

**HOUSE APPROPRIATIONS COMMITTEE**

**ON**

**JUSTICE AND PUBLIC SAFETY**

**REPORT  
ON THE  
CONTINUATION AND EXPANSION BUDGETS**

**House Bill 97**

**May 14, 2015**



## Public Safety

## GENERAL FUND

	FY 15-16	FY 16-17
<b>Recommended Budget</b>	<b>\$1,758,733,006</b>	<b>\$1,758,773,164</b>

## Legislative Changes

## A. Department-wide

**1 Samarcand Operating Costs**

\$1,107,385	R	\$2,245,311	R
\$534,206	NR	\$990,164	NR
25.00		29.00	

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.

**2 Appropriate Use-of-Force Training**

\$109,656	NR
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Provides nonrecurring funds to purchase a use-of-force training simulator for the Samarcand Training Academy.

**3 Samarcand Firing Range**

\$2,898,779	NR
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Provides funds from the Statewide Misdemeanant Confinement Fund (SMCF) to construct a state-of-the-art firing range at the Samarcand Training Academy. The firing range will be made available to train for correction officers, probation and parole officers, State law enforcement officers, and local law enforcement agencies. A corresponding item in the Special Funds section transfers these funds from SMCF to the General Fund for this purpose.

## B. Administration

**4 Operating Budget Reductions**

(\$199,189)	R	(\$199,189)	R
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Reduces various line items in the operating budget for the Division of Administration. Reductions include:

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.

**5 Vacant Positions**

(\$266,017) R

(\$266,017) R

Eliminates four positions that have been vacant for more than a year. The positions are:

-4.00

-4.00

Position Number	Title	Total Position Cost
60001028	Bus. And Tech. Applic. Spec.	(\$103,467)
60011161	Networking Technician	(\$ 54,410)
60011161	Criminal Justice Planner I	(\$ 54,070)
60001305	Stock Supervisor	(\$ 54,070)

This is a 0.45% reduction from the Division's budget of \$59.9 million.

**6 Governor's Crime Commission Budget Alignment**

(\$12,489) R

(\$12,489) R

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.

**7 HERO Grants**

Provides funds to the Governor's Crime Commission for grants to law enforcement agencies for salaries, training, and equipment for Internet Crimes Against Children Task Force affiliate investigators and forensic analysts to utilize technology and data analysis to locate and rescue children at risk of exploitation. Priority will be given to veterans who have received training from the Human Exploitation Rescue Operative (HERO) project, a collaborative between the National Association to protect Children, US Immigration and Customs Enforcement, and the US Special Operations Command, or a comparable training program.

\$1,000,000 NR

\$1,000,000 NR

**C. Law Enforcement****8 SHP - Appropriate Use-of-Force Training**

\$150,000 R

\$150,000 R

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.

\$109,656 NR

**9 SHP Vehicles**

\$7,100,642 R

\$7,100,642 R

Fully funds the Highway Patrol's enforcement and support fleet vehicle replacement schedule. Enforcement vehicles will be replaced every 100,000 miles.

**10 SHP Vehicle Cameras**

\$2,649,625 R

\$2,649,625 R

Provides funds to install cameras in the remaining enforcement fleet vehicles that do not already have them. Also provides funds to put the cameras on a five-year replacement cycle.

\$3,373,505 NR

**11 SBI/ALE Consolidation Efficiencies**

(\$140,896) R (\$140,896) R

Eliminates three Office Assistant IV positions at SBI/ALE regional offices. Those offices were consolidated in FY 2014-15, allowing for additional operational efficiencies. This is a 0.26% reduction to the SBI's total budget of \$52.3 million.

-3.00 -3.00

**12 SBI Attorney III**

(\$107,195) R (\$107,195) R

Eliminates an Attorney III position (60084617) inadvertently transferred from the Department of Justice when the SBI was moved to DPS. This position has been vacant for more than 15 months.

-1.00 -1.00

**13 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.

**D. Emergency Management and National Guard****14 Emergency Management Operating Efficiencies**

(\$73,360) R (\$73,360) R

Shifts partial funding of four positions 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

**15 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.

**16 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.

**E. Adult Correction and Juvenile Justice - Prisons****17 Electronic Intrusion System**

(\$215,152) R (\$2,044,876) R

Enhances prison security through the installation of Electronic Intrusion Systems (EIS) at Franklin Correctional Center, Harnett Correctional Institution, Piedmont Correctional Institution, and Southern Correctional Institution. EIS improves efficiency by eliminating staff in watchtowers and replacing them with a roving perimeter patrol.

-56.00 -56.00

**18 Inmate Education**

(\$500,000) R (\$500,000) R

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

**FY 15-16****FY 16-17****19 Central Prison Mental Health Beds**

\$1,168,784 R

\$3,239,744 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. Thirty-five positions are effective January 1, 2016 and 31 additional positions are effective January 1, 2017.

35.00

66.00

**20 Mental Health Behavior Treatment**

\$2,092,641 R

\$5,619,247 R

Establishes mental health behavior treatment units at eight close custody prisons. Four units are effective January 1, 2016 and four units are effective January 1, 2017.

