

## Public Safety

The budget, as introduced, for fiscal year 2010 reduces the general fund budget for Public Safety by \$68.5 million (or -3.9 percent). This is a net change which includes total increases of \$3.8 million and total decreases of \$72.3 million, including \$68.3 million from the implementation of the Governor's September 2009 Budget Reduction Plan. The fiscal year 2010 budget also includes nongeneral fund increases totaling \$16.9 million. With these changes, the total general fund budget for Public Safety is \$1,686.5 million and \$864.5 million in nongeneral funds for FY 2010.

The budget, as introduced, for the 2010-12 biennium results in a net general fund decrease of \$490.4 million, or 10.3 percent less than the base budget. This net decrease includes total increases of \$56.0 million offset by total decreases of \$546.4 million, including continuation of the September 2009 reduction strategies into the new biennium. The 2010-12 budget also adds \$146.8 million in nongeneral funds (an increase of 8.5 percent). About 47 percent of the nongeneral fund increases are due to budget reduction strategies supplanting general fund spending with nongeneral fund sources.

Major policy actions included in the proposed budget include transferring responsibility for the operations of the Compensation Board and Towing and Recovery Operations Board from other secretariats to the Public Safety secretariat. In addition, the proposed amendments supplant \$15.0 million in general fund support for local law enforcement, \$15.0 million in general fund support for local courtroom security, \$15.0 million in general fund support for HB 599 funding to local police departments, and \$9.6 million in general fund support for State Police counter-terrorism activities with nongeneral fund proceeds from the Virginia Public Safety Fund. The source of funding for the Virginia Public Safety Fund is a proposed 0.5 percent increase in the tax on casualty and property insurance premiums.

Other significant actions in the proposed budget include replacing the nongeneral fund revenues lost by the Department of Corrections due to the end of the contract for housing Wyoming prisoners, and the anticipation of \$10.1 million NGF each year from housing 1,000 prisoners from another state. While no additional prisons are proposed to be closed, an early release program for non-violent offenders is proposed along with a series of amendments to implement several of the recommendations of the Task Force on Alternatives for Non-Violent Offenders. This task force was authorized in language added by the General Assembly in Chapter 781 of the 2009 Acts of Assembly. New language also updates the process for approving the state share of local and regional jail capital project costs.

Within the Department of State Police, the next three Basic Trooper Schools are postponed, and in the Department of Criminal Justice Services, significant reductions are proposed in state aid for localities with police departments (HB 599). Additional funds are included for the Department of Forensic Science to meet increased workload requirements resulting from the U.S. Supreme Court's 2009 decision in the Melendez-Diaz case.

The recommended budget for the Compensation Board includes a net reduction of \$246.0 million GF over the biennium (a reduction of 19.5 percent below the base budget). This total includes varying percentage reductions for constitutional officers, regional jails, and jail per diems. Clerks of the Circuit Courts, Commonwealth's Attorneys, and Sheriffs are reduced between 16.5 and 17.5 percent, compared to the base budget. For the Commissioners of Revenue, Treasurers, and Directors of Finance, the introduced budget removes all state funding except for the salaries of the elected constitutional officers. For the Sheriffs, the introduced budget does not restore the \$23 million in federal stimulus funds (the Byrne Justice Assistance Grant funds) used to restore proposed reductions in Sheriffs' offices for FY 2010. The percentage reduction for regional jails is lower because of additional funds added to reflect the opening of new jails. Jail per diems are reduced for both local- and state-responsible offenders. And, for all of the constitutional offices, state funding for retirement, life insurance, the retiree health care credit, and liability insurance is removed.

Nongeneral fund amendments for the Department of Alcoholic Beverage Control reflect an increase of \$15 million NGF each year for purchase of merchandise for resale. A two percent markup in prices charged at the ABC stores, effective February 1, 2010, generates increased general fund revenues estimated at \$1.6 million in FY 2010 and \$4.0 million each year in fiscal years 2011 and 2012.

## **HB/SB 29**

- **Department of Alcoholic Beverage Control**
  - *Increased Markup.* Assumes an increase of two percent in the markup of alcoholic beverages in the ABC stores, effective February 1, 2010. A companion amendment to the revenue page assumes a general fund revenue increase of \$1.6 million for fiscal year 2010.
- **Commonwealth's Attorneys' Services Council**
  - *Governor's September 2009 Budget Reductions.* Includes savings of \$67,075 GF for fiscal year 2010 to implement the September 2009 budget reductions, including reductions in funding for meeting expenses and other operating costs.
- **Department of Correctional Education**
  - *Governor's September 2009 Budget Reductions.* Includes savings of \$1.4 million GF for fiscal year 2010 to implement the September 2009 budget reductions. These savings include the elimination of 34 positions resulting from the closing of state correctional centers.
- **Department of Corrections**
  - *Governor's September 2009 Budget Reductions.* Includes a series of reductions totaling \$22.2 million GF for fiscal year 2010, including the following strategies:

