

2013

**SENATE
APPROPRIATIONS –
JUSTICE & PUBLIC
SAFETY**

MINUTES

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

February 12, 2013 8:30 A.M.

I. CALL TO ORDER

Chairs:	Senator Stan Bingham, Presiding Senator Thom Goolsby Senator Buck Newton	Representative Jamie Boles Representative Leo Daughtry Representative John Faircloth Representative Pat Hurley
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II. PRESENTATIONS

Opening Remarks by Chairs

Introduction of Members, Staff

Overview of JPS Subcommittee and Appropriations Process

Kristine Leggett
Fiscal Research Staff

III. OTHER BUSINESS:

Next meetings: Wednesday, February 13, 8:30 a.m. (415 LOB)
Thursday, February 14, 8:30 a.m. (415 LOB)

IV. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Mobley (Vice Chair), Rep. Stevens (Vice Chair)
Rep. Foushée, Rep. C. Graham, Rep. G. Graham, Rep. Speciale,
Rep. Szoka, Rep. Turner

Senate Appropriations Subcommittee on JPS

Sen. Bingham (Chair)
Sen. Goolsby (Chair)
Sen. Newton (Chair)
Sen. Clodfelter, Sen. Daniel, Sen. Kinnaird,
Sen. Randleman

Senate Committee on Appropriations on Justice and Public Safety
Tuesday, February 12, 2013 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

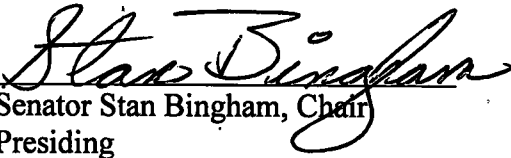
The Senate Committee on Appropriations on Justice and Public Safety met at 8:32 AM on February 12, 2013 in Room 415 of the Legislative Office Building. Nineteen members were present.

Senator Stan Bingham, presided. Senator Bingham introduced the Sergeant-at-Arms and the Pages. He then asked the Committee members and the members of the audience to introduce themselves.

Senator Bingham recognized Kristine Leggett of the Fiscal Research Division staff to begin the meeting's presentation. Ms. Leggett gave a brief overview of the Department of Justice and Public Safety (attachment). She reviewed the functions of the Fiscal Research staff, budget information, and the departments in Justice and Public Safety. Ms. Leggett also reviewed target dates for the long session and suggestions from the Full Appropriations Chairs. Topics for upcoming meetings were discussed.

Following the presentation, questions from the Committee were taken.

The meeting adjourned at 9:19.


Senator Stan Bingham, Chair
Presiding


Maria Kinnaird, Committee Clerk

Joint Appropriations Subcommittee on Justice and Public Safety

Committee Protocol

These guidelines are intended to make the committee process as orderly and efficient as possible.

- Please wait for recognition by the chair before speaking. Only the chair has the authority to call on someone to speak or to answer questions.
- Once recognized by the chair, please:
 - Stand up when speaking.
 - State your name and who you represent.
- Materials may only be distributed to the committee after prior approval from the chair.
 - Copies should be double-sided, three-hole punched, and stapled in the corner. All documents should have a date and numbered pages. If slides are being printed, two slides per page is preferred.
 - Please bring any copies to be distributed to the subcommittee room no later than thirty minutes before the scheduled meeting time.
 - Electronic copies of presentations should be submitted to Fiscal Research staff 24 hours before the subcommittee meeting.
- Please respect your fellow presenters and adhere to the time limits.

Glossary of Frequently Used Fiscal Terms

A-D FELONIES: The most serious and violent felonies. These felony classes automatically result in an active prison sentence. They typically involve crimes against people.

ACTIVE SENTENCE: An active prison sentence requires that felons be incarcerated in the State prison system. Misdemeanants serve their terms in county jails.

APPROPRIATION: An enactment by the General Assembly authorizing the withdrawal of money from the State treasury. Article V, Section 7 of the NC Constitution states that "no funds shall be drawn from the State treasury but in consequence of appropriations made by law".

AUTHORIZED BUDGET: Total funds appropriated by the General Assembly plus additional departmental receipts that reflect reallocations of funds by line item as approved by the Office of State Budget.

BOILERPLATE: Budget language that is typically repeated year after year in the budget bill. For example, non-profit reporting requirements are boilerplate.

CARRY-FORWARDS: Funds appropriated but unspent in the first fiscal year of a biennium which by authorized budget revision are brought forward for expenditure in the second fiscal year of the same biennium.

CERTIFIED BUDGET: The budget as enacted by the General Assembly plus any funds appropriated to reserves to be allocated to agencies.

COMMUNITY SANCTION: A community punishment is any type of sentence which does not involve prison, jail or an intermediate punishment. Most people think of this as basic probation. A community punishment might be supervised or unsupervised, and may also include fines, restitution, community service and/or substance abuse treatment.

CONTINUATION (BASE) BUDGET: The budgeted amounts for operating funds to carry on already established programs at the level of support approved by the previous General Assembly. May contain increases for documented inflation in the price of supplies or services such as food, drugs, or utilities; for statutory increases, i.e., social security; for operation of newly completed facilities; or for annualization of costs for programs previously funded for only part of a year.

E-I FELONIES: Less serious crimes that can result in an active or suspended sentence, depending upon the crime and the prior record level of offender. These are typically crimes against property.

ENTERPRISE FUNDS: A special fund in which most or all of the revenue is derived from direct charges to users of the services supplied by the program supported from the fund.

EXPANSION BUDGET: The recommendations to fund improvements or expansions in existing programs, to establish new programs, to provide for salary increases, and to provide for increases in enrollments, caseloads and institutional populations.

FULL-TIME EQUIVALENT (FTE): The figure arrived at by converting an unduplicated head-count of full-time and part-time program participants to an equivalent full-time count.

GENERAL FUND: A pool of financial resources made up of a beginning credit balance, State tax revenues, and State non-tax revenues. These funds are appropriated for both the operation of State agencies and construction and renovation of State facilities.

HABITUAL FELON: A habitual felon is an offender with at least three prior felony convictions (each conviction having occurred before he or she committed the next offense) who has currently been convicted of a felony offense and who has been found by a jury to be a habitual felon. Habitual felons are sentenced four classes higher (up to Class C) than other offenders would be for the same crime.

INCARCERATION NOTE: An estimate of the cost of a bill that increases or creates new criminal penalties. G.S. 120-36.7(d) requires an incarceration note be prepared on every bill, resolution, or amendment introduced in the General Assembly "proposing any change in the law that could cause a net increase in the length of time for which persons are incarcerated or the number of persons incarcerated, whether by increasing penalties for violating existing laws, by criminalizing behavior, or by any other means." Incarceration Notes generally take two weeks to complete.

INTERMEDIATE SANCTION: A punishment that requires that the offender be placed on supervised probation with one or more of the following special conditions: split sentence (a term in prison or jail followed by supervised probation), house arrest with electronic monitoring (confinement to one location and close monitoring through computer technology), intensive supervision (very close supervision and daily monitoring), a residential center (a highly supervised and structured program requiring overnight residence), a day reporting center (a highly supervised and structured day and evening program) and drug treatment court (a judicially monitored treatment program). Intermediate punishments are more restrictive and controlling than basic probation but less costly than prison. Generally, offenders must follow strict rules, work, pay restitution, and participate in drug or other types of treatment. An intermediate punishment may also include a fine, restitution, or any other conditions of probation which are considered community punishments.

JUSTICE REINVESTMENT ACT (JRA): A law passed in 2011 that made significant changes to corrections and sentencing laws in North Carolina. JRA expanded the requirement for post-release supervision to include all felons, increased the authority delegated to probation officers, limited the authority of judges to revoke probation, created a new early release program called Advanced Supervised Release, and modified the habitual felon law. The law applies to crimes committed after December 1, 2011.

JUVENILE CRIME PREVENTION COUNCIL (JCPC): Councils comprised of members appointed by the county commissioners of each county to provide planning and oversight of community based alternatives to youth development centers and community based delinquency, substance abuse, and gang prevention strategies. There are 99 Councils (Orange and Chatham have a joint council).

LAPSED SALARY FUNDS: Lapsed salary funds are surpluses that accrue because a position may be temporarily vacant due to delays in hiring, resignation, termination, or retirement. Lapsed salary surpluses are *one-time* funds that accumulate only while a position vacancy exists.

MANAGEMENT FLEXIBILITY RESERVE: A reduction to an agency's operating budget that does not specify the fund codes or line items from which the reduction is to be taken, but instead requires the agency to determine where reductions should be made.

MISDEMEANANTS: Misdemeanor crimes are classified into four classes (Class A1, Class 1, Class 2 and Class 3). The most serious misdemeanor crimes are in Class A1 and the least serious are in Class 3.

NEGATIVE RESERVE: See Management Flexibility Reserve.

NON-RECURRING: Term used to denote one-time revenues (windfalls, reversions) or one-time expenditures (grant-in-aid, capital).

POST-RELEASE SUPERVISION (PRS): Mandatory Supervision of previously incarcerated individuals that is supervised by probation officers in the community. All B-1 through E felons are required to serve twelve-months of PRS. F through I felons must serve nine-months of PRS.

RECIDIVISM: For our Subcommittee's purposes, we define recidivism as rearrests.

RECURRING: Term used to denote revenues or expenditures that will be continuing, such as sales and personal income taxes, or salaries, fringe benefits, and utilities.

REVERSIONS: Unspent appropriations returned to the General Fund or Highway Fund (as applicable) at the end of each fiscal year.

SALARY RESERVE: Unobligated or surplus funds generated by a position being filled at a salary less than the budgeted salary authorized by the General Assembly.

SENTENCING COMMISSION: The North Carolina Sentencing and Policy Advisory Commission. The 28-member commission makes recommendations to the General Assembly for the modification of sentencing laws and policies, and for the addition, deletion, or expansion of sentencing options as necessary to achieve policy goals.

SPECIAL PROVISIONS: Language contained in the appropriations bill pertaining to State fiscal matters, the management, evaluation, and oversight of State government programs or policy, and the expenditure of appropriations contained in the Bill.

SPECIAL FUNDS: Accounts to which revenues are deposited that are designated for a specific purpose and remain in the account until expended for that purpose. Special Funds do not have State funds directly appropriated to them. By definition, money in a special fund does not revert at the end of the fiscal year. Example: Seized and Forfeited Assets Funds.

STATE AID FOR NON-STATE ENTITIES: Funds appropriated by the General Assembly to nongovernmental entities for a variety of purposes. Funds may or may not carry restrictions on expenditures.

STATEWIDE MISDEMEANANT CONFINEMENT FUND: Special fund that receives revenue from designated court fees. The fund is used to pay counties for housing misdemeanants longer than 90 days. It is managed by the NC Sheriffs' Association.

STRUCTURED SENTENCING: The method of sentencing and punishing criminals in North Carolina. Sentencing policies should be rational, truthful, consistent, and resource priorities. It classifies offenders on the basis of the severity of their crime and on the extent and gravity of their prior criminal record. Based on these two factors, structured sentencing provides judges with sentencing options for the type and length of sentences which may be imposed.

SWORN POSITION: A law enforcement position which, by law, has general power of arrest and requires the successful completion of the Basic Law Enforcement Training curriculum offered by the State and an independent oath of office providing for the execution of the laws of the State. Sworn positions receive a higher retirement contribution than regular State employees.

TREATMENT FOR EFFECTIVE COMMUNITY SUPERVISION (TECS): Program within the Division of Adult Correction, Community Corrections Section that provides community treatment services through fee-for-service contracts with local providers.

TRUST FUNDS: Accounts consisting of resources received and held by the State as trusted to be expended or invested in accordance with the conditions of the trust. In other words, Trust Funds are accounts where the State acts as a trustee. The State can only execute the terms of the trust; it cannot change the purpose for which the trust was created. Trust funds are classified as to what assets, if any, may be paid out of the fund. The three classifications are (1) expendable, (2) non-expendable, or (3) expendable as to income but unexpendable as to principal.

**House and Senate Appropriations Chairs' Guidance
for Subcommittee Chairs
February 7, 2013**

Joint Budget Strategy

- Focus on core functions of government and whether they are adequately funded
- Continue to look for efficiencies across State government, including looking at duplicative programs
- Evaluate appropriate funding level for non-core services, including non-profits and other non-essential services
- Consider ways to strengthen the General Fund; evaluate special funds

Subcommittee Work

- Conduct joint meetings with House and Senate
- Rotate presiding over meetings
- Maintain transparency (open meetings & web pages)
- Start with joint educational meetings
 - Fiscal Research staff will provide relevant budget background
 - Review past legislative budget and policy actions
 - Review interim committee reports
 - Review federal changes impacting states
 - Hear Governor's Budget (when appropriate)
- Refer certain items to the Full Chairs
 - Salary-related items, debt service, or other Statewide issues
 - Fee increases/decreases
 - Unresolved items
- Consult other subcommittees as necessary

Guidance Forthcoming

- Spending targets
- Subcommittee deliberations and voting
- Special provisions

Joint Appropriations Chairs 2013 Calendar

February 2013

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4	5 FRD Briefings	6 FRD Briefings	7 Jt. Chairs Mtg w/Sub Chairs	8	9
10	11 Joint Subcommittees Begin Meeting	12	13	14	15	16
17	18 State of the State Joint Subcommittee Meetings	19 House study bills to Bill Drafting deadline	20	21	22	23
24	25 Joint Subcommittee Meetings	26	27 House study bills filing deadline	28		

Joint Appropriations Chairs 2013 Calendar

March 2013

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4 Joint Subcommittee Meetings	5 Senate local bills to Bill Drafting deadline	6	7	8	9
10	11 Joint Subcommittee Meetings	12 House agency bills to Bill Drafting deadline	13 Senate local bills filing deadline	14	15 Senate public bills to Bill Drafting deadline	16
17	18 Gov.'s Budget? Joint Subcommittee Meetings	19	20 House agency bills filing deadline; House local bills to Bill Drafting deadline	21	22	23
24	25 Joint Subcommittee Meetings	26	27	28 Senate public bills filing deadline; House public bills to Bill Drafting	29 HOLIDAY	30
31 EASTER						

Joint Appropriations Chairs 2013 Calendar

April 2013

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1 Joint Subcommittee Meetings	2	3 House local bills filing deadline	4	5	6
7	8 Joint Subcommittee Meetings	9	10 House public bills filing deadline	11	12	13
14	15 Senate Budget Process	16	17	18	19	20
21	22 Senate Budget Process	23	24 House approps & finance bills to Bill Drafting deadline	25	26	27
28	29 Senate Budget Process	30				

Joint Appropriations Chairs 2013 Calendar

May 2013

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 New Revenue Numbers?	2	3	4
5	6	7 Senate Approps. Meeting; First Reading	8 Senate Second Reading House approps and finance filing deadline	9 Senate Third Reading	10	11
12	13 House Budget Process	14	15	16 CROSSOVER	17	18
19	20 House Budget Process.	21	22	23	24	25
26	27 MEMORIAL DAY	28 House Approps Meeting; First Reading	29 House Second Reading	30 House Third Reading	31	

Joint Appropriations Chairs 2013 Calendar

June 2013

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3 Conference Process	4	5	6	7	8
9	10 Conference Process	11	12	13 Pass Conference Report	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Joint Appropriations Subcommittee on
Justice and Public Safety

JPS Overview



February 12, 2013



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Outline

- Fiscal Research
- Fiscal Notes/Fiscal Memos
- Confidentiality
- Budget Terms
- The JPS Budget
- Next Steps



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Fiscal Research Division

- Nonpartisan, professional staff serving all 170 members
- 34 analysts divided into 8 teams
- Primary responsibilities during Session:
 - Staff Appropriations subcommittees
 - Respond to member requests
 - Write fiscal notes, fiscal memos, and incarceration notes

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"My spreadsheet says we must lighten by 168 pounds."



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Fiscal Research Division

Fiscal Notes

- Five-year analysis of all estimated fiscal effects of a bill on expenditures or revenue of the State.
- Prepared upon request of bill sponsor or other member.
- Request and information about note remain confidential until note becomes public.



Fiscal Memo

- Same analysis as a Fiscal Note
- Usually prepared for draft bills or PCS
- Remains confidential after completion

Incarceration Note

- Required for proposed changes that may impact incarceration rates in State facilities.
- Two-week completion time



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Fiscal Research Division

Fiscal or incarceration note requests should be e-mailed to:

@Fiscal Note Requests

Include:

- Requestor's name
- Bill number (or draft number for a memo or PCS)
- Short title



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February 12, 2013

Fiscal Research Division



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Mark Trogdon, Director



FRD website:

<http://www.ncleg.net/FiscalResearch/>

- Annotated Committee Reports
- Fiscal Briefs
- Revenue Forecasts
- Staff listing



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Confidentiality

- **ALL requests made to fiscal staff are confidential**
- **Requests to agencies by fiscal staff are NOT confidential unless directly related to a fiscal note**

Top Secret

Budgeting Terms: Appropriation

Appropriation

An enactment by the General Assembly authorizing the withdrawal of money from the State treasury.

State Budget Act – Chapter 143C

“No money shall be drawn from the State treasury but in consequence of appropriations made by law.”

NC Constitution, Art. V, Section 7

Budget Terms: Continuation Budget



- Also referred to as Base Budget
- Amount required to continue services at their current levels
- Usually backs out non-recurring appropriations or reductions
- May include adjustments for:
 - Inflationary increases (fuel, food, utilities)
 - Operating funds for new facilities
 - Mandated enrollment increases (Public Schools, Medicaid)
 - Equipment replacement

Budgeting Terms: Budget Types

Certified Budget: The budget as enacted by the General Assembly, plus any funds appropriated to reserves to be allocated to agencies.

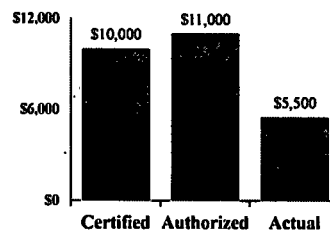
Ex.: The 2012 Budget appropriates \$10,000 for Agency Y to buy 10 computers.

Certified budget = \$10,000.

Authorized Budget: The certified budget updated to reflect line-item reallocations approved by the Office of State Budget and Management (OSBM).

Ex.: Agency Y needs 11 computers. They want to take some money from the furniture budget to pay for it.

Authorized budget = \$11,000.



Actual Budget: The budget as it was implemented.

Ex.: State Purchase and Contract got the State a great deal on computers. The final cost for Agency Y's 11 computers is \$5,500.

Actual budget = \$5,500.

Budgeting Terms: Funds

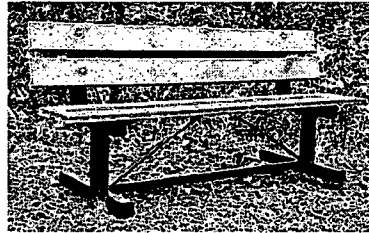
General Fund: The main source of operating funds for the State. Comprised of the beginning credit balance, State tax revenue, and State non-tax revenue.

Special Fund: Fund to which revenues are deposited that are designated for a specific purpose and remain in the account until expended for that purpose.

Example: Seized and Forfeited Assets Funds

Enterprise Fund: Fund in which all (or most) of the revenue is derived from direct charges to users of the services supplied by the program supported by the fund.

Example: Correction Enterprise Fund



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Budgeting Terms: Accounts



Personal Services: Services rendered by permanent and temporary employees and related fringe benefits.



Purchased Services: Services provided by external firms, agencies, or divisions within the same organization. Includes contracts, IT and travel costs.



Supplies: Supplies or materials expected to be consumed within the normal course of operating and which are generally recurring in nature.



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Budgeting Terms: Accounts



Property, Plant and Equipment: Payments for acquiring property, constructing additions to buildings, and purchasing equipment, furniture, and machinery that is not consumable or expendable and has an expected life of longer than one year.



LexisNexis

Other Expenses and Adjustments: Miscellaneous operational costs such as legal or permit costs, pension payments, or subscriptions.



Aid and Public Assistance: Funds to direct recipients, providers or other agencies for designated programs, assistance or special projects.

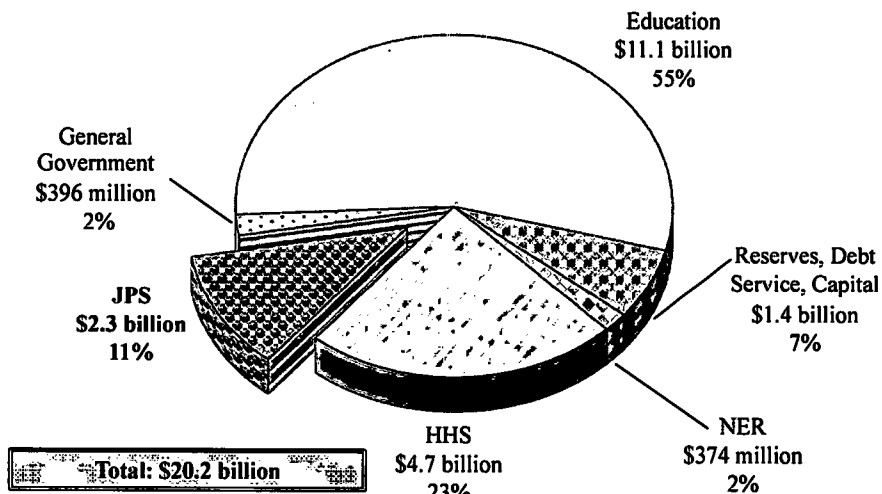


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General Fund Appropriations FY 2012-13



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What is JPS?

Four agencies fall under the JPS umbrella:

Administrative Office of the Courts (AOC)

Office of Indigent Defense Services (OIDS)

Department of Public Safety (DPS)

Department of Justice (DOJ)



NORTH CAROLINA
ADMINISTRATIVE OFFICE
of the COURTS



OFFICE OF INDIGENT DEFENSE SERVICES

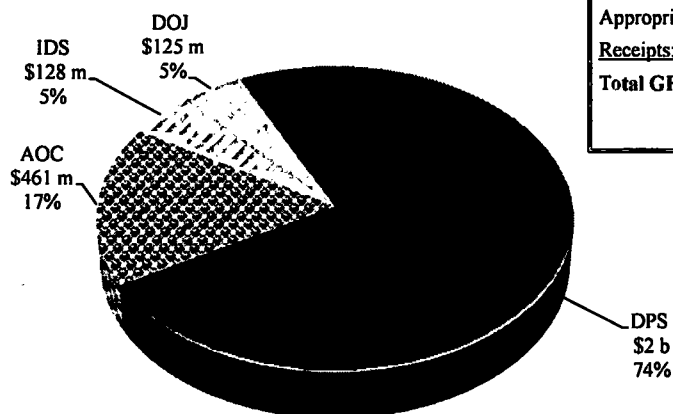


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JPS General Fund Budget by Agency FY 2012-13



Appropriation: \$2.4 billion
Receipts: \$290 million
Total GF Budget: \$2.7 billion

Source: NCAS, December 31, 2012 Authorized Budget

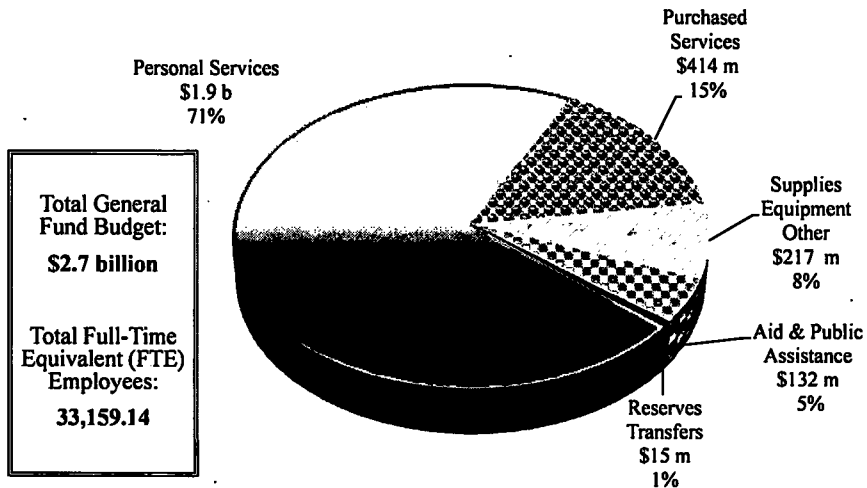


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JPS General Fund Budget by Account FY 2012-13



Source: FTE - OSBM BD307, July 20, 2012; Budget - NCAS, December 31, 2012 Authorized Budgets.



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JPS - AOC

Administrative Office of the Courts (AOC)

Administrative arm of the court system

Sarah Parker, Chief Justice

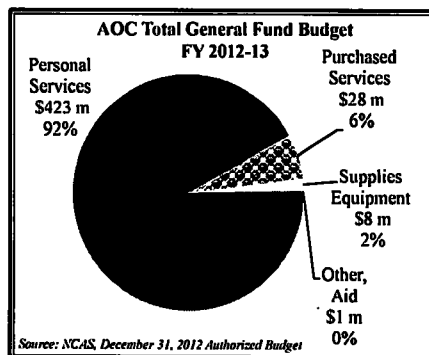
John Smith, Director of AOC

Includes:

- Supreme Court and Court of Appeals
- Superior courts
- District courts
- District Attorneys
- Magistrates
- Clerks

Total General Fund Budget: \$461 million

Total FTE Employees: 6,125.93



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JPS - IDS

Indigent Defense Services (IDS)

Provides defense attorneys for indigent defendants

Sarah Parker, Chief Justice

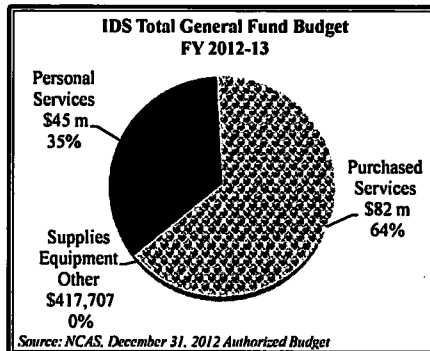
Thomas Maher, Director of IDS

Includes:

- Public Defender offices
- Private Assigned Counsel Fund

Total General Fund Budget: **\$128 million**

Total FTE Employees: **470.10**



JPS - DOJ

Department of Justice (DOJ)

Provides legal services for the State, assists local law enforcement agencies, and oversees law enforcement standards and training

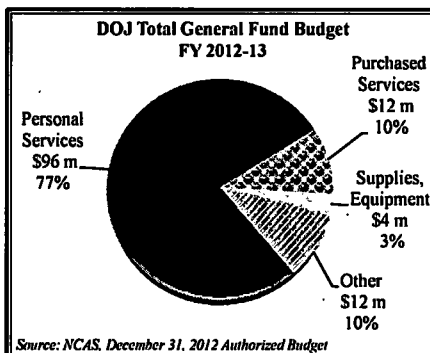
Roy Cooper, Attorney General

Includes:

- Legal services
- Consumer Protection
- Criminal Justice Training and Standards
- State Bureau of Investigation
- NC State Crime Lab

Total General Fund Budget: **\$125 million**

Total FTE Employees: **1,234.40**



JPS - DPS

Department of Public Safety (DPS)

Houses the former Departments of Crime Control and Public Safety, Juvenile Justice and Delinquency Prevention, and Correction

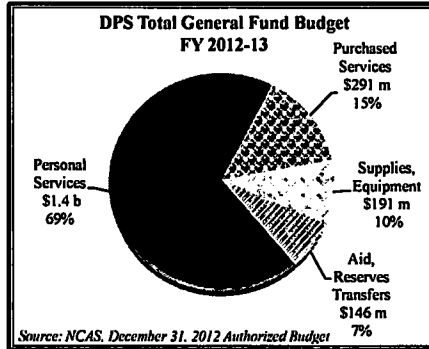
Kieran Shanahan, Secretary

Includes:

- Prisons
- Community Corrections
- Juvenile Justice
- National Guard
- Highway Patrol
- Emergency Management
- Alcohol Law Enforcement
- State Capitol Police
- Butner Public Safety
- Victims Services

Total General Fund Budget: \$2 billion

Total FTE Employees: 25,328.71



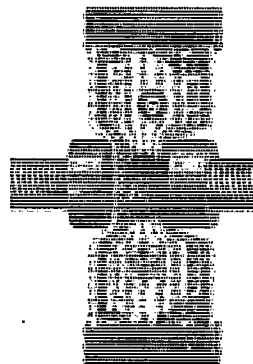
Recent Legislative Actions

Appropriations Act of 2011

- Reduced the total JPS budget by 7%*
- Eliminated 866 vacant and 642 filled positions
- Reduced administrative costs across all six agencies
- Closed 7 facilities
- Created a new Department of Public Safety

Modify 2011 Appropriations Act (2012 Budget)

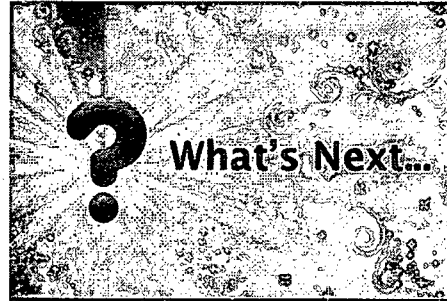
- Reduced the total JPS budget by 1.8%
- Implemented management flexibility reserves in all four agencies
- Closed an additional youth development center
- Allowed DPS to reclassify vacant positions as probation/parole officers



*Does not include the Highway Patrol transfer to General Fund support

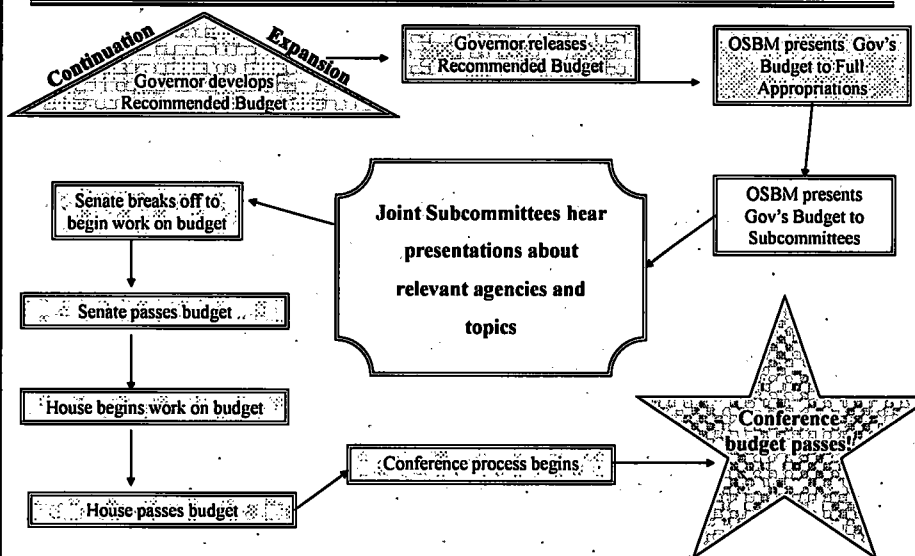
Next Steps

- Budget Process
- Full Chair Guidance
- Calendar
- Upcoming Meetings
- Subcommittee Website:



<http://www.ncleg.net/gascripts/documentsites/browsedocsite.asp?nid=124>

The Budget Process



Calendar

- Governor's Recommended Budget expected mid-March
- Joint subcommittees will meet through April 12
- Senate Budget third reading May 9
- House Budget third reading May 30
- Conference Budget passes June 13



Full Chair Guidance

- Focus on core functions of government
- Look for efficiencies and duplications
- Evaluate appropriate funding for non-core services
- Consider ways to strengthen the General Fund



Refer to the Full Chairs:

- Salary issues
- Capital expenditures
- Fee changes

Upcoming Meetings

This week:

- Wednesday – Structured Sentencing
- Thursday – State Crime Lab Budget Overview

Next week:

- Tuesday – DOJ Overview – Admin and Legal Services
- Wednesday – DOJ Overview – SBI and Training and Standards
- Thursday – Justice Reinvestment Act and Projections



Remaining presentations:

- DPS Adult Correction
- DPS Law Enforcement
- DPS Juvenile Justice
- AOC
- IDS
- Governor's Budget



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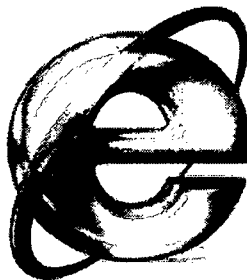
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February 12, 2013

Subcommittee Website

Joint Appropriations Subcommittee on Justice and Public Safety website is linked off either the House or Senate subcommittee websites.

- Agendas
- All committee handouts
- Follow-up information
- Mandated Agency Reports



<http://www.ncleg.net/gascripts/documentsites/browsedocsite.asp?nid=124>



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

28

February 12, 2013

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FISCAL RESEARCH DIVISION
A Sub-Agency of the North Carolina General Assembly

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February 12, 2013

VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety
(Committee Name)

2/12/13

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
W. DAVID GUILF	DEPT PUBLIC SAFETY
Douglas Holbrook	DPS
NELS ROSELAND	AGO
MARK SENTER	ALCOHOL LAW ENFORCEMENT
Ken Pike	NCALE
John W. Smith	AOC
Jon Williams	AOC
Tom West	Eckerd
Match Leonard	SEANC
Elizabeth Watson	NC Victim Assistance Network
Mildred Spearman	NCAOC
Tim KENT	NC Beer & Wine
Leslie Skinner	NCAOC
Wm C. Smith	NCBIT
Jeff M. Smith	Fraternal Order of Police
Andy Willard	UNC - CH

VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety
(Committee Name)

211213

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
P. Andrew Cagle	NC Sheriffs' Assn.
Gregg JARQ	NC Sheriffs Assoc
Elise Wolper	IDS
Thomas Maher	IDS

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

February 14, 2013 8:30 A.M.

I. CALL TO ORDER

Chairs: Senator Thom Goolsby, Presiding
 Senator Stan Bingham
 Senator Buck Newton

Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley

II. PRESENTATIONS

Opening Remarks by Chairs

Overview of the NC State Crime Laboratory

Kristine Leggett
Fiscal Research Staff

III. COMMITTEE DISCUSSION

IV. OTHER BUSINESS:

Next meetings: Tuesday, February 19, 8:30 a.m. (415 LOB)
 Wednesday, February 20, 8:30 a.m. (415 LOB)
 Thursday, February 21, 8:30 a.m. (415 LOB)

IV. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Mobley (Vice Chair), Rep. Stevens (Vice Chair)
Rep. Foushee, Rep. C. Graham, Rep. G. Graham, Rep. Speciale,
Rep. Szoka, Rep. Turner

Senate Appropriations Subcommittee on JPS

Sen. Bingham (Chair)
Sen. Goolsby (Chair)
Sen. Newton (Chair)
Sen. Clodfelter, Sen. Daniel, Sen. Kinnaid,
Sen. Randleman

Senate Committee on Appropriations on Justice and Public Safety
Thursday, February 14, 2013 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 8:35 AM on February 14, 2013 in Room 415 of the Legislative Office Building. Nineteen members were present.

Senator Thom Goolsby, Chair, presided. Senator Goolsby recognized the Sergeant-at-Arms and the Pages. He also recognized Greg McLeod, the Director of the SBI; Judge Joseph John, the Director of the State Crime Lab; and Christy Agner, the Liaison for the Department of Justice and Public Safety.

Senator Goolsby recognized Kristine Leggett of the Fiscal Research Division to begin the meeting's presentation. Ms. Leggett began a slide show on the NC State Crime Lab (attachment). She stated that all law enforcement agencies in the state can submit an unlimited number of samples for analysis to the Lab. Ms. Leggett reviewed the different types of evidence, number of employees and variety of submissions at the Crime Lab. She stated that the reports are published electronically and sent to the local agencies at no charge. The Crime Lab must be ISO accredited, and it is housed within the SBI.

At this time the primary issue facing the Lab is the travel time created by the Melendez Diaz v. Massachusetts case. This case requires the analyst to testify about his results in person at trial.

Following the presentation, questions were taken from the Committee members.

The meeting adjourned at 9:35.



Senator Thom Goolsby, Chair
Presiding



Maria Kinnaird, Committee Clerk



State of North Carolina

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ROY COOPER
ATTORNEY GENERAL

February 1, 2013

Co-Chairs, Senate and House Appropriations Committee

Co-Chairs, Senate and House Appropriations Subcommittee on Justice and Public Safety

North Carolina General Assembly
Raleigh, North Carolina 27601-1096

Re: Required report for planning of a Western Regional Laboratory

Dear Members:

Section 15.4 of North Carolina Session Law 2012-142 directed the Department of Justice to "plan a Western Regional Laboratory to be located on the Edneyville Campus of the Training Academy." The General Assembly directed the report to be transmitted to the Chairs of the House of Representatives and Senate Appropriations committees, to the Chairs of the House of Representatives and Senate Appropriations subcommittees on Justice and Public Safety, and to the Fiscal Research Division.

The attached report covers the estimated costs and timeline of the proposed laboratory completion as well as the estimated cost of operating the laboratory during its first five years of operation. The Department has also prepared and included information on a facility lease option for the Western Regional Laboratory

Please let me know if you have any questions or would like to discuss the plans for the Western Regional Laboratory in greater detail.

Joseph R. John, Sr
Director, North Carolina State Crime Laboratory

cc: Kristine Leggett, NCGA Fiscal Research Division
Kristi Hyman, NCDOJ Chief of Staff
Greg McLeod, Director State Bureau of Investigation

Introduction: A Forensic Science Worksheet for the 21st Century

Section 15.4 of S.L. 2012-142 directed the Department of Justice to "*plan a Western Regional Laboratory to be located on the Edneyville Campus of the Training Academy.*" This action by the General Assembly is consistent with the critical need of the North Carolina State Crime Laboratory (Lab) for substantial additions of personnel and resources to meet its statutorily mandated responsibilities in the 21st century.

In North Carolina, the nation's 10th most populous state, more than 20,000 law enforcement officers and over 600 law enforcement agencies submit evidence to the Lab. Submissions in 2011 rose by 15%, exceeding 42,000. Only 124 Lab scientist positions are currently available to process these submissions.

Toxicology requests (primarily in DWI cases) to analyze blood for the presence of alcohol and drugs, singularly or in combination, soared to nearly 10,000 between FY 2009/10 and 2011/12, and have increased 34% since FY 2008/09. Only 12 toxicology scientist positions are funded to test these submitted samples. More than one-third of Lab toxicology submissions (38%) originate in counties served by the present Western Lab, but must be transmitted either to Greensboro or Raleigh because the Western Lab has neither the specific personnel nor the scientific equipment to accomplish toxicological analysis. Current Lab toxicology service to the Western counties, therefore, requires markedly increased costs including transportation and travel.

Since 2007, DNA submissions have skyrocketed 64% while Lab appropriations were reduced \$300,000 and five Lab positions were slashed in the 2011 budget. The rapidly developing DNA technology is increasingly relied upon by North Carolina's criminal justice system to identify suspects, convict the guilty, exonerate the innocent, eliminate potential subjects of investigation and bring closure to victims and their families.

During FY 2011/12, the Lab received 3,915 DNA casework submissions, a jump of 16.5% over the previous year. Approximately 20% of DNA requests originate in counties served by the Western Regional Lab and another 20% come from counties served by the Triad Regional Lab. Each case requires extensive and timely analysis. However, no DNA scientist or instrumentation capacity exists at either regional laboratory, and all DNA testing must be conducted at the Lab's Raleigh location with consequent expenditures of analyst time, resources and travel.

Further, following the US Supreme Court's 2009 decision in *Melendez-Diaz v. Massachusetts* requiring forensic analysts to testify live and in person in every case rather than by affidavit, the court time expended by Lab toxicologists multiplied 400% in a single year to 2,368.5 hours during 2010. Similarly, DNA analyst court time has doubled since 2009 and in 2011 exceeded over 800 hours of analyst time away from casework in the Lab. DNA scientists must travel from Raleigh to testify in North Carolina's 100 counties, and toxicologists depart daily from the Raleigh and Greensboro Labs to appear in District and Superior courts all over the state.

This "perfect storm" of insufficient staffing, escalating case submissions, and the judicial requirement that Lab scientists personally appear in every court proceeding, has taxed the Lab's current capacity to the limit. Caseload inventories have risen substantially, and turnaround and delivery times have expanded to unacceptable levels. The combined effects of these developments frustrate every employee and, understandably, criminal justice officials throughout the state as well. This circumstance has been commented upon by numerous news media across North Carolina.

Needless to say, any inference in such media accounts that Lab management or scientists are somehow responsible for matters beyond their control is disheartening at best. The Lab has diligently applied sound business practices to improve efficiency and productivity to the greatest extent possible within current resources.

For example, the Lab now operates under ISO 17025, the highest international standards and protocols applicable to forensic science laboratories, and seeks to become the nation's only ISO 17025 Lab accredited by

two separate accrediting agencies. Full time, on-site legal counsel assists the Lab in its interaction with the criminal justice system. Evidence management and hiring processes have been streamlined, and mandatory overtime is required of each analyst. A consulting firm specializing in forensic laboratories has been retained to review all Lab operations. Robotic technology has been deployed to accelerate DNA analysis. Other measures, including a locally funded scientist program, and an RFP for outsourcing, are being explored. However, despite these measures, the Lab will also require a significant infusion of scientists and other resources to manage present circumstances.

In response to the Lab's demonstrated need and Session Law 2011-242, Lab management, in conjunction with Department of Justice officials and the State Construction Office, partnered with RND Architects, MWL Architects, McKim and Creed Engineers, Stewart Engineers and Gardner & McDaniel Engineers to research construction, planning, design and facility programming options for an expanded Western Regional Laboratory.

The focus of the Lab and the architects throughout the process was to generate a laboratory which is scientifically functional and efficient at the optimum level, yet is economically grounded and practical. MWL brought to bear its experience of having been associated with planning and designing approximately 100 US forensic laboratories and medical examiner facilities, including the FBI laboratory in Quantico, Va. (See Appendix F).

The proposed location at Edneyville was toured to review potential construction venues. This site is an existing state property, so no land acquisition costs are required. The current undersized Western Regional Lab facility in Buncombe County is located in a leased building at a location which precludes any expansion.

Multiple visits were conducted at the existing Raleigh and Western Regional labs to examine the facilities and obtain input from Lab scientists. Through an on-going series of intensive programming workshops conducted by the design team and forensic science leaders, planning of the new facility began to crystallize into a final product which reflects both the Lab's true operational requirements and sensitivity to current State fiscal limitations. Lab analysts, for example, suggested that workplace efficiency could be improved and construction costs notably reduced by utilization of large, open work areas for multiple analysts rather than individual office spaces, a concept that was incorporated into the ultimate design.

In sum, the planned Western Regional Lab represents decades of scientific and construction experience focused upon today's demand in North Carolina for the State Crime Laboratory's forensic science services. The result is a facility designed, when fully staffed, to meet 21st Century needs for forensic analysis by Lab scientists. The many western counties of North Carolina would gain closer and quicker access to forensic testing and expert testimony as well as decreased turnaround time. Lab scientists in Raleigh and Greensboro would be free to focus on cases originating in other areas of the state and to achieve similar progress in those cases. Court and travel time for all Lab analysts, which keep them out of the laboratory, would be significantly reduced.

The North Carolina State Crime Laboratory presents the attached Report in compliance with S.L 2012-142, and without reservation recommends an appropriation by the General Assembly to implement the Report's provisions in full.

Respectfully submitted,

Joseph R. John, Sr
Director, North Carolina State Crime Laboratory

North Carolina State Crime Laboratory - Western Regional Laboratory Planning

Pursuant to Section 15.4 of Session Law 2012-142, the following describes detailed options to expand the scope of forensic crime laboratory services provided to Western North Carolina criminal justice agencies and associated stakeholders. Working with the State Construction Office, the North Carolina State Crime Laboratory partnered with RND Architects, MWL Architects, McKim and Creed Engineers, Stewart Engineers and Gardner & McDaniel Engineers to research construction, planning design and facility programming options.

This information was gathered in a series of intensive programming workshops conducted by the design team and forensic science leaders to guide the planning and design of the new facility which would replace the current undersized Western Regional Crime Lab facility located in a leased building in Buncombe County.

The leased facility utilizes approximately 8,800 square feet of space and supports 17.0 forensic science staff. Forensic science service disciplines provided at the current facility are limited to drug chemistry, latent evidence, and firearm and toolmark analysis.

Over the last few years, the State Crime Laboratory has experienced a significant increase in demand for drug toxicology services, DNA analysis and digital evidence services from the western NC criminal justice agencies and related stakeholders. Expanding service offerings in a new Western Regional Laboratory will also help normalize and balance the demand for these services in the Piedmont Triad and eastern portions of the state.

Construction Costs - The results of our intensive programming effort indicated the need to develop a new 36,050 square foot facility based on the staffing numbers and workload metrics utilized by the State Crime Laboratory. Based on recent construction data, crime laboratory facilities of this size would be expected to cost approximately \$400 per square foot which equates to \$14,420,000 for construction cost. Further, an additional \$2,322,595 would be needed to provide design and engineering services, imbedded fixtures and equipment, bringing the total proposed facility cost to \$16,742,595.

Best practices in forensic crime laboratory design recommend between 750 and 1000 square feet per forensic scientist be factored into the design of new facilities. Built examples of this practice are Virginia DFS Northern Forensic Lab at 970 SF, Oklahoma OSBI Forensic Lab at 860 SF and Indiana State Police Forensic Lab at 968 SF. When compared to generic commercial office space, forensic crime lab facilities cost significantly more to construct and operate for the following key reasons: HVAC systems makeup and exhaust air every 6-15 times per hour compared to recycled air turning 1-2 times per hour for an office building. Hazardous materials in labs prevent recirculating air. Electrical loading is also greater due to the amount of scientific equipment with much of it on back-up power generation. The security of evidence, which may house several thousand samples of narcotics or criminal evidence, requires that the facility incorporate robust security features that include steel wire mesh enclosures, motion detection, video surveillance and digital access controls. The internal structural framing of the building is far more rigid than an office building in order to minimize vibration for sensitive scientific equipment. Internal plumbing systems commonly use anti corrosive piping materials to dilute and discharge acids and other chemicals safely.

Operating Costs - In addition to capital construction related costs, recurring operational costs are needed to expand forensic services in western North Carolina. The most critical operating costs include the hiring of 28.0 staff positions, 26 of which will be new scientific Lab positions which include:

New Forensic Biology/DNA Unit- The establishment of a new 11.0 staff member forensic biology/DNA analysis section composed of a DNA Forensic Scientist Supervisor, Evidence Control technician, Forensic Scientist I and Forensic Scientist II positions. At this time, only the Raleigh Crime Lab supports Forensic Biology/DNA analysis services.

New Drug Toxicology Unit - A new 13.0 person Drug Toxicology section would also be established and staffed by a Forensic Scientist Supervisor and forensic scientists. No toxicology analysis is currently available at the Western Regional Laboratory.

Expanded Drug Chemistry Unit – The existing Western Lab drug chemistry unit would be expanded to add 2 additional forensic scientists.

New Digital Evidence Staff – A new 2.0 person digital evidence unit would be established to better serve western NC demand. This would include 2 Forensic Scientists.

Staff Training – Following recruitment, selection, testing and hiring processes, all forensic science staff are required to complete an intensive twelve to eighteen month training program before they can start independent work on criminal forensic science cases. Once recruited, these new positions will be assigned to the existing Labs to undertake training and to shadow senior experienced scientific staff. All positions are recommended to be effective on July 1, 2013 in order to support this critical training schedule.

Facility Maintenance Staff – A building of this scope and complex internal systems would require 2.0 on site DOJ maintenance staff to manage the complex electrical and ventilation systems properly and to maintain the facility consistent with national scientific standards.

Other Operating Expenses – Based on a comparative review of the Raleigh State Crime Laboratory facility electric, natural gas and water utility charges, the new western facility would require \$266,376 a year in recurring utility funding support. Scientific supplies for new DNA and drug toxicology disciplines would require \$321,086 a year in annual funding. Maintenance contracts to calibrate and update scientific equipment would require \$173,060 a year in recurring annual funds or 10% of startup equipment purchase costs.

Potential non-recurring receipt sources that could support start up costs for equipment and scientist training include federal DNA and forensic crime laboratory grants. Local law enforcement agencies are also expected to partner with state efforts and provide one time start up funds.

Non-recurring Equipment - These project costs do not include \$1.73 million in onetime scientific equipment to support the new lab operation. Examples of new equipment necessary for analysis include DNA robotics, Gas Chromatograph/Mass Spectrometers and other scientific instruments, thermal cyclers and GeneMapper software.

This proposed building will provide an efficient facility where the existing investigational services provided by the current Western Regional Laboratory will continue to be offered and improved with additional staff and infrastructure. The current services provided by the Western Regional Laboratory are; Drug Chemistry, Latent Evidence, Firearms and Toolmarks. The new facility will greatly expand these services and allow the Western part of the state to process cases that are currently shipped to the Triad Regional or Raleigh facilities. This new facility will introduce Toxicology, Biology / DNA, Digital Investigations and Vehicle Processing services to the Western Regional Laboratory.

Construction Schedule – A facility of this scope would require 26 months to complete. Design time (up to bid award) would require 12 months. Construction time (bid award to move-in date) would require 14 months. Projected completion date would be the summer/early fall of 2015. This timeline assumes June 2013 adoption of the biennial state budget.

The design of this facility will take approximately 12 months starting at Schematic Design through to Bidding the completed and approved Construction Documents, including all appropriate reviews (State Construction Office as the agent of the State, State Crime Laboratory user agency reviews and the owner's commissioning agent.) After

awarding the bids, construction of the proposed facility is estimated to take 14 months from groundbreaking to occupancy including commissioning the building for optimal performance and to verify the energy savings estimated during the design of the systems.

In summary, the proposed western Crime Lab will cost \$16,742,595 (excluding five-year operating costs) and the construction location is proposed as an addition at the Western Justice Academy campus. This design incorporates sustainable practices and materials as well as advanced building systems, creating an efficient building operation with lower costs over its lifecycle.

Facility Lease Option - As an alternative to the above capital construction approach, the State may consider a facility lease approach. The current Western Regional and the Triad Regional Crime Labs utilize a facility lease approach. The most recent lease acquisition took place in 2008 for the Triad lab which has a 10 year term with 2 five year renewal options (20 year total lease term). Annual rent for this facility is \$269,352.00 a year for this 9,976 square foot facility which is equivalent to a 2008 rate of \$27.00 per square foot.

A similar lease acquisition approach could be used for the expanded western laboratory. A 36,050 square foot facility lease would require \$972,000 a year in annual recurring lease funding at the 2008 rate. It is recommended that a lease use a minimum ten to fifteen year term with renewal options. The location of a leased facility could include the Asheville metro region and would not be limited to the Western Justice Academy site.

Use of a lease acquisition approach has some potential to expedite the timeline to bring the facility online for occupancy by crime lab staff. In 2008, the Triad Regional Laboratory was acquired through a competitive bidding process and a vacant office building was retrofitted to meet crime lab forensic science standards in 9 months. The availability of a suitable location and actual lease costs compared to this example are subject to change based on actual current market conditions.

In summary, constructing a new western laboratory would cost \$16,742,595 in non-recurring capital funds. Leasing a similar facility would require new lease funding in the operating budget that equals \$972,000 a year in recurring payments to support a minimum ten year lease. Annualized crime lab operating costs are \$3,524,412 which includes lease payments. When using a construction approach, annual operating costs drop to \$2,956,862 a year. Over 5 years, the State would spend \$14.29 million less by using leased facility approach. However, with the \$972,000 annual lease charge, the capital construction approach would provide a savings payback period of 17.2 years. This means that with a construction approach the state would invest more capital up front. However the state would not have to pay rent or lease charges after 17.2 years to cover the up-front construction costs when compared to a lease approach. Attached are appendices that provide additional detail and information supporting this report.

Appendix A : Architectural Rendering – New Western Crime Laboratory / Site Orientation view

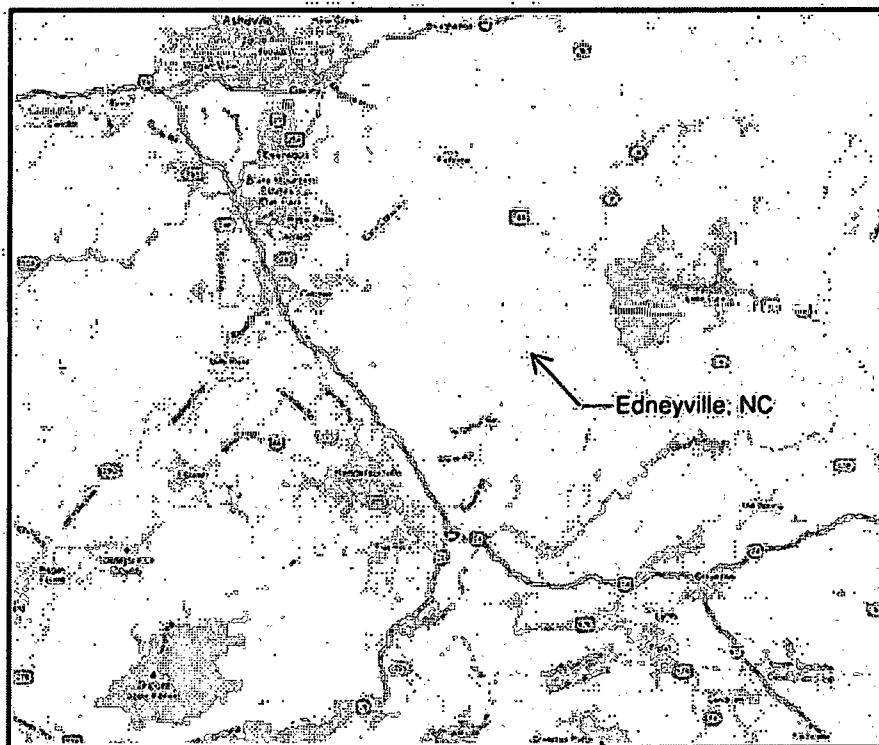
Appendix B : Summary of Rent vs. Build Five Year Finance Information

Appendix C : Summary of Construction Costs

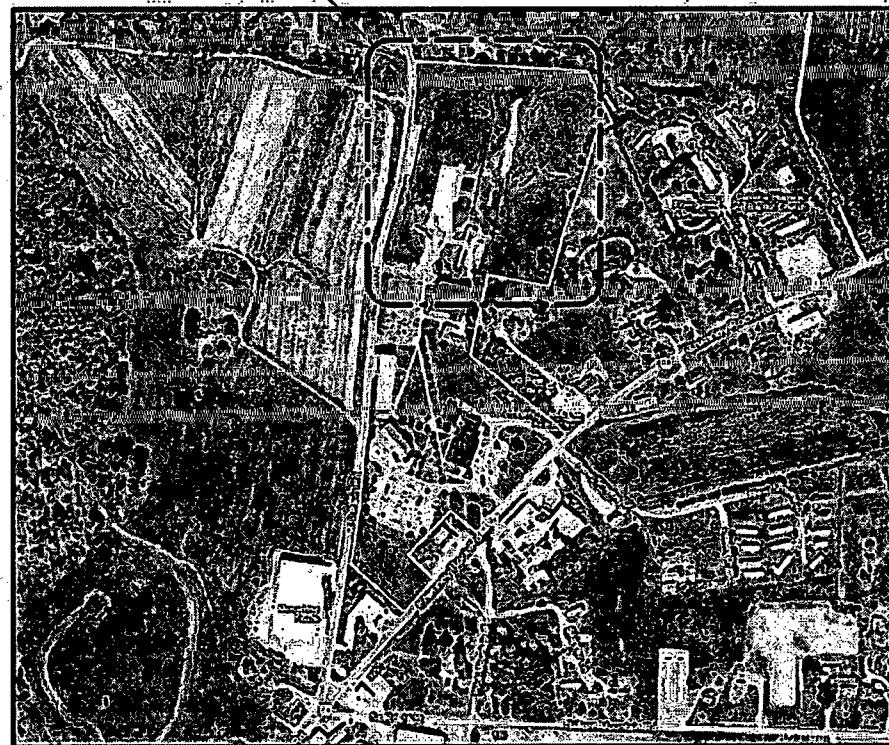
Appendix D : Detail Description of Square Foot Construction Costs

Appendix E : Space Analysis by Staff & Scientific Discipline

Appendix F: MWL Forensic Science/Medical Examiner Laboratory projects



Edneyville, NC



Larry T. Justus Western Justice Academy



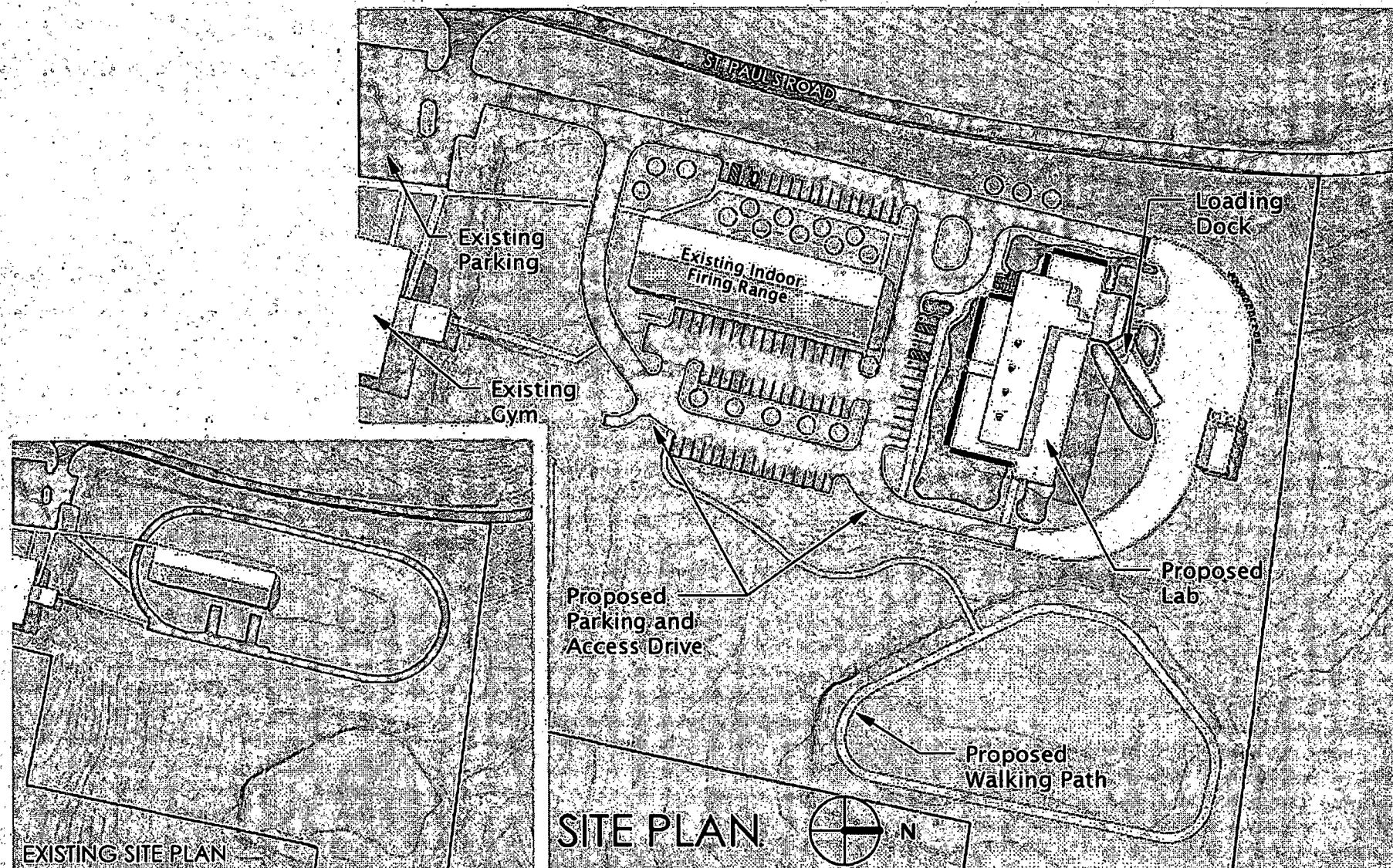
North Carolina State Crime Laboratory – Western Regional Laboratory

Page 6 Aerial Photograph of Edneyville & Vicinity/Location Maps

Scale: 1" = 40'-0"

Project No. 1238.01

RND
ROUGHTON NICKELSON DE LUCA
architects



North Carolina State Crime Laboratory – Western Regional Laboratory

Page 7

Conceptual Site Plan

Project No.

1238.01

RND
 ROUGHTON NICKELSON DE LUCA
 architects

Appendix B : Summary of Rent vs. Build Five Year Finance Information

	FY1314	FY1415	FY1516	FY1617	FY1718	5 YEAR TOTALS
OPTION 1: Build Approach - Construct New State Owned Facility at Edneyville Justice Academy Campus						
Staff Costs	\$ 1,978,551	\$ 1,998,337	\$ 2,018,320	\$ 2,038,503	\$ 2,058,888	\$ 10,092,599
Operating Costs	\$ 949,035	\$ 958,525	\$ 968,110	\$ 977,792	\$ 987,569	\$ 4,841,031
Start Up Equipment Costs	\$ 2,085,094	\$ -	\$ -	\$ -	\$ -	\$ 2,085,094
Construction Costs	\$ 16,742,595					\$ 16,742,595
Total Expenses	\$ 21,755,275	\$ 2,956,862	\$ 2,986,430	\$ 3,016,295	\$ 3,046,458	\$ 33,761,320
Less Receipts	\$ (1,201,368)					\$ (1,201,368)
Net Appropriation	\$ 20,553,908	\$ 2,956,862	\$ 2,986,430	\$ 3,016,295	\$ 3,046,458	\$ 32,559,952
OPTION 2: Lease Approach - Expand Current Lease Approach in Western NC						
Staff Costs	\$ 1,978,551	\$ 1,998,337	\$ 2,018,320	\$ 2,038,503	\$ 2,058,888	\$ 10,092,599
Operating Costs (includes \$972,000 Annual Lease)	\$ 1,096,624	\$ 1,526,075	\$ 1,541,336	\$ 1,556,749	\$ 1,572,317	\$ 7,293,100
Start Up Equipment Costs	\$ 2,085,094	\$ -	\$ -	\$ -	\$ -	\$ 2,085,094
Total Expenses	\$ 5,160,269	\$ 3,524,412	\$ 3,559,656	\$ 3,595,252	\$ 3,631,205	\$ 19,470,793
Less Receipts	\$ (1,201,368)	\$ -	\$ -	\$ -	\$ -	\$ (1,201,368)
Net Appropriation	\$ 3,958,901	\$ 3,524,412	\$ 3,559,656	\$ 3,595,252	\$ 3,631,205	\$ 18,269,426
Cost Difference using Build vs. Lease	\$ 16,595,006	\$ (567,550)	\$ (573,225)	\$ (578,958)	\$ (584,747)	\$ 14,290,527
NEW POSITIONS/STAFFING						
Total New Positions/FTE	28.00	28.00	28.00	28.00	28.00	28.00

Appendix C : New Western Regional Laboratory - Summary of Construction Costs

Line Item	Cost	Comment
Building Area (Square Feet)	36,050	Building Size Determined by Programming
Building Construction Cost per Square Foot	\$ 400.00	Construction Cost Estimated using recent similar projects, MWL's database of Forensic Labs & Contractor verified using recent Lab Building Construction projects
Total Construction Cost	\$ 14,420,000.00	Building Area times Building Cost per unit (Square Foot)
Design Fee SD - CA (% of Construction Cost)	\$ 1,442,000.00	10.0% of Construction Cost
Design Fee - Commissioning	\$ 35,745.00	RND estimate based on similar projects
Construction Contingency New Building 3%	\$ 432,600.00	Value Required by State for New Building Construction
FF&E Systems & Typ. Furniture @ \$5,000 per person (39 Staff at Move-in)	\$ 195,000.00	Estimated using RND Architects Data from Recent Projects Average factors in cubicles and Office Furniture (Managers)
FF&E Lab Stools @ \$375 per stool 2 per staff member (39 Staff at Move-in)	\$ 29,250.00	Estimated using RND Architects Data from Recent Projects
Commissioning Fee Owner's 3rd Party Commissioning Agent	\$ 120,000.00	Estimated using RND Architects Data from Recent Projects
Construction Testing Allowance	\$ 68,000.00	Estimated using RND Architects Data from Recent Projects
Total Project Costs	\$ 16,742,595.00	
Project Cost minus Construction Cost	\$ 2,322,595.00	

Appendix D : Detail Description of \$400.00 Square Foot Construction Costs : Western Regional Laboratory

Task	SF	Per SF	Bldg. Area	NOTES - COMMENTS
			36,050	
Site Work	9890	\$	-	
Erosion Control		\$ 0.81	\$ 29,200.00	Stewart Estimated
Site Demolition		\$ 0.58	\$ 20,900.00	Stewart Estimated
Mass Grading		\$ 0.63	\$ 22,800.00	Stewart Estimated
Sanitary Sewer + Lift Station		\$ 1.47	\$ 53,000.00	Stewart Estimated
Water Service		\$ 0.33	\$ 11,801.00	Stewart Estimated
Storm Sewer		\$ 2.01	\$ 72,300.00	Stewart Estimated
Parking Drives & Dock		\$ 13.28	\$ 478,800.00	Stewart Estimated
Landscaping & Irrigation		\$ 1.49	\$ 53,780.00	Stewart Estimated
Relocating Running Track		\$ 0.92	\$ 33,000.00	Stewart Estimated
Site Subtotal		\$ 21.51	\$ 775,581.00	
General Conditions & Fees				
Permits		\$ 0.90	\$ 32,332.00	RND Estimated From Previous Projects
CM Construction Fee		\$ 9.07	\$ 327,000.00	RND Estimated From Previous Projects
General Liability		\$ 4.86	\$ 175,350.99	RND Estimated From Previous Projects
Builders Risk		\$ 1.01	\$ 36,450.96	RND Estimated From Previous Projects

Appendix D : Detail Description of \$400.00 Square Foot Construction Costs : Western Regional Laboratory

Task	SF	Per SF	Bldg. Area	NOTES - COMMENTS
			36,050	
Building Concrete Foundations & Slabs		\$ 24.83	\$ 895,000.00	RND Estimated From Previous Projects
Masonry		\$ 3.60	\$ 259,822.45	RND Estimated From Previous Projects
Metals - Structural Steel		\$ 14.05	\$ 506,573.58	RND Estimated From Previous Projects
Carpentry		\$ 0.42	\$ 15,036.02	RND Estimated From Previous Projects
Building Casework (excluding Lab)		\$ 1.33	\$ 48,000.00	RND Estimated From Previous Projects
Damp-proofing / Waterproofing		\$ 2.94	\$ 106,156.13	RND Estimated From Previous Projects
Fireproofing		\$ 2.19	\$ 78,974.65	RND Estimated From Previous Projects
Roofing including Roof Insulation		\$ 14.00	\$ 275,000.00	IRMA Roof
Composite Wall Panels		\$ 0.71	\$ 215,000.00	RND Estimated From Previous Projects
Building Insulation -		\$ 1.72	\$ 62,000.00	RND Estimated From Previous Projects
Brick Veneer		\$ 4.99	\$ 180,000.00	RND Estimated From Previous Projects
Doors		\$ 3.33	\$ 120,000.00	RND Estimated From Previous Projects
Windows		\$ 11.51	\$ 415,000.00	RND Estimated From Previous Projects

Appendix D : Detail Description of \$400.00 Square Foot Construction Costs : Western Regional Laboratory

Task	SF	Per SF	Bldg. Area	NOTES - COMMENTS
			36,050	
Louvers		\$ 1.94	\$ 70,000.00	RND Estimated From Previous Projects
Storefront / Curtain Wall Assemblies		\$ 9.02	\$ 325,000.00	RND Estimated From Previous Projects
Sunscreens - Shading		\$ 2.64	\$ 95,000.00	RND Estimated From Previous Projects
Stair Construction & Railings		\$ 21.65	\$ 72,000.00	RND Estimated From Previous Projects
Finishes, Wall Framing & Ceilings		\$ 21.65	\$ 1,443,892.63	RND Estimated From Previous Projects
Specialties		\$ 1.05	\$ 37,792.36	RND Estimated From Previous Projects
Radiation Protected Room		\$ 0.67	\$ 24,000.00	RND Estimated From Previous Projects
Equipment		\$ 1.39	\$ 49,937.82	RND Estimated From Previous Projects
Elevator - Hydraulic 3 stops		\$ 1.00	\$ 36,000.00	RND Estimated From Previous Projects
Plumbing		\$ 31.00	\$ 1,117,550.00	McKim & Creed Estimated
HVAC		\$ 73.00	\$ 2,631,650.00	McKim & Creed Estimated
Fire Protection		\$ 5.00	\$ 180,250.00	McKim & Creed Estimated

Appendix D : Detail Description of \$400.00 Square Foot Construction Costs : Western Regional Laboratory

Task	SF	Per SF	Bldg. Area	NOTES - COMMENTS
			36,050	
Electrical		\$ 54.00	\$ 1,946,700.00	McKim & Creed Estimated
Fire Alarm		\$ 6.00	\$ 216,300.00	McKim & Creed Estimated
Security Access Control		\$ 4.00	\$ 144,200.00	McKim & Creed Estimated
Security Camera & NVR System		\$ 0.85	\$ 125,000.00	RND Estimated From Previous Projects
Lab Equipment - (Fixed)		\$ 19.22	\$ 693,000.00	MWL Estimated
Lab Wall Casework		\$ 1.56	\$ 56,250.00	MWL Estimated
Mobile Tables with Epoxy Tops		\$ 1.94	\$ 70,000.00	MWL Estimated
Fume Hoods		\$ 3.77	\$ 136,000.00	MWL Estimated
Biological Safety Cabinets		\$ 0.87	\$ 31,500.00	MWL Estimated
Snorkels		\$ 1.32	\$ 47,500.00	MWL Estimated
Emergency Shower / Eye Wash		\$ 1.00	\$ 36,000.00	MWL Estimated
Freezers & Refrigerators		\$ 1.11	\$ 40,000.00	MWL Estimated
Photographic Equipment		\$ 0.97	\$ 35,000.00	MWL Estimated

Appendix D : Detail Description of \$400.00 Square Foot Construction Costs : Western Regional Laboratory

Task	SF	Per SF	Bldg. Area	NOTES - COMMENTS
			36,050	
Shipping		\$ 0.69	\$ 25,000.00	MWL Estimated
Firing Range Trap, Target, Controls Ceiling & Wal		\$ 2.36	\$ 85,000.00	MWL Estimated
Projectile Recovery Tank		\$ -	\$ -	Reused Existing
Office Furniture (systems & other)		\$ -	\$ -	In Operating Cost
Building Commissioning - Enhanced		\$ 3.34	\$ 120,407.00	Estimated
Total Building Construction		\$ 400.00	\$ 14,420,000.00	

Appendix E : Space Analysis by Staff & Scientific Discipline

	Current Staff	Proposed Staff
Current Western Regional Laboratory Asheville, NC	17	N/A
Proposed Western Regional Laboratory Edneyville, NC	N/A	45

Current Gross Building Area (square feet)	Gross Area per Staff Member (Square Feet)
8,800	518
36,050	801

Current Services - Asheville, NC Western Regional Laboratory	Staffing		Staff Variance	Facility Area		Space Variance
	Current Staff	Proposed Staff		Current Area Asheville Laboratory	Proposed Area Edneyville Laboratory	
Lab Administration	2	2	0	450	1,268	818
Lab Support / NCDJ Employee Facilities	0	2	2	2,200	3,889	1,689
Evidence Control	2	3	1	650	1,813	1,163
Drug Chemistry	8	10	2	4,000	4,767	767
Firearms / Toolmark / Impressions	2	2	0	650	2,119	1,469
Latent Evidence	3	3	0	650	1,423	773
Wall Construction Structure	0	0	0	200	2,773	2,573
Multi-Floor Factor (Stairs & Elevator)	0	0	0	0	832	832
Mechanical Electrical Chases	0	0	0	0	4,714	4,714
SubTotals	17	22	5	8,800	23,598	14,798
Proposed Services - Edneyville, NC Western Regional Laboratory	Current Staff	Proposed Staff		Facility Area		Difference
				Current Area Asheville Laboratory	Proposed Area Edneyville Laboratory	
Forensic Biology / DNA	0	10	10	N/A	5,344	5,344
Toxicology	0	11	11	N/A	5,129	5,129
Digital Investigation	0	2	2	N/A	1,015	1,015
Vehicle Processing	0	0	0	N/A	964	964
SubTotals	0	23	23	0	12,452	12,452
Total	17	45	28	8,800	36,050	27,250

Appendix F:

McClaren, Wilson & Lawrie, Inc. (MWL) Forensic Science/Medical Examiner Laboratories

- **Forensic Science Laboratory**
Anchorage, Alaska – Alaska State Troopers
- **Scientific Crime Detection Laboratory**
Anchorage, Alaska – State of Alaska
- **Forensic Science Laboratory**
Phoenix, Arizona – Department of Public Safety
- **Forensic Science Laboratory**
Phoenix, Arizona – Phoenix Police Department
- **Forensic Science Laboratory**
Scottsdale, Arizona – Scottsdale Police Department
- **Forensic Science Laboratory**
Tucson, Arizona – Department of Public Safety
- **Forensic Science Laboratory, Coroner Facility, Public Health Laboratory**
Oakland, California – Alameda County
- **Crime Laboratory**
Bakersfield, California – Kern County District Attorney
- **DNA Profiling Laboratory**
Berkeley, California
- **Forensic Crime Laboratories**
Eureka, Fresno, Santa Barbara, Santa Rosa, Stockton, & Riverside, California – California Department of Justice
- **Forensic Science Laboratories**
Fresno, Riverside, Ripon, & Redding, California – Department of Justice
- **Forensic Science Laboratory**
Lancaster, California – Los Angeles County Sheriff
- **Technology Forensic Laboratory**
Los Angeles, California – Police Department
- **Coroner Facility**
Modesto, California – Stanislaus County
- **Forensic Science Laboratory**
Oakland, California – Oakland Police Department
- **Forensic Science Laboratory, Coroner Facility**
Sacramento, California – Sacramento County
- **Forensic Science Laboratory, Medical Examiner Facility**
San Diego, California – San Diego County
- **Forensic Science Laboratory**
San Diego, California – San Diego County Sheriff Department
- **Forensic Laboratory, Coroner Facility**
San Leandro, California – Alameda County Sheriff Department
- **Forensic Science Laboratory**
San Jose, California – Santa Clara County
- **Forensic Science Laboratory**
Ventura, California – Ventura County
- **DNA Laboratory**
Colorado Springs, Colorado – Police Department
- **Academic Forensic Laboratory**
Colorado Springs, Colorado – University of Colorado
- **Forensic Science Laboratory**
Golden, Colorado – Jefferson County
- **Medical Examiner Facility, Forensic Center**
Littleton, Colorado – Arapahoe County
- **Forensic Science Laboratory**
Washington, D.C. – U.S. Dept. of Justice DEA
- **Forensic Laboratory, Phases I & II**
Fort Lauderdale, Florida – Broward County Sheriff's Department

- **Medical Examiner Facility, Forensic Laboratory**
Largo, Florida – Pinellas County
- **Forensic Laboratory**
Orlando, Florida – Florida Department of Law Enforcement
- **Forensic Science Laboratory**
Coeur D'Alene, Idaho – Idaho State Police
- **Forensic Science Laboratory**
Chicago, Illinois – Illinois State Police
- **Forensic Science Laboratory, Forensic & Health Sciences Center**
Indianapolis, Indiana – Indiana State Police
- **Forensic Science Laboratory**
Des Moines, Iowa – Department Of Public Safety
- **Forensic Science Laboratory**
Olathe, Kansas – Johnson County
- **Central Forensic Laboratory**
Topeka, Kansas – Kansas Bureau of Investigations
- **Radiological, Chemical & Biological Sample Receiving Center, FBI Sample Analysis Lab**
Aberdeen Proving Ground, Maryland – US Army Corps of Engineers
- **Forensic Center, Medical Examiners Facility**
Baltimore, Maryland – State of Maryland
- **Academic Forensic Science Laboratory**
Baltimore, Maryland – Coppin State University
- **DNA Laboratory**
Palmer Park, Maryland – Prince George's County
- **Forensic Science Laboratory**
Pikesville, Maryland – Maryland State Police
- **Forensic Crime Laboratory**
Rockville, Maryland – Montgomery County
- **Forensic Science Laboratory**
Grand Rapids, Michigan – Michigan State Police
- **Forensic Science Laboratory**
Lansing, Michigan – Michigan State Police
- **Forensic Science Laboratory**
Marquette, Michigan – Michigan State Police
- **Forensic Science Laboratory**
Pontiac, Michigan – Oakland County Sheriff's Department
- **Forensic Science Laboratory, Evidence Processing Facility**
Anoka, Minnesota – Anoka County
- **Crime Laboratory**
Clayton, Missouri – St. Louis County
- **Forensic Laboratory**
O'Fallon, Missouri – St. Charles County Sheriff's Department
- **Forensic Science Laboratory, Medical Examiner Facility**
Missoula, Montana – State of Montana
- **Forensic Science Laboratory**
Albuquerque, New Mexico – Albuquerque Police Department
- **Forensic Science Laboratory, Medical Examiner Facility**
Albany, New York – New York State Police
- **Forensic Science Laboratory**
Buffalo, New York – Erie County
- **Forensic Science Laboratory**
Rochester, New York – Monroe County
- **Forensic Science Laboratory**
Syracuse, New York – Onondaga County
- **Academic Forensic Laboratory**
Winston Salem, North Carolina – Winston Salem State University
- **Crime Laboratory**

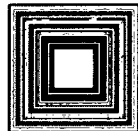
- Columbus, Ohio – Police Department
- **Coroner Facility, Forensic Science Laboratory**
Dayton, Ohio – Montgomery County
- **Forensic Science Laboratory**
Edmond, Oklahoma – Oklahoma State Bureau of Investigation
- **Forensic Science Laboratory**
Deschutes County, Oregon – Oregon State Police
- **Coroner Facility, Forensic Science Laboratory**
Pittsburgh, Pennsylvania – Allegheny County
- **Forensic Science Laboratory**
Jackson, Tennessee – Tennessee Bureau of Investigation
- **Forensic Center, Medical Examiner Facility**
Johnson City, Tennessee – East Tennessee State University, James H. Quillen College of Medicine
- **Forensic Science Laboratory**
Knoxville, Tennessee – Tennessee Bureau of Investigation
- **Forensic Science Laboratory**
Memphis, Tennessee – Tennessee Bureau of Investigation
- **Medical Examiner Facility, Forensic Center**
Memphis, Tennessee – Shelby County Department of Health
- **Forensic Science Laboratory**
Nashville, Tennessee – Tennessee Bureau of Investigation
- **Forensic Science Laboratory Expansion**
Nashville, Tennessee – Tennessee Bureau of Investigation
- **Forensic Science Laboratory**
Austin, Texas – Police Department
- **Forensic Science Laboratory, Medical Examiners Facility**
Dallas, Texas – Dallas County, Southwestern Institute of Forensic Sciences
- **Forensic Science Laboratory**
El Paso, Texas – Department of Public Safety
- **Community Laboratory**
El Paso, Texas – City of El Paso
- **Forensic Science Laboratory**
Fort Worth, Texas – Police Department
- **Medical Examiner Facility, Forensic Science Laboratory**
Fort Worth, Texas – Tarrant County
- **Forensic Crime Laboratory**
Garland, Texas – Department of Public Safety
- **Forensic Crime Laboratory**
Houston, Texas – Department of Public Safety
- **Forensic Sciences Laboratory**
Lubbock, Texas – Department of Public Safety
- **Forensic Sciences Laboratory, CSI Laboratory**
West Valley City, Utah
- **Forensic Science Laboratory**
Burlington, Vermont – Division of Criminal Justice Services
- **Forensic Science Laboratory**
Waterbury, Vermont
- **Forensics Facility**
Fairfax County, Virginia – Police Department
- **Forensic Science Laboratory, Medical Examiner Facility**
Manassas, Virginia – Commonwealth of Virginia, Northern District
- **Research Forensic Science Laboratory**
McLean, Virginia – U.S. Dept. of Justice DEA
- **Forensic Science Laboratory, Medical Examiner Facility**
Norfolk, Virginia – Commonwealth of Virginia, Tidewater District
- **National Forensic Laboratory**
Quantico, Virginia – Federal Bureau of Investigation

- **Forensic ID Laboratory**
Richmond, Virginia – Police Department
- **Forensic Science Laboratory, Medical Examiner Facility**
Richmond, Virginia – Commonwealth of Virginia, Central District
- **Forensic Science Laboratory, Medical Examiner Facility**
Roanoke, Virginia – Commonwealth of Virginia, Western District
- **Forensic ID Laboratory**
Bellevue, Washington Police Department
- **Forensic Science Laboratory**
Cheney, Washington – Washington State Patrol, Eastern Washington
- **Forensic Science Laboratory**
Seattle, Washington – Washington State Patrol
- **Academic Forensic Science Laboratory**
Morgantown, West Virginia – West Virginia University
- **Forensic Science Laboratory**
Hamilton, Ontario, Canada – Hamilton Wentworth Regional Police
- **Forensic Services & Coroner's Complex**
Toronto, Ontario, Canada
- **Identification Laboratory**
Toronto, Ontario, Canada – Metropolitan Toronto Police

**Joint Appropriations Subcommittee on
Justice and Public Safety**

NC State Crime Laboratory

February 14, 2013



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Department of Justice

Department of Justice (DOJ)

Provides legal services for the State, assists local law enforcement agencies, and oversees law enforcement standards and training

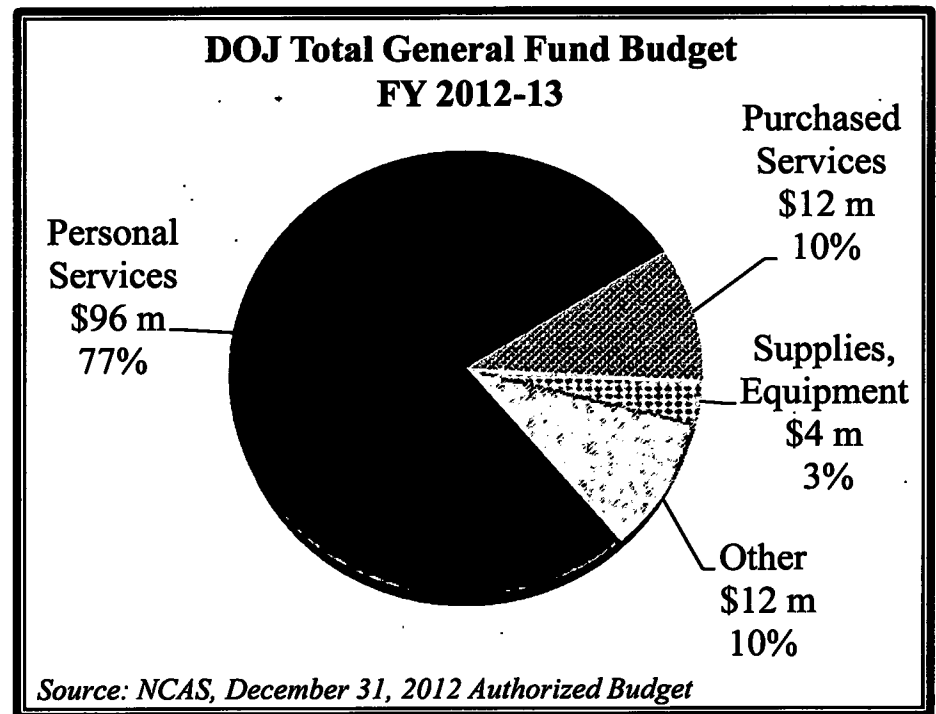
Roy Cooper, Attorney General

Includes:

- Legal services
- Consumer Protection
- Criminal Justice Training and Standards
- State Bureau of Investigation
- NC State Crime Lab

Total General Fund Budget: \$125 million

Total FTE Employees: 1,234.40



NC State Crime Laboratory

Judge Joseph John, Assistant Director of SBI

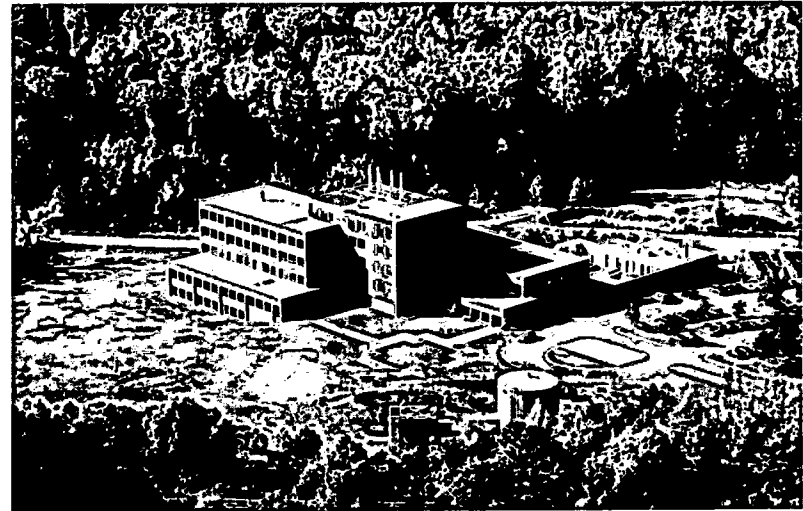
Statutory authorization in G.S. 114-16:

- Establishes the lab within the State Bureau of Investigation
- Directs that a “sufficient number” of skilled people be employed to provide “a reasonable service to the public and the criminal justice system”.

