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Governor's Office of Crime Prevention Youth and Victim Services (D21)
Fiscal Year 2021 Operating Budget
Response to Department of Legislative Services Budget Analysis

Budget and Taxation Committee
Public Safety, Transportation, and Environment Subcommittee
Senator Cory McCray
February 13, 2020

Appropriation Committee
Public Safety and Administration Subcommittee
Delegate Keith Haynes
February 12, 2020

Chairman Haynes and Members of the Public Safety & Administration Subcommittee,
Chairman McCray and Members of the Public Safety, Transportation, and Environment
Subcommittee,

Good afternoon, my name is Glenn Fueston and I serve as the Executive Director of the
Governor's Office of Crime Prevention, Youth, and Victim Services (the Office). Thank you for the
opportunity to provide testimony on our office budget.

The Governor's Office of Crime Prevention, Youth, and Victim Services serves as a coordinating
office that advises the Governor on criminal justice strategies. Our office also plans, promotes,
and funds efforts with government entities, private organizations, and the communities across the
state to advance public policy, enhance public safety, reduce crime and juvenile delinquency, and
serve victims of crime in Maryland. Our office, under the leadership of the Hogan-Rutherford
Administration, is committed to coordinating with our federal, state, and local partners to achieve
the following five objectives:

1. Develop criminal justice strategies that are coordinated at the local, state, and federal level.
2. Improve victim services for Maryland residents.

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3. Utilize a holistic and multidisciplinary approach to address Adverse Childhood Experiences and improve child wellbeing by promoting community-based prevention and intervention programs.
4. Maximize the public safety returns on Maryland's corrections spending.
5. Increase the availability of data driven approaches to criminal justice in Maryland.

In order to fulfill these objectives and bring about the vision of the Governor's Office of Crime Prevention, Youth, and Victim Services for a safer Maryland, our office focuses its efforts on supporting law enforcement, children and youth, as well as victim services. We seek to utilize data to evaluate existing challenges and emerging needs in our state, while also using data and analysis to support funding decisions, evaluate evidence-based programs, and measure the impact on the state of Maryland.

Enforcement

Coordination at the federal, state and local level, as well as among disciplines, is necessary to effectively and efficiently reduce and prevent crime in Maryland. A primary tactic for reducing violent crime in the State of Maryland is to focus resources on identifying gangs and violent criminal networks for the immediate purpose of disrupting and dismantling these networks. Criminals involved in the trafficking and use of firearms in crimes of violence, human trafficking, the distribution of illegal drugs, or other inherently violent criminal enterprises will be targeted through shared enforcement, prevention, intervention and reentry strategies.

In addition to reducing the supply of illegal drugs and dismantling violent drug markets, law enforcement serves an important role addressing the demand for substances and assisting community members in need. As first responders, law enforcement has historically lacked the tools to respond when encountering vulnerable individuals. There is growing recognition that poverty, behavioral health conditions, homelessness, all contribute to crime as well as the likelihood of victimization and that the criminal justice system may not be the best institution to address these underlying conditions. Therefore, Maryland is investing in public health and public safety partnerships to equip law enforcement with new tools and partners to help those in need.

To support this effort, it is necessary to establish and maintain a coalition of criminal justice agencies that collaborates and coordinates tactics, resources, and intelligence through comprehensive data sharing, cross-jurisdictional partnerships, effective policies and supportive technologies. Coalition partners specifically focus resources under one of the following pillars: gangs, drug trafficking, firearm trafficking, and human trafficking.

Enforcement efforts will be supported through a variety of strategies including:

- **The Maryland Criminal Intelligence Network (MCIN)** - The MCIN is a network of criminal justice agencies focused on identifying, disrupting, and dismantling criminal networks through collaboration and comprehensive data sharing at the local, state and federal level. In FY20, the MCIN will continue to expand its data sharing capabilities by identifying and working to close gaps in data sharing throughout the State.

There are currently 13 MCIN sites operating throughout the State of Maryland, including Annapolis, Anne Arundel County, Baltimore City, Carroll County, Cecil County, Cumberland, Dorchester County, Frederick, Hagerstown, Hyattsville, Montgomery County, Prince George's County, and Salisbury. Since inception the MCIN program results are as follows:

