

Department of Legislative Services
 Maryland General Assembly
 2008 Session

FISCAL AND POLICY NOTE

House Bill 1213
 Judiciary

(Delegate Haynes, *et al.*)

Youth Crime Prevention and Diversion Parole Fund

This bill establishes a Youth Crime Prevention and Diversion Parole Fund, administered by the Director of the Division of Parole and Probation, to provide grants to local law enforcement agencies to assist in the policing of high crime areas and Police Athletic League (PAL) centers. The fund consists of appropriations to the fund in the State budget, investment earnings of the fund, and any other money from any other source accepted for the benefit of the fund.

The bill takes effect July 1, 2008.

Fiscal Summary

State Effect: To ensure a viable program, general fund expenditures would increase \$1.6 million in FY 2009, which reflects personnel costs and grants. Future years reflect annualization and inflation.

(in dollars)	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	1,559,600	1,571,600	1,575,000	1,578,600	1,582,400
Net Effect	(\$1,559,600)	(\$1,571,600)	(\$1,575,000)	(\$1,578,600)	(\$1,582,400)

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

Local Effect: Potential revenue increases for local law enforcement agencies and PAL centers from special fund grants, which would vary by jurisdiction.

Small Business Effect: None.

Analysis

Bill Summary: The bill requires the director to establish grant application procedures, with priority given to those jurisdictions with the highest number of offenders. The bill specifies the information that must be provided in a grant application.

Grant money expended from the fund is supplemental to, and is not intended to take the place of, funding that would otherwise be appropriated for local law enforcement agencies and PAL centers.

By September 1 of each year, the director must report to the Governor and the General Assembly on the distribution of grants from the fund.

Current Law/Background: Financial grants are made to the counties and qualifying municipal corporations for the exclusive purpose of providing adequate police protection. They are provided under the State Aid for Police Protection Fund, which was established in 1967 commonly known as the police aid formula. Qualifying expenditures include salaries and wages, other operating expenses, capital outlays from current operating funds, and properly identifiable debt service paid for police protection. Expenditures for sheriffs and constables are included only to the extent that such officers perform police protection functions. Expenditures for traffic control, park police, and a central alarm system are included. Expressly prohibited are expenditures for collecting from or servicing parking meters and for jail construction or operating costs. Essentially, the police aid formula distributes funds on a per capita basis. All general funds allocated to this fund are spent during the fiscal year and there is no balance carried over from one fiscal year to the next.

Baltimore City was excluded from the police aid formula beginning in fiscal 1992 when the State assumed the responsibility of operating and funding the Baltimore City Detention Center. In fiscal 1995, the State established a central booking facility for the city. Legislation was enacted that enables Baltimore City to receive a \$0.50 per capita grant for police aid beginning in fiscal 1997.

The municipal sworn police officer allocation was last changed by Chapter 444 of 1999, when it increased from \$1,200 to \$1,800 per officer. The actual number of sworn municipal officers is used when calculating the municipal sworn officer allocation for each fiscal year. Each qualifying municipality receives \$1,800 for each sworn police officer employed on a full-time basis. To qualify for grants, a municipality must have a minimum expenditure for police protection of \$5,000 annually and employ at least one qualified full-time police officer or have a minimum expenditure for police protection of \$80,000 annually and employ at least two qualified part-time officers from a county

police department or county sheriff's department. For purposes of the police aid formula, Baltimore City is not considered a municipality.

There are 156 municipalities in Maryland. Baltimore and Howard counties are the only counties in Maryland that do not have municipalities.

The Governor's fiscal 2009 budget allowance includes a total of \$66.4 million in general funds to cover the annual police aid formula, for 111 grants to counties and municipalities.

PAL centers are not referenced in the Maryland Annotated Code.

State Fiscal Effect: Baltimore City advises that, assuming that only a few of the 18 PAL centers in the city would be used to fulfill the bills purposes, approximately \$500,000 per year would be needed for viability. Based on that estimate, and Baltimore City's high crime rates, a viable statewide program would probably require annual funding of at least \$1.5 million (general funds).

In addition, general fund expenditures for the Division of Parole and Probation could increase by an estimated \$59,576 in fiscal 2009, which reflects a 90-day start-up delay. This estimate reflects the cost of hiring one grants administrator by the division. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Salary and Fringe Benefits	\$48,123
Operating Expenses	<u>11,453</u>
Total FY 2009 State Expenditures	\$59,576

Future year expenditures reflect • a full salary with 4.4% annual increases and 3% employee turnover; and • 2% annual increases in ongoing operating expenses.

Additional Information

Prior Introductions: A similar bill, HB 15, was introduced during the 2007 special session. It was referred to the House Rules and Executive Nominations Committee and had no further action taken on it.

Cross File: None.

Information Source(s): Baltimore City, Department of Public Safety and Correctional Services, Department of Legislative Services

Fiscal Note History: First Reader - March 12, 2008
ncs/jr

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