Total FY 2012-13 Authorized Budget: \$14.1 million

Total FTE: 180.80

Three lab facilities

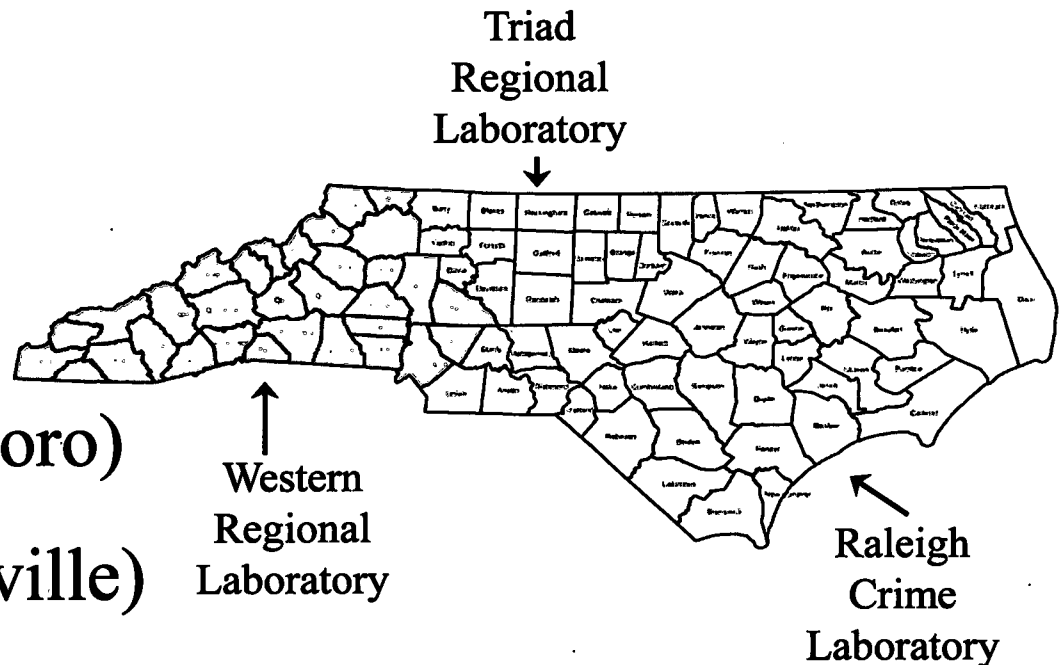


Services

All law enforcement agencies in the State can submit evidence to the Lab for processing

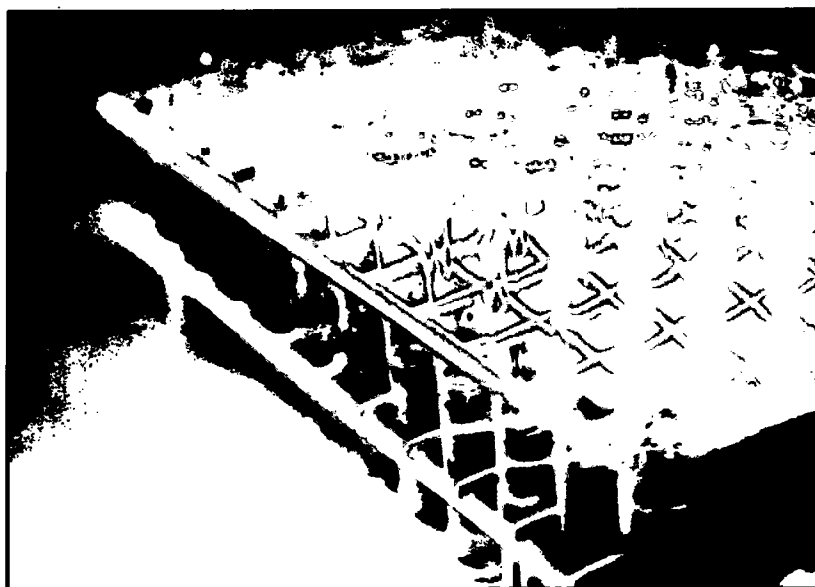
Three regional labs:

- Raleigh (main lab)
- Triad Lab (Greensboro)
- Western Lab (Asheville)



Services: Drug Chemistry and Toxicology

- Identification of controlled substances
- Clandestine lab response
- Blood or urine screening for controlled substances, including drugs and alcohol.



FY 2012-13 FTE: 44 FTE

FY 2011-12 Submissions: 32,343

Labs:

- Raleigh
- Triad
- Western (drug chemistry only)

Services: Digital and Latent Evidence

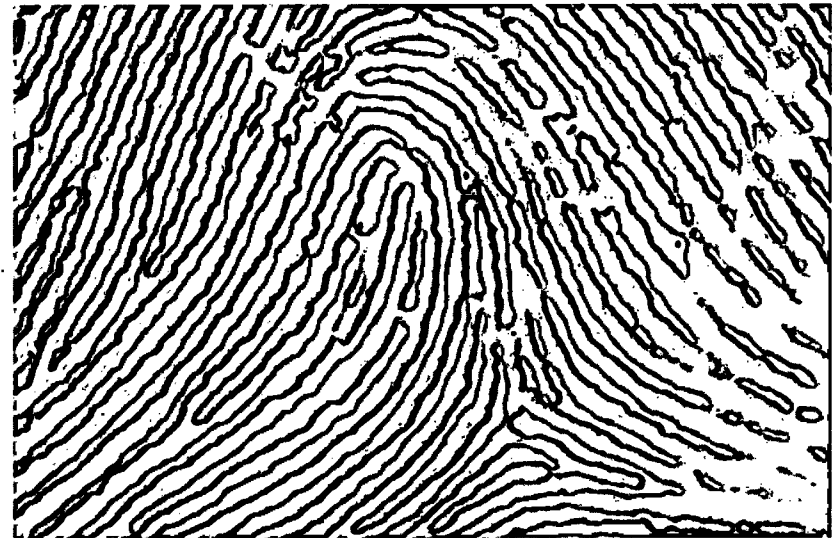
- Computers and digital media
- Audio/video evidence
- Latent prints and footwear and tire impressions

FY 2012-13 FTE: 27

FY 2011-12 Submissions: 2,063

Labs:

- Raleigh
- Triad
- Western (Latent evidence only)



Services: Firearms and Tool Marks

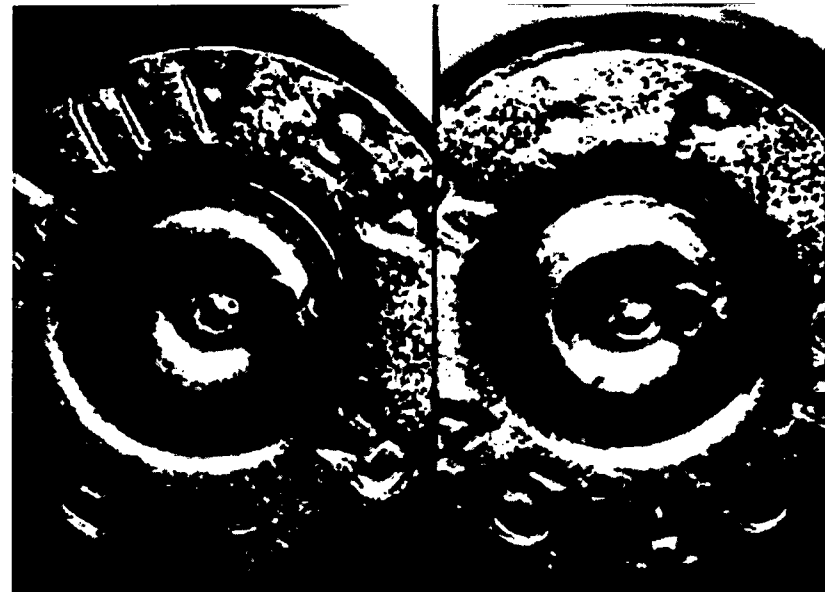
- Weapons and ammunition
- Matching tools to marks

FY 2012-13 FTE: 16

FY 2011-12 Submissions: 1,098

Labs:

- Raleigh
- Western



Services: Trace Evidence

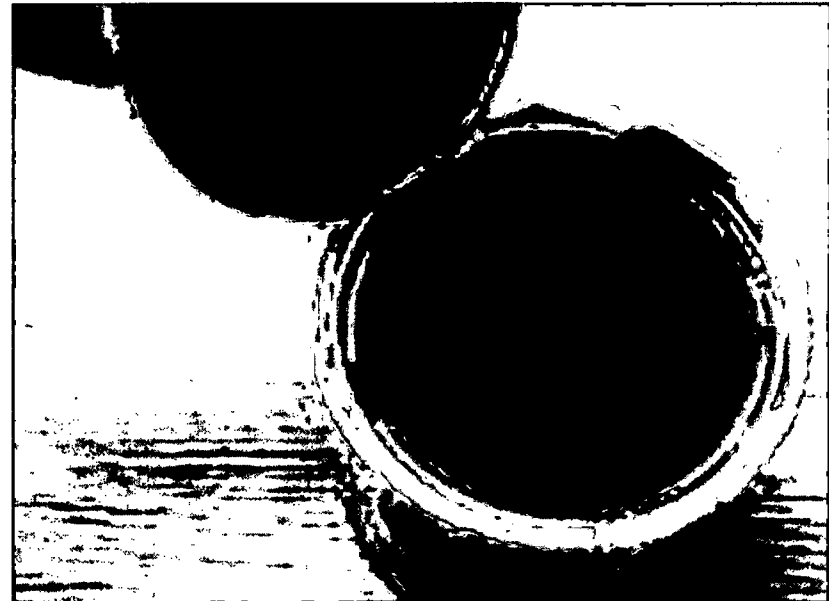
- Hair, fibers, glass, paint, headlight filaments
- Gunshot residue
- Explosives
- Fire debris

FY 2012-13 FTE: 13

FY 2011-12 Submissions: 1,624

Labs:

- Raleigh
- Western (Fire debris only)



Services: Forensic Biology

- Blood and body fluids
- DNA testing
- State DNA database

FY 2012-13 FTE: 51

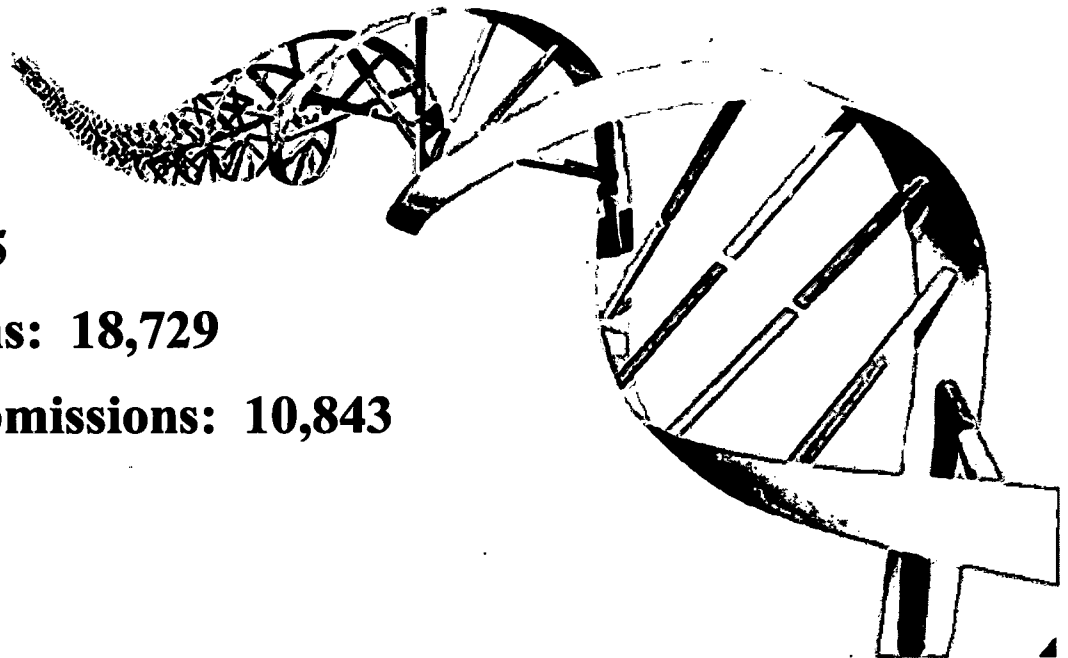
FY 2011-12 Submissions: 3,915

FY 2011-12 CODIS Submissions: 18,729

FY 2011-12 DNA on Arrest Submissions: 10,843

Labs:

- Raleigh



Process



Collection

- Certified law enforcement agency
- Official criminal investigation



Submission

- In-person or mailed
- Goes to the Evidence Control Unit (13 FTE)



Analysis

- Requesting officer specifies tests
- Some items may go to multiple sections

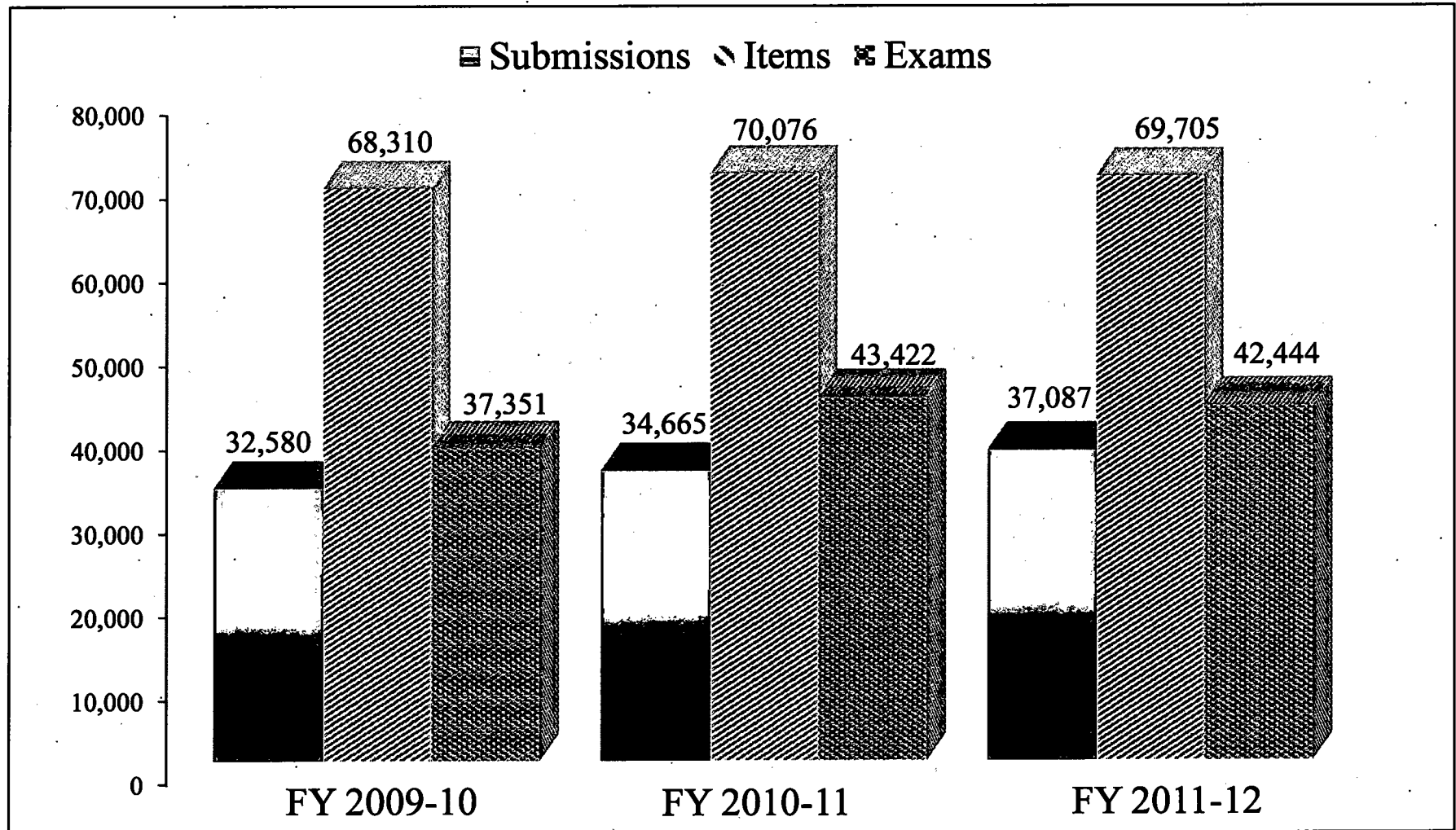


Reports

- Published on Forensic Advantage
- Evidence Control returns evidence




Submissions



Source: NC State Crime Lab

Fees

- No charge to local law enforcement 
- \$600 court fee assessed on offenders (Lab Fee)
 - DNA, toxicology, drug chemistry cases
 - Paid to local or State lab
 - Court fees assessed at discretion of judge
 - Generated \$1,359,449 in FY 2011-12 for State Lab
- \$2 court fee assessed on all offenders (DNA Fee)
 - Statutory appropriation
 - Generated \$534,264 in FY 2011-12

Source: G.S. 7A-304(a)(7-9); NC AOC Disbursements/Lab Fees FY 2011-2012, January 29, 2013

Local Labs

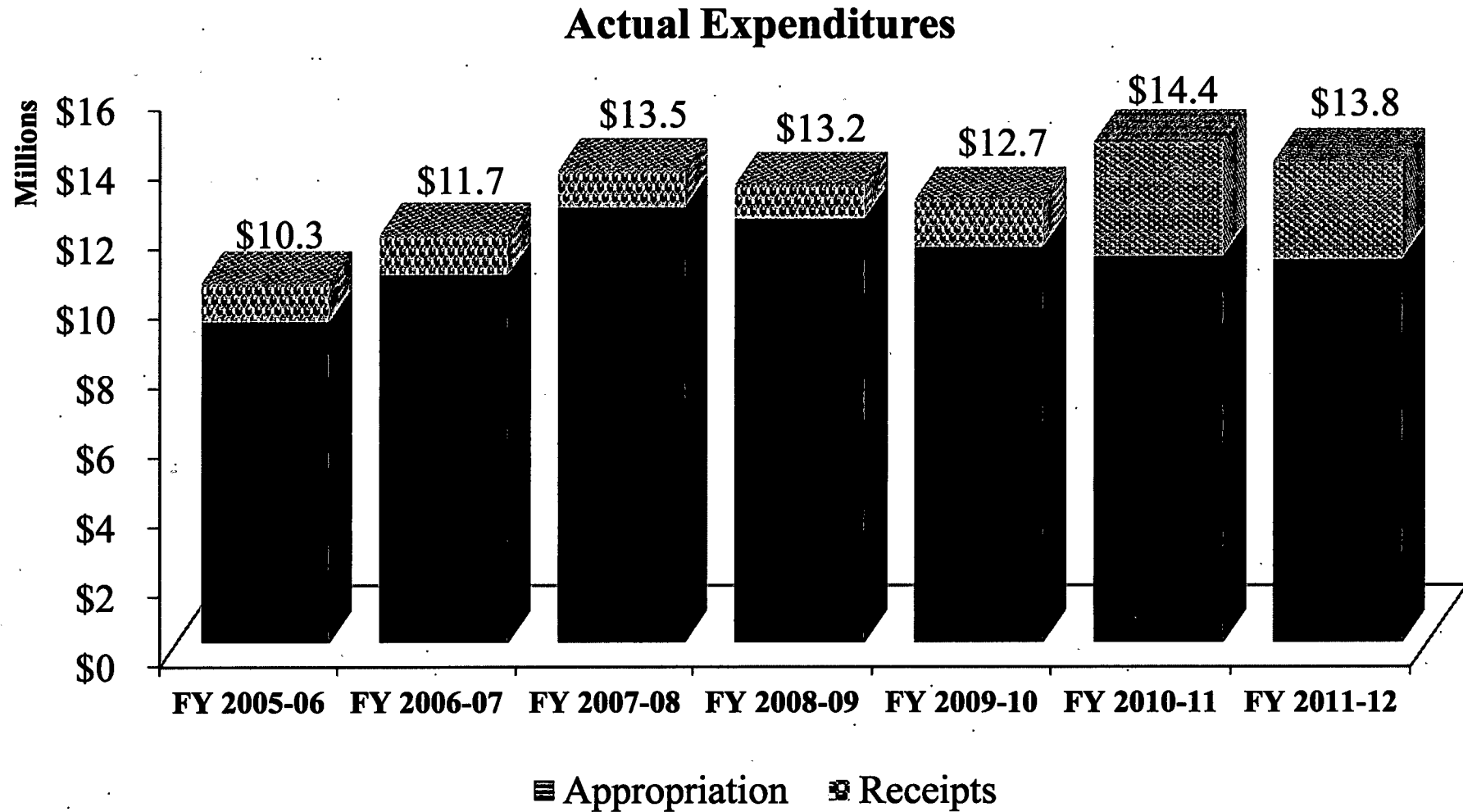
Five locally operated labs:

- **Charlotte-Mecklenburg PD** (Mecklenburg County)
Firearms/tool marks, latent prints, drug chemistry, toxicology (alcohol only), fire debris, forensic biology
- **City County Bureau of Identification** (Wake County)
Latent prints, drug chemistry and toxicology, digital evidence
- **Wilmington PD** (New Hanover County)
Toxicology (alcohol only), solid dose narcotics
- **Pitt County Sheriff's Office** (Pitt County)
Latent prints, drug chemistry
- **Iredell County Sheriff's Office** (Iredell County)
Latent prints, drug chemistry, toxicology (starting in summer 2013, alcohol only)

Locally funded by county or city, court costs, and receipts

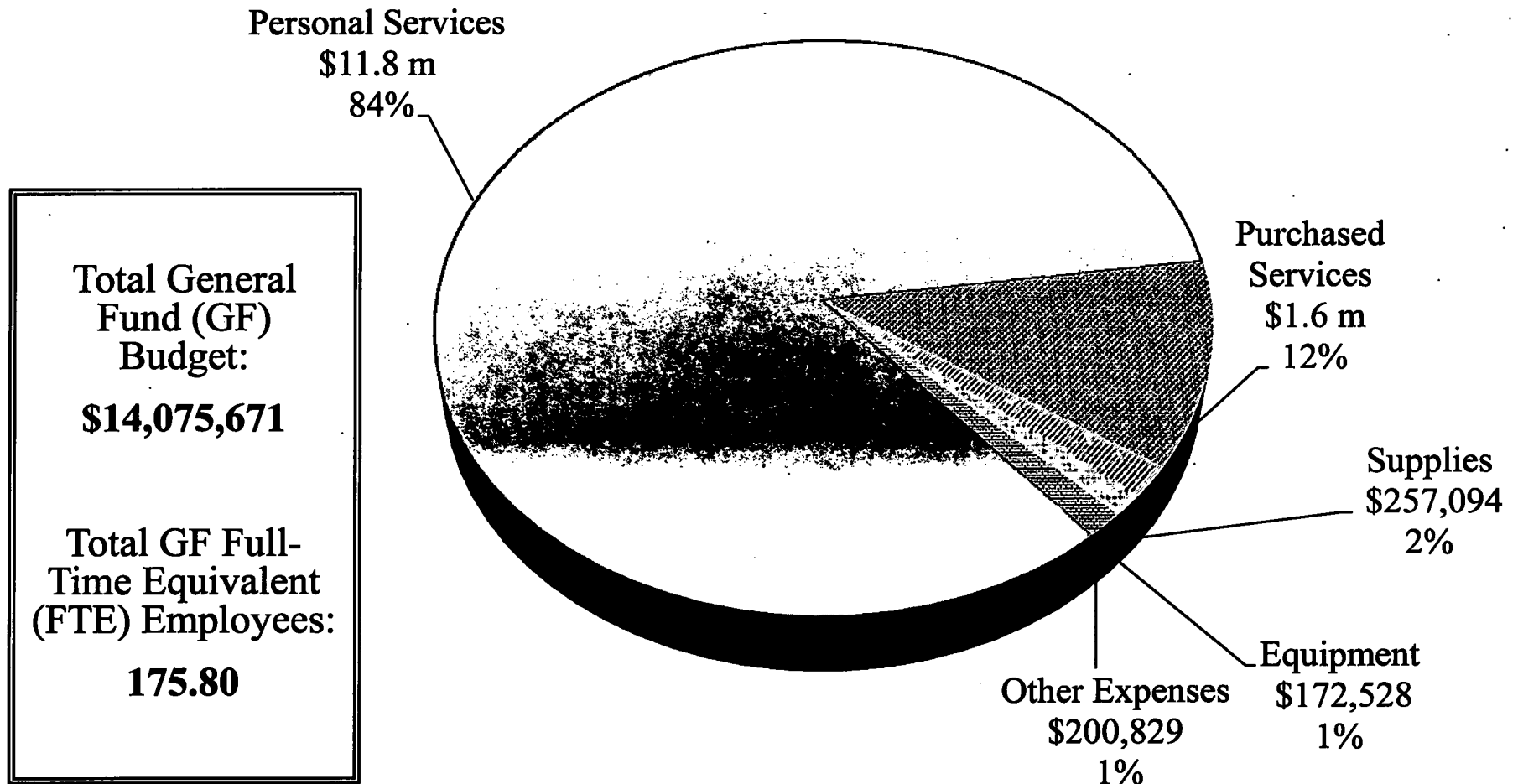
Must be accredited by July 1, 2013

Crime Lab Budget History



Source: NCAS Budget History and Management Analysis

FY 2012-13 Authorized Budget

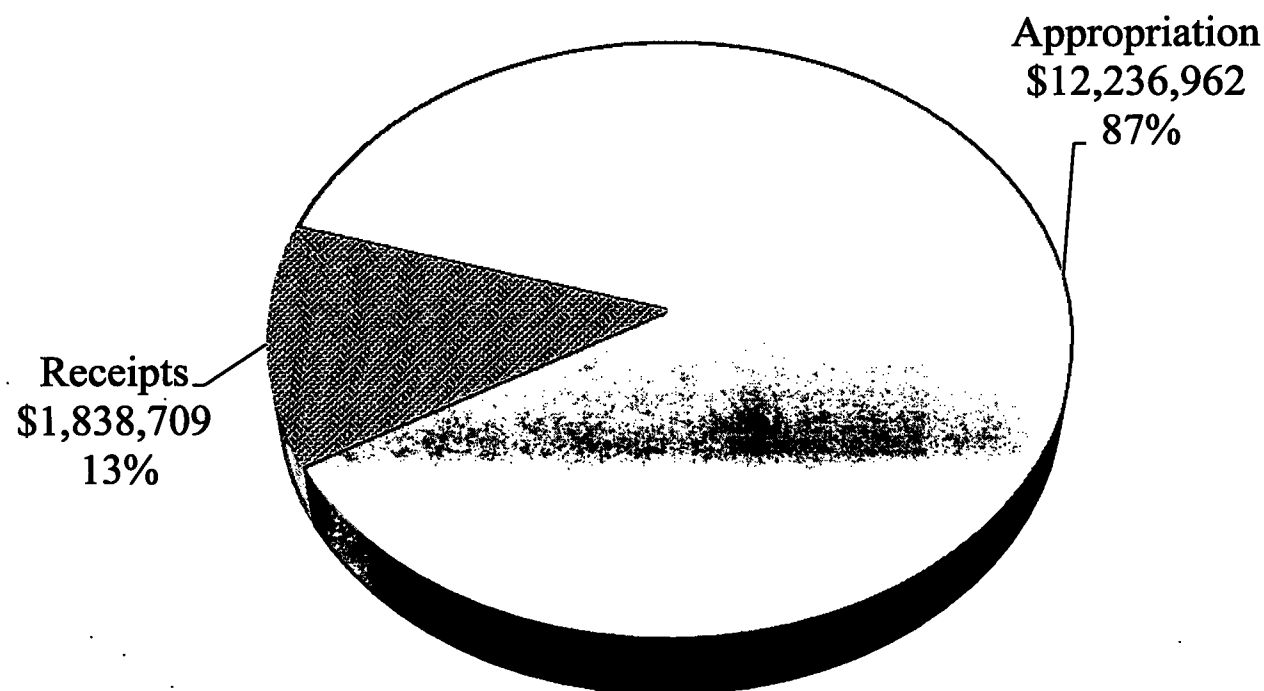


Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE - Beacon BO149 December 2012

FY 2013-15 Authorized Budget

Receipts come from:

- Federal grants
- Carry-forward
- Court fees



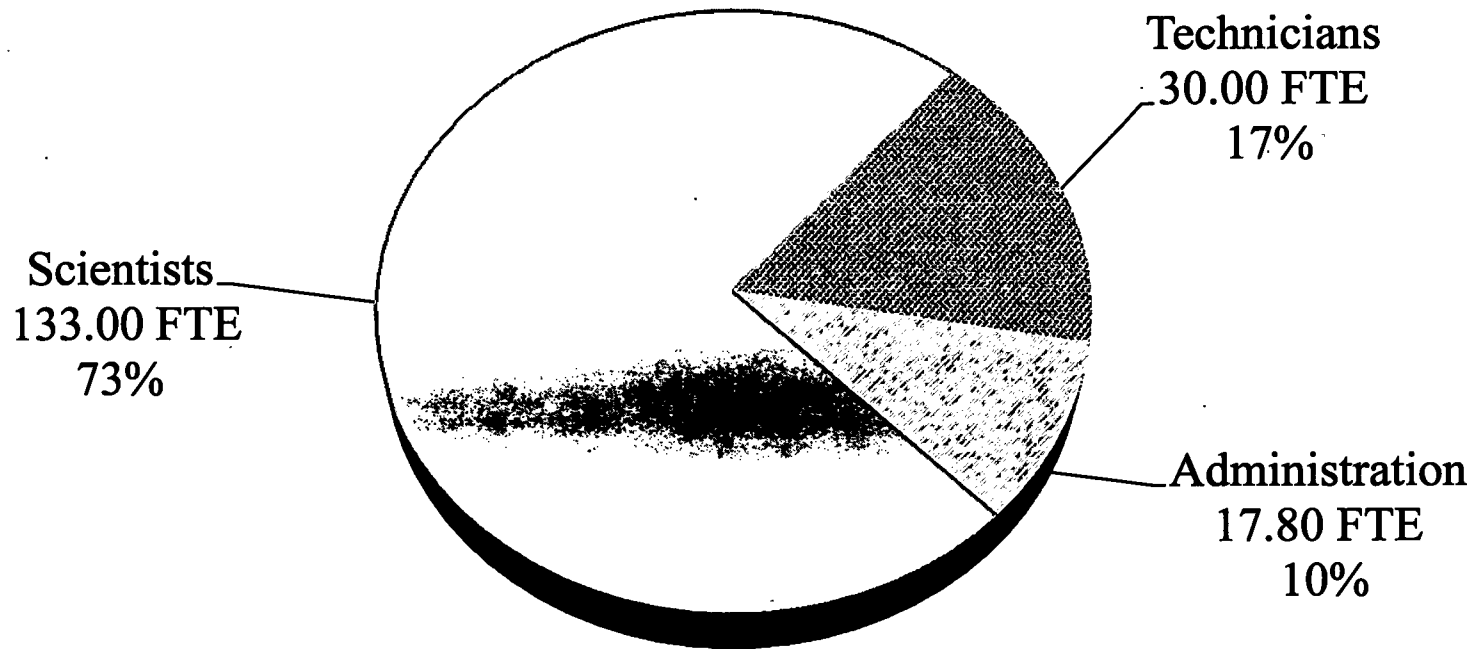
Total General Fund Budget: \$14.1 million

Total GF FTE Employees: 175.80

Source: Authorized Monthly Budget Report for December 31, 2012

Positions: Total by Category

**Positions by Category
As of December 2012**



Total FTE Employees: 180.80

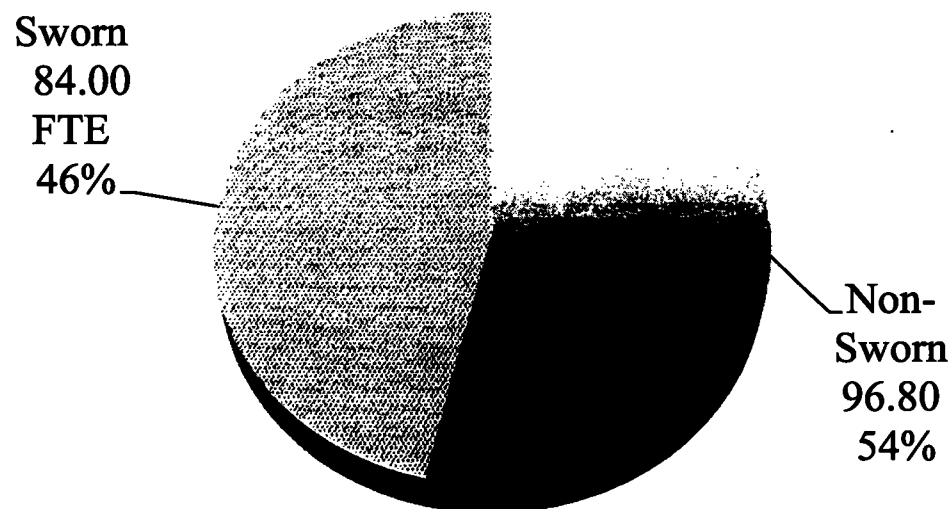
Source: FTE – Beacon BO149 December 2012



FISCAL RESEARCH DIVISION
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Positions: Sworn vs. Non-Sworn

**Sworn vs. Non-Sworn FTE
As of December, 2012**



Appropriations for Retirement

Non-sworn: 14.23% of salary

Sworn: 19.23% of salary

S.L. 2011-145, Sec. 16.5:

Limits hiring of sworn personnel to:

- Promotion
- Meth lab response
- Supervision of sworn

Source: FTE – Beacon BO149 December 2012

Positions: Hiring, Certification, and Training

Hiring process can take up to six months or longer

- Failed background checks re-start the process

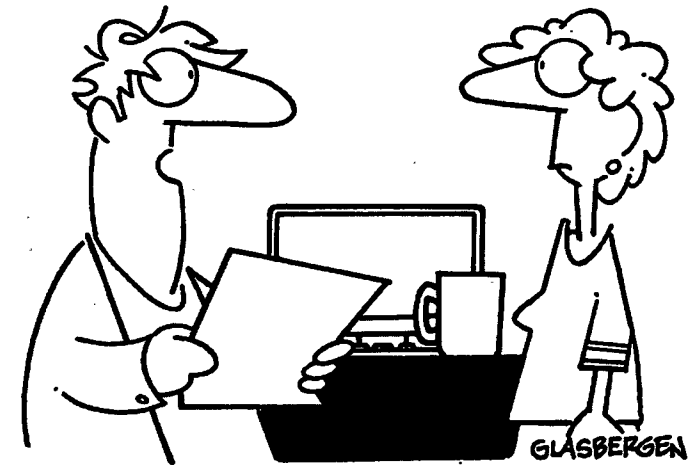
Training can take up to a year or more

- Sworn positions take even longer

Certification:

- Required for all State forensic scientists
- Formal recognition by an outside body
- Apply within one year of eligibility
- Obtain certification within 18 months
- Time to prep is provided

© Randy Glasbergen
glasbergen.com

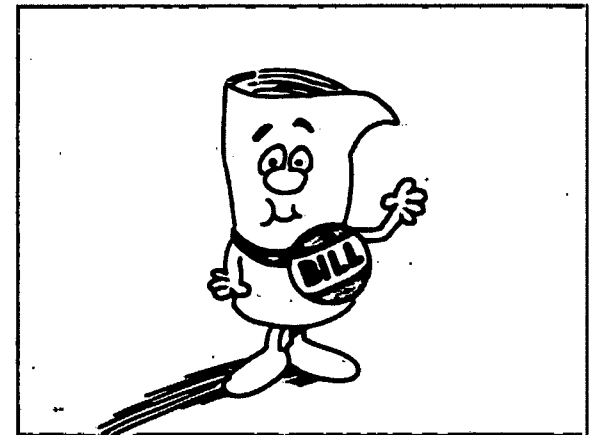


"I pruned a tree once, so technically I'm allowed to put 'branch manager' on my resumé."

Recent Legislative Action

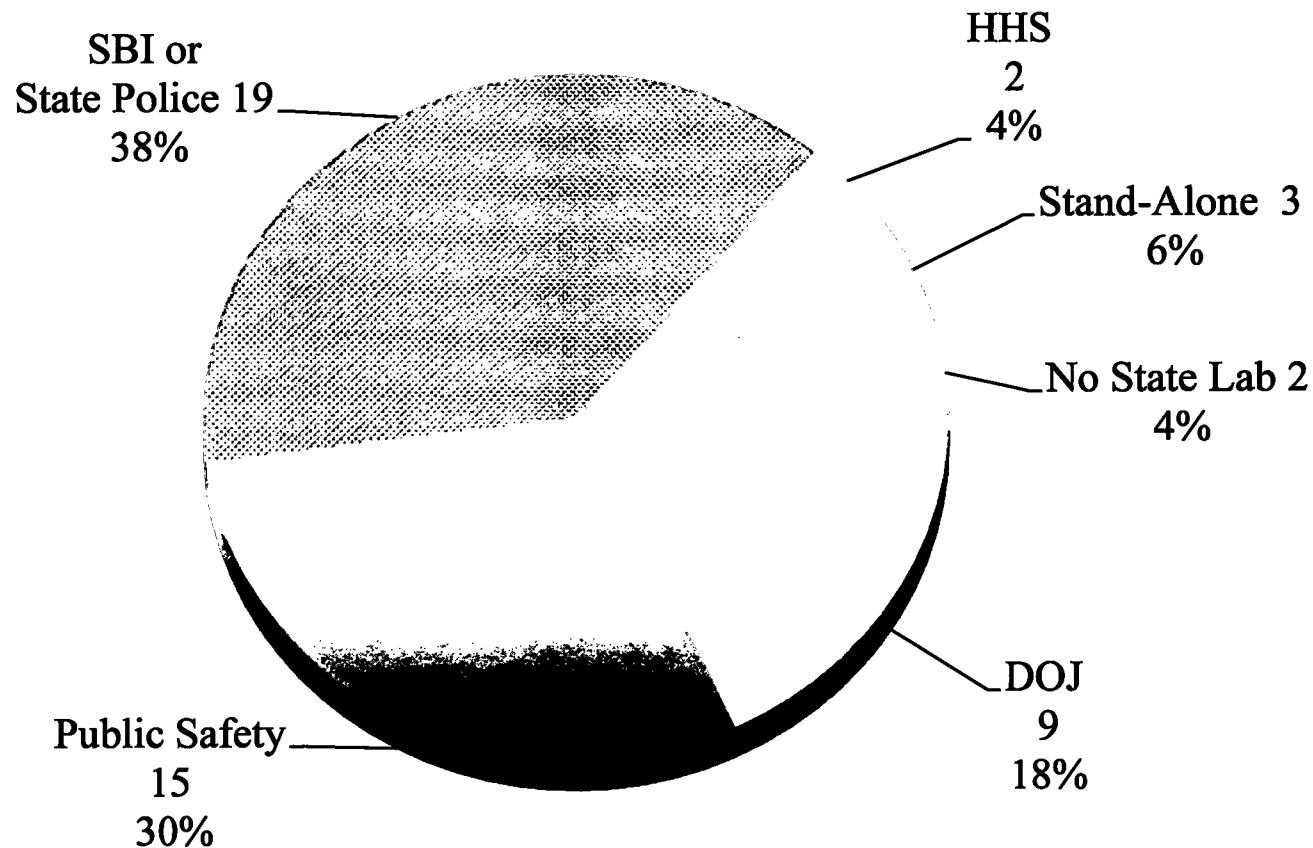
S.L. 2011-192, Forensic Sciences Act of 2011:

- Renamed the lab
- Replaced “reasonable service to prosecutors” with “reasonable service to the public and the criminal justice system”.
- Requires labs to be ISO accredited (State and local)
- Requires certification of State forensic scientists
- Created Ombudsman
- Created Forensic Science Advisory Board



Other States

Administration of State Crime Labs, 2012



Source: NCSL, NCGA Research Division and Fiscal Research Division

Recent Budget Actions

2011 Budget (S.L. 2011-145)

No direct changes

Department Vacancy Reduction eliminated 5 FTE

2012 Budget (S.L. 2012-142)

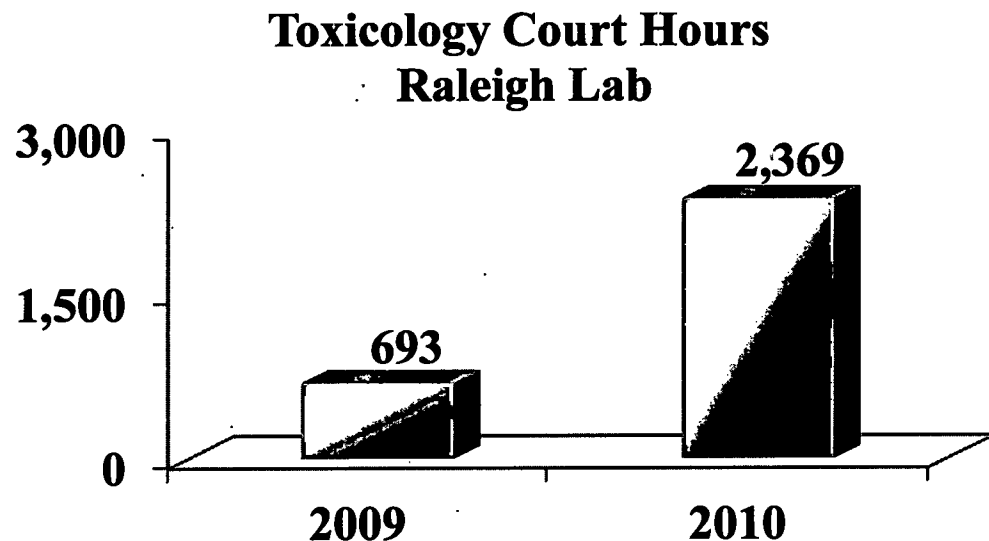
Sec. 15.5 prohibited the elimination of State Crime Lab positions



Issues for 2013 Session

Melendez-Diaz v. Massachusetts

- Requires live testimony by lab analysts
- Resulted in large increase in court hours for analysts
- Toxicology is impacted most (DWI cases)



Source: NC State Crime Laboratory



Issues for 2013 Session

Melendez-Diaz v. Massachusetts

What's the Lab doing?

- Mandatory overtime
- Designated geographic assignment of analysts

Other Options:

- Locally funded positions
- Remote testimony
- Add toxicology positions

Source: NC State Crime Laboratory



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Issues for 2013 Session

Toxicology Position Request - \$1.8 m

- 16 non-sworn forensic scientist FTE
- 2 sworn forensic science supervisors
- 1 evidence technician

Options for Subcommittee Consideration

- Fund non-sworn supervisors
- Fund positions at minimum salary for grade
- Authorize position, but don't fund until January 1, 2014
- Lower salary grade for trainees

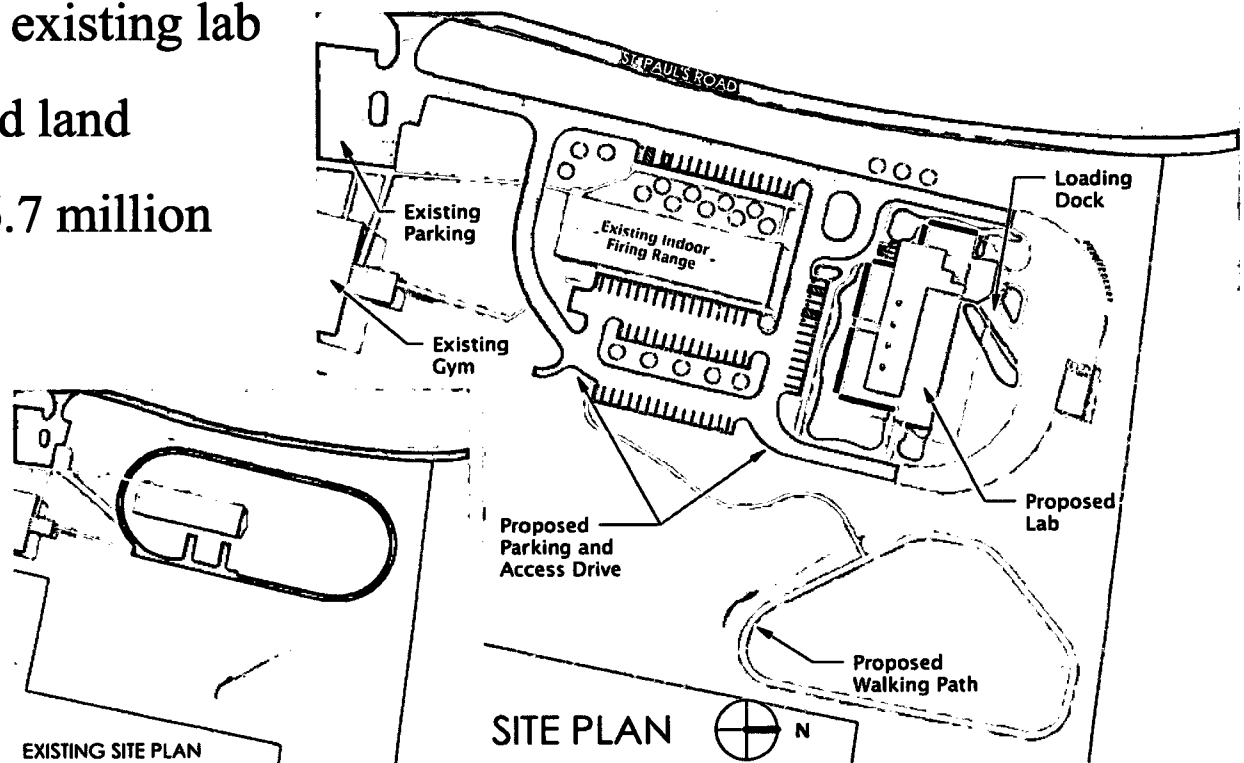
Source: Worksheet II Expansion Budget Request



Issues for 2013 Session

Western Lab

- No toxicology unit
- No available space in existing lab
- Available State-owned land
- Cost for new lab: \$16.7 million



Source: DOJ Report on Plan for Western Laboratory

VISITOR REGISTRATION SHEET

Justice AND public safety

02/14/2013

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Christensen	DOJ
Jeff Rau	
NELS ROSELAND	NC DOJ
Greg McLeod	SBI
John W. Smith	AOL
Tom West	Ec Kerd
Jillian DeCamp	Poyner Spruill
Mitch Leonard	SEANC
Elizabeth Watson	NC Victim Assistance Network (ncvan)
Jordan Smith	NCLM
Andrew Cagle	NC Sheriffs' Assn.

VISITOR REGISTRATION SHEET

Name of Committee**Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME**FIRM OR AGENCY AND ADDRESS**

Reg. Sec.

NC Conf. of DAs

Douglas Holbrook

NCADS

Ellis Boyle

NC DPS

Kim Gault

NCBA

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

February 20, 2013 8:30 A.M.

I. CALL TO ORDER

Chairs: Senator Buck Newton, Presiding
 Senator Stan Bingham
 Senator Thom Goolsby

Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley

II. PRESENTATIONS

Opening Remarks by Chairs

Overview of the State Bureau of Investigation

Kristine Leggett
Fiscal Research Staff

III. COMMITTEE DISCUSSION

IV. OTHER BUSINESS:

Next meetings: Thursday, February 21, 8:30 a.m. (415 LOB)

IV. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Mobley (Vice Chair), Rep. Stevens (Vice Chair)
Rep. Foushee, Rep. C. Graham, Rep. G. Graham, Rep. Speciale,
Rep. Szoka, Rep. Turner

Senate Appropriations Subcommittee on JPS

Sen. Bingham (Chair)
Sen. Goolsby (Chair)
Sen. Newton (Chair)
Sen. Clodfelter, Sen. Daniel, Sen. Kinnaird,
Sen. Randleman

**Senate Committee on Appropriations on Justice and Public Safety
Wednesday, February 20, 2013 at 9:00 AM
Room 415 of the Legislative Office Building**

MINUTES

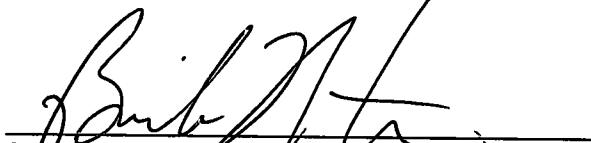
The Senate Committee on Appropriations on Justice and Public Safety met at 9:00 AM on February 20, 2013 in Room 415 of the Legislative Office Building. Nineteen members were present.

Senator E. S. (Buck) Newton, Chair, presided. Senator Newton recognized the Pages and Sergeant-at-Arms. He recognized Kristine Leggett from Fiscal Research Division to begin her presentation.

Ms. Leggett presented the committee members with a follow up to February 19, 2013 meeting (Exhibit "A"). Ms. Leggett proceeded with the overview of the Department of Justice State Bureau of Investigation (Exhibit "B").

Senator Newton opened the floor for questions from the committee during and after the presentation.

The meeting adjourned at 9:58 AM.



Senator E. S. (Buck) Newton, Chair
Presiding



Carol Wilson, Committee Clerk

**Joint Appropriations Justice and Public Safety Subcommittee
Follow-up to February 19, 2013 Meeting**

The following questions were asked at Tuesday's meeting (DOJ Administration and Legal Services):

1. How many prosecutions resulted from Medicaid Fraud Unit investigations:

The following table shows criminal convictions, civil settlements, and the amount of funds resulting from both since FY 2009-10. (Source: DOJ Medicaid Fraud Control Unit Annual Reports.)

	FY 2009-10	FY 2010-11	FY 2011-12
Criminal Convictions	18	17	33
Civil Settlements	14	16	17
Total Recoveries	\$38,659,712	\$48,794,392	\$52,701,056

2. What is the breakdown of the 25 positions that were added to Medicaid Fraud in 2010?

11.0 Attorneys

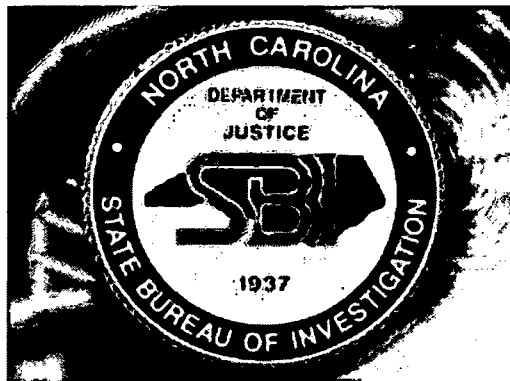
7.0 Financial Investigators

3.0 Criminal Investigators

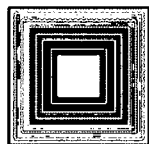
4.0 Support Staff (Paralegal, Administrative Assistants)

Joint Appropriations Subcommittee on
Justice and Public Safety

**Department of Justice
State Bureau of Investigation**



February 20, 2013



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Department of Justice

Department of Justice (DOJ)

Provides legal services for the State, assists local law enforcement agencies, and oversees law enforcement standards and training

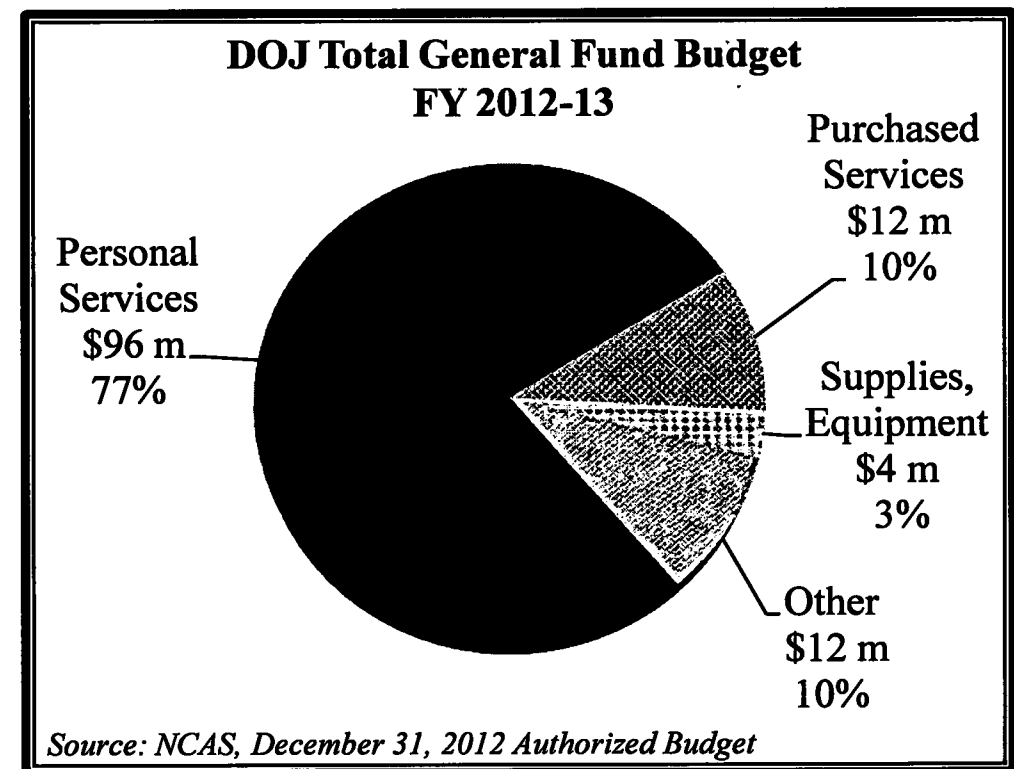
Roy Cooper, Attorney General

Includes:

- Administration
- Legal services
- Criminal Justice Training and Standards
- **State Bureau of Investigation**
- NC State Crime Lab

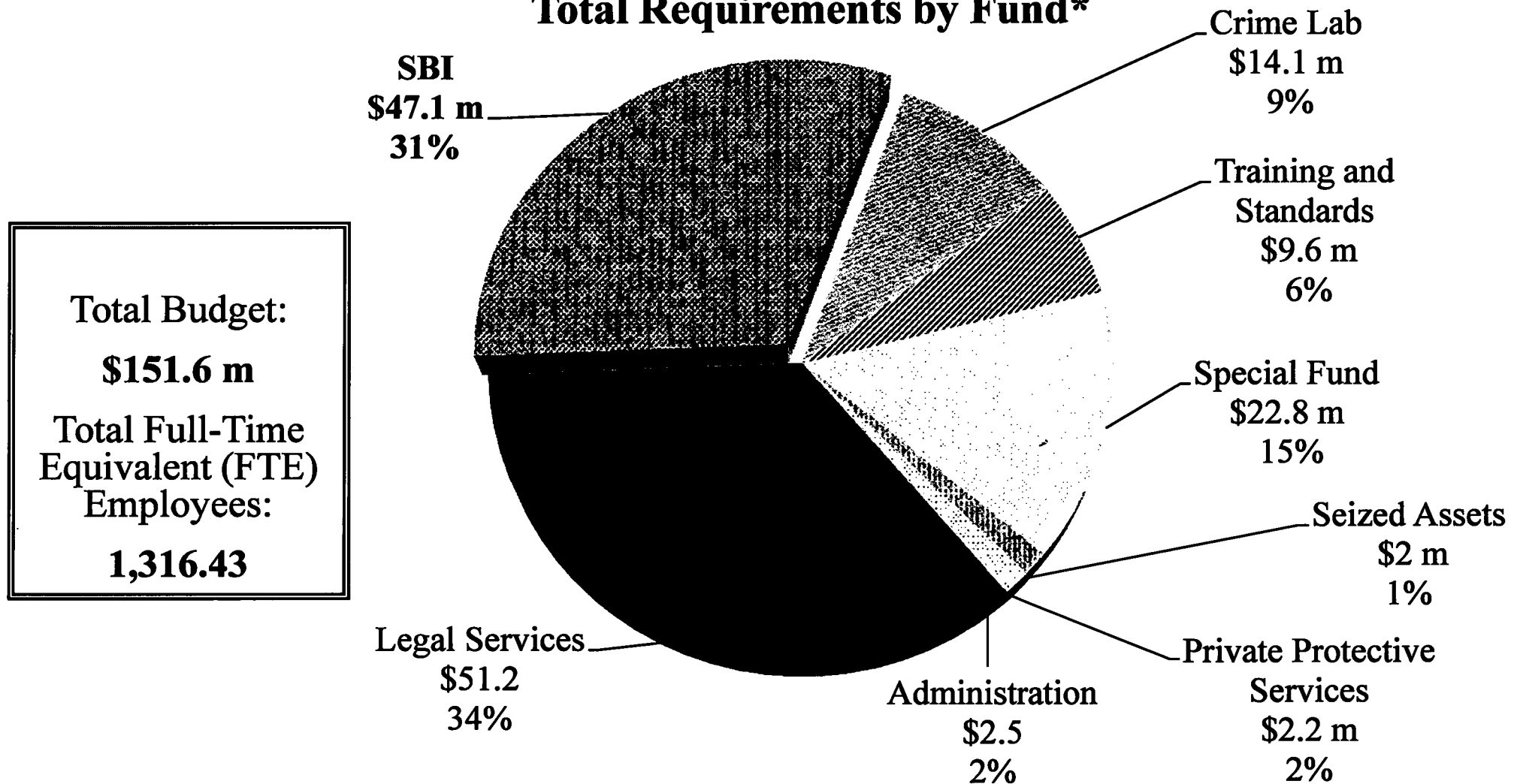
Total General Fund Budget: \$125 million

Total GF FTE Employees: 1,234.40



FY 2012-13 Authorized Budget

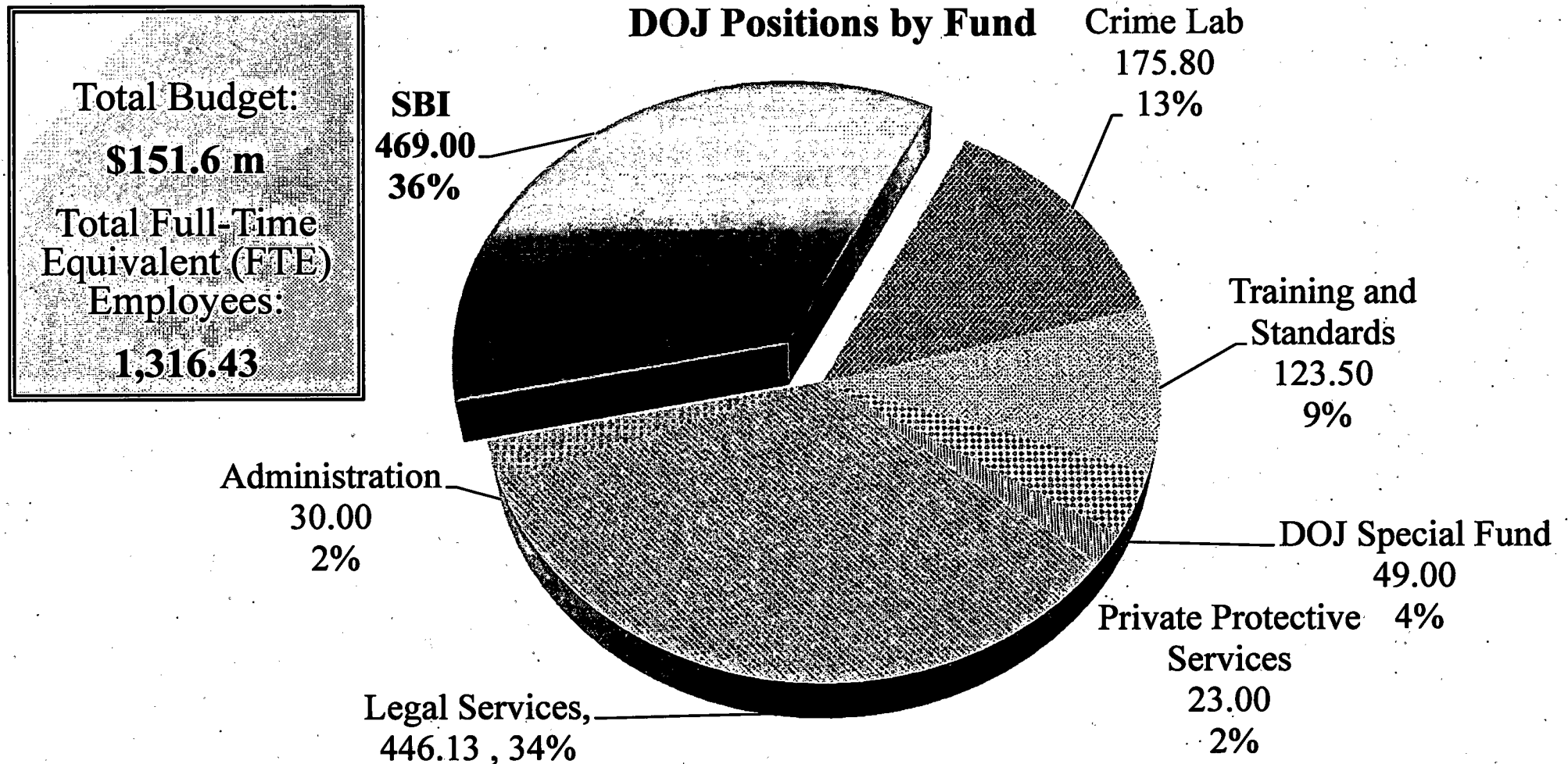
Total Requirements by Fund*



*Intergovernmental transactions have been adjusted to avoid double counting.

Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE – Beacon BO149 December 2012

FY 2012-13 Authorized Budget



Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE - Beacon BO149 December 2012



State Bureau of Investigation

Greg McLeod, Director

Original Jurisdiction (G.S. 114-15):

- Election fraud
- Lynchings
- Computer crimes against children
- Child sex abuse in daycares
- Explosives
- Riots
- Hazardous waste dumping
- Communicating threats
- Arson (G.S. 58-79-5)
- Gambling and Lottery
- Drugs (G.S. 90-113.5)

Assistance to local law enforcement at their request

SBI Divisions:

- Administrative Services
- Field Operations
- Professional Standards
- Special Operations

Total Budget:

\$47.1 m

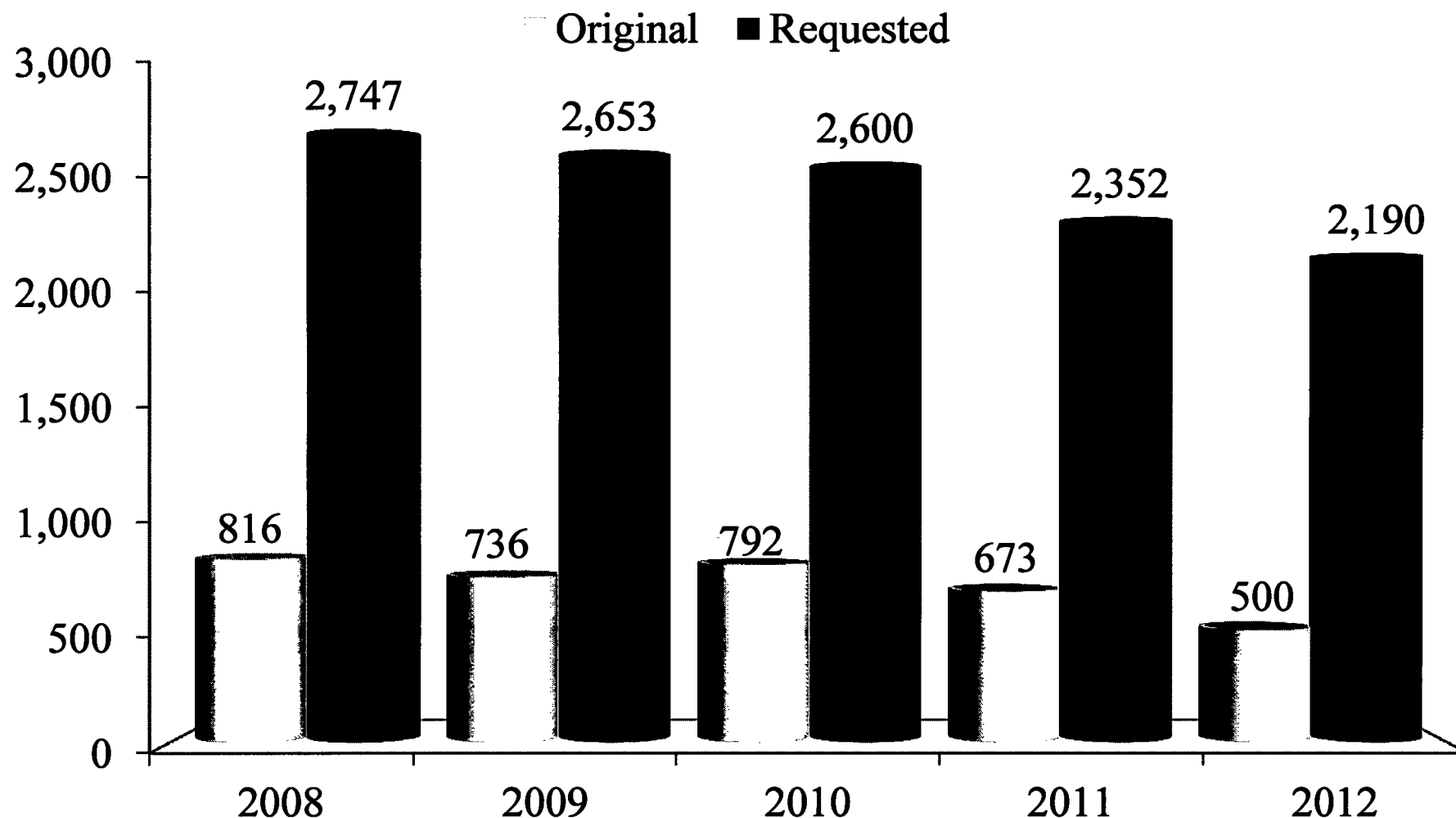
Total FTE:

469.0



Investigation History

SBI Origin of Investigation

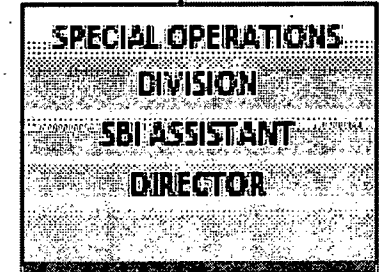
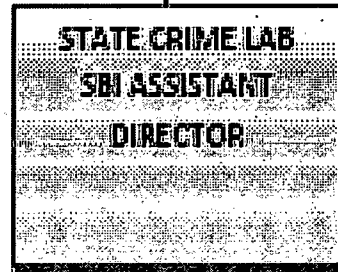


Source: DOJ



State Bureau of Investigation

**NORTH CAROLINA DEPARTMENT OF JUSTICE
STATE BUREAU OF INVESTIGATION**



Administrative Services Division

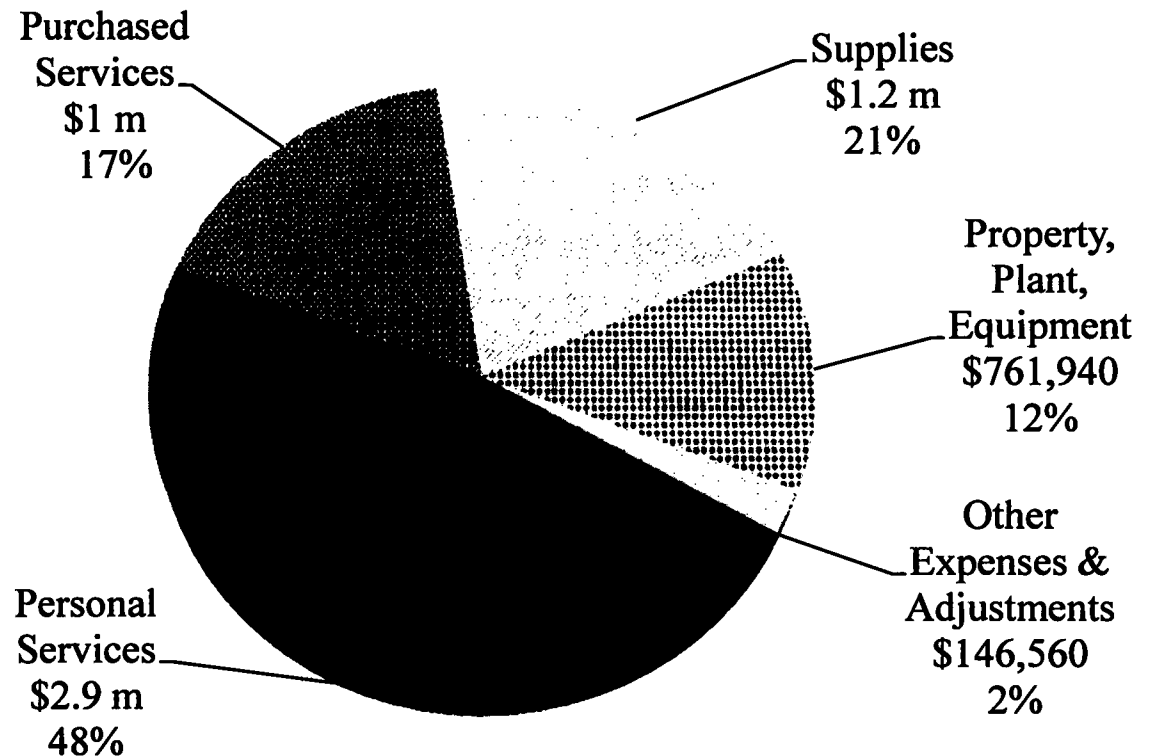
Duties:

- Oversees training and recruitment
- Accreditation and career development
- Human resources
- Budget planning and management
- Purchasing and logistics
- Communications
- Physical security

Total Budget: \$6,063,020

36 FTE

SBI Administration by Account



Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE – Beacon BO149 December 2012

Administrative Services Division

Recruitment and Training (11 FTE)

- Minimum Bachelor's degree
- Agents must have or obtain law enforcement certification
- 75% of new agent hires already have Basic Law Enforcement Training (BLET)
- All new agents go to SBI Academy
 - 18 weeks/720 hours
 - ✕• Salemburg Training Academy
- One year as agent trainee
- In-service training as required by CJTS and SBI



Field Operations Division

Eight District Offices:

- Each has Special Agent in Charge (SAC), Assistant SAC, special agents, an administrative secretary and an office assistant
- Provide assistance to local law enforcement
- Investigate original jurisdiction cases in their district

191 FTE

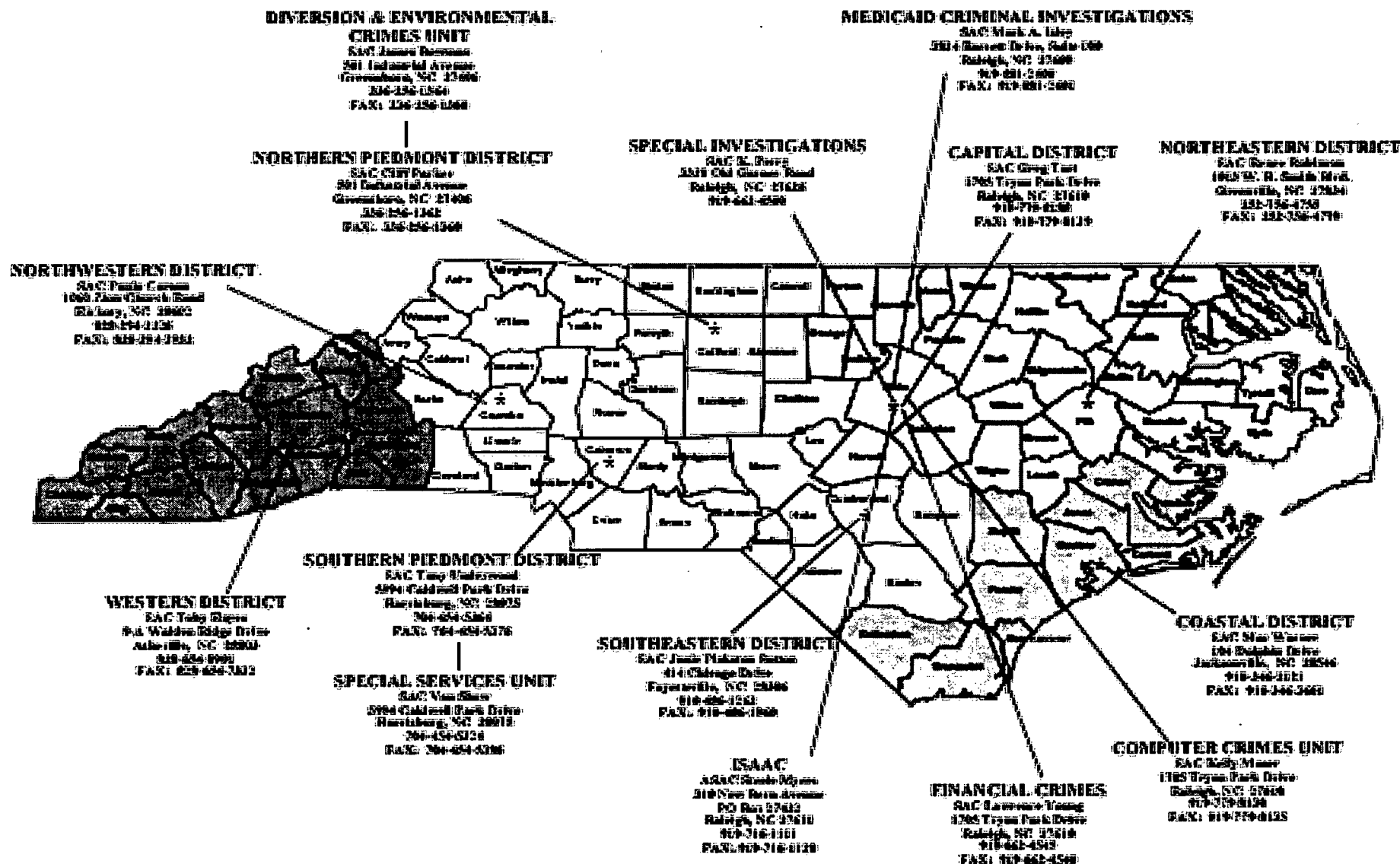
Total Budget: \$15,594,850

Special Investigation Units:

- Fire/Arson
- Crime Scene Search
- Polygraph



State Bureau of Investigation



Professional Standards Division

Investigates public corruption and government misconduct, theft and misuse of State property, and internal affairs for the SBI.

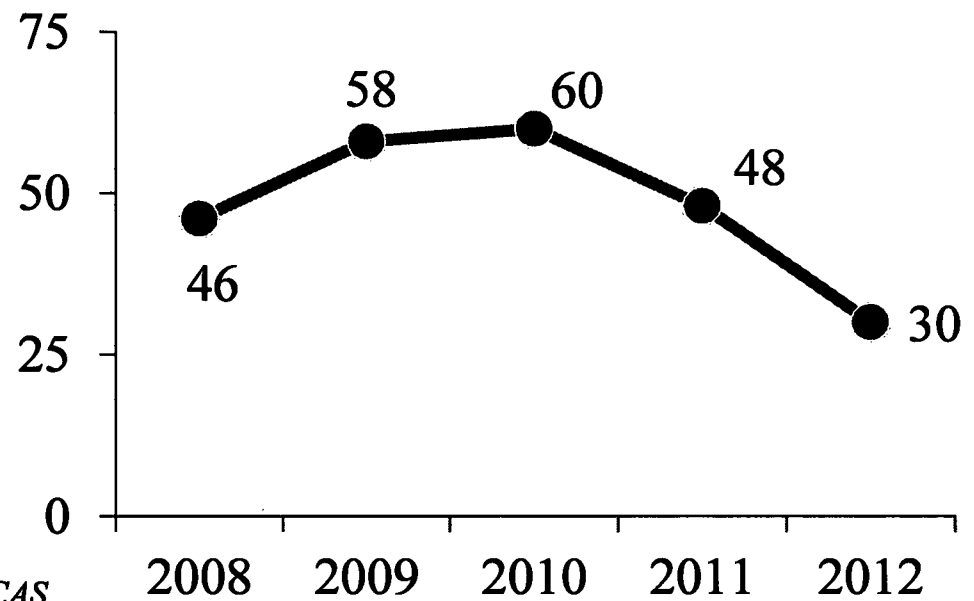
38 FTE

Units:

- Special Investigations
- Financial Crime Investigations
- Case Records Management
- Internal Affairs

Total Budget: \$2,294,028

Public Corruption Investigations



Source: DOJ; FTE from Beacon BO149; Budget data from NCAS



Special Operations Division

Air Wing Unit (3 FTE)

Aerial surveillance, marijuana eradication, investigative photography and reconnaissance, prisoner transport

144 FTE

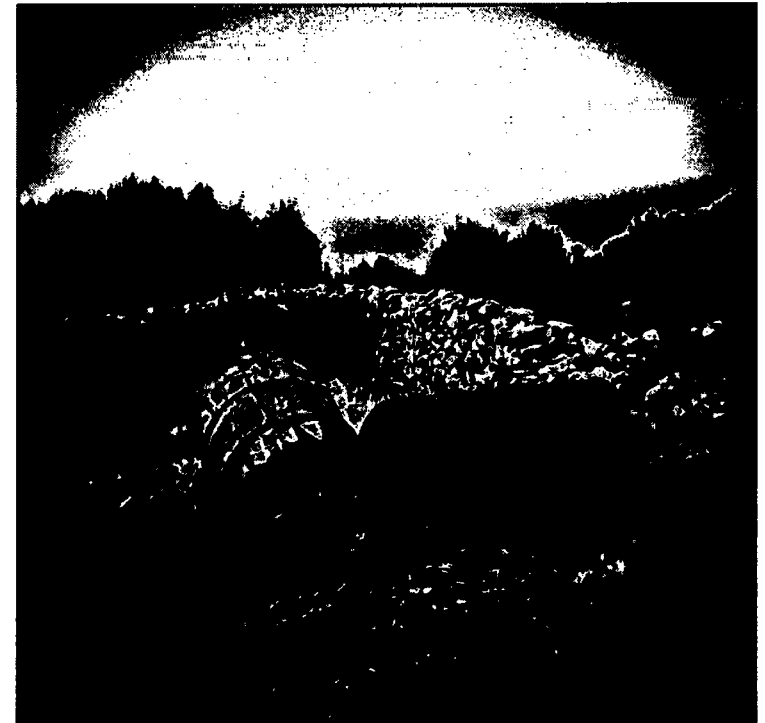
Computer Crimes Investigations (16 FTE)

Statewide coordination and investigation of computer and internet crimes

Diversion and Environmental Crimes Unit (15 FTE)

Diversion of controlled drugs by health care professionals and environmental crimes

why



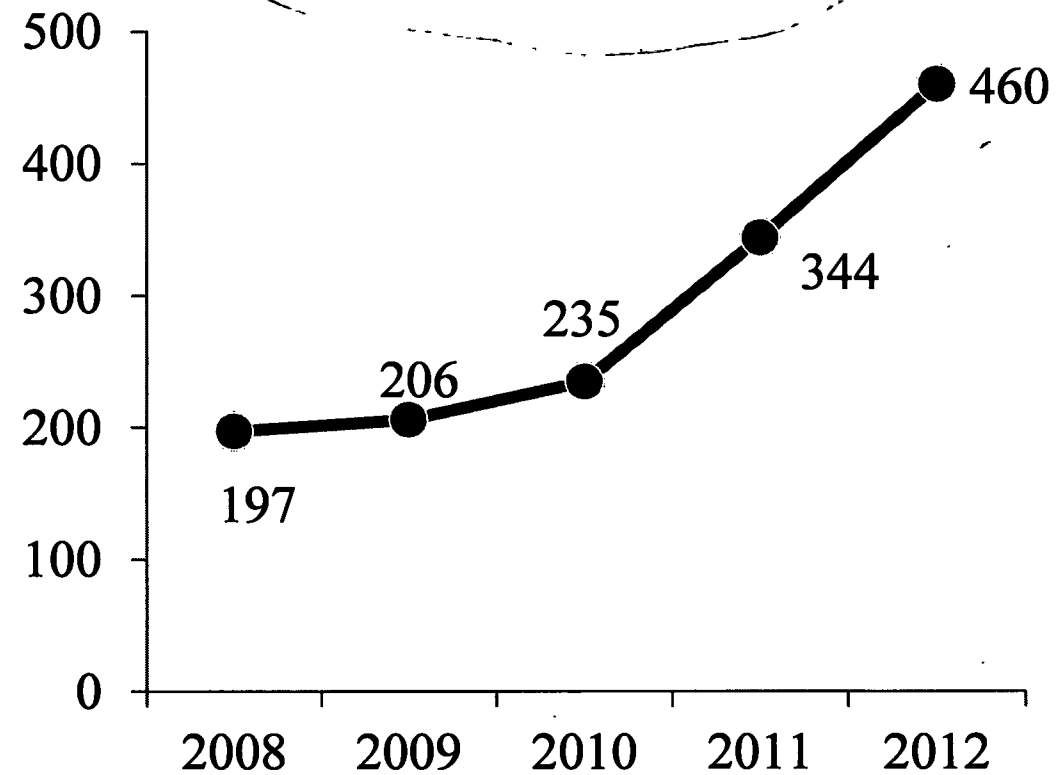
Special Operations Division

Special Services and Intelligence Units (32 FTE)

- Clandestine lab response
- Crises negotiation
- Fugitive arrest and apprehension
- Special Response Team
- Weapons of mass destruction/hazardous devices

144 FTE

Meth Lab Responses



Source: DOJ; FTE from Beacon BO149



Special Operations Division

Criminal Information and Identification (76 FTE)

- Background checks
- Statewide Automated Fingerprint Identification System (SAFIS)
- Division of Criminal Information Network (DCIN)
- Information Sharing and Analysis Center (ISAAC)
- Sex Offender Registry
- Uniform Crime Reporting Program (UCR)

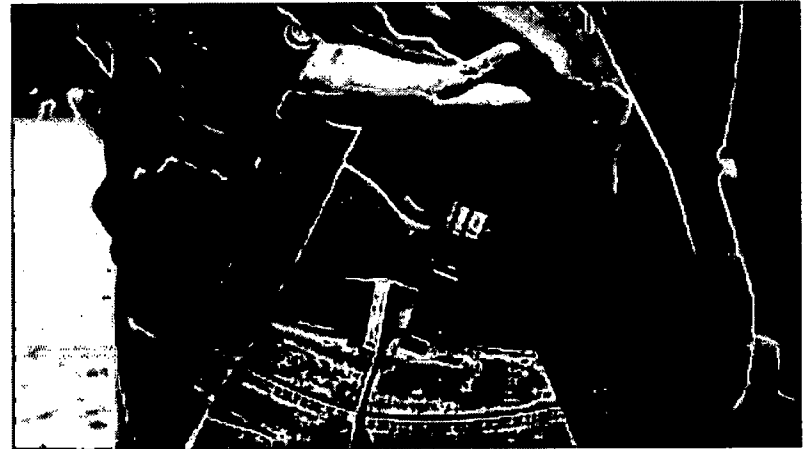
144 FTE



Background Checks

SBI conducts background checks for:

- Employment
- Licensure
- Adoption
- Concealed weapons
- Law enforcement



Fees charges to everyone except law enforcement (G.S. 114-19.1)

- 104,522 background checks for 5,892 entities in FY 2011-12
- 75,034 background checks for concealed carry permits in FY 2011-12
- Total receipts: \$6.2 million / *3 million from CC*

Source: Department of Justice, Budget Overview, February 5, 2013

Criminal Information

G.S. 114-10, Division of Criminal Information

Requires SBI to collect information and share it with law enforcement

Division of Criminal Information Network (DCIN) (G.S. 114-10.1)

- Central law enforcement hub for 20,000 sworn law enforcement officers statewide
- Access to State and federal crime information
- Operates 24 hours a day, 365 days a year

Fees authorized (G.S. 114-10.1(d))

- \$2,650 for initial set-up
- Monthly circuit fee - \$300 plus either \$12 (mobile) or \$25 (desktop) per device
- Alternative access - \$12 (mobile) or \$25 (desktop) per device
- 637 agencies with 17,729 end users in FY 2011-12
- Generated \$3.2 million in FY 2011-12

**Total Budget:
\$8.8 million**

Source: Department of Justice, Budget Overview, February 5, 2013

DOJ Information Technology

Serves over 20,000 sworn law enforcement officers using the following systems:

- Law Enforcement Message Switch (LEMS)
- Omnixx Force, Trainer, Charts, Alerts, and DMXLive
- Statewide Automatic Fingerprint Identification System (SAFIS)
- Computerized Criminal History (CCH)
- Sex Offender Registry
- Concealed Handgun Permits (CHP)
- EVOLVE
- Expungement
- Recovered Vehicles
- Crime Analysis Management System (CAMS)
- Crime Reporting
- Traffic Stops
- NC-DEx

DOJ Information Technology

Most of DOJ IT is in the SBI budget

- Includes 15.0 FTE that serve Legal Services - \$2,495,110

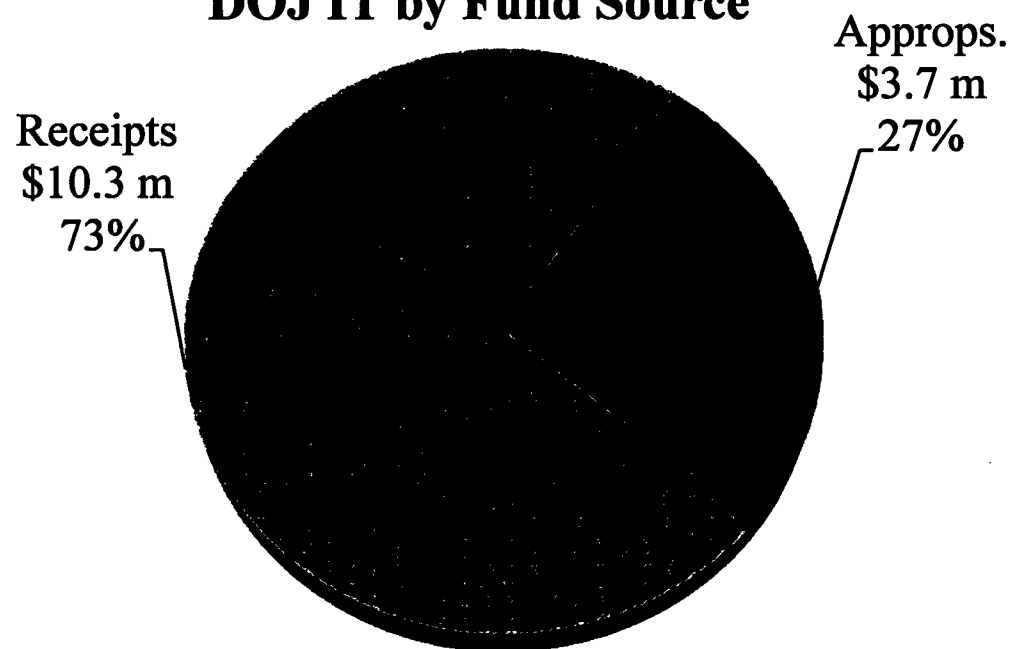
67 FTE

Data center is housed at the SBI

Positions include:

- System developers
- Programmers
- Network and helpdesk operations
- Operation and systems specialists

DOJ IT by Fund Source



Total SBI IT Budget: \$14,070,524

Source: DOJ; Budget - Authorized Monthly Budget Report for December 31, 2012; FTE – Beacon BO149 December 2012

Seized Assets

Federal program subject to federal regulations.

Funds can be used for:

- Investigations
- Equipment
- Training
- Travel
- Facilities
- Other

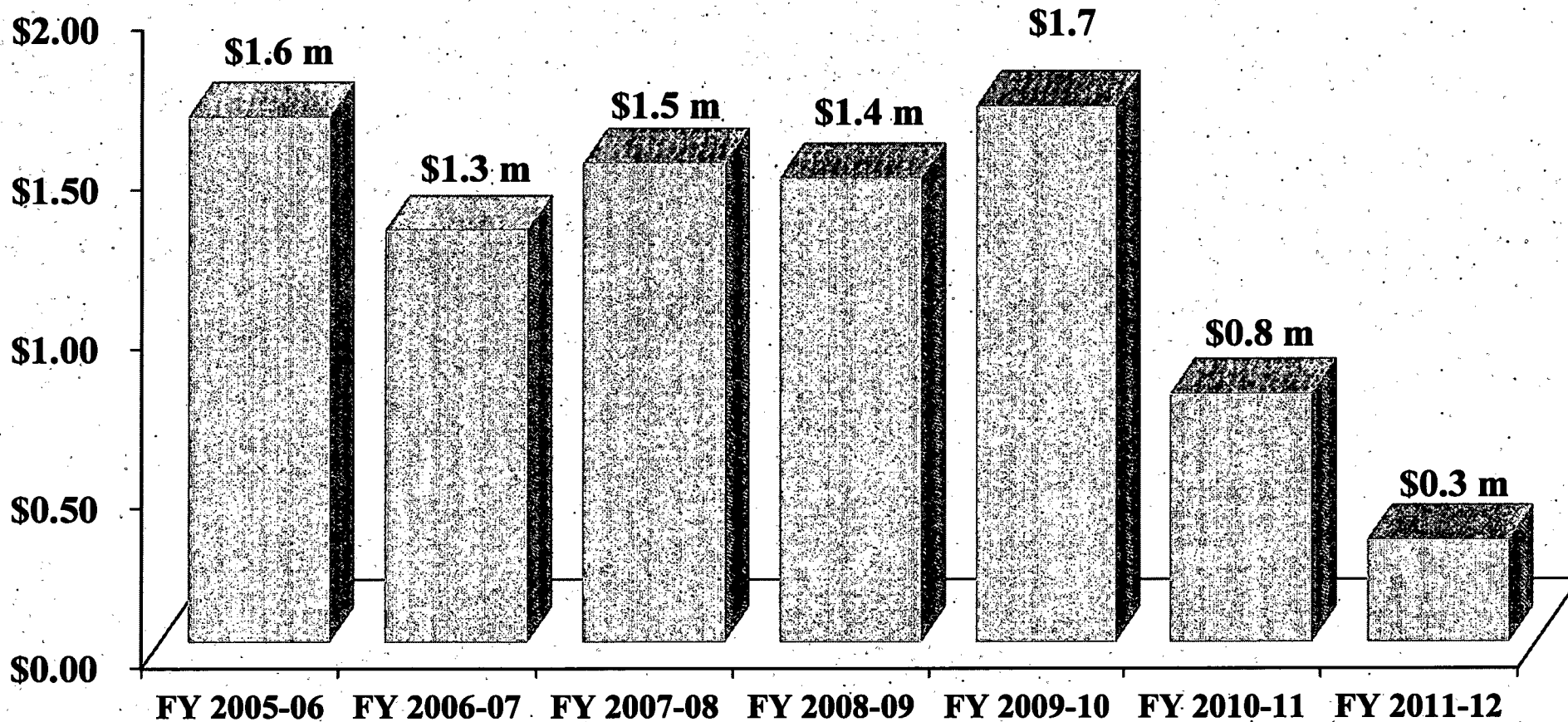
Funds can NOT be used for:

- Salaries *Dr. New*
- Hospitality suites
- Scholarships
- Illegal activities
- Food and beverages



Seized Assets

Total DOJ Seized Asset Expenditures



Source: NCAS Budget History and Management Analysis

State Bureau of Investigation

SBI Positions by Type*

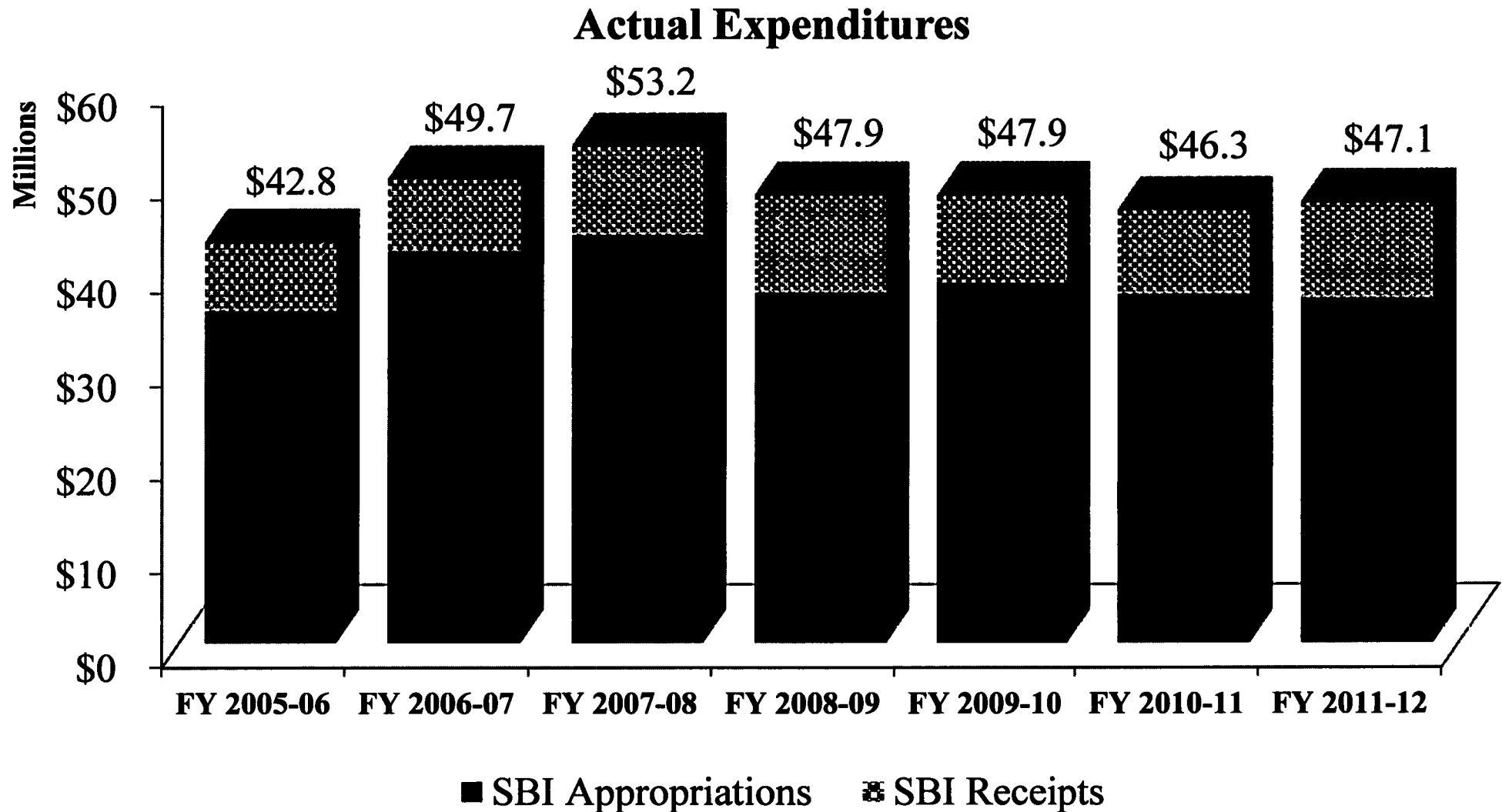


Total FTE: 469.0

*Does not include NC State Crime Laboratory Positions

Source: Beacon, BO149, Run Date 01/25/2013

SBI Budget History



Source: NCAS Budget History and Management Analysis

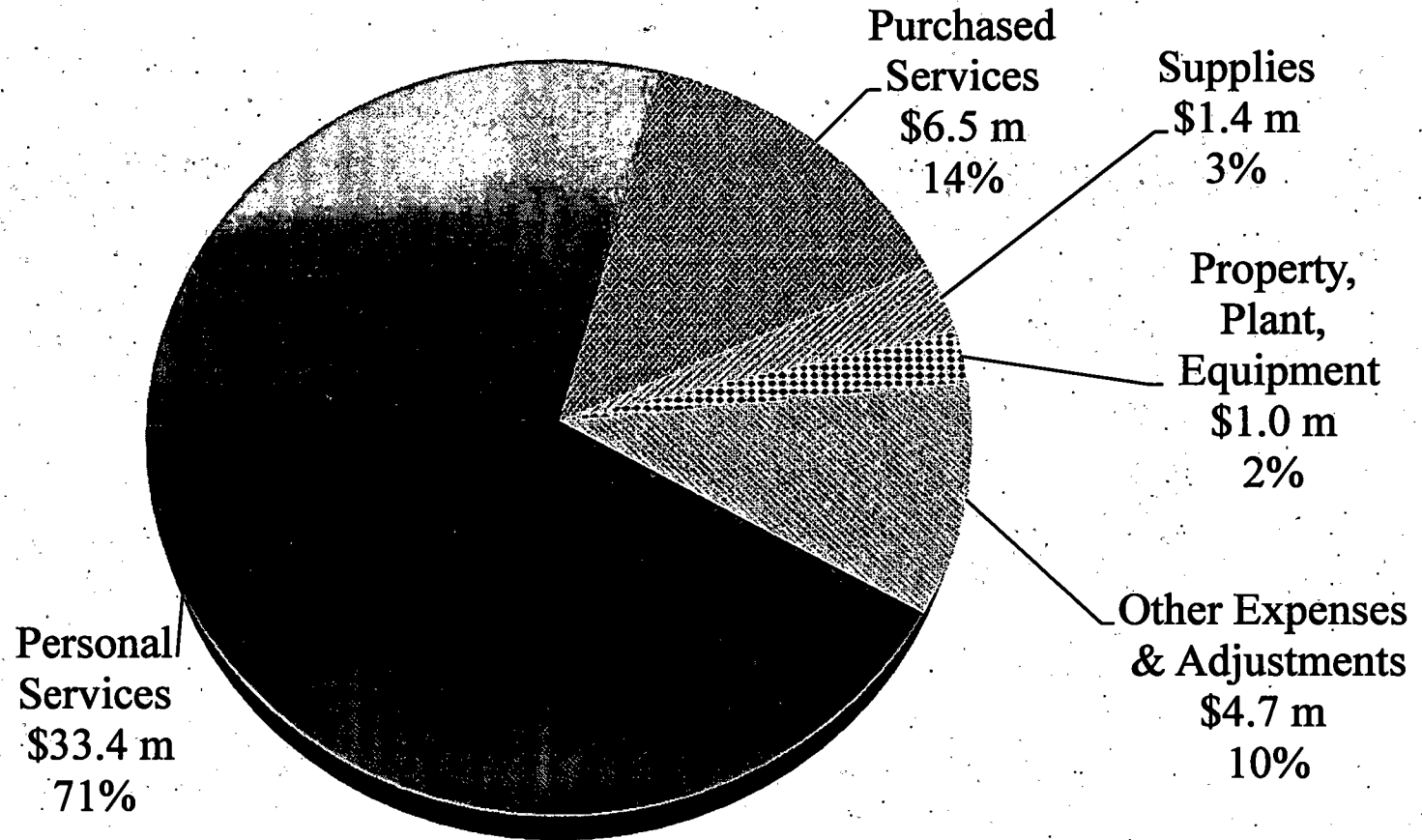
FY 2012-13 Authorized Budget

SBI General Fund Budget by Account*

Total General Fund
(GF) Budget:

\$47,127,789

Total GF Full-Time
Equivalent (FTE)
Employees: **469.0**



*Does not include NC State Crime Laboratory Expenditures

Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE - Beacon BO149 December 2012



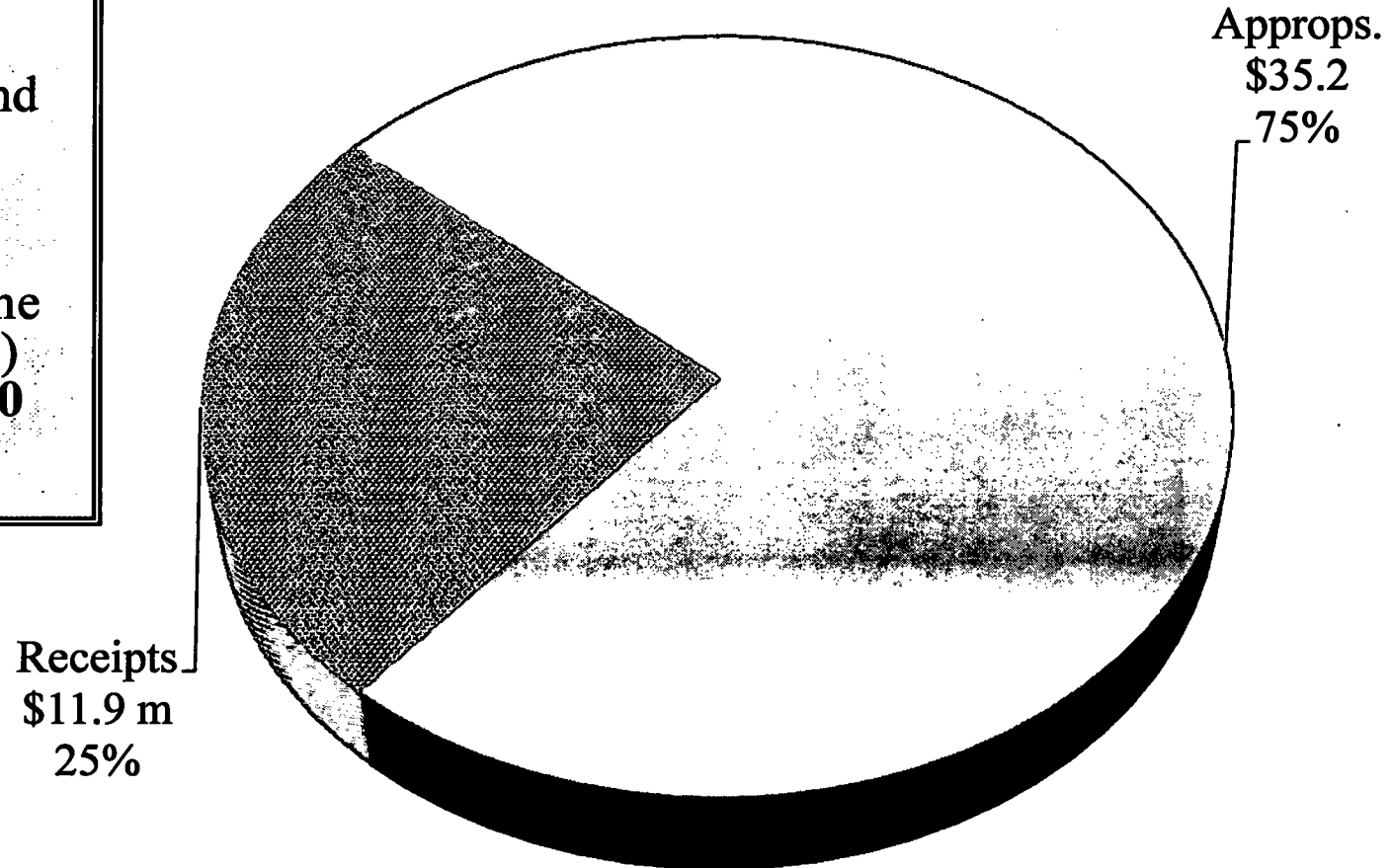
FY 2012-13 Authorized Budget

SBI General Fund Budget by Source*

Total General Fund
(GF) Budget:

\$47,127,789

Total GF Full-Time
Equivalent (FTE)
Employees: **469.0**



*Does not include NC State Crime Laboratory Expenditures

Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE – Beacon BO149 December 2012

Recent Budget Actions

2011 Budget (S.L. 2011-145)

Transferred eight background check FTE to receipt support	(\$369,189)
Reduced personal services to reflect actual expenditures	(\$141,797)
Eliminated 18 positions based on workload needs	(\$1,123,812)
<u>Reduced the operating budget for one airplane</u>	<u>(\$16,835)</u>
Total Reductions	(\$1,651,633)

Sec. 16.6 required a criminal information database study

2012 Budget (S.L. 2012-142)

- Agency-wide management flexibility reduction (\$1,617,283)



Issues for 2013 Session

No issues.

Questions



VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety

February 20, 2013

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Mildred Spearman	NCAOC
Greg Stahl	NCSX
Andrew Cayle	NC Sheriffs' Assn.
Douglas Holbrook	NCDPS
Elizabeth Watson	NC Victim Assistance Network
Cindy Flarte	NC League of Municipalities
A.A. Adams	Victim of Crime
Will Grantham	McGuire Woods
SCOTT GLANSON	NC DOJ
Thomas Maher	ITDS
Chris Agnew	D. of Justice
Dewey Stephens	SBI
NELS ROSELAND	DOJ
GREG TART	SBI
Angie M. ...	SBI
Marshall Tucker	SBI
John W. Smith	AOL

VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety

February 20, 2013

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Donald Turner	Retired Just Visiting
MIKE MAON	NCBAA
Trud Baggett	Police Chiefs

PAGES ATTENDING

COMMITTEE: Joint: Justice & Pub. Safety ROOM: 415
 DATE: 2-20 TIME: 9 AM

PLEASE PRINT LEGIBLY!!!!!!!!!!!!!!

Page Name	Hometown	Sponsoring Senator
1 Chris Yerton	Waxhaw, NC	Tucker
2		
3		
4		
5		
6		
7		
8		
9		
10		

Do not add names below the grid.

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.

House Committee Pages / Sergeants at Arms

NAME OF COMMITTEE JT. SUBCOMM JUSTICE & PUBLIC SAFETY

DATE: 2-20-13 Room: 415

*Name: ~~David Yerton~~ Daniel Kureth

County: Wake

Sponsor: Murry

*Name: JAKE THOMASON

County: DAVIDSON

Sponsor: Rep DAVNE BROWN

*Name: _____

County: _____

Sponsor: _____

*Name: Chris Yerton

County: Union

Sponsor: Senator Tuchner

*Name: _____

County: _____

Sponsor: _____

SENATE

HOUSE

House Sgt-At Arms:

SENATE

1. Name: BILL BASS

4. Name: CHARLES MARSALIS

2. Name: PAT MASON

5. Name: CANTON LEWIS

3. Name: _____

6. Name: _____

Wednesday, February 20
APPROPRIATIONS
JUSTICE & PUBLIC SAFETY

Room
415

Time
9:00 am

Name	County	Sponsor
Jake Thomason	Davidson	Brown, R.
Daniel Kunath	Wake	Murry

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

February 26, 2013 8:30 A.M.

I. CALL TO ORDER

Chairs: Senator Stan Bingham, Presiding
 Senator Thom Goolsby
 Senator Buck Newton

Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley

II. PRESENTATIONS

Opening Remarks by Chairs

Raleigh/Wake City-County Bureau of Identification

Sam Pennica, Director

Wilmington Police Department Crime Laboratory

Bethany Pridgen, Forensic Lab Manager

Pitt County Sheriff's Forensic Services Unit

Detective Sgt. Wallace L. Moore II

III. COMMITTEE DISCUSSION

IV. OTHER BUSINESS:

Next meetings: Wednesday, February 27th, 8:30 a.m.
 Thursday, February 28th, 8:30 a.m.

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Mobley (Vice Chair), Rep. Stevens (Vice Chair)
Rep. Foushee, Rep. C. Graham, Rep. G. Graham, Rep. Speciale,
Rep. Szoka, Rep. Turner

Senate Appropriations Subcommittee on JPS

Sen. Bingham (Chair)
Sen. Goolsby (Chair)
Sen. Newton (Chair)
Sen. Apodaca (Vice Chair), Sen. Clodfelter,
Sen. Daniel, Sen. Kinnaired, Sen. Randleman

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

IV. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Mobley (Vice Chair), Rep. Stevens (Vice Chair)
Rep. Foushee, Rep. C. Graham, Rep. G. Graham, Rep. Speciale,
Rep. Szoka, Rep. Turner

Senate Appropriations Subcommittee on JPS

Sen. Bingham (Chair)
Sen. Goolsby (Chair)
Sen. Newton (Chair)
Sen. Apodaca (Vice Chair), Sen. Clodfelter,
Sen. Daniel, Sen. Kinnaird, Sen. Randleman

**Senate Committee on Appropriations on Justice and Public Safety
Tuesday, February 26, 2013 at 8:30 AM
Room 415 of the Legislative Office Building**

MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 8:35 AM on February 26, 2013 in Room 415 of the Legislative Office Building. Fifteen members were present.

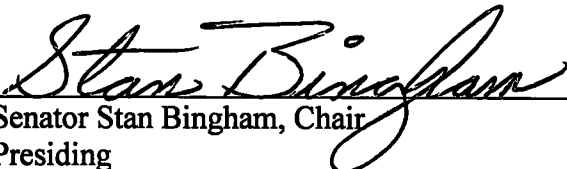
Senator Stan Bingham, Chair, presided. Senator Bingham introduced the Pages and Sergeant-at-Arms. Sam Pennica, the Director of the Raleigh/Wake City-County Bureau of Identification was recognized to begin the first presentation (attachment). A slide show accompanied the presentation on the Bureau. Mr. Pennica described the services offered and the personnel. He also gave a budget breakdown. The Bureau is currently seeking ISO certification, which is very expensive to acquire and maintain without aid from the state. The Bureau is moving into a new facility which will offer room to grow.

The next presenter recognized by Sen. Bingham was Bethany Pridgen, the Forensic Lab Manager from the Wilmington Police Department Crime Lab. Ms. Pridgen's slide show described the forensic services available from her crime lab and a description of each area within the crime lab (attachment). The lab analyzes controlled substances using one and a half FTE's and provides court testimony about its findings. There is no charge to law enforcement for the tests and the courthouses are five minutes to forty-five minutes away from the lab. This lab is also having difficulty complying with ISO accreditation by the July 1, 2013 deadline.

The final presenter recognized by Senator Bingham was Detective Sergeant Wallace L. Moore II, Pitt County Sheriff's Forensic Services Unit. Det. Moore began his presentation with some background. He stated that the unit was established because jail time in Pitt County and environs was extended from turnaround time for test results from the State Crime Lab in Raleigh. Det. Moore described the services provided by his forensic unit (attachment). He spoke about the area served, the central location to the courthouse and the quick turnaround time for the lab tests. Det. Moore concluded with a plea for an extension for the ISO accreditation deadline.

There were questions from the members following the presentations.

The meeting was adjourned at 9:54.


Senator Stan Bingham, Chair
Presiding


Maria Kinnaird, Committee Clerk

RALEIGH / WAKE CITY-COUNTY BUREAU OF IDENTIFICATION



- S.B. 428 Chapter 535, Local-Public Laws, 1937
- AN ACT TO CREATE AND ESTABLISH A BUREAU OF IDENTIFICATION FOR WAKE COUNTY
- "The General Assembly of North Carolina do enact: Section 1. That in order to provide for the performance of the duties hereinafter designated and defined for the better enforcement of the criminal laws in Wake County, there is hereby created and established a Bureau of Identification for Wake County."

IN THE BEGINNING . . .

ACCREDITATION

- Commission on Accreditation for Law Enforcement Agencies (CALEA) – March 2011
- Currently seeking ISO Accreditation – assessment scheduled for April 2013
- Crime Laboratory personnel hold individual certifications which are discipline specific



JURISDICTION

- Wake County, North Carolina
- > 950,000 population
- 860 square miles
- 43 Law Enforcement Agencies
- \$5 million Annual Budget
- City of Raleigh contributes \$775,000 annually to budget.
- No other agencies contribute to annual budget.

4

STRUCTURE

- THREE DIVISIONS
 - CRIME SCENE INVESTIGATIONS
 - SUPPORT SERVICES
 - CRIME LABORATORY
 - Each division managed by a Deputy Director

CRIME SCENE INVESTIGATIONS



- Operating 24 / 7
- Traffic Investigations to Homicides
- # of Crime Scene Calls in 2012: 6,778
- 22 employees

SUPPORT SERVICES



- Criminal Identification Unit
 - Fingerprinting, photographing, and DNA collection of individuals charged with a criminal offense in Wake County
 - Operating 24/7
 - > 30,000 arrestees processed in 2012
 - 20 employees

SUPPORT SERVICES

- Civil Identification Unit
 - Fingerprinting, photographing, and criminal arrest history for civil matters
 - 20,000 citizen requests for services completed in 2012
 - > \$250,000 in revenue generated in 2012
 - 8 employees

8

CRIME LABORATORY SERVICES

- Latent Evidence Analysis (fingerprint, palm print, footwear)
- Drug Chemistry Analysis
- Blood Alcohol / Blood Drug Analysis (DWI Investigations only)
- Digital Evidence Analysis
- Forensic Photography

9

CRIME LABORATORY

- Total FTE: 14.75
 - (1) Evidence Technician
 - (1) Forensic Evidence Technician
 - (4) Full-Time Latent Evidence Analysts
 - (2) Permanent Half-Time Latent Evidence Analysts
 - (1) Temporary Latent Evidence Analyst
 - (1) Digital Evidence Analyst
 - (1.75) Blood Alcohol / Blood Drug Chemists
 - (2) Drug Chemists
 - (1) Forensic Photographer

10

CRIME LABORATORY

- Annual Budget
 - Salary: \$865,000
 - Operating: ~ \$100,000
 - Court Ordered Analysis Fees for 2012:
< \$30,000
- ISO Accreditation:
 - Initial Assessment: \$8,800
 - Annual Maintenance: \$3,800
- No fees charged for forensic analysis

NEW CCBI FACILITY

- Occupied April 2012
- 35,000 sq. ft. facility
- Construction Cost:
\$12,860,000



QUESTIONS?



**Joint Appropriations Subcommittee on
Justice and Public Safety**

Wilmington Police Department

February 26, 2013

Forensic Services

Bethany P. Pridgen, Forensic Lab Manager

- Latent Prints
- Firearms (Test Firing & NIBIN entry only)
- Computer Forensics
- Toxicology (Blood alcohol only)
- Controlled Substances

Total FTE: 11.5

Total Budget (2012): \$747,460

Funded by the City of Wilmington, Grant Funding and Receipts

Criminal Investigation Division

- Crime Scene Unit (CSI)
 - Latent Prints
 - Firearms
- Computer Forensics Laboratory

Total FTE: 10

Total Budget (2012): \$595,460

3

Latent Prints (2012)

- AFIS Matches: 266
- AFIS Entries: 445
- AFIS Comparisons: 3,419
- Fingerprint Comparisons: 1,525
- Latent Print Matches: 142

FTE: 0.75 (5 Examiners: CSI – 85%; Latent – 15%)

4

Firearms

- Test Fires: 243
- NIBIN Entries: 416

FTE: 0.15

(1 Technician: CSI – 70%; Latent – 15%; Firearms – 15%)

5

Computer Forensics

- Individual Cases: 25
 - Hard drive imaging
 - Cell phone dump
 - IP and MAC address traces
 - Forensic examination of hard drives
 - Forensic examination of non-allocated space on hard drives

6

Support Services Division

- Crime Laboratory
 - Toxicology (Blood alcohol only)
 - Controlled Substances

Total FTE: 1.5 (0.5 grant funded until October 2013)

Total Budget 2012: \$152,000

Operating Costs: \$45,000

7

Controlled Substances

Program Opened August 2011 (WPD only)

Cases: 41

Total Items: 109

No routine casework

Casework limited to rush requests/ undercover buys

Routine casework – March 2013

8

Jurisdictions Served (Blood alcohol only)

- Three Counties
 - New Hanover
 - Brunswick
 - Onslow

Local and State Agencies: 16

9

Agencies Served (2012)

- Wilmington Police Department
- New Hanover County Sheriff's Office
- Carolina Beach Police Department
- Wrightsville Beach Police Department
- Leland Police Department
- Oak Island Police Department
- Boiling Spring Lakes Police Department
- NC Wildlife Resources Commission
- NC State Highway Patrol

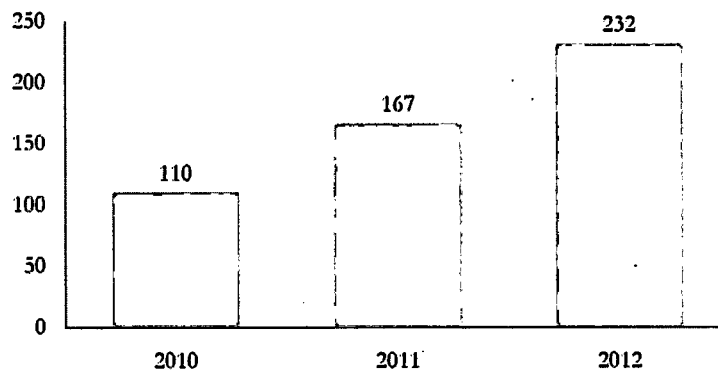
10

Additional Agencies (2013)

- Jacksonville Police Department
- Shallotte Police Department
- Holden Beach Police Department
- Sunset Beach Police Department
- Southport Police Department
- Ocean Isle Police Department
- Brunswick County Sheriff's Office (pending)

11

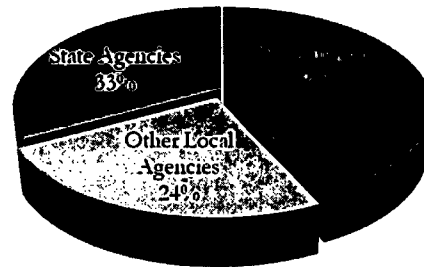
Submissions (2010-2012)



12

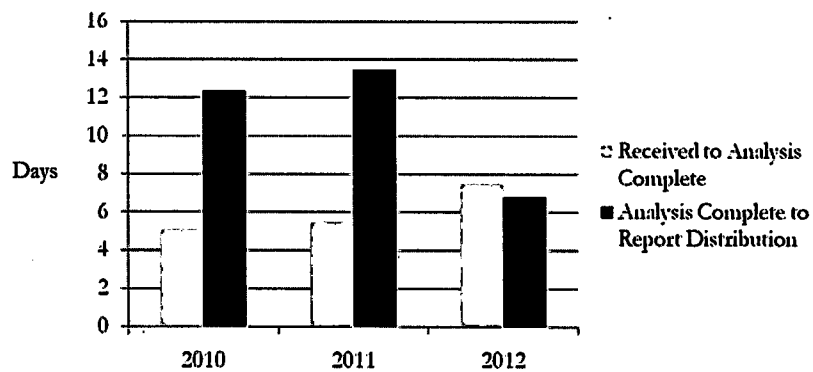
Submissions by Type of Agency

2012



13

Turnaround Time



14

Court Testimony

- First Appearance (Defendant)
 - Laboratory results provided
- Melendez-Diaz v. Massachusetts
 - Requires live testimony by analyst
 - On call: 10 to 45 minutes from court house
- Court Appearances and Testimony
 - 7 times in court
 - 6 times on stand

15

Issues to Address

- Court Fees
 - No charge to law enforcement agencies
 - \$600 court fee assessed on offender (Lab Fee)
 - Court fees assessed at discretion of judge
 - Generated \$4,265.10 (2.9%)

In 2012, a total of 241 cases could have generated \$144,600

If only 25% of the cases had the fee assessed: \$36,150

A \$600 mandatory fee (no waiver allowed)

16

Issues to Address

- Recent Legislative Action
 - Accreditation requirement for all forensic analysis
 - Confusion on part of local law enforcement units
 - What forensic disciplines apply?
 - Mandate with no funding

17

Improving Services

- NHC District Attorney – Ben David
 - Grant for dedicated instrument for blood alcohol
 - \$40,000
 - Estimate 3-5 day turnaround time

18

Future Endeavors

- Combine all forensic services into one division
- Convert part-time, grant funded forensic chemist to full-time position (\$75,000)
- Add Toxicology – Blood drug analysis
 - Two forensic chemist positions (\$160,000) and lab tech (\$50,000)
 - Instrument/Equipment needs (\$400,000)
 - At a minimum, double number of DWI cases (alcohol and drugs)
 - The above could be recouped with a mandatory \$300 lab fee within an estimated 4 years. (2,285 cases @ \$300 = \$685,500)

19

Future Endeavors

- Options for latent print and computer forensic work due to July 1, 2013 accreditation mandate
 - Working with New Hanover County to meet State mandate
- Attain accreditation for latent prints and computer forensics by June 2014
- **Currently no funding source has been identified for new or changed positions or programs**

20

Questions

Bethany P. Pridgen, MFS

Forensic Lab Manager

(910) 341-0167

(910) 279-0498

bethany.pridgen@wilmingtonnc.gov

21



Pitt County Sheriff's Office

Forensic Service's Unit

Joint Appropriations Subcommittee on Justice and Public Safety

- Forensic Unit Capabilities & Stats



Pitt County Sheriff's Office

Forensic Service's Unit

➤ Brief History

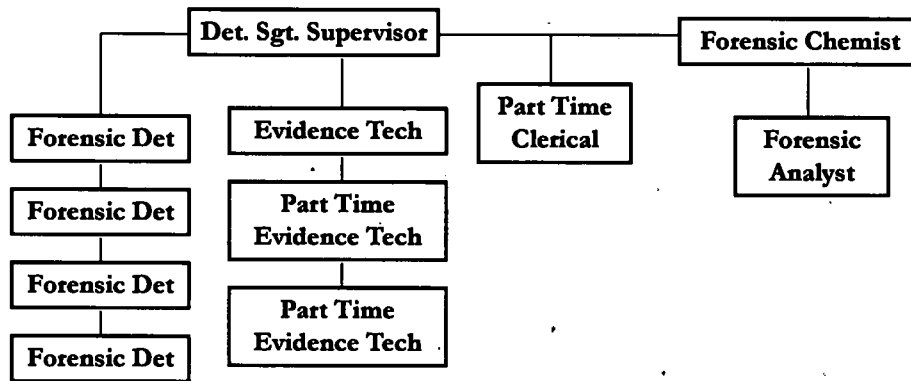
- 1999-Lab construction process begins
- 2001-Crime Lab completed and operational
- 2004-Marijuana testing begins
- 2005-Forensic chemistry program proposed
- 2006-Forensic chemistry program setup
- 2006-Forensic chemistry testing begins



Pitt County Sheriff's Office

Forensic Service's Unit

Organization Chart



Pitt County Sheriff's Office

Forensic Service's Unit

➤ **Capabilities/Services**

- Crime scene investigation
- Latent print analysis
- Forensic Chemistry
- Forensic video analysis



Pitt County Sheriff's Office

Forensic Service's Unit

➤ Agencies that we served

•Pitt County Agencies

- | | |
|-----------------|-------------------|
| ✓ Ayden PD | ✓ PCC PD |
| ✓ Bethel PD | ✓ PCABC |
| ✓ ECU PD | ✓ PC Fire Marshal |
| ✓ Farmville PD | ✓ Vident PD |
| ✓ Greenville PD | ✓ Winterville PD |
| ✓ Grifton PD | |



Pitt County Sheriff's Office

Forensic Service's Unit

➤ Agencies that we served

•Other Agencies

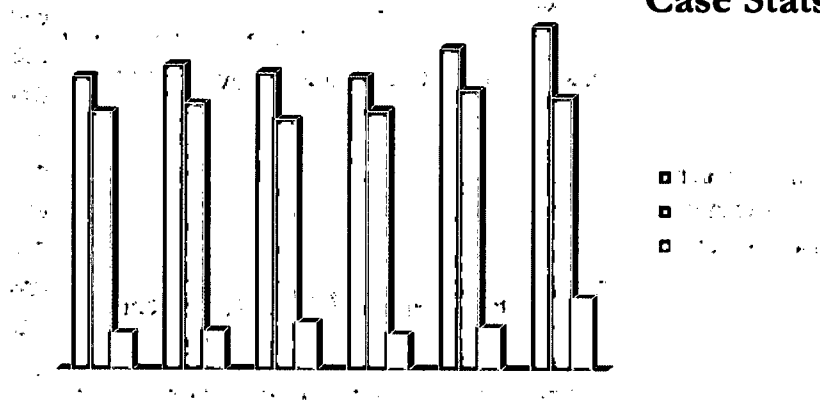
- | | | |
|---------------------|---------------|---------------------|
| ✓ ALE | ✓ ECSO | ✓ Windsor PD |
| ✓ NC Wildlife | ✓ GCSO | ✓ Jacksonville PD |
| ✓ NC Highway Patrol | ✓ LCSO | ✓ Williamston PD |
| ✓ NC DMV | ✓ OCSO | ✓ Roanoke Rapids PD |
| ✓ MCSO | ✓ DCSO | ✓ Lewiston PD |
| ✓ BCSO | ✓ HCSO | ✓ Washington PD |
| ✓ CCSO | ✓ New Bern PD | |



Pitt County Sheriff's Office

Forensic Service's Unit

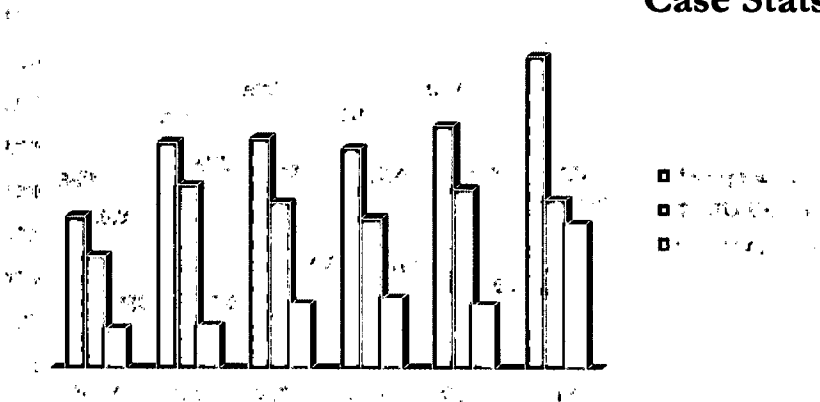
Case Stats



Pitt County Sheriff's Office

Forensic Service's Unit

Case Stats





Pitt County Sheriff's Office

Forensic Service's Unit

➤ Cost of operation minus salaries and benefits

- Maintenance Agreements- \$23,000
- Consumables - \$55,000



Pitt County Sheriff's Office

Forensic Service's Unit

➤ Questions Are Welcome

VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety
(Committee Name)

2-26-13

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Troy Hamlin	CCBI 3301 Hammond Rd Garner
Mike Kuzenko	PCSO Pitt County Sheriff's Office
Susan Kelley	Payner Spruill LLP 301 Fayetteville St, Raleigh
Andrew Cayle	NC Sheriffs' Assn.
Gregg Stark	NC Sheriffs' Assn.
Bethany Fridgen	Wilmington Police Department
SAM PENNICA	RALEIGH/WAKE CITY-COUNTY BUREAU
Mitch Leonard	SEANC
John W Smith	AOC
Cindy Plante	League of municipalities
Dal Wallace Moore	PITT COUNTY SHERIFF CID/FORENSIC SERVICES.
Lorrie L. Dollar	NCPB
Elizabeth Watson	NCLAN
Thomas Maher	IDS
Mildred Spearman	NCAOC
Chris Aguer	NDOJ
Peg Jones	Conf. of DAs

VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety
(Committee Name)

2-26-13

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

NAME	FIRM OR AGENCY AND ADDRESS
<i>ASANDRA SKINNER</i>	<i>NCACE</i>
Tracy McPherson	Public Safety Training Programs NC Community College System Raleigh

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

February 28, 2013 8:30 A.M.

I. CALL TO ORDER

Chairs:	Senator Thom Goolsby, Presiding	Representative Jamie Boles
	Senator Stan Bingham	Representative Leo Daughtry
	Senator Buck Newton	Representative John Faircloth
		Representative Pat Hurley

II. PRESENTATIONS

Opening Remarks by Chairs

Overview of Adult Correction and Custody and Security

John Poteat
Fiscal Research Staff

III. COMMITTEE DISCUSSION

IV. OTHER BUSINESS:

Next meetings: Tuesday, March 5, 8:30 a.m. (415 LOB)
 Wednesday, March 6, 8:30 a.m. (415 LOB)
 Thursday, March 7, 8:30 a.m. (415 LOB)

IV. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Mobley (Vice Chair), Rep. Stevens (Vice Chair)
Rep. Foushee, Rep. C. Graham, Rep. G. Graham, Rep. Speciale,
Rep. Szoka, Rep. Turner

Senate Appropriations Subcommittee on JPS

Sen. Bingham (Chair)
Sen. Goolsby (Chair)
Sen. Newton (Chair)
Sen. Apodaca (Vice Chair)
Sen. Clodfelter, Sen. Daniel, Sen. Kinnaird,
Sen. Randleman

**Senate Committee on Appropriations on Justice and Public Safety
Thursday, February 28, 2013 at 8:30 AM
Room 415 of the Legislative Office Building**

MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 8:30 AM on February 28, 2013 in Room 415 of the Legislative Office Building. Sixteen members were present.

Senator Thom Goolsby, Chair, presided. Senator Goolsby introduced the Sergeant-at-Arms and the Pages. He then recognized the visiting Clerks of Court.

Senator Goolsby recognized John Poteat of the Fiscal Research Division staff to begin the meetings presentation. Mr. Poteat gave an overview of the Division of Adult Correction, Custody and Security, a copy which is attached as Exhibit "A".

Following the presentation, question from the Committee were taken.

The meeting adjourned at 9:30 a.m.



Senator Thom Goolsby, Chair
Presiding



Carol Wilson, Committee Clerk

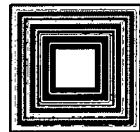
DIVISION OF ADULT CORRECTION:

Exhibit "A"

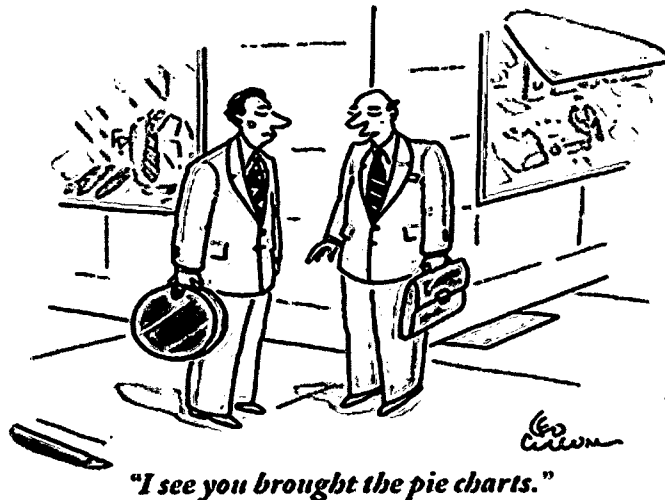
Budget Overview Structured Sentencing & Population Projections Custody and Security

**John Poteat, Senior Analyst
Fiscal Research Division**

February 28, 2013



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly



Today's Presentation

- I. Overview of Division of Adult Correction**
- II. Structured Sentencing & Prison Projections**
- III. Prisons Section: Custody & Security**
- IV. Recent Adult Correction Budget Actions**
- V. Continuation Budget**



Correction Budget Presentations

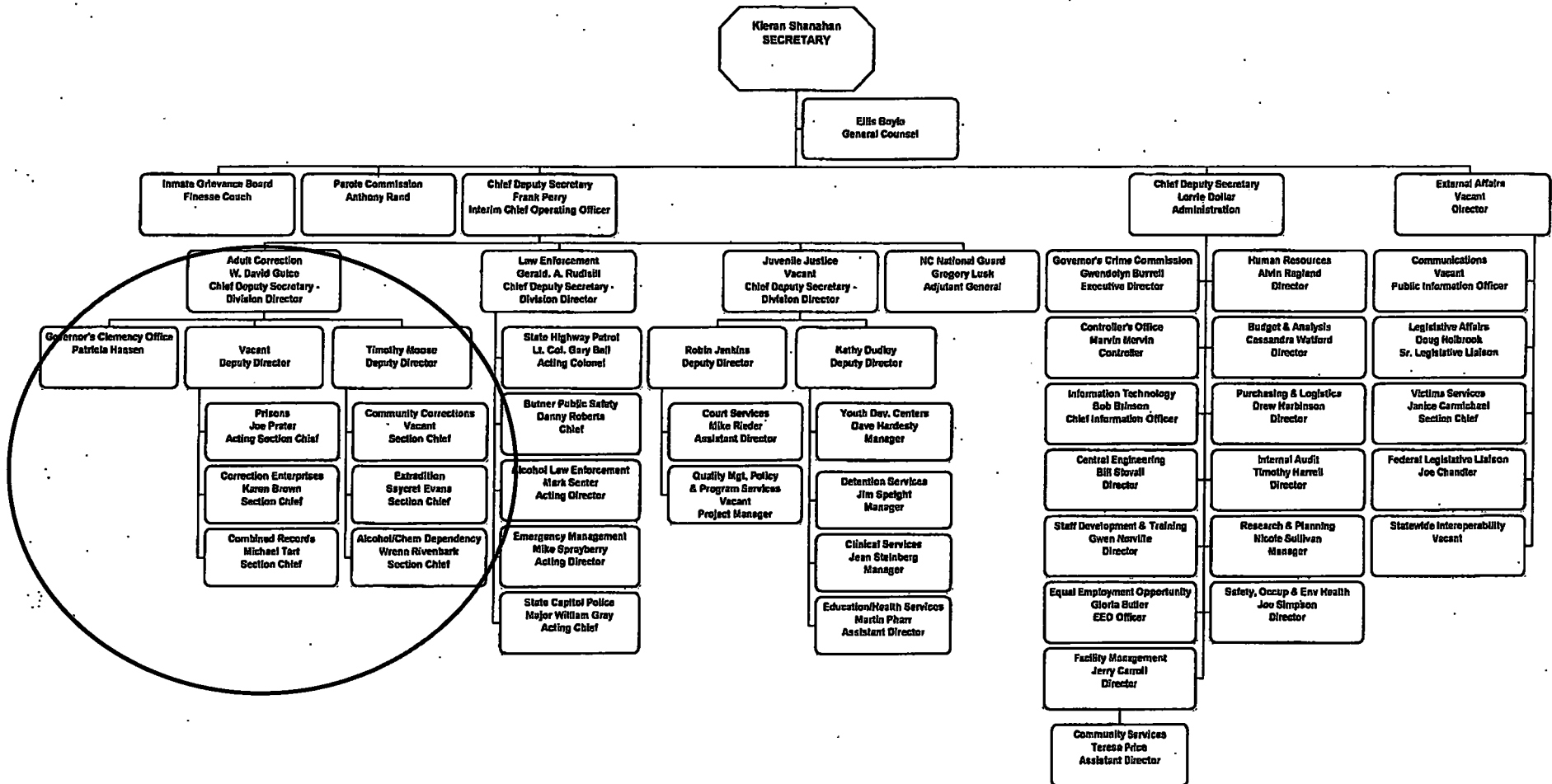
- **Tuesday:** Alcohol and Chemical Dependency Programs, Inmate Programs and Correction Enterprise
- **Wednesday:** Inmate Medical
- **Thursday:** Community Corrections



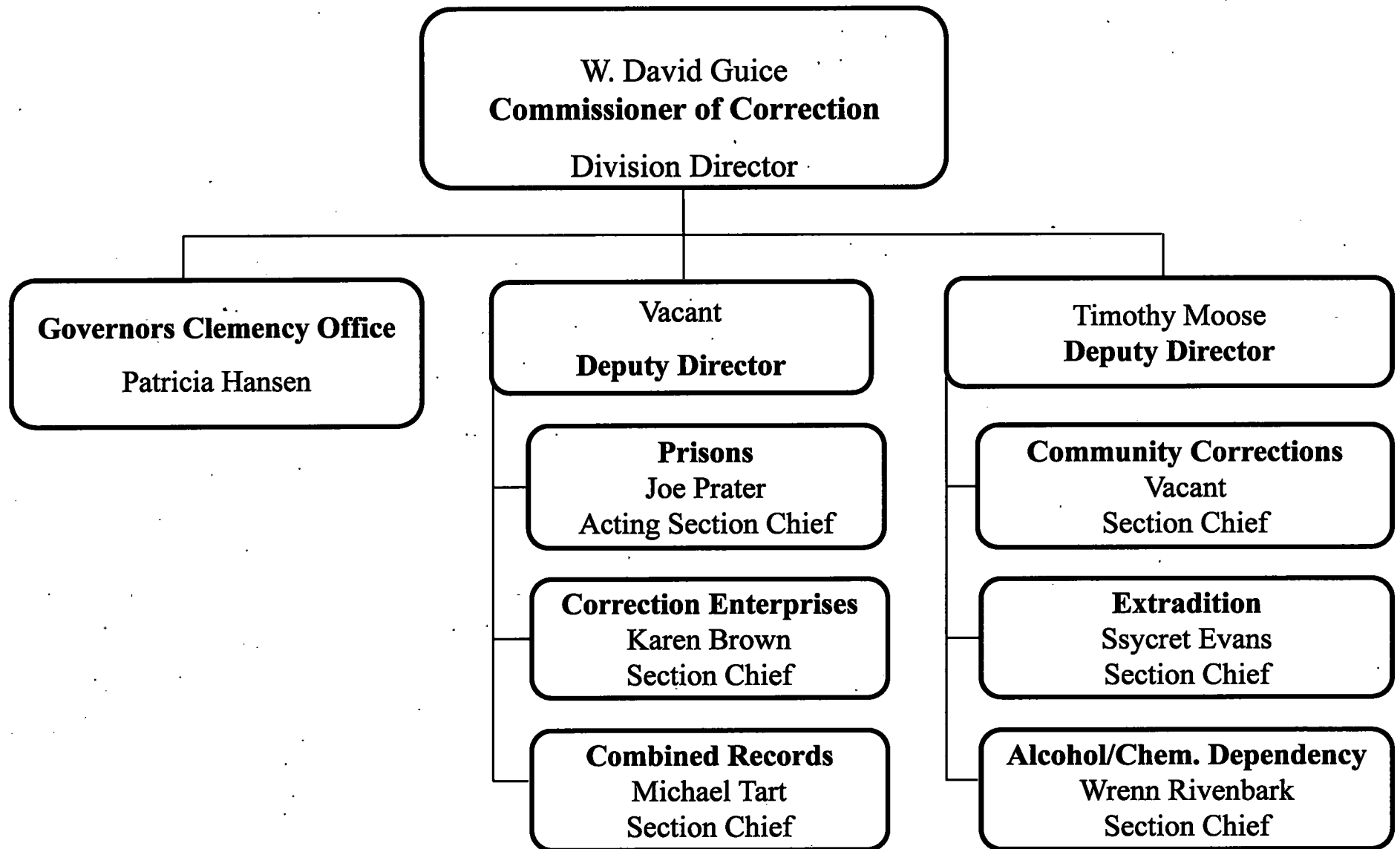
Full Chair Guidance for Joint Budget Strategy

- Focus on core functions of government and whether they are adequately funded
- Continue to look for efficiencies across State government, including looking at duplicative programs
- Evaluate appropriate funding level for non-core services, including non-profits and other non-essential services
- Consider ways to strengthen the General Fund; evaluate special funds

