

SENATE APPROPRIATIONS COMMITTEE

ON

JUSTICE AND PUBLIC SAFETY

**REPORT
ON THE
CONTINUATION AND EXPANSION BUDGETS**

House Bill 97

June 15, 2015

Public Safety

GENERAL FUND

	FY 15-16		FY 16-17	
Recommended Base Budget	\$1,758,733,006		\$1,758,773,164	
Legislative Changes				
A. Reserve for Salaries and Benefits				
1 Trooper Step Increase	\$1,753,959	R	\$1,753,959	R
Provides funds for an experience-based step increase for State Highway Patrol Troopers pursuant to G.S. 20-187.3.				
2 Correctional Officer Custody-level Based Pay Adjustment	\$12,771,297	R	\$25,542,594	R
Provides funds to implement the mandatory increases associated with position reclassifications necessary to differentiate Correctional Officer pay by custody level as recommended in an Office of State Human Resources study of pay in correctional facilities. The State Human Resources Commission approved the recommendations of this study in the February 2015 meeting, indicating that the recommendations should be implemented as funds become available.				
3 Compensation Increase Reserve - State Agency Teachers	\$170,912	R	\$170,912	R
Provides funds to increase starting teacher pay from \$33,000 to \$35,000 per year, to adjust the tiers of the salary schedule, to grant an experience-based step increase for eligible educators earning a year of creditable experience, and to ensure that all educators, assuming no change in credentials, are paid at least their FY 2014-15 compensation.				
4 Compensation Increase Reserve - DPS School-based Administrators (SBAs)	\$6,000	R	\$6,000	R
Provides funds for an experience-based step increase for SBAs earning a year of creditable experience and funds an \$809 top of the salary schedule bonus. Any funds remaining may be used to implement Section 9.5.				
B. Department-wide				
5 Workers' Compensation Adjustment Reserve	\$17,890,209	R	\$17,890,209	R
Provides funding to adjust workers' compensation line items to the average FY 2012-13 and FY 2013-14 actual expenditures estimated to be from net General Fund appropriations. Agencies are directed to further adjust these line items using receipts to reflect the average FY 2012-13 and FY 2013-14 actual expenditures from all fund sources.				

6 Samarcand Operating Costs

Funds start-up costs for the Samarcand Training Academy in Moore County. The training facility will allow the Department to provide overnight training for correctional officers and juvenile justice officers, as well as other employees of the Department of Public Safety (DPS). Positions are phased in throughout the biennium.

\$1,096,687	R	\$1,936,248	R
\$466,121	NR		
18.00		21.00	

7 Appropriate Use-of-Force Training

Provides nonrecurring funds to purchase a use-of-force training simulator for the Samarcand Training Academy.

\$109,656	NR
-----------	----

C. Administration**8 Operating Budget Reductions**

Reduces various line items in the operating budget for the Division of Administration. Reductions include:

(\$199,189)	R	(\$199,189)	R
-------------	---	-------------	---

PC/Printer Equipment	(\$110,000)
Server Equipment	(\$ 56,000)
Data Processing Supplies	(\$ 15,000)
Laboratory Service Agreement	(\$ 6,000)
Library and Learning Resources	(\$ 7,000)
Other line items	(\$ 5,189)

This reduction is 0.33% of the \$59.9 million budget for the Division of Administration.

9 Governor's Crime Commission Budget Alignment

Modifies the budgeted amount for PC software by \$10,879 and eliminates State matching funds of \$1,610 for grant funds that are no longer necessary. This is a 0.04% reduction to the Governor's Crime Commission budget of \$25.9 million.

(\$12,489)	R	(\$12,489)	R
------------	---	------------	---

D. Law Enforcement**10 SHP - Appropriate Use-of-Force Training**

Provides funds to the State Highway Patrol (SHP) to develop and coordinate appropriate use-of-force training for State law enforcement officers, including the State Bureau of Investigation (SBI), Alcohol Law Enforcement (ALE), and State Capitol Police. Recurring funds are provided for supplies and equipment replacement and training costs; nonrecurring funds are provided for a use-of-force training simulator and associated equipment in the first year.

\$150,000	R	\$150,000	R
\$109,656	NR		

11 SHP Vehicles

Increases the recurring budget for replacement of the Highway Patrol's enforcement and support fleet by 60% to \$7,992,752. An additional 34% increase is provided on a nonrecurring basis in FY 2015-16.

