

Public Safety

The Governor's recommended amendments for Public Safety result in an additional net increase of \$12.7 million GF and \$95.7 million NGF compared to the 2004-06 adopted budget. For general funds, this includes increases of \$13.2 million and decreases of \$0.5 million. For nongeneral funds, this includes increases of \$95.9 million and decreases of \$0.2 million.

A series of amendments totaling \$1.7 million GF is included for intermediate sanctions for technical probation violators, including return-to-custody centers, day reporting centers and home electronic monitoring.

The new State Police Headquarters addition is expected to open in December 2005. Five new positions are provided for the Department of Emergency Management and eight for the Department of State Police to staff the Emergency Operations Center and the Fusion Center in this facility.

A series of amendments is included to address deficiencies in the state forensic laboratory, which have led to backlogs in analyzing evidence in criminal cases. The amendments provide 17 new forensic scientists, a new mitochondrial DNA testing program, and expansion of the Eastern laboratory in Norfolk.

Additional funds are provided for the expanded utilization of Culpeper Juvenile Correctional Center, in tandem with the "mothballing," or temporary closure of the Barrett Juvenile Correctional Center in Hanover County.

A new gang law enforcement initiative includes funding for training for Commonwealth's Attorneys and juvenile correctional center staff, and 12 State Police Special Agents.

Significant nongeneral fund amendments include \$65.4 million NGF for the Department of Alcoholic Beverage Control for purchase of additional product for sale and additional store staffing costs, as well as an increase of \$8.0 million NGF in Virginia Correctional Enterprises which reflects increased sales of prison-made goods or services. Also, projected revenues for the Fire Programs Fund are increased by \$4.0 million NGF. Finally, increased federal revenues for the Department of Military Affairs total \$8.8 million NGF.

- **Secretary of Public Safety**
 - *Fully Budget Operating Expenses.* Includes \$33,590 GF the first year and \$58,783 GF the second year to accurately reflect the operating budget of the Office of the Governor. This is a technical

amendment to reflect recent findings by the Auditor of Public Accounts and is one of several affecting the Office of the Governor and the Cabinet Secretaries.

- **Commonwealth's Attorneys Services Council**
 - *Prosecution of Gang-Related Crimes.* Provides \$75,600 GF and one position the second year for training Commonwealth's Attorneys and local law enforcement officials in the prosecution of gang-related crimes.

- **Department of Alcoholic Beverage Control**
 - *Purchase of Merchandise for Resale.* Includes \$19.1 million NGF the first year and \$44.7 million NGF the second year for purchase of increased quantities of merchandise for resale.
 - *Sunday Store Operations.* Includes \$379,653 NGF the first year and \$398,128 NGF the second year and one position to support increased operating costs on Sundays at certain stores.
 - *Additional Store Management Positions.* Provides \$756,958 NGF the second year for additional store management positions required due to an increase in the number of ABC retail outlets.
 - *Transfer to the Governor's Office.* Includes language directing the department to transfer \$35,000 NGF each year to the Governor's Office of Substance Abuse Prevention to support a portion of the salary of one position, for which federal funds are not available.

- **Department of Correctional Education**
 - *Offender Re-entry Program.* Provides \$549,000 GF the second year to support nine additional teachers for GED and vocational programs in prison to better prepare inmates for employment upon release into the community.

- **Department of Corrections (Central Activities)**
 - *Environmental Deficiencies.* Provides \$288,589 GF and five positions the second year to create a new pollution prevention unit, as required in a consent agreement with the U.S. Environmental Protection Agency (EPA). This unit will oversee compliance with federal and state environmental regulations, and will ensure that correctional facility staff are properly trained in the documentation

and handling of the various waste streams and hazardous materials which those facilities use and generate.

- *Corrections Construction Corps.* Includes a technical adjustment to increase the appropriation by \$1.5 million NGF the second year for the inmate capital construction unit, to reflect anticipated revenues and expenditures.
- *Transfer to VITA.* Provides for the transfer of 58 positions the second year to the Virginia Information Technologies Agency (VITA) as part of the consolidation of these functions in the executive branch.
- **Department of Corrections (Division of Institutions)**
 - *Correctional Enterprise Revenue.* Includes a technical adjustment to increase the appropriation for Virginia Correctional Enterprises by \$8.0 million NGF the second year to reflect the anticipated increase in sales revenue and expenditures.
 - *Virginia Correctional Center for Women.* Provides \$208,416 GF and five positions the second year to re-open a previously-closed housing unit at VCCW to expand capacity for female offenders by 50 beds.
- **Department of Corrections (Division of Community Corrections)**
 - *Replacement of Federal Funds.* Provides \$200,171 GF the second year to assume the cost of the federally-funded Residential Substance Abuse Treatment (RSAT) program at St. Brides Correctional Center. The budget reduction in this federal grant program has been greater than expected.
 - *Home Electronic Monitoring.* Includes \$100,000 GF the second year to expand the use of home electronic monitoring by district probation offices. This is one of a series of amendments to enhance the supervision of technical probation violators.
 - *Return-to-Custody Programs.* Provides \$270,400 GF the second year to support a pilot treatment program in up to 13 selected jails, for technical probation violators. These funds could be used to contract for treatment services with local Community Services Boards (CSBs). Under this program technical violators would be committed to jail for 30 days, instead of waiting in jail longer for a

revocation hearing. This is one of a series of amendments to enhance the supervision of technical probation violators.