DPS Management



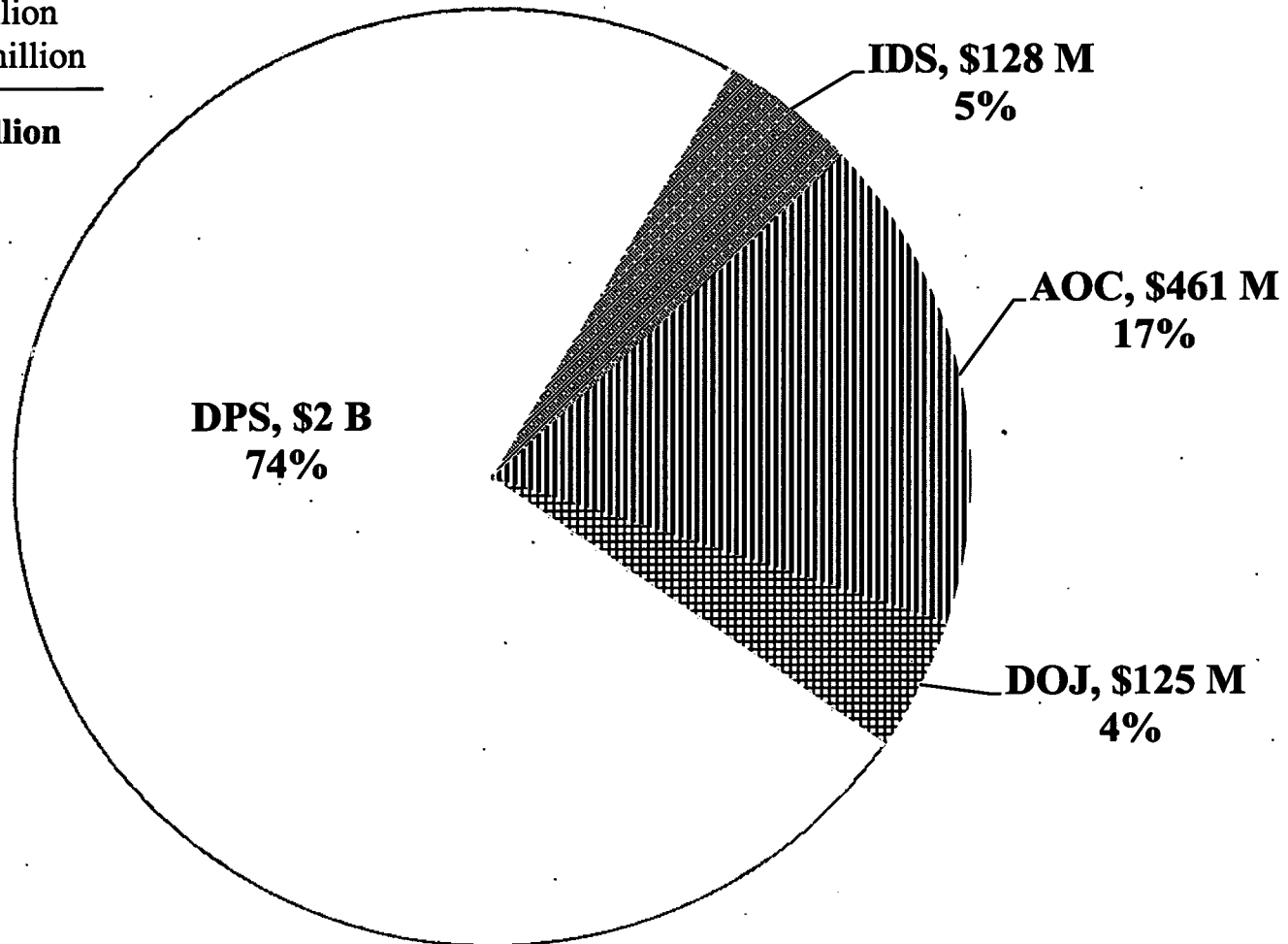
Division of Adult Correction



FY 2012-13 JPS General Fund Budget by Agency

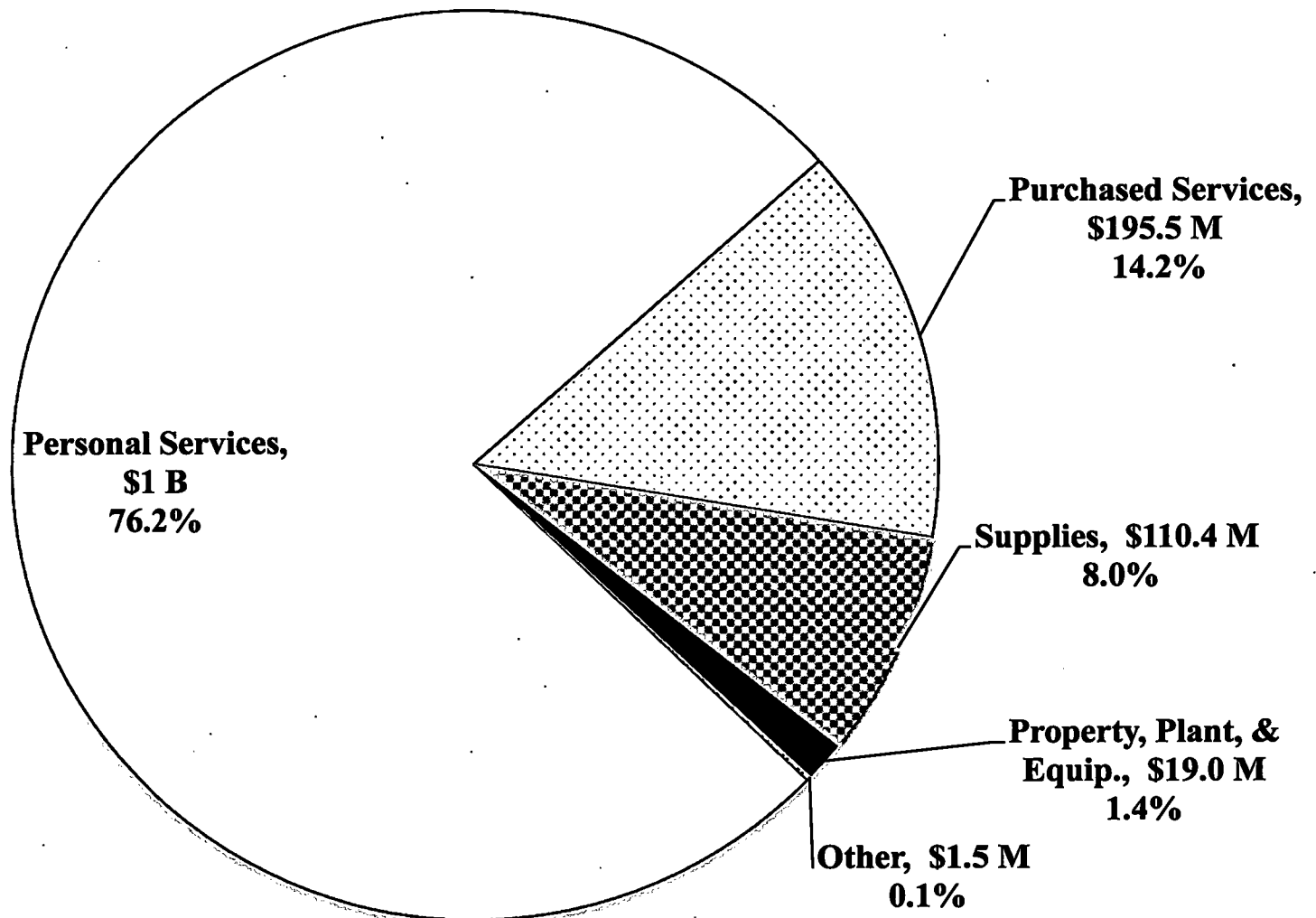
Appropriation: \$2.4 billion
Receipts: \$290 million

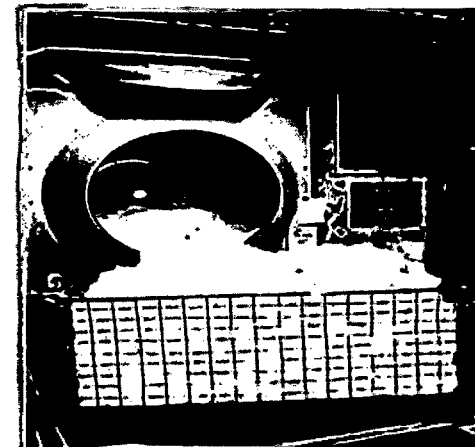
Total GF: \$2.7 billion



Source: NCAS, December 31, 2012 Authorized Budget

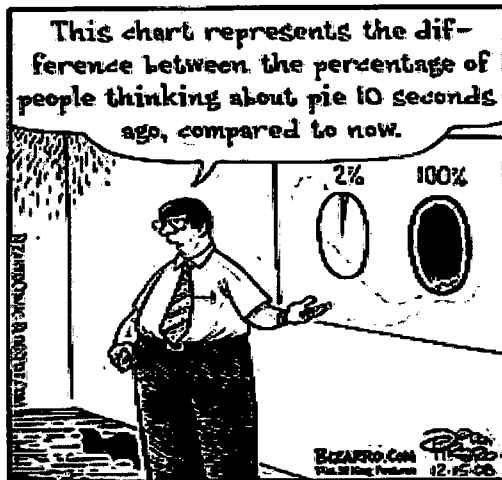
2012-13 Division of Adult Correction (DAC)
Authorized Budget: \$1,374,254,345
Summary by Account



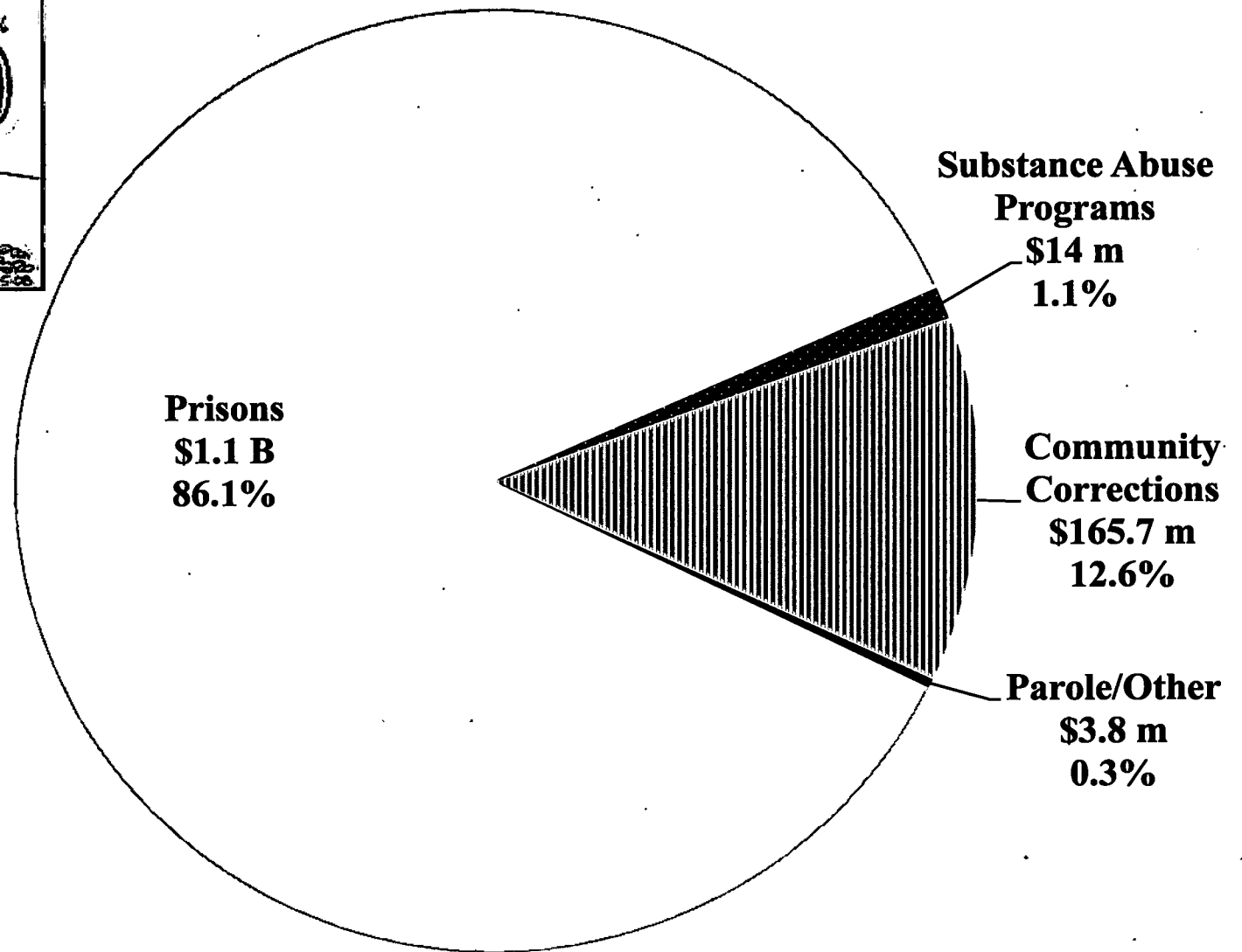


I. Overview of DAC

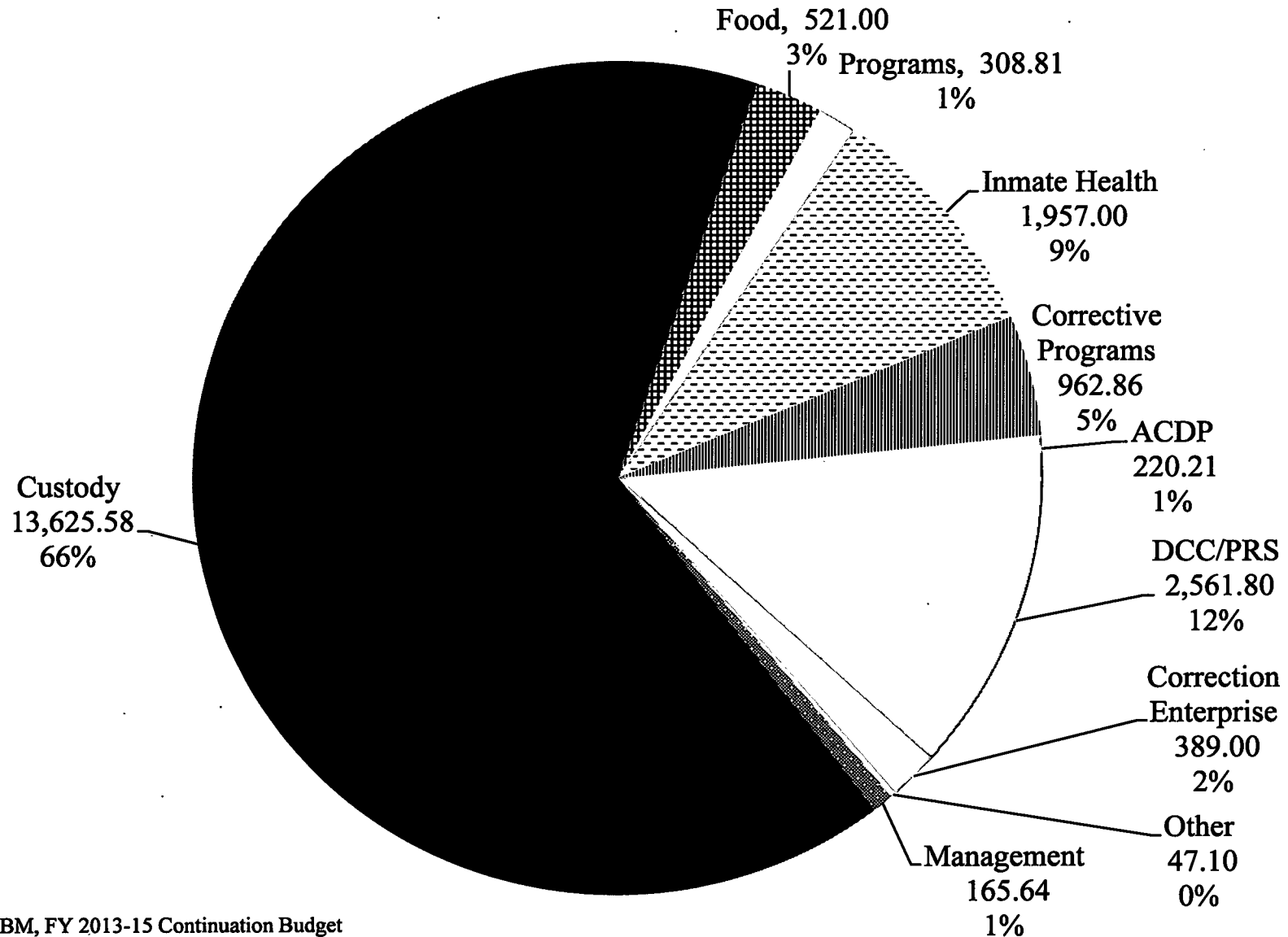




FY 2012-13 Adult Correction Authorized Budget \$1.3 Billion



FY 2012-13 Authorized Adult Correction FTE Positions=20,759



Source: OSBM, FY 2013-15 Continuation Budget

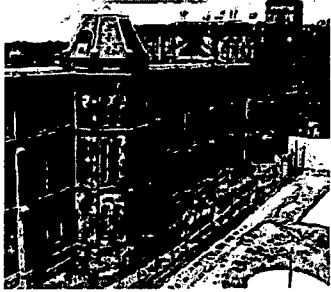


Division of Adult Correction

G.S. 143B-701. Division of Adult Correction – duties.

It shall be the duty of the Department to provide the necessary custody, supervision, and treatment to control and rehabilitate criminal offenders and thereby to reduce the rate and cost of crime and delinquency.

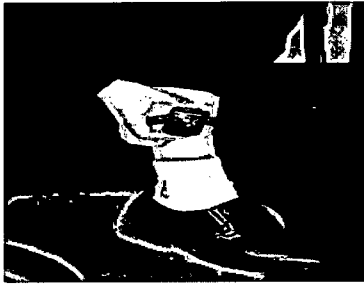
- FY 2012-13 Authorized Appropriation: \$1,316,777,576
- 20,759 FTE employees
- 66 prisons
- 142,186 offenders under supervision



Prisons Section

- \$1.1 billion budget
- 23rd largest “city” in NC
- 66 prisons & 40,970 beds
- 18,181 employees
- 43,804,380 meals served
- 1,960,888 articles of clothing issued
- 2,314,300 Ibuprofen dispensed
- 137,760 sheets issued
- 2.6 million miles driven





Community Corrections Section

- \$165.6 million budget
- 2,537 employees
- 104,803 offenders under supervision
- 11,970 offenders in Community Service Work Program
- 11,264,438 miles driven

Alcoholism and Chemical Dependency Programs

- \$14 million
- 220.21 FTE
- 8,776 inmates referred to DACDP for services and 1,835 offenders enrolled in community-based treatment
- 1,394 treatment slots in 16 prisons and 2 community-residential facilities served 7,804 offenders

Correction Enterprise

- 17 industries generate \$95.7 million in receipts
- 389 FTE; 4,303 inmate employees
 - Laundry
 - Signs & License Tag
 - Cannery & Meat Processing
 - Paint
 - Print/Quick Copy
 - Optical
 - Woodworking/Metal
 - Sewing
 - Janitorial Products
 - Braille



FELONY PUNISHMENT CHART

OFFENSE CLASS	PRIOR RECORD LEVEL					
	I	II	III	IV	V	VI
	0-1 Pt	2-5 Pts	6-9 Pts	10-13 Pts	14-17 Pts	18+ Pts
A	Death or Life Without Parole					
B1	A	A	A	A	A	A
	240-300	276-345	317-397	365-456	Life Without Parole	Life Without Parole
	192-240	221-276	254-317	292-365	336-420	386-483
	44-192	166-221	188-234	210-262	252-336	300-386
B2	125-157	144-180	165-207	190-238	219-273	251-314
	94-125	108-144	124-165	143-190	164-219	189-251
C	A	A	A	A	A	A
	73-92	84-105	97-121	111-139	127-159	146-182
	58-73	67-84	77-96	88-111	101-127	117-146
	44-58	50-67	58-77	66-88	76-101	87-117
D	A	A	A	A	A	A
	64-80	73-92	84-105	97-121	111-139	128-160
	51-64	59-73	67-84	78-97	89-111	103-128
	38-51	44-59	51-67	58-78	67-89	77-103
E	I/A	I/A	A	A	A	A
	25-31	29-36	33-41	38-48	44-55	50-63
	20-25	23-29	26-33	30-38	35-44	40-50
	15-20	17-23	20-26	23-30	26-35	30-40
F	I/A	I/A	I/A	A	A	A
	16-20	19-23	21-27	25-31	28-36	33-41
	13-16	15-19	17-21	20-25	23-28	26-33
	10-13	11-15	13-17	15-20	17-23	20-26
G	I/A	I/A	I/A	I/A	A	A
	13-16	14-18	17-21	19-24	22-27	25-31
	10-13	12-14	13-17	15-19	17-22	20-25
	8-10	9-12	10-13	11-15	13-17	15-20
H	C/I/A	I/A	I/A	I/A	I/A	A
	6-8	8-10	10-12	11-14	15-19	20-25
	5-6	6-8	8-10	9-11	12-15	16-20
	4-5	4-6	6-8	7-9	9-12	12-16
I	C	C/I	I	I/A	I/A	I/A
	6-8	6-8	6-8	8-10	9-11	10-12
	4-6	4-6	5-6	6-8	7-9	8-10
	3-4	3-4	4-5	4-6	5-7	6-8

II. Structured Sentencing and Projections

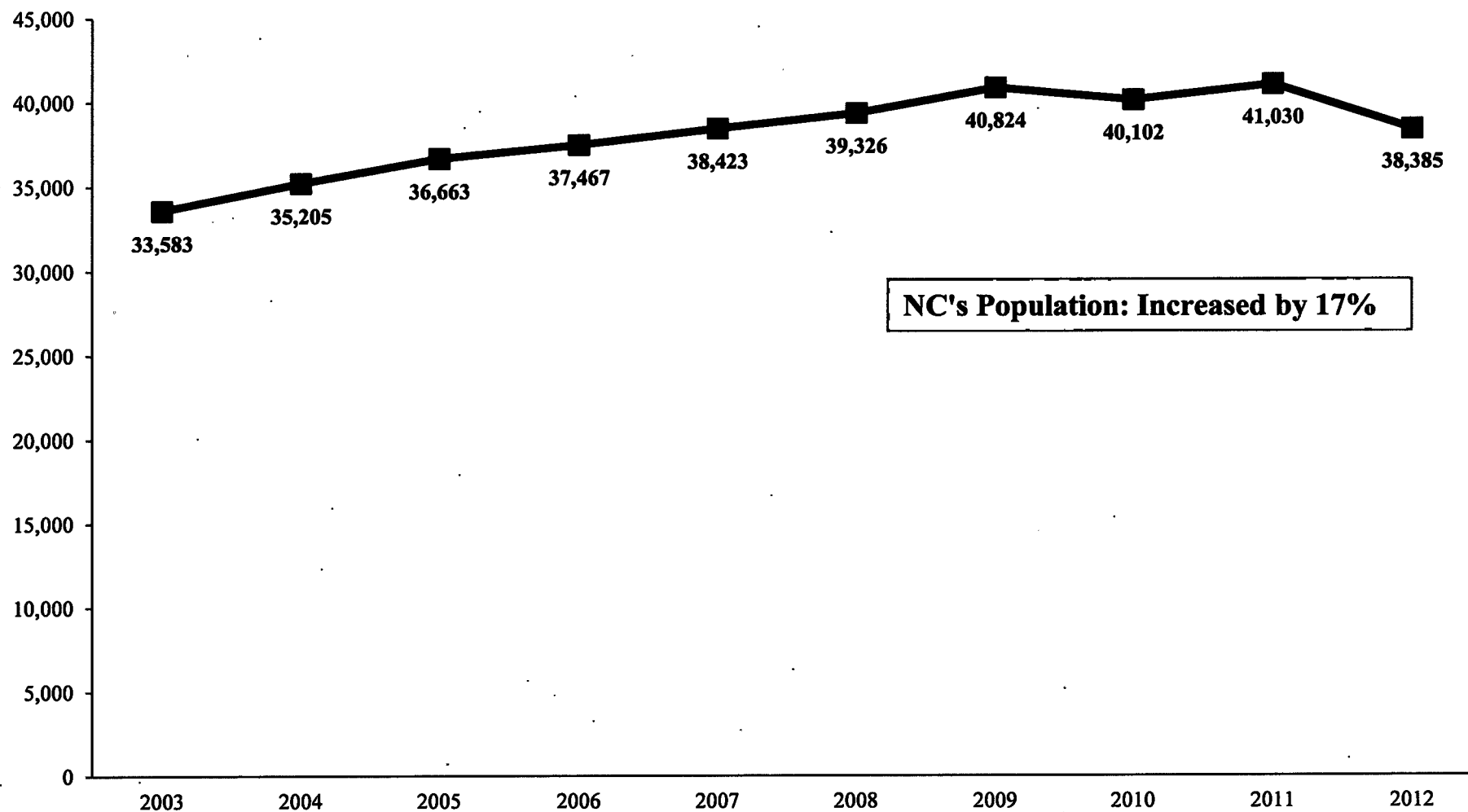


Structured Sentencing

S.L. 1993-538 (House Bill 277)

- Truth in Sentencing: Time Served = Sentence; early parole release is **abolished**
- Sentence for same offense should be similar
- Sentence fits severity of crime and prior offenses
- Set resource priorities:
 - Most violent and serious offenders in prison for longer time
 - More non-violent offenders on probation and parole
- Sentencing policies should be balanced with resources

NC's Prison Population Increased 14% (4,802 additional inmates)



Source: Prison: DAC, Research & Planning, OSBM, and the 2012 Census Bureau estimate

FY 2011-12 NC Prison Population

Admissions: 24,036

Direct: 54%

Probation Revocations: 46%

Felonies: 73%

Misdemeanants: 26%

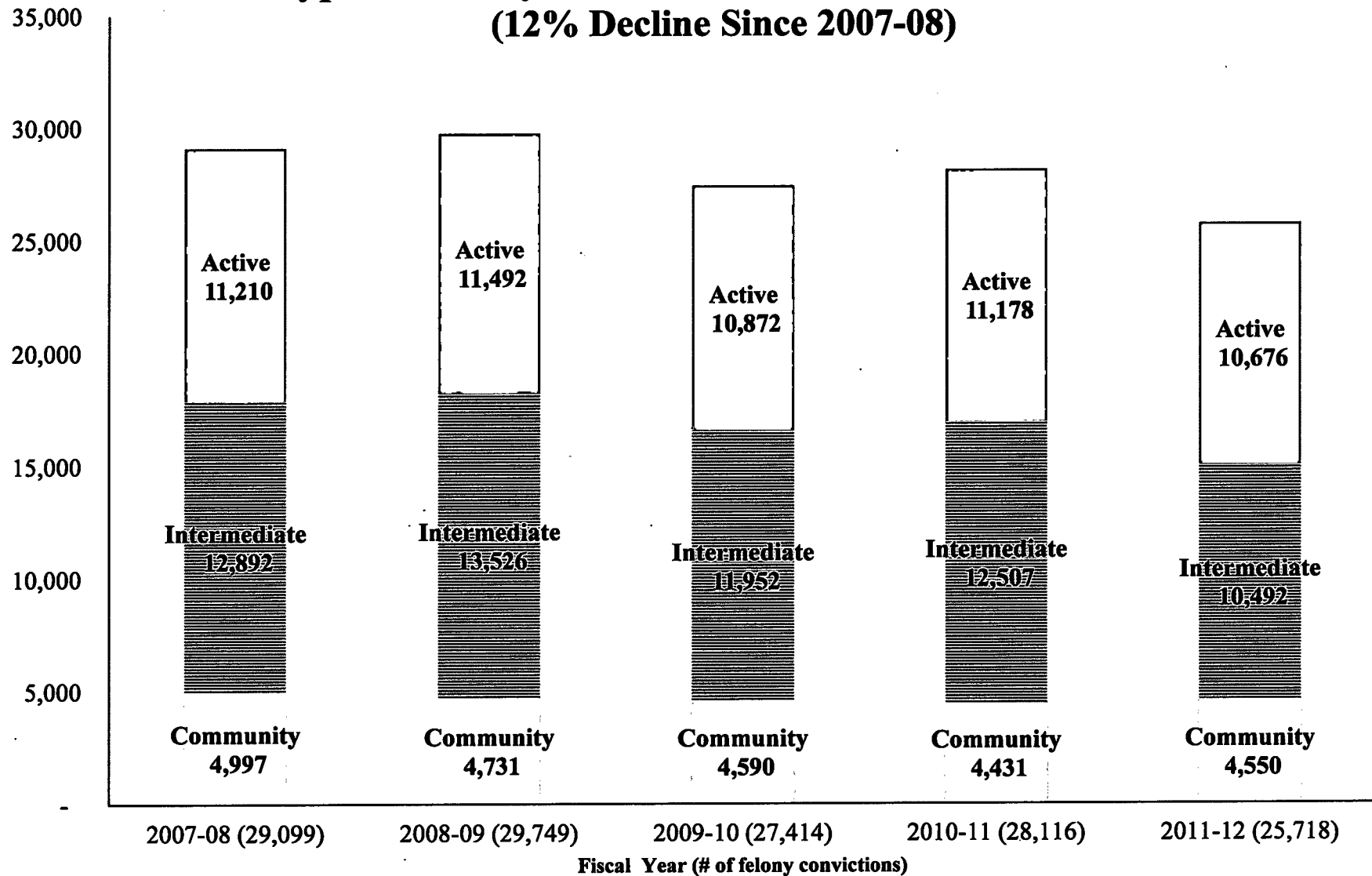
Exits: 26,685

Felony Class	<u>A-D</u>	E-G	H-I
Convictions	8%	27%	65%
Current Population*	56%	23%	16%
Average Length of Stay	8 years	19 months	9 months
% Receiving an Active Prison Sentence	100%	50%	30%

***Remaining 5%: Non-Class (DWI), Safekeepers, and Other**

Source: SPAC, FY 2011-12 data and DPS

Type of Felony Sentence, FY 2007-08--FY 2011-12 (12% Decline Since 2007-08)



Source: Sentencing Commission, Annual Structured Sentencing Statistical Report

What Drives the Prison Population?

FELONY PUNISHMENT CHART

	PRIOR RECORD LEVEL					
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts
A	Death or Life Without Parole					
B1	A	A	A	A	A	A
	240-300	276-345	317-397	365-456	Life Without Parole	Life Without Parole
	192-240	221-276	254-317	292-365	336-420	386-483
	144-192	166-221	190-254	219-292	252-336	290-386
	A	A	A	A	A	A

Structured Sentencing Inmates (97%)

Stacking effect: Most serious offenders take up prison beds for a long time:

A-D Violent felons

- 58% of population
- Average time served 8 years

Class C Felons

- 22% of population
- Average time served 6.75 years
- Habitual Felons account for 14% of population

Time served all felons:

- 20 months in mid 90's
- 29 months in FY 2011-12

Sentencing Commission 10-Year Projections

Multi-year decline in prison populations:

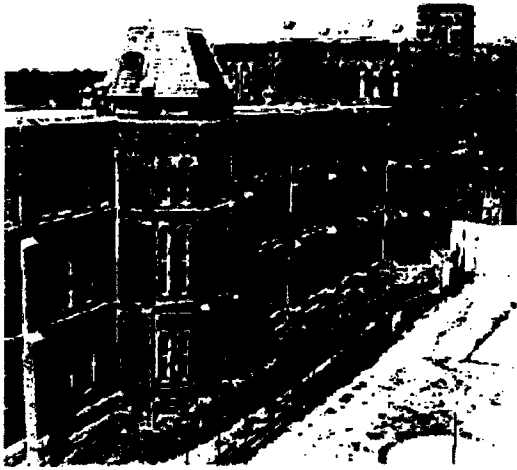
- **Decreasing population growth**
- **Nationwide decline in crime**
- **Policy changes**

Fiscal Year End	Previous Projection	Current Projection	Expanded Operating Capacity	Beds Above Projection
2013	38,999	36,838	40,718	3,880
2014	39,062	36,967	40,970	4,003
2015	39,091	37,107	40,970	3,863
2016	39,047	36,861	40,970	4,109
2017	39,135	36,748	40,970	4,222
2018	39,291	36,722	40,970	4,248
2019	39,490	36,894	40,970	4,076
2020	39,699	37,179	40,970	3,791
2021	39,976	37,468	40,970	3,502
2022	n/a	37,680	40,970	3,290



III. Custody and Security



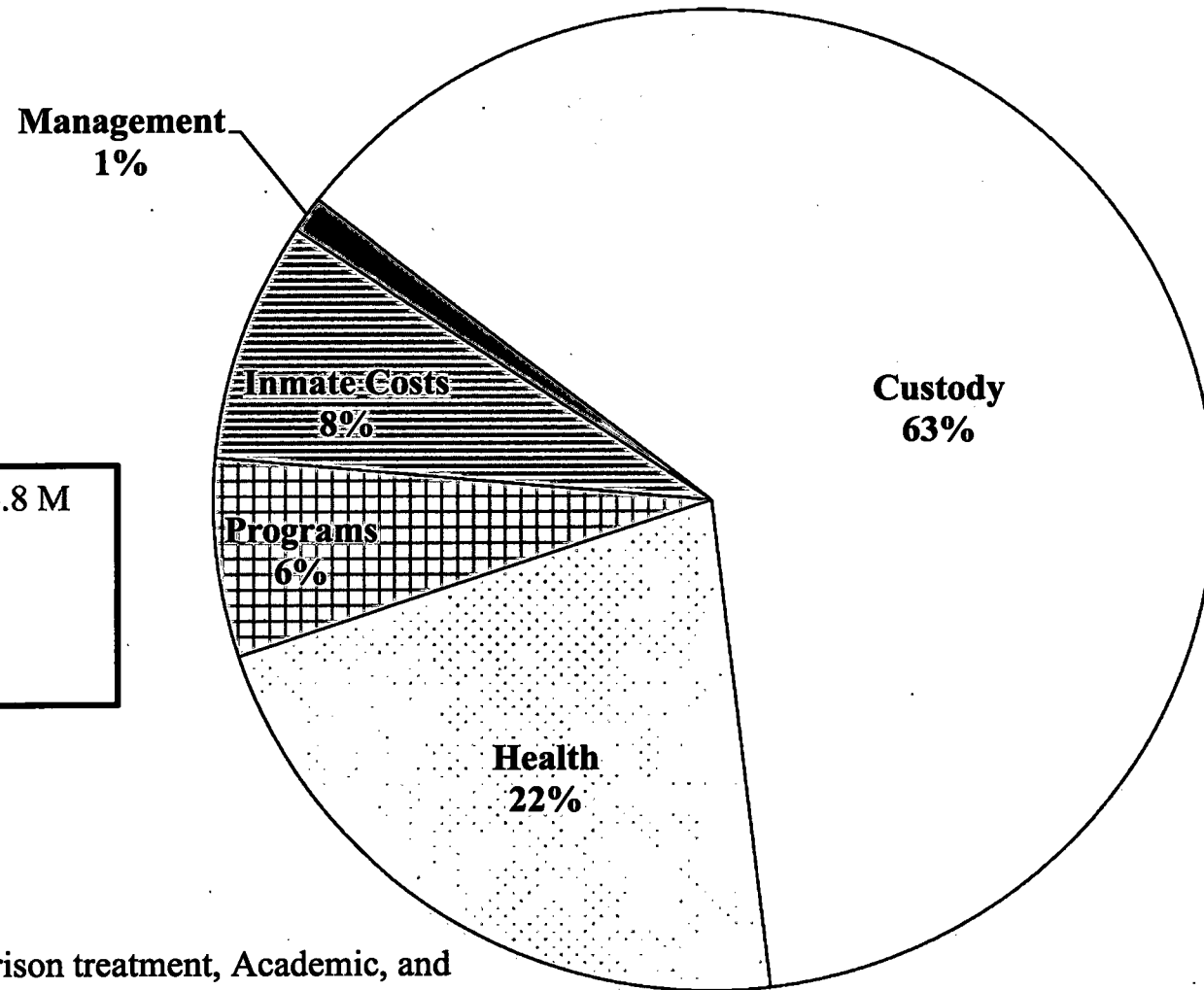


Inmate Custody & Security

G.S 143B-701. Division of Adult Correction – duties.

It shall be the duty of the Division to provide the necessary custody, supervision, and treatment to control and rehabilitate criminal offenders and thereby to reduce the rate and cost of crime and delinquency.

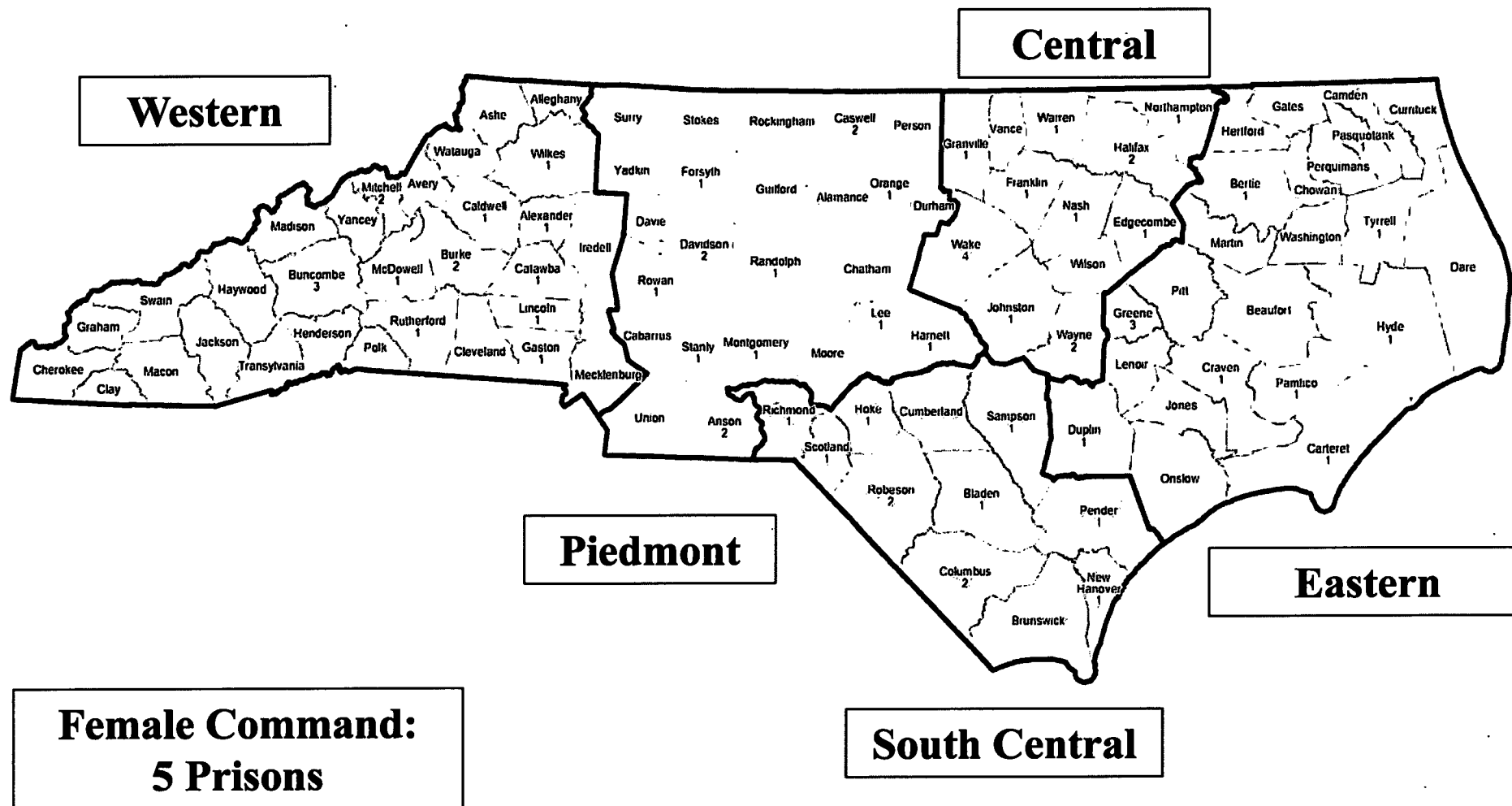
Prisons FY 2012-13 Authorized Budget \$1.2 Billion (75% Salaries & Benefits)



Custody & Security: \$744.8 M
Health Care: \$258.8 M
Management: \$14.3 M
Inmate Costs: \$94.5 M
Programs: \$77.8 M*

*Substance Abuse In-Prison treatment, Academic, and
Corrective Programs are combined

NC Prison Map: 51 counties have prisons



Prison FTE positions

Area	#
Inmate Construction	46
Prison Management	190
Custody & Security	13,671
Food Service & Cleaning	522
Work Release	22
Corrective Programs	974
Gang Unit & SOAR*	13
Inmate Education	79
Road Squad & Litter Crews	199
General Health	1,550
Dental Health	120
Mental Health	373
In-Prison Substance Abuse Treatment (ACDP)	112
Pharmacy	101
Total	17,972

*SOAR=Sex Offender Accountability Program @ Harnett CI & Gang Unit Management @ Foothills CI

Source: Beacon BO 149 Run Date 12/31/12

FY 2011-12 Prison Bed Costs

Average=\$75.54 per day

Custody Type (%)	Number of beds	Percentage by type	Per Bed Daily Operating Cost	Per Bed Annual Cost
Close (21%)	Single Cell: 8,704	21.2%	\$91.28	\$33,317
Medium (47%)	Single Cells: 2,931 Double Cells: 1,698 Dorm: 13,981	7.2% 4.1% 34.1%	\$75.82	\$27,674
Minimum (32%)	Single Cell: 54 Double Cell: 486 Dorm: 12,534	0.1% 1.2% 30.6%	\$65.87	\$24,043

Average Annual Cost=\$27,572

Salary Components of the Custody and Security Budget

Salaries and Benefits (87%)

- Total number Correctional Officer (C.O.) positions: 10,260
- Minimum C.O. Salary is \$28,826
- Trainee Rate of \$ \$27,637 (typically 12 months or less depending upon experience)
- Turnover Rate: 2008: C.O.: 8.8%
2009: C.O.: 10%
2010: C.O. : 13.2%
2011: C.O. : 15.7%
2012: C.O. : 15.9%

Special Pay: Shift Premium Pay

- An additional 10% on evening and night shifts
- An additional 10% on weekend evening and night shifts

Special Pay: Holiday Pay

- 75% over regular hourly wage
- Office of State Personnel granted DOC a waiver from the 50% pay that most other State employees receive



“Buy Six and Get the Seventh For Free”

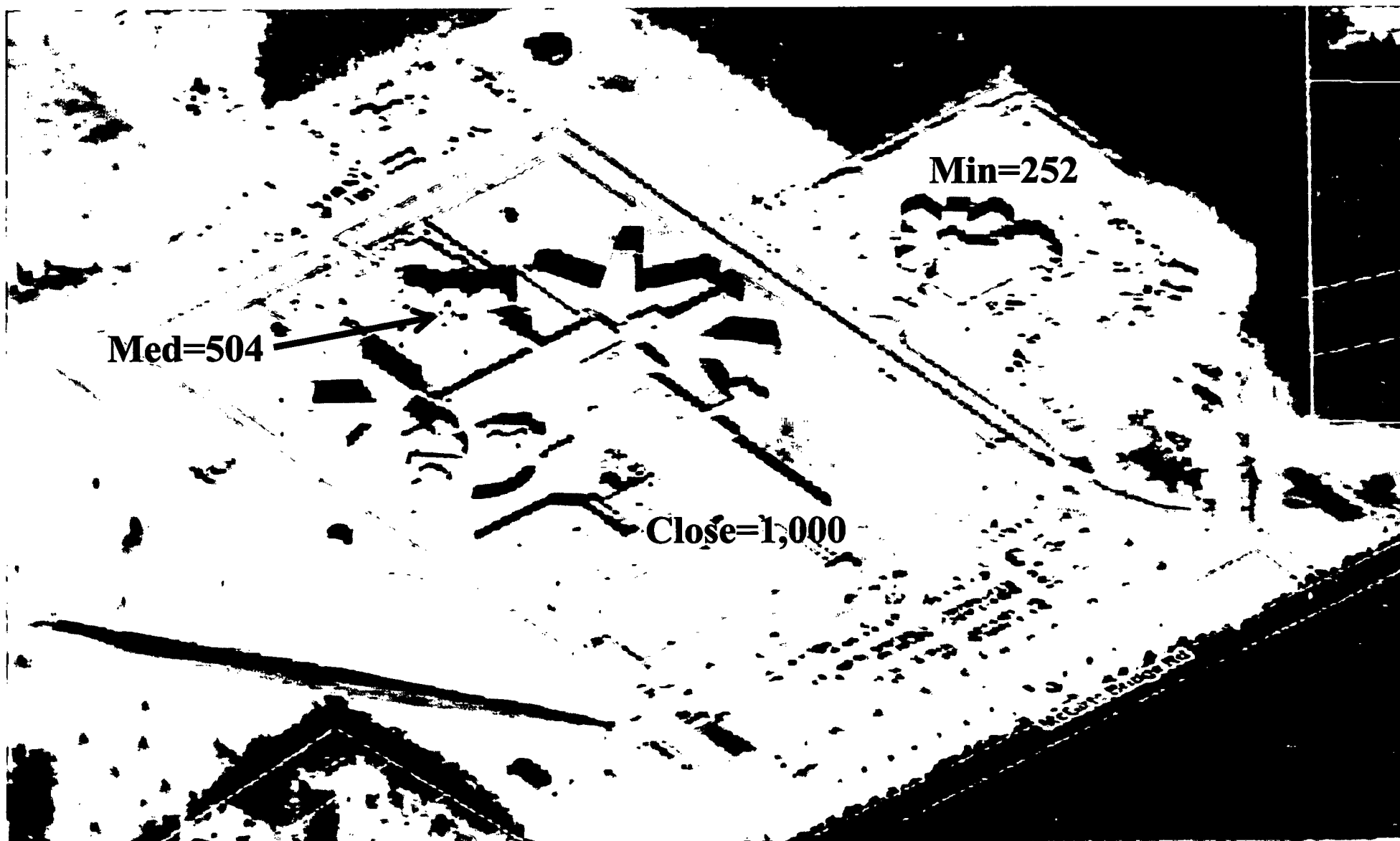
- Six 1,000-bed prisons opened in 2003 & 2005; designed for add-on dorms
- In 2007 General Assembly authorized \$93.6 million to construct six new dorms. Because of reduced construction costs and inmate labor a seventh dorm was constructed in 2009 at Maury
- S.L. 2011-227: Transferred \$20 million in cost savings to the Central Prison Hospital project

<u>Facility</u>	<u>Custody</u>	<u>Actual Completion Date</u>	<u># of Beds</u>
Scotland	Med	October 2010	504
Scotland	Min	March 2011	252
Alexander	Min	August 2011	252
Bertie	Med	January 2012	504
Lanesboro	Med	October 2012	504
Maury	Med	February 2013	504
Tabor	Min	August 2013*	252

*Forecasted completion

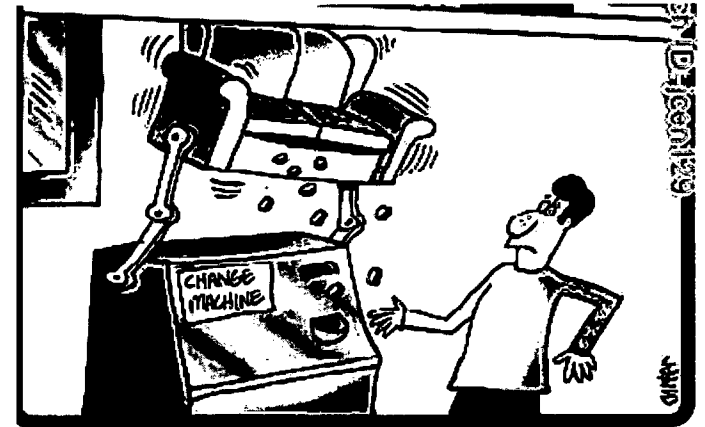


Scotland Correctional Institution

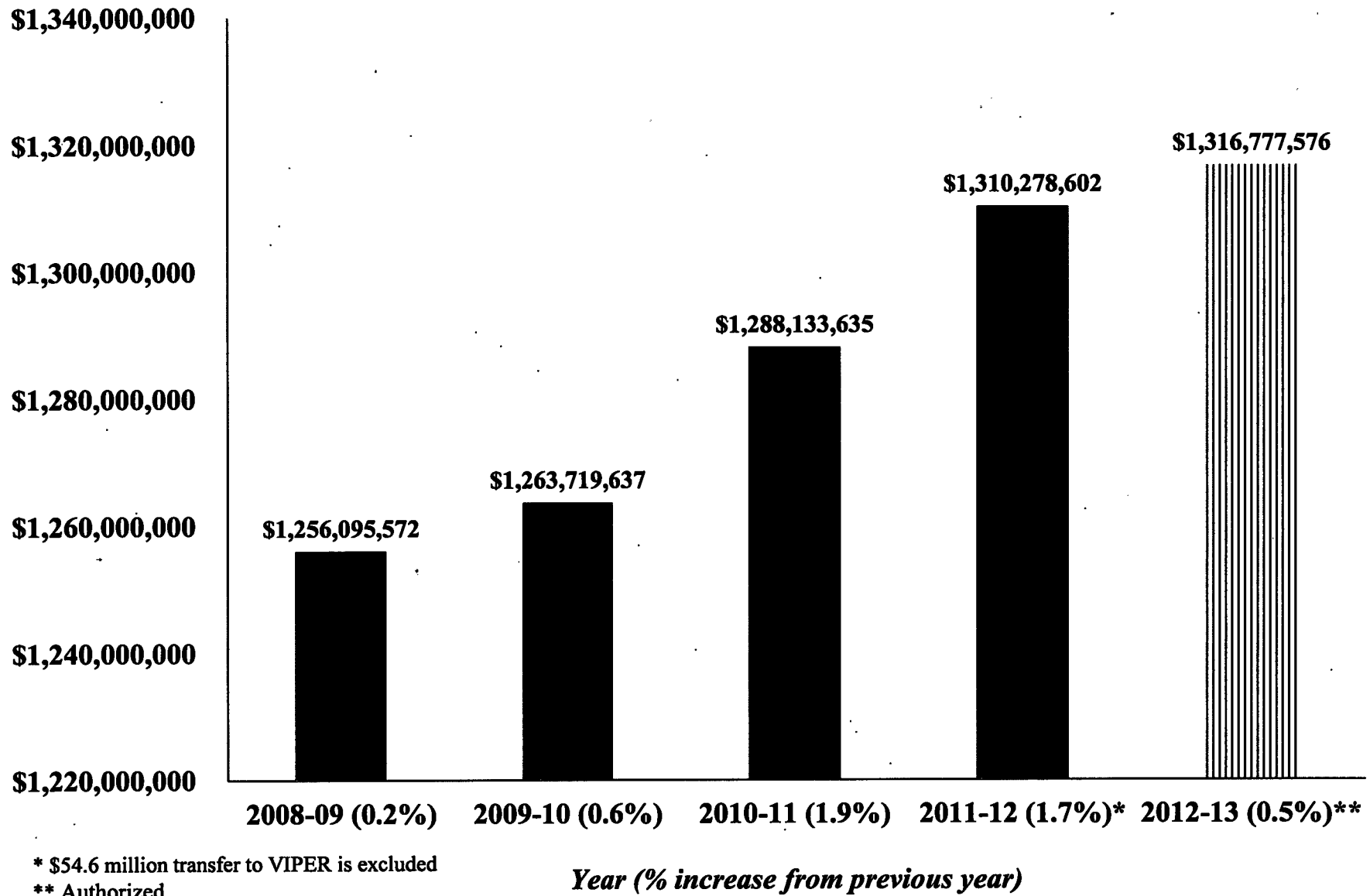




IV. FY 2011-13 Budget Actions



History of Adult Correction Expenditures

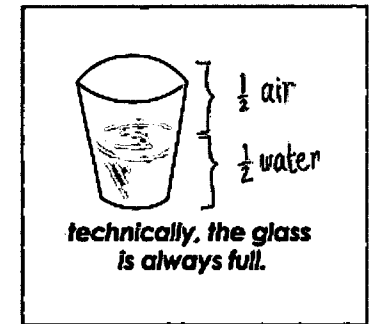


FY 2011-13 Budget Actions

2011 Budget	Reduction Amount	% Change*	FTE
2011-12	(71,332,902) R (\$12,495,520) NR	(5.9%)	(499)
2012-13	(\$59,302,927) R (\$11,153,612) NR	(4.8%)	(439)
2012 Budget	Reduction Amount	% Change*	FTE
2012-13	(\$20,735,201) R (\$5,000,000) NR	(3.1%)	(5)

* 2011 Change from Continuation Budget and 2012 Change from Certified Budget

FY 2011-13 Major Budget Items



Budget Item	2011-12	FTE	2012-13	FTE
Admin Efficiencies/Consolidation	(\$3,691,098)	(72.00)	(\$4,398,336)	(72.00)
Reduced Various Line Items	(\$17,951,462)		(\$16,451,462)	
Eliminated Vacant Positions	(\$14,132,696)	(255.00)	(\$14,132,696)	(255.00)
Eliminated Restoration Budget	(\$10,042,999)		(\$10,042,999)	
Eliminated Restoration Budget	(\$11,957,001)	NR	(\$11,957,001)	NR
Eliminated Community Work & Litter Crew Positions	(\$3,162,094)	(78.00)	(\$3,162,094)	(78.00)
Reduced Chaplains	(\$1,386,653)	(25.00)	(\$1,386,653)	(25.00)
Closed Four Prisons	(\$5,379,669)	(203.00)	(\$10,759,336)	(203.00)

FY 2011-13 Major Budget Items

Budget Item	2011-12	FTE	2012-13	FTE
Misdemeanants to County Jail	(\$3,980,368)		(\$3,980,368)	
Eliminated Double Celling Funds at Pamlico CI	(\$2,395,452)	(57.00)	(\$2,395,452)	(57.00)
Reduced Inmate Costs & Established Two Release Dates	(\$3,071,000)		(\$3,071,000)	
Operating Reserves for New Facilities	\$5,874,102	280.00	\$24,196,611	340.00
Operating Reserves for New Facilities	\$4,125,898 NR		\$803,389 NR	
Misdemeanant Confinement Fund Transfer			(\$5,000,000) NR	
Management Flexibility Reserve			(\$20,735,201)*	

* DPS had a \$26.3 million Management Flexibility reduction

Statewide Misdemeanant Confinement Fund (SMCF)

- S.L. 2011-192 (H.B. 642) Justice Reinvestment Act (JRA) created SMCF
- Fund pays counties to house misdemeanants (91-180 days)
- Administered by the NC Sheriffs' Association (NCSA)
- Voluntary program: "Sending" & "Receiving" counties
- Court costs effective: August 1, 2011
- Misdemeanants effective: January 1, 2012
 - District Court cost: \$18 (53% of revenue)
 - Improper Equipment: \$50 (47% of revenue)

Statewide Misdemeanant Confinement Fund (SMCF)

Program	Cost	CY 2012 Expenditures
Housing (3,156 inmates)	\$40/day	\$9,592,040
Medical	Actual	\$117,007
Transportation	\$.55/mile	\$63,858
Personnel	\$25/hour	\$130,709
TOTAL		\$9,903,614

Administration: **NCSA** \$3,152,686 (10% of revenue)

DAC \$315,269 (1% of revenue)

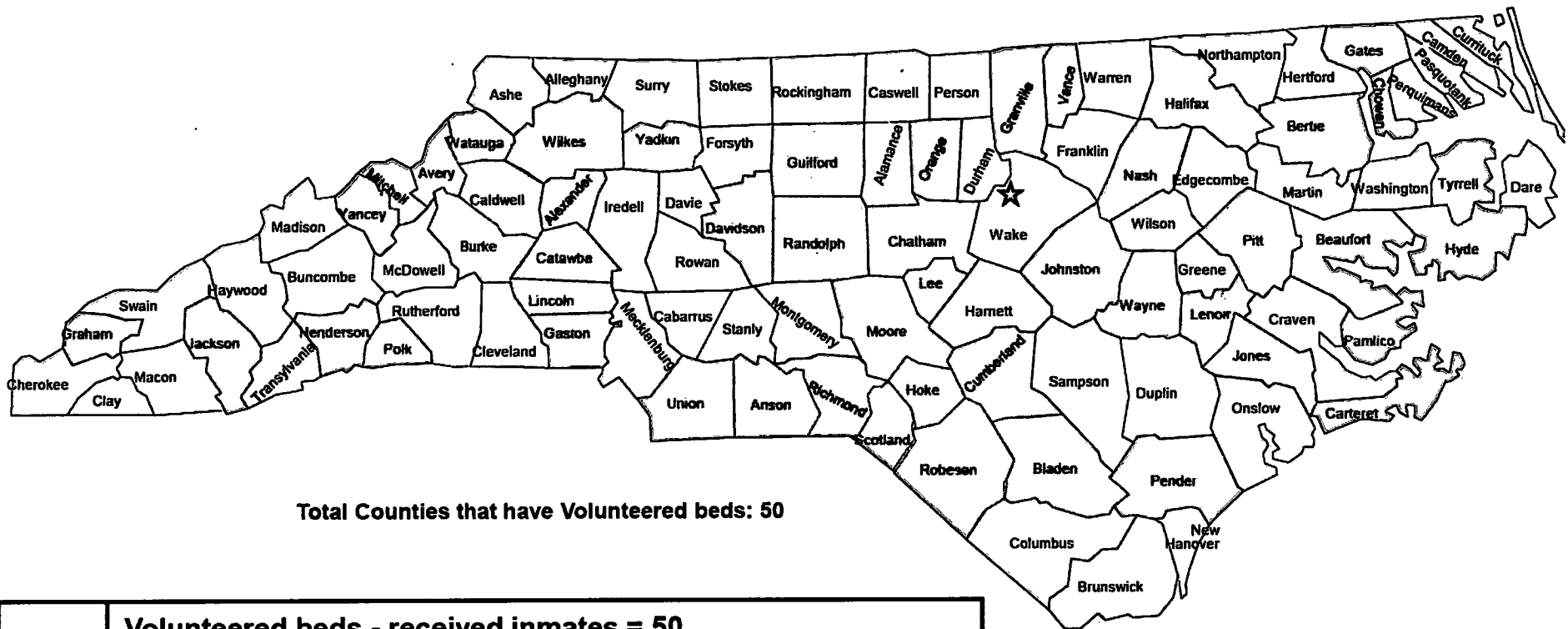
Transfer of \$3.5 million General Fund (\$1.5 m pending)

Revenue: \$31.4 million Expenditures: \$13.2 million

Balance: \$18.2 million



SMCF: Sending & Receiving Counties

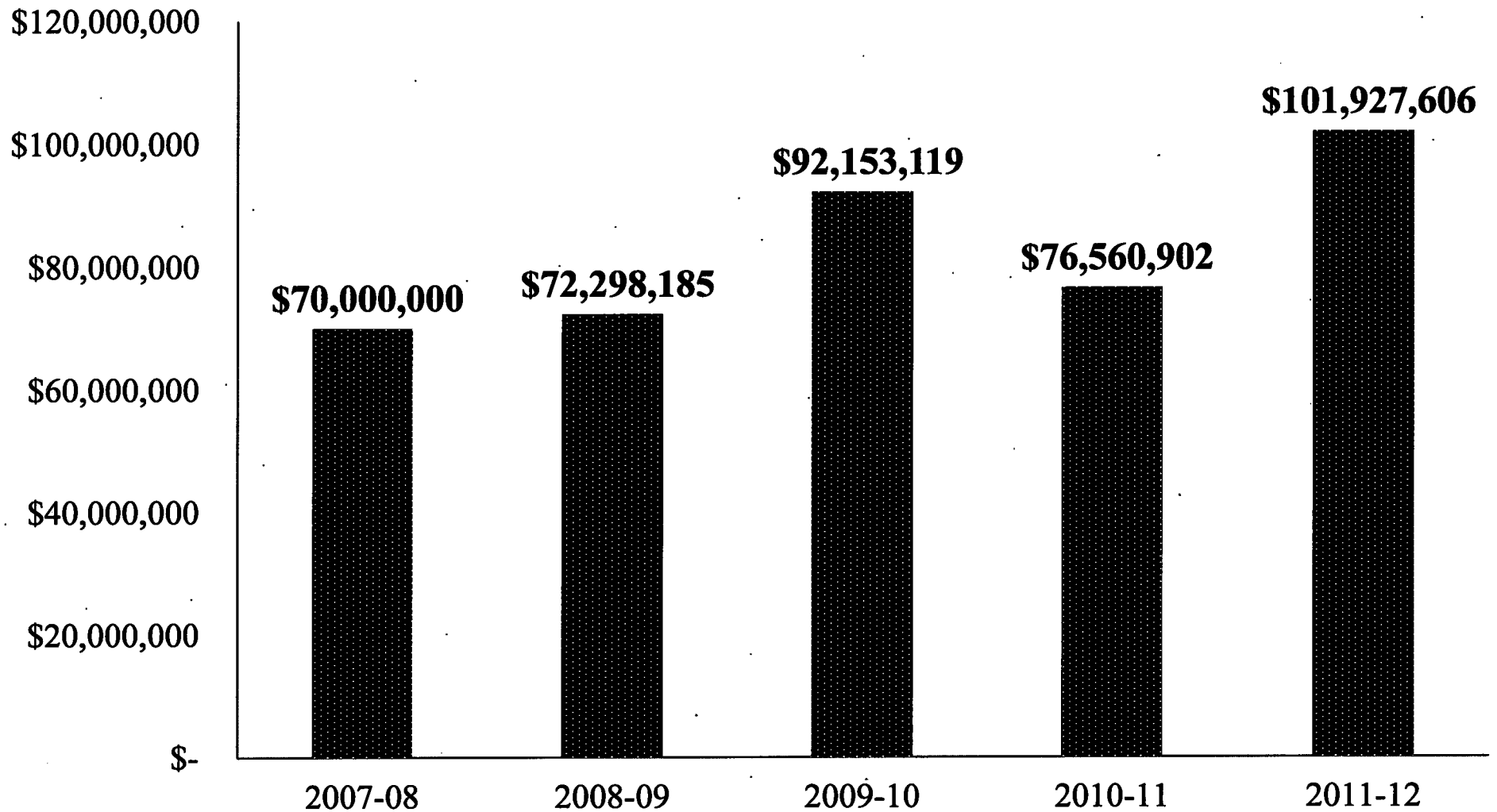


Total Counties that have Volunteered beds: 50

	Volunteered beds - received inmates = 50
	Not volunteered beds = 50

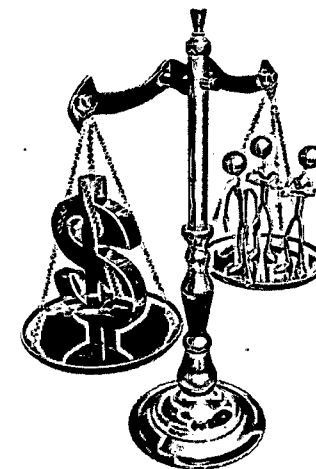
Source: NC Sheriffs' Association CY 2012 SMCFA Annual Report

Correction Lapsed Salary Usage, FY 2007-08--FY 2011-12





V. Continuation Budget



DAC Continuation Budget Highlights

Annualization

- Annualize positions at Parole Commission \$87,437
- Annualize Tabor, Maury, Lanesboro additions \$2,958,904

Non or Partial Restorations of Non-recurring (partially restored)

- Adjust Non-Recurring Restorations (\$6,000,000)

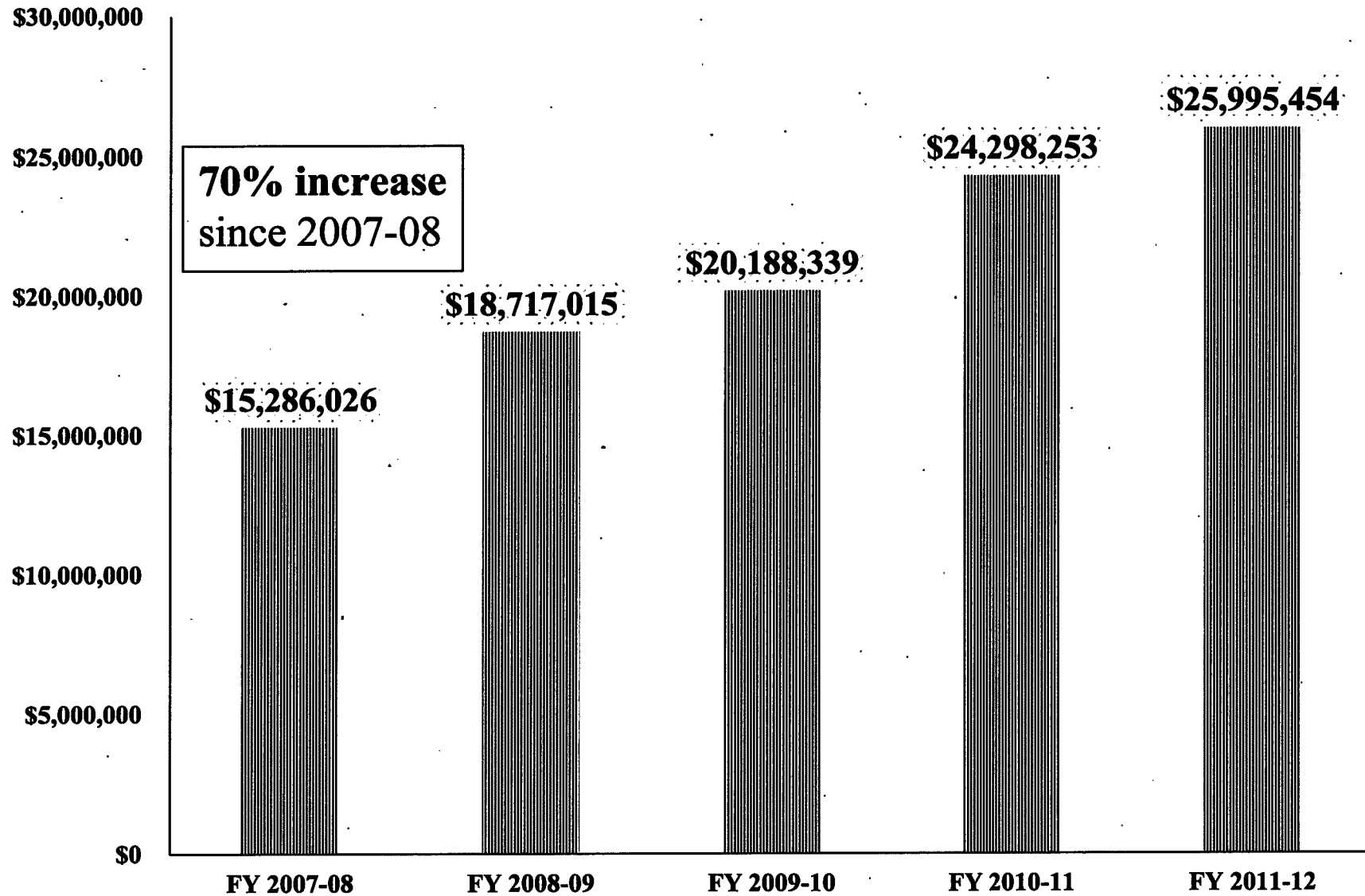
Note: \$11.9 m fully restored in FY 2014-15



FY 2013-15 Continuation Budget Increases

Fund Code	FY 2012-13 Authorized Requirements	FY 2013-14 Increase	FY 2013-14 Total Requirements
Custody & Security	\$757,380,461	\$906,151	\$758,286,612
Food Service	\$77,026,307	\$738,266	\$67,996,353
Inmate Clothing & Bedding	\$17,330,807	\$211,487	\$17,542,294
General Health	\$169,799,969	\$1,547,266	\$164,829,189
Mental Health	\$29,011,513	\$36,111	\$29,047,624
Dental Health	\$11,544,977	\$9,947	\$11,554,924
Pharmacy	\$38,384,884	\$397,780	\$38,161,473
Inmate Education	\$10,409,664	\$202,600	\$10,612,264
Corrective Programs	\$45,975,620	\$67,395	\$46,043,015
Division Wide Operations	(\$10,798,902)	(\$4,798,902)	(\$6,000,000)
Total	\$2,985,904		

Growth in Worker's Comp Expenditures



Issues for Consideration

- **Additional prison closures**
- **Justice Reinvestment initiatives**
- **Worker's Comp Expenditures**





House Committee Pages / Sergeants at Arms

NAME OF COMMITTEE St App. Justice & Public Safety

DATE: 2/28/13 Room: 415

*Name: Eva Bartlowe

County: New Hanover

Sponsor: Chris Millis

*Name: Zachary Clark

County: Caldwell

Sponsor: Rep. Edgar Starnes

*Name: _____

County: _____

Sponsor: _____

*Name: Josh Page

County: Sampson

Sponsor: Berger

*Name: _____

County: _____

Sponsor: _____

SENATE

House

House Sgt-At Arms: Senate

1. Name: Young Bae

2. Name: Patrick Mason

3. Name: _____

4. Name: JUSTIN OWENS

5. Name: Charles Marshall

6. Name: _____

PAGES ATTENDING

COMMITTEE: Joint: Justice & P. Safety ROOM: 415

DATE: 2-28 TIME: 8:30am

PLEASE PRINT LEGIBLY!!!!!!!!!!!!!!

Page Name	Hometown	Sponsoring Senator
1 Josh Page	Clinton	Berger
2		
3		
4		
5		
6		
7		
8		
9		
10		

Do not add names below the grid.

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.

Thursday, February 28
APPROPRIATIONS
JUSTICE & PUBLIC SAFETY

Room
415

Time
8:30 am

Name	County	Sponsor
Eva Barlowe	New Hanover	Millis
Zachary Clark	Caldwell	Starnes

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

March 6, 2013 8:30 A.M.

I. CALL TO ORDER

Chairs: Senator Buck Newton, Presiding
Senator Stan Bingham
Senator Thom Goolsby

Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley

II. PRESENTATIONS

Opening Remarks by Chairs

Inmate Medical

John Poteat
Fiscal Research

III. COMMITTEE DISCUSSION

IV. OTHER BUSINESS:

Next meetings: Thursday, March 7 at 8:30 a.m. (415 LOB)

IV. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Mobley (Vice Chair), Rep. Stevens (Vice Chair)
Rep. Foushee, Rep. C. Graham, Rep. G. Graham, Rep. Speciale,
Rep. Szoka, Rep. Turner

Senate Appropriations Subcommittee on JPS

Sen. Bingham (Chair)
Sen. Goolsby (Chair)
Sen. Newton (Chair)
Sen. Apodaca (Vice Chair)
Sen. Clodfelter, Sen. Daniel, Sen. Kinnaird,
Sen. Randleman

Senate Committee on Appropriations on Justice and Public Safety
Wednesday, March 6, 2013 at 8:30 AM
Room 415 of the Legislative Office Building

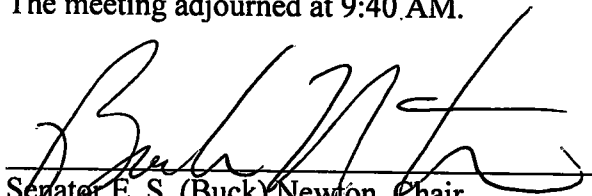
MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 8:30 AM on March 6, 2013 in Room 415 of the Legislative Office Building. Eighteen members were present.

Senator E. S. (Buck) Newton, Chair, presided and called the meeting to order at 8:34 AM and recongnized the Pages and the Sergeant-at-Arms.

Senator Newton introduced John Poteat from the Fiscal Research Division to begin his presentation of the Division of Adult Correction: Correction Enterprises Inmate Medical, a copy of which is attached as Exhibit "A". Members of the Committee asked questions during the presentation.

The meeting adjourned at 9:40 AM.



