



Report of the Subcommittee on  
Public Safety

Senate Finance Committee  
Virginia General Assembly

February 21, 2010

**REPORT OF THE SUBCOMMITTEE ON PUBLIC SAFETY**  
**On Senate Bills 29 and 30, as Introduced**  
**(February 21, 2010)**

**Mr. Chairman and Members of the Committee:**

Your subcommittee has reviewed the provisions of Senate Bills 29 and 30, the budget bills, as introduced, for the Office of Public Safety, for this fiscal year, 2010, and for the 2010-12 biennium.

These are challenging times. We are very much aware of the difficulties all of our criminal justice agencies are facing. We have had to reduce core services in order to meet our budget reduction targets. All of the members of this subcommittee recognize that we are downsizing the capacity of Virginia's criminal justice system. Agencies are straining at the limits of their resources, but they are absolutely committed to doing the very best job possible.

I want to thank the members of this subcommittee for the spirit of cooperation in which we have worked, and for devoting so many of their early morning hours to reviewing the amendments we are proposing, in order to reach a consensus that we can live with.

The introduced budget already reflects severe reductions in public safety, including the previous closure of adult and juvenile correctional facilities, elimination of day reporting centers and substance abuse treatment programs, reductions in our adult and juvenile probation offices, reductions in the Department of State Police, the closure of two National Guard armories, and the reduction of state aid to localities for police departments and for regional police training academies, among many other programs.

We are no longer conducting business as usual. At times like this, we need to remember that our actions in one part of the criminal justice system affect other parts of the system. For this reason, we have coordinated our recommendations carefully with your General Government Subcommittee.

The good news is that serious crime overall remains relatively low in Virginia, and our adult prison and jail populations are not growing, at least for now. However, we are seeing some increases in those types of property offenses usually associated with a downturn in the economy. And, the state-responsible juvenile population is currently running 2.4 percent above the forecast.

For the time being, the adult state-responsible offender population is 1.3 percent below the forecast for this year, and that forecast already called for much slower growth. Accordingly, we recommend that the Department of Corrections close an additional state facility before the end of the current fiscal year. This will increase the backlog of state-responsible offenders in our regional and local jails.

At the same time, amendments recommended by your General Government Subcommittee are expected to result in further slowing of the local-responsible offender population in jails, so there will be more space in jail to house this backlog. We also support language in the introduced budget to expand the window of opportunity for discretionary early release from 60 to 90 days, for nonviolent offenders, as defined for purposes of the sentencing guidelines. This will potentially save over 600 beds.

Your subcommittee recommends a series of new language amendments to encourage increased use of alternatives to incarceration, including granting authority for the Department of Corrections to give good time credits to offenders on electronic monitoring, more aggressively identifying prisoners who may be suitable for parole, and developing standards for geriatric parole release.

These recommendations are all intended to enable the agencies within our criminal justice system to manage their caseloads in an effective manner, during these times of limited resources.

We are also strongly supportive of Governor McDonnell and Secretary of Public Safety Marla Decker in emphasizing the importance of offender re-entry programs. We are all in agreement that coordinated efforts among our state and local agencies to assist inmates in returning to their home communities, finding a place to live, and finding a job, will help reduce crime in the future. As our economy improves and state revenues increase, carefully targeted improvements in re-entry programs will be high on our agenda.

The House Bill 599 program of state aid to localities with police departments is very important to us. This year, the total aid program has been reduced to \$180 million, based on the reductions we have experienced in general fund revenues. For next year, the statutory formula would suggest we increase the total to \$185 million, but in these times of scarce resources we are recommending a reduction of eight percent, comparable to the reduction applied to the Sheriffs' offices, cutting the total for House Bill 599 to \$170 million. In order to achieve this degree of parity with the reductions in the Sheriffs' offices, we are recommending adding \$10.2 million each year for the House Bill 599 program, compared to the budget, as introduced.

We are a nation at war, and we are grateful for the continued sacrifices of the men and women in our nation's armed forces and in our Virginia National Guard and Air National Guard. We support the amendment in the budget, as introduced, to fully fund the National Guard tuition assistance program.

We recommend adding funds to operate the new Paul and Phyllis Galanti Education Center at the Virginia War Memorial in Richmond, and the new veterans cemetery in Southwest Virginia, at Radford, neither of which were included in the introduced budget.

The Senate has passed Senate Bill 620, which creates the Internet Crimes Against Children Fund as a special, dedicated fund to support law enforcement efforts to stop child predators.

SB 620 adds a new \$10 fee for every criminal conviction, which generates an estimated \$1.8 million in nongeneral fund revenue. We recommend this be dedicated to the Northern Virginia and Southern Virginia Task Forces on Internet Crimes Against Children, along with a new grant program, as provided in this legislation.

And finally, we will not forget for one moment the outstanding work being done in our public safety agencies at the state and local level to keep Virginians safe. The men and women on the front line in corrections, law enforcement, fire and emergency services, and in the National Guard and Air National Guard, are standing ready to get their jobs done, even during this time of severe budget reductions. They deserve our thanks and our respect for their dedication to public service.

Mr. Chairman, this completes the report of your subcommittee.

**REPORT OF THE SUBCOMMITTEE ON PUBLIC SAFETY**  
**(Recommended Amendments to SB 29 and SB 30, As Introduced)**

Amendment	GF	General Funds		
	FY 2010	FY 2011	FY 2012	Biennium
<b>1 Secretary of Public Safety</b>				
2 Sec'y PS - Task Force on Alternatives (encourage electronic monitoring)		Language		
3 Sec'y PS - Add reporting date for parole risk assessment study		Language		
<b>4 Department of Alcoholic Beverage Control</b>				
5 ABC - Authorize up to ten additional stores (20 FTE, + NGF)				
6 ABC - Authorize ABC Board to permit Sunday sales (w. local opt-out)		Language		
7 ABC - Increase transfer to General Fund (Part 3)		Language		
<b>8 Department of Correctional Education</b>				
9 DCE - Turnover and vacancy savings		(2,000,000)	(2,400,000)	(4,400,000)
10 DCE - Legislative intent to preserve academic & vocational programs		Language		
<b>11 Department of Corrections</b>				
12 DOC - Brunswick Correctional Center - Options for Reuse	Language			
13 DOC - Authorize good time credit for electronic monitoring		Language		
14 DOC - Identify prisoners who may be suitable for parole		Language		
15 DOC - Feasibility study of geriatric parole release facility		Language		
16 DOC - Adjust definition of state responsible prisoner to 2 years or more		Language		
17 DOC - Require that BOC reports on jail capacity include double-bunking		Language		
18 DOC - Clarify jail capital project approval language		Language		
19 DOC - Transfer funds to Sec'y of PS for reentry coordinator		Language		
20 DOC - Charlotte County Correctional Center site		Language		
21 DOC - Long range plan for Powhatan-James River complex		Language		
22 DOC - Close additional correctional facility(ies)	Language	(9,000,000)	(11,000,000)	(20,000,000)
23 DOC - Remove 2nd year inmate medical cost increase (study language)		0	(4,700,000)	(4,700,000)
24 DOC - Reduce expenditures for equipment (study language)		(1,250,000)	0	(1,250,000)
25 DOC - Remove fiscal impact of sentencing bill (which was carried over)		(54,101)	0	(54,101)
<b>26 Department of Criminal Justice Services</b>				
27 DCJS - Require supervision fees for local pre-trial programs		Language		
28 DCJS - Reduce Court Appointed Special Advocates (CASA)		(61,904)	(61,904)	(123,808)
29 DCJS - Eliminate grant for Virginia Center for Policing Innovation		(85,000)	(85,000)	(170,000)
30 DCJS - Eliminate Alzheimer's Training Grant		(50,000)	(50,000)	(100,000)
31 DCJS - Create ICAC Fund (replace GF with \$1.8 m/yr NGF - SB 620)		(350,000)	(350,000)	(700,000)
32 DCJS - Reduce central office positions (-9 FTE)		(500,000)	(942,443)	(1,442,443)
33				