- Closure of Brunswick and Botetourt Correctional Centers, for a combined net savings of \$10.4 million;
  - Turnover and vacancy savings of \$1.5 million;
  - Elimination of virtually the entire budget for equipment (\$9.0 million), for one year only, including the replacement of security, agribusiness, kitchen equipment, and vehicles;
  - Supplanting of \$1.3 million in general funds with an equal amount from the Correctional Enterprise Fund balance, for a one-time savings.
- ***Correctional Enterprise Operations.*** Increases the appropriation for Correctional Enterprises by \$6.0 million NGF in fiscal year 2010 to reflect anticipated sales of inmate-produced products and services.
  - ***Corrections Construction Unit.*** Increases the appropriation for the inmate construction program by \$1.1 million NGF in fiscal year 2010 to reflect the anticipated workload and associated funds from capital projects supporting inmate construction activity.
- **Department of Criminal Justice Services**
    - ***Governor's September 2009 Budget Reductions.*** Includes a series of reductions totaling \$16.1 million GF and \$0.1 million NGF for fiscal year 2010, including:
      - \$145,657 in Court Appointed Special Advocate (CASA) grants;
      - \$13.7 million in House Bill 599 payments to localities with police departments, based on the August 2009 reduction in the general fund revenue forecast;
      - \$640,983 (a reduction of about two-thirds) in grants to regional law enforcement training academies;
      - \$519,967 from eliminating vacant positions;
      - \$247,151 in grants for the Virginia CARES program;
      - \$45,000 in grants for sexual assault crisis centers;
      - \$10,000 in the grant for the Virginia Center for Policing Innovation for Spanish language training;
      - Reversion of \$350,000 GF in matching support for federal grants due to reductions in federal grant funding;
      - Reversion of \$280,000 in June 30, 2009, general fund balances reserved by the agency and included in the agency budget reduction plan;

- Supplanting of \$75,638 GF for other operating expenditures with nongeneral funds; and,
  - Transfer of \$126,101 from the asset forfeiture fund to the general fund reflecting reduced program and administrative costs.
- *House Bill 599.* Includes an additional technical reduction of \$2.8 million GF for fiscal year 2010 for state aid to localities with police departments (pursuant to House Bill 599 of 1979), to reflect the December 2009 reduction in the general fund revenue forecast.
- **Department of Emergency Management**
  - *Governor's September 2009 Budget Reductions.* Includes savings totaling \$167,663 GF and transfers totaling \$4.3 million NGF in fiscal year 2010 to implement the September 2009 budget reduction plan, including reducing wage employees (\$43,433); changing the fund sources supporting a hazardous materials specialist (\$60,121) and a Fusion Center analyst (\$29,472); reducing the number of classes for Search and Rescue training (\$18,636); reducing training and travel for agency staff (\$11,000); and, eliminating non-disaster overtime (\$5,000). The nongeneral fund transfer reflects closing accounts on disasters for which all known state obligations have been satisfied. The \$4.3 million transfer to the general fund is a Part 3 transfer.
- **Department of Fire Programs**
  - *Governor's September 2009 Budget Reductions.* Includes savings of \$206,970 GF and transfers of \$26.2 million NGF for fiscal year 2010 to implement the September 2009 budget reductions. General fund savings include delaying filling a vacant position (\$90,435); eliminating a vacant regional manager position (\$91,736); eliminating one wage position (\$16,075) and reducing the annual hours for six wage positions (\$8,724) in the Office of the State Fire Marshal. The nongeneral fund transfers include \$216,595 from implementing a ten percent reduction in administrative expenses for the Fire Programs Fund and transferring to the general fund the entire \$26 million fiscal year 2010 deposit to the Fire Programs Fund, and replacing that amount with a line of credit for the same amount. The source of the nongeneral funds for the Fire Programs Fund is the 1.0 percent premium tax on property, casualty, and other insurance policies collected by the State Corporation Commission.
- **Department of Forensic Science**
  - *Governor's September 2009 Budget Reductions.* Includes savings of \$1.1 million GF in fiscal year 2010 to implement the September 2009 budget reductions, including delaying year-end payments for vendors and service contracts totaling \$606,200, and eliminating prepayments (\$481,038).

- *Melendez-Diaz Expenses.* Provides \$197,975 GF in fiscal year 2010 to comply with the increased requirements for court testimony by forensic scientists due to the 2009 Supreme Court decision in the Melendez-Diaz case.

- **Department of Juvenile Justice**

- *Governor's September 2009 Budget Reductions.* Includes savings of \$10.2 million GF in fiscal year 2010 to implement the September 2009 budget reductions, including:
  - Capturing one-time savings through turnover and vacancy and deferring equipment purchases (\$3.0 million);
  - Reducing funding for the Virginia Juvenile Community Crime Control Act (VJCCA) grants and funds for juvenile detention facilities and locally-operated court services units by five percent (\$2.5 million);
  - Closing Natural Bridge Juvenile Correctional Center (\$1.2 million and 71 positions);
  - Eliminating court services unit positions (\$1.1 million and 23.5 positions);
  - Supplanting \$1.1 million GF for direct services by using Child Support Enforcement funds from the Department of Social Services;
  - Reducing contract services for juveniles on probation (\$0.5 million);
  - Eliminating central office positions in the Divisions of Community Programs and Administration and Finance (\$349,154 and 8 positions);
  - Reducing support costs in juvenile court services units statewide (\$180,000);
  - Eliminating vacant juvenile correctional center positions in the central office, including a senior program manager and health services coordinator (\$131,377 and two positions);
  - Eliminating a vacant human resources classification position (\$52,160 and 1 position);
  - Reducing funds for training, education and travel in the Division of Administration and Finance (\$51,838); and,
  - Supplanting general funds with NGF year-end balances (\$42,381).

