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# VIRGINIA STATE BUDGET

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2012 Special Session I

## Budget Bill - HB1300 (Chapter 2)

Bill Order » Office of Public Safety » Item 384

Department of Criminal Justice Services

### Item 384 (Not set out)

First Year - FY2011    Second Year - FY2012

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|--|---------------------|---------------------|
| <b>Financial Assistance for Administration of Justice Services (39000)</b> | <b>\$76,984,415</b> | <b>\$76,236,580</b> |
| Financial Assistance for Administration of Justice Services (39001)        | \$76,984,415        | \$76,236,580        |
| Fund Sources:  |                     |                     |
| General  | \$33,896,636        | \$33,148,801        |
| Special  | \$100,000           | \$100,000           |
| Trust and Agency   | \$10,000,000        | \$10,000,000        |
| Dedicated Special Revenue  | \$11,487,779        | \$11,487,779        |
| Federal Trust  | \$21,500,000        | \$21,500,000        |

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Authority: Title 9.1, Chapter 1, Code of Virginia.

A.1. This appropriation includes an estimated \$12,000,000 the first year and an estimated \$12,000,000 the second year from federal funds pursuant to the Omnibus Crime Control Act of 1968, as amended. Of these amounts, nine percent is available for administration, and the remainder is available for grants to state agencies and local units of government. The remaining federal funds are to be passed through as grants to localities, with a required 25 percent local match. Also included in this appropriation is \$729,930 the first year and \$729,930 the second year from the general fund for the required matching funds for state agencies.

2. The Department of Criminal Justice Services shall provide a summary report on federal anti-crime and related grants which will require state general funds for matching purposes during fiscal year 2010 and beyond. The report shall include a list of each grant and grantee, the purpose of the grant, and the amount of federal and state funds recommended, organized by topical area and fiscal period. The report shall indicate whether each grant represents a new program or a renewal of an existing grant. Copies of this report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by January 1 of each year.

B. The Department of Criminal Justice Services is authorized to make grants and provide technical assistance out of this appropriation to state agencies, local governments, regional, and nonprofit organizations for the establishment and operation of programs for the following purposes and up to the amounts specified:

1.a. Regional training academies for criminal justice training, \$528,240 the first year and \$496,546 the second year from the general fund and an estimated \$1,649,315 the first year and an estimated \$1,649,315 the second year from nongeneral funds. The Criminal Justice Services Board shall adopt such rules as may reasonably be required for the distribution of funds and for the establishment, operation and service boundaries of state-supported regional criminal justice training academies.

b. The Board of Criminal Justice Services, consistent with § 9.1-102, Code of Virginia, and § 6VAC-20-20-61 of the

Administrative Code, shall not approve or provide funding for the establishment of any new criminal justice training academy from July 1, 2010, through June 30, 2012, except that the Board may approve a new academy for Roanoke County, to be supported with local funds, consistent with the Agreement dated February 5, 2007, by and between the Board of Supervisors of Roanoke County, the Sheriff of Roanoke County, and the Cardinal Criminal Justice Academy.

c. The Board of Criminal Justice Services may approve a new criminal justice academy for Hanover County, to be supported with local funds, consistent with the Agreement dated October 17, 2008, by and between Hanover County, the Sheriff of Hanover County, and the Rappahannock Regional Criminal Justice Academy.

d. The Board of Criminal Justice Services may approve a new criminal justice academy for the City of Newport News, to be supported with local funds, consistent with an agreement established by and between the City Council of Newport News, the City Manager of Newport News, and the Hampton Roads Criminal Justice Training Academy.

e. The Board of Criminal Justice Services may approve a new criminal justice academy for the City of Hampton, to be supported with local funds, consistent with the memorandum of understanding dated January 5, 2011, by and between the City of Hampton and the Hampton Roads Criminal Justice Training Academy.

f. The Department of Criminal Justice Services, with the assistance of the Department of Planning and Budget and the Auditor of Public Accounts, shall prepare an analysis of the current and projected financial operations and the financial outlook for the regional law enforcement training academies. Copies of this analysis shall be presented to the Secretary of Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees by September 15, 2011.

2. Virginia Crime Victim-Witness Fund, \$5,124,059 the first year and \$5,124,059 the second year from dedicated special revenue, and \$2,635,000 the first year and \$2,635,000 the second year from the general fund. The Department of Criminal Justice Services shall provide a report on the current and projected status of federal, state and local funding for victim-witness programs supported by the Fund. Copies of the report shall be provided annually to the Secretary of Public Safety, the Department of Planning and Budget, and the Chairmen of the Senate Finance and House Appropriations Committees by October 16 of each year.

3.a. Court Appointed Special Advocate (CASA) programs, \$1,176,179 the first year and \$1,176,179 the second year from the general fund.

b. In the event that the federal government reduces or removes support for the CASA programs, the Governor is authorized to provide offsetting funding for those impacted programs out of the unappropriated balances in this Act.

4. Domestic Violence Fund, \$3,000,000 the first year and \$3,000,000 the second year from the dedicated special revenue fund to provide grants to local programs and prosecutors that provide services to victims of domestic violence.

