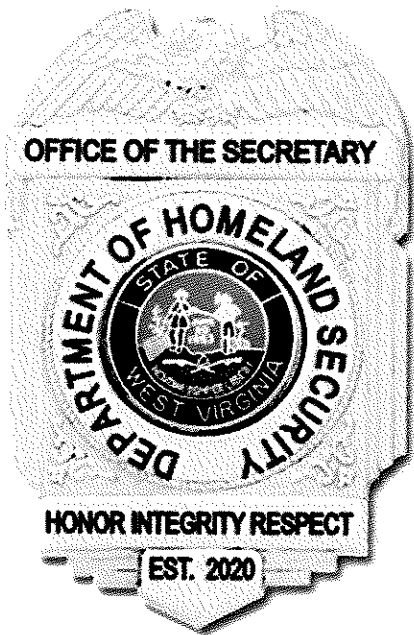


Ancillary Handouts

FY2022

West Virginia Department of Homeland Security



Budget Hearings

Senate Finance Committee

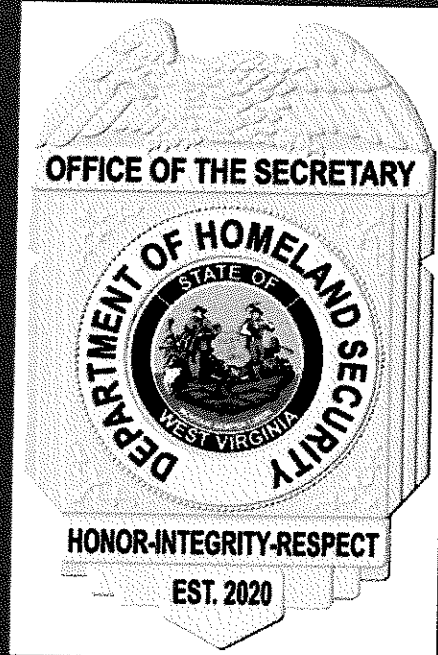
16 February 2021 in Room 451M or
Senate Chamber 3:30pm-4:00pm

&

House Finance Committee

18 February 2021 in Room 460M or
House Chamber 9:00am - 10:30am

HONORING THE PAST - EMBRACING THE PRESENT - CREATING THE FUTURE



Core Values

The following are the core values held by the West Virginia Department of Homeland Security:

Honor

"This is the bedrock of our character."

It is the quality that empowers employees of HLS to exemplify the ultimate in ethical and moral behavior: to never lie, cheat, or steal; to abide by an uncompromising code of integrity; to respect human dignity; and to have respect and concern for each other. It represents the maturity, dedication, trust, and dependability that commit to act responsibly, be accountable for their actions, fulfill their obligations, and hold others accountable for their actions.

Integrity

"Service Before Self"

Each of us serves something far greater than ourselves. To our nation, we represent the President and the Congress. To the world, seeking to visit or do business with us,

we are often the first Americans they meet. We will faithfully execute the duties and responsibilities entrusted to us, and we will maintain the highest ethical and professional standards.

Respect

"Honoring our Partners"

We will highly value the relationships we build with our customers, partners, and stakeholders. We will honor concepts, such as liberty and democracy, for which America stands.

Preserving our freedoms, protecting West Virginia... we secure our homeland.

Homeland Security (HLS) supports the Governor's budget and requests no additional funds for the upcoming fiscal year.

- Over the past decade West Virginia has faced countless natural disasters.
- West Virginia has fought the turmoil caused by these disasters and, I submit to you, we are winning.
- The state has good employees doing good work for our citizens. The state should be proud!
- However, we should not be lax in our successes.
- The Governor and HLS is working towards increasing our readiness for not only natural disasters but manmade disasters.
- The disasters that so many other states have had to face. For instance, the Pulse Night Club, Sandy Hook, and the Nashville Bombing.
- That is why the Governor reorganized DMAPS and formed HLS.

Today, if a disaster occurs, you will see, but not limited to, the following teamwork within HLS:

- Capitol Police and Fire Marshal's helping state, county, and city law enforcement at the disaster site or sites
- Corrections K-9 units working with the state police K-9 units searching for missing citizens
- Nonviolent Inmates cleaning debris
- Command Centers manned with every HLS Agency

Those new to the Senate and House of Delegates, Homeland Security would like to welcome you. Those of you who are veterans to the Senate and House of Delegates, the 5,700 employees thank you. Every piece of legislation submitted to you over the past 4 years has been passed.

Each of you have been provided with the following:

- A copy of my presentation

- An HLS organization chart
- A “DHS Accomplishments for the Years 2017 to 2020”
- A Marshall University Study of DCR
- A Drug Tip Line flyer

I encourage you to review the accomplishment report. Our 5,700 employees are proud of the transformation. However, pride does not get the job done. So, every day our 5,700 employees ask themselves, “Are we keeping West Virginia Safe?”

I would like to use my remaining time to discuss some highlights of our work over the past 4 years.

We have accomplished so much because of good employees, good leaders, and good old fashion **Teamwork**. HLS is so different than other West Virginia Departments because our mission is so wide-ranging. However, our mission centers around one common goal and that is the security of our citizens.

1. Working with our federal, state, county, and city law enforcement partners we have made a difference. According to the FBI Uniform Crime, Since 2017:
 - violent crime has decreased 20.2%
 - murder has decreased 31.6%
 - rape has decreased 17.8%
 - Robbery has decreased 15%
 - Aggravated Assault has decreased 21.1%
 - Burglary 29.2%
 - Inmate assaults have declined 53%
2. The state police are the lead agency in over 16 drug task forces throughout the state and their successes have no boundaries. If you are bringing drugs into West Virginia, we have increased the odds of the criminal getting caught.
3. The state police lab eliminated a backlog in 2017, and this has allowed our state prosecutors to prosecute cases faster and more efficiently.
4. The Governor’s Narcotics Intelligence Unit (NIU) has been working extensively with the Ohio and Michigan Narcotics Intelligence Unit (NIU). We also have developed partnerships with Fusion Centers and Law Enforcement agencies across the United States and Foreign Countries, in places that are known drug sources who target our state for the distribution of illegal drugs.
5. The NIU Drug Tip line established in July 2020 has given our citizens a tool to report suspicious drug activity. To date, our states law enforcement drug intelligence has already received over 1011 credible calls.
6. The new Financial Fraud Intelligence Team has assisted law enforcement in identifying, locating, and tracking the assets acquired by criminals with proceeds of their illegal activity.
7. The new Digital Forensics Lab is assisting law enforcement in their investigations. This lab possesses the capability to extract evidentiary evidence from criminal’s cell phones, computers, and any other digital devices.

8. The Fire Marshals have excelled, not only in their area of arson, but in fighting crime in the area of obtaining West Virginia certifications fraudulently. This enables criminals to perform complex electrical projects throughout the US that could cause loss of life. In addition, they uncovered an international counterfeit scheme that currently has Interpol looking for the criminals involved.
9. The Capitol Police has done an excellent job in the prevention of loss of life, injury, and damage to state owned property during protests and demonstrations.
10. The consolidation of management of our prisons, jails, and juvenile operations has been a success.
11. Bringing the duplication of three different agencies to a halt and increased the professionalism of the new DCR.
 - In 2017, the Governor declared a State of Emergency for DCR. For every 1 new Correction Officer (CO) hired, 2 were quitting. Due to the Governor's and the legislators the two 5% pay increases and the three years of \$2,000.00 raises has taken WV from 50th in CO pay to 39th in the nation, and although we still have openings, our facilities are safe and secure.
 - DCR cannot put up a sign like a hotel stating no vacancies. Since 2015, DCR has seen an increase in population of 34% and DCR has handled that increase with the upmost professionalism and efficiency.
 - When the CDC came to visit your prisons and jails concerning the success of their COVID-19 prevention, it is an honor for the Governor and the state.
 - Sometimes being successful is not expensive. Since January of 2017, we have been aided in our prison and jail drug interdiction by:
 - Photocopying of inmate mail that contain illegal drugs
 - Verification of legal mail
 - Scanning packages
 - However, some actions cost money. The Governors purchase of body scanners has kept countless amounts of drugs being placed in body cavities.
 - The first GOALS (Getting Over Addictive Lifestyles Successfully) unit was established at the Western Regional Jail in February 2019. In October, the second GOALS unit opened in the Northern Regional Jail. GOALS give judges the option of a secure drug treatment environment. If the offender completes the program successfully, their prison sentence can be reconsidered or reduced.
 - Currently, inmates have 250 educational and technical programs to assist in preparing them to be successful upon release.
 - DCR continues to promote and enhance its Moral Rehabilitation program. This program includes the Mount Olive Bible College, which held its second graduation in January 2020, with the Governor in attendance.



- The recidivism rate for WV is one of the lowest in the nation at 71%, meaning that only 29% of released inmates returned to prison during the past 3 years.
- Our 1st consolidated food contract for prisons, jails, and juvenile facilities resulted in a savings in the food contract of \$800,000.00.
- The legislation you passed resulted in the following benefits to our 55 counties:

Summary of Efficiencies to West Virginia to Counties				
Description	2019	2020	2021 Projected	Total
Per Diem Cap	\$ 5,845,222.35	\$ 5,289,256.50	\$ 6,137,278.29	\$ 17,271,757.14
Conviction Date*	\$ -	\$ 4,526,332.50	\$ 4,526,332.50	\$ 9,052,665.00
Salary Increases	\$ 5,446,155.00	\$ 10,424,713.00	\$ 12,620,713.00	\$ 28,491,581.00
Administration Costs*	\$ 1,700,000.00	\$ 1,940,000.00	\$ 1,940,000.00	\$ 5,580,000.00
GOALS Estimate	\$ -	\$ 2,148,208.33	\$ 2,193,370.67	\$ 4,341,579.00
TOTAL:	\$ 12,991,377.35	\$ 24,328,510.33	\$ 27,417,694.46	\$ 64,737,582.14

*Using Prior Year Estimate

11. Finally, I submit to you that the 5,700 employees of HLS clearly know their mission.

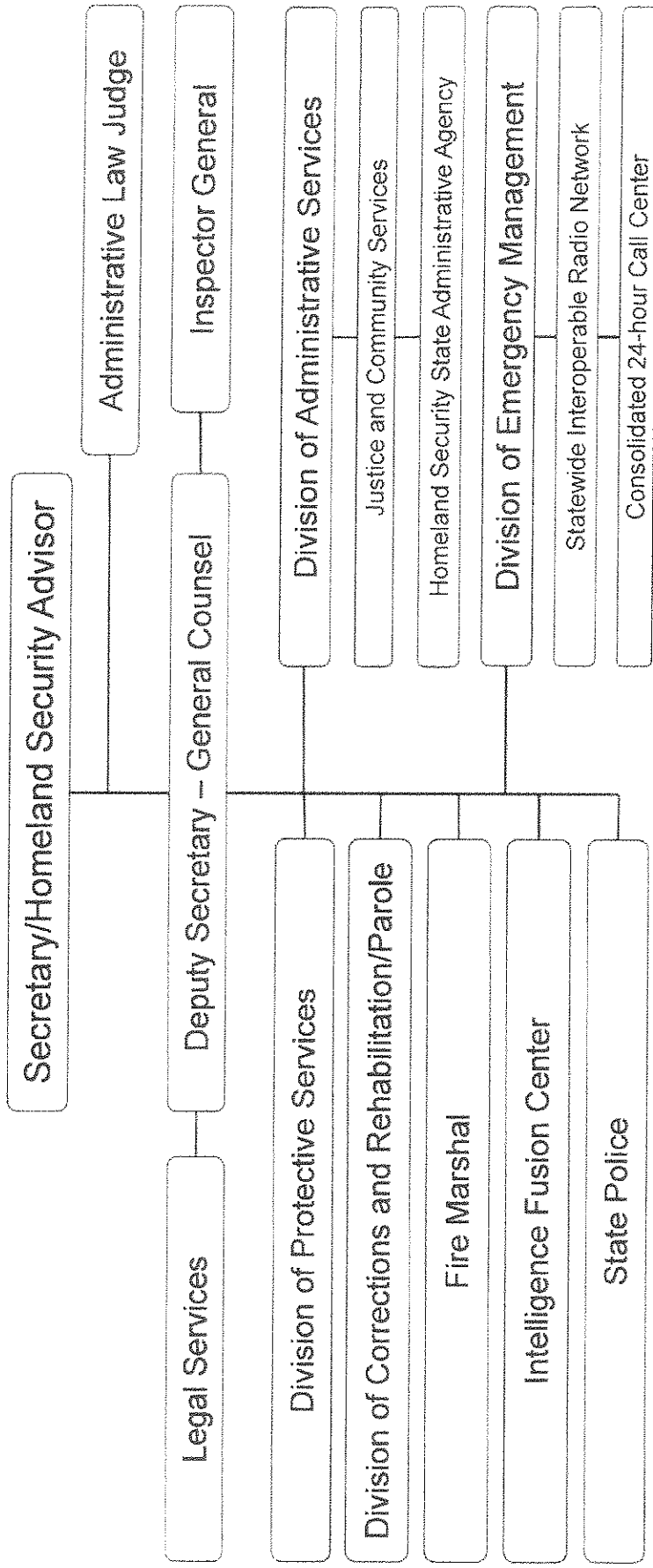
§53-4A-1. Right to habeas corpus for post-conviction review; jurisdiction; when contention deemed finally adjudicated or waived; effect upon other remedies.

(a) Any person convicted of a crime and incarcerated under sentence of imprisonment therefor who contends that there was such a denial or infringement of his rights as to render the conviction or sentence void under the constitution of the United States or the constitution of this state, or both, or that the court was without jurisdiction to impose the sentence, or that the sentence exceeds the maximum authorized by law, or that the conviction or sentence is otherwise subject to collateral attack upon any ground of alleged error heretofore available under the common law or any statutory provision of this state, may, without paying a filing fee, file a petition for a writ of habeas corpus ad subjiciendum, and prosecute the same, seeking release from such illegal imprisonment, correction of the sentence, the setting aside of the plea, conviction and sentence, or other relief, if and only if such contention or contentions and the grounds in fact or law relied upon in support thereof have not been previously and finally adjudicated or waived in the proceedings which resulted in the conviction and sentence, or in a proceeding or proceedings on a prior petition or petitions filed under the provisions of this article, or in any other proceeding or proceedings which the petitioner has instituted to secure relief from such conviction or sentence. Any such petition shall be filed with the clerk of the supreme court of appeals, or the clerk of any circuit court, said supreme court of appeals and all circuit courts of this state having been granted original jurisdiction in habeas corpus cases by the constitution of this state, or with the clerk of any court of record of limited jurisdiction having criminal jurisdiction in this state. Jurisdiction is hereby conferred upon each and every such court of record of limited jurisdiction having criminal jurisdiction (hereinafter for convenience of reference referred to simply as a "statutory court") to refuse or grant writs of habeas corpus ad subjiciendum in accordance with the provisions of this article and to hear and determine any contention or contentions and to pass upon all grounds in fact or law relied upon in support thereof in any proceeding on any such writ made returnable thereto in accordance with the provisions of this article. All proceedings in accordance with this article shall be civil in character and shall under no circumstances be regarded as criminal proceedings or a criminal case.

(b) For the purposes of this article, a contention or contentions and the grounds in fact or law relied upon in support thereof shall be deemed to have been previously and finally adjudicated only when at some point in the proceedings which resulted in the conviction and sentence, or in a proceeding or proceedings on a prior petition or petitions filed under the provisions of this article, or in any other proceeding or proceedings instituted by the petitioner to secure relief from his conviction or sentence, there was a decision on the merits thereof after a full and fair hearing thereon and the time for the taking of an appeal with respect to such decision has not expired or has expired, as the case may be, or the right of appeal with respect to such decision has been exhausted, unless said decision upon the merits is clearly wrong.

(c) For the purposes of this article, a contention or contentions and the grounds in fact or law relied upon in support thereof shall be deemed to have been waived when the petitioner could have advanced, but intelligently and knowingly failed to advance, such contention or contentions and grounds before trial, at trial, or on direct appeal (whether or not said petitioner actually took an appeal), or in a proceeding or proceedings on a prior petition or petitions filed under the provisions of this article, or in any other proceeding or proceedings instituted by the petitioner to

West Virginia Department of Homeland Security



“Leadership Everyday with Honor, Integrity, and Service”

West Virginia Department of Homeland Security

Accomplishments: 2017 - 2020

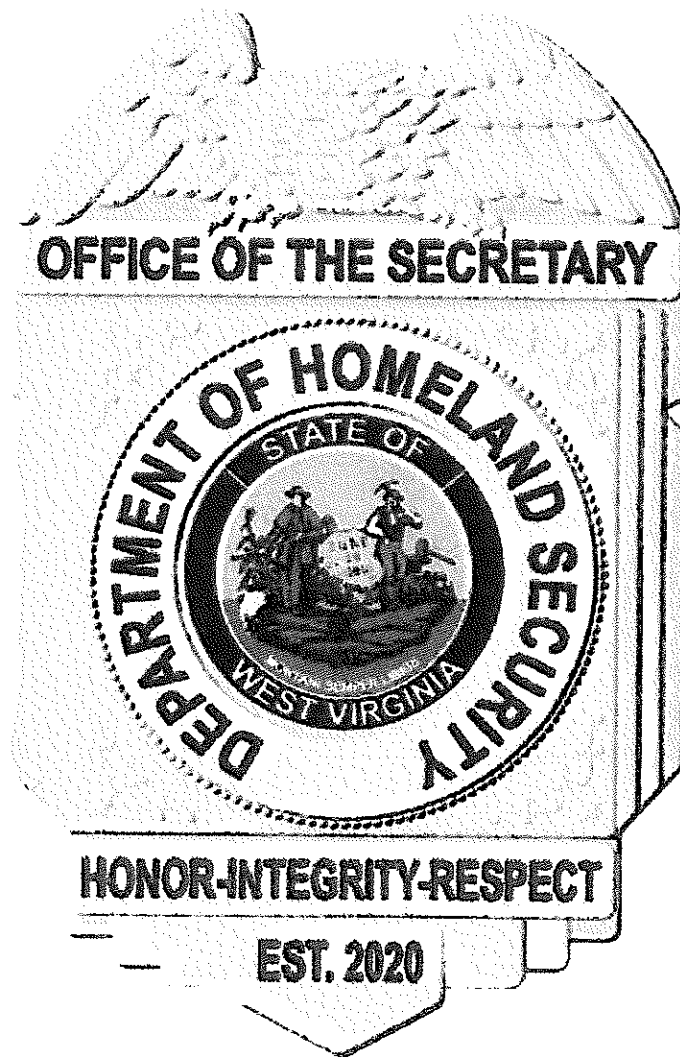


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State of West Virginia
OFFICE OF THE SECRETARY
DEPARTMENT OF HOMELAND SECURITY

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JEFF S. SANDY CAMS, CFE
CABINET SECRETARY

THOMAS L. KIRK, JD, CFE
DEPUTY SECRETARY

Date: October 13, 2020
To: Honorable Governor James "Jim" Justice
From: Jeff S. Sandy, Cabinet Secretary, CFE, CAMS
Re: Department of Homeland Security Term Report

The past 44 months have flown by, but the accomplishments of the Department of Homeland Security will last for decades to come. Teamwork is the key to success, and it has also been an honor to work with the following dedicated public servants of the Department of Homeland Security:

- Director Jennifer Wilson of the Division of Administrative Services
- Commissioner Betsy Jviden of the Division of Corrections and Rehabilitation
- Acting Director Thom Kirk of the Emergency Management Division
- Fire Marshall Ken Tyree of the Office of the State Fire Marshal
- Director Jack Luikart of the West Virginia Fusion Center
- Counsels Stacy Nowicki and Wil Valentino of the Legal Division
- Chairman Ralph Miller of the Parole Board
- Director Kevin Foreman of the Division of Protective Services-Capitol Police
- Colonel Jan Cahill of the West Virginia State Police

The simple but complex purpose of the creation of the Department of Homeland Security is to protect the civil liberties of our citizens from domestic and foreign threats to our way of life. It is clear that time and time again the Department of Homeland Security has accomplished this mandate.

All of the employees of the Department of Homeland Security take pride in the fact of the following:

- Our finances are in order.
- Our jails and prisons are safer
- We are better prepared for disasters
- We have reduced fraud in the areas of electrical, fire prevention, and arson
- We are assisting our first responders with quality intelligence work products
- We are reducing poor decisions with a consolidated legal team
- We have gone 44 months without a significant injury or incident at our Capitol
- According to the FBI, we have reduced crime double digits in every category

Therefore, the Department of Homeland Security leadership team proudly presents to you the 2020 "Term Report" for your review.

May God bless the Great State of West Virginia and the United States of America.

Division of Administrative Services

Jennifer A. Wilson, Director



Accomplishments

Establishment of DAS: 2018 Corrections consolidation legislation (HB 4338)

Since the establishment of the Division of Administrative Services in 2018, the agency has significantly expanded the scope and quality of the services provided to the Department of Homeland Security.

Initially, DAS provided its wide array of support to the Division of Corrections and Rehabilitation. It gradually expanded its outreach to similarly cover the Office of the State Fire Marshal, W.Va. Fusion Center, and Parole Board.

DAS has since extended its reach even further, to support the Office of the Secretary and the Division of Protective Services (Capitol Police). It will soon provide administrative services to the Division of Emergency Management.

Accomplishments by section

Procurement Section

- Secured a consolidated DCR food contract saving \$800,000.
- Streamlined the purchasing card (P-Card) process for customer agencies as well as purchasing procedures and oversight based on state Purchasing Division audits. These efforts have led to improved coordination with the Purchasing Division.
- Currently preparing the consolidated contracts for DCR telephone services and inmate banking/tablets.

Asset Section

- Created a standardized format for tracking assets located in DCR and DAS facilities, a system that will be rolled out to the other DHS divisions for continuity and accountability.
- Created and updated approximately 5,000 fuel pin numbers to ensure DCR is meeting legislative requirements.

Fiscal Section

- Successfully submitted the expenditure schedules for fiscal year 2021 and 2022 appropriations for DCR, the Fire Marshal, DAS, and EMD.
- Currently preparing the DAS budget and a proposal for a simplified DCR Budget.

Engineering and Maintenance Section

- Continues primarily to serve DCR but has provided engineering and building support to other divisions.
- Successful projects include expanding Capitol Police facilities in the Capitol basement.
- Established equipment and system maintenance and repair contracts at all regional jails and juvenile facilities for preventive and corrective services, helping to extend the life of existing equipment.
- Currently developing a tracking system for DCR facility maintenance and completing a staffing plan for the section.

Human Resources Section

- Developed a successful work process with the state Division of Personnel and the State Auditor's Office to process DCR salary adjustments, (predating consolidation).
- Developed and distributed human resources reference guides for DCR facilities and successfully established the DAS HR Desk to process DCR transactions.
 - The new HR Desk has been an overwhelming success, leading to significant improvements in the timeliness and accuracy of HR transactions.
- Has been on the forefront of using Microsoft Teams for remote training and is in the final stages of creating an exit interview process for DCR.

Significant Events

Two significant events have involved all aspects of DAS: the COVID-19 pandemic and the reorganization of the Division of Homeland Security and Emergency Management.

COVID-19 Pandemic

- Procurement did an outstanding job of securing personal protective equipment (PPE) for DHS as well as creating a tracking and vetting system.
- HR has tracked all absences attributed to COVID-19, the Coronavirus Aid, Relief, and Economic Security (CARES) Act and Family and Medical Leave Act (FMLA) provisions.
- Fiscal provides all COVID-19 expense tracking for DCR to obtain the maximum allowable reimbursement for the state via the CARES Act.

- DAS currently has eight employees working on the governor's CARES Act Grant Task Force.

Reorganization of the Division of Homeland Security and Emergency Management

While covering the increased workload directly related to the COVID-19 pandemic, the DAS team has assisted with virtually all aspects of the EMD reorganization.

- Assisted in the finalization of a communications contract with Motorola.
- Led the transfer of personnel from the state Military Authority to the Department of Personnel (DOP) classified exempt status.
- Determining the fiscal status of payroll and Governor's Contingency Fund liability for disasters dating back to 2015.

Division of Corrections and Rehabilitation

Betsy Jividen, Commissioner



The Division of Corrections and Rehabilitation was established on July 1, 2018 with the consolidation of the former Division of Corrections, Regional Jail and Correctional Facility Authority, and the Division of Juvenile Service. DCR's mission is the protection of public safety and the rehabilitation of adult and juvenile offenders by preparing them to return to society as productive and contributing members of their communities. Now slightly more than two years into consolidation, DCR has achieved several recognized accomplishments.

Organizational Achievements

- The DCR's Bureau of Training and Staff Development consolidated the three separate training academies of the former legacy agencies into a single curriculum. This unification of basic training is an important step toward improved teamwork and utilization of resources as well as the creation of safer facilities.
 - At the time of consolidation, the academy process faced a 568-person backlog for basic training. By early 2020, this backlog had been reduced to 107 through a variety of strategies including the switch to a pre-service model of basic training.
 - After completing academy training, new staff now receive on-site mentoring and training at their facilities before working independently in a correctional environment.
- The Bureau of Training and Staff Development has also created and implemented a standardized system of annual in-service/refresher training at all facilities and work units, which ensures that tenured staff receive the ongoing training needed to perform their

duties; while the system is standardized in its delivery, the content is individualized to the employees' needs based on their facilities' mission and purpose."

- The Bureau of Community Corrections took advantage of existing facilities within the DCR to expand locations to serve as satellite parole offices.
 - This move decreased the distance parolees must travel to check in at the parole offices and has been extremely efficient.
- A specially trained recruiting team of correctional officers has been established and deployed.
 - DCR vacancies dropped from a high of 819 in February 2019 to 528 in December 2019.
- Support staff supervision for the Parole Board has been assumed by the DCR to increase efficiency.
- DCR has absorbed significant costs that were traditionally passed to the counties, resulting in savings for the state and counties, including:
 - DCR saved the counties \$5.2 million by changing when the state takes over the cost of housing inmates from the date of sentencing to the date of conviction.
 - DCR absorbed the increased cost of the correctional pay raises (over \$8,000 per employee) for jail employees without passing that cost to the counties.
 - DCR has subsidized what counties pay for housing inmates covering the difference between the counties' \$48.25 per diem rate and the actual cost as calculated by the State Budget Office (\$54.88 as of July 13, 2020). In FY2020, DCR transferred approximately \$5.3 million to the jails' special revenue account to that end.
 - DCR has also realized savings, or offset costs to the counties, on a variety of other fronts. These include the consolidation of office space in Charleston, enhanced training for jail employees, physical plant and security equipment improvements, etc.
- Several comprehensive staffing analyses have been performed at facilities to determine correct staffing levels and realign appropriately.

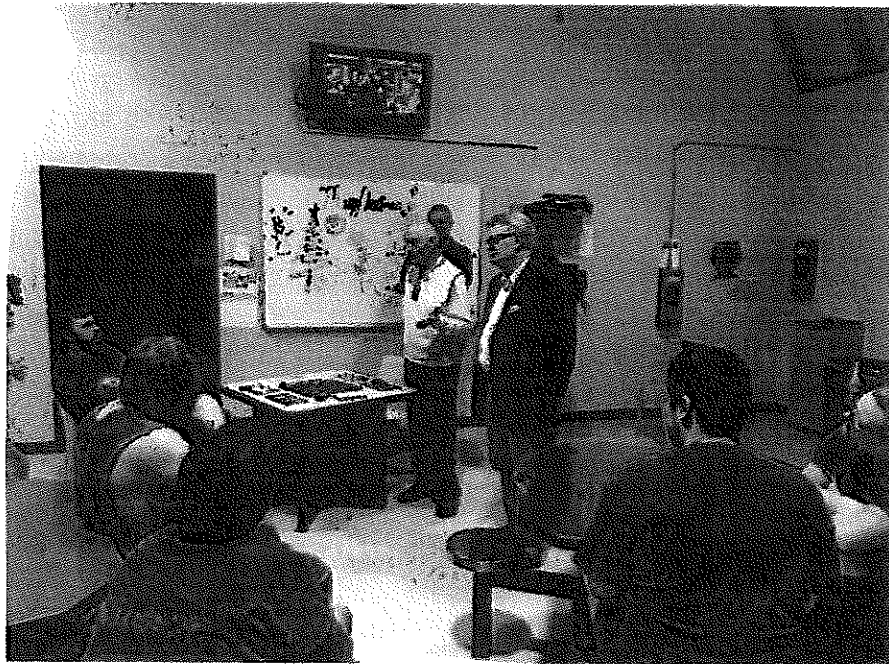
Operational Achievements

- The Office of Constituent Services was established within DCR to serve as its bridge to communities. It provides important and requested information to address concerns regarding confinement of offenders as well as the operations of the facilities in a professional and timely manner.
 - With over approximately 15,000 offenders and 36 DCR facilities, the implementation of this service has been critical in maintaining a seamless and consistent consolidated program by responding to and tracking all inquiries and complaints made to the division. The office can be contacted by telephone, email and regular mail.
- The Victim Information and Notification Everyday (VINE) system, already operating throughout the prisons, has been expanded to all 10 regional jails. As a result, all victims of crime who have requested notification will receive a phone call or text when the

offender in their case is released from jail. VINE has also been enhanced to provide victims with password-secured access and multiple options for notification via one central location.

