

**D15A0516**  
**Governor's Office of Crime Control and Prevention**  
**Agency Responses to DLS Analysis and Recommendations**  
**FY 2017 Governor's Allowance**

**Public Safety, Transportation, and Environment Subcommittee**  
**Monday, February 22, 2016**

**Public Safety and Administration Subcommittee**  
**Wednesday, February 17, 2016**

**Operating Budget Analysis**

**GOCCP should comment on what constitutes appropriate targets for its performance measures. The Department of Legislative Services (DLS) recommends committee narrative directing the agency to revise its MFR objectives to include specific, measurable goals for the purpose of improving the agency's performance evaluation.**

Because the nature, and therefore the performance measures, of our grants are contingent on the budget and the sub-recipients' priorities, we cannot make future projections for measures such as the amount awarded for equipment or the number of guns seized. Because of this, in the past we have used the MFR to look at past measures and project measures for future years but we never established appropriate targets. We also cannot forecast the crime numbers from year to year. As a result, it is difficult to identify "appropriate targets" as the Office's success is measured by sub-recipients' success. This past year we included additional MFR metrics and eliminated those that were outdated, duplicative, or no longer applicable to the agency. These metrics we feel are the appropriate measures recorded by sub-recipients to depict the impact that the Office has on crime control and prevention.

Similarly, although we measure administrative functions such the Office's grant-to-monitor ratio and the percent of grants closed in above average status, we have not established benchmarks because these measures depend on the complexities and size of the funds administered. When we previously consulted with a national organization specializing in State Administering Agencies, they were unaware of any national standard for average number of grants or amount of funds managed per staff.

**GOCCP should discuss whether a formal evaluation of the Safe Streets program has ever been completed and how the agency anticipates using the additional funding in fiscal 2017.**

A formal evaluation of the Safe Streets program has not been completed. However, the Governor's Office of Crime Control & Prevention collects a series of performance measures for each Safe Streets site. Safe Streets sites use the following performance measures, or some similar variation each year: (1) While utilizing grant funds during this reporting period, how many warrants did your department serve? (2) While utilizing grant funds during this reporting period, how many arrests on view were there? (3) While utilizing grant funds during this reporting period, how many guns were seized? While utilizing grant funds during this reporting period,

how many gun arrests were there? (4) While utilizing grant funds during this reporting period, how many gun cases were referred for Federal prosecution? (5) While utilizing grant funds during this reporting period, how many gun cases were prosecuted in your jurisdiction? (6) While utilizing grant funds during this reporting period, how many gang members were arrested? (7) While utilizing grant funds during this report period, what was the total number of violent crime cases prosecuted? (8) While utilizing grand funds during this reporting period, what was the number of criminal drug cases prosecuted? (9) While utilizing grant funds during this report period, what was the number of investigations assisted through analyst and intelligence data? (10) While utilizing grant funds during this reporting period, how many home visits were conducted with Division of Parole and Probation and/or the Department of Juvenile Services? (11) While utilizing grant funds during this reporting period, how many meetings and community events did the Safe Streets Coordinator attend?

Additionally, we have had detailed conversations with academic institutions about using some of the Office's federal funding to conduct performance evaluations on not just Maryland Safe Streets, but all our federal grant programs.

Additional funding will be used to enhance the State's ability to respond to the growing demands of the heroin crisis and violent crime through establishing new Safe Streets sites and enhancing existing sites. Additionally, the funds will be used to support the priorities of the Heroin and Opioid Emergency Task Force, including \$180,000 to be used to fund peer recovery specialists at selected Safe Streets sites.

**GOCCP should comment on when the victim services needs assessment is anticipated to be complete and the timeline for awarding fiscal 2017 grants. Given the uncertainty of the enhanced federal funding in future years, the agency should also discuss how it communicates with grant sub-recipients regarding sustainability of services if VOCA funding were to be reduced in the future. Finally, GOCCP should discuss how the agency will determine and evaluate the impact the enhanced funding will have on victims' services.**

The final report will be submitted June 14, 2016. FY 16 VOCA grant applications will be due mid-July 2016. Projects will start October 1, 2016. The Governor's Office of Crime Control & Prevention notifies sub-recipients via phone and e-mail correspondence around issues with Federal funding decisions and award amounts as soon as we receive notification. In addition, we discuss with sub-recipients the importance of sustainability in person and via our Notice of Funding Availability. Once the final report for the Victims Services Needs Assessment has been completed, we will use it to drive funding priorities and future initiatives that our Office will provide funding for. Via our quarterly progress reports and performance measures, which are required by the Office of Victims of Crime and the Governor's Office of Crime Control & Prevention, we will be able to gauge impact, outcomes and results.

