

Justice and Public Safety
Draft Senate Money Report

May 14, 2010
8:30 A.M.

G = Item was in the Governor's Recommended Budget

G^m = Modification of Item in Governor's Budget

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Senate Subcommittee on Justice and Public Safety

Judicial

GENERAL FUND

Total Budget Approved 2009 Session

FY 10-11
\$463,753,479

Budget Changes

- 9
- | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---|
| 1 Reduce Technology Services Program | (\$2,616,294) | R |
| Reduces the budget for the Administrative Office of the Courts' Technology Services Program by 8%. The AOC is authorized to delay or cancel technology projects in its discretion to achieve this reduction. | | |
| 2 Eliminate Vacant Central Office Positions | (\$1,082,420) | R |
| Eliminates vacant positions in the Central Administration of the Administrative Office of the Courts. | | |
| | -18.75 | |
| 3 Reduce DA's Conference Funding | (\$100,000) | R |
| Reduces funding for the Conference of District Attorneys by \$100,000, roughly 25% of the agency budget. This reduction will eliminate one position and associated costs. | | |
| | -1.00 | |
| 4 Reduce Operating Accounts to FY 2008-09 Levels | (\$1,164,843) | R |
| Reduces various operating budgets throughout the Department to FY 2008-09 actual expenditure levels. | | |
| 5 Reduction to Administration | (\$2,383,890) | R |
| Reduces the Administrative Office of the Courts central administration budget by 5%. | | |
| 6 Reduce Dispute Settlement Center Pass Through | (\$59,974) | R |
| Reduces the pass-through appropriations to the Dispute Settlement Centers by 5%. | | |
| 7 Reduce NC Bar-Civil Justice Funds | (\$37,500) | R |
| Reduces pass-through appropriation to NC Bar for Access to Civil Justice by 5%. | | |

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Senate Subcommittee on Justice and Public Safety

FY 10-11

8 Reduce Financial Protection Law Center (\$3,750) R
Reduces pass-through appropriation to Financial Protection Law Center by 5%.

Budget Changes	(\$7,448,671)	R
Total Position Changes	-19.75	
Revised Total Budget	\$456,304,808	

<u>Governor's Items Not Included (Judicial)</u>	<u>FY 2010-11</u>
1 Management Flexibility Reserve	(\$3,300,000) R
2 Management Flexibility Reserve	(\$3,300,000) NR

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Senate Subcommittee on Justice and Public Safety

Judicial - Indigent Defense

GENERAL FUND

Total Budget Approved 2009 Session	FY 10-11	
	\$120,132,010	

Budget Changes		
Department-wide		
9 Reduce Various Operating Accounts	(\$264,200)	R
G Reduces the operating budget in temporary personnel, registration fees, travel, communications, books and publications, and other operating expenses.		
Indigent Person Attorney		
10 Reduce PAC Continuation Budget	(\$5,750,000)	NR
Reduces the Private Assigned Counsel(PAC) Continuation Budget. The Office of Indigent Defense Services expects to end the fiscal year without carrying forward any unpaid PAC bills.		
11 Reduce Center for Death Penalty Litigation Funding	(\$18,806)	R
G Reduces Center for Death Penalty Litigation appropriation by 5%, leaving \$357,319.		
12 Reduce NC Prisoner Legal Services Program budget	(\$142,031)	NR
Reduces NC Prisoner Legal Services Program (PLS) budget by 5% nonrecurring, leaving \$2.7 million recurring.		
Sentencing Services		
13 Restore Sentencing Services Program	\$2,235,185	R
G Restores the Sentencing Services Program.		
	11.50	
<hr/>		
Budget Changes	\$1,952,179	R
	(\$5,892,031)	NR
Total Position Changes		11.50
Revised Total Budget	\$116,192,158	

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Senate Subcommittee on Justice and Public Safety

