#### W10A00 Department of State Police

#### Operating Budget Data

(\$ in Thousands)

	FY 13 Actual	FY 14 Working	FY 15 Allowance	FY 14-15 Change	% Change Prior Year
General Fund	\$213,814	\$232,562	\$254,714	\$22,153	9.5%
Contingent & Back of Bill Reductions	0	-6,142	-2,406	3,736	
Adjusted General Fund	\$213,814	\$226,420	\$252,308	\$25,889	11.4%
Special Fund	84,772	84,184	93,266	9,082	10.8%
Contingent & Back of Bill Reductions	0	0	-575	-575	
Adjusted Special Fund	\$84,772	\$84,184	\$92,691	\$8,507	10.1%
Federal Fund	4,447	3,585	1,795	-1,790	-49.9%
Adjusted Federal Fund	\$4,447	\$3,585	\$1,795	-\$1,790	-49.9%
Reimbursable Fund	18,429	15,527	3,009	-12,519	-80.6%
Adjusted Reimbursable Fund	\$18,429	\$15,527	\$3,009	-\$12,519	-80.6%
Adjusted Grand Total	\$321,462	\$329,716	\$349,803	\$20,087	6.1%

- The Governor's proposed budget includes two deficiency appropriations amounting to a \$7.2 million increase in the fiscal 2014 appropriation. The deficiencies include (1) a \$3.8 million general fund increase to reduce the firearm registration backlog; and (2) a \$3.4 million increase in general (\$674,000) and special (\$2.7 million) funds to cover aviation fuel and aircraft maintenance costs. In addition, the fiscal 2014 appropriation contains a cost containment measure that reduces general funds by \$1.7 million, which delays a trooper candidate class.
- The fiscal 2015 allowance increases by \$20.1 million, or 6.1%, when funds are adjusted for across-the-board and contingent reductions.

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

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#### W10A00 - Department of State Police

- General funds increase by a net change of \$25.9 million, or 11.4%. The increase in general funds is predominately due to personnel increases of \$22.8 million, with \$15.2 million of that due to an increase in the State Police Retirement System.
- Special funds increase by a net change of \$8.5 million, or 10.1%. This increase is largely due to the authorization of an additional \$4.0 million in speed camera revenue to purchase vehicles and related equipment in fiscal 2015. Personnel expenses also increase by \$2.8 million.
- Reimbursable funds decrease by \$12.5 million, or 80.6%, from the fiscal 2014 working appropriation. This is largely due to \$11.1 million provided for the Computer-aided Dispatch/Records Management System major information technology project in fiscal 2014 that does not continue in fiscal 2015.

#### Personnel Data

2 0. 20.000									
	FY 13 <u>Actual</u>	FY 14 Working	FY 15 Allowance	FY 14-15 Change					
Regular Positions	2,389.50	2,424.50	2,449.50	25.00					
Contractual FTEs	<u>26.22</u>	<u>29.61</u>	62.61	<u>33.00</u>					
<b>Total Personnel</b>	2,415.72	2,454.11	2,512.11	58.00					
Vacancy Data: Regular Positions									
Turnover and Necessary Vacancies, Ex Positions	cluding New	86.55	3.57%						
	10/01/10	00100							
Positions and Percentage Vacant as of	12/31/13	186.50	7.69%						

- The fiscal 2015 allowance reflects 25 new positions, including:
  - 10 helicopter pilots for the Maryland State Police Aviation Command to enhance flight safety, per Chapter 429 of 2013;
  - 8 positions to expand staffing at the Maryland Coordination and Analysis Center. These positions include 5 criminal intelligence analysts, 2 analyst supervisors, and 1 program manager to expand staff at regional information centers, and provide increased focus on homicides, shootings, and warrants;
  - 4 forensic scientists, 1 laboratory technician, and 1 inventory control specialist to staff the Hagerstown Crime Laboratory; and
  - 1 executive director for the Maryland School Safety Center.

- The fiscal 2015 allowance reflects a net increase of 33 contractual full-time equivalents (FTE). The contractual changes include 31 FTEs for the Licensing Division to address the firearms application backlog, 3 FTEs for the Gun Center, and the loss of 1 drug recognition coordinator due to the expiration of grant funding.
- Turnover expectancy decreases to 3.57% in fiscal 2015 from 5.81% in fiscal 2014.
- As of December 31, 2013, the vacancy rate was 7.69%. This is above the rate needed to meet turnover.

#### Analysis in Brief

#### **Major Trends**

*Crime in Maryland Is Below National Average:* In calendar 2012, Maryland's crime rate of 3,226 victims for every 100,000 inhabitants was below the national average of 3,246 victims for every 100,000 inhabitants. This is the first time since 1989 that Maryland's crime rate has been below the national average and the lowest Part 1 crime reported since 1975 when the *Uniform Crime Report* program began. The number of offenses per 100,000 of the population declined by 3.8% compared to calendar 2011.

*Maryland's Murder Rate Declines; Still Exceeds National Average:* Maryland's murder rate of 6.3 murders per 100,000 persons exceeded the national average of 4.7 murders per 100,000 persons in calendar 2012. While Maryland's murder rate exceeded the national average, the number of murders reported to law enforcement agencies in Maryland declined from 398 to 372.

#### **Issues**

Firearm Safety Act of 2013: The Firearm Safety Act of 2013 (Chapter 427) modified and expanded the regulation of firearms, firearm dealers, and ammunition in Maryland, and made changes related to mental health restrictions on the possession of firearms. Among other things, Chapter 427 extended the scope of assault pistol prohibitions to all assault weapons; required a new handgun qualification license for a person to purchase, rent, or receive a handgun; and imposed restrictions on ammunition. During and after the 2013 legislative session, the Licensing Division was overwhelmed with new applications for firearm purchases, including assault weapons and handguns, which resulted in a backlog of applications to be processed. The unprecedented surge in applications was presumably due to the desire of buyers to purchase certain weapons before new restrictions went into effect. In addition to addressing the firearm application backlog, the building that the Licensing Division occupies is currently undergoing renovations. The Department of State Police (DSP) should update the budget committees on the progress in addressing the firearm application backlog and the steps taken to enforce the Firearm Safety Act of 2013.

Motor Vehicle Replacement Report Submitted: The 2013 Joint Chairmen's Report (JCR) required DSP, in conjunction with the Department of Budget and Management, to provide the budget committees with a report on the current state of the motor vehicle fleet and the anticipated future state of the fleet once funding is scheduled to stop from speed camera revenue in fiscal 2015. In addition, the report requested funding options to sustain the fleet over time. The report was submitted on December 1, 2013, and provided three funding options to replenish the fleet. The fiscal 2015 allowance authorizes \$7 million from speed camera revenue to purchase vehicles and related equipment. The Department of Legislative Services (DLS) recommends adopting committee narrative suggesting that the Administration implement a maximum mileage threshold policy of 150,000 miles for DSP patrol vehicles and provide the appropriate funding to reach this maximum. DLS also recommends restricting the \$7 million of speed camera revenue provided for vehicles and related equipment in fiscal 2015 to that purpose. Additionally, DLS recommends including language in the Budget Reconciliation and Financing Act (BRFA) of 2014 to restrict at least \$7 million of speed camera revenue, after administrative costs are paid, for DSP to purchase vehicles and related equipment in fiscal 2016, 2017, and 2018.

Sale of Dauphin Helicopters: The new AgustaWestland-139 fleet is anticipated to be fully transitioned by November 2014. Once the new fleet is operational, the Dauphin helicopter fleet will be sold by the Department of General Services, which has primary responsibility for the sale. The BRFA of 2014 contains language to direct any revenue generated by the sale of the Dauphin helicopters to the general fund. This would change current statute, which authorizes the proceeds from the sale of the Dauphin fleet to be applied to the State Annuity Bond Fund Account. Given transition delays and the uncertainty of timing and value of selling an entire fleet of aging helicopters, the agency should address whether revenues from the sale will be fully realized in fiscal 2015.

Maryland Coordination and Analysis Center: The Maryland Coordination and Analysis Center (MCAC) was established shortly after September 11, 2001, as one of four components of the Anti-Terrorism Advisory Council of Maryland, which is an umbrella organization of local, State, and federal agencies mandated by the U.S. Attorney General to coordinate anti-terrorism activities. MCAC provides analytical support and disseminates information in support of law enforcement, public health, public safety, and homeland security to the 22 agencies assigned. In the fiscal 2015 allowance, DSP is receiving 8 new positions for MCAC for staffing regional offices. DLS requests that MCAC or DSP discuss the organizational structure; the allocation of personnel and funding by federal, State, and local agencies; and the activities conducted by the center. In addition, MCAC or DSP should discuss whether and how funding and personnel for the center should be reflected and reviewed in the State budget.

#### **Recommended Actions**

- 1. Add language to increase turnover to 5%.
- 2. Add language to restrict speed camera revenue funds for the purchase of vehicles and related equipment.
- 3. Adopt committee narrative recommending the Administration adopt a maximum mileage threshold policy of 150,000 miles for Department of State Police patrol vehicles.
- 4. Add budget bill language that restricts \$1,000,000 of the general fund appropriation until the Department of State Police submits the 2013 Uniform Crime Report.

#### **Updates**

**Newly Formed Criminal Enforcement Division:** Beginning in January 2013, the criminal investigation resources of DSP were reorganized to focus on interjurisdictional and cross border crime as a primary strategy. Through this reorganization, the Criminal Investigation and Drug Enforcement Divisions, as well as barrack investigators were merged into the Criminal Enforcement Division (CED). In fiscal 2014, positions were transferred internally to CED, but no additional costs are associated with the reorganization at this time.