- Renovations were completed on the second floor of the Parkersburg Correctional Center, adding significant bed capacity to the facility.
- The Donald R. Kuhn Juvenile Center was recognized for improved performance in treatment, security, and safety as part of the National Performance Based Standards from Office of Juvenile Justice and Delinquency Prevention at the U.S. Department of Justice.
- To promote operational efficiencies, the Northern Regional Jail, Northern Correctional Center and Ohio County Correctional Center have been consolidated into one operational unit with a single shared leadership structure.
 - The same consolidation has occurred for the Eastern Regional Jail and Martinsburg Correctional Center.
- Inmate-on-inmate assaults dropped 28% between FY2019 and FY2020, resulting in safer facilities.
- Full-body scanners are operational in 10 facilities and since April 2019, over 592 positive inmate scans have been recorded.
 - DCR has received McKesson Settlement funds to purchase an additional 18 body scanners.
- The Office of PREA (Prison Rape Elimination Act) Compliance was established within the Inspector General's Bureau. This office conducted over 125 PREA complaint reviews during FY2019 and assisted with PREA audits at five facilities.
 - During the ongoing COVID-19 pandemic, the Office has also formed audit teams to ensure adherence to DCR's response policy.
- Five temporary holding centers have been established at prison facilities to provide local law enforcement with a more local drop-off point, sparing them long trips to the nearest regional jail.
 - This is not only a cost-saving measure for local governments and law enforcement, but also has a positive impact on public safety.
- The DCR's Information Technology section has begun a series of technology infrastructure enhancements in the 10 regional jails. These include network connectivity and security equipment such as perimeter cameras and key control systems, as well as Livescan Fingerprint devices provided by the W. Va. State Police.
- DCR continues to provide the rehabilitation program for young adult offenders previously hosted by the Anthony Correctional Center since the Greenbrier County facility was closed to inmates in April 2018.
 - Males in this program are now sent to the Denmark Correctional Center in neighboring Pocahontas County, while the females have been relocated to the Lakin Correctional Center in Mason County.
 - Gov. Justice has determined that ACC's main building should be demolished and replaced. He has allocated \$15 million in support of his vision.

- The Division of Administrative Services recently published an Expression of Interest, and respondents were interviewed. A West Virginia firm, Silling Architects, in partnership with DLR Group, has been selected.
- Selected correctional staff have completed training to be Correctional Peace Officers, which will enable DCR to assist and partner with law enforcement officials in working corrections-related cases.
- The DCR has published a Request for Proposal to obtain a new inmate trust accounting system. This will allow the electronic transfer of inmate funds when an inmate is moved to a different correctional facility. The electronic transfer process will save significant time and effort and improve accountability.
- In order to assist in reducing crowding in regional jails, the Saint Marys, Lakin and Salem correctional centers have been increasing their capacity by a total of approximately 300 additional beds.
- The commissioner has authorized a new inmate classification system at the South Central Regional Jail as a pilot program. This new system will enhance the ability of correctional staff to make inmate housing decisions and make the facilities safer and more secure for both staff and inmates.
- The contract with the U.S. Marshals Service to house federal inmates in jail units was renegotiated to increase the federal per diem from \$65 to \$70, to increase the resulting operational revenue by an estimated \$547,000 annually.



Programming Achievements

- The first GOALS (Getting Over Addictive Lifestyles) unit was established at the Western Regional Jail in February 2019. The second GOALS Unit opened at the Northern Regional Jail in October 2019. GOALS units provide courts with the option of a six-month, secure inpatient drug treatment program. If an offender completes the program successfully, his or her prison sentence can be reconsidered or reduced. The program provides cost savings to the state. Every 70 inmates who effectively complete their sentences through this program for instance, would cost \$2.05 million less than 70 inmates incarcerated for two-year terms.
- The DCR's Bureau of Juvenile Services established a new substance abuse unit at the Kenneth "Honey" Rubenstein Juvenile Center. The program began accepting participants in January 2019.
 - A second unit is being developed at the Ronald C. Mulholland Juvenile Center.
- A transitional living unit has been established at Rubenstein to help youth transition back to a normal life once released.
- In response to the ongoing COVID-19 pandemic, multiple inmates throughout the DCR system have stepped up and pitched in on the response.
 - Inmates already involved in Correctional Industries almost immediately began making masks, on their own initiative. Thanks to them, more than 45,000 masks were distributed to staff and inmates throughout DCR. The partnership with the National Guard allowed the Correctional Industries inmates to expand their contribution to West Virginia's COVID-19 response effort, with the more than 174,000 masks and 20,000 gowns they've made distributed statewide.
 - Inmates have also participated in enhanced cleaning and sanitization teams. The vigilance and extra efforts of these enhanced cleaning teams no doubt contributed to DCR's efforts to combat and reduce the spread of the virus. This was clearly demonstrated in the results of facility-wide mass testing in June.
- Within the Bureau of Juvenile Services, a program was initiated in Wood county by hiring a home confinement officer to work closely with BJS' area Youth Reporting Center and its after-care program to provide a better opportunity for success after release from detention. The goal is for this program to expand across the state.
- The DCR has enhanced its ties to the community by hosting reentry simulations where DCR staff and former inmates work together to educate the community and stakeholders about challenges to and best practices for reentry.
- DCR staff and inmates performed over 400,000 hours of community service work in FY2019 and 248,390 hours in FY2020.
- The DCR continues to promote and enhance its Moral Rehabilitation program, which includes the Mount Olive Bible College and its outreach initiative to other facilities, as well as programs such as Malachi Dads, Hannah's Gift, and the Olive Tree.
- A dementia unit has been opened at Saint Marys with innovative care and opportunities.

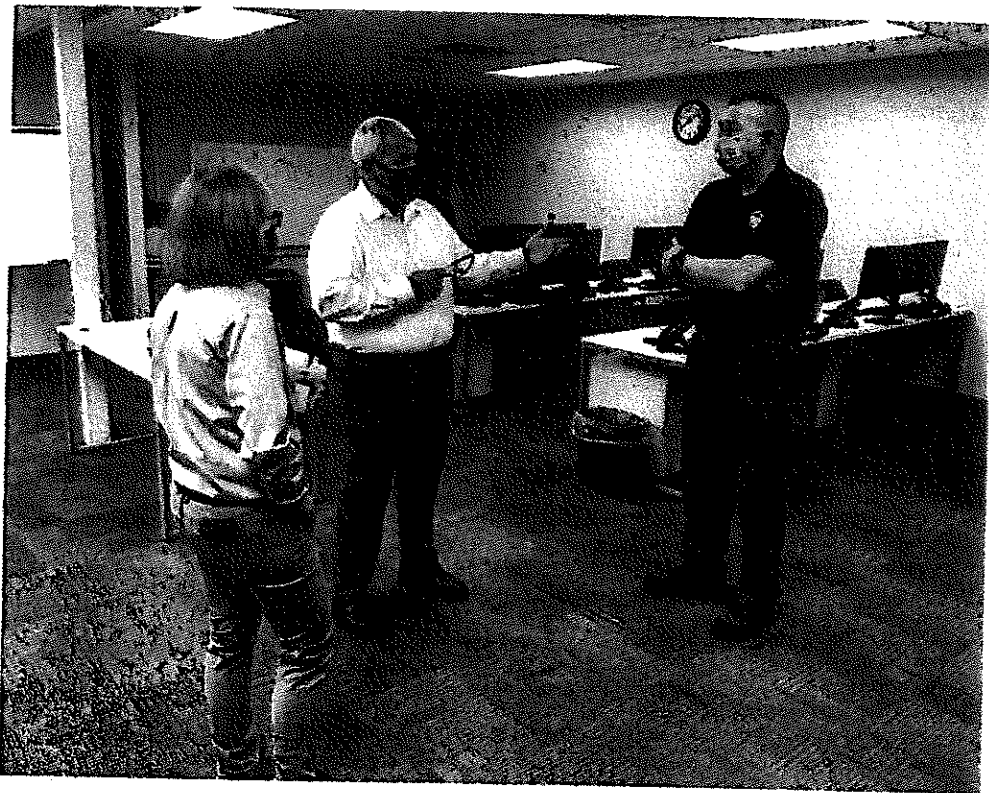
- Secondary educational opportunities continue throughout the DCR as the result of its partnerships with Ashland College, West Virginia University-Parkersburg and Glenville State College.

Emergency Management Division

Thom Kirk, Acting Director

The redesignation of the Department of Military Affairs and Public Safety as the Department of Homeland Security, through the enactment of Senate Bill 586 in May 2020, also reorganized the Division of Homeland Security and Emergency Management as the Division of Emergency Management (EMD).

EMD continues to lead the state's response to natural and manmade disasters, ensuring the protection of life and property by providing coordination, guidance, support and assistance to local emergency managers and first responders during both emergent and planned events.

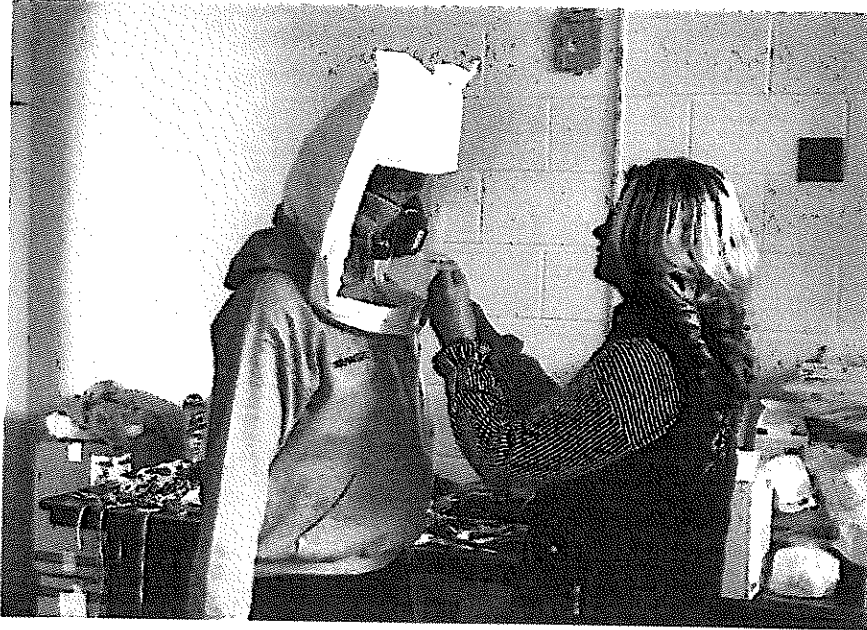


As part of its reorganization, EMD moved its headquarters and the State Emergency Operations Center to Dunbar. The National Flood Insurance Program was transferred to the Insurance Commission and new position descriptions for all employees were submitted to the state Division of Personnel.

Accomplishments

Emergency Communications

- Completed a \$22 million-dollar upgrade to the Statewide Interoperable Radio Network (SIRN).



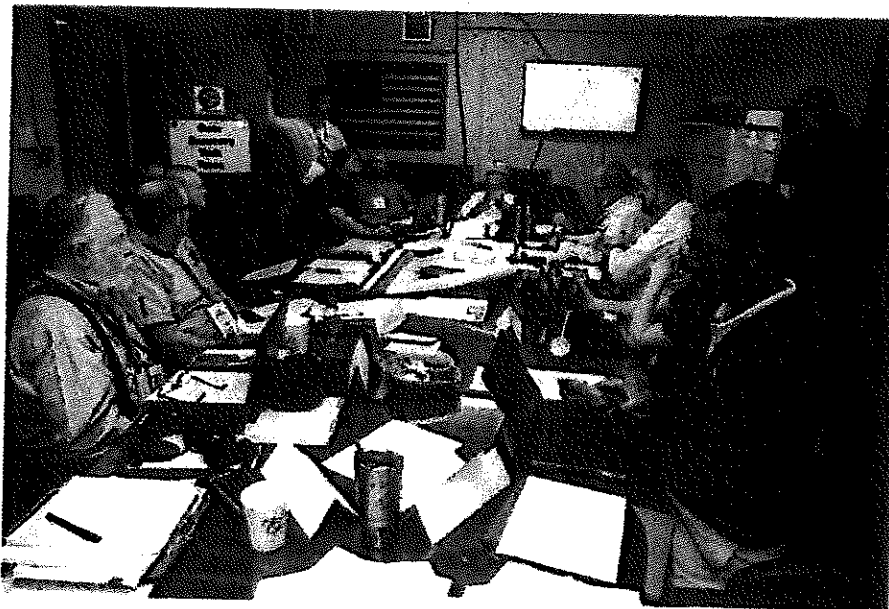
COVID-19 Pandemic

- Continues to support the COVID-19 response through the SEOC.
- As part of that operational support, EMD has provided technical and logistical support to the W.Va. Department of Health and Human Resources in the allocation of personal protective equipment.



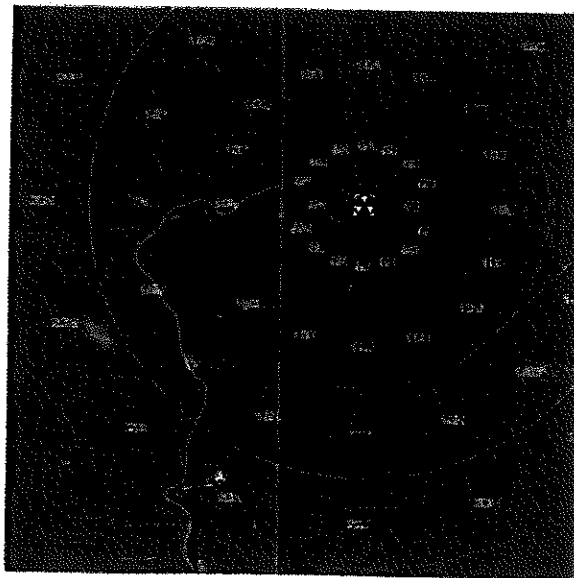
Planned Events

- Supported the 2017 National Scout Jamboree and the 2019 World Scout Jamboree at the Summit Bechtel Reserve.
- Other planned events supported by EMD since 2017 include Bridge Day and the PGA Tour event at The Greenbrier.



Emergency and Mitigation Planning

- Developed a Distribution Management Plan to supplement the State Emergency Operations Plan.
- Submitted the 2018 Statewide Hazard Mitigation Plan (as approved by FEMA).
- Updated West Virginia's Radiological Emergency Preparedness (REP) Plan.



Safe Schools

- Completed approximately 100 safe school visits.
- Conducted approximately 30 safe school presentations.

.....

Here are some other important numbers:

WV Division of Homeland Security and Emergency Management
1-800-333-3333


WV State Police
1-800-333-3333

Child & Adult Abuse Hotline
1-800-333-3333



Rape Crisis Hotline
1-800-333-3333

Suicide Prevention Hotline
1-800-333-3333

Drug Abuse and Referral Hotline
1-800-333-3333




1-866-SAFE-WVA
1-866-723-3862
safeschool@wv.gov

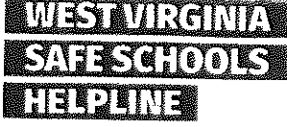


West Virginia


Division of the West Virginia State Office
for School Safety and Emergency Management



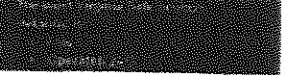
West Virginia DEPARTMENT OF EDUCATION



WEST VIRGINIA
SAFE SCHOOLS
HELPLINE



A simple way for YOU to help keep our schools and children safe!

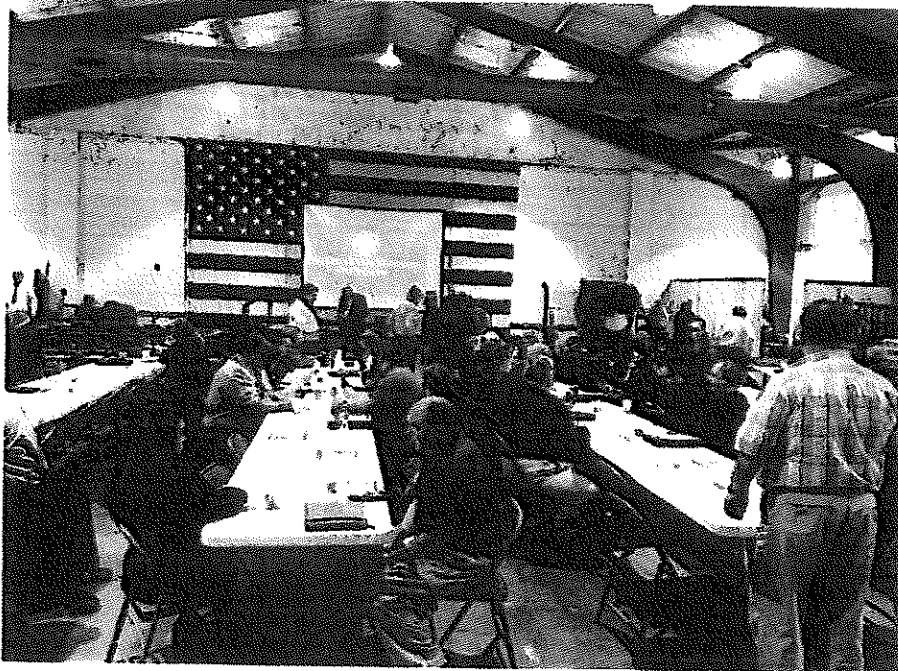


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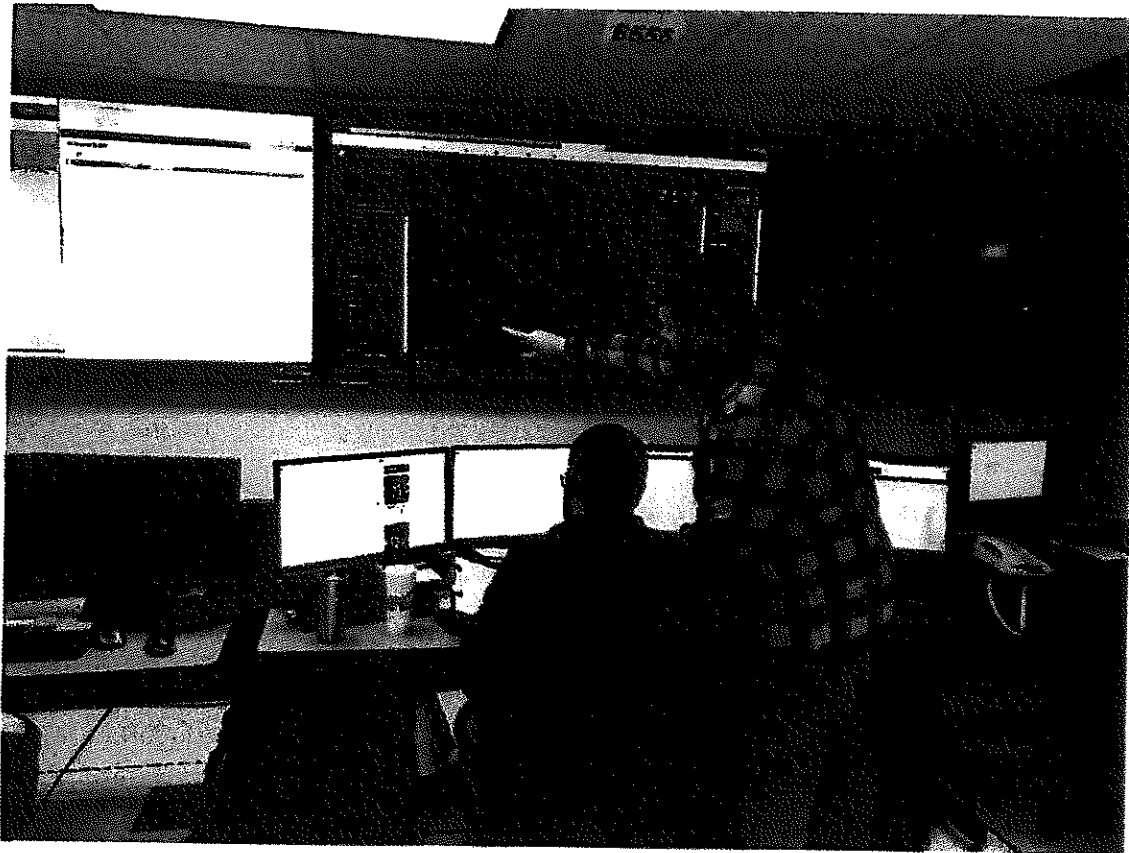
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Trainings and Exercises

- Developed West Virginia's first Emergency Management Basic Academy, with 40 local emergency managers in its inaugural class.



- All agency personnel have completed the Federal Emergency Management Agency's professional development series training.
- Conducted over 100 training courses for over 3,500 first responders across the state.
- Completed three Beaver Valley Power Station mini-drills in support of the REP Plan.
- Held three State Emergency Response Commission (SERC) conferences to help sustain hazmat response capability across the state.
- Conducted training and eight exercises to support the Closed Point of Dispensing (C-POD) initiative for state agencies.



Grants Management

- Awarded over \$15 million in federal funds through Emergency Management Performance Grant (EMPG).
 - EMPG funds provide annual support to 51 different local jurisdictions.
- Awarded over \$1.57 million in State and Local Implementation Grant (SLIGP) grant funds.
- Awarded over \$1.3 million in federal funds through the Hazardous Material Emergency Preparedness (HMEP) Grant.
 - Collected over 7,000 "Tier 2" reports (hazardous chemical inventory disclosures) each year.
- Awarded over \$16 million through the Homeland Security Grant Program (HSGP).

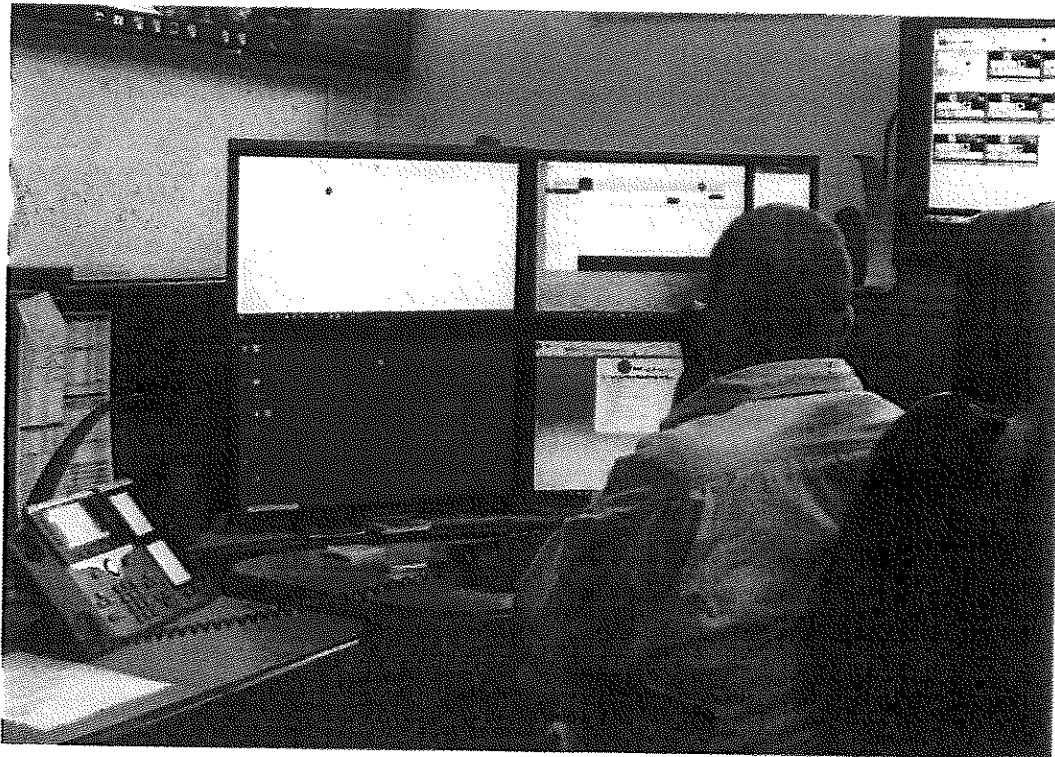
- Awarded over \$785,000 through the Nonprofit Security Grant Program (NSGP).
- Awarded over \$9 million through the Cooperating Technical Program (CTP) grant.

Disaster Recovery Grants Management

- The Public Assistance (PA) and Hazard Mitigation Grant Program (HMGP) staff continue to work nine open disaster grants.
- PA staff is managing nearly \$590 million in disaster grants and over 2,600 individual projects.
- PA closed five open disasters through 2020.
- HMGP staff are managing nearly \$82 million in grants and 178 projects.

Emergency Communications

- Maintained over 150 SIRM tower sites across all counties for first responder emergency communications.
- The SIRM network has over 31,500 users.
- The 24/7 Watch Center received over 20,000 calls for emergency reporting or assistance.

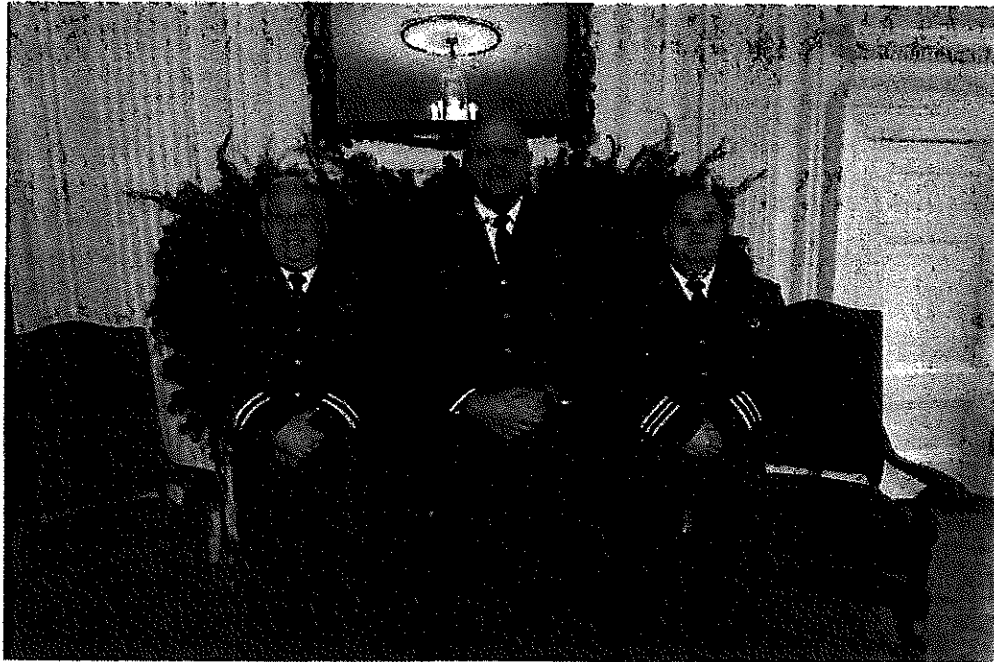


Office of the State Fire Marshal

State Fire Marshal Ken Tyree

Accomplishments

- Participated in the 2017 National Scout Jamboree at the Summit Bechtel Reserve.
- Assisted the W.Va. Fire Commission in development of the pilot program for modular-fire apparatus driver/operator training in 2017 and 2018
- Completed a special assignment providing correctional center crisis assistance training with the Division of Corrections and Rehabilitation.
- Conducted the first W.Va. Fire Marshal's Basic Academy in 2018.
- Development of Length of Service Award Program (LOSAP) for volunteer fire departments.
- Developed the Firefighter Injury and Death Review policy in 2018.
- Conducted county and volunteer fire department surveys based on the West Virginia Volunteer Fire and Rescue Act of 2018.
- Supported the naloxone distribution project for fire departments.
- Provided assistance to DHHR's Office of Emergency Medical Services.
- Completed a special assignment to the Calhoun County courthouse security detail in 2018.



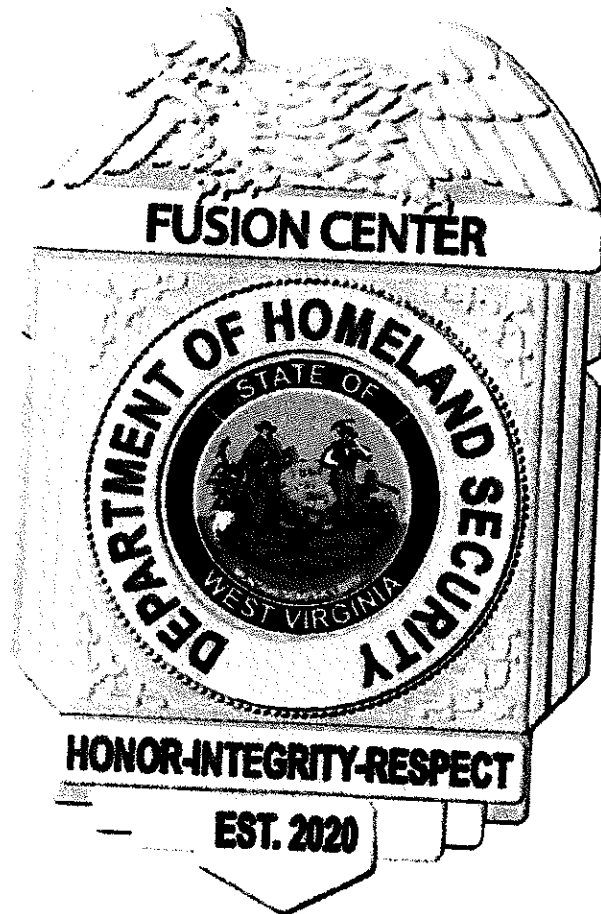
- Celebrated the 110th anniversary of the Office of the State Fire Marshal in 2019.
- Participated in the 2019 World Scout Jamboree at the Summit Bechtel Reserve.
- Developed the Firefighter Reciprocity and Courtesy Firefighter programs in 2019.

- Completed a special assignment providing assistance to the Huntington Fire Department in 2019.
- Restoration of the statewide fire department self-evaluation program due to COVID-19.
- Upon enactment of Senate Bill 586 (reorganization of DHS) in 2020:
 - Began restructuring of Legislative Rules, titles 87 and 103 series.
 - Requires newly hired sworn members to successfully complete the W.Va. Basic Police Training School at the W.Va. State Police Academy.
- Developing agencywide technology/software management program (in progress).



