

Public Safety

The 2004-06 budget, as introduced, for the Office of Public Safety provides a net increase of \$122.3 million GF for the biennium when compared to the adjusted appropriation for current operations. This includes total increases of \$129.3 million offset by total reductions of \$7.0 million. This represents a net increase of 4.4 percent for the 2004-06 biennium.

Accordingly, the recommended budget includes \$1,433.1 million GF and \$582.9 million NGF the first year and \$1,454.4 million GF and \$599.8 million NGF the second year.

The introduced budget includes \$35.6 million GF to fully fund state aid to localities with police departments (pursuant to House Bill 599 of 1979). Proposed language indicates this amount is contingent upon passage of the Governor's tax proposal.

The budget also provides funding for the Statewide Agencies Radio System (STARS) project, including \$5.0 million GF for attorney and consultant fees and \$11.6 million GF for debt service. A separate bill has been introduced to provide VPBA bond financing for the first \$159.3 million for the STARS project. Each of these recommendations is also accompanied by proposed language indicating the spending is contingent upon passage of the Governor's tax proposal.

Also included is \$35.0 million GF to offset the NGF revenue loss resulting from the planned termination of the remaining contracts for housing out-of-state inmates in state correctional facilities. This action is necessary to free up prison bed space for the growing number of state-responsible offenders in Virginia. Other recommendations include additional funds for inmate medical costs, reopening Nottoway Work Center, adding 479 additional temporary emergency beds, and expanding substance abuse treatment slots and transitional services.

Three other spending items in Public Safety are linked to passage of the Governor's tax proposal. These include \$3.0 million GF for enhancements to the State Police retention pay plan (a pay increase of \$630 for all sworn positions, which brings starting pay for State Troopers up to \$31,000 per year); \$2.8 million for the Department of Juvenile Justice to increase the number of filled juvenile correctional officer positions at state facilities; and, \$0.4 million to restore funding for training for Commonwealth's Attorneys.

Also included is \$69.0 million NGF for the Department of Alcoholic Beverage Control to expand the number of ABC retail stores, increase the stock of merchandise for resale, and meet other costs of doing business. Language is included in Section 3-1.01 (Transfers) which estimates that net ABC profits transferred to the general fund (after all other transfers) will be \$11.6 million the first year and \$13.3 million the second year. This is an increase of \$7.0 million over the net transfers in the current biennium.

A series of technical amendments provides funding for risk management and state employee workers' compensation premiums, and adjusts funding for rental charges for office space at the seat of government. Other technical amendments capture the savings associated with the Virginia Information Technologies Agency (VITA)

- **Commonwealth's Attorneys' Services Council**
 - **Additional Training Funds.** Includes \$193,325 GF each year for training for Commonwealth's Attorneys. This increases the agency's budget to \$631,939 GF each year, which is two percent higher than the agency's original budget for each year of the 2002-04 biennium, prior to the recent budget reductions. Language is included which states this additional funding is contingent upon passage of the Governor's tax proposal.
- **Department of Alcoholic Beverage Control**
 - **Purchase of Merchandise for Resale.** Includes \$17.1 million NGF the first year and \$35.6 million NGF the second year for purchase of increased quantities of merchandise for resale. Sales growth is due to the opening of new stores in areas where population is growing and the marketing of higher-priced product lines.
 - **New Stores.** Includes \$4.5 million NGF and 17.0 positions the first year and \$8.0 million NGF and 17.0 additional positions the second year to open additional retail stores. Seventeen new stores are projected to open the first year, and an additional 17 stores the second year.
 - **Inflation.** Provides \$1.8 million NGF the first year and \$2.0 million the second year for inflation in rent, utilities and freight charges.

- **Department of Corrections (State Facilities)**

- ***Replace Out-of-State Revenue.*** Includes \$14.2 million GF the first year and \$20.7 million GF the second year to offset losses of equal amounts of nongeneral funds resulting from the termination of the remaining contracts for housing out-of-state inmates. Based on the most recent state-responsible offender forecast, all available bed space will be required for Virginia's own state-responsible inmates.

The introduced budget assumes the Vermont inmates will leave during January and February, 2004, and the Connecticut inmates will leave in October.

The budget assumes the department will collect \$6.5 million NGF in revenues from housing the Connecticut inmates for the first quarter of FY 2005.