Report on the Fixed Wing and the Extradition Program Submitted: The 2013 JCR required DSP to submit a report regarding the Fixed Wing Program and the Extradition Unit. DSP was asked to provide mission and budget data for both programs and to compare alternatives to conducting extraditions using fixed wing aircraft. The report was completed and submitted to the legislature in October 2013. The DSP Extradition Unit, allied agencies, and their respective State's Attorney Offices have stated that they absolutely need to utilize DSP aircraft to provide safe transport of violent felons. Additionally, DSP provides extradition services to allied agencies at no cost, which relieves budget pressures for those agencies to provide their own extraditions.

*Unprovided for General Fund Payables in Fiscal 2013:* At the close of fiscal 2013, DSP was not able to meet \$2.1 million in payments for several programs with the fiscal 2013 appropriation. The majority of these expenses (\$1.9 million) came from the Support Services Bureau for communication, fuel, utilities, ammunition, and major information technology projects.



#### W10A00 Department of State Police

#### Operating Budget Analysis

#### **Program Description**

The Department of State Police (DSP) exists to safeguard persons within the State, protect property, and assist in providing all persons equal protection under the law. The department's operating structure is composed of the following programs:

- the Office of the Superintendent;
- the Field Operations Bureau;
- the Criminal Investigation Bureau; and
- the Support Services Bureau.

Within these functions, the department recruits and hires employees; addresses retention issues; provides services in procurement and distribution of supplies and equipment; works to improve the critical error rate of law enforcement agencies that enter civil protective orders into the Maryland Interagency Law Enforcement Agency/National Crime Information Center systems; serves as a catalyst for the interagency exchange of criminal justice, homeland security, and intelligence information at the federal, State, and local levels; and provides timely and efficient access to public information and records. The department also includes the Vehicle Theft Prevention Council and the Fire Prevention Commission and Office of the State Fire Marshal, which are charged with safeguarding life and property from the hazards of fire and explosion. The department's various programs are described briefly in **Appendix 3**.

#### Performance Analysis: Managing for Results

#### 1. Crime in Maryland Is Below National Average

In 1975, by statute, Maryland instituted a program to require all local law enforcement agencies to submit standardized crime reports based on the federal reporting system to ensure consistency. Data for the reports is gathered from each agency's record of complaints, investigations, and arrests. DSP compiles the information by calendar year, which is published as *Crime in Maryland, Uniform Crime Report* (UCR). The methodology for these reports follows guidelines and definitions of crimes as provided by the National Uniform Crime Reporting Program, which is administered by the Federal Bureau of Investigation.

#### W10A00 - Department of State Police

The UCR measures the incidence, arrests, and trends for the following eight crimes, referred to as Part I offenses:

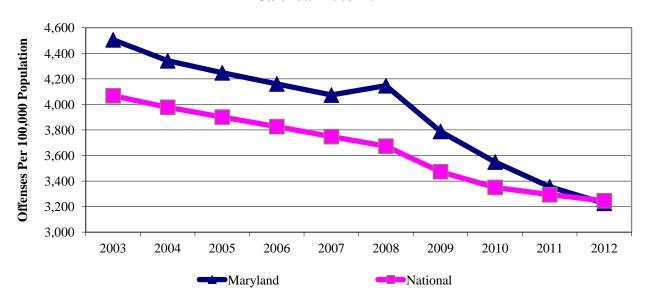
- murder and voluntary manslaughter;
- forcible rape;
- robbery;
- aggravated assault;
- breaking and entering (burglary);
- larceny-theft;
- motor vehicle theft; and
- arson.

Based upon reported offenses, a crime rate is calculated for the number of offenses per 100,000 inhabitants. In calendar 2012, Maryland's crime rate of 3,226 victims for every 100,000 inhabitants was below the national average of 3,246 victims for every 100,000 inhabitants. This is the first time since 1989 that Maryland's crime rate has been below the national average and the lowest Part I crime reported since 1975 when the UCR program began. The number of offenses per 100,000 inhabitants of the population declined by 3.8% compared to calendar 2011 (see **Exhibit 1**).

#### 2. Maryland's Murder Rate Declines; Still Exceeds National Average

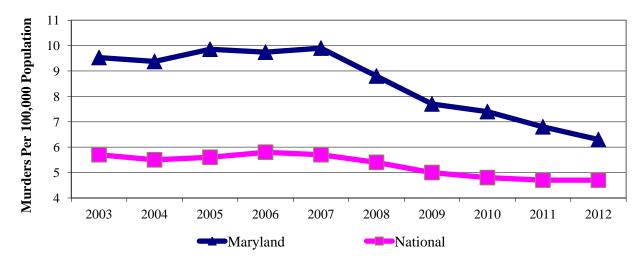
In calendar 2012, Maryland's murder rate of 6.3 murders per 100,000 persons exceeded the national average of 4.7 murders per 100,000 persons (see **Exhibit 2**). While Maryland's murder rate exceeded the national average, the number of murders reported to law enforcement agencies in Maryland declined from 398 to 372 in calendar 2012.

Exhibit 1 Maryland and National Crime Trends Calendar 2003-2012



Source: Crime in Maryland, 2012 Uniform Crime Report; Federal Bureau of Investigation

Exhibit 2 Maryland and National Murder Trends Calendar 2003-2012



Source: Crime in Maryland, 2012 Uniform Crime Report; Federal Bureau of Investigation

#### Fiscal 2014 Actions

#### **Proposed Deficiency**

The Governor's proposed budget includes two fiscal 2014 deficiency appropriations, which result in a \$7.2 million increase. The deficiencies include:

- a \$3.8 million general fund increase to the Support Services Bureau to reduce the firearm registration backlog. This deficiency includes \$1.8 million for the Linthicum surge space to house additional Licensing Division employees, \$1.4 million for overtime salaries and benefits, and \$626,000 for temporary trailers to house Licensing Division employees during the building renovation; and
- a \$3.4 million deficiency to the Maryland State Police Aviation Command (MSPAC), within the Field Operations Bureau, increasing general (\$674,000) and special (\$2.7 million) funds to cover aviation fuel and aircraft maintenance costs.

#### **Cost Containment**

There are three across-the-board withdrawn appropriations that offset the increase in deficiency appropriations. This includes reductions to the employee/retiree health insurance, funding for a new Statewide Personnel information technology (IT) system, and retirement reinvestment. These actions are fully explained in the analyses of the Department of Budget and Management (DBM) – Personnel, the Department of Information Technology (DoIT), and State Retirement Agency (SRA), respectively.

In addition, the fiscal 2014 appropriation contains a cost containment measure that reduces general funds by \$1.7 million, which delays a trooper candidate class.

#### **Proposed Budget**

As shown in **Exhibit 3**, the allowance increases by \$20.1 million, or 6.1%, when funds are adjusted for across-the-board and contingent reductions. General funds increase by a net change of \$25.9 million, or 11.4%. Personnel increases account for a \$22.8 million increase, with \$15.2 million of that due to an increase in the State Police Retirement System (SPRS). Special funds increase by a net of \$8.5 million, or 10.1%, largely due to an additional \$4.0 million in speed camera revenue to purchase vehicles and related equipment in fiscal 2015. Special fund personnel expenses also increase by \$2.8 million. Reimbursable funds decrease by \$12.5 million, or 80.6%, from the fiscal 2014 working appropriation. This is largely due to the \$11.1 million for the Computer-aided Dispatch/Records Management System (CAD/RMS) major IT project not continuing in fiscal 2015. If reimbursable fund decreases for IT projects were removed, the budget would increase by \$31.2 million, or 9.5%, largely due to increasing personnel costs.

# Exhibit 3 Proposed Budget Department of State Police (\$ 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>		
2014 Working Appropriation	\$226,420	\$84,184	\$3,585	\$15,527	\$329,716		
2015 Allowance	252,308	92,691	<u>1,795</u>	3,009	349,803		
Amount Change	\$25,889	\$8,507	-\$1,790	-\$12,519	\$20,087		
Percent Change	11.4%	10.1%	-49.9%	-80.6%	6.1%		
Where It Goes:							
Personnel Expenses							
Employee retirement net of co	ontingent reducti	ions			\$16,516		
Annualized cost-of-living adj	ustment and inci	rements			8,459		
Turnover adjustments					2,318		
25 new positions for Aviation, crime laboratory, Maryland Coordination and Analysis Center, and School Safety Center							
Workers' compensation premium assessment							
Increase in aviation pilot and technician salaries per Chapter 429 of 2013							
Other fringe benefit adjustments							
Overtime and shift differential							
Increments and other compen	sation				-1,645		
Employee and retiree health is	nsurance, adjust	ed for across-th	ne-board redu	ction	-3,367		
Other Changes							
Vehicle purchases and equipment	nent				4,020		
Information technology hardy	vare				1,400		
Radios provided to Aviation (	Command for 70	00 Megahertz		•••••	989		
Three-year Department of Information technology pr					723		
Aviation Command fuel and a	naintenance				517		
Contract to outsource latent p	rint examination	ıs			130		
The Gun Center					-250		
Federal grants					-443		
Licensing Division and federa	al grant-funded e	equipment			-716		
Other							

#### W10A00 - Department of State Police

#### Where It Goes:

Computer-aided Dispatch/Records Management System funding not continuing ........... -11,115 **Total** \$20,087

Note: The fiscal 2014 working appropriation reflects negative deficiencies and contingent reductions. The fiscal 2015 allowance reflects back of the bill and contingent reductions. Numbers may not sum to total due to rounding.