- Language is included which directs DOC to enter into agreements with sheriffs in the participating localities to set the rate for housing the technical violators in the pilot programs. The language states that the rate shall be no higher than existing rates authorized in the act.
- ***Day Reporting Centers.*** Provides \$799,995 GF and 15 positions the second year. This is one of a series of amendments to enhance the supervision of technical probation violators. The recommended funding includes \$658,486 GF to establish two new day reporting centers, and \$141,509 GF to add one psychologist position to expand the capacity of an existing day reporting center.
 - Language is included which directs DOC to review the treatment services provided by the centers to reflect evaluation research results, and to eliminate those treatment approaches which have shown to be ineffective.
- **Department of Criminal Justice Services**
 - ***House Bill 599.*** Provides \$4.2 million GF the second year for state aid to localities with police departments. The actual expenditure for FY 2004 was \$168.8 million. The appropriation for FY 2005 is \$177.6 million. With the proposed increase, the recommended appropriation for FY 2006 would be \$191.3 million, which represents an increase of 7.78 percent over FY 2005.
 - ***Drug Court Transfer.*** Transfers \$520,000 GF the second year from this agency to the Supreme Court to support drug courts.
 - ***Additional Forensic Positions.*** Provides \$1.1 million GF and 17 positions the second year for the Division of Forensic Science to reduce the backlog of cases to be analyzed.
 - ***Norfolk Forensic Laboratory.*** Includes \$54,000 GF the second year, along with a companion capital outlay amendment of \$1.2 million, to enable the Division of Forensic Science to lease additional laboratory space for the Eastern laboratory in Norfolk. The capital amendment will enable the division to build out an additional 6,000 square feet of leased space.

- *Mitochondrial DNA Testing.* Includes \$376,000 GF and three positions the second year to establish a new mitochondrial testing laboratory in the Division of Forensic Science. This program will provide a much more detailed analysis of DNA strands than is possible with current laboratory equipment.
 - *Law Enforcement Terrorism Prevention Grant.* Provides \$246,040 NGF and two positions to administer a new federal grant program that will provide equipment, training, and other assistance to state and local law enforcement agencies for terrorism prevention.
 - *Pre- and Post-Incarceration Services.* Provides \$371,507 GF the second year for programs that increase the opportunities for successful re-integration of offenders into the community, through structured pre-and post-incarceration programs. A \$1.5 million earmark of federal funds for this purpose is anticipated.
 - *Bail Bondsmen.* Includes \$367,220 NGF and three positions to support the new program for the regulation and oversight of bail bondsmen. The special funds are provided from fees.
 - *Alzheimer's Training.* Provides \$25,000 GF and one position the second year to convert an hourly position to full-time status and to expand the responsibilities of this position. This change will enable the program to expand training to fire and emergency medical services personnel on the recognition of persons with Alzheimer's disease. Language is included which clarifies that participating first responder agencies will provide other support as needed (for example, by paying fees for training materials).
- **Department of Emergency Management**
 - *Fusion and Emergency Operations Centers.* Provides \$483,598 GF and six positions the second year for intelligence and emergency services coordination. This includes \$331,998 GF and one position for the new Emergency Operations Center, and \$151,600 GF and five positions (for six months only, to staff one 24-7 post) for the new Fusion Center, located in the new addition to State Police Headquarters.
 - *Mitigation Planning.* Provides one position to establish a full-time coordinator to manage all mitigation planning activities statewide. This position will also be responsible for training local government

officials and developing the Commonwealth's Hazard Mitigation Plan. The position will be supported with federal funds.

- *2005 National Boy Scout Jamboree.* Includes \$40,000 GF the second year to support law enforcement, traffic management, fire suppression, emergency medical services, and overall incident management coordination for the national jamboree, which has been held at Fort A. P. Hill every four years since 1981.

- **Department of Fire Programs**

- *Dry Hydrant Program.* Includes a technical reduction of \$100,000 NGF to transfer the appropriation for the dry hydrant program to the Department of Forestry. A companion amendment is included for this purpose in the Department of Forestry.
- *Fire Programs Fund.* Increases the appropriation for the Fire Programs Fund by \$2.0 million NGF each year to more accurately reflect revenues collected by the State Corporation Commission from property insurance companies doing business in Virginia.
- *Curriculum Development Specialist.* Provides \$78,860 NGF and one position the second year to add a full-time curriculum development specialist position.
- *Fire Data Research Analyst.* Provides \$63,167 NGF and one position the second year to add a full-time data research analyst to study and report on statewide fire trends.
- *SAFER Grant Program.* Language is included to reappropriate any unexpended balance as of June 30, 2005, in the appropriation of state funds approved by the 2004 Reconvened Session for local match for the federal SAFER program. The Staffing for Adequate Firefighters and Emergency Response (SAFER) program provides federal funds for localities to hire additional first responders.

