

# Public Safety

<b>Adopted Adjustments</b>				
(\$ in millions)				
	FY 2013		FY 2014	
	<u>GF</u>	<u>NGF</u>	<u>GF</u>	<u>NGF</u>
2012-14 Current Budget (Ch. 3, 2012 Special Session I)	\$1,689.1	\$873.8	\$1,670.2	\$883.3
Approved Increases	1.5	1.1	94.1	4.8
Approved Decreases	<u>(0.4)</u>	<u>(9.0)</u>	<u>(73.0)</u>	<u>(13.4)</u>
\$ Net Change	1.1	(7.9)	21.1	(8.6)
<b>Chapter 806 (HB 1500, as Adopted)</b>	<b>\$1,690.2</b>	<b>\$865.9</b>	<b>\$1,691.2</b>	<b>\$874.6</b>
% Change	<0.1%	(0.9%)	1.3%	(1.0%)
FTEs	17,828.87	2,256.68	17,957.32	2,256.18
# Change	(264.50)	0.00	(136.05)	(10.50)

- **Department of Alcoholic Beverage Control**

- *Increased Transfers of Net Profits.* Transfers to the general fund \$10.3 million NGF the first year and \$13.0 million NGF the second year from increased ABC net profits. The increase is related in part to Sunday sales at ABC retail stores statewide. This action is reflected on the revenue page of the budget bill.

- **Department of Correctional Education**

- *Agency Consolidation.* Transfers \$48.2 million GF and \$2.5 million NGF the second year, and 685.05 GF positions and 15.5 NGF positions the second year from this agency, which was eliminated by the 2012 General Assembly, to the Departments of Corrections and Juvenile Justice. Companion amendments to DOC and DJJ include the appropriate parts of these funds to maintain existing educational services for adult and juvenile offenders.

- **Department of Corrections**

- ***Open River North Correctional Center.*** Adds \$800,000 GF the first year and \$17.2 million GF and 325.0 positions the second year to open the new correctional facility in Grayson County in October 2013. Construction of this facility was completed in 2011, and the facility has been mothballed since that time. It is intended that half of the inmates will be transferred from other state correctional facilities while the other half will be state-responsible offenders removed from regional or local jails, thereby reducing the backlog of out-of-compliance inmates in jails. Language is also included giving priority to transferring state-responsible offenders from jails for which a waiver has been granted by the Board of Corrections from the board's construction standards.
- ***Offset Operating Cost of River North Correctional Center.*** Reduces the amounts appropriated to open the River North Correctional Center by \$1.8 million GF the second year. Language is included to supplant these funds with nongeneral funds from the Corrections Special Reserve Fund. This is the amount deposited into the fund in the second year to reflect the corrections bedspace impact of criminal sentencing legislation adopted by the 2013 General Assembly.
- ***Inmate Medical Care.*** Includes \$15.5 million GF the second year to increase the FY 2014 appropriation for inmate medical care to the level of funds appropriated for FY 2013. This fills a second-year "hole" left in Chapter 3 of the 2012 Acts of Assembly, Special Session I, due to an expectation that the Affordable Care Act would reduce the general fund cost of medical care through coverage of inmates under Medicaid.
- ***Medical Savings from New Medical Contract.*** Captures a savings of \$376,470 GF the first year and \$10.8 million GF the second year anticipated as a result of a new contract for on-site inmate medical services for those correctional facilities served by a private medical services contractor.
- ***Medical Contract Monitors.*** Adds \$546,426 GF and 6.0 medical contract monitor positions the second year to oversee the adequacy and quality of inmate medical services in those facilities served by a private contractor.
- ***Medicaid Savings for Inmate Medical Care.*** Reduces expenditures for inmate medical care by \$2.75 million GF the second year to reflect a new initiative to enroll eligible inmates in the Medicaid program for off-site inpatient care, up to the maximum extent permitted under Virginia's current eligibility standards, effective July 1, 2013. This amendment is not dependent upon any expansion of Medicaid pursuant to the Affordable Care Act. Language is included to express legislative intent that administrative burdens on providers be minimized and that

payment for services be made in a prompt manner, and to provide a report on this initiative by October 1, 2013.

