

Public Safety

The 2004-06 budget, as adopted, for the Office of Public Safety provides a net increase of \$114.5 million GF for the biennium when compared to the adjusted appropriation for current operations. This includes total increases of \$121.5 million offset by total reductions of \$7.0 million. This represents a net increase of 4.14 percent for the 2004-06 biennium. Accordingly, the recommended budget includes \$1,427.6 million GF and \$583.2 million NGF the first year and \$1,452.0 million GF and \$600.1 million NGF the second year.

The budget includes \$27.2 million GF to increase state aid to localities with police departments (pursuant to House Bill 599 of 1979), by 5.2 percent the first year and 5.4 percent the second year. Language requires maintenance of effort for local public safety services.

The budget also provides funding for the Statewide Agencies Radio System (STARS) project, including \$4.8 million GF for attorney and consultant fees and \$11.6 million GF for debt service. Chapter 522 , 2004 Acts of Assembly provides VPBA bond financing of \$159.3 million for the first phase of the STARS project.

Also included is \$35.0 million GF to offset the revenue loss resulting from the 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 Virginia's state-responsible population. Other recommendations include additional funds for inmate medical costs, reopening Nottoway Work Center, substance abuse treatment slots and transitional services, and 26 new probation officers.

The budget addresses the need for new prisons and jails. VPBA bond financing is authorized for prison construction, including expanded facilities at St. Brides and Deerfield Correctional Centers, and two new 1,024-bed medium security facilities. The two new facilities will be located at the Pocahontas site in Tazewell County, and at the Chatham Correctional Field Unit in Pittsylvania County. Language specifies that the bond financing for the Chatham facility is contingent upon certification by the Secretary of Public Safety that the offender population forecast justifies the additional beds. Additional language authorizes preliminary planning for a third 1,024-bed facility to be located in the Mount Rogers Planning District. Language provides authority for several regional and local jail capital projects to move forward and be considered by the Board of Corrections.

In addition to the amounts included in Central Appropriations for State Police compensation actions, the State Police budget includes \$3.0 million GF for a pay increase of \$630 for all sworn positions effective July 1, 2004. In addition, \$4.0 million is provided to increase the number of filled juvenile correctional and probation officer positions; \$2.5 million for local community corrections programs; 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.
- **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 NGF the second year for inflation in rent, utilities and freight charges.
- *Virginia Wine Tax Collections.* Directs the ABC Board to report each year on the dollar amount of wine liter tax collections that is attributable to the sale of Virginia wines.
- **Department of Corrections (Central Activities)**
 - *New Prison Construction.* Includes language directing the agency to develop preliminary plans for an additional medium security prison, in addition to those authorized in the Capital Outlay section of the adopted budget. The department is to give first priority to locating this additional prison in the Mount Rogers Planning District, with the next priority being Charlotte County.
- **Department of Corrections (Division of Institutions)**
 - *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 state-responsible inmates. The budget assumes DOC will collect \$6.5 million NGF in revenues from housing out-of-state inmates for the first quarter of FY 2005.
 - *Security Staffing.* Provides \$0.7 million GF the first year and \$1.5 million GF the second year to annualize the funding for the 100 new correctional officer positions approved by the 2003 General Assembly.
 - *Inmate Medical Costs.* Includes \$6.7 million the first year and \$9.0 million the second year to reflect the increased cost of providing health care 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 in 2002.

- ***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.
- ***Allocations of Commissary Profits.*** Provides an additional \$200,000 NGF each year to enhance faith-based services and an additional \$50,000 NGF each year for Assisting Families of Inmates, Inc. for transportation for family visitation. The source of the nongeneral funds is profits from inmate commissary operations.
- ***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. Companion language is included to reduce Virginia Correctional Enterprise funding 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 (Division of Community Corrections)**
 - ***Authorization for Jail Construction Projects.*** Includes language authorizing the Board of Corrections to consider proposals for the following new or expanded jails:

Appomatox, Amherst and Nelson Counties (new regional jail);

Hampton Roads Regional Jail (planning study for expansion);

Gloucester County Jail (expansion);

Roanoke County-City of Salem Jail (expansion);

Pittsylvania County Jail (expansion);

Riverside Regional Jail (expansion);

Rappahannock Regional Jail (expansion); and,

Clarke-Fauquier-Frederick Winchester Regional Adult Detention Center (expansion; also approved in HB/SB 29). Language clarifies the scope of this project.