- Identified 968 criminal organizations, including 272 gangs, 29 firearms trafficking organizations, 573 drug trafficking organizations, and 94 human trafficking organizations.
 - Disrupted or dismantled 707 criminal organizations (514 local, 156 multi state, 37 international)
 - Seized 231.6 kgs of drugs valued at \$5.63 million
 - Prosecuted 522 individuals resulting in 242 convictions
 - Seized 598 firearms
 - Recovered 112 human trafficking victims
- **The Heroin Coordinator Program** - This program coordinates law enforcement and investigative strategies to battle the heroin epidemic through cooperation and data sharing to produce actionable information for both public health and public safety. Going forward, the Office will continue to collaborate with the Washington/Baltimore High Intensity Drug Trafficking Area (HIDTA) and the Opioid Operational Command Center (O OCC) and will continue to refine the process of referring individuals to public health and examine the data collection process and use of data. There are currently 21 heroin coordinators throughout the state and our office continues to look for ways to expand this program statewide. In 2018 and 2019, the Heroin Coordinator program:
 - Enhanced 1701 investigations
 - Made 5,245 treatment referrals
 - Identified 1,135 drug dealers
 - Identified 49 drug trafficking organizations
 - Seized 26kg of illicit opioids and 3,270 prescription opioid medications
 - Seized 251 firearms

Victim Services

The Office seeks to ensure that victims of crime receive the support they need by connecting them with resources that help them achieve safety, self-sufficiency, and awareness of their rights and the services available to them. Maryland's programs and policies should acknowledge that: victims have the right to information; the right to be present and provide input at criminal justice proceedings; the right to be heard in the criminal justice process; the expectation of being treated with dignity and respect; and the indispensable right to request restitution. The Office continues to utilize the strategic plans of the Maryland State Board of Victim Services, the Governor's Family Violence Council, and the Children's Justice Act Committee to align our Notices of Funding Availability, funding decisions, and overall services available to victims with best practices.

Victim services goals will be reached through the following strategies:

- **Continue to develop and enhance the newly established Victim Services Unit within The Office** - This unit provides centralized crime victims resources at the State level and is comprised of the Criminal Injuries Compensation Board, Sexual Assault Forensic Examination Program, as well as the Office. The existing and expanded victims services division includes subject matter experts in the areas of restitution, domestic violence, sexual assault, and teen dating violence. The unit has expanded to include expertise in elder victimization and a focus on coordinating and improving the collection of restitution for victims.
- **Develop a clearer understanding of the victims' community and allocate funding in the most impactful manner while measuring success** - the Office will continue its work with the Maryland State Board of Victim Services, the Governor's Family Violence Council, Justice Reinvestment Oversight Board and the Children's Justice Act Committee to utilize the current strategic plans to enhance victims' rights and services in the State of Maryland. We will continually strive to ensure that all funding sources for victims are clear, concise and coordinated. These sources include the Victims of Crime Act (VOCA) fund, the Violence Against Women Act (VAWA) fund, the Maryland Victims of Crime (MVOC) fund, as well as other funding sources such as the Children's Justice Act Committee (CJAC) and Child Advocacy Center Services (CACS). This coordination achieves maximum efficiency and provides Maryland's victims of crime with available resources.
- **Increase knowledge of victims' rights in the community** - The centerpiece of this knowledge transfer is the Annual Maryland Crime Victims' Rights Conference. The Office coordinated the fourth Annual Maryland Crime Victims' Rights Conference during National Crime Victims' Rights Week in April 2019. The conference provided an overview of crime victims' rights in the State of Maryland and allowed attendees to listen to, learn from, and network with speakers and peers. The discussion centered on emerging victims' issues and innovative approaches to empowering victims. The Office will host the fifth Annual Crime Victims' Rights Conference during National Crime Victims' Rights Week on Monday, April 20, 2020. Attendees will receive training on topics such as: leveraging technology to increase survivor access; utilizing multi-disciplinary teams; financial exploitation of elders; victims' rights; human trafficking; and implementing family assistance centers. The Office will continue to collaborate with communities to conduct outreach campaigns for victims' rights and victim services by expanding the use of social media and other public platforms, such as 211 Maryland and Victim Information Notification Everyday (VINE).

Children and Youth Services

In December 2018, the Governor's Office of Children (GOC) became a division, now called the Children and Youth Division, within the Governor's Office of Crime Prevention, Youth and Victim Services. Over the past year, we worked together to support the Local Management Boards (LMBs), strengthen the Children's Cabinet, and put an emphasis on preventative efforts.

The Governor's Office of Crime Prevention, Youth and Victim Services has identified reduction of Adverse Childhood Experiences (ACEs) and addressing childhood trauma as key priorities. ACEs reduction efforts are and will continue to be infused throughout each of our agency's divisions with an eye towards prevention. We will accomplish through:

- ACEs Education and Awareness
 - Continue to provide training and technical assistance to stakeholders (community-based organizations, school personnel, law enforcement, and state/local government agencies) including community members to increase awareness of the issues of ACEs and provide information on effective strategies and supports that address ACEs.