Justice

GENERAL FUND

Total Budget Approved 2009 Session

FY 10-11
\$88,652,538

Budget Changes

A. Department-wide

GM	14 Eliminate Vacant Positions	Gov had (\$1,271,436)	(\$390,991)	R
	Eliminates vacant positions throughout the agency. 20 FTE		-9.00	
G	15 Operating Reductions		(\$1,237,000)	R
	Reduces various operating budgets throughout the Department to FY 2008-09 actual expenditure levels.		(\$1,200,000)	NR
G	16 Reduce Salary Reserve		(\$175,000)	R
	Reduces various personal services line items throughout the Department to reflect actual salaries.			
B. Legal Services				
GM	17 Increase Medicaid Fraud Recovery Receipts		(\$168,566)	R
	Adjusts the budgeted receipts for Medicaid Fraud Recovery to reflect twelve months of collections. This reduction was implemented in the FY 2009-10 budget, but the reduction only accounted for six months of collections.			
GM	18 Medicaid Fraud Criminal Investigation Team		\$600,000	R
	Provides fund to expand the medicaid Fraud Criminal Investigation Team. The expanded unit will consist of sworn investigators, attorneys, program assistants, financial investigators, and administrative support personnel. This investigative unit is responsible for obtaining convictions of community service proviers that commit fraud, recovering restitution and civil penalties for the benefit of the Medicaid Proam and the Civil Forfeiture Fund, and deterring fraud.		Gov had \$756,284 34 FTE	
GM	19 NC LEAF Funds		(\$25,000)	R
	Reduces the pass-through appropriation for the NC Legal Education Assistance Fund (NC LEAF) by 5%. The FY 2010-11 appropriation for this non-profit will be \$475,000.			

Gov eliminated funding (\$375,000)

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Senate Subcommittee on Justice and Public Safety

FY 10-11

C. State Bureau of Investigation (SBI)

20 SBI Equipment Reduction

(\$400,000) R

Reduces the budget for equipment purchases in the State Bureau of Investigation.

Budget Changes

(\$1,796,557) R

(\$1,200,000) NR

Total Position Changes

-9.00

Revised Total Budget

\$85,655,981

Governor's Items Not Included (DOJ)

FY 09-10

1 Felony Arrestee DNA

\$550,000

2 Felony Arrestee DNA

\$150,000

NR

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Senate Subcommittee on Justice and Public Safety

Juvenile Justice & Delinquency Prevention

GENERAL FUND

Total Budget Approved 2009 Session

FY 10-11
\$147,183,945

Budget Changes

Administrative Services

- 21 Reduce Administrative Services Budget (\$362,913) R
Reduces the Administrative Services Budget by 5%.

Community Services

- G 22 Eliminate Juvenile Assessment Center Funding (\$124,075) R
Eliminates the direct State appropriation for the Juvenile Assessment Center (JAC) in Cumberland County. JAC also receives a Juvenile Crime Prevention Council county allocation and local funding.

- 23 Reduce Project Challenge Funding (\$6,400) R
Reduces Project Challenge appropriation by 5%, leaving \$121,600. Project Challenge continues to receive \$1.4 million from county Juvenile Crime Prevention Councils.

Department-wide

- 24 Eliminate Vacant Positions (\$1,158,829) R
Eliminates vacant positions throughout the agency.

-31.50

- 25 Reduce Continuation Budget Increases (\$546,521) R
Reduces Continuation Budget increases to a level at or below the FY 2008-09 Authorized Budget.

Youth Development Centers

- 26 Reduce YDC Budget (\$2,538,342) R
Reduces the YDC Budget by 5% based upon a reduction in commitments. The number of commitments to the Department declined to 365 last year, down 70% since 1999.

Juvenile Justice & Delinquency Prevention

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Senate Subcommittee on Justice and Public Safety

FY 10-11

Budget Changes

(\$4,737,080) R

Total Position Changes

-31.50

Revised Total Budget

\$142,446,865

Governor's Items Not Included (JJDP)

FY 09-10

1 Eliminate Woodson Wilderness Camp	(\$1,016,041)
2 Reduce Eckerd Wilderness Camp	(\$7,634,231)
3 Close Macon County Multi-Purpose Home	(\$600,000)
4 Restore Samarkand YDC	\$3,521,954

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Senate Subcommittee on Justice and Public Safety

Correction

GENERAL FUND

Total Budget Approved 2009 Session

FY 10-11
\$1,326,492,230

Budget Changes

- 27 **Reduce Continuation Budget for Lower Population** (\$39,189,651) R
Reduces continuation budget increases from FY 2009-10 to account for a lower-than-projected inmate population. Although the Division of Prisons remains overcrowded, new admissions have leveled following a surge in 2008 and 2009, resulting in a lower inmate count than previously expected as of June 30, 2010.

- G 28 **Budget Alien Assistance Receipts** (\$872,000) NR
Reduces General Fund appropriations to the Department of Correction by \$872,000 to account for receipts from the federal State Criminal Alien Assistance Program.

- G 29 **ITS Billing Reduction** (\$200,000) R
Reduces the appropriation to the Department of Correction for communications and other data processing to account for lower rates charged by the Office of Information Technology Services.

