

**FROM THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**

February 18, 2021

The Honorable Chair Guy Guzzone  
Senate Budget and Taxation Committee  
3 West, Miller Senate Office Building,  
11 Bladen Street  
Annapolis, MD 21401

The Honorable Chair Maggie McIntosh  
House Appropriations Committee  
House Office Building, Room 121  
6 Bladen Street  
Annapolis, MD 21401

Chair McCray and Members of the Senate Public Safety, Transportation, and Environment Subcommittee:

Chair Haynes and Members of the House Public Safety and Administration Subcommittee:

**FY21 Response to Department of Legislative Services Budget Recommendations:**

The Governor's Office of Crime Prevention, Youth and Victim Services plans, promotes, and funds efforts with government entities, nonprofit organizations, and community organizations to advance public policy, enhance public safety, increase child well-being, and serve victims of crime in Maryland.

The Office was established in 1995 when the Governor's Drug and Alcohol Abuse Commission and the Governor's Office of Justice Administration were merged together to create a singular office responsible for administering federal and state criminal justice funding.

While the Office has allocated nearly \$900 million in grant funding over the past five years, we are no longer simply a grants administering agency. Our Office has transformed into a multidisciplinary team of grant administration, law enforcement coordination, statistical analysis, children and youth services outreach, and victim services support.

The Office works closely with a multidisciplinary team of state and local entities to on five objectives:

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

- (3) Utilize a holistic and multidisciplinary approach to increase child well-being
- (4) Maximize the public safety returns on Maryland's corrections spending;
- (5) And increase the availability of data-driven approaches to criminal justice in Maryland;

The duties and responsibilities of the Office have increased substantially over the past five years. In addition to being the State administering agency for state and federal criminal justice grants, the Office oversees the Victim Services Unit which is made up of both the Criminal Injuries Compensation Fund and the Sexual Assault Reimbursement Unit, the Maryland Criminal Intelligence Network, the Children and Youth Division, the Maryland Statistical Analysis Center, and is the repository for nearly sixty legislative reports each year. Our Office is currently administering close to \$218 million in State and Federal grants and this money is allocated to over 367 agencies in the form of nearly 1,000 sub-awards.

While the Office has increased substantially both in size and scope fiscal and administrative support have largely remained unchanged. Since 2015, the Office's federal and state funding oversight has increased by nearly \$100 million. In July 2018, the Criminal Injuries Compensation Board (CICB) moved from the Department of Public Safety and Correctional Services and Sexual Assault Reimbursement Unit (SARU) moved from the Department of Health. Then in December 2018 the Governor's Office for Children (GOC) moved under the Office's purview as well. Fiscal and auditing staff have not increased as funding, accounting and the number of sub-recipients has exponentially increased as these functions were carried out within the parent agencies.

Finally, as our Office moved to become an independent Office in 2020, staffing has not increased to support the demands and functions that previously fell under the Governor's Office of Financial Administration. During this same time frame, requests for legislative reports have increased and the office is responsible for approximately 60 reports each year. In fiscal notes, the Office has continued to ask for staff support to accommodate these requests however these have largely gone unfulfilled by the legislature.

### **Recommendations:**

- (1) Add language deleting 2 unfunded and long vacant positions.**

The Office respectfully disagrees with the recommendation.

As elaborated upon in our opening, the responsibilities and duties of our Office have increased significantly over the past six years. We have been able to take on these additional functions and demands without an increase in fiscal staff.

The Office is not in a position to be removed from positions from its budget and still being able to meet the needs of our constituencies.

**(2) Add language to restrict funds pending the submission of a report on Victims of Crime Act continuity of services and program funding.**

The Office agrees with this recommendation in part.

We agree that full transparency is essential in regards to the allocation and spending of federal Victims of Crime funding. However, the timeline of reporting suggested in the DLS budget language is not conducive to a timely and accurate submission of this information. We recommend that this report be due March 1, 2022.

The need for this amendment can be seen in the current status of the FY21 Report on VOCA Services. As of 02/18/2021, the Report on VOCA Services included within the GOCPYVS FY21 budget has not been submitted by the requested deadline of 12/01/2020. As provided in our letter to the Department of Legislative Services on January 20, 2021, we are currently waiting on the final data from the Federal Fiscal Year 2017 closeout from federal government in order to fulfil this request

Further, while subrecipients of Victims of Crime funding are required to submit reports to our Office by 10/30/20, they have until 11/30/20 to submit revised reports. GOCPYVS then compiles all subrecipient reporting to submit the final closeout report to the federal government by 12/30/20. The figures submitted in the federal final closeout report should be included within this required state report. Additionally, due to the COVID pandemic, this year the federal government has granted extensions to submit final closeout reports due to the aforementioned issues with JustGrants. The Office had until the end of January 2021 to submit the closeout report for VOCA 2017 funding to the federal government. We expect to have the final information needed to complete the FY21 VOCA funding report submitted soon.