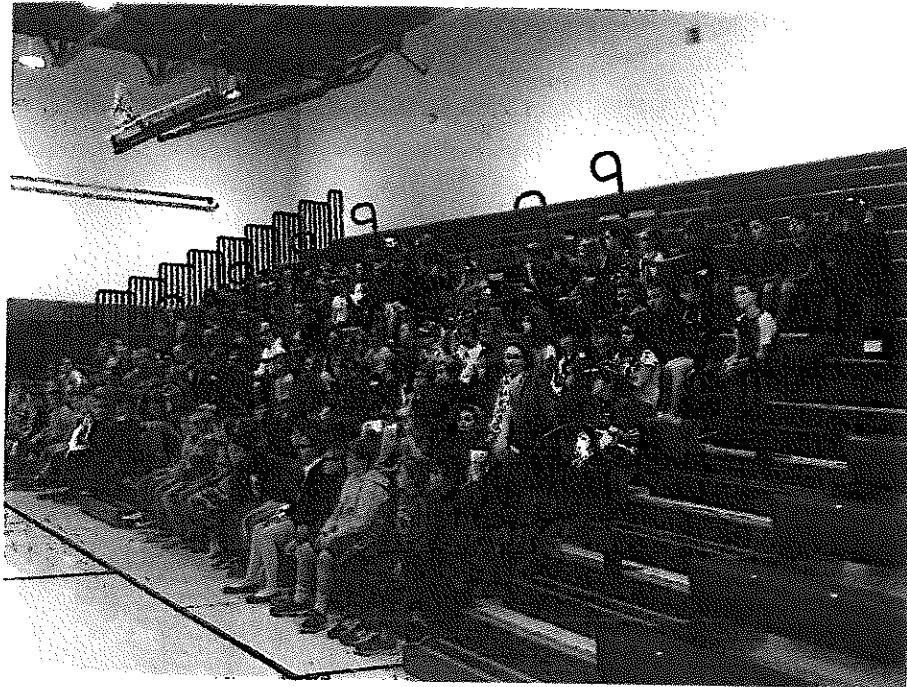
West Virginia Fusion Center

Jack Luikart, Director



Accomplishments

- West Virginia House Bill 4176, enacted in 2020, established the West Virginia Fusion Center as West Virginia's primary clearinghouse for the collection, analysis, and proper distribution of information and actionable intelligence and to generate analysis critical for homeland security and relevant threat warning in order to protect life, liberty and property in the state.
- Establishment of the Narcotics Intelligence Unit through Executive Order 1-20. Created as a sub-unit within the WVFC, the Narcotics Intelligence Unit aids task forces and law enforcement agencies in the administration of criminal justice by assisting in the detection, apprehension, detention, and adjudication of accused persons or criminal offenders.



- The drug awareness and prevention initiative, in partnership with the U.S. Drug Enforcement Administration's Charleston office, has reached 107,656 individuals since June 2017. It was presented to 65,147 students and school personnel during the 2019-2020 school year, until the closing of schools in March 2020 in response to COVID-19.

Establishment and Operation of the WVDHS Drug Tip Line

- On Aug. 1, 2020, the Department of Homeland Security established the first statewide drug tip line (1-833-905-DRUG) and online drug activity reporting system. Drug tips can be submitted 24 hours a day and processed by a WVFC analyst and routed to the appropriate drug task forces and law enforcement agencies.



Personnel

- The WVFC welcomed a new acting director in January of 2020.
- To expand the capabilities and fulfill the mission of the WVFC, three new analysts have been hired with backgrounds in narcotics, finance (banking and accounting), legal (magistrate court), 911 dispatch, and research. WVFC is in the process of making offers to three additional analysts with backgrounds that include cyber/digital forensics, law enforcement, and open source intelligence. WVFC has also hired an administrative assistant.

Department of Homeland Security – Intelligence & Analysis - Intelligence Officer

- In 2020, DHS filled the Intelligence Officer position within the WVFC. This position is a vital link between WVFC and the overall intelligence community.

W.Va. Division of Motor Vehicles Memorandum of Understanding (MOU)

- In July 2020, WVFC finalized a new MOU with the W.Va. Division of Motor Vehicles. This new MOU will provide continued access to the DMV mainframe and will, in the future, provide access to photos.

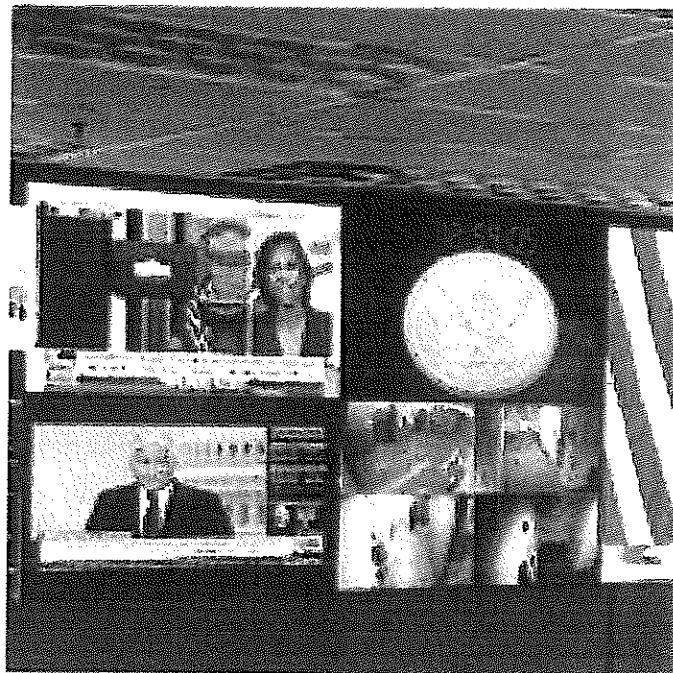
Equipment and Software Advances

- The WVFC is equipping and building an in-house digital forensics lab. The digital forensics lab will provide the WVFC the capability to extract information from a range of digital devices (cell phones, drives, computers) in assistance to law enforcement agencies. In addition, analysts' workstations have been upgraded with current equipment to assist in execution of their duties.



Expansion of Office and Capabilities

- In 2020 the WVFC obtained and installed a Hiperwall video wall system and completed an emergency power upgrade. WVFC is in the process of expanding the existing office space to include new analyst stations, network connectivity, and increased network speeds.



Justice and Community Services

Joseph C. Thornton, Director

During the reporting period, Justice and Community Services (JCS) experienced substantial growth and change. Significant funding increases allowed for the expansion of services, consolidation efforts took place under DAS, and the realignment of programs like moving the Law Enforcement Professional Standards Program to the W.Va. State Police Academy for greater functionality.

Accomplishments

During the reporting period, JCS organized, solicited, received, and implemented increased funding of more than \$35 million above previous years.

By and large, this additional programming and funding increased opportunities across nearly every facet of the criminal justice system and, most importantly, complemented and enhanced the mission of JCS.

These included but are not limited to the following:

- Targeted expansion and improvement of telehealth services in nine counties under the Comprehensive Opioid and Addiction Grant Program (COAP). This process is ongoing and will provide counties additional alternative sentencing options.
- Ongoing expansion of services for peer recovery support throughout the state.
- Expansion of the West Virginia Law Enforcement Assisted Diversion (LEAD) Program, Handle with Care program, and telehealth in 11 additional counties.
- Expansion of assistance to victim services, Violence Against Women and sexual assault service shelters, rape crisis centers, and child advocacy centers across West Virginia.
 - Additionally, these funds support various projects such as the W.Va. Coalition Against Domestic Violence and Legal Aid of West Virginia.
 - Funding is currently being allocated to help with COVID-19 expenses such as PPE and various technology efforts.
- JCS implemented policies and protocols that significantly enhanced relationships with stakeholders and critical service providers across the state, to ensure timely submission of funding for the delivery of necessary services to the criminal justice system.
- JCS developed and implemented a pilot grant review framework for community corrections that allows for objective analysis of grant needs to help ensure the proper distribution of scarce state resources.

Legal Division

Thomas C. Kirk, General Counsel

What is now the Department of Homeland Security consolidated its legal resources beginning in 2017 to make the services they provide, including policy advice, more streamlined and efficient.

Three lawyers report to DHS' general counsel. Two of them and the general counsel work within DHS' Office of the Secretary while W.Va. State Police headquarters hosts the third. This allows for cross-training and consistent coverage of legal needs if any of these lawyers is not in the office.

Prior to this consolidation, agencies within DHS utilized attorneys assigned through the state Attorney General's Office. Now with one embedded assistant attorney general, the legal division ensures familiarity with the entire DHS organization and awareness of all issues, including those that may impact litigation.

Utilizing the attorneys' expansive knowledge and experience, the legal division provides reliable, top-notch legal services and advice to all organizations within or served by DHS.

Legislative Accomplishments

- Consolidation of correctional systems and creation of the Division of Administrative Services in 2018.
- Development of multi-year correctional employee pay raises.
- Resolution of county boundary issue involving the Salem Correctional Center
- Development of a process for transferring adult-age youths to who commit crimes while at a juvenile facility to adult incarceration.
- Clarification of the jurisdiction of Capitol Police.
- Restoration of the statutory provision allowing correctional officers to carry firearms.
- Establishment of extradition authority for the commissioner of Corrections and Rehabilitation.
- Reorganization of Justice and Community Services.
- Development of revenue increases to provide funds to the W.Va. State Police Academy for law enforcement training.
- Establishment of Blue Alert system.
- Preservation of prohibition on firearms at the W.Va. Capitol Complex.
- Reorganization of W.Va. Fire Commission and Office of the State Fire Marshal in 2020.

- Recognition of W.Va. State Police Forensic Laboratory as sole destination for DNA testing kits.
- Establishment of nonviolent offense parole program
- Reorganization of W.Va. Parole Board as part of DCR
- Resolution of issues involving Board of Risk and Insurance Management coverage.
- Creation of the DHS Office of Administrative Hearings.
- Reorganization of the Department of Military Affairs and Public Safety as Department of Homeland Security
- Re-designation of the Division of Homeland Security and Emergency Management as the Division of Emergency Management
- Codification of the W.Va. Fusion Center
- Establishment of the felony of bodily intrusion by an inmate.
- Resolution of Federal Communications Commission concerns regarding 911-related fees to preserve federal funding.
- Establishment of process for disclosures pursuant to the U.S. Supreme Court's ruling in *Giglio v. United States*.

Parole Board

Ralph Miller, Acting Chairperson

Accomplishments

Since 2017, the Parole Board has continued to use video teleconferencing for parole hearings where available at Division of Corrections and Rehabilitation facilities (nine have video; four host hearings on-site). The continued practice of conducting parole revocation hearings by video teleconferencing, meanwhile, has resulted in a cost-savings for the state.

The board continues to use risk assessment instruments to aid decision-making during offender hearings. This process allows the board to make more informed decisions, which helps increase public safety.

The Parole Board's grant rate has steadily climbed from about 48% in 2017 to an average of 53% at the end of 2018. In addition, two new board members appointed in June 2019 have provided a new perspective on how the board conducts business. The promotion of a current board member as acting chairperson has laid a foundation of consistency for the board.

The enactment of Senate Bill 515 in 2020 allows the board to send electronic notices to court officials. The Parole Board asked all county prosecutors and circuit court judges to provide a designated email address, and the response rate was 99%.

The board continues its involvement with the Association of Paroling Authorities International (APAI), which is a collaborative effort to raise paroling standards and practices throughout the world. Since 2017, board member and former Chairperson Benita Murphy has served on APAI's Executive Committee and has been a mentor to newly appointed board members in other states.

In April 2019, Murphy and board member Ed Wooton attended the annual APAI conference in Baltimore. Trainings at the conference included workshops on Immigration and Custom Enforcement (ICE) detainers, Interstate Compact (ICOTS) rules, victims' rights, and the Justice Reinvestment reform enacted by other states and their resulting successes.

Division of Protective Services (Capitol Police)

Kevin Foreman, Director

Accomplishments

- The Division of Protective Services secured the newly renovated Building 3 at the W.Va. Capitol Complex with a directed public access point as departments and state agencies began occupying space and accepting visitors.
- Capitol Police became responsible for the security of the Culture Center with the 2017 enactment of House Bill 2676. DPS initiated daily law enforcement staffing to monitor security and manage the building's security officers.
- DPS initiated daily law enforcement staffing of the State Tax Department in Building 86 (Greenbrooke Building), on Smith Street. This building houses six state agencies.
- DPS has effectively managed multiple rallies and protests related to racial injustice, with participating groups including Kanawha Valley Democratic Socialists of America and the Black Lives Matter movement.
- DPS officers participated in the Calhoun County Courthouse security detail established through executive order.
- DPS effectively managed a 13-day teacher walkout/strike in 2018, along with a shorter walkout/strike in 2019, during which the Capitol complex became a major rally point.
- DPS initiated a bicycle patrol with seven officers completing training by a certified International Police Bike Association Instructor.
- Replacing the Governor's Drive entrance guardhouse in coordination with the Division of General Services, to enhance security and provide a safer workplace for all employees.
- DPS has investigated numerous cases including a bomb threat at the West Virginia Lottery, voicemail and email threats against a member of the House of Delegates, social media threat against the Senate president, battery of a member of the House of Delegates, alleged sexual assault of a Department of Transportation employee, a child pornography investigation at the Department of Environmental Protection, a terroristic threat by an employee at the Consolidated Public Employees Retirement Board, the impersonation of and a threat against Gov. Justice. The threat against the governor will be presented to a federal grand jury.
- Assisted Cabinet Secretary Jeff Sandy with the receipt, inventory, packaging, and delivery of approximately 200,000 masks to help protect first responders from COVID-19. These masks were distributed to all 55 counties.
- Initiated annual in-service training for all sworn officers, as required by the W.Va. Law Enforcement Professional Standards program. This training is being conducted by DPS officers.



Security System Upgrades

- During the renovation of Building 3, which reopened for occupancy in 2017, a new card access server was placed in service that led to a card access system upgrade.
 - This system, originally installed in 2002, provides card access at 25 state-owned or leased buildings.
- Upgraded video surveillance outside the Capitol entrance to the governor's reception room.
- Upgraded the card access system at the Culture Center, and placed the building on an electronic security schedule.
- Upgraded video surveillance at the Governor's Drive guardhouse, which assisted with providing remote operation of the entrance from the DPS Command Center.
- DPS continued upgrading the card access system by replacing obsolete microcontrollers upgrading to a Lenel server and software.
- DPS upgraded video surveillance along California Avenue and at the Capitol entrance of the Attorney General's Office.
- Upgraded video surveillance at the East section of the Governor's Office.
- Replaced the gate control on Governor's Drive, which completed the DPS Command Center remote operation of the entrance.
- Upgraded video surveillance along Kanawha Boulevard East and California Avenue.
- DPS upgraded video surveillance between the Culture Center and the Capitol's West Wing.

West Virginia State Police

Colonel Jan Cahill, Superintendent

Accomplishments

West Virginia State Police Forensic Lab

The W.Va. State Police Forensic Laboratory provides forensic analysis to every law enforcement agency in the state, free of charge. In 2017, the Forensic Lab had a backlog of nearly 5,000 pending cases. The resulting creation of a career progression program dedicated entirely to Forensic Lab personnel has since allowed it to increase its staff of forensic analysts and technicians from 33 to 53. As a result, the pending caseload has dropped from 5,000 to approximately 900.



Equipment Upgrades and Modernization

Over the last three years, the WVSP has made progressive changes to upgrade and modernize equipment and facilities:

- Upon recommendation from the Firearms Committee, WVSP upgraded the department sidearm to a newer, more advanced Glock 9mm.
- WVSP field troopers are now equipped with the Axon Conducted Electrical Weapon (formerly known as a taser). WVSP is one of the last reputable agencies to equip members with a less lethal weapon option.

- WVSP is now piloting a body camera program. Body cameras are essential to protecting officers, documenting evidence, case enhancement and maintaining the trust and confidence of the public.
- Increasing officer safety by equipping troopers with a body armor outer carrier, increasing the overall usage of body armor.
- Equipping field troopers with a tactical vest for situations beyond everyday use when additional threat protection may be needed.

Facilities

- Transitioning outdated radio room facilities to the modern Computer Aided Dispatch (CAD) systems, a long overdue need to modernize communications.
- Reopened the WVSP detachment at Grantsville in rural Calhoun County where law enforcement needs had previously been covered by troopers in adjacent counties.

West Virginia State Police Retirement System

- To aid in the recruiting and retention of WVSP personnel, the current administration made the first improvement to the "Plan B" retirement system in 25 years by increasing the multiplier used for calculating retirement awards.



Highlights

- The WVSP continues to be West Virginia's leader for law enforcement training, traffic enforcement, and criminal enforcement.
- During the last four years, the WVSP has frequently been called upon as West Virginia's premier agency for the handling of special events, providing protection to dignitaries and aiding in high-profile investigations.

- The WVSP Bureau of Criminal Investigations (BCI) has led numerous federal drug investigations in both the northern and southern districts, yielding significant seizures in methamphetamine, cocaine, fentanyl, heroin, and currency.
 - These operations included Operation Mountain Top, Operation Red Fox, Operation Triple Crown, Operation Triton, Operation Elsa and Operation Grand Torino.
 - These complex investigations involving multiple wiretaps have resulted in the sentencing of multiple crime families and networks ranging from New York to Atlanta.
 - In addition, WVSP's Operation Black Gold in the southern coalfields resulted in the arrests of several families who for years had been involved in stolen property from mining operations totaling more than \$5 million.
- Finally, the WVSP Public Corruption Unit, assigned to the U.S. Attorney's Office, played a key role in the investigation of homicides among patients at the Louis A. Johnson VA Medical Center in Clarksburg. This investigation resulted in the seven second-degree murder convictions of Reta Mays.
- The WVSP remains the lead agency called upon by the U.S. Attorney's Offices of both the northern and southern districts.

Future Events



Currently, WVSP is conducting testing of candidates for a class tentatively set to begin training in January of 2021. This will make the fourth WVSP cadet class hired during the Justice administration.



**West Virginia Division of Corrections and Rehabilitation –
Economic Study**

June 22, 2020



Center for Business and Economic Research

Marshall University

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Huntington, WV 25755
(304) 696-5747
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West Virginia Division of Corrections and Rehabilitation – Economic Study

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Prepared for
West Virginia Division of Corrections and Rehabilitation

The contents of this report reflect the views of the authors, who are responsible for the accuracy of the data presented herein. The views expressed in this report are those of the authors and do not reflect the official policy or position of Marshall University or its governing bodies. The use of trade names, if applicable, does not signify endorsement by the authors.

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Introduction and Study Design

In response to the request for proposal *ARFP DCR2000000001* issued by the West Virginia Division of Administrative Services, on behalf of West Virginia Division of Corrections and Rehabilitation (WVDCR), the Center for Business and Economic Research (CBER) at Marshall University proposed to provide analytic and research services related to potential changes in costs and operations of prisons, jails, and juvenile facilities arising from the passage HB 4338 during the 2018 Regular Session.

To meet the goals and objectives prescribed within the RFP, WVDCR contracted with CBER to provide an analysis of the operational cost of housing offenders in the ten regional jails, payment of the regional jail construction bond debt, revenue sources and estimates of the economic or fiscal impact related to these activities. Specifically, CBER proposed three main research components: 1) Regional Jail System Finance; 2) Economic and Fiscal Impact Estimation; and 3) Analysis of Peer State Inmate Housing Costs.

Regional Jail System Finance Analysis - Design

CBER produced report elements analyzing potential effects related to alternate financial structuring of the Regional Jail System following the payoff of existing bonds. CBER worked with WVDCR staff to establish a set of initial assumptions and scenarios to be analyzed. Further, CBER, sought limited input from relevant stakeholders to gather feedback relating to major issues facing the regional jail system.

CBER worked in conjunction with Corrections to describe the existing operational and financial structure in place to establish the “baseline” from which future comparison will be made. Study deliverables will include an analysis of current funding sources for these bond debt payments and how these funding sources may be used after the bonds are retired. CBER sought to analyze three (3) additional “alternative” scenarios as determined in conjunction with Corrections and its stakeholders.

Economic and Fiscal Impact Estimation - Design

CBER estimated the economic and fiscal impact of West Virginia corrections expenditures upon the West Virginia economy. CBER produced these estimations of the direct, indirect and induced effects using the IMPLAN¹ input-output analysis model. The analysis focused upon broad expenditure categories including construction, operating expenditures and employee compensation.

¹ IMPLAN[©] stands for IMPact analysis for PLANning. For more information, please visit the MIG IMPLAN website at <http://implan.com/v4/index.php>.

Analysis of Peer State Inmate Housing Costs - Design

CBER produced a comparison of costs related to inmate housing in West Virginia and surrounding states. Specifically, CBER used publicly available data sources, supplemented by primary data collection where necessary and available, to evaluate the component and total costs of housing inmates in the state as compared to surrounding/peer state and national figures. CBER worked in conjunction with Corrections to develop the list of peer states to develop cases beyond those geographically contiguous.

Data Sources and Methodology

Study Area and Geography

The state of West Virginia serves as the primary study area for the purpose of constructing the economic impact modeling in IMPLAN®.

Data Collection

Operating Budget and Expenditures

CBER used Fiscal Year 2019 financial data by budget categories provided by the WVDCR as well as an "Annual Debt Service Requirements" table which is used to estimate the annual payment of principal and interest towards Series 1998 Bonds. The Bond repayment schedule was also provided by the WVDCR. Additional information related to revenue sources were supplied by Corrections directly or assembled from annual reports. Payroll figures and hourly rate estimates, derived from supplied data and public data sources, were used to calculate the full-time equivalence (FTE) for an annual employment figure. To calculate FTEs, part-time individuals must be translated to full-time equivalent positions.

Demographic and Economic Data

This report uses demographic and economic data releases as available from a number of federal sources, including the U.S. Census Bureau, the U.S. Bureau of Economic Analysis (BEA), and the U.S. Bureau of Labor Statistics (BLS). Most demographic and economic characteristics reviewed in this report are represented with trend analysis when possible.

Economic Impact

CBER uses the IMPLAN® regional economic impact software, also known as an input-output (I-O) model, to analyze the impact of West Virginia corrections expenditures on the State of West Virginia. The software analyzes the relationship between industries and socioeconomic characteristics of the local economy, resulting in an estimation of income, output and employment, as well as direct, indirect and induced effects of spending. The model used for this analysis is based on data for the year 2019 and represent 2020 dollars.

Regional Jail System Finance Analysis – Discussion

The West Virginia Regional Jail and Correctional Facility Authority (Authority) is designated as a special revenue agency, meaning that it acts as a corporate entity and a government instrumentality.² Operating costs for the regional jails are funded through per diem charges to the entities who utilize the system be they counties, municipalities, the West Virginia Division of Corrections, the U.S. Department of Justice, and other jurisdictions that house inmates in regional jails. Current outstanding bond debts are retired through court fees attached to criminal cases.

Data from the WV Division of Corrections and Rehabilitation Annual Report serves as the initial set of information to describe current operations and set the baseline for additional analysis (see Table 1). For FY2019 Payroll and Benefits accounted for nearly 51 percent of Regional Jail System expenditures (at 39.25 percent and 11.48 percent, respectively). Inmate medical expenditures accounted for a little less than 16 percent of total expenditures. Bond payments made up more than 81 percent of Appropriated revenue source expenditures and approximately 12 percent of Total Revenue expenditures.

Table 1. WV Regional Jail System Expenditures, FY19

Budget expenditure category	Appropriated	Special revenue	Total revenue	Percent of total revenue
Personnel Services (Payroll)	\$1,134,723	\$39,880,125	\$41,014,848	39.25%
Annual Increment	\$21,741	\$274,618	\$296,359	0.28%
Employee Benefits	\$384,118	\$11,616,032	\$12,000,150	11.48%
Utilities	\$18,661	\$5,982,670	\$6,001,331	5.74%
Food	\$2,586	\$5,110,824	\$5,113,410	4.89%
Other Operating Expenses	\$412,799	\$7,854,587	\$8,267,386	7.91%
Repairs & Alterations	\$122	\$1,013,730	\$1,013,852	0.97%
Equipment	\$17,160	\$198,877	\$216,037	0.21%
Inmate Medical		\$16,562,690	\$16,562,690	15.85%
Bond Payments	\$8,814,885	\$3,800,000	\$12,614,885	12.07%
Board of Risk Insurance Premium	\$16,459	\$1,382,546	\$1,399,005	1.34%
Total	\$10,823,254	\$93,676,699	\$104,499,953	100.00%

Source: WV Division of Corrections & Rehabilitation, FY 2019 Annual Report

West Virginia State Code provides for the collection of, and the parameters for calculating per diem costs relating municipal and county-level inmates held in the regional jails. WV §15A-3-16(g) stipulates that the state Budget Office calculate the cost per day for incarcerated inmates “by examining the most recent three years of costs submitted by the commissioner for the cost of operating the jail facilities and units under his or her jurisdiction, and taking an average per day, per inmate cost of maintaining the operations of the jail facilities or units”, provided that the fee not exceed \$48.25 per day through July 1, 2021. Rates charged to WVDCR for state inmates held in regional jails were \$53.20 in FY2019 and \$53.75 in FY2020.

² West Virginia Regional Jail & Correctional Facility Authority, Annual Report FY2018.

Table 2 provides the Per Diem revenues by billing category for FY2016 to FY2020 (projected). Total Per Diem revenues have increased in each Fiscal Year from FY2016 to FY2019. FY2020 data (projected via straight line method using year-to-date collections) indicate a five percent increase in Total Per Diem billed Revenue over FY2019. Per Diem Revenues billed to counties, after holding relatively steady from FY2017 to FY2019, are projected to drop from approximately \$53 million in FY2019 to slightly less than \$48 million in FY2020.

Table 2. West Virginia Regional Jail Authority – Per Diem Billed Revenue by Category; FY16 to FY19 and FY20 (Projected)

Category	FY16	FY17	FY18	FY19	FY20 To Date*	2020 Projected**
Counties	\$49,486,358	\$51,482,316	\$52,286,739	\$52,958,476	\$39,905,500	\$47,886,600
DOC	\$24,266,228	\$27,433,117	\$33,593,580	\$35,498,391	\$33,319,356	\$39,983,227
Federal	\$4,335,045	\$3,974,223	\$5,353,858	\$6,667,895	\$5,832,770	\$6,999,324
City/Towns	\$282,745	\$234,109	\$293,746	\$339,390	\$269,669	\$323,603
Other	\$2,895	\$4,150	\$2,123	\$2,846	\$868	\$1,042
Guard Hours			\$4,731	\$264	\$5,715	\$6,858
Per Diem Difference					\$4,244,328	\$5,093,193
Total	\$78,373,271	\$83,127,914	\$91,534,778	\$95,467,264	\$83,578,207	\$100,293,848
Percent Change		6.07%	10.11%	4.30%		5.06%

Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations

* Per Diem Accounts Receivable through April 30, 2020; ** Projected total based upon 10 months of receivables

Table 3 presents Per Diem revenues by billing category as a percentage of the total. For FY2016, Per Diem Revenue billed to counties made up a little more than 63 percent of the total. That percentage has declined in each fiscal year to date. A more pronounced drop in percentage for FY2020 is observed, due in part, to revenues billed as “Per Diem Difference” in FY2020. This information is displayed graphically in Figure 1.