34 35 36	Amendment	GF	General Funds		
		FY 2010	FY 2011	FY 2012	Biennium
37	<b>Department of Fire Programs</b>				
38	DFP - Fire Marshal - Certification of Fireworks Operators (NGF - SB 8)				
39	<b>Department of Forensic Science</b>				
40	DFS- Reduce administrative expenses and positions (-2 FTE; language)		(271,983)	(282,728)	(554,711)
41	<b>Department of Juvenile Justice</b>				
42	DJJ - Reduce central office positions (-3 FTE; language)		(400,000)	(400,000)	(800,000)
43	DJJ - Capture additional turnover and vacancy savings		(1,470,000)	(1,470,000)	(2,940,000)
44	DJJ - Reduce VJCCCA grants		(2,500,000)	(2,500,000)	(5,000,000)
45	DJJ - Close one state-operated halfway house		(400,000)	(400,000)	(800,000)
46	DJJ - Natural Bridge JCC - Options for Reuse		Language		
47	<b>Department of Military Affairs</b>				
48	DMA - Eliminate Commonwealth Challenge Program		(600,000)	(1,335,213)	(1,935,213)
49	<b>Department of State Police</b>				
50	DSP - Supplant GF for Med-Flight with \$6-for-Life (+ NGF)		(452,723)	(452,723)	(905,446)
51	DSP - Postpone Basic Trooper Schools		(1,200,000)	(1,300,000)	(2,500,000)
52	DSP - Adjust fees for fingerprint cards		Language		
53	<b>Virginia Parole Board</b>				
54	PB - Convert Chairman's position to part-time status		(62,553)	(62,553)	(125,106)
55	PB - Set standards for geriatric release		Language		
56					
57	<b>Sub-Total - Public Safety - Sources</b>	<u>0</u>	<u>(20,708,264)</u>	<u>(27,792,564)</u>	<u>(48,500,828)</u>
58					
59	<b>Uses of Funds</b>				
60	DOC - Maintenance expense for new Grayson County prison		715,000	715,000	1,430,000
61	DCJS - HB 599 (reductions of -8% each year compared to formula)		10,278,659	10,278,659	20,557,318
62	DVS - Virginia War Memorial Education Center (1 FTE)		400,000	400,000	800,000
63	DVS - SW VA Veterans Cemetery at Radford (4 FTE, + NGF)	40,000	200,000	200,000	400,000
64	DVS - Automated Claims System Pilot Project		30,000	30,000	60,000
65	DVS - Burial Vaults (Veterans' Cemetery in Amelia County)		25,000	0	25,000
66	<b>Sub-Total - Public Safety - Uses</b>	<u>40,000</u>	<u>11,648,659</u>	<u>11,623,659</u>	<u>23,272,318</u>
67					
68					
69	<b>TOTAL PUBLIC SAFETY - SOURCES AND USES COMBINED</b>	<b>40,000</b>	<b>(9,059,605)</b>	<b>(16,168,905)</b>	<b>(25,228,510)</b>
70					
71	<b>Compensation Board</b>				
72	Transfer Comp Board back to Office of Administration		(513,276,014)	(502,817,324)	(1,016,093,338)
73	Eliminate language concerning Directors of Finance (Item 425)		Language		

74				
75				
76	<b>Grand total of all amendments for Public Safety (GF)</b>	<b>40,000</b>	<b>(522,335,619)</b>	<b>(518,986,229) (1,041,321,848)</b>
77				
78				
79			<b>Nongeneral Funds</b>	
80			<b>FY 2011</b>	<b>FY 2012</b>
81	<b>SB 620 - Internet Crimes Against Children (ICAC) Fund - account for this as Special Funds (NGF)</b>		<b>Biennium</b>	
82	Revenue Page - \$10 per conviction added to court costs (SB 620)		1,800,000	1,800,000
83				3,600,000
84	<b>Expenditures NGF)</b>			
85	DCJS - Southern VA ICAC Task Force (Bedford County Sheriff's Office)		600,000	600,000
86	DCJS - ICAC grants to other law enforcement agencies (language)		500,000	500,000
87	State Police - Northern VA ICAC Task Force (language)		600,000	600,000
88	Social Services - VA Child Protection Accountability System		100,000	100,000
89	<b>Total NGF Expenditures for ICAC (as specified in SB 620)</b>		<b>1,800,000</b>	<b>1,800,000</b>
90				<b>3,600,000</b>
91				
92	<b>Additional Language Amendments</b>			
93				
94	<b>Circuit Courts</b>			
95	Allow probationers to earn credits while under active probation supervision,			
96	which could shorten the length of their probation term		Language	
97	Sentencing worksheets for probation revocation			
98	and sentence suspension revocation cases		Language	
99	<b>Virginia Criminal Sentencing Commission</b>			
100	VCSC to develop risk assessment guidelines to inform			
101	discretionary and geriatric release decisions by Parole Board		Language	
102	VCSC to study felony sentencing guidelines to encourage			
103	electronic monitoring for lower-risk, non-violent offenders		Language	
104	VCSC to study extension of good time credits to			
105	expanded definition of state-responsible inmates			
106	in jail with sentences of one year up to two years		Language	
107				
108				
109				
110				
111				
112				