The language associated with the budget restriction in the FY22 budget indicates that a new report of VOCA services be submitted by December 1, 2021. The Office requests the date of this report be pushed back to March 1, 2022 in order to account for delays in the federal closeout at the end of 2021.

**(3) Add language to restrict funds for an independent financial audit and require submission of an audit report reconciling the grant management procedures and expenditures for fiscal 2020 and 2021.**

The Office agrees with this recommendation in part.

The suggested budget language in the recommendations provided by DLS require a withholding of funds to be used by an independent "accounting firm" to conduct an audit of the grants management processes within the Office. The Office is certainly willing to use this funding towards an independent auditor, however, the Office requests that this language be expanded from only an "accounting firm" to a "private firm." The Office believes that we need a more specialized firm with an understanding of grants as an independent auditor, with a larger skill set than only accounting.

The Office faced a difficult transition from a D15 to D21 fiscally independent agency during the middle of a global pandemic. The reversion of funding was due in part because of the duplication of special and general funds and due to an inexperienced chief financial officer who is no longer with the agency.

Since the reversion in FY20 funds the Office has done the following:

(I) Solidified communications between our office, DBM and the Comptroller's office in order to implement a more formal process of developing and managing the budget as it relates to General and Special Funds.

(II) We are also currently conducting a staff/needs assessment to identify gaps in fiscal and throughout the division. It is our hope to obtain the approvals needed to address our staffing needs prior to FY21 closeout.

(III) Efforts have been made to bridge communication and reporting between our Fiscal and Grants Administration units by folding our Grants Unit under the Chief Financial Officer. This has led to more efficient means of accounting for fiscal and programmatic needs within the office.

(IV) Our newly hired CFO has the appropriate skills to handle the Office's transition to D21 and is leading our fiscal team to work more closely with DBM to realign the division's budget

(V) We have contracted with an outside consultant to develop a more robust system to track funding from the federal government, DBM, our office and the Comptroller's Office that meets the needs of the more robust office that we have become.

**(4) Add language to utilize available special fund balances to replace general fund grant expenditures in the Violence Intervention and Prevention Program.**

The office has no objection to processing this budget amendment if it is included with the FY22 budget.

**(5) Add language to restrict funds pending the submission of the 2021 out-of-home placements report.**

The Office respectfully disagrees with the recommendation.

The Office respectfully disagrees with the recommendation to restrict funds and suggests that a change in the methodology used for this report will result in better, more accurate information for the committee, and request that GOCPYVS be allowed to work with DLS to update the report methodology."

The data provided in this analysis shows placement trends from 2010 to 2019, but does not include the data from the FY 20 report. In FY20, the rate of new placements per 1,000 youth was 4.53. That information is located on page 19. It is important to review footnote 11 on page 19 which indicates that previous reports used the number of placements during the fiscal year as opposed to the number of youth entering placements. Youth can be placed more than one time in any given year so calculating an out-of-home rate using the number of placements as opposed to the number of youth inflates the actual number of youth out-of-home.

When conducting a temporal trend analysis, it is important to see how the data collected can be affected by different intervals of time. The report in previous years analyzed out-of-home placement trends over years using a single day data point which is the exact same day every year. A single data point over a 365 day period of time allows for misrepresentations in trends. This is particularly important for this past year when using a single day to establish a yearly trend will be severely distorted given the pandemic. Using additional data points to inform a temporal trend will provide improved service delivery to Maryland families.

## Updates

**The Pilot Program for Preventing HIV Infection for Rape Victims fulfilled 295 claims totaling \$165,380 in its first year of operations. Chapter 431 of 2019 established a reporting requirement that GOCPYVS report to the General Assembly on the operation and results of the program no later than December 1, 2021.**

The Office has no objection to providing an update on 12/01/2021.

Sincerely,



V. Glenn Fueston, Jr.  
Executive Director  
Governor's Office of Crime Prevention, Youth, and Victim Services

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