The language also requires that all of these projects be consistent with the projected number of local and state offenders to be housed in such facilities, and that Community Custody Facility standards be used to minimize construction costs, unless the use of more expensive construction standards is justified.
 - ***Hampton Roads Regional Treatment Facility.*** Includes language providing for a study by the Hampton Roads Regional Jail Authority of the feasibility of constructing a specialized mental health treatment facility.
 - ***Jail Contract Beds.*** Directs the department to prepare a plan to expand the Jail Contract Bed program to 1,000 beds, along with a budget amendment to request the necessary funds. Currently, 500 beds are funded in this program.
 - ***Additional Probation Officers.*** Provides \$463,276 GF the first year and \$1,463,224 GF the second year to fund 25 new probation officer positions each year. This is intended to enable the department to maintain probation caseloads at the current level of 72 cases per filled officer position by the end of fiscal year 2005.

- ***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 \$200,000 GF the first year and \$1.8 million the second year to expand the number of transitional substance abuse treatment beds outside of prison.
 - ***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.
 - Language is included requiring the department to present a report on the participating sites, numbers of inmates, and factors affecting utilization.
 - ***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 costs for the Eastern Shore and Botetourt-Craig regional jail projects.
 - ***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 the remaining out-of-state inmate contract revenue balances for this purpose, subject to the approval of the Department of Planning and Budget.
- **Department of Criminal Justice Services**
 - ***House Bill 599.*** Provides \$8.8 million GF the first year and \$18.3 million GF the second year to increase state aid to localities with police departments. With these additional amounts, total funding will increase 5.2 percent from \$168.8 million in FY 2004 to \$177.6 million in 2005, and an additional 5.4 percent to \$187.1 million in 2006. Language is included which imposes a maintenance of effort requirement on cities, counties and towns, so that HB 599 funds are not used to supplant local funding for police departments.
 - ***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.
 - ***Additional Forensic Positions.*** Provides \$125,000 GF the first year, \$250,000 GF the second year, and six positions each year for the Division of Forensic Science to reduce the current backlog of over 2,000 DNA cases.
 - ***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.

- Language directs the agency to study the feasibility of alternative training delivery methods, including distance learning, and the feasibility of charging fees for training services provided to nongovernmental agencies.
- *Sexual Assault Crisis Centers.* Provides \$220,000 GF each year, which restores funding to the 2002 program level.
- *Court-Appointed Special Advocates.* Restores \$100,000 GF the first year and \$146,250 the second year for the CASA program.
- *Local Community Corrections.* Provides \$819,000 GF the first year and \$1,638,000 GF the second year for local community corrections and pre-trial release programs to increase diversion of low-risk, non-violent offenders who would otherwise remain in jail. Budget language eliminates a pilot program authorized by the 2003 General Assembly which was intended to divert offenders serving six months or less in jail. This pilot program was determined to not be successful.
- *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**
 - *Local Match for Federal Grant Program.* Provides \$1.3 million GF the first year 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.

- ***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.
- ***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 each year to increase the number of filled juvenile correctional officer positions at state juvenile correctional centers.
 - Language directs the agency to provide a report on the utilization of the state’s juvenile correctional centers and any projected alternative programs for housing juvenile offenders committed to the department.
 - ***Increased Medical Costs.*** Provides \$1.6 million GF the first year and \$2.1 million GF the second 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.

- *Juvenile Probation Officers.* Provides \$394,145 GF the first year and \$788,289 GF the second year to enable the department to fill vacant juvenile probation officer positions.
 - *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 the first year and \$2.3 million GF the second 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 requires a report on the implementation plans for the STARS project.
 - ***Statewide Agencies 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. Chapter 522 (HB 106) of the 2004 Session provides authority for the Virginia Public Building Authority to issue \$159.3 million in bonds for the first phase of the STARS project.
 - ***Sworn Personnel Retention Pay Plan - Phase I.*** Includes \$1.1 million GF and a corresponding decrease of \$1.1 million NGF each year to continue the plan approved in 2003 to retain sworn State Police officers. The plan included a base pay adjustment of \$500 and creation of additional senior trooper positions.
 - ***Sworn Personnel Retention Pay Plan - Phase II.*** 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. Additional salary actions are contained in Central Appropriations, which will bring the starting salary to \$32,500.
 - ***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.