

## Public Safety and Homeland Security

<b>Adopted Amendments</b>				
(\$ in millions)				
	<b>FY 2017 Adopted</b>		<b>FY 2018 Adopted</b>	
	<u>GF</u>	<u>NGF</u>	<u>GF</u>	<u>NGF</u>
<b>2016-18 Current Budget</b> (Ch. 780, 2016 Session)	<b>\$1,903.0</b>	<b>\$1,021.5</b>	<b>\$1,928.7</b>	<b>\$1,037.1</b>
Increases	\$11.5	\$1.1	\$20.1	\$2.7
Decreases	<u>(26.1)</u>	<u>(0.0)</u>	<u>(37.0)</u>	<u>(0.0)</u>
\$ Net Change	(14.6)	1.1	(16.9)	2.7
<b>Chapter 836 (HB 1500, as Adopted)</b>	<b>\$1,888.4</b>	<b>\$1,022.6</b>	<b>\$1,911.8</b>	<b>\$1,039.8</b>
% Change	(0.8%)	0.1%	(0.9%)	0.3%
FTEs	17,609.32	2,419.18	17,378.32	2,465.18
# Change	0.00	1.00	(246.00)	41.00

- **Secretary of Public Safety and Homeland Security**
  - *Peumansend Creek Regional Jail.* Includes language directing the Secretaries of Public Safety and Homeland Security and Health and Human Resources to study potential options for continued use of this facility as a state, regional or local jail mental health facility.
  - *Flood Control Study.* Adds \$500,000 GF the second year to match federal funding for a study by the U.S. Army Corps of Engineers concerning flood control for the Hampton Roads and Northern Neck regions.
- **Department of Alcoholic Beverage Control**
  - *Net Profits.* Increases transfers to the general fund of \$14.7 million the first year and \$14.6 million the second year, from ABC net profits. Accordingly, total transfers to the general fund from ABC net profits will increase 4.6 percent, from \$164.8 million in FY 2016 to \$172.4 million in FY 2018.

- ***Retail Store Staffing.*** Adds \$552,236 NGF the second year and 25 positions to address workforce shortages due primarily to the 29-hour rule.
- ***Review of Regulatory Fees.*** Includes language directing the department to review its current application and licensing fee structure to determine whether the fees are covering the actual cost of regulating the industry.
- ***Capital Project - New Warehouse and Office Complex.*** Provides \$500,000 GF in Part 2 to allow ABC to conduct additional planning for construction or acquisition of a new central office and warehouse facility.

- **Department of Corrections**

- ***October 2016 Savings.*** Includes reductions totaling \$16.6 million GF the first year to reflect the budget reductions incorporated in the Governor’s October 2016 savings plan:
  - Delayed opening of Culpeper Correctional Center for Women (-\$6.7 million GF and a reduction of 255 positions);
  - Savings from staff vacancies (a reduction of \$4.0 million GF);
  - Deferral of new and replacement equipment (a reduction of \$4.4 million GF);
  - Elimination of mothball funding for Mecklenburg Correctional Center, which was demolished (a reduction of \$443,048 GF);
  - Transfer of NGF balances to the general fund (\$411,076); and
  - Supplanting general fund appropriations with NGF balances from Virginia Correctional Enterprises and other sources (a reduction of \$1.2 million GF).
- ***Delayed Opening of Culpeper.*** Includes a further reduction of \$21.7 million GF and 255 positions the second year to reflect deferral of opening this facility until the 2018-20 biennium. This facility was transferred to DOC from the Department of Juvenile Justice (DJJ) on July 1, 2014, and is currently mothballed.
- ***Mothball Funding for Mecklenburg.*** Eliminates \$443,048 GF the second year to continue the first-year reduction noted above.
- ***Inmate Medical Costs.*** Adds \$11.4 million GF the first year and \$7.2 million GF the second year for the increased cost of providing medical care to inmates.
  - The amounts were calculated based on the projected cost of DOC providing medical services using its own personnel in all facilities.