- Capacity Building
 - Through various grant funding opportunities, the Office has provided support to a host of organizations and agencies to address ACEs and it is the goal of the office to continue providing funding opportunities to stakeholders that implement evidence-based programming proven to reduce ACEs and lessen their negative effects on children and youth.
 - It is also our goal to increase access to programs that bolster youths' skills and abilities to be resilient, cope with stress and achieve successful outcomes in the face of adversity.
 - As an example, we continue to support programs like the Boys & Girls Club which provides a safe and nurturing environment, promotes social norms that protect against adversity, connects children and youth to caring adults, teaches skills and provides activities that generate successful outcomes for youth. We are supporting over 20 Boys and Girls program sites across the State in locations that align with our Maryland Criminal Intelligence Network (MCIN) and have been identified as high crime areas. The goal of this collaboration with MCIN is to ensure that youth in these communities have access to safe and nurturing environments. To further this collaborative effort with law enforcement, we are also supporting five Police Athletic League sites to foster positive relationships between youth and law enforcement officers. PAL has served over 1,000 youth since the beginning of our funding in July 2018.
 - The *Handle With Care Maryland* initiative which Governor Hogan launched in February 2018, provides a trauma-informed approach to improve school environments aimed at lessening the impact of ACEs and preventing further trauma by increasing communication between law enforcement/first responders, schools systems, and community mental health providers. In its first 15 months of operation, *Handle with Care Maryland* is now in over 700 schools across 16 counties, with over 1500 notices for 1,920 children and youth experiencing trauma.

Grant Funding

Grant funding is one of several tools enabling the Office to implement and achieve its objectives. As of February 2020, the Office is managing over 750 active grants, totaling \$200 million in

combined federal and state funds, including approximately \$74,848,737 in funding to 111 law enforcement agencies throughout Maryland under the State Aid for Police Protection Program (SAPP). These funds are being used to support 344 unique entities around the State in our combined effort to make Maryland Safer. Over 90% of these funds are allocated to local government and non-profit groups around the State to address crime efforts.

In FY20, the Division of Children and Youth is responsible for administering \$18 million in grants to support the 24 unique Local Management Boards (LMB) and measuring child well-being strategies that have been identified by the Children's Cabinet. The Office is also managing new state grant programs such as the Sexual Assault Kit Testing (SAKT), Protecting Against Hate Crime (PAHC), Police Recruitment and Retention (PRAR), and Performance Incentive Grant Funds (PIGF) that emerged as a result of last year's budget session with focused efforts in victim services, law enforcement and reentry. For the first time, the Office secured a competitive, multi-year federal grant totaling \$6.6 million to address opioid abuse in partnership with nine site-based detention centers. Additionally, the Office received a second competitive grant to eliminate backlog in the analysis of forensic evidence. The Office also has received a first-time (23%) indirect cost rate from its cognizant agency, U.S. Department of Justice.

In prior years, the Office has placed significant emphasis on developing and implementing outcome-based performance measures aligned with strategic goals with positive results. For example, law enforcement agencies now have additional resources to reduce their inventory of untested rape kit tests; service providers have increased access to housing services for victims, and county-level agencies have mechanisms in place to encourage evidence-based reductions in statewide incarceration. The Second Chance Act (SCIP) funding received last year has allowed the Office to expand to one additional site with evidence based services provided to address the needs of incarcerated parents with minor children. The Office has generated additional efficiencies so that successful recipients can maximize grant dollars spent on serving Maryland citizens and minimize administrative burdens related to one-time funding.

Addressing Violent Crime in Baltimore City

Violent crime in Baltimore City is unfortunately well known and longstanding. In 2019, the city of approximately 610,000 residents lost 349 people to homicides and suffered 771 non-fatal shootings. A significant portion of time, money, and other resources coming from the Office is concentrated on restoring a sense of safety in Baltimore City. Currently, \$47 million in grant funding is invested in more than 100 agencies in Baltimore City - with a significant portion going to the Baltimore Police Department, Mayor's Office of Criminal Justice, and the Baltimore City State's Attorney's Office.

Efforts to Address Violent Crime in Baltimore City consist of the following components (not a comprehensive list):

- **Enforcement**
 - **Baltimore City Warrant Initiatives** - Participation by federal, state and local law enforcement agencies to target violent fugitives in the city with the goal of reducing violent

crime. Operation Seven Sentinels (February - March 2019) resulted in 264 arrests from 400 open warrants while Operation Seven Sentries (February - March 2018) resulted in 259 arrests from 300 open warrants. In both operations the warrants were for murder, attempted murder, firearms, and other violent crimes.