Senator E. S. (Buck) Newton, Chair
Presiding



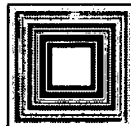
Carol Wilson, Committee Clerk

DIVISION OF ADULT CORRECTION:

Correction Enterprises Inmate Medical

**John Poteat, Senior Fiscal Analyst
Fiscal Research Division**

March 6, 2013



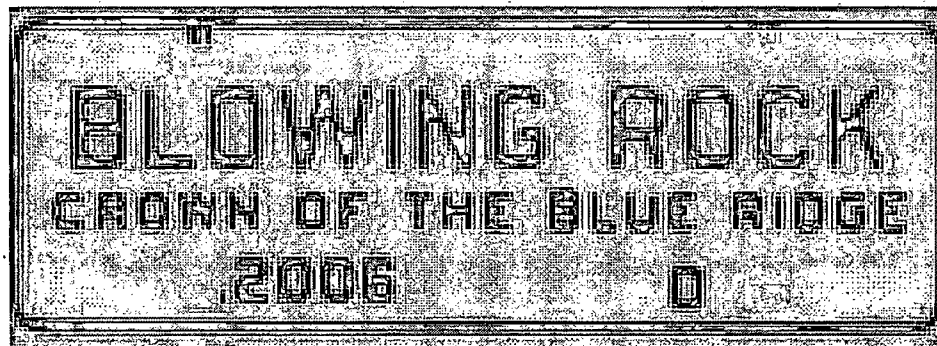
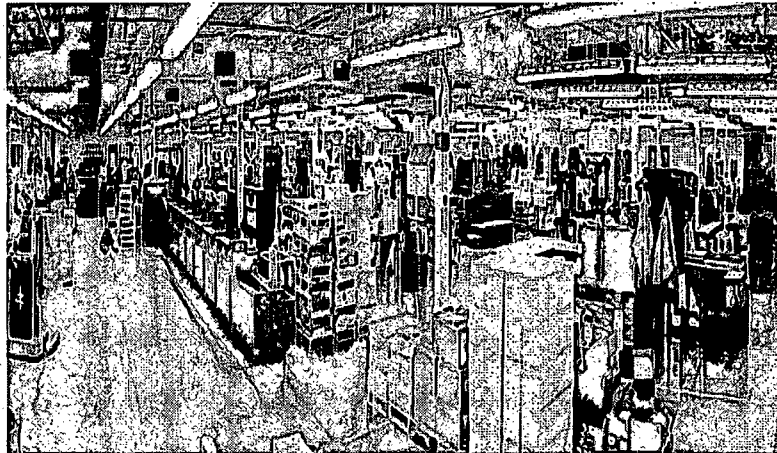
FISCAL RESEARCH DIVISION

A Staff Agency of the North Carolina General Assembly

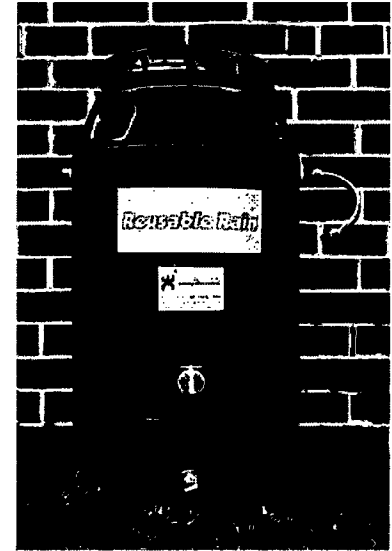


Not All Making It Right: Making It Better

II. Correction Enterprises

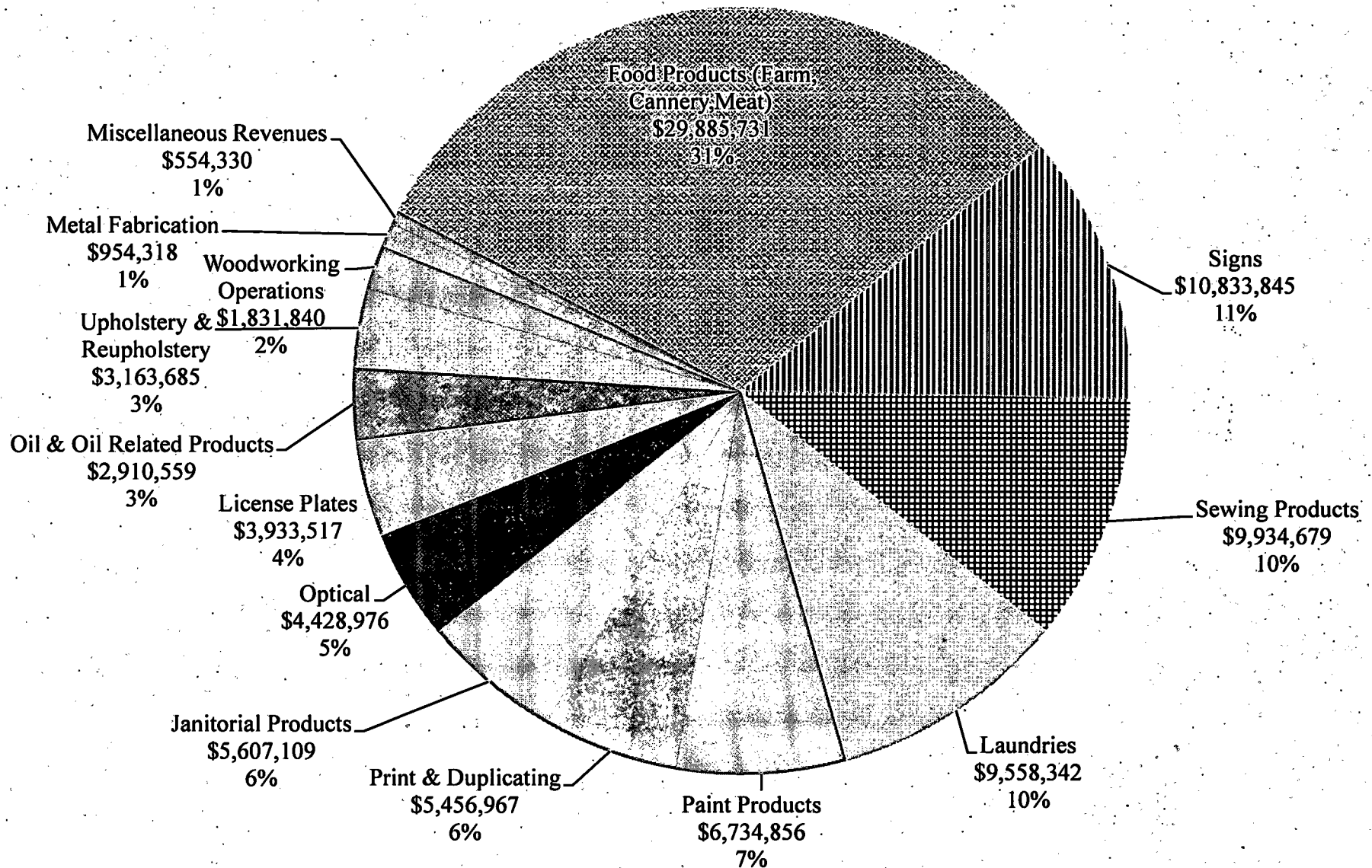


Correction Enterprises

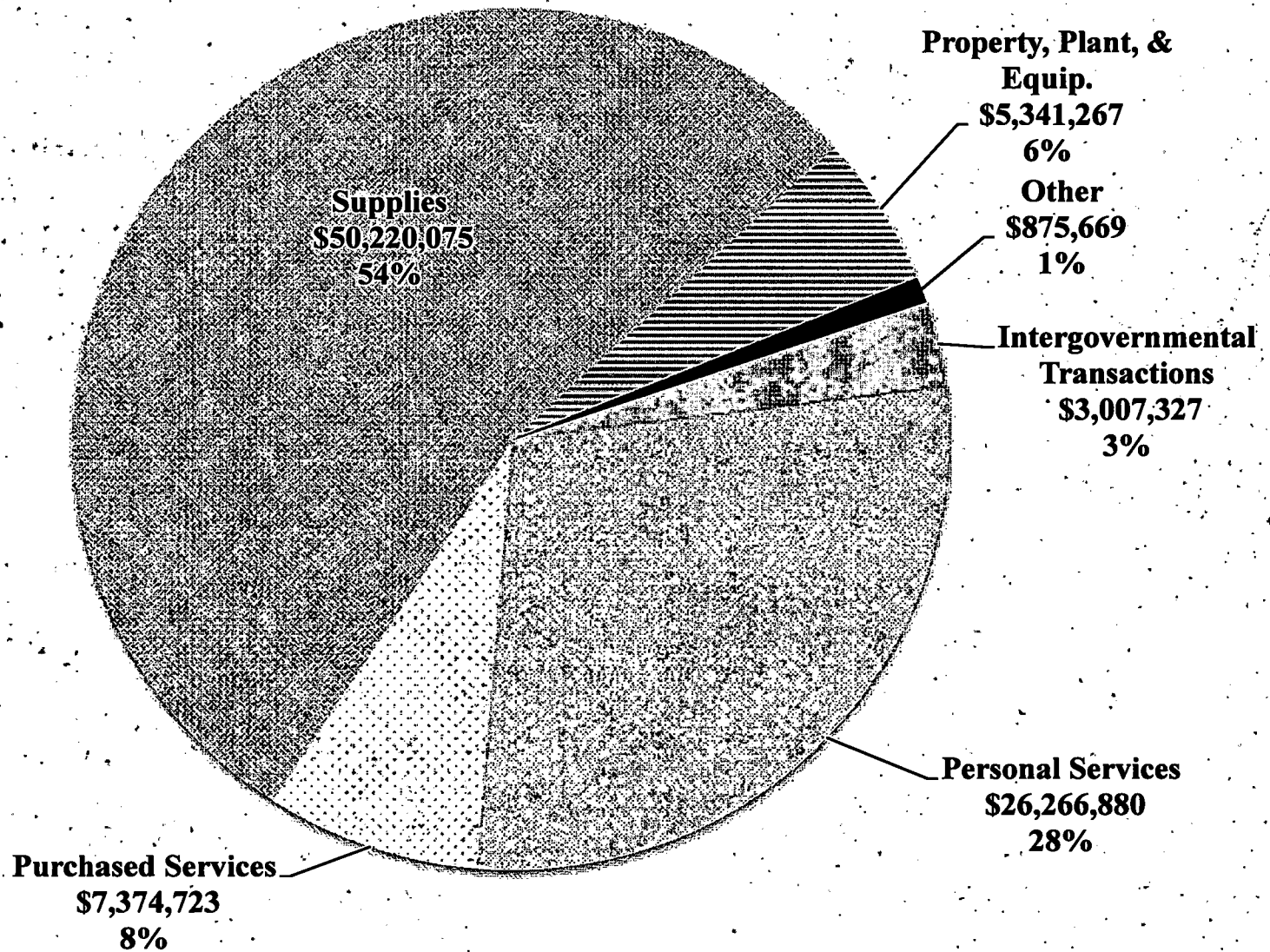


- 2nd largest prison industry in the nation
- 17 industries at 24 plants generated \$95.8 million in revenue
- 385 employees and 2,234 inmate employees
- Largest Customers
 - DPS: 57% DOT: 25% Other State Agencies: 11%

FY 2011-12 Enterprise Sales=\$95.8 million



Correction Enterprise FY 2012-13 Authorized Budget



Correction Enterprises Transfers & Payments

Intergovernmental Transfers: \$3,701,909

- General Fund: \$500,000
- Crime Victims: \$202,613
- DAC General Fund: \$3.06 million

Inmate Labor: \$6.3 million

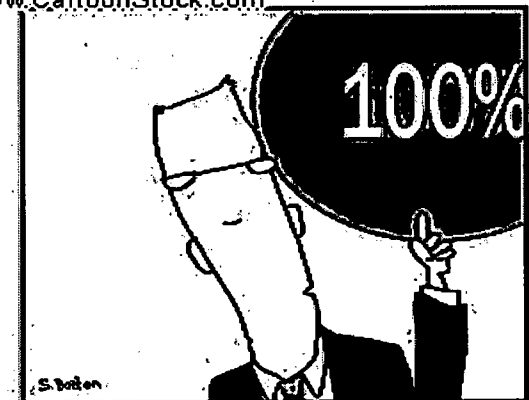
- Incentive Wages: \$3.5 million
- Correction Enterprise: \$2.8 million



Correction Budget Presentations

- **Today: Inmate Medical**
- **Tomorrow: Community Corrections**

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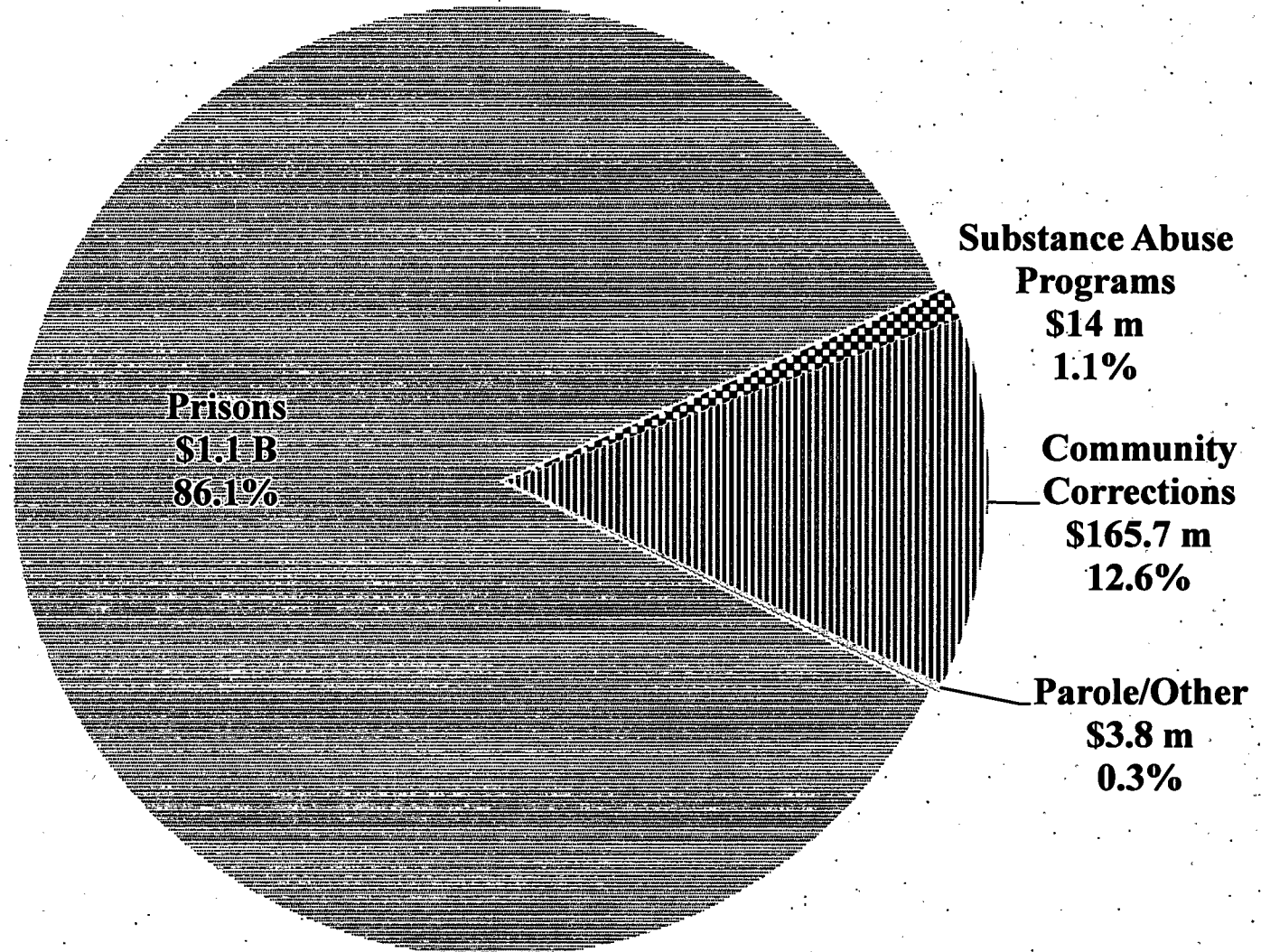


search ID: sbn17

"This Pie Chart clearly demonstrates the distain with which most people regard pie charts."

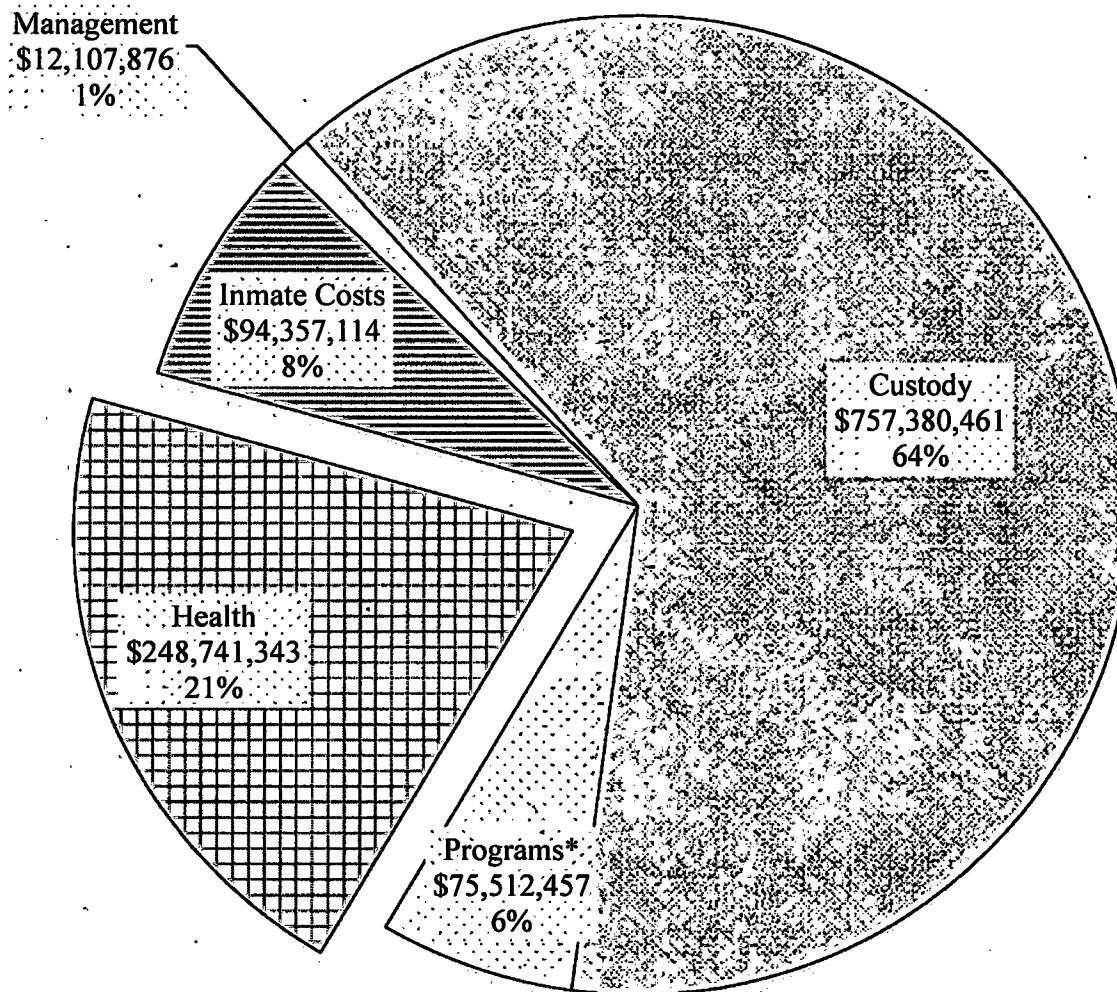


FY 2012-13 Adult Correction Authorized Budget \$1.3 Billion



Prisons FY 2012-13 Authorized Budget

\$1.2 Billion



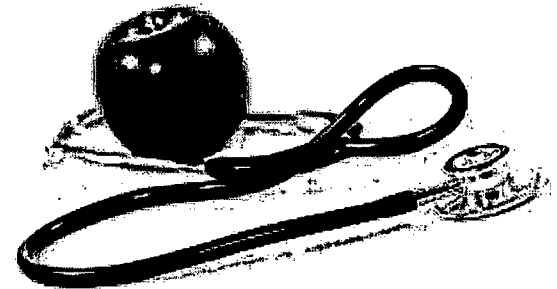
*Substance Abuse In-Prison
Treatment, Academic, and

Source: OSBM Continuation Budget



Today's Presentation

- I. Statutory Requirements**
- II. Budget Drivers**
- III. Cost Containment Efforts**
- IV. New Hospitals**
- V. Medical Release**



I. Statutory Requirements

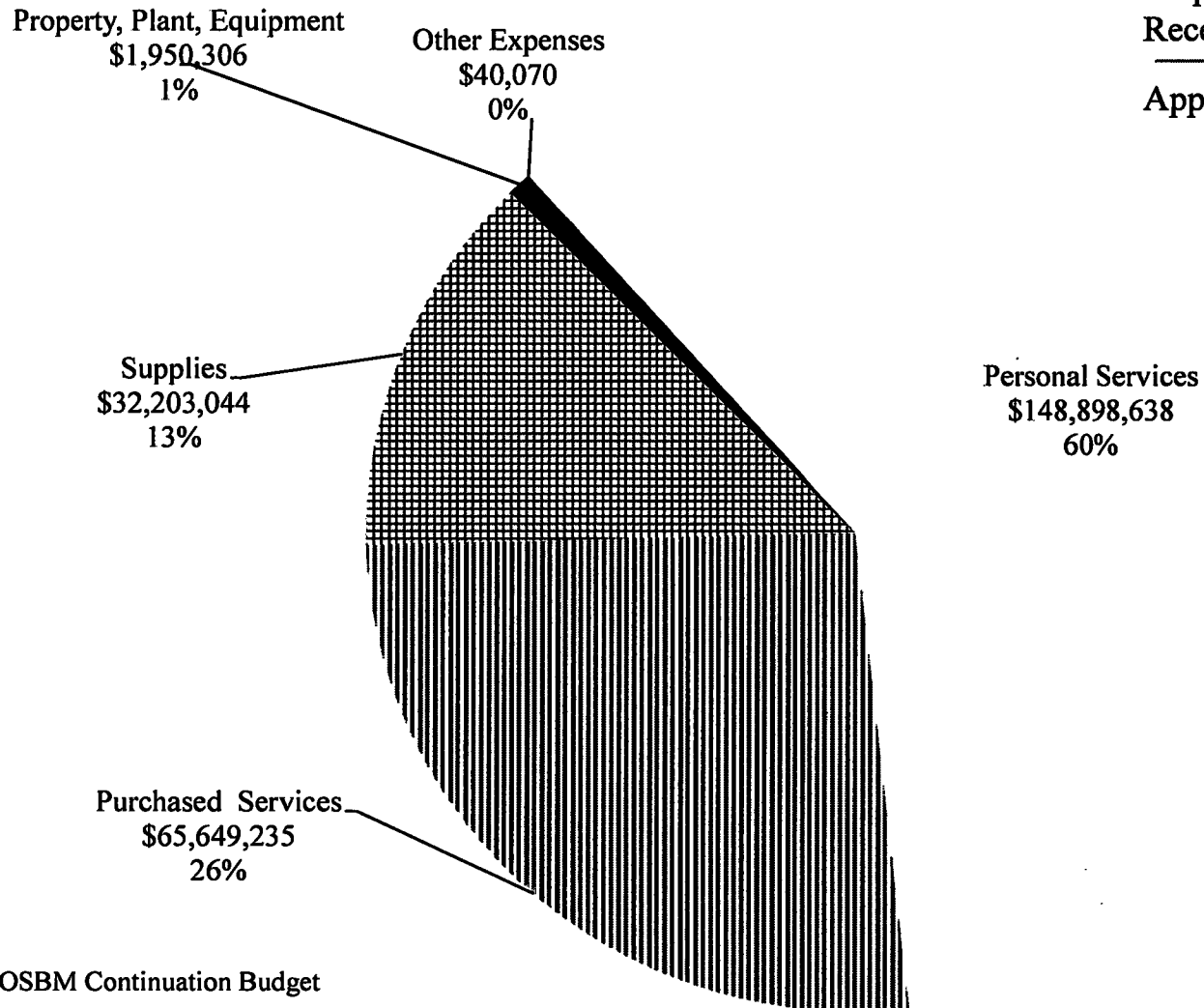
G.S. 148-19. Health services . The general policies, rules and regulations of the Division of Adult Correction of the Department of Public Safety shall prescribe standards for health services to prisoners, which shall include preventive, diagnostic, and therapeutic measures on both an outpatient and a hospital basis, for all types of patients.



Community Standard of Care

- DAC is required to provide level of health care necessary to diminish pain and suffering, not elective surgery
 - NC Administrative Code charges the Director of Prisons with responsibility of providing “the services necessary to maintain basic health.”
 - Medley vs. Atkins (1992) stated “The DOC has a duty to provide adequate medical care to inmates in its custody.”
 - G.S. 148-19 directs that DOC prescribe standards for health services and that the Commission on Mental Health adopt standards for delivery of mental health and mental retardation services

2012-13 Health Authorized Budget \$248.7 million

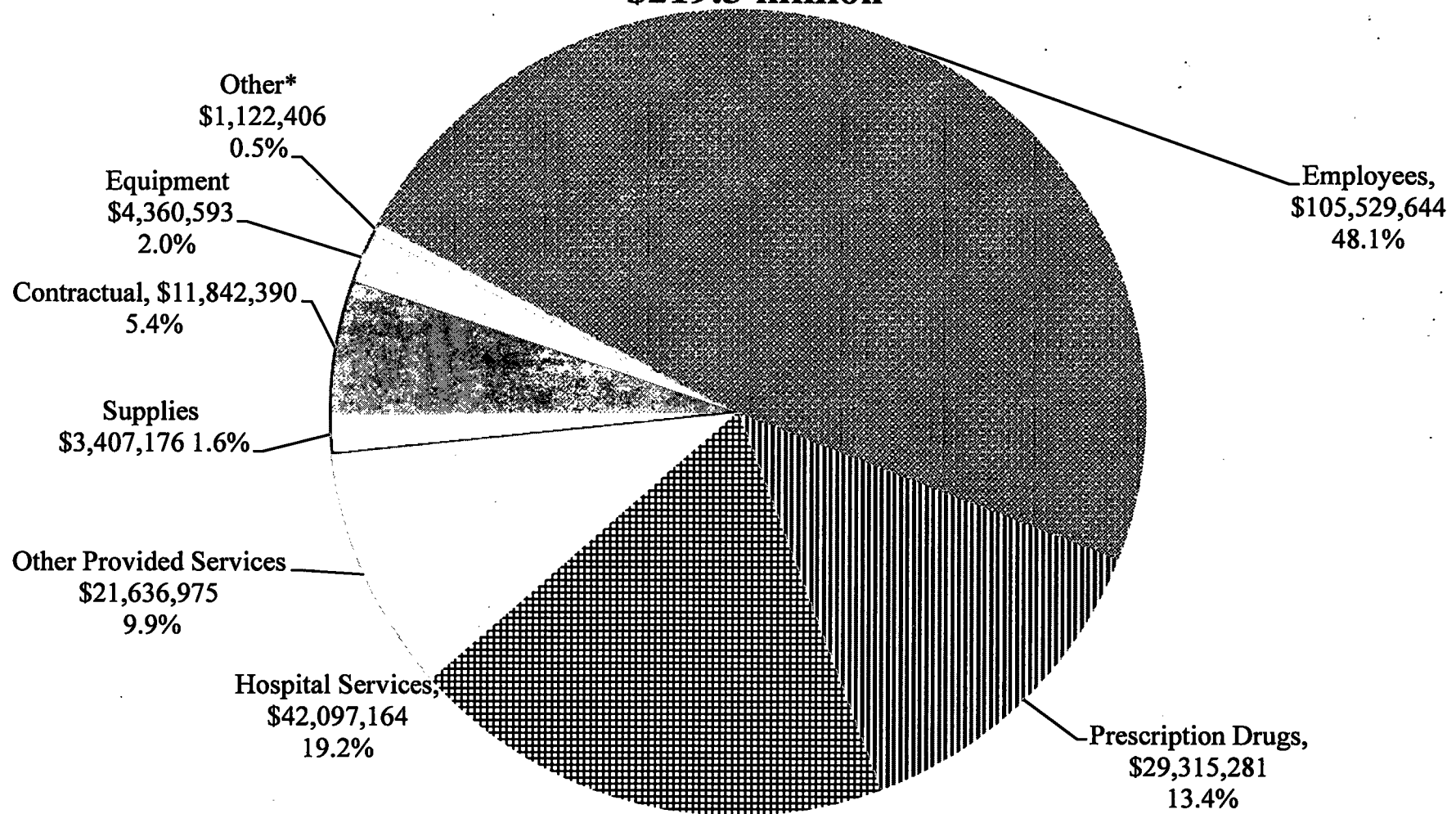


Requirements: \$248.7 m
 Receipts: \$7.1 m

 Appropriation: \$241.6 m

Source: OSBM Continuation Budget

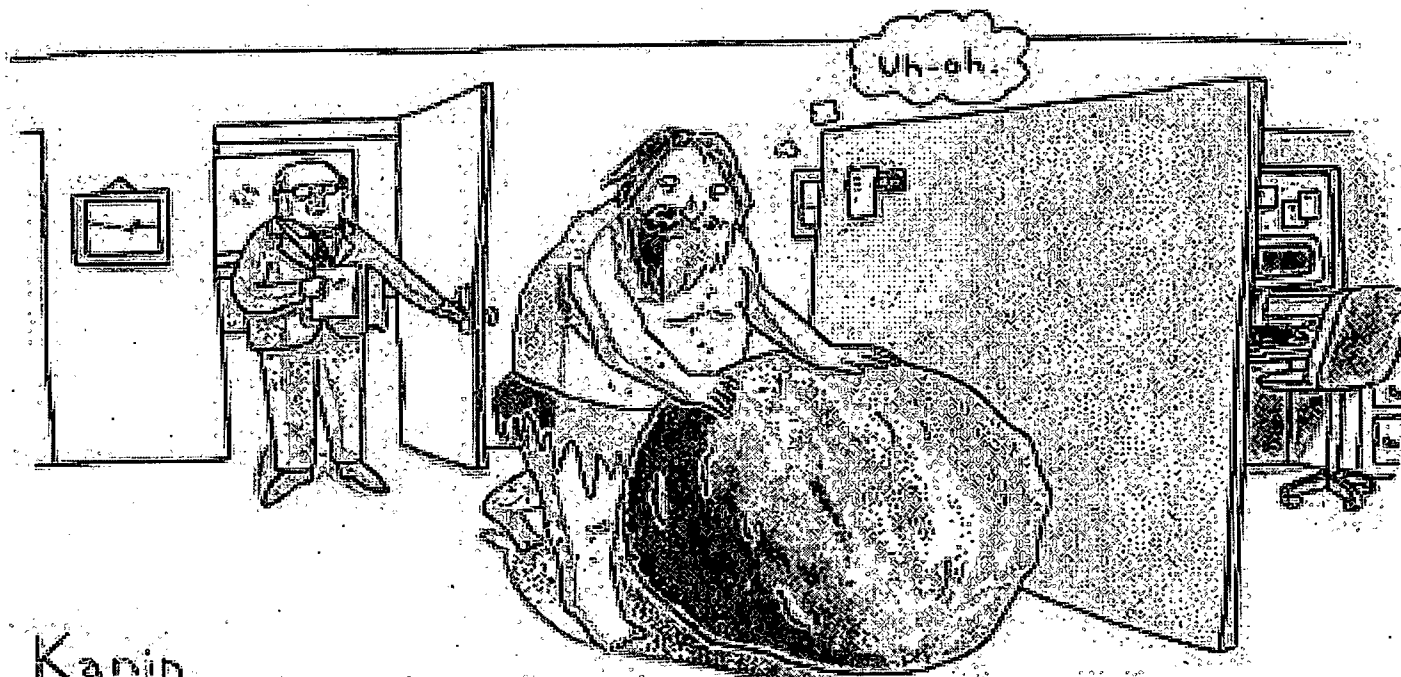
FY 2011-12 Health Expenditures \$219.3 million



- includes Other Expenses & Misc Contracts

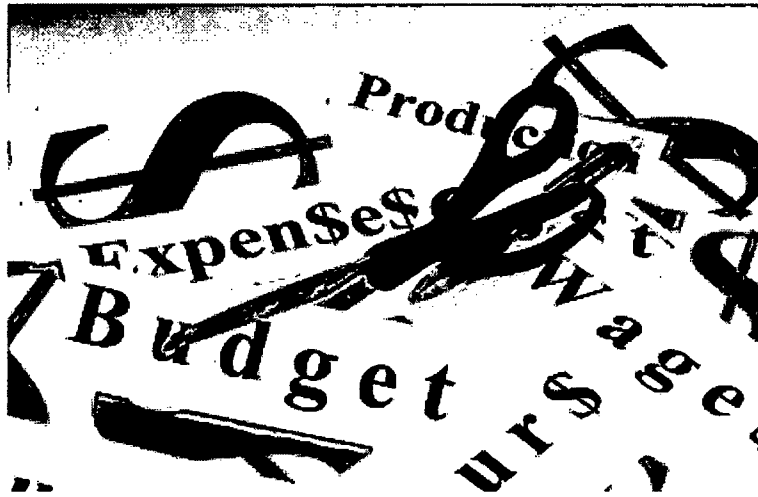
Source: Prisons, Health Services Expense Report FY 2011-12

Executive Summary of Inmate Medical



Kanin

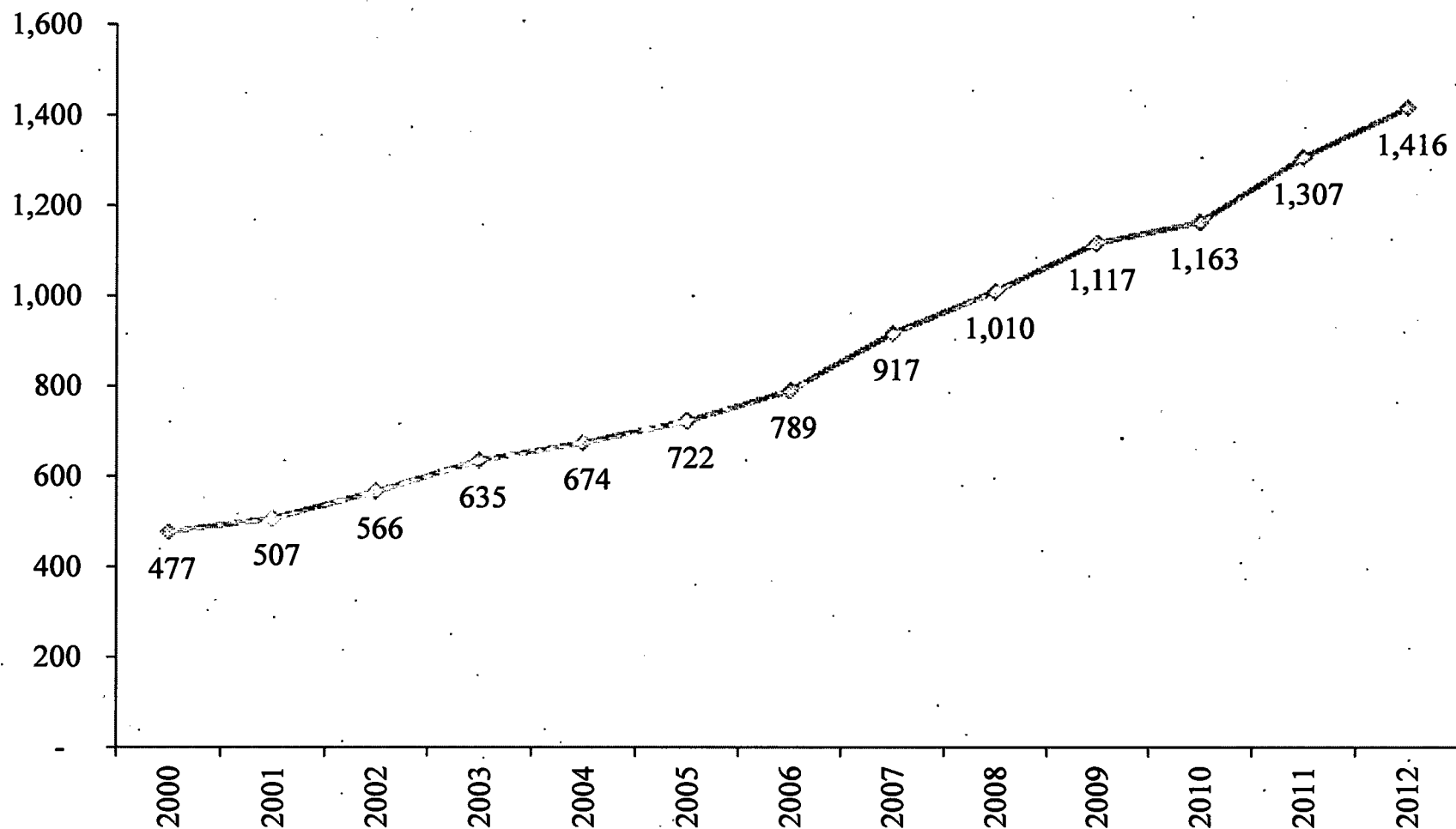
"Hey, Sisyphus, when you've got a minute I'd like to discuss this progress report with you."



II. Budget Drivers



Aging of the Inmate Population: Inmates 60 years and above



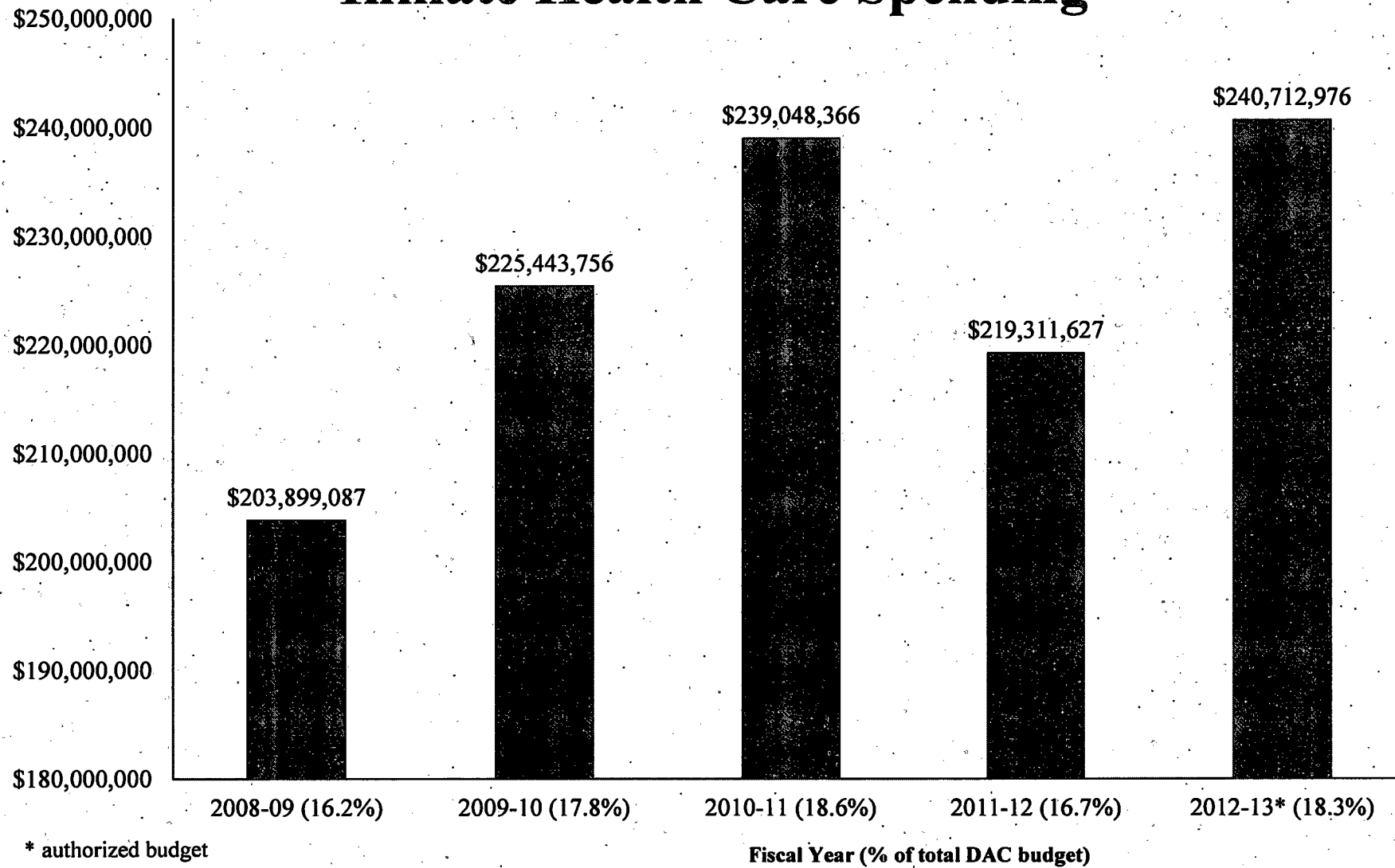
Source: DPS, Research & Planning, June 30



Health Care Cost Drivers

- **Aging of the population**
 - 1,473 inmates are 60 years or older (4%)
 - 260 inmates are above 70
- **Chronic Disease**
 - Cardiovascular Disease (Heart Attacks, Congestive Heart Failure, Strokes, Angina,)
 - Hypertension
 - Diabetes
 - Chronic Lung Disease (asthma, emphysema)
 - Seizures
- **Health of inmates**

Inmate Health Care Spending

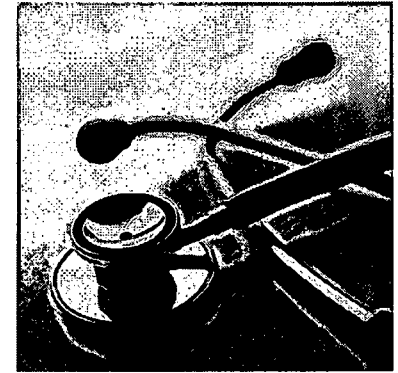


Spending Changes, FY 2007-08 to FY 2011-12

General Health	FY 2007-08	FY 2011-12	% Change
Contractual	\$11,888,316	\$11,842,390	-0.4%
DAC Employees	\$95,119,243	\$105,529,644	10.9%
Hospital Services	\$59,110,273	\$42,097,164	-28.8%
Other Provided Services	\$34,322,389	\$21,636,975	-37.0%
Prescription Drugs	\$23,824,851	\$29,315,281	23.0%
Other Supplies	\$3,159,968	\$3,407,176	7.8%
Equipment	\$823,287	\$4,360,593	429.7%
Other Expenses	\$3,067,938	\$1,122,406	-63.4%
TOTAL	\$231,316,265	\$219,311,629	-5.2%

Source: Prisons, Health Services Expense Report, FY 10-11 and FY 2011-12

FY 2011-12 Health Expenditure Categories



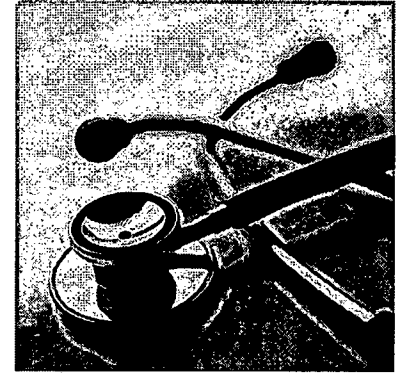
DOP Employees: 53% (2,142 FTE)*

■ Doctors/Dentists:	105
■ Nursing positions:	1,319
■ Medical Records:	168
■ Pharmacy:	96
■ Dental Assts./Hygienists:	75
■ Psychiatrist/Psychologist	107.50

*Positions are based upon December 31, 2012 BO 149 Beacon report



FY 2011-12 Health Expenditure Categories



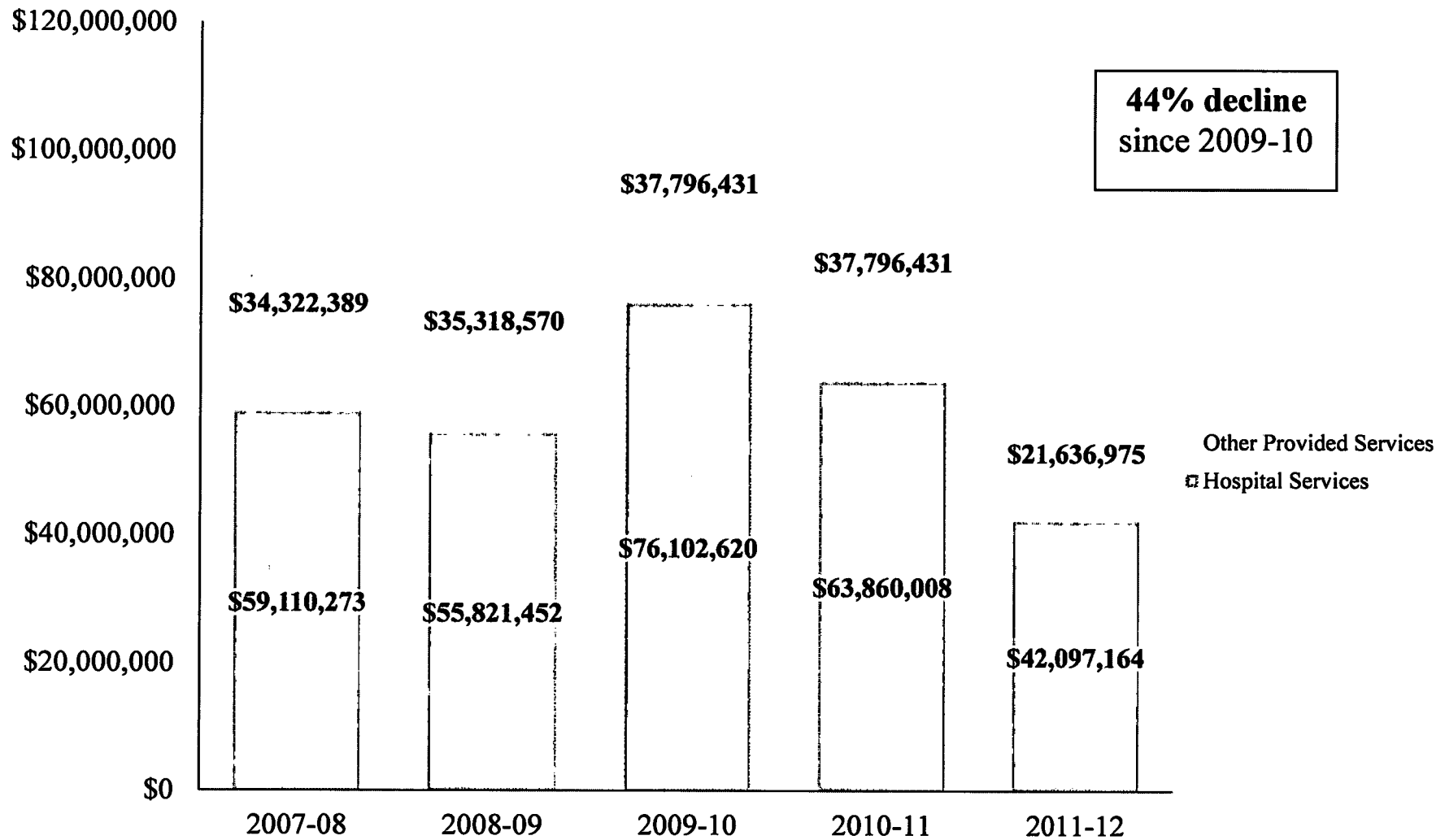
Hospital Providers: 21% (100 hospitals)

- 12,580 claims for 7,960 inmates
- 4 hospitals account for 51% of claims
- 7 hospitals were paid more than \$1 m (69% of total)
- 51 hospitals saw 20 patients or fewer

Other Providers: 11%

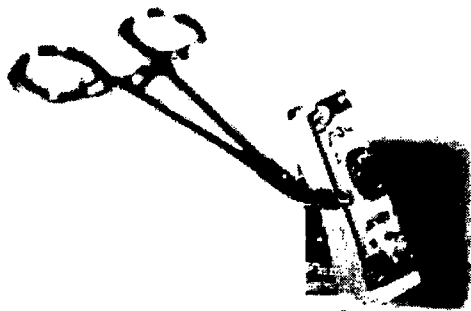
Prescription Drugs: 15%

Decline in Hospital and Provider Payments

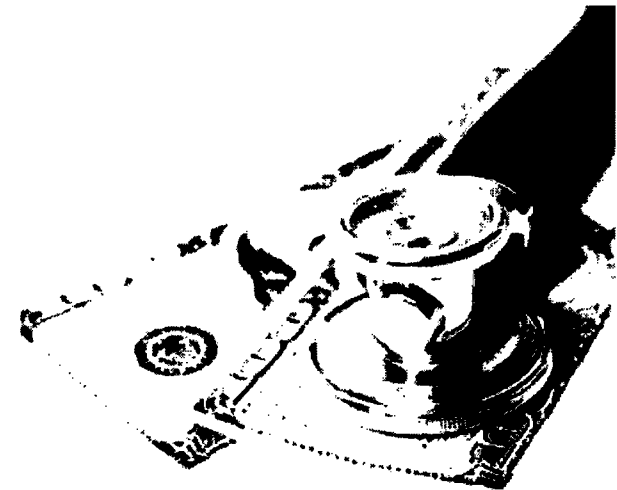


Source: Prisons, Annual Health Expense Reports





III. Cost Containment Efforts



S.L. 2009-451, Section 19.20

- Obtain inmate health care services through State Health Plan provider network
 - Issue RFP to privatize inmate health care
 - Consult with Division of Medical Assistance to develop protocols Medicaid eligible inmates
 - Hospital Utilization report
-
- Technical Corrections bill eliminated the State Health Plan provision

S.L. 2010-31, Section 19.6.

- 70% of amount charged based on the schedule of “usual and customary charges in effect for all other patients as of July 1, 2010.”
 - Consult with Division of Medical Assistance to develop protocols for Medicaid-eligible inmates
 - Hospital Utilization report
-
- \$20.5 recurring budget reduction
 - Limited effect because providers would not share their billed charge lists
 - DOC and DMA developed a Memorandum of Understanding (M.O.U.) for Medicaid-eligible inmates.

S.L. 2011-145, Section 18.10

- DOC will pay 70% of billed charges or Twice the Medicaid rate, unless they have a more advantageous contract
 - Hospital Utilization report
-
- \$3 million recurring budget reduction for a shift in payments for Medicaid eligible inmates



S.L. 2012-142, Section 14.2

- Repeals 2009 inmate health care privatization RFP directive
 - Hospital Utilization report
-
- Department pursued a RFP to privatize all of the inmate health care services
 - \$9.6 million recurring reduction as part of Department's Management Flexibility cut

Medicaid Eligibility

- Agreement with DMA provides that DAC will pay the “State” portion of Medicaid:
 - inmates who are determined to be eligible
 - Treated in an inpatient setting in a hospital for 24 hours or longer
- FY 2010-11: **12%** of admissions determined to be eligible
- FY 2011-12: **45%** of admissions determined to be eligible
- May 2012 State Auditor’s Report: \$10 m in potential savings for February 1, 2011-January 31, 2012



Bending the Curve:

Hospital & Other Provider Payments

FY	Billed	Paid	%
FY 2009-10	\$119 m	\$90 m	75%
FY 2010-11	\$114 m	\$75 m	66%
FY 2011-12	\$89 m	\$48 m	54%

Medicaid pays on costs, not charges. Therefore, “Twice Medicaid” equals average of **39% of charges**.

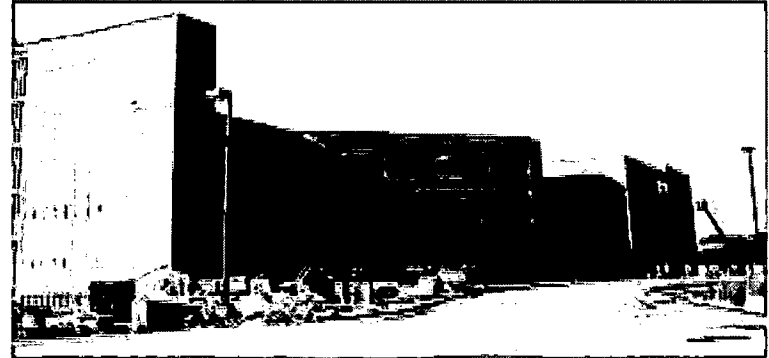
Source: DAC Managers' meeting presentation (12/5/12)



IV. New Hospitals

Central Prison Hospital (Fall 2011)

- \$153.7 million
- 554 positions
- Medical Center: 120 beds
- Mental Health Facility: 216 beds



Estimate: 30% reduction in the number of inmates requiring external services (hospitalizations, chemotherapy, PT, CT scans)

Contract with UNC to staff 18 specialty clinics ✧





New Hospitals

NC Correctional Institution for Women Hospital

- **\$48.3 million**
- **227 positions**
- **Medical beds: 80 beds**
- **Mental Health: 70 beds**

V. Medical Release

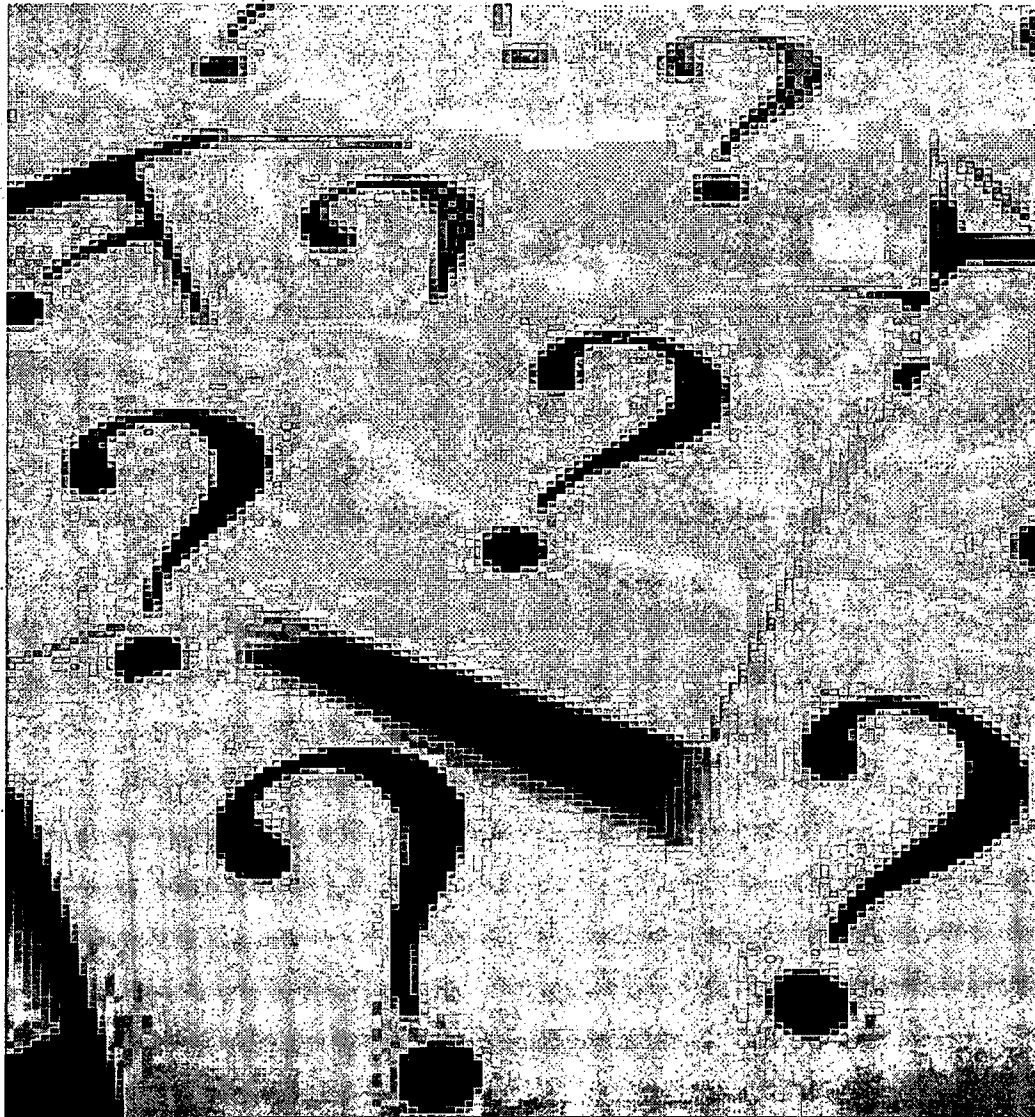
S.L. 2008-2 (SB 1480)-Medical Release

- Directs DAC and the Parole Commission to provide for the medical release of:
 - Permanently and totally disabled
 - Terminally ill
 - Geriatric
- Offenders who have committed certain offenses are not eligible
- Once these criteria are met, DAC will forward the case to the Parole Commission for consideration
- Parole Commission will review the Medical information, Psychosocial Information, and Risk Assessment

VI. Medical Release

	12/15/08- 12/31/12
Proposed	78
Considered	78
Denied	8
Other	6 -1 completed sentence -4 died -1 placement did not work
Released	64





House Committee Pages / Sergeants at Arms

NAME OF COMMITTEE Justice + Public Safety

DATE: MARCH 6, 2013 Room: 415

*Name: James Yates

County: Wake

Sponsor: Randkman

*Name: Gannon Nawajczyk

County: Wake

Sponsor: Berger

*Name: Richard Scott Thompson

County: Mecklenburg

Sponsor: Tillis

*Name: Andrew Greene

County: Avery

Sponsor: Brisson

*Name: _____

County: _____

Sponsor: _____

House

House Sgt-At Arms:

1. Name: John Brando

2. Name: Patrick Mason

3. Name: _____

4. Name: Charles Marsalis

5. Name: Justin Owens

6. Name: _____

PAGES ATTENDING

✓

COMMITTEE: Joint: Justice & Pub. Safety ROOM: 415

DATE: 3-6 TIME: 8:30

PLEASE PRINT LEGIBLY!!!!!!!!!!!!!!

Page	Name	Hometown	Sponsoring Senator
1	Gannon Nawojczyk	Fuquay Varina	Berger
2	James Yates	Holly Springs	Randleman
3			
4			
5			
6			
7			
8			
9			
10			

Do not add names below the grid.

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.

VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety

March 6, 2013

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Robert Leon	DPS Correction Enterprises
Karen Brown	DPS Correction Enterprises
Tim Mace	DPS
Joe Preece	DPS Prisons
Paula Y. Smith	DPS PRISONS
TERRET L. CATLETT	DPS PRISONS
Drew Harbinson	DPS Purchasing
Mitch Leonard	SEANC
Chris Nida	NCLM
Jillian DeCamp	Eckerd Youth Alternatives
Elizabeth Watson	NCVAN
Jarret Burr	DPS
Douglas Holbrook	NCNPS
Mildred Spearman	NCADC
Chris Agnes	NCDDJ
Andrew Cagle	NC Sheriffs' Assn.
Reg Dorer	Conf. of DAs

VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety

March 6, 2013

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
John W Smith	AOC
Thomas Maher	IDS
Debbie Hughes	KLG
Cassandra Skinner	NACEC
Marcia Brown	NACEC

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

March 12, 2013 8:30 A.M.

I. CALL TO ORDER

Chairs: Senator Stan Bingham, Presiding
 Senator Thom Goolsby
 Senator Buck Newton

Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley

II. PRESENTATIONS

Opening Remarks by Chairs

Overview of Community Corrections Programs

Lisa Fox
Fiscal Research Division

III. COMMITTEE DISCUSSION

IV. OTHER BUSINESS:

Next meetings: Wednesday, March 13, 8:30 a.m.
 Thursday, March 14, 8:30 a.m.
 Tuesday, March 19, 8:30 a.m.

IV. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Mobley (Vice Chair), Rep. Stevens (Vice Chair)
Rep. Foushee, Rep. C. Graham, Rep. G. Graham, Rep. Speciale,
Rep. Szoka, Rep. Turner

Senate Appropriations Subcommittee on JPS

Sen. Bingham (Chair)
Sen. Goolsby (Chair)
Sen. Newton (Chair)
Sen. Apodaca (Vice Chair), Sen. Clodfelter,
Sen. Daniel, Sen. Kinnaird, Sen. Randleman

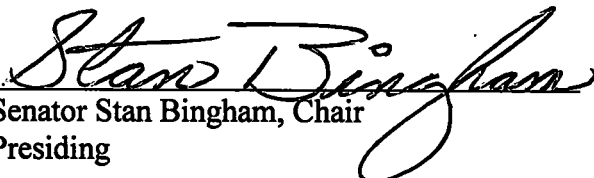
Senate Committee on Appropriations on Justice and Public Safety
Tuesday, March 12, 2013 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 8:31 AM on March 12, 2013 in Room 415 of the Legislative Office Building. Fifteen members were present.

Senator Stan Bingham, Chair, presided. Senator Bingham recognized the Sergeant-at-Arms and the Pages. He recognized Lisa Fox of the Fiscal Research Division to begin her presentation on Community Corrections (attachment). Ms. Fox used a slide show to describe the budget, staffing and programs associated with Community Corrections. She defined probation, parole and post-supervision. The majority of the staff is comprised of probation and surveillance officers. The vacancy rate among probation officers is 6.5%. Ms. Fox described an innovative iphone app used to supervise offenders on probation. North Carolina is the only state to have this app. Ms. Fox went on to describe the Treatment for Effective Community Service (TECS). This program uses cognitive behavior intervention and substance abuse programming. It is used in 76 counties. Ms. Fox concluded her presentation.

The meeting adjourned at 9:23.



Senator Stan Bingham, Chair
Presiding



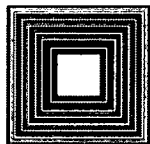
Maria Kinnaird, Committee Clerk

Joint Appropriations Subcommittee on Justice and Public Safety

Department of Public Safety: Community Corrections Overview

Lisa C. Fox

March 12, 2013



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Coming Attractions

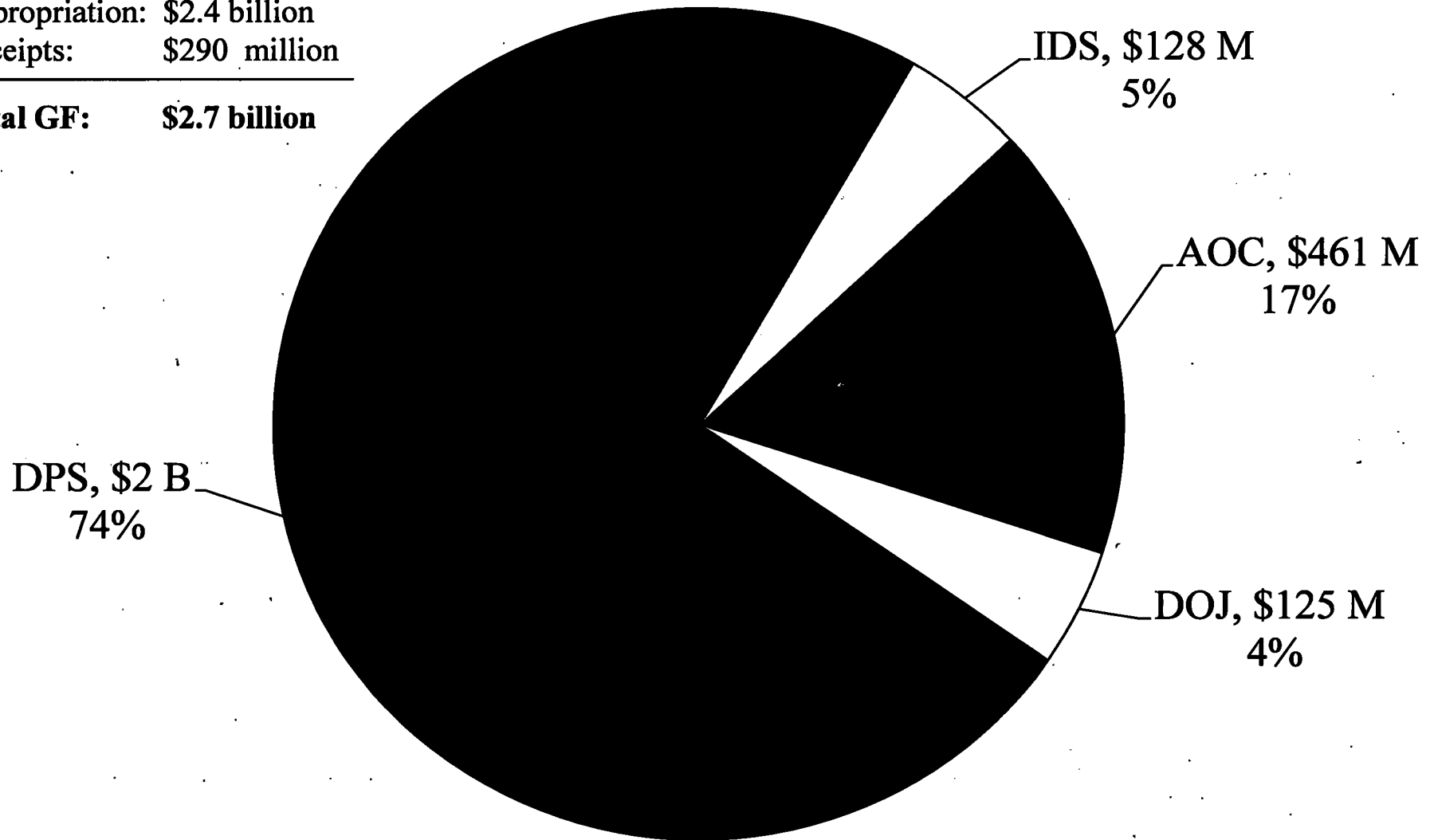
- Today: Community Corrections Overview
- Tomorrow: Division of Law Enforcement
- Thursday: Emergency Management & the National Guard



FY 2012-13 JPS General Fund Budget by Agency

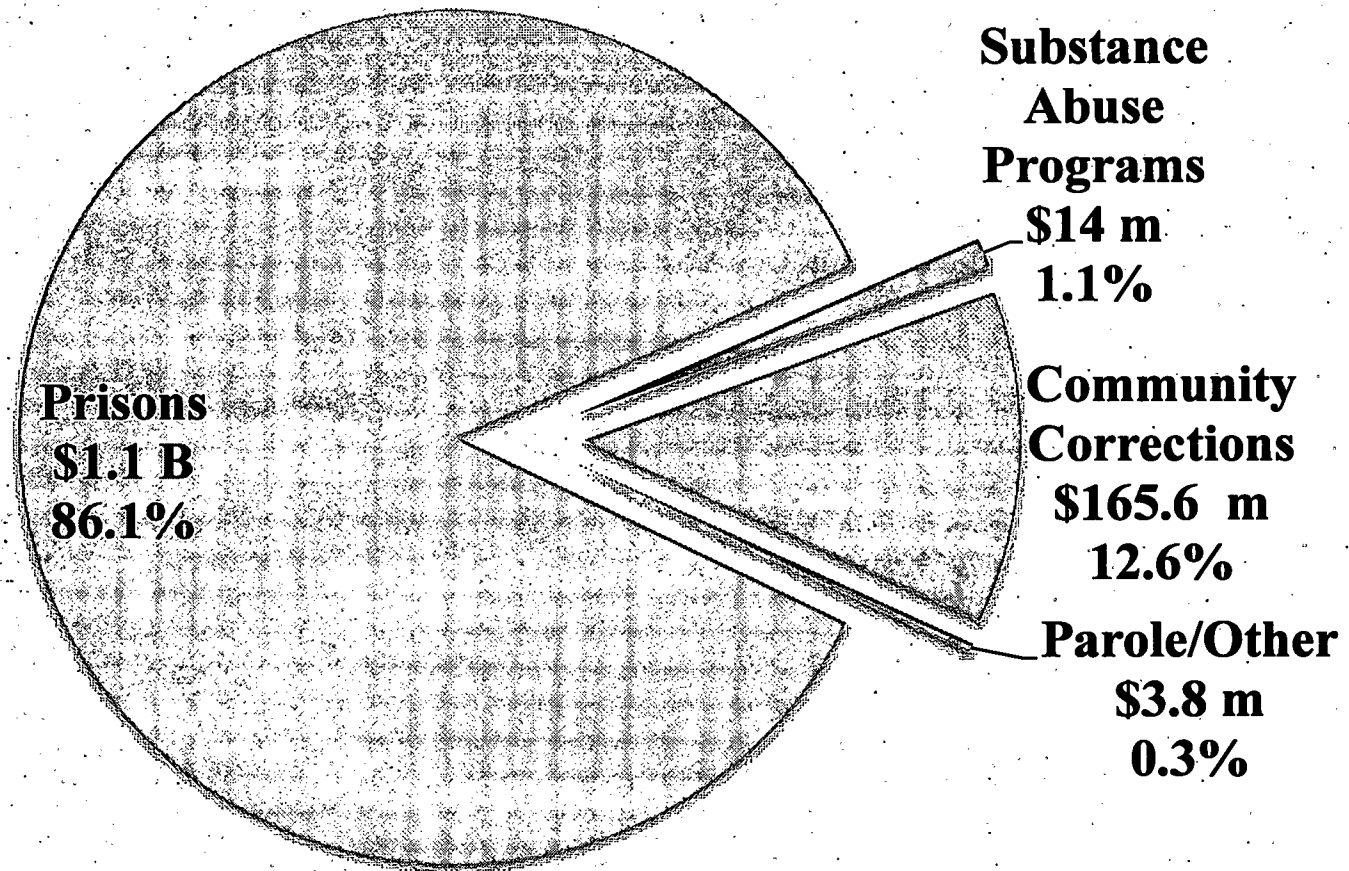
Appropriation: \$2.4 billion
Receipts: \$290 million

Total GF: \$2.7 billion

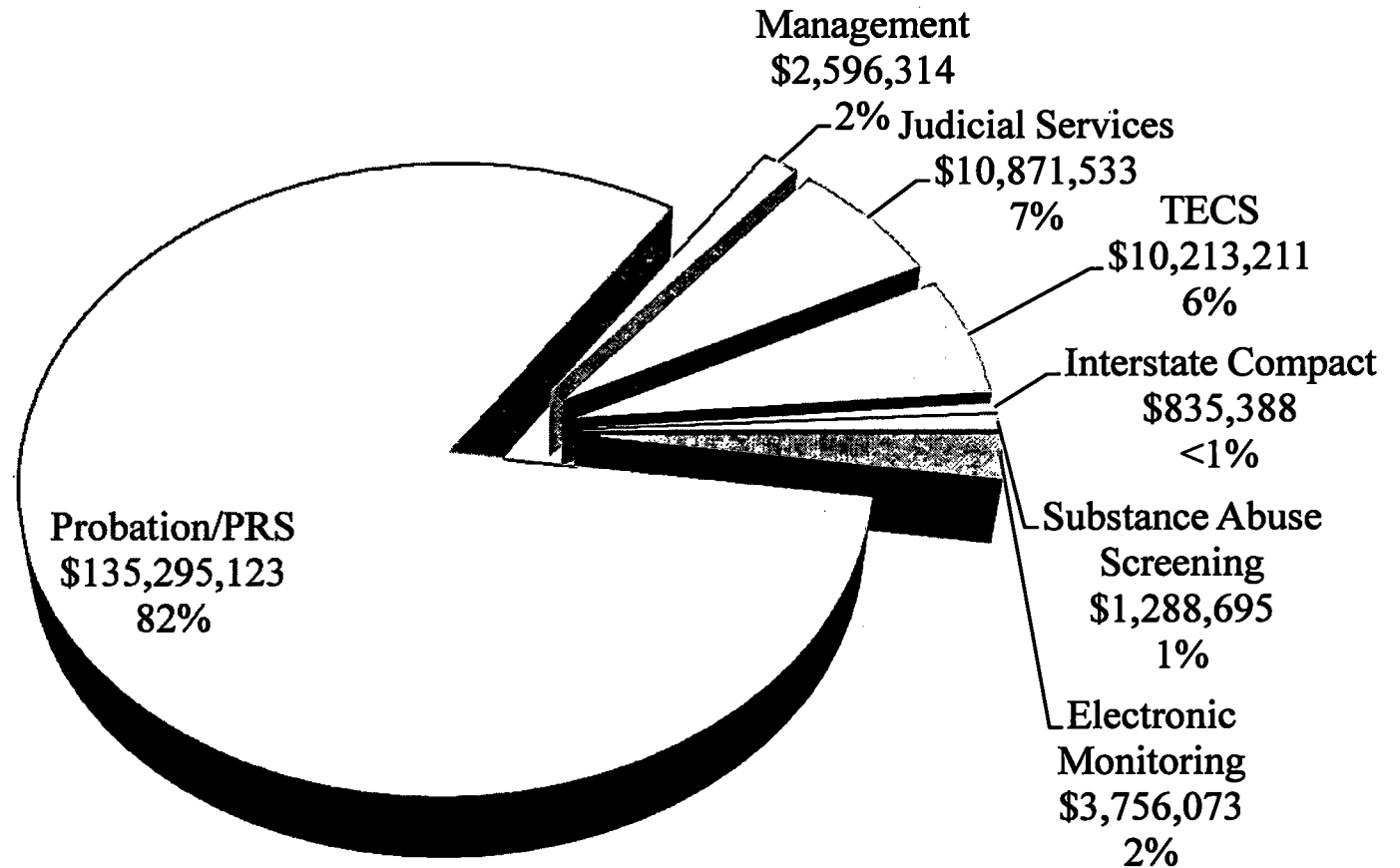


Source: NCAS, December 31, 2012 Authorized Budget

FY 2012-13 Adult Correction Authorized Budget \$1.3 Billion



Community Corrections FY 2012-13



Authorized Budget: \$165,671,936

FTE: 2,537



Probation, Parole and Post-Release Supervision Defined

- Probation is a period of court-ordered community supervision of an offender as an *alternative* to imprisonment
- Parole is the conditional release of an offender prior to the end of his/her sentence.
- Post-Release Supervision (PRS) is a period of supervision after the completion of an active prison sentence.



Community and Intermediate Punishment, Redefined

- Under Structured Sentencing, a clear distinction between Community and Intermediate Punishment
- Post-JRA, intermediate punishment does not include any particular conditions other than the defendant being placed on supervised probation
- Community punishment may now include any one or more of the new community and intermediate probation conditions

Probation Conditions

- House arrest with electronic monitoring
- Community Service
- Submit to 'quick dips' (up to 6 days per month)
- Substance abuse assessment, monitoring, or treatment
- Abstention from alcohol consumption and/or submitting to Continuous Alcohol Monitoring
- Educational or vocational training



Staffing

Position	FTE
Management	28
Interstate Compact	14
Supervision	2,232
Probation Officer/Surveillance Officer	1754
Chief Probation Officer	237
Administrative Services	241
Community Supervision	4.5
Electronic Monitoring	20
Judicial Services	235
Substance Abuse Screening	3
<i>Total</i>	2,536.5

Source: OSBM, BEACON

Cost per Day

		Daily	Annual
Prison		\$75.54	\$27,572
Community Corrections			
	Offender Supervision	\$3.63	\$1,325
	Treatment for Effective Community Services	\$5.13	\$1,872
	Electronic Monitoring and GPS	\$4.42	\$1,613
	DART-Cherry	\$50.04/\$4,503 program	
	Black Mountain	\$133.29/\$6,650 program	
	Drug Screening	\$4.96/\$1.85 per screen	

Community/Intermediate Punishment

Intermediate		<i>Average Length</i>	<i>Cost</i>
Felony	11,570	30 Months	\$3,267
Misdemeanor	2,833	19 Months	\$2,069
Community			
Felony	4,550	24 Months	\$2,613
Misdemeanor	96,305	14 Months	\$1,524

Source: NC Sentencing and Policy Advisory Commission, FY 2011-12 Structured Sentencing Report

Post-Release Supervision

	Time Supervised	Cost
B1-E Felons	12 Months (Post-Release)	\$1306.80
F-I Felons	9 Months (Post-Release)	\$980



Offenders Under Supervision

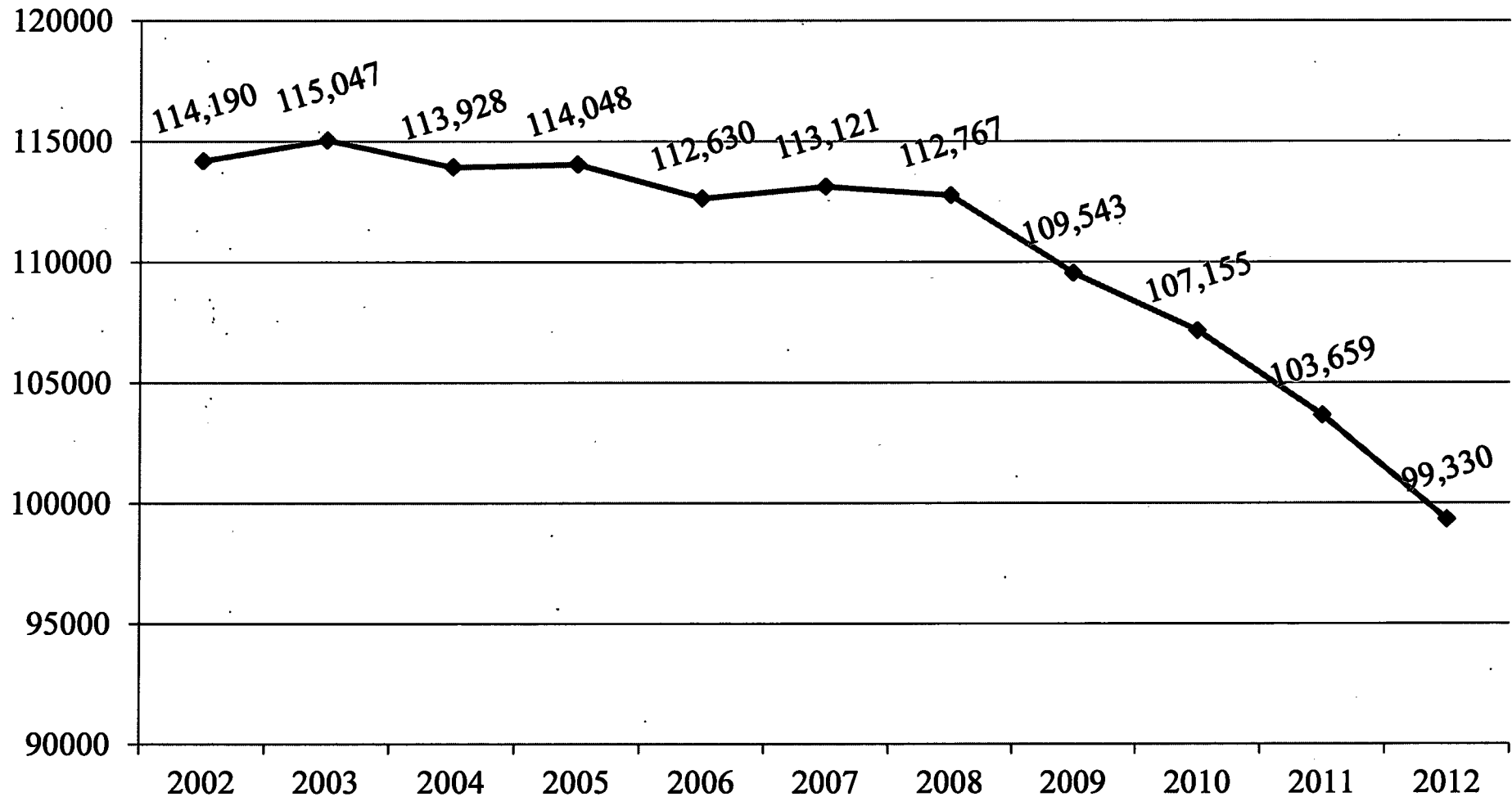
Type of Supervision	
Probation	100,300
Post-Release	3,364
Parole	1,706
<i>Total</i>	105,370
Daily Cost of Supervision: \$3.63 per offender Supervision Fee: \$40 per month	

Source: DPS, ASQ Report 3/11/2013

Levels of Supervision

Level	Number of Offenders
L1	7,094 (7%)
L2	25,650 (24%)
L3	27,336 (26%)
L4	24,379 (23%)
L5	4,678 (4%)
Not Established	14,723 (14%)

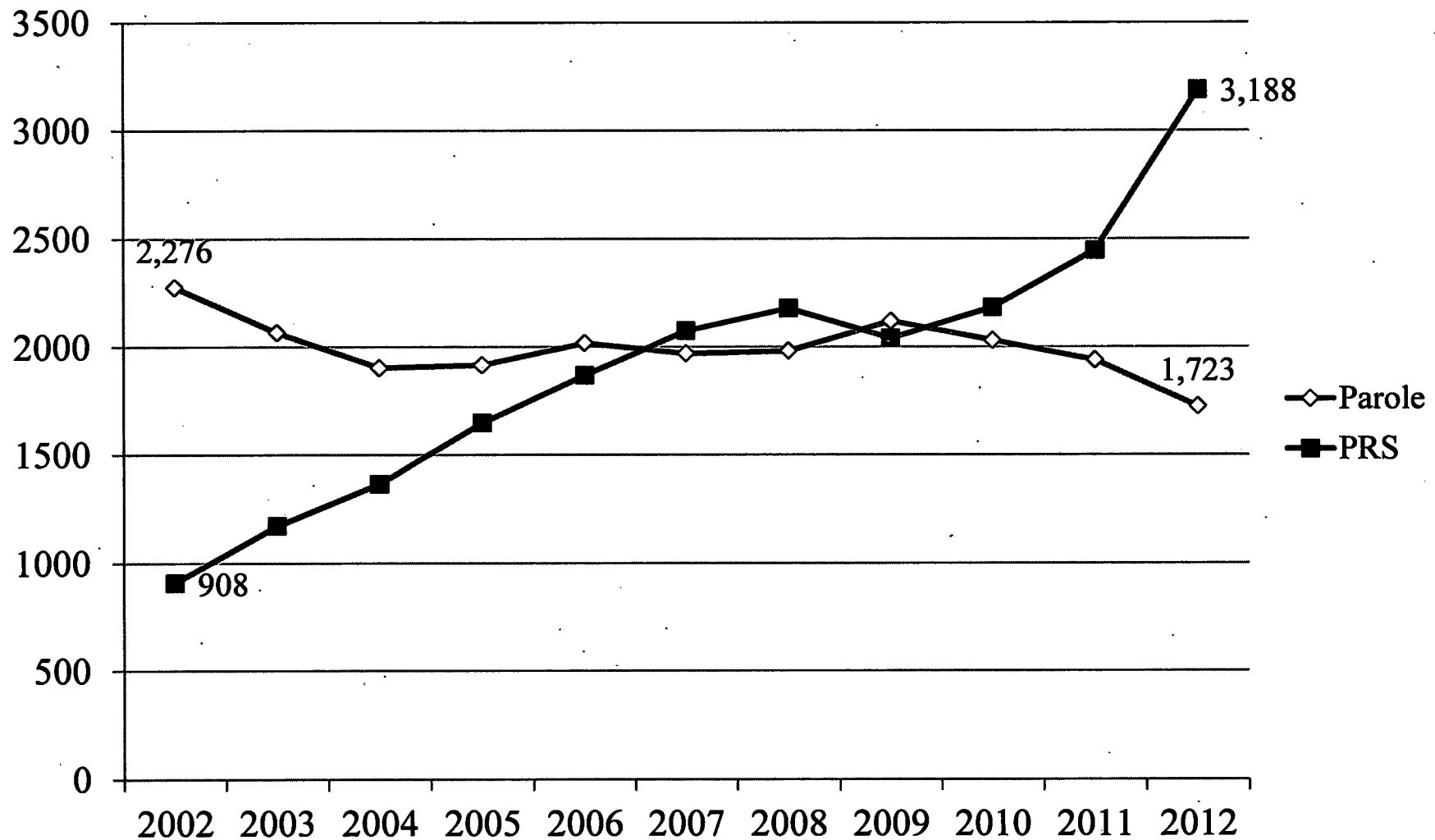
Probation Population as of 12/31/2012



Source: DPS Research and Planning, ASQ Report



Parole & Post-Release Supervision Population



Source: DPS Research and Planning, ASQ Report



Projected Staffing Requirements

Caseload Scenario: 60 offenders

Fiscal Year	Projected Population	Current PO Staff	Required PO Staff	Additional POs Needed
FY 12-13	101,910	1,504	1,520	16
FY 13-14	104,912	1,709	1,749	40
FY 14-15	110,645	1,709	1,844	135
FY 15-16	114,575	1,709	1,910	201
FY 16-17	116,476	1,709	1,941	232

Current Vacancy Rate: 2.5%

Source: DPS, Legislative Report on Probation and Parole Caseloads, 3/1/2013

G.S. 15A-1343.2(c): "It is the goal of the General Assembly that, subject to the availability of funds, caseloads for probation officers supervising persons who are determined to be high or moderate risk of rearrest as determined by the Department's validated risk assessment should not exceed an average of 60 offenders per officer."