		General Funds			
		FY 2010	FY 2011	FY 2012	Biennium
113					
114	<b>HB 599 Calculation</b>				
115					
116	<b>SB 29, As Introduced</b>	<b>180,824,184</b>			
117					
118	<b>HB 599 Total (increase 2.7%, per statutory formula, for FY 2011)</b>		<b>185,706,437</b>		
119					
120	<b>HB 599 Total (level funded in FY 2012)</b>			<b>185,706,437</b>	
121					
122	Percentage Reduction		-8.0%	-8.0%	
123	Calculated reductions		(14,856,515)	(14,856,515)	
124	Revised Amount for HB 599 Payments (with reduction)		170,849,922	170,849,922	
125					
126	Less: Public Safety Fund in SB 30 (from insurance premiums tax) (NGF)		(4,150,224)	(10,837,085)	
127					
128	Adjusted GF Requirement for HB 599		166,699,698	160,012,837	
129	Less: Actual GF in SB 30, As Introduced		(156,421,039)	(149,734,178)	
130					
131	<b>Additional GF Recommended (assumes 8% reduction)</b>		<b>10,278,659</b>	<b>10,278,659</b>	
132					

**HB 599 Proposed Distributions by Locality**

**Senate Finance  
Committee  
Proposed  
Amendment  
(February 21, 2010)**

	<b>Actual FY09 Distribution</b>	<b>SB 29 FY10 Distribution</b>	<b>SB 30 Proposed FY 2011 and FY 2012</b>
<b>TOTAL AID</b>	<b>\$197,295,927</b>	<b>\$180,824,184</b>	<b>\$170,849,922</b>
<b>Counties</b>			
Albemarle Cc	\$2,298,317	\$2,106,436	\$1,990,245
Arlington Cc	\$7,036,632	\$6,449,161	\$6,093,425
Chesterfield Cc	\$8,534,600	\$7,822,068	\$7,390,602
Fairfax Cc	\$27,154,140	\$24,887,109	\$23,514,336
Henrico Cc	\$9,756,797	\$8,942,226	\$8,448,973
James City Cc	\$1,510,947	\$1,384,802	\$1,308,416
Prince George Cc	\$1,002,074	\$918,413	\$867,754
Prince William Cc	\$10,513,290	\$9,635,562	\$9,104,064
Roanoke Cc	\$2,052,613	\$1,881,245	\$1,777,476
<b>Total County Aid</b>	<b>\$69,859,410</b>	<b>\$64,027,023</b>	<b>\$60,495,292</b>
<b>Cities</b>			
Alexandria C	\$6,156,548	\$5,642,553	\$5,331,310
Bedford C	\$278,851	\$255,570	\$241,473
Bristol C	\$1,106,499	\$1,014,120	\$958,181
Buena Vista C	\$202,223	\$185,340	\$175,117
Charlottesville C	\$2,302,962	\$2,110,693	\$1,994,268
Chesapeake C	\$7,208,563	\$6,606,738	\$6,242,310
Clifton Forge C	\$215,551	\$197,555	\$186,658
Colonial Heights C	\$642,815	\$589,148	\$556,651
Covington C	\$294,217	\$269,654	\$254,779
Danville C	\$2,889,084	\$2,647,882	\$2,501,824
Emporia C	\$235,336	\$215,688	\$203,791
Fairfax C	\$680,962	\$624,110	\$589,684
Falls Church C	\$368,826	\$338,034	\$319,388
Franklin C	\$462,866	\$424,222	\$400,822
Fredericksburg C	\$890,838	\$816,464	\$771,428
Galax C	\$358,719	\$328,770	\$310,635
Hampton C	\$7,464,361	\$6,841,180	\$6,463,821
Harrisonburg C	\$1,497,538	\$1,372,512	\$1,296,805
Hopewell C	\$1,449,746	\$1,328,710	\$1,255,419
Lexington C	\$218,870	\$200,597	\$189,532
Lynchburg C	\$3,353,513	\$3,073,537	\$2,904,000
Manassas C	\$1,352,199	\$1,239,307	\$1,170,947
Manassas Park C	\$480,378	\$440,272	\$415,987
Martinsville C	\$962,942	\$882,548	\$833,867
Newport News C	\$10,003,030	\$9,167,902	\$8,662,201
Norfolk C	\$12,786,821	\$11,719,281	\$11,072,846
Norton C	\$246,774	\$226,171	\$213,696
Petersburg C	\$2,313,911	\$2,120,728	\$2,003,749
Poquoson C	\$266,841	\$244,563	\$231,073
Portsmouth C	\$6,621,307	\$6,068,511	\$5,733,772
Radford C	\$536,454	\$491,667	\$464,546
Richmond C	\$15,898,022	\$14,570,736	\$13,767,014
Roanoke C	\$6,109,537	\$5,599,467	\$5,290,600
Salem C	\$735,792	\$674,363	\$637,165
South Boston	\$356,703	\$326,923	\$308,890
Staunton C	\$982,450	\$900,428	\$850,760
Suffolk C	\$3,163,582	\$2,899,462	\$2,739,528
Virginia Beach C	\$12,513,674	\$11,468,939	\$10,836,312
Waynesboro C	\$832,250	\$762,768	\$720,693
Williamsburg C	\$427,158	\$391,496	\$369,901
Winchester C	\$930,039	\$852,392	\$805,374
<b>Total City Aid</b>	<b>\$115,798,752</b>	<b>\$106,131,004</b>	<b>\$100,276,818</b>
<b>Towns</b>			