- ***Additional Position to Reduce Medical Costs.*** Adds \$78,800 and 1.0 position the second year to oversee the enrollment of inmates in Medicaid up to the maximum extent permitted under Virginia’s current eligibility standards.
- ***Telephone System.*** Adds \$2.9 million GF the second year for additional costs of a new telephone system for correctional facilities and regional and central offices.
- ***Youthful Offender Program.*** Includes \$663,757 GF the second year (which is transferred from the Department of Juvenile Justice) to establish a separate program for inmates under 18 years of age who have been tried and convicted as adults and sentenced to the Department of Corrections. The separation of these offenders from the general population is required by the federal Prison Rape Elimination Act.
- ***Surveillance Cameras.*** Includes \$398,725 NGF the second year in revenues from inmate medical co-payments for additional surveillance cameras for various correctional facilities and other structural changes to comply with the requirements of the federal Prison Rape Elimination Act.
- ***Radio System.*** Adds \$266,016 GF the second year for the first installment on a seven-year lease-purchase acquisition (under the Master Equipment Lease Program) of a new radio system for Sussex I and Sussex II Correctional Centers.
- ***Culinary Arts Program.*** Includes \$100,000 NGF the first year and \$100,000 NGF the second year to reflect the actual revenues generated by the new culinary arts program in which inmates are trained to operate the cafeteria at the agency’s central headquarters. This program provides inmates with skills and experience to obtain jobs in the food service industry upon their release.
- ***Transfer of Funding to Correctional Education.*** Transfers \$26.7 million GF, \$269,589 NGF, and 334.0 positions the second year from the Department of Correctional Education to support existing adult education programs. DCE was eliminated through government reform legislation adopted by the 2012 Session of the General Assembly.
- ***Mecklenburg Correctional Center.*** Includes a technical amendment to eliminate 264.50 positions at this facility, which was closed in 2012.
- ***Transfer to the New Inspector General.*** Transfers \$1.1 million GF and 12.0 positions the second year to the new Office of the State Inspector General, which was created by the 2011 Session of the General Assembly.

- ***Line of Duty Act.*** Provides \$135,470 GF the first year and \$2.0 million GF the second year for increased premiums and costs associated with the Line of Duty Act program.
  
- ***DSS Computer Interface.*** Includes \$440,000 GF the second year to develop a computer interface with the Department of Social Services' eligibility database, enabling DOC to automatically check an offender's eligibility for DSS benefits or services before the offender's release from prison. This is intended to enhance reentry planning for offenders returning to the community.
  
- ***Sentencing Legislation.*** Adds \$1.8 million GF the second year for the fiscal impact on corrections bedspace associated with criminal sentencing legislation adopted by the General Assembly pursuant to Section 30-19.1:4 of the *Code of Virginia*. This amount, deposited to the Corrections Special Reserve Fund, reflects the following bills, as adopted:
  - Chapters 415 and 655 of the 2013 Acts of Assembly (HB 1559/SB 1272), to increase the penalties for any subsequent drunken driving conviction following any previous felony related to drunken driving (\$50,000);
  - Chapters 417 and 467 of the 2013 Acts of Assembly (HB 1606/SB 1015), to increase the penalties for the solicitation of a minor for prostitution (\$50,000);
  - Chapters 419 and 452 of the 2013 Acts of Assembly (HB 1682/SB 706), to increase the penalties for the financial exploitation of mentally incapacitated persons (\$50,000);
  - Chapters 420 and 466 of the 2013 Acts of Assembly (HB 1684/SB 1010), to increase the penalties for identity theft (\$30,152);
  - Chapters 423 and 470 of the 2013 Acts of Assembly (HB 1745/SB 1031), to establish a Class 5 felony for adults who use electronic communications devices to propose certain sexual offenses involving children (\$50,000);
  - Chapters 424 and 647 of the 2013 Acts of Assembly (HB 1746/SB 1214) to expand the list of violent crimes for which offenders receive sentence enhancements (\$50,000);
  - Chapters 567 and 623 of the 2013 Acts of Assembly (HB 1783/SB 1017), to increase the penalties for possession with intent to distribute contraband cigarettes (\$50,000);