Actions Taken: 2011-12

- Governor's Budget (2012) recommended an additional 249 positions at a cost of \$12.2 million annually
- Legislature authorized the reclassification of vacant positions as PO positions
- DPS reclassified 50 positions (31 filled to date)
- DPS transitions SO officers to full PO officers
 - Cost to bring SO salaries to parity with PO salaries: approximately \$997,000 annually

Smartphone Initiative

- Developed entirely in-house by DPS' Information Services Department
- 2,094 phones programmed & deployed
- Completed in five weeks
- The only fully functional system of its kind in the country
- Deployment cost: \$312,320
- Yearly cost: \$1,295,600



Full Caseload For WCM04



Offender ID: 1322871
 Name: ALBRECHT, AARON J
 Birth Date: 10/25/1987
 Address: 130 WINDSONG FOREST RD.
 GASTONIA NC 28053
 Crime: FELONY B&E

L3



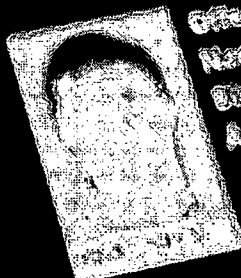
Offender ID: 1213599
 Name: BURCH, GARY M
 Birth Date: 10/02/1960
 Address: 1516 S MARIETTA ST
 GASTONIA NC 28054-5430
 Crime: B & E VEHICLES

L3



Offender ID: 0952996
 Name: MATTHEWS, BRENT C
 Birth Date: 11/02/1975
 Address: 1820 JAMES ST
 DURHAM NC 27707-2024
 Crime: B & E VEHICLES

L3



Offender ID: 1323223
 Name: MCCUEGAN, CHRISTOPHER L
 Birth Date: 03/19/1990
 Address: 257 8TH AVE
 CRAMERTON NC 28032-1254
 Crime: TRAFFICK OF MAJOR ROBS 14-27 CR

12:25



1516 S Marietta St

Gastonia, NC 28054



Map

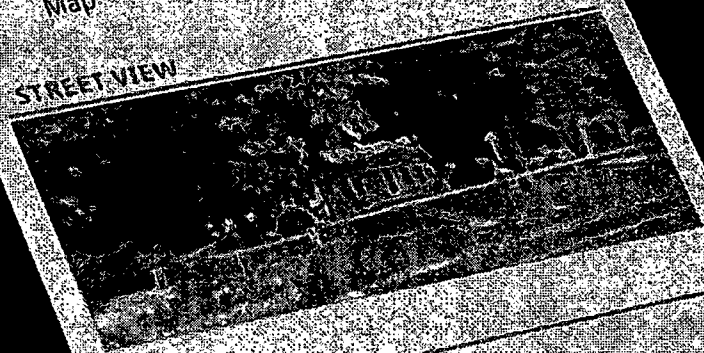


Directions



Call

STREET VIEW



Community Programming



Treatment for Effective Community Services (TECS)

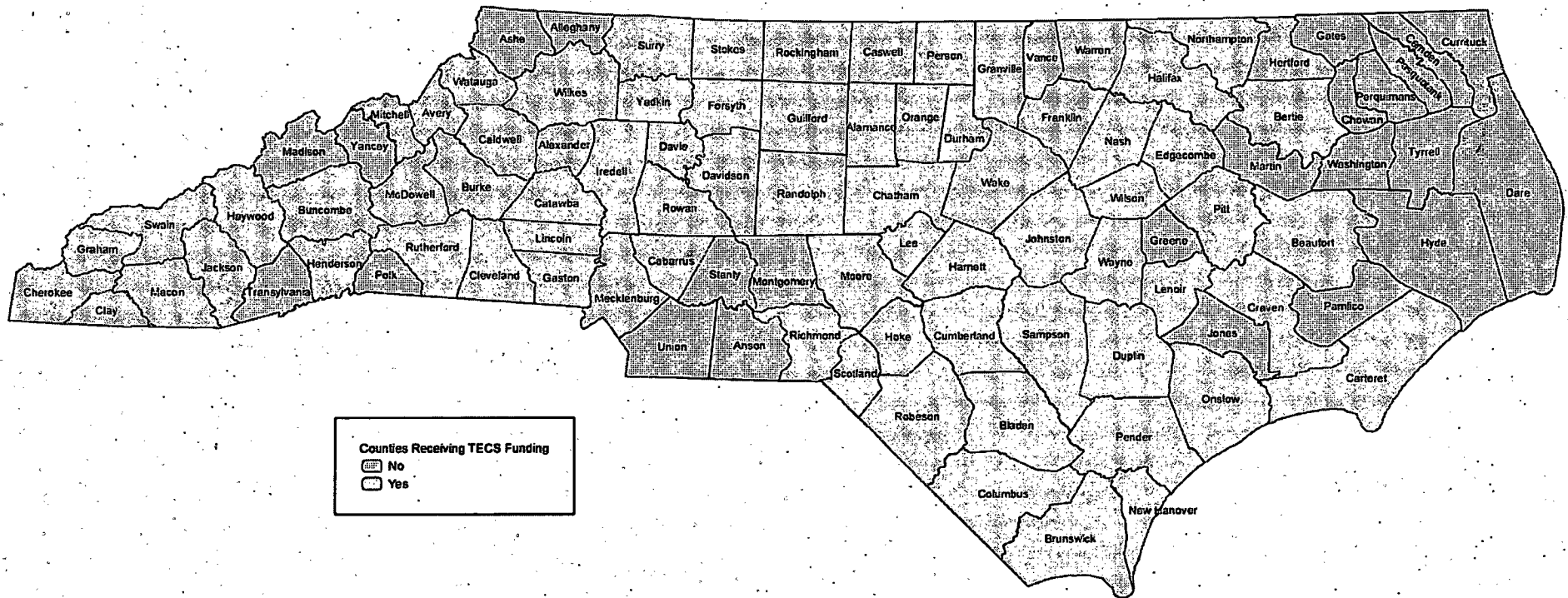
- Formerly the Criminal Justice Partnership Program, which was dissolved by JRA
- CJPP was a grant program to counties; TECS is a contract with vendors to provide specific services
 - Vendors are paid for services rendered

TECS, Continued

- The program is designed to support the use of evidence-based practices to reduce recidivism and to promote coordination between State and community-based corrections programs
- All vendors are required to provide the same services:
 - 80% Cognitive Behavioral Intervention (CBI)
 - 20% Substance Abuse



Counties Receiving TECS Funding and Services



Substance Abuse In-Patient Programs



DART-Cherry

- A three-month intensive, drug and alcohol treatment program for men
- Budget: \$5.2 million
- FTE: 82
- Enrollment: 1,545
- Cost/day: \$50.03
- 300 treatment slots: 72% probationers, 28% parolees
- 86% completion rate



Black Mountain Substance Abuse Center for Women

- Residential, 50-day program
- Budget: \$2.6 million
- FTE: 40
- Enrollment: 290
- Cost/day: \$133.29
- 87% completion rate

Other Supervision



Community Service Work Program

- CSWP requires the offender to work for free for public or nonprofit agencies in an area that will benefit the greater community.
- Each offender must pay a fee of \$225.00
- 11,970 offenders in CSWP



Electronic Monitoring

- New contract in 2012 reduced the cost of electronic monitoring by half (from \$9.38/day to \$4.42/day)
- Each offender pays a one-time fee of \$90
- 1,927 offenders on electronic monitoring
- DPS also handles monitoring for the juvenile system

Probation & Parole Commission

- The 2012 Session: Expanded the Parole Commission to meet the increased caseloads resulting from JRA. Effective August 1, 2012, provided funding to convert two part-time Parole Commissioners to full time. Effective February 1, 2013, provided funding to establish one additional full-time Commissioner (S.L. 2012-142, Sec. 25.1)



Post-Release Supervision and Parole Commission, Continued

- Now 4 members
- Appointed by the Governor
- Set the conditions for all offenders under post-release supervision; review cases for parole (offenses prior to the Structured Sentencing Act)

VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety
(Committee Name)

3/12/13

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
David Edwards	DPS
Jorret Burr	DPS
Peg Durr	Conf. of DAs
M. Jillian DeCamp	Eckerd Youth Alternatives
Jordon Smith	NCLM
Chris Agner	DOT
Mildred Spearman	NCAOC

VISITOR REGISTRATION SHEET

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Anne Preythe

DPC-DCC

W. D. L. S.

DRS

Ryan Combs

APS

Doeg Welbrook

ncdps

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

March 19, 2013 8:30 A.M.

I. CALL TO ORDER

Chairs: Senator Thom Goolsby, Presiding
 Senator Stan Bingham
 Senator Buck Newton

Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley

II. PRESENTATIONS

Opening Remarks by Chairs

DPS Division of Law Enforcement (ALE, State Capitol Police, Emergency Management) and the National Guard

Kristine Leggett
Fiscal Research Division

III. COMMITTEE DISCUSSION

IV. OTHER BUSINESS:

Next meetings: Wednesday, March 20th, 8:30 a.m.

IV. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Mobley (Vice Chair), Rep. Stevens (Vice Chair)
Rep. Foushee, Rep. C. Graham, Rep. G. Graham, Rep. Speciale,
Rep. Szoka, Rep. Turner

Senate Appropriations Subcommittee on JPS

Sen. Bingham (Chair)
Sen. Goolsby (Chair)
Sen. Newton (Chair)
Sen. Apodaca (Vice Chair)
Sen. Clodfelter, Sen. Daniel, Sen. Kinnaird,
Sen. Randleman

Senate Committee on Appropriations on Justice and Public Safety
Tuesday, March 19, 2013 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 8:34 AM on March 19, 2013 in Room 415 of the Legislative Office Building. Seventeen members were present.

Senator E. S. (Buck) Newton, Chair, presided. Senator Newton recognized the Pages and Sergeant-at-Arms. He recognized Kristine Leggett from the Fiscal Research Division to begin her presentation (slide show) on the ALE, the State Capital Police, the Emergency Management division and the National Guard (attachment). Ms. Leggett described the budget, purview, staffing and services of each of these agencies.

Ms. Leggett began by describing the Alcohol Law Enforcement division. She noted that arrests have declined by 50% since 2007. Also, seized assets amounted to \$2.3 million.

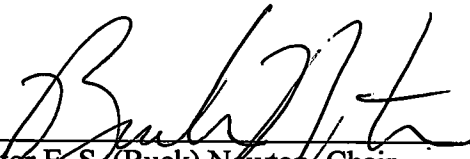
The State Capital Police were established in 1967. They maintain security for state employees and officials in Raleigh.

The Emergency Management division was established in 1977. It helps citizens prepare for and recover from disasters. The state is divided into 3 areas, and then further subdivided. Disaster relief is funded from the state and the federal government.

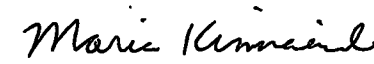
The National Guard was created in 1792. It is both a state and federal entity. Many armories in North Carolina are failing due to lack of funding.

Ms. Leggett concluded her presentation with questions from the Committee members.

The meeting adjourned at 9:45.



Senator E. S. (Buck) Newton, Chair
Presiding



Maria Kinnaird, Committee Clerk

Justice and Public Safety Reductions

FY 2011-13 Biennium

FY 2011-12

Justice and Public Safety	Continuation Budget ¹	Legislative Net Changes	Revised Appropriation for FY 2011-12	% Change
Administrative Office of the Courts	\$477,189,575	(\$38,269,527)	\$438,920,048	-8.02%
Indigent Defense Services	\$122,770,246	(\$12,678,720)	\$110,091,526	-10.33%
Justice	\$89,670,944	(\$8,966,931)	\$80,704,013	-10.00%
Correction	\$1,421,644,768	(\$83,828,422)	\$1,337,816,346	-5.90%
Juvenile Justice	\$151,295,187	(\$15,701,495)	\$135,593,692	-10.38%
Crime Control and Public Safety	\$34,175,427	(\$5,766,174)	\$28,409,253	-16.87%
Highway Patrol ²	\$217,567,328	(\$20,717,786)	\$196,849,542	-9.52%
Total Justice and Public Safety	\$2,514,313,475	(\$185,929,055)	\$2,328,384,420	-7.39%

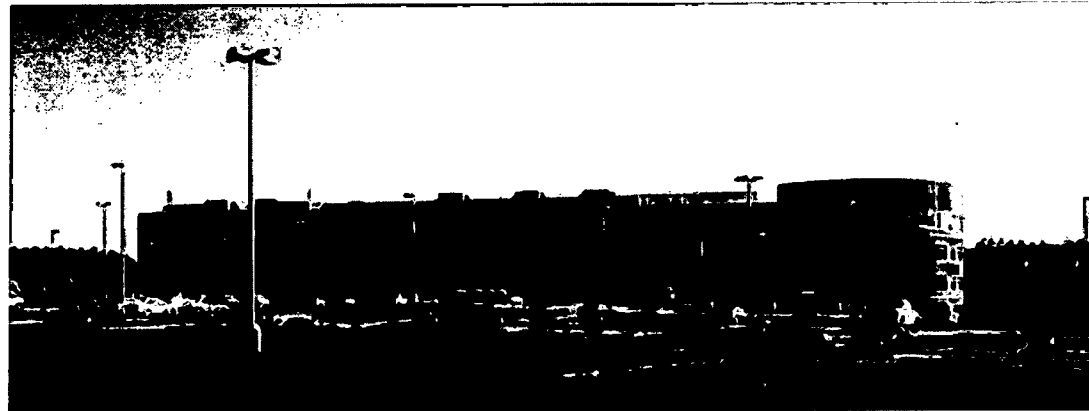
FY 2012-13

Justice and Public Safety	Continuation Budget ¹	Legislative Net Changes	Revised Appropriation for FY 2011-12	% Change
Administrative Office of the Courts	\$477,189,575	(\$44,382,775)	\$432,806,800	-9.30%
Indigent Defense Services	\$122,770,246	(\$10,021,513)	\$112,748,733	-8.16%
Justice	\$89,670,944	(\$15,474,310)	\$74,196,634	-17.26%
Department of Public Safety	\$1,604,337,946	(\$130,062,254)	\$1,474,275,692	-8.11%
Highway Patrol ²	\$217,567,328	(\$29,358,279)	\$188,209,049	-13.49%
Total Justice and Public Safety	\$2,511,536,039	(\$229,299,131)	\$2,282,236,908	-9.13%

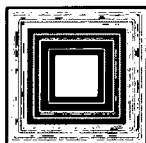
¹Continuation Budget amounts in both years are from the Budget Summary tables in the 2011 Annotated Committee Report.

²The Highway Patrol was transferred from Highway Fund support to General Fund support beginning in FY 2011-12. The continuation budget and reduction amounts shown here are Highway Fund numbers. Only the Revised Appropriations figures for the Highway Patrol are General Fund numbers. The Highway Patrol budget has been separated out from Crime Control in FY 2011-12 and Public Safety in FY 2012-13 for illustrative purposes only.

**Joint Appropriations Subcommittee on
Justice and Public Safety
Department of Public Safety
Division of Law Enforcement – ALE, State
Capitol Police, and Emergency
Management, and the NC National Guard**



March 19, 2013



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Outline

Today

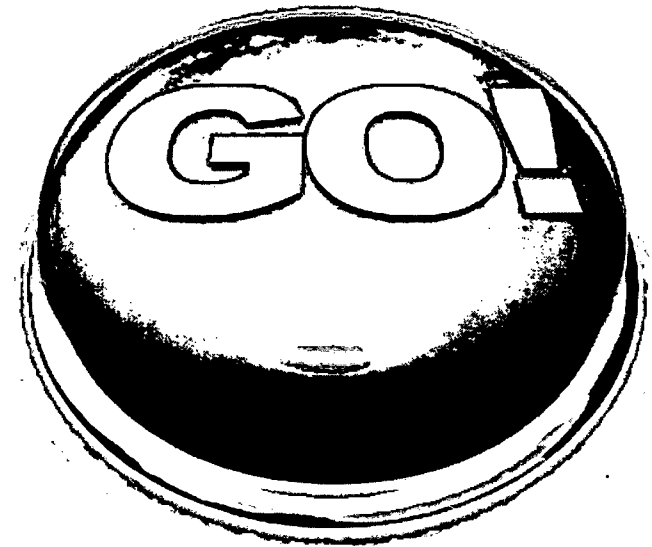
- Butner Revision
- ALE
- State Capitol Police
- Emergency Management
- NC National Guard

Wednesday

- Juvenile Justice

Thursday

- Governor's Budget



JPS - DPS

Department of Public Safety (DPS)

Houses the former Departments of Crime Control and Public Safety, Juvenile Justice and Delinquency Prevention, and Correction

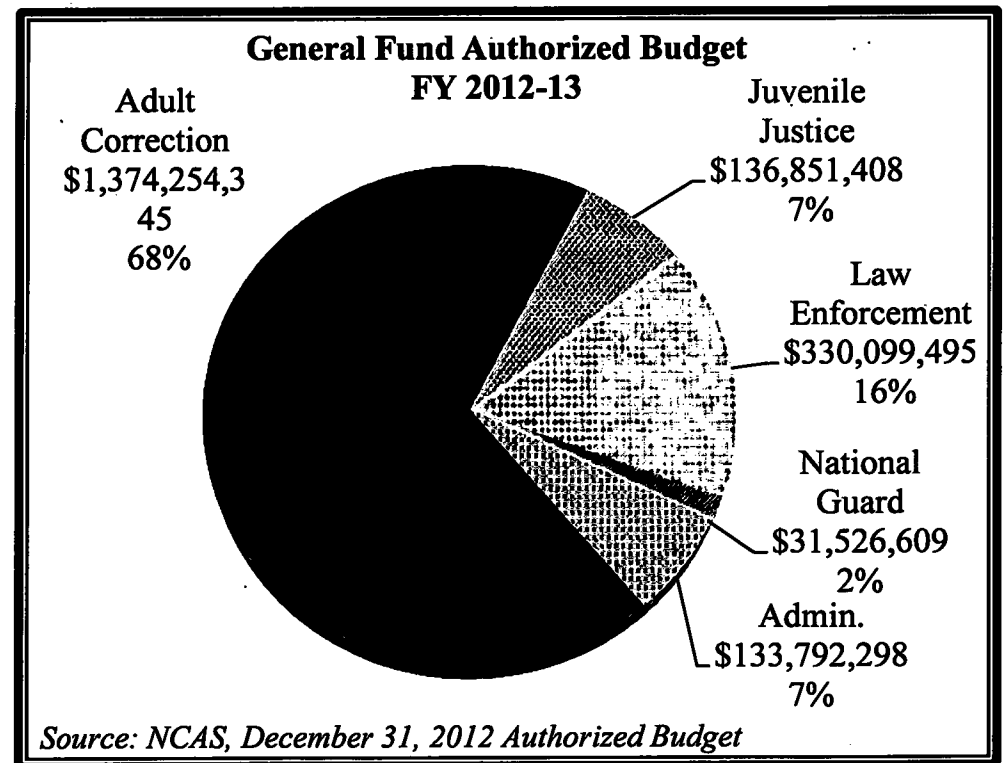
Kieran Shanahan, Secretary

Includes:

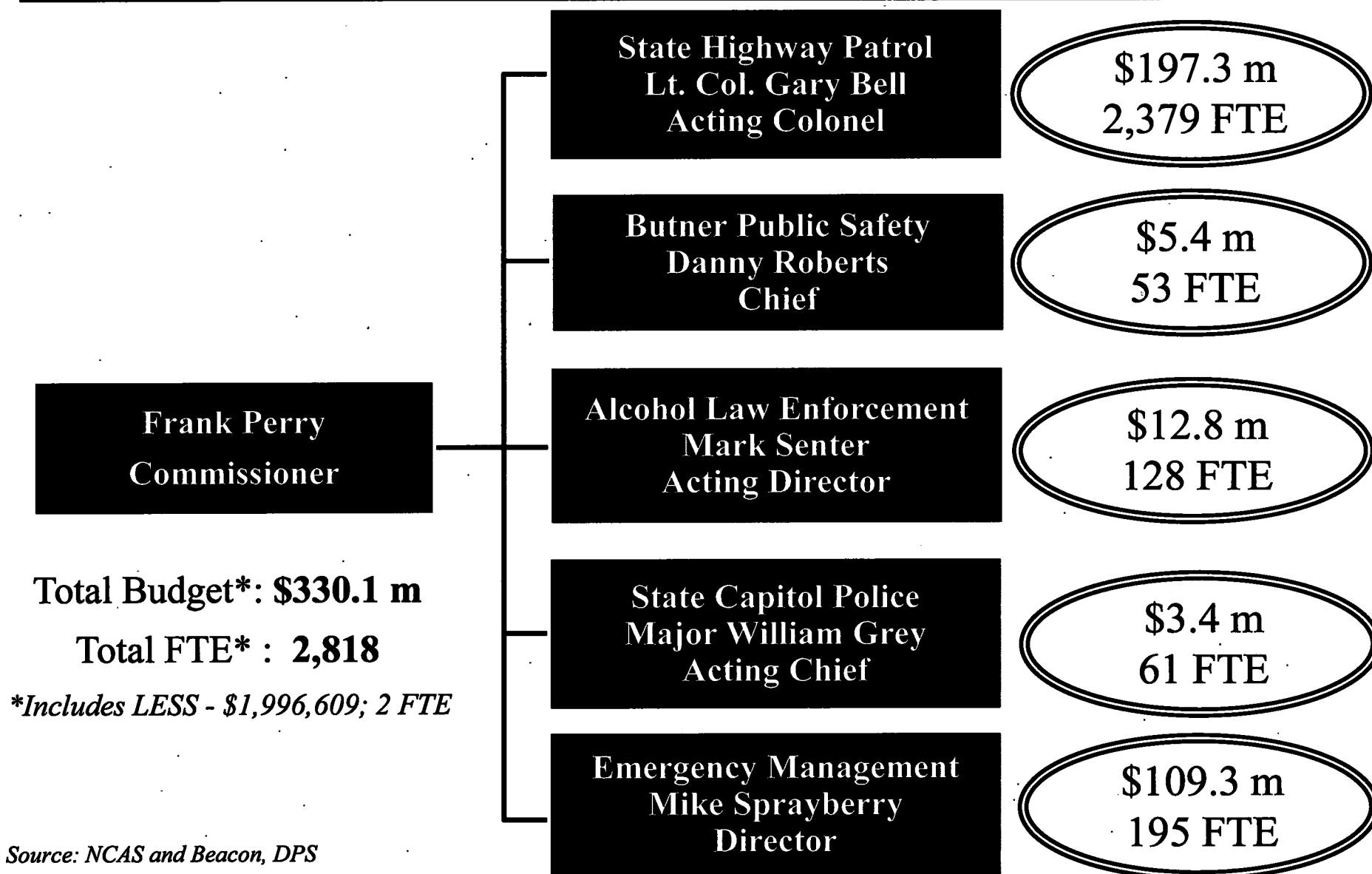
- Prisons
- Community Corrections
- Juvenile Justice
- Highway Patrol
- Butner Public Safety
- **Alcohol Law Enforcement**
- **State Capitol Police**
- **Emergency Management**
- **National Guard**
- Victims Services
- Administration

Total General Fund Budget: \$2 billion

Total GF FTE Employees: 25,328.71



Division of Law Enforcement



Source: NCAS and Beacon, DPS



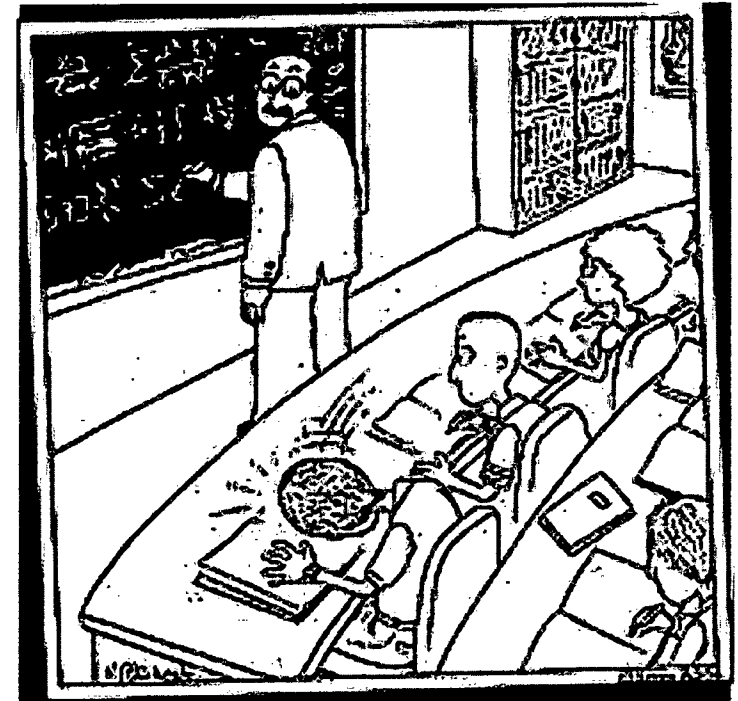
Butner Public Safety

Continuation Budget for BPS: \$5,354,318

Personal Services	\$3,371,526
Purchased Services	\$3,288
Other Expenses	\$122,654
Aid and Public Assistance	\$1,856,850

Adjusted BPS Continuation Budget: \$3,497,468

- FY 2012-13 State share = \$1,885,181
- 38% of manhours = \$1,329,038 (30% decrease)
- Change limited to 10%, so FY 2013-14 State share = \$1,696,663
- \$188,518 reduction



Professor Herman stopped when he heard that unmistakable thud — another brain had imploded.

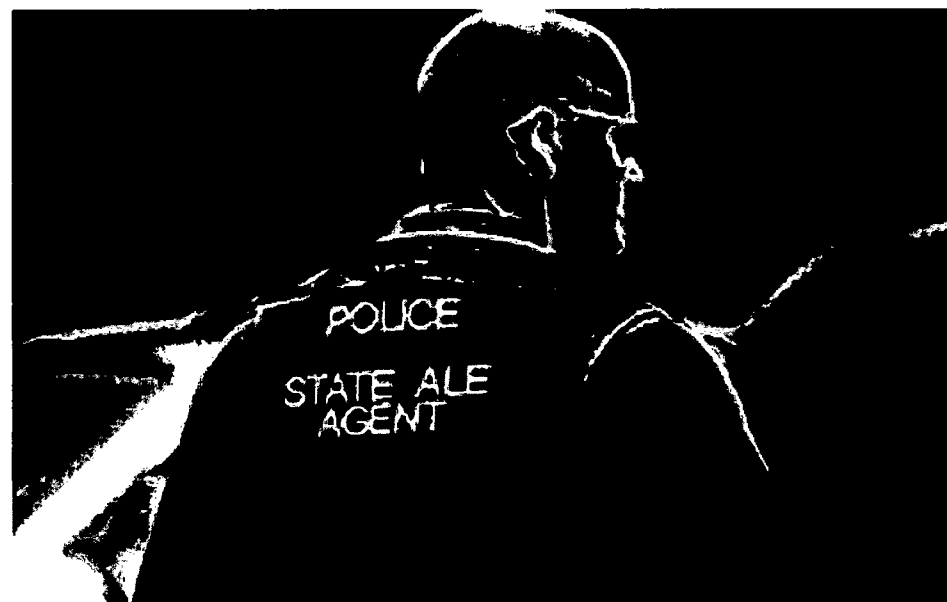
Alcohol Law Enforcement

Created 1977

G.S. 18B-500

Statewide jurisdiction:

- ABC laws
- Controlled Substances Act (Article 5, G.S. 90)
- Lottery laws
- Bingo
- Gambling
- Boxing



Alcohol Law Enforcement

\$12.8 million

128 FTE

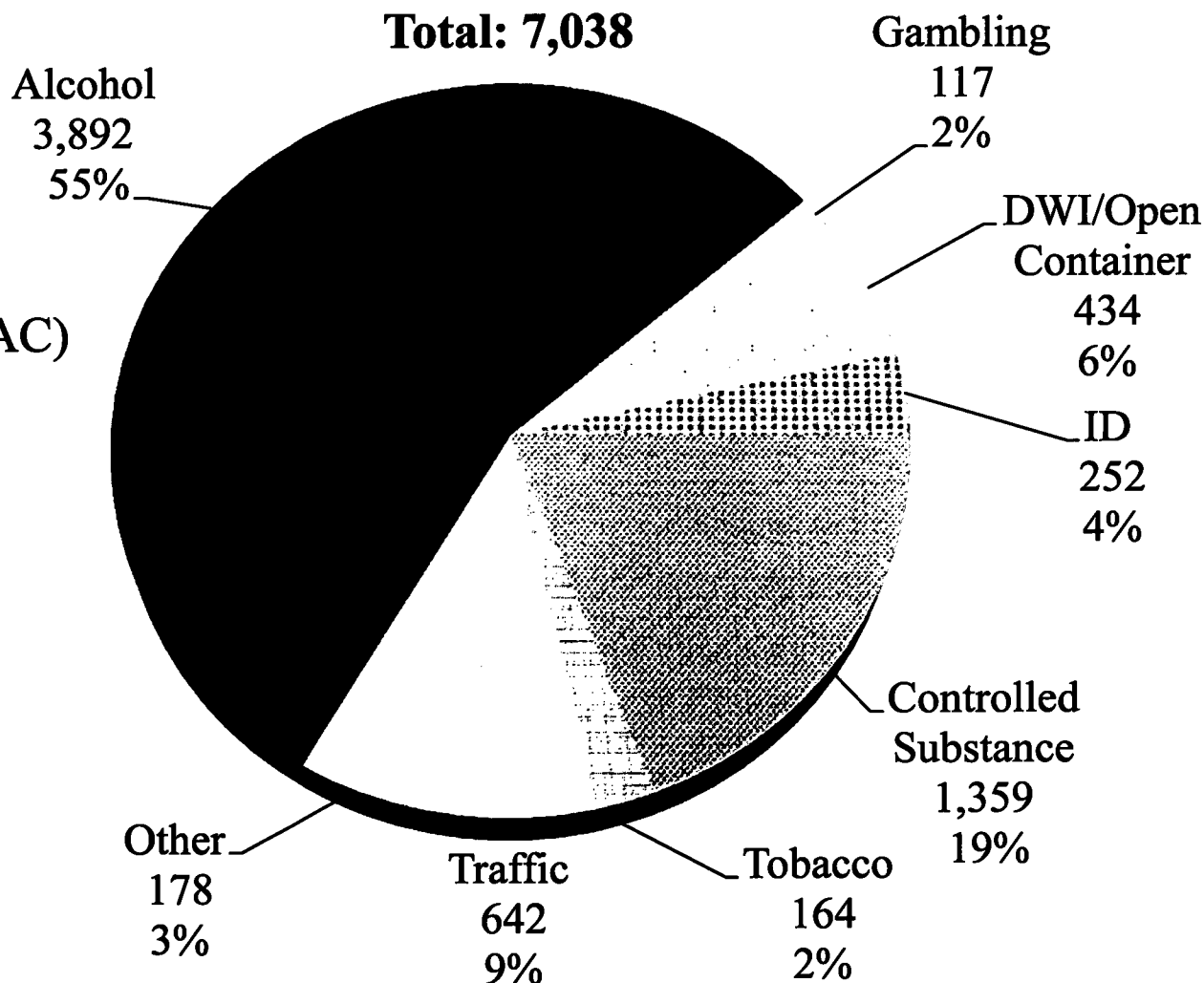
110 Sworn law enforcement

Nine District Offices

- 9 Special Agents in Charge (SAC)
- 11 Assistant SACs
- 83 Special Agents
- 9 Office Assistants

2012 Arrests by Type

Total: 7,038



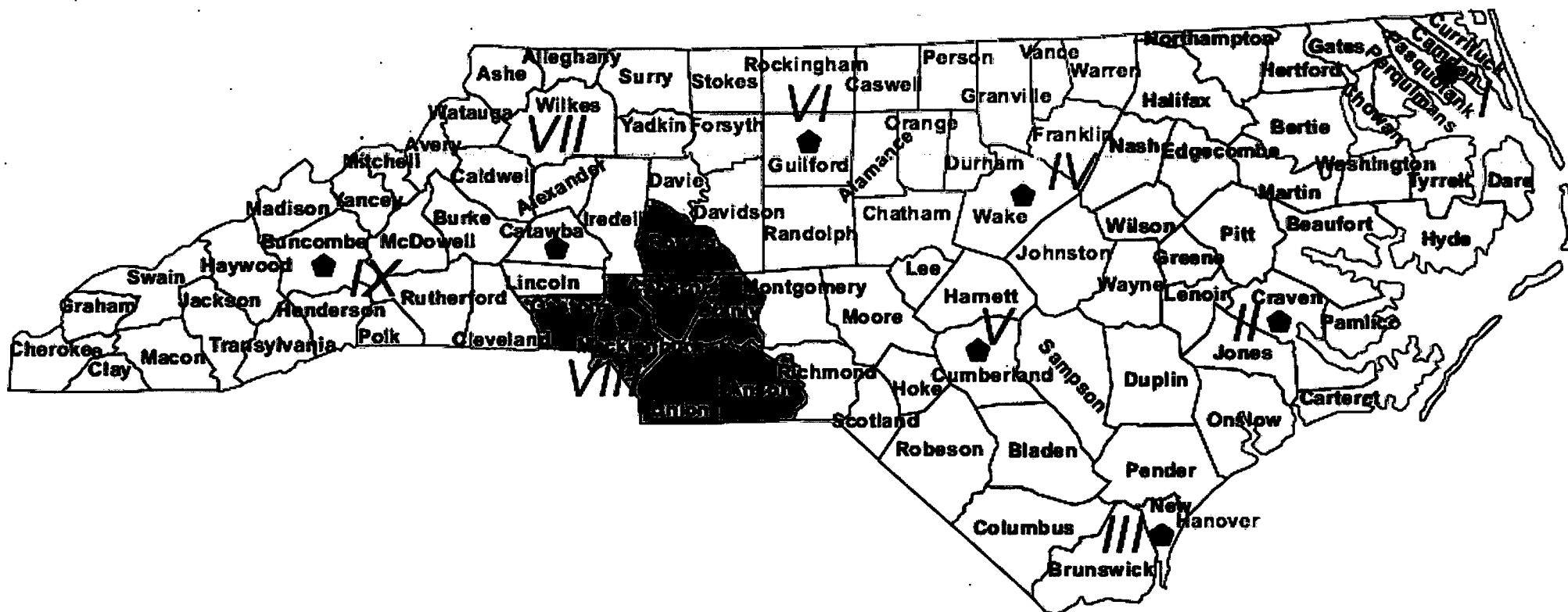
Source: NC DPS; BEACON



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Alcohol Law Enforcement

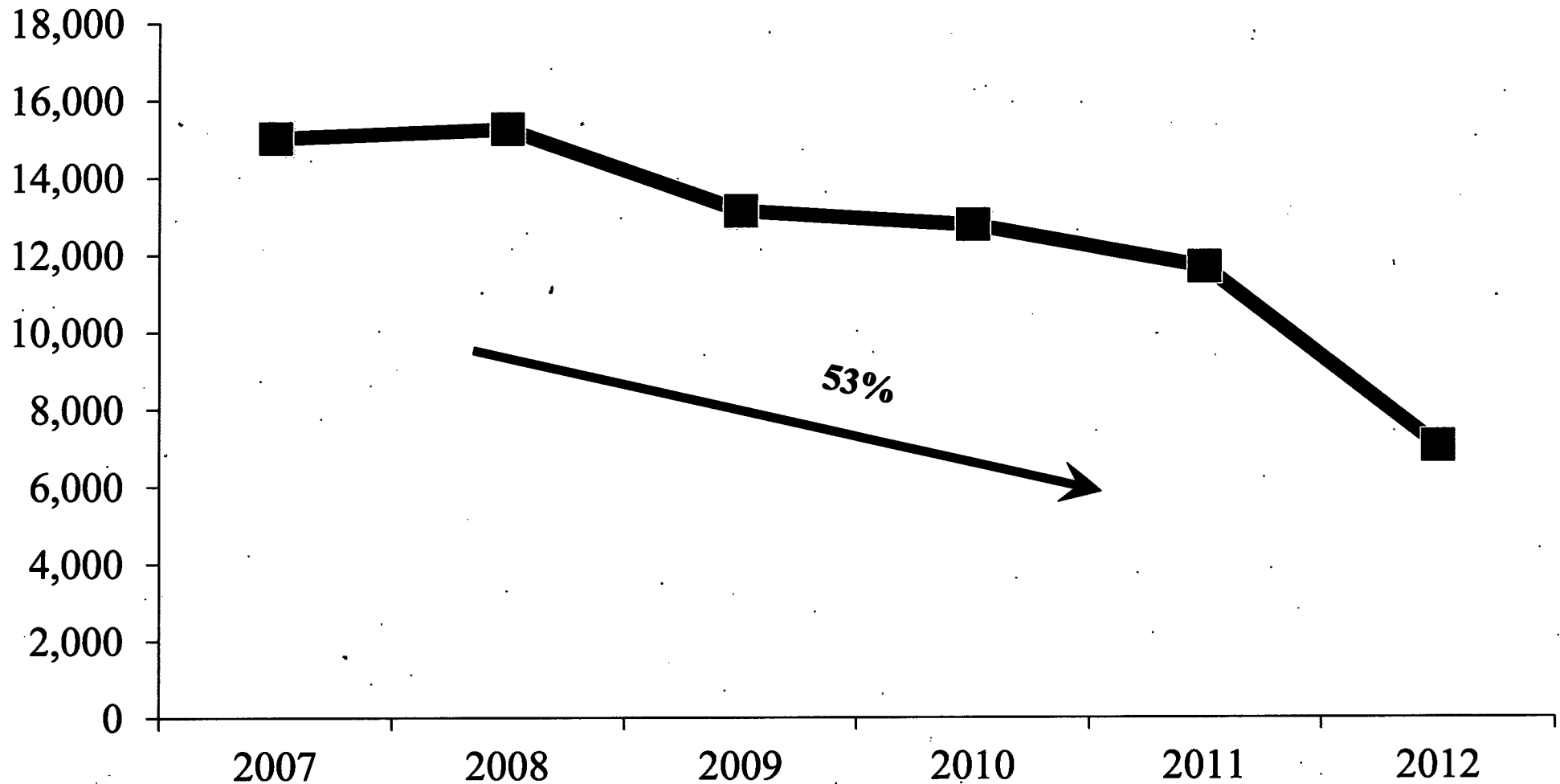
ALE District Offices



Source: DPS

Alcohol Law Enforcement

ALE Arrests Since 2007



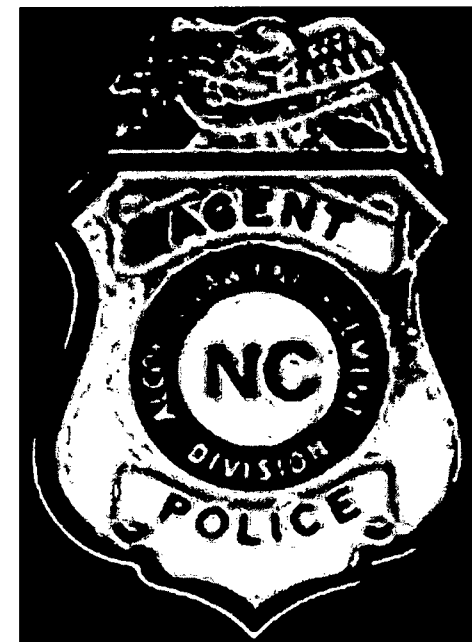
Alcohol Law Enforcement

ABC Permits

- Permit fees go to the General Fund
- 58,763 permits in calendar year 2012
- \$15.1 million in CY 2012

Lottery Retail Outlets

- Lottery Commission contracts with ALE for services
- \$1 million contract
- Currently 7,598 Lottery retailers

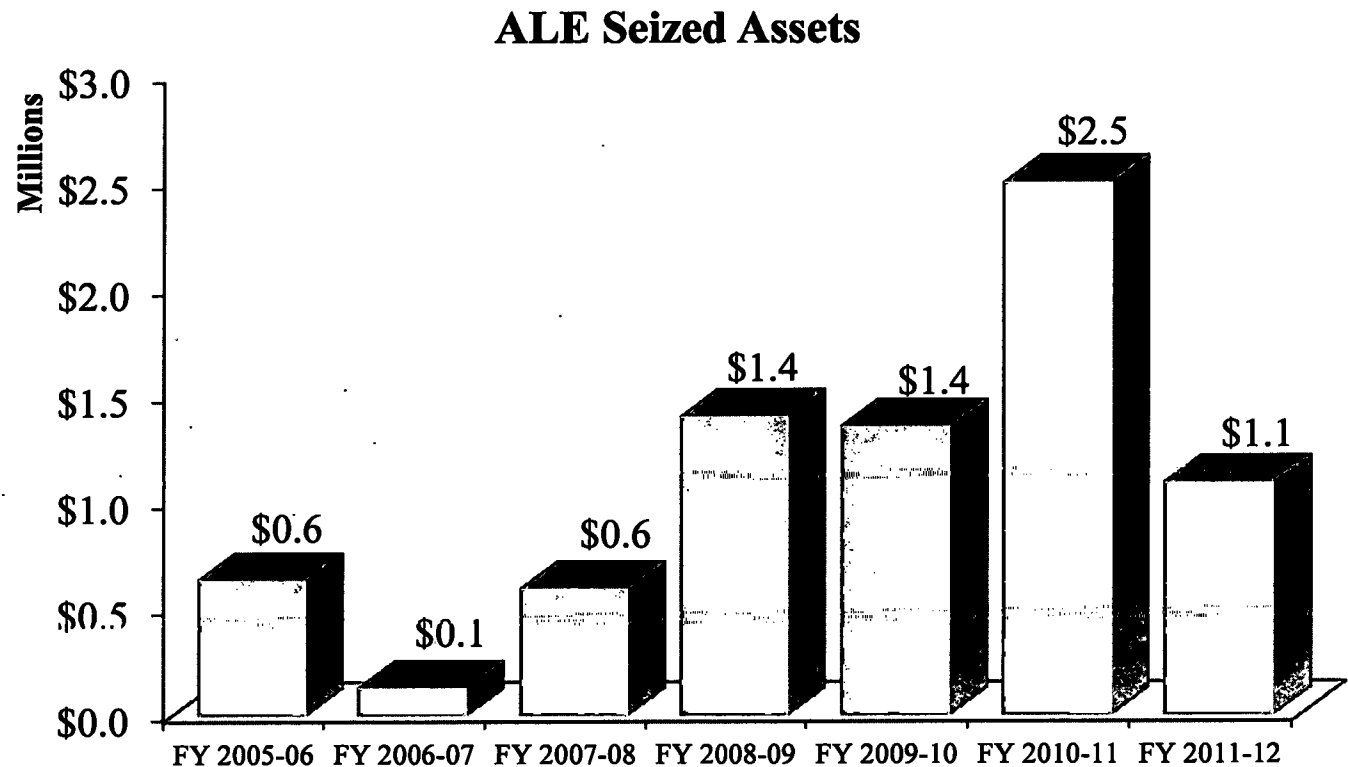


Source: ABC Commission and NC DPS

Alcohol Law Enforcement

Seized Assets

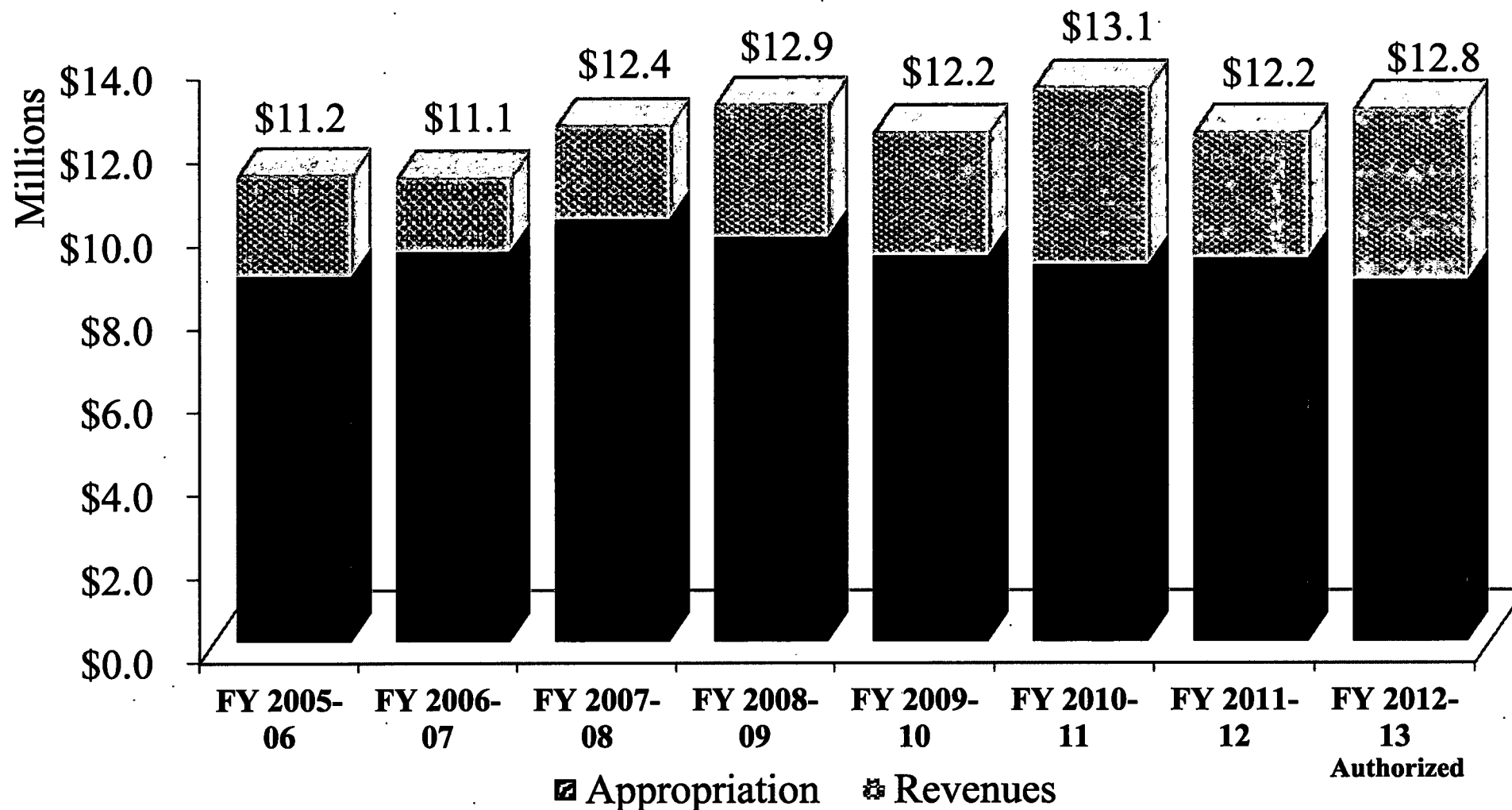
- Ballistic helmets
- Phones and radios
- Recording equipment
- Boots and uniforms



Source: NCAS

Alcohol Law Enforcement

Actual Expenditures Since FY 2005-06



Source: NCAS

Alcohol Law Enforcement

FY 2012-13 Authorized Budget

Total Budget:

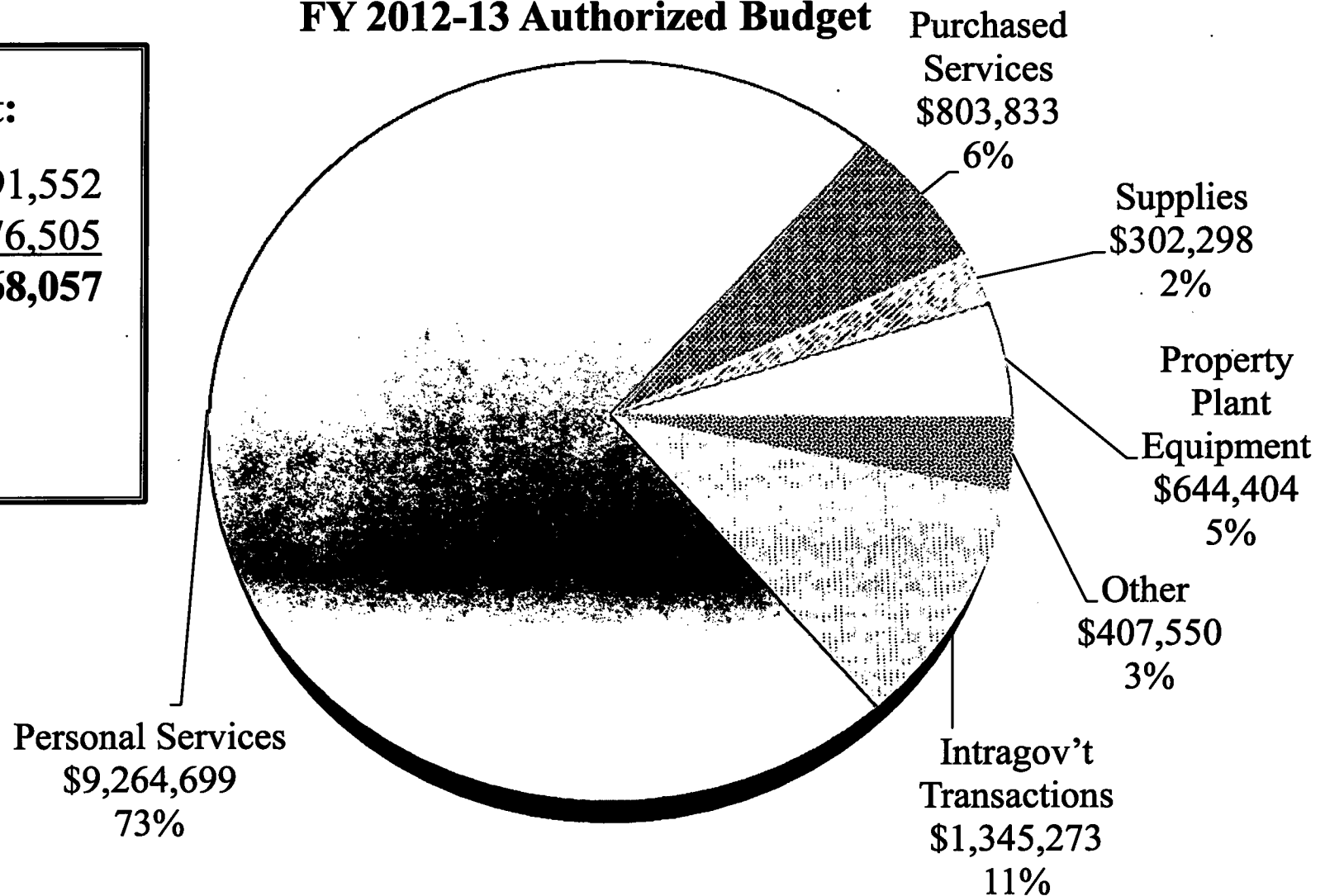
Gen. Fund: \$8,691,552

Receipts: \$4,076,505

Total: \$12,768,057

Total FTE:

128



Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE – Beacon BO149 December 2012

Recent Budget Actions

2011 Budget (S.L. 2011-145)

Eliminated five administrative positions, increased lottery receipts, and made other operating reductions (\$1,064,210)

2012 Budget (S.L. 2012-142)

Agency-wide management flexibility reduction (\$26,292,018)



Issues for 2013 Session

No issues.

State Capitol Police

Est. 1967

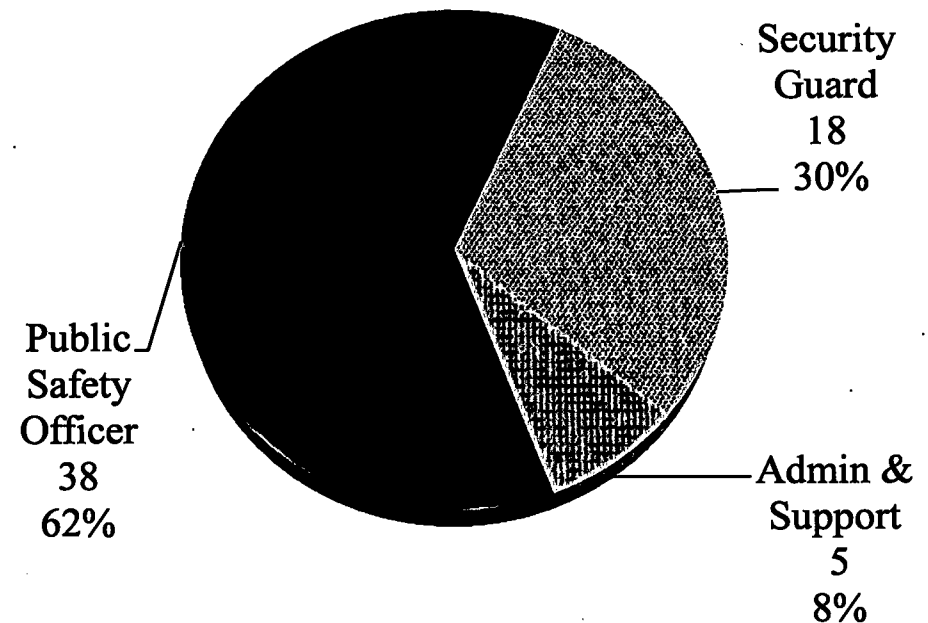
G.S. 143B-900

Mission: To provide a safe and secure environment for public officials, State employees, and visitors within the State Government Complex and at State-owned properties throughout the Raleigh/Wake County area...

61 FTE (40 sworn)

- Active security at 26 sites in Raleigh
- Monitor 740 sites statewide
- 23 General Fund, 38 receipt supported

State Capitol Police FTE by Type



State Capitol Police

Agency Supported Positions

- Agencies support mix of non-sworn security guards and sworn officers
- Hours of coverage for contracted positions depend on the contract

General Fund Supported Positions

- Buildings deemed high security risk
- Hours are 8-5
- No mobile police force downtown at night
- No coverage on weekends

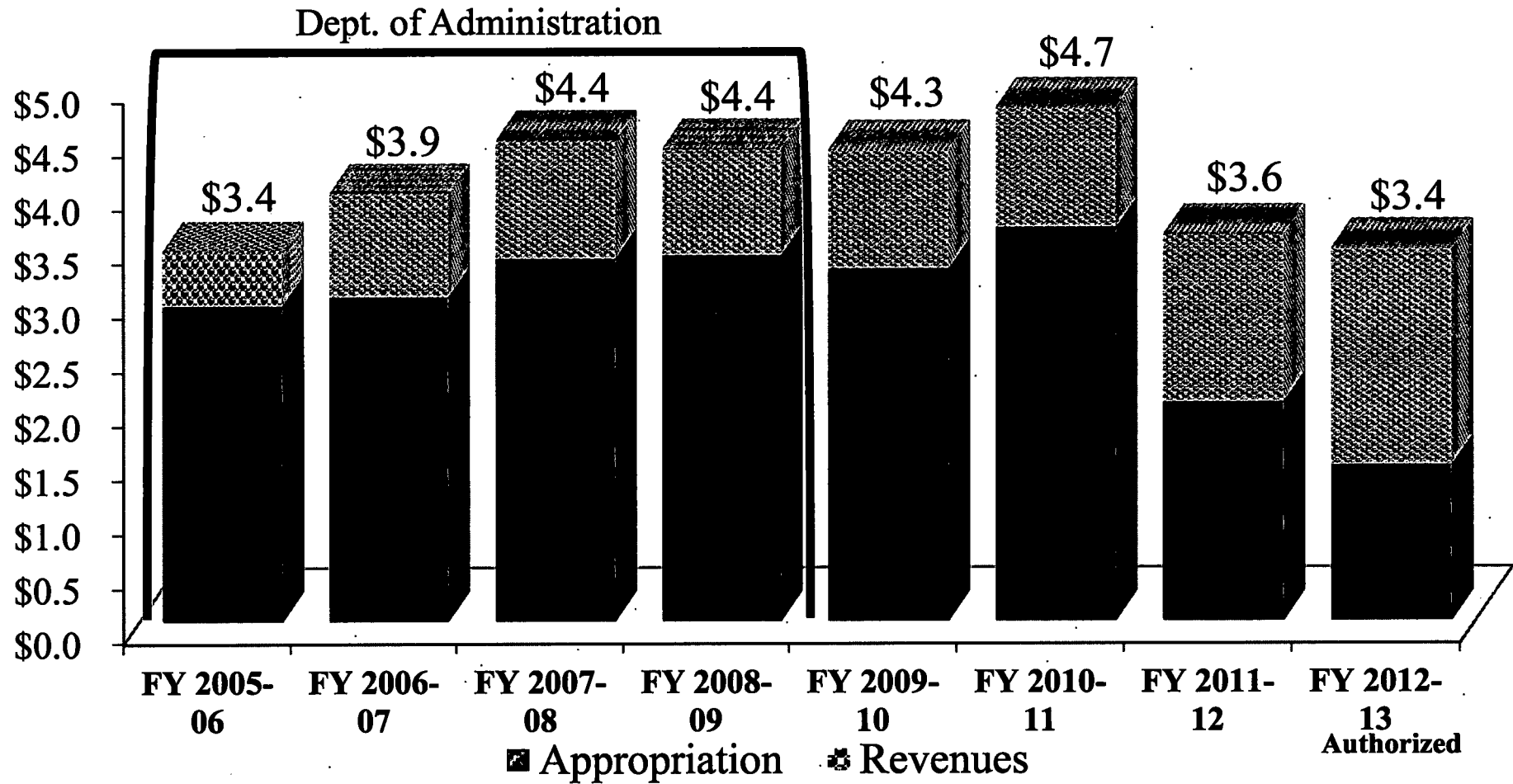
SCP Communications Center

- 2 FTE, rest are temp staff
- Monitor alarms for 740 sites
- 24-hour coverage



State Capitol Police

Actual Expenditures Since FY 2005-06



Source: NCAS

State Capitol Police

FY 2012-13 Authorized Budget

Total Budget:

Gen. Fund: \$1,433,775

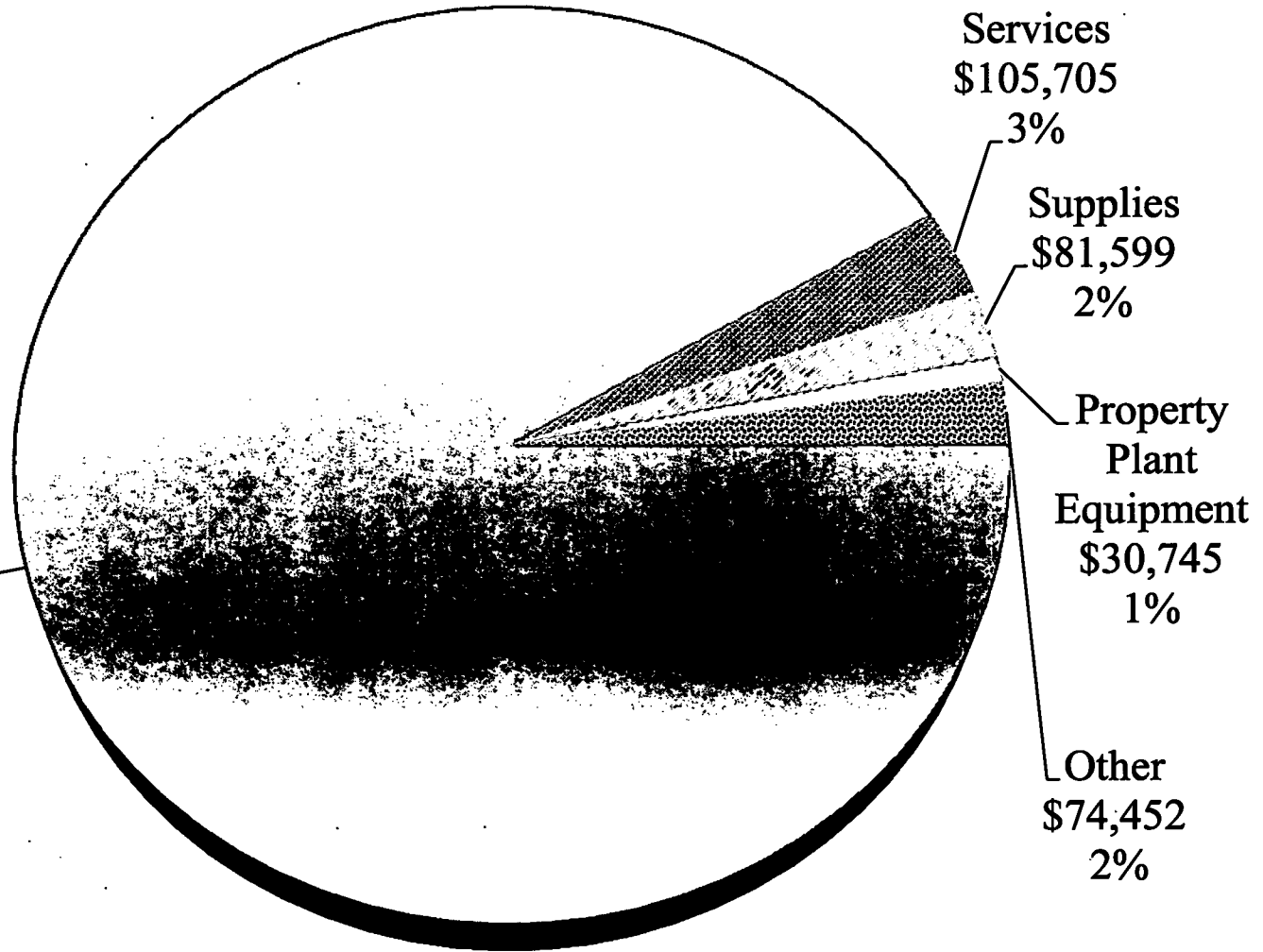
Receipts: \$1,995,498

Total: \$3,429,273

Total FTE:

61

Personal
Services
\$3,136,772
92%



Source: Budget - Authorized Monthly Budget Report for December 31, 2012; FTE - NC DPS

Recent Budget Actions

2011 Budget (S.L. 2011-145)

State Capitol Police Reorganization eliminated 40 positions (\$2,267,303)

2012 Budget (S.L. 2012-142)

Agency-wide management flexibility reduction (\$26,292,018)



Issues for 2013 Session

No issues.



Emergency Management

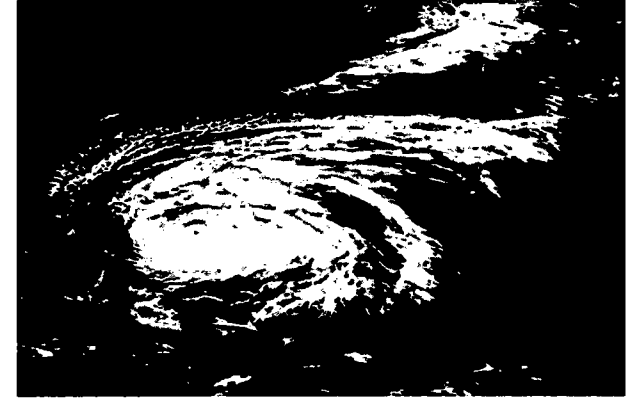
Established in 1977 by the Emergency Management Act

G.S. 166A

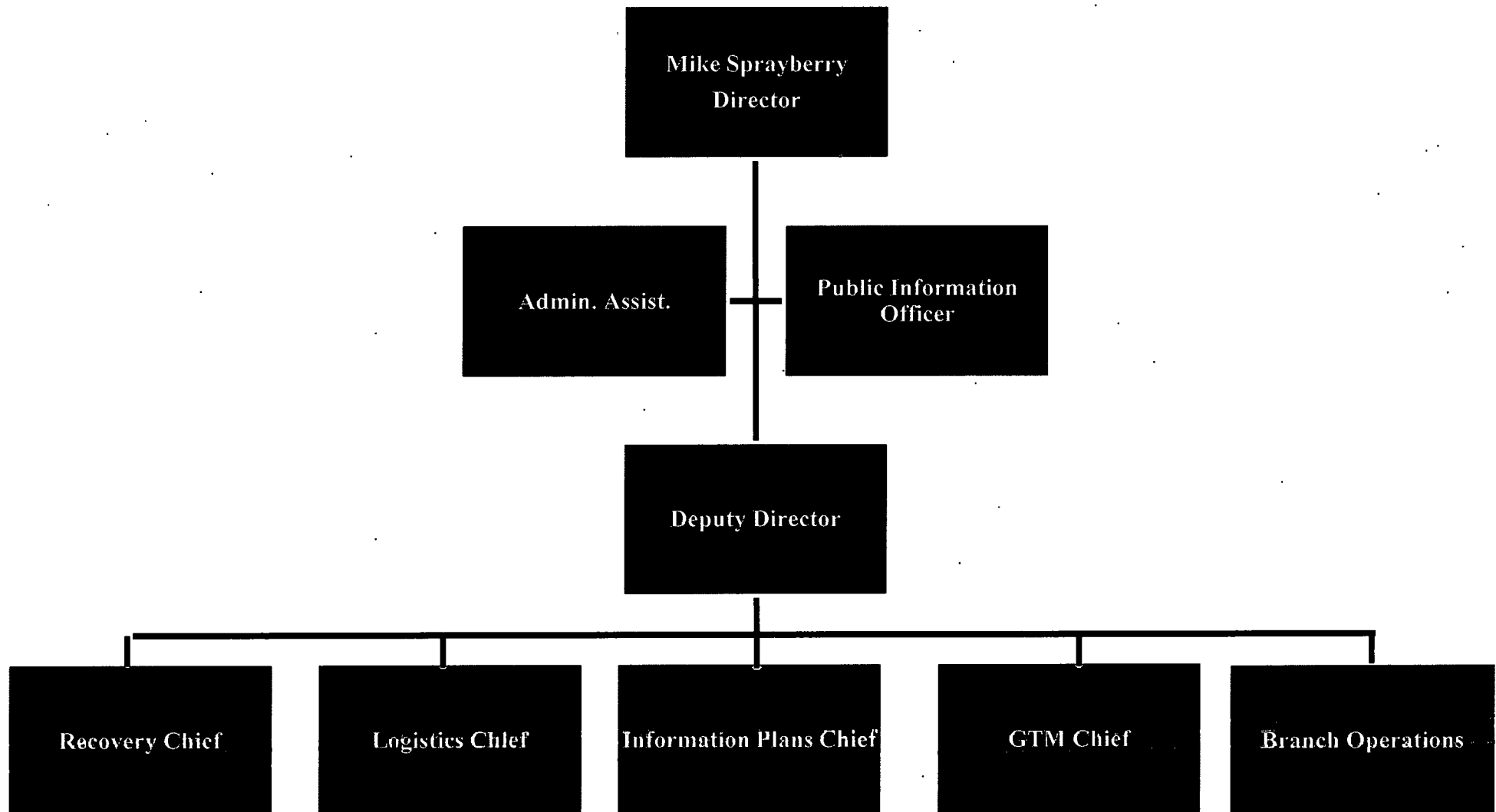
Mission: To help North Carolina citizens effectively prepare for, respond to, recover from, and mitigate against all hazards and disasters.

Total FTE: 177.06

- General Fund: 50.16
- Receipt Supported: 126.90
- 52% are split-funded



Emergency Management



Emergency Management

Operations Section (44 FTE)

- 24-hour Operations Center
- Three Branch Offices
- Search and Rescue, Emergency Medical and Mass Care
- State Emergency Operations Center
- HazMat Response, Infrastructure and Aviation
- Domestic Preparedness Regional Support
- Link between the State and local jurisdictions



Source: NC DPS

A map of North Carolina showing its 100 counties. The counties are labeled with their names. The map is divided into five numbered regions (1-5) by thick black lines. Region 1 is in the northeast, Region 2 in the east, Region 3 in the southeast, Region 4 in the south, and Region 5 in the southwest. A large black-shaded area in the central-western part of the state, covering parts of the 11, 12, and 13 regions, is labeled 'EMAP Accredited' in a stylized font. This shaded area includes counties such as Madison, Wilkes, Yadon, and others. A logo for the 'EMAP Accredited' program is located in the bottom left corner of the map.

Area	Coordinator
11	Greg Atchley
12	Tiawana Ramsey
13	Jeff Cardwell
14	Jimmy Ramsey
15	Danny Gee

Joe Wright, Manager
401 Central Ave.
Butner, NC 27509
919-575-4122

Dianne Curtis, Manager
3802 Highway 58 North
Suite B
Kinston, NC 28502
252-520-4923

Area	Coordinator
1	Chris Gwin
2	Charles Tripp
3	Melissa Greene
4	Doug Haas
5	Paula Brown



Emergency Management

Logistics Section (17 FTE)

- Training and Exercises
- Supplies
- Logistics Operations
- Personnel
- Warehouses – Stanly and Edgecombe
- Statewide Mutual Aid
- EM Assistance Compact



Source: NC DPS

Emergency Management

Information and Planning (24.90 FTE)

- Emergency operations plans
- Emergency Management Performance Grant
- Hazardous Materials Grant Programs
- Homeland Security
- Radiological Protection
- Personnel



Source: NC DPS

Emergency Management

Recovery Section (23.58 FTE)

Individual Assistance

Available to U.S. citizens living in the affected area who have serious disaster related needs and expenses from uninsured or under-insured losses resulting from the disaster.

Public Assistance

Local governments who meet the following requirements:

- Minimum of \$10,000 in uninsurable losses
- Losses are equal to or greater than one percent of the annual operating budget
- Approved hazard mitigation plan in place
- Compliant with the National Flood Insurance Program

Hazard Mitigation

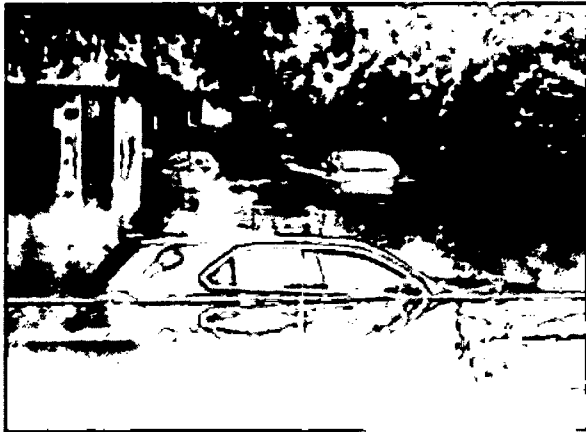
Provides funding for projects that reduce future losses to public and private property.