- **Department of Military Affairs**

- *Governor's September 2009 Budget Reductions.* Includes savings of \$568,669 GF and \$35,700 NGF in fiscal year 2010 from implementing the September 2009

budget reductions. General fund savings include supplanting general funds with nongeneral funds (\$200,000); closing the Roanoke City and Richmond City (Dove Street) Armories (\$115,000); reducing expenses for the Commonwealth Challenge Program, including purchase of supplies, services, conferences, training, travel, and equipment, and elimination of living allowances for participants (\$108,689); transferring state computers to the federal National Guard Bureau network (\$105,000); and reducing other expenditures by the Joint Forces Headquarters Staff, the Air National Guard, and the Virginia Defense Force.

- ***Recruitment Incentives.*** Eliminates \$180,000 GF in fiscal year 2010 for state incentives for recruitment for the Virginia National Guard. This proposal assumes the Virginia National Guard will rely on federal recruitment incentives to maintain force strength.

- **Department of State Police**

- ***Governor's September 2009 Budget Reductions.*** Includes savings of \$15.9 million GF and the addition of \$8.3 million NGF in fiscal year 2010 to implement the September 2009 budget reductions, including:
  - Supplanting law enforcement activities with June 30, 2009, nongeneral fund year-end balances (\$6.2 million);
  - Reverting nongeneral fund balances in the insurance fraud program (\$3.0 million) and the safety program (\$2.6 million);
  - Reverting a June 30, 2009, discretionary general fund balance reserved by the agency as part of the budget reduction plan (\$2.1 million);
  - Supplanting general fund support for the management of the STARS radio system with nongeneral funds from the E-911 Fund (\$2.0 million);
  - Reducing the aviation fleet by eliminating one fixed-wing aircraft and one non-med-flight helicopter (\$1.8 million);
  - Delaying the start of the 116<sup>th</sup> basic school for new state troopers until January 2011, and reducing the number of trainees to 50 cadets, for a savings of \$1.3 million (including eight civilian layoffs in March 2010);
  - Delaying the purchase of patrol vehicles (\$1.25 million);
  - Laying off approximately 104 wage positions and reorganizing full-time staff to meet critical needs (\$1.2 million);
  - Reverting nongeneral fund cash balances from the Woodrow Wilson Bridge overtime activity that was intended to support the 116<sup>th</sup> Basic Trooper School, which has been postponed until January 2011 (\$696,043);

- Reverting nongeneral fund balances for indirect costs (\$150,000), from the agency's assessed administrative fee (\$100,000), and from reimbursements from other states under the Emergency Management Agreement Compact (\$62,284); and,
  - Supplanting general fund support for the State Police Aviation Unit with Aviation Special Funds from the Department of Aviation (\$116,988).
- ***Reversing the Use of E-911 Funds.*** Provides \$2.0 million GF in fiscal year 2010 to replace an equal amount of E-911 funds. This reverses an action recommended in the September 2009 budget reduction plan.
  - ***Medical Evacuation Operations.*** Supplants an additional \$1.0 million GF in fiscal year 2010 for the Medevac program with nongeneral funds from the "4 for Life" program in the Department of Health.
  - ***Sale of State Police Aircraft.*** Adds \$1.6 million GF in fiscal year 2010 to reflect correctly as revenue the proceeds from selling State Police aircraft. A companion adjustment has been made in the general fund revenues.
- **Department of Veterans Services**
    - ***Governor's September 2009 Budget Reductions.*** Includes savings of \$427,516 GF and the addition of \$205,366 NGF to implement the September 2009 budget reductions, including:
      - Increasing the amount of central office administrative cost allocated to the two veterans care centers, for a general fund reduction of \$193,000.
      - Reducing administrative costs in benefits offices through more efficient use of supplies and equipment (\$75,000);
      - Reverting a June 30, 2009, discretionary general fund balance reserved by the agency as part of the budget reduction plan (\$72,000);
      - Capturing reimbursement funds received through a federal grant to offset general funds expended for equipment for the Sitter & Barfoot Veterans Care Center (\$33,424);
      - Reducing the hours for a part-time position supporting the Veterans Services Foundation (\$16,150);
      - Supplanting general funds with nongeneral funds for the Virginia War Memorial (\$12,366); and,
      - Reducing other administrative costs (\$59,000).

- **Virginia Parole Board**

- *Governor's September 2009 Budget Reductions.* Includes savings of \$15,360 GF in fiscal year 2010 to implement the September 2009 budget reductions. This includes reverting a June 30, 2009, general fund balance of \$8,835, and reducing travel expenditures for board members (\$6,525).