**DLS recommends committee narrative requesting GOCCP submit the findings of the victim services needs assessment and provide a follow-up report detailing how the enhanced VOCA funding has been allocated.**

We are happy to submit both the results of the victims needs assessment as well as the funding decisions.

**The fiscal 2017 allowance included a placeholder appropriation of \$734,352 in anticipation of the agency receiving a federal grant to support services for trafficking victims. After submission of the budget, GOCCP received notice that it would not be a grant recipient. As such, DLS is recommending deleting the federal appropriation for that grant award.**

Agreed.

### **Issues**

**GOCCP should comment on whether implementation of any JRCC recommendations has begun or will begin in fiscal 2017, independent of the outcome of the JRI legislation, and what the agency's role will be in implementing the JRI moving forward.**

We view the recommendations of the Justice Reinvestment Coordinating Council as one package. While not all Council recommendations need legislation, in order for the reforms to commence legislation is needed. The legislation includes a Justice Reinvestment Oversight Council chaired by the Executive Director and staffed by the Governor's Office of Crime Control & Prevention. This Council will be responsible for ensuring the recommendations are implemented. In addition, the legislation proposes that the savings realized through reducing the prison population would go to a statutorily protected Performance Incentive Grant Fund. The Fund would be overseen by the Justice Reinvestment Oversight Board and administered by the Governor's Office of Crime Control & Prevention. The bill will be effective October 1, 2016. Immediately on passage and signing of the bill, however, the Council and its partners the Pew Charitable Trusts and Crime and Justice Institute will begin the planning process for the reforms and start to work with the affected units and governmental bodies so that the process can be as quick and smooth as possible.

**GOCCP, as the lead agency and representative for JRCC, should comment on how this implementation of the recommendations in the JRCC final report would be different from previous attempts made by DPSCS to implement measures aimed at reducing the prison population and generating fiscal savings and why the aforementioned actions are more likely to be successful now than in previous years, particularly since no enhanced resources are provided in the Governor's allowance to support implementation. Finally, GOCCP should discuss what the expected impact would be if some, but not all, of the JRCC recommendations were to be implemented.**

The Justice Reinvestment Coordinating Council is a bipartisan, inter-branch effort that undertook a system-wide review of the State's prison system and the laws relating to this system. This has never been done before. All of the participants are committed to making this effort work.

Similar to the Hogan-Rutherford Administration's swift closure of the Baltimore City Detention Center, we are confident that the Department of Public Safety and Correctional Services has the capabilities to successfully implement the proposed reforms. In addition, the Division of Parole and Probation is already increasing evidence-based training and practices, and is poised to implement many of the recommendations of the Council.

Many of the recommended changes will result in a decrease in the number of prison beds used. As the Department avoids this spending, the dollars will then be reinvested back into the system to provide evidence-based programming and services proven to reduce recidivism. The projected savings in the Council's report are based on the comprehensive statistics used by the Council. Other states that have participated in the Justice Reinvestment Initiative have realized substantial savings when they implemented the reforms.

While at this time there may not be a specific budget appropriation for the Justice Reinvestment Coordinating Council recommendations, many of the principles from the Council are also embodied in the final report of the Heroin and Opioid Emergency Task Force and funded in the Governor's FY17 budget. For example, the budget includes \$540,000 for day reporting centers in the Department of Public Safety and Correctional Services budget and \$180,000 for peer recovery specialists in the Governor's Office of Crime Control & Prevention budget.