**HB 599 Proposed Distributions by Locality**

	<b>Actual FY09 Distribution</b>	<b>SB 29 FY10 Distribution</b>	<b>SB 30 Proposed FY 2011 and FY 2012</b>
Abingdon	\$216,274	\$198,218	\$187,284
Altavista	\$91,708	\$84,052	\$79,415
Amherst	\$60,512	\$55,460	\$52,401
Appalachia	\$48,333	\$44,298	\$41,854
Appomattox	\$47,380	\$43,424	\$41,029
Ashland	\$189,165	\$173,372	\$163,809
Berryville	\$84,733	\$77,659	\$73,375
Big Stone Gap	\$158,922	\$145,654	\$137,620
Blacksburg	\$1,068,344	\$979,151	\$925,141
Blackstone	\$97,865	\$89,694	\$84,747
Bluefield	\$143,147	\$131,196	\$123,959
Boones Mill	\$7,874	\$7,217	\$6,819
Bowling Greer	\$26,210	\$24,022	\$22,697
Boydton	\$12,750	\$11,686	\$11,041
Boykins	\$16,428	\$15,056	\$14,226
Bridgewater	\$144,428	\$132,370	\$125,069
Broadway	\$67,269	\$61,653	\$58,252
Brodnax	\$8,282	\$7,591	\$7,172
Brooknea	\$33,893	\$31,063	\$29,350
Buchanan	\$33,839	\$31,014	\$29,303
Burkeville	\$13,051	\$11,961	\$11,302
Cape Charles	\$32,149	\$29,465	\$27,840
Cedar Bluff	\$29,316	\$26,868	\$25,386
Chase City	\$65,197	\$59,754	\$56,458
Chatham	\$35,474	\$32,512	\$30,719
Chilhowie	\$48,606	\$44,548	\$42,091
Chincoteague	\$120,315	\$110,270	\$104,188
Christiansburg	\$476,657	\$436,862	\$412,765
Clarksville	\$35,282	\$32,336	\$30,553
Clintwooc	\$41,168	\$37,731	\$35,650
Coeburn	\$54,082	\$49,567	\$46,833
Colonial Beach	\$89,937	\$82,428	\$77,882
Courtland	\$33,866	\$31,039	\$29,327
Crewe	\$63,073	\$57,807	\$54,619
Culpeper	\$301,606	\$276,426	\$261,178
Damascus	\$29,807	\$27,318	\$25,812
Dayton	\$36,644	\$33,585	\$31,732
Drakes Branch	\$13,241	\$12,136	\$11,466
Dublin	\$60,676	\$55,610	\$52,543
Dumfries	\$154,434	\$141,541	\$133,733
Edinburg	\$23,023	\$21,101	\$19,937
Elkton	\$55,526	\$50,890	\$48,083
Exmore	\$38,280	\$35,084	\$33,149
Farmville	\$191,017	\$175,069	\$165,413
Fries	\$15,803	\$14,484	\$13,685
Front Roya	\$387,156	\$354,833	\$335,261
Gate City	\$58,305	\$53,437	\$50,490
Glade Springs	\$42,258	\$38,730	\$36,594
Glasgow	\$27,736	\$25,420	\$24,018
Glen Lyn	\$4,413	\$4,045	\$3,821
Gordonsville	\$42,965	\$39,378	\$37,206
Gretna	\$33,403	\$30,614	\$28,926
Grottoes	\$59,013	\$54,086	\$51,103
Grundy	\$27,845	\$25,520	\$24,113
Halifax	\$35,664	\$32,687	\$30,884
Haymarket	\$32,460	\$29,750	\$28,109
Haysi	\$4,931	\$4,519	\$4,270
Herndon	\$627,845	\$575,428	\$543,687
Hillsville	\$74,707	\$68,470	\$64,693
Honaker	\$25,120	\$23,023	\$21,753
Hurt	\$34,002	\$31,163	\$29,444
Independence	\$25,339	\$23,224	\$21,943
Iron Gate	\$10,544	\$9,664	\$9,131
Jonesville	\$26,973	\$24,721	\$23,357
Kenbridge	\$35,747	\$32,763	\$30,955
Kilmarnock	\$33,186	\$30,415	\$28,738

**HB 599 Proposed Distributions by Locality**

	<b>Actual FY09 Distribution</b>	<b>SB 29 FY10 Distribution</b>	<b>SB 30 Proposed FY 2011 and FY 2012</b>
Lacrosse	\$16,511	\$15,133	\$14,298
Lawrenceville	\$33,621	\$30,814	\$29,114
Lebanon	\$87,921	\$80,581	\$76,136
Leesburg	\$948,900	\$869,679	\$821,707
Louisa	\$40,242	\$36,882	\$34,848
Luray	\$132,903	\$121,807	\$115,088
Marion	\$168,049	\$154,019	\$145,523
Mckenney	\$13,105	\$12,011	\$11,348
Middleburg	\$22,941	\$21,026	\$19,866
Middletown	\$29,643	\$27,168	\$25,670
Montross	\$8,473	\$7,766	\$7,337
Mount Jackson	\$47,189	\$43,249	\$40,864
Narrows	\$58,441	\$53,562	\$50,607
New Market	\$48,987	\$44,897	\$42,421
Occoquan	\$24,369	\$22,334	\$21,103
Onancock	\$40,677	\$37,281	\$35,225
Onley	\$13,568	\$12,435	\$11,749
Orange	\$117,891	\$108,049	\$102,089
Parksley	\$22,804	\$20,900	\$19,747
Pearisburg	\$75,442	\$69,144	\$65,330
Pembroke	\$31,686	\$29,041	\$27,439
Pennington Gap	\$48,252	\$44,224	\$41,784
Pocahontas	\$11,798	\$10,813	\$10,217
Pound	\$29,534	\$27,068	\$25,575
Pulaski	\$249,812	\$228,956	\$216,327
Purcellville	\$122,031	\$111,843	\$105,674
Quantico	\$19,496	\$17,868	\$16,883
Remington	\$18,173	\$16,656	\$15,737
Rich Creek	\$18,473	\$16,931	\$15,997
Richlands	\$152,982	\$140,210	\$132,476
Rocky Mount	\$124,103	\$113,742	\$107,468
Rural Retreat	\$36,536	\$33,486	\$31,639
Saltville	\$61,874	\$56,708	\$53,580
Scottsville	\$14,431	\$13,226	\$12,497
Shenandoah	\$51,140	\$46,870	\$44,285
Smithfield	\$184,832	\$169,401	\$160,057
South Hill	\$124,838	\$114,416	\$108,104
St. Paul	\$26,346	\$24,146	\$22,815
Stanley	\$36,372	\$33,335	\$31,497
Stephens City	\$37,954	\$34,785	\$32,867
Strasburg	\$114,185	\$104,652	\$98,879
Tangier	\$19,017	\$17,429	\$16,468
Tappahannock	\$58,414	\$53,537	\$50,584
Tazewell	\$113,313	\$103,853	\$98,124
Timberville	\$46,399	\$42,525	\$40,180
Urbanna	\$15,121	\$13,859	\$13,094
Victoria	\$48,388	\$44,348	\$41,902
Vienna	\$430,329	\$394,402	\$372,647
Vinton	\$216,653	\$198,565	\$187,612
Wakefield	\$26,782	\$24,546	\$23,192
Warrenton	\$226,000	\$207,132	\$195,706
Warsaw	\$37,244	\$34,135	\$32,252
Waverly	\$59,913	\$54,911	\$51,882
Weber City	\$35,092	\$32,162	\$30,388
West Point	\$81,355	\$74,563	\$70,450
White Stone	\$9,536	\$8,740	\$8,258
Windsor	\$65,552	\$60,079	\$56,765
Wise	\$88,084	\$80,730	\$76,277
Woodstock	\$113,149	\$103,702	\$97,982
Wytheville	\$215,701	\$197,693	\$186,788
<b>Total Town Aid</b>	<b>\$11,637,765</b>	<b>\$10,666,157</b>	<b>\$10,077,812</b>

Item 390 #1s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 213, following line 55, insert:

"M. The Department of Corrections and the Virginia Economic Development Partnership, in cooperation with local economic development officials from the area, shall jointly prepare a report examining the potential options for re-use or redevelopment of the Brunswick Correctional Center. This report shall take into consideration the unemployment rate in Brunswick County and the surrounding jurisdictions compared to the statewide rate, and the impact of the closure of this facility on the local governments in the region, with particular reference to the impact on water and sewer rates for the Town of Lawrenceville. Copies of this report, including any recommendations as may be appropriate, shall be presented to the Governor, the Secretaries of Public Safety and Commerce and Trade, and the Chairmen of the Senate Finance and House Appropriations Committees by June 1, 2010."