- The ratio of inpatient to outpatient services has increased, as has the number of more serious patients with higher costs. Both factors have the effect of increasing costs.
  - The amendment assumes the projection provided by Anthem of a 7.5 percent increase each year in inpatient and outpatient costs (from FY 2016 to 2017 and from FY 2017 to 2018), and a 3.5 percent increase each year in other medical costs based on the May 2016 CPI for health services.
  - The amendment assumes the \$4.0 million supplement paid by DOC to VCU Health resulting from DOC use of Anthem Healthkeepers is not included in the FY 2018 appropriation. This supplemental payment occurred in fiscal years 2016 and 2017 to offset an anticipated reduction of DOC payments to VCU totaling \$8.0 million based on a memorandum of agreement signed between the two agencies.
- *Review of High-Cost Inmates.* Includes language directing the department to review the management of the small number of inmates who account for the largest share of total inpatient and outpatient medical costs.
- *Legislation with Fiscal Impact.* Adds \$300,000 GF the second year for projected increases in the need for corrections bed space associated with legislation adopted by the 2017 Session of the General Assembly, pursuant to Section 30-19.1:4 of the *Code of Virginia*. The adopted legislation and the required deposits into the Corrections Special Reserve Fund include:
- Chapter 507 of the 2017 Acts of Assembly (HB 1485), concerning sex offenses and restrictions on proximity to children (\$50,000);
  - House Bill 1616, concerning felony homicide (\$50,000); however, the bill failed to pass;
  - Chapter 562 of the 2017 Acts of Assembly (HB 1815), concerning computer trespass (\$50,000);
  - Chapters 112 and 453 of the 2017 Acts of Assembly (HB 1913/SB 1390), concening cigaratee tax ememption certificates (\$50,000);
  - Chapters 624 and 668 of the 2017 Acts of Assembly (HB 2410/SB 1154), concerning material support for terrorist organizations (\$50,000); and,
  - Chapter 612 of the 2017 Acts of Assembly (HB 2470), concerning the Virginia Drug Control Act (\$50,000).

- ***Additional Staff for Death Investigations.*** Adds \$100,000 GF and one position the second year for investigation of deaths in jails, pursuant to Chapter 759 of the 2017 Acts of Assembly (SB 1063).
- ***Technology in Corrections.*** Includes language directing the department to review the current and future use of technology for the purpose of increasing security and employee productivity and achieving long-term cost savings.
- ***Disposal of Surplus Property.*** Adds language in Part 3 (Section 3-1.01, paragraph CC.) authorizing the Department of General Services to dispose of the Pulaski Correctional Center and the White Post Detention and Diversion Center. The options for disposal of these properties may include sale or transfer to other agencies or to local government entities. The proceeds from all or any part of these properties shall be deposited into the general fund by June 30, 2018.

- **Department of Criminal Justice Services**

- ***October 2016 Savings.*** Includes reductions totaling \$1.5 million GF the first year to reflect the budget reductions incorporated in the Governor’s October 2016 savings plan:
  - Delayed awarding of additional grants for local pre-trial and community corrections programs (a reduction of \$1.5 million GF);
  - Transfer of a NGF balance from the school resource officer program to the general fund (\$411,000); and,
  - Transfer of a NGF balance from asset forfeiture proceeds to the general fund (\$4.4 million).
- ***Reduced Funding for New Pre-Trial Programs.*** Includes a reduction of \$2.0 million GF the second year to establish new community corrections and pre-trial release programs in localities that do not currently have these programs. This action is a continuation of the first-year reduction noted above.
- ***Community Policing.*** Includes language directing the Department of the Board of Criminal Justice Services to develop new training standards by October 1, 2019, for community policing, mental health, and serving individuals who are disabled.
- ***Victim/Witness Grant Awards.*** Includes a reduction of \$1.7 million GF in the amounts available for grant awards to local victim/witness programs.
- ***VOCA Funds.*** Provides \$1.5 million GF the second year to match \$6.0 million in federal Victims of Crime Act (VOCA) funds for local domestic violence and sexual assault programs. The Commonwealth has already been receiving these federal

funds, so these are not new federal funds. Provision of the general fund match enables Virginia to continue to receive these federal funds.

- ***Administrative Reductions.*** Includes a reduction of \$112,717 GF the second year to reflect the elimination of two support positions.
- ***DARE Program.*** Adds \$85,000 GF the second year for the Center for School Safety for a grant to the York County-Poquoson Sheriff’s Office to administer the Drug Abuse Resistance Education (DARE) program. A companion amendment transfers these funds from the Department of State Police. The York County Sheriff’s Office is currently administering this program statewide. Language is included to require an evaluation study.
- ***Addiction Recovery Programs.*** Includes \$153,600 GF the second year for up to four pilot programs for addiction recovery in local or regional jails, pursuant to Chapter 758 of the 2017 Acts of Assembly (HB 1845).
- ***Firearms Safety Courses.*** Provides \$10,000 GF the second year for the Virginia Firearms Safety and Training for Sexual and Domestic Violence Victims Fund, as authorized in HB 1853/SB 1300 of the 2017 Session (which were vetoed). This fund will be available to reimburse entities that offer free of charge firearms safety or training courses approved by the Department of Criminal Justice for victims of domestic violence, sexual assault, stalking or family abuse.

- **Department of Emergency Management**

- ***Operational Efficiencies.*** Includes a reduction of \$195,880 GF the second year to reflect savings from operational efficiencies, including decreased use of contract employees by filling vacant positions.
- ***Nongeneral Fund Position.*** Increases the Maximum Employment Level (MEL) by one NGF position.