#### Fiscal 2015 Cost Containment

There is one across-the-board reduction and one contingent reduction reflected in the Governor's spending plan for the fiscal 2015 allowance. This affects funding for employee/retiree health insurance and retirement reinvestment. These actions are fully explained in the analyses for DBM – Personnel, and SRA.

#### **Personnel Costs**

Personnel costs increase overall by \$25.7 million from the fiscal 2014 working appropriation. Regular earnings decrease by \$1.6 million, while the annualization of the fiscal 2014 cost-of-living adjustment (COLA) and increment adds \$8.5 million. A net decrease in regular earnings can happen when positions become vacant and are reset at the original base salary. Health insurance decreases by \$3.4 million when adjusted for an across-the-board reduction. Workers' compensation increases by \$1.0 million. Reclassification of MSPAC pilots and technicians to a base salary of \$70,000 and \$60,000, respectively, adds \$506,000 in fiscal 2015. Turnover expectancy increases by \$2.3 million, not including a decrease of \$800,000 due to new positions and annualized salary changes. The fiscal 2015 allowance shows an increase of \$5.4 million in general funds, with a corresponding decrease of \$3.9 million in special funds for turnover expectancy. DSP had been using speed camera revenue to fill positions, but the fiscal 2015 allowance restricts an additional \$4.0 million of this revenue for vehicles. Therefore, additional general funds are provided for turnover to replace the speed camera funds.

Employee retirement is the primary driver of the increase in personnel costs, with an increase of \$16.9 million in fiscal 2015; a contingent reduction of \$398,000 in retirement reduces the increase to \$16.5 million. In particular, the SPRS increases by \$16.3 million in fiscal 2015; the Law Enforcement Officer Pension System increases by \$162,000 and State employee retirement increases by \$485,000. Contribution rates for the regular employees, teachers, State Police, and law enforcement officers pension plans increased in fiscal 2013, 2014, and 2015. The rate increases were attributable primarily to a statutory change to the SPRS's amortization policy.

During the 2013 session, the General Assembly turned its attention to pension financing, seeking to establish a more secure and actuarially sound financing model for the SPRS, which was accomplished with the enactment of Chapters 475 and 476 of 2013. **Exhibit 4** shows the factors that result in an overall increase of \$19.3 million in SPRS costs, an amount which includes the SPRS costs associated with annualized salary changes.

# Exhibit 4 State Police Retirement System Contribution and Reinvestment Fiscal 2014-2015 (\$ in Millions)

	<u>2014</u>	<u>2015</u>	% Change
Total Contribution Rate*	71.85%	88.06%	22.6%
State Police Retirement System Appropriation	\$62.1	\$81.4	31.1%

<sup>\*</sup>Total contribution rates are not adjusted for the reduction in pension reinvestment proposed by the Administration.

Source: Department of Budget and Management; Maryland State Retirement Agency

In fiscal 2014, the State contribution rate was 71.85% for the SPRS. In fiscal 2015, the State contribution rate increases to 88.06%. In comparison to State employees with a total contribution rate of 18.3% and teachers with a contribution rate of 18.64%, the State contribution rate to the SPRS is fairly significantly higher. State contribution rates for the SPRS are high in comparison to other pension systems for several reasons, including generous benefits for State Police sworn officers, taking into consideration these members do not receive Social Security benefits, and more employees on disability.

#### **New Positions**

Personnel costs increase by \$1.5 million as a result of 25 new positions. These new positions include:

- 10 helicopter pilots for MSPAC to enhance flight safety, per Chapter 429 of 2013;
- 8 positions to expand staffing at the Maryland Coordination and Analysis Center. These positions include 5 criminal intelligence analysts, 2 analyst supervisors, and 1 program manager to expand staff at regional information centers, and provide increased focus on homicides, shootings, and warrants;
- 4 forensic scientists, 1 laboratory technician, and 1 inventory control specialist to staff the Hagerstown Crime Laboratory; and
- 1 executive director for the Maryland for School Safety Center.

#### **The Gun Center**

On January 1, 2013, DSP initiated a 24/7 component to its firearms enforcement program called the Gun Center. The Gun Center is designed to help Maryland's law community by addressing every gun incident statewide to ensure that each case is completely vetted, investigated, and aggressively prosecuted. To do this, the center provides:

- real-time background checks on guns and individuals involved;
- immediate guidance to law enforcement on a wide variety of cases;
- identification and trace of firearms;
- follow-up assistance and case management, as requested;
- coordination across jurisdictions and with multiple agencies;
- identification and flagging of repeat offenders;
- coordination of evidence;
- forensic recommendations; and
- analysis of gun-related offenses.

In fiscal 2013, DSP received \$50,000 from the Cease Fire Council Grant to pay for 1 retired trooper at the Gun Center; the Governor's Office of Crime Control and Prevention also provided \$100,000 from the Cease Fire Council Grant to support 2 investigators from the Office of the Attorney General at the Gun Center. In fiscal 2014, DSP received \$150,000 from the Cease Fire Council Grant to pay the salaries of these 3 contractual full-time equivalents. Additionally, the fiscal 2014 supplemental budget authorized \$450,000 to the Gun Center for initial start-up costs. The fiscal 2015 allowance provides \$200,000 to continue the 3 contractual employees; initial start-up funding of \$250,000 was eliminated.

#### 1. Firearm Safety Act of 2013

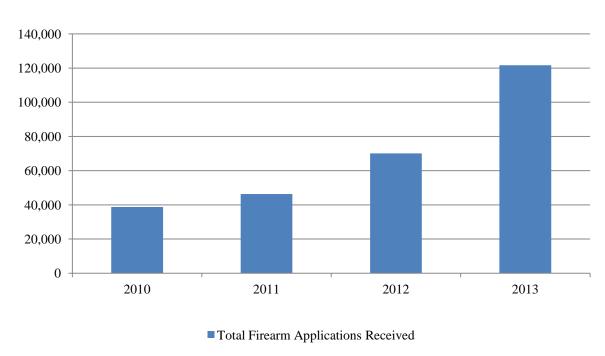
The Firearm Safety Act of 2013 (Chapter 427) modified and expanded the regulation of firearms, firearm dealers, and ammunition in Maryland, and made changes related to mental health restrictions on the possession of firearms. Among other things, Chapter 427 extended the scope of assault pistol prohibitions to all assault weapons, required a new handgun qualification license (HQL) for a person to purchase, rent, or receive a handgun, and imposed restrictions on ammunitions. The HQL requires the customer to be fingerprinted and obtain training by a certified instructor, including firing a live round in the presence of a certified instructor. The fiscal 2014 supplemental budget included \$4.2 million to implement the Act. Those costs included 35 new positions, contractual services, and supplies and materials. The fiscal 2015 allowance carries over costs for the 35 new positions and 31 contractual employees, but one-time start-up funding for technology and equipment is eliminated. DSP also received a \$400,000 general fund deficiency in fiscal 2013 and \$450,000 in general funds in the fiscal 2014 supplemental budget to automate and streamline the current and new firearm application processes; this funding was transferred to DoIT when the project was determined to be major IT.

#### **Firearm Application Backlog**

During and after the 2013 legislative session, the Licensing Division was overwhelmed with new applications for firearm purchases, including assault weapons and handguns. The unprecedented surge in applications was presumably due to the desire of buyers to purchase certain weapons before new restrictions went into effect. This resulted in a backlog of firearm applications to be processed by DSP that was not fully eliminated by October 1, 2013, the effective date of the new law. Applications for regulated firearms received by DSP showed significant increases in calendar 2012 and 2013, then slowed down dramatically after October 1, 2013. As shown in **Exhibit 5**, applications increased by 23,760, or 51.3%, from calendar 2011 to 2012. From calendar 2012 to 2013, applications increased by 51,591, or 73.6%. Applications for regulated firearms include licensed firearm dealer applications, secondary or private sale, transfer as a gift, and voluntary applications.

Although the reasons for fluctuations of applications are likely varied and disparate, historically, increased demand for firearms has followed newsworthy mass shooting occurrences across the country, such as the Newtown, Connecticut school shooting in December 2012. This trend corresponds to the significant increase of firearm applications DSP received in December 2012, a total of 11,362 applications, which was much higher than the monthly average of 5,295 in 2012.

Exhibit 5
Firearm Applications
Calendar 2010-2013

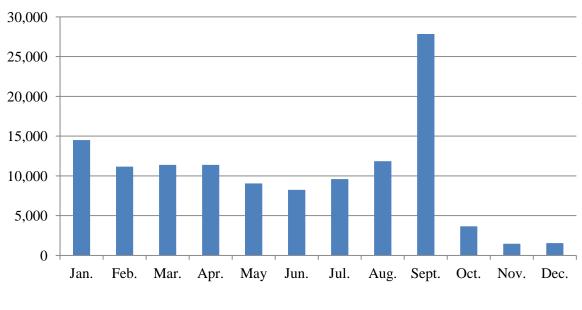


Source: Department of State Police

A slowdown in applications was anticipated once Chapter 427 went into effect on October 1, 2013, which is evident in **Exhibit 6**. During the first nine months of 2013, 115,012 applications were received by DSP; more than 15,000 of those applications came in the final 10 days of September. In October 2013, handgun sales dropped dramatically, down to 3,654 from a monthly high of 27,840 in September 2013. DSP received a total of 121,690 firearm applications in 2013. Since the October 1, 2013 effective date, a total of 5,133 HQL applications have been received and 4,943, or 96.3%, have been approved.