**Explanation:**

(This amendment directs the Department of Corrections and the Virginia Economic Development Partnership to prepare a report on potential options for reusing or redeveloping the Brunswick Correctional Center.)

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Item 390 #2s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 213, following line 55, insert:

"M. The Department of Corrections shall implement additional actions before June 30, 2010, which may include, but not necessarily be limited to, the closure of one or more correctional facilities, to achieve budget reductions of \$9,000,000 in fiscal year 2011 and \$11,000,000 in fiscal year 2012 from the general fund. The Department shall provide a report on its additional actions and the projected savings therefrom to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by June 30, 2010."

**Explanation:**

(This amendment directs the Department of Corrections to implement additional budget reductions by June 30, 2010, which may include, but not necessarily be limited to, the closure of one or more correctional facilities. A companion amendment to Item 379 in Senate Bill 30 reflects the projected savings from these actions in fiscal years 2011 and 2012.)

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Item 41 #2s

**Judicial Department**

Circuit Courts

Language

**Language:**

Page 21, following line 5, insert:

"F.1. In any case in which the circuit court has suspended imposition of sentence or suspended the sentence in whole or in part, pursuant to Section 19.2-303, Code of Virginia, and placed the defendant under active supervision of the Department of Corrections' probation and parole office, the court shall assign a specific period of active supervision and shall not place the probationer under supervision for an indefinite or unspecified period.

2. For offenders placed under active supervision as described in F.1. who have never been convicted of a violent felony as defined in Section 17.1-805(C) and are not required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Section 9.1-901, the period of active supervision assigned by the court shall not exceed three years.

G.1. Notwithstanding the provisions of Section 19.2-304, for an offender placed under active supervision of the Department of Corrections' probation and parole office as a condition of the suspension of sentence, the circuit court may reduce a probationer's supervision period on the recommendation of the probation and parole officer based on credits earned by the probationer while under supervision. The probationer may earn credits toward the reduction of the supervision period in the manner prescribed below.

2. Earned credit equals thirty days for every thirty days that a probationer does all of the following:

- a. Exhibits positive progression toward the goals and treatment requirements of the probationer's supervision plan;
- b. Is current on payments for court-ordered restitution and other court-ordered financial obligations; and,
- c. Is current in completing community obligations, including but not limited to community service.

3. Any earned credit awarded to a probationer shall be revoked if he or she is found by the court to be in violation of a condition of probation.

4. The provisions specified in G.1. through G.3. above shall not apply to a probationer who is currently:

- a. On probation for a violent felony as defined in Section 17.1-805(C);
- b. On probation exclusively for a misdemeanor offense; or,

- c. Required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Section 9.1-901.
5. The provisions specified in G.1. through G.4. have no effect on the ability of the court to terminate the period of probation at a time earlier than originally imposed.
6. The provisions specified in F.1. and F.2, and G.1. through G.4., shall apply to offenders sentenced on or after July 1, 2010.

**Explanation:**

(This amendment provides for certain nonviolent offenders on probation to earn credits which will reduce the length of their term of probation, and limits the maximum time on probation, in order to permit the courts and the Department of Corrections to manage a growing probation caseload in a more efficient and effective manner and to focus the efforts of probation officers on providing the most essential supervisory activities in a time of extremely limited resources. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

Item 41 #3s

**Judicial Department**

Circuit Courts

Language

**Language:**

Page 21, following line 5, insert:

"F.1. For any hearing conducted pursuant to Section 19.2-306, Code of Virginia, the circuit court shall have presented to it a sentencing revocation report prepared on a form designated by the Virginia Criminal Sentencing Commission indicating the condition or conditions of the suspended sentence, good behavior, or probation supervision that the defendant has allegedly violated.

2. For any hearing conducted pursuant to Section 19.2-306 in which the defendant is cited for violation of a condition or conditions other than a new criminal offense conviction, the court shall also have presented to it the applicable probation violation guideline worksheets established pursuant to Chapter 1042 of the Acts of Assembly 2003. The court shall review and consider the suitability of the discretionary probation violation guidelines. Before imposing sentence, the court shall state for the record that such review and consideration have been accomplished and shall make the completed worksheets a part of the record of the case and open for inspection. In hearings in which the court imposes a sentence that is either greater or less than that indicated by the discretionary probation violation guidelines, the court shall file with



the record of the case a written explanation of such departure.

3. Following any hearing conducted pursuant to Section 19.2-306 and the entry of a final order, the clerk of the circuit court in which the hearing was held shall cause a copy of such order or orders, the original sentencing revocation report, any applicable probation violation guideline worksheets prepared in the case, and a copy of any departure explanation prepared pursuant to subsection F.2., to be forwarded to the Virginia Criminal Sentencing Commission within 30 days.

4. The failure to follow any or all of the provisions specified in F.1. through F.3 or the failure to follow any or all of these provisions in the prescribed manner shall not be reviewable on appeal or the basis of any other post-hearing relief.

5. The provisions specified in F.1. through F.4. shall apply only to hearings conducted pursuant to Section 19.2-306 that are held on or after July 1, 2010."

**Explanation:**

(This amendment requires sentencing revocation report worksheets in all probation revocation and sentence suspension revocation cases in which the defendant is under the direct supervision of the district probation office. The intended impact of this change is to reduce the number of technical probation violators sentenced to incarceration in a time of extremely limited resources. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

Item 49 #1s

**Judicial Department**

Virginia Criminal Sentencing  
Commission

Language

**Language:**

Page 25, at the beginning of line 28, insert "A."

Page 25, following line 32, insert:

"B. On or before August 1, 2010, the Virginia Criminal Sentencing Commission shall publish in the Virginia Register proposed evidence-based risk assessment guidelines designed to inform all discretionary parole and geriatric release decisions made by the Virginia Parole Board. Such proposal shall be accompanied by an evaluation of those evidence-based risk assessment tools then in use or under consideration by other paroling authorities, including an analysis of both static and dynamic risk factors. On or before December 1, 2010, and following at least thirty (30) days notice and opportunity to comment on such proposal by interested members of the

public, the Commission shall adopt and publish in the Virginia Register final risk assessment guidelines. Such guidelines shall be applied by the Virginia Parole Board in the course of all discretionary and geriatric release decisions."

