



Report of the Subcommittee on
Public Safety

Senate Finance &
Appropriations Committee
Virginia General Assembly

February 16, 2020



SENATE OF VIRGINIA

Senate Finance & Appropriations Committee

2020 Report of the Subcommittee on Public Safety

The Honorable Louise L. Lucas, Chair

February 16, 2020

Madam Chair and Members of the Committee:

The Public Safety Subcommittee has reviewed the Governor's proposed budget for the agencies of Public Safety and Homeland Security and Veterans and Defense Affairs. Overall, the Subcommittee recommends a variety of amendments that redirects a portion of the \$119 million general fund included in the introduced budget to provide additional support for these agencies.

Priority was given to funding the compensation plan for the Virginia State Police to better attract and retain state troopers. The State Police have over 220 vacant trooper positions and currently another 350 troopers are eligible to retire this year. For such a critical agency that provides full-service law enforcement statewide, the Subcommittee recommends fully funding a compensation plan that will stabilize the workforce and show our commitment to the state troopers who serve to protect us all each day. The Senate passed Senate Bill 972, patroned by Senator Edwards, that increases the motor vehicle registration fee by \$4.00 this July 1st. The revenue from this increase will fund a \$55 million compensation plan for state troopers over the biennium.

In the Department of Corrections, the recommendations result in a total of \$63 million from the general fund for increased inmate healthcare costs, treating more inmates with Hepatitis C, and fully funding electronic health records across correctional facilities. The Subcommittee also recommends funding pilot projects with the UVA and VCU health systems to enhance the cost-effectiveness of delivering health care to inmates.



SENATE OF VIRGINIA

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In addition, the Subcommittee recommends \$17.3 million general fund over the biennium for the funding of local police departments. This reflects a 4.5 percent increase consistent with general fund revenue growth in the first year.

In closing, I would like to thank the members of the Public Safety Subcommittee for their collaboration and leadership on this report.

Madam Chair, this concludes the Public Safety Subcommittee report. I hope it will be the pleasure of the Committee to adopt our amendments.

Respectfully Submitted,

The Honorable L. Louise Lucas, Chair

The Honorable Thomas K. Norment, Jr.

The Honorable Frank M. Ruff, Jr.

The Honorable John S. Edwards

The Honorable J. Chapman Petersen

The Honorable David W. Marsden

The Honorable Adam P. Ebbin

Report of the Subcommittee on Public Safety
(Recommended Amendments to SBs 29 and 30, as Introduced)

	Amendment	General Fund				Nongeneral Funds			
		FY 2020	FY 2021	FY 2022	Biennium	FY 2021	FY 2022	Biennium	
1	Secretary of Public Safety and Homeland Security								
2	Technical: Remove One-Time Funding for School Safety App. Study		\$ (50,000)	\$ (50,000)	\$ (100,000)				
3	Continue Body Worn Camera Workgroup		Language						
4	Technical: Continue Sex Offender Treatment Workgroup		Language						
5	Alcoholic Beverage Control Authority								
6	Technical: Set Out Headquarters / Warehouse Funding		Language						
7	Technical: Set Out Licensing Reform Funding		Language						
8	Department of Corrections								
9	Healthcare Pilot with VCU and UVA Health Systems		\$ (2,308,165)	\$ -	\$ (2,308,165)				
10	Electronic Health Records for all Correctional Facilities	Language	\$ (2,995,132)	\$ (1,000,000)	\$ (3,995,132)				
11	Incarceration Costs for Criminal Sentencing Bills		\$ 450,000	\$ -	\$ 450,000				
12	Lawrenceville Cost Evaluation		Language						
13	Review of Individualized Therapy for Restrictive Housing		Language						
14	Technical: Set Out Funding for Security Officer Salaries		Language						
15	Technical: Set Out Jail Death Investigator Positions		Language						
16	Technical: Set Out Hepatitis C Funding		Language						
17	Technical: Set Out Healthcare Study Funding		Language						
18	Department of Criminal Justice Services								
19	Red Flag Law Training		\$ 500,000	\$ -	\$ 500,000				
20	Violence Intervention and Prevention Fund		\$ (1,645,244)	\$ (193,658)	\$ (1,838,902)				
21	Local Pretrial and Probation Grants		\$ (2,300,000)	\$ -	\$ (2,300,000)				
22	Immigrant Legal and Social Services Grant Funding		\$ 425,000	\$ 425,000	\$ 850,000				
23	SB 373 - SAFE Coordinator		\$ 150,000	\$ 150,000	\$ 300,000				
24	Post Critical Incident Support for Law Enforcement		\$ 200,000	\$ 200,000	\$ 400,000				
25	SB 723 - Bail Reporting Pilot Project		\$ 250,000	\$ -	\$ 250,000				
26	Aid to Localities with Police Departments		\$ 8,628,574	\$ 8,628,574	\$ 17,257,148				
27	Technical: Remove Excess Federal Appropriation					\$ (1,710,000)	\$ (1,710,000)	\$ (3,420,000)	
28	Technical: Jail Mental Health Grants		Language						
29	Technical: Set Out Youth and Gang Violence Grants Funding		Language						
30	Department of Emergency Management								
31	Emergency Shelter Upgrade Assistance Fund		\$ 5,000,000	\$ -	\$ 5,000,000				
32	Department of State Police								
33	Maintain Sex Offender Investigative Unit		\$ (5,106,720)	\$ (1,396,637)	\$ (6,503,357)				
34	Positions for Assault Weapons Registry		\$ (2,412,825)	\$ (1,587,203)	\$ (4,000,028)				
35	State Troopers Compensation Plan					\$ 25,700,000	\$ 29,400,000	\$ 55,100,000	
36	SB 608: Expungement Bill		\$ 42,264	\$ 151,064	\$ 193,328				
37	Med-Flight Helicopter Maintenance		\$ 587,143	\$ 587,143	\$ 1,174,286				