- **Enhanced Visibility Patrol Initiative** - State law enforcement officers patrol high crime areas in Baltimore City in an effort to detect and deter criminal activity. The agencies participating are the Maryland State Police, Maryland Transit Administration Police, Maryland Transportation Authority Police and the Maryland Capitol Police. To date, this initiative has resulted in: 3,721 warrants served, 169 handguns recovered, 4,495 arrests, 553,367 premise checks and 85,579 calls for service.
 - **Project EXILE Expansion** - Our office is supporting the expansion of Project EXILE, a program by the U.S. Attorney's Office (USAO), with \$250,000 in funding from our office for media and public awareness campaigns highlighting the prosecution of violent offenders and criminal organizations by the USAO. The defendant will be charged on a federal level, which will result in a longer prison sentence with no chance of parole. Media expansion includes billboards, bulletins, PSAs and other forms of social media.
 - **Special Assistant United States Attorney's (SAUSA)** - In order to support these initiatives, our office has funded five local/state attorneys to be detailed to the US Attorney's Office (USAO) to prosecute federal cases targeting violent repeat offenders and drug/firearms trafficking organizations in Baltimore City.
 - **Recruitment/Retention of Police Officers** - Realizing the need for quality candidates, our office issued a statewide Notice of Funding Availability (NOFA) in 2019 for the Police Retention and Recruitment (PRAR) grant. The Baltimore Police Department was awarded \$436,500 in PRAR funding for a media awareness and advertising campaign and employee engagement software.
- **Victim Services**
 - **Victim and Witness Relocation Program** - The overwhelming obstacle of a successful prosecution is obtaining victim and witness testimony. This is the cornerstone of a successful prosecution; however, there are safety challenges associated when cooperating with law enforcement as a victim/witness who can testify. These obstacles must be eliminated. To do this, there must be financial resources for victims and witnesses. To that end, the Victim Services Unit is working to provide \$2.3 million in funding specifically for victim/witness relocation in Baltimore City. The Victim Services Unit is also developing a protocol to follow in order to better serve this population. This funding will support the choice for witnesses to cooperate with police investigations, by increasing their sense of safety through relocation.

Children and Youth

- **Programs that promote positive youth development and resilience-building** such as the Boys and Girls Clubs and Police Athletic Leagues. In addition to the Club's role as a positive community hub, the Clubs provide a safe, welcoming environment. To validate this effort, Boys and Girls Clubs of Metro Baltimore is continually surveying youth members to ensure that Clubs are not only fun but safe. These surveys indicate :

- 92% of members reported feeling safe from harm when in the Club
- 93% feel safer in the Club than other places their friends/peers hang out
- 97% of kids believe adults in the Club care about them as people
- 90% of club members feel their voice is heard and their ideas are used in the Club

Although several complex factors and interventions play a role in overall crime data, Boys and Girls Clubs of Metro Baltimore is encouraged by the small signs of progress in communities that they operate programs. In the four Club communities – Westport, Brooklyn, O’Donnell Heights, and Garrison, there has been a 13% reduction in crime incidents within these 4 communities from 2018 - 2019.

- **Handle with Care (HWC) Expansion** - within the first 3 months in operation in Baltimore City:
 - Number of schools that are participating in the HWC program: 87
 - Number of trainings/presentations provided: 9
 - Number of school staff trained on trauma-response and HWC model: 40
 - Number of police officers trained on HWC model: 67
 - Number of HWC notices sent: 2 notifications affecting 4 children

The Office is committed to continue working with local stakeholders to support a coordinated, multi-faceted approach to address violent crime in Baltimore City.

Fiscal 2021 Overview of Agency Spending

The Department of Legislative Services (DLS) recommends including a provision in the Budget Reconciliation and Financing Act of 2020 that would transfer the role of fiscal agent for the CCIF from MSDE to the Office and that all CCIF funds be consolidated under the Office’s CYD.

Agency Response:

Agree

Performance Incentive Grant Fund

The Office should comment on the differences in JRA savings, explain the factors that were used to determine JRA savings in fiscal 2021, and how the enhanced level of funding is being allocated to local jurisdictions.

Agency Response:

JRA savings, which fund the Performance Incentive Grant Fund, are determined by the decline in the state prison population since 2017 multiplied by the annual variable cost of incarceration. This formula was set in statute by the Justice Reinvestment Act of 2016. The population and variable cost rate are determined by DPSCS. The difference in savings compared to last year is accounted for by the continued decline in the state prison population.

In FY22 we anticipate a lower variable cost rate due to a decrease in medical costs at DPSCS. However, assuming the population continues to decline, savings should be similar to FY21.

The funding, through the Performance Incentive Grant Fund (PIGF), is split between funding for state and local agencies. In FY20 \$1.7 million was allocated for grants to local jurisdictions or organizations doing work in those jurisdictions with the remainder allocated to competitive grants for state agencies. Applications to the PIGF are competitive and evaluated by a review committee comprised of JRA Oversight Board members or their designees.

Awards for FY20 began on 1/1/2020. We anticipate that awards for FY21 will begin on 7/1/2020.

Baltimore City Crime Reduction and Transformation Plan:

DLS recommends amending budget bill language to further include disparity grant funding for Baltimore City in the restricted appropriation, consistent with fiscal 2020 budget bill language, in addition to expanding the language to require the Office to assist Baltimore City in the development of a crime reduction strategy.

