

D15A0516
Governor's Office of Crime Control and Prevention

Operating Budget Data

(\$ in Thousands)

	<u>FY 14</u> <u>Actual</u>	<u>FY 15</u> <u>Working</u>	<u>FY 16</u> <u>Allowance</u>	<u>FY 15-16</u> <u>Change</u>	<u>% Change</u> <u>Prior Year</u>
General Fund	\$95,581	\$97,324	\$100,576	\$3,252	3.3%
Deficiencies and Reductions	0	-558	-3,800	-3,242	
Adjusted General Fund	\$95,581	\$96,766	\$96,776	\$10	0.0%
Special Fund	2,239	2,406	2,281	-125	-5.2%
Deficiencies and Reductions	0	0	-3	-3	
Adjusted Special Fund	\$2,239	\$2,406	\$2,278	-\$128	-5.3%
Federal Fund	19,235	17,592	21,385	3,792	21.6%
Deficiencies and Reductions	0	0	-41	-41	
Adjusted Federal Fund	\$19,235	\$17,592	\$21,343	\$3,751	21.3%
Reimbursable Fund	453	375	396	21	5.7%
Adjusted Reimbursable Fund	\$453	\$375	\$396	\$21	5.7%
Adjusted Grand Total	\$117,507	\$117,139	\$120,793	\$3,654	3.1%

Note: The fiscal 2015 working appropriation reflects deficiencies and the Board of Public Works reductions to the extent that they can be identified by program. The fiscal 2016 allowance reflects back of the bill and contingent reductions to the extent that they can be identified by program.

- General funds increase by approximately \$10,000 net of contingent and back of the bill reductions, primarily due to a \$3.7 million contingent decrease in formula funding for State Aid to Police Protection in fiscal 2016.

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

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- Federal funds increase by \$3.8 million, or 21%, from the fiscal 2015 working appropriation. Increases in federal grants are the primary drivers, with increases of approximately \$834,046 in Byrne Justice Assistance Grants, \$490,746 in the Community Prosecution and Project Safe Neighborhood Grant, \$1.5 million in the Community-Based Violence Prevention Program, and \$1.5 million for the Crime Victim Assistance Grant.

Personnel Data

	<u>FY 14 Actual</u>	<u>FY 15 Working</u>	<u>FY 16 Allowance</u>	<u>FY 15-16 Change</u>
Regular Positions	39.00	39.00	39.00	0.00
Contractual FTEs	<u>16.40</u>	<u>16.40</u>	<u>19.23</u>	<u>2.83</u>
Total Personnel	55.40	55.40	58.23	2.83

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	1.56	4.00%
Positions and Percentage Vacant as of 11/1/14	n/a	n/a

- The fiscal 2016 allowance for regular positions remains unchanged from the fiscal 2015 working appropriation.
- The fiscal 2016 allowance adds 2.83 contractual full-time equivalents (FTE). The changes include adding a Maryland Victims of Crime Fund compliance coordinator, a human trafficking coordinator, a disproportionate minority coordinator, and an executive officer to the Commission for the Effective Community Inclusion of Individuals with Intellectual and Developmental Disabilities. The Governor’s Office of Crime Control and Prevention (GOCCP) also lost federal funding for a research assistant, or a 0.72 contractual FTE.

Analysis in Brief

Major Trends

GOCCP Performance Data: GOCCP is responsible for the development of Maryland’s Comprehensive State Crime Control and Prevention Plan – with an overarching theme of “security integration.” The security integration strategy is based on an effort to achieve seamless coordination and information sharing between State and local agencies involved in the criminal justice system. In fiscal 2014, GOCCP facilitated 99 cross-jurisdictional criminal justice initiatives, including a human trafficking task force, gang intelligence gathering efforts, a license plate recognition program, and safe streets initiatives.

Crime Fighting Data: Crime data has fluctuated over the last five years. The fiscal 2014 changes in guns seized, gun cases prosecuted, and gang members arrested may just be related to an underlying decrease in crime rates rather than program funding, as the number of grants between fiscal 2013 and 2014 held fairly stable.

Issues

Prison Rape Elimination Act Compliance: The final Prison Rape Elimination Act of 2003 (PREA) standards became effective on August 20, 2012. This Act provides that, beginning in federal fiscal 2014, a state whose Governor does not certify full compliance with the standards is subject to a 5% decrease of federal Department of Justice grant funds that it would otherwise receive for prison purposes, unless the Governor submits an assurance that the 5% will be used only to enable the state to achieve and certify full PREA compliance. Currently, the State is still working toward full compliance. GOCCP has been administering and monitoring PREA grants as compliance efforts are underway at the Department of Public Safety and Correctional Services and the Department of Juvenile Services. **GOCCP should comment on Maryland’s current status of compliance with the PREA, the biggest barriers the State faces in becoming fully compliant, and any costs that would be associated with maintaining compliance in the future.**

Grant Awards for State’s Attorney Offices: In the 2014 session, GOCCP was required in the *Joint Chairmen’s Report* (JCR) to evaluate the current award process for grants to State’s Attorney Offices (SAO). The legislature was concerned with the State’s role in funding SAOs, which is normally the responsibility of local governments. Currently, there are no formal guidelines on funding SAOs, and funding is not formula driven. GOCCP, through its competitive grant process, decides on an application on a case-by-case basis as each application goes through the strict review process. Ultimately, the executive director of the agency makes the final determination toward providing funding to entities. **It is recommended that GOCCP should reduce its role and ultimately phase out the funding of SAOs using general funds. The funding of SAOs is a local function, and the State’s role should be limited.**

Recommended Actions

	<u>Funds</u>
1. Strike the State Aid for Police Protection budget bill language.	
2. Add budget bill language phasing out funding to State’s Attorney Offices.	
3. Add language directing the Secretary of the Department of Budget and Management to reduce the State Aid for Police Protection allocation on a proportional basis.	
4. Delete new funding for the Survivors of Homicide grant.	\$ 500,000
5. Reduce the State Aid for Police Protection formula-funded appropriation by \$25.6 million, or 36%.	25,556,795
Total Reductions	\$ 26,056,795

Updates

Service Needs of Survivors of Homicide Victims and Victims Services Grant Study: Fiscal 2015 budget bill language required GOCCP to evaluate the service needs of survivors of homicide victims. Interim reports were submitted in November 2014 and January 2015. A final report will be submitted in May 2015. This update provides a summary of the current findings.