- ***Medical Costs.*** Includes \$9.0 million GF each year to reflect the increased cost of providing health care services for inmates. Factors driving this increase include the cost of hospital care and prescription drugs, and price increases negotiated in contracts with private medical service providers.
- ***Re-Open Nottoway Work Center.*** Provides \$3.1 million GF and 45.0 FTE positions each year to re-open the 200-bed Nottoway Work Center, which was closed by the 2002 General Assembly.
- ***Increase Temporary Emergency Capacity.*** Includes \$0.6 million GF the first year and \$2.0 million GF the second year to add beds for 479 more inmates in existing facilities. All of these temporary emergency beds would be above current facility capacity and in addition to the 841 temporary emergency beds already in use.

These additional funds represent the direct inmate costs (including food, clothing and medical care) for the 479 additional inmates to be added. No additional positions are included.

- ***Consolidate Warehouse Operations.*** Provides a reduction of \$0.6 million GF each year by consolidating warehouses where two or more correctional facilities are located in the same area and each has a separate warehouse.

- ***Defer Equipment Purchases.*** Provides a reduction of \$0.7 million GF the first year by deferring the replacement of equipment across the agency.
- ***Commissary Operations.*** Includes a technical reduction of \$49,716 NGF and 1.0 position to reduce the appropriation of commissary profits used to automate the prison commissaries. The system has been completed, so this appropriation is no longer necessary.
- ***Supplant General Funds.*** Provides \$1.0 million NGF each year from Correctional Enterprises Fund balances to supplant an equal amount of general funds. The enterprise funds will cover operating costs that were previously paid from general funds.

Language reduces the appropriation for Virginia Correctional Enterprises by \$1.0 million NGF each year.

- ***Correctional Officer Positions.*** Includes a technical adjustment of 6.75 positions funded from correctional enterprise funds. This is an accounting change to reflect more accurately the number of correctional officers currently providing security in prison enterprise workshops.
- ***Corrections Construction Unit.*** Includes language authorizing the inmate construction unit to spend \$1.5 million NGF each year for capital projects, and directing the Comptroller to establish a special fund to account for these activities.
- ***Telemedicine.*** Adjusts the language authorizing expenditure of nongeneral funds from inmate fees for medical services, to increase the amounts authorized for the telemedicine program from \$392,434 NGF each year in the 2002-04 biennium, to \$600,000 NGF each year in the 2004-06 biennium.

- **Department of Corrections (Community Corrections)**

- ***Replace Federal Funds for Transitional Facilities.*** Includes \$1.2 million GF each year to replace federal Byrne grant funding for substance abuse treatment for inmates just released from prison. These funds will support existing transitional facilities in Newport News, Roanoke and Harrisonburg.
- ***Replace Federal Funds for Community Treatment.*** Provides \$949,787 GF each year to replace federal Byrne grant funding for

community outpatient and inpatient substance abuse treatment services for over 2,000 offenders on probation and parole.

- **Expand Substance Abuse Treatment.** Provides \$1.0 million GF the first year and \$1.8 million the second year to expand the number of transitional substance abuse treatment beds outside of prison.

Under this program, inmates will be placed in transitional facilities prior to their release date. This will assist the offenders in making the transition to life in the community, and will free up bed space in prison for state-responsible inmates held in local jail.

The current daily rate for community transitional beds is \$62-\$64. This amendment assumes a volume discount for an expansion of 100 beds at \$50 per diem. The new beds are assumed to begin phasing-in as of November 2004.

- **Expand Jail Pre-Release Programs.** Includes \$0.2 million GF and 5.0 positions the first year and \$0.7 million GF and 5.0 additional positions the second year to expand the jail pre-release program. This program was initiated by the Department of Corrections in the current biennium to transfer selected non-violent inmates from prison to jail prior to the inmates' release date from prison -- both to improve their transition to life in the community and to free up bed space in prison.
- **Regional Jail Financing.** Provides authority under the Treasury Board (Item 296 D.3.a at page 224) for the state reimbursement of the state share of the debt service cost for the Eastern Shore and Botetourt-Craig regional jail projects.
- **Winchester Regional Jail.** Includes language authorizing the Board of Corrections to approve an expansion project at the Clark-Fauquier-Frederick-Winchester Regional Adult Detention Center earlier than the date provided in the Code of Virginia (March 1, 2005), so this project may go forward on an expedited basis.

Language also provides that the Governor may include a recommendation for funding this project in his amendments to be submitted to the 2005 General Assembly.

