

*Report of the
House Appropriations
Subcommittee*

on

Public Safety



*House Bill 29
&
House Bill 30*

February 16, 2014

REPORT OF THE SUBCOMMITTEE

on

PUBLIC SAFETY

Mr. Chairman and Members of the Committee:

Following our review of the funding included for the Public Safety agencies, the Subcommittee recommends additional funding of \$5.9 million the first year and \$10.3 million the second year for our sheriffs. Sheriffs provide services in every community in the Commonwealth, maintain local jails, and are the primary law enforcement agency in many communities. The Subcommittee's recommendations include funding to ensure that new Rappahannock-Shenandoah-Warren regional jail and the Southwest Virginia Regional Jail open as scheduled rather than be delayed. In addition, the Subcommittee recommends funding for 29 additional law enforcement deputies the first year and 31 additional law enforcement deputies the second year. Funding is also recommended for 13 temporary jail overcrowding positions.

Mr. Chairman, another issue that the Subcommittee recommends addressing is the need to maintain the public safety of our communities. Consequently, the amendments offered by the Subcommittee include \$7.1 million annually to support localities with police departments, 72 new juvenile correctional officers and 20 new state correctional officers, nine new probation officers to supervise sex offenders, enhanced services for youth released from juvenile correctional centers, the additional costs of legislation imposing new or enhanced criminal sentences, and new positions for the Department of Emergency Management to evaluate the effectiveness of state and local disaster response plans.

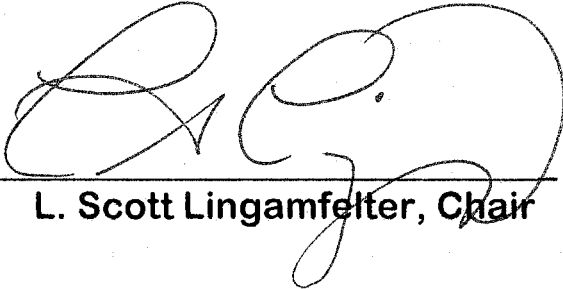
In addition, Mr. Chairman, the Subcommittee's review of the offender population forecast indicated that the Department of Corrections needed additional capacity to house female offenders. For

this reason, the Subcommittee is recommending that the Culpeper Juvenile Correctional Center be closed and transferred to the Department of Corrections for use as a women's correctional center.

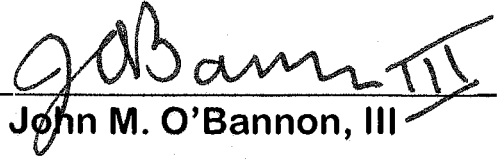
Finally, Mr. Chairman, this Committee has always maintained a strong commitment to Virginia's veterans. As a result, the Subcommittee is recommending the provision of additional positions and maintenance for the Virginia War Memorial, which is currently being expanded, as well as \$250,000 in funding to assist veterans transition into civilian careers after completing their military service. The Subcommittee also recommends the creation of a new benefits field office in Fredericksburg and the provision of mobile broadband services to claims agents so they may continue to serve veterans in locations outside their offices. These recommendations will enable Virginia's veterans to obtain the benefits to which they are entitled due to their service and sacrifice.

The details of the Subcommittee's report are contained in the attachments. Committee staff will review the report and the attached listing of our recommendations at this time, and I hope it will be the Committee's pleasure to adopt the report.

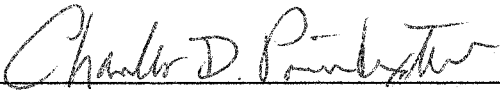
Respectfully Submitted by the House Appropriations Subcommittee
on Public Safety:



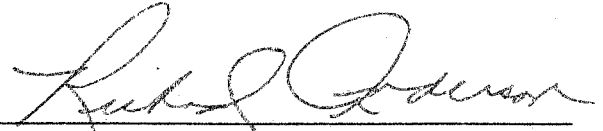
L. Scott Lingamfelter, Chair



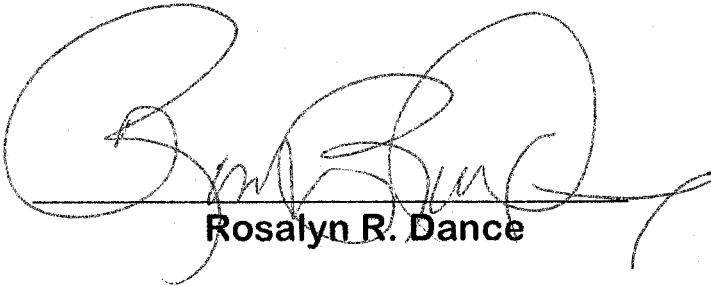
John M. O'Bannon, III



Charles D. Poindexter



Richard L. Anderson



Rosalyn R. Dance



Luke E. Torian

Budget Amendment Recommendations

<u>Amendment</u>	<u>House Bill 29</u> <u>FY 2014</u>	2014-16 BIENNIAL TOTAL		
		<u>General Fund</u>	<u>Nongeneral Fund</u>	<u>FTE</u>

PUBLIC SAFETY

HB 29

Department of Juvenile Justice

Provide Costs for Closing Culpeper JCC 250,000

Part 3

ABC Profits Language

HB 30 (2014-16 Budget)

Compensation Board

Opening of New RSW and SWVA Jails Language

Jail Overcrowding Positions (2,344,658)

Secretary of Public Safety

Second Deputy Position (311,554)

Department of Corrections

Level Fund Correctional Officer Positions (487,660)

Offset Prison Operations with Woodrum Funds (561,933)

Eliminate RFP to Operate Lawrenceville Language

Provide Funding for Woodrum Impacts (327,248)

Department of Criminal Justice Services

Model Human Trafficking Policy Language

Level Fund School Officer Grants (1,500,000)

Level Fund HB 599 Program (7,179,271)

HB 599 Distribution Language Language

Department of Emergency Management

Eliminate GF for federal Citizen Corps Program (391,956)

Provide for Evaluation of Disaster Plans 514,302 3.00

Disaster Funds Report Language

Department of Forensic Science

Sexual Assault Evidence Processing 600,000 3.00

Department of State Police

Eliminate Restoration of Rights Funding (320,221) (3.00)

Provide NGF for Vehicle Purchases (1,416,241) 1,416,241

Identity Intelligence and Intelligence Analytics Language

Provide Reimbursement for Chesterfield EMTs 800,000

Secretary of Veterans Affairs and Homeland Security

Provide Operational Funding 149,137

Funding for Encroachment on Langley AFB 500,000

Department of Veterans Services

V3 Inter-Agency Work Group 200,000

Second Year Funding for Assistant Director 100,000 1.00

Part 3: Miscellaneous Transfers

ABC Profits Language

Total: HB 29/30 250,000 (11,977,303) 1,416,241 4.00

Amendments to House Bill 29, as Introduced

Public Safety Subcommittee

Item 409 #1h

Public Safety	FY 12-13	FY 13-14	
Department Of Juvenile Justice	\$0	\$250,000	GF

Language:

Page 193, line 51, strike "\$67,990,529" and insert "\$68,240,529".

Explanation:

(This amendment provides additional funding to the Department of Juvenile Justice to assist with the transitional costs associated with the closing of Culpeper Juvenile Correctional Center and its transfer to the Department of Corrections for use as a women's correctional center.)

Public Safety Subcommittee

Item 3-1.01 #1h

Transfers

Interfund Transfers

Language

Language:

Page 244, line 56, strike "\$70,600,000" and insert "\$73,586,145".

Explanation:

(This amendment increases the estimated net profits that will be transferred to the general fund in fiscal year 2014 from the Alcoholic Beverage Control Enterprise Fund.)

Amendments to House Bill 30, as Introduced

Public Safety Subcommittee

Item 66 #1h

Administration

Compensation Board

Language

Language:

Page 47, line 24, strike "\$1,974,691" and insert "\$2,714,534".

Page 47, line 27, strike "\$2,615,280" and insert "\$1,875,437".

Explanation:

(This amendment increases the fiscal year 2015 start-up funding for the Rappahannock/Shenandoah/Warren (RSW) Regional Jail and decreases by a like amount the fiscal year 2015 start-up funding for the Southwest Virginia Regional Jail. The RSW Regional Jail will open earlier than anticipated during the development of the budget bill and the Southwest Virginia Regional Jail will open later than anticipated.)

Public Safety Subcommittee

Item 66 #2h

Administration

Compensation Board

FY 14-15

(\$1,120,230)

FY 15-16

(\$1,224,428) GF

Language:

Page 44, line 14, strike "\$445,186,751" and insert "\$444,066,521".

Page 44, line 14, strike "\$449,649,742" and insert "\$448,425,314".