The peak of the backlog was 59,594 applications on October 9, 2013. After that point, the backlog stopped growing, and DSP resumed completing all incoming applications within the seven-day mandate. As of January 2, 2014, there were 31,726 applications remaining in the backlog, and DSP is processing an average of 2,000 to 3,000 new and backlogged applications per week. DSP has permanently assigned its Firearm Registration Unit Staff to train and supervise staff and ensure that the reduction of the backlog stays on track. The backlog is anticipated to be eliminated by March or April 2014. Once the backlog is addressed, the next step will be to begin entry of final dispositions for all applications, which occurs after the firearm is officially transferred from the dealer to the buyer.





■ Monthly Firearm Applications Received

Source: Department of State Police

During the backlog, some dealers released firearms to buyers before DSP had completed the application review process but after the mandatory seven-day waiting period. In 2013, 205 firearms were released to prohibited persons, and DSP has recovered every firearm. The Licensing Division and the Gun Center are informed when a firearm has been released to a prohibited person, and the DSP Firearms Enforcement Unit handles retrieving the firearm.

#### **Backlog Reduction and Licensing Division Renovation**

Several measures were taken to address the backlog and restore normal processing times for the Licensing Division.

- In September 2013, 25 allied State law enforcement officers were temporarily assigned to DSP. These allied officers were trained by DSP and conducted background checks on backlogged applications.
- Temporary employees were hired to help sort, count, fax, and organize applications.

• In November 2013, backlog reduction efforts were moved to a leased space in Linthicum in order to centralize and manage operations. A second group of 15 law enforcement officers from State and local agencies were assigned to backlog reduction.

The State and local agencies that provided sworn officers to address the backlog are shown in **Exhibit 7**. In addition, the Department of Health and Mental Hygiene, the Department of Human Resources, the Department of Public Safety and Correctional Services (DPSCS), the Department of Juvenile Services, and the Maryland Department of Transportation (MDOT) provided data entry services. Costs to pull sworn officers from allied agencies to assist DSP Licensing Division with the firearm application backlog will be borne by the contributing State agencies.

Exhibit 7
Sworn Officers Provided by State and Local Government Agencies
To Address the Firearm Application Backlog

<b>Agency</b>	<b>Sworn Officers</b>
Department of State Police	40
Maryland Transportation Authority Police	29
Maryland Transit Administration	2
Natural Resources Police	2
Department of General Services	1
Baltimore County	2
Baltimore City	2
Anne Arundel County	1
Prince George's County	1
Total	80

Source: Department of State Police

In addition to addressing the firearm application backlog, the building that the Licensing Division occupies is currently undergoing renovation. The initial strategy was to renovate in phases, temporarily moving staff out one floor at a time so as to keep the majority of operations in the building during renovation. However, it was determined to be more efficient to keep the current and additional Licensing Division staff together during this time of high volume, so the entire building was vacated temporarily to allow the renovation to occur quicker. This resulted in a need for equipped, temporary trailers.

The fiscal 2014 working appropriation includes a \$3.8 million deficiency for costs associated with the firearm application backlog. The deficiency includes \$1.8 million for the Linthicum surge

space to house additional Licensing Division employees, \$1.4 million for overtime salaries and benefits, and \$626,000 for temporary trailers to house Licensing Division employees during the building renovation. DSP anticipates the Linthicum surge space will no longer be needed after November 2014; however, additional costs are not anticipated in fiscal 2015. The temporary trailers will be necessary until the building renovation is complete; the lease for the trailers is expected to cost \$135,000 in fiscal 2015.

DSP should update the budget committees on the progress in addressing the firearm application backlog and the steps taken to enforce the Firearm Safety Act of 2013.

#### 2. Motor Vehicle Replacement Report Submitted

The Budget Reconciliation and Financing Act (BRFA) of 2011 (Chapter 397) required that, for fiscal 2013 to 2015, \$3.0 million of the revenue derived from work zone speed control systems be distributed to DSP for the purchase of replacement vehicles and related equipment, after administrative costs are paid. The 2013 *Joint Chairmen's Report* (JCR) required DSP, in conjunction with DBM, to provide the budget committees with a report on the current state of the motor vehicle fleet and the anticipated future state of the fleet, once funding is scheduled to stop from the speed camera revenue in fiscal 2015. In addition, the report requested funding options to sustain the fleet over time. This report was submitted on December 1, 2013, and provided three funding options to replenish the fleet.

#### **Maintenance and Other Considerations**

The funding options provided in the report aim to reduce vehicle mileage to a maximum of 150,000 to 179,999 miles. This mileage maximum was chosen due to increased unscheduled maintenance and major repairs when a vehicle reaches 180,000 miles or greater. According to the report, transmissions show a 400.0% increase in the number of replacements in the 120,000 to 149,999 mile range, and an additional 113.0% increase in the 180,000 to 209,999 range. Engines show a 1,300.0% increase in number of replacements in the 180,000 to 209,999 mile range. This coincides roughly with *Consumer Reports* estimates that the average life expectancy of a new vehicle is around eight years, or 150,000 miles<sup>1</sup>. From fiscal 2010 to 2013, the average mileage of the police patrol vehicle (PPV) fleet increased from 141,000 miles to 169,000 miles, or a 20.0% increase. Over that same period, maintenance costs increased from \$1.9 million in fiscal 2010 to \$2.2 million in fiscal 2013, or a 17.3% increase, despite that the size of the PPV fleet decreased from 1,350 to 1,055 during that same period. Reducing the average mileage of the PPV fleet will reduce maintenance costs.

<sup>&</sup>lt;sup>1</sup> Consumer Reports www.consumerreports.org.

#### **Funding Options**

The report considered three funding options.

- **Option 1** to continue the current level of funding of \$3.0 million per year through the speed camera program, and provide supplemental funding through the general fund as needed;
- Option 2 to increase speed camera funding to \$7.0 million per year; or
- Option 3 to increase speed camera funding to \$8.75 million per year.

If Option 1 is chosen, then funding would remain at \$3 million past fiscal 2015, and 67.7% of the fleet would have a mileage of 180,000 or greater by fiscal 2018. **Exhibit 8** shows the state of the fleet under Option 1.

Exhibit 8
Current and Projected State of DSP Motor Vehicle Fleet
With \$3 Million Annual Funding
Fiscal 2014-2018

Mileage	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
0-29,999	90	63	63	63	63
30,000-59,999	95	85	58	58	58
60,000-89,999	115	90	80	53	53
90,000-119,999	87	110	85	75	48
120,000-149,999	90	82	105	80	70
150,000-179,999	113	85	77	100	75
180,000-209,999	158	108	80	72	95
210,000-239,999	163	153	103	75	67
240,000-269,999	149	158	148	98	70
270,000-299,999	58	144	153	143	93
300,000+	18	58	184	319	444
Total	1,136	1,136	1,136	1,136	1,136

Note: Assumes 63 fully equipped vehicles purchased in fiscal 2015 and 65 vehicles lost per year. Fleet of police patrol vehicles only.

Source: Department of State Police, 2013 Joint Chairmen's Report, Vehicle Replacement and Funding Plan

#### Fiscal 2015 Allowance

The fiscal 2015 allowance authorizes a total of \$7 million from speed camera revenue to purchase vehicles and related equipment. Using a base price of \$46,700 for a fully equipped car, the Department of Legislative Services (DLS) estimates that approximately 150 vehicles could be purchased initially with \$7 million. If this level of funding continues, 39.7% of the fleet would have a mileage of 180,000 or greater by fiscal 2018. **Exhibit 9** shows the projected state of the fleet if the \$7 million authorized in the fiscal 2015 allowance continues; this scenario corresponds to Option 2 provided in the report. It is possible that more vehicles could be purchased each year if vehicle or equipment costs are lower than expected, but it is also possible that fewer vehicles could be purchased each year if costs exceed expectations.

Exhibit 9
Anticipated Vehicle Replacement Schedule with \$7 Million Annual Funding
Fiscal 2015-2018

<u>Mileage</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
0-29,999	150	145	140	135
30,000-59,999	85	145	140	135
60,000-89,999	90	80	140	135
90,000-119,999	110	85	75	135
120,000-149,999	82	105	80	70
150,000-179,999	85	77	100	75
180,000-209,999	108	80	72	95
210,000-239,999	153	103	75	67
240,000-269,999	158	148	98	70
270,000-299,999	115	153	143	93
300,000+	0	15	73	126
Total	1,136	1,136	1,136	1,136

Note: Assumes 150 fully equipped vehicles purchased in fiscal 2015, 65 vehicles lost through attrition each year, and a 3.7% cost inflation. Fleet of police patrol vehicles only.

Source: Department of State Police; Department of Legislative Services

#### **Other States Comparison**

State police vehicle fleets are funded from a variety of sources in different states. In Virginia, vehicle fleets are funded through legislative appropriations, insurance funding, fees from High Occupancy Vehicle enforcement, and surplus Automotive Safety Enforcement money. New York utilizes legislative appropriations and asset forfeiture funds. New Jersey uses legislative appropriations, homeland security grants, and other appropriations. Some states, such as Massachusetts, use general obligation bond funding for fleet replacement. **Exhibit 10** shows motor vehicle mileage thresholds for other states' police fleets.