## **HB/SB 30**

- **Secretary of Public Safety**

- *Task Force on Alternatives for Nonviolent Offenders.* Includes language to continue the task force, with additional members as the Secretary may deem appropriate. This is one of a series of amendments implementing selected recommendations of the Task Force on Alternatives for Non-Violent Offenders.
- *Electronic Incarceration.* Includes language directing the Secretary to coordinate the development of a statewide system for the use of GPS and other electronic methods of monitoring offenders as an alternative to incarceration. The language also directs the Department of Corrections to negotiate a statewide contract for GPS and other services that can be used by Sheriffs, and directs the Department of Criminal Justice Services to develop guidelines for the use of these systems. This is one of a series of amendments implementing selected recommendations of the Task Force on Alternatives for Non-Violent Offenders.
- *Risk Assessment.* Includes language directing the Secretary to study the feasibility of utilizing a risk assessment instrument as one factor in parole decision-making.

- **Department of Alcoholic Beverage Control**

- *Increased Merchandise for Resale.* Provides \$15.0 million NGF the first year and \$15.0 million NGF the second year to reflect the anticipated increase in purchases of merchandise for resale in ABC stores statewide.
- *Increased Markup.* Assumes an increase of two percent in the markup of alcoholic beverages. A companion amendment to the revenue page captures the anticipated revenue increase of \$4.0 million GF each year.

- **Board of Towing and Recovery Operators**

- *Transfer from Office of Transportation.* Transfers the board from the Office of Transportation to the Office of Public Safety.
- *Additional Position.* Provides \$46,146 NGF the first year and \$50,341 NGF the second year and one position each year for an additional administrative position to ensure sufficient coverage of the credentialing, compliance, and consumer



complaint functions. The source of the nongeneral funds is the fee paid by the towing operators to support this regulatory function.

- *Additional Operating Appropriation.* Adds \$57,060 NGF each year to support the agency's business functions, including background checks from fingerprint scans, computer maintenance fees, and fees for the acceptance of credit cards.

- **Commonwealth's Attorneys' Services Council**

- *Governor's September 2009 Budget Reductions.* Includes savings of \$67,075 GF each year to implement the Governor's September 2009 budget reductions.
- *Federal Grant.* Adds \$100,000 NGF the first year to reflect a one-time U.S. Department of Justice grant for capital litigation training.

- **Compensation Board**

- *Summary of Reductions to Constitutional Officers.* The recommended budget for the Compensation Board includes a reduction of \$246.0 million for the biennium (or 19.5 percent below the base budget), including elimination of all state funding for Commissioners of the Revenue, Treasurers, and Directors of Finance, except for the salaries of the elected constitutional officers (\$45.2 million); reductions in the payment levels for jail per diems (\$38.8 million); elimination of state support for constitutional officer retirement and life insurance costs (\$61.6 million); and, suspension of funds for the career development programs for constitutional officers (\$11.4 million). The specifics of these reductions follow.
- *Removal of 2009 Restoration Funding.* Removes \$14.3 million GF each year from the base budget which was added by the 2009 General Assembly to restore proposed FY 2010 reductions in the constitutional offices.
- *Support for Retirement and Life Insurance.* Includes a net reduction of \$29.4 million GF each year by eliminating state support for retirement and group life insurance premiums for constitutional offices.
- *Retiree Health Care Credit and Liability Insurance.* Includes a reduction of \$1.7 million GF each year by shifting to localities the responsibility for funding the remaining 50 percent of the retiree health care credit and liability insurance for constitutional officers and their employees.
- *Career Development Programs.* Saves \$5.7 million GF each year by suspending the career development programs for constitutional offices.
- *Compensation Board Expenses.* Includes a savings of \$226,227 GF each year by reducing agency discretionary expenditures, reducing office space and associated rental charges, and eliminating three vacant positions.

### *Clerks of the Circuit Courts*

- ***Excess Circuit Court Fees.*** Includes an adjustment to the revenue page to capture an estimated \$3.0 million each year in general fund revenues from excess fees collected by the clerks.
- ***Across-the-Board Reductions.*** Includes a reduction of \$4.7 million GF each year.
- ***Technology Trust Fund.*** Removes language that earmarked funds from the Technology Trust Fund for the Clerk of the Circuit Court for the City of Newport News.

### *Commonwealth's Attorneys*

- ***Across-the-Board Reductions.*** Includes a reduction of \$2.5 million GF each year.

### *Sheriffs, Local Jails, and Regional Jails*

- ***Law Enforcement Deputies.*** Includes a reduction of \$12.6 million GF the first year and \$12.1 million GF the second year by adjusting the ratio of law enforcement deputies to local population from 1:1,500 to 1:2,000.
- ***Supplant Law Enforcement Funds.*** Supplants \$4.2 million GF the first year and \$10.8 million GF the second year for law enforcement with an equal amount of nongeneral funds from the Virginia Public Safety Fund. The source of these funds is the proposed 0.5 percent tax increase on property and casualty insurance premiums, for which companion legislation will be introduced.
- ***Supplant Courtroom Security Funds.*** Supplants \$4.2 million GF the first year and \$10.8 million GF the second year for courtroom security with an equal amount of nongeneral funds from the Virginia Public Safety Fund. The source of these funds is the proposed 0.5 percent tax increase on property and casualty insurance premiums, for which companion legislation will be introduced.
- ***Recently-Opened Jails.*** Includes \$5.9 million GF each year to annualize the cost of operating the expansion facility at the Riverside Regional Jail and the new Loudoun County Jail, which opened during fiscal year 2010.
- ***Soon-to-be-Opened Jails.*** Includes \$2.3 million GF the first year and \$2.4 million GF the second year for staffing three new or expanded jails opening in the 2010-12 biennium, including an expansion of the Pittsylvania County jail in a former state correctional unit, a new facility to replace the existing Patrick County Jail, and an expansion of the Rappahannock Regional Jail.
- ***Additional Jail Per Diems.*** Adds \$1.6 million GF the first year and \$0.9 million GF the second year for additional per diems as a result of the increased numbers of state-responsible offenders housed in local and regional jails, based on the