Grant Award Process to Direct Service Providers: Committee narrative in the 2014 JCR required GOCCP to report on the process used to award grants to direct service providers, including the process utilized for awarding emergency grants and distributing unexpected revenue. This update provides a summary of the report.

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Operating Budget Analysis

Program Description

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

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

Performance Analysis: Managing for Results

1. GOCCP Performance Data

Formerly a simple grant administrator, GOCCP's responsibilities now encompass strategic planning, statistical crime data analysis, best practices research, and results-oriented customer services. **Exhibit 1** shows selected performance measures for the office.

Exhibit 1
Selected Program Measurement Data
Governor’s Office of Crime Control and Prevention
Fiscal 2010-2016 Est.

	<u>Actual</u> <u>2010</u>	<u>Actual</u> <u>2011</u>	<u>Actual</u> <u>2012</u>	<u>Actual</u> <u>2013</u>	<u>Actual</u> <u>2014</u>	<u>Est.</u> <u>2015</u>	<u>Est.</u> <u>2016</u>
Administrative Function							
Grants applications submitted electronically	98.70%	99.2%	99.0%	100.0%	100.0%	100.0%	100.0%
Quarterly progress reports submitted electronically	100.00%	99.9%	100.0%	100.0%	100.0%	100.0%	100.0%
Quarterly financial reports submitted electronically	100.00%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Applicants and recipients given technical assistance training regarding application and reporting process	19	12	7	4	0**	0	0
Getting Agencies to Work Together							
Number of registrants for VINE	37,448	50,005	47,097	56,511	57,449	58,000	60,000
Cross-jurisdictional memorandum of understanding facilitated by GOCCP	8	14	13	10	5	10	10
Cross-jurisdictional criminal justice initiatives facilitated by GOCCP	68	82	83	109	99	100	100
Maps generated for various agencies by GOCCP grant	323	698	1,629	5,515	4,529	4,500	4,500
Crime Fighting Data							
Guns seized	4,655	5,171	4,556	3,830	3,234	*	*
Gun cases prosecuted	1,830	1,891	1,677	1,365	1,413	*	*
Gang members arrested	1,256	1,245	1,550	537	479		
Number of victims served	29,829	80,235	134,469	126,416	130,450	*	*
Protective orders entered by Domestic Violence Unit Program sub-recipients	27,387	17,104	15,123	22,492	16,984	*	*
Sex offender compliance verifications	15,404	16,064	19,818	20,280	20,863	*	*

GOCCP: Governor’s Office of Crime Control and Prevention
VINE: Victim Information and Notification Everyday

*Estimates of future grant-related activity for these programs cannot be provided.

**There were zero technical assistance trainings conducted as grant programmatic tutorials. Trainings are now available on the GOCCP website. This will continue in future years.

Source: Governor’s Budget Books, Fiscal 2016

Administrative Function

One of GOCCP’s primary objectives as the State-administering agency for law enforcement grants is to increase productivity, customer service, and interagency workings. Electronic submission of reports requires fewer resources than processing a hard copy which, in turn, enables the office to be more efficient. Over the last three years, grant applications and quarterly reports submitted electronically have held at 99% or higher across the board. The new Grant Management System, which was fully active beginning in January 2013, has contributed to this success by making collaboration with sub-recipients easier.

GOCCP provides technical assistance and training to grant recipients and grant applicants. The number of application assistance training sessions decreased to 0 in fiscal 2014 from 4 in fiscal 2013. The decrease reflects efforts by GOCCP to provide all programmatic tutorials and Grants Management System training on the GOCCP website for ease of use. This trend will continue in future years.

Cross-jurisdictional Programs

Part of GOCCP’s mission involves encouraging agencies to participate in collaborative criminal justice initiatives. Getting agencies to work together can be difficult, given concerns over losing authority over a program or population. In fiscal 2014, GOCCP facilitated 99 cross-jurisdictional criminal justice initiatives, including a human trafficking task force, gang intelligence gathering efforts, a license plate recognition program, and safe streets initiatives. The agency expects the number of cross-jurisdictional initiatives involving State and local collaborations facilitated by GOCCP to stay consistent at around 100 cross-jurisdictional initiatives depending on the funding priorities of the State.

GOCCP facilitates the creation of crime data maps through Washington College at the request of local law enforcement agencies and some State agencies, such as the Department of Public Safety and Correctional Services (DPSCS) and the Maryland Board of Victim Services. The number of maps created decreased from 5,515 in fiscal 2013 to 4,529 in fiscal 2014, a decrease of 17.9%. Agencies throughout the State significantly increased requests for maps, including, but not limited to, weekly CompStat maps for the Department of State Police, maps for StateStat, proactive monthly DPSCS release maps, and maps for various GOCCP-related summits. Washington College provides direct support and assistance to analysts and law enforcement officers in order to enhance mapping and analytical crime skills. As a result, various agencies were able to produce their own maps while relying on technical assistance provided by the college. This explains the decrease in the number of maps created between fiscal 2013 and 2014.

The number of registrants of the Victim Information and Notification Everyday (VINE) system increased by 938, or 1.7%, from fiscal 2013 to 2014. VINE was originally developed as a tool to help crime victims monitor offenders in the criminal justice system. Recently, law enforcement began using VINE to track dangerous offenders, including gang members. In fiscal 2011, VINE also integrated DPSCS records and protective order data. Starting in fiscal 2012, the District Court began generating subpoenas and documents to witnesses that included VINE information, which contributed to the increased number of registrants for fiscal 2013. The increase of registrants in fiscal 2014 is attributable to the increased awareness of the program.