**Exhibit 10 State Police Comparisons – Motor Vehicle Fleet Mileage Thresholds** 

<u>State</u>	Mileage Thresholds	Avg. Mileage of Fleet	Avg. Mileage Taken Out of Service
Virginia	130,000 Miles for PPVs 150,000 Miles for Non-PPVs 175,000 Miles for SUVs and Trucks	80,000	140,000
New York	130,000 Miles for All Vehicles	85,500	125,000 to 150,000
New Jersey	100,000 Miles or Every Three Years for PPVs 120,000 Miles for All Other Vehicles	78,000	125,000 to 150,000

PPVs: police patrol vehicles SUVs: sport utility vehicles

Source: Department of Legislative Services

DLS estimates that approximately \$13.0 million would be needed annually, starting in fiscal 2016, for DSP to achieve a maximum mileage threshold of 150,000, which would be similar mileage to the states compared and the average life expectancy of a new vehicle per *Consumer Reports*. Exhibit 11 shows the vehicle forecast if \$13.0 million was provided in fiscal 2016 and on. This would purchase 269 fully equipped cars in fiscal 2016 and achieve a maximum mileage of 150,000 by fiscal 2020. This scenario is comparable to the New Jersey vehicle replacement strategy which replaces 200 to 400 cars per year at an average cost of \$12.0 million. Over time, due to cost inflation, additional general funds would be required in the future. DLS recommends adopting committee narrative suggesting that the Administration implement a maximum mileage threshold policy of 150,000 miles for DSP patrol vehicles and provide the appropriate funding to reach this maximum.

Exhibit 11

DLS Estimate for DSP to Reach a Maximum Mileage of 150,000

Fiscal 2015-2021

<u>Mileage</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
0-29,999	150	269	259	250	241	232	224
30,000-59,999	85	145	264	254	245	236	227
60,000-89,999	90	80	140	259	249	240	231
90,000-119,999	110	85	75	135	254	244	235
120,000-149,999	82	105	80	70	130	184	219
150,000-179,999	85	77	100	75	17	0	0
180,000-209,999	108	80	72	93	0	0	0
210,000-239,999	153	103	75	0	0	0	0
240,000-269,999	158	148	71	0	0	0	0
270,000-299,999	115	44	0	0	0	0	0
300,000+	0	0	0	0	0	0	0
Total	1,136	1,136	1,136	1,136	1,136	1,136	1,136

DLS: Department of Legislative Services

DSP: Department of State Police

Note: Assumes \$7.0 million in fiscal 2015 and \$13.0 million starting in fiscal 2016 and beyond. Assumes 65 vehicles lost through attrition each year and a 3.7% cost inflation. Fleet of police patrol vehicles only.

Source: Department of Legislative Services

#### **Speed Camera Revenue**

From fiscal 2011 through 2013, the speed camera revenue generated an average of \$10.7 million annually. **Exhibit 12** provides speed camera revenue from fiscal 2011 through 2015. The fiscal 2015 allowance for speed camera revenue is \$8.6 million. If the entire speed camera revenue is restricted in fiscal 2016 and future fiscal years for vehicles and related equipment, then DLS estimates that DSP could purchase approximately 229 vehicles in fiscal 2016 based on an average revenue of \$10.7 million. Under this scenario, the DSP PPV fleet still does not achieve a maximum of 180,000 miles, but it would lower maximum mileage to 209,999 by fiscal 2020. Over time, due to cost inflation, fewer cars would be purchased with the same amount of funding, and the fleet will begin to age again unless inflation-sensitive funding is authorized to purchase vehicles.

#### Exhibit 12 Speed Camera Revenues Fiscal 2011-2015

2011 <u>Actual</u>			2014 Working	2015 Allowance	Average Actual <u>2011-2013</u>
\$11.617.553	\$10.391.710	\$10,134,609	\$9,167,354	\$8,559,000	\$10.714.624

Source: Governor's Budget Books, Fiscal 2013-2015

DSP has been utilizing remaining speed camera revenue to reduce turnover. Restricting all speed camera revenue for vehicles would eliminate this option and require DSP to meet recommended turnover each year from other fund sources, starting in fiscal 2016. The fiscal 2015 allowance provides an additional \$5.4 million in general funds while reducing \$3.9 million in special funds for turnover expectancy. Due to the volatility of speed camera revenue, DLS recommends that it be restricted to a more discretionary purpose, such as vehicle purchasing, rather than applied to ongoing personnel needs. Speed camera revenue restricted for vehicle purchases is set to expire after fiscal 2015. To continue restricting speed camera revenues, current statutes must be amended.

DLS recommends restricting the \$7 million of speed camera revenue provided for vehicles and related equipment in fiscal 2015 to that purpose. DLS also recommends including language in the BRFA of 2014 to restrict at least \$7 million of speed camera revenue, after administrative costs are paid, for DSP to purchase vehicles and related equipment in fiscal 2016, 2017, and 2018.

#### 3. Sale of Dauphin Helicopters

The new AgustaWestland (AW)-139 helicopter fleet is anticipated to be fully transitioned by November 2014. Once the new fleet is operational, the Dauphin helicopter fleet will be sold by the Department of General Services, which has primary responsibility for the sale. Two of the 11 Dauphin helicopters have been grounded from service and are being used for parts. Three additional Dauphins have reached remaining time on required annual inspections and have also been placed out of service. That leaves 6 serviceable Dauphins for 4 remaining helicopter sections to be transitioned. MSPAC has decided not to invest funds into major inspections and component overhauls due to the probability of being unable to recoup these funds expended for repairs over the sale value.

According to the State Finance and Procurement Article 10-306(c) (3) (ii):

...cash received as consideration for the disposition of helicopters, auxiliary helicopter equipment, ground support equipment, or other capital equipment related to helicopters shall be applied to the State Annuity Bond Fund Account for the payment of the principal of and interest on the bonded indebtedness of the State.

DSP states that there is significant interest in selling the entire Dauphin fleet at once, and the sale is expected to occur immediately after the AW-139 fleet has completely transitioned. The BRFA of 2014 contains language proposing to direct any revenue generated by the sale of the Dauphin helicopters to the general fund; the fiscal 2015 allowance assumes \$17.6 million in general fund revenues from the anticipated sale. This would change current statute, which authorizes the proceeds generated from the sale of the helicopter to be applied to the State Annuity Bond Fund Account. Given transition delays and the inherent uncertainty of timing and value of selling an entire fleet of aging helicopters, the agency should address whether revenues from the sale will be fully realized in fiscal 2015.

#### 4. Maryland Coordination and Analysis Center

The Maryland Coordination and Analysis Center (MCAC) was established shortly after September 11, 2001, as one of four components of the Anti-Terrorism Advisory Council of Maryland, which is an umbrella organization of local, State, and federal agencies mandated by the U.S. Attorney General to coordinate anti-terrorism activities. MCAC provides analytical support and disseminates information in support of law enforcement, public health, public safety, and homeland security to the 22 agencies assigned. In the fiscal 2015 allowance, DSP is receiving 8 new positions for MCAC for staffing regional offices. It is not clear who exercises oversight of MCAC.

DLS requests that MCAC or DSP discuss the organizational structure; the allocation of personnel and funding by federal, State, and local agencies; and the activities conducted by the center. In addition, MCAC or DSP should discuss whether and how funding and personnel for the center should be reflected and reviewed in the State budget.

#### Recommended Actions

1. Add the following language:

<u>Provided that the general fund appropriation for the Department of State Police be reduced by</u> \$3,519,149 to increase turnover to 5%.

**Explanation:** This action would increase turnover to reflect actual turnover in recent years. The reduction increases the turnover from 3.57% to 5.0%.

2. Add the following language to the special fund appropriation:

, provided that \$7,000,000 of this appropriation made for the purpose of vehicle and vehicle equipment purchase may only be expended for that purpose. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be cancelled.

**Explanation:** This language restricts \$7,000,000 of the special fund appropriation for the Department of State Police, Field Operations Bureau, to purchase vehicles and related equipment.

3. Adopt the following narrative:

Maximum Mileage Threshold Policy of 150,000 Miles for Department of State Police Patrol Vehicles: According to Consumer Reports, the average life expectancy of a new vehicle is around eight years, or 150,000 miles. This coincides with several other states' maximum mileage threshold, including Virginia, New York, and New Jersey; the average mileage a vehicle is taken out of service for these states does not exceed 150,000 miles. As of fiscal 2013, the Department of State Police (DSP) patrol vehicle fleet had an average mileage of 169,000 miles. According to DSP, unscheduled maintenance and major repairs increase significantly after 150,000 miles, resulting in increased maintenance costs. The budget committees recommend that the Administration adopt a maximum mileage threshold policy of 150,000 for DSP patrol vehicles and provide the appropriate funding to reach this maximum.

4. Add the following section:

"SECTION XX. AND BE IT FURTHER ENACTED, THAT \$1,000,000 of the General Fund appropriation within the Department of State Police (DSP) may not be expended until DSP submits the Crime in Maryland, 2013 Uniform Crime Report (UCR) to the budget

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committees. The budget committees shall have 45 days to review and comment following receipt of the report. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Further, provided that, if DSP encounters difficulty obtaining the necessary crime data on a timely basis from local jurisdictions who provide the data for inclusion in the UCR, DSP shall notify the Governor's Office of Crime Control and Prevention (GOCCP). GOCCP shall withhold a portion, totaling at least 15%, but no more than 50%, of that jurisdiction's State Aid for Police Protection (SAPP) grant for fiscal 2015 upon receipt of notification from DSP. GOCCP shall withhold SAPP funds until such a time that the jurisdiction submits its crime data to DSP. DSP and GOCCP shall submit a report to the budget committees indicating any jurisdiction from which crime data was not received on a timely basis and the amount of SAPP funding withheld from each jurisdiction."