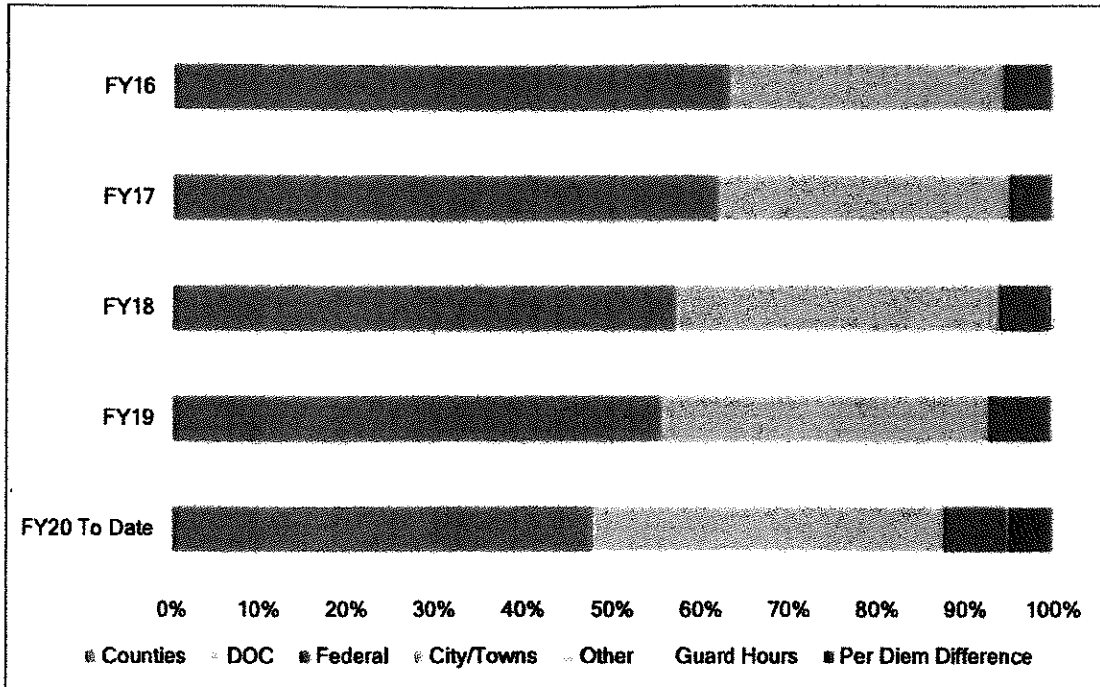
Table 3. WV Regional Jail Authority – Per Diem Billed Revenue by Category Percentage; FY16 to FY19 and FY20 (Projected)

Category	FY16	FY17	FY18	FY19	FY20 To Date*
Counties	63.1%	61.9%	57.1%	55.5%	47.7%
DOC	31.0%	33.0%	36.7%	37.2%	39.9%
Federal	5.5%	4.8%	5.8%	7.0%	7.0%
City/Towns	0.4%	0.3%	0.3%	0.4%	0.3%
Other	0.0%	0.0%	0.0%	0.0%	0.0%
Guard Hours	0.0%	0.0%	0.0%	0.0%	0.0%
Per Diem Difference	0.0%	0.0%	0.0%	0.0%	5.1%

Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations

* Per Diem Accounts Receivable through April 30, 2020

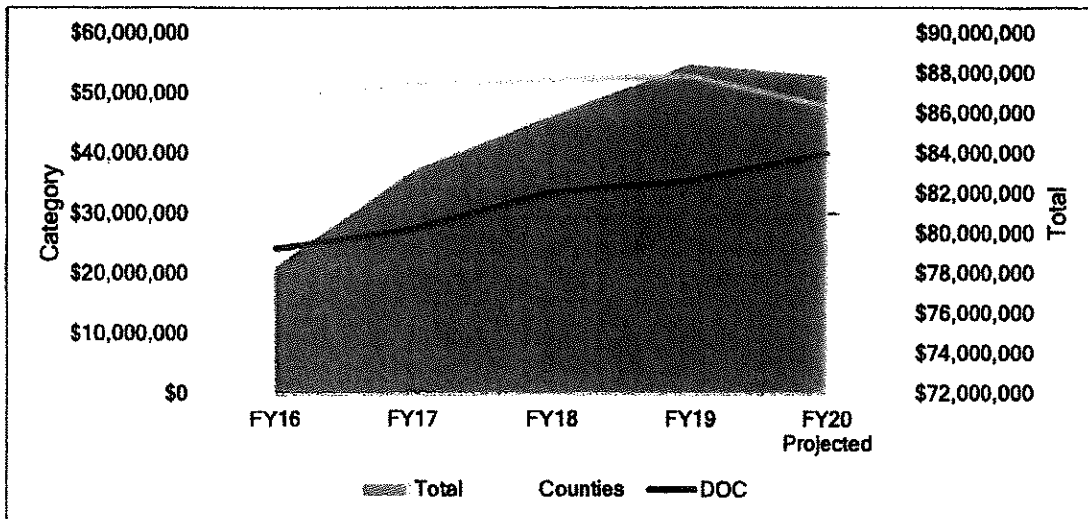
Figure 1. WV Regional Jail Authority – Per Diem Billed Revenue; FY16 to FY19 and FY20 (Projected*)



Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations
 * Per Diem Accounts Receivable through April 30, 2020

Per Diem Billed Revenue collections for counties and the Department of Corrections are displayed in Figure 2.

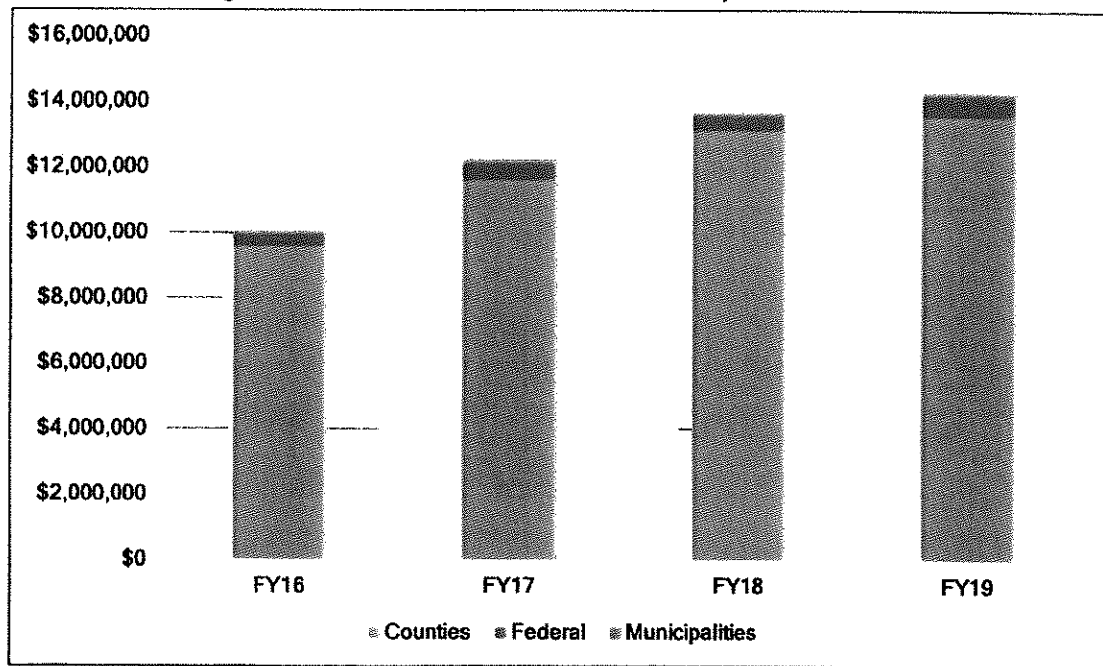
Figure 2. WV Regional Jail Authority – Per Diem Billed Revenue; Selected Sources



Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations
 * Per Diem Accounts Receivable through April 30, 2020

Aging Summary data relating to Regional Jail and Correctional Facility Accounts Receivable for FY2016 to FY2019 indicate increases in each Fiscal year. As of June 30, 2016, the total amount of outstanding receivables was a little more than \$10 million. By June 30, 2019, that figure stood at slightly below \$14.3 million. Data for FY2020 indicates that as of April 30, 2020 receivables were approximately \$11.7 million (projections for the remainder of the fiscal year were not developed). Please see Figure 3 for more detail.

Figure 3. Total Per Diem Receivables; FY16 to FY19



Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations

The Aging Summary reports supplied by the Division of Corrections and Rehabilitation also disaggregate Accounts Receivable into categories describing time past due. **Table 4** provides a breakdown of accounts receivable for counties, federal entities and municipalities. In FY2016, nearly 32 percent of accounts receivable were more than 90 days in arrears. Year-to-date reporting for FY2020 suggests that that figure has grown to nearly 59 percent.³ Significant percentages of accounts receivable billed to counties are more than 90 days in arrears. In FY2016, more than one-third of county receivables were aged more than 90 days. That figure grew to nearly 53 percent for FY2019 and Year-to-date reporting for FY2020 suggests that that figure has grown to 61 percent. Figures for Federal entities and West Virginia municipalities indicate significantly lower rates of aging arrearages. Total Per Diem Receivables Aged more than 90 Days for FY2016 to FY2019 are displayed in **Figure 4**.

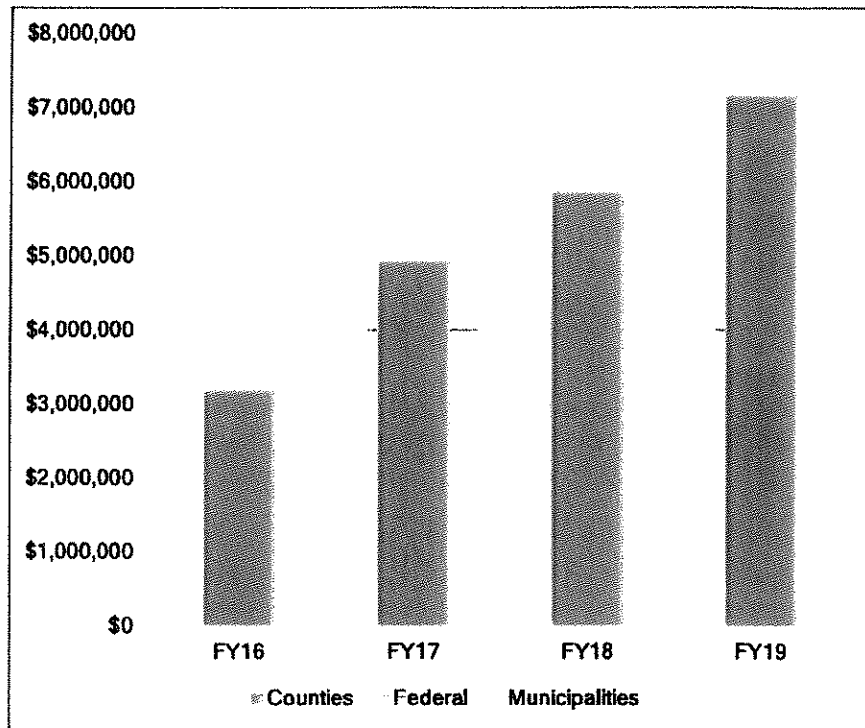
³ FY2020 receivables aged more than 90 days also includes a negative balance for municipalities, suggesting that timing of invoicing and billing may have contributed to a lower percentage.

Table 4. WV Regional Jail and Correctional Facility Accounts Receivable - Aging Summary; FY16 to FY20*

FY16	Current	1-90 days	>90 days	Total	Percent Current	Percent >90 days
Counties	\$4,273,217	\$2,135,759	\$3,185,648	\$9,594,623	44.5%	33.2%
Federal	\$348,725	\$27,885	\$130	\$376,740	92.6%	0.0%
Municipalities	\$21,178	\$19,256	\$2,799	\$43,233	49.0%	6.5%
Total	\$4,643,120	\$2,182,899	\$3,188,577	\$10,014,596	46.4%	31.8%
FY17	Current	1-90 days	>90 days	Total	Percent Current	Percent >90 days
Counties	\$4,299,172	\$2,419,168	\$4,922,460	\$11,627,627	37.0%	42.3%
Federal	\$366,210	\$166,010	\$6,269	\$538,489	68.0%	1.2%
Municipalities	\$26,586	\$13,172	\$1,045	\$40,803	65.2%	2.6%
Total	\$4,691,967	\$2,585,178	\$4,929,774	\$12,206,919	38.4%	40.4%
FY18	Current	1-90 days	>90 days	Total	Percent Current	Percent >90 days
Counties	\$4,507,515	\$2,773,337	\$5,857,142	\$13,137,798	34.3%	44.6%
Federal	\$463,503	\$19,305	\$0	\$483,003	96.0%	0.0%
Municipalities	\$26,586	\$13,172	\$1,045	\$40,803	65.2%	2.6%
Total	\$4,997,603	\$2,802,292	\$5,856,900	\$13,656,795	36.6%	42.9%
FY19	Current	1-90 days	>90 days	Total	Percent Current	Percent >90 days
Counties	\$4,291,065	\$2,138,247	\$7,160,955	\$13,590,267	31.6%	52.7%
Federal	\$607,685	\$27,885	\$780	\$636,350	95.5%	0.1%
Municipalities	\$37,828	\$13,027	\$4,391	\$55,246	68.5%	7.9%
Total	\$4,936,579	\$2,179,159	\$7,166,126	\$14,281,863	34.6%	50.2%
FY20 To-Date	Current	1-90 days	>90 days	Total	Percent Current	Percent >90 days
Counties	\$2,866,147	\$25,696	\$6,825,822	\$11,191,336	25.6%	61.0%
Federal	\$466,940	\$1,050	\$585	\$468,575	99.7%	0.1%
Municipalities	\$4,246	\$6,128	-\$1,158	\$9,216	46.1%	-12.6%
Total	\$3,337,333	\$32,874	\$6,825,249	\$11,669,127	28.6%	58.5%

Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations

Figure 4. Per Diem Receivables Aged more than 90 Days; FY16 to FY19

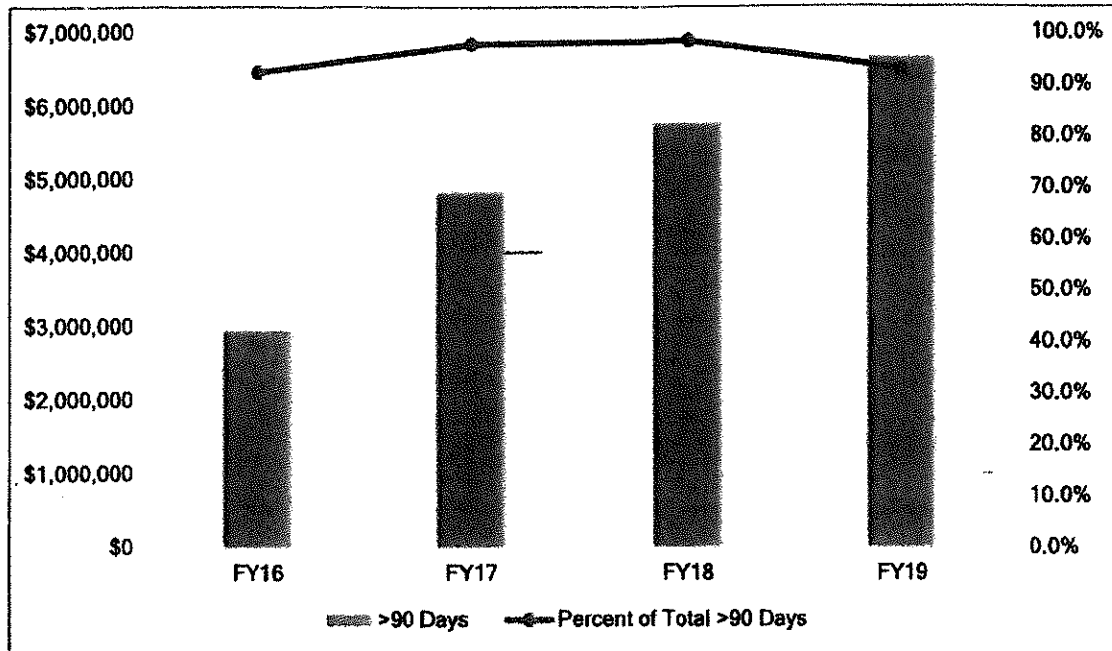


Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations

Even though significant portions of A/R billed to counties were in arrears, those figures show extreme variation across West Virginia Counties. The five counties with the largest amounts of aging billed revenues accounted for the vast majority of arrearages over the study period. Please see Figure 5.

- In FY2016, five counties were responsible for more than \$2.9 million in accounts receivable beyond 90 days past due, making up more than 92 percent of all accounts receivable aged 90 days or greater and more than 29 percent of total accounts receivable.
- In FY2017, five counties were responsible for more than \$4.8 million in accounts receivable beyond 90 days past due, making up more than 98 percent of all accounts receivable aged 90 days or greater and nearly 40 percent of total accounts receivable.
- In FY2018, five counties were responsible for more than \$5.7 million in accounts receivable beyond 90 days past due, making up more than 98 percent of all accounts receivable aged 90 days or greater and more than 42 percent of total accounts receivable.
- In FY2019, five counties were responsible for more than \$6.6 million in accounts receivable beyond 90 days past due, making up more than 93 percent of all accounts receivable aged 90 days or greater and nearly 47 percent of total accounts receivable.

Figure 5. Five Largest County Shares of Accounts Receivable Aged more than 90 Days



Scenario Analysis

In order to develop a set of scenarios for analysis called for as part of the Regional Jail System Finance Analysis, CBER worked in conjunction with Corrections staff to identify first identify factors impacting the financial status and operations of the Regional Jail System. Several main themes arose, some of which were topics that were beyond the scope of the project and/or did not lend themselves to the type of modeling that went into the study proposal. Among these issues were:

- Behavior and mental health issues; impacts from those in custody as opposed to other treatment
- Substance abuse and arrests; funding and attention to addiction-related issues
- Day report centers; funding and use to reduce regional jail populations, date of responsibility
- Bond/ability to pay bond at jail

For the purposes of this study effort, CBER chose to focus on three sets of scenarios for analysis. These include; 1) **Per diem charges and arrearages**; 2) **Court fee and bond debt**; and 3) **Deferred maintenance and renovation**. A fourth line of inquiry, relating to State revenue projections in the wake of the COVID-19 pandemic was added to provide additional insight into the financial landscape heading into the new fiscal year.

Per diem baselines

Historical per diem rates were provided by the Division of Corrections. To place the historical rates charged to counties and municipalities into a broader context, these were compared to hypothetical rates adjusted for inflation, using the Consumer Price Index.⁴ For Fiscal Years 1995 to 2007, per diem rates charged to counties and municipalities were modified five times, resulting in rates that exceeded that of inflation in all but two periods. Beginning in FY2009 those per diem rates have not kept pace with inflation, particularly following the rate reduction in FY2014 that has held county/municipality rates constant through the current fiscal year (and will be through FY2021).⁵ Had these per diem rates been indexed to inflation, the FY2020 rate would be roughly \$60.38 (Table 5).

Table 5. County/Municipality Per Diem Rates and Inflation Adjustment

Period	Per Diem Rate	Per Diem Rate Adjusted for Inflation	Difference
FY95	\$35.00	\$35.00	\$0.00
FY96	\$35.00	\$35.99	-\$0.99
FY97	\$38.00	\$37.05	\$0.95
FY98	\$38.00	\$37.90	\$0.10
FY99	\$39.50	\$38.50	\$1.00
FY00	\$39.50	\$39.35	\$0.15
FY01	\$39.50	\$40.67	-\$1.17
FY02	\$43.25	\$41.83	\$1.42
FY03	\$45.00	\$42.49	\$2.51
FY04	\$45.00	\$43.45	\$1.55
FY05	\$48.50	\$44.61	\$3.89
FY06	\$48.50	\$46.12	\$2.38
FY07	\$48.50	\$47.61	\$0.89
FY08	\$48.50	\$48.97	-\$0.47
FY09	\$47.53	\$50.85	-\$3.32
FY10	\$47.50	\$50.67	-\$3.17
FY11	\$48.80	\$51.50	-\$2.70
FY12	\$48.80	\$53.12	-\$4.32
FY13	\$48.80	\$54.22	-\$5.42
FY14	\$48.25	\$55.02	-\$6.77
FY15	\$48.25	\$55.91	-\$7.66
FY16	\$48.25	\$55.98	-\$7.73
FY17	\$48.25	\$56.68	-\$8.43
FY18	\$48.25	\$57.89	-\$9.64
FY19	\$48.25	\$59.30	-\$11.05
FY20	\$48.25	\$60.38	-\$12.13

Source: West Virginia Division of Corrections and Rehabilitation; U.S. Bureau of Labor Statistics; CBER calculations

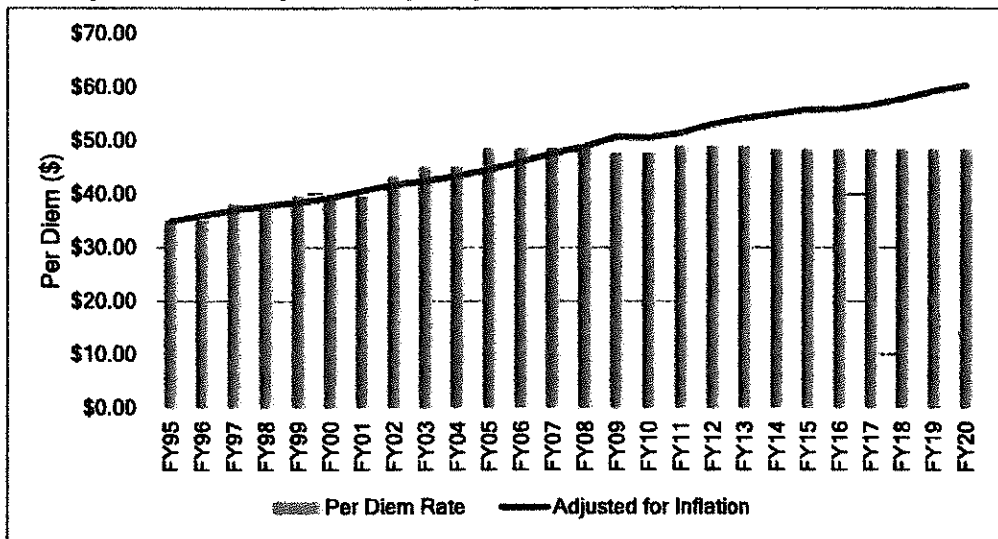
⁴ Inflation rates were calculated using the U.S. Bureau of Labor Statistics CPI annual averages for all urban consumers.

⁵ §15A-3-16(g) of West Virginia Code.

Beginning in FY2019, the per diem rate charged to the WV Division of Corrections for state inmates held in the regional jails was set at \$53.20, a figure that increased to \$53.75 for FY2020. While these rates do not match the hypothetical, county-level rates developed with an inflation adjustment, they do represent a rate 10.3 or 11.4 percent higher than the statutorily capped county-level rates (for FY2019 and FY2020, respectively). The differences in per diem rates (comparing those paid by counties and municipalities vs those paid by the WV Division of Corrections) helps explain the increases in both amount and percentage share paid by the WVDCR shown in Tables 2 and 3, as well as Figures 1 and 2. This also suggests, that on a per prisoner basis, DVCR per diem payments cover a larger share of costs (and any inflation-related cost increases) than per diem payments made by counties or municipalities.

Figure 6 illustrates county historical per diem rates compared to hypothetical rates adjusted for inflation. A comparison for FY2014 forward, where county per diem rates have been held constant, and adjustments for inflation is provided in Figure 7.

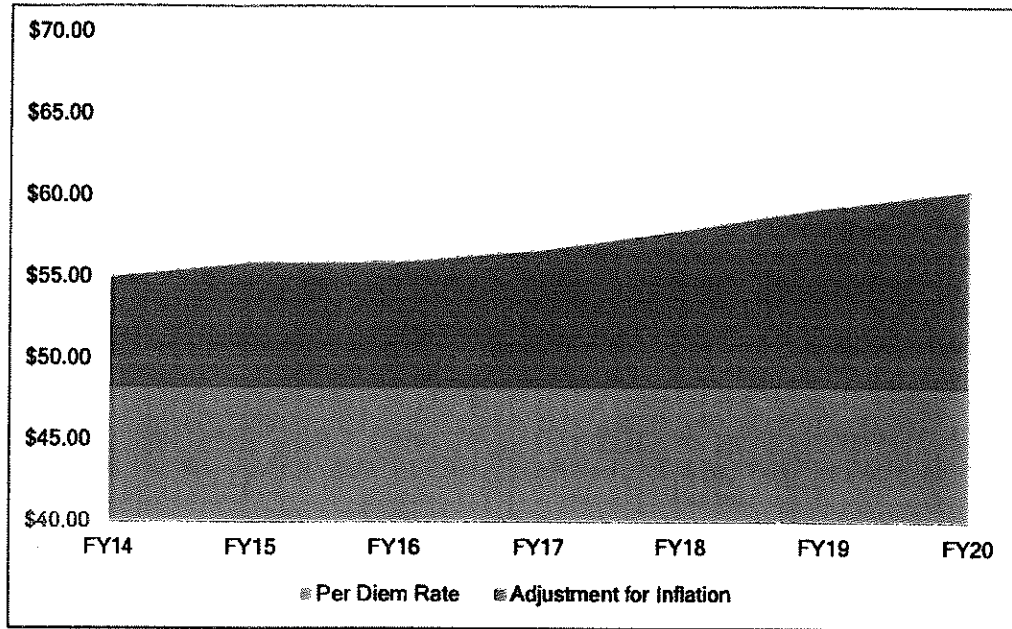
Figure 6. County/Municipality Per Diem Rates versus Inflation⁶



Source: West Virginia Division of Corrections and Rehabilitation; U.S. Bureau of Labor Statistics; CBER calculations

⁶ Inflation rates were calculated using the U.S. Bureau of Labor Statistics CPI annual averages for all urban consumers.

Figure 7. County/Municipality Per Diem Rate and Adjustment for Inflation



Source: West Virginia Division of Corrections and Rehabilitation; U.S. Bureau of Labor Statistics; CBER calculations

Court fee and bond debt baselines

A portion of the Authority's mission revolves around the acquisition, construction and/or renovation of regional jails, correctional facilities, and juvenile detention facilities. Bonding instruments have been used to fund construction of these facilities beginning with a 1990 sale of nearly \$118 million of lease revenue bonds by the West Virginia Building Commission. The original bond was refunded in 1998 to reduce interest costs and to fund the construction of the Tygart Valley Regional Jail from the additional savings realized.⁷ The West Virginia Legislature, in a 2001 Special Session, authorized the issuance of additional bonds through the Economic Development Authority secured by lease payments. Bonds were issued in January of 2002, February of 2003 and in January of 2004; some of which were used to fund regional jail facilities (as well as other funds for correctional centers and juvenile centers). Jail construction bond debt is just one of many costs that court fee collections are used to reimburse, along with courthouse facilities and law enforcement training.

⁷ West Virginia Executive Budget' Volume I Budget Report – Fiscal Year 2019. Retrieved from: <https://budget.wv.gov/executivebudget/Documents/Volume%20I%20-%20Budget%20Report%20of%20FY%202019.pdf>. Accessed March 1, 2020.

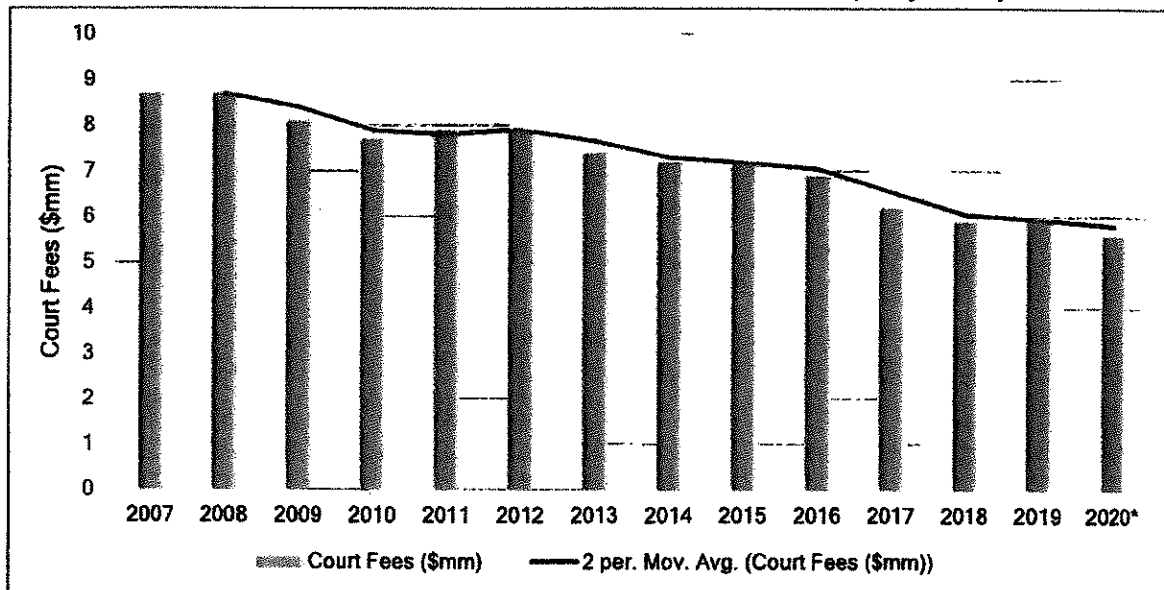
Historical court fee collections compared to annual bond debt payments are presented in Table 6. Court fees collected have steadily declined from roughly \$8.7 million in FY2007 to \$6 million in FY2019. For FY2019 this decline indicates that roughly one-third of the costs related to the payment of bond debt must come from other revenue sources. Court fees received as well as a two-period moving average are illustrated in Figure 8.

Table 6. Court Fees Collected (in \$mm); FY2008 to FY2019

	Annual Debt Payment (\$mm)	Court Fees (\$mm)	Difference (\$mm)	Percent Difference
FY07	8.9	8.7	0.2	-2.2%
FY08	8.9	8.7	0.2	-2.2%
FY09	8.9	8.1	0.8	-9.0%
FY10	8.9	7.7	1.2	-13.5%
FY11	8.9	7.9	1	-11.2%
FY12	8.9	7.9	1	-11.2%
FY13	8.9	7.4	1.5	-16.9%
FY14	8.9	7.2	1.7	-19.1%
FY15	8.9	7.2	1.7	-19.1%
FY16	8.9	6.9	2	-22.5%
FY17	8.9	6.2	2.7	-30.3%
FY18	8.9	5.9	3	-33.7%
FY19	8.9	6	2.9	-32.6%

Source: West Virginia Division of Corrections and Rehabilitation

Figure 8. Court Fees Received for FY16 to FY20 (Projected)

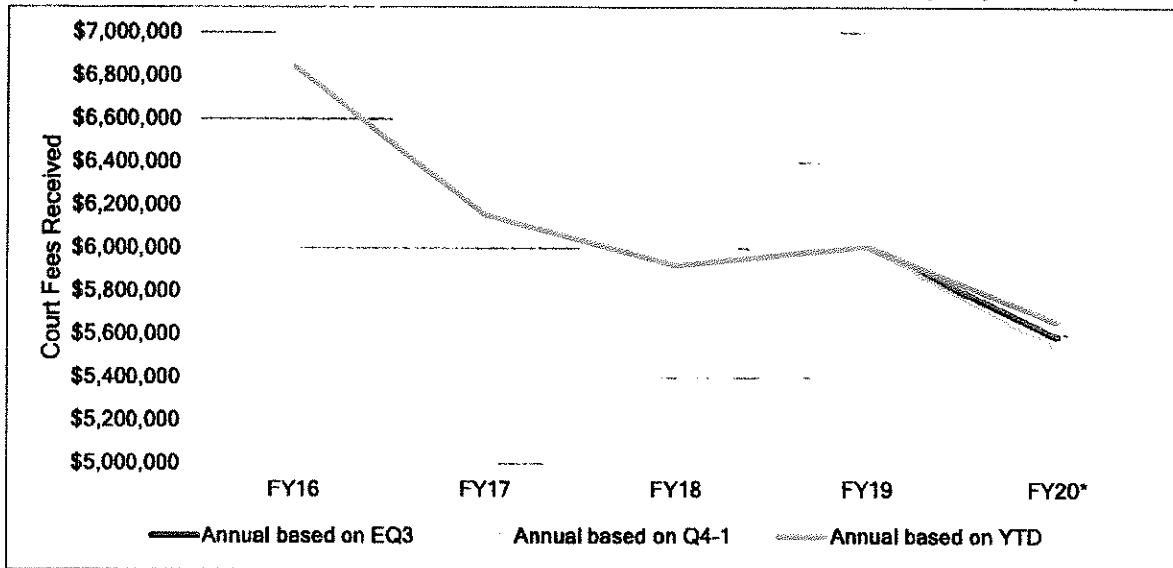


Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations

* Per Diem Accounts Receivable through April 30, 2020

Figure 9 provides a set of ranges to help extrapolate FY2020 court fee collections based upon three different point estimates (collections as of the end of FY20-Q3; the end of April 2020; and May 8, 2020). Each of these extrapolations suggest a decline in court fee collections for FY2020 to a range between \$5.5 and \$5.7 million.