\$3,000,000	R	\$3,000,000	R
\$1,710,750	NR		

12 SBI Vehicles

\$1,943,373 R

\$1,943,373 R

Establishes a recurring budget to replace 75 vehicles per year for the State Bureau of Investigation, including ALE.

13 SAFIS Replacement

\$333,557 NR

Provides nonrecurring funds in the first year for replacement of the Statewide Automated Fingerprint Identification System. These funds are leftover from the 2007 SAFIS replacement. An additional \$399,602 is budgeted in receipts on a recurring basis for this purpose.

14 Operation Medicine Drop

\$120,000 NR

Provides funds to the SBI for Operation Medicine Drop, a program that conducts events for citizens to bring unused or expired medications to a central location for safe disposal.

E. Emergency Management and National Guard**15 Emergency Management Operating Efficiencies**

(\$73,360) R

(\$73,360) R

Shifts partial funding of 4 positions (60084453, 60032393, 60084598, 60032400) to receipt support (\$48,657), and reduces funds for supplies and equipment by \$24,703. This is a 0.20% reduction to the total budget for Emergency Management of \$35.7 million.

-1.17

-1.17

16 National Guard Operating Efficiencies

(\$103,680) R

(\$103,680) R

Reduces the National Guard operating budget as follows:

Waste Mgt Services	(\$67,679)
Travel	(\$26,001)
Motor Vehicle Insurance	(\$10,000)

This is a 0.29% reduction to the total National Guard budget of \$35.5 million.

17 National Guard Joint Forces Headquarters (JFHQ) Operating Expenses

\$350,000 R

\$375,000 R

Provides funds for building utilities and maintenance for the National Guard's portion of JFHQ. Federal funds were used for this purpose until last year, when the federal portion of the funding was reduced to 55% and a 45% State match was required.

F. Adult Correction and Juvenile Justice - Prisons**18 Harnett CI Electronic Intrusion System**

(\$53,788) R

(\$511,219) R

Enhances prison security through the installation of an Electronic Intrusion System (EIS) at Harnett Correctional Institution. EIS improves efficiency by eliminating staff in watchtowers and replacing them with a roving perimeter patrol. The total amount reduced in FY 2015-16 is \$127,838. However, the Department is authorized to spend \$74,050 nonrecurring funds for vehicles and telecommunications equipment for the perimeter patrols.

-14.00

-14.00

19 Inmate Education

(\$500,000)

R

(\$500,000)

R

Reduces the Inmate Education budget by 5.6%, leaving \$8,451,087 to provide education services.

20 Continuation Review - Inmate Road Squads and Litter Crews

Funds the Inmate Road Squads and Litter Crews for FY 2015-16 only. The Highway Fund provides \$9,040,000 to support 184 positions for this program. Restoration of FY 2016-17 funds is subject to the findings of the Continuation Review.

21 Central Prison Mental Health Beds

\$1,074,669

R

\$3,161,763

R

Funds 66 positions at the Central Prison Mental Health Facility to open 72 additional beds to enable the unit to operate at full capacity of 216 beds. Thirty-five positions are effective January 1, 2016 and 31 additional positions are effective January 1, 2017.

35.00

66.00

22 Behavior Treatment Unit and Diagnostic Positions

\$723,805

R

\$1,447,609

R

Establishes a mental health behavior treatment unit at Maury Correctional Institution and provides mental health positions for the Diagnostic Centers to improve the assessment of inmates' mental health status during processing. The positions are effective January 1, 2016.

\$65,625

NR

29.00

29.00

23 Electronic Health Records

\$681,679

R

Provides funding for vendor fees for access and data for the electronic inmate healthcare records system. The Department is currently using nonrecurring funds for the development and implementation of the system. Funding is provided effective January 1, 2016 and will be annualized in FY 2017-18.

24 Statewide Misdemeanant Confinement Fund

\$22,500,000

R

\$22,500,000

R

Provides funds for the Statewide Misdemeanant Confinement Fund (SMCF). This fund was previously supported by court costs that were transferred directly to the fund. SMCF provides payments to county jails for housing, transportation, and medical care for misdemeanants sentenced to confinement for longer than 90 days.