Source: NC DPS

Emergency Management

Type I Disaster

- Small, localized
- No federal assistance
- Cost share: 25% local
75% State
- Ex. Halifax County
Flooding 2012



Type III Disaster

- More damage over a larger area
- Federal assistance
- Cost share: 75% federal
25% State
- Ex. Hurricane Irene 2011,
April 2011 tornadoes



Type III Disaster

- Widespread, catastrophic damage
- Federal assistance
- Cost share: 75-90% federal
10-25% State
- Ex. Hurricane Floyd 1999



Source: NC DPS

Emergency Management

Geospatial and Technology Management (52 FTE)

- Web Emergency Operations Center (Web EOC)
- Floodplain mapping
- Flood warning
- Risk Assessment
- Geodetic Survey



Source: NC DPS

Emergency Management

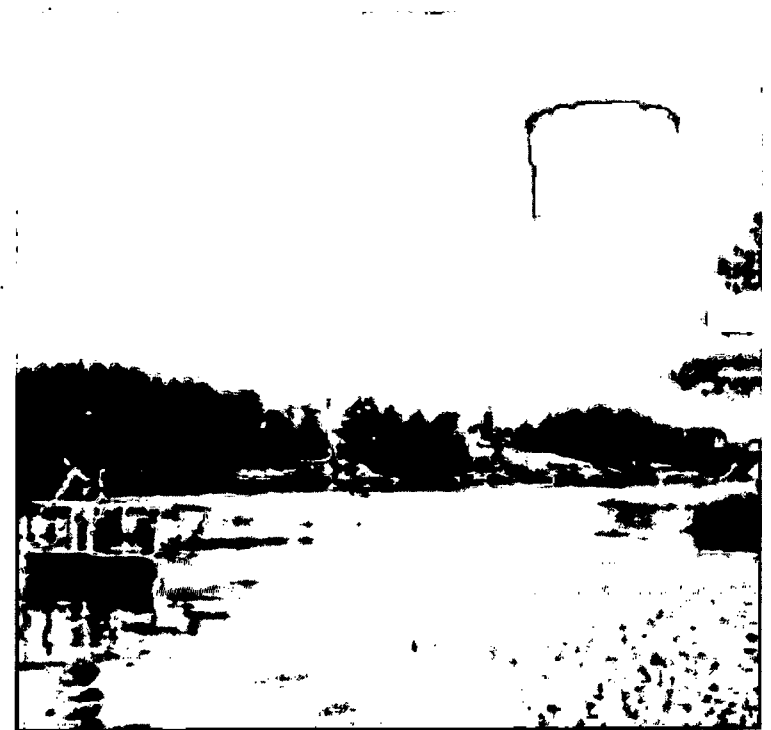
Fees

Floodplain Mapping Fee (G.S. 161-10, -11.4-5)

- Portion of Register of Deeds Fees
- Currently: \$3.41 per instrument
- July 1, 2013: \$10 per deed of trust or mortgage
- \$3.7 m in FY 2011-12

Fixed Nuclear Reactor Fees (G.S. 166A-29)

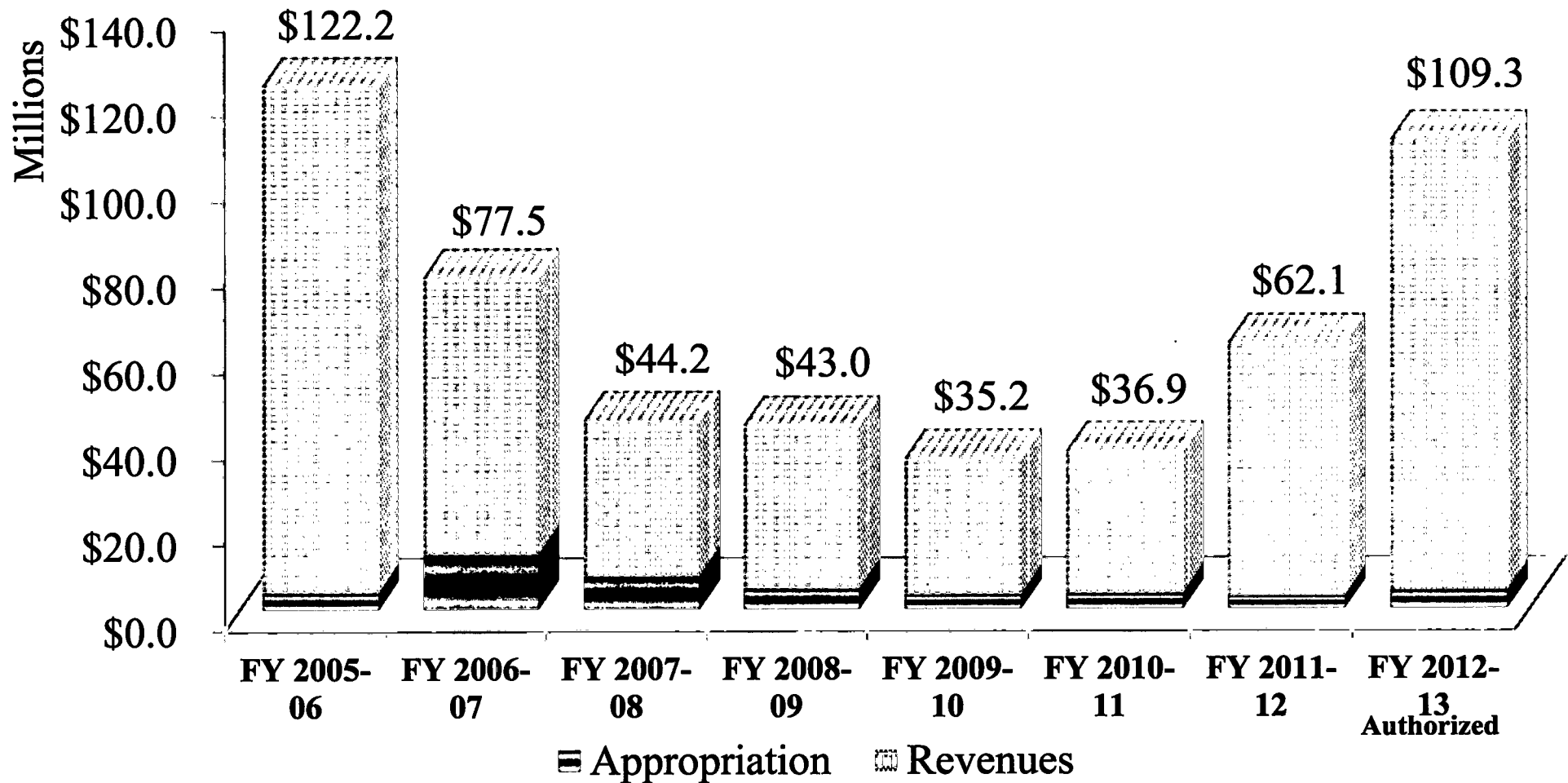
- Minimum \$30,000 per year
- Five currently paying \$426,549 per year
- One paying \$30,000 (Lee Nuclear Station)
- \$1.6 m in FY 2011-12



Source: S.L. 2011-296, OSBM, NCGS, DPS

Emergency Management

Actual Expenditures Since FY 2005-06



Source: NCAS

Emergency Management

FY 2012-13 Authorized Budget

Total Budget:

Gen. Fund: \$ 4,107,052

Receipts: \$105,144,123

Total: \$109,251,175

Total FTE:
177.06

Aid & Public
Assistance
\$50,141,165
46%

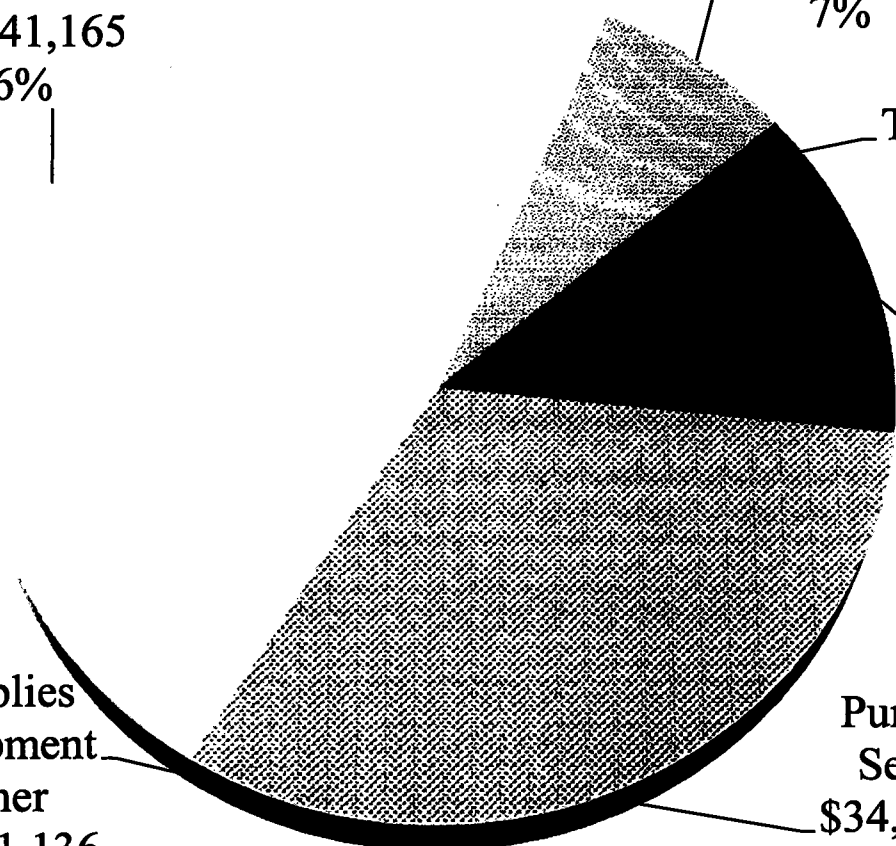
Reserves
\$8,113,928
7%

Intergov't
Transactions
\$3,193,683
3%

Personal
Services
\$11,025,992
10%

Purchased
Services
\$34,915,271
32%

Supplies
Equipment
Other
\$1,861,136
2%



Source: NCAS; Beacon

Recent Budget Actions

2011 Budget (S.L. 2011-145)

Shifted 16 positions to partial receipt support: (\$539,974)

Consolidation transferred Civil Air Patrol into Emer. Mgt. - \$155,090

2012 Budget (S.L. 2012-142)

Transferred Geodetic Survey Section from DENR: \$917,806

Agency-wide management flexibility reduction (\$26,292,018)



Issues for 2013 Session

No issues.



NC National Guard

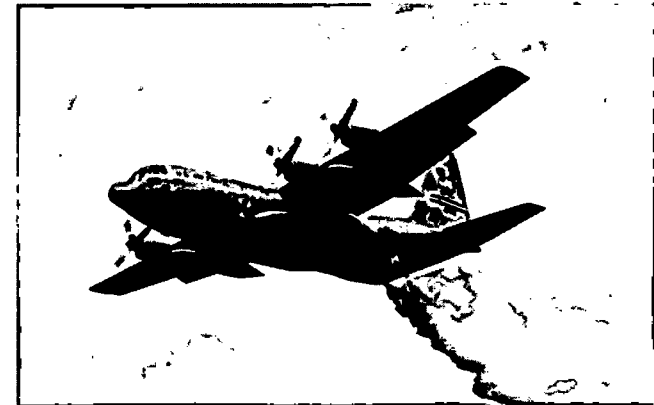
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G.S. 127A

Dual Mission

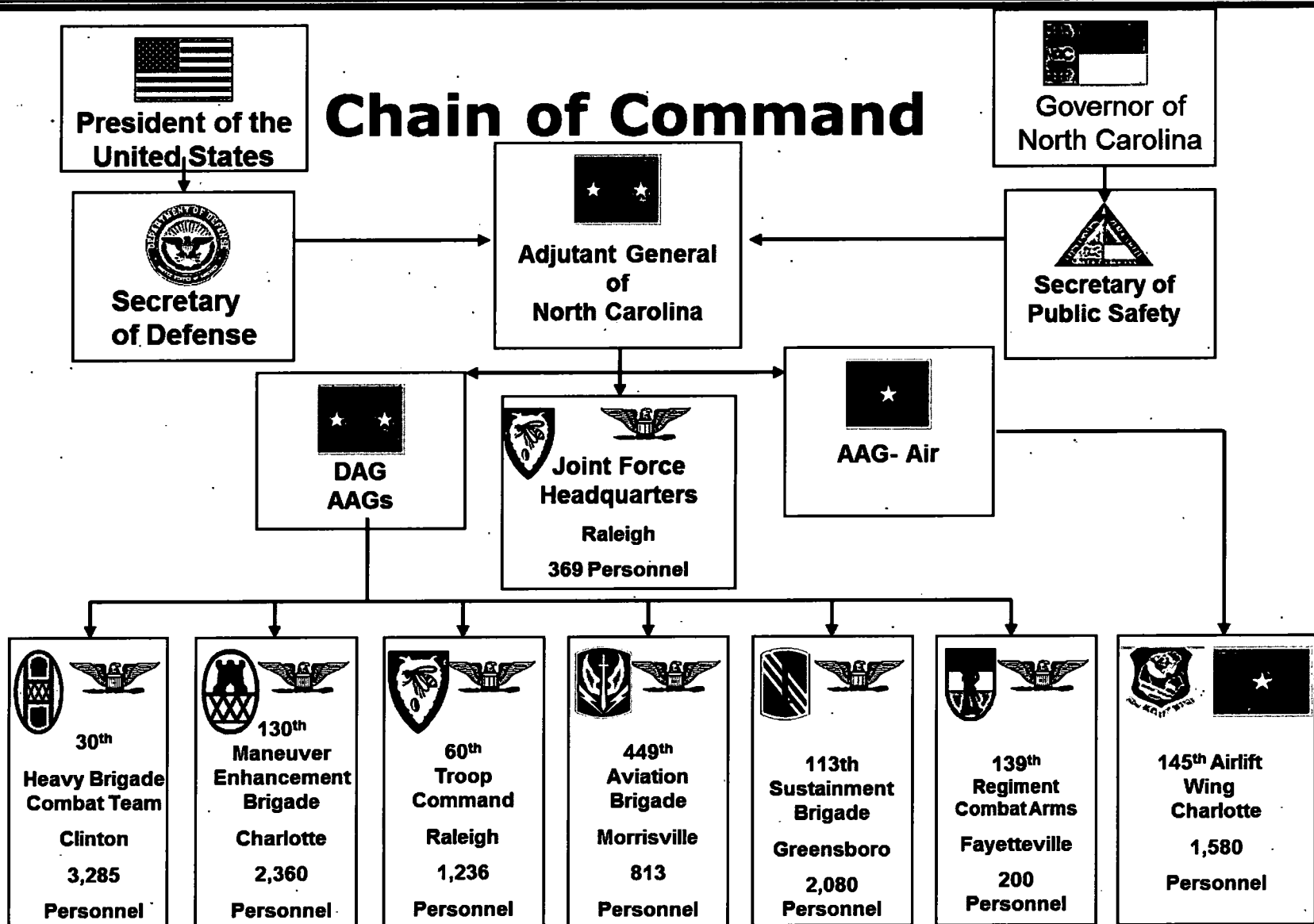
Federal: To organize, man, equip, train and deploy globally in support of federal missions as directed by the President and Secretary of Defense.

State: To organize, man, equip, train and deploy statewide in support of State missions as directed by the Governor



Source: NCNG

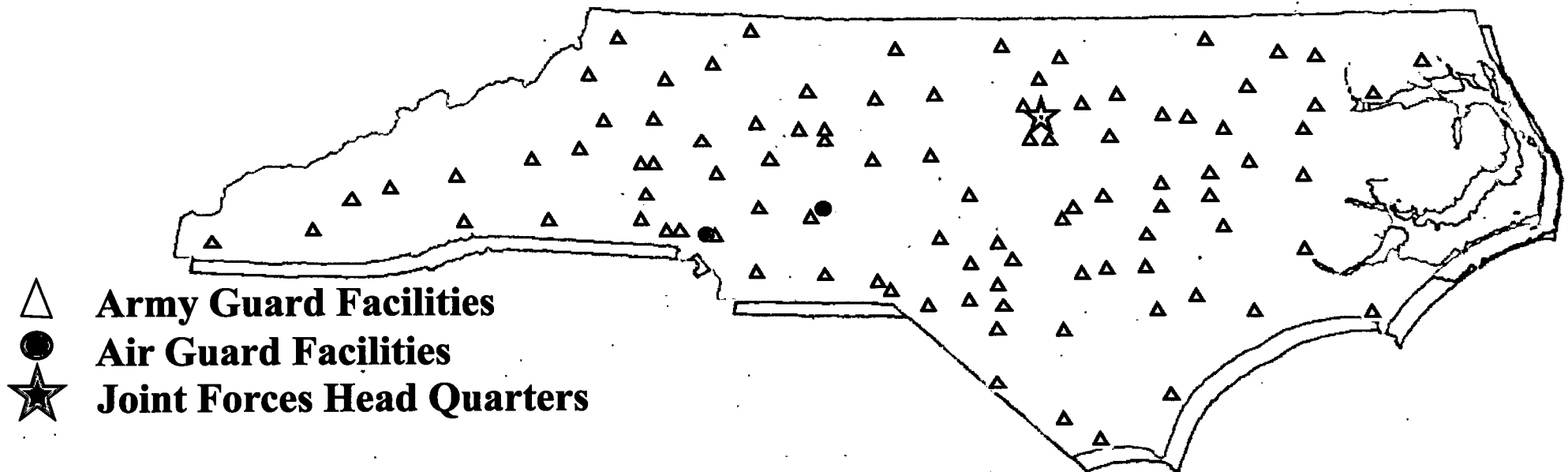
NC National Guard



Source: NCNG

NC National Guard

- 93 Army National Guard Armories
- Two Air National Guard Locations



Traditional Soldiers and Airmen: 11,742

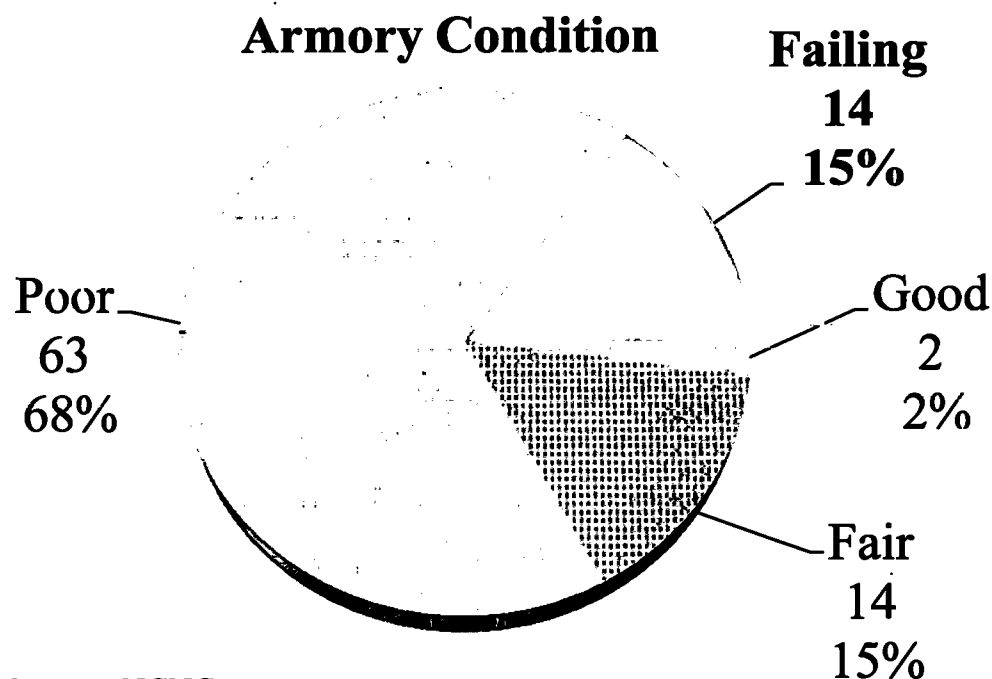
Full-Time Employees: 2,230

Source: NCNG

NC National Guard

National Guard Armories

- Most State funding for NCNG is for operations and maintenance at the armories
- 93 armories located across the State
- Armory capital costs are split 75% federal/ 25% State



Total Cost to Repair Armories	
To Good Condition	\$115.2 m
To Fair Condition	\$60.9 m

Source: NCNG

NC National Guard

Adjutant General's Office

- Oversees daily operation of NCNG
- Administration
- Planning, logistics, and equipment for units

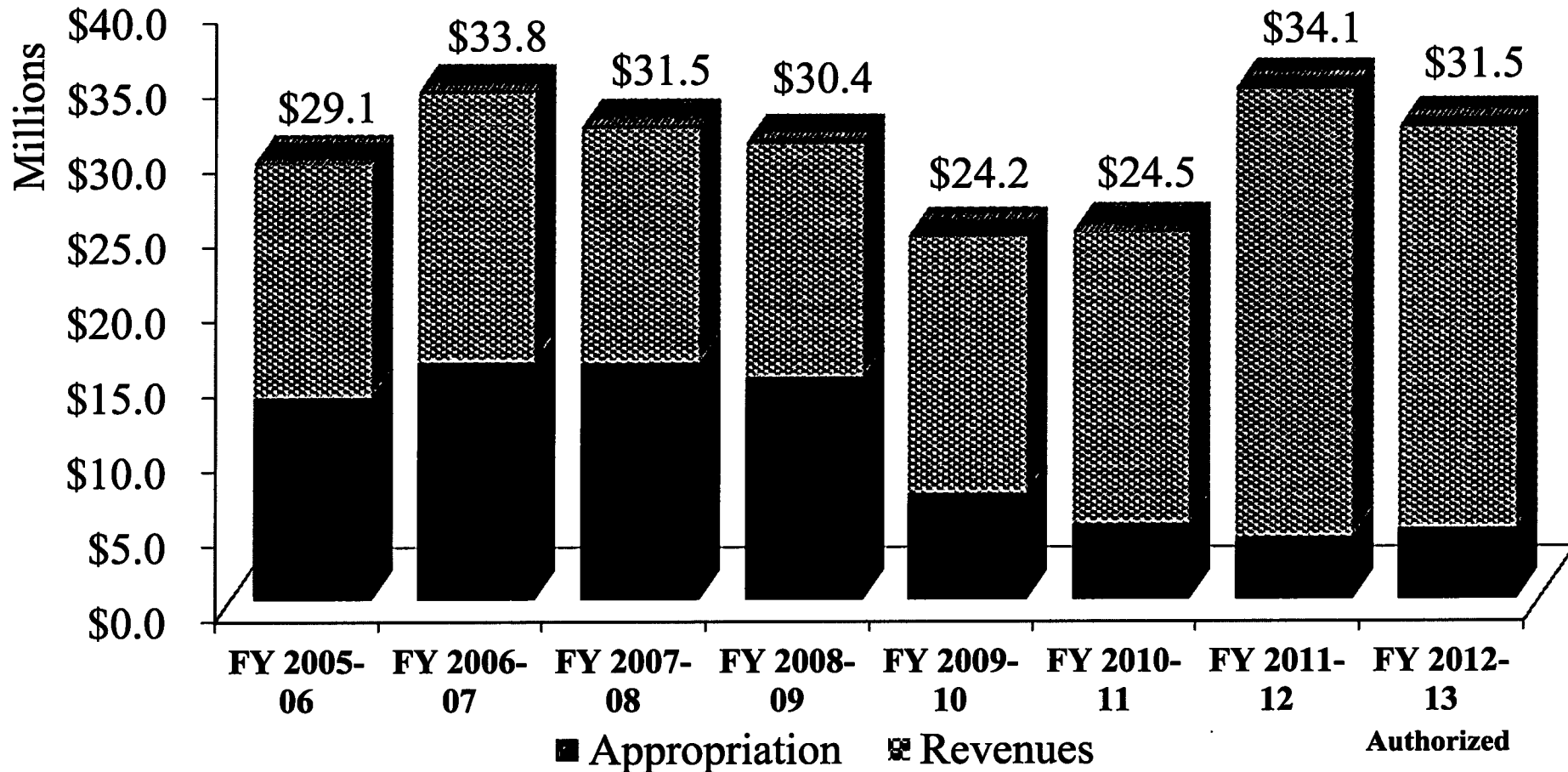
Family Assistance Centers

- 14 centers across the State
- Provides benefit and planning services to families of deployed service members



NC National Guard

Actual Expenditures Since FY 2005-06



Source: NCAS

NC National Guard

FY 2012-13 Authorized Budget

Purchased
Services
\$9,790,109
31%

Supplies
\$1,861,055
6%

Property
Plant
Equipment
\$8,371,428
26%

Other, Aid,
Reserves
\$1,130,410
4%

Personal Services
\$10,373,607
33%

Total Budget:

Gen. Fund: \$ 4,744,754

Receipts: \$26,781,855

Total: \$31,526,609

**Total FTE:
128**

Source: NCAS; NCNG



FISCAL RESEARCH DIVISION
Agency of the North Carolina General Assembly

Recent Budget Actions

2011 Budget (S.L. 2011-145)

Reduced staffing costs in the Adjutant General's office (\$200,000)

2012 Budget (S.L. 2012-142)

Agency-wide management flexibility reduction (\$26,292,018)

Capital Budget authorized the expenditure of \$1,373,330 from funds available to DPS for the Greensboro Readiness Center



Issues for 2013 Session

No issues.



Questions



VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety
(Committee Name)

3/19/13

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
<i>Kerratt Kerr</i>	<i>Senate Page</i>
McCain Kerr	Senate Page Program
LTC Sean Moser	DPS - National Guard
<i>TOM BOWLING</i>	<i>DPS - "</i>
<i>Fred Bengt</i>	<i>Chief of Police</i>
William Grey	DPS / SHP / SCP
Barbara Moore	Conf. of Clerks of Spct
John Dorman	DPS-EM-GTM
<i>John W Smith</i>	<i>AOC</i>
<i>Jon Wilkin</i>	<i>AOC</i>
MARK SENTER	A LCOOL LAW ENFORCEMENT
Ken PIKE	ALE
<i>ALON FIELDS</i>	<i>ACE</i>
Lao RUBERT	CYAC
<i>Doug Holbrook</i>	<i>NC DPS</i>
KRIS GARDNER	THARRINGTON SMITH LLP NC BEER & WINE WHOLESALERS ASSOC.
Mary Catherine Green	NC Beer & Wine

VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety
(Committee Name)

3/19/13

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Cindy Plante	League of Municipalities
Tom West	Eckerd
M. Jillian DeCamp	Eckerd
Jody Grutza	Eckerd
Anthony Jones	ECKERD
NELS ROSELAND	NCDOS
Chris Agner	DOJ
Cedric Johnson	BTC
MATTHEW LONGOBARDI	DOJ
Elizabeth Watson	NCVAN
Peg Dorn	NC Conf. of DA
Thomas MAHER	JDS
Mildred Spearman	NCAOC
Jacy Little	OSBm
Mitch Leonard	SEANC
FRANK L. PERRY	NCEPS

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

March 26, 2013 8:30 A.M.

I. CALL TO ORDER

Chairs: **Senator Thom Goolsby, Presiding**
 Senator Stan Bingham
 Senator Buck Newton

Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley

II. PRESENTATIONS

Opening Remarks by Chairs

Response to Governor's Recommended Budget

Roy Cooper, Attorney General

Judge John Smith, Director, Administrative Office of the Courts

Tom Maher, Director, Indigent Defense Services

Kiernan Shanahan, Secretary, Department of Public Safety

III. COMMITTEE DISCUSSION

IV. OTHER BUSINESS:

Next meetings: Wednesday, March 27th, 8:30 a.m.

Thursday, March 28th, 8:30 a.m.

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Mobley (Vice Chair), Rep. Stevens (Vice Chair)
Rep. Foushee, Rep. C. Graham, Rep. G. Graham, Rep. Speciale,
Rep. Szoka, Rep. Turner

Senate Appropriations Subcommittee on JPS

Sen. Bingham (Chair)
Sen. Goolsby (Chair)
Sen. Newton (Chair)
Sen. Apodaca (Vice Chair)
Sen. Clodfelter, Sen. Daniel, Sen. Kinnaid,
Sen. Randleman

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

IV. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Mobley (Vice Chair), Rep. Stevens (Vice Chair)
Rep. Foushee, Rep. C. Graham, Rep. G. Graham, Rep. Speciale,
Rep. Szoka, Rep. Turner

Senate Appropriations Subcommittee on JPS

Sen. Bingham (Chair)
Sen. Goolsby (Chair)
Sen. Newton (Chair)
Sen. Apodaca (Vice Chair)
Sen. Clodfelter, Sen. Daniel, Sen. Kinnaird,
Sen. Randleman

Senate Committee on Appropriations on Justice and Public Safety
Tuesday, March 26, 2013 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES


The Senate Committee on Appropriations on Justice and Public Safety met at 8:30 AM on March 26, 2013 in Room 415 of the Legislative Office Building. Twenty one members were present.

Senator Thom Goolsby, Chair, presided. Senator Goolsby called the meeting to order at 8:30 AM and recognized the Pages and Sergeant-at-Arms.

Senator Goolsby introduced Agency heads to respond to Governor's Recommended Budget of which is attached as Exhibit "A". Roy Cooper, Attorney General, introduced his staff and shared his response. Judge John Smith, Director, Administrative Office of the Courts, Tom Maher, Director, Indigent Defense Services and Kiernan Shanahan, Secretary, Department of Public Safety presented their recommended adjustments, a copy of which is attached as Exhibit "B".

Members of the Committee asked questions following the presentations .

The meeting adjourned at 9:49 AM.



Senator Thom Goolsby, Chair



Carol Wilson, Committee Clerk

THE GOVERNOR'S RECOMMENDED BUDGET: OFFICE OF INDIGENT DEFENSE SERVICES

March 26, 2013

\$5 Million Non-Recurring PAC Funds

"The [additional PAC] funds will reduce a budget shortfall accumulated over several years that creates a hardship for small business legal firms whose payments are suspended when state resources are exhausted before the end of the fiscal year."

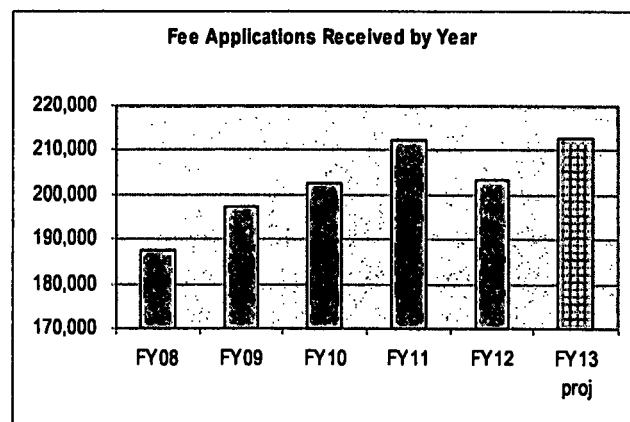
– Governor Pat McCrory's Recommended Budget

- The Governor's recommended \$5 million non-recurring increase in funding for Private Assigned Counsel (PAC) would be tremendously helpful in meeting IDS' constitutional and statutory obligations.
- The existing PAC funding shortfall dates back to FY11. IDS ended FY11 and FY12 with almost \$10 million of debt. IDS is projected to end this FY with \$7 to \$8 million of debt, which will mean that IDS lived within its recurring budget this fiscal year *and* chipped away at the historical debt.
- IDS has been able to live within its current recurring budget in part because the IDS Commission dramatically reduced the hourly rates that are paid to PAC in May 2011. Particularly in district court, the current rates are at unsustainably low levels that barely cover the overhead of running a small law firm.

Case Type	IDS Rates 2001	IDS Rates 2006	IDS Rates 2008	IDS Rates 2011 to Present
Potentially Capital Cases	\$85	\$95	\$95	\$85 (\$75 after a non-capital declaration)
High-Level Felonies (Class A-D)	\$65	\$65	\$75	\$70
All Other Superior Court Cases	\$65	\$65	\$75	\$60
All Other District Court Cases	\$65	\$65	\$75	\$55

The rate reductions generated approximately \$12.6 million in savings during FY12 and a projected \$15.6 million in savings this FY. At this time, most non-capital fees are being paid at the reduced rates. PAC should not have to endure payment delays on top of significant rate reductions.

- IDS has implemented a number of other cost control measures that are documented on the attached fact sheet, and has benefited from an atypical decrease in demand during the past 12 to 18 months. Demand now appears to be increasing again and IDS is projecting modest real growth for the rest of this FY and next FY.
- The shift to a large-scale contract system will contain costs in the long-term:
 - ✓ IDS set the fees for handling caseload units lower than the reduced PAC hourly rates with an expectation that contract attorneys will gain efficiencies.
 - ✓ As of December 2013, 16% of non-capital PAC spending will have shifted to the new contract system.



THE GOVERNOR'S RECOMMENDED BUDGET: OFFICE OF INDIGENT DEFENSE SERVICES

March 26, 2013

- Even with the recommended increase, IDS will likely have a shortfall at the end of the next two fiscal years.

	FY13	FY14	FY15
PAC Shortfall Under Governor's Budget	\$7 to \$8 million	\$2 to \$3 million	\$3 to \$5 million

A continuing funding shortfall would be due to a variety of factors, including:

- ✓ Continuing slow growth in the demand for IDS' services, including providing counsel for the Governor's recommended expansion of drug treatment courts
- ✓ Less funds available to transfer to the PAC fund at year end:
 - \$258,634 reduction from "steamlin[ing] public defender and administrative operations"
 - No continuation budget adjustments for rent, longevity, etc.
- ✓ Decreased recoupment revenues as a result of lower PAC rates and the shift to contracts
- ✓ Increasing complexity of the law and forensic science
- ✓ Increasing criminalization of behavior and criminal penalties
- ✓ Increasing demand for out-of-court interpretation and translation, court exhibits, transcripts, and experts

Public Defender Office Case Management System

"Technology systems are critical to maintain the timely and efficient operation of the judicial system."

– Governor Pat McCrory's Recommended Budget

- The Governor's recommended \$369,965 in recurring funds plus \$43,080 in non-recurring funds to upgrade and maintain the public defender offices' Case Management System (CMS) will make those offices more efficient.
- The existing CMS uses outdated technology and is causing increasing problems with incompatibility. The recommended funds will be used to modernize the system by creating a web-based database comparable to the systems that AOC has created for the district attorneys and clerks.
- AOC has informed IDS that it will need six Information Technology positions for the first nine months of development, and three positions to maintain the system over time. Those positions would be funded by IDS, but supervised by AOC.
- In light of the significant shortfall in the PAC Fund, IDS will not be able to fund this project without dedicated expansion funding.

THE GOVERNOR'S RECOMMENDED BUDGET: OFFICE OF INDIGENT DEFENSE SERVICES

March 26, 2013

North Carolina Prisoner Legal Services

"The contract amount with Prisoner Legal Services is altered to reflect the declining number of inmates incarcerated in the state's prison system."

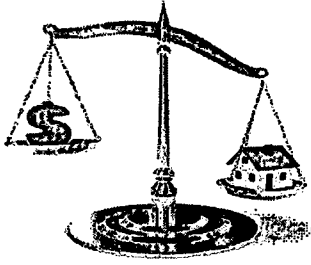
– Governor Pat McCrory's Recommended Budget

- In a case brought against the then-Department of Correction—*Bounds v. Smith*—the United States Supreme Court established that all prisoners have a constitutional right to meaningful access to the courts. The State began contracting with North Carolina Prisoner Legal Services (NCPLS) in 1989 as part of a later settlement to enforce that constitutional right.
- The Governor's recommended reduction to NCPLS' budget represents a significant reduction of almost 8%.
- While it is true that the inmate population has declined in recent years, it is significantly higher than it was in 1998, when NCPLS was funded at the same level in 2013 dollars.

	CY1998	CY2004	CY2009	CY2013
Number of DAC Inmates	31,881	35,756	40,133	37,586
Number of NCPLS Staff Attorneys (funded through contract with IDS)	16	18	19	19
Cost of NCPLS' Contract (in Actual Dollars)	\$1.97 M	\$2.51 M	\$2.89 M	\$2.89M
Cost of NCPLS' Contract (in 2013 Dollars)	\$2.8 M	\$3.09 M	\$3.13 M	\$2.89M

- Because 80% of NCPLS' budget is personnel, the recommended reduction would mean:
 - ✓ NCPLS would have to lay off four paralegals and eliminate all jail credit work. In 2012, NCPLS corrected jail credit errors totaling 13,319 days. At the most recent daily cost of incarceration calculated by the Division of Adult Correction (\$76.02 per day), NCPLS generated more than \$1 million in savings last year, which is far more than the recommended reduction.
 - ✓ NCPLS would have to eliminate one attorney position and one intake position, which would cause delays in responding to inmate requests and result in inmates being illegally incarcerated past their lawful release date or in inmates missing the statute of limitations on meritorious claims.
- For more information about NCPLS' work, please see the attached fact sheet.

CONTROLLING INDIGENT DEFENSE COSTS



IDS has implemented a number of initiatives to control spending and contain the costs of providing constitutionally and statutorily mandated legal services. However, much of IDS' spending is driven by factors beyond IDS' control.

IDS Cost Saving Efforts:

All Cases:

- ❖ Reduced private assigned counsel (PAC) rates effective May 2011:

Case Type	Hourly Reduction
Potentially Capital	\$10
Serious Felonies	\$5
Other Superior Court	\$15
Other District Court	\$20

- ❖ Worked with AOC to establish a uniform hourly rate schedule for experts by specialty and education
- ❖ Targeted expansion of defender offices and programs
- ❖ Created in-house specialized resources, such as Forensic Resource Counsel, so that attorneys around the State do not have to "reinvent the wheel" in individual cases
- ❖ Reimburse mileage at \$.35/mile (lower than state and IRS rates)

Capital Cases:

- ❖ Set pre-trial spending limits for attorneys and some defense experts unless a case has been declared "exceptional" by the IDS Director, and require pre-trial budgets in the most serious and complex potentially capital cases
- ❖ Decrease hourly rate after potentially capital cases are declared non-capital
- ❖ Require prior IDS approval for experts and support services in potentially capital cases
- ❖ Suspended pass-through grant funding to Center for Death Penalty Litigation, and moved key functions in-house at lower cost

Non-Capital and Non-Criminal Cases:

- ❖ Uniform billing policies and education
- ❖ In some districts, use "attorneys for the day," flat per case fees, and targeted contracts
- ❖ Return without payment court orders granting fees in cases where there is no authority to pay, such as infractions and GALs in some civil cases
- ❖ Require prior approval for large translation requests
- ❖ Building cost savings, best practices, and quality assurances into new contract system

Training:

- ❖ Shifted to more webinars and on-line training programs
- ❖ Cancelled fall public defender conference, moved spring conference to central location, and require carpooling to major training events
- ❖ Obtained grant funding for special training programs

Defender Offices and IDS Office:

- ❖ Restricted salary increases in defender offices and IDS Office
- ❖ Delayed replacement of computers, equipment, and books

External Factors Increasing IDS Costs:

- ❖ Increasing complexity of applicable laws, including collateral consequences
- ❖ Increasing complexity of forensic sciences and problems identified in audit of State Bureau of Investigation laboratory
- ❖ Increasing costs associated with accessing and reviewing voluminous digital discovery
- ❖ Increasing criminalization of behavior and criminal penalties
- ❖ Increasing statewide rates of poverty and indigency
- ❖ Shift of responsibility from AOC to IDS for funding defense lay witnesses and out-of-court foreign language interpreters
- ❖ Increasing cost of written translations, including audio and video interrogations in Spanish
- ❖ Increasing costs of office rent, supplies, and books
- ❖ Aging and inadequate equipment, such as slow computers and obsolete case management software
- ❖ Loss of some outside support, such as county-funded positions in defender offices

Contacts:

Executive Director
Thomas K. Maher

Thomas.K.Maher@nccourts.org

Assistant Director & General Counsel
Danielle M. Carman

Danielle.M.Carman@nccourts.org

Chief Financial Officer
Elisa Wolper

Elisa.Wolper@nccourts.org

NORTH CAROLINA PRISONER LEGAL SERVICES



	FY12
Number of DAC Inmates	37,000+
Number of DAC Prisons Served	66
Number of Inmate Requests Handled	12,166
Number of NCPLS Attorneys (funded through contract with IDS)	19
Cost of NCPLS' Contract	\$2.89M

Overview: North Carolina Prisoner Legal Services (NCPLS) is a non-profit, public service law firm that provides legal advice and assistance to inmates. Through its contract with IDS, NCPLS serves a population of more than 37,000 prisoners in the custody of the Division of Adult Correction (DAC) by providing information and advice concerning their legal rights, working toward administrative resolutions of inmate problems, and providing representation in court.

In a case brought against the Department of Correction (DOC)—*Bounds v. Smith*—the U.S. Supreme Court established that all prisoners have a constitutional right to meaningful access to the courts. The State began contracting with NCPLS in 1989 as part of a later settlement to enforce that constitutional right.

North Carolina also provides a statutory right to counsel for post-conviction review under certain circumstances, and NCPLS accepts appointments to represent defendants in cases in which superior court judges have ordered evidentiary hearings.

Post-Conviction Cost Effectiveness: NCPLS is a cost-effective way to meet North Carolina's constitutional and statutory obligations to provide inmates with meaningful access to the courts.

- ❖ Because of the complexity of the State's structured sentencing scheme, NCPLS often identifies sentencing errors that, once corrected, save months or years of incarceration for persons whose prior record levels were miscalculated.
- ❖ In 2012, NCPLS corrected jail credit errors totaling 13,319 days. At the most recent daily cost of incarceration calculated by the DAC (\$76.02 per day), NCPLS generated more than \$1 million in savings.

Civil Conditions of Confinement:

- ❖ *Cases covered:* NCPLS evaluates inmate claims and, in appropriate cases, represents inmates in civil cases involving conditions of confinement, such as the provision of inadequate medical care, cases involving sexual abuse by prison guards and negligent failure to protect, and the application of gain time credits for disabled inmates.
- ❖ *Cases not covered:* While NCPLS provides some *pro se* packets to inmates in other cases, such as divorces, they do not provide any direct representation in matters unrelated to the constitutionality of conditions of confinement.

Post-Conviction and Civil: In addition to the calculable cost savings generated by NCPLS, the organization saves the State money and resources by resolving legitimate inmate concerns through negotiation with prosecutors and the DAC, and by discouraging frivolous inmate litigation by explaining to inmates the boundaries of their legal rights.

Grant Funded Programs:

- ❖ *Safe and Humane Jails Project:* Works to ensure that inmates in local jails are treated safely and humanely.
- ❖ *Incarcerated Youth Advocacy Project:* Represents juveniles in the custody of the Division of Juvenile Justice.

Alternative is More Costly: Without NCPLS, the State would have to provide law libraries and persons trained in the law at DAC facilities. This would be more costly than NCPLS, and would result in a system that is highly unlikely to identify legitimate claims. It would also increase the burden on the courts caused by frivolous *pro se* litigation.

IDS Oversight: In 2005, the General Assembly transferred the responsibility to provide inmates with meaningful access to the courts from DOC to IDS. NCPLS provides IDS with quarterly reports documenting work done pursuant to its contract, as well as budgetary information and annual fiscal audit reports.

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Recommended Adjustments

Justice and Public Safety

Judicial Branch

Judicial Branch - Indigent Defense

Department of Justice

Department of Public Safety

Juvenile Justice and Delinquency Prevention

Correction

Crime Control and Public Safety

Judicial Branch

Governor's Recommended Adjustments to Base Budget

Judicial Branch (12000)

Recommended General Fund Budget and Positions

	<u>2013-14</u>	<u>2014-15</u>
Base Budget		
Requirements	\$459,870,295	\$459,870,295
Receipts	<u>\$1,453,299</u>	<u>\$1,453,299</u>
Appropriation	\$458,416,996	\$458,416,996
Adjustments		
Requirements	\$591,146	\$830,485
Receipts	-	-
Appropriation	\$591,146	\$830,485
Total		
Requirements	\$460,461,441	\$460,700,780
Receipts	<u>\$1,453,299</u>	<u>\$1,453,299</u>
Recommended Appropriation	<u>\$459,008,142</u>	<u>\$459,247,481</u>
<hr/>		
Positions		
Base Budget Positions	5,809,330	5,809,330
Continuation	-	-
Reductions	(67,000)	(67,000)
Expansion	<u>61,000</u>	<u>61,000</u>
Recommended Positions	<u>5,803,330</u>	<u>5,803,330</u>

Appropriation Items -- Recommended Adjustments

Reductions

	<u>2013-14</u>	<u>2014-15</u>
1. Create Staffing Efficiencies		
Implementation of a voluntary reduction in force and other resource reductions will create efficiencies within the judicial system.		
Appropriation	(\$3,500,000)	(\$3,500,000)
Positions	(62.000)	(62.000)
2. Redirect State Bar Funds		
Amount appropriated to the State Bar is redirected to support core court functions.		
Appropriation	(\$671,250)	(\$671,250)
3. End Funding for Conferences		
The Conference of District Attorneys and Clerk's Conference serve single constituencies within the Judicial Branch. Funds appropriated for that purpose are redirected to support the General Fund.		
Appropriation	(\$387,812)	(\$387,812)
Positions	(5.000)	(5.000)

Total Recommended Reductions

	<u>2013-14</u>	<u>2014-15</u>
Recurring		
Requirements	(\$4,559,062)	(\$4,559,062)
Receipts	-	-
Appropriation	(\$4,559,062)	(\$4,559,062)
Positions	(67.000)	(67.000)
Nonrecurring		
Requirements	-	-
Receipts	-	-
Appropriation	-	-
Positions	-	-

Expansion

2013-14 2014-15

1. Invest in Drug Treatment Courts

Drug abuse and addiction fracture relationships and can have life-altering consequences. Funds are requested for Drug Treatment Courts to provide effective and cost-efficient treatment and support to court-involved persons with substance abuse dependencies.

Appropriation	\$3,364,456	\$3,653,187
Positions	45.000	45.000

2. Address Constitutional Requirements

The Administrative Office of the Courts is required to pay interpreters, expert witnesses, and jury fees as needed to operate the state court system. Funds are requested to increase the budget to the prior year's actual expenditures.

Appropriation	\$1,009,256	\$1,009,256
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3. Improve Access to Magistrates

Counties require an adequate number of magistrates to conduct core court functions. This request adds one magistrate in 16 counties that currently have only three magistrates each in order to provide staff to perform duties and minimize after-hours call-backs.

Appropriation	\$727,104	\$727,104
Appropriation - Nonrecurring	\$49,392	
Positions	16.000	16.000

Total Recommended Expansion

2013-14 2014-15

Recurring

Requirements	\$5,100,816	\$5,389,547
Receipts	-	-
Appropriation	\$5,100,816	\$5,389,547
Positions	61.000	61.000

Nonrecurring

Requirements	\$49,392	-
Receipts	-	-
Appropriation	\$49,392	-
Positions	-	-

**Total Recommended Adjustments for
Judicial Branch (12000)
2013-15**

	<u>2013-14</u>	<u>2014-15</u>
Recurring		
Requirements	\$541,754	\$830,485
Receipts	-	-
	<hr/>	<hr/>
Appropriation	\$541,754	\$830,485
Positions	(6.000)	(6.000)
Nonrecurring		
Requirements	\$49,392	-
Receipts	-	-
	<hr/>	<hr/>
Appropriation	\$49,392	-
Positions	-	-
Total Appropriation Adjustments	\$591,146	\$830,485
Total Position Adjustments	(6.000)	(6.000)

Governor's Recommended Adjustments to Base Budget

Judicial Branch - Indigent Defense (12001)

Recommended General Fund Budget and Positions

	<u>2013-14</u>	<u>2014-15</u>
Base Budget		
Requirements	\$127,535,258	\$127,535,258
Receipts	<u>\$13,029,360</u>	<u>\$13,029,360</u>
Appropriation	\$114,505,898	\$114,505,898
Adjustments		
Requirements	\$4,923,211	(\$18,900)
Receipts	-	-
Appropriation	\$4,923,211	(\$18,900)
Total		
Requirements	\$132,458,469	\$127,516,358
Receipts	<u>\$13,029,360</u>	<u>\$13,029,360</u>
Recommended Appropriation	<u>\$119,429,109</u>	<u>\$114,486,998</u>
Positions		
Base Budget Positions	511.100	511.100
Continuation	-	-
Reductions	(3.250)	(3.250)
Expansion	<u>6.000</u>	<u>6.000</u>
Recommended Positions	<u>513.850</u>	<u>513.850</u>

Appropriation Items -- Recommended Adjustments

Reductions

2013-14 2014-15

1. Streamline Public Defender and Administration Operations

Efficiencies gained through increased partnership with the School of Government for training, greater utilization of existing staff in lieu of contracted consultants, and more efficient distribution of workload will allow for the reduction of 3.25 positions.

Appropriation (\$258,634) (\$258,634)

Positions (3.250) (3.250)

2. Modify Prisoner Legal Services Contract

The contract amount with Prisoner Legal Services is altered to reflect the declining number of inmates incarcerated in the state's prison system.

Appropriation (\$231,200) (\$231,200)

Total Recommended Reductions

2013-14 2014-15

Recurring

Requirements (\$489,834) (\$489,834)

Receipts - -

Appropriation (\$489,834) (\$489,834)

Positions (3.250) (3.250)

Nonrecurring

Requirements - -

Receipts - -

Appropriation - -

Positions - -

Expansion

2013-14 2014-15

1. Increase Private Assigned Counsel Funds

This allocates additional funds to pay private counsel assigned to represent persons deemed indigent by the courts. The funds will reduce a budget shortfall accumulated over several years that creates a hardship for small business legal firms whose payments are suspended when state resources are exhausted before the end of the fiscal year.

Appropriation - Nonrecurring \$5,000,000

2. Modernize Public Defender Case Management System

Technology systems are critical to maintain the timely and efficient operation of the judicial system. Funding is requested to update and maintain the case management system used by public defenders in order to effectively monitor caseloads and schedules, and to track and report court dispositions.

	Appropriation	\$369,965	\$369,965
	Appropriation - Nonrecurring	\$43,080	\$100,969
	Positions	6.000	6.000
<hr/>			
Total Recommended Expansion			
		<u>2013-14</u>	<u>2014-15</u>
Recurring			
Requirements		\$369,965	\$369,965
Receipts		-	-
		<hr/>	<hr/>
Appropriation		\$369,965	\$369,965
Positions		6.000	6.000
Nonrecurring			
Requirements		\$5,043,080	\$100,969
Receipts		-	-
		<hr/>	<hr/>
Appropriation		\$5,043,080	\$100,969
Positions		-	-

**Total Recommended Adjustments for
Judicial Branch - Indigent Defense (12001)
2013-15**

	<u>2013-14</u>	<u>2014-15</u>
Recurring		
Requirements	(\$119,869)	(\$119,869)
Receipts	-	-
	<hr/>	<hr/>
Appropriation	(\$119,869)	(\$119,869)
Positions	2.750	2.750
Nonrecurring		
Requirements	\$5,043,080	\$100,969
Receipts	-	-
	<hr/>	<hr/>
Appropriation	\$5,043,080	\$100,969
Positions	-	-
Total Appropriation Adjustments	\$4,923,211	(\$18,900)
Total Position Adjustments	2.750	2.750

Department of Justice

Governor's Recommended Adjustments to Base Budget

Department of Justice (13600)

Recommended General Fund Budget and Positions

	<u>2013-14</u>	<u>2014-15</u>
Base Budget		
Requirements	\$121,979,714	\$121,979,714
Receipts	<u>\$44,206,139</u>	<u>\$41,206,139</u>
Appropriation	\$77,773,575	\$80,773,575
Adjustments		
Requirements	(\$7,372,242)	(\$17,344,869)
Receipts	<u>(\$5,963,202)</u>	<u>(\$10,617,603)</u>
Appropriation	(\$1,409,040)	(\$6,727,266)
Total		
Requirements	\$114,607,472	\$104,634,845
Receipts	<u>\$38,242,937</u>	<u>\$30,588,536</u>
Recommended Appropriation	<u>\$76,364,535</u>	<u>\$74,046,309</u>
<hr/>		
Positions		
Base Budget Positions	1,240.400	1,240.400
Continuation	-	-
Reductions	(223.630)	(223.630)
Expansion	<u>54.000</u>	<u>54.000</u>
Recommended Positions	<u>1,070.770</u>	<u>1,070.770</u>

Appropriation Items -- Recommended Adjustments

Reductions

	<u>2013-14</u>	<u>2014-15</u>
1. Shift Focus to Core Mission Functions		
In order to allow the Department of Justice to focus on its core mission, attorneys and support staff who provide routine legal services are transferred to the state agencies they serve, effective October 1, 2013. A reserve account is established within the Office of State Budget and Management to facilitate an orderly transition of positions and funds to affected agencies.		
Requirements	(\$15,413,521)	(\$20,551,362)
Receipts	(\$7,963,202)	(\$10,617,603)
Appropriation	(\$7,450,319)	(\$9,933,759)
Positions	(210.630)	(210.630)
2. Implement Staff Efficiencies		
Through more efficient utilization of resources, the number of vacant positions in administrative/support functions within the agency is reduced.		
Appropriation	(\$947,698)	(\$947,698)
Positions	(13.000)	(13.000)
Total Recommended Reductions		
	<u>2013-14</u>	<u>2014-15</u>
Recurring		
Requirements	(\$16,361,219)	(\$21,499,060)
Receipts	(7,963,202)	(10,617,603)
Appropriation	(\$8,398,017)	(\$10,881,457)
Positions	(223.630)	(223.630)
Nonrecurring		
Requirements	-	-
Receipts	-	-
Appropriation	-	-
Positions	-	-

Expansion			
		<u>2013-14</u>	<u>2014-15</u>
1. Enhance Use of Expert Outside Counsel			
This request increases funds appropriated to the Department to defend the State in complex litigation where outside counsel can provide targeted and strategic expertise.			
	Appropriation - Nonrecurring	\$500,000	
2. Replace State Crime Lab Equipment			
Providing a one-time increase of funds to replace and modernize equipment in the State Crime Lab will improve staff efficiency and turnaround time for law enforcement agencies throughout the state.			
	Appropriation - Nonrecurring	\$573,000	
3. Enhance State Crime Lab DNA Testing			
This item expands DNA testing capability to the Triad and Western labs by adding positions, lab space, and equipment. Expanding this capability to all three labs will improve response and turnaround time to law enforcement agencies. Disbursing staff throughout the state will also improve staff efficiency by reducing travel time and expense when forensic scientists are required to testify in court.			
	Requirements	\$2,714,680	\$1,714,680
	Requirements - Nonrecurring	\$1,395,348	
	Receipts	\$1,000,000	
		<hr/>	
	Appropriation	\$3,110,028	\$1,714,680
	Positions	21.000	21.000
4. Expand State Crime Lab Toxicology Capabilities			
This funding adds additional staff, lab space and equipment to enhance toxicology testing capabilities at the Triad and Western labs. This improved capability will allow for faster turnaround time and improved service to all geographic regions of the state.			
	Requirements	\$2,565,223	\$1,565,223
	Requirements - Nonrecurring	\$127,804	
	Receipts	\$1,000,000	
		<hr/>	
	Appropriation	\$1,693,027	\$1,565,223
	Positions	19.000	19.000
5. Provide Tools to Combat Methamphetamine Abuse			
The number of seized meth labs has increased 135% in the last 5 years, from 195 in 2008 to 460 in 2012. Requested funds will invest in the safety of NC communities by increasing SBI agents and drug chemists to allow for more timely seizure, investigation, disabling of labs, gathering of evidence, and disposal of associated hazardous wastes.			

Appropriation	\$292,824	\$292,824
Appropriation - Nonrecurring	\$72,306	
Positions	5.000	5.000

6. Fight Prescription Drug Abuse

Illegal access to prescription drugs continues to rise, and the network of prescription drug fraud rings is also escalating. Additional SBI agents are needed to address the growing complexity of these investigations and the growing number of unintentional deaths from prescription drugs.

Appropriation	\$191,458	\$191,458
Appropriation - Nonrecurring	\$76,884	
Positions	3.000	3.000

7. Protect Children from Internet Predators

The use of technology by criminals poses a substantial risk to our youth. This request provides funds for more SBI agents to investigate and respond to cyber threats against children. The time-consuming, complex nature of tracking and monitoring computer-based crimes demands highly trained law enforcement officers and coordination among national, state, and local agencies. This appropriation also provides additional staff to review and disperse tips received from the National Center for Exploited and Missing Children.

Appropriation	\$390,006	\$390,006
Appropriation - Nonrecurring	\$89,444	
Positions	6.000	6.000

Total Recommended Expansion

	<u>2013-14</u>	<u>2014-15</u>
Recurring		
Requirements	\$6,154,191	\$4,154,191
Receipts	2,000,000	-
Appropriation	\$4,154,191	\$4,154,191
Positions	54.000	54.000
Nonrecurring		
Requirements	\$2,834,786	-
Receipts	-	-
Appropriation	\$2,834,786	-
Positions	-	-

**Total Recommended Adjustments for
Department of Justice (13600)
2013-15**

	<u>2013-14</u>	<u>2014-15</u>
Recurring		
Requirements	(\$10,207,028)	(\$17,344,869)
Receipts	(5,963,202)	(10,617,603)
	<hr/>	<hr/>
Appropriation	(\$4,243,826)	(\$6,727,266)
Positions	(169.630)	(169.630)
Nonrecurring		
Requirements	\$2,834,786	-
Receipts	-	-
	<hr/>	<hr/>
Appropriation	\$2,834,786	-
Positions	-	-
Total Appropriation Adjustments	(\$1,409,040)	(\$6,727,266)
Total Position Adjustments	(169.630)	(169.630)

Department of Public Safety

Governor's Recommended Adjustments to Base Budget

Department of Public Safety (14550)

Recommended General Fund Budget and Positions

	<u>2013-14</u>	<u>2014-15</u>
Base Budget		
Requirements	\$1,958,291,174	\$1,964,088,574
Receipts	<u>\$236,229,390</u>	<u>\$231,229,390</u>
Appropriation	\$1,722,061,784	\$1,732,859,184
Adjustments		
Requirements	(\$13,253,518)	(\$19,806,355)
Receipts	-	-
Appropriation	(\$13,253,518)	(\$19,806,355)
Total		
Requirements	\$1,945,037,656	\$1,944,282,219
Receipts	<u>\$236,229,390</u>	<u>\$231,229,390</u>
Recommended Appropriation	<u>\$1,708,808,266</u>	<u>\$1,713,052,829</u>
<hr/>		
Positions		
Base Budget Positions	25,307.210	25,307.210
Continuation	-	-
Reductions	(784.400)	(784.400)
Expansion	<u>155.000</u>	<u>266.000</u>
Recommended Positions	<u>24,677.810</u>	<u>24,788.810</u>

Appropriation Items -- Recommended Adjustments

Continuation

	<u>2013-14</u>	<u>2014-15</u>
1. Consolidate Funding Sources Supporting the Tarheel Challenge Academy		
The North Carolina Tarheel Challenge program is part of the National Guard Youth Challenge Program and receives federal funds from this entity. The appropriation that provides the required matching funds was transferred to the Department of Public Instruction as a pass-through per Session Law 2009-451. National Guard federal funds are designated receipts to the Department of Public Safety where the program is implemented. Moving the state match to the Department of Public Safety will consolidate all funding sources in the agency where the program operates.		
	Appropriation	\$767,719
		\$767,719
Total Recommended Continuation		
	<u>2013-14</u>	<u>2014-15</u>
Recurring		
Requirements	\$767,719	\$767,719
Receipts	-	-
	<hr/>	<hr/>
Appropriation	\$767,719	\$767,719
Positions	-	-
Nonrecurring		
Requirements	-	-
Receipts	-	-
	<hr/>	<hr/>
Appropriation	-	-
Positions	-	-

Reductions

	<u>2013-14</u>	<u>2014-15</u>
1. Consolidate State Highway Patrol Communications Centers		
This recommendation will increase efficiency of telecommunications operations by consolidating eight centers to five, and redeploying some positions to other locations in order to maintain service and response to citizens.		
	Appropriation	(\$1,887,305)
		(\$1,887,305)
	Positions	(36.000)
		(36.000)

2. Maximize Efficient Use of Warehouse Space

This recommendation consolidates the number of warehouses used to store State Highway Patrol vehicles and equipment.

Appropriation (\$191,474) (\$191,474)

3. Modify Number of Administrative/Support State Highway Patrol Positions

Based on current needs, the number of positions providing auxiliary support to the State Highway Patrol can be modified.

Appropriation (\$772,853) (\$772,853)

Positions (9,000) (9,000)

4. Adjust Detention Center Beds

The declining need for youth detention center beds allows for the closure of Richmond Detention Center in order to more appropriately utilize state resources.

Appropriation (\$407,074) (\$407,074)

Positions (25,400) (25,400)

5. Modify Youth Development Center Operating Budgets

Population at youth development centers is declining, and the operating budget is adjusted to more accurately reflect needs.

Appropriation (\$100,000) (\$100,000)

6. Realign Youth Community Program Funds

This request redirects funds to contracted youth community program providers and to Juvenile Crime Prevention Councils with the intent of shifting expenditures from administration to direct services.

Appropriation (\$737,549) (\$737,549)

7. Alter Funding for Administrative Sections

This adjustment more appropriately funds operating accounts for administrative/support sections within the Department.

Appropriation (\$579,244) (\$579,244)

8. Adjust Budget for Supplies

Revised funding for educational supplies within in-prison substance abuse programs reflects existing needs and use.

Appropriation (\$36,000) (\$36,000)

9. Revise Prison Capacity to Address Declining Inmate Population

The state's prison population has declined in recent years and is now less than the prison system's capacity. Capacity is adjusted by 1,912 by closing the five prisons for adult males below, several of which have extensive capital improvement needs.

Appropriation (\$20,323,121) (\$34,103,080)

1. Wayne Correctional Institution

428-bed medium security, 150 FTEs, Effective February 1, 2014
FY 13-14:(\$3,014,444) FY 14-15: (\$7,234,666)

2. Bladen Correctional Center

172-bed minimum security, 52 FTEs, Effective October 1, 2013

FY 13-14 (\$1,969,779) FY 14-15 (\$2,499,168)

3. Duplin Correctional Center

328-bed minimum security, 80 FTEs, Effective August 1, 2013.

FY 13-14: (\$3,759,729) FY 14-15: (\$4,101,522)

4. Robeson Correctional Center

276-bed minimum security, 80 FTEs, Effective August 1, 2013.

FY 13-14: (\$3,625,960) FY 14-15: (\$3,955,592)

5. Western Youth Institution

708-bed mixed security, 323 FTEs, Effective January 1, 2014.

FY 13-14: (\$7,953,209) FY 14-15: (\$16,312,132)

Positions	(685.000)	(685.000)
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10. Utilize Technology to Increase Security

Completion of an electronic intrusion system at Morrison Correctional Institution in April 2014 provides enhanced security and allows more efficient use of state resources.

Appropriation	(\$24,202)	(\$404,911)
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Positions	(12.000)	(12.000)
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11. Adjust Contract Services for Supervised Adult Offenders

Transition to a new service delivery model directed by the Justice Reinvestment Act requires more time to be fully implemented. Therefore, a non-recurring adjustment to contract services is appropriate.

Appropriation - Nonrecurring	(\$1,500,000)
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12. Reflect Inmate Health Care Savings

Completion of prison health care facilities so that more procedures can be done on-site, together with Medicaid reimbursement for qualifying treatment of eligible inmates, allow for an adjustment of funds budgeted to pay contracted medical providers.

Appropriation	(\$6,000,000)	(\$6,000,000)
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13. Revise Operating Funds for New Prison Dormitory

This recommendation adjusts operating accounts on a non-recurring basis due to a delay in completion of a new minimum-security dormitory at Tabor Correctional Institution.

Appropriation - Nonrecurring	(\$529,424)
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14. Reorganize and Streamline Secretary's Office

Reorganizing the Secretary's Office and altering reporting relationships allows for an adjustment to the number of positions needed.

Appropriation	(\$292,886)	(\$292,886)
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Positions	(2.000)	(2.000)
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15. Identify Efficiencies Related to Department of Public Safety Consolidation

Public Safety leadership continues to explore ways to streamline operations and staffing following the merger of three former criminal justice agencies in 2012. In addition, the Department is able to utilize its size and scope to leverage savings when buying in bulk. This request provides a targeted amount for operational and personnel efficiencies.

Appropriation (\$2,000,000) (\$2,000,000)

16. Adjust Staffing Levels

Through more efficient deployment of resources, vacant positions can be reduced without jeopardizing the agency's public safety mission.

Appropriation (\$952,582) (\$952,582)
Positions (15.000) (15.000)

Total Recommended Reductions

	<u>2013-14</u>	<u>2014-15</u>
Recurring		
Requirements	(\$34,304,290)	(\$48,464,958)
Receipts	-	-
	<hr/>	<hr/>
Appropriation	(\$34,304,290)	(\$48,464,958)
Positions	(784.400)	(784.400)
Nonrecurring		
Requirements	(\$2,029,424)	-
Receipts	-	-
	<hr/>	<hr/>
Appropriation	(\$2,029,424)	-
Positions	-	-

Expansion

2013-14 2014-15

1. Protect North Carolina's Communities

The recommendation provides officers and front-line supervisors needed to fully implement the 2011 Justice Reinvestment Act. Funds provide for probation/parole officers to reduce caseloads to 60 offenders per officer, and add other officer positions to provide adequate offender supervision when positions are vacant or employees are unavailable to manage caseloads due to extended military or sick leave, and training. Also, reallocates 205 surveillance officer positions to caseload carrying officers in order to maximize efficiency of the state workforce.

Appropriation \$6,117,802 \$13,211,024
Appropriation - Nonrecurring \$1,013,226 \$1,079,697
Positions 106.000 217.000

2. Enact Supervision of Felons Leaving Prison

Funds provide new staff for the Post-Release Supervision and Parole Commission, which will set supervision conditions for thousands of felons who will be supervised after leaving prison under the Justice Reinvestment Act.

Appropriation	\$607,163	\$858,490
Appropriation - Nonrecurring	\$99,786	
Positions	16.000	16.000

3. Expand Electronic Monitoring

Global Positioning Satellite (GPS) technology assists probation officers with monitoring the location of offenders on supervision. Expanding use of this technology increases public safety.

Appropriation	\$3,662,191	\$3,662,191
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4. Enhance Data Access for Troopers

State Troopers require access to multiple computer databases in order to respond quickly and appropriately when encountering potentially dangerous situations along NC highways. This request provides funds to update technology in vehicles that provide links to this valuable information.

Appropriation	\$626,000	\$626,000
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5. Improve State Highway Patrol Technology Resources

State Troopers require stable and reliable road-side access to data from their vehicles. The requested non-recurring funds will improve the replacement schedule for in-vehicle computers and related equipment.

Appropriation - Nonrecurring	\$1,050,640	
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6. Keep Troopers On The Road

The increasing cost of gasoline is taxing the State Highway Patrol's ability to keep troopers on the road and keep the motoring public safe. Funds are requested to increase the gasoline budget to the prior year's actual expenditures.

Appropriation	\$3,677,292	\$3,677,292
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7. Upgrade National Guard Armories

This request provides funds to address critical maintenance needs at NC National Guard Readiness Centers statewide.

Appropriation	\$850,000	\$850,000
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8. Improve Safety in State Government Complex

State Capitol Police is responsible for maintaining safety and security for employees and visitors in the State Government complex. Current resources do not allow for an adequate level of staff presence in buildings or to provide 24/7 telecommunicators to respond to safety alarm calls statewide. This request provides staff needed to address current critical needs. The Department is conducting a risk assessment to determine what additional resources may be needed on a long-term basis.

Appropriation	\$681,866	\$681,866
Appropriation - Nonrecurring	\$96,987	
Positions	16.000	16.000

9. Improve Communication Support for First Responders

The Voice Interoperability Plan for Emergency Responders (VIPER) network is a vital communications link for first responders throughout NC. Additional staff are requested to support the 200 sites that are now operational.

Appropriation	\$2,825,471	\$2,825,471
Appropriation - Nonrecurring	\$580,000	
Positions	13.000	13.000

10. Protect Children Through Safer Schools Initiative

Children deserve to feel safe at school, just as teachers and administrators deserve tools and training to respond to emergencies. Funds will establish the Center for Safer Schools to provide training and technical support to educators, law enforcement agencies and parents statewide.

Appropriation	\$311,572	\$311,572
Appropriation - Nonrecurring	\$5,200	
Positions	4.000	4.000

11. Support Tarheel ChalleNGe Program

This request provides additional state funds to Tarheel ChalleNGe, a National Guard youth program that seeks to improve life-coping skills and employment potential for high school dropouts or expellees, in order to maximize drawdown of matching federal funds.

Appropriation	\$107,281	\$107,281
----------------------	------------------	------------------

Total Recommended Expansion

	<u>2013-14</u>	<u>2014-15</u>
Recurring		
Requirements	\$19,466,638	\$26,811,187
Receipts	-	-
Appropriation	\$19,466,638	\$26,811,187
Positions	155.000	266.000
Nonrecurring		
Requirements	\$2,845,839	\$1,079,697
Receipts	-	-
Appropriation	\$2,845,839	\$1,079,697
Positions	-	-

**Total Recommended Adjustments for
Department of Public Safety (14550)
2013-15**

	<u>2013-14</u>	<u>2014-15</u>
Recurring		
Requirements	(\$14,069,933)	(\$20,886,052)
Receipts	-	-
	<hr/>	<hr/>
Appropriation	(\$14,069,933)	(\$20,886,052)
Positions	(629.400)	(518.400)
Nonrecurring		
Requirements	\$816,415	\$1,079,697
Receipts	-	-
	<hr/>	<hr/>
Appropriation	\$816,415	\$1,079,697
Positions	-	-
Total Appropriation Adjustments	(\$13,253,518)	(\$19,806,355)
Total Position Adjustments	(629.400)	(518.400)

VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety

March 26, 2013

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
ROBIN JENILINS	DPS-055
Kathy Dudley	DPS-DJJ
Tom West	Eckerd
Meredith Jillian DeCamp	Eckerd
Thomas MAHER	IDS
Danielle Carman	IDS
Mary Pollard	NC Prisoners Legal Services
Elisa Golper	IDS
John Harch	MFJS
Ken Davis	Conference of DAs
Anne Precythe	Community Corrections-IDS
FRANK PERRY	DPS-LAW ENF
Jarret Burr	DPS
Ryan Combs	DPS
ASAP SPINNER	NCACE
Chris Agnew	DJ
Burtan Craigs	IDS

VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety

March 26, 2013

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Jane Kennedy	Clerk of Superior Court, New Hampshire
Barbara Moore	Conf. of Clerks of Sup Ct
HOLLIN FREEMAN	Clerk of Sup Ct, Wake Co.
Todd Tilley	Clerk of Sup Ct - Perquimans
John W Smith	AOC
W. DAVID GUICK	DPS
EDWARD MASSO	COO DPS
Secretary Strickland	DPS
Angela Holbrook	DPS
Rachel M. Joyner	Clerk of Court, Nash Co.
Andrew Whitley	Clerk of Court, Wilson Co.
Mitch Leonard	SGA Rte
Tracy Little	OSBrn
LTC Sean Moser	DPS - National Guard
BENNIE AIKEN	DPS
Sharon Gladwell	AOC
Joe Whelan	AOC

Committee Sergeants at Arms

NAME OF COMMITTEE Joint App. Sub. on Justice & Public Safety

DATE: 3/26/13 Room: 415

House Sgt-At Arms:

1. Name: Young Bae
2. Name: Patrick Mason
3. Name: _____
4. Name: _____
5. Name: _____

Senate Sgt-At Arms:

1. Name: KEN KIRBY
2. Name: CHARLES MARSALIS
3. Name: _____
4. Name: _____
5. Name: _____

Tuesday, March 26
APPROPRIATIONS
JUSTICE & PUBLIC SAFETY

Room
415

Time
8:30 am

Name	County	Sponsor
Joshua Garner	Randolph	McNeill
Jamall Hall	Durham	Tillis

SENATE PAGES ATTENDING

COMMITTEE: Joint: Justice & Pub. Safety ROOM: 415

DATE: 3-26 TIME: 8:30

PLEASE PRINT LEGIBLY!!!!!!!!!!!!!!

Page	Name	Hometown	Sponsoring Senator
1	Natie Honaker	Raleigh	Phil Berger
2	Regan Booth	Fairview	Nesbitt
3	Maya Finoh	Durham	Woodard
4			
5			
6			
7			
8			
9			
10			

Do not add names below the grid.

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

March 28, 2013 8:30 A.M.

I. CALL TO ORDER

Chairs: Senator Stan Bingham, Presiding
 Senator Thom Goolsby
 Senator Buck Newton

Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley

II. PRESENTATIONS

Opening Remarks by Chairs

Administrative Office of the Courts – Trial and Appellate Courts

William Childs
Fiscal Research Division

III. COMMITTEE DISCUSSION

IV. OTHER BUSINESS:

Next meetings: Tuesday, April 2, 8:30 a.m. and afternoon, TBA

IV. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Mobley (Vice Chair), Rep. Stevens (Vice Chair)
Rep. Foushee, Rep. C. Graham, Rep. G. Graham, Rep. Speciale,
Rep. Szoka, Rep. Turner

Senate Appropriations Subcommittee on JPS

Sen. Bingham (Chair)
Sen. Goolsby (Chair)
Sen. Newton (Chair)
Sen. Apodaca (Vice Chair), Sen. Clodfelter,
Sen. Daniel, Sen. Kinnaird, Sen. Randleman

Senate Committee on Appropriations on Justice and Public Safety
Thursday, March 28, 2013 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 8:34 AM on March 28, 2013 in Room 415 of the Legislative Office Building. Fifteen members were present.

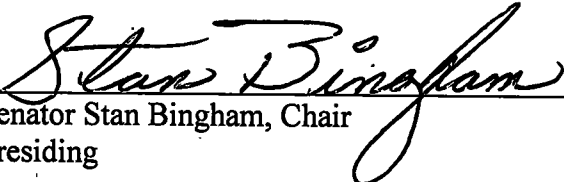
Senator Stan Bingham, Chair, presided. Senator Bingham recognized the Sergeant-at-Arms and the Pages. He recognized William Childs of the Fiscal Research Division staff to begin the meeting's presentation. Mr. Childs used a handout (attached) and slideshow to describe the Administrative Office of the Court's budget, workload formula and staffing.

He noted that the workload formula was derived using time studies. These studies were used to make case assignments to the staff and were updated annually.

Mr. Childs pointed out the shortage of magistrates in twelve counties. There are three magistrates per county in North Carolina. He went on to describe District and Superior Courts case types and staffing. Next, the Clerks of Court and District Attorneys' staffing, cases and district maps were noted. Mr. Childs reviewed the Civil and Criminal Courts of Appeals cases and staff; and he reviewed the State Supreme Court's constitutional and appeals cases and staff.

In conclusion, Mr. Childs listed the continuation budget reductions and the Governor's recommendations. Questions were taken from the Committee members.

The meeting adjourned at 9:24.



Senator Stan Bingham, Chair
Presiding

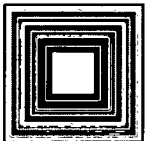


Maria Kinnaird, Committee Clerk

Justice and Public Safety Appropriations Subcommittee

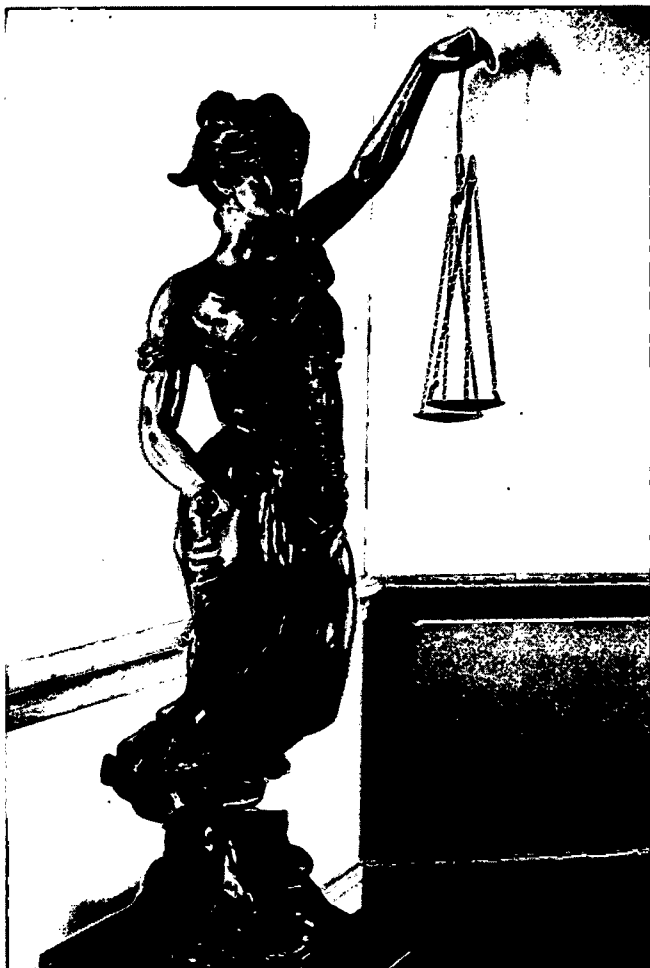
The North Carolina Judicial System: The Administrative Office of the Courts

William Childs
Fiscal Research Division



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Judicial Branch Presentation Schedule



Today: AOC Overview

- Budget
- Personnel
- Workload Formulas

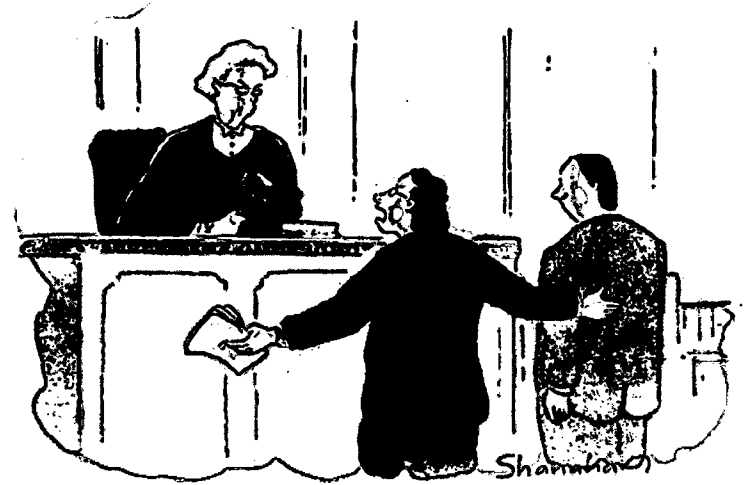
Tues AM: AOC Programs

- AOC Administration
- Specialty Courts
- Court Costs
- IT @ AOC

Tues PM: Indigent Defense Services

Key Issues

- ❑ AOC FY 2012-13 GF budget: \$461 million
- ❑ AOC administers:
 - Judges and Justices
 - Clerks
 - DAs
 - Magistrates
 - Court Staff
- ❑ Court Personnel determined by workload formulas developed by National Center of State Courts



"What are you—some kind of justice freak?"