Figure 9. Court Fees Received for FY16 to FY19 and FY20 (Projected)



Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations

* Per Diem Accounts Receivable through May 15, 2020

Deferred maintenance and renovation baselines

The average age of the ten regional jails operating in West Virginia is roughly 21.9 years (see **Appendix A**). The Authority maintains a list of projects and associated costs relating to maintenance and renovation for prisons, regional jails and juvenile facilities. **Table 7** outlines the project lists for regional jails as of January 29, 2020. More than \$46.2 million of projects across the regional jails are classified as "not funded". CBER compared projects based upon the broad categories of deferred versus preventative maintenance to find that nearly 95 percent of maintenance projects at the regional jails are classified as 'deferred'. The results of that exercise by facility are presented in **Table 8**.

Table 7. Regional Jail Maintenance and Renovation Projects

	Projects Funded		Projects Not Funded	
	Number	Amount	Number	Amount
Central Regional Jail	0	\$0	7	\$4,500,000
Eastern Regional Jail	0	\$0	5	\$1,250,000
North Central Regional Jail	0	\$0	11	\$4,270,000
Northern Regional Jail	2	\$725,000	19	\$8,475,000
Potomac Highlands Regional Jail	0	\$0	13	\$2,345,000
South Central Regional Jail	0	\$0	9	\$6,500,000
Southern Regional Jail	0	\$0	10	\$5,139,000
Southwestern Regional Jail	0	\$0	6	\$1,804,500
Tygart Valley Regional Jail	0	\$0	11	\$6,410,000
Western Regional Jail	0	\$0	9	\$5,550,000
Total	2	\$725,000	100	\$46,243,500

Source: West Virginia Division of Corrections and Rehabilitation

Table 8. Regional Jail Maintenance and Renovation Projects by Type

	Preventative Maintenance	Deferred Maintenance	Percent Deferred Maintenance
Central Regional Jail	\$1,200,000	\$2,300,000	51.1%
Eastern Regional Jail	\$0	\$1,250,000	100.0%
North Central Regional Jail	\$0	\$4,270,000	100.0%
Northern Regional Jail	\$1,150,000	\$7,325,000	84.3%
Potomac Highlands Regional Jail	\$10,000	\$2,335,000	99.6%
South Central Regional Jail	\$0	\$6,500,000	100.0%
Southern Regional Jail	\$0	\$5,139,000	100.0%
Southwestern Regional Jail	\$0	\$1,804,500	100.0%
Tygart Valley Regional Jail	\$0	\$6,410,000	100.0%
Western Regional Jail	\$0	\$5,550,000	100.0%
Total	\$2,360,000	\$43,883,500	94.9%

Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations

Scenarios

Scenario 1 – Use current bond debt payment amounts to offset per diem charges for West Virginia counties and municipalities

As shown in Table 9, in 2019 the total principal and interest for both the Series 1998 Senior and Subordinate Bonds totaled approximately \$8.9 million. These annual bond debt payments are set to expire as of July 2021⁸. If these funds, for example through statutorily changing mechanisms, could be applied to offset county/municipal per diem charges it would offer a measure of relief to counties and municipalities, could potentially improve the timeliness of remaining payments for those entities, while maintaining close to current levels of jail funding. It would neither address any current or future shortfalls for operating costs that have increased while per diem rates have been held constant. As the bond debt payments do not expire until July 2021, the earliest application of those funds to county and municipality billed per diems would occur in FY2022.

Table 9. 2019 Debt Service

Bond type	Principle	Interest	Total
Senior	\$6,635,000.00	\$1,121,893.76	\$7,756,893.76
Subordinate	\$950,000.00	\$161,518.76	\$1,111,518.76
Total	\$7,585,000.00	\$1,283,412.52	\$8,868,412.52

Source: West Virginia Division of Corrections and Rehabilitation

Table 10 illustrates an estimated cost savings to West Virginia counties and municipalities is the current bond debt service payments were applied (in a weighted share) toward projected FY2022 billed per diem charges. An \$8.9 million-dollar reduction in per diem liability to counties would represent a reduction of per diem charges of slightly more than 15 percent.

Table 10. WV Regional Jail Authority – Per Diem Billed Revenue by Category Percentage; FY16 to FY19 and FY20 (Projected)

Category	Average Annual Growth in Billed per Diems (FY16 to FY19)	Billed Per Diem Charges FY19	Estimated Billed Per Diem Charges FY22	Percent of Combined Billed Per Diem Charges	Share of Potential Reduction
Counties	3.4%	\$52,958,476	\$58,469,792	99.4%	\$8,811,940
City/Towns	2.4%	\$339,391	\$363,912	0.6%	\$56,472
Combined		\$53,297,867	\$58,833,705		\$8,868,413

Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations

⁸ The bond contracts stipulate that one year's principal be held in reserve. For the purposes of this analysis, the reserve amount was not included in potential revenue or impact calculations.

Scenario 2 – Reduce the Pre-Trial misdemeanor populations held in regional jails to reduce county/municipality burdens

Additional inquiry relating to the efficacy of one form of pretrial release over another are requisite and would necessitate mechanisms to collect information relevant to the pretrial release decision and factors associated with individual misconduct. For the purposes of this evaluation, available data lends itself best to an examination in percentage reductions irrespective of programmatic changes. As such, this scenario focuses on a single population – those being held in regional jails for Pre-Trial misdemeanors. For FY2019, approximately 11.8 percent of the average daily inmate populations in regional jails were being held on Pre-Trial Misdemeanor charges. If the number jail nights for individuals held for Pre-Trial misdemeanor could be reduced, significant per diem charges could be avoided.

Table 11 calculates the approximate level of per diem charges for Pre-Trial misdemeanor individuals held in regional jail facilities. Pre-Trial Misdemeanor populations account for roughly 223,000 nights at Regional Jails annually, a figure that corresponds to more than \$10.7 million dollars in per diem charges.

Table 11. Per Diem Charges Related to Pre-Trial Misdemeanor Nights, FY19

	Average Daily Total Inmate Population	Average Daily Pre-Trial Misdemeanor Population	Percent PTM	Annual Nights	Per Diem Charges
Central Regional Jail	355	50	14.1%	18,250	\$880,563
Eastern Regional Jail	478	61	12.8%	22,265	\$1,074,286
North Central Regional Jail	787	97	12.3%	35,405	\$1,708,291
Northern Regional Jail	328	37	11.3%	13,505	\$651,616
Potomac Highlands Regional Jail	288	30	10.4%	10,950	\$528,338
South Central Regional Jail	580	86	14.8%	31,390	\$1,514,568
Southern Regional Jail	633	81	12.8%	29,565	\$1,426,511
Southwestern Regional Jail	482	45	9.3%	16,425	\$792,506
Tygart Valley Regional Jail	515	55	10.7%	20,075	\$968,619
Western Regional Jail	726	68	9.4%	24,820	\$1,197,565
Total	5,172	610	11.8%	222,650	\$10,742,863

Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations

Table 12 estimates potential savings from fewer Pre-Trial Misdemeanor nights at regional jail facilities at reductions of five, ten and twenty percent respectively.

Table 12. Potential Per diem Reductions from Fewer Pre-Trial Misdemeanor Nights, FY2019

	5 Percent reduction	10 Percent reduction	20 Percent reduction
Central Regional Jail	\$44,028	\$88,056	\$176,113
Eastern Regional Jail	\$53,714	\$107,429	\$214,857
North Central Regional Jail	\$85,415	\$170,829	\$341,658
Northern Regional Jail	\$32,581	\$65,162	\$130,323
Potomac Highlands Regional Jail	\$26,417	\$52,834	\$105,668
South Central Regional Jail	\$75,728	\$151,457	\$302,914
Southern Regional Jail	\$71,326	\$142,651	\$285,302
Southwestern Regional Jail	\$39,625	\$79,251	\$158,501
Tygart Valley Regional Jail	\$48,431	\$96,862	\$193,724
Western Regional Jail	\$59,878	\$119,757	\$239,513
Total	\$537,143	\$1,074,286	\$2,148,573

Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations

A modest five percent reduction in Pre-Trial Misdemeanor nights would reduce per diem charges by roughly \$537,000 annually, while an aggressive reduction of twenty percent would reduce these charges by more than \$2.1 million. However, to make a more accurate estimate of these savings, information regarding the what type of offenses occur, how individual cases lead to incarceration for Pre-Trial Misdemeanors and activities (and requisite costs) for monitoring of individual in the absence of custody would need to be evaluated. But, perhaps as importantly, the per diem reductions outlined above do not take into account the portions of costs paid by regional jails that are fixed in nature (or unlikely to decline at a rate equal to population reductions). As such, these reductions in per diem payments that might be achievable for counties and municipalities, also represent losses in revenues that support both the variable costs of housing inmates and fixed costs paid regardless of the number of inmates housed.

Scenario 3 – Apply current bond debt payment amounts to deferred maintenance and renovation project backlog

The current list of deferred maintenance and renovation projects that are “not funded” stand at approximately \$46.2 million (see Table 7). Applying the full \$8.9 million debt service payment for maintenance and repairs would generate an estimated \$13 million in economic output, \$4.4 million in labor income and roughly 89 full-time equivalent jobs. These one-time impacts could have produced a total output multiplier of approximately 1.52, meaning that for each dollar spent in the economy generates an additional fifty-two cents in economic activity for that given year (please see Table 13).

Table 13. Maintenance & Repairs (Using 2019 Bond Payment Levels)

Impact	Employment	Labor Income	Output
Direct effects	53.9	\$3,030,665	\$8,868,412
Indirect effects	16.0	\$663,748	\$2,182,174
Induced effects	19.5	\$760,675	\$2,473,588
Total effects	89.4	\$4,445,089	\$13,524,174
		Multiplier	1.52

If each of the listed projects do not increase in scope, postponement is anticipated to increase the cost of service provision at least by a factor related to increases in producer prices. Estimates of the annual increase in the Producer Price Index for nonresidential building maintenance & repair is provided in Table 14. Table 15 applies those expected increases in producer prices to the list of deferred maintenance and renovation projects through FY2023. If existing bond debt service levels could be applied to deferred maintenance and renovation projects in FY2022, approximately \$177,000 in savings would be realized than if the same work was undertaken a year later. Please see Table 16 for more detail.

Table 14. PPI industry data for Nonresidential building maintenance & repair

Year	Nonresidential building maintenance & repair		
	PPI	Percent Increase	Five Year Moving Average
FY10	102.1		
FY11	103.5	1.27%	
FY12	105.0	1.35%	
FY13	106.8	1.71%	
FY14	109.0	2.33%	
FY15	111.5	2.09%	1.75%
FY16	112.5	0.89%	1.67%
FY17	115.4	2.53%	1.91%
FY18	117.3	1.64%	1.90%
FY19	120.2	2.86%	2.00%

Source: U.S. Bureau of Labor Statistics; CBER calculations

Table 15. Regional Jail Deferred Maintenance and Renovation Project Cost Projections

	Number	FY20	Projected Costs		
			FY21	FY22	FY23
Deferred Maintenance and Renovation Projects	100	\$46,243,500	\$47,168,770	\$48,111,737	\$49,073,972
Additional Cost(s)			\$925,270	\$942,967	\$962,235
Cumulative Additional Costs			\$925,270	\$1,868,237	\$2,830,472
Average Cost per Project		\$462,435	\$471,688	\$481,117	\$490,740

Source: West Virginia Division of Corrections and Rehabilitation; U.S. Bureau of Labor Statistics; CBER calculations

Table 16. Projected Cost Savings of Deferred Maintenance Projects; FY2022 and FY2023

	Projected Costs	
	FY22	FY23
Deferred Maintenance and Renovation Projects at Bond Debt Payment Levels	\$8,868,413	
Additional Cost(s) from Inflation	-	\$177,368

Source: U.S. Bureau of Labor Statistics; CBER calculations

State Revenue Declines and Impacts from COVID-19

The short-term effects of the coronavirus pandemic on health care systems and the daily work, commuting and consumption patterns were swift and substantial. Considerations relating to the impacts upon state and local budgets are less so and occurring at a time where flexibility to adapt to the remaining portion of the fiscal year and prepare for the upcoming year are limited. To better frame discussions of how the State will be able to adapt or make substantial changes to existing programs, we turn briefly to observations of revenue sources in the early part of the pandemic.

As Table 17 illustrates, West Virginia state revenue collections appear to start a significant decline beginning with the April 15 collection date. As late as April 1, 2020 West Virginia revenues were within one percent of actual FY2019 collections (0.95 percent lower) and less than one-half percent of FY2020 revenue estimates (0.38 percent lower). By the May 15, 2020 collection date, West Virginia revenue collections were approximately \$271 million lower than FY2019 to-date collections and more than five percent below estimates.

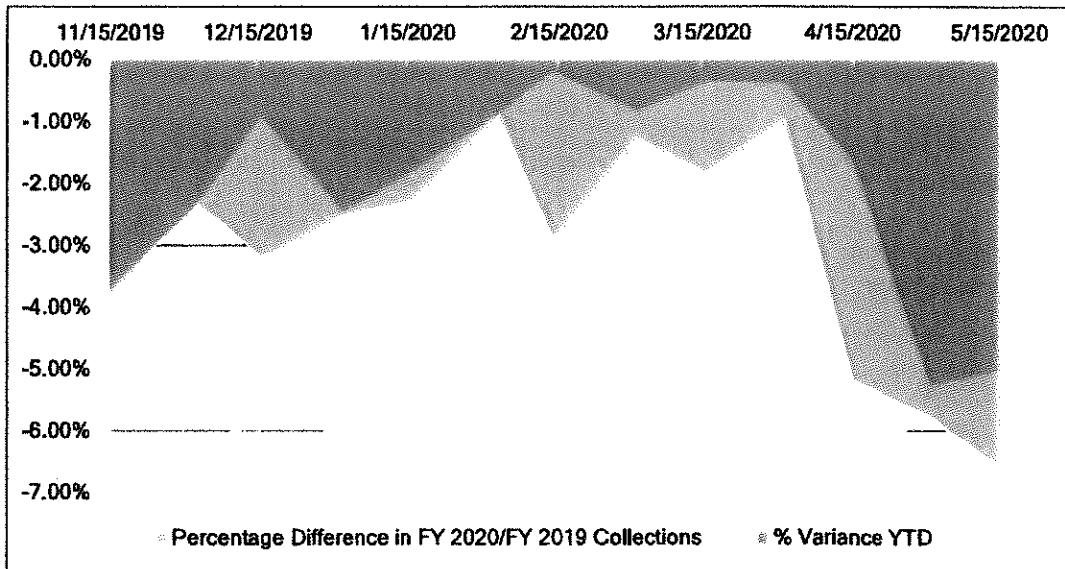
Table 17. State Revenue Collections: Selected dates, FY20

Date	Actual FY 2020-FY 2019	Percentage Difference in FY 2020/FY 2019 Collections	YTD Variance (\$)	% Variance YTD
7/1/2019	\$4,635,200	6.50%	-\$1,928,903	-2.48%
7/16/2019	\$2,434,652	1.38%	-\$19,987,949	-10.08%
8/1/2019	-\$27,086,827	-6.86%	-\$39,435,940	-9.69%
8/15/2019	-\$51,402,331	-9.38%	-\$48,730,260	-8.94%
9/3/2019	-\$30,139,170	-4.07%	-\$53,011,602	-6.94%
9/15/2019	-\$25,720,731	-2.66%	-\$37,741,900	-3.86%
10/1/2019	-\$36,632,004	-3.23%	-\$29,338,408	-2.60%
10/16/2019	-\$42,794,096	-3.37%	-\$40,129,072	-3.16%
11/1/2019	-\$35,686,288	-2.37%	-\$39,603,302	-2.63%
11/15/2019	-\$64,482,469	-3.86%	-\$61,966,056	-3.72%
12/2/2019	-\$41,145,511	-2.23%	-\$44,681,410	-2.42%
12/16/2019	-\$65,886,329	-3.20%	-\$18,061,531	-0.90%
1/2/2020	-\$56,685,811	-2.48%	-\$55,921,658	-2.45%
1/16/2020	-\$56,342,657	-2.28%	-\$44,402,250	-1.80%
2/3/2020	-\$23,047,737	-0.86%	-\$23,065,909	-0.86%
2/14/2020	-\$81,066,969	-2.89%	-\$4,527,277	-0.17%
3/2/2020	-\$37,101,960	-1.24%	-\$24,277,017	-0.82%
3/16/2020	-\$56,996,809	-1.81%	-\$10,951,039	-0.35%
4/1/2020	-\$31,847,336	-0.95%	-\$12,708,731	-0.38%
4/15/2020	-\$189,076,948	-5.19%	-\$57,032,897	-1.62%
5/1/2020	-\$227,132,053	-5.77%	-\$205,553,012	-5.25%
5/15/2020	-\$271,046,476	-6.60%	-\$202,301,326	-5.01%

Source: West Virginia State Budget Office; CBER calculations

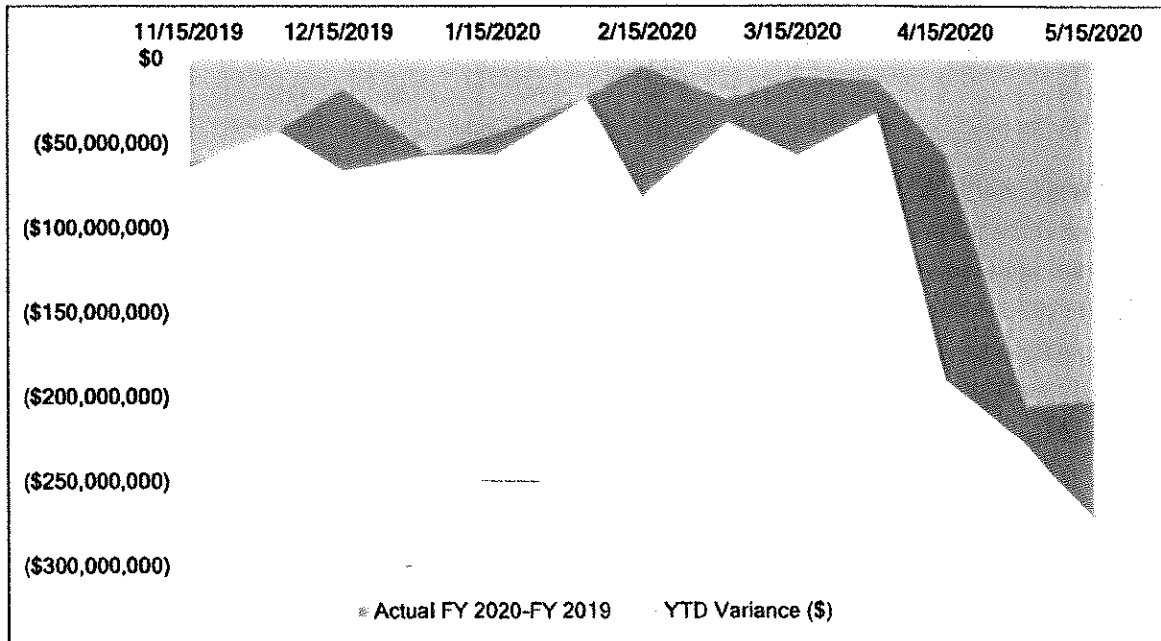
The difference in FY2020 collections over those for FY2019 and the variance from revenue estimates for FY2020 are displayed in percentage terms in **Figure 10** and in actual dollar amounts in **Figure 11**.

Figure 10. Percentage Difference in Revenue Collections: Most Recent Six Months of FY20



Source: West Virginia State Budget Office; CBER calculations

Figure 11. Difference in Revenue Collections: Most Recent Six Months of FY20



Source: West Virginia State Budget Office; CBER calculations

Personal income taxes and consumer sales and use taxes make up the two largest revenue groups for the West Virginia General Revenue Fund. For the most recent six months of FY2020, personal income tax collections ranged from 32 percent to 53% of total general revenue tax collections, while consumer sales and use tax collections ranged from 24 percent to 38 percent over the same period (see Table 18).

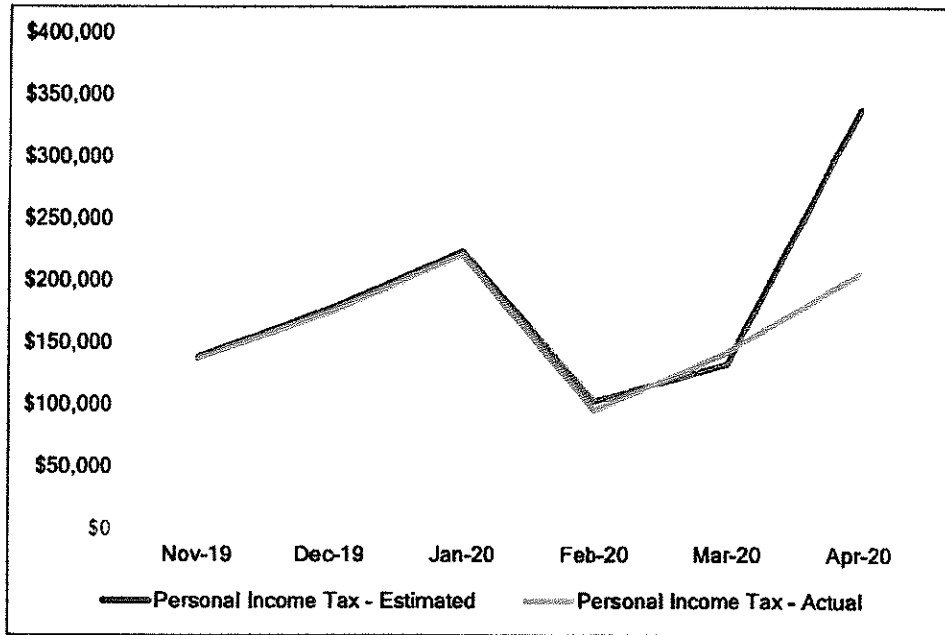
Table 18. Consumer Use and Sales Tax and Personal Income Tax Collections, FY20, Selected Months

Consumer Sales and Use Tax	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	FY20 TD
Estimated Collections (\$000s)	\$123,560	\$128,500	\$127,200	\$105,100	\$101,940	\$101,500	\$1,121,700
Actual Collections (\$000s)	\$124,306	\$127,341	\$128,411	\$110,307	\$102,251	\$92,700	\$1,116,788
Difference in Collections (\$000s)	\$746	-\$1,159	\$1,211	\$5,207	\$311	-\$8,800	-\$4,912
Percentage of Total Collections	38%	30%	29%	37%	28%	24%	
Personal Income Tax	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	FY20 TD
Estimated Collections (\$000s)	\$139,100	\$177,980	\$224,200	\$103,700	\$133,600	\$339,300	\$1,807,980
Actual Collections (\$000s)	\$137,651	\$174,772	\$222,245	\$95,826	\$143,260	\$206,775	\$1,641,670
Difference in Collections (\$000s)	-\$1,449	-\$3,208	-\$1,955	-\$7,874	\$9,660	-\$132,525	-\$166,310
Percentage of Total Collections	43%	41%	51%	32%	39%	53%	

Source: wvOASIS; West Virginia State Auditor's Office; West Virginia State Budget Office; CBER calculations

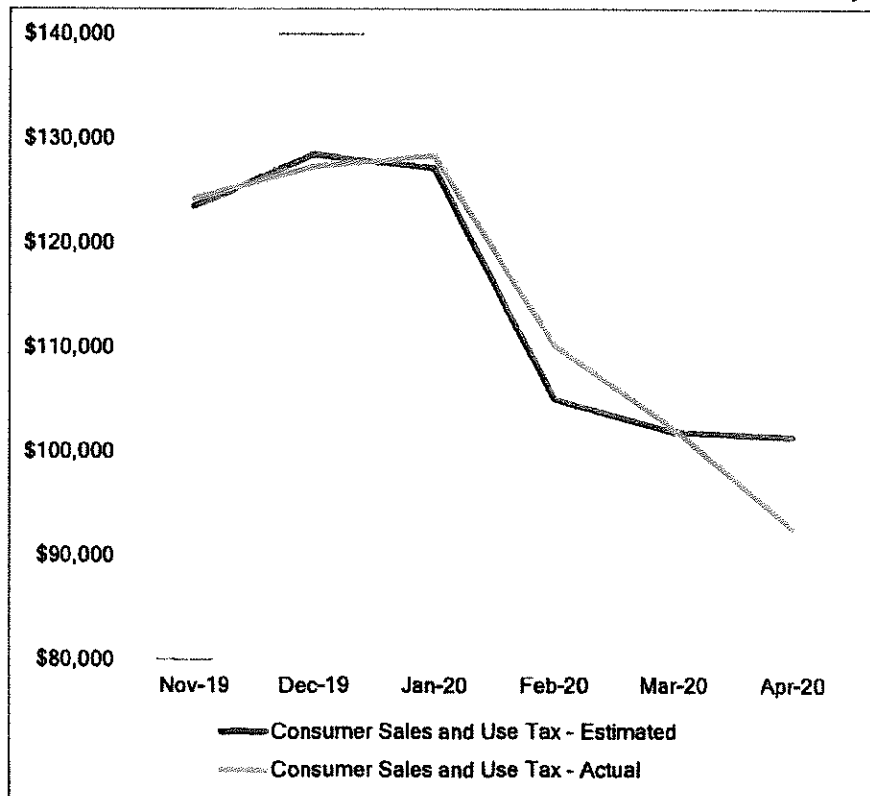
Beginning in April 2020, significant declines in both the personal income tax and consumer sale and use tax collections contribute to (or fully erase) and progress toward meeting revenue estimates for those two revenue groups. Personal income tax collections for April 2020 were nearly \$133 million below FY2020 estimates and represent roughly 80 percent of the variance between estimates and year-to-date collections (please see Figure 12). Consumer sales and use taxes for April 2020 were nearly \$9 million below estimates and pushed year-to-date variances into negative percentages (see Figure 13).

Figure 12. Personal Income Taxes, Estimated vs. Actual, FY20



Source: wvOASIS; West Virginia State Auditor's Office; West Virginia State Budget Office; CBER calculations

Figure 13. Consumer Sales and Use Taxes, Estimated vs. Actual, FY20



Source: wvOASIS; West Virginia State Auditor's Office; West Virginia State Budget Office; CBER calculations

Personal income tax and sales and use tax collection declines roughly mirror reported employment and labor force data for the same period. Data for labor force participation and unemployment are presented in Table 19 and displayed graphically in Figure 14 and Figure 15. From these it can be observed that from March to April 2020:

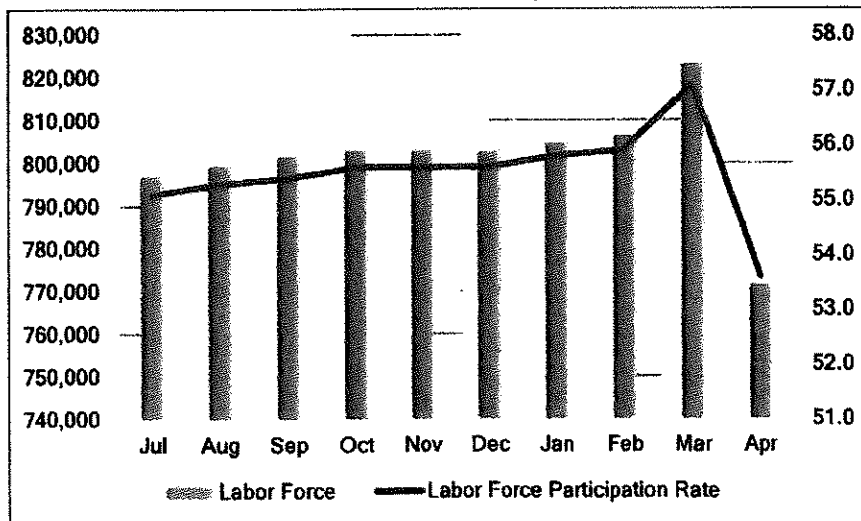
- West Virginia labor force participation declined by 3.5 percent;
- Labor Force estimates decline by nearly 52,000 persons (-6.3 percent);
- Employment declined by nearly 119,000 persons (15.4%);
- Unemployment increases by 135%; with 67,422 more unemployed; and
- Unemployment figures were more than two and one-half times that for the previous month.