\$89,940 NR

\$134,910 NR

76.00

152.00

**21 Electronic Health Records**

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.

\$1,363,357 R

**22 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 two 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****23 TECS Reduction**

Reduces the appropriation for Treatment for Effective Community Supervision to reflect lower levels of participation in some counties. The total funding for this program is \$10.9 million after this nonrecurring reduction.

(\$1,500,000) NR

**24 Broaden Access for Community Treatment**

Provides funds to the Broaden Access to Community Treatment program. These funds are restricted to substance abuse treatment services for offenders assessed as moderate to high-risk for recidivism and high need for substance abuse services. Contracts awarded using these funds shall be used to evidence-based programs that demonstrate support from local stakeholders, including chief district court judges, senior resident superior court judges, probation and parole officers, district attorney offices, and county governments.

\$1,479,744 NR

**25 Electronic Monitoring**

\$1,272,519 R

\$2,641,795 R

Provides increased 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.

**26 Probation and Parole Vehicles**

Adjusts receipts to reflect funds previously paid to the Department of Administration (DOA) for replacement vehicles for probation and parole officers. A special provision directs the Department of Administration to transfer those funds back to DPS. This item follows the transfer of responsibility for these vehicles from DOA to DPS.

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<b>Total Legislative Changes</b>	<b>\$38,716,991</b>	<b>R</b>	<b>\$46,380,392</b>	<b>R</b>
	<b>\$8,095,486</b>	<b>NR</b>	<b>\$2,125,074</b>	<b>NR</b>
<b>Total Position Changes</b>	70.83		181.83	
<b>Revised Budget</b>	<b>\$1,805,545,483</b>		<b>\$1,807,278,630</b>	

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## Justice

## GENERAL FUND

	FY 15-16	FY 16-17
<b>Recommended Budget</b>	<b>\$50,584,602</b>	<b>\$50,584,602</b>

## Legislative Changes

## A. State Crime Laboratory

<b>27 Crime Lab Technicians</b>	\$251,117	R	\$330,504	R
Creates six new evidence 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	
<b>28 DNA on Arrest for All Violent Felonies</b>	\$173,880	R	\$373,150	R
Provides funds to expand DNA on Arrest to all violent felonies. The expansion is expected to generate an additional 4,308 DNA on Arrest samples. The following positions are created:	4.00		4.50	

Title	FTE	Total Position Cost
Evidence Technician	2.50	\$126,950
Forensic Scientist I	1.00	\$ 62,423
Forensic Scientist Mgr.	0.50	\$ 40,252
Information Processing Tech.	0.50	\$ 25,390

An additional \$118,136 is provided for related supplies. Funding in the first year has been pro-rated to account for the December 1, 2015 effective date.

## B. Training and Standards

<b>29 Appropriate Use-of-Force Training</b>	\$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 two new criminal justice training coordinator positions for community relations and use-of-force training, and to offer three train-the-trainer programs in Fair and Impartial Policing per year. Nonrecurring funding is provided to purchase two use-of-force training simulators, one for each campus.	\$219,312	NR		
	2.00		2.00	
<b>30 Training Academy Instructors</b>	\$239,923	R	\$239,923	R
Provides funds for three criminal justice training coordinators for narcotics and sexual assault investigation training and for crime scene analysis and investigation training.	3.00		3.00	



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<b>Total Legislative Changes</b>	<b>\$901,049</b>	<b>R</b>	<b>\$1,179,706</b>	<b>R</b>
	<b>\$219,312</b>	<b>NR</b>		
<b>Total Position Changes</b>	15.00		15.50	
<b>Revised Budget</b>	<b>\$51,704,963</b>		<b>\$51,764,308</b>	

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## Judicial - Indigent Defense

## GENERAL FUND

	FY 15-16		FY 16-17	
<b>Recommended Budget</b>	<b>\$112,087,174</b>		<b>\$112,097,118</b>	
<b>Legislative Changes</b>				
<b>A. Private Appointed Counsel Fund</b>				
<b>31 Additional Private Appointed Counsel Funds</b>	<b>\$3,400,000</b>	<b>R</b>	<b>\$3,400,000</b>	<b>R</b>
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.				
<b>B. Public Defenders</b>				
<b>32 JurisLink</b>	<b>\$1,600,000</b>	<b>NR</b>	<b>\$1,600,000</b>	<b>NR</b>
Provides funds to establish a system of automated kiosks in local confinement facilities to allow attorneys representing indigent defendants to consult with their clients remotely.				
<b>Total Legislative Changes</b>	<b>\$3,400,000</b>	<b>R</b>	<b>\$3,400,000</b>	<b>R</b>
	<b>\$1,600,000</b>	<b>NR</b>	<b>\$1,600,000</b>	<b>NR</b>
<b>Total Position Changes</b>				
<b>Revised Budget</b>	<b>\$117,087,174</b>		<b>\$117,097,118</b>	

