



WES MOORE
Governor

ARUNA MILLER
Lieutenant Governor

Governor's Office of Crime Prevention, Youth and Victim Services Fiscal Year 2024 Operating Budget

Response to Department of Legislative Services Analysis

Appropriations Committee
Public Safety & Administration
Delegate Tony Bridges, Chair
February 15, 2023

Budget and Taxation Committee
Public Safety, Transportation, and Environment Subcommittee
Senator Sarah K. Elfreth, Chair
February 20, 2023

Performance Analysis: Managing for Results

1. Hospitalizations (pg. 6)

DLS Recommendation: GOCPYVS should comment on how it measures hospital overstays for youth and share how it may have changed in fiscal 2022 compared with earlier years.

Agency Response: Refer to Operating Budget Recommended Actions below, Item #4, pgs 5- 6 of this response.

DLS Recommendation: The Department of Legislative Services (DLS) therefore recommends that \$150,000 in withheld funds for GOCPYVS and \$100,000 in withheld funds for DHS, DJS, DDA, and MSDE be released.

Agency Response: Refer to Operating Budget Recommended Actions below, Item #4, pgs 5- 6 of this response.

DLS Recommendation: DLS recommends that the budget committees add a section to the budget bill restricting funds in each of the data contributing agencies pending the submission of the 2023 OOHP report.

Agency Response: Refer to Operating Budget Recommended Actions below, Item #4, pgs 5-6 of this response.

2. SAPP (pg. 15)

DLS Recommendation: To continue allocating funding to target jurisdictions facing high instances of violent crime, DLS recommends adding budget language allocating the fiscal 2024 SAPP enhancement funds based on violent crime data found in Maryland's 2021 UCR.

Agency Response: Refer to Operating Budget Recommended Actions below, Item #3, pg 5 of this response.

3. Warrant Apprehension Funding (pg. 15-16 of analysis)

DLS Recommendation: GOCPYVS should comment on the use of funds in each fiscal year and the progress that has been made on the initiative.

Agency Response: The Agency allocated local law enforcement grant funding, in the amount of \$3,250,000 to BPD to support warrant apprehension activities in fiscal years 2022 and 2023, *not* fiscal years 2023 and 2024. Using these funds, and based on the quarterly submission of performance measure data, BPD reported the following outcomes in the fourth quarter of State fiscal year 2022 (April 1, 2022 - June 30, 2022):

- 4,270 warrants attempted
- 300 warrants served
- 246 arrests
- 7 guns seized
- 39,130 open warrants
- 13,097 overtime hours
- 59 ballistic shields placed in service
- 49 rams placed in service
- 40 ballistic vests placed in service

The Office also allocated \$3,250,000 in local law enforcement grant funding to BPD to support warrant apprehension activities in fiscal 2023. Based on the first and second quarterly submissions of programmatic data for State fiscal 2023 (July 1, 2022 – December 3, 2022), which captures the most current data available, BPD reported the following outcomes:

- 16,525 warrants attempted
- 914 warrants served
- 315 arrests
- 38,347 open warrants
- 59 ballistic shields placed in service
- 61 rams placed in service
- 40 ballistic vests placed in service

4. Fiscal Audit of Grants (pgs. 18-19)

DLS Recommendation: To ensure that the budget committees receive the results of the audit requested by fiscal 2022 budget language, DLS recommends restricting funds pending the submission of a report by July 1, 2023.

Agency Response: Refer to Operating Budget Recommended Actions below, Item 1, pg 3 of this response.

5. VOCA (pgs. 19 -25)

DLS Recommendation: GOCPYVS should comment on the amount of unobligated funding that it expects to have in reserves by the end of fiscal 2024 for use in future fiscal years, assuming that the legislative appropriations are met in fiscal 2023 and 2024.

Agency Response: Refer to Operating Budget Recommended Actions below, Item #2, pgs. 3-4 of the response.

DLS Recommendation: As VOCA funding and expenditures remain of great importance, DLS recommends adding budget language restricting funds pending the submission of two reports and a letter on the program's proposed awards, actual expenditures, available funding, and program outcomes.

Agency Response: Refer to Operating Budget Recommended Actions below, Item #2, pgs. 3-4 of the response.

Operating Budget Recommended Actions

1. Add the following language to the general fund appropriation (pg. 26):

“, provided that \$100,000 of this appropriation made for the purpose of agency administration may not be expended until the Governor’s Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) submits a report to the Governor and the budget committees on the fiscal audit of the GOCPYVS grants management processes and all grants budgeted within its fiscal 2020, 2021, and 2022 legislative appropriations.”

Agency Response: Agree

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

“, provided that \$200,000 of the general fund appropriation for the Governor’s Office on Crime Prevention, Youth, and Victim Services (GOCPYVS) made for the purposes of general administration may not be expended until, prior to providing Victims of Crime Act (VOCA) fiscal 2024 awards and no later than August 1, 2023, GOCPYVS, in addition to the official report, data shall be provided in an electronic format subject to the concurrence of the Department of Legislative Services (DLS). The budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds not expended for this restricted

purpose 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.