2. Crime Fighting Data

Crime data has fluctuated over the last four years. From fiscal 2013 to 2014, the number of guns seized decreased by 15.6%, gun cases prosecuted increased by 3.5%, and gang members arrested decreased by 10.8%. The changes in the crime data may just be related to the underlying decrease in crime rates rather than program funding, as the number of grants between fiscal 2013 and 2014 held fairly stable.

Fiscal 2015 Actions

Exhibit 2 shows the overall impact of the cost containment actions on the fiscal 2015 appropriation.

Exhibit 2
Fiscal 2015 Reconciliation
(\$ in Thousands)

<u>Action</u>	<u>Description</u>	<u>General Fund</u>	<u>Special Fund</u>	<u>Federal Fund</u>	<u>Reimb. Fund</u>	<u>Total</u>
Legislative Appropriation with Budget Amendments		\$97,451	\$2,406	\$17,592	\$375	\$117,824
July BPW	Holding positions vacant and managing contractual hours.	-127	0	0	0	-127
Working Appropriation		\$97,324	\$2,406	\$17,592	\$375	\$117,697
January BPW	Fund police aid to local jurisdictions at fiscal 2014 level.	-558	0	0	0	-558
Total Actions Since January 2015		-\$558	\$0	\$0	\$0	-\$558
Adjusted Working Appropriation		\$96,766	\$2,406	\$17,592	\$375	\$117,139

BPW: Board of Public Works

Source: Department of Legislative Services

Cost Containment

On July 2, 2014, the Board of Public Works (BPW) withdrew \$77.1 million in appropriations and abolished 61 positions statewide as fiscal 2015 cost containment. This agency’s share of the reduction was \$127,000 for the following purposes: holding positions vacant and managing contractual hours.

On January 7, 2015, BPW withdrew an additional \$198.0 million in general fund appropriations. GOCCP’s share of the reduction was \$558,051 in general funds due to a cut to police aid to local jurisdictions that would fund it at the fiscal 2014 level of \$67.3 million.

Proposed Budget

As shown in **Exhibit 3**, the fiscal 2016 allowance for GOCCP increases by 3.1% under the current year working appropriation. Personnel expenses subtract a net \$98,377 with increases driven by retiree health insurance and decreases driven by the abolition of the prior year 2% salary increase and employee increments.

Exhibit 3
Proposed Budget
Governor’s Office of Crime Control and Prevention
(\$ in Thousands)

How Much It Grows:	<u>General Fund</u>	<u>Special Fund</u>	<u>Federal Fund</u>	<u>Reimb. Fund</u>	<u>Total</u>
Fiscal 2014 Actual	\$95,581	\$2,239	\$19,235	\$453	\$117,507
Fiscal 2015 Working Appropriation	96,766	2,406	17,592	375	117,139
Fiscal 2016 Allowance	<u>96,776</u>	<u>2,278</u>	<u>21,343</u>	<u>396</u>	<u>120,793</u>
Fiscal 2015-2016 Amt. Change	\$10	-\$128	\$3,751	\$21	\$3,654
Fiscal 2015-2016 Percent Change		-5.3%	21.3%	5.7%	3.1%

Where It Goes:

Personnel Expenses

Employee and retiree health insurance.....	\$48
Employee’s retirement change	28
Section 20: abolition of prior year 2% salary increase.....	-62
Section 21: abolition of employee increments	-63
Staff vacancies filled at lower salary levels	-64
Other fringe benefit adjustments	14

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Where It Goes:

Grants

Police aid per formula	3,121
Police aid contingent reduction per budget reconciliation legislation.....	-3,721
Community-Based Violence Prevention Program federal funding.....	1,500
Crime Victim Assistance federal funding	1,470
Byrne Justice Assistance Grants federal funding	834
Community Prosecution and Project Safe Neighborhood federal funding	491
Forensic DNA backlog reduction federal funding	-510
Other State grants	-125

Other Changes

Partial replacement of computer servers and workstations	42
New contractual positions	327
Other miscellaneous changes	324

Total **\$3,654**

Note: Numbers may not sum to total due to rounding. The fiscal 2015 working appropriation reflects deficiencies and the Board of Public Works reductions to the extent that they can be identified by program. The fiscal 2016 allowance reflects back of the bill and contingent reductions to the extent that they can be identified by program.

Cost Containment

In fiscal 2016, the Administration has implemented several across-the-board reductions. This includes a general 2% reduction, elimination of employee increments, and a revision to the salary plan, which reflects the abolition of the 2% general salary increase provided on January 1, 2015. This agency’s share of these reductions is \$124,252. There is also a \$3.7 million contingent decrease in formula funding for State Aid to Police Protection in the allowance.

Increase in Federal Grant Funding

Appendix 5 shows federal grant funding to GOCCP from fiscal 2014 to 2016. Most federal grants either increased or were level funded. The largest increases in federal funding are the new Community-Based Violence Prevention Program with \$1.5 million in the allowance and \$1.5 million in the Crime Victim Assistance grant. Notable increases in federal funding also include an \$834,046 increase in the Byrne Justice Assistance grant and \$490,746 in funds for Community Prosecution and Project Safe Neighborhood, which was not funded in the working appropriation. **GOCCP should comment on how the increase of federal grant funding will be allocated, including new programs created and any expansion of current projects.**

Local Law Enforcement Grants

Formula funding for State Aid for Police Protection (SAPP) increases by \$3.1 million in the fiscal 2016 allowance if no contingent reduction is made. Currently, SAPP is funded by a formula whose main driver is population growth. One of the factors that plays a role in deciding how much a jurisdiction receives in police aid is a grant based on the population density of a jurisdiction. Most of the fiscal 2016 increase in the formula results from Baltimore County moving into a higher density category and thereby receiving a higher per capita grant. The Administration proposes to reduce SAPP to fiscal 2014 levels on a county-by-county basis unless the fiscal 2016 formula allocation is less than fiscal 2014, as shown in **Appendix 4**. This approach has a greater impact on Baltimore County than other jurisdictions because the county moves into a higher population density category in fiscal 2016. **The Department of Legislative Services recommends that any reduction to SAPP be proportional to the fiscal 2016 formula allocation.**

Aside from the increase for SAPP, local law enforcement grants decreased by a combined \$124,859, or 0.4%, as shown in **Exhibit 4**. All except two of the local law enforcement grants have been level funded in the allowance. The two grants that are decreasing are the Legal Services for Victims grant by \$75,000, or 50%, and the Victims of Crime Fund by \$49,859, or 3.7%.