- Chapter 743 of the 2013 Acts of Assembly (HB 1816), to increase the penalties for the manufacture of methamphetamine in the presence of a child or incapacitated person (\$50,000);
- Chapters 570 and 624 of the 2013 Acts of Assembly (HB 1820/SB 1018), to increase the penalties for the possession, transport, or sale of unstamped cigarettes (\$50,000);
- Chapters 573 and 645 of the 2013 Acts of Assembly (HB 1847/SB 1205), to expand the list of predicate offenses that are used to define criminal gang activity (\$574,916);
- Chapter 748 of the 2013 Acts of Assembly (HB 1850), to prohibit the assault and battery of any person employed by a local or regional jail and involved in the care, treatment, or supervision of inmates (\$50,000);
- Chapters 750 and 781 of the 2013 Acts of Assembly (HB 1862/SB 1032), to require offenders, convicted of sex offenses under statutes with different Code section numbers prior to their recodification, to register as sex offenders (\$50,000);
- Chapter 698 of the 2013 Acts of Assembly (HB 1927), to prohibit the assault and battery of any emergency medical services personnel (\$50,000);
- Chapters 295 and 785 of the 2013 Acts of Assembly (HB 1941/SB 1083), to establish penalties for and prohibit the production of synthetic cannabinoids and certain research chemicals (\$50,000)
- Chapter 431 of the 2013 Acts of Assembly (HB 1955), to increase the penalties associated with second and subsequent convictions for impersonating a law enforcement officer (\$4,048);
- Chapters 707 and 782 of the 2013 Acts of Assembly (HB 2065/SB 1033), to conform the penalties for offenses by juveniles committed in juvenile correctional centers to penalties for similar offenses committed by adults in adult correctional facilities (\$50,000);

**Note:** Amendments were adopted in the reconvened session on April 3, 2013, to Chapter 782 (SB 1033) which expanded this bill to include assault of DBHDS employees or other persons providing control, care or treatment in a sexually violent predator facility, or assault of juvenile probation officers by juvenile offenders on probation, increasing the required deposit to \$299,513;

- Chapter 759 of the 2013 Acts of Assembly (HB 2211), to increase the penalties associated with a second conviction for stalking within five years (\$23,197);
- Chapters 761 and 774 of the 2013 Acts of Assembly (HB 2269/SB 832), to require that mandatory minimum sentences be served consecutively (\$50,000);
- Chapter 454 of the 2013 Acts of Assembly (SB 811), to prohibit the filing of fraudulent liens or encumbrances against public employees (\$50,000);
- Chapter 711 of the 2013 Acts of Assembly (SB 853), to prohibit the assault and battery of magistrates (\$7,680);
- Chapter 625 of the 2013 Acts of Assembly (SB 1019), to increase the penalties for the distribution or possession with intent to distribute counterfeit cigarettes (\$50,000);
- Chapter 626 of the 2013 Acts of Assembly (SB 1020), to add possession with intent to distribute tax-paid contraband cigarettes as a qualifying offense under the Virginia Racketeer Influenced and Corrupt Organization (RICO) Act (\$50,000);
- Chapter 797 of the 2013 Acts of Assembly (SB 1378), to increase the penalties for the sale, transfer, gift, or exchange of a firearm to any person he knows is prohibited from possessing or transporting a firearm under Virginia law (\$46,773).

- **Department of Criminal Justice Services**

- *School Resource Officers.* Adds \$1.3 million GF the second year to restore support for an incentive grant program providing assistance to localities for the addition of school resource officers and school safety officers. This is a recommendation of the Governor’s Task Force on School and Campus Safety.
- *Critical Incident Response.* Provides \$202,300 GF the second year for the development of a model critical incident response curriculum and model policy for the establishment of threat assessment teams for public schools. This is a recommendation of the Governor’s Task Force on School and Campus Safety.
- *Pre- and Post-Incarceration Services.* Includes \$185,364 GF the second year to restore half of the previous reductions taken in the 2008-10 biennium in pre-release and post-incarceration services (PAPIS) for offenders. Language is added

directing the department to evaluate the effectiveness of these programs in reducing recidivism for released offenders.

- ***Jail Reentry and Substance Abuse Programs.*** Includes language directing the department to evaluate the effectiveness of jail prisoner reentry and substance abuse treatment programs.
- ***Lethality Assessment Programs.*** Includes language directing the department to review the costs and benefits of establishing a lethality assessment program. A lethality assessment program is designed to make first responders aware of the dangers inherent to domestic violence situations and to train first responders to determine whether or not victims of domestic violence may be harmed after the first responder leaves the scene.
- ***Alcohol Monitoring Devices.*** Includes language directing the department to review the potential applicability of alcohol monitoring devices for persons convicted of a first offense of driving while intoxicated.
- ***Intelligence-Led Policing.*** Includes language directing the department to review the potential and feasibility of creating incentives for utilizing the intelligence-led policing model in Virginia law enforcement agencies.
- ***Texting and Driving.*** Adds \$50,000 GF the second year to provide training for law enforcement officers on new texting and driving laws adopted pursuant to Chapters 752 and 790 of the 2013 Acts of Assembly (HB 1907/SB 1222), which make texting while driving a primary offense.
- ***Asset Seizure and Forfeiture.*** Transfers to the general fund \$150,000 NGF the second year from a 10 percent fee charged by the agency to the asset seizure and forfeiture programs for the administration of those programs.
- ***Business Regulation Services Unit.*** Captures a savings of \$50,000 NGF the second year in the administration of the Business Regulation Services Unit, which regulates the private security industry. The savings will be transferred to the general fund.
- ***JAIBG Matching Funds.*** Reduces by \$50,000 GF the second year the general fund matching component of the Juvenile Accountability Incentive Block Grant (JAIBG) program.

