2014 Special Session I

Budget Bill - HB5001 (Chapter 1)

Bill Order » Office of Public Safety » Item 393

Department of Criminal Justice Services

Item 393 (Not set out)

	First Year - FY2013	Second Year - FY2014
Financial Assistance for Administration of Justice Services (39000)	**$75,858,738**	**$78,050,055**
Financial Assistance for Administration of Justice Services (39001)	$75,858,738	$78,050,055
Fund Sources:		
General	$32,770,959	$34,962,276
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

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 FY 2013 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, $496,546 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, 2012, through June 30, 2014.

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.A. Offender Reentry and Transition Services (ORTS), $2,100,780 the first year and $2,286,144 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.

B. The Department of Criminal Justice Services shall review the Offender Reentry and Transitional Services programs to determine the services provided by such programs, the types of funding provided to each program and the value to be placed on volunteer hours, the number of released offenders participating in each service and in each program, and the effectiveness of the services delivered by such programs in reducing recidivism for the released offenders. Copies of this review shall be provided to the Secretary of Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees by November 15, 2013.

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, $22,718,486 the first year and $22,718,486 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.1. Out of this appropriation, $112,500 the first year and $225,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Central Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

2. Out of this appropriation, $200,000 the first year and $600,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Southwest Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

E. 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, $408,847 the first year and $1,700,000 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 § 9.1-110, Code of Virginia.

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.

3. Subject to the development of criteria for the distribution of grants from the fund, including procedures for the application process and the determination of the actual amount of any grant issued by the department, the department shall award grants to either local law-enforcement agencies, where such local law-enforcement agencies and local school boards have established a collaborative agreement for the employment of school resource officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school resource

officers, or to local school divisions for the employment of school security officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school security officers in any public school. The application process shall provide for the selection of either school resource officers, school security officers, or both by localities. The department shall give priority to localities requesting school resource officers, school security officers, or both where no such personnel are currently in place. Localities shall match these funds based on the composite index of local ability-to-pay.

4. Pursuant to the adoption of House Bills 2344 and 2345 by the 2013 Session of the General Assembly, included in this appropriation is $202,300 the second year from the general fund for the development of a model critical incident response training program for public school personnel and others providing services to public schools, and the development of a model policy for the establishment of threat assessment teams for each public school, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of public school staff or other students.

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 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, the Chairmen of the Senate Finance and House Appropriations Committees, and Director, Department of Planning and Budget prior to the distribution of these funds each year.

3. Subject to compliance with the reports and distribution thereof as required in paragraph 2 above and notwithstanding the provisions of paragraph AA. of § 3-1.01 in Part 3 of this act, the Governor shall allocate all additional funding, not to exceed actual collections, for the prevention of Internet Crimes Against Children as contained in this item; paragraph E. of Item 341 of this act; and, Item 417 of this act, pursuant to § 17.1-275.12, Code of Virginia.

I. The Department shall review jail prisoner reentry and substance abuse programs that have demonstrated a record of effectiveness in reducing offender recidivism. The review shall include, but not necessarily be limited to, an assessment of the effectiveness of the Kingdom Life Ministries program at the Richmond City Jail, and a determination of the costs and benefits associated with this program and consideration of whether jail prisoner reentry and substance abuse programs that have a demonstrated record of effectiveness should be expanded. Copies of this review shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by January 1, 2014.

J. The Department of Criminal Justice Services shall review the experience of other states in establishing lethality assessment programs to train law enforcement officers in responding to situations involving domestic violence and potential deadly threats. The review shall include an assessment of the costs and benefits of establishing a program in Virginia and potential first steps which could be taken by the department within existing resources. Copies of the review shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 1, 2013.

K. The Department of Criminal Justice Services shall review the potential applicability in Virginia of alcohol

monitoring devices for persons convicted of a first offense of driving while intoxicated. Copies of the review shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 1, 2013.

L. The Department of Criminal Justice Services shall review the application of best practices and the potential for utilizing the intelligence-led policing model in Virginia law enforcement agencies. The review shall include consideration of the feasibility of creating incentives for the development of intelligence-led policing in the allocation of state or federal funds available through the department. The department shall report its findings and recommendations to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2013.

M. Out of this appropriation, $50,000 the second year from the general fund for the development and implementation of a training program for law enforcement officers on texting and driving laws.