- **Reporting Requirements.** Adjusts the language which requires reporting on the status of state-responsible community corrections, to require an annual report on September 1 each year. Also, adds

language to require an annual report on September 1 each year on the status of the pilot program authorized by the 2003 General Assembly, in which the department may directly refer selected offenders to detention centers without a judicial hearing.

- **Department of Corrections (Central Office)**

- ***Offender Management System.*** No general funds are provided for the proposed Offender Management System (OMS). However, a language amendment included in the Department of Criminal Justice Services directs that up to \$2.0 million in federal grant funds be provided for the development and implementation of the initial phases of OMS. The language specifies that the first priority is to replace the offender time computation system.

Language authorizes DOC to use additional out-of-state inmate contract revenue for this purpose, subject to the approval of the Department of Planning and Budget.

- **Department of Criminal Justice Services**

- ***House Bill 599.*** Provides \$11.7 million GF the first year and \$23.9 million GF the second year to increase state aid to localities with police departments by a percentage amount each year which is equal to the anticipated percentage increase in total general fund revenue collections (including the additional revenues generated by the Governor's proposed tax restructuring program). Language is included which states this funding is contingent upon passage of the Governor's tax proposal.

With these additional amounts, total HB 599 funding will increase 6.9 percent (from \$168.8 million in FY 2004 to \$180.5 million in 2005) and 6.8 percent to \$192.7 million in 2006.

- ***State Match for Federal Grant.*** Provides \$248,375 GF each year to match a \$1.5 million federal Crime Laboratory Improvement Program (CLIP) grant. This grant will enhance the DNA, drug analysis, latent fingerprints, trace evidence and firearms and toolmark programs in the Division of Forensic Science.
- ***Private Security Services.*** Includes \$250,000 NGF and 2.0 positions each year to regulate Special Conservators of the Peace, beginning January 1, 2004. The department will develop regulations and

charge a fee for those persons seeking designation as Special Conservators.

- ***Regional Training Academies.*** Includes a reduction of \$101,620 GF each year in state support for regional law enforcement training academies. Nongeneral funds distributed to the academies from court fees are not affected by this recommendation.
- ***Breath Alcohol and Laboratory Analysis Positions.*** Includes a technical adjustment to reflect the change from nongeneral to general fund support for 12.0 positions in the blood alcohol analysis section in the Division of Forensic Science. This change was enacted by the 2003 General Assembly.

- **Department of Emergency Management**

- ***Homeland Security Grant Positions.*** Provides \$572,374 NGF and 13.0 positions each year to improve planning, coordination, training and technical assistance to localities in assessing and improving the ability to respond to a terrorist attack. The source of the nongeneral funds is a new federal grant from the U.S. Department of Homeland Security.
- ***Nonpersonal Services.*** Provides \$18,145 NGF each year to cover the cost of nonpersonal services for disaster response operations. The agency reduced its nonpersonal services budget in order to cover increased salary and benefit costs in this activity.

- **Department of Fire Programs**

- ***Fire Programs Fund.*** Increases the appropriation for the Fire Programs Fund by \$6.4 million NGF the first year and \$7.6 million NGF the second year to reflect the most recent revenue projection for the fund. The source of nongeneral fund revenue for the fund is the one percent tax on fire insurance premiums.
- ***Local Match for Federal Grant.*** Provides \$1.25 million GF the first year to reimburse localities for part of the local match required to participate in the federal staffing for adequate firefighters and emergency response (SAFER) grant program, which is intended to encourage localities to hire additional firefighters.

The required local match increases each year (beginning at ten percent the first year) until the federal funding is phased out entirely after the fourth year.