Page 45, line 49, strike "the operational" and insert, "150 percent of operational".

Explanation:

(This amendment achieves savings by realizing that, while operational capacity is defined by the Department of Corrections on the basis of one offender per cell, local and regional jails have operationally double-bunked at least 50 percent of the capacity. In contrast to the one offender, one cell methodology used for jails, prisons are rated double-bunked by definition. Recognizing the actual practice in local and regional jails reduces the total number of overcrowding positions from 48 to 13.)

Public Safety Subcommittee

Item 376 #1h

Public Safety

Secretary Of Public Safety

FY 14-15

(\$155,777)

FY 15-16

(\$155,777) GF

Amendments to House Bill 30, as Introduced

-1.00 -1.00 FTE

Language:

Page 313, line 3, strike "\$744,616" and insert "\$588,839".
Page 313, line 3, strike "\$745,827" and insert "\$590,050".

Explanation:

(This amendment eliminates a second Deputy of Public Safety position that was proposed in the introduced budget, thereby saving \$155,777 and 1.0 FTE each year from the general fund. This new position was included in the introduced budget.)

Public Safety Subcommittee

Item 384 #1h

Public Safety	FY 14-15	FY 15-16	
Department Of Corrections	\$0	(\$487,660)	GF

Language:

Page 317, line 27, strike "\$904,531,704" and insert "\$904,044,044".

Explanation:

(This amendment includes 20 additional correctional officers for the Department of Corrections in both the first and second year of the biennium.)

Public Safety Subcommittee

Item 384 #2h

Public Safety	FY 14-15	FY 15-16	
Department Of Corrections	(\$561,933)	\$0	GF

Language:

Page 317, line 27, strike "\$898,889,331" and insert "\$898,327,398".

Page 319, after line 53, insert:

"O. The amounts paid into the Corrections Special Reserve Fund established in accordance with § 30-19.1:4, Code of Virginia, shall be used in the first year to offset a portion of the budgeted amounts for the operation of secure correctional facilities."

Explanation:

(This amendment uses the amounts provided for legislation enhancing criminal

Amendments to House Bill 30, as Introduced

sentencing to offset a portion of the costs for operating state correctional centers.)

Public Safety Subcommittee

Item 384 #3h

Public Safety

Department Of Corrections

Language

Language:

Page 319, strike lines 44 through 53.

Explanation:

(This amendment eliminates language requiring the Department of Corrections to issue a request for proposals for the operation of the privately-run Lawrenceville Correctional Center. The contract has one-year renewals until 2018, and the Department of Corrections has reported any new contract for the facility's operations is likely to cost the department more than the existing contract.)

Public Safety Subcommittee

Item 385 #1h

Public Safety

Department Of Corrections

FY 14-15
(\$327,248)

FY 15-16
\$0 GF

Language:

Page 319, line 54, strike "\$100,829,105" and insert "\$100,501,857".

Page 321, line 29, strike "\$889,181" and insert "\$561,933".

Page 321, strike lines 36 and 37 and insert:

"c. House Bill 96: To increase the penalties for causing the death of another when convicted of reckless driving while driving on a suspended or revoked license -- \$50,000.

d. House Bill 235: To increase the penalties for the solicitation of a minor for prostitution or for the taking or detaining of a person for prostitution -- \$50,000.

e. House Bill 511: To prohibit deferred dispositions for juveniles charged with murder, malicious wounding, other violent crimes, and certain drug offenses -- \$50,000.

f. House Bill 567: To increase the crimes penalized as sexual battery -- \$50,000.

g. House Bill 708: To expand the list of crimes for which a third offense of assault and battery against family or household member is a felony -- \$50,000.

h. House Bill 810: To increase the penalties for use of firearm with reckless disregard for human life causing serious bodily injury to another -- \$50,000.

Amendments to House Bill 30, as Introduced

- i. House Bill 972: To provide for the inclusion of companion animals in protective orders -- \$50,000.
- j. House Bill 976: To increase the penalties for accessories after the fact in homicide cases -- \$50,000.
- k. House Bill 1112: To increase the penalties for the synthetic marijuana and other cannabimimetic agents -- \$11,933
- l. House Bill 1251: To require the registration of any change in name by a person required to register on the Sex Offender and Crimes against Minors Registry -- \$50,000."