- **Department of Fire Programs**

- ***October 2016 Savings.*** Includes a reduction of \$123,712 GF the first year to reflect the budget reductions incorporated in the Governor’s October 2016 savings plan. This reduction was based on supplanting agency administrative costs with Special Fund revenues from the Fire Programs Fund.
- ***Supplanting Administrative Costs.*** Continues the reduction of \$123,712 GF the second year by supplanting administrative costs with Special Funds.

- **Department of Forensic Science**
  - *October 2016 Savings.* Includes a reduction of \$1.1 million GF the first year to reflect the budget reductions incorporated in the Governor’s October 2016 savings plan. This reduction was based on savings from reduced discretionary spending, vacancies, and operational efficiencies.
  - *Overtime Funding.* Adds \$91,720 GF the first year to restore part of the Governor’s October 2016 budget reduction for overtime pay for laboratory staff to reduce the case turnaround time for court-mandated activities.
  
- **Department of Military Affairs**
  - *Armory Maintenance.* Includes a reduction of \$171,885 GF the second year in funding for readiness center (armory) operations and maintenance.
  
- **Department of State Police**
  - *October 2016 Savings.* Includes reductions totaling \$6.8 million GF the first year to reflect the budget reductions incorporated in the Governor’s October 2016 savings plan:
    - Supplanting general funds with nongeneral fund balances from the Sex Offender Registry Fund, Help Eliminate Auto Theft (HEAT) Fund, the Insurance Fraud Fund, and the Safety Fund (a reduction of \$5.6 million GF, with language authorizing the nongeneral funds to be expended in the first year for any purpose authorized in Item 423);
    - Savings from not filling two new positions provided for the new Area Office for the New River Valley in the first year (a reduction of \$205,772 GF); and,
    - Savings from not filling ten new positions provided for the Special Operation Division in the first year (a reduction of \$1.1 million GF).
  - *Special Operations Division.* Includes a reduction of \$1.2 million GF and 10 positions the second year to continue the first-year budget reduction contained in the Governor’s October 2016 savings plan as noted above. However, after accounting for this reduction, the department will be able to start up the new Special Operations Division in the second year with \$1.2 million and 10 positions.
  - *State Agencies Radio System (STARS).* Provides \$620,371 GF and \$3.4 million NGF from unobligated bond balances the second year for high-priority improvements to the STARS radio system. The total unobligated bond balance from the STARS project is \$6.0 million. The NGF recommendations listed below total \$3.4 million, leaving a remaining balance of \$2.6 million:

- \$620,371 GF the second year for debt service payments under the Master Equipment Lease Program (MELP). This will enable State Police to lease an average of five repeater replacement units for each of 55 sites, totaling \$5.7 million over the term of the lease. Replacement of these units is required due to a planned network-wide software upgrade in July 2019.
  - \$2.1 million NGF from unobligated bond balances to replace 67 power plants which support the STARS backbone network.
  - \$250,000 NGF from unobligated bond balances for software components that monitor the microwave networks and the redundancy network. Both systems are ten years old and do not have manufacturer support.
  - \$1.1 million NGF for replacement of 200 mobile data terminals (MDTs), which are the laptops in trooper vehicles. Replacement is ongoing -- State Police has replaced 1,200 of its own MDTs with existing funding and has 200 remaining to be replaced.
  - Language is also included directing the department to provide a report as of October 1, 2017, and every two years thereafter, detailing the equipment replacement requirements and potential financing mechanisms for the STARS radio system.
- ***Background Checks.*** Adds \$330,236 GF and four positions the second year to support criminal background checks and firearms transaction background checks for child day care center employees and volunteers, as provided in language in Item 349.G. under the Department of Social Services.
- The language in Item 349.G. addresses the implementation of Chapters 758 and 770 of the 2015 Session, concerning the regulation of child day care centers and family day homes.
  - This legislation requires federal criminal history background checks for employees and volunteers of licensed child day care centers and family day homes, and includes other regulatory changes, effective July 1, 2016.
  - The Department of State Police estimates this legislation will result in 80,000 additional background checks the first year and 30,000 checks each year thereafter.
  - The Fiscal Impact Statement in 2015 estimated State Police would need five additional positions to implement this legislation.
- ***ICAC Funding Transfer Language.*** Adds language in Part 3 (Section 3-1.01, in paragraph W.) providing for monthly rather than annual transfer of funds under

the Internet Crime Against Children (ICAC) program to the Departments of State Police, Criminal Justice Services, and Social Services.

- *DARE Program.* Transfers \$85,000 GF the second year to the Department of Criminal Justice Services for the Drug Abuse Resistance Education (DARE) program. A companion amendment adds these funds to the Center for School Safety at the Department of Criminal Justice Services.

- **Virginia Parole Board**

- *Part-Time Investigators.* Adds \$40,000 GF the first year and \$193,124 GF the second year for four additional part-time investigators to address the increased workload associated with the growing number of requests for pardons.