expected numbers of out-of-state prisoners to be held by the Department of Corrections.

- ***Reduction in Jail Per Diem Amounts.*** Includes a reduction of \$19.6 million GF the first year and \$19.3 million GF the second year by lowering the per diem amounts paid for local-responsible offenders in jail from \$8 to \$4, and for state-responsible offenders in jail from \$14 to \$12.
- ***Early Release.*** Includes a one-time savings of \$2.6 million GF in fiscal year 2011 associated with the early release of non-violent offenders. A companion language amendment to the budget for the Department of Corrections implements the early release strategy for non-violent offenders.
- ***Shift LIDS Costs to Local Users.*** Includes a reduction of \$102,000 GF each year by shifting mainframe support costs charged by VITA for the Local Inmate Data System (LIDS) to local and regional jails.
- ***Victim Notification System.*** Includes a reduction of \$11,221 GF each year for the Virginia Center for Policing Innovation, which represents a reduction in administrative overhead for the victim notification system.
- ***Supplant General Funds for Dispatchers.*** Supplants an additional \$2.0 million GF each year for local dispatchers with an equal amount of E-911 funds.

#### ***Commissioners of the Revenue***

- ***Across-the-Board Reductions.*** Includes a reduction of \$9.5 million GF each year by eliminating all state aid for local office operations except for the salaries of the elected officers.

#### ***Treasurers***

- ***Across-the-Board Reductions.*** Includes a reduction of \$9.0 million GF each year by eliminating all state aid for local office operations except for the salaries of the elected officers.

#### ***Directors of Finance***

- ***Across-the-Board Reductions.*** Includes a reduction of \$5.5 million GF each year by eliminating all state aid for local office operations except for the salaries of the elected officers.
- ***Authority to Establish Offices of Finance.*** Includes language authorizing counties and cities to establish offices of finance to assume the duties of the offices of treasurer and commissioner of revenue.

- **Department of Correctional Education**
  - *Governor's September 2009 Budget Reductions.* Includes savings of \$2.3 million GF each year from implementation of the September 2009 budget reductions, which eliminated 34 positions related to the closure of facilities by the Departments of Corrections and Juvenile Justice.
  - *Payroll Service Bureau.* Adds \$1,190 GF each year to reflect the required entry of this agency into the Payroll Services Bureau of the Department of Accounts.
  
- **Department of Corrections**
  - *Early Release.* Includes language providing the Director, Department of Corrections, with authority to release an inmate up to 90 days before the end of his or her term of confinement. Offenders currently or previously convicted of any violent offense, as defined for purposes of the sentencing guidelines, are excluded from this early-release provision. A companion amendment to the Compensation Board reflects a one-time savings of \$2.6 million GF in FY 2011 from this action.
  - *Jail Project Approval Process.* Includes language modifying the process for approval of local and regional jail capital projects for new construction, renovation, or expansion. Under the current process, localities or regional authorities are required to obtain an exemption from the General Assembly to a moratorium on project financing as set forth in the Appropriation Act. Under the proposed process, the localities or regions would first submit their proposals to the Department and Board of Corrections. DOC would still be responsible for assuring that all projects are consistent with Board-approved jail standards. The Department of Criminal Justice Services would provide input to the Board of Corrections on the expected costs of community corrections associated with the project. Projects approved by the Board of Corrections, along with the associated costs of community corrections for each project, would be recommended to the Department of Planning and Budget for inclusion of funding for the state share in the Governor's proposed budget.
    - The proposed language also clarifies that jail projects approved by the Board of Corrections as of the fall of 2009, but not included in the budget, as introduced, may be resubmitted for inclusion in the 2011 budget bill, without having to be approved again by the Board of Corrections.
  - *Replace Out-of-State Inmate Revenue.* Adds \$8.7 million GF each year to replace nongeneral fund revenues that will not be available after June 30, 2010, for housing inmates from Wyoming. The inmates from Wyoming are scheduled to leave in the spring of 2010.
  - *Inmate Medical Costs.* Provides \$4.7 million GF each year for the increased costs of inmate medical care.