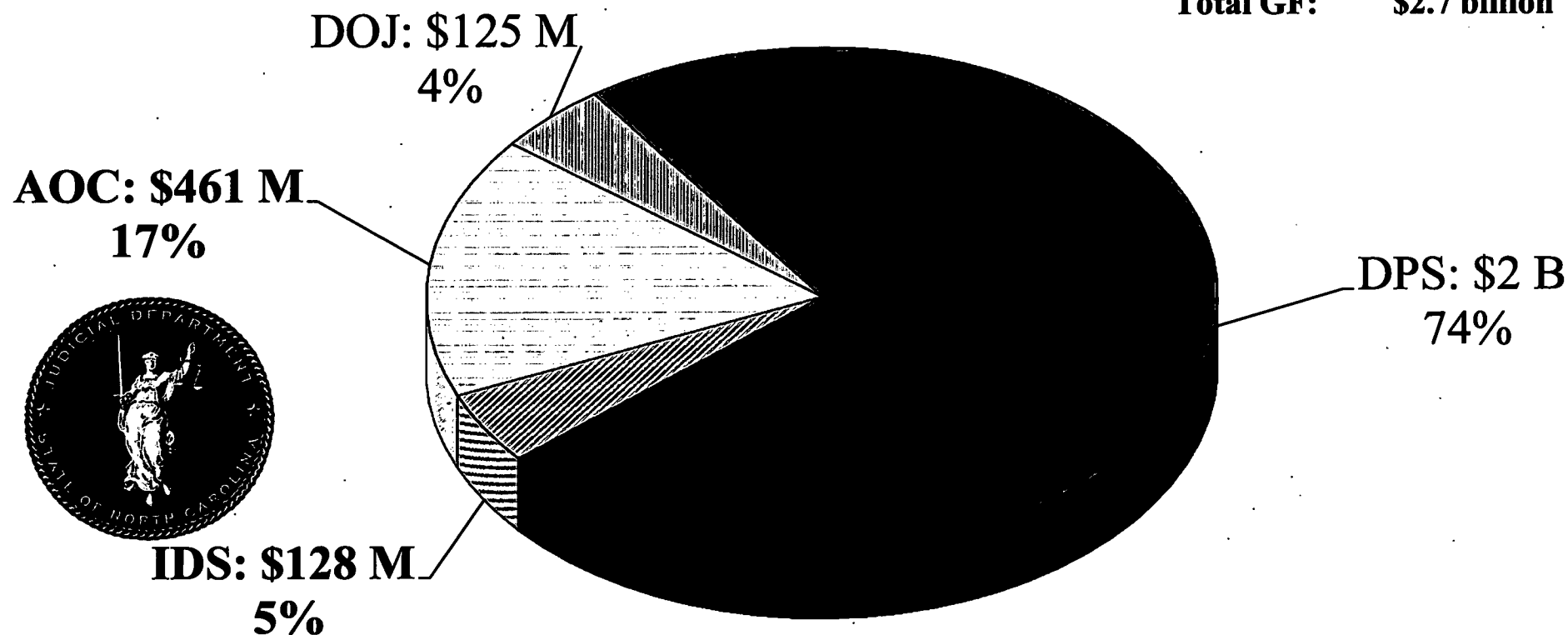
THE JUDICIAL BRANCH



FY 2012-13 JPS General Fund Budget by Agency

Appropriation: \$2.4 billion
Receipts: \$290 million

Total GF: \$2.7 billion



Source: NCAS, December 31, 2012 Authorized Budget

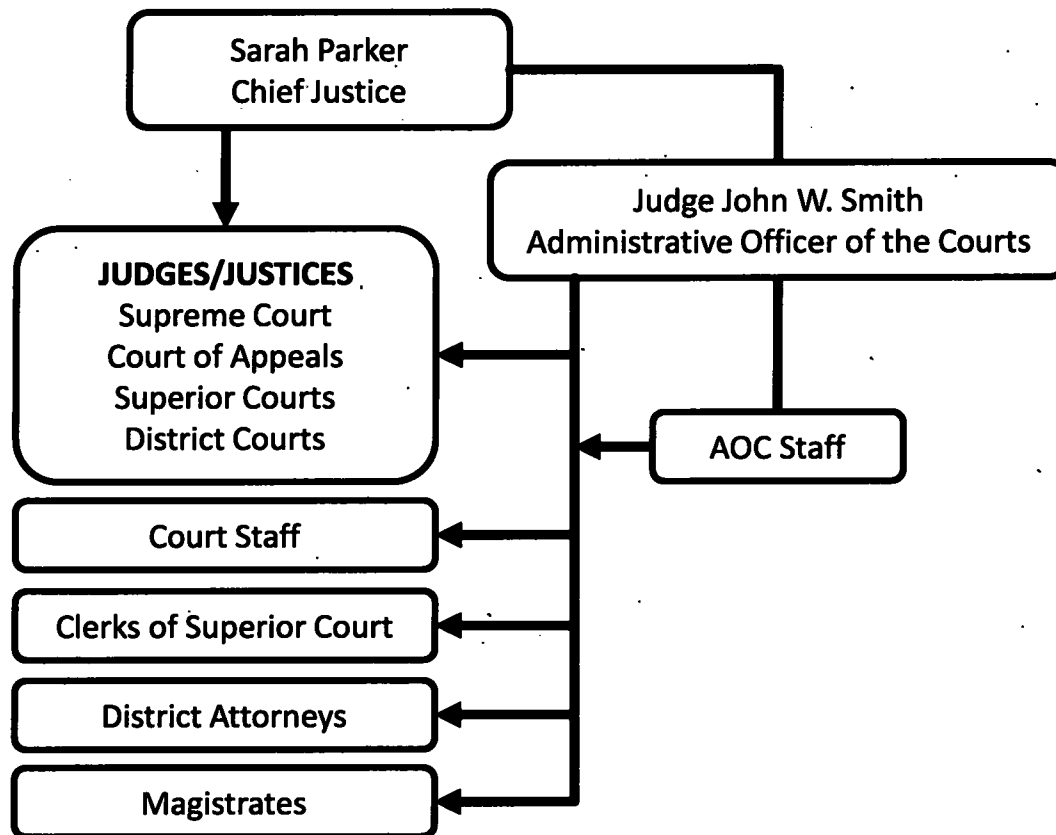
The North Carolina General Court of Justice



- Unified statewide court system
- Established by legislation in 1966
- State administers court personnel and operational budget
- Local governments provide courthouse and facility upkeep
- 25 other states have a unified court system

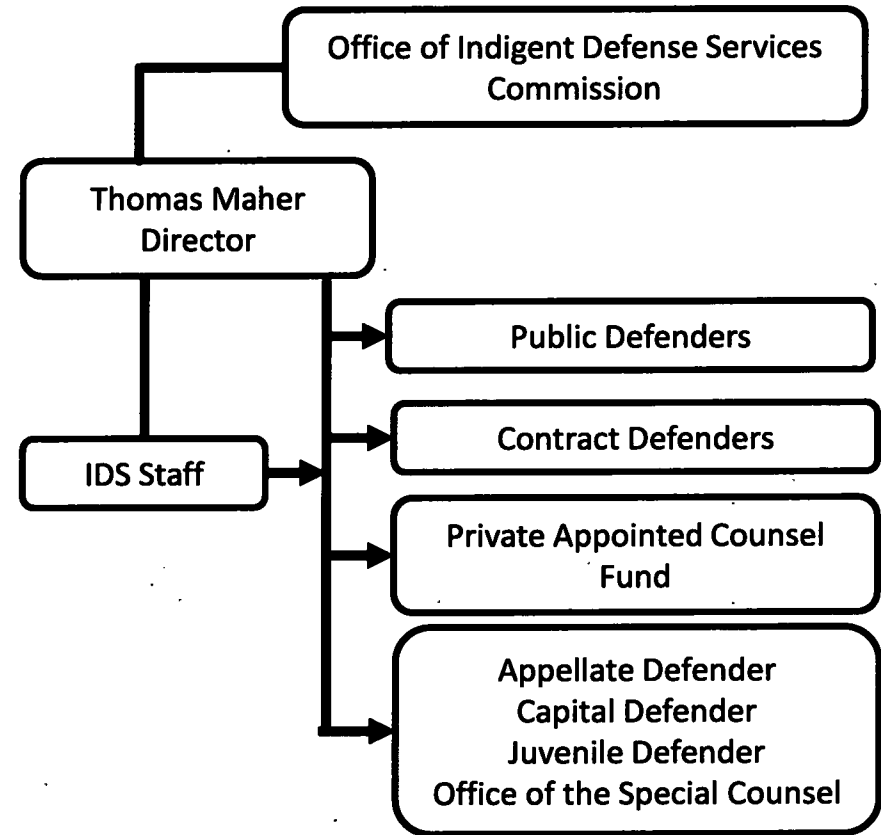
The North Carolina Judicial Branch

Administrative Office of the Courts

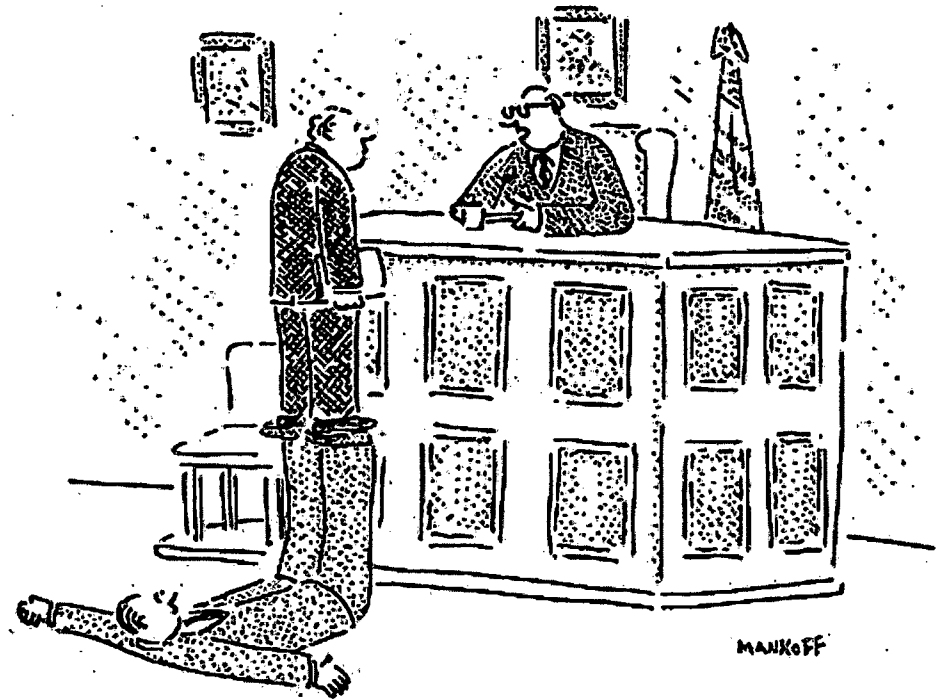


Total GF Budget: \$461 million
Total GF FTE: 5,809

Office of Indigent Defense Services



Total GF Budget: \$128 million
Total GF FTE: 470

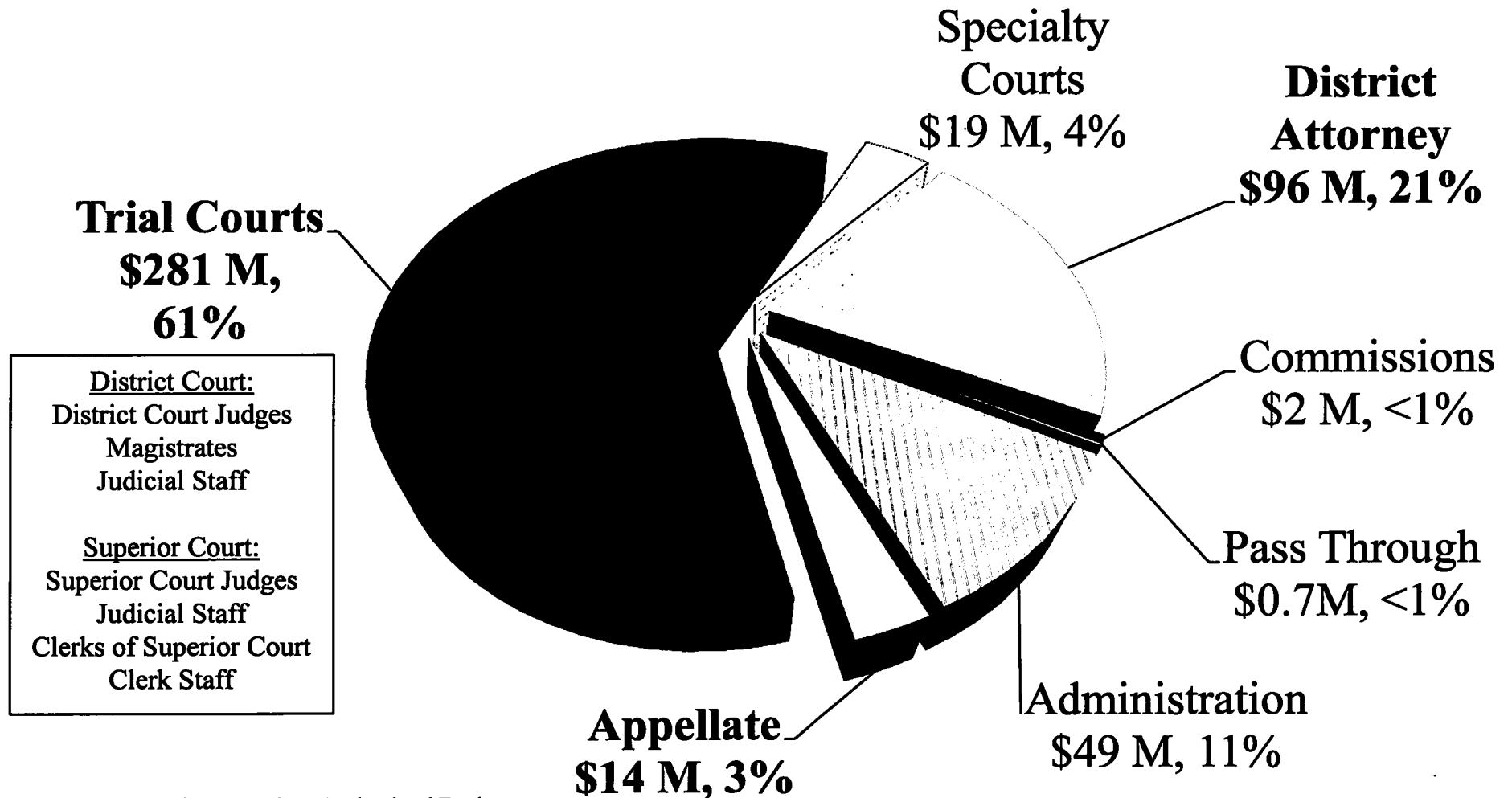


"Be advised, Counsellor, the court will not tolerate a circuslike atmosphere."

THE ADMINISTRATIVE OFFICE OF THE COURTS



AOC Budget FY 2012-13, Total: \$461 M



Source: NCAS, December 31, 2012 Authorized Budget



WORKLOAD FORMULAS

Workload Formulas

- 2007: AOC and National Center for State Courts (NCSC) began work on objective workload formulas
- Time Studies of Clerks, Magistrates, District and Superior Court Judges, ADAs and Victim-Witness Legal Assistants (VWLAs), Judicial and Specialty Court Support Staff
- Time Studies used to determine Case Weights by type of offense
- Need =
$$\frac{\text{Filings by Case Weight}}{\text{Case-Related Work Per Year}}$$

Workload Formulas

- Determines staffing needs for:
 - District Court Judges
 - Magistrates
 - Clerks of Superior Court
 - Superior Court Judges
 - Assistant District Attorneys
 - Victim-Witness Legal Assistants



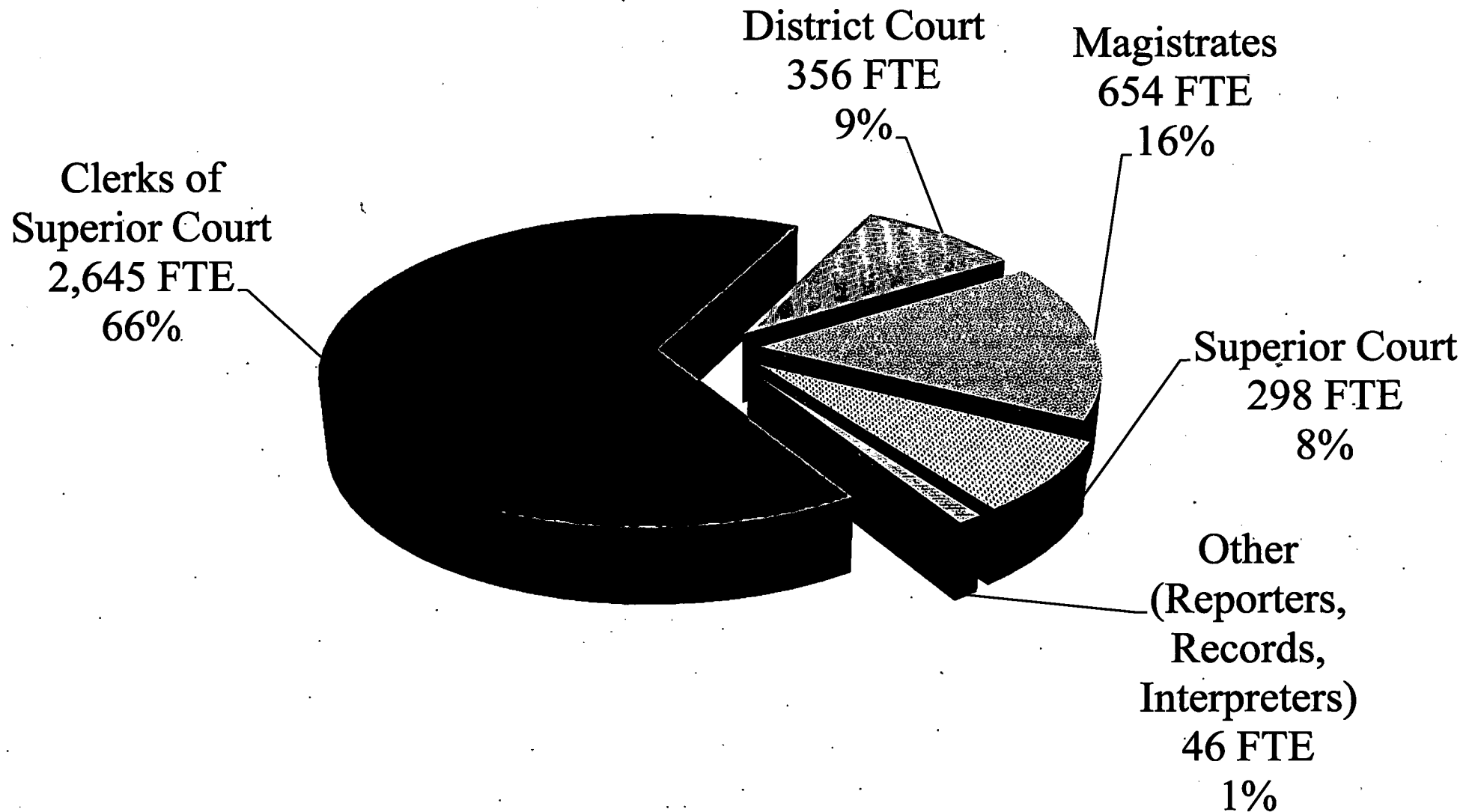


TRIAL COURTS

\$281 M, 3,989 FTE



Trial Court Personnel



Source: BEACON, January 30, 2013



Magistrates

Original Jurisdiction:

- Issue Warrants
- Set Bail
- Accept Guilty Pleas for Minor Misdemeanors and Infractions
- May accept waivers for worthless check cases
- Small Claims (\$5,000 or less)
- Landlord Eviction Cases
- Suits for recovery of personal property and mechanics' liens

654.1 FTE

- Minimum of 3 magistrates per county

Source: BEACON, January 30, 2013

Workload Formulas for Magistrates, FY 2012-13

	Authorized	Workload Estimate	Shortage
Magistrates	654.1	727.0	(72.9)

- Minimum of 3 per county: 39 counties with 3 magistrates
- 16 of these have workload-estimated staff between at least 1.5 and 3 magistrates
- These are the 16 recommended for funding in the Governor's budget
- 12 counties have shortage of at least 2 magistrates
- Greatest need:
 - Mecklenburg, 32 needed
 - Wake, 19.8 needed
 - Guilford, 12.1 needed

Source: AOC, as of January 1, 2013



District Court

Original Jurisdiction:

- Misdemeanors not assigned to Magistrates
- Probable Cause Hearings
- Accept Guilty/No Contest Pleas in Certain Felony Cases
- Civil Cases involving \$10,000 or less
- Juvenile Proceedings
- Domestic Relations
- Mental Health Hospital Commitments

355.8 FTE

District Court Judges: 270 FTE

- includes 42 Chief District Court Judges

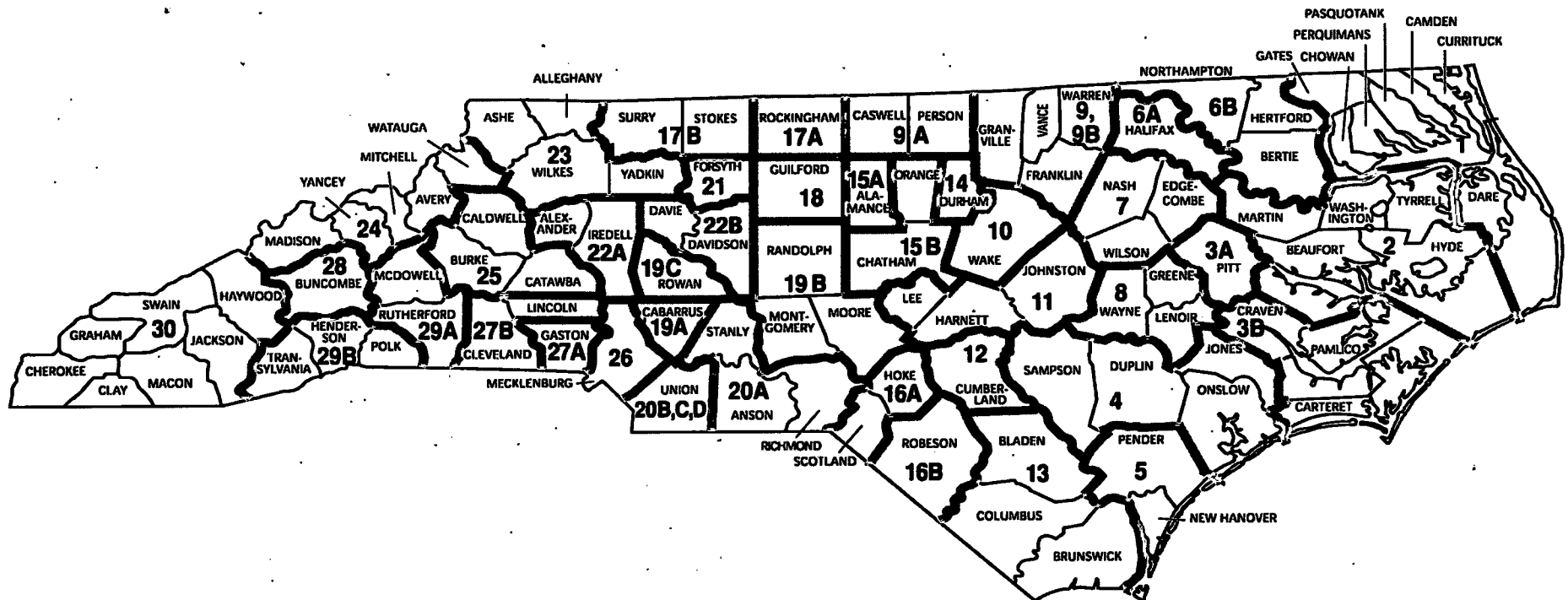
Staff: 85.8 FTE

- includes Judicial Assistants and Trial Court Coordinators

Source: BEACON, January 30, 2013

North Carolina District Court Districts

Effective January 15, 2009

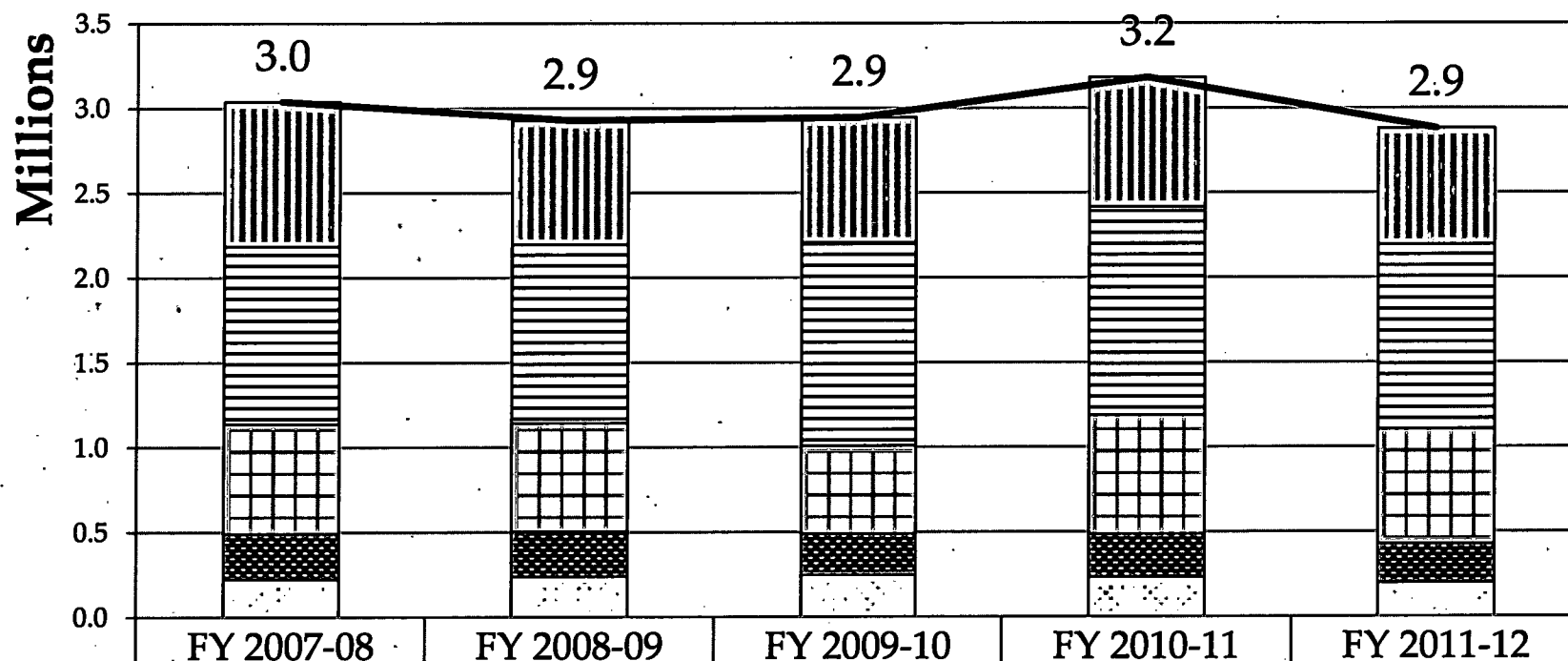


Note: Districts 9 and 9B, and districts 20B, 20C, and 20D are districts for electoral purposes only. They are combined for administrative purposes.

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42 District Court Districts
270 District Court Judges

District Court Dispositions, FY 2007-08 to FY 2011-12



Superior Court

Original Jurisdiction:

- All felony criminal cases
- Civil cases in excess of \$10,000
- Misdemeanor and infraction appeals from District Court
- Most administrative agency decisions

297.8 FTE

Superior Court Judges: 112 FTE

- includes 50 Senior Resident Superior Court Judges
- also includes 15 Special Superior Court Judges (appointed, not elected)

Trial Court Administrators: 10 FTE

Court Reporters: 78 FTE

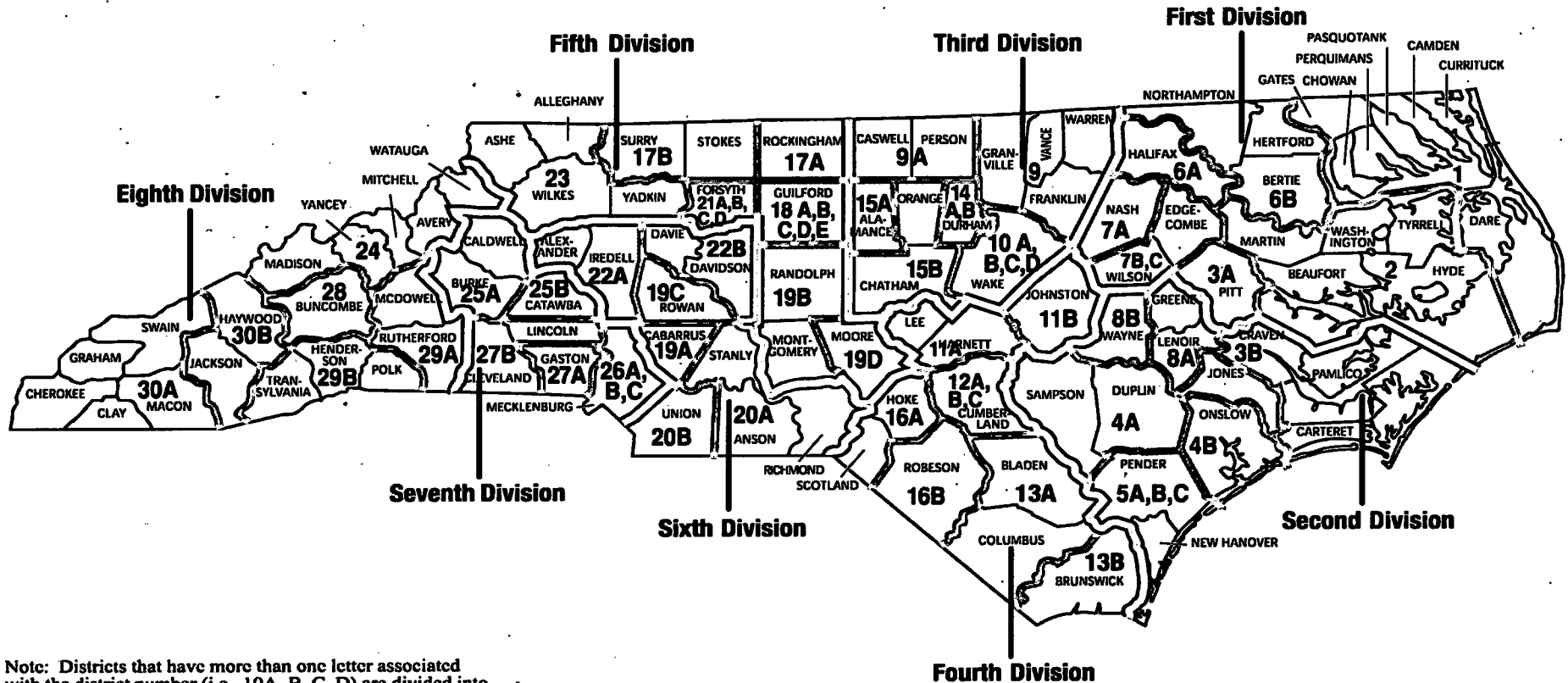
Other Staff: 97.8 FTE

- Includes Trial Court Coordinators and Judicial Assistants

Source: BEACON, January 30, 2013

North Carolina Superior Court

Effective January 15, 2009



Note: Districts that have more than one letter associated with the district number (i.e., 10A, B, C, D) are divided into separate districts for electoral purposes. For administrative purposes, they are combined into a single district.

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8 Superior Court Divisions
50 Superior Court Districts
112 Superior Court Judges

Clerks of Superior Court

Original Jurisdiction: Estates, Special Proceedings
(Clerk is Judge of Probate)

Responsible for:

- Administrative, clerical, and recordkeeping functions of District and Superior Court
- Collection and disbursement of court fees and fines.

2,644.8 FTE

Clerks of Superior Court: 100 FTE

Conference of Clerks: 1 FTE

Clerk Staff: 2,543.8 FTE

Source: BEACON, January 30, 2013



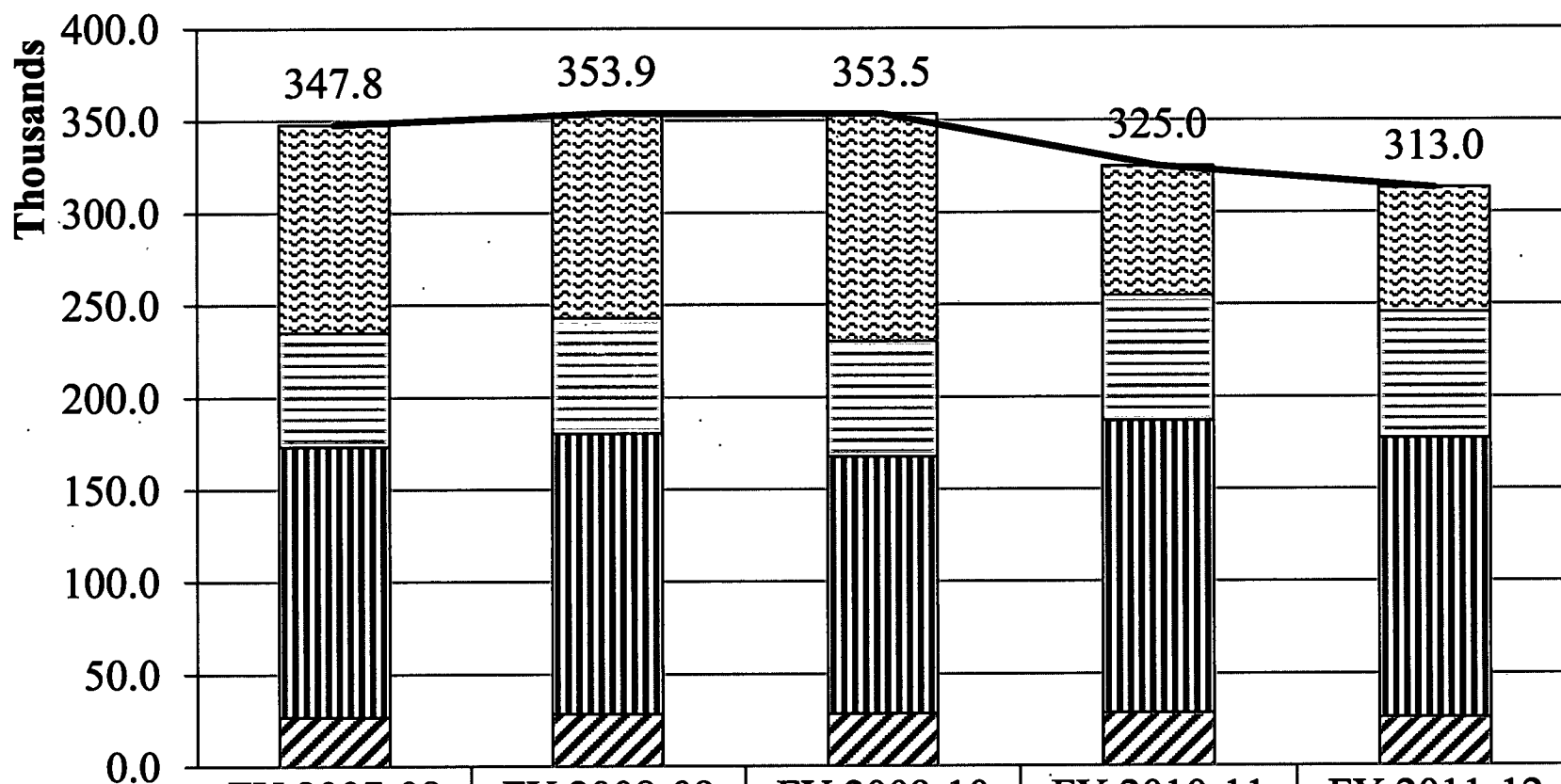
Workload Formulas for Clerks of Court, FY 2012-13

	Authorized	Workload Estimate	Shortage
Clerks	2,646.3	2,847.4	(201.1)

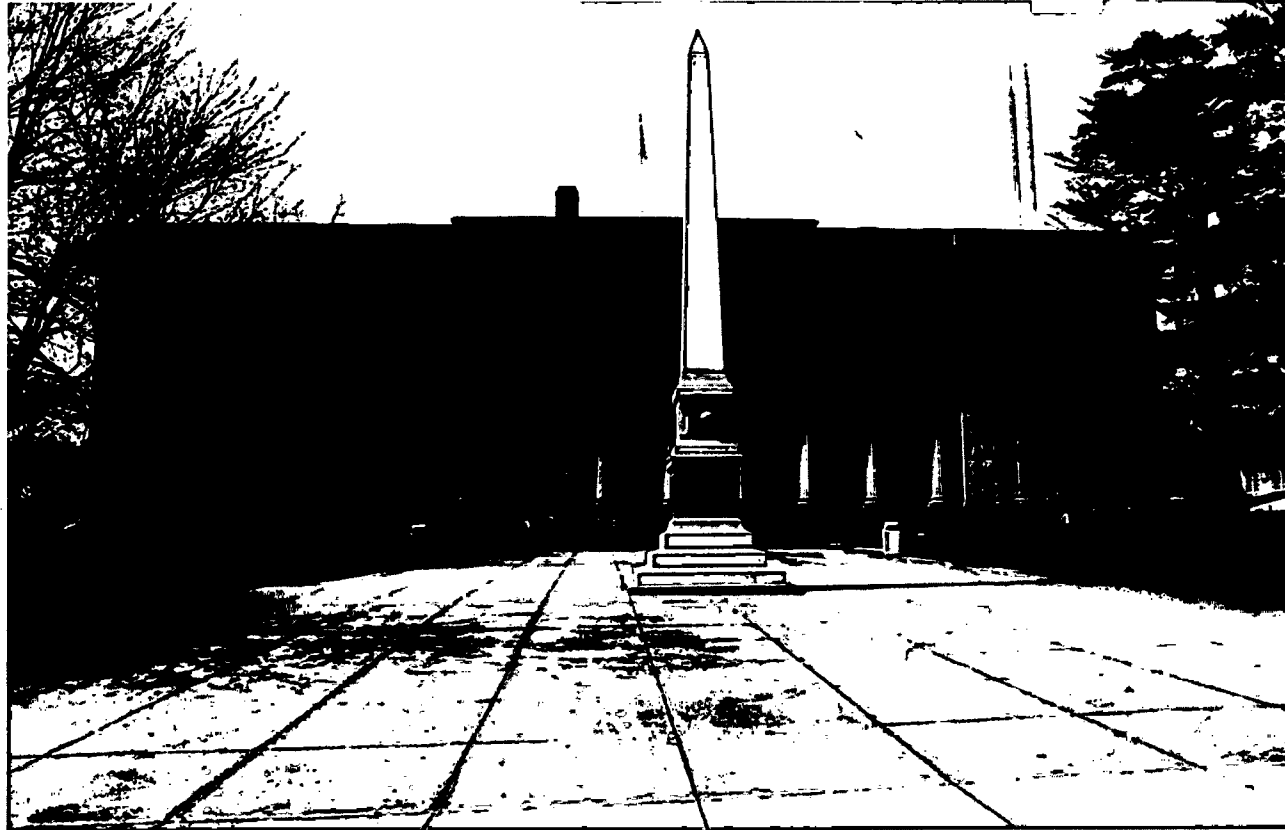
- 25 counties need 2+ clerks
- Greatest need in:
 - Wake, 62.3 clerks needed
 - Mecklenburg, 61.5 clerks needed
 - Cumberland, 25 clerks needed

Source: AOC, as of July 1, 2012

Superior Court Dispositions, FY 2007-08 to FY 2011-12



	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12
Special Proceedings	112,866	111,101	123,219	70,305	67,462
Estates	61,680	62,462	62,530	67,636	68,149
All Criminal	146,437	152,005	139,410	158,337	151,498
Civil	26,799	28,374	28,305	28,725	25,939
Total	347,782	353,942	353,464	325,003	313,048



DISTRICT ATTORNEYS

\$96 M, 1,126 FTE

District Attorneys

- All criminal and some juvenile matters
- Prosecute all criminal cases filed in Superior and District Courts
- Advise local law enforcement
- Prepare the criminal trial docket (“calendaring”)
- At least 4 full-time assistant district attorneys (ADAs) per district

1,134.25 FTE

District Attorneys: 45 FTE (includes 1 interim DA)

ADAs: 599 FTE

Victim-Witness Legal Assistants: 386.5 FTE

Investigators: 40.75 FTE

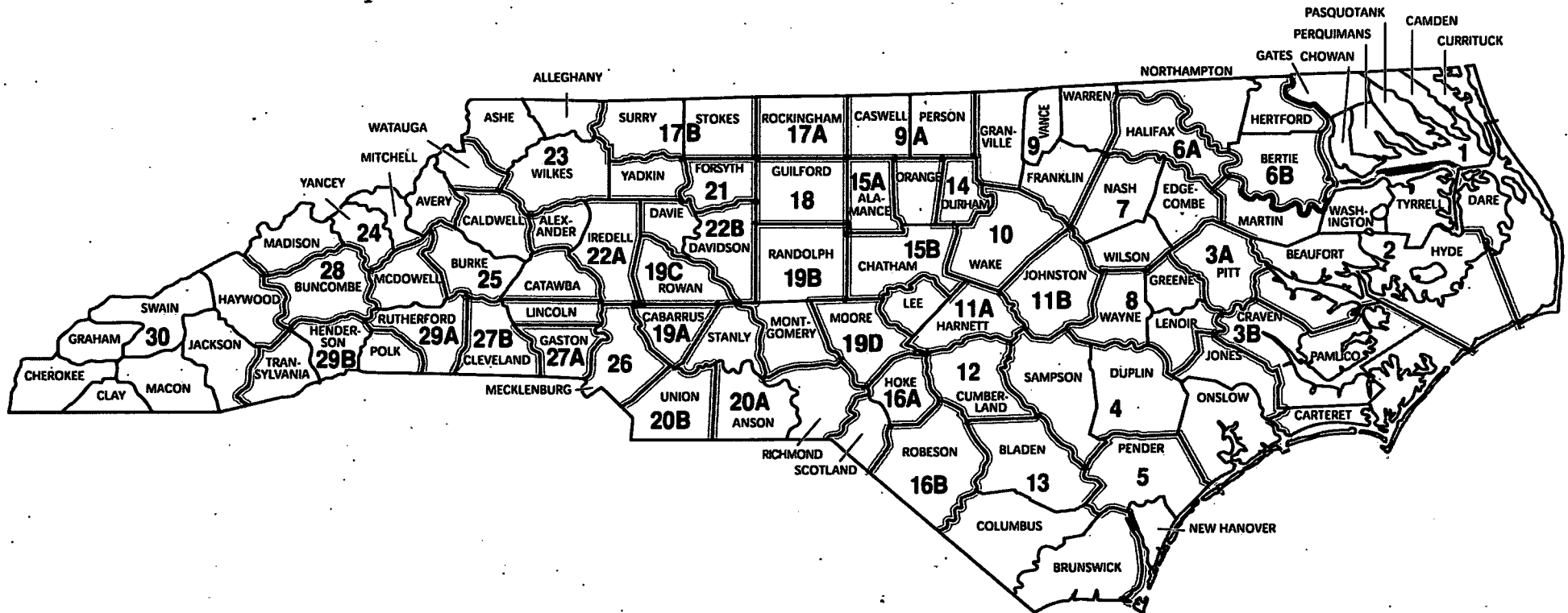
Conference of DAs: 3 FTE

Other (Administrative and Judicial Assistants): 60 FTE

Source: BEACON, January 30, 2013

North Carolina Prosecutorial Districts

Effective January 15, 2011



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44 Prosecutorial Districts

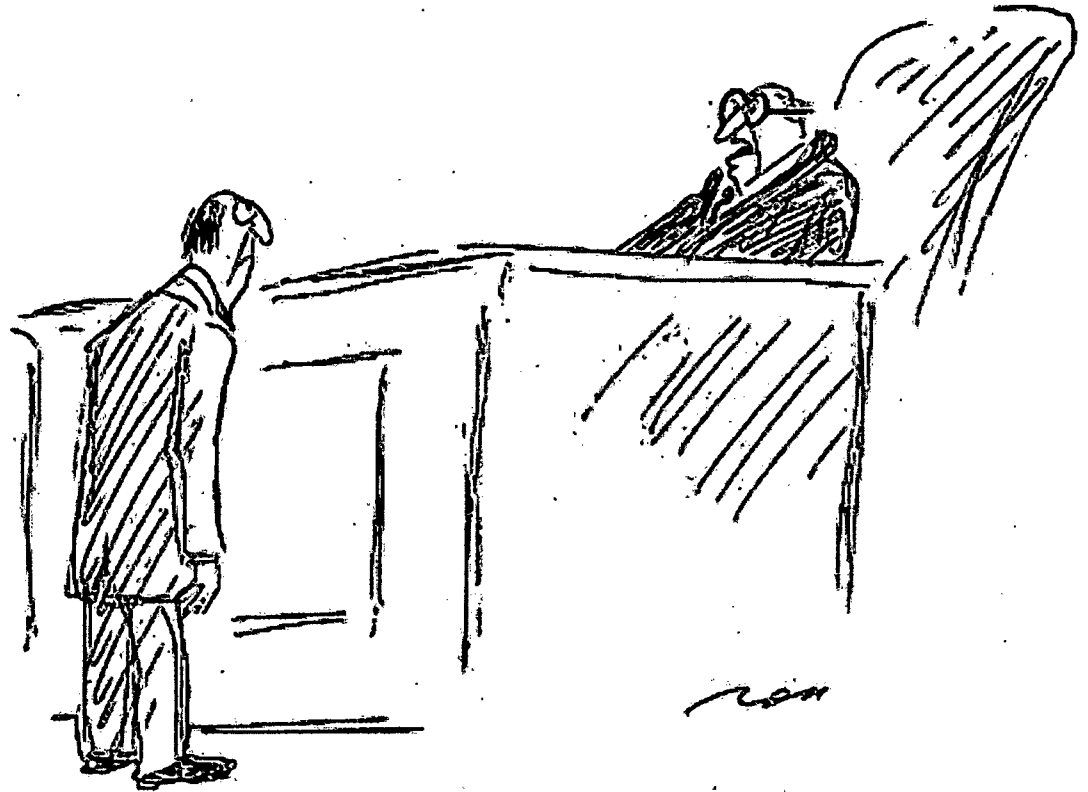
Workload Formulas for DAs, FY 2012-13

	State-Funded	Grant-Funded*	Workload Estimate	Shortage
ADAs	639.0	50.0*	728.7	(39.7)
VWLAs	381.8	-	438.4	(56.6)
Other DA Staff	98.8	56.8*	102.8	+52.8
Total	1,119.6	106.8*	1,269.5	(43.1)

- Grant-funded DA staff are tentative
- Greatest need in:
 - Guilford, 21.5 staff needed
 - Wake, 10.3 staff needed

Source: AOC, as of July 1, 2012





"And don't go whining to some higher court."

APPELLATE COURT

\$13.5 M, 129 FTE

Court of Appeals



- Civil and Juvenile Appeals from District Courts
- Appeals in non first-degree capital murder criminal cases from Superior Court
- State agency decisions



Court of Appeals

- Chief Judge John Martin
- 14 Judges of the Court of Appeals
- 30 Research Assistants
- 15 Executive Assistants
- 10 in Court of Appeals Clerk's Office
- 13 Staff Attorneys
- **Total: 83 FTE**

Source: BEACON, January 30, 2013



Supreme Court

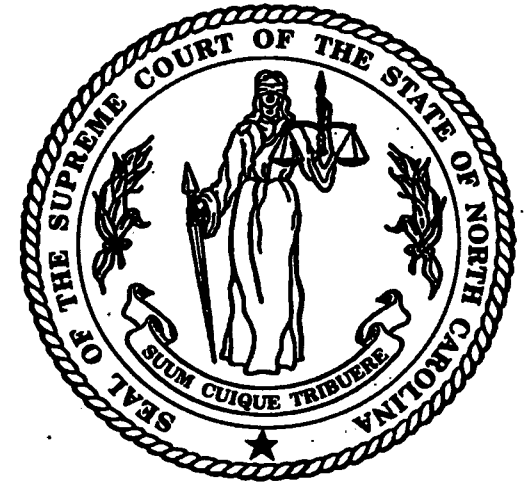


- Constitutional questions
- Cases in which the Court of Appeals has had dissent
- Cases of significant public interest
- Cases involving legal principles of major significance
- Appeals in first-degree capital murder cases in which the defendant has been sentenced to death
- Appeals or final orders in Utilities Commission general rate cases
- Redistricting cases



Supreme Court

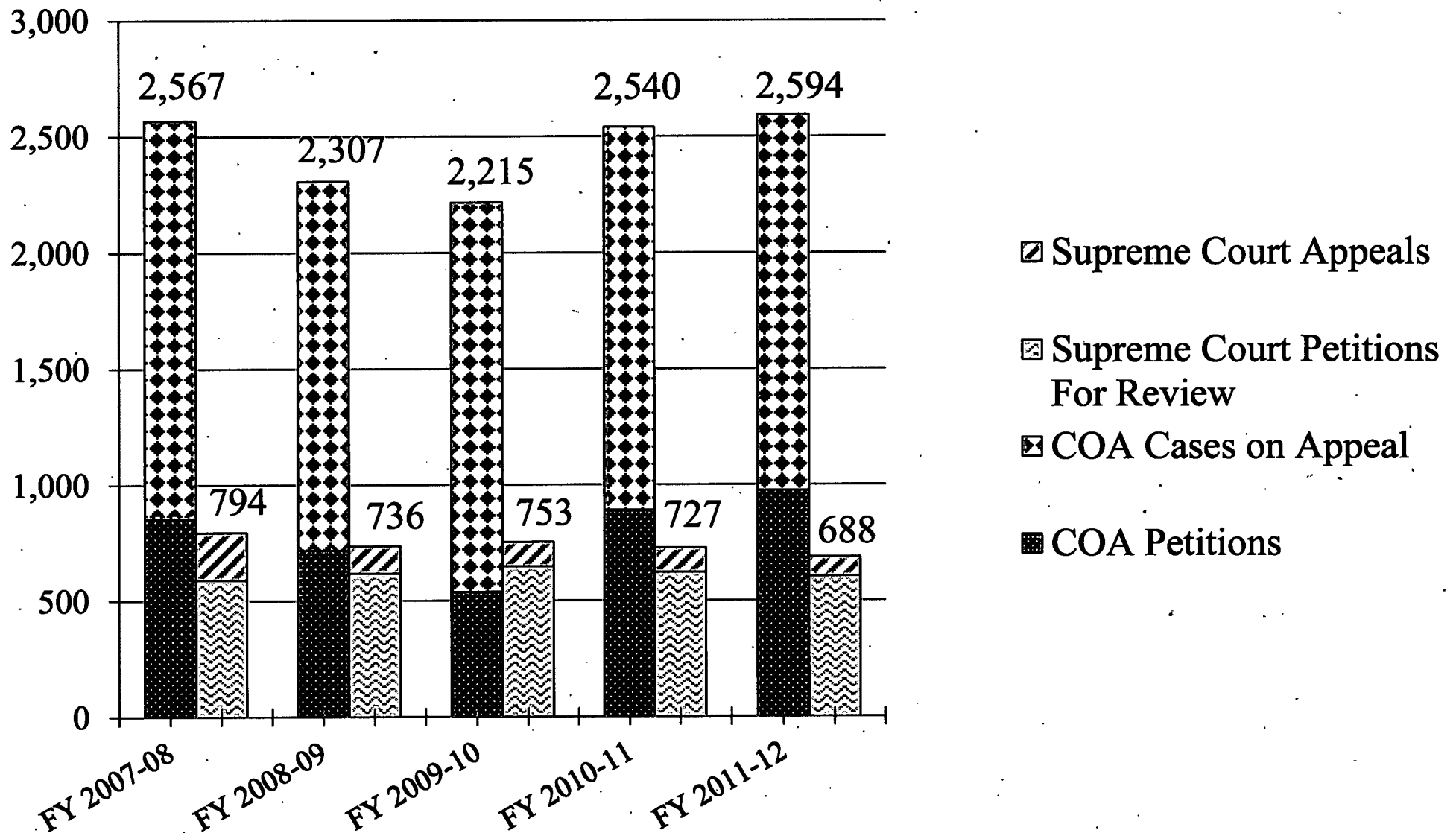
- Chief Justice Sarah Parker
- 6 Associate Justices
- 14 Research Assistants
- 7 Executive Assistants
- 12.25 in Supreme Court Clerk's Office
- 13 Other Staff (Reporters, Library, Other Staff)
- **Total: 53.25 FTE**

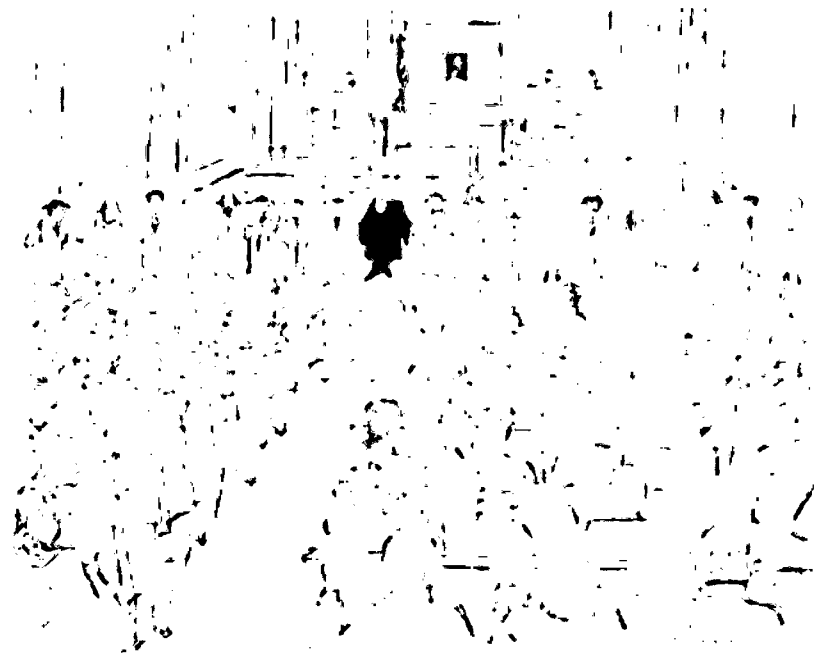


Source: BEACON, January 30, 2013



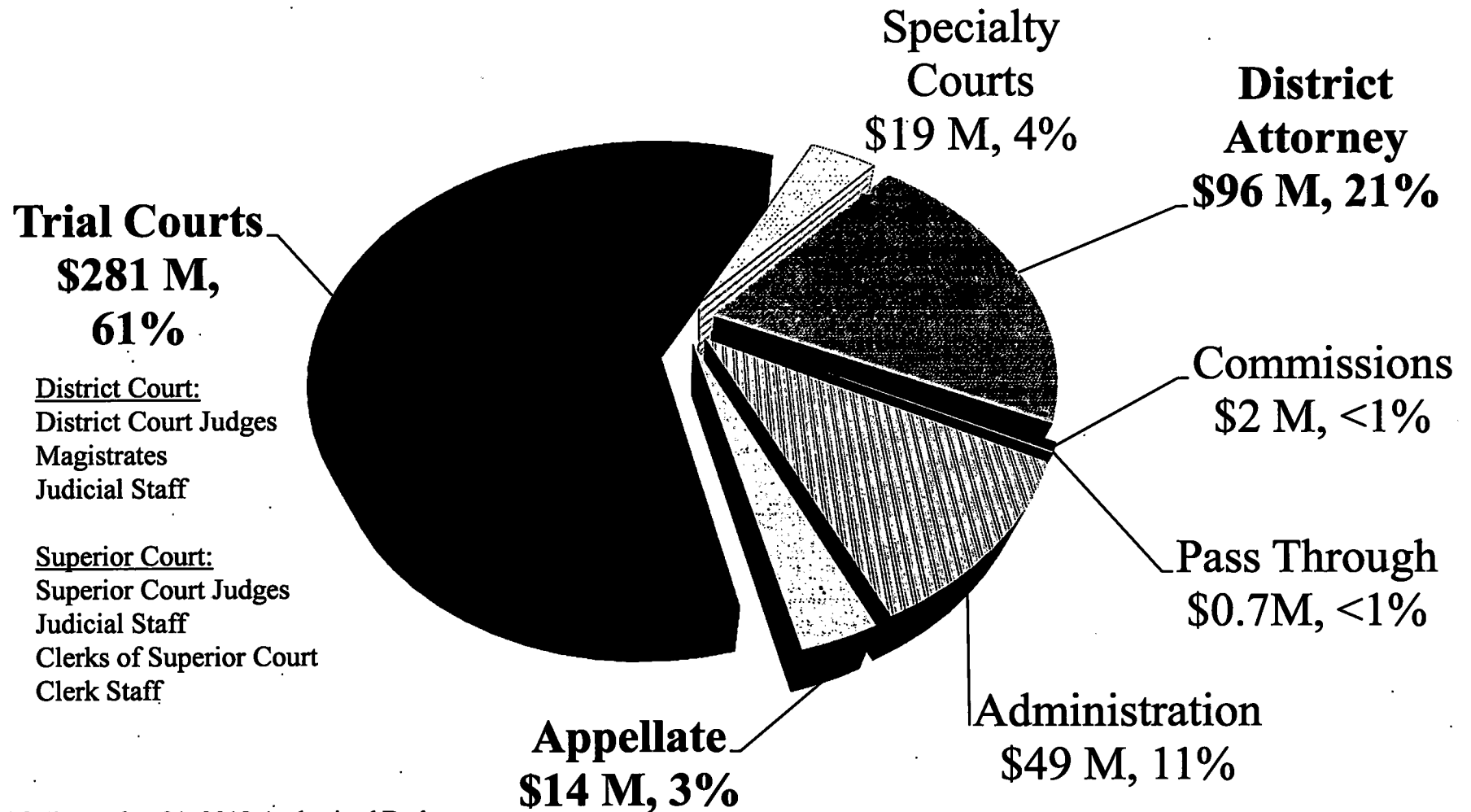
Appellate Court Dispositions, FY 2007-08 to FY 2011-12





AOC BUDGET

AOC Budget FY 2012-13, Total: \$461 M

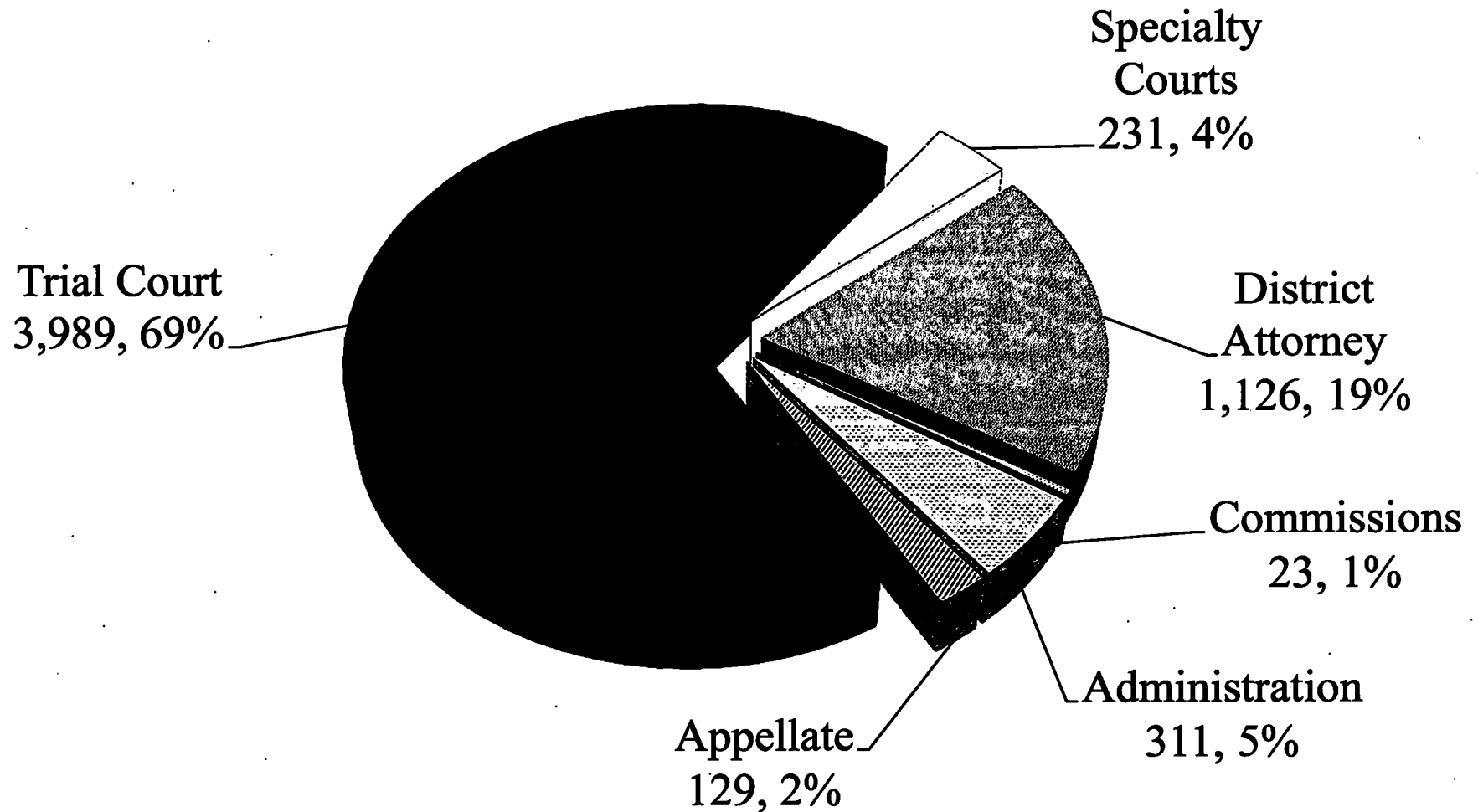


Source: NCAS, December 31, 2012 Authorized Budget



AOC Personnel FY 2012-13

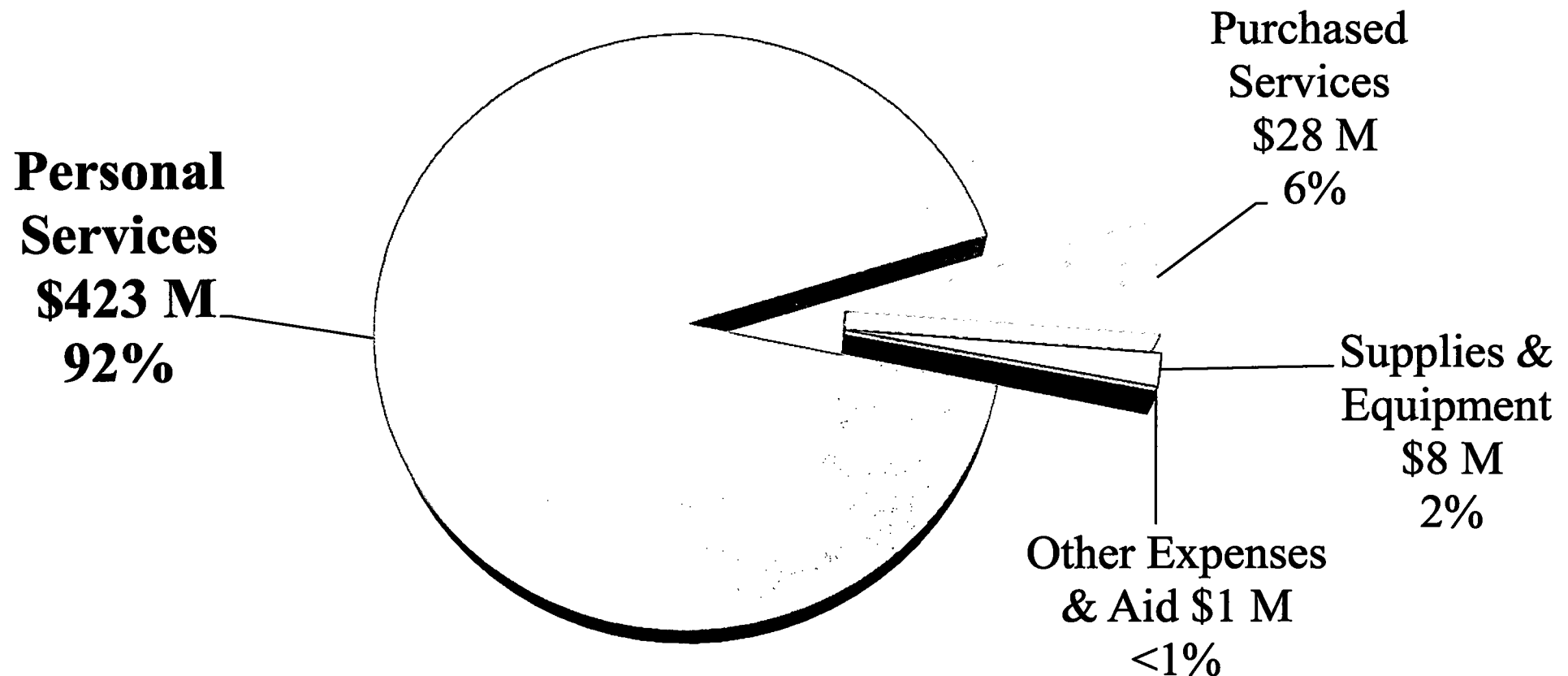
Total: 5,809 FTE



Source: NCAS, January 30, 2013 Authorized Budget

Budget By Account

Budget FY 2012-13, Total: \$461 M



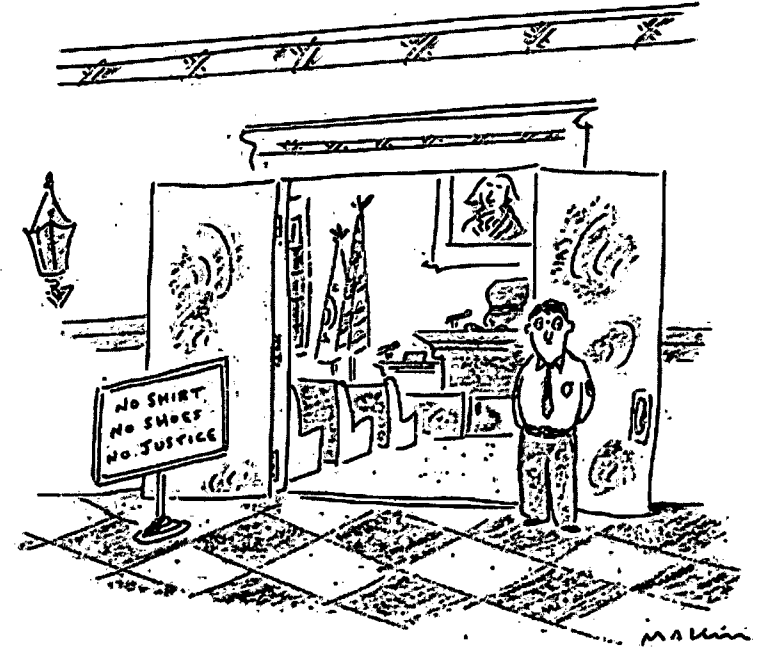
Source: NCAS, December 31, 2012 Authorized Budget

Key Issues

- ❑ AOC FY 2012-13 GF budget: \$461 million
- ❑ AOC administers:
 - Judges and Justices
 - Clerks
 - DAs
 - Magistrates
 - Court Staff
- ❑ Court Personnel determined by workload formulas developed by National Center of State Courts



"Good morning, everybody. My name is Donald, and I'll be your judge today."



RECENT BUDGET ACTIONS

Continuation Budget

(In Millions)	FY 2011-12 Actual	FY 2012-13 Certified	FY 2012-13 Authorized	FY 2013-14 Change*	FY 2013-14 Continuation	FY 2014-15 Continuation
Requirements	\$456.5	\$462.4	\$460.8	(\$0.9)	\$459.9	\$459.9
Less Receipts	(\$1.7)	(\$3.0)	(\$1.5)		(\$1.5)	(\$1.5)
Appropriation	\$454.8	\$459.3	\$459.3	(\$0.9)	\$458.4	\$458.4

Continuation Budget is:

- Recommended funding necessary to continue programs at the current level of services
- AOC's FY 2013-14 change is due to 42 magistrates cut in January 2013.

Source: OSBM Continuation Budget, March 13, 2013

2011 Session

1. VRIF 194.5 FTE:	(\$12.9 million)
2. Freeze Clerk & Magistrate Pay Plans:	(\$6.4 million)
3. Reduce Continuation Budget Increase:	(\$5.3 million)
4. Reduce DA Support Staff (55 FTE):	(\$2.6 million)
5. Reduce AOC Tech Services:	(\$4.9 million)
6. Eliminate Magistrates (61 FTE):	(\$1.7 million)
7. Eliminate Drug Treatment Court (32 FTE):	(\$2.0 million)
8. Eliminate Dispute Resolution:	(\$1.1 million)
9. Other (positions, pass-through):	(\$0.5 million)
10. Continuation Review of Family Court:	(\$2.9 million)

TOTAL:	(\$40.4 million)
--------	------------------

2012 Session

- Management Flexibility Reserve: (\$5.0 million)
 - Restore Family Courts: \$2.9 million
 - Mortgage Settlement Funds: (\$200,000)
 - Reduce Conference of District Attorneys due to Mortgage Settlement Agreement
-

TOTAL: (\$2.3 million)

Governor's Recommendations

Reductions:

- VRIF 62 FTE: (\$3.5 million)
- Cut Access to Civil Justice Pass-through: (\$0.7 million)
- End Funding for Conferences: (\$0.4 million)

Expansions:

- Restore Drug Treatment Court (45 FTE): \$3.4 million
- Interpreters, Witnesses, Jury Fees: \$1.0 million
- Magistrates (16 FTE): \$0.7 million

TOTAL: \$0.5 million





QUESTIONS?

VISITOR REGISTRATION SHEET

Appropriations on Justice and Public Safety
(Committee Name)

3/28/13

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
B. Moore	Cork & Cork of DC
LORRIN FREEMAN	Wake County CSC
Brad Fowler	NCAOC
Kesha Howell	NCAOC
Jon Whitt	NCAOC
John W. Smith	NCAOC
Mildred Spearman	NCAOC
Peg Doren	Conf of DAs
Theresa Kusa	NCVAN
Tracy Little	OSBM
Mitch Leonard	SEAK
Leo Rubert	CJPC
Danielle Seale	NCAOC
Tom West	Eckerd
Meredith Jillian DeCamp	Eckerd
Lewis King	Speakers Office
Gregg Stahl	NC Sheriff's Assoc

Appropriations on Justice and Public Safety
(Committee Name)

Date[illegible]

SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

May 20, 2013 4:00 P.M.

I. CALL TO ORDER

Chairs: Senator Stan Bingham
 Senator Thom Goolsby, Presiding
 Senator Buck Newton

II. PRESENTATIONS

Opening Remarks by Chairs

Senate Justice and Public Safety Budget Presentation

Fiscal Research Staff

III. COMMITTEE DISCUSSION

IV. ADJOURNMENT

Senate Appropriations Subcommittee on JPS

Sen. Bingham (Chair)

Sen. Goolsby (Chair)

Sen. Newton (Chair)

Sen. Apodaca (Vice Chair)

Sen. Clodfelter, Sen. Daniel, Sen. Kinnaird, Sen. Randleman

Rep. Foushee, Rep. C. Graham, Rep. G. Graham, Rep. Speciale,

Rep. Szoka, Rep. Turner

Senate Committee on Appropriations on Justice and Public Safety
Monday, May 20, 2013 at 4:00 PM
Room 415 of the Legislative Office Building

MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 4:00 PM on May 20, 2013 in Room 415 of the Legislative Office Building. Six members were present.

Senator Thom Goolsby, Chair, presided and called the meeting to order at 4:05 PM. Chairman Goolsby recognized Fiscal Research Staff for Budget presentations. Kristine Leggett presented Department of Public Safety (DPS) Administration and Law Enforcement; John Poteat presented DPS Adult Corrections – Prisons; and Lisa Fox presented DPS Adult Correction - Community Corrections. Kristine Leggett also presented the Department of Justice budget, and William Childs presented the Judicial Branch budget.

Chairman Goolsby reminded everyone to review Senate Appropriations/Base Budget Committee Rules for Considering Amendments, which is attached as Exhibit "A" to be heard tomorrow morning at 8:30 AM in room 643.

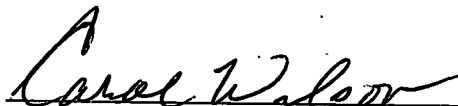
Chairman Goolsby followed up with questions from the Committee. Following comments were taken from the public. Mary Pollard, North Carolina Prisoner Legal Services, Inc. (PLS), commented that it will cost DPS close to four million to do what their private entity can do for a lot less. Bradley Bannon, President of the NC PLS Board of Directors agreed that staff members weed through frivolous claims and that Mary Pollard is cutting costs. Thomas Maher with Indigent Defense Services, Judge John Smith with AOC, Doug Holbrook with DPS, Christy Agner, with Department of Justice and Judge Joe John with State Crime Lab made remarks and thanked the Committee for doing a good job with what they had to work with. Greg McLeod, Director of State Bureau of Investigation, commented that he wanted to work with the Subcommittee on alternatives to transferring the SBI out of the Department of Justice.

Chairman Goolsby recognized Senator Harry Brown, Co-Chairman of Appropriations Base Budget. Senator Brown said 50% of the Budget is for Education and 25% is Health and Human Services because of Medicaid overrun.

The meeting adjourned at 5:02 PM.



Senator Thom Goolsby, Chair
Presiding



Carol Wilson, Committee Clerk

Senate Appropriations/Base Budget Committee
Rules for Considering Amendments

If amendments are offered, then the following rules must be met in order to make the amendment eligible for consideration:

1. Money can only be transferred among items within the same subcommittee section.
 2. Amendments where money is being transferred among items within a subcommittee must clearly identify the items/programs that are being increased and decreased.
 3. Nonrecurring reductions cannot be made to fund recurring additions.
 4. Amendments that spend reversions are not allowed.
 5. Amendments that increase or create new management flexibility reserves are not allowed.
 6. Amendments that increase spending in the subcommittee budgets are not allowed.
 7. Amendments are not allowed where funding for an item comes from statewide reserves.
 8. Since this is a meeting of Full Appropriations, amendments that address finance portions of the bill will not be heard.
 9. Amendments must be in writing, the original signed, with 75 copies available for distribution.
 10. To be considered, a proposed amendment must have been logged in by the committee clerk in room 643 by 10:00 a.m. on Tuesday, May 21, 2013.
-

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice and Public Safety

May 20, 2013

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Gregory K. Baker	Alcohol Law Enforcement
George Solomon	NC DPS
Douglas Hollbrook	NC DPS
Ilona Kusa	NCVAN
Elizabeth Watson	NCVAN
CS Hollis	TS
Thomas Maher	DPS
Bailana Marr	Conf of Clerks of Sup
MARK SENTER	ALCOHOL LAW ENFORCEMENT
KEVIN LEONARD	NCACC
BENNIE AIKEN	DPS
James R. Gorham	DPS
JOE RAZER	DPS
Tim Moore	DPS
Tracy Little	OSBM
Wendy E. Chel	R. Clerk of House

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice and Public Safety

May 20, 2013

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CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Jud Bone	Bone & Asso.
Pamela A. Harris	Citizen
Meredith Jillian DeCamp	Payner Spruill LLP
Tom West	Payner Spruill LLP
DAVID JESTER	NCAOC
JOE JOHN	STATE CRIME LAB
Chap Aguer	DOJ
Dylan Finch	Intern
James King-Fuguy	NCEL
Nicole M. Hines	NC Gov Office
Elisa Wolper	IDS
Ryan Combs	DPS
Jarret Burr	DPS
Bill Grey	DPS
NEES ROSELAND	NC DOJ
Todd Barlow	NC Advocates for Justice
Mildred Spearman	NCAOC

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice and Public Safety

May 20, 2013

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Bradley Bannon	NC Prisoner Legal Services
Christine Mumma	NC Prisoner Legal Services
Mary Pollard	NC Prisoner Legal Services
Jon Williams	NC ASC
Kesha Howell	NC AOC
John W Smith	NC AOC
Larrin Freeman	Wake CSC
Jan Kinner	New Hanover CSC
Teddy Ulley	Perquimans CSC
MATT LONGORIA	NC DOT
Ry Deren	Conf of D.A.s
Sean Moser	NCNG / DRS
Vivian Kuse	NCVAN
Elizabeth Watson	NCVAN
Elizabeth Merritt	Office of Governor
Andrew Cagle	NC Sheriffs' Assn.
Greg [Signature]	NC Sheriffs' Assoc

VISITOR REGISTRATION SHEET

Appropriations Subcommittee on Justice and Public Safety

May 20, 2013

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