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March 4, 2022

To: Delegate Maggie McIntosh, Delegate Mark Chang, and members of the Appropriations Committee

Re: HB 1018 (Del. Carey)
House Appropriations Committee, Tuesday, March 8, 2022 @ 1:00 pm

LETTER FOR INFORMATION

I am the Director of the Office of Program Evaluation and Government Accountability (OPEGA), in the Department of Legislative Services (DLS). **As a DLS employee I do not testify for or against any bill.** I am submitting this written testimony for informational purposes because in January 2022 my office published an [evaluation](#) of the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS). HB 1018 contains provisions which correspond to five recommendations in the report. Below I will share the evidence that led to those recommendations.

➤ **Page 8, Lines 1–6:**

This section corresponds to OPEGA Recommendation #3.1 [pg. 35] that the MGA consider making the Governor's appointment of future Executive Directors subject to Senate advice and consent, as are the heads of virtually every comparable state entity we observed.

OPEGA developed this recommendation after observing how GOCPYVS has grown in recent years, in terms of both dollars and the policy areas it covers.

- Their budget has grown by over a third since 2017, to over \$225 million per year, making it larger than nine of Maryland's 21 Principal Departments. To our knowledge GOCPYVS is the largest unit of state government that does not have any input from the legislature in the appointment of its leader.
- About 60% of their budget is disbursed as grants that are in some ways based on the Office's discretion – for example, rather than use a mandated formula, the Office determines, through a process, who the grantees will be and how much funding they will receive.
- The Executive Director or their designee serves on more than 30 boards and commissions, chairs at least 7, and staffs at least 6.

- GOCPYVS was created, and continues to exist, by Executive Order, and is not defined in chapter law.
- GOCPYVS is responsible for preparing the three-year Maryland Comprehensive State Crime Control and Prevention Plan, and updating it annually.

➤ **Page 8, Lines 7–10:**

This section corresponds to OPEGA Recommendation #5.4 [p.64], that GOCPYVS include a summary of all performance measure data from grantees in its reports on grant programs.

As our evaluation discusses [Chap. 5, pp. 65–70], the Office supports dozens of grant programs and hundreds of grant recipients across Maryland every year. As part of this grant management function, GOCPYVS typically requires that its grantees submit quarterly progress reports which include pre-defined measures of grant performance.

The MGA uses mandated reports as a key tool to monitor the effectiveness of many of the grant programs managed by GOCPYVS, and GOCPYVS typically submits 55–60 mandated reports a year. We observed that GOCPYVS does not always summarize data on grant performance in their mandated reports, which makes it challenging for the MGA to provide meaningful oversight of the grant programs.

➤ **Page 8, Lines 12–13:**

This section corresponds to OPEGA Recommendation #5.13 [p. 79], that GOCPYVS make the results of its competitive grant awards more transparent.

In our evaluation, we reviewed OLA’s audits of GOCPYVS. In November 2019, OLA found that GOCPYVS awarded over \$380,000 in Local Law Enforcement without a competitive process.

In our evaluation, we also reviewed grant management processes used by other states and the federal government. In making these comparisons, we observed that GOCPYVS did not make the results of its competitive grant awards as transparent as does DOJ or, for example, the Commonwealth of Massachusetts.

➤ **Pages 8 [starting at Line 14] thru Page 10, Line 16:**

This section corresponds to OPEGA Recommendations #5.1 [p. 53] and #5.2 [p. 54].

Recommendation 5.1 was that GOCPYVS include more quantifiable measures for its stated goals in its crime plans.


Recommendation 5.2 was that GOCPYVS consider creating a scorecard of quantifiable safety goals and indicators as a way to assess progress toward a safer Maryland.

We developed these two recommendations in the course of evaluating the effectiveness of GOCPYVS. In its latest crime plans, GOCPYVS has committed to making Maryland safer by “reducing crime and promoting a safe, fair, and efficient criminal justice system” — yet their

recent crime plans haven't defined how progress would be measured. (Prior State Crime Plans have occasionally provided more quantifiable indicators.)

Thank you for receiving my written testimony, which is strictly for informational purposes and is neither in support of, nor against, HB 1018.

Yours,

A handwritten signature in black ink, appearing to read "M. Powell". The signature is written in a cursive style with a large initial "M" and a distinct "P".

Michael Powell
Director, Office of Program Evaluation and Government Accountability
Department of Legislative Services