Exhibit 4
General and Special Fund Grants
Governor’s Office of Crime Control and Prevention
Fiscal 2014-2016

<u>Grant Program</u>	<u>Actual 2014</u>	<u>Working Approp. 2015</u>	<u>Allowance 2016</u>	<u>\$ Change 2015-16</u>	<u>% Change 2015-16</u>
Baltimore City Foot Patrol	\$2,763,600	\$2,763,600	\$2,763,600	\$0	0.0%
Prince George’s County Drug Grant	1,464,610	1,464,610	1,464,610	0	0.0%
Prince George’s County State’s Attorney’s Office	850,000	1,500,000	1,500,000	0	0.0%
Baltimore City Community Policing	1,974,000	1,974,000	1,974,000	0	0.0%
Body Armor for Local Law Enforcement	49,088	49,088	49,088	0	0.0%
Baltimore City Violent Crime Control	2,454,422	2,454,422	2,454,422	0	0.0%
Child Advocacy Centers	250,000	250,000	250,000	0	0.0%
Prince George’s Violent Crime Control	2,296,292	2,296,292	2,296,292	0	0.0%
STOP Gun Violence	928,478	928,478	928,478	0	0.0%
Criminal Justice Coordinating Council	235,500	235,500	235,500	0	0.0%

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<u>Grant Program</u>	<u>Actual 2014</u>	<u>Working Approp. 2015</u>	<u>Allowance 2016</u>	<u>\$ Change 2015-16</u>	<u>% Change 2015-16</u>
Capital City Safe Streets	2,830,158	2,830,352	2,830,352	0	0.0%
Community Service Grant	613,723	613,723	613,723	0	0.0%
Sex Offender Compliance and Enforcement	728,916	728,916	728,916	0	0.0%
ROPER Academy	156,933	156,933	156,933	0	0.0%
State’s Attorney’s Coordinating Council	225,000	225,000	225,000	0	0.0%
War Room Baltimore City	716,397	716,397	716,397	0	0.0%
Juvenile State Match	305,334	305,334	305,334	0	0.0%
Domestic Violence Unit Pilot Program	196,354	196,354	196,354	0	0.0%
Baltimore City State’s Attorney – Prosecution of Gun Crimes and Violent Offenders	2,459,195	2,459,195	2,459,195	0	0.0%
State Aid for Police Protection	67,318,326	67,876,377 ¹	70,997,777	3,121,400	4.6%
Sexual Assault Rape Crisis	1,673,027	1,673,027	1,673,027	0	0.0%
Victims of Crime Grant Program (Survivors of Homicide)	0	500,000	500,000	0	0.0%
Domestic Violence Prevention	2,089,779	2,089,779	2,089,779	0	0.0%
Victims of Crime Fund ²	1,320,771	1,356,314	1,306,455	-49,859	-3.7%
Victim/Witness Protection Program	300,000	300,000	300,000	0	0.0%
Legal Services for Victims ¹	24,435	150,000	75,000	-75,000	-50.0%
School Bus Safety	593,307	600,000	600,000	0	0.0%
Total State Grants, Not Including Police Aid	\$27,499,319	\$28,817,314	\$28,692,455	-\$124,859	-0.4%
Total State Grants	\$94,817,645	\$96,693,691	\$99,690,232	\$2,996,541	3.1%

¹ Reflects the reduction of \$558,051 adopted by the Board of Public Works (BPW) on January 7, 2015. The budget books do not reflect the January 2015 BPW actions.

² Additional \$75,000 added to Legal Services for Victims (fiscal 2015) as submitted. The 2016 budget book erroneously indicates the additional funds under Victims of Crime Fund. The fund was appropriately reduced.

Source: Governor’s Office of Crime Control and Prevention

Issues

1. Prison Rape Elimination Act Compliance

The federal Prison Rape Elimination Act (PREA) was passed in 2003, and the purpose of the Act was to “provide for the analysis of the incidence and effects of prison rape in federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape.” The Act also created the National Prison Rape Elimination Commission and charged it with developing draft standards for the elimination of prison rape. Those standards were published in June 2009 and were turned over to the Department of Justice (DOJ) for review and passage as a final rule. That final rule became effective August 20, 2012. States then had to become PREA compliant, meaning inputting policies and procedures, and auditing their facilities by fiscal 2014. Without being fully compliant, states risk being penalized 5% of certain federal funding grants that then could be applied for in separate grants. Those grants’ exclusive use had to be put toward PREA compliance. There is no penalty to the state for facilities outside of the state’s operational control;

In Maryland, the PREA coordinators are GOCCP, DPSCS, and the Department of Juvenile Services (DJS). DPSCS and DJS have PREA compliance coordinators. GOCCP administers and monitors the PREA grants. Maryland is not currently compliant with PREA standards but is working toward compliance.

Maryland Not Currently Compliant

To be considered compliant with PREA standards, all confinement facilities must be audited at least every three years, with one-third of each facility type operated by an agency, or private organization on behalf of an agency, audited each year. Each agency seeking PREA compliance is responsible for contracting with, or otherwise securing the services of one or more DOJ-certified auditors to schedule audits for each of its facilities during the three-year audit cycle. Maryland has in place the policies, guidelines, and PREA compliance coordinators at both DJS and DPSCS. Maryland has yet to audit its facilities at DJS. DPSCS has audited six facilities during 2014 to allow the agency to stay on a three-year schedule to complete audits of all facilities. DPSCS is phasing PREA in-service training for all correctional officers. Staffing ratios of 1:8 and same gender staffing requirements set by the PREA are large barriers to full compliance in the State. Proper staff ratios at DJS facilities are not expected for another two to three years.

