

Department of Legislative Services
 Maryland General Assembly
 2006 Session

FISCAL AND POLICY NOTE

Senate Bill 1026 (Senators Forehand and Jacobs)
 Judicial Proceedings

Crimes - Statewide Uniform Crime Reporting Program - Audit of Crime Information Submitted by Law Enforcement Agencies

This bill requires the Governor’s Office of Crime Control and Prevention (GOCCP) to conduct, at least once every three years, an audit of the information submitted by local law enforcement agencies to the Department of State Police (DSP) for the statewide *Uniform Crime Reports* to verify the accuracy of the information submitted. The bill details the information that must be included in each audit report. GOCCP is authorized to contract with an independent private consultant to conduct the audit.

Upon completion of the audit, GOCCP must submit an audit report to the Governor, the Secretary of State Police, and the General Assembly by December 1, 2009, and at least every three years thereafter. By December 31, 2006, GOCCP must report to the Governor, the Secretary, the President of the Senate, and the Speaker of the House on the methodology it will employ to conduct the audit.

The bill is effective June 1, 2006.

Fiscal Summary

State Effect: General fund expenditure increase for GOCCP of \$187,700 in FY 2007 to hire personnel to annually collect crime report data, audit that data, and produce a required report at least every three years. Out-year costs reflect annualization and inflation.

(in dollars)	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	187,700	230,600	241,300	252,500	264,200
Net Effect	(\$187,700)	(\$230,600)	(\$241,300)	(\$252,500)	(\$264,200)

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

Local Effect: The bill's requirements could be handled with existing budgeted resources.

Small Business Effect: None.

Analysis

Current Law: DSP must collect, analyze, and disseminate information about the incidence of crime in Maryland. DSP must also collect and analyze information about incidents apparently directed against an individual or group because of race, religion, ethnicity, or sexual orientation. Each local law enforcement agency and the State Fire Marshal must provide DSP with information relating to such hate crimes.

Background: In 1975, 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. The methodology for these reports follows guidelines and definitions of crimes as provided by the FBI and its national *Uniform Crime Report* (UCR). Data for the reports are gathered from each agency's record of complaints, investigations, and arrests. DSP's Central Records Division compiles the State's UCR information by calendar year, which is published annually as *Crime in Maryland*.

In Maryland, DSP is responsible for providing statewide data to the FBI. Crime data and related information is submitted to DSP's Central Records Division by State, county, and municipal law enforcement agencies monthly for the following crime categories (as defined by the FBI): criminal homicide, forcible rape, robbery, assault, breaking or entering, larceny-theft, motor vehicle theft, and arson. These reports measure the incidence, arrests, and trends for those eight crimes, referred to as Part I offenses.

According to DSP, each report received by the Central Records Division is recorded, examined, and verified for mathematical accuracy and reasonableness. The current verification process includes checks for validity of information. Particular attention is paid to "elimination of duplicate reporting by individual contributors." The FBI requires such verification processes.

Although *Crime in Maryland* does not provide information concerning drug offenses, it does provide information concerning drug arrests. Arrest data is collected and reported for another 21 infractions, referred to as Part II offenses. Examples are disorderly conduct, drug abuse, embezzlement, prostitution, and vandalism. Although UCR data provides an indicator of criminal activity in the State, collection and reporting limitations understate overall criminal activity, primarily because data relating to Part II offenses is

only collected for arrests and not total reported offenses. Additionally, citizens do not report all criminal activity, nor are provisions made to distinguish degrees of severity for offenses committed or to assess the actual psychological or economic impact to victims.

State Expenditures: GOCCP advises that it would analyze crime data annually in anticipation of the audits required under the bill. There are about 170 law enforcement agencies in the State that provide approximately 250,000 reports of crime annually for the UCR. According to GOCCP, a statistically significant reporting sample would include data from approximately 50 law enforcement agencies per year. This would mean that about 10,000 reports would be audited annually, at an average of about three hours time for each report.

General fund expenditures could increase by an estimated \$187,730 in fiscal 2007, which accounts for a 90-day start-up delay from the bill's June 1, 2006 effective date. This estimate reflects the cost of hiring one senior administrator and one field monitor to perform the audits and report on the audit findings. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Positions	2
Salaries and Fringe Benefits	\$153,712
Other Operating Expenses	<u>34,018</u>
Total FY 2007 State Expenditures	\$187,730

Future year expenditures reflect: (1) full salaries with 4.6% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

Local Fiscal Effect: According to GOCCP, the bill would require local law enforcement agencies to provide responses to data requests from GOCCP for each audit and may require requests for case dispositions of criminal charges from the courts and the Judicial Data Center. It is assumed that such requests could be accommodated by the existing budgeted resources of the circuit courts and the Judicial Data Center.

Additional Information

Prior Introductions: None.

Cross File: HB 1707 (Delegate Carter, *et al.*) – Judiciary.

Information Source(s): Governor's Office of Crime Control and Prevention,
Department of State Police, Montgomery County, Washington County, Kent County,
Department of Legislative Services

Fiscal Note History: First Reader - March 22, 2006
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