Additionally, the Governor's Office of Crime Control & Prevention is in the process of reprioritizing our federal grant funds to effectuate the recommendations in the Justice Reinvestment Coordinating Council report. For example, in the past year:

- \$190,000 was granted to the Department of Public Safety and Correctional Services, Division of Parole and Probation for a quality assurance data measurement program to assist criminal justice professionals in ensuring that performance measures are met and public safety enhanced.
- \$49,706 was granted to the Howard County Department of Corrections for their *Targeted Reentry Services* program to target offenders who are at medium to high risk of re-offending and to strategically plan and implement programs and services that identify, engage and address the criminogenic risk factors of these offenders.
- \$163,312 was awarded to the Prince George's County Circuit Court to establish the *Prince George's County Veterans Court Program*—a supervised, voluntary, sanction-based, twelve month comprehensive treatment program for veterans entering the judicial system with a nonviolent offense. Documented substance abuse dependencies and mental health issues are its focus.
- \$98,554 was awarded to the Charles County Circuit Court to fund the *Charles County Family Recovery Court*, which utilizes a holistic approach to support parents and families in substance abuse recovery who are involved in the criminal justice system.

We plan to continue leveraging our federal funds to support improving reentry practices, strengthening community supervision and supporting local corrections systems, all principles found in the recommendations of the Justice Reinvestment Coordinating Council.

Finally, if the justice reinvestment legislation passes, Maryland will be eligible to apply for federal funds to assist with implementation. In past justice reinvestment states, these funds have typically been around \$400,000 and used for a variety of implementation measures including training for corrections professionals and a justice reinvestment expert to implement the reforms with fidelity.

It is difficult to answer the question of the expected impact if some but not all of the reforms are implemented, without knowing the specifics. It is clear that some of the proposed reforms will

have a greater impact than others. The administrative parole provision and the revocation caps for technical violations will result in significant savings, while the requirement that the Department of Health and Mental Hygiene provide placements for substance abuse orders within 30 days will have a fiscal cost. The fiscal impact of the certificate of rehabilitation will be minimal. We do not have a separate fiscal impact for each item of the recommendations.

**GOCCP should comment on how the funding level for the direct grants to Baltimore City and Prince George’s County was determined for fiscal 2017. DLS recommends budget language restricting \$3.2 million in general funds directed specifically to the SAOs in these two jurisdictions be reallocated into a statewide competitive grant program for the purpose of supporting SAO operations to prosecute violent crime across the State.**

The 2014 and 2015 Joint Chairmen’s Reports have requested the Governor’s Office of Crime Control & Prevention to review the grants that go directly to the Prince George’s and Baltimore City state’s attorneys’ offices and to report back on our findings. The committees have expressed concern about the State funding of a county office. While it is our opinion that eliminating these grants would be inappropriate and harmful, we have decided to take a more competitive, geographically-balanced approach to using a portion of these funds. We have therefore reduced the direct grants to the Baltimore City and Prince George’s County state’s attorneys’ offices and will make these funds available to jurisdictions across the State on a competitive basis. Both the Prince George’s County and Baltimore City state’s attorneys’ offices will be eligible and encouraged to apply for this competitive funding. However, given current violent crime and homicide rates, eliminating all funding to the state’s attorney’s offices in these jurisdictions would be damaging and counterproductive.

**Recommended Actions**

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- 1. Add language restricting the use of grant funding for the sole purpose of creating a statewide competitive grant program to support the prosecution of violent crime within State’s Attorney Offices.**

We respectfully disagree. As stated above, it is our opinion that eliminating these grants would be inappropriate and harmful. However, we have decided to take a more competitive, state-wide approach to distributing a portion of these funds and reduced the direct grants to the Baltimore City and Prince George’s County state’s attorneys’ offices. These funds will be made available to jurisdictions across the State on a competitive basis and both the Prince George’s County and Baltimore City state’s attorneys’ offices will be eligible and encouraged to apply. However, given current violent crime and homicide rates, eliminating all funding to the state’s attorney’s offices in these jurisdictions would be damaging and counterproductive.

- 2. Delete placeholder funding for a federal grant that will not be awarded. \$ 734,352 Agree.**

**3. Adopt committee narrative directing the establishment of specific Managing for Results objectives.**

Disagree. Please see above for an explanation on difficulties associated with establishing benchmarks for continually changing funding administration duties.

**4. Adopt committee narrative requesting submission of a victim services needs assessment and information on federal crime victim assistance funding.**

Agree.