Exhibit 5 shows the federal grants that are awarded to GOCCP and penalties withheld from each grant to be put toward PREA compliance.

Exhibit 5
PREA Grants and Penalties
Governor’s Office of Crime Control and Prevention
Fiscal 2014

<u>Federal Grant Program</u>	<u>2014 Actual</u>	<u>5%¹</u> <u>Penalty</u>	<u>Grant</u> <u>Awarded</u> <u>to DJS</u>	<u>Grant</u> <u>Awarded</u> <u>to DPSCS</u>
Byrne Justice Assistance Grant	\$3,804,827	\$102,391 ²	\$62,933	\$36,100
Title II Formula (JJAC)	661,216	13,788	13,788	0
Stop Violence Against Women Act Grant ³	2,606,903	123,828	0	123,828

DPSCS: Department of Public Safety and Correctional Services

JJAC: Juvenile Justice Advisory Committee

PREA: Prison Rape Elimination Act of 2003

¹ The 5% penalty is calculated by a special formula used by the federal government and does not reflect 5% of the total appropriation.

² A total of \$3,358 is used by the Governor’s Office of Crime Control and Prevention for administrative costs.

³ Funding is found in the Office on Violence Against Women

Source: Governor’s Office of Crime Control and Prevention

The PREA penalties withheld from the federal awards were granted in a separate award to GOCCP to be used for compliance with the PREA. These funds were awarded to DPSCS and DJS. Currently, there are no general funds in GOCCP budgeted for PREA compliance. Only federal funds are given by GOCCP to DJS and DPSCS for PREA activities. DJS used \$13,788 in funds granted from GOCCP to contract with an outside consultant to utilize its expertise in analyzing policies and training currently in place. The consultant will provide technical assistance, training, and education resources on issues specifically geared toward the PREA standards in juvenile correctional facilities. DJS will use the \$62,933 grant to utilize the expertise of the Moss Group, Inc. to determine the effectiveness of existing policies and procedures on the PREA, as well as the current staff and youth training modules to identify areas needing modification. Moss will also be responsible for conducting initial trainings on updated policies and procedures. Grant activities have yet to begin, and DJS is currently developing a timeline for the expenditure of both grants.

DPSCS used the \$36,100 from GOCCP for the purpose of meeting the guidelines of the PREA by training one of two individuals for the auditor training in November 2014. The funds procured the Life Crisis Center to continue answering the PREA Hotline in December 2014. Also, negotiations with the Maryland Coalition Against Sexual Assault are complete, and procurement of services began in January 2015. PREA federal funds awarded to GOCCP, in the amount of \$123,828, were awarded to DPSCS on October 2014 to utilize a PREA-certified auditor to conduct facility audits at six facilities.

Also, funds were used for an inmate services coordinator to coordinate services to the victim-inmates, complete investigations, facilitate the connection of the counselors in the Rape Crisis Centers, and provide follow-up services.

GOCCP should comment on Maryland’s current status of compliance with the PREA, the biggest barriers that the State faces in becoming fully compliant, and any costs that would be associated with maintaining compliance in the future.

2. Grant Awards for State’s Attorney Offices

In the 2014 session, GOCCP was required in the *Joint Chairmen’s Report (JCR)* to evaluate the current award process for grants to State’s Attorney Offices (SAO). The report submitted includes:

- a breakdown of all grants awarded through GOCCP to SAOs in fiscal 2013 and 2014;
- a description of and rationale for the current process that GOCCP uses to determine and award grants to local SAOs; and
- an evaluation of whether the State should have a formal role, such as formula grant distribution, in funding all local SAOs.

The legislature was concerned with the State’s role in funding SAO; as this function has traditionally been the funding responsibility of local governments. Currently, there are no formal guidelines on funding SAOs, and funding is not formula driven. GOCCP, through its competitive grant process, decides on an application on a case-by-case basis as each application goes through the strict review process.

State’s Formal Role in Funding SAOs

GOCCP is responsible for administering federal and State funding to a variety of agencies throughout Maryland, including SAOs. The Maryland Comprehensive State Crime Control and Prevention Plan sets the priorities that GOCCP and Maryland follow. GOCCP’s executive director has the flexibility to distribute funds to meet the priorities set by the plan. GOCCP also works with various boards, councils, and commissions in establishing policies and priorities by analyzing statewide trends, identifying resources, and ultimately making funding decisions. Through the review process of the application, GOCCP retains feedback and scoring by boards and councils before making award decisions.

Ultimately, the State does not have a standing policy in funding SAOs. Those have been left to local jurisdictions. There is no formula funding distribution for SAOs. GOCCP has said that it believes a formula grant distribution process for SAOs is unnecessary and would impact GOCCP’s ability to respond with funding during exigent circumstances.

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As shown in **Exhibit 6**, six jurisdictions with SAOs, including the State’s Attorneys’ coordinator, received general funds in either fiscal 2013 or 2014. In fiscal 2013, \$4.1 million was given to SAOs. In fiscal 2014, it increased to \$4.5 million, or 10.5%. GOCCP gave SAOs 11 general fund grants in fiscal 2013 and 10 grants in fiscal 2014. Baltimore City and Prince George’s County received the majority of the funding, 90.4% of the funding in fiscal 2013 and 91.2 % in fiscal 2014. The majority of the money given to SAOs are for salaries and new personnel. Money can also be used for training, equipment, and other related expenses.

Exhibit 6
State’s Attorney Offices’ General Fund Grant Awards
Fiscal 2013-2014

<u>State’s Attorney Offices</u>	<u>Total Funds Given 2013</u>	<u># of Grants 2013</u>	<u>Total Funds Given 2014</u>	<u># of Grants 2014</u>
Baltimore City	\$3,269,209	5	\$3,203,623	4
Baltimore County	98,969	1	94,865	1
Montgomery	36,970	1	36,970	1
Prince George’s	397,928	2	887,900	2
State’s Attorneys’ Coordinator	225,000	1	225,000	1
Worcester	30,000	1	35,540	1
Total	\$4,058,076	11	\$4,483,898	10

Source: Governor’s Office of Crime Control and Prevention

It is recommended that GOCCP reduce its role and ultimately phase out the funding of SAOs using general funds. The funding of SAOs is a local function, and the State’s role should be limited.