Explanation:

(This amendment reduces the total deposit into the Corrections Special Reserve Fund by \$327,248 from the general fund in the first year. With this amendment, the total deposit is reduced from \$889,181 in the budget as introduced, to \$561,933. This deposit, as adjusted, is associated with legislation proposed by the House of Delegates to increase criminal penalties or create new criminal penalties, as required by § 30-19.1:4, Code of Virginia. These amounts are paid into the Corrections Special Reserve Fund to account for the expected number of additional beds in the Department of Corrections required to house additional offenders. A companion amendment to Item 384 utilizes these funds to offset correctional facility operating costs.)

Public Safety Subcommittee

Item 389 #1h

Public Safety

Department Of Criminal Justice
Services

Language

Language:

Page 325, after line 15, insert:

"I. The Department of Criminal Justice Services shall publish and disseminate a model policy for law-enforcement personnel involved in criminal investigations or assigned to vehicle or street patrol duties to ensure that law-enforcement personnel are aware of human trafficking offenses and the identification of victims of human trafficking."

Explanation:

(This amendment instructs the Department of Criminal Justice Services to develop a model policy to ensure law-enforcement personnel are aware of human trafficking offenses and how to identify the victims of human trafficking.)

Public Safety Subcommittee

Item 389 #2h

Public Safety

Department Of Criminal Justice
Services

FY 14-15
(\$750,000)

FY 15-16
(\$750,000) GF

Language:

Page 322, line 25, strike "\$80,360,071" and insert "\$79,610,071".

Page 322, line 25, strike "\$80,360,071" and insert "\$79,610,071".

Page 324, line 23, strike the first "\$2,450,000" and insert "\$1,700,000".

Page 324, line 23, strike the second "\$2,450,000" and insert "\$1,700,000"

Explanation:

(This amendment provides level funding for the school resource officer and school security officer grant program to recognize the operational method by which this program has always worked. Grants made from the school resource officer and school security officer grant fund are made on a four-year sliding scale covering up to \$50,000 in positional costs the first year until the grant is phased out in year 4. After the four-year grant is completed, the Department of Criminal Justice Services conducts a new round of grants to assist other localities. The amendment ensures the program operates as it has since the General Assembly created the program during the 2001 Session.)

Public Safety Subcommittee

Item 391 #1h

Public Safety

Department Of Criminal Justice
Services

Language

Language:

Page 325, after line 36, insert:

"Notwithstanding the provisions of §§ 9.1-165 through 9.1-172, Code of Virginia, the amount to be distributed to localities shall be \$179,481,763 the first year and \$179,481,763 the second year. The amount to be distributed to each locality in each year shall be at least equal to the amount distributed in fiscal year 2014."

Explanation:

Amendments to House Bill 30, as Introduced

(This amendment provides language to clarify the distribution of House Bill 599 funding.)

Public Safety Subcommittee

Item 391 #2h

Public Safety	FY 14-15	FY 15-16	
Department Of Criminal Justice Services	\$0	(\$7,179,271)	GF

Language:

Page 325, line 22, strike "\$186,661,034" and insert "\$179,481,763".

Explanation:

(This amendment level funds the House Bill 599 program in both the first and second years.)

Public Safety Subcommittee

Item 393 #1h

Public Safety	FY 14-15	FY 15-16	
Department Of Emergency Management	(\$178,162)	(\$213,794)	GF

Language:

Page 326, line 26, strike "\$29,115,044" and insert "\$28,936,882".

Page 326, line 26, strike "\$29,183,929" and insert "\$28,970,135".

Explanation:

(This amendment eliminates general fund dollars included in the introduced budget to have Virginia assume funding for the Citizen Corps, a program designed to coordinate volunteer efforts in homeland security. The program is coordinated nationally by the Department of Homeland Security's Federal Emergency Management Agency. The program has been funded by the federal government since its inception in 2001. The federal government has terminated the grants that previously supported the program.)

Public Safety Subcommittee

Item 393 #2h

Amendments to House Bill 30, as Introduced

Public Safety	FY 14-15	FY 15-16	
Department Of Emergency Management	\$302,151 3.00	\$212,151 3.00	GF FTE

Language:

Page 326, line 26, strike "\$29,115,044" and insert "\$29,417,195".

Page 326, line 26, strike "\$29,183,929" and insert "\$29,396,080".

Page 327, after line 3, insert:

"C. Out of the amounts appropriated for this item, \$302,151 the first year and \$212,151 the second year from the general fund are provided to support the Department of Emergency Management's cyclical monitoring of state agency and local disaster response plans and cyclical evaluation of state and local shelter, evacuation, traffic, refuge of last resort planning as required by House Bill 730 of the 2014 Session of the General Assembly."