- **Homeland Security Positions.** Provides \$0.3 million NGF and 5.0 positions each year, which will be supported with federal homeland security grants.
- **Personal Protective Equipment.** Includes \$100,000 NGF each year from the Fire Programs Fund to purchase 28 complete sets of personal protective gear to be used by agency instructors during live fire training exercises.
- **Department of Juvenile Justice**
 - **Security Positions.** Includes \$1.0 million GF the first year and \$1.8 million GF the second year to increase the number of filled juvenile correctional officer positions at state juvenile correctional centers. Language is included which states this funding is contingent upon passage of the Governor's tax proposal.
 - **Increased Medical Costs.** Provides \$2.1 million GF each year to cover the increased costs associated with medical care and prescription drugs for juvenile offenders in state facilities.
 - **Sex Offender Treatment Grant.** Provides \$0.3 million GF the first year and \$0.5 million GF the second year (and a switch of 3.0 positions from NGF to GF support) to continue the intensive sex offender treatment program in state correctional facilities. The federal grant which has supported this program is expiring.
 - **USDA Funds.** Includes \$0.5 million NGF each year to reflect an increase in utilization of U.S. Department of Agriculture funds for the cost of food services. Federal funding is driven by a formula based largely on facility population and food consumption.
 - **Virginia Beach Detention Center.** Includes \$2.2 million GF the first year and \$1.8 million GF the second year for the state share (about 50 percent) of the start-up and operating costs for the Virginia Beach Juvenile Detention Center, as approved by the Board of Juvenile Justice. The facility is expected to open in August 2004.

- ***Henrico County Detention Center.*** Provides \$4,269 GF the first year for the state share of a cost overrun for the installation of razor wire, as approved by the Board of Juvenile Justice.
- ***Hampton/Newport News Less Secure Facility.*** Provides \$56,808 GF the first year for the state share of the cost of furniture, fixtures and equipment, as approved by the Board of Juvenile Justice.
- ***Drug Screening and Assessment.*** Includes a technical reduction of \$0.9 million NGF each year. This action decreases the federal appropriation for the drug screening and assessment program. The funds were removed in a previous budget reduction, but the appropriation was not adjusted at that time.
- **Department of Military Affairs**
 - ***Army Aviation Support Facility.*** Includes \$150,680 NGF and 5.0 positions each year to increase the number of full-time guards for the Army Aviation Support Facility at Richmond International Airport. The federal funds require a 25 percent state match, which is not included in the Governor’s recommendations.
 - ***Fort Pickett Operations.*** Provides \$0.6 million NGF and 13.0 positions each year. These federally-funded positions will provide maintenance, operational and supervisory support for Fort Pickett. The agency did not request a state match for these positions.
 - ***Fort Pickett Billeting Fund.*** Provides a technical adjustment of \$257,568 NGF each year to properly reflect the revenues and expenses of this fund.
 - ***State Military Reservation.*** Provides a technical adjustment of \$250,000 NGF each year to transfer part of the funding for Camp Pendleton from general funds to federal funds.
 - ***Additional Federal Funds.*** Includes a technical adjustment of \$71,795 NGF each year to add federal funds for positions which have been transferred to federal funding.
- **Department of State Police**
 - ***Statewide Agencies Radio System - Development Costs.*** Provides \$2.5 million GF each year for implementation of STARS, including payment of consultant and attorney fees. This is included in a separate amendment in Central Appropriations (Item 507).

Language is included which states this funding is contingent upon passage of the Governor's tax proposal.

- **State Agency Radio System – Bond Financing.** Includes \$1.5 million GF the first year and \$10.1 million the second year in the Treasury Board for debt service for STARS. (Separate legislation has been introduced to provide authority for the Virginia Public Building Authority to issue \$159.3 million in bonds for the first phase of the STARS project.) Language is included which states the debt service for STARS is contingent upon passage of the Governor's tax proposal. The proposed VPBA legislation includes a similar contingency clause.
- **Sworn Personnel Retention Pay Plan.** Includes \$1.1 million GF and a corresponding decrease of \$1.1 million NGF each year to continue the plan initiated in 2003 to retain sworn State Police officers. The plan includes a base pay adjustment of \$500 and creation of additional senior trooper positions.
- **Sworn Personnel Retention Pay Plan - Increase.** Provides \$1.5 million GF and \$162,829 NGF each year to provide each sworn officer with an additional increase of \$630 per year. This will raise the starting salary for State Troopers to \$31,000 per year. Language is included which states this funding is contingent upon passage of the Governor's tax proposal.
- **Med-Flight Program.** Includes a reduction of \$1.0 million GF and a corresponding increase of \$1.0 million NGF each year, to reflect the supplanting of general fund support for med-flight aviation operations with nongeneral funds from the Rescue Squad Assistance Fund.
- **Aldie and Middletown Weigh Stations.** Includes a technical adjustment of 4.0 positions from nongeneral funds to operate the weigh stations at Aldie and Middletown.
- **Marijuana Eradication Program.** Includes a technical adjustment of \$275,000 NGF each year to reflect existing federal funds for this program.