- **Department of Emergency Management**

- *VITA Charges.* Includes \$312,000 GF the first year and \$312,000 GF the second year to pay for VITA charges that were previously paid with federal funds which are no longer available.
- *Transformation.* Provides \$820,901 GF the second year to support the agency’s information technology transformation. Transformation is the description given to state agencies becoming full participants in VITA/Northrup Grumman IT services.

- **Department of Forensic Science**

- *Federal Grants.* Adds \$1.0 million NGF the first year and \$1.0 million NGF the second year to reflect the continued receipt of federal grants for the DNA testing program. Previously, it was expected that the federal grants would be terminated, but the grants have been continued.

- **Department of Juvenile Justice**

- *Close Juvenile Correctional Centers.* Achieves a savings of \$7.1 million GF and 101.5 positions the second year through a series of three actions to reorganize and downsize the state juvenile correctional centers, in view of the continued decline of the state-responsible juvenile offender population.
  - First, the Reception and Diagnostic Center at Bon Air will be closed and its functions transferred to the Oak Ridge facility on the Bon Air campus.
  - Second, the intellectually disabled offenders at Oak Ridge will be transferred to units in other facilities.
  - Third, the Hanover Juvenile Correctional Center will be closed, and will be made available for alternative uses (or “re-purposing”).

Language is included directing that any additional savings, beyond the \$7.1 million identified, be used for educational, re-entry, mental health treatment, and health services for juvenile offenders.

- *Transfer to the New State Inspector General.* Transfers \$427,604 GF and 4.0 positions the second year from this agency to the new Office of the State Inspector General, which was created by the 2011 General Assembly.
- *Transfer of Funding for Correctional Education.* Transfers \$20.3 million GF, \$2.5 million NGF, and 280.0 positions the second year from the Department of Correctional Education, which was eliminated by the 2012 Session of the General Assembly. These funds and positions will be used to continue existing academic and vocational educational programs in the state juvenile facilities.



- ***Reduction in Correctional Education Funding.*** Reduces support for correctional education by \$1.0 million GF and 25.0 positions the second year to reflect the continued reduction in the population of the state juvenile correctional centers. Language is added directing the department to complete a staffing analysis to determine the most appropriate staffing ratios in view of the current and projected facility population.
- ***Post-Dispositional Detention.*** Includes language directing the department to review the post-dispositional detention program and potential options for expanding the program, including the provision of incentives for local and regional juvenile detention facilities to hold state-responsible juvenile offenders as an alternative to the use of state facilities.
- **Department of Military Affairs**
  - ***Commonwealth Challenge.*** Includes \$170,266 GF and \$510,799 NGF the second year to add a fifth class per year for the Commonwealth Challenge program at Camp Pendleton (the State Military Reservation in Virginia Beach). Commonwealth Challenge serves at-risk youth who are in danger of dropping out of school or becoming involved in the juvenile justice system. The federal matching rate has been increased from 50 to 75 percent.
  - ***Line of Duty Act.*** Adds \$129,042 GF the first year and \$797,570 GF the second year for increased premiums and costs associated with the Line of Duty Act program.
- **Department of State Police**
  - ***Sex Offender Investigative Unit.*** Provides \$524,763 GF the second year to fully fund this unit, which monitors offenders on the sex offender registry. Currently, the State Police is responsible for monitoring those offenders who are not on probation or parole and are therefore not the responsibility of the Department of Corrections.
  - ***Driver Training Facility.*** Adds \$100,000 GF the first year and \$1.1 million GF the second year and 12.0 positions (three sworn and nine civilian) to operate the new driver training facility at Fort Pickett, beginning in January 2013.
  - ***Information Technology.*** Includes \$405,377 GF and 3.0 positions the second year to support Live Scan, which is one component of the automated fingerprint information system, and to address other information technology requirements.

- *Nongeneral Fund Revenues.* Includes a technical amendment reducing the agency's nongeneral fund appropriations by \$9.0 million NGF the first year and \$10.7 million NGF the second year to reflect actual revenue collections.
- *Training Systems.* Includes language directing the department to study the feasibility of acquiring computer-simulated weapons training systems.