2021 Special Session I

# Budget Bill - HB1800 (Chapter 552)



Department of State Police

| Item 426 | First Year - FY2021 | Second Year - FY2022 |
|---|---|---|
| **Law Enforcement and Highway Safety Services (31000)** | **$290,352,939** | ~~**$290,094,098**~~ ***$297,746,582*** |
| Aviation Operations (31001) | $9,591,585 | $9,591,585 |
| Commercial Vehicle Enforcement (31002) | $5,748,407 | $5,748,407 |
| Counter-Terrorism (31003) | $6,309,437 | $6,309,437 |
| Help Eliminate Auto Theft (HEAT) (31004) | $1,963,303 | $1,963,303 |
| Drug Enforcement (31005) | $23,736,523 | $23,736,523 |
| Crime Investigation and Intelligence Services (31006) | $38,258,839 | $38,258,839 |
| Uniform Patrol Services (Highway Patrol) (31007) | $166,830,669 | ~~$166,830,669~~ *$174,483,153* |
| Insurance Fraud Program (31009) | $6,071,391 | $6,071,391 |
| Vehicle Safety Inspections (31010) | $24,434,235 | $24,175,394 |
| Sex Offender Registry Program Enforcement (31011) | $7,408,550 | $7,408,550 |
| Fund Sources: | | |
| General | $231,377,682 | ~~$231,377,682~~ *$238,555,166* |
| Special | $31,354,981 | $31,096,140 |
| Commonwealth Transportation | $9,083,587 | $9,083,587 |
| Dedicated Special Revenue | $10,165,064 | ~~$10,165,064~~ *$10,640,064* |
| Federal Trust | $8,371,625 | $8,371,625 |

Authority: §§ 27-56, 33.2-1726, 46.2-1157 through 46.2-1187, 52-1, 52-4, 52-4.2, 52-4.3, 52-8, 52-8.1, 52-8.2, 52-8.4 and 56-334, Code of Virginia.

A. Included in this appropriation is $810,687 the first year and $810,687 the second year from Commonwealth Transportation Funds for the personal and associated nonpersonal services costs for eight positions. These positions will be dedicated to patrolling the I-95/395/495 Interchange.

B. Included in this appropriation is $4,831,625 the first year and $4,831,625 the second year from the Commonwealth Transportation Fund to support enforcement operations at weigh stations statewide.

C. Included in this appropriation is $1,631,282 the first year and $1,631,282 the second year from Commonwealth Transportation Funds that shall be used to support the personal and associated nonpersonal services costs for trooper positions. These positions will be assigned to the “Highway Safety Corridors" and work to supplement the Department of State Police's enforcement efforts in those corridors.

D. The Department of State Police shall modify the implementation of the division of drug law enforcement established pursuant to § 52-8.1:1, Code of Virginia, and shall redirect, as may be necessary, resources heretofore provided for that purpose by the General Assembly for the purposes of homeland security, the gathering of intelligence on terrorist activities, the preparation for response to a terrorist attack and any other activity determined by the Governor to be crucial to strengthening the preparedness of the Commonwealth against the threat of natural disasters and emergencies. Nothing in this Item shall be construed to prohibit the Department of State Police from performing drug law enforcement or investigation as otherwise provided for by the Code of Virginia.

E. Included within this appropriation is $3,098,098 the first year and $3,098,098 the second year from the Rescue Squad Assistance Fund to support the department's aviation (med-flight) operations.

F. Included within this appropriation is $450,000 the first year and $450,000 the second year from the general fund, which shall be provided to the County of Chesterfield for use in funding the paramedics assigned to the Department of State Police for aviation (med-flight) operations, and for related med-flight expenses.

G. In the event that special fund revenues for this Item exceed expenditures, the balance of such revenues may be used for air medical evacuation equipment improvements, information technology upgrades or for motor vehicle replacement.

H. Included in this appropriation is $110,000 the first year and $110,000 the second year from the general fund to maintain increased traffic enforcement on Interstate 81. These funds shall be used to provide overtime payments for extended and additional work shifts so as to maintain the enhanced level of State Police patrols on this and other public highways in the Commonwealth.

I.1. The department shall coordinate monitoring and verification activities related to registry requirements with other state and local law enforcement agencies that have responsibility for monitoring or supervising individuals who are also required to comply with the requirements of the Sex Offender Registry.

