

Public Safety

The budget, as introduced, for Public Safety for the 2008-10 biennium results in a net increase of \$37.6 million GF, or 1.0 percent more than the adjusted base budget. Included within this total are increases of \$38.4 million and decreases of \$0.8 million, in addition to the continuation of the Governor's October 2007 reduction strategies into the new biennium.

The proposed budget includes an additional \$23.8 million GF for the biennium for inmate medical costs, along with a series of amendments designed to enhance offender reentry programs and provide specialized programs for technical probation violators, with the aim of reducing the level of recidivism. Language amendments propose to authorize the direct placement of technical violators in state detention or diversion centers by probation officers, and to authorize a new program in which the courts could reduce time spent in prison by selected offenders who complete an intensive, prison-based treatment program.

A series of proposed amendments for the Department of State Police total \$20.8 million NGF over the biennium from the OxyContin settlement to replace and upgrade criminal justice computer systems, augment the State Agencies Radio System (STARS), and equip a new computer forensic laboratory.

Nongeneral fund amendments for the Department of Alcoholic Beverage Control reflect an increase of \$36 million NGF for purchase of merchandise for resale over the biennium and \$9.5 million to replace cash registers and point-of-sale software in all of the ABC stores, while revenues for the Department of Fire Programs are expected to increase \$3.5 million and the Department of Veterans Services' care center revenues will be up \$2.0 million.

- **Department of Alcoholic Beverage Control**

- ***Increased Federal Funds.*** Includes \$700,000 NGF each year to reflect growth in federal grants.
- ***Positions for New Stores.*** Adds an additional 30 FTE positions associated with the opening of new stores approved by the 2007 General Assembly.
- ***Increased Merchandise for Resale.*** Provides \$12.0 million the first year and \$24.0 million the second year from nongeneral funds to reflect the anticipated increase in purchases of merchandise for resale in ABC stores statewide.
- ***Financial Investigation Unit.*** Includes \$0.5 million NGF and six positions each year to establish an office to identify under-reported income and to collect any resulting additional taxes owed.
- ***Point of Sale System.*** Adds \$3.5 million NGF the first year and \$6.0 million NGF the second year to update all of the agency's cash registers and point of sale software, which have reached the end of their useful lives.

- **Department of Correctional Education**
 - *Governor's October 2007 Budget Reductions.* Continues the strategies announced in October 2007 for a savings of \$1.9 million GF each year.
 - *Deep Meadow Educational Programs.* Transfers \$363,861 GF the first year, \$180,896 GF the second year, and two positions from the Department of Corrections to provide two vocational programs and a library. These programs are required because of the change in the mission of the Deep Meadow Correctional Center from a reception center to a full-service correctional center.

- **Department of Corrections**
 - *Governor's October 2007 Budget Reductions.* Continues the strategies announced in October 2007 for a savings of \$19.2 million GF each year and a corresponding increase of \$19.2 million NGF. The nongeneral funds are expected to be realized through contracting to house non-state prisoners, including, for example, federal inmates or illegal aliens, in state correctional facilities.
 - Language is included authorizing the agency director to increase this appropriation in order to support non-recurring expenses of the department.
 - *Annualize Appropriation for St. Brides Phase II.* Adds \$3.0 million GF each year to annualize the operating budget for the new Phase II expansion at St. Brides Correctional Center in the City of Chesapeake. The 2006 General Assembly reduced the proposed appropriation for Phase II in anticipation of delaying the opening of the new expansion facility until December 2007. The Governor's October 2007 budget reductions further delayed the opening until July 1, 2008. This proposal fully funds the operating expense for this new facility for each year of the 2008-10 biennium.
 - *Charlotte County Correctional Center.* Authorizes the department to continue planning for the new facility to be located in Charlotte County. The 2007 General Assembly provided \$1.2 million GF for site acquisition, but the Governor's October budget reductions eliminated this funding (based on the assumption that the project could move forward using the PPEA process).
 - Language authorizes the department to use the Public-Private Education and Infrastructure Act (PPEA), but clarifies that by statute, the Department of Planning and Budget is required to conduct a cost-benefit evaluation of the project and the Department of the Treasury is required to evaluate the proposed financing to see whether state financing would be more advantageous. The language also clarifies that any PPEA comprehensive agreement must be submitted to the Governor for approval.