Agency Response:

We respectfully disagree. Although we certainly will assist Baltimore City in the development of a crime plan we do not feel like we should be the author of such a plan. The Office isn't a law enforcement operational entity that has oversight or authority as it relates to law enforcement matters. The execution of the crime strategy is the responsibility of the leadership in Baltimore City. The Baltimore City Crime Reduction and Transformation Plan required by fiscal 2020 budget bill language was submitted by the Baltimore Police Department (BPD) and Mayor's Office of Criminal Justice (MOCJ) in July 2019, only seven months ago. The agencies have been compliant in submitting two quarterly Performance Measures. The Office will continue to review and make recommendations on performance metrics to ensure that their plan is in fact reducing crime in the city.

Organized Crime Drug Enforcement Task Force:

The Office should brief the committees on how its role within OCDEF and BCCPI has changed since their original inception. The Office should also discuss the potential for operational and financial oversight for BCCPI.

Agency Response:

Originally, the Office was intended to have a more active role in the establishment of the BCCPI. However, the legislature moved the funding from the Office last session and placed these funds within the Department of the State Police. The State Police now have operational and fiscal authority of the DSP enforcement group and the Baltimore Regional Intelligence Center. The Office will continue to administer grant funding to local jurisdictions as part of the BCCPI.

Out-of-Home Placements Continue to Rise:

The Office should comment on why out-of-home placements have continued to increase and what actions they are taking, in coordination with LMBs, to reduce these placements. The Office should also discuss how CCIF allocations, excluding LCT funding, have addressed out-of-home placements.

Agency Response:

Exhibit 9 “Out-of-home Placements per 1,000 Children Fiscal 2010-2018” is taken from Table 6 on page 17 (“All Agencies Rate of New Placement¹ Setting per 1,000 Maryland Children By Jurisdiction”) from the [FY 2019 State of Maryland Out-of-Home Placement and Family Preservation Resource Plan](#) (Report). Please note that Exhibit 9 of the analysis states the rate for 2018 is 7.9, when it is actually 7.1.

While the rate of new out-of-home placements has increased overall since 2016, this is partially attributable to jurisdictional changes. For example, jurisdictions for which only a few children are placed each year, the difference of one or two additional children placed (and the number of placements for each) can exaggerate changes in the trend. In addition, a child may enter a new placement more than once in one year for many reasons, including because a more restrictive placement is appropriate for his or her needs, or because the child has progressed in meeting treatment goals and can be moved to a less restrictive environment. Also, as Maryland youth continue to enter out-of-home placements in decreasing numbers, the remaining youth who are in need of placement have highly specialized needs and often require multiple placements to best meet those needs. It is important to note that while the rate of placements has increased slightly, the number of children in out-of-home placements has decreased from 20,846 in 2014 to 14,504 in 2019² - a 25% change.

The Children’s Cabinet continues to address out-of-home and out-of-State placements in several ways, including re-establishing interagency collaboration, providing funding to Local Management Boards to support salary expenses for Local Care Team coordinators, and the development of quality educational, treatment, and residential services in Maryland so that children with intensive needs can be served in the least restrictive setting appropriate to their individual needs.

For FY20 and FY21, one of the Children’s Cabinet’s priorities for funding is the reduction of out-of-State placements. For FY20, although no programs were proposed by the Local Management Boards to specifically address this priority, there many other programs in operation that strengthen families which can prevent an out-of-home placement. For example, the HOMEBUILDERS® program in Allegany County is designed to provide intensive in-home supports for at-risk families including helping families manage stress, and deal with their own past trauma, substance abuse, and mental health issues which directly impact their ability to adequately care for their child(ren). The HOMEBUILDERS® target population is children birth to 17 who are at imminent risk for out of home placement or are currently in foster care due to parental substance use and incarceration.

DLS recommends adopting budget language restricting funds within the CYD program pending the receipt of the 2020 out-of-home placements report.

Agency Response:

The Office concurs with the recommendation to continue submitting the State of Maryland Out-of-Home Placement and Family Preservation Resource Plan. However, we respectfully disagree

¹ “Rate of New Placement Settings” – The rate of new admissions into a category of out-of-home placement per 1,000 children (aged 0 to 18) within a given geographic population.

² FY 2019 State of Maryland Out-of-Home Placement and Family Preservation Resource Plan, January 17, 2020.

with the funding restriction. The Office has been and remains committed to working with the child-serving state agencies to continue compiling and submitting this annual report. Funding restrictions could potentially harm the very programs and services that serve the population that we are seeking to improve.

The Office and CYD should discuss the rationale behind funding criminal justice-related grants through LMBs and how this programming addresses and assists families and youth of all ages and backgrounds.

