

# Public Safety

Amendments, as adopted, for the agencies in the Office of Public Safety result in a net increase of \$32.2 million GF for the 2010-12 biennium when compared to the adjusted budget of \$3.3 billion as approved by the 2010 General Assembly in Chapter 874. This includes total increases of \$39.1 million offset by decreases of \$6.9 million. The amendments also provide a net increase of \$16.3 million NGF.

Amendments for the Department of Corrections (DOC) include \$8.1 million GF and 18.0 positions for increased inmate health care costs, along with \$2.2 million GF and \$1.0 million NGF from the Drug Offender Assessment Fund for 45 new probation officers and related reentry positions in FY 2012. For the Department of State Police, a net increase of \$5.2 million GF is included to accelerate the opening of new Basic Trooper Schools and provide second-year funding for maintenance of the State Agencies Radio System (STARS), along with \$6.0 million GF for payment of overtime to State Troopers in lieu of compensatory time. An additional \$12.4 million GF is added for House Bill 599 payments to localities with police departments in FY 2012. With this additional amount, the total available for HB 599 funding in FY 2012 is \$172.4 million – which while 3.5 percent lower than the \$178.7 million provided in FY 2011, is 7.7 percent more than the \$160.0 million originally included for FY 2012 in Chapter 874.

Nongeneral fund amendments include an additional \$6.5 million to reflect increased sales of goods and services by correctional enterprises; \$3.0 million from increased out-of-state prisoner revenues to provide for DOC's medical records information system and to deposit \$1.5 million to the general fund; \$960,000 from child support enforcement balances and \$675,000 for a juvenile reentry grant under the Second Chance Act for the Department of Juvenile Justice; \$5.0 million in projected revenues to annualize the budget for the Sitter and Barfoot Veterans Care Center; \$300,000 for a federal Wounded Warrior grant; \$280,000 for burial vaults at the state veterans cemeteries; and \$2.4 million in federal funds for National Guard armory energy efficiency improvements.

- **Commonwealth's Attorneys' Services Council**
  - ***Administrative Reductions.*** Includes savings of \$12,094 GF in FY 2012 which represents a reduction of about 2 percent of the agency's budget.
- **Department of Correctional Education**
  - ***Transfer of Positions.*** Transfers \$1.8 million GF and 25 workforce development specialist positions to the Department of Corrections (DOC). These positions provide services similar to those provided by DOC employees. This transfer reflects the consolidation of these reentry services into one agency. A companion amendment adds these funds and positions to the DOC budget.
  - ***FY 2010 General Fund Balance.*** Captures an unobligated FY 2010 general fund balance of \$425,000 in FY 2011.

- ***Reduced Staffing Due to Facility Closures.*** Captures an additional savings of \$400,000 GF and seven positions in FY 2012 from previous facility closures.

- **Department of Corrections**

- ***Increased Medical Costs.*** Provides \$8.1 million GF in FY 2012 and 18.0 positions for increased inmate medical costs, with language directing DOC and the Department of Planning and Budget to conduct an examination of medical expenses with the goal of substantially reducing the increase in costs.
- ***Transfer of Workforce Development Positions.*** Adds \$1.8 million GF and 25.0 positions in FY 2012 that were transferred from the Department of Correctional Education (DCE) as part of the recently-adopted prisoner reentry plan. A companion amendment eliminates these funds and positions from DCE. This action represents the consolidation of similar services within one agency.
- ***Additional Probation Positions.*** Includes \$2.2 million GF, \$1.0 million NGF and 45.0 positions in FY 2012 to add probation officers and other positions to address caseload increases and improve reentry planning for offenders released from prison. These positions are intended to improve coordination between DOC state facilities and district probation offices based on the reentry plan. The source of the nongeneral funds is the Drug Offender Assessment Fund.
- ***Payments in Lieu of Taxes.*** Adds \$1.2 million GF the first year and defers for one year (from FY 2011 to FY 2012) the exemption for DOC from the statutory requirement to make payments in lieu of taxes to localities in which state correctional facilities are located. This exemption from payments in lieu of taxes was adopted as a budget reduction strategy by the 2010 General Assembly.
- ***Federal Reentry Grant.*** Provides \$140,000 NGF in FY 2012 to reflect a new federal grant under the Second Chance Act for a pilot reentry program for female offenders returning to Southwest Virginia.
- ***Sale of Detention Center.*** Transfers to the general fund \$475,000 from the sale of the property formerly used as the Richmond Women’s Detention Center.
- ***Correctional Enterprises.*** Increases the appropriation for prison industries by \$3.0 million NGF in FY 2011 and \$3.5 million NGF in FY 2012 to reflect increased revenues from the sale of prison-made goods and services.
- ***Medical Records Information System.*** Adds \$500,000 NGF in FY 2011 and \$1.0 million NGF in FY 2012 to develop and implement an automated medical records module for the Corrections Information System (CORIS). The source of the nongeneral funds is revenue from housing inmates from Pennsylvania above the amounts originally projected. A companion amendment to Part 3 transfers an additional \$1.5 million from out-of-state inmate revenues to the general fund.