- Language further specifies that the proposed facility shall include at least one dormitory-style unit designed to house a transition center, a habitual technical violator center, or both. The unit shall offer an intensive cognitive remediation treatment program and substance abuse therapy, using best practices that have been shown to be effective in reducing recidivism.
- ***Planning for Powhatan Replacement.*** Directs the department to conduct an engineering study to compare the costs of renovation versus replacement of Powhatan Correctional Center, and to submit a report on its findings and recommendations by October 1, 2008.
- ***Turnover and Vacancy Savings.*** Reduces \$14.2 million each year from the general fund to reflect projected savings which recur every year from vacant positions, and redirects these funds to support information technology expenditures. This is the first of two companion recommendations.
- ***Information Technology.*** Transfers \$14.2 million each year from the general fund, as described above, from turnover and vacancy, to support the department’s information technology services, in line with the amounts agreed to by the department with the Virginia Information Technology Authority. This is the second of two companion recommendations.
- ***Position Level Adjustment.*** Reduces the department’s Maximum Employment Level by 163 positions, to the level actually funded.
- ***Inmate Medical Costs.*** Adds \$11.9 million each year from the general fund for increased medical costs.
- ***Payments in Lieu of Taxes.*** Provides \$0.4 million each year from the general fund to make payments to localities in lieu of taxes. Although prison sites, as state-owned property, are exempt from local property taxes, state law requires that payments be made to localities to cover the costs of certain local services, such as law enforcement, fire protection and solid waste disposal.
- ***Correctional Enterprises.*** Reduces the nongeneral fund appropriation for Virginia Correctional Enterprises by an additional \$4.0 million each year, to reflect the actual level of growth in sales of prison-made goods and services.
- ***Craigsville Wastewater Treatment Plant.*** Includes an additional \$1.5 million GF the second year for the state share of the cost of constructing a local wastewater treatment plant serving Augusta Correctional Center.
- ***Direct Placement of Technical Violators.*** Includes language authorizing direct placement of technical probation violators by state probation officers into Department of Corrections-operated detention and diversion centers.

- ***Technical Violator Center.*** Includes \$0.2 million GF each year and four positions to establish a 100-bed program in one correctional center to house offenders who have violated the technical conditions of their probation or parole, but have not committed a new crime.
 - Language is included to authorize judges to commit technical violators to this program for up to 12 months, rather than revoking their probation or parole and committing them to prison.
- ***Prison Transition Centers.*** Provides \$0.6 million the first year, \$0.8 million the second year, and 12 positions each year from the general fund to establish three 100-bed reentry programs, one in each of three prisons. These programs will provide intensive services designed to prepare inmates to reenter society.
- ***Transitional Probation Officers.*** Adds \$0.9 million the first year, \$1.1 million the second year, and 10 positions each year from the general fund to improve the initial reentry of prisoners being released from prison to the Richmond and Tidewater areas. A progress report would be required by September 1, 2009.
 - Language is included authorizing the department to expend part of these funds on special services needed by offenders reentering society from prison, such as temporary housing, treatment and medications.
- ***Therapeutic Incarceration Program.*** Adds language authorizing the department, in coordination with the Virginia Supreme Court, to develop a pilot therapeutic incarceration program. The department is also directed to evaluate this program and report on implementation by October 1, 2009.
 - Language specifies that this program would target convicted felons for whom the sentencing guidelines would recommend three years or more in prison, and who are determined by the court to require drug or alcohol treatment. In these cases, the department could place the offender in an intensive treatment program. Upon certification by the department that the offender has completed a program of at least 18 months of duration, the court could suspend the remainder of the sentence and order the offender released to probation supervision.
- ***Deep Meadow Educational Programs.*** Transfers \$363,861 the first year, \$180,896 the second year, and two positions to the Department of Correctional Education to provide two vocational programs and a library. A companion amendment adds these general funds and positions to the Department of Correctional Education.
- ***Corrections Special Reserve Fund.*** Provides \$54,101 GF the first year for the corrections bedspace impact of sentencing legislation which will be proposed at the Governor’s request to increase the penalty for assaulting an Alcoholic Beverage Control law enforcement officer.

- **Department of Criminal Justice Services**

- ***Governor's October 2007 Budget Reductions.*** Continues the strategies announced in October 2007 for a savings of \$11.5 million GF and \$181,314 NGF each year.
- ***State Aid to Localities with Police Departments.*** Provides no additional funding for either the first or second year. The HB 599 appropriation is frozen at \$205.0 million each year from the general fund. This is equal to the reduced amount for FY 2008 based on the Governor's October 2007 reduction.
 - Total funding for the HB 599 program for FY 2007 was \$206.3 million, and the amount appropriated by the 2007 General Assembly for FY 2008 was \$215.8 million. The Governor's October 2007 action reduced the FY 2008 amount to \$205.0 million (a five percent reduction).
- ***Regional Police Training Academies.*** Adds \$275,000 NGF each year from court fees to reflect the current level of support for the regional academies.
- ***Private Security Regulation.*** Adds \$0.6 million NGF each year from fees for the regulation of the private security industry.
- ***Campus Security.*** Provides \$0.1 million each year and one position from the general fund for the Office of Campus Policing and Security. This office is responsible for developing and implementing a comprehensive campus security program for Virginia's institutions of higher education. This proposal is based on a recommendation of the Virginia Tech Review Panel.
- ***Sexual Assault Crisis Centers.*** Includes \$450,000 each year from the general fund for local programs providing services to victims of sexual violence, including Sexual Assault Response Teams, volunteer programs and community outreach.
- ***Offender Reentry Evaluation.*** Eliminates \$100,000 GF each year, which was provided by the 2007 General Assembly to evaluate reentry programs.
- ***Virginia Public Safety Memorial Commission.*** Provides \$45,000 GF the first year from the general fund to plan a memorial dedicated to Virginia's public safety professionals who have lost their lives safeguarding the Commonwealth.