**Explanation:**

(This amendment directs the Virginia Criminal Sentencing Commission to develop risk assessment guidelines to inform discretionary parole and geriatric release decisions made by the Virginia Parole Board. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

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Item 49 #2s

**Judicial Department**

Virginia Criminal Sentencing  
Commission

Language

**Language:**

Page 25, at the beginning of line 28, insert "A."

Page 25, following line 32, insert:

"B. In applying the risk assessment instrument to offenders convicted of any felony that is not specified in (i) subdivision 1, 2, or 3 of subsection A of Section 17.1-805 or (ii) subsection C of Section 17.1-805 under the discretionary sentencing guidelines, and with due regard for public safety requirements, the Virginia Criminal Sentencing Commission shall recommend alternative sanctions, including giving consideration to recommending home electronic incarceration for low-risk nonviolent offenders with a sentencing guideline midpoint of 12 months or more who are recommended for incarceration in a facility."

**Explanation:**

(This amendment directs the Virginia Criminal Sentencing Commission to encourage the use of home electronic incarceration for low-risk nonviolent offenders who might otherwise be recommended for incarceration under the felony sentencing guidelines. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

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Item 49 #3s

**Judicial Department**Virginia Criminal Sentencing  
Commission

Language

**Language:**

Page 25, at the beginning of line 28, insert "A."

Page 25, following line 32, insert:

"B. The Virginia Criminal Sentencing Commission shall conduct a review of the feasibility of extending good time credits to felons with sentences of one to two years who are serving their sentences in local or regional jails. Copies of the review, including suggested legislation, as appropriate, shall be provided to the Judicial Council of Virginia, the Secretary of Public Safety, and the Chairmen of the Senate and House Committees on Courts of Justice, the Senate Finance Committee, and House Appropriations Committee by September 1, 2010."

**Explanation:**

(This amendment directs the Virginia Criminal Sentencing Commission to review the extension of good time credits to felons with sentences of one to two years who are serving their sentences in local or regional jails. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

---

Item 370 #5s

**Public Safety**

Secretary Of Public Safety

Language

**Language:**

Page 251, line 23, after "Department of Corrections" insert ", with the assistance and consultation of the Department of General Services,".

Page 251, line 24, after "sheriffs" insert "and regional jails".

Page 251, line 31, after "public safety" insert ", including additional steps which may be required to encourage the expanded use of electronic monitoring,".

**Explanation:**

(This amendment clarifies language contained in the budget, as introduced, concerning the Task Force on Alternatives for Nonviolent Offenders, in order to encourage the use of electronic monitoring. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period

of severe budget reductions.)

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Item 370 #8s

**Public Safety**

Secretary Of Public Safety

Language

**Language:**

Page 251, line 40, after "granting of parole." insert:

"A report on this study shall be provided to the Governor and the Chairmen of the Senate Finance and House Appropriations Committee by November 15, 2010."

**Explanation:**

(This amendment specifies the reporting date for a study of the use of risk assessment as one factor in parole decision-making.)

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Item 373 #1s

**Public Safety**

Department Of Alcoholic Beverage  
Control

**FY 10-11**

\$3,000,000  
20.00

**FY 11-12**

\$3,000,000  
20.00

NGF  
FTE

**Language:**

Page 252, line 37, strike "\$509,995,519" and insert "\$512,995,519".

Page 252, line 37, strike "\$509,995,519" and insert "\$512,995,519".

Page 253, following line 5, insert:

"D.1. The Alcoholic Beverage Control Board shall open additional stores in locations deemed to have the greatest potential for total increased sales in order to maximize profitability.

2. Notwithstanding Section 4.1-120(A)(1) of the Code of Virginia, the Alcoholic Beverage Control Board shall determine the days of operation of each of its retail stores for the sale of alcoholic beverages. However, the Board shall not operate any retail store on Sunday in any locality which, by local ordinance, requests that the Board not operate its stores on Sundays within that local government's jurisdiction."

**Explanation:**

(This amendment provides \$3,000,000 and 20.0 positions each year from nongeneral funds to open ten additional ABC stores and authorizes the Alcoholic

Beverage Control Board to open its stores on Sundays statewide, subject to a local opt-out provision.)

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Item 374 #1s

<b>Public Safety</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Correctional Education	(\$2,000,000)	(\$2,400,000)	GF

**Language:**

Page 253, line 12, strike "\$5,935,197" and insert "\$3,935,197".

Page 253, line 12, strike "\$5,935,197" and insert "\$3,535,197".

Page 253, following line 14, insert:

"It is the intention of the General Assembly that, in making reductions beyond the closing of correctional schools associated with the closing of specific state adult or juvenile correctional centers, the Department of Correctional Education shall preserve existing academic and life skills instruction and vocational training programs in state facilities, which have been shown to be effective in reducing recidivism. The Governor's Commission on Government Reform and Restructuring shall consider organizational changes which may be appropriate to best maintain the existing educational programs within the available resources."

**Explanation:**

(This amendment reduces the budget for the Department of Correctional Education by an additional \$2,000,000 the first year and \$2,400,000 the second year from the general fund, with the intention that the reductions be applied so as to preserve academic and vocational education programs in state facilities. The amendment also directs the Governor's Commission on Government Reform and Restructuring to consider potential organizational changes.)

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Item 377 #1s

<b>Public Safety</b>	
Department Of Corrections	Language

**Language:**

Page 255, following line 31, insert:

"E. Notwithstanding the provisions of Section 53.1-20 of the Code of Virginia,

persons convicted of felonies committed on or after January 1, 1995, and sentenced to the Department of Corrections or sentenced to confinement in jail for two years or more shall be placed in the custody of the Department and received by the Director into the state corrections system within sixty days of the date on which the final sentencing order is mailed by certified letter or sent by electronic submission to the Director by the clerk."

**Explanation:**

(This amendment adjusts the definition of state-responsible offenders from felons with sentences of one year or more to felons with sentences of two years or more. A companion amendment to the Compensation Board maintains the same jail per diem of \$14 for felons housed in jail with sentences of one year up to two years. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

---

Item 377 #2s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 255, following line 31, insert:

"E. The Board of Corrections shall include within its reporting formats on the capacity of each local and regional jail, a measure of the actual jail capacity, which shall include double-bunking, with exceptions as appropriate, in the judgment of the Board, for isolation, segregation, or medical cells, or similar units which would not normally be double-bunked. Exceptions to this measure of capacity may also be made for jails which were constructed prior to 1980. A report on this revised measure of jail capacity shall be presented to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committee by October 15, 2010."

**Explanation:**

(This amendment directs the Board of Corrections to measure the capacity of each local and regional jail based on double-bunking. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

---

Item 377 #3s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 254, line 15, strike "March" and insert "January".