Table 19. West Virginia Statewide Selected Employment Data; FY20

Year	Period	Labor Force Participation Rate	Labor Force	Employment	Unemployment	Unemployment Rate
2019	Jul	55.1	797,083	758,718	38,365	4.8
2019	Aug	55.3	799,495	760,287	39,208	4.9
2019	Sep	55.4	801,633	761,592	40,041	5.0
2019	Oct	55.6	803,070	762,385	40,685	5.1
2019	Nov	55.6	803,129	762,335	40,794	5.1
2019	Dec	55.6	802,879	762,154	40,725	5.1
2020	Jan	55.8	804,830	764,293	40,537	5.0
2020	Feb	55.9	806,570	766,827	39,743	4.9
2020	Mar	57.1	823,300	773,588	49,712	6.0
2020	Apr	53.6	771,601	654,467	117,134	15.2

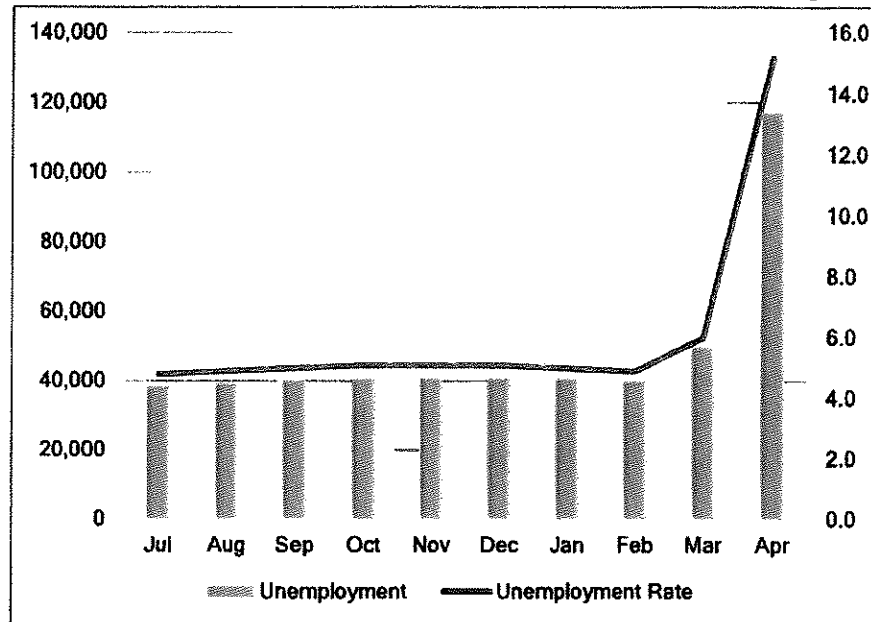
Source: U.S. Bureau of Labor Statistics, Local Area Unemployment Statistics series

Figure 14. Labor Force and Labor Force Participation Rate; West Virginia, FY20



Source: U.S. Bureau of Labor Statistics, Local Area Unemployment Statistics series

Figure 15. Unemployment and Unemployment Rate; West Virginia, FY20



Source: U.S. Bureau of Labor Statistics, Local Area Unemployment Statistics series

Severance tax collections (including those for coal) do not represent as substantial percentages of general revenue funding as do personal income tax or consumer sales and use tax collections. However, their distribution to counties and municipalities make them an important revenue source for examination. The coal severance tax has been in effect since 1987. All counties benefit from the tax, but the State Department of Revenue distributes 75 percent of net state collections to coal-producing counties with the remainder allotted counties based on population. The makeup of severance tax collections by source are not available through the monthly General Revenue reports, but April 2020 for all severance tax collections show significant declines. Please see Table 20 for additional detail.

Table 20. Severance Tax Collections, FY20, Selected Months

Consumer Sales and Use Tax	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	FY20 TD
Estimated Collections (\$000s)	\$30,500	\$42,800	\$21,200	\$33,650	\$36,500	\$25,740	\$290,940
Actual Collections (\$000s)	\$25,696	\$42,950	\$20,365	\$26,205	\$39,501	\$10,307	\$232,435
Difference in Collections (\$000s)	-\$4,804	\$150	-\$835	-\$7,445	\$3,001	-\$15,433	-\$58,505

Source: wvOASIS; West Virginia State Auditor's Office; West Virginia State Budget Office; CBER calculations

Table 21. Revenue Shortfall Fund Cash Balances, Selected Dates

Revenue Shortfall Fund Cash Balances	4/30/2018	4/30/2019	5/1/2020
Revenue Shortfall Reserve Fund (Part A)	269,001,856.06	294,772,755.92	\$362,377,445
Revenue Shortfall Reserve Fund (Part B)	441,865,378.07	451,710,070.87	\$453,172,294
Combined Fund Balances	\$710,867,234	\$746,482,827	\$815,549,738

Source: West Virginia State Budget Office

Finally, a review of the Revenue Shortfall Reserve Funds (or Rainy Day funds) indicate a combined balance of more than \$815 million dollars as of May 1, 2020 (Table 21). For FY20, West Virginia's Revenue Shortfall Fund balances represent approximately 16.9% percent of the enacted budget General Revenue Fund expenditures. For the purpose of comparison, National Association of State Budget Officer data indicate that represents the fifth highest rate of any state in the U.S. and more than double the median observation for States.⁹

⁹ National association of State Budget Officers. Fiscal Survey of the States. Fall 2019. Available at: <https://www.nasbo.org/reports-data/fiscal-survey-of-states>. Accessed May 19, 2020.

Economic and Fiscal Impact Estimation - Results

Economic and Fiscal Impacts

For this report, CBER used the IMPLAN[®] regional economic input-output (I-O) software to analyze the economic impact of the West Virginia Department of Corrections and Rehabilitation (WVDCR) on the state of West Virginia. IMPLAN[®] analyzes the relationships between industries and socioeconomic characteristics of the local economy.¹⁰ Direct spending represents the economic activities stimulated by direct expenditures associated with WVDCR. Indirect effects include expenditures that include the increased economic activities of other businesses that service those directly involved in WVDCR spending. Lastly, households receive income from employment because of direct and indirect spending. This induced spending represents income being spent in the local economies, such as employees using their wages to purchase household goods, such as groceries, fuel and entertainment. The resulting economic impact provides estimates of income, output and employment as they directly and indirectly affect the statewide economy. For the purpose of this analysis, monetary output values represent 2020 dollars.

The economic impact of the WVDCR is described in terms relating to the direct, indirect and induced spending and is measured in three main categories:

- **Output.** Total output reflects the dollar value of industry production and represents the total effect of direct, indirect and induced spending on the regional economy.¹¹ Output is represented as an annual estimate of the impact of economic activity.
- **Employment.** IMPLAN measures employment in full-time equivalent (FTE) positions and reflects the number of FTEs directly and indirectly supported by the facility, as well as FTEs supported by induced spending. Thus, employment numbers provided in the following results section reflect both full-time and part-time positions and are not a count of individual jobs.
- **Labor income.** Labor income is inclusive of all types of employment income. This includes employee compensation, such as wages and benefits, as well as income received by those who are self-employed and unincorporated business owners.¹²

¹⁰ This model uses a Type SAM (Social Accounting Matrix) multiplier. A Type SAM multiplier represents the direct, indirect and induced effects of spending and re-spending \$1 in the regional economy (IMPLAN 2014). Further detail is provided in the "Error! Reference source not found." subsection.

¹¹ IMPLAN, 2020.

¹² IMPLAN, 2020.

Direct, Indirect and Induced Output

For the purposes of this report, two sets of impact estimates are provided. The first focuses solely on WVDCR annual expenditures and spending pattern. The activities described herein occur statewide and are expected annually from operations and annual expenditures. Subsequent annual impacts may differ as operational spending patterns change. The estimated maintenance and repair impacts are also statewide but are a one-time event and are expected to occur only during the maintenance and repair period.

CBER also generated multipliers for the economic activities associated with annual expenditures. Multipliers describe how for a given change in a given industry; a resultant change will occur in the overall economy. For example, a multiplier of 1.25 implies that for every dollar spent in the economy an additional \$0.25 of economic activity is generated.

Annual Expenditures and Operations

In our analysis, the WVDCR spending generated an estimated **\$532 million in economic output, \$224 million in labor income** and roughly **6,100 full-time equivalent jobs**. The 2019 spending pattern generated a total output multiplier of approximately **1.84**, meaning that every dollar spent in the economy generates an additional eighty-four cents in economic activity. These impacts are shown below in Table 22.

Table 22. Expenditure and Operations Impacts (2019)

Impact	Employment	Labor Income	Output
Direct effects	4,213.4	\$147,220,724	\$289,757,935
Indirect effects	588.2	\$26,289,001	\$77,916,354
Induced effects	1,299.1	\$50,504,874	\$164,251,752
Total effects	6,100.7	\$224,014,598	\$532,126,040
		Multiplier	1.84

Debt Service Analysis

The second economic impact estimate focuses on the supposition that no regional jail bond debt existed for the FY2019 time period and the entire \$8.9 million was incorporated into annual operating expenditures. An additional \$8.9 million in regional jail spending across established spending patterns (as opposed to debt service) would lead to roughly \$4.3 million in direct spending and is estimated to have generated **\$8 million in economic output, \$3 million in labor income** and roughly **78 full-time equivalent jobs**. This potential spending would have generated a total output multiplier of approximately **1.90**, meaning that every dollar spent in the economy generates an additional ninety cents in economic activity (Table 23).

Table 23. Annual Expenditure Pattern (Using 2019 Bond Payment Levels)

Impact	Employment	Labor Income	Output
Direct effects	48.5	\$1,888,069	\$4,267,112
Indirect effects	8.4	\$370,652	\$1,174,199
Induced effects	20.9	\$816,006	\$2,651,926
Total effects	77.7	\$3,074,727	\$8,093,236
		Multiplier	1.90

Analysis of Peer State Inmate Housing Costs – Results

Levels of state authority and variations in local and regional jail incarceration practices form a patchwork of systems that complicate direct comparisons of costs to incarcerate. CBER aggregated public data reports, legislative and administrative code and research investigations from several public and private entities to gather information relating to costs and operations across states. A major component of the investigations revolved around the geographically contiguous states to West Virginia as their proximity and familiarity make comparisons particularly useful. To compare costs associated with jail incarceration in states that shared similarities to West Virginia beyond location, an evaluation of corrections characteristics from a single source helped identify states for additional evaluation. Finally, efforts to gather and analyze data were limited by both the availability and recency of published and/or released information.¹³

Geographically Contiguous States

Data and information from the states of Kentucky, Maryland, Ohio, Pennsylvania and Virginia are provided in the following sections.

- **Kentucky**
 - Regional Jail operating information and housing fees
 - Annual cost to incarcerate for selected groups
 - Costs for state inmates in county facilities
- **Maryland**
 - County jail populations
 - Comparisons of total and selected regional jail facility expenditures
- **Ohio**
 - Selected Ohio county and regional jail booking and daily fee charges
- **Pennsylvania**
 - General characteristics and budget data for county prisons
- **Virginia**
 - Operating characteristics regional jails
 - Comparisons of total and selected regional jail facility expenditures

¹³ Caution must be used when comparing trend data and data across geographies, as definitions and reporting capabilities change over time. Some changes are due to initiatives to improve collection/reporting, some may be driven by jurisdictional changes, and some may or may not be noted by the reported jurisdiction.

Kentucky

Beginning in FY1985, the Commonwealth of Kentucky granted authority to two or more counties to establish a regional jail authority through ordinances.¹⁴ Four designated regional jails authorities have been created under this statute. These regional jails may house prisoners for up to one year and are either owned and operated by one county that regularly hold prisoners for another county or for the state; or are owned and operated by two or more counties through a regional jail authority.¹⁵ In 2019, the Kentucky Auditor of Public Accounts published data relating to regional jail development.¹⁶ Demographic information for regional jails is provided in Table 24 while the basic funding mechanism and fees charged are provided in Table 26.

Table 24. Regional Jails in Kentucky

	Year Established	Counties Included	Total Beds	Inmate Population*	Operating Capacity Used Percent
Big Sandy Regional Detention Authority	1986	Johnson, Lawrence, Magoffin, Martin	140	222	159%
Three Forks Regional Jail	2010	Lee, Owsley, Wolfe	182	313	172%
Kentucky River Regional Jail	2005	Knott, Perry	135	248	184%
Bourbon County – Nicholas County Regional Jail Authority	2001	Bourbon, Nicholas	197	273	139%

Source: Kentucky Auditor of Public Accounts; * KY Department of Corrections Weekly Jail Population Report May 9, 2019

The average cost to incarcerate is published by the Kentucky Department of Corrections for its state adult institutions as well as other various averages. Selected data for FY2012 to FY2019 is provided in Table 25. Costs for state inmates and for county jails meeting the criteria to house state inmates,¹⁷ report significant increases from FY2018 to FY2019 after steady declines from FY2012 to FY2017.

Table 25. Kentucky Historical Cost to Incarcerate Data; FY12 to FY19

Fiscal Year	Total State Inmate Average Cost	County Jails with State Inmates
FY12	\$49.77	\$43.79
FY13	\$49.37	\$43.59
FY14	\$49.24	\$41.92
FY15	\$48.49	\$41.51
FY16	\$50.27	\$40.41
FY17	\$50.83	\$40.45
FY18	\$52.26	\$41.78
FY19	\$56.12	\$45.70

Source: Kentucky Department of Corrections

¹⁴ Kentucky Revised Statutes 441.800.

¹⁵ Kentucky Revised Statutes 441.005(7) and 441.800.

¹⁶ Data Bulletin: The Establishment and Oversight of Multi-County Regional Jails in Kentucky. Kentucky Auditor of Public Accounts. May 22, 2019

¹⁷ Rates for County Jails without the ability to house state inmates were excluded to ensure a more accurate comparison as many county facilities vary in size, available services and funding structure.

Table 26. Funding method and Fees Charged by Kentucky Regional Jails FY2019

	Funding Method
Big Sandy Regional Detention Authority	Each of the four counties' fiscal court pays the daily housing fees for their prisoners, along with any outside medical costs associated with these prisoners. State prisoners pay the state housing fee per day, but there is no reimbursement for any outside medical costs incurred for state prisoners. Currently, there are no bond or mortgage payments for the building.
Three Forks Regional Jail	According to financial disclosure notes in the most recent financial statement audits of Owsley and Wolfe fiscal courts, each county pays a portion of the mortgage bond for the jail building. According to this note, Lee pays 40%, Owsley pays 22%, and Wolfe pays 38%. However, according to its fiscal officer, this method was not working and now the fiscal courts are paying the adopted daily housing fee and any outside medical costs. The regional jail is responsible for the outside medical costs of other county prisoners and state prisoners.
Kentucky River Regional Jail	Perry County's jail was used for the regional jail and there is still a bond payment for which the Perry County Fiscal Court pays 75% and the Knott Fiscal Court pays 25%. According to the regional jail's treasurer, this is also the split for the insurance payments. Knott and Perry's fiscal courts pay the approved daily housing fees, while other counties have a different approved fee. State prisoners pay the state housing fee per day.
Bourbon County – Nicholas County Regional Jail Authority	While the Bourbon Fiscal Court does not pay a daily housing fee, there is a lease agreement between the Bourbon Fiscal Court and the regional jail for the building, with the jail paying \$1/year in rent and it has paid any excess expenses as needed by the regional jail. The Nicholas County Fiscal Court pays a daily housing fee and the jail has contracts with other counties at an approved daily housing fee. The jail was recently expanded and a bond issued, but it has not yet been determined if any changes will be needed to fund the regional jail.

Source: Kentucky Auditor of Public Accounts

Budget data for individual regional jails were not available, but a 2017 study of state inmates held in county jails¹⁸ indicated provided a breakdown of costs by expenditure class of for state inmates only. Information for FY2016 is provided in Table 27 and displayed in Figure 16. Estimates of total County and Regional Jail Populations for the most recent six month of FY2020 is provided in Figure 17. Significant reductions in monthly populations are largely attributed to early releases led by efforts to reduce the incidence of COVID-19 transmission among vulnerable populations.¹⁹

¹⁸ State Inmates Housed in County Jails in Kentucky. Kentucky Legislative Research Commission. Revised May 24, 2017.

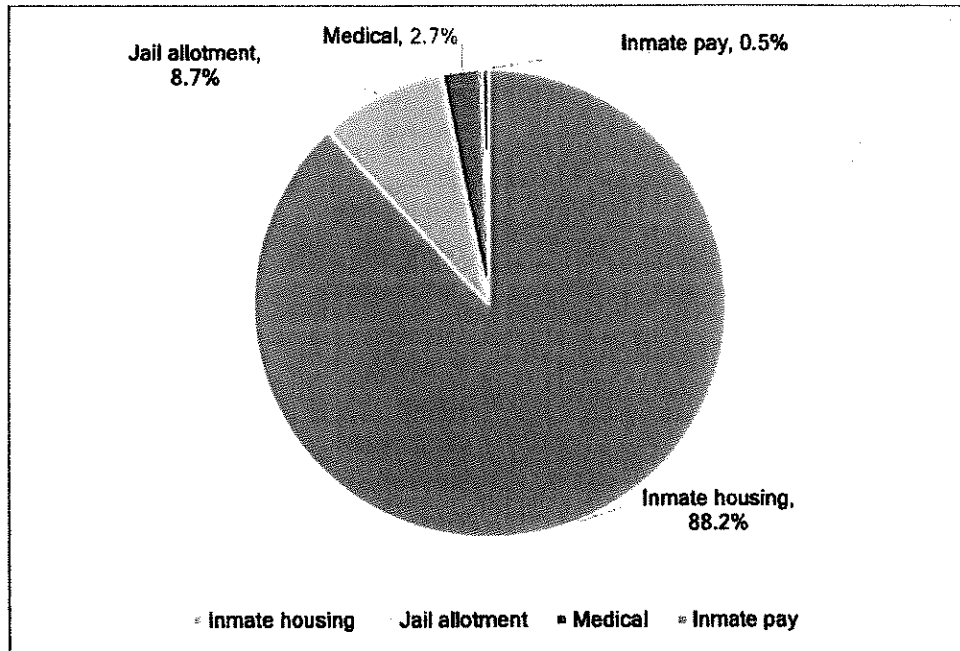
¹⁹ <https://www.courier-journal.com/story/news/2020/04/02/kentucky-releasing-some-inmates-amid-coronavirus-pandemic/5117150002/>.

Table 27. Kentucky Cost of Housing State Inmates in County Jails, FY16

Costs of Housing State Inmates in County Jails (In \$Millions)		
Expenditure	FY16	FY16 Percent
Inmate housing	\$112.9	88.2%
Jail allotment	\$11.1	8.7%
Medical	\$3.4	2.7%
Inmate pay	\$0.6	0.5%
Total	\$128.0	

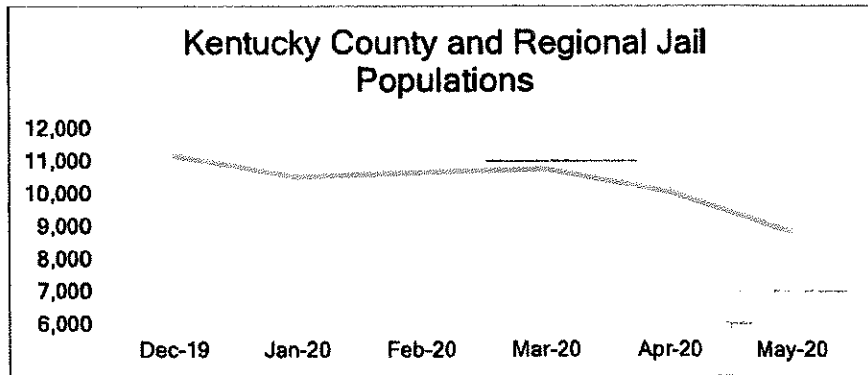
Source: Kentucky Legislative Research Commission

Figure 16. Kentucky Cost of Housing State Inmates in County Jails, FY16



Source: Kentucky Legislative Research Commission

Figure 17. Kentucky Total County and Regional Jail Populations; FY2020



Source: Kentucky Department of Corrections

Maryland

Under Maryland Code, the governing body of one or more counties may establish and maintain a local correctional facility and the “bodies of two or more counties may enter into a written agreement with each other as to allocation of responsibility, construction, operation, maintenance, and appointment of personnel in connection with a local correctional facility”.²⁰

Data outlining the average daily jail population by local jurisdiction for FY2016 is presented in Table 28.

Table 28. Average Daily Population by Maryland County Jail Jurisdictions, FY2016

Jurisdiction	Average Daily Population FY16	Jurisdiction	Average Daily Population FY16
Allegany	147	Howard	283
Anne Arundel	750	Kent	75
Baltimore	1,165	Montgomery	678
Baltimore City	1,993	Prince George's	950
Calvert	229	Queen Anne's	123
Caroline	96	Somerset	58
Carroll	226	St. Mary's	198
Cecil	246	Talbot	67
Charles	333	Washington	303
Dorchester	138	Wicomico	376
Frederick	453	Worcester	183
Garrett	42	Total	9,464
Harford	352		

Source: Maryland Governor's Office of Crime Prevention, Youth, and Victim Services

Without a single source for budgeted data across jurisdictions, CBER selected two counties to serve as comparative cases. Harford County Detention Center and Frederick County were selected based upon their average daily population in FY2016.

²⁰ Maryland Correctional Services Code § 11-102 (2019)

The Correctional Services of the Harford County Sherriff's Office oversees the Harford County Detention Center which houses pre-trial, pre-sentenced, and sentenced adults; and provides a variety of programs to inmates.²¹ The Howard County Department of Corrections operates the Detention Center and the Central Booking Facility and is responsible for processing, treatment and care of individuals who are lawfully incarcerated in Howard County.²² As indicated in Table 29, FY2016 expenditures are similar across Harford and Howard County Corrections, with a higher percentage of contractual services for Harford County and conversely higher percentage of personal services in Howard County.

Table 29. Selected Maryland County Corrections Expenditures, FY2016

	Harford County, MD		Howard County, MD	
	Enacted FY16 Budget	FY16 Percent	Enacted FY16 Budget	FY16 Percent
Personal Services	\$16,614,853	73%	\$13,184,011	78%
Contractual Services	\$4,659,233	21%	\$2,807,810	17%
Supplies and Materials	\$1,352,766	6%	\$881,580	5%
Expense Other*	\$10,296	0%	\$88,074	1%
Capital Outlay	\$0	0%	\$0	0%
Total	\$22,637,148		\$16,961,475	

Source: Harford County Approved Fiscal Year 2016 Annual Operating Budget; Howard County, Maryland Approved Operating Budget, Fiscal Year 2016; * Expense Other is categorized as "Business and Travel" for Harford County.

Maryland Correctional Services Code Title 9 prescribes maximums for State Reimbursement of Local Correctional Facilities for inmates confined in a local correctional facility, noting that "the State shall provide each county a grant equal to at least \$45 for each day" that a sentenced inmate was confined in a local correctional facility.²³

²¹ Harford County Approved Fiscal Year 2016 Annual Operating Budget.

²² Howard County, Maryland Approved Operating Budget, Fiscal Year 2016

²³ Maryland Correctional Services Code § 9-402 (2019)

Ohio

Ohio has five jail classifications (Full-Service Jails, Minimum Security Jails, Twelve Day Jails, Twelve Hour Jails and Temporary Holding Facilities).²⁴ From 1997 to 2008 the Ohio Department Rehabilitation & Correction, Division of Parole and Community Services and Bureau of Adult Detention released Annual Jail Reports outlining average daily populations and cost information as provided by the respective jails themselves. Average per diem costs were reported but the comparability was limited as several of the lacked similar services or capabilities and routinely housed inmates from other institutions.

Ohio Revised Code provides for policy relating to the development of Confinement costs, including a clause that allows any public or private entity that operates a local detention facility to develop a policy requiring prisoners to pay all or part of the costs of confinement in that facility.²⁵

In 2015, the American Civil Liberties Union published a report outlining the results of a survey analyzing fees in Ohio's county and regional jails. Of those entities, responding portions charged booking fees, daily fees or some combination of the two (with or without sliding scales based on ability to pay).²⁶ Facilities reporting the use of a daily fee for incarceration in 2015 (with or without a booking fee) are provided in Table 30. In 2015, booking fees among these facilities ranged from \$10 to \$100. Similarly, daily fees for housing also had a broad range (from \$1 to more than \$66). As these are survey data and self-reported, they should not be taken as representative of all county or regional jails in Ohio.

²⁴ OAC 5120:1-8-01 through 18.

²⁵ ORC 2929.37

²⁶ American Civil Liberties Union. In Jail & In Debt: Ohio's Pay-to-Stay Fees. Fall 2015.

Table 30. Ohio County and Regional Jail Daily Fees, 2015

County	Facility	Booking Fee	Daily Fee	Total Fee
Ashtabula	Ashtabula County Jail	\$50.00	\$50.00	\$100.00
Athens	Southeastern Ohio Regional Jail	\$15.00	\$1.00	\$16.00
Carroll	Carroll County Jail	\$30.00	\$2.50	\$32.50
Darke	Darke County Correctional Facility	\$33.00	\$34.98	\$67.98
Guernsey	Guernsey County Jail	\$100.00	\$50.00	\$150.00
Highland	Highland County Jail	\$25.00	\$32.00	\$57.00
Lawrence	Lawrence County Jail	\$50.00	\$50.00	\$100.00
Licking	Licking County Jail	\$10.00	\$60.00	\$70.00
Marion	Multi-County Correctional Center	\$100.00	\$50.00	\$150.00
Monroe	Monroe County Jail	\$10.00	\$51.75	\$61.75
Morrow	Morrow County Correctional Facility	\$30.00	\$34.50	\$64.50
Noble	Noble County Jail	\$25.00	\$10.00	\$35.00
Scioto	Scioto County Jail	\$20.00	\$20.00	\$40.00
Washington	Washington County Jail	\$10.00	\$12.50	\$22.50
Williams	Corrections Center of Northwest Ohio	\$100.00	\$66.09	\$166.09
Wood	Wood County Jail	\$40.00	\$23.50	\$63.50
Auglaize	Auglaize County Jail		\$10 fixed	
Delaware	Delaware County Jail		\$60 maximum	
Geauga	Geauga County Jail		\$38.43 average	
Lake	Lake County Maximum Security Jail		\$60 maximum	
Muskingum	Muskingum County Jail		\$16.50 average	
Ottawa	Ottawa County Detention Facility		\$48 maximum	
Preble	Preble County Jail		\$32 average	
Van Wert	Van Wert County Jail		\$32 average	
Average Cost of One Night In a Facility Charging Booking and Daily Fees = \$73.91				
Average Daily Fee for Facilities Charging Only Daily Fees = \$37.12				

Source: American Civil Liberties Union, 2015.

Pennsylvania

County jails in Pennsylvania are not under the jurisdiction of the Department of Corrections. However, the Office of County Inspections and Services is responsible for maintaining a statewide program of independent field inspections of all county correctional institutions²⁷ and maintains general statistics and budget information for each of 66 facilities as of 2018. Total bed capacity for the 66 facilities in 201 was 38,341 while the Average In-House Daily Population was 30,731 (equating to roughly 80.2 percent occupancy). Budgeted, actual and Per Inmate Day expenditures were not reported for multiple facilities and six facilities reported these data in a combined format. The average cost per inmate per day calculation is limited by factors including accounting for the cost of inmates housed in other jurisdictions under per diem contract and it does not include employee benefits or other indirect costs.²⁸ However, total data for reporting the county jails and a comparison set of facilities is provided in Table 31.

Table 31. General Characteristics and Budget Data for Pennsylvania County Prisons, 2018

	Total Reporting Facilities	Blair County	Cambria County	Washington County
Bed Capacity	38,341	350	491	407
Average In-House Daily Population	30,730.6	299	495	402
Operating Capacity Used Percent	80.2%	85.4%	100.8%	98.8%
Annual Prison Budget Approved 2018	\$1,034,307,883	\$10,101,482	\$11,168,389	\$8,619,830
Annual Prison Budget Spent 2018	\$974,308,457	\$10,144,464	\$10,874,687	\$8,001,813
Avg Cost Day/Inmate 2018	\$83.67	\$92.95	\$60.19	\$54.53

Source: Pennsylvania Office of County Inspections and Services

²⁷ Pennsylvania Code Title 37, Chapter 95

²⁸ Pennsylvania Office of County Inspections and Services. 2019 County Statistics and General Information – 2018 Data.

Virginia

In November of 2019, the Commonwealth of Virginia Compensation Board produced the FY2018 Jail Cost Report outlining annual jail revenues and expenditures for Virginia's operating jails and jail farms as part of its statutory reporting requirements to the Virginia Assembly.²⁹ The report serves as a compilation of revenue and expenditure data including inmate costs, funding that the Commonwealth, Federal and Local governments, and other sources contribute to the operation of each jail. Debt service paid by the entity is also detailed as a separate item. Data from the FY2018 report are summarized herein.

For FY2018, twenty-two regional jails were operating in the Commonwealth of Virginia. A summary of combined operating characteristics is provided in Table 32. Expenditures data are provided in Table 33.

Table 32. Operating Characteristics of 22 Virginia Regional Jails, FY18

Federal Contract Beds	Direct Supervision - # Beds	Indirect Supervision - # Beds	Total Beds	Date(s) Built	Compensation Board Funded Positions
622	4,745	7,513	12,880	1935-2014	4,250
All Inmate Housed Days	Federal/Out of State Average Daily Population	Total Average Daily Population	Rated Operating Capacity	Total Operating Capacity Percent	State Operating Capacity Percent
5,839,992	964	15,956	12,258	130%	122%

Source: Commonwealth of Virginia Compensation Board. FY2018 Jail Cost Report.