G. Adult Correction and Juvenile Justice - Community Corrections**25 Electronic Monitoring**

\$700,000

R

\$707,971

R

Increases funding for electronic monitoring equipment for offenders under supervision. Use of electronic monitoring has more than doubled following the Justice Reinvestment Act; this funding supports the increased demand. With these additional funds, the budget for electronic monitoring will be \$4.9 million in FY 2015-17, a 17% increase.

26 Broaden Access to Community Treatment

Provides funds to the Broaden Access to Community Treatment program. These funds shall be restricted to substance abuse treatment services for offenders assessed as moderate to high-risk for recidivism and high need for substance abuse services. Funds distributed under this provision shall be given to evidence-based programs to enhance, increase, or expand existing substance abuse treatment programs for offenders being supervised by the Department.

\$1,359,744 NR

H. Adult Correction and Juvenile Justice - Juvenile Justice**27 Residential Beds for Adjudicated Juveniles**

Provides funding for expanded bed capacity for adjudicated juveniles in contracted and State-run facilities throughout the State. The new total budget for juvenile community programs will be \$20.1 million, an increase of 11%.

\$2,000,000 R \$2,000,000 R

Total Legislative Changes

\$65,188,405 R \$81,867,380 R

\$4,275,109 NR

Total Position Changes

66.83 100.83

Revised Budget

\$1,828,196,520 \$1,840,640,544

Justice

GENERAL FUND

	FY 15-16		FY 16-17	
Recommended Base Budget	\$50,584,602		\$50,584,602	
Legislative Changes				
B. State Crime Laboratory				
28 Crime Lab Technicians	\$251,117	R	\$330,504	R
Creates 6 new technician positions at the State Crime Lab to handle non-scientific duties. These positions will allow forensic scientists to concentrate on more complex tasks, increasing efficiency and turn-around time for lab analysis.	6.00		6.00	
29 Outsourcing Funds for Forensic Analysis	\$750,000	NR		
Provides funds in the first year to allow the State Crime Lab to outsource forensic analysis services, including toxicology and DNA.				
C. Training and Standards				
30 Appropriate Use-of-Force Training	\$236,129	R	\$236,129	R
Provides funds to the NC Justice Academy to develop curricula and provide appropriate use-of-force training to local law enforcement agencies. Funding is provided to create new criminal justice training coordinator positions for community relations and use-of-force training, and to offer multiple train-the-trainer programs in Fair and Impartial Policing throughout the year. Nonrecurring funding is provided to purchase use-of-force training simulators for the Edneyville and Salemburg campuses.	\$219,312	NR		
	2.00		2.00	
31 Sexual Assault Investigator Training	\$80,000	R	\$80,000	R
Provides funds for a criminal justice coordinator to conduct basic and advanced training for the identification and investigation of sexual assault and violence against women crimes.	1.00		1.00	
D. Department-wide				
32 Workers' Compensation Adjustment Reserve	\$174,524	R	\$174,524	R
Provides funding to adjust workers' compensation line items to the average FY 2012-13 and FY 2013-14 actual expenditures estimated to be from net General Fund appropriations. Agencies are directed to further adjust these line items using receipts to reflect the average FY 2012-13 and FY 2013-14 actual expenditures from all fund sources.				

Total Legislative Changes	\$741,770	R	\$821,157	R
	\$969,312	NR		
Total Position Changes	9.00		9.00	
Revised Budget	\$52,295,684		\$51,405,759	

Judicial - Indigent Defense

GENERAL FUND

	FY 15-16	FY 16-17
Recommended Base Budget	\$112,087,174	\$112,097,118

Legislative Changes

B. Private Appointed Counsel Fund

33 Additional Private Appointed Counsel Funds

\$4,400,000	R	\$4,400,000	R
-------------	---	-------------	---

Provides funding to pay private counsel assigned to represent indigent defendants, reducing a budget shortfall that has accumulated over several years. This budget shortfall creates a hardship for small business legal firms whose payments are delayed when State funding is exhausted before the end of the fiscal year. This is a funding increase of 7.1% over current appropriations of \$61,579,725.

C. Public Defenders

34 Capital Defender's Office

(\$750,000)	R	(\$750,000)	R
-------------	---	-------------	---

Reduces funding for the Office of the Capital Defender by \$750,000, leaving \$3,222,230. This is a reduction of 18.9%.