Explanation:

(This amendment provides three positions and the related general fund costs associated with additional monitoring and evaluation responsibilities imposed on the Department of Emergency Management by House Bill 730.)

Public Safety Subcommittee

Item 394 #1h

Public Safety

Department Of Emergency Management

Language

Language:

Page 327, after line 45, insert:

"E. The Department of Emergency Management shall report upon the method of creation, the coordination between, the method of funding for, and its authority to use the Virginia Disaster Relief Fund, the Disaster Recovery Fund, and the Disaster Response Fund to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2014."

Explanation:

(This amendment requires the Department of Emergency Management to report upon how the Virginia Disaster Relief Fund, the Disaster Recovery Fund, and the Disaster Response Fund were created, how they are used, the level of coordination between the three funds, and the funding source for each fund.)

Amendments to House Bill 30, as Introduced

Public Safety Subcommittee

Item 401 #1h

Public Safety	FY 14-15	FY 15-16	
Department Of Forensic Science	\$300,000	\$300,000	GF
	3.00	3.00	FTE

Language:

Page 330, line 5, strike "\$40,527,829" and insert "\$40,827,829".

Page 330, line 5, strike "\$40,674,243" and insert "\$40,974,243".

Page 330, after line 38, insert:

"C. Out of the amounts appropriated for this item, \$300,000 the first year and \$300,000 the second year from the general fund is provided for three additional forensic scientists to perform biological examinations of physical evidence recovery kits to improve the capacity of the department to ensure the documentation, investigation, and prosecution of sexual assault cases."

Explanation:

(This amendment provides additional general fund dollars to the Department of Forensic Science to hire three additional forensic scientists to perform biological examinations in processing physical evidence recovery kits (PERKs). The goal is to reduce the Commonwealth's backlog of unprocessed PERKs and allow forensic evidence related to sexual assault cases to be more quickly processed in the future. PERKs collect DNA evidence used to document, investigate, and prosecute cases of sexual assault.)

Public Safety Subcommittee

Item 413 #1h

Public Safety	FY 14-15	FY 15-16	
Department Of State Police	(\$137,239)	(\$182,982)	GF
	-3.00	-3.00	FTE

Language:

Page 335, line 42, strike "\$49,270,214" and insert "\$49,132,975".

Page 335, line 42, strike "\$49,475,521" and insert "\$49,292,539".

Explanation:

(This amendment eliminates the funding and positions included in the introduced budget for added workload resulting from the automatic restoration of civil rights for

Amendments to House Bill 30, as Introduced

felons convicted of non-violent felonies. The General Assembly has not adopted legislation for automatic restoration of civil rights.)

Public Safety Subcommittee

Item 414 #1h

Public Safety

Department Of State Police

Language

Language:

Page 338, after line 38, insert:

"O. The Department of State Police shall review the costs and benefits of acquiring state-of-the-art identity intelligence and intelligence analytics systems for use by the Department of State Police and other Virginia law-enforcement agencies. A report on this review shall be provided to the Secretary of Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees by November 15, 2014."

Explanation:

(This amendment directs the Department of State Police to evaluate the use of identification and intelligence analytics software for use by it or other Virginia law-enforcement agencies.)

Public Safety Subcommittee

Item 414 #2h

Public Safety

Department Of State Police

FY 14-15

(\$1,416,241)

\$1,416,241

FY 15-16

\$0 GF

\$0 NGF

Language:

Page 338, after line 38, insert:

"O. There is hereby re-appropriated to the Department of State Police, \$1,052,359 in unexpended balances in Fund 0914 and \$363,882 in Fund 0916. These unexpended balances shall be used for the purchase of vehicles for the Bureau of Field Operations and Bureau of Criminal Investigations."

Explanation:

(This amendment reduces the general fund dollars provided to the Virginia State Police for vehicle purchases in the first year by \$1.4 million and provides a like amount in nongeneral fund balances for those purchases.)

Amendments to House Bill 30, as Introduced

Public Safety Subcommittee

Item 414 #3h

Public Safety	FY 14-15	FY 15-16	
Department Of State Police	\$400,000	\$400,000	GF

Language:

Page 337, line 2, strike "\$240,358,547" and insert "\$240,758,547".

