
VIRGINIA STATE BUDGET

2016 Session

Budget Bill - SB30 (Introduced)

Bill Order » Office of Public Safety and Homeland Security » Item 398

Department of Criminal Justice Services

Item 398

First Year - FY2017 Second Year - FY2018

Financial Assistance for Administration of Justice Services (39000)	\$80,006,361	\$80,006,361
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Fund Sources:		
General	\$41,220,452	\$41,220,452
Special	\$100,000	\$100,000
Trust and Agency	\$4,798,130	\$4,798,130
Dedicated Special Revenue	\$12,387,779	\$12,387,779
Federal Trust	\$21,500,000	\$21,500,000

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

A.1. This appropriation includes an estimated \$9,000,000 the first year and an estimated \$9,000,000 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 \$452,128 the first year and \$452,128 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 and the Director, Department of Planning and Budget 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, 2016, through June 30, 2018.

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 and Homeland Security, 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, \$1,615,000 the first year and \$1,615,000 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), \$2,286,144 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.

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. To Drive to Work, \$75,000 the first year and \$75,000 the second year from the general fund and \$75,000 the first year and \$75,000 the second year from such federal funds as may be available 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, \$27,038,056 the first year and \$27,038,056 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 (§§ 9.1-173 through 9.1-183 Code of Virginia) and the Pretrial Services Act (§§ 19.2-152.2 through 19.2-152.7, 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, \$225,000 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, \$600,000 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, \$1,700,000 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 \$410,877 the first year and \$410,877 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. Included in this appropriation is \$202,300 the first year and \$202,300 the second year from the general fund for the implementation of a model critical incident response training program for public school personnel and others providing services to public schools, and the maintenance 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 and Homeland Security, 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, the Governor shall allocate all additional funding, not to exceed actual collections, for the prevention of Internet Crimes Against Children, pursuant to § 17.1-275.12, Code of Virginia.

I. Out of the amounts appropriated for this item, \$50,000 the first year and \$50,000 the second year from the general fund is provided for training to local law enforcement to aid in their identifying and interacting with individuals suffering from Alzheimer's and/or dementia.

J. 1. The appropriation in this Item includes \$2,500,000 the first year and \$2,500,000 the second year from the general fund to be awarded as grants to local or regional jails to establish six pilot programs to provide services to mentally ill inmates, or to provide pre-incarceration crisis intervention services to prevent mentally ill citizens from entering jails. The Department of Criminal Justice Services shall solicit proposals for such pilot programs and, after evaluating the proposals in consultation with the Department of Behavioral Health and Developmental Services, shall designate the pilot programs to receive the grant awards. To the extent feasible, the department shall designate pilot programs that include both rural and urban settings. 2. The use of grant funds by the designated pilot programs may include, but not be limited to: mental health treatment services, behavioral health services, case managers to provide discharge planning for individuals, re-entry services, and transportation services. The designated local or regional jails pilot programs shall meet the following minimum conditions and criteria:

- a. Use of mental health screening and assessment instruments designated by the Department of Behavioral Health and Developmental Services;
- b. Provision of services to all mentally ill inmates in the designated pilot program, whether state or local responsible;
- c. Use of a collaborative partnership among local agencies and officials, such as community services board, community corrections agency, local law enforcement agencies, Commonwealth's attorneys, courts, and non-profit organizations;
- d. Establishment of a crisis intervention team or plans to establish such a team;
- e. Training for jail staff in dealing with mentally ill inmates;
- f. Provision of a continuum of services; and
- g. Use of evidence-based programs and services.

3. The funding for each pilot program shall supplement, not supplant, existing local spending on these services.

4. The Department of Criminal Justice Services, in consultation with the Department of Behavioral Health and Developmental Services, shall evaluate the implementation and effectiveness of the pilot programs and report to the Governor; the Secretaries of Health & Human Resources and Public Safety & Homeland Security, and the Chairmen of the House Appropriations Committee and the Senate Finance Committee by October 15, 2017, for

grants awarded in the first year, and by October 15, 2018, for all grants.