- **Department of Emergency Management**

- ***Governor's October 2007 Budget Reductions.*** Continues the strategies announced in October 2007 for a savings of \$286,500 GF each year.
- ***Transfer Civil Air Patrol.*** Transfers language relating to the Civil Air Patrol to the Department of Aviation, which will provide funding from nongeneral funds. A companion amendment is provided in the Department of Aviation.

- ***Transfer E-911 Program.*** Transfers \$49.8 million NGF the first year, \$48.1 million NGF the second year, and ten positions from VITA to realign the Emergency Enhanced-911 program within the Department of Emergency Management. A companion amendment is provided to remove this program from VITA.
- ***Hazmat Funding.*** Eliminates the existing appropriation of \$285,588 the second year from the general fund for the hazardous materials training and response program, in anticipation of legislation in the 2009 Session to establish a fee to cover program costs. Language is included directing the agency to prepare a report on options for implementing a fee, to be submitted by September 15, 2008.
- ***IFLOWS.*** Provides \$187,500 each year from the general fund to begin replacing equipment for the Integrated Flood Warning System.
- ***General Fund Positions.*** Adds seven GF positions each year to transfer wage employees to full-time status. These positions are required for providing disaster recovery and technical support to individuals and state and local agencies.
- ***Nongeneral Fund Positions.*** Adds seven NGF positions each year to provide the support and oversight for additional federal grants.

- **Department of Fire Programs**

- ***Increased Revenue Growth.*** Provides \$1.0 million NGF the first year and \$2.5 million NGF the second year to reflect increased revenue collections for the Fire Programs Fund from the tax on insurance premiums.
- ***Adjustment of Appropriations.*** Adds \$575,000 NGF each year to align appropriations with actual expenditures.
- ***Adjustment of Federal Grant Funding.*** Eliminates \$0.2 million NGF each year to reflect the end of a grant from the U.S. Department of Homeland Security.
- ***Transfer of State Fire Marshal.*** Provides \$2.5 million GF, \$0.4 million NGF, and 31 positions each year to reflect the transfer of the State Fire Marshal from the Department of Housing and Community Development to the Department of Fire Programs, pursuant to legislation adopted by the 2007 General Assembly.
- ***Fiscal Support Services.*** Includes \$178,000 NGF and three positions each year for a new fiscal services office.
- ***Other Cost Increases.*** Adds \$92,500 NGF and three positions each year for administrative and technology costs associated with the expansion of the agency's size and mission.

- **Department of Forensic Science**

- *Governor's October 2007 Budget Reductions.* Continues the strategies announced in October 2007 for a savings of \$700,000 GF each year.
- *Payments in Lieu of Taxes.* Provides \$219,000 each year from the general fund for the payment to the City of Richmond for the agency's central laboratory.
- *Adjustment of Federal Grant Funding.* Adds \$1.5 million NGF each year to reflect anticipated growth in federal grants.
- *Eastern Forensic Laboratory.* Includes three positions each year for facility management. The City of Norfolk is responsible for providing maintenance for the Eastern Forensic laboratory through FY 2008, after which the agency will assume that responsibility.
- *Information Security Position.* Removes \$7,000 each year from the general fund for an information technology security position that was funded in FY 2008.

- **Department of Juvenile Justice**

- *Governor's October 2007 Budget Reductions.* Continues the strategies announced in October 2007 for a savings of \$5.5 million GF and 13.5 positions each year.
- *Facility Costs.* Provides \$100,000 each year from the general fund for several expenses related to the department's facilities, including but not limited to updating the agency master plan, developing a building assessment inventory, locating and mapping utilities on each facility campus, and surveying all of the facilities to determine the extent of damaged or inoperable fire hydrants.
- *VJCCCA Balances.* Includes language to accelerate the return of funds provided to localities which they have not expended under the Virginia Juvenile Community Crime Control Act (VJCCCA). The language also authorizes the reappropriation of these unexpended balances to the department for short-term, supplementary grants to localities for programs and services which have been demonstrated to improve outcomes, including reduced recidivism.