- G 30 **Transfer Four Positions to Receipt Support** (\$182,500) R
Transfers four positions in the DOC Controller's Office that handle Inmate Welfare Fund accounting to receipt support from the Welfare Fund, and eliminates the General Fund appropriation for those positions. -4.00

- G^m 31 **Reduce Vehicle Replacement Budget** (\$1,500,000) NR
Reduces the Vehicle Replacement line item on a non-recurring basis.
Gov also had (\$1,250,000)R

- G 32 **Reduce Fuel Oil Budget** (\$500,000) R
Reduces the Fuel Oil line item on a recurring basis.

- G 33 **Reduce PC Equipment** (\$300,000) NR
Reduces the Personal Computer Equipment line item on a non-recurring basis.

Correction

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Senate Subcommittee on Justice and Public Safety

34 Reduce Equipment Accounts

Reduces various equipment accounts on a non-recurring basis.

(\$800,000) NR

G

35 Reduce Supply Accounts

Reduces various supply accounts on a non-recurring basis.

(\$800,000) NR

G

36 Eliminate .223 Rifle Training

Eliminates a component of rifle training and reduces annual costs for ammunition and targets.

(\$54,757) R

G

37 Reduce Our Children's Place Funds

Reduces the pass-through appropriation for Our Children's Place by 5%, leaving \$104,025.

(\$5,475) R

G^m

Gov eliminated funding (\$109,500)

Alcoholism and Chemical Dependency Programs

38 Eliminate Four Program Positions

Eliminates four DACDP positions that work in the In-Prison Out Patient Services at South Piedmont, Western Youth and North Piedmont.

(\$211,060) R

-4.00

G

Community Corrections

39 Increase Probation/Parole Supervision Fees

Increases Probation/Parole Supervision Fees from \$30 to \$40 per month.

(\$5,353,794) R

G

40 Reduce Criminal Justice Partnership Program

Reduces Criminal Justice Partnership Program by \$1.1 million nonrecurring, which leaves \$8.3 million for allocations for county programs. This reduction will not affect the core operations of the program.

(\$1,100,000) NR

G

41 Reduce Contractual Services

Reduces the Contractual Services budget in the Division of Community Corrections.

(\$50,000) R

G

Senate Subcommittee on Justice and Public Safety

FY 10-11

- G 42 **Eliminate Community Corrections Positions** (\$142,910) R
Eliminates two Division of Community Corrections positions and their associated costs. These positions are duplicative due to the automation of the parole/post-release violation process. -2.00
- G^M 43 **Reduce Harriet's House Funds** (\$10,313) R
Reduces the pass-through appropriation to Passage Home for Harriet's House by 5%, leaving \$195,938.
Gov eliminated funding (\$206,250)
- G^M 44 **Reduce Summit House Funding** (\$55,408) R
Reduces pass-through appropriation to Summit House by 5%, leaving \$1,052,756.
Gov eliminated funding (\$1,108,161)
- G^M 45 **Reduce Women At Risk Funding** (\$13,125) R
Reduces pass-through appropriation to Women At Risk by 5%, leaving \$249,375.
Gov eliminated funding (\$262,500)

Prisons

- G 46 **Reduce Inmate Medical Costs** (\$20,500,000) R
Reduces the appropriation for medical services for inmates based on implementation of a fee schedule for outpatient and other services provided outside the prison unit. The fee schedule is based on the rates authorized by the Medicaid program.
- G 47 **Eliminate Seven DOP Administrative Positions** (\$359,384) R
Eliminates seven positions in the central office of the Division of Prisons. The Department has discretion to identify the positions to reach the cut level of \$359,384. -7.00
- G 48 **Consolidate Administrative Positions at Prisons** (\$149,038) R
Consolidates administrative functions between Brown Creek Correctional Center and Piedmont Correctional Institution and eliminates four duplicative positions. -4.00
- G 49 **Modify Close Custody Inmate Transfers** (\$74,150) R
Reduces the transportation budget based on reducing the frequency of inter-facility transfers of close custody inmates from every week to every other week.

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Senate Subcommittee on Justice and Public Safety

FY 10-11

G	50 Reduce Drug Testing Frequency		(\$130,000)	R
	Changes the drug testing policy to 10% instead of 15% frequency and reduces appropriations to pay for analysis.			
G^m	51 Reduction in Clothing Budgets		(\$500,000)	NR
	Reduces funding for inmate clothing and officer uniforms within the Division of Prisons.			
	Gov also had (\$500,000) R			
G	52 Operating Reserves for Central Prison Hospital		\$6,767,918	R
	Establishes an operating reserve and creates positions to staff the Central Prison Hospital and Mental Health Facility. This facility is scheduled for completion in August 2011, and occupancy in October 2011. This reserve will allow positions to be established so staff can be recruited and trained prior to the projected occupancy date.		\$774,843	NR
			554.00	
G	53 Operating Reserve for Women's Prison Hospital		\$3,000,017	R
	Establishes an operating reserve and creates positions to staff the hospital and mental health facility at NC Correctional Institution for Women, scheduled for completion in August 2011, and occupancy in October 2011. This fund will allow recruitment and training to be completed prior to occupancy.		\$725,157	NR
			227.00	
	54 Prisoner Education Program		\$2,350,256	R
	Appropriates \$2,350,256 to the Department of Correction to pay tuition for inmates in Community College basic skills, GED, and vocational programs. This is a partial restoration of the Prisoner Education Program which was placed on Continuation Review in 2009. The Education Section of the budget includes an appropriation to the Community College System of \$17,649,735.			