Report of the Subcommittee on Public Safety
(Recommended Amendments to SBs 29 and 30, as Introduced)

		General Fund				Nongeneral Funds		
	Amendment	FY 2020	FY 2021	FY 2022	Biennium	FY 2021	FY 2022	Biennium
38	Secretary of Veterans and Defense Affairs							
39	Care Centers Workgroup		<i>Language</i>					
40	Camp Pendleton Lease Agreement		<i>Language</i>					
41	Department of Veterans Services							
42	Virginia Veterans' Parade Field	\$1,000,000	\$ (5,000,000)	\$ -	\$ (5,000,000)			
43	Move Administrative Position to Veterans Services Foundation		\$ (70,000)	\$ (70,000)	\$ (140,000)			
44	Move Pass-Through Funding to Veterans Services Foundation		\$ (160,000)	\$ (160,000)	\$ (320,000)			
45	Veterans Services Foundation							
46	Move Administrative Position to Veterans Services Foundation		\$ 70,000	\$ 70,000	\$ 140,000			
47	Move Pass-Through Funding to Veterans Services Foundation		\$ 160,000	\$ 160,000	\$ 320,000			
48	Department of Military Affairs							
49	Remove Proposed Funding for Tuition Assistance		\$ (500,000)	\$ (500,000)	\$ (1,000,000)			
		\$ 1,000,000	\$ (6,085,105)	\$ 5,414,283	\$ (670,822)	\$ 23,990,000	\$ 27,690,000	\$ 51,680,000

Public Safety and Homeland Security

Secretary of Public Safety and Homeland Security

Language

Language:

Page 390, after line 28, insert:

"D.1. The Secretary of Public Safety and Homeland Security shall continue the expanded work group established in Item 381 of Chapter 854, 2019 Acts of Assembly. The expanded work group shall examine the workload impact, as well as other fiscal and policy impacts, on the Commonwealth's public safety and judicial agencies as a whole. The Executive Secretary of the Supreme Court shall submit the recommendations of the working group to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 15, 2020. All state agencies and local subdivisions shall provide assistance as requested by the working group.

2. The expanded workgroup shall include representatives of the Supreme Court, the State Compensation Board, staff of the House Appropriations and Senate Finance and Appropriations Committees, Department of Criminal Justice Services, Commonwealth's Attorneys, local governments, and other stakeholders deemed appropriate by the Secretary.

3. Prior to the preparation of the November 15, 2020 report, each Commonwealth's Attorney's office in a locality that employs body worn cameras, in conjunction with the law enforcement agency using body worn cameras, shall report to the Compensation Board and the workgroup the following information on a quarterly basis, in a format prescribed by the Board:

a. The number of hours of body worn camera video footage received from their law enforcement agencies. The number of hours should additionally be broken down into corresponding categories of felonies, misdemeanors and traffic offenses. Any recorded event that results in charges for two or more of the above categories shall be reported in the most serious category;

b. The number of hours spent in the course of redacting videos; and

c. Any other data determined relevant and necessary by the workgroup for this analysis."