Page 254, line 23, strike "Department of Criminal Justice Services" and insert "Departments of Corrections and Criminal Justice Services".

Page 254, line 24, strike "its" and insert "their".

Page 254, line 44, at the end of the line, insert "alternatives to incarceration included in the".

Page 254, line 46, strike "the plan" and insert "these programs".

Page 255, line 3, after "support the", insert "alternatives to incarceration included in the".

Page 255, line 26, strike "in the fall of 2009" and insert "as of December 31, 2009".

**Explanation:**

(This amendment clarifies language in the budget, as introduced, concerning the submission of community-based corrections plans related to the construction, expansion or renovation of local and regional jails. The amendment includes a change in the required submission date and clarifies the roles of the Departments of Corrections and Criminal Justice Services in reviewing this information.)

---

Item 379 #1s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 257, following line 43, insert:

"J. The next priority for the Department of Corrections for the construction of a medium security correctional facility shall be given to a location within Charlotte County."

**Explanation:**

(This amendment expresses the intent of the General Assembly that the next medium security correctional facility be constructed in Charlotte County.)

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Item 379 #3s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 257, following line 43, insert:

"J. The Department of Corrections shall prepare a long range plan to consolidate the secure correctional facilities at the James River-Powhatan complex on the south side of the James River in Powhatan County. The plan shall include maintaining the Academy for Staff Development in its present location, and maintaining current farming operations along the flood plain on the north side of the James River. The plan shall include an assessment of the value of property at the James River Correctional Center which may be declared surplus, and estimated capital costs to replace the James River Correctional Center and adjacent work centers with new facilities to be constructed on the south side of the James River on state-owned property. Copies of this plan shall be presented to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by November 1, 2010."

**Explanation:**

(This amendment directs the Department of Corrections to prepare a long range plan for consolidation of secure facilities at the James River-Powhatan correctional complex.)

Item 379 #4s

**Public Safety**

Department Of Corrections

**FY 10-11**

(\$9,000,000)

**FY 11-12**

(\$11,000,000) GF

**Language:**

Page 256, line 1, strike "\$828,426,107" and insert "\$819,426,107".

Page 256, line 1, strike "\$827,815,103" and insert "\$816,815,103".

Page 257, following line 43, insert:

"J. The Department of Corrections shall implement additional actions, which may include, but not necessarily be limited to, the closure of one or more correctional facilities, to achieve budget reductions of \$9,000,000 the first year and \$11,000,000 the second year from the general fund."



**Explanation:**

(This amendment reduces the budget for the Department of Corrections by \$9,000,000 the first year and \$11,000,000 the second year from the general fund to reflect additional budget reductions, which may include, but not necessarily be limited to, the closure or one or more correctional facilities. A companion amendment to Item 390 in Senate Bill 29 authorizes the Department to initiate these reductions prior to July 1, 2010.)

---

Item 380 #1s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 259, following line 23, insert:

"J. Notwithstanding the provisions of Section 53.1-116 of the Code of Virginia and any applicable Board of Corrections regulations, and subject to the approval of the Sheriff or regional jail superintendent of a home electronic incarceration program for the local or regional jail, local and regional jail inmates assigned to a home electronic incarceration program pursuant to Subsection A or C of Section 53.1-131.2 are eligible for good time credit as provided for in Section 53.1-116(A)."

**Explanation:**

(This amendment authorizes good time credits for local or regional jail inmates assigned to home electronic incarceration programs. This is one of a series of amendments to enable the criminal justice system to manage its workload more effectively during a period of severe budget reductions.)

---

Item 380 #3s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 259, following line 23, insert:

"J. By August 1, 2010, the Director of the Department of Corrections shall identify those prisoners eligible for parole who may be suitable parole risks and whose

interests and those of society will be served by the grant of discretionary parole, shall recommend such prisoners to the Parole Board, and shall notify each such prisoner who is the subject of such a recommendation. In making such recommendations, the Director shall take into account the prisoner's criminal history record, mental and physical condition, employability, institutional adjustment, and such other factors as may be appropriate, including the risk of violence to others. No prisoner shall be recommended for release prior to the time specified in Section 53.1-154.1 of the Code of Virginia."

**Explanation:**

(This amendment requires the Director of the Department of Corrections to recommend to the Parole Board those prisoners eligible for parole who may be suitable candidates for parole. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

Item 380 #5s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 259, following line 23, insert:

"J. From the appropriation for this Item, the Director, Department of Planning and Budget, is authorized to transfer up to \$150,000 each year from the general fund, to the Secretary of Public Safety, to support a position dedicated to the improvement and coordination of the Commonwealth's efforts related to the re-entry of offenders into society after being incarcerated in prison. Improving re-entry efforts is expected to decrease the recidivism of those offenders and enhance public safety."

**Explanation:**

(This amendment authorizes the transfer of up to \$150,000 each year from the general fund, from the Department of Corrections to the Secretary of Public Safety, to support a reentry coordinator position.)

Item 380 #6s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 259, after line 23, insert:

"J.1 The Department of Corrections, with support from the Virginia Criminal Sentencing Commission, the Parole Board, and the Departments of Medical Assistance Services and Planning and Budget, shall consider the feasibility and desirability of establishing a geriatric parole release facility for older correctional inmates with special medical needs, who could be released on parole on the condition of living in this special facility. Such a facility should include sufficient security provisions to restrict residents who might attempt to leave without staff permission, but should otherwise not be deemed a correctional facility. The Department shall consider whether an existing state facility which has been closed might be a suitable location for such a facility, and whether the services provided in such a facility might be eligible for Medicaid reimbursement. The Department shall issue a request for proposals for a privately owned and operated geriatric parole release facility. A report on the results of this review, including the response to the request for proposals, the expected numbers of geriatric offenders who might be paroled to such a facility over the next six years, and a cost analysis of contracting for such a facility compared to maintaining the same offenders in a state correctional facility, shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by November 15, 2010."

**Explanation:**

(This amendment authorizes a review of the feasibility of creating a geriatric parole release facility for older offenders. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

Item 384 #3s

**Public Safety**Department Of Criminal Justice  
Services

Language

**Language:**

Page 261, following line 33, insert:

"3. As a condition of receipt of state funds under this program, local community corrections and pretrial services agencies shall charge supervision fees, based upon

the guidelines for Supervision and Intervention Fees as promulgated by the Department of Criminal Justice Services."

**Explanation:**

(This amendment requires all of the local community corrections and pretrial services agencies to charge supervision fees. Currently, 26 of the 37 agencies already charge such fees. This amendment requires the other 11 programs to adopt similar fee schedules. The fees are used solely for the expansion and development of the agency, or to supplant local operating costs of the agency. The local agencies may allow a waiver of the fee or reduction of the fee based on approved local agency standard operating procedures. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

Item 384 #4s

<b>Public Safety</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Criminal Justice	(\$350,000)	(\$350,000)	GF
Services	\$1,100,000	\$1,100,000	NGF

**Language:**

Page 260, line 11, strike "\$76,780,910" and insert "\$77,530,910".