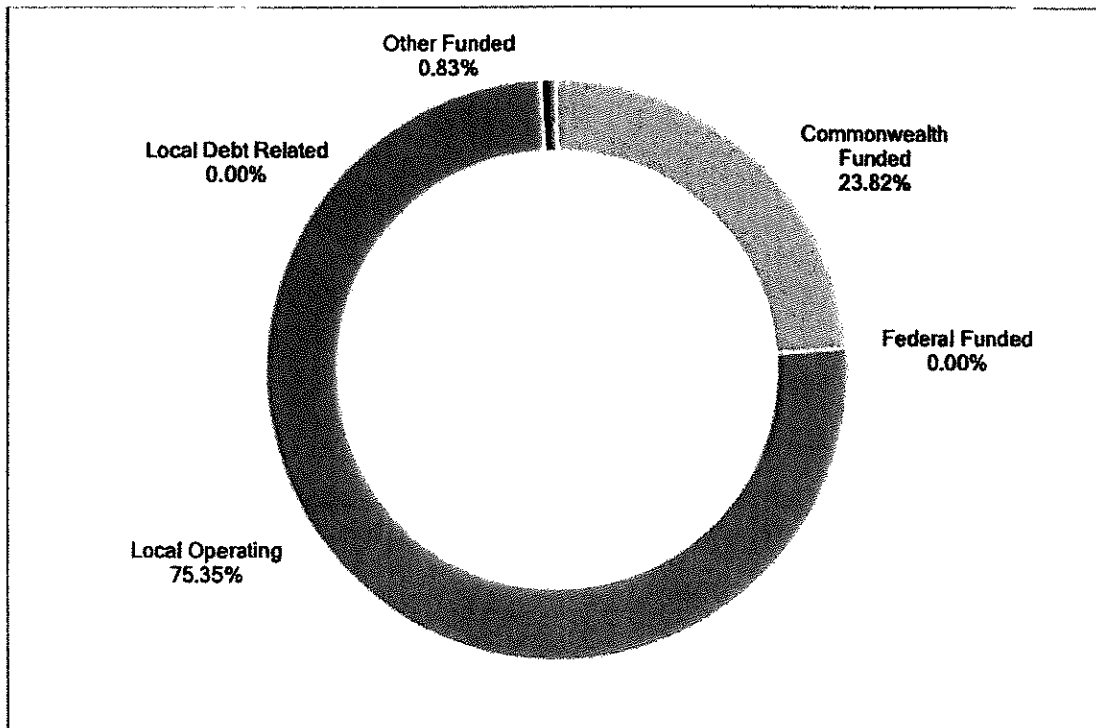
Personal Services account for the largest percentage of expenditures for Virginia regional jails in FY2018 at 59 percent, while operating costs make up 90 percent of total expenses (debt services accounts for the remainder). Significant variation in inmate costs per day throughout Virginia are impacted by jail size, age, capacity utilization and location. Three individual regional jails serve as comparisons (Central Virginia, Meherrin River, and Northern Neck regional jails) in Table 34. Additional statistical data for Virginia regional jails is provided in Appendix B. A revenue summary for FY2018 is illustrated in Figure 18.

²⁹ Chapter 854, Item 73, Paragraph K. of the 2019 Virginia Acts of Assembly

Table 33. Expenditure Data for Virginia Regional Jails, FY18

Expenditures			
Expenditure Category	Total	Percent	Per Inmate Day
Personal Services	\$266,685,514	59%	\$45.49
Food Services	\$20,607,195	5%	\$3.52
Medical Services	\$56,784,383	13%	\$9.69
Inmate Programs	\$697,263	0%	\$0.12
Transportation	\$2,481,334	1%	\$0.42
Direct Jail Support	\$47,073,717	10%	\$8.03
Capital Accounts - Operating	\$10,428,186	2%	\$1.78
Other Jail Indirect Expenses	\$2,364,349	1%	\$0.40
Sub-Total Operating	\$407,121,941	90%	\$69.45
Capital Accounts - Long Term	\$116,872	0%	\$0.02
Debt Service	\$46,814,370	10%	\$7.99
Total Expenses	\$454,053,183	100%	\$77.46

Source: Commonwealth of Virginia Compensation Board. FY2018 Jail Cost Report.

Figure 18. Revenue Summary for Virginia Regional Jails, FY18

Source: Commonwealth of Virginia Compensation Board. FY2018 Jail Cost Report.

Table 34. Virginia Comparison Regional Jail Examples, FY18

	Central Virginia	Meherrin River	Northern Neck
Total Average Daily Population	381	418	443
Rated Operating Capacity	442	480	234
Operating Capacity Use Percent	86%	87%	189%
Dates(s) Built	1990; 1995; 2000	2012	1995; 1996; 2000
Contract Medical	Mixed	Yes	Mixed
Contract Food Service	No	Yes	Yes
Compensation Board Funded Positions	124	189	48
Locally Funded Positions	35	0	46
Jail "Books" Inmates	No	Yes	No
Expenditures per Inmate Day			
Personal Services	\$63.91	\$49.62	\$33.43
Food Services	\$4.64	\$4.83	\$2.50
Medical Services	\$9.56	\$16.73	\$4.20
Inmate Programs	\$0.01	\$0.00	\$0.00
Transportation	\$0.24	\$0.63	\$0.53
Direct Jail Support	\$8.49	\$10.16	\$7.40
Capital Accounts - Operating	\$3.96	\$0.27	\$0.78
Other Jail Indirect Expenses	\$0.00	\$0.00	\$0.00
Sub-Total Operating	\$90.81	\$82.23	\$48.83
Capital Accounts - Long Term	\$0.00	\$0.00	\$0.00
Debt Service	\$0.09	\$15.86	\$0.00
Total Expenses	\$90.90	\$98.09	\$48.83

Source: Commonwealth of Virginia Compensation Board. FY2018 Jail Cost Report.

Additional States

Comparative data relating to jail admissions produced by the Prison Policy Initiative in 2019 employing Bureau of Justice Statistics' Mortality in Correctional Institutions Statistical Tables and the National Survey on Drug Use and Health were used as a first-step screening tool to identify states that were similar to West Virginia in terms of citizen population, unique jails admissions, rates and overall local jail populations.³⁰ Because these data are an extrapolation of multiple sources they are used for the purposes of identifying study targets only. A comparison of jail admission screening data is illustrated using variation from observed data for West Virginia in Table 35. Full data are supplied in Appendix C.

Table 35. Most Similar States to West Virginia via Screening Data

Population		Number of unique annual jail admissions		Unique jail admissions per 100,000 state residents		Average statewide daily jail population	
West Virginia	1,822,247	West Virginia	34,000	West Virginia	1,866	West Virginia	4,292
State	Variation	State	Variation	State	Variation	State	Variation
Nebraska	-91,593	Utah	-2,000	New Hampshire	1	Iowa	34
Idaho	123,762	Nebraska	-4,000	Delaware	14	Idaho	-607
New Mexico	-264,504	Nevada	4,000	Alabama	-17	Nebraska	-803
Hawaii	394,136	Iowa	6,000	Louisiana	-30	Oregon	1,693
New Hampshire	483,342	Idaho	-7,000	Indiana	-32	Montana	-1,974
Maine	489,177						

Source: Prison Policy Initiative

Data collection across states proved challenging in large part to variation in definition, reporting requirement, jurisdictional capabilities and public availability of information. The information presented in this section, rather than being viewed as an exhaustive list, is presented as a cross sampling of available data and codification.

Alabama

Title 14 of the Code of Alabama stipulates that courts "shall require a convicted defendant in a misdemeanor case to pay housing, maintenance and medical costs associated with the defendant's incarceration in a county or city jail except as otherwise provided herein. Such costs shall not exceed \$20.00 per day that the defendant has been incarcerated plus actual medical expenses incurred on behalf of the defendant".³¹

³⁰ <https://www.prisonpolicy.org/blog/2019/09/18/state-jail-bookings/>

³¹ AL Code § 14-6-22 (2019)

Arkansas

Title 12 of Arkansas Code Annotated states that “In the absence of an agreement on jail costs between a county and all municipalities having law enforcement agencies in the county, the quorum court in a county in this state may by ordinance establish a daily fee to be charged municipalities for keeping prisoners of municipalities in the county jail” and “that fee shall be based upon the reasonable expenses which the county incurs in keeping such prisoners in the county jail”.³²

Georgia

For FY2018, the State of Georgia paid \$20.00 per day per inmate assigned to a County Correctional Institution and \$30.00 per day per sentenced inmate awaiting pick-up in county jails beyond day 15. County subsidies accounted for nearly \$37 million in total costs (including a proration of overhead) for FY2018.³³ Georgia Code Title 17 further states that when “there is no secure jail in a county or when it is deemed necessary by the sheriff, any person committing an offense in the county may be sent to a jail in another county determined to be suitable by the sheriff. The county where the offense is committed shall be primarily liable for jail fees and costs and shall pay the same monthly in advance to the county holding the prisoner. For the purpose of raising funds to pay the costs, the county governing authority may levy and collect an additional tax”.³⁴

Idaho

Idaho Code permits per day per person costs agreement between the county where court orders are entered and the county or governmental unit or agency owning or operating jail or confinement facilities. In the absence of such an agreement, the charge for each person confined or detained is thirty-five dollars (\$35.00) per day, plus the cost of any medical or dental services paid at the rate of reimbursement (or other standing agreement).³⁵

Maine

When an individual is sentenced to incarceration in a Maine county jail, the sentencing court is directed by Maine Criminal Code to consider and may assess as part of the sentence a jail reimbursement fee to help defray the expenses of the individual's room and board. After considering all relevant evidence on the issue of the individual's ability to pay, the court may enter, as part of its sentence, a reimbursement fee that must be paid by the individual for incarceration in the county jail. The reimbursement fee may not exceed the cost of incarcerating the individual or \$80 per day, whichever is less, and must bear a reasonable relationship to the individual's ability to pay.³⁶

³² A.C.A. § 12-41-506

³³ Georgia Department of Corrections. FY2018 Allocation of Cost to Inmates, Probationers, Etc.

³⁴ Georgia Code § 17-7-2

³⁵ Idaho Code 20-604

³⁶ Maine Revised Statute Title 17-A, Part 6, Chapter 65, Subchapter 2, Section 1751.

Michigan

Michigan Compiled Laws (through the Prisoner Reimbursement to the County Act of 11984, provides for reimbursement to the county from persons sentenced to a county jail. After investigating the financial status of the person to determine the ability to pay, a county may seek a total not more than \$60.00 per day for the expenses of maintaining that prisoner or the actual per diem cost of maintaining that prisoner, whichever is less, for the entire period of time the person was confined in the county jail, including any period of pretrial detention.³⁷

Nebraska

Nebraska Revised Statutes provide that the sheriff and/or county board have the responsibility to “provide proper quarters and adequate equipment for the preparation and serving of all meals furnished to all prisoners confined in the county jail” subject to the right of the county to be paid by the city or federal government for city or federal prisoners at actual cost to the county, as evidenced by invoices for actual expenses.³⁸ Anecdotal evidence from press coverage of a Cheyenne County Commission meeting indicates a broad range of fees that Nebraska counties charge other jurisdictions to house inmates.

New Hampshire

In 2019, Republican Gov. Chris Sununu signed a measure repealing a 1996 law that allowed the state to seek funds through billing inmates and former inmates for the cost of their incarceration, which have amounted to an average of \$102,000 per year in recent years.

North Carolina

In North Carolina, Beginning on the day after the sheriff has notified the state prison system that a sentenced defendant is ready for transfer, the state must reimburse the county at a per diem rate set by the General Assembly, plus certain medical costs as backlog fees, the current reimbursement rate is \$40 per day.³⁹ Counties that house misdemeanor inmates under the Statewide Misdemeanant Confinement Program are paid a per diem rate for each inmate they house, set by the North Carolina Sheriffs’ Association in the terms and conditions of the program, also \$40 per day. Out-of-jail medical expenses are also reimbursed.

North Carolina counties may enter into contractual agreements with other counties to provide jail facilities to which prisoners may be transferred as deemed necessary. The “county from which the

³⁷ Michigan Compiled Laws 801.83

³⁸ Nebraska Revised Statute 47-120.

³⁹ North Carolina G.S. 148-29.

prisoner is transferred shall pay to the county receiving the prisoner in its jail the actual cost of maintaining the prisoner.”⁴⁰

North Carolina General Statutes also provides for the collection of fees costs of electronic monitoring in lieu of custody, stipulating that a “county that provides the personnel, equipment, and other costs of providing electronic monitoring as a condition of an offender’s bond or pretrial release may collect a fee from the offender that is the lesser of the amount of the jail fee authorized in G.S. 7A-313 or the actual cost of providing the electronic monitoring. A county may not collect a fee from an offender who is determined to be indigent and entitled to court-appointed counsel”.⁴¹

Wisconsin

In 2019, Wisconsin Watch⁴² (nonpartisan, nonprofit Wisconsin Center for Investigative Journalism) sent a survey to all 72 Wisconsin county jails relating to information about incarceration fees. For the 60 responding facilities:

- 36 counties have a booking fee, which is \$27 on average.
- 23 counties have pay-to-stay fees, which average \$13 per day.
- 17 counties have both booking and a pay-to-stay fees.

Wisconsin pay-to-stay fees are daily room and board charges levied by the county jail on non-working jail inmates. Booking fees are levied as inmates are booked into jail.

⁴⁰ North Carolina G.S. 162-39

⁴¹ North Carolina G.S 7A-313.1

⁴² <https://www.wisconsinwatch.org/>

Summary of Findings

This report attempts to quantify operational and financial aspects of the West Virginia Regional Jail system, estimate the contribution of West Virginia Division of Corrections expenditures on the state economy and make comparisons to other jurisdictions where possible.

With respect to the analysis relating to the **West Virginia Regional Jail System operation and finance**, we find:

- For FY2019 Regional Jail System bond payments made up more than 81 percent of Appropriated revenue source expenditures and approximately 12 percent of Total Revenue expenditures.
- For FY2019 Payroll and Benefits accounted for nearly 51 percent of Regional Jail System expenditures (at 39.25 percent and 11.48 percent, respectively)
- West Virginia State Code, WV §15A-3-16(g), provides parameters for the development of the cost per day for incarcerated inmates based on cost, but is capped at \$48.25 per day through July 1, 2021.
- Per Diem Revenues billed to counties, after holding relatively steady from FY2017 to FY2019, are projected to drop from approximately \$53 million in FY2019 to slightly less than \$48 million in FY2020.
- Aging Summary data relating to Regional Jail and Correctional Facility Accounts Receivable for FY2016 to FY2019 indicate increases in each Fiscal year; from roughly \$10 million as of June 30, 2016 to slightly below \$14.3 million by June 30, 2019.
- In FY2016, nearly 32 percent of accounts receivable were more than 90 days in arrears. Year-to-date reporting for FY2020 suggests that that figure has grown to nearly 59 percent.
- In FY2016, more than one-third of county receivables were aged more than 90 days. That figure grew to nearly 53 percent for FY2019 and Year-to-date reporting for FY2020 suggests that that figure has grown to 61 percent.
- In FY2019, five counties were responsible for more than \$6.6 million in accounts receivable beyond 90 days past due, making up more than 93 percent of all accounts receivable aged 90 days or greater and nearly 47 percent of total accounts receivable.
- For Fiscal Years 1995 to 2007, per diem rates were modified five times, resulting in rates that exceeded that of inflation in all but two periods. Beginning in FY2009 per diem rates have not kept up with inflation, particularly following the rate reduction in FY2014 that has held rate constant through the current fiscal year (and will be through FY2021).
- Had per diem rates been indexed to inflation, the FY2020 rate would be roughly \$60.38.
- Court fees collected have steadily declined from roughly \$8.7 million in FY2007 to \$6 million in FY2019. For FY2019 this decline indicates that roughly one-third of the costs related to the payment of bond debt must come from other revenue sources.

- Total court fee collections for FY2020 are projected to decline to a range between \$5.5 and \$5.7 million.
- The average age of the ten regional jails operating in West Virginia is roughly 21.9 years with a list of projects and associated costs relating to maintenance and renovation for prisons, totaling more than \$46.2 million classified as “not funded” and roughly 95% of that total classified as deferred maintenance.

With respect to the **alternative funding scenario analysis** we find:

- **Scenario 1 – Use current bond debt payment amounts to offset per diem charges for West Virginia counties and municipalities**
 - In 2019 the total principal and interest for both the Series 1998 Senior and Subordinate Bonds totaled approximately \$8.9 million.
 - As the bond debt payments do not expire until July 2021, the earliest application of those funds to county and municipality billed per diems would occur in FY2022.
 - If these funds could be applied to offset county/municipal per diem charges it would offer a measure of relief to counties and municipalities, could potentially improve the timeliness of remitting payments for those entities, while maintaining close to current levels of jail funding.
 - It would neither address any current or future shortfalls for operating costs that have increased while per diem rates have been held constant.
 - An \$8.9 million-dollar reduction in per diem liability to counties would represent a reduction of per diem charges of slightly more than 15 percent.
- **Scenario 2 – Reduce the Pre-Trial misdemeanor populations held in regional jails to reduce county/municipality burdens**
 - For FY2019, approximately 11.8 percent of the average daily inmate populations in regional jails were being held on Pre-Trial Misdemeanor charges.
 - Pre-Trial Misdemeanor populations account for roughly 223,000 nights at Regional Jails annually, a figure that corresponds to more than \$10.7 million dollars in per diem charges.
 - If the number jail nights for individuals held for Pre-Trial misdemeanor could be reduced, significant per diem charges could be avoided.
 - A modest five percent reduction in Pre-Trial Misdemeanor nights would reduce per diem charges by roughly \$537,000 annually, while an aggressive reduction of twenty percent would reduce these charges by more than \$2.1 million. This does not evaluate additional costs relating to monitoring activities in lieu of custody.
- **Scenario 3 – Apply current bond debt payment amounts to deferred maintenance and renovation project backlog**
 - Applying the full \$8.9 million debt service payment for maintenance and repairs would generate an estimated \$13 million in economic output, \$4.4 million in labor income and roughly 89 full-time equivalent jobs.

- These one-time impacts could have produced a total output multiplier of approximately 1.52, meaning that for each dollar spent in the economy generates an additional fifty-two cents in economic activity for that given year
- If existing bond debt service levels could be applied to deferred maintenance and renovation projects in FY2022, approximately \$177,000 in savings would be realized than if the same work was undertaken a year later.

With respect to the **emerging issues relating to COVID-19 and the economic downturn effects**, we find that:

- State Revenue declines and impacts from COVID-19 substantially delay or reduce available revenues for changes in programmatic funding.
- West Virginia state revenue collections appear to start a significant decline beginning with the April 15 collection date.
 - As late as April 1, 2020 West Virginia revenues were within one percent of actual FY2019 collections (0.95 percent lower) and less than one-half percent of FY2020 revenue estimates (0.38 percent lower).
 - By the May 15, 2020 collection date, West Virginia revenue collections were approximately \$271 million lower than FY2019 to-date collections and more than five percent below estimates.
- Beginning in April 2020, significant declines in both the personal income tax and consumer sale and use tax collections contribute to (or fully erase) and progress toward meeting revenue estimates for those two revenue groups.
 - Personal income tax collections for April 2020 were nearly \$133 million below FY2020 estimates and represent roughly 80 percent of the variance between estimates and year-to-date collections.
 - Consumer sales and use taxes for April 2020 were nearly \$9 million below estimates and pushed year-to-date variances into negative percentages.
- Personal income tax and sales and use tax collection declines roughly mirror reported employment and labor force data for the same period. From March to April 2020:
 - West Virginia labor force participation declined by 3.5 percent;
 - Labor Force estimates decline by nearly 52,000 persons (-6.3 percent);
 - Employment declined by nearly 119,000 persons (15.4%);
 - Unemployment increases by 135%; with 67,422 more unemployed; and
 - Unemployment figures were more than two and one-half times that for the previous month.

In relation to **estimates of the economic impacts of WVDCR spending**, we find:

- WVDCR spending generated an estimated \$532 million in economic output, \$224 million in labor income and roughly 6,100 full-time equivalent jobs.

- The 2019 spending pattern generated a total output multiplier of approximately 1.84, meaning that every dollar spent in the economy generates an additional eighty-four cents in economic activity.
- A second economic impact estimate focusing on the supposition that no regional jail bond debt existed for the FY2019 time period and the entire \$8.9 million was incorporated into annual operating expenditures showed higher proportional returns.
 - An additional \$8.9 million in regional jail spending across established spending patterns (as opposed to debt service) would lead to roughly \$4.3 million in direct spending and is estimated to have generated \$8 million in economic output, \$3 million in labor income and roughly 78 full-time equivalent jobs.
 - This potential spending would have generated a total output multiplier of approximately 1.90, meaning that every dollar spent in the economy generates an additional ninety cents in economic activity

Examining peer state inmate housing costs, we find:

- Levels of state authority and variations in local and regional jail incarceration practices form a patchwork of systems that complicate direct comparisons of costs to incarcerate.
- A major component of the investigations revolved around the geographically contiguous states to West Virginia as their proximity and familiarity make comparisons particularly useful.
 - **Kentucky** - The average annual cost to incarcerate is published by the Kentucky Department of Corrections for its state adult institutions as well as other various averages. Rates for state inmates and county jails both report significant increases from FY2018 to FY2019 after steady declines from FY2012 to FY2017.
 - **Maryland** –Maryland Correctional Services Code Title 9 prescribes maximums for State Reimbursement of Local Correctional Facilities for inmates confined in a local correctional facility, noting that “the State shall provide each county a grant equal to at least \$45 for each day” that a sentenced inmate was confined in a local correctional facility.
 - **Ohio** - In 2015, the American Civil Liberties Union published a report outlining the results of a survey analyzing fees in Ohio’s county and regional jails. Of those entities, responding portions charged booking fees, daily fees or some combination of the two (with or without sliding scales based on ability to pay). In 2015, booking fees among these facilities ranged from \$10 to \$100. Similarly, daily fees for housing also had a broad range (from \$1 to more than \$66).
 - **Pennsylvania** - County jails in Pennsylvania reported average cost per day per inmate figures for 2018 at \$83.67. Three individual county facilities cases were examined, noting a range of \$54.53 to \$92.95 per day.

- **Virginia** - For FY2018, twenty-two regional jails were operating in the Commonwealth of Virginia with average expenditures per day per inmate figures for FY2018 was \$77.46.
 - Personal Services account for the largest percentage of expenditures for Virginia regional jails in FY2018 at 59 percent, while operating costs make up 90 percent of total expenses (debt services accounts for the remainder).
 - Significant variation in inmate costs per day throughout Virginia are impacted by jail size, age, capacity utilization and location.
 - Three individual regional jails serve as comparisons (Central Virginia, Meherrin River, and Northern Neck regional jails).
 - Central Virginia - \$90.90 per day; 70.3% from Personal Services
 - Meherrin River \$98.09 per day; 50.5% from Personal Services (17.0% from Medical Services)
 - Northern Neck - \$48.83 per day 68.4% from Personal Services
- Data collection across additional states proved challenging in large part to variation in definition, reporting requirement, jurisdictional capabilities and public availability of information.

Costs associated with the bills to counties, municipalities and the state itself for regional jails are significant. Per diem expenses for housing inmates in regional jails, both in total and as a percentage of governmental budgets, represent a substantial cost. Using bond debt payment amounts to offset per diem charges would represent a small (but not inconsequential) percentage of total per diem expenses. Issues relating to opioid addiction, mental health and impacts on employment and state revenues further complicate the fiscal and operational landscape from which alternatives can be implemented and further analyzed.

Table 36. West Virginia Regional Jail Facility Characteristics

Facility name	Total square footage	Year opened	Building age in 2020
Northern Regional Jail and Correctional Center	216,302	1994	26
Central Regional Jail	100,000	1993	27
Eastern Regional Jail	135,000	2000	20
North Central Regional Jail	165,000	2001	19
Potomac Highlands Regional Jail	100,000	2000	20
South Central Regional Jail	132,000	1993	27
Southern Regional Jail	132,000	1994	26
Southwestern Regional Jail	132,000	1998	22
Tygart Valley Regional Jail	132,587	2005	15
Western Regional Jail	165,000	2003	17
Average facility age			21.9

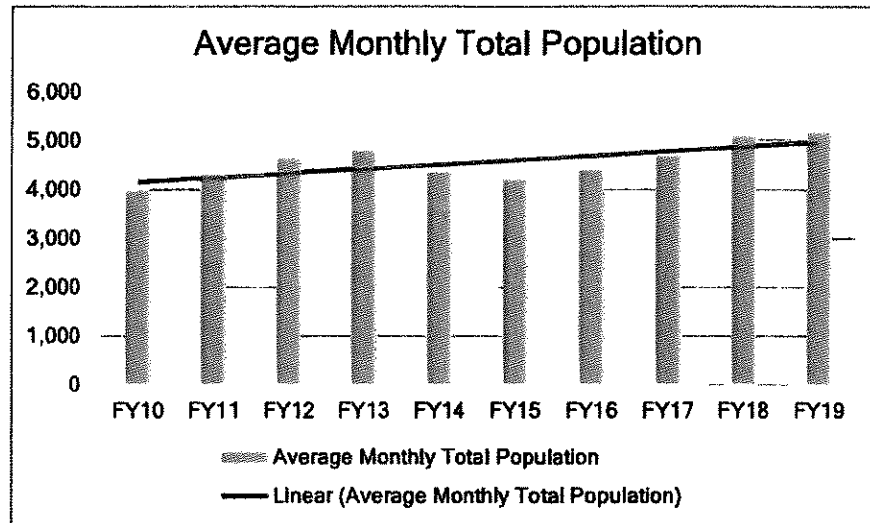
Source: West Virginia Division of Corrections and Rehabilitation; CBER calculations

Table 37. West Virginia Regional Jail Facility Capacity

Facility name	Original design beds	Additional bunks added	Stackable bunks added	Total bed capacity
Central Regional Jail	200	120	25	345
Eastern Regional Jail	296	160	25	481
North Central Regional Jail	394	180	260	834
Northern Regional Jail and Correctional Center	202	103	25	330
Potomac Highlands Regional Jail	200	120	0	320
South Central Regional Jail	298	172	25	495
Southern Regional Jail	304	180	100	584
Southwestern Regional Jail	297	180	0	477
Tygart Valley Regional Jail	298	80	100	478
Western Regional Jail	394	197	167	758
Total Regional Jail Capacity	2,883	1,492	727	5,102

Source: West Virginia Division of Corrections and Rehabilitation

Figure 20. West Virginia Average Monthly Regional Jail Population; FY10 to FY19



Source: West Virginia Division of Corrections and Rehabilitation

Table 38. West Virginia Average Monthly Regional Jail Population; FY15 to FY19

Average Monthly Facility Population	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Central Regional Jail	310	310	308	353	355
Eastern Regional Jail	399	392	475	514	478
North Central Regional Jail	575	615	658	694	787
Northern Regional Jail	267	299	307	321	328
Potomac Highlands Regional Jail	226	257	295	306	288
South Central Regional Jail	451	478	532	530	580
Southern Regional Jail	579	581	555	603	633
Southwestern Regional Jail	410	400	444	511	482
Tygart Valley Regional Jail	406	444	500	526	515
Western Regional Jail	587	630	611	736	726
Total Regional Jail Population	4,210	4,406	4,685	5,094	5,172

Source: West Virginia Division of Corrections and Rehabilitation

Appendix B – Virginia Regional Jail Facilities and Characteristics

Table 39. Virginia Regional Jail Characteristics, FY18

	All Inmate Housed Days	Total Average Daily Populations	DOC Operating Capacity	Operating Capacity Use Percent	Operating Cost Expenses Per Inmate Day	Total Expenses per Inmate Day
Albermarle-Charlottesville	163,947	449	329	137%	\$90.55	\$93.96
Blue Ridge	395,365	1,083	1,050	102%	\$70.81	\$82.54
Central Virginia	139,158	381	442	86%	\$90.81	\$90.90
Hampton Roads	398,884	1,093	798	137%	\$90.00	\$99.71
Meherrin River	152,525	418	480	87%	\$82.23	\$98.09
Middle Peninsula	75,942	208	121	172%	\$73.27	\$80.54
Middle River	320,357	878	396	222%	\$50.22	\$56.29
New River Valley	316,436	867	859	101%	\$55.03	\$64.80
Northhampton County's Eastern Shore	33,970	93	148	63%	\$116.54	\$162.69
Northern Neck	161,831	443	234	189%	\$48.83	\$48.83
Northwestern	219,857	602	556	108%	\$82.02	\$89.08
Pamunkey	154,500	423	302	140%	\$82.13	\$94.66
Piedmont	239,351	656	274	239%	\$57.15	\$57.97
Prince William/Manassas	361,744	991	667	149%	\$122.06	\$122.06
Rappahannock	560,109	1,535	1,024	150%	\$52.41	\$61.88
Riverside	552,449	1,514	1,372	110%	\$59.69	\$72.33
Rockbridge	41,798	115	56	205%	\$83.92	\$87.71
Southside	45,018	123	100	123%	\$84.01	\$94.67
Southwest Virginia	686,251	1,880	1,376	137%	\$62.51	\$69.25
Virginia Peninsula	182,100	499	290	172%	\$61.02	\$72.00
Western Tidewater	240,685	659	552	119%	\$59.78	\$63.21
Western Virginia	303,318	831	605	137%	\$58.02	\$66.79

Source: Commonwealth of Virginia Compensation Board. FY2018 Jail Cost Report.

