



Report of the Subcommittee on Public Safety

(Senate Bills 29 and 30, As Introduced)

**Senate Finance Committee
Virginia General Assembly**

February 17, 2002

REPORT OF THE SUBCOMMITTEE ON PUBLIC SAFETY
On Senate Bills 29 and 30, as Introduced
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Mr. Chairman and Members of the Committee:

Your subcommittee has reviewed the provisions of Senate Bills 29 and 30, the budget bills as introduced, with respect to the Office of Public Safety. Let me begin by saying this has been the most difficult budget review process that I have ever experienced in the years I have served in the General Assembly. Certainly, the greatest challenge we face in public safety is to assure that the necessary budget reductions are applied in such a manner as to preserve the core functions which state government absolutely must provide, in order to assure the general public that the safety of their communities will not be jeopardized. I believe we have accomplished this task.

Based on our deliberations, I am pleased to report to you that we will preserve the core functions in public safety. We believe these essential activities must include, at minimum:

- State Police highway patrol and criminal investigation;
- The Virginia National Guard and the Air National Guard;
- Emergency services and disaster response planning;
- State aid to local fire departments;
- Security, treatment, educational and work programs in our adult and juvenile correctional facilities;
- Probation and parole offices and parole decision-making;
- Local community corrections and pretrial services programs;
- Mandatory services in the juvenile court services units that provide intake and supervision of juvenile offenders;
- State aid for current juvenile detention and group homes;
- Criminal justice information systems that support law enforcement;
- Operation of our state and regional forensic laboratories;

- Administration of federal grants; and,
- Alcoholic Beverage Control operations.

I want to emphasize once again that these essential, core functions are not being cut. However, everything else is subject to reduction. We have given long and careful attention to these reductions, and have not taken lightly our responsibility to ensure that they are fairly and judiciously applied.

In your subcommittee's report, there is a series of amendments that provides for the downsizing of our correctional system. We propose this downsizing not only because of our current economic circumstances, but also because we built more prison bed capacity in the mid-1990's than we currently need for our own state inmates. In the mid-1990's, when parole was abolished, we were anticipating a much greater increase in the offender population than has actually occurred.

Over the past four years we have been able to fill this excess capacity with about 3,400 federal and out-of-state inmates, creating a revenue stream which has enabled us to operate new facilities, create jobs, and pay debt service on the bonds. However, as the Department of Corrections predicted to this committee last year, the Federal Bureau of Prisons is now moving its inmates out of our facilities and into new federal prisons.

To adjust to these changing circumstances, the Department must close one major facility and a number of smaller community facilities. Your subcommittee has worked very closely with the Department on this issue, and has come to the conclusion that Staunton Correctional Center is the most logical major facility to close. The Staunton facility is housed in the buildings that comprise the former Western State Hospital. The oldest building was constructed in the 1820's; the main building dates to the 1840's. This facility is old and very expensive to operate and maintain. You might remember the Department of Mental Health and Mental Retardation transferred this facility to the Department of Corrections in 1976. Now, a quarter-century later, there is a backlog of over \$18 million in capital maintenance needs for this antiquated facility. It is clear that closing this facility is the most logical step in view of our current circumstances.

In a positive sense, we believe the time has come for this very valuable property in the heart of a fast-growing, dynamic region to be dedicated to a new and forward-looking purpose as Staunton enters the 21st century.

Our recommendations also provide for the closure of several smaller facilities, including correctional field units, detention and diversion centers in the City of Chesapeake, and in Fairfax, Nottoway, and Russell Counties.

In the Department of Corrections, state employees are our most valuable resource. We believe many of the state employees affected by these budget reductions will be absorbed into other positions within the Department, and we encourage the Department to move immediately in a proactive fashion to facilitate this process. However, we estimate there may be up to 378 employees for whom other jobs will not be available. We have included sufficient resources in our proposed budget amendments to ensure these employees receive the required Workforce Transition Act (WTA) payments.

We commend the Department of Corrections for keeping this committee well-informed of the anticipated changes in the number of out-of-state inmates, and for working closely with us to develop a responsible plan to adjust to these new circumstances. As a result, DOC will become a leaner, more efficient organization. There will be no reduction in security, and these steps will not increase the current number of state prisoners held in regional or local jails.