Agency Response:

Consistent with the requirements identified in §§ 8-501 - 8-506 of the Human Services Article, the Children's Cabinet established the following FY 2020 priorities for the CCIF funds, as noted in the NOFA:

- Reduce the impact of parental incarceration on children, youth, families, and communities;
- Reduce youth homelessness;
- Improve outcomes for disconnected/opportunity youth;
- Reduce childhood hunger;
- Juvenile justice diversion;
- Trauma-informed care and Adverse Childhood Experiences (ACEs); and/or,
- Prevent out-of-State placements.

For FY20, three programs totaling \$156,528 in Children's Cabinet funds (9% of the total) addressed the juvenile justice diversion priority area. They are:

- Planning grant in Baltimore City - \$100,000;
- Teen Court program in Caroline County - \$21,528; and
- Somerset CARES program in Somerset County - \$35,999.

Additionally, in regards to additional funding that the Office has provided to Local Management Boards utilizing funding sources outside of the CCIF, at least one of the Local Management Boards (Dorchester) serves as a convener in their community for law enforcement strategic planning. Their local stakeholders have determined that they should be the recipient of Maryland Criminal Intelligence Center (MCIN) funding. The Dorchester LMB has long been a convener for a number of community-based activities supporting children, youth and families in addition to law enforcement and victim service programs. Additionally, another LMB (Cecil Co.) is a segment of the county's Department of Community Services which also encompasses the county's comprehensive sexual assault and domestic violence program which is why certain victim service specific grants have been received by that agency.

Victims of Crime Act Funding:

The Office should comment on why a smaller proportion of VOCA funds were directed toward direct provision of services and a larger proportion went unobligated in the fiscal 2016 funding cycle.

Agency Response:

Federal VOCA awards are multiple year awards to the Office and are obligated over three years. In state fiscal year 2016, the Office hired a consultant to conduct a statewide victims' needs assessment to effectively manage the significant increase in VOCA funding. This needs assessment gave the Office the time to strategically plan and determine priority funding needs for the next grant cycle. It also gave the Office time to determine if the increase in VOCA funds would be recurring and not a one-time raise in the federal VOCA cap.

In state fiscal year 2016, at the same time the needs assessment was underway, the Office allowed current VOCA subrecipients to apply for up to 20% more than their existing award (awards started on October 1, 2015). In state fiscal year 2017 and as of October 1, 2016, the Office, used the results of the statewide victims' needs assessment and available VOCA funding to provide two year VOCA awards.

DLS recommends that the Office submit a report detailing how the fiscal 2017 VOCA funds were spent. This report should also evaluate the success of Maryland's VOCA program using performance metrics to detail how these funds have translated to positive outcomes for victims of crime.

Agency Response:

We concur. The Office can share findings from the Performance Measurement Tool (PMT) submitted by subrecipients directly to the U.S. Office of Justice Programs and Office of Victims of Crime (OVC) used to evaluate the success of Maryland's VOCA program.

Office of Legislative Audits Findings:

The Office should comment on the audit findings and provide the committees with updates on the status of addressing OLA's recommendations. The Office should identify specific steps taken to ensure compliance now that it is an independent agency separate from the Executive Department.

Agency Response:

Finding 1: The audit report recommended, in part, that the Office enhance its policy to provide a comprehensive methodology for evaluating Local Law Enforcement (LLE) grant applications and for making award decisions, including the required use of a competitive award process. Your response indicated that the Office has implemented the use of a standard application spreadsheet documenting award making decisions. Please clarify whether the use of this spreadsheet has been incorporated in the Office policy for awarding LLE grants and whether a competitive award process has been implemented.

Response: The use of a standardized application spreadsheet and documentation of competitive award process for all eligible LLE grants is updated in the Office's Standard Operating Procedure (SOP). This is established in Chapter 4, pages 81-84 to reflect internal processes for pre-award requirements and application review of State grants.

The audit report also recommended that the Office ensure discretionary grants are awarded in compliance with the established policy. Your response indicates that the Office will complete a thorough review of all discretionary, state funded grant programs to ensure compliance with the award process based on merit and eligibility. We presume that this review also will ensure that discretionary grants are awarded in compliance with the established policy, and if so, no further response is necessary.

Response: This is correct.

Finally, the audit report recommended that the Office verify grant expenditures and performance measure achievement by obtaining and periodically reviewing supporting documentation related to quarterly reports, and conducting audits for all grantees. Your response indicated that the

Office has undertaken several new initiatives, and will continue to restructure risk assessment and monitoring processes to include review of progress/performance measures reports to support fiscal reimbursement requests. We would hope that these new initiatives would include review of supporting documentation to verify reported expenditure/performance measure data and ensure that audits for all grantees will be conducted, as recommended. If our understanding is correct, no further response is necessary.

Response: This is correct.

Finding 3: The audit report recommended, in part, that the Executive Department conduct complete physical inventories of its sensitive equipment items and promptly investigate all missing equipment. Your response stated that the Executive Department is actively working with the Department of Information Technology and has located many items noted as missing. Although not addressed in the response, please clarify whether physical inventories will be conducted periodically as required.