**Explanation:** The annual language was originally added because DSP had not been submitting its annual crime report in a timely manner due to issues related to receiving crime data from the local jurisdictions. As such, this language withholds a portion of the general fund appropriation until the budget committees receive the 2013 UCR. The language also specifies that GOCCP, upon receipt of notification from DSP, must withhold a portion of a delinquent jurisdiction's SAPP grant until certain crime data is received by DSP. Finally, DSP and GOCCP must submit a report to the budget committees that includes information on any jurisdiction that did not report crime data on a timely basis and the amount of SAPP funding that was withheld from each jurisdiction.

Information Request	Author	<b>Due Date</b>
2013 UCR	DSP	45 days prior to the expenditure of funds

#### **Updates**

#### 1. Newly Formed Criminal Enforcement Division

Beginning in January 2013, the criminal investigation resources of DSP were reorganized to focus on inter-jurisdictional (county to county) and cross border (state to state) crime as a primary strategy. Through this reorganization, the Criminal Investigation and Drug Enforcement Divisions, as well as Barrack investigators were merged into the Criminal Enforcement Division (CED). CED investigative activities involve an array of dedicated and special sections, units, task forces, and teams that investigate and solve all facets of crime throughout the State, and provide direct support and resources to allied agencies for linked investigations. CED drug investigators collaborate and coordinate drug enforcement strategies with federal, State, and local law enforcement.

In fiscal 2014, positions were transferred internally to the Criminal Investigation Bureau to form CED, but no additional costs are associated with the reorganization at this time.

#### 2. Report on the Fixed Wing and the Extradition Program Submitted

The 2013 JCR required DSP to submit a report regarding the Fixed Wing Program and the Extradition Unit. DSP was asked to provide mission and budget data and compare alternatives to conducting extraditions using fixed wing aircraft. The report was completed and submitted to the legislature in October 2013. DSP currently owns two fixed wing aircraft, a 1981 Cessna P-210 Centurion (2 to 4 seats) and a 2002 King Air 350 (8 to 10 seats). The Cessna is used to conduct law enforcement missions for the Natural Resources Police (NRP), assist with search and rescue missions, conduct homeland security and disaster assessment missions, and transport maintenance personnel to repair aircraft in the field. The King Air is used predominately for extraditions, but may also be used to transport State personnel, such as the Governor and his associates.

The DSP Extradition Unit transports prisoners for allied agencies, including NRP, DPSCS, and local law enforcement agencies; not every extradition requires the use of the King Air. The King Air conducts around 100 extraditions each year. Utilizing the King Air for prisoner extraditions guarantees sufficient restraint and order at all times by providing several officers to each prisoner and protects the public from being exposed to criminals. Having the aircraft at the disposal of DSP also eliminates complications from airline flight schedules, commercial airport locations, and commercial airline passenger restrictions. **Exhibit 13** shows the prisoner extraditions performed by DSP fixed wing aircraft from calendar 2003 through 2013. The King Air was grounded for maintenance in March 2011; due to multiple procurement processing and funding delays, the aircraft was grounded until January 2013. While the King Air was down from calendar 2011 through 2013, commercial flights and ground transports were used whenever possible.

Exhibit 13
Prisoner Extraditions Conducted by DSP Fixed Wing Aircraft
Calendar 2003-2013

<b>Agency</b>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
State Police	46	43	55	72	86	86	111	107	16	*	78
Municipalities	0	0	0	2	5	6	2	5	1	*	0
Counties	42	35	45	26	34	22	23	27	6	*	22
<b>Total Extraditions</b>	88	<b>78</b>	100	100	125	114	136	139	23	*	100
Flight Hours	322	284	405	308	380	356	415	377	62.8	*	216
<b>Hours Per Prisoner</b>	3.7	3.6	4.0	3.1	3.0	3.1	3.0	2.7	2.7	*	2.1

DSP: Department of State Police

Note: State Police extraditions in 2010 include two extraditions for the Office of the State Fire Marshal. State Police extraditions in 2013 include one extradition for the National Resources Police. Counties include Baltimore City.

Source: Department of State Police

DSP estimates each flight hour cost as approximately \$1,391 to include fuel, maintenance, hull insurance, and pilot cost. The average extradition took 2.1 flight hours in calendar 2013, making the average extradition cost \$2,922. Flight hour averages varied from 2.7 to 4.0 for extraditions from calendar 2003 to 2011. In calendar 2010, prior to the King Air's extended downtime, the aircraft flew 377 flight hours, which would make the total cost for the year approximately \$524,569. During calendar 2012, when the King Air was down for maintenance, commercial airfare, car rentals, per diem, and fuel for rental vehicles amounted to \$86,947. DSP provides extradition services for local law enforcement agencies at no cost, which accounted for an average of 32.9% of extraditions from calendar 2003 to 2010.

The 2013 JCR asked DSP to compare alternatives to fixed wing extraditions. The report discussed three alternatives: (1) commercial airlines; (2) ground transport; and (3) air charter. Though commercial airlines were sometimes utilized while the King Air was grounded, DSP prefers using the King Air over commercial airlines for the following reasons:

- flexibility to set a flight schedule, without risk of missing a commercial flight or experiencing delays;
- ability to land at non-commercial airports, which may be closer to the intended prison, minimizing ground transport;

<sup>\*</sup> Aircraft down for maintenance from March 10, 2011, through February 2013.

- minimal exposure of the general public to violent offenders;
- transportation of prisoners that are not allowed to fly on commercial flights, due to transportation safety administration regulations;
- ability to provide more sworn officers to accompany a prisoner than may be possible on a commercial flight; and
- ability to coordinate the transport of multiple prisoners from Maryland, thus reducing cost per extradition.

Prisoner transportation companies offer ground transportation, but DSP still prefers utilizing the King Air for the following reasons:

- ability to ensure that a prisoner will be delivered by a requested date, which ground transport companies typically do not guarantee;
- lower the risk to public safety by reducing the time a prisoner is being transported, thereby limiting the chances of an escape; and
- ability to transport prisoners over longer distances within a reasonable timeframe.

Chartered air service offers the same benefits as the King Air, but the cost for the aircraft per hour would be much higher than what it costs DSP to perform the extradition. The DSP Extradition Unit, allied agencies, and their respective State's Attorney Offices have stated that they absolutely need to utilize DSP aircraft to provide safe transport of violent felons.

#### 3. Unprovided for General Fund Payables in Fiscal 2013

At the close of fiscal 2013, DSP was not able to meet \$2.1 million in payments for several programs with the fiscal 2013 appropriation. The largest over expenditures came from the Support Services Bureau (\$1.9 million) and the Criminal Investigation Bureau (\$109,000). Expenditures included communication, fuel, utilities, ammunition, major IT projects, travel, rent, subscriptions, executive protection, and investigative funds for the Drug Bureau. These unprovided for general fund expenses will roll over into fiscal 2014 for payment; a fiscal 2014 deficiency has not been provided in the budget bill.

#### Current and Prior Year Budgets

## **Current and Prior Year Budgets Department of State Police**

(\$ in Thousands)

	General <u>Fund</u>	Special <u>Fund</u>	Federal <u>Fund</u>	Reimb. <u>Fund</u>	<u>Total</u>
Fiscal 2013					
Legislative Appropriation	\$206,099	\$78,138	\$436	\$998	\$285,671
Deficiency Appropriation	8,760	1,907	0	0	10,667
Budget Amendments	-480	5,549	4,243	19,812	29,124
Reversions and Cancellations	-565	-822	-232	-2,381	-3,999
Actual Expenditures	\$213,814	\$84,772	\$4,447	\$18,429	\$321,462
Fiscal 2014					
Legislative Appropriation	\$227,333	\$82,495	\$500	\$1,155	\$311,483
Budget Amendments	5,229	1,689	3,085	14,373	24,375
Working Appropriation	\$232,562	\$84,184	\$3,585	\$15,527	\$335,858

Note: The fiscal 2014 working appropriation does not include deficiencies or contingent reductions. Numbers may not sum to total due to rounding.

#### **Fiscal 2013**

In fiscal 2013, the total budget for the department increased by approximately \$35.8 million. The general fund appropriation increased by a net \$7.7 million due to five deficiency appropriations and several budget amendments. The deficiencies covered the cost to zero out a deficit special fund balance (\$5.8 million); unanticipated costs in fuel, maintenance, and IT (\$2.1 million); automation of the gun licensing process (\$400,000); system maintenance and workload of the Forensic Science Division (\$350,000); and overtime costs for the Licensing Division (\$97,000). Additionally, general funds decreased by a net \$480,000 predominately due to realignment of general funds between State agencies for health insurance. In fiscal 2013, State agencies were assessed a fee for development of a new Statewide Personnel System. That year, the State spent approximately 48% of this major IT project's appropriate budget, with the remainder reverted to the general fund. As a result, \$565,000 in general funds was reverted in DSP's budget.

The fiscal 2013 special fund appropriation increased by a net \$6.6 million from the legislative appropriation. This increase was the result of a deficiency appropriation, two budget amendments, and special fund cancellations. The special fund deficiency provided \$1.9 million for unanticipated costs in fuel, maintenance, and IT. The special fund appropriation increased by \$5.5 million due to two budget amendments to account for the Speed Camera Turnover Relief fund swap (\$4.1 million) and COLAs. However, \$822,000 in special funds was cancelled due to unspent funds in various programs.