- **Department of Juvenile Justice**

- *Reorganization of Juvenile Correctional Centers.* Includes \$1.1 million GF and \$1.0 million NGF the second year to make better use of existing space at the state juvenile correctional centers, based on a plan required by the 2004 General Assembly that called for utilization of space based on current and projected juvenile offender population levels.

- A language amendment provides that the agency may “mothball” the Barrett Juvenile Correctional Center in Hanover County, as of July 1, 2005. The savings from this action are needed because the agency has been operating eight secure facilities with a budget for only seven.
 - The \$1.0 million NGF is from special fund balances from fees charged localities for housing juveniles at Culpeper. These funds will be used for equipping the housing units at Culpeper to provide for the expanded utilization. Culpeper would house older, more violent male juveniles under this plan.
 - The proposed plan will provide compliance with federal requirements for sight and sound separation of offenders age 18 and over who are convicted in Circuit Court, from younger offenders or those convicted in juvenile court.
 - The proposed plan will provide a 4.5 percent pay differential for security staff at Culpeper Juvenile Correctional Center, the same as that which is provided at Beaumont.
 - The female offenders currently housed at Culpeper would be transferred back to Bon Air Juvenile Correctional Center.
- ***Security Enhancements.*** Provides \$89,862 GF the second year for the state share of the cost of security enhancements at three local secure detention facilities, including James River, Chesterfield Group Home, and Tidewater Juvenile Detention.
 - ***Gang Response Training Position.*** Provides \$64,985 GF and one position to provide training to enable security staff to identify and intervene with gang members inside juvenile correctional centers, and to develop a plan to counter gang activities among juvenile offenders in the community.
 - ***Eliminate Nongeneral Funds.*** Includes a technical amendment to eliminate a nongeneral fund appropriation from drug offender assessment fees eliminated in an earlier round of budget cuts.
 - ***Information Technology Positions.*** Transfers 15 positions the second year to the Virginia Information Technologies Agency (VITA) as part of the consolidation of information technology activities in the executive branch.

- **Department of Military Affairs**
 - *Federal/State Cooperative Agreements.* Includes \$2.8 million NGF each year from federal funds. This is a technical adjustment to increase spending authority for federal funds for environmental services, security and other support costs for Fort Pickett.
 - *Security Positions.* Provides \$2.9 million NGF and 70 positions for security at Fort Pickett and Camp Pendleton.
 - *Armory Maintenance and Repair.* Provides \$114,835 GF the second year for routine maintenance and repairs at armories statewide.
 - *Maintenance Positions.* Provides \$26,375 GF and \$79,125 NGF and two positions the second year for one buildings and grounds superintendent and one trades technician. The superintendent will oversee all service contracts related to base maintenance.
 - *Commonwealth Challenge.* Includes \$149,536 GF the second year to match federal funds for the Commonwealth Challenge program at Camp Pendleton in Virginia Beach. The federal match rate has increased from 30 to 40 percent, and the use of an in-kind match has been disallowed. This amendment provides 75 percent of the amount needed to match the available federal funds.
 - *Billeting Fund.* Includes a technical amendment of \$267,568 NGF each year to increase the appropriation authority for the billeting fund at Fort Pickett. The funds are paid by National Guard units from out-of-state who come to Fort Pickett for military training.

- **Department of State Police**
 - *Network Operations Center.* Proposes \$176,715 GF (for six months) and six positions to staff the Statewide Agencies Radio System (STARS) Network Operations Center that is scheduled to come on-line by December 2005. These positions will support one 24 hours per day, 7 days per week post, and will monitor and manage the STARS system.
 - *Fusion Center.* Recommends \$292,502 GF (for six months) and eight positions to staff the new Fusion Center in the new addition

at State Police Headquarters. These Special Agent positions will support one 24 hours per day, 7 days per week post, and one 16 hours per day, 7 days per week post. The agents will monitor intelligence for criminal and terrorism investigations.

- ***Increased Operating Costs.*** Provides \$979,162 GF the second year for increased operating costs. This includes funding to address cost increases in gasoline, workers compensation, and aviation insurance premiums.
- ***Gang Law Enforcement and Investigation.*** Recommends \$951,305 GF and 12 positions the second year to phase-in the Gang Reduction Initiative. These positions will be based in the Salem, Culpeper, Chesapeake and Richmond Divisions (three each). These positions will back-fill existing Special Agent positions which have already been assigned to this initiative.
- ***Occupational Safety.*** Provides \$62,429 GF the second year to replace a federal grant which is expiring in March 2005. The federal grant supported a mandated respiratory program, which is intended to ensure that law enforcement officers are provided the proper education and equipment to respond safely in potentially hazardous biological situations.
- ***Asset Forfeiture.*** Includes a technical adjustment of \$100,000 NGF the second year to reflect the interest on drug investigation trust accounts and state and federal asset forfeitures.
- ***Transfer to VITA.*** Provides for the transfer of 30 positions the second year to the Virginia Information Technologies Agency (VITA) as part of the consolidation of these functions in the executive branch.