Response: The Executive Department will conduct physical inventories at two intervals throughout the year; mid-cycle and year end. All equipment deemed 'sensitive' will be managed on a continuous basis with missing items promptly investigated.

The audit report also recommended that the Executive Department periodically reconcile control accounts balances with the related detail records and investigate any differences. Your response indicated that an employee is responsible to update and oversee the control accounts and reconcile to the TIOO reports. It is our understanding that the TIOO reports are the source for the control accounts, which means that they are not independent of the control account nor the detailed equipment records. Please clarify whether the aforementioned employee will reconcile the control accounts with the related detailed equipment records.

Response: The inventory control accounts will be reconciled to the detailed equipment records generated by the Maryland Inventory Tracking System for each unit. Discrepancies will be promptly investigated and managed according to the guidance within the DGS manual.

Finding 4: The audit report recommended, in part, that the Executive Department ensure that collection are recorded and restrictively endorsed immediately upon receipt. Your response indicated that envelopes are opened, dated stamped, and endorsed "for deposit only" on the same business day. Unfortunately, the same business day is not as timely as immediately upon receipt. Please clarify whether collections will be recorded and restrictively endorsed immediately upon receipt.

Response: The Office has changed from "same business day" to "immediately" restrictively endorsing and recording collections upon receipt.

The audit report also recommended that the Executive Department ensure that collections are processed and forwarded by the units to the Office of the Governor's Finance Office (GFO) for timely deposit. Your response indicated that units forward the checks and supporting memos to the GFO within two business days of receipt. We would like to point out that the Comptroller of Maryland's *Accounting Procedures Manual* requires that receipts be deposited no later than the first working day after the day of receipt, and suggest that receipts be forwarded by the units to the GFO and deposited in a timely manner in accordance with the *Manual*.

Response: Upon receipt of all deposits, the Office has begun forwarding all receipts to GOFA no later than the next day of business.

Operating Budget Recommended Actions:

- 1. Add the following language to the general fund appropriation to restrict funds pending the submission of a report on the allocation of federal fiscal 2017 Victims of Crime Act award funding and how this funding translates to improved outcomes for victims of crime:** “, provided that \$100,000 of this general fund appropriation to the Governor’s Office of Crime Prevention, Youth, and Victim Services’ (the Office) Administrative Headquarters may not be expended until the Office and the Victim Services Unit submit a report detailing the allocation of the Victims of Crime Act (VOCA) funding for the federal fiscal 2015, 2016, and 2017 fund cycles. This report should identify funds expended for the purpose of the direct provision of services, administration, and funds that went unobligated. The report should also evaluate the success of Maryland’s VOCA funding program using performance metrics to detail how these funds have translated to improved outcomes for victims of crime. This report shall be submitted no later than December 1, 2020. The budget committees shall have 45 days to review and comment. 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.”

Agency Response:

Agree.

- 2. Add the following language to the general fund appropriation to restrict funds pending the receipt of the 2020 out-of-home-placements report:**

“, provided that \$100,000 of this general fund appropriation to the Governor’s Office of Crime Prevention, Youth, and Victim Services’ Children and Youth Division may not be expended until the Children and Youth Division submits a report on behalf of the Children’s Cabinet to the budget committees on out-of-home placements containing:

- (1) the total number of out-of-home placements and entries by jurisdiction over the previous three years and similar data on out-of-state placements;
- (2) the costs associated with out-of-home placements;
- (3) an explanation of recent placement trends;
- (4) findings of child abuse and neglect occurring while families are receiving family preservation services or within one year of each case closure;
- (5) an evaluation of data derived from the application of the Maryland Family Risk Assessment; and
- (6) areas of concern related to trends in out-of-home placements and potential corrective actions that the Children’s Cabinet and local management boards can take to address these concerns.

Further provided that each agency or administration that funds or places children and youth in out-of-home placements shall assist the Children and Youth Division and comply with any data requests necessary for the timely production of the report. The report shall be submitted to the budget committees by December 31, 2020, and the budget committees shall have 45 days to review and comment. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise for any other purpose. Should the report not be submitted by the requested date, the restricted funds shall revert to the General Fund.

Agency Response:

The Office concurs with the recommendation to continue submitting the State of Maryland Out-of-Home Placement and Family Preservation Resource Plan, which contains items 1-6 above. However, we respectfully disagree with the funding restriction. The Office has been and remains committed to working with the child-serving state agencies to continue compiling and submitting this annual report. Funding restrictions could potentially harm the very programs and services that serve the population that we are seeking to improve.