The federal fund appropriation increased by a net \$4.0 million in fiscal 2013. The increase was the result of three budget amendments and federal fund cancellations. The amendments authorized several 2012 federal grants to be rolled into fiscal 2013 (\$2.2 million), funding from the Federal Asset Forfeiture fund (\$1.8 million) and funding from the Maryland Internet Crimes Against Children Task Force grant (\$261,000). A federal fund cancellation reduced the appropriation by \$232,000 due to unspent federal grants; the agency advises that the funds will roll into fiscal 2014.

The reimbursable fund increased by \$17.4 million over the legislative appropriation. The increase was the result of several budget amendments. The amendments allocated funding from DoIT for the Statewide 700 Megahertz Radio Project (\$13.7 million) and for the CAD/RMS project (\$3.9 million), appropriated new and carried forward prior year grant funds (\$1.7 million), and allocated the Comprehensive Statewide Enforcement and Training Grants from MDOT (\$569,000). Finally, there was a \$2.3 million reimbursable fund cancellation in fiscal 2013 due to funds being rolled into fiscal 2014 (\$324,000) and delayed funding for the CAD/RMS (\$2.0 million).

#### Fiscal 2014

The budget for the department increased by \$24.4 million over the legislative appropriation. The bulk of the increase was \$11.1 million in reimbursable funds from DoIT for major IT projects, such as the CAD/RMS and the Automated Licensing and Registration Tracking System projects. General and special fund amendments provided a total of \$6.9 million for COLAs, increments,

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salary-related bargaining increases, and an annual salary review. Several federal and reimbursable grants provided \$6.3 million to appropriate new and rollover existing federal grants and provide federal reimbursement for the DSP Currency Counter (a machine used to count money from large seizures), in-car camera systems, and pre-trained narcotics detection canines.

#### **Audit Findings**

Audit Period for Last Audit:	February 1, 2009 – December 19, 2011
Issue Date:	March 2013
Number of Findings:	5
Number of Repeat Findings:	3
% of Repeat Findings:	60%
Rating: (if applicable)	N/A

- <u>Finding 1:</u> DSP lacked adequate procedures and controls over collections and related billings.
- **Finding 2:** Database monitoring, program change controls, and backup procedures over the citation system were inadequate.
- **Finding 3:** Critical devices used to secure the DSP network were not operational, or properly administered and monitored.
- **Finding 4:** Sensitive personally identifiable information was not adequately secured.
- **Finding 5:** DSP did not establish adequate controls over its equipment.

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

#### **Programs within the Department of State Police**

### Office of the Superintendent

Establishes policy and provides overall direction for the department. The commanders of the divisions and sections that report directly to the Superintendent include Criminal Intelligence Section, Administrative Hearing Section, Executive Protection Division, Office of Fair Practices, Internal Affairs Division, Office of Legal Counsel, Office of Media Communications, and the Strategic Planning Command.

#### Field Operations Bureau

Manages 22 police barracks within six geographical troop areas. Effective October 31, 2012, activities were transferred from the Field Operations Bureau to the newly created Special Operations Bureau, which includes Aviation Command, Automotive Safety Enforcement Division, Commercial Vehicle Enforcement Division, and the Special Operations Division. The bureau protects life and property within Maryland by preventing, detecting, and deterring crime. Aviation Command also provides timely medical evacuation (Medevac) transports throughout the State.

## Criminal Investigation Bureau

Manages the Northern and Southern Commands of Criminal Enforcement Division, and the Forensic Sciences Division. The bureau directs investigations, intelligence, analytics, and scientific resources of the department to reduce crime and safe-guard the State from terrorist attacks. The bureau also strives to reduce the rate of firearm-related assaults and uses its resources to address criminal and drug-related acts.

#### Support Services Bureau

Oversees the Personnel Command, the Technology and Information Management Command, and the Logistics Command.

#### Personnel Command

Includes the Office of the Department Prosecutor, Human Resources Division, Office of Promotional Testing, and the Education and Training Division.

#### Technology and Information Management Command

Includes the Electronics Systems, Central Records, Licensing, Administrative Operations, Police Communications Support, and Information Technology Divisions.

#### Logistics Command

Includes the Facilities Management, Motor Vehicle, and Quartermaster Divisions.

#### Vehicle Theft Prevention Council

Develops strategies to assist in the prevention of vehicle theft and related crimes, including vandalism and theft of property from vehicles. The department is responsible for administering grants from the Vehicle Theft Prevention Fund to assist in programs consistent with the council's plan of operation.

#### Fire Prevention Commission and State Fire Marshal

Safeguards life and property from fire and explosion hazards. The agency also evaluates buildings and occupancies to ensure compliance, and investigates causes of fires and explosions.

# Major Information Technology Projects Depa

Analysis of the FY 2015 Maryland Executive Budget, 2014

#### Department of State Police Computer Aided Dispatch/Records Management System (CAD/RMS)

Project Status <sup>1</sup>	Implementation. New/Ongoing Project: Ongoing.							
Project Description:							System (CAD/RMS	). The project
					ormation sharing			
Project Business Goals:							ating the interagence	y exchange of
		e, homeland s					te, and local level.	
Estimated Total Project Cost <sup>1</sup> :	\$26,361,752				anning Project		/a	
Project Start Date:	January 2007			<b>Projected Co</b>	mpletion Date	: N	1/ay 2014	
Schedule Status:	The CAD/RMS	S system was	successfully	implemented i	n seven location	ns in fiscal	2014. The Departn	nent of Natural
							has begun implen	
	Maryland Trai	nsit Administ	ration will b	egin impleme	ntation in Apri	il 2014, an	d the forecast for	completion of
	deployment rea	mains April 20	014.					
Cost Status:	None.	None.						
Scope Status:							longer able to prov	
							Interact was put in	
							iginal solution was	
					•		accommodate the	
Project Management Oversight Status:							mittee and an Exec	cutive Steering
					oversight going			
Identifiable Risks:	There is a risk	that the techn	ical, maintena	ance, and proje	ect management	t services re	equired to implemen	nt and maintain
							l phases of this pro	ject. This risk
	must be mitiga	ted by improv	ved personnel	resources or o	utsourced servi	ces.		
Additional Comments:	None.							
							Balance to	
Fiscal Year Funding (\$ in Thousands)	Prior Years	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	Complete	Total
Personnel Services	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Professional and Outside Services	17.677	0.840	1.904	3.100	2.841	0.0	0.0	26.362
Other Expenditures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Funding	\$17.677	\$0.840	\$1.904	\$3.100	\$2.841	\$0.0	\$0.0	\$26.362

<sup>&</sup>lt;sup>1</sup> In calendar 2011, a two-step approval process was adopted. Initially, an agency submits a Project Planning Request. After the requirements analysis has been completed and a project has completed all of the planning required through Phase Four of the Systems Development Lifecycle (Requirements Analysis), including a baseline budget and schedule, the agency may submit a Project Implementation Request and begin designing and developing the project when the request is approved. For planning projects, costs are estimated through planning phases. Implementation projects are required to have total development costs.

#### Major Information Technology Projects

#### **Department of State Police** IP-enabled Network for ANI/ALI (E911)

Project Status <sup>1</sup>	Implementation.	New/Ongoing Project: Ongoing.						
<b>Project Description:</b>	The Emergency Number Systems Board (ENSB) is providing funds through Dorchester County for the Department of State Police (DSP) to implement a new state-of-the-art e911 delivery network. ENSB is also investigating the possibility of using an advanced Internet Protocol (IP) -enabled network for delivery of emergency e911 traffic to the barracks, which currently function as a secondary Public Safety Answering Point.							
<b>Project Business Goals:</b>	The primary goal is to improve emerger the State to regionally distributed call ce		and delivering e911 calls throughout					
Estimated Total Project Cost <sup>1</sup> :	\$7,296,100	<b>Estimated Planning Project Cost<sup>1</sup>:</b>	n/a					
Project Start Date:	n/a	Projected Completion Date:	April 2014					
Schedule Status:	The project planning began in 2012 with funds approved by ENSB and the Board of Public Works. A kickoff meeting was held in October 2012. A Preliminary Design Review (PDR) and site surveys were conducted in November 2012. The DSP Program Manager (PM) met with the Department of Information Technology (DoIT) to review the proposed vendor schedule in December 2012. Due to the ongoing discussions with the project vendor about the call failback design solution, and additional engagement with the telecommunications provider, the implementation schedule has experienced a minor delay.							
Cost Status:	So far, costs for the Eastern Shore pilot region have been provided. To take this project statewide, additional funding or a re-scoping of the project would be needed.							
Scope Status:	Currently, the project has funding to implement the Eastern Shore pilot region. The scope has approved the project to be implemented on a statewide basis. Since the awarded contract currently exceeds the funded amount, it is possible that the project may not go forward as currently configured for all regions in the State.							
Project Management Oversight Status:	The DSP PM has met with the DoIT Over	ersight PM to conduct the PDR.						
Identifiable Risks:	The project has been approved on a statewide basis; however, the costs include only the Eastern Shore pilot region. It is possible, after the conclusion of the Eastern Shore pilot, DSP may need to re-scope the project to align with available funding, or additional funding sources may be needed. Additionally, design of the call failback solution has yet to be finalized. If the telecommunications provider is not able to commit to providing dynamic routing, the vendor has offered an alternate design that would involve the vendor performing manual routing updates. The vendor's solution will require DSP to purchase dozens of additional telephone lines per barrack, which will increase ongoing maintenance cost and significantly complicate support.							
Additional Comments:	None.							