- ***Correctional Enterprises.*** Adds \$6.0 million NGF each year to reflect anticipated expenditures by Virginia Correctional Enterprises, based on projected sales.
- ***Corrections Construction Unit.*** Adds \$1.1 million NGF each year to reflect the anticipated level of expenditures by this unit, which provides inmate labor for small construction projects within DOC and other agencies.
- ***Federal Grant.*** Provides \$200,000 NGF each year to reflect a federal grant for implementing evidence-based substance abuse treatment programs.
- ***Training for Evidence-Based Practices.*** Provides \$150,000 NGF each year for training probation officers in the implementation of evidence-based practices for the supervision of offenders. The source of the nongeneral funds is drug assessment funds from court costs. This is one of a series of amendments implementing selected recommendations of the Task Force on Alternatives for Non-Violent Offenders.
- ***Corrections Special Reserve Fund.*** Provides \$54,101 GF the first year for the projected corrections bedspace impact of proposed legislation increasing the penalty for assaulting an ABC enforcement officer.
- ***Brunswick Correctional Center.*** Includes savings of \$19.9 million GF the first year and \$20.3 million GF the second year to reflect the closure of Brunswick Correctional Center as part of the September 2009 budget reductions. The number of authorized positions is reduced by 328.5.
- ***Botetourt Correctional Center.*** Includes savings of \$2.4 million GF the first year and \$2.6 million GF the second year to reflect the closure of Botetourt Correctional Center as part of the September 2009 budget reductions. The number of authorized positions is reduced by 121.
- ***Additional Out-of-State Inmate Revenue.*** Supplants \$9.9 million GF each year with \$10.0 million each year in nongeneral funds, based on the assumption that DOC will contract to house 1,000 additional out-of-state inmates.
- ***Information Systems Balances.*** Transfers general fund balances of \$4.6 million the first year and \$5.6 million the second year and \$400,000 in nongeneral fund balances each year to the general fund. These balances are no longer needed for the development of the agency's information management systems.
- ***Payments in Lieu of Taxes.*** Includes savings of \$1.4 million GF each year by eliminating payments to localities in lieu of taxes in jurisdictions where state correctional facilities are located. Language is added exempting the agency from the requirements of Section 58.1-3403 of the *Code of Virginia* for making these payments in lieu of taxes.

- *Drug Cost Savings.* Includes savings of \$150,000 GF each year based on the use of generic drugs for inmates with psychiatric illnesses.
- *Unfunded Positions.* Reduces the agency’s maximum employment level by 120.5 each year to remove unfunded and vacant positions.
- *New Dairy Barn.* Includes language in Part 2 (Capital Outlay) to change the scope of the project which was originally intended to construct a new dairy barn at Powhatan Correctional Center. The revised language would permit the option of renovating the existing barn at James River Correctional Center.

- **Department of Criminal Justice Services**

- *State Aid to Localities with Police Departments.* Reduces the HB 599 program by \$40.9 million GF the first year and \$47.6 million GF the second year, resulting in a recommendation of \$156.4 million GF the first year and \$149.7 million GF the second year. The 2008 General Assembly originally provided \$205.0 million for FY 2010, so the \$149.7 million for FY 2012 represents a 27 percent general fund reduction below the original FY 2010 amount.
  - Separate legislation will be introduced to increase the tax on property and casualty insurance premiums by 0.5 percent with the proceeds to be deposited into the Virginia Public Safety Fund. The budget proposes to allocate \$4.2 million the first year and \$10.8 million the second year from this nongeneral fund for the HB 500 program.
- *Victim-Witness Programs.* Reduces grants for local victim-witness programs by \$465,000 GF each year. These grants were not reduced in fiscal year 2010. The 2008 General Assembly originally provided \$3.1 million each year for these programs, so this represents a 15 percent reduction.
- *Regional Police Training Academies.* Includes a reduction of \$464,843 GF each year for the regional academies, which is less than the \$640,983 reduction imposed in fiscal year 2010. The 2008 General Assembly originally provided \$1.1 million for the academies in fiscal year 2010, so the amounts for fiscal years 2011 and 2012 represent a 42.2 percent reduction below the original amount for fiscal year 2010.
- *School Resource Officers.* Includes a reduction of \$464,843 GF each year for the School Resource Officers Incentive Grants Fund. These grants were reduced by \$134,383 in FY 2010. The 2008 General Assembly originally provided \$1,490,000 for the fund for FY 2010, so the FY 2011 and 2012 amounts represent a 31.1 percent reduction below the original FY 2010 amount.
- *Offender Reentry and Transition Services.* Includes a reduction of \$370,727 GF each year in the grants for offender reentry and transition programs. These grants were reduced by ten percent (\$247,151) in fiscal year 2010. The revised amounts

for fiscal years 2011 and 2012 represent a 15 percent reduction below the original appropriation of \$2.5 million for fiscal year 2010.