Recommended Actions

1. Strike the following language from the general fund appropriation:

~~, provided that this appropriation shall be reduced by \$3,720,710 contingent upon the enactment of legislation reducing the required appropriation for State Aid for Police Protection.~~

Explanation: The fiscal 2015 budget bill, as introduced, includes a \$3,720,710 reduction to the State Aid for Police Protection grant, contingent upon enactment of a provision in the Budget Reconciliation and Financing Act of 2015. This action strikes that contingent reduction.

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

, further provided that it is the intent of the General Assembly that the Governor’s Office of Crime Control and Prevention phase out the general funding to State’s Attorney Offices as they are a local function.

Explanation: In the absence of a statewide policy or State funding formula for the funding of all State’s Attorney Offices (SAO), it is recommended that the Governor’s Office of Crime Control and Prevention should reduce its role and ultimately phase out the funding of SAOs using general funds. The funding of SAOs is a local function, and the State’s role should be limited.

3. Add the following language to the general fund appropriation:

,further provided that the reduction in the State Aid for Police Protection grant shall be allocated on a proportional basis.

Explanation: Direct the Secretary of the Department of Budget and Management to reduce the State Aid for Police Protection allocation on a proportional basis for all jurisdictions.

- | | <u>Amount
Reduction</u> | |
|---|------------------------------------|----|
| 4. Delete new funding for the Survivors of Homicide Grant, which is intended to expand grant programs for the survivors of homicide victims in Maryland. Other victim services such as the State Victims of Crime fund and the Criminal Injuries Compensation Board already exist in the State. | \$ 500,000 | GF |

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5. Reduce the State Aid for Police Protection (SAPP) formula-funded appropriation by \$25.6 million, or 36%, to constrain growth in general fund expenditures. The current fiscal 2016 formula-funded appropriation for SAPP is \$71.0 million. The proposed reduction would reduce SAPP to \$45.4 million, which is consistent with the reduced formula funding in fiscal 2010 through 2013.

25,556,795 GF

Total General Fund Reductions

\$ 26,056,795

Updates

1. Service Needs of Survivors of Homicide Victims and Victims Services Grant Study

During the 2014 legislative session, the General Assembly requested three reports concerning the Survivors of Homicide Grant. The first two reports have been submitted, and the last report is slated to be finalized in May 2015. As a follow-up to Maryland’s repeal of the death penalty, Governor Martin J. O’Malley signed HB 355 (Chapter 223) into law in April 2014. The law established a grant program within GOCCP to address the specific needs of family members and other survivors of homicide victims whose lives have been traumatized by homicides. In fiscal 2015, \$500,000 in general funds was made available in the grant program. The fiscal 2016 allowance also contains \$500,000 in general funds.

Maryland Criminal Injuries Compensation Board Services

In 2013, there were 387 total homicides in Maryland. As part of its mission, the Criminal Injuries Compensation Board (CICB) assists family members of homicide victims through a variety of services. These include paying for funeral and burial expenses and providing other resources to help families through their grief. During fiscal 2014, the CICB victim services coordinator worked with 328 victims. Out of the 290 claims totaling \$1.5 million, CICB paid \$1.1 million in funeral and burial costs. The remainder was for counseling, loss of support, or other related expenses.

The needs not met by CICB are:

- **Bereavement Leave** – The majority of applicants for CICB financial assistance are hourly or contractual workers and thus bereavement leave is not available to them. CICB is a payer of last resort and, at this time, does not offer bereavement leave.
- **Grief Support Services** – The CICB coordinator refers family members of homicide victims to grief support services in their area. Some communities do not have competent grief support services or services specific to homicide. If no grief support service is in an area, the coordinator may refer a family to a hospice or some other resource.

2. Grant Award Process to Direct Service Providers

In fiscal 2014, GOCCP was responsible for the administration of over 914 awards totaling \$130 million from 45 State and federal funding sources. Direct service providers follow the same grant process as any other entity who wishes to gain funding from GOCCP. Upon notification of a federal award or upon State funds being added to GOCCP’s budget, the following steps occur:

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- **Notice of Funding Availability** – NOFAs are posted publicly and advise what type of programs can be funded and basic programmatic guidelines.
- **Technical Assistance Training** – Training is given in person or by webinar and is provided to all sub-recipients of federal funds.
- **Acceptance of Applications** – Applicants are required to apply for grant funding through GOCCP’s web-based grants management system.
- **Application Review**
 - **Funding Evaluation** – GOCCP assesses the worth of each organization’s overall project based on numerous factors including the funding source requirements. GOCCP also assesses each jurisdiction’s need for funding based on current availability of services and the ability to address the needs of underserved populations.
 - **Boards, Councils, and Committees** – There are some grant program applications that must be reviewed by an external, established entity such as a board or council. Examples include the Maryland Board of Victim Services and the Cease Fire Council depending on the funding stream.
 - **Scoring** – After panel members review and score assigned applications, the compiled information for the recommendation is moved up the chain to the program fund manager and other members who oversee the relative funding source. The executive director makes the final funding decisions.
- **Pre-award**
 - **Applications Not Funded – Denial Notification** – A letter is sent to the applicant of the denial of funding. Upon request, GOCCP will provide organizations with the reviewer’s comments and feedback about the reasons for denial.
 - **Applications Funded – Award Notification** – After a final review, an award package is sent to the recipient. All funds are paid on a reimbursable basis to recipients on a quarterly basis with the timely submission of corresponding quarterly fiscal and programmatic reports

Emergency Awards

The detailed process that most applications pass through during regular grant cycles changes when an agency, council, or coalition approaches GOCCP with an emergency need. Noncompetitive requests for grant funding must meet some public safety imperative or fill some critical gap in services. An internal review looks at the issue for which the funds are being requested. Such a review could consist of a complete audit of the program or agency and full reviews of their budget and projects. As

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the State Administering Agency, GOCCP makes the final decision to approve or deny an emergency request. Special conditions may also be added to ensure that all funds are spent accordingly and that enhanced monitoring is performed.