Further provided that \$250,000 of the general fund appropriation for the purposes of administration may not be expended until GOCPYVS submits a report by November 1, 2023, regarding the federal VOCA funding.

Further provided that \$50,000 of the general fund appropriation made for the purposes of administration may not be expended until GOCPYVS publishes the total amount of funding from federal VOCA funds on GOCPYVS's website, including funds available from prior years and including the specific amounts held in reserve from each federal three-year award. GOCPYVS shall provide the budget committees with a letter, no later than November 1, 2023, indicating that this data has been made available on its website and providing the web address to this data. The budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds not expended for this restricted purpose 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

Under the agency's current operating process, the agency has been unable to allocate federal VOCA funding until the federal entity provides the agency with the award letter informing the agency of the funding amount being allocated. The agency does not receive the award letter until September of the state fiscal year in process. Therefore, the agency has been unable to award federal grants sooner than September in any fiscal year.

Beginning in FY 2024, the agency is attempting to move spending of the federal VOCA grants to the state fiscal year starting July 1. In order to facilitate this happening, the agency proposes to allocate \$49.77M in VOCA funding derived from *known* unspent available federal funds in the amount of \$14.77M (\$3.19M from FFY 21 federal VOCA funding and \$11.58M from FFY22 federal VOCA funding) and the \$35M in general funds included in the Governor's Allowance.

The main purpose of this change is to enable the agency to a) more accurately identify total VOCA appropriation funding in time to award grants to subrecipients beginning July 1 of each fiscal year, instead of September and to b) enable the agency to definitively know how much general funding it will need to support VOCA funding annually.

In FY24, unless HB185/SB148 passes or there is other legislation that impacts VOCA spending, there would be no negative impact to subrecipients and the funding is similar to what they received in FY23.

Beginning in FY 25, the agency can then make an informed decision on VOCA funding needs by already knowing the FFY 23 VOCA federal award amount and can identify how much general funds will be needed.

Should HB186/SB148 pass, then, in order for the agency to accomplish the transition of moving from the current process of estimating based on limited data what the amounts we will a) receive in federal funding and b) how much the agency will need in general funds, it will be imperative that the agency not spend the FFY 23 VOCA federal award until the beginning of state fiscal year 25. Should HB186/SB148 pass, the agency would need additional funding support to help it rollover from the current process in order to effectuate the changes needed to properly manage the grants awards, provide accurate reporting and provide transparency.

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

“, provided that \$45,878,143 of this appropriation made for the purpose of State Aid for Police Protection funding made for the purpose of enhancing public safety aid and increasing funding for the counties and Baltimore City may be distributed only in a manner that allocates funds proportionally based on the number of reported total violent crime offenses in the 2021 Maryland Uniform Crime Report. The 2020 Maryland Uniform Crime Report may be used instead if publication of the 2021 report is unavailable by June 1, 2023. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.”

Agency Response: Agree

However, the agency would like to propose/recommend a change to the current statute to enable the calculation of the formula to coincide with the budget process and increase transparency. Currently, final award distribution is based on the most recent year of actual expenditures. Many jurisdictions struggle to provide that information in time to finalize grant distributions, and it means that local governments do not know what their grant amount will be until the final quarter of the fiscal year. The agency recommends changing the formula in statute to be based on data from three fiscal years prior (FY 2022 for FY 2025), enabling the agency to finalize grant allocations with the appropriation each year.

4. Add the following section (pg. 29-30):

“SECTION XX. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation made for the purpose of administrative expenses in D21A02.01 Governor’s Office of Crime Prevention, Youth, and Victim Services’ Children and Youth Division (CYD), \$100,000 of the general fund appropriation of the Department of Human Services Social Services Administration, \$100,000 of the general fund appropriation of the Department of Juvenile Services, \$100,000 of the general fund appropriation of the Maryland Department of Health Developmental Disabilities Administration, and \$100,000 of the general fund appropriation of the Maryland State Department of Education may not be expended until CYD submits a report on behalf of the Children’s Cabinet to the budget committees on out-of-home placements. GOCPYVS should comment on how it measures hospital overstays for youth and share how it may have changed in fiscal 2022 compared with earlier years.”

Agency Response: Partially Disagree

GOCPVYS does not collect data regarding hospital overstays, nor is that a reporting requirement and therefore the agency is unable to comment on this issue.

In addition, the analysis includes the reporting requirement item # 5 - “findings of child abuse and neglect occurring while families are receiving family preservation services or within one year of each case closure”. **The agency recommends this requirement be removed as it does not relate in any way to the interagency analysis of out-of-home placements. It is extraneous information that does not add to the purpose of this particular report.**

GOCPYVS is only a conduit for the reporting of this information and therefore, disagrees with the withholding of \$150,000 in general funds from the Children and Youth Division. All information presented and updated in the new data dashboard is dependent upon timely cooperation from the contributing agencies which are outside of the control of GOCPYVS.