5. Offender Reentry and Transition Services (ORTS), \$2,100,780 the first year and \$2,100,780 the second year from general fund to support pre and post incarceration professional services and guidance that increase the opportunity for, and the likelihood of, successful reintegration into the community by adult offenders upon release from prisons and jails.

6. To the Department of Behavioral Health and Developmental Services for the following activities and programs: (i) a partnership program between a local community services board and the district probation and parole office for a jail diversion program; (ii) forensic discharge planners; (iii) advanced training on veterans' issues to local crisis intervention teams; and (iv) cross systems mapping targeting juvenile justice and behavioral health.

7. To the Department of Corrections for the following activities and programs: (i) community residential re-entry programs for female offenders; (ii) establishment of a pilot day reporting center; and (iii) establishment of a pilot program whereby non-violent state offenders would be housed in a local or regional jail, rather than a prison or other state correctional facility, with rehabilitative services provided by the jail.

8. From such federal funds as may be available, up to \$100,000 to the Department of Criminal Justice Services for the development and implementation of a training program for law enforcement officers in the use of in-person and photo lineups, including legal and policy issues surrounding the use and conduct of police lineups, procedural issues, ethical and diversity considerations, and other related issues as appropriate, consistent with the recommendations of the Virginia State Crime Commission. The training will be conducted to reach the maximum number of law enforcement officers, and will be provided at no additional cost to agencies or law enforcement officers for whom the training is provided.

9. From such federal funds as may be available, up to \$75,000 to the Department of Criminal Justice Services for the development and implementation of a training program for law enforcement officers in pursuit driving, consistent with the recommendations of the Virginia State Crime Commission. The training will be conducted to enhance current law enforcement driver training, and every effort should be made to provide this training at no additional cost to the agencies or law enforcement officers for whom the training is provided. However, if any additional charges are needed to effectively deliver this training, such charges shall be approved by the Secretary of Public Safety.

10. To Drive to Work, \$75,000 to provide assistance to low income and previously incarcerated persons to restore their driving privileges so they can drive to work and keep a job.

C.1. Out of this appropriation, \$23,408,828 the first year and \$23,408,828 the second year from the general fund is authorized to make discretionary grants and to provide technical assistance to cities, counties or combinations thereof to develop, implement, operate and evaluate programs, services and facilities established pursuant to the Comprehensive Community Corrections Act for Local-Responsible Offenders (§ 53.1-182.1, Code of Virginia) and the Pretrial Services Act (§ 19.2-152.4, Code of Virginia). Out of these amounts, the Director, Department of Criminal Justice Services, is authorized to expend no more than five percent per year for state administration of these programs.

2. The Department of Criminal Justice Services, in conjunction with the Office of the Executive Secretary of the Supreme Court and the Virginia Criminal Sentencing Commission, shall conduct information and training sessions for judges and other judicial officials on the programs, services and facilities available through the Pretrial Services Act and the Comprehensive Community Corrections Act for Local-Responsible Offenders.

D. In the event the federal government should make available additional funds pursuant to the Violence Against Women Act, the department shall set aside 33 percent of such funds for competitive grants to programs providing services to domestic violence and sexual assault victims.

F.1. Out of this appropriation, \$878,988 the first year and \$408,847 the second year from the general fund and \$1,710,000 the first year and \$1,710,000 the second year from such federal funds as are available shall be deposited to the School Resource Officer Incentive Grants Fund established pursuant to § 9-171.1, Code of Virginia. Localities shall match these funds based on the composite index of local ability-to-pay. The department shall give priority to localities requesting school resource officers in high schools.

2. The Director, Department of Criminal Justice Services, is authorized to expend \$357,285 the first year and \$357,285 the second year from the School Resource Officer Incentive Grants Fund to operate the Virginia Center for School Safety, pursuant to § 9.1-110, Code of Virginia.

G. Included in the amounts appropriated in this Item is \$382,500 the first year and \$382,500 the second year from the general fund for grants to local sexual assault crisis centers (SACCs) to provide core and comprehensive services to victims of sexual violence.

H.1. Out of the amounts appropriated for this item, \$1,100,000 the first year and \$1,100,000 the second year from nongeneral funds is provided, to be distributed as follows: for the Southern Virginia Internet Crimes Against Children Task Force, \$600,000 the first year and \$600,000 the second year; and, for the creation of a grant program to law enforcement agencies for the prevention of internet crimes against children, \$500,000 the first year and \$500,000 the second year.

2. The Department of Criminal Justice Services shall provide a report on the implementation of the grant program provided herein, by January 1, 2011, to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees. The Southern Virginia and Northern Virginia Internet Crimes Against Children Task Forces shall each provide an annual report, in a format specified by the Department of Criminal Justice Services, on their actual expenditures and performance results. Copies of these reports shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees prior to the distribution of these funds each year.

I. The Department of Criminal Justice Services, in coordination with the Department of Correctional Education, shall conduct a study of the education and training services that are available in local jails and juvenile detention centers. The study shall examine the level and types of such services available, as well as the barriers to providing such services and the gaps in service provision. It shall also determine the amounts and types of funding provided for such services. The department shall report its findings to the Secretary of Public Safety by October 1, 2011.