-7.00

-7.00

This reduction includes the following positions:

Position Number	Title
60002194	Asst. Capital Defender
60002193	Asst. Capital Defender
65021927	Asst. Capital Defender
65021928	Asst. Capital Defender
60002203	Capital Case Investigator
65021929	Capital Case Investigator
65021755	Legal Assistant III

D. Department-wide

35 Workers' Compensation Adjustment Reserve

\$895	R	\$895	R
-------	---	-------	---

Provides funding to adjust workers' compensation line items to the average FY 2012-13 and FY 2013-14 actual expenditures estimated to be from net General Fund appropriations. Agencies are directed to further adjust these line items using receipts to reflect the average FY 2012-13 and FY 2013-14 actual expenditures from all fund sources.

Total Legislative Changes	\$3,650,895	R	\$3,650,895	R
Total Position Changes	-7.00		-7.00	
Revised Budget	\$115,738,069		\$115,748,013	

Judicial

GENERAL FUND

	FY 15-16		FY 16-17	
Recommended Base Budget	\$467,897,397		\$467,898,110	
Legislative Changes				
A. Reserve for Salaries and Benefits				
36 Assistant and Deputy Clerk Step Increase	\$3,771,968	R	\$3,771,968	R
Provides funds for an experience-based step increase for Assistant and Deputy Clerks pursuant to G.S. 7A-102.				
37 Magistrate Step Increase	\$1,669,939	R	\$1,669,939	R
Provides funds for an experience-based step increase for Magistrates pursuant to G.S. 7A-171.1.				
B. Administration and Services				
38 Funds for Interpreters, Expert Witnesses, and Juries	\$1,577,283	R	\$1,577,283	R
Increases the budget for interpreters, expert witnesses, and juries as necessary to operate the State court system. Funds for jury fees will increase by \$704,818 over the current budget of \$3,618,520. Funds for expert witnesses will increase by \$73,519 over the current budget of \$255,986. Funds for interpreters will increase by \$798,946 over the current budget of \$1,157,862. This represents a 31.3% increase over current funding levels.				
39 Funds For Operating Budget	\$3,309,203	R	\$3,309,203	R
Increases the budget for constitutionally and legally mandated legal and contracting services, equipment, travel, supplies, and maintenance as necessary to operate the State court system. This is an increase of 11.4% over the current budget levels.				
40 Electronic Compliance	\$567,236	NR		
Provides funding to the Administrative Office of the Courts (AOC) for an electronic compliance dismissal project.				
C. Trial Court				
41 Special Superior Court Judges	(\$306,541)	R	(\$613,083)	R
Eliminates 3 special superior court judgeships at the end of the terms of the judges currently serving in office. These terms will end on October 20, 2015 and January 26, 2016.				
	-3.00		-3.00	
42 Business Court Staff	\$428,529	R	\$571,372	R
Provides staff and facilities for special superior court judges who will be designated as Business Court judges in FY 2015-16.				
	\$538,524	NR		
	6.00		6.00	

43 Special Assistant United States Attorneys

\$713,514 R

Creates 6 Assistant District Attorney positions to act as Special Assistant United States Attorneys (SAUSAs) in offices covering all federal districts around the State. The Conference of District Attorneys will consult with all of the elected District Attorneys to determine the best home offices for these positions. The SAUSAs shall follow best practices as established by the Conference of District Attorneys. The costs assume that positions will be effective as of July 1, 2016.

6.00

D. Department-wide**44 Workers' Compensation Adjustment Reserve**

\$575,744 R

\$575,744 R

Provides funding to adjust workers' compensation line items to the average FY 2012-13 and FY 2013-14 actual expenditures estimated to be from net General Fund appropriations. Agencies are directed to further adjust these line items using receipts to reflect the average FY 2012-13 and FY 2013-14 actual expenditures from all fund sources.