- **Department of Military Affairs**

- *Governor's October 2007 Budget Reductions.* Continues the strategies announced in October 2007 for a savings of \$427,000 GF and \$141,000 NGF each year.
- *Soldier Recognition.* Provides \$38,068 each year from the general fund to support the increased cost of the Governor's National Service Medal program. This

program has grown as overall troop strength and the numbers of National Guard members deployed have grown.

- **Department of State Police**

- ***Governor's October 2007 Budget Reductions.*** Continues the strategies announced in October 2007 for a savings of \$2.1 million GF each year.
- ***Gasoline Expense.*** Adds \$2.7 million the first year from the general fund to increase the agency's gasoline budget from \$1.19 to \$2.20 per gallon.
- ***Central Criminal Databases.*** Provides \$0.7 million NGF the first year and \$1.5 million NGF the second year from the OxyContin settlement for replacement of the firearms and other central criminal repository databases and related applications, including the Computerized Criminal History System, Sex Offender Registry, Automated Fingerprint Identification System, Firearms Transaction Processing System, and the Virginia Criminal Information Network.
- ***Criminal History System.*** Provides \$2.4 million NGF the first year and \$3.3 million NGF the second year from the OxyContin settlement for replacement and enhancement of the Computerized Criminal History system. This is the sole repository for the Commonwealth's arrest and court disposition data.
- ***Incident-Based Reporting System.*** Provides \$0.8 million NGF the first year and \$0.4 million NGF the second year from the OxyContin settlement for replacement and enhancement of the current incident-based reporting system.
- ***Increased STARS Costs.*** Provides \$2.2 million NGF the second year from the OxyContin settlement for additional equipment not included in the original contract for the State Agencies Radio System.
- ***Computer Forensic Laboratory.*** Provides \$1.0 million NGF the first year from the OxyContin settlement for equipping a new computer forensic laboratory to be built for State Police in space provided by VCU in the new BioTech 8 facility in downtown Richmond.
- ***Virginia Intelligence Management System.*** Includes \$8.5 million NGF the first year from the OxyContin settlement to provide a statewide, secure information sharing function for all law enforcement agencies in Virginia.
- ***Highway Safety Enforcement.*** Adds \$1.4 million the first year, \$0.8 million the second year, and 10 positions from the general fund to add 10 State Troopers on Virginia's interstate highways.

- ***Reduction of Vehicle Inspection Stations.*** Frees up at least an additional 25 troopers for highway patrol by reducing the number of random inspections of the locations that perform motor vehicle safety inspections. This proposal is linked to the Governor’s proposal to increase the driver’s license fee while reducing the frequency of safety inspections to once every other year.
 - Language directs the agency to continue to fund these positions using nongeneral safety program funds.
- ***Medevac Helicopters.*** Includes language authorizing the purchase of two replacement helicopters using debt service funds which are already included in the base budget. The current helicopters were purchased in 1993 and have reached the end of their useful lives. The current helicopters will be paid off in the first year, so the funds in the existing base budget for debt service can be applied to the new helicopters beginning in the second year.
- ***Metropolitan Washington Airports Authority.*** Provides \$1.5 million NGF and 16 positions each year to support the department’s agreement to provide security for the authority, including highway patrol on the Dulles access road.
- ***Information Technology Position.*** Adds one nongeneral fund position each year to develop the motor vehicle inspection automated system. The funds to support this position will be provided from the motor vehicle inspection fee.

- **Department of Veterans Services**

- ***Governor’s October 2007 Budget Reductions.*** Continues the strategies announced in October 2007 for a savings of \$0.3 million GF each year.
- ***Veterans Care Centers.*** Provides \$1.0 million NGF each year to reflect actual costs for operating the veterans care centers. Revenues are based on Medicare, Medicaid and other third party reimbursements on behalf of the residents.
- ***Offset General Funds With Special Funds.*** Includes an additional \$288,236 NGF each year from Medicare, Medicaid and other third party reimbursements. The additional funds will offset the Governor’s October 2007 general fund reduction associated with three positions added by the 2007 General Assembly to manage the agency’s increased activities and responsibilities.
- ***Transfer of the War Memorial.*** Transfers \$430,174 and three positions each year from the general fund from the Department of General Services to this agency to manage the Virginia War Memorial in Richmond.
 - Language specifies that DGS will continue to provide routine buildings and grounds maintenance as part of the services provided under the seat of government rental plan.

- ***Donation Fund.*** Adds \$75,000 NGF each year for the donation fund administered by the Veterans Services Foundation Board.