## Judicial

## GENERAL FUND

	FY 15-16		FY 16-17	
<b>Recommended Budget</b>	<b>\$467,897,397</b>		<b>\$467,898,110</b>	
<b>Legislative Changes</b>				
<b>A. Administration and Services</b>				
<b>33 Court Information Technology</b>	\$300,000	R	\$640,000	R
Provides funds for Information Technology projects at the Administrative Office of the Courts related to court electronic filing, citation electronic processing, and electronic compliance.	\$11,681,962	NR	\$6,990,450	NR
<b>34 Funds for Interpreters, Expert Witnesses, and Juries</b>	\$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 interpreters 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 \$255,298. Funds for jury fees will increase by \$798,946 over the current budget of \$1,157,862.				
<b>35 Funds for Legal Services</b>	\$2,567,127	R	\$2,567,127	R
Increases the budget for constitutionally and legally mandated legal and contracting services as necessary to operate the State court system.				
<b>36 Funds for Operating Budget</b>	\$1,455,590	R	\$5,855,590	R
Increases the budget for equipment, travel, supplies, and maintenance as necessary to operate the State court system.				
<b>B. Trial Court</b>				
<b>37 Business Court Staff</b>	\$428,529	R	\$571,372	R
Provides staff and facilities for two special superior court judges who will be designated as Business Court judges, each of whom will be staffed by one Executive Assistant and two Judicial Assistants.	\$938,524	NR		
	6.00		6.00	
<b>Total Legislative Changes</b>	<b>\$6,328,529</b>	<b>R</b>	<b>\$11,211,372</b>	<b>R</b>
	<b>\$12,620,486</b>	<b>NR</b>	<b>\$6,990,450</b>	<b>NR</b>
<b>Total Position Changes</b>	<b>6.00</b>		<b>6.00</b>	
<b>Revised Budget</b>	<b>\$486,846,412</b>		<b>\$486,099,932</b>	

## Public Safety - Other Special Grants

Budget Code: 24550

	FY 2015-16	FY 2016-17
<b>Beginning Unreserved Fund Balance</b>	<b>\$29,719,634</b>	<b>\$24,013,011</b>
<b>Recommended Budget</b>		
Requirements	<b>\$46,285,923</b>	<b>\$46,285,923</b>
Receipts	<b>\$43,478,079</b>	<b>\$43,478,079</b>
Positions	<b>100.00</b>	<b>100.00</b>

**Legislative Changes****Requirements:**

<b>Samarcand Firing Range</b>	\$0 R	\$0 R
Transfers funds to the General Fund for the construction of a state-of-the-art firing range at the Samarcand Training Academy.	\$2,898,779 NR	\$0 NR
	0.00	0.00
<b>Subtotal Legislative Changes</b>	<b>\$0 R</b>	<b>\$0 R</b>
	<b>\$2,898,779 NR</b>	<b>\$0 NR</b>
	0.00	0.00

**Receipts:**

<b>Samarcand Firing Range</b>	\$0 R	\$0 R
	\$0 NR	\$0 NR
<b>Subtotal Legislative Changes</b>	<b>\$0 R</b>	<b>\$0 R</b>
	<b>\$0 NR</b>	<b>\$0 NR</b>

## House Appropriations Committee on Justice and Public Safety

	<b>FY 2015-16</b>	<b>FY 2016-17</b>
<b>Revised Total Requirements</b>	<b>\$49,184,702</b>	<b>\$46,285,923</b>
<b>Revised Total Receipts</b>	<b>\$43,478,079</b>	<b>\$43,478,079</b>
<b>Change in Fund Balance</b>	<b>(\$5,706,623)</b>	<b>(\$2,807,844)</b>
<b>Total Positions</b>	<b>100.00</b>	<b>100.00</b>
<b>Unappropriated Balance Remaining</b>	<b>\$24,013,011</b>	<b>\$21,205,167</b>

## ABC Commission

Budget Code: 54551

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

**Legislative Changes****Requirements:**

<b>Initiative to Reduce Underage Drinking</b>	\$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
	4.00		4.00	
<b>Subtotal Legislative Changes</b>	<b>\$3,100,000</b>	<b>R</b>	<b>\$3,100,000</b>	<b>R</b>
	<b>\$0</b>	<b>NR</b>	<b>\$0</b>	<b>NR</b>
	4.00		4.00	

**Receipts:**

<b>Bailment Surcharge Receipts</b>	\$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
<b>Subtotal Legislative Changes</b>	<b>\$3,100,000</b>	<b>R</b>	<b>\$3,100,000</b>	<b>R</b>
	<b>\$0</b>	<b>NR</b>	<b>\$0</b>	<b>NR</b>

## House Appropriations Committee on Justice and Public Safety

	<b>FY 2015-16</b>	<b>FY 2016-17</b>
<b>Revised Total Requirements</b>	<b>\$16,104,818</b>	<b>\$16,104,818</b>
<b>Revised Total Receipts</b>	<b>\$16,439,403</b>	<b>\$16,439,403</b>
<b>Change in Fund Balance</b>	<b>\$334,585</b>	<b>\$334,585</b>
<b>Total Positions</b>	<b>48.00</b>	<b>48.00</b>
<b>Unappropriated Balance Remaining</b>	<b>\$4,826,323</b>	<b>\$5,160,908</b>