	Data Wasan	EW 2015	EV 2016	EN 2015	EX 2010	EN 2010	Balance to	TD - 4 - 1
Fiscal Year Funding (\$ in Thousands)	Prior Years	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	Complete	Total
Personnel Services	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Professional and Outside Services	1.107	0.772	4.048	0.576	0.793	0.0	0.0	7.296
Other Expenditures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Total Funding</b>	\$1.107	\$0.772	\$4.048	\$0.576	\$0.793	\$0.0	\$0.0	\$7.296

<sup>&</sup>lt;sup>1</sup> In calendar 2011, a two-step approval process was adopted. Initially, an agency submits a Project Planning Request. After the requirements analysis has been completed and a project has completed all of the planning required through Phase Four of the Systems Development Lifecycle (Requirements Analysis), including a baseline budget and schedule, the agency may submit a Project Implementation Request and begin designing and developing the project when the request is approved. For planning projects, costs are estimated through planning phases. Implementation projects are required to have total development costs.

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#### Major Information Technology Projects

#### Department of State Police Automated Licensing and Registration Tracking System (ALRTS)

Project Status <sup>1</sup>	Planning.	New/Ongoing Project:	New.					
Project Description:	The Firearm Safety Act (FSA) of 2013 added to existing firearm laws the requirement that individuals wishing to purchase a firearm in Maryland request and receive from the Department of State Police (DSP) a Handgun Qualification License (HQL), encompassing background checks, fingerprinting, and firearm safety training for individuals not deemed exempt due to active/former military or law enforcement duties. DSP has been charged with automating and streamlining the process in which a citizen of Maryland requests approval to purchase a firearm. This will involve automating the 77R application process by replacing the hardcopy application with a web-accessible form that may be submitted electronically to DSP headquarters, automating the process in which a retailer becomes a Maryland licensed firearms dealer, automating the process of running a background check on applicants, and potentially replacing the current HQL solution as part of a fully integrated ALRTS system.							
Project Business Goals:	This project supports the DSP mission of "protecting citizens of the State of Maryland from foreign and domestic security threats, to fight crime, and to promote safety by upholding the laws of the State of Maryland". It also provides DSP the ability to meet legislative requirements of FSA.							
Estimated Total Project Cost <sup>1</sup> :	\$3,434,400	Estimated Planning Proje	ect Cost <sup>1</sup> :	n/a				
Project Start Date:	February 2011	Projected Completion Da	te:	January 2016				
Schedule Status:	DSP is in the Systems Concept and Planning Phases, with a target of releasing a Request for Proposal (RFP) for software and services in fiscal 2014. Due to the critical nature and visibility of this development project, the Department of Information and Technology (DoIT) recommended that this project be designated as a Major Information Technology Development Project (MITDP). The HQL, the first requirement of the FSA, went live on schedule on October 1, 2013. Development of ALRTS was delayed for approximately 90 days while the project team focused on development, testing, and implementation of the HQL to meet the deadline.							
Cost Status:	DSP received a fiscal 2013 budget deficiency in the amount of \$400,000, and an additional \$450,000 in fiscal 2014 via the supplemental budget. DSP's project team developed an HQL solution largely 'in house.' This development effort consumed a portion of project funding that was not anticipated at the end of fiscal 2013. As requirements and solicitation development nears completion, DSP anticipates the funding necessary to deliver a flexible, reliable, and supportable system to meet the complex business needs and processes around the purchase of regulated firearms and automated processing of background checks may exceed the currently approved amount.							
Scope Status:	None.							
Project Management Oversight Status:	The fiscal 2013 deficiency did not include the necessary funding for DoIT project oversight activities. DSP, DoIT, and the Department of Budget and Management are working to get this resolved.							

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Identifiable Risks:	Availability of	Availability of project management is a high risk. Continuous DSP personnel budget cuts have left DSP without								
	redundancy in	redundancy in staff positions or resources to spare. While DSP has assigned an internal resource to the project to act								
							complexity of the			
							ich will add cost			
					licensing build	ing due to begi	n soon, DSP find	ls it difficult to		
	recruit, train, a	nd retain staff	during transit	tion.						
Additional Comments:	None.									
							Balance to			
Fiscal Year Funding (\$ in Thousands)	Prior Years	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	Complete	Total		
Personnel Services	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0		
Professional and Outside Services	1.484	0.250	1.300	0.400	0.0	0.0	0.0	3.434		
Other Expenditures	0.0	0.0 0.0 0.0 0.0 0.0 0.0 0.0								
Total Funding	\$1.484	\$0.250	\$1.300	\$0.400	\$0.0	\$0.0	\$0.0	\$3.434		

<sup>&</sup>lt;sup>1</sup> In calendar 2011, a two-step approval process was adopted. Initially, an agency submits a Project Planning Request. After the requirements analysis has been completed and a project has completed all of the planning required through Phase Four of the Systems Development Lifecycle (Requirements Analysis), including a baseline budget and schedule, the agency may submit a Project Implementation Request and begin designing and developing the project when the request is approved. For planning projects, costs are estimated through planning phases. Implementation projects are required to have total development costs.

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# W10A00 - Department of State Police

#### Object/Fund Difference Report Department of State Police

FY 14							
	FY 13	Working	FY 15	FY 14 - FY 15	Percent		
Object/Fund	<b>Actual</b>	<b>Appropriation</b>	<b>Allowance</b>	<b>Amount Change</b>	<b>Change</b>		
Positions							
01 Regular	2,389.50	2,424.50	2,449.50	25.00	1.0%		
02 Contractual	26.22	29.61	62.61	33.00	111.4%		
Total Positions	2,415.72	2,454.11	2,512.11	58.00	2.4%		
	_,	_,	_,=	20100	_,,,		
Objects							
01 Salaries and Wages	\$ 248,020,075	\$ 273,570,654	\$ 298,279,490	\$ 24,708,836	9.0%		
02 Technical and Spec. Fees	1,418,765	2,349,163	2,105,164	-243,999	-10.4%		
03 Communication	2,434,746	2,903,573	2,750,026	-153,547	-5.3%		
04 Travel	610,662	456,869	359,542	-97,327	-21.3%		
06 Fuel and Utilities	2,835,358	2,896,032	2,906,688	10,656	0.4%		
07 Motor Vehicles	22,932,448	19,963,654	24,462,075	4,498,421	22.5%		
08 Contractual Services	13,174,938	21,430,219	9,681,306	-11,748,913	-54.8%		
09 Supplies and Materials	3,530,689	3,025,358	2,811,624	-213,734	-7.1%		
10 Equipment – Replacement	14,099,369	251,325	2,656,016	2,404,691	956.8%		
11 Equipment – Additional	875,518	2,768,365	1,123,794	-1,644,571	-59.4%		
12 Grants, Subsidies, and Contributions	10,146,497	4,518,131	3,834,751	-683,380	-15.1%		
13 Fixed Charges	1,382,990	1,724,850	1,813,567	88,717	5.1%		
Total Objects	\$ 321,462,055	\$ 335,858,193	\$ 352,784,043	\$ 16,925,850	5.0%		
Funds							
01 General Fund	\$ 213,814,001	\$ 232,561,803	\$ 254,714,493	\$ 22,152,690	9.5%		
03 Special Fund	84,771,754	84,184,348	93,265,964	9,081,616	10.8%		
05 Federal Fund	4,447,241	3,584,822	1,795,000	-1,789,822	-49.9%		
09 Reimbursable Fund	18,429,059	15,527,220	3,008,586	-12,518,634	-80.6%		
<b>Total Funds</b>	\$ 321,462,055	\$ 335,858,193	\$ 352,784,043	\$ 16,925,850	5.0%		

Note: The fiscal 2014 appropriation does not include deficiencies. The fiscal 2015 allowance does not include contingent reductions.

W10A00 - Department of State Police

Fiscal Summary
Department of State Police

Program/Unit	FY 13 Actual	FY 14 Wrk Approp	FY 15 Allowance	Change	FY 14 - FY 15 <u>% Change</u>
01 Office of the Superintendent	\$ 17,216,418	\$ 18,060,559	\$ 20,115,444	\$ 2,054,885	11.4%
02 Field Operations Bureau	189,950,195	204,981,588	212,566,713	7,585,125	3.7%
03 Criminal Investigation Bureau	36,070,944	33,269,535	46,492,332	13,222,797	39.7%
04 Support Services Bureau	52,514,635	58,361,169	61,656,359	3,295,190	5.6%
08 Vehicle Theft Prevention Council	1,785,237	2,000,000	1,976,684	-23,316	-1.2%
12 Information Technology Communications	16,201,351	11,239,077	1,731,721	-9,507,356	-84.6%
Bureau					
01 Fire Prevention Services	7,723,275	7,946,265	8,244,790	298,525	3.8%
<b>Total Expenditures</b>	\$ 321,462,055	\$ 335,858,193	\$ 352,784,043	\$ 16,925,850	5.0%
General Fund	\$ 213,814,001	\$ 232,561,803	\$ 254,714,493	\$ 22,152,690	9.5%
Special Fund	84,771,754	84,184,348	93,265,964	9,081,616	10.8%
Federal Fund	4,447,241	3,584,822	1,795,000	-1,789,822	-49.9%
<b>Total Appropriations</b>	\$ 303,032,996	\$ 320,330,973	\$ 349,775,457	\$ 29,444,484	9.2%
Reimbursable Fund	\$ 18,429,059	\$ 15,527,220	\$ 3,008,586	-\$ 12,518,634	-80.6%
Total Funds	\$ 321,462,055	\$ 335,858,193	\$ 352,784,043	\$ 16,925,850	5.0%

Note: The fiscal 2014 appropriation does not include deficiencies. The fiscal 2015 allowance does not include contingent reductions.