Total Legislative Changes

\$11,026,125 R

\$11,575,940 R

\$1,105,760 NR

Total Position Changes

3.00

9.00

Revised Budget

\$480,029,282

\$479,474,050

Public Safety - Other Special Grants

Budget Code: 24550

	FY 2015-16	FY 2016-17
Beginning Unreserved Fund Balance	\$29,719,634	\$26,911,790
Recommended Budget		
Requirements	\$46,285,923	\$46,285,923
Receipts	\$43,478,079	\$43,478,079
Positions	100.00	100.00
Legislative Changes		
Requirements:		
Continuation Review - Motor Carrier Safety Assistance	(\$9,313,362) R	(\$9,313,362) R
Provides funds for the State Highway Patrol's Motor Carrier Safety Assistance program for FY 2015-16 only. Restoration of FY 2016-17 funds is subject to the findings of the Continuation Review.	\$9,313,362 NR 0.00	\$0 NR -94.00
Subtotal Legislative Changes	(\$9,313,362) R \$9,313,362 NR 0.00	(\$9,313,362) R \$0 NR -94.00
Receipts:		
Continuation Review - Motor Carrier Safety Assistance	(\$9,313,362) R	(\$9,313,362) R
Provides funds for the State Highway Patrol's Motor Carrier Safety Assistance program for FY 2015-16 only. Restoration of FY 2016-17 funds is subject to the findings of the Continuation Review.	\$9,313,362 NR	\$0 NR
Subtotal Legislative Changes	(\$9,313,362) R \$9,313,362 NR	(\$9,313,362) R \$0 NR

Senate Appropriations Committee on Justice and Public Safety

	FY 2015-16	FY 2016-17
Revised Total Requirements	\$46,285,923	\$36,972,561
Revised Total Receipts	\$43,478,079	\$34,164,717
Change in Fund Balance	(\$2,807,844)	(\$2,807,844)
Total Positions	100.00	6.00
Unappropriated Balance Remaining	\$26,911,790	\$24,103,946

Public Safety – Special – Interest Bearing

Budget Code: 24555

	FY 2015-16	FY 2016-17
Beginning Unreserved Fund Balance	\$19,924,292	\$13,923,877
Recommended Budget		
Requirements	\$8,466,432	\$8,466,432
Receipts	\$2,666,017	\$2,666,017
Positions	5.00	5.00

Legislative Changes**Requirements:****Community Correction Funds**

Provides funds for the Community Corrections section of the Department of Public Safety to support training, purchase of safety equipment, and electronic monitoring.

\$0	R	\$0	R
\$200,000	NR	\$200,000	NR
0.00		0.00	

Subtotal Legislative Changes

\$0	R	\$0	R
\$200,000	NR	\$200,000	NR
0.00		0.00	

Receipts:**Community Corrections Funds**

No budget action necessary.

\$0	R	\$0	R
\$0	NR	\$0	NR

Subtotal Legislative Changes

\$0	R	\$0	R
\$0	NR	\$0	NR

Senate Appropriations Committee on Justice and Public Safety

	FY 2015-16	FY 2016-17
Revised Total Requirements	\$8,666,432	\$8,666,432
Revised Total Receipts	\$2,666,017	\$2,666,017
Change in Fund Balance	(\$6,000,415)	(\$6,000,415)
Total Positions	5.00	5.00
Unappropriated Balance Remaining	\$13,923,877	\$7,923,462

ABC Commission

Budget Code: 54551

	FY 2015-16	FY 2016-17
Beginning Unreserved Fund Balance	\$4,491,738	\$4,826,323
Recommended Budget		
Requirements	\$13,004,818	\$13,004,818
Receipts	\$13,339,403	\$13,339,403
Positions	44.00	44.00

Legislative Changes**Requirements:**

Initiative to Reduce Underage Drinking	\$3,100,000	R	\$3,100,000	R
Provides funds for the Initiative to Reduce Underage Drinking to provide public relations assistance; strategic marketing and branding; multi-media planning, negotiation, and buying; and creative design and development for the NC ABC Commission's Talk It Out Campaign.	\$0	NR	\$0	NR
	0.00		0.00	
Subtotal Legislative Changes	\$3,100,000	R	\$3,100,000	R
	\$0	NR	\$0	NR
	0.00		0.00	

Receipts:

Bailment Surcharge Receipts	\$3,100,000	R	\$3,100,000	R
Increases the budgeted receipts from the bailment surcharge. The ABC Commission increased the bailment surcharge from \$0.80 per case to \$1.40 per case in FY 2014-15.	\$0	NR	\$0	NR
Subtotal Legislative Changes	\$3,100,000	R	\$3,100,000	R
	\$0	NR	\$0	NR

Senate Appropriations Committee on Justice and Public Safety

	FY 2015-16	FY 2016-17
Revised Total Requirements	\$16,104,818	\$16,104,818
Revised Total Receipts	\$16,439,403	\$16,439,403
Change in Fund Balance	\$334,585	\$334,585
Total Positions	44.00	44.00
Unappropriated Balance Remaining	\$4,826,323	\$5,160,908