- ***Culinary Arts Program.*** Provides \$150,000 NGF the second year for a food service training program supported by revenues generated by the program.
- ***Closure of James River Correctional Center.*** Includes an additional reduction of \$1.3 million GF the first year and \$200,000 GF the second year, based on the closure of the facility as of April 1 rather than July 1, 2011.
- ***Corrections Special Reserve Fund.*** Adds \$338,614 GF the second year as the required deposit into the Corrections Special Reserve Fund to reflect the prison bed space impact of Chapters 230, 374, 401, 410, 445, 480, 785, 796, and 855 of the 2011 Acts of Assembly.
- ***Federal Bonding Coordination.*** Includes language directing DOC to serve as the Federal Bonding Coordinator and to work with the Virginia Community College System to provide fidelity bonds for offenders who have been released from prison or jail and who are required to provide such bonds as a condition of employment. The language authorizes DOC to pay for this with funds from the Contract Prisoners Special Revenue Fund.
- ***Double-Bunking Capacity.*** Adds language directing the Board of Corrections to report each year on the double-bunking capacity of regional and local jails.
- ***Jail Staffing Reviews.*** Adds language directing DOC to assess whether the Piedmont and Western Tidewater Regional Jails have appropriate staffing, and provides authority for the Compensation Board to approve funds for staffing for jail capacity previously constructed with federal funds when the contract for housing federal inmates has expired and the jail is not exempt from the federal inmate cost recovery. Any funding approved by the Compensation Board would only be provided subject to additional appropriations for that purpose.
- ***Grayson County Correctional Center.*** Adds language permitting the Governor to open housing units at a medium security correctional center located in Grayson County, provided the costs of opening those units is supported either by savings from a reduction in the number of state-responsible offenders housed in local and regional jails or through revenues generated from housing out-of-state inmates. The language also authorizes the Director of the Department of Planning and Budget to approve a revenue anticipation loan for this purpose. Prior to opening any housing unit, a plan must be presented to the Chairmen of the House Appropriations and Senate Finance Committees.

- **Department of Criminal Justice Services**

- ***House Bill 599.*** Adds \$12.4 million GF the second year for state aid to localities with police departments, pursuant to House Bill 599 of 1979. With these additional funds, the total available for HB 599 payments in FY 2012 is \$172.4 million, which is 3.5 percent lower than the total of \$178.6 million provided in FY

2011, but 7.7 percent greater than the \$160.0 million contained in Chapter 874 for FY 2012.