Explanation:

(This amendment directs the workgroup created in the 2019 Appropriation Act to continue studying the workload, policy, and fiscal impacts of using body-worn cameras.)

Security

Department of Corrections (\$2,308,165) \$0 GF

Language:

Page 397, line 12, strike "\$235,090,748" and insert "\$232,782,583".

Page 397, after line 22, insert:

"A.1. Out of this appropriation, \$3,646,925 the first year and \$5,935,253 the second year from the general fund is provided for the Department of Corrections to partner with the University of Virginia Health System and the Virginia Commonwealth University Health System on pilot projects to provide Hepatitis C treatment, orthopedic services, and expanded access to 340B medications for inmates.

2. The department shall continue the workgroup required in Item 390, paragraphs Q and R, Chapter 854, 2019 Acts of Assembly. The purpose of the continued workgroup shall be to identify implementation costs and timelines and provide additional details on the planned pilot programs. The department shall report on the status and the progress of the pilot projects to the Chairs of the House Appropriations and Senate Finance Committees by October 15, 2020."

Explanation:

(This amendment removes \$2.3 million the first year from the general fund for the Department of Corrections to partner with university health systems on pilot projects to improve healthcare for inmates. The reduction is based on deferring the pilot project with the UVA Health System for six months in order to allow time for more development and cost estimates of the project.)

Item 406 #1s

Public Safety and Homeland Security

FY20-21

FY21-22

Department of Criminal Justice Services

(\$2,300,000)

\$0 GF

Language:

Page 401, line 22, strike "\$146,493,500" and insert "\$144,193,500".

Page 403, line 9, after "appropriation," strike "\$27,690,378" and insert "\$25,390,378".

Page 403, after line 22, insert:

"3. The Department of Criminal Justice Services shall conduct a comprehensive review of pretrial services in the state, based on recommendations of the Virginia State Crime Commission. The report shall include: (i) specific recommendations to improve the administration of pretrial services in Virginia; (ii) a recommendation for an appropriate funding formula for distribution of the funding available in paragraph C.1. of this Item; and (iii) identification of technology infrastructure needs and costs to improve administration of the system. The report shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by January 1, 2021."

Explanation:

(This amendment removes \$2.3 million from the general fund the first year for additional grants to local pretrial and probation programs, maintaining the existing funding level of \$25.4 million. The additional funding included in the introduced budget in the second year of \$2.3 million remains and will be allocated consistent with any changes to the funding formula. The Virginia State Crime Commission in 2017 recommended that the Department of Criminal Justice Services review the funding formula for effective distribution of pretrial and probation services funding.)

	Item 406 #5s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of Criminal Justice Services	\$425,000	\$425,000 GF

Language:

Page 401, line 22, strike "\$146,493,500" and insert "\$146,918,500".

Page 401, line 22, strike "\$147,891,914" and insert "\$148,316,914".

Page 405, after line 41, insert:

"O. Out of this appropriation, \$425,000 the first year and \$425,000 the second year from the general fund shall be provided for the Department of Criminal Justice Services to contract with Ayuda to provide immigrants legal, social, and language services for low-income victims of crime, including victims of domestic violence, sexual assault, human trafficking and child abuse, abandonment, and neglect. The services provided shall include case management, emergency client assistance, and mental health services in the preferred language of clients."

Explanation:

(This amendment provides \$425,000 each year from the general fund for Ayuda, an organization that provides immigrants legal, social, and language services for low-income victims of crime. The services provided by Ayuda include case management, emergency client assistance, and mental health services in the preferred language of clients.)

	Item 408 #1s	
Public Safety and Homeland Security	FY20-21	FY21-22
Department of Criminal Justice Services	\$8,628,574	\$8,628,574 GF

Language:

Page 405, line 52, strike "\$191,746,081" and insert "\$200,374,655".

Page 405, line 52, strike "\$191,746,081" and insert "\$200,374,655".

Page 406, line 9, strike "\$191,746,081 the first year and \$191,746,081" and insert "\$200,374,655 the first year and \$200,374,655".

