

# Public Safety

<b>Governor's Proposed Amendments</b> (\$ in millions)				
	<b>FY 2013 Proposed</b>		<b>FY 2014 Proposed</b>	
	<u>GF</u>	<u>NGF</u>	<u>GF</u>	<u>NGF</u>
2012-14 Current Budget (Ch. 3, Special Session I)	\$1,689.1	\$873.8	\$1,670.2	\$883.3
Proposed Increases	0.7	1.1	89.0	4.8
Proposed Decreases	<u>(0.0)</u>	<u>(9.0)</u>	<u>(59.6)</u>	<u>(13.4)</u>
\$ Net Change	0.7	(7.9)	29.4	(8.6)
<b>HB 1500/SB 800, as Introduced</b>	<b>\$1,689.8</b>	<b>\$865.9</b>	<b>\$1,699.5</b>	<b>\$874.6</b>
% Change	<0.1%	(0.9%)	1.8%	(1.0%)
FTEs	17,828.87	2,256.68	17,976.32	2,256.18
# Change	(264.50)	0.00	(117.05)	(10.50)

- **Department of Alcoholic Beverage Control**

- *Increased Transfers of Net Profits.* Adds, on the revenue page and in Part 3, a transfer to the general fund of \$8.3 million NGF the first year and \$9.2 million NGF the second year, from increased ABC net profits. The increase is related in part to Sunday sales at ABC retail stores.

- **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 \$14.3 million GF and 325.0 FTE position the second year to open the new correctional facility in Grayson County in January 2014. 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.

- ***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.
- ***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.
- ***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 the additional costs of a new telephone system for the correctional facilities and regional and central offices.
- ***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.
- ***Interface between Databases.*** Provides \$275,000 GF the second year to develop an interface with the Department of Social Services’ eligibility database, which will enable the agency to automatically check an offender’s eligibility for DSS benefits or services before the offender’s release from prison. A companion amendment is included in the Department of Social Services for the DSS share of this initiative.
- ***Reentry Workshops.*** Adds \$20,500 GF the second year for a prisoner reentry workshop at each major correctional facility.
- ***Culinary Arts Program.*** Includes \$100,000 NGF each 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.

- ***Prison Rape Elimination Act.*** Includes \$398,725 NGF the second year from 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.
- ***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.
- ***Proposed Legislation.*** Adds \$1.9 million GF the second year for the fiscal impact on corrections bedspace associated with 10 proposed criminal sentencing bills, pursuant to Section 30-19.1:4 of the *Code of Virginia*. The 10 bills would:
  - Expand the list of predicate offenses constituting criminal gang activity to include any felony violation of laws relating to violent offenses, property crimes, drugs, or weapons and to any felony sexual offense (\$1,225,148);
  - Increase the penalty for assaulting staff in a sexually violent predator facility to a Class 6 felony, as is the case in a correctional facility (\$299,513);
  - Establish a Class 5 felony for adults who propose, through electronic communication, that a child fondle his or her own sexual organs (\$50,000);
  - Expand the definition of a computer network to include smart phones and tablets (\$50,000);
  - Conform penalties for offenses by juveniles while housed in juvenile correctional centers to penalties for similar acts committed by adults in prison (\$50,000);
  - Expand the list of violent offenses for which offenders receive sentence enhancements (\$50,000);
  - Close a loophole to require registration of offenders convicted under statutes with different Code numbers prior to recodification (\$50,000);

- Make extensive revisions to statutes regarding identity theft and establish new offenses (\$50,000);
- Prohibit use of deception, harassment, or misrepresentation to obtain control of an incapacitated person's assets (\$50,000); and,
- Increase the punishment for soliciting a prostitute if the person being solicited is a minor (\$50,000).

- **Department of Criminal Justice Services**

- *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- and post-incarceration services (PAPIS) for offenders.
- *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 each 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 each 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 and “Re-purpose” Juvenile Correctional Centers.* Achieves a savings of \$7.1 million GF and 101.5 positions the second year through a series of actions designed to reorganize and downsize state juvenile correctional centers.

The offender population of the state facilities has continued to decline. This proposal involves closing the Reception and Diagnostic Center at Bon Air, transferring that function to the Oak Ridge facility on the Bon Air campus, transferring the intellectually disabled offenders at Oak Ridge to units in other facilities, and identifying an alternative use (or “re-purposing”) for the Hanover Juvenile Correctional Center. The alternative use for Hanover is not explicitly identified at this time.

Any additional savings, beyond the \$7.1 million identified, is proposed to 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.
- *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 correctional centers.

- **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.