We have also worked closely with the Department of Juvenile Justice and have reviewed their targeted and across-the-board reductions. We would ask the Department to keep us updated as it moves forward to implement these budget reductions, especially if there are any changes in the proposed plans.

We are pleased to note there are no budget reductions in the Departments of Military Affairs, Emergency Services, or Fire Programs.

Our recommendations also avoid any significant budget reductions in the Department of State Police. We have identified the necessary resources for three state police academy classes in each of the next two years. Our amendments will enable State Police to train sufficient new troopers to bring the agency up to full strength, recognizing the increased demands placed on this agency. We also recognize the need to pay overtime for troopers and to make more progress in the installation of laptop computers in patrol cars.

In addition, we recommend funds to continue the development of the statewide radio system, with language to specify that the Secretary of Public Safety will be responsible for this essential communication project. One bid has been received and opened for this system, and the rest of this year will be devoted to analyzing this proposal and determining the best way to proceed. A report on financing this project should come before us next year.

Finally, we have added management savings in the Department of Alcoholic Beverage Control, including converting the ABC Board from full-time to part-time status, and applying an across-the-board reduction of 7% and 8% to the enforcement function.

Mr. Chairman, this concludes the report of the subcommittee.

GENERAL FUND

AMENDMENT	FY 2002	FY 2003	FY 2004	Biennial Total
Public Safety				
Sec'yPS: Executive Management Savings		(51,650)	(59,029)	(110,679)
Sec'y PS: Plan for Culpeper Alternative Use (GOV)	Language	Language	Language	Language
Sec'y PS: Culpeper Study by Public Safety Subcommittees		Language	Language	Language
ABC: Part Time Board		Language	Language	Language
ABC: Reduce Enforcement Division (7%/8%)		Language	Language	Language
CASC: Executive Management Savings		(43,332)	(49,523)	(92,855)
DOC: Executive Management Savings: Downsizing Actions		(33,400,000)	(35,300,000)	(68,700,000)
DOC: Increased Out-of-State NGF Revenue (Language-GOV)		(3,300,000)	(7,200,000)	(10,500,000)
DOC: Authority to Close Facilities (GOV)		Language	Language	Language
DOC: Authority to Transfer Funds to Comp Board (GOV)		Language	Language	Language
DOC: Facility Mothballing Expense (Sec'y Admin: Study Language)		900,000	900,000	1,800,000
DOC: Restore Drug Treatment		2,500,000	2,500,000	5,000,000
DOC: Restore Payments in Lieu of Taxes		1,027,325	1,027,325	2,054,650
DOC: Lawrenceville Contract Base Budget Adjustment		1,000,000	1,000,000	2,000,000
DOC: Lawrenceville Contract Renewal		Language	Language	Language
DOC: Prison Visitation Project (\$20,000/\$40,000 NGF)		NGF	NGF	NGF
DOC: Chaplain Services (\$100,000/year NGF)		NGF	NGF	NGF
DOC: Botetourt Regional Jail Project (Moratorium Exception)		Language	Language	Language
DOC: Eliminate Fairfax Recidivist Program		(50,000)	(50,000)	(100,000)
DCE: Executive Management Savings		(2,120,977)	(2,423,974)	(4,544,951)
DCE: Convert NGF Positions to GF (22 FTE)		0	0	0
DCJS: Executive Management Savings		(3,250,000)	(3,250,000)	(6,500,000)
DCJS: Transfer IDEA Fund Balances		Language	Language	Language
DCJS: Increased Workload DNA Testing (SB 419)		307,000	307,000	614,000
DCJS: Forensic Lab (10 FTE convert part-time)		0	0	0
DCJS: Center for School Safety-2 FTE (SB 295)		150,000	150,000	300,000