- ***Eliminate Vacant Positions.*** Includes a reduction of \$332,100 GF and \$187,867 NGF each year to reflect the elimination of seven vacant positions.
- ***CASA Program.*** Reduces grants for Court Appointed Special Advocates (CASA) programs by \$218,485 GF each year. These grants were reduced by \$145,657 in fiscal year 2010. The 2008 General Assembly increased funding for this program to \$1.6 million GF in each year of the 2008-10 biennium, so the revised amounts for fiscal years 2011 and 2012 represent a 13.5 percent reduction below the original FY 2010 appropriation.
- ***Sexual Assault Crisis Centers.*** Reduces grants for local sexual assault crisis centers by \$67,500 GF each year. The 2008 General Assembly provided \$450,000 GF in each year of the 2008-10 biennium for this program. These grants were reduced by ten percent (\$45,000) in fiscal year 2010. For 2011 and 2012, the reductions are increased to 15 percent.
- ***Spanish Language Training.*** Includes a reduction of \$15,000 GF each year in the grant to the Virginia Center for Policing Innovation for Spanish language training.
  - The original grant by the 2008 General Assembly was for \$150,000 GF in each year of the 2008-10 biennium. The grant was reduced by the 2009 General Assembly to \$100,000 in fiscal year 2010. For FY 2011 and 2012, the proposed grant is reduced to \$85,000 each year.
- ***Internet Crimes Against Children.*** Adds \$250,000 GF each year for the Northern Virginia and the Southern Virginia Internet Crimes against Children Task Forces.
- ***Other Nongeneral Funds.*** Increases the recommended appropriations for private security regulation and asset forfeiture by \$1.6 million NGF each year to reflect increased caseloads.

- **Department of Emergency Management**

- ***Governor's September 2009 Budget Reductions.*** Continues the strategies announced in September 2009 for a savings of \$284,468 GF each year.
- ***Emergency Management Assistance Compact.*** Includes language developed in response to changes in federal reimbursement policies for assistance provided by state and local agencies to other states or localities in a disaster.
  - Virginia's Department of Emergency Management (VDEM) is reimbursed by the Federal Emergency Management Agency (FEMA) for the approved costs of state and local assistance provided to other jurisdictions in the event of an out-of-state disaster.

- FEMA has tightened its audit requirements. This may become an issue because VDEM reimburses Virginia localities for their expenses before the federal reimbursement is received. If some of the expenses are disallowed under FEMA's more rigorous review procedures, VDEM may find it has over-reimbursed some localities. If so, those Virginia localities are then required to reimburse VDEM for the overpayments.
  - The proposed language provides that if a locality does not reimburse VDEM within 60 days of being notified, the State Comptroller is authorized to withhold (from any funds to be transferred to that locality) the amount overpaid to that locality, and to transfer that amount to VDEM.
- *Adjust Funding Sources.* Changes the funding source for 9.9 positions to take advantage of available federal funds and to adjust to the fiscal year 2010 budget reductions.
- *Fusion Center Analyst.* Supplants \$58,945 GF each year with an equal amount of nongeneral funds by changing the funding source for a Fusion Center analyst to State Homeland Security funding.
- *Emergency Operations Center Position.* Supplants \$46,607 GF each year with an equal amount of nongeneral funds by changing the funding source for a communicator position to the Urban Area Security Initiative.
- *Administrative Position.* Includes a savings of \$33,441 GF each year by eliminating one administrative position.
- *Reducing the Number of Regions.* Includes a savings of \$80,000 GF each year by reducing the number of hazardous materials regions from eight to seven regions.
- **Department of Fire Programs**
  - *Governor's September 2009 Budget Reductions.* Continues the strategies announced in September 2009 for a savings of \$211,444 GF the first year and \$141,559 GF the second year, including the elimination of one vacant regional manager position and a wage position.
  - *Bookstore Appropriation.* Provides an increase of \$98,845 each year in nongeneral funds to reflect anticipated sales from the agency's bookstore, which supplies training materials for firefighters.
- **Department of Forensic Science**
  - *Governor's September 2009 Budget Reductions.* Continues the strategies announced in September 2007 for a savings of \$36,397 GF each year, which reflects the deferral of certain payments which had previously been prepaid. The other fiscal year 2010 reductions were one-time savings.



- ***Court Testimony.*** Provides \$789,175 GF each year for the increased costs associated with court testimony by forensic scientists. The 2009 decision of the U.S. Supreme Court in the Melendez-Diaz case specifies that state law must afford a defendant the opportunity to require the prosecution to present scientific analyses through direct testimony of forensic scientists. These additional funds are intended to support increased travel, overtime, training and retention expenses, and to fill three unfunded toxicology positions.
- ***Western Forensics Laboratory.*** Adds \$206,000 GF each year to reflect the cost of maintenance and utilities for space utilized by the western Office of the Chief Medical Examiner in the western forensics laboratory at Roanoke. A companion amendment to the budget for the Department of Health transfers these funds from the Chief Medical Examiner.
- ***Adjustment of Federal Grant Funding.*** Removes \$1.5 million NGF each year to reflect the completion of a one-time post-conviction DNA testing grant.

- **Department of Juvenile Justice**

- ***Governor's September 2009 Budget Reductions.*** Includes savings of \$7.9 million GF each year to continue the September 2009 budget reductions in fiscal year 2011 and 2012, including:
  - Closure of Natural Bridge Juvenile Correctional Center, for an annual savings of \$2.8 million;
  - Five percent reduction each year in funding for the Virginia Juvenile Community Crime Control Act, locally-operated court services units, and local detention home operations, for an annual savings of 2.5 million;
  - Elimination of 23.5 juvenile court services unit positions and reductions in support costs for an annual savings of \$1.3 million;
  - Elimination of 11 central office positions for an annual savings of \$665,598; and,
  - Reduction of contract services for juveniles on probation for an annual savings of \$536,209.
- ***Nongeneral Fund Adjustments.*** Transfers appropriations from federal to special funds to support an increase in expenditures for the Annie E. Casey Foundation grant to develop alternatives to juvenile detention, and to supplant general funds for various programs.