Current and Prior Year Budgets

Current and Prior Year Budgets **Governor’s Office of Crime Control and Prevention** **(\$ in Thousands)**

	<u>General</u> <u>Fund</u>	<u>Special</u> <u>Fund</u>	<u>Federal</u> <u>Fund</u>	<u>Reimb.</u> <u>Fund</u>	<u>Total</u>
Fiscal 2014					
Legislative Appropriation	\$95,680	\$2,274	\$20,447	\$375	\$118,775
Deficiency Appropriation	-135	-4	-28	0	-167
Budget Amendments	45	3	12	198	258
Reversions and Cancellations	-9	-34	-1,196	-121	-1,360
Actual Expenditures	\$95,581	\$2,239	\$19,235	\$453	\$117,507
Fiscal 2015					
Legislative Appropriation	\$97,433	\$2,330	\$17,581	\$375	\$117,718
Cost Containment	-127	0	0	0	-127
Budget Amendments	18	77	11	0	106
Working Appropriation	\$97,324	\$2,406	\$17,592	\$375	\$117,698

Note: Numbers may not sum to total due to rounding. The fiscal 2015 working appropriation does not include January 2015 Board of Public Works reductions and deficiencies.

Fiscal 2014

In fiscal 2014, the total budget for the office decreased by \$1.3 million. There was a \$44,559 increase in general funds, \$3,244 in special funds, and \$12,050 in federal funds for employee increments and a 2% general salary increase. The appropriation was reduced by \$74,643 in general funds, \$4,296 in special funds, and \$28,043 in federal funds in negative deficiencies due to reductions in health insurance, retirement, and the State personnel system allocation.

The general fund appropriation decreased by a net \$98,879 from the legislative appropriation. There was a \$60,000 negative deficiency appropriation, which was necessary to reduce the fiscal 2014 appropriation to implement cost containment reductions for salary costs. There was a general fund reversion of \$8,794.

The special fund appropriation decreased by a net \$35,335 from the legislative appropriation. The special fund cancellation of \$34,283 was the result of the Legal Services for Victims grant not having enough in its fund balance to fund new sub-grant awards.

The agency’s fiscal 2014 federal fund appropriation decreased by \$1.2 million. Federal fund cancellations drove the change in the appropriation due to five different federal grants being budgeted but not awarded.

The reimbursable fund appropriation increased by a net \$77,624 in fiscal 2014 due to one budget amendment and a reimbursable fund cancellation. The budget amendment increased the reimbursable fund appropriation by \$198,192 in order for GOCCP to become the State administering agency for the Rape Crisis and Sexual Assault Grant Program. The agency cancelled a total of \$120,568 due to the Rape and Sexual Assault program reimbursement decrease in the Department of Health and Mental Hygiene.

Fiscal 2015

The fiscal 2015 working appropriation for GOCCP has decreased by \$20,885 below the legislative appropriation, reflecting \$18,163 in general funds, \$1,584 in special funds, and \$11,368 in federal funds for employee increments and the 2% general salary increase. One special fund budget amendment appropriated \$75,000 to GOCCP due to back payments owed from previous years from DPSCS.

On July 2, 2014, BPW withdrew \$77.1 million in appropriations and abolished 61 positions statewide as fiscal 2015 cost containment. This agency’s share of the reduction was \$127,000, for the following purposes: holding positions vacant and managing contractual hours.

**Object/Fund Difference Report
Governor's Office of Crime Control and Prevention**

<u>Object/Fund</u>	<u>FY 14 Actual</u>	<u>FY 15 Working Appropriation</u>	<u>FY 16 Allowance</u>	<u>FY 15 - FY 16 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	39.00	39.00	39.00	0.00	0%
02 Contractual	16.40	16.40	19.23	2.83	17.3%
Total Positions	55.40	55.40	58.23	2.83	5.1%
Objects					
01 Salaries and Wages	\$ 3,413,669	\$ 3,611,393	\$ 3,637,268	\$ 25,875	0.7%
02 Technical and Spec. Fees	796,480	745,298	1,072,742	327,444	43.9%
03 Communication	40,935	48,379	44,739	-3,640	-7.5%
04 Travel	64,659	66,389	64,659	-1,730	-2.6%
06 Fuel and Utilities	845	0	845	845	N/A
07 Motor Vehicles	11,734	27,724	11,626	-16,098	-58.1%
08 Contractual Services	405,133	445,403	415,808	-29,595	-6.6%
09 Supplies and Materials	12,725	32,800	17,577	-15,223	-46.4%
10 Equipment – Replacement	9,630	15,100	55,800	40,700	269.5%
11 Equipment – Additional	3,910	14,786	6,673	-8,113	-54.9%
12 Grants, Subsidies, and Contributions	112,486,031	112,404,229	119,019,500	6,615,271	5.9%
13 Fixed Charges	261,217	286,038	291,160	5,122	1.8%
Total Objects	\$ 117,506,968	\$ 117,697,539	\$ 124,638,397	\$ 6,940,858	5.9%
Funds					
01 General Fund	\$ 95,580,668	\$ 97,323,737	\$ 100,575,889	\$ 3,252,152	3.3%
03 Special Fund	2,238,513	2,406,314	2,281,455	-124,859	-5.2%
05 Federal Fund	19,235,163	17,592,488	21,384,795	3,792,307	21.6%
09 Reimbursable Fund	452,624	375,000	396,258	21,258	5.7%
Total Funds	\$ 117,506,968	\$ 117,697,539	\$ 124,638,397	\$ 6,940,858	5.9%

Note: The fiscal 2015 working appropriation does not include January 2015 Board of Public Works reductions and deficiencies. The fiscal 2016 allowance does not reflect contingent or across-the-board reductions.