DCJS: Henry County/Martinsville Community Criminal Justice Bo		125,000	125,000	250,000
DCJS: Eliminate Base Budget Adjustment for State Agency Match		(850,000)	(850,000)	(1,700,000)
DCJS: Eliminate Increase for Research Division		(400,000)	(400,000)	(800,000)
DCJS: Eliminate GF for Forensic Institute (Supplant with NGF)		(1,000,000)	(1,000,000)	(2,000,000)
DCJS: Pre- and Post-Incarceration Services		(2,191,369)	(2,191,369)	(4,382,738)
DCJS: DMHMRSAS Replacement Funds		(194,639)	(194,639)	(389,278)
DCJS: Residential Substance Abuse Treatment Match		(425,000)	(435,000)	(860,000)
DCJS: Move Domestic Violence Grants to AG (SB 290/HB 488)		NGF	NGF	NGF
DCJS: ICJIS (Transfer GF + \$3.2 million federal grant/year to Sup		(800,000)	(800,000)	(1,600,000)
DCJS: Recalculate HB 599 per GF revenue reducti	(5,591,909)	(2,468,195)	(1,657,426)	(4,125,621)
DJJ: Executive Management Savings		(7,562,589)	(8,642,958)	(16,205,547)
DJJ: Delayed Opening Juvenile Detention (GOV)	(2,901,806)	0	0	0
DJJ: Eliminate Offices on Youth (GOV)		(2,088,576)	(2,088,576)	(4,177,152)
DJJ: Reduce VJCCCA without local match (GOV)		(6,640,182)	(6,324,236)	(12,964,418)
DJJ: Reject Proposed VJCCCA Local Match		Language	Language	Language
DMA: Military Advisory Council (GOV)		50,000	50,000	100,000
DMA: Driver Training Facility at Fort Pickett		250,000	0	250,000
DSP: Executive Management Savings		(800,570)	(924,093)	(1,724,663)
DSP: State Agency Radio System (Language)		3,200,000	0	3,200,000
DSP: Radio System Contract Negotiations (GOV)	Language			
DSP: Radio System Under Direction of Secretary of Public Safety		Language	Language	Language
DSP: 100 New Troopers (add third trooper school in each year)		NGF	NGF	NGF
DSP: Restore State Troopers' overtime		NGF	NGF	NGF
DSP: Laptop computers for State Troopers' cars		NGF	NGF	NGF
DSP: Anti-Terrorism Investigators (7 FTE)		500,000	500,000	1,000,000
DSP: Troopers for Woodrow Wilson Bridge (5 FTE w. Federal Fur		0	0	0
ParoleBd: Reduce Board from 5 to 3 Members (SB 605)		(157,489)	(193,497)	(350,986)
Total for Public Safety		(8,493,715)	(67,474,995)	(125,260,238)
Revenue Page				
ABC: Part Time Board		(400,000)	(400,000)	(800,000)

ABC: Reduce Enforcement Division (7%/8%)		(600,000)	(780,000)	(1,380,000)
DCJS: Transfer IDEA Funds to GF	(5,000,000)	(3,000,000)	(3,000,000)	(6,000,000)
Additional GF Revenue from DNA Samples (SB 419)		(307,000)	(307,000)	(614,000)
DMA: Lease Camp Pendleton land to VA Beach		0	(100,000)	(100,000)
DMA: One-Time Payment by VA Beach		0	(1,000,000)	(1,000,000)

Legislative Department

GA: Joint Subcommittee Study (Item 1)		Language	Language	Language
Crime Commission: Designation as Criminal Justice Agency		Language	Language	Language

Judicial Department

DCJS: ICJIS (Transfer GF + federal grant to Supreme Court)		800,000	800,000	1,600,000
DCJS: Transfer to Court System (Committee on District Courts)		1,281,250	1,281,250	2,562,500

Office of Administration

Sec'y Admin: Study Alternatives for VSDB Steam Heat		Language	Language	Language
CompBd: Jail Per Diems for Current Out-of-Compliance Backlog		6,843,750	6,843,750	13,687,500

Central Appropriations

CA: Move Across-the-Board Reductions to Public Safety Agencies		41,654,947	47,614,809	89,269,756
CA: Workforce Transition Act (Item 504.10)		6,800,000	0	6,800,000

Part 2 (Capital Outlay)

DMA: Relocate Facilities at Camp Pendleton		0	1,000,000	1,000,000
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Part 3 (Transfers)

ABC: Transfer NGF Agency Reductions to GF		Language	Language	Language
DCJS: Transfer IDEA Fund Balances to GF	Language	Language	Language	Language