018-2019
Allegany	\$821,594	\$867,146	\$867,146	\$856,247	-\$10,899	-1.26%
Anne Arundel	6,575,859	8,808,723	8,808,723	8,939,029	130,306	1.48%
<b>Baltimore County</b>	12,009,526	12,763,352	12,763,352	12,782,211	18,859	0.15%
Calvert	740,047	790,877	790,877	798,454	7,577	0.96%
Caroline	327,553	340,807	340,807	335,608	-5,199	-1.53%
Carroll	1,505,520	1,593,615	1,593,615	1,585,364	-8,251	-0.52%
Cecil	963,082	994,830	994,830	1,001,277	6,447	0.65%
Charles	1,255,371	1,349,861	1,349,861	1,377,091	27,230	2.02%
Dorchester	364,807	380,327	380,327	376,196	-4,131	-1.09%
Frederick	2,259,707	2,424,962	2,424,962	2,460,987	36,025	1.49%
Garrett	215,352	226,243	226,243	224,079	-2,164	-0.96%
Harford	2,678,376	2,842,686	2,842,686	2,850,307	7,621	0.27%
Howard	3,484,879	3,748,189	3,748,189	3,838,281	90,092	2.40%
Kent	193,864	200,479	200,479	199,735	-744	-0.37%
Montgomery	15,037,304	16,126,321	16,126,321	16,303,507	177,186	1.10%
Prince George's	13,816,791	14,822,262	14,822,262	14,993,795	171,533	1.16%
Queen Anne's	404,973	434,063	434,063	434,769	706	0.16%
St. Mary's	881,063	940,659	940,659	958,007	17,348	1.84%
Somerset	233,934	240,372	240,372	243,211	2,839	1.18%
Talbot	402,633	421,718	421,718	421,522	-196	-0.05%
Washington	1,390,858	1,512,744	1,512,744	1,523,836	11,092	0.73%
Wicomico	1,066,380	1,117,075	1,117,075	1,124,826	7,751	0.69%
Worcester	647,594	767,687	767,687	828,877	61,190	7.97%
Total	\$67,277,067	\$73,714,998	\$73,714,998	\$74,457,216	\$742,218	1.01%

<sup>\*</sup>Bold denotes item repeated in full or part from preceding audit report.

# Appendix 3 Object/Fund Difference Report Governor's Office of Crime Control and Prevention

FY 18 FY 17 Working FY 19 FY 18 - FY 19 Percent Object/Fund **Actual** Appropriation **Allowance Amount Change** Change **Positions** Regular 37.00 36.00 38.00 2.00 5.6% 02 Contractual 14.63 17.63 -3.00 -17.0% 14.63 **Total Positions** 51.63 53.63 52.63 -1.00 -1.9% **Objects** Salaries and Wages \$ 3,199,203 \$ 3,344,165 \$ 3,830,511 \$ 486,346 14.5% 798,547 -147,550 Technical and Spec. Fees 613,954 946,097 -15.6% 03 Communication 28,437 46,775 27,212 -19,563 -41.8% 04 Travel 56,548 65,219 64,072 -1,147-1.8% Fuel and Utilities 0 4,414 0 -4,414 -100.0% 9,439 07 Motor Vehicles 18,480 10,231 -8,249 -44.6% Contractual Services 528,835 400,789 -149,272 -27.1% 08 550,061 10,834 09 Supplies and Materials 21,862 17,699 -4,163 -19.0% Equipment - Replacement 10,226 52,564 19,388 -33,176 -63.1% 10 Equipment – Additional 2,679 23,584 23,584 0 0% 11 154,553,975 -4,033,194 Grants, Subsidies, and Contributions 126,810,772 150,520,781 -2.6% 13 Fixed Charges 146,183 123,118 96,168 -26,950 -21.9% \$ 155,808,982 -\$ 3,941,332 **Total Objects** \$ 131,417,110 \$ 159,750,314 -2.5% **Funds** General Fund \$ 103,430,822 \$ 108,091,054 \$ 113,148,147 \$ 5,057,093 4.7% Special Fund 03 1,887,795 2,290,611 2,188,174 -102,437 -4.5% Federal Fund 25,786,841 49,061,643 40,152,845 -8,908,798 -18.2% Reimbursable Fund 311,652 307,006 319,816 12,810 4.2%

Analysis of the FY 2019 Maryland Executive Budget, 2018

**Total Funds** 

Note: The fiscal 2018 appropriation does not include deficiencies, targeted reversions, or across-the-board reductions. The fiscal 2019 allowance does not include contingent reductions or cost-of-living adjustments.

\$ 159,750,314

\$ 155,808,982

-\$ 3,941,332

-2.5%

\$ 131,417,110