Page 260, line 11, strike "\$76,780,910" and insert "\$77,530,910".

Page 262, strike lines 8-16 and insert:

"1.1. Out of the amounts appropriated for this Item, \$1,100,000 the first year and \$1,100,000 the second year from nongeneral funds is provided, to be distributed as follows: for the Southern Virginia Internet Crimes Against Children Task Force, \$600,000 the first year and \$600,000 the second year; and, for the creation of a grant program to law enforcement agencies for the prevention of internet crimes against children, \$500,000 the first year and \$500,000 the second year.

2. The Department of Criminal Justice Services shall provide a report on the implementation of the grant program provided herein, by January 1, 2011, to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committee. The Southern Virginia and Northern Virginia Internet Crimes Against Children shall each provide an annual report, in a format specified by the Department of Criminal Justice Services, on their actual expenditures and performance results. Copies of these reports shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees prior to the distribution of these funds each year."

**Explanation:**

(This amendment provides \$1,100,000 each year from nongeneral funds for the support of law enforcement task forces preventing internet crimes against children. The source of funding for this amendment is a new \$10 fee charged to persons convicted of felonies or criminal misdemeanors. This dedicated source of revenue replaces the smaller general fund appropriation which was included in the introduced budget. This amendment is contingent upon final passage of Senate Bill 620.)

---

Item 400 #1s

**Public Safety**

Department Of Juvenile Justice

Language

**Language:**

Page 269, following line 37, insert:

"C. The Department of Juvenile Justice, with the assistance of the Department of General Services, the Department of Historic Resources, and the Virginia Economic Development Partnership shall work with the County of Rockbridge and other appropriate local entities to address the future use of the property comprising the Natural Bridge Juvenile Correctional Center. A report outlining potential options for re-use and redevelopment of this property shall be provided to the Governor, the Secretaries of Public Safety, Administration, Natural Resources, and Commerce and Trade, and the Chairmen of the Senate Finance and House Appropriations Committees, by October 1, 2010."

**Explanation:**

(This amendment provides for a study of potential options for the re-use or redevelopment of Natural Bridge Juvenile Correctional Center.)

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Item 407 #1s

**Public Safety**

Department Of State Police

Language

**Language:**

Page 272, following line 25, insert:

"H. Notwithstanding the provisions of Section 19.2-392(B) of the Code of Virginia,

the fee for the first fingerprint card shall not exceed \$25 and the fee for each successive fingerprint card shall not exceed \$15."

**Explanation:**

(This amendment permits the Department of State Police to adjust the fees charged for fingerprints required for criminal background checks.)

Item 408 #2s

<b>Public Safety</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of State Police	\$600,000	\$600,000	NGF

**Language:**

Page 272, line 27, strike "\$212,684,300" and insert "\$213,284,300".

Page 272, line 27, strike "\$211,251,317" and insert "\$211,851,317".

Page 274, after line 17, insert:

"O.1 Out of the amounts appropriated for this Item, \$600,000 the first year and \$600,000 the second year from nongeneral funds shall be distributed to the department to expand the operations of the Northern Virginia Internet Crimes Against Children Task Force.

2. Pursuant to Item 384.I.2., the Northern Virginia Internet Crimes Against Children Task Force shall provide a report to the Department of Criminal Justice Services on the actual expenditures and performance results achieved each year. Copies of this report shall be provided to the Secretary of Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees prior to the distribution of funds each year."

**Explanation:**

(This amendment provides \$600,000 each year from nongeneral funds for the Northern Virginia Internet Crimes Against Children Task Force operated by the Department of State Police. The source of the nongeneral funds is a new \$10 fee charged to persons convicted of felonies or criminal misdemeanors. This amendment is contingent upon final passage of Senate Bill 620.)

Item 413 #1s

<b>Public Safety</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Veterans Services	\$30,000	\$30,000	GF

**Language:**

Page 275, line 18, strike "\$5,445,226" and insert "\$5,475,226".

Page 275, line 18, strike "\$5,445,226" and insert "\$5,475,226".

Page 275, following line 35, insert:

"D. Out of the amounts appropriated in this Item, \$30,000 each year from the general fund is provided for the continued development of an automated system for the processing of veterans' claims, including improvements to the agency's existing computer systems. In designing this automated claims processing system, the agency shall ensure (1) that the appropriate information is collected on veterans' claims in order to expedite processing of Virginia veterans' claims by the U.S. Department of Veterans' Affairs, and (2) that any system developed is capable of electronically submitting veterans' claims to the U.S. Department of Veterans' Affairs as that federal agency develops such capabilities in the future."

**Explanation:**

(This amendment provides \$30,000 each year from the general fund for the further development of an automated system for processing Virginia veterans' claims for federal benefits.)

Item 416 #1s

**Public Safety**

Virginia Parole Board

Language

**Language:**

Page 276, at the beginning of line 23, insert "A."

Page 276, following line 25, insert:

"B.1. Absent compelling reasons to the contrary, the Virginia Parole Board shall grant a petition for geriatric release filed in accordance with Section 53.1-40.01 of the Code of Virginia, and shall grant discretionary parole to any inmate eligible therefore, with respect to any inmate who is terminally ill or permanently and totally disabled.

2. Compelling reasons may include reliance on any evidence-based risk assessment tool developed by the Virginia Criminal Sentencing Commission for consideration of candidates for parole or geriatric release that is consistent with best practices.

3. Any decision to deny geriatric release or discretionary parole in the foregoing cases shall be accompanied by fact-specific individualized reasons for such denial, which balances any material post-sentencing factors against the nature and

circumstances of the offense. Nothing in this provision is intended to deprive any other inmate of the right established in Title 53.1 to fair and meaningful consideration for parole and geriatric release.

4. For purposes of this provision, "permanently and totally disabled" means unable to engage in any substantial gainful activity by reason of any medically determinable physical impairment or deformity that can be expected to result in death or can be expected to last for the duration of such person's life, and "terminally ill" means having an illness or sickness where the medical prognosis is the person's death within six months or less. The burden of demonstrating that an inmate is permanently and totally disabled or terminally ill shall be on the inmate and may not be satisfied without competent medical evidence."

**Explanation:**

(This amendment establishes a standard by which the Parole Board is required to grant petitions for geriatric release and petitions for discretionary parole in cases involving the terminal illness or permanent and total disability of a geriatric inmate, regardless of whether or not the inmate has reached the current required age standards. This amendment would continue to permit the Board to deny parole where there are good reasons for doing so. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

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