- **Department of Military Affairs**

- *Governor's September 2009 Budget Reductions.* Continues the strategies announced in September 2009 for a savings of \$368,669 GF and \$235,700 NGF each year.
- *Recruitment Incentives.* Eliminates \$180,000 GF each year for state incentives to recruit soldiers for the Virginia National Guard and the Air National Guard. This proposal assumes the agency will rely on federal recruitment incentives to maintain force strength.
- *Tuition Assistance.* Adds \$212,703 GF each year for the state tuition assistance program for members of the National Guard.
- *Nongeneral Funds.* Adds \$9.0 million NGF each year to reflect anticipated cooperative agreement funding from the National Guard Bureau of the U.S. Department of Defense.

- **Department of State Police**

- *Governor's September 2009 Budget Reductions.* Continues certain of the strategies announced in September 2009 for a savings of \$8.7 million GF the first year and \$7.3 million GF the second year, including:
  - Reverting nongeneral fund balances from the insurance fraud program (\$2.0 million each year);
  - Deferring purchase of highway patrol vehicles (\$1.25 million each year);
  - Supplanting aviation unit general fund support with an equal amount of special funds from the Department of Aviation (\$116,988 each year);
  - Maintaining the previous reduction of the aviation fleet, including one fixed-wing aircraft and one non-med-flight helicopter (\$353,451 each year);
  - Maintaining the previous annual savings from the elimination of 104 wage positions (\$1.6 million each year); and,
  - Postponing the 116<sup>th</sup> Basic Trooper School until January 2011, and reducing the number of trainees to 50 cadets, for a savings of \$3.4 million the first year and \$2.0 million the second year.
- *117<sup>th</sup> and 118<sup>th</sup> Basic Trooper Schools.* Includes savings of \$287,604 GF the first year and \$3.1 million GF the second year based on postponing the 117<sup>th</sup> Basic Trooper School until January 2012 and postponing the 118<sup>th</sup> Basic Trooper School until January 2013. In order to maintain the agency's core responsibilities, sworn

positions from other operational areas may have to be reassigned to highway patrol duties.

- ***STARS Maintenance Costs.*** Provides \$4.7 million NGF and 22 positions the first year and \$6.7 million NGF and 34.0 positions the second year from nongeneral funds through the Virginia Public Safety Fund for project maintenance costs for the State Agencies Radio System (STARS). The Virginia Public Safety Fund is proposed to be funded through companion legislation increasing the tax on property and casualty insurance premiums by 0.5 percent.
- ***Counter-Terrorism Operations.*** Supplants \$4.8 million GF each year for counter-terrorism operations with an equal amount of nongeneral funds from the proposed insurance tax increase for the Virginia Public Safety Fund.
- ***Medical Evacuation Operations.*** Supplants an additional \$1.0 million GF each year for medical evacuation (Medevac) operations with an equal amount of nongeneral funds from the “\$4 for Life” program. This raises the total of “\$4 for Life” revenues in the Medevac program to \$2.6 million each year.
- ***Delay in Filling Sworn Position.*** Includes a savings of \$155,412 GF the second year from delaying filling a sworn position upon the retirement of the incumbent.

- **Department of Veterans Services**

- ***Governor’s September 2009 Budget Reductions.*** Continues the strategies announced in September 2009 for a savings of \$393,866 GF and an increase of \$205,366 NGF each year. The nongeneral fund increase reflects several actions to supplant general funds.
- ***Wounded Warrior Program.*** Provides \$100,000 NGF each year to anticipate the receipt of federal grants for the Wounded Warrior program.
- ***Director of Health Planning.*** Includes \$50,000 NGF each year for a part-time project manager to oversee the development of plans and marketing programs for the new veterans care centers.
- ***Veterans Services Foundation.*** Adds \$40,000 NGF each year for operational and administrative costs of the Veterans Services Foundation. The agency can no longer absorb these expenses due to budget reductions.
- ***Federal Grant Application for Suffolk Cemetery.*** Includes language authorizing the agency to apply for a federal grant for construction of the second phase of the Albert G. Horton, Jr. Memorial Veterans Cemetery in Suffolk. Upon approval of the federal grant, a treasury loan would be provided to support construction of the project. The treasury loan would be repaid from the federal grant.

- *Maintenance Reserve.* Includes \$200,000 NGF each year (in Part 2 – Capital Outlay) for maintenance reserve projects for the veterans care centers. The source of the nongeneral funds is the daily rate supplement which is added to the charges for the veterans care centers. Of the total, \$150,000 is from federal funds and \$50,000 is from special funds.

- **Virginia Parole Board**

- *Governor’s September 2009 Budget Reductions.* Continues the strategies announced in September 2009 for a savings of \$18,279 GF each year.
- *Conversion of Board Members to Part-Time Status.* Includes a savings of \$125,903 GF the second year and 2.6 positions each year from converting the remaining two board members to part-time status. With this change, the only member of the five-person board who will remain full time will be the chairman.