Fiscal Summary
Governor's Office of Crime Control and Prevention

<u>Program/Unit</u>	<u>FY 14</u> <u>Actual</u>	<u>FY 15</u> <u>Wrk Approp</u>	<u>FY 16</u> <u>Allowance</u>	<u>Change</u>	<u>FY 15 - FY 16</u> <u>% Change</u>
0000 Administration	\$ 50,188,642	\$ 49,821,162	\$ 53,640,620	\$ 3,819,458	7.7%
5012 State Aid for Police Protection	67,318,326	67,876,377	70,997,777	3,121,400	4.6%
Total Expenditures	\$ 117,506,968	\$ 117,697,539	\$ 124,638,397	\$ 6,940,858	5.9%
General Fund	\$ 95,580,668	\$ 97,323,737	\$ 100,575,889	\$ 3,252,152	3.3%
Special Fund	2,238,513	2,406,314	2,281,455	-124,859	-5.2%
Federal Fund	19,235,163	17,592,488	21,384,795	3,792,307	21.6%
Total Appropriations	\$ 117,054,344	\$ 117,322,539	\$ 124,242,139	\$ 6,919,600	5.9%
Reimbursable Fund	\$ 452,624	\$ 375,000	\$ 396,258	\$ 21,258	5.7%
Total Funds	\$ 117,506,968	\$ 117,697,539	\$ 124,638,397	\$ 6,940,858	5.9%

Note: The fiscal 2015 working appropriation does not include January 2015 Board of Public Works reductions and deficiencies. The fiscal 2016 allowance does not reflect contingent or across-the-board reductions.

**State Aid for Police Protection Fund
Allocations Including Contingent Reductions
Fiscal 2015-2016**

<u>County</u>	<u>2015</u>	<u>Allocation Without Cut 2016</u>	<u>With Contingent Cut 2016</u>	<u>Difference Between 2016 Allocation</u>	<u>% Change</u>
Allegany	\$868,313	\$867,032	\$867,032	\$0	0.00%
Anne Arundel	6,850,098	6,939,532	6,850,098	-89,434	-1.29%
Baltimore County	9,929,476	12,673,704	9,929,476	-2,744,228	-21.65%
Calvert	774,658	780,975	774,658	-6,317	-0.81%
Caroline	337,440	345,668	337,440	-8,228	-2.38%
Carroll	1,587,645	1,588,782	1,588,782	0	0.00%
Cecil	996,632	1,016,345	996,632	-19,713	-1.94%
Charles	1,300,956	1,324,798	1,300,956	-23,842	-1.80%
Dorchester	382,269	384,982	382,269	-2,713	-0.70%
Frederick	2,358,258	2,384,678	2,358,258	-26,420	-1.11%
Garrett	228,160	227,262	227,262	0	0.00%
Harford	2,811,874	2,826,502	2,811,874	-14,628	-0.52%
Howard	3,567,125	3,677,608	3,567,125	-110,483	-3.00%
Kent	202,772	204,586	202,772	-1,814	-0.89%
Montgomery	15,555,308	15,868,930	15,555,308	-313,622	-1.98%
Prince George’s	14,307,112	14,580,919	14,307,112	-273,807	-1.88%
Queen Anne’s	424,786	427,370	424,786	-2,584	-0.60%
St. Mary’s	918,620	929,790	918,620	-11,170	-1.20%
Somerset	244,025	246,872	244,025	-2,847	-1.15%
Talbot	425,709	424,900	424,900	0	0.00%
Washington	1,466,987	1,467,778	1,467,778	0	0.00%
Wicomico	1,086,555	1,125,355	1,086,555	-38,800	-3.45%
Worcester	653,349	683,409	653,349	-30,060	-4.40%
Total	\$67,278,127	\$70,997,777	\$67,277,067	-\$3,720,710	-5.24%

Source: Department of Legislative Services

**Governor’s Office of Crime Control and Prevention
Federal Fund Income
Fiscal 2014-2016**

<u>Federal Grant Income</u>	<u>2014</u>	<u>2015 Working Approp.</u>	<u>2016 Allowance</u>	<u>2015-16 Change</u>	<u>2015-16 %</u>
Violence Against Women Grants	\$2,515,109	\$2,455,970	\$2,606,903	\$150,933	6.1%
Safe Havens for Children	94,578	0	0	0	0.0%
Juvenile Accountability Block Grant	632,712	395,488	100,000	-295,488	-74.7%
Residential Substance Abuse Treatment for State Prisoners	168,009	181,310	178,679	-2,631	-1.5%
Underage Drinking Block Grant	12,460	300,000	0	-300,000	-100.0%
Byrne Justice Assistance Grants	5,272,933	3,933,024	4,767,070	834,046	21.2%
Byrne Competitive Grant Program	148,947	0	0	0	0.0%
State Justice Statistics Program	95,643	83,097	59,940	-23,157	-27.9%
Juvenile Justice and Delinquency Prevention Formula Grants	589,486	470,909	661,159	190,250	40.4%
Paul Coverdell Forensic Sciences Improvement Grant	223,610	133,385	293,159	159,774	119.8%
Children’s Justice Grants	327,336	305,422	300,857	-4,565	-1.5%
Community Prosecution and Project Safe Neighborhood	46,265	0	490,746	490,746	0.0%
Sexual Assault Services	283,659	291,049	296,336	5,287	1.8%
Harold Rogers Prescription Drug Monitoring Program	216,315	0	0	0	0.0%
Title V Delinquency Prevention	20,846	0	0	0	0.0%
Bulletproof Vest	33,960	32,226	0	-32,226	-100.0%
Forensic DNA Backlog Reduction	152,332	510,324	0	-510,324	-100.0%
Crime Victim Assistance	6,946,132	6,917,386	8,387,461	1,470,075	21.3%
Family Violence Prevention and Services	1,454,831	1,582,898	1,742,485	159,587	10.1%
Community-Based Violence Prevention Program	0	0	1,500,000	1,500,000	0
Total Federal Grants	\$19,235,163	\$17,592,488	\$21,384,795	\$3,792,307	21.6%

Source: Governor’s Office of Crime Control and Prevention