- 3. Strike the following language from the general fund appropriation to restrict funds from Baltimore City pending the submission of an annual crime reduction strategy and quarterly performance measures:**

“, provided that \$11,136,063 of this appropriation, representing the entirety of the local law enforcement grants to the Baltimore City Police Department and the Baltimore City State’s Attorney’s Office, may not be expended unless the Mayor’s Office of Criminal Justice, in coordination with the Baltimore City State’s Attorney’s Office and the Baltimore Police Department, submits a comprehensive annual crime strategy for the city, which must include specific measurable actions the city will take to address crime, be based on a threat assessment, and include annual crime reduction targets for homicides, nonfatal shootings, violent crime, firearms–related offenses, and property crime. The crime reduction strategy report shall be submitted to the Governor and budget committees by October 1, 2020. By December 31, 2020, and quarterly thereafter, the Mayor’s Office of Criminal Justice shall report on progress made on the crime reduction targets included in the annual crime reduction strategy. Further provided that the Baltimore Police Department enters their warrant information into the National Criminal Information Center (NCIC) / Maryland Telecommunications Enforcement Resources System (METERS)”

Agency Response:

Respectfully disagree. The Mayor’s Office of Criminal Justice, in conjunction with the Baltimore City State’s Attorney’s Office and the Baltimore Police Department should submit an annual crime strategy. The Office believes it is the responsibility of these agencies to explain the progress being made in Baltimore City to reduce crime.

- 4. Add the following section restricting grant funding to the Baltimore City Police Department and the Baltimore City Mayor’s Office pending the submission of a comprehensive crime reduction strategy and requiring the Governor’s Office of Crime Prevention, Youth, and Victim Services to consult on the development of this strategy and provide written approval of this strategy:**

SECTION XX. AND BE IT FURTHER ENACTED, That \$11,136,063 of this appropriation, representing the entirety of the local law enforcement grants to the Baltimore City Police Department and the Baltimore City State’s Attorney’s Office, and \$3,000,000 in disparity grants to Baltimore City budgeted within A15O00.01 may not be expended unless the Mayor’s Office of Criminal Justice, in coordination with the Baltimore City State’s Attorney’s Office and the Baltimore Police Department, submits a comprehensive annual crime strategy for the city, which must include specific measurable actions the city will take to address crime, be based on a threat assessment, and include annual crime reduction targets for homicides, nonfatal shootings, violent crime, firearms-related offenses, and property crime. The crime reduction

strategy report shall be developed in consultation with the Governor's Office of Crime Prevention, Youth, and Victim Services and submitted to the Governor and budget committees by October 15, 2020. By October 15, 2020, and quarterly thereafter, the Mayor's Office of Criminal Justice shall report on progress made on the crime reduction targets included in the annual crime reduction strategy. Further provided that the Baltimore Police Department enters their warrant information into the National Criminal Information Center (NCIC) / Maryland Telecommunications Enforcement Resources System (METERS).

Further provided that \$100,000 in the general fund appropriation to the Governor's Office of Crime Prevention, Youth, and Victim Services' (the Office) Administrative Headquarters may not be expended until the Office submits a letter commenting on and expressing written approval of the comprehensive annual crime strategy no later than October 15, 2020.

Further provide that \$1,000,000 of disparity grant funding to Baltimore City shall remain withheld and shall be disbursed in increments of \$250,000 upon the submission of each quarterly report. The budget committees shall have 45 days to review and comment prior to the release of funds. 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.

Agency Response:

Respectfully disagree. The Governor's Office of Crime Prevention, Youth and Victims Services is not operational as it relates to law enforcement. A local crime strategy with specific measurable actions should be developed by local law enforcement and government leaders, as is common practice in counties, cities and towns across the State of Maryland. To that end, it is the Office's position that a crime reduction strategy for Baltimore City needs to be developed by the Mayor's Office of Criminal Justice, in coordination with the Baltimore City State's Attorney's Office and the Baltimore Police Department; based on local data, needs and goals. The Office is committed to reviewing performance measures for all of our grant sub-recipients, and working with State and local partners to advance their crime reduction strategies. The Governor's Office of Crime Prevention, Youth and Victim Services will continue to do so by supporting the plan developed by local leaders and partners of Baltimore City.

Furthermore, we respectfully disagree that \$100,000 in general funds be withheld from the Office until our office approves Baltimore City's annual crime strategy.

The Office does agree that grant funding to Baltimore City be disbursed in increments of \$250,000 upon submission and review by budget committees for each of their quarterly reports.

The Office does agree that the Baltimore Police Department enter all of their warrant information be entered into the National Crime Information Center (NCIC)/Maryland Telecommunications Enforcement Resources System (METERS).

Budget Reconciliation and Financing Act Recommended Actions

- 1. Amend § 8-508 of the Human Services Article and § 8-417 of the Education Article to transfer the role of fiscal agent of the Children's Cabinet Interagency Fund (R00A04.01) from the Maryland State Department of Education to the Governor's Office of Crime Prevention, Youth, and Victim Services.**

Agency Response:

Agree.