2. The Secretary of Public Safety and Homeland Security, in conjunction with the Superintendent of State Police, shall report on the implementation of the monitoring of offenders required to comply with the Sex Offender Registry requirements. The report shall include at a minimum: (1) the number of verifications conducted; (2) the number of investigations of violations; (3) the status of coordination with other state and local law enforcement agencies activities to monitor Sex Offender Registry requirements; and (4) an update of the sex offender registration and monitoring section in the department's current "Manpower Augmentation Study." This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees each year by January 1.

J. Included within this appropriation is $200,000 the first year and $200,000 the second year from nongeneral funds to be used by the Department of State Police to record expenditures related to law enforcement activity that is performed for other entities and is billed and recorded as revenue, which may not be received until the following fiscal year. The Department of Accounts shall establish a revenue code and fund detail for this revenue.

K. Included within this appropriation is $100,000 the first year and $100,000 the second year from the general fund for the Department of State Police to enhance its capabilities in recruiting minority troopers. Funding is to support increased marketing and advertising efforts for recruiting minorities.

L. Included within this appropriation is $116,988 the first year and $116,988 the second year from the Department of Aviation's special fund to support the aviation operations of the Department of State Police.

M.1. Out of the amounts appropriated for this Item, $1,450,000 the first year and $1,450,000 the second year from nongeneral funds shall be distributed to the department to expand the operations of the Northern Virginia Internet Crimes Against Children Task Force.

2. Pursuant to paragraph H.2 of Item 406, the Northern Virginia Internet Crimes Against Children Task Force shall provide a report on the actual expenditures and performance results achieved each year. Copies of this report shall be provided each year to the Secretary of Public Safety and Homeland Security and the Chairmen of the House Appropriations and Senate Finance Committees by October 1.

N. Out of the appropriation for this Item, $3,406,365 the first year and $3,406,365 the second year from the general fund is continued for the ongoing financing costs of purchasing four helicopters through the state's master equipment lease purchase program.

O. Effective July 1, 2015, the Superintendent of State Police shall provide training to all local law enforcement agencies on the proper method to register and re-register persons required to be registered with the Sex Offender and Crimes Against Minors Registry. Should the Superintendent have reason to believe that any local law enforcement agency is not registering sex offenders as required by § 9.1-903, Code of Virginia, the Superintendent shall notify the local law enforcement agency, as well as the Executive Secretary of the Compensation Board and the Director of the Department of Criminal Justice Services.

P. Included in this appropriation for this item is $1,129,554 the first year and $1,129,554 the second year from the general fund to establish the second Special Operations Division, which shall serve the Sixth Division. Positions from the Sixth Division that are transferred into the Special Operations Sixth Division shall be backfilled in the Sixth Division.

Q. Included in this appropriation is $103,470 each year from the general fund for the Department of State Police to hire an aviation mechanic for the Fourth Aviation Division in Abingdon.

*R.1. Included in this appropriation is $7,177,484 in the second year from the general fund as supplemental funding to the base funding for patrol vehicle replacement due to the increased costs associated with new replacement vehicles. The department shall develop a detailed fleet replacement schedule. The department shall report this vehicle replacement schedule to the Governor, the Chairman of the House Appropriations and Chairwoman of the Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by October, 1, 2021. This report shall include, but not be limited to, the number of vehicles it replaces per year, the estimated useful life of a patrol vehicle (including average mileage), the incremental additional cost per vehicle (including upgrades and costs associated with changing vehicle types), how the replacement schedule is impacted by the trooper vacancy rate, the anticipated graduation rate from the basic trooper school, the average time for equipment installation, and the number of vehicles replaced due to vehicle accident and damage.*

*2. The Department of Planning and Budget shall unallot the appropriation provided in Paragraph R.1. at the beginning of fiscal year 2022. The Department of State Police shall provide additional information and justification on the increase in funding for vehicle replacements. This information shall include a detailed overview of specific types of vehicles by various automobile manufacturers that are available for the agency's use and the rationale for the agency's preferred manufacturer and type of vehicle over the others. As part of this information, the department shall provide detailed information on the specific equipment needed for the vehicles and whether certain vehicle types or vehicles from different manufacturers alter the type or cost of equipment modifications needed for the vehicles. The department shall also report on alternate resources that may be used to support the expense of vehicle replacements, to include special revenue sources, as well as vacancy savings related to both sworn and non-sworn positions; current and future commitments of such funds shall be identified if they prevent*

*the use of such funds for the purposes of vehicle replacement. No sooner than 30 days after this information is provided to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Department of Planning and Budget is authorized to allot the funding.*