- ***City of Alleghany Highlands.*** Provides that the new City of Alleghany Highlands, if approved by referendum, will receive an allocation of HB 599 funds.
- ***Hampton Criminal Justice Academy.*** Authorizes the Board of Criminal Justice Services to approve a new training academy for the City of Hampton, to be paid solely by local funds. The City of Hampton will no longer be a member of the Hampton Roads Regional Training Academy.
- ***Funding for Regional Academies.*** Reduces funding for regional criminal justice training academies by \$31,694. Also included is language directing the Department of Criminal Justice Services to review the current and projected financial condition of these academies.
- ***School Resource Officers.*** Eliminates \$470,141 GF the second year in grants for local school resource officers.
- ***Federal Grants for Reentry Programs.*** Adds language directing the Department of Criminal Justice Services (DCJS) to provide grants under the federal Byrne/ Justice Assistance Grant to the Departments of Behavioral Health and Developmental Services and to the Department of Corrections for programs that are related to improving prisoner reentry and expanding alternatives to incarceration for nonviolent offenders. In addition, \$75,000 from these grants is directed to the Drive to Work program to assist low-income and previously incarcerated persons restore their driving privileges so they can drive to work and keep a job.
- ***Federal Grants for Police Lineups.*** Adds language directing DCJS to utilize up to \$100,000 from such federal funds as may be available to develop and implement a training program for law enforcement officers in the use of in-person and photo lineups, consistent with recommendations of the Crime Commission.
- ***Federal Grants for Driver Training.*** Adds language directing DCJS to utilize up to \$75,000 from such federal funds as may be available to develop and implement a training program for law enforcement officers in high-speed pursuit driving, consistent with recommendations of the Crime Commission.
- ***Reduction in Rent.*** Reduces the agency appropriation by \$83,000 GF in FY 2012 to reflect the downsizing of the agency and the consolidation of operations on one floor of the Washington Building.
- ***Study of Education and Training Services.*** Includes language directing DCJS and the Department of Correctional Education to study the level of education and training services available in local jails and juvenile detention centers as well as any barriers to the provision of those services.

- ***Automatic Reappropriations.*** Removes language authorizing the automatic carry-forward of June 30<sup>th</sup> general fund balances, and provides that any such balances will remain eligible for reappropriation pursuant to criteria in § 4-1.05 of the appropriation act.
- ***Reversion of Year-end Balance.*** Includes language requiring the reversion of \$17,500 in year-end balances to the general fund.
- **Department of Emergency Management**
  - ***Additional Operating Reductions.*** Includes savings totaling \$146,402 GF in FY 2012 by reducing expenditures for training, travel and office supplies, reducing the number of personal digital assistant devices, holding one human resources position vacant, and supplanting general funds for one Fusion Center position with federal funds.
  - ***Additional Positions.*** Adds 7.0 positions each year from nongeneral funds to address the increased workload from additional federal grants.
- **Department of Fire Programs**
  - ***Additional Operating Reductions.*** Includes savings in the State Fire Marshal's Office totaling \$22,341 GF in FY 2011 by capturing an unobligated FY 2010 balance of \$2,500 and supplanting \$19,841 in general funds with an equal amount of support from nongeneral funds.
- **Department of Forensic Science**
  - ***Additional Operating Reductions.*** Includes a reduction of \$26,000 GF in FY 2012 by reducing janitorial services.
  - ***Financing Replacement Equipment.*** Captures savings of \$346,826 GF in FY 2011 and \$404,000 GF in FY 2012 by financing certain pieces of scientific equipment through the Master Equipment Lease Program (MELP) rather than purchasing the equipment.
- **Department of Juvenile Justice**
  - ***Juvenile Crime Control Grants.*** Restores \$800,000 GF the second year for local allocations under the Virginia Juvenile Community Crime Control Act (VJCCCA) program. With these additional funds, the total amount for VJCCCA funding in FY 2012 is \$10.4 million, which is a reduction of 22.8 percent below the total amount of \$13.4 million provided in FY 2010.
    - Language is added authorizing localities to reduce their local match to an amount equal to, but not less than, their state VJCCCA allocation.

- Language is added directing DJJ to report on the types of programs supported by VJCCCA grants and whether the youth in these programs are less likely to be arrested, convicted or incarcerated for misdemeanors and crimes that would be felonies if committed by adults.
- ***Report on Juvenile Facilities.*** Includes language directing DJJ to report on the future of the state juvenile correctional centers and regional and local juvenile detention facilities, including the use of both types of facilities and the feasibility of closing an additional state-operated facility and reallocating the cost savings to transitional programs and reentry services in selected regional or local facilities during the 2012-14 biennium.
- ***Additional Operating Reductions.*** Includes savings of \$115,000 GF in FY 2011 and \$960,000 GF in FY 2012 from capturing a prior year's balance and supplanting general funds with child support enforcement fund balances.
- ***Additional Nongeneral Funds.*** Adds \$698,000 NGF each year, including \$675,000 each year from a federal Second Chance Act grant for reentry programs and \$23,000 each year in additional revenues generated by youth industries.
- ***Automatic Reappropriations.*** Removes language authorizing the automatic carry-forward of June 30<sup>th</sup> general fund balances and provides that any such balances will remain eligible for reappropriation pursuant to criteria in § 4-1.05 of the appropriation act.
- ***Reporting Requirements.*** Consolidates multiple annual reporting requirements concerning juvenile offender demographics into an existing single comprehensive document.