Explanation:

(This amendment provides \$8.6 million each year from the general fund to increase state aid to localities with police departments. The amount is consistent with the 4.5 percent increase in general fund revenues in the first year.)

	Item 425 #1s		
Public Safety and Homeland Security	FY20-21	FY21-22	
Department of State Police	(\$2,412,825) -18.00	(\$1,587,203) -18.00	GF FTE

Language:

Page 417, line 20, strike "\$79,374,662" and insert "\$76,961,837".

Page 417, line 20, strike "\$73,549,555" and insert "\$71,962,352".

Explanation:

(This amendment removes \$2.4 million the first year and \$1.6 million the second year and 18 positions provided in the introduced budget to address the fiscal impact of legislation to ban assault weapons. The legislation has been amended to no longer establish an assault weapons registry, which eliminates the fiscal impact for State Police to administer such registry.)

	Item 461 #1s
Veterans and Defense Affairs	
Secretary of Veterans and Defense Affairs	Language

Language:

Page 448, strike lines 43 through 46:

Page 449, strike lines 1 through 16 and insert:

"5. Included in this appropriation is \$2,500,000 the first year and \$2,500,000 the second year from nongeneral funds to be provided through a long-term lease agreement with the City of Virginia Beach as consideration for use of state-owned parcels totaling approximately 12 acres, more or less, and currently leased to the City for use as parking for the Virginia Aquarium and Marine Science Center and overflow Rudee Inlet boat ramp parking. Such funds shall be used for construction of a new secure gate to the Camp Pendleton State Military Reservation located in the City of Virginia Beach. As additional consideration, the City of Virginia Beach shall also provide for a new signal-controlled entrance to Camp Pendleton State Military Reservation

aligned with the new secure gate. An initial payment of \$2,500,000 shall be made by the City prior to June 30, 2021 and an additional payment of \$2,500,000 shall be made by the City prior to June 30, 2022. Pursuant to Executive Order 20 (2018), authorizing the transfer of administrative authority of the Department of Military Affairs from the Secretary of Public Safety and Homeland Security to the Secretary of Veterans and Defense Affairs, the Secretary of Veterans and Defense Affairs shall be the authorized entity to enter into the lease agreement with the City. The term of the lease shall be not less than 50 years with an additional 50-year option being available. An additional payment not to exceed \$50,000 annually may be required to be made by the city pursuant to the terms of the lease agreement. The Secretary of Veterans and Defense Affairs shall report to the Chairs of the Senate Finance and Appropriations House Appropriations Committees on such projects and real property lease agreements executed from funds appropriated in this item by October 15th of each year until completion of the specified improvement projects."

Explanation:

(This amendment clarifies existing language from Chapter 854, 2019 Acts of Assembly authorizing a long-term lease of state owned property adjacent to Camp Pendleton in the City of Virginia Beach and authorizes an additional payment of up to \$50,000 per year in addition to the existing requirement for a payment of \$5.0 million.)

Item 462 #1s

Veterans and Defense Affairs

Secretary of Veterans and Defense Affairs

Language

Language:

Page 449, after line 31, insert:

"E.1. The Secretary of Veterans and Defense Affairs and the Secretary of Finance, shall convene a workgroup to oversee the development of detailed business plans for the operation of Veterans Care Centers in the Commonwealth. The workgroup shall include the Department of Veterans Services, the Department of Medical Assistance Services, the Department of Planning and Budget, and staff of the House Appropriations and Senate Finance and Appropriations Committees, as well as other agencies deemed appropriate. The purpose of the workgroup shall be to plan for business needs, funding needs, and estimate viable revenue streams in anticipation of opening new Veterans Care Centers in the state.

2. The workgroup shall prepare a business plan for each existing, planned, or proposed Care Center that includes, by fiscal year: appropriate staffing levels, anticipated care populations, costs, and revenue streams. The plans shall be specific to each facility and shall base revenue projections on estimated reimbursement rates from Medicare, Medicaid, and other payers. Each plan shall identify payment schedules for any loan or capital advance, with identified revenue streams, covering the entirety of the loan until projected defeasance.

3. The Secretary shall report on the business plans required in this paragraph by November 15,

2020."

Explanation:

(This amendment directs the Secretary of Veterans and Defense Affairs to convene a workgroup to create business and financial plans for the operation and financing of state Veterans Care Centers.)
