2018 Special Session I

Budget Bill - HB5002 (Chapter 2)

Department of Criminal Justice Services

Item 395	First Year - FY2019	Second Year - FY2020
Financial Assistance for Administration of Justice Services (39000)	**$111,096,612**	**$107,296,612**
Criminal Justice Assistance Grants (39002)	$107,857,257	$104,057,257
Criminal Justice Grants Fiscal Management Services (39003)	$544,494	$544,494
Criminal Justice Policy and Program Services (39004)	$2,694,861	$2,694,861
Fund Sources:		
General	$40,121,333	$36,321,333
Special	$223,347	$223,347
Trust and Agency	$4,028,130	$4,028,130
Dedicated Special Revenue	$11,036,199	$11,036,199
Federal Trust	$55,687,603	$55,687,603

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

A.1. This appropriation includes an estimated $4,800,000 the first year and an estimated $4,800,000 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, $1,001,074 the first year and $1,001,074 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, 2018, through June 30, 2020.

c. Notwithstanding subsection B.1.b. of this item, the Board of Criminal Justice Services may approve a new regional criminal justice academy serving the Counties of Clarke, Frederick, and Warren; the City of Winchester; the Towns of Berryville, Front Royal, Middletown, Stephens City and Strasburg; the Northwestern Adult Detention Center; and, the Frederick County Emergency Communications Center, to be established and operated consistent with a written agreement, provided to the Board, between the local governing bodies, chief executive officers, and chief law enforcement officers of the aforementioned localities, and the Rappahannock Regional Criminal Justice Academy. The new academy shall be eligible to receive state funding in a manner consistent with the currently existing regional criminal justice training academies. However, no current existing regional criminal justice training academy other than the Rappahannock Regional Criminal Justice Academy will receive less funding as a result of the creation of the new regional academy.

2. Virginia Crime Victim-Witness Fund, $5,692,738 the first year and $5,692,738 the second year from dedicated special revenue, and $943,700 the first year and $943,700 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. Pre and Post-Incarceration Services (PAPIS), $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.

9. For model addiction recovery programs administered in local or regional jails, $153,600 the first year and $153,600 the second year from the general fund. The Department of Criminal Justice Services, consistent with the provisions of Chapter 758, 2017 Acts of Assembly, shall award grants not to exceed $38,400 to four pilot programs selected in consultation with the Department of Behavioral Health and Developmental Services.

C.1. Out of this appropriation, $25,390,378 the first year and $25,390,378 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, $3,000,000 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.a. 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.

b. The Center for School Safety shall provide a grant of $85,000 in the first year and $85,000 in the second year to the York County-Poquoson Sheriff's Office for the statewide administration of the Drug Abuse Resistance Education (DARE) program. The Center for School Safety shall conduct an evaluation of the effectiveness of the program, along with an assessment of other evidence-based drug education programs, and shall provide a report on its findings to the Secretary of Public Safety and Homeland Security, the Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance Committees by January 1, 2018.

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 $2,500,000 the first year and $2,500,000 the second year from the general fund for grants to local sexual assault crisis centers (SACCs) and domestic violence programs to provide core and comprehensive services to victims of sexual and domestic violence, including ensuring such services are available and accessible to victims of sexual assault and dating violence committed against college students on- and off-campus.

H.1. Out of the amounts appropriated for this Item, $2,658,420 the first year and $2,658,420 the second year from nongeneral funds is provided, to be distributed as follows: for the Southern Virginia Internet Crimes Against Children Task Force, $1,450,000 the first year and $1,450,000 the second year; and, for the creation of a grant program to law enforcement agencies for the prevention of internet crimes against children, $1,208,420 the first year and $1,208,420 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. Included in the appropriation for this Item is $2,500,000 the first year from the general fund to continue the pilot programs authorized in Item 398, Chapter 836, 2017 Acts of Assembly.

2. 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 to the Governor; the Secretaries of Health and Human Resources and Public Safety and Homeland Security, and the Chairmen of the House Appropriations Committee and the Senate Finance Committee by October 15, 2018.

K. Included in the appropriations for this Item is $100,000 each year from the general fund for the Department of Criminal Justice Services to make competitive grants to nonprofit organizations to support services for law enforcement, including post critical incident seminars and peer-supported critical incident stress management programs to promote officer safety and wellness, under guidelines to be established by the Department. The Department shall evaluate the effectiveness of the program and report on its findings to the Secretary of Public Safety and Homeland Security, the Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance Committees by July 1, 2020.