- **Department of Military Affairs**

- ***Armory Improvements.*** Provides \$2.4 million NGF in FY 2012 from federal funds for energy upgrades at National Guard and Air National Guard armories statewide. Also included is \$6.9 million in Virginia Public Building Authority (VPBA) bond financing for armory repairs, to be matched by an equal amount of federal funds.
- ***Headquarters Rent Reduction.*** Includes a savings of \$110,847 GF in FY 2012 based on moving the agency headquarters from the Washington Building to facilities at Sandston next to Richmond International Airport.
- ***Camp Pendleton.*** Adds \$200,000 NGF in FY 2012 from federal funds for repairs to state-owned cottages and trailers at the State Military Reservation (Camp Pendleton) in the City of Virginia Beach.

- ***Commonwealth Challenge.*** Reverts an anticipated balance of \$81,609 GF in FY 2011 resulting from a change in the federal match rate for the Commonwealth Challenge program at Camp Pendleton from 60/ 40 to 75/ 25.
- ***Radio Equipment.*** Provides \$17,735 NGF in FY 2012 from federal funds to purchase high-frequency network enabled radios for the Virginia Defense Force.

- **Department of State Police**

- ***STARS Maintenance.*** Provides a net \$5.3 million GF in FY 2012 to provide the continued maintenance of the State Agencies Radio System (STARS). While the actual cost of STARS maintenance totals \$6.7 million, the total amount is offset by \$727,980 GF that was redirected from other agency funding. Second year maintenance costs for the STARS radio system were not included in Chapter 874.

(Last year the introduced budget assumed \$4.7 million NGF for FY 2011 and \$6.7 million NGF for FY 2012 from nongeneral funds through the Virginia Public Safety Fund for STARS maintenance costs. This was to have been funded by companion legislation increasing the gross premiums tax on property and casualty insurance by 0.5 percent. However, this proposal was not approved, so general funds were provided instead -- for FY 2011 -- leaving a need for additional funding in FY 2012.

- ***Trooper Schools.*** Redirects a surplus in fusion center funding and support provided by the 2010 Session of the General Assembly to provide funding for the earlier initiation of three Basic Trooper Schools. The 116<sup>th</sup> Basic Trooper School started in October, 2010; the 117<sup>th</sup> Basic School will begin in May, 2011; and the 118<sup>th</sup> Basic School will begin in February, 2012. In total, these schools could result in the addition of up to 175 additional state troopers. Language is included permitting the carry-forward of funding for the 117<sup>th</sup> Basic Trooper School into FY 2012 should that school be delayed for any reason.
- ***Trooper Overtime.*** Includes \$6.0 million GF the second year to pay overtime for State Troopers for hours worked between 40 and 43 hours per week, in lieu of the current policy of providing compensatory time.
- ***Information Exchange Program.*** Provides \$91,377 GF the second year to establish an information exchange program with states bordering Canada and Mexico to address transnational gangs, illegal production and distribution of drugs, firearms and explosives, and terrorist activities, pursuant to Chapter 503 of the 2011 Acts of Assembly.
- ***Sale of Helicopters.*** Includes language providing for the transfer to the general fund of the proceeds from the sale of two helicopters that are scheduled to be replaced in FY 2012, including \$2.0 million from the sale of the BK117 Medevac helicopter and \$0.6 million from the sale of the BO105 helicopter.

