

Department of Legislative Services
 Maryland General Assembly
 2022 Session

FISCAL AND POLICY NOTE
 First Reader

Senate Bill 893 (Senator Smith)
 Judicial Proceedings and Budget and Taxation

Public Safety – Safer Communities Fund and Task Force – Establishment

This bill establishes the Safer Communities Fund, administered by the Executive Director of the Governor’s Office of Crime Prevention, Youth, and Victim Services (GOCPYVS), to provide grant assistance to local governments to promote robust and holistic investments in noncarceral safety. The bill also establishes the Safe Communities Task Force to (1) study holistic, noncarceral approaches to community safety statewide, as specified; (2) research noncarceral strategies to increase safety; and (3) make recommendations relating to noncarceral approaches to community safety, as specified. GOCPYVS must provide staff for the task force. By December 21, 2022, the task force must report its findings and recommendations to the General Assembly. **The bill takes effect July 1, 2022, and the task force terminates July 31, 2023.**

Fiscal Summary

State Effect: General fund expenditures increase by \$500,000 annually beginning in FY 2023 to capitalize the fund. Special fund revenues and expenditures increase correspondingly. It is assumed that GOCPYVS can implement the bill with existing resources, as discussed below.

(in dollars)	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
SF Revenue	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
GF Expenditure	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
SF Expenditure	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
Net Effect	(\$500,000)	(\$500,000)	(\$500,000)	(\$500,000)	(\$500,000)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local revenues and expenditures increase beginning in FY 2023 for those jurisdictions that receive grant awards, as discussed below.

Small Business Effect: Minimal.

Analysis

Bill Summary: The fund consists of money appropriated in the State budget to the fund and any other money from any other source accepted for the benefit of the fund. The fund may be used to support (1) mental health response crisis teams; (2) safety infrastructure; (3) pilot programs that shift the response to low-level crimes or noncriminal incidences from police; and (4) other programs aimed at preventing a police response to low-level crimes and noncriminal incidences. The fund may not be used to increase the size of a police force or increase the use of police or surveillance of communities.

Each local government that applies for a grant from the fund must appoint a Safer Communities Advisory Board that includes individuals who are directly impacted by criminal and legal harm and represent the diversity of the local jurisdiction. The advisory board must engage the public, hold public hearings, and make recommendations to the local government relating to the funding of community safety projects. Before a local government uses any grant funds, the advisory board must hold a public hearing to receive input from the community on specific uses for the grant funds.

By December 31 each year, each local government that receives grant funds must, in conjunction with the Safer Communities Advisory Board of the local government, submit to GOCPYVS a report on how funds are used, goals related to the fund, and other metrics determined as relevant to the fund.

Current Law: GOCPYVS plans, promotes, and funds efforts with government entities, private organizations, and the community to advance public policy, enhance public safety, reduce crime and juvenile delinquency, and serve victims.

Chapter 738 of 2019 established the Markell Hendricks Youth Crime Prevention and Diversion Parole Fund, administered by the Executive Director of GOCPYVS, to provide grants to local law enforcement agencies to administer a diversion program for juveniles, as specified, or a youth engagement program or event in a high-crime area. The Governor must annually appropriate at least \$50,000 for the fund. The Governor's proposed fiscal 2023 budget includes \$50,000 for the fund.

The fund may only be used to provide grant assistance to local law enforcement agencies to administer a diversion program for juveniles, as specified, or a youth engagement program or event in a high-crime area. Priority for grant funding must be given to those jurisdictions with the highest number of offenders. A local law enforcement agency that applies for a grant from the fund must provide the executive director with any information the executive director deems necessary.

In addition to the Markell Hendricks Youth Crime Prevention and Diversion Parole Fund, the State provides regular and supplemental grants to local government police operations

through various programs and funds administered by GOCPYVS. The Local Law Enforcement Grants, administered by GOCPYVS, support enforcement, prevention, and victim services, especially at the local level. The Governor's proposed fiscal 2023 budget for Local Law Enforcement Grants includes \$1.76 million for the Baltimore City State's Attorney's Office, \$3.6 million for Baltimore City Safe Streets, \$1.15 million for the Prince George's County State's Attorney's Office, and \$2.29 million for the Prince George's County Violent Crime Grant.

Other examples of grants administered by GOCPYVS include the Maryland Violence Intervention and Prevention Program Fund, the Community Program Fund, the State Aid for Police Protection Fund, and the Law Enforcement Assisted Diversion (LEAD) Program in Baltimore City. Chapter 148 of 2018 requires, for fiscal 2020 through 2023, the Governor each year to appropriate \$425,000 in the annual State budget to Baltimore City for the LEAD Program. The Governor's proposed fiscal 2023 budget includes \$425,000 for the program.

State Fiscal Effect: Although the bill does not require a specific amount of funding to be appropriated to the fund in any given year, this analysis assumes a minimum level of \$500,000 annually is needed to operate the grant program. Thus, beginning in fiscal 2023 (due to the bill's July 1, 2022 effective date), general fund expenditures increase by \$500,000 annually in order to capitalize the fund. Special fund revenues to and expenditures from the fund increase correspondingly.

GOCPYVS advises that staffing the task force and administering the fund necessitate a full-time grants manager and a full-time contractual program analyst at an estimated cost of \$145,647 in fiscal 2023, decreasing to \$78,391 in fiscal 2027, which reflects termination of the contractual employee in fiscal 2024. The Department of Legislative Services disagrees and advises that the bill's requirements can likely be handled with existing resources; one of the primary functions of GOCPYVS is managing grant funds, and staffing the task force should not require extensive time. If existing resources prove inadequate, GOCPYVS can request additional personnel through the annual budget process.

Local Fiscal Effect: Local revenues and expenditures increase beginning in fiscal 2023 to the extent that local jurisdictions apply for and are awarded grant funds from GOCPYVS. A local government that applies for funds may incur administrative costs to appoint and support a Safer Communities Advisory Board, as required by the bill. In addition, any local government that receives grant funds may incur administrative costs to conduct the required public hearings and submit the required report. It is assumed that any such administrative costs are minimal.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 1013 (Delegate Wilkins) - Appropriations.

Information Source(s): Maryland Association of County Health Officers; Harford and Talbot counties; City of College Park; Governor's Office of Crime Prevention, Youth, and Victim Services; Maryland Department of Health; Department of State Police; Department of Legislative Services

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