Budget Changes	(\$55,063,374)	R
	(\$4,372,000)	NR
Total Position Changes	760.00	
Revised Total Budget	\$1,267,056,856	

Governor's Items Not Included (Correction)	FY 2010-11	
1 Eliminate Pass-Through Funding	(\$1,686,411)	
2 Increase Community Service Work Program Fee	(\$3,211,800)	
3 Reduce Budgeted Longevity	(\$1,500,000)	NR
4 Management Reserve	(\$15,000,000)	NR
5 Consolidate Drug Lab Operations	(\$142,973)	
6 Reorganize Victim Services	(\$148,013)	
7 Standardize Chaplain Deployment	(\$158,567)	
8 Inmate Food	(\$1,000,000)	NR
9 Probation/Parole Office Position Reallocation	\$1,557,867	

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Senate Subcommittee on Justice and Public Safety

Crime Control and Public Safety

GENERAL FUND

Total Budget Approved 2009 Session

FY 10-11
\$33,718,963

Budget Changes

A. Department-wide

Gov had (\$146,000) 3 FTE

G^m

55 Eliminate Vacant Positions (\$516,174) R
Eliminates vacant positions throughout the Department. -12.00

B. National Guard

G

56 National Guard Armory Maintenance \$600,000 R
Provides funds for maintenance and operation of plant for the National Guard's 97 armories.

C. Alcohol Law Enforcement (ALE)

57 ALE Equipment Reduction (\$200,000) R
Reduces the appropriation for equipment for Alcohol Law Enforcement. (\$200,000) NR

D. Victim's Compensation Services

G^m

58 Victim's Compensation Fund (\$1,300,000) NR
Reduces the appropriation for Victim's Compensation to actual expenditure levels for FY 2010-11.

Budget Changes

(\$116,174) R

(\$1,500,000) NR

Total Position Changes

-12.00

Revised Total Budget

\$32,102,789

Governor's Items Not Included (CCPS)

FY 09-10

1 Restore Funding to NC Victims Assistance Network

\$27,000

Crime Control and Public Safety

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Senate Appropriations Subcommittee on JPS
 Court Fee Increase Proposal
 FY 2010-2011

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Fee	Current Fee	Fee Increase	New Fee	Amount Generated	Provision	Statute
1 Superior Court - Civil	\$93.00	\$57.00	\$150.00	\$1,415,538	AOC-S6	G.S. 7A-305(a)(2)
2 District Court - Criminal	\$95.50	\$5.00	\$100.50	\$4,538,628	AOC-S6	G.S. 7A-304 (a)(4)
3 District Court - Civil	\$73.00	\$27.00	\$100.00	\$3,481,634	AOC-S6	G.S. 7A-305(a)(2)
4 Failure to Comply	\$25.00	\$25.00	\$50.00	\$785,223	AOC-S6	G.S. 7A-304 (a)(6)
5 Resumption of Former Name	\$0.00	\$10.00	\$10.00	\$362,050	AOC-S13	G.S. 7A-308(a); G.S. 50-12
6 Assignment of Title	\$0.00	\$10.00	\$10.00	\$40,820	AOC-S6	G.S. 7A-307(b1)
7 Motion for Summary Judgment	\$0.00	\$40.00	\$40.00	\$1,020,720	AOC-S6	G.S. 7A-305(a5)
8 50B Counterclaims Fee	\$0.00	\$100.00	\$100.00	\$153,846	AOC-S12	G.S. 7A-305(a1)
9 Summary Ejectment	\$0.00	\$10.00	\$10.00	\$1,850,670	AOC-S15	G.S. 7A-305(a)(2)
10 Attorney Appointment Fee	\$50.00	\$10.00	\$60.00	\$250,000	AOC-S2	G.S. 7A-455.1
11 Probation, Parole, & Post-Release Supervision Fee	\$30.00	\$10.00	\$40.00	\$5,353,794	CORR-S5	G.S. 15A-1343(c1), 1368.4(f), 1374(c)
Total Generated				\$13,649,128		