- ***Internet Crimes Against Children.*** Provides 5.0 positions supported by federal grants for the Northern Virginia Internet Crimes Against Children (ICAC) task force. Other than this federal grant, the task force is supported by a \$10 fee assessed as court costs on all felony and misdemeanor convictions, pursuant to Chapter 685 of the 2010 Acts of Assembly.
- ***Additional Trooper Positions.*** Provides 14.0 positions in FY 2012 for highway patrol on Interstate 495 during the expansion of the existing high occupancy vehicle (HOV) lanes from two lanes to three lanes. These positions will be supported with federal and state highway funds.
- ***Insurance Fraud Program.*** Reduces the appropriation for the Insurance Fraud Fund by \$2.4 million NGF in FY 2012 to reflect lower than anticipated revenues.
- ***Dulles Toll Road.*** Removes \$606,657 NGF each year which is no longer needed for highway patrol services on the Dulles Toll Road. This is now the responsibility of the Metropolitan Washington Airports Authority (MWAA).
- ***MWAA Security.*** Removes 16.0 positions in FY 2012 that were never filled under the security agreement with the Metropolitan Washington Airports Authority (MWAA). The authority chose not to contract with the Department of State Police for its security requirements.
- ***Automatic Reappropriations.*** Removes language authorizing the automatic carry-forward of June 30<sup>th</sup> general fund balances, and provides that any such balances will remain eligible for reappropriation pursuant to criteria in § 4-1.05 of the appropriation act.

- **Department of Veterans Services**

- ***Wounded Warrior Program.*** Adds \$300,000 NGF in FY 2012 to reflect receipt of a federal grant to provide services to veterans in rural areas.
- ***Veterans Claims Representatives.*** Restores \$402,403 GF the second year to fill four vacant veterans claims officer positions and three vacant support staff positions and related expenses to ensure at least one veterans claims officer is available for every 26,212 veterans residing in Virginia as required by the *Code of Virginia*.
- ***Southwest Virginia Veterans Care Center.*** Includes capital outlay language granting authority for DVS to apply for federal grant funding for construction of a new veterans care center in Southwest Virginia. The total estimated cost for this project is \$30.0 million, of which the state share will be \$10.5 million.
- ***Sitter and Barfoot Veterans Care Center.*** Increases the new center's appropriation by \$5.0 million NGF in FY 2012 to reflect a full year of operation.



- ***Federal Grant for Veterans Care Center Renovations.*** Provides capital outlay language granting authority for DVS to seek federal grant funding for up to \$1.3 million for renovations at the Virginia Veterans Care Center at Salem. The state match for the grant will be provided from existing appropriations.
- ***Veterans Cemetery Burial Containers.*** Provides \$280,000 NGF and 2.0 positions in FY 2012 for the purchase of cemetery outer burial vaults, which may then be purchased at cost by veterans and their families for burials at the Amelia Veterans Cemetery and the Horton Veterans Cemetery in Suffolk. Of this amount, about \$73,000 provides for two employees to install the containers, and the rest provides the spending authority to purchase the vaults for resale. The cost per vault is \$350 for purchase and \$50 for installation. In FY 2010, 752 veterans were interred at the Suffolk cemetery and 263 at the Amelia County cemetery.
- ***Veterans Cemetery Standards.*** Provides \$387,164 GF and one position in FY 2012 to ensure that the state veterans cemeteries meet national shrine standards. This amendment includes five parts:
  - 1) \$203,964 in personnel costs, including one additional groundskeeper at the new Dublin cemetery and funds to support three previously unfunded positions – a burial manager at Amelia and a funeral team leader and burial operational assistant at Suffolk.
  - 2) \$71,000 in one-time costs for relocating and enlarging highway signs.
  - 3) \$16,000 in annual funding for grass seed, fertilizer, replacement trees and shrubbery.
  - 4) \$16,200 for electrical and other repairs. And,
  - 5) \$80,000 for equipment replacement, including a backhoe, dump truck, pickup truck, dirt tamper, riding mowers and a portable generator.
- ***County Veterans Services Officer Program.*** Includes \$82,306 GF and one position in FY 2012 to improve access to claims representation for Virginia veterans by helping local governments establish County Veterans Services Officer programs. This position will provide training and ongoing technical support for County Veterans Services Officers. Local governments wishing to participate in this program would bear the cost of any services they provide.
- ***Virginia War Memorial.*** Adds \$100,000 GF the second year to provide full-time security protection for the Virginia War Memorial in the City of Richmond.
- **Virginia Parole Board**
  - ***Additional Operating Reductions.*** Reduces the agency’s budget by \$6,760 GF in FY 2011 to reflect reductions in travel costs.

- **Board of Towing and Recovery Operators**
  - *Additional Operating Appropriation.* Adds \$60,323 NGF in FY 2012 to address increased operating costs, including fees, rent, fingerprinting, information technology and telecommunications.