Page 337, line 2, strike "\$238,811,684" and insert "\$239,211,684".

Page 338, after line 38, insert:

"O. Out of the amounts appropriated for Aviation Operations, \$400,000 the first year and \$400,000 the second year from the general fund is provided to reimburse the costs of emergency medical technicians supplied by Chesterfield County to the department's Med-Flight services."

Explanation:

(This amendment provides general fund dollars to reimburse Chesterfield County for the costs that locality incurs for the provision of emergency medical technician services to the Department of State Police's med-flight operations in Central Virginia. Without the emergency medical technicians, in-flight medical services to injured Virginians would not be available. The county is no longer able to provide these services without reimbursement.)

Public Safety Subcommittee

Item 457 #1h

Veterans Affairs and Homeland Security	FY 14-15	FY 15-16	
Secretary Of Veterans Affairs And Homeland Security	\$75,317	\$73,820	GF

Language:

Page 391, line 3, strike "\$1,588,218" and insert "\$1,663,535".

Page 391, line 3, strike "\$1,579,715" and insert "\$1,653,535".

Explanation:

(This amendment provides additional funding necessary to the operation of the Secretary of Veterans Affairs and Homeland Security's operations.)

Public Safety Subcommittee

Amendments to House Bill 30, as Introduced

Item 458 #2h

Veterans Affairs and Homeland Security	FY 14-15	FY 15-16
Secretary Of Veterans Affairs And Homeland Security	\$500,000	\$0 GF

Language:

Page 391, line 10, strike "\$3,138,400" and insert "\$3,638,400".

Page 392, after line 11, insert:

"D. Out of this appropriation, \$500,000 the first year from the general fund shall be available to be matched dollar-for-dollar from sources other than state funds, to assist any Virginia locality in which a U.S. Air Force Base is located to mitigate adverse impacts on military operations and employment levels caused by encroachment of incompatible uses, in advance of further actions by the federal Base Realignment and Closure Commission or any similar federal actions. Such funds shall only be used to purchase properties from willing sellers."

Explanation:

(This amendment provides general fund support the first year to mitigate impacts around Langley Air Force Base

Public Safety Subcommittee

Item 461 #1h

Veterans Affairs and Homeland Security	FY 14-15	FY 15-16
Department Of Veterans Services	\$100,000	\$100,000 GF

Language:

Page 392, line 31, strike "\$9,135,015" and insert "\$9,235,015".

Page 392, line 31, strike "\$9,130,642" and insert "\$9,230,642".

Page 393, line 16, after "F." insert "1."

Page 393, after line 24, insert:

"2. Included in the appropriations for this item is \$100,000 the first year and \$100,000 the second year from the general fund to expand the Virginia Values Veterans Inter-Agency Working Group. This inter-agency working group shall include key state agencies such as the Department of Education, the Department of Human Resource Management, state agencies from the Commerce and Trade secretariat, and representatives from the community college system and Virginia

Amendments to House Bill 30, as Introduced

colleges and universities. The purpose of the inter-agency working group is to increase business awareness of the need to assist veterans and to also encourage state agencies to join the Virginia Values Veterans program as employers."

Explanation:

(This amendment provides general fund dollars to expand the V3 Inter-Agency Working Group of key state agencies to develop an integrated approach to business awareness about the need to hire 40,000 veterans across Virginia and to encourage business access for veteran hiring.)

Public Safety Subcommittee				Item 462 #1h
Veterans Affairs and Homeland Security	FY 14-15	FY 15-16		
Department Of Veterans Services	\$0	\$100,000	GF	
	0.00	1.00	FTE	

Language:

Page 393, line 29, strike "\$2,759,312" and insert "\$2,859,312".

Explanation:

(This amendment provides second year funding for an Assistant Director position that was funded for the first year only in the introduced budget. Continuation of the position will allow for more effective planning and implementation of events commemorating the 75th anniversary of World War II in 2016 and the 100th anniversary of World War I in 2018.)

Public Safety Subcommittee				Item 3-1.01 #2h
Transfers				
Interfund Transfers				Language

Language:

Page 440, line 49, strike "\$70,800,000" and insert "\$73,794,596".

Page 440, line 49, strike "\$71,000,000" and insert "\$74,003,076".

Explanation:

(This amendment increases the estimated net profits that will be transferred to the general fund in fiscal year 2015 and fiscal year 2016 from the Alcoholic Beverage

Control Enterprise Fund.)