Appendix C

Table 40. Jail Admissions and Populations Across States

State	State population	Number of unique annual jail admissions	Unique jail admissions per 100,000 state residents	Average statewide daily jail population
Alabama	4,867,646	90,000	1,849	14,322
Alaska	740,659	11,000	1,485	n/a
Arizona	6,962,456	117,000	1,680	13,961
Arkansas	2,996,255	45,000	1,502	7,945
California	39,416,565	368,000	934	82,440
Colorado	5,568,630	87,000	1,562	12,209
Connecticut	3,587,935	45,000	1,254	n/a
Delaware	957,319	18,000	1,880	n/a
District of Columbia	689,154	12,000	1,741	1,969
Florida	20,820,495	350,000	1,681	54,002
Georgia	10,371,500	236,000	2,275	43,720
Hawaii	1,428,111	15,000	1,050	n/a
Idaho	1,698,485	27,000	1,590	3,685
Illinois	12,818,875	173,000	1,350	22,536
Indiana	6,650,413	122,000	1,834	17,234
Iowa	3,138,290	40,000	1,275	4,326
Kansas	2,910,427	60,000	2,062	7,483
Kentucky	4,445,151	89,000	2,002	22,028
Louisiana	4,685,245	86,000	1,836	31,169
Maine	1,333,070	14,000	1,050	1,820
Maryland	6,038,465	83,000	1,375	11,164
Massachusetts	6,841,770	70,000	1,023	10,228
Michigan	9,947,878	163,000	1,639	16,990
Minnesota	5,550,828	69,000	1,243	6,930
Mississippi	2,984,758	84,000	2,814	13,071
Missouri	6,102,354	128,000	2,098	11,350
Montana	1,044,575	18,000	1,723	2,318
Nebraska	1,913,840	30,000	1,568	3,489
Nevada	2,968,647	38,000	1,280	7,286
New Hampshire	1,338,905	25,000	1,867	2,200
New Jersey	8,992,030	86,000	956	14,997
New Mexico	2,086,751	49,000	2,348	8,278
New York	19,842,843	267,000	1,346	27,453
North Carolina	10,215,054	128,000	1,253	19,412
North Dakota	755,471	13,000	1,721	1,418
Ohio	11,640,582	150,000	1,289	19,112
Oklahoma	3,926,036	96,000	2,445	13,599

Oregon	4,114,383	42,000	1,021	5,985
Pennsylvania	12,796,311	170,000	1,329	37,764
Rhode Island	1,058,603	19,000	1,795	n/a
South Carolina	4,992,096	89,000	1,783	11,501
South Dakota	865,604	25,000	2,888	1,733
Tennessee	6,682,694	117,000	1,751	27,210
Texas	28,104,729	505,000	1,797	66,434
Utah	3,073,077	32,000	1,041	7,352
Vermont	623,506	9,000	1,443	n/a
Virginia	8,442,200	111,000	1,315	30,159
Washington	7,343,339	98,000	1,335	12,311
West Virginia	1,822,247	34,000	1,866	4,292
Wisconsin	5,784,200	129,000	2,230	13,209
Wyoming	582,113	8,000	1,374	1,940
Overall	324,562,557	4,889,000	1,506	750,128

Source: Prison Policy Initiative

Report Suspicious Drug Activity

WEST VIRGINIA DRUG TIP LINE

833-905-DRUG (3784)

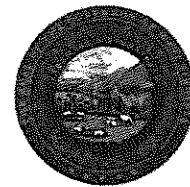
Available 24 hours a day, 7 days a week

go.wv.gov/drugtips

Information provided will be reviewed by analysts at the West Virginia Fusion Center's Narcotics Intelligence Unit and shared with the West Virginia State Police, county sheriff departments, and municipal police departments.

Your safety is important!

- Do not try to confront someone engaged in criminal activity.
- Call 911 if you believe the behavior you are reporting poses a threat of imminent harm.



Provide as much information as possible:

WHERE Location of event (county, city, road area, or rural area where suspicious activity is taking place)

WHEN Date and time of suspicious activity

WHO/WHAT Names of people and drugs involved

DETAILS Are children at the location? Description of vehicle(s) including license number. Do you see weapons?



STATE OF WEST VIRGINIA
DEPARTMENT OF HOMELAND SECURITY
DIVISION OF CORRECTIONS AND REHABILITATION



JIM JUSTICE
GOVERNOR

BETSY C. JIVIDEN
COMMISSIONER

JEFF S. SANDY, CAMS, CFE
CABINET SECRETARY

OFFICE OF THE COMMISSIONER
1409 GREENBRIER STREET
CHARLESTON, WV 25311
(304) 558-2036 TELEPHONE - (304) 558-5367 FAX

Division of Corrections and Rehabilitation

Budget Fiscal Year 2022

I would like to thank the Chairman and this Committee for the opportunity to present our Fiscal Year 2022 Budget.

MISSION:

The mission of the Division of Corrections and Rehabilitation (DCR) is to enhance public safety, promote offender accountability, and successfully reintegrate offenders into society.

The Division of Corrections and Rehabilitation is the resulting consolidation of the former Division of Corrections, Regional Jail Authority, and the Division of Juvenile Services. This consolidation occurred because of HB 4338. The passing of HB 4338 consolidated these divisions and created the Division of Administrative Services (DAS) to capitalize on operational efficiencies and economies of scale. DCR is composed of the following Bureaus:

- Bureau of Prisons and Jails
- Bureau of Community Corrections
- Bureau of Juvenile Services
- Bureau of Intergovernmental Affairs
- Bureau of Training and Staff Development

Due to the enormous responsibility that the Division has to public safety, it has little to no margin for error when it pertains to our budget. The Division's budget is largely composed of personal services and employee benefits for over 4,000 positions. With the aging facilities and overcrowding issues, the Division must make the best use of every dollar appropriated.

Items Requested by Committee:

1. Your agency's response to COVID-19 that required extraordinary expenses by including a summary of all COVID-related expenses for FYs 2020 and 2021 YTD:

The COVID-19 pandemic has required that the agency make significant purchases of PPE, cleaning supplies, hand sanitizer, and related items. Additionally, there have been significant expenses for the required staff and inmate COVID testing. The agency has seized every opportunity to do these required tasks in a cost-efficient way, such as utilizing Correctional Industries and inmate labor to create masks, bottle and package hand sanitizer, and the like.

- COVID Expense Totals FY 2020 - \$66,809,177
- COVID Expense Totals FY 2021 YTD - \$105,233,712

2. Anticipated expenses for the remainder of FY 2021 and FY 2022 as well as a full accounting of any COVID-related aid your agency has received (CARES Act or any other Federal/State dollars):

The DCR is going to require an ongoing supply of PPE and sanitization products and it will also be necessary to continue surveillance COVID testing for staff and inmates. If trends continue, we anticipate to have COVID expenses of approximately \$500,000 a month.

To date DCR has received \$4,292,447 in D.O.J. grant funding for loss of revenue pertaining to COVID

3. Any efficiencies your department has achieved because of a change in policies due to COVID-19. Provide an estimate of how much money has been saved in each spending category and state whether these changes will continue after the pandemic threat has ended:

Due to the nature of the DCR as a 24/7 public safety agency, there has not been significant savings during COVID-19 due to policy changes.

4. The Governor's recommended FY 2022 budget for your agency, specifically any cuts or improvements with respect to FY 2021:

0446	Corrections Central Office	\$	578,977
0450	Correctional Units	\$	238,721,691
0570	Juvenile Services	\$	45,041,897
6362	Parolee Supervision Fee	\$	1,957,110
6675	Regional Jail Authority Fund	\$	9,790,270

There were no changes to the Governor's recommended budget for FY 2022.

5. Requests for improvements and/or supplemental appropriations, with justification:

DCR supports the Governor's proposed FY 22 Budget with no supplements or improvements.

6. Any improvements your agency has been granted in the past two fiscal years. How much of that money has been spent down? How much progress has been made in achieving the intended goal for those funds? Are statutory obligations being met?

The agency received an improvement in FY 2020 to its Current Expenses line item to pay for increased jail billing due to several legislative changes and an increased inmate population.

7. Current and future financial issues that may require legislative action:

The necessity to award a new inmate medical services contract is of utmost concern. Additionally, the DCR estimates that it has \$193 million in unfunded maintenance needs, this is an ongoing concern which must be addressed.

8. What new efficiencies have been realized since your last budget hearing. Please itemize any investments from the legislature that would be necessary to help realize further efficiencies:

Although the DCR has made great strides to consolidate processes and achieve cost efficiencies since the correctional consolidation in 2018, during 2020 we have been faced with the challenge of safely managing our inmate population while dealing with the effects of the pandemic.

9. The number of unfilled FTEs broken down into four tiers by salary range as follows:
>\$32K, \$32K-64K, \$64k-100K, and over \$100k

- Less Than \$32,000 – 329 FTE's
- \$32,000-\$64,000 – 259 FTE's
- \$64,000 - \$100,00 – 1 FTE
- Over \$100,000 - 0

Fiscal Year 2022

WV DIVISION OF CORRECTIONS AND REHABILITATION

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance 2/8/21	Fund #	Fund Name	Spending Authority	Cash Balance 2/8/21
<i>(Current Fiscal Year)</i>			6362	Parole Sup Fees	\$ 1,937,110	\$ 1,075,796	8836	Consolidated Federal Funds		
0446	CENTRAL OFFICE	\$ 578,977	6675	Regional Jail and Correctional Facility Authority	\$ 9,780,270	\$ 444,249			\$ 110,000	\$ 62,331
0450	CORRECTIONS	\$ 238,721,691	6675	Reg. Jd Investments		\$ 11,788,441				
0570	JUVENILE SERVICES	\$ 45,041,897								
	TOTAL	\$ 239,300,668		TOTAL	\$ 11,747,380	\$ 13,308,486		TOTAL	\$ 110,000	\$ 62,331
<i>(Unexpended Cash as of 2/8/21)</i>										
0446	CENTRAL OFFICE	\$ 275,976								
0450	CORRECTIONS	\$ 140,364,015								
0570	JUVENILE SERVICES	\$ 25,975,865								
	TOTAL	\$ 166,615,856								

SPECIAL REVENUE NON-APPROPRIATED			
Fund #	Fund Name	Spending Authority	Cash Balance 2/8/21

	TOTAL	\$ -	\$ 15,994,295

***See Tab DCR NA Special Rev

Total does not include Investment amounts

WV DIVISION OF CORRECTIONS AND REHABILITATION		SPENDING AUTHORITY	CASH BALANCE AS OF 2/8/21
GENERAL REVENUE ANNUAL		\$ 239,300,668	\$ 166,615,856
SPECIAL REVENUE:			
APPROPRIATED		\$ 11,747,380	\$ 13,308,486
NON-APPROPRIATED		\$ 136,933,770	\$ 15,994,295
FEDERAL REVENUE		\$ 110,000	\$ 62,331
GRAND TOTAL		\$ 388,091,818	\$ 195,980,968

[NAME OF DEPARTMENT OR AGENCY HERE]										
GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance (As of DATE)	Fund #	Fund Name	Spending Authority	Cash Balance (As of DATE)
<i>(Current Fiscal Year)</i>										
	TOTAL	\$ -		TOTAL	\$ -	\$ -		TOTAL	\$ -	\$ -
<i>(Unexpended Cash as of DATE)</i>										
	TOTAL	\$ -		TOTAL	\$ -	\$ -		TOTAL	\$ -	\$ -

[NAME OF DEPARTMENT OR AGENCY HERE]		SPENDING AUTHORITY	CASH BALANCE AS OF DATE
GENERAL REVENUE ANNUAL		\$ -	\$ -
SPECIAL REVENUE:			
APPROPRIATED		\$ -	\$ -
NON-APPROPRIATED		\$ -	\$ -
FEDERAL REVENUE		\$ -	\$ -
GRAND TOTAL		\$ -	\$ -

[NAME OF DEPARTMENT OR AGENCY HERE]										
GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance (As of DATE)	Fund #	Fund Name	Spending Authority	Cash Balance (As of DATE)
<i>(Current Fiscal Year)</i>										
	TOTAL	\$ -		TOTAL	\$ -	\$ -		TOTAL	\$ -	\$ -
<i>(Unexpended Cash as of DATE)</i>										
	TOTAL	\$ -		TOTAL	\$ -	\$ -		TOTAL	\$ -	\$ -

[NAME OF DEPARTMENT OR AGENCY HERE]		SPENDING AUTHORITY	CASH BALANCE AS OF DATE
GENERAL REVENUE ANNUAL		\$ -	\$ -
SPECIAL REVENUE:			
APPROPRIATED		\$ -	\$ -
NON-APPROPRIATED		\$ -	\$ -
FEDERAL REVENUE		\$ -	\$ -
GRAND TOTAL		\$ -	\$ -

DEPARTMENT & AGENCY GRAND TOTALS

(ALL DEPARTMENT/AGENCY NAMES HERE)	<u>SPENDING AUTHORITY</u>	<u>CASH BALANCE AS OF DATE</u>	
GENERAL REVENUE ANNUAL	\$ 239,300,668	\$ 166,615,856	
SPECIAL REVENUE:			
APPROPRIATED	\$ 11,747,380	\$ 13,308,486	
NON-APPROPRIATED	\$ 136,933,770	\$ 15,994,295	
FEDERAL REVENUE	\$ 110,000	\$ 62,331	Spending Authority in Excess of Cash:
GRAND TOTAL	<u>\$ 388,091,818</u>	<u>\$ 195,980,968</u>	192,110,850



West Virginia State Police
725 Jefferson Road
South Charleston, West Virginia 25309-1698
Executive Office

Jim Justice
Governor

Colonel Jan Cahill
Superintendent

February 10th, 2021

AGENCY DESCRIPTION

The West Virginia State Police (WVSP) is a full-service law enforcement organization responsible for the statewide enforcement of criminal and traffic laws. The organization is responsible for providing protection and safety for every citizen of our state with an emphasis on criminal investigation including, but not limited to, property crime, drug enforcement, violent crime, white collar crime as well as the pursuit of sexual predators. The WVSP is the lead agency call upon throughout the state when large numbers of law enforcement personnel are urgently needed during times of special events, natural disasters, riots, protests and all other types of disorder and unrest. The men and women of the WVSP are spread over 57 detachments along with additional members assigned to Drug Task Forces, Special Operations, the South Charleston Headquarters Campus as well as our Academy which provides the initial training and continued certification training services for over 3,000 police officers in West Virginia. In addition to providing the Forensic Crime Lab and State Police Academy, we maintain the Traffic and Criminal Records Sections and the Child Abuser and Sex Offender Registries which every law enforcement agency in the state relies upon.

The West Virginia State Police Forensic Lab (WVSPFL) is organized into seven (7) separate forensic disciplines including Drug Identification, DNA, Latent Prints, Trace Evidence, Central Evidence, Toxicology, Firearms/Tool Marks, and Impression Evidence. Our WVSPFL provides these services free of charge to each officer of every department throughout West Virginia.

ACCOMPLISHMENTS

Historically, the West Virginia State Police (WVSP) has a yearly attrition rate falling in the thirty to forty range due to retirements and resignations. The WVSP experienced a hiring drought of nearly four years until the latter part of 2018. The 69th Cadet Class will begin March 01st, 2021 putting our uniformed membership at approximately 635 troopers. This will make our fourth state police cadet class hired under the Justice administration.

After creating a Career Progression Program dedicated entirely to Forensic Lab personnel, we were able to increase our staff of forensic analysts and technicians from 33 to 53. In 2020, our WVSPFL received over 6,000 requests from across the state for forensic analysis.

Consequently, our pending cases have dropped from nearly 5,000 in 2017 to approximately 1300 as of this writing. The WVSPFL over the past two years has not only significantly reduced their pending cases, but case turnaround times in our Drug Identification and DNA sections have seen noteworthy reductions as well.

Additionally, the WVSPFL has undertaken three additional duties to include Breathe Alcohol, Digital Forensics and Crime Scene Management.

We have made several progressive changes in equipment upgrades and modernization over the past three years. Upon recommendation from our firearms committee, we were able to equip our membership with a newer advanced Glock 9mm as the department sidearm. Regarding our weaponry, field members are now equipped with the Axon Conducted Electrical Weapon (CEW) formerly known as a taser. We were one of the last reputable agencies to equip our members with this less lethal weapon option.

We have begun a pilot body camera program for our membership which we feel is essential to protecting officers, documenting evidence, case enhancement and maintaining the trust and confidence of our public.

In the officer safety arena, we are now equipping our troopers with a body armor outer carrier which has increased the overall usage of body armor, and our field troopers are also being equipped with a tactical vest for situations beyond everyday use where additional threat protection may be needed.

Our dated radio room facilities are currently transitioning to the modern Computer Aided Dispatch (CAD) systems, which has been a long overdue need in communications. We were also able to re-open the detachment at Grantsville in rural Calhoun County where law enforcement needs of the people of Calhoun County had previously been covered by troopers in adjacent counties.

The current administration was able to spearhead the first improvement to the State Police "Plan B" retirement system in twenty-five years by increasing the multiplier used for calculating retirement awards. This notable increase will absolutely be an aid in recruiting and retaining personnel for the WVSP.

The WVSP continues to be the flagship agency for the state in training as well as traffic and criminal enforcement. During the past four years, the WVSP has been frequently called upon as the premier agency when handling special events, dignitary protection and high-profile investigations.

Our Bureau of Criminal Investigations (BCI) in both the Northern and Southern Districts have led numerous federal drug investigations including but not limited to Operation Mountain Top, Operation Red Fox, Operation Triple Crown, Operation Triton, Operation Elsa, and Operation

Grand Torino all of which combined, have yielded significant seizures in methamphetamine, cocaine, fentanyl, heroin, and currency. These complex investigations involving multiple wiretaps have resulted in sentencing of multiple crime families and networks ranging from New York to Atlanta.

Additionally, Operation Black Gold by WVSP uniformed personnel in the southern coalfields resulted in the arrests of several families that for years had been involved in stolen property from mining operations totaling more than five million dollars.

Finally, the WVSP Public Corruption Unit assigned to the United States Attorney's Office played a key role with the Clarksburg Veterans Hospital homicides resulting in the seven 2nd Degree Murder convictions of the accused. The WVSP remains the lead agency called upon by the United States Attorney Offices of both the Northern and Southern Districts.

FY2021 BUDGET AND GOVERNOR'S FY2022 BUDGET PROPOSAL COMPARISON:

Our Personal General Revenue Fund (0453) for the FY2022 Budget increases from \$115,407,475 to \$115,648,808.

Our Personal Services Appropriation (0453-00100) for FY2022 remains the same at \$62,255,235.

The Children's Protection Act (0453-09000) for FY2022 remains the same at \$1,009,529.

Our Current Expenses Appropriation (0453-13000) for the FY2022 remains the same at \$10,384,394. Current Expense covers areas such as gasoline and medical bills.

Repairs and Alterations (0453-06400) for FY2022 remains the same at \$450,523.

The Trooper Class (0453-52100) for FY2022 is \$3,207,832.

The Barracks Lease Payments Appropriation (0453-55600) for FY2022 remains the same at \$237,898.

The Communication and Other Equipment Appropriation (0453-55800) for FY2022 remains the same at \$1,070,968. This fund is dedicated to equipment funding for the costs of our weapons, protective gear, radios, radars, office equipment, computers, and the entire related computer infrastructure for over 80 separate facilities and is vital to maintaining the operational needs of the WVSP.

The Trooper Retirement Fund Appropriation (0453-60500) for FY2022 has decreased from \$11,487,590 to \$9,592,923. **The Actuarially Required Contribution (ARC) is determined by the Consolidated Retirement Board Actuary**

The Handgun Administration Expense Appropriation (0453-74700) for FY2022 remains the same at \$77,892.

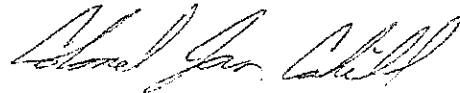
Capital Outlay and Maintenance (0453-75500) for FY2022 remains the same at \$250,000.

The Retirement Systems Unfunded Liability (0453-77500) contribution for FY 2022 increases from \$17,020,000 to \$19,156,000. **Again, The Actuarially Required Contribution (ARC) is determined by the Consolidated Retirement Board Actuary.**

The Automated Fingerprint Identification System (0453-89800) for our Forensic Laboratory for FY2022 remains the same at \$2,211,693.

The BRIM Premium Appropriation (0453-91300) is determined by the State Budget Office and for FY2022 remains the same at \$5,743,921.

Respectfully submitted,



Colonel Jan Cahill

Superintendent

West Virginia State Police

Joint Standing Finance Committee Questionnaire
WV State Police Response

Q1. This was basically cleaning products, masks, gloves, thermometers, and electrostatic sprayers at approximately \$133,138.

Q2. This amount varies depending on agency need but averages about \$10,000 per month.

Q3. None.

Q4. WVSP FY 2022 budget \$115,648,808.

Q5. None.

Q6. All we have received are spending authority increases, not increases to General Revenue Budget in FY20 and FY21.

Q7. None

Q8. <32 = 22.5 positions, 32K-64K = 76 positions (the vast majority are members), 64K-100K = 1 position, over \$100K = 0 positions.

Fiscal Year 2022

WEST VIRGINIA STATE POLICE

GENERAL REVENUE APPROPRIATED		SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Fund #	Fund Name	Spending Authority	Cash Balance February 7, 2021	Fund #	Fund Name	Spending Authority	Cash Balance February 7, 2021
0453	WV State Police	6501	Motor Vehicle Inspection Fund	8,212,620	4,379,662	8741	Consolidated Federal Funds	8,046,633	3,487,548
	(Current Fiscal Year)	6511	State Police Forensic Lab Fund	2,240,000	1,971,362				
		6513	Drunk Driving Prevention Fund	4,973,347	3,099,011				
		6516	Surplus Real Property Proceeds Fund	1,101,000	657,598				
		6519	WV State Police-Surplus Transfer Acct	785,000	783,522				
		6527	Central Abuse Registry Fund	1,253,096	825,431				
		6532	Bail Bond Enforcer Account	8,300	15,255				
		6544	State Police Academy Post Exchange	200,000	123,811				
		TOTAL		18,773,363	11,855,652	TOTAL		8,046,633	3,487,548
0453	WV State Police	6502	Miscellaneous Non Federal Grants Fund	9,403,256	4,167,756				
		6504	Criminal Investigation Fund	2,444,450	450,771				
		6505	Drunk Driving Commission - Grants Fund	958,023	879,291				
		6506	Forfeited Property Investigation Fund	67,700	57,360				
		6507	Criminal Justice Information Services Fund	6,401,000	143,838				
		6508	Contract Services Payment Fund	20,000	21,180				
		6509	WV State Police Criminal History Acct	1,237,467	72,053				
		6518	Asset Forfeiture - US Treasury	27,900	15,484				
		6528	Subrogation Proceeds Fund	7,750	1,189				
		6529	Missing Children Advisory Council Fund	-	124,657				
		6531	Seized Assets Holding Account	230,000	231,750				
		6543	DNA Database Account	-	-				
		TOTAL		20,797,546	6,165,309				
SPECIAL REVENUE NON-APPROPRIATED									
				18,773,363	11,855,652			8,046,633	3,487,548

WEST VIRGINIA STATE POLICE

GENERAL REVENUE ANNUAL
SPECIAL REVENUE:
APPROPRIATED
NON-APPROPRIATED
FEDERAL REVENUE
GRAND TOTAL

SPENDING AUTHORITY AS OF FEBRUARY 7, 2021

GENERAL REVENUE ANNUAL \$ 115,035,475
SPECIAL REVENUE: \$ 18,773,363
APPROPRIATED \$ 20,797,546
NON-APPROPRIATED \$ 8,046,633
FEDERAL REVENUE \$ 162,653,017

CASH BALANCE AS OF FEBRUARY 7, 2021

GENERAL REVENUE ANNUAL \$ 65,665,656
SPECIAL REVENUE: \$ 11,855,652
APPROPRIATED \$ 6,165,309
NON-APPROPRIATED \$ 3,487,548
FEDERAL REVENUE \$ 87,174,165

Spending Authority in Excess of Cash: \$ 75,478,852



Department of Military Affairs and Public Safety

Cabinet Secretary Jeff S. Sandy, CFE, CAMS

State Fire Marshal Kenneth E. Tyree, Jr.

Phone: (304) 558-2191

Fax: (304) 558-2537

OFFICE OF THE STATE FIRE MARSHAL

1207 Quarrier St, 2nd Floor

Charleston, WV 25301

www.firemarshal.wv.gov

January 8, 2021

Distinguished Chair and members of the Committee:

I do support the Governor's proposed budget.

Comparison of current year and Governor's FY2022 Proposal

The FY2022 Special Revenue Request is for \$5,204,437 which is the same as last year's (\$4,995,183). The **Special Revenue** amount covers the personal services and employee benefits for 58 employees under the Fire Marshal's Office. This does not include \$64,021 from General Revenue which is the same as last years. It's used to provide public fire safety awareness throughout the State. The agency has many mandates under state law; for example, fire * life safety inspections of all types of facilities, review of architectural plans for fire safety, fire investigations, licensing and certification administration, fire safety public education, and oversight of training and certification requirements for 438 fire departments (407-Volunteer, 11-Paid, 20-Combination(Paid/Volunteer)).

My goal is to continue to utilize the General Revenue dollars in our continued efforts of increasing our public safety awareness programs through education of the most vulnerable children and the elderly population through enhanced programs of partnerships with fire departments and other community partners.

Total # of Full-Time positions (FTE):	58
# of positions filled:	50
# of positions vacant:	8

<u>< \$32K</u>	<u>\$32K - \$64K</u>	<u>\$64K - \$100K</u>	<u>> \$100K</u>
7	0	1	0

Three Major Accomplishments from the past year

- 1) Working on an upgrade to our Assistant Fire Marshal series classification specifications due to our new requirements for all newly hired sworn staff having completed basic law enforcement academy certification; with think our future will be bright as we continue to improve our ability to serve alongside fellow law enforcement which will continue to serve the public better..

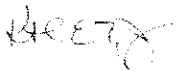
2) Implementation of a new Fire Service, Equipment, and Training Grant program to support Volunteer Fire Department's needs for meeting obligations each volunteer fire department must perform to properly sustain the services to their said community. We hope to have disbursements issued no later than May 2021.

3) In addition to our normal functions in executing the mission of the agency, our agency aided in PPE distribution preparation; Food/Lunch preparation for school students; and initial staff assistance to Workforce WV team for unemployment.

New Agency Enhancements: We have scheduled enhancements and efficiency to this agency's services provided; we are in the process of the development and by April – May 2021, implementation of the new License Management and Web Based Field Consultation and Inspection System from Image Trend, that will provide improved workflows and desired efficiencies to our agency's licensing, certification, and inspection services.

I wanted to note that these are just a few of our successes and projected enhancements to the future of our agency and contribution DHS and the State.

Thank you for your consideration and support of our agency's Proposed Budget Request.



Kenneth E. Tyree Jr.
State Fire Marshal

*The **State Fire Marshal** has statutory responsibility for enforcement of laws covering: fire prevention; hazardous substance and explosives; installation and maintenance of fire control equipment; adequacy of fire exits from buildings and all other places where people live, work, and congregate; determine fire causes; arrest arsonists; certification of fire departments for state revenues; manage fire incident reporting system; statewide electricians examination, certification and licensing program; permits for blasters; storage of explosives; pyrotechnics testing and licensing, fireworks permits; and routine periodic fire safety inspections of all structures except single family dwellings; reviews and approves curriculum for all hazardous material response teams. Authorized to establish demonstration units within public and private educational institutions for the purposes of public fire safety education, prevention, and protection.*

*The **State Fire Commission** is the policy making body organized to coordinate the fire service objectives of the state. Responsibilities include promulgation of the state fire code and state building code, development of fire prevention and control master plans which covers manpower needs, training centers, communications, firefighter training standards and certification, water resources, public education and information programs.*

*The **Mission** of the State Fire Commission is to improve the quality of life of the citizens of West Virginia through leadership, development, and administration of fire safety programs that reduce loss of life and property through education, inspections, investigations, certification, and licensure, building plan review, and enforcement of fire safety laws.*

Fiscal Year 2022

STATE FIRE COMMISSION

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance 1/8/21	Fund #	Fund Name	Spending Authority	Cash Balance 1/8/21
<i>(Current Fiscal Year)</i>			6152	FIRE MARSHAL FEES	\$ 4,995,183	\$ 8,978,972	8819	Consolidated Federal	\$ 80,000	\$ -
436	FIRE COMMISSION	\$ 64,021	6161	FIRE SERVICE EQUIP	\$ 100,000	\$ 1,851,186				
TOTAL		\$ 64,021	TOTAL		\$ 5,095,183	\$ 10,830,158	TOTAL		\$ 80,000	\$ -
<i>(Unexpended Cash as of 1/8/21)</i>										
436	FIRE COMMISSION	\$ 35,418	TOTAL		\$ 5,095,183	\$ 10,830,158	TOTAL		\$ 80,000	\$ -
TOTAL		\$ 35,418	TOTAL		\$ 5,095,183	\$ 10,830,158	TOTAL		\$ 80,000	\$ -

SPECIAL REVENUE NON-APPROPRIATED			
Fund #	Fund Name	Spending Authority	Cash Balance 1/8/21
6160	Gifts, Grants, & Don	\$ 60,000	\$ 270,634
TOTAL		\$ 60,000	\$ 270,634

<u>STATE FIRE COMMISSION</u>	<u>SPENDING AUTHORITY</u>	<u>CASH BALANCE AS OF 1/8/21</u>
GENERAL REVENUE ANNUAL	\$ 64,021	\$ 35,418
SPECIAL REVENUE:		
APPROPRIATED	\$ 5,095,183	\$ 10,830,158
NON-APPROPRIATED	\$ 60,000	\$ 270,634
FEDERAL REVENUE	\$ 80,000	\$ -
GRAND TOTAL	\$ 5,299,204	\$ 11,136,210

[NAME OF DEPARTMENT OR AGENCY HERE]

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
<i>(Current Fiscal Year)</i>										
TOTAL		\$ -	TOTAL		\$ -	\$ -	TOTAL		\$ -	\$ -
<i>(Unexpended Cash as of DATE)</i>										
TOTAL		\$ -	TOTAL		\$ -	\$ -	TOTAL		\$ -	\$ -

SPECIAL REVENUE NON-APPROPRIATED			
Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
TOTAL		\$ -	\$ -

<u>[NAME OF DEPARTMENT OR AGENCY HERE]</u>	<u>SPENDING AUTHORITY</u>	<u>CASH BALANCE AS OF [DATE]</u>
GENERAL REVENUE ANNUAL	\$ -	\$ -
SPECIAL REVENUE:		
APPROPRIATED	\$ -	\$ -
NON-APPROPRIATED	\$ -	\$ -
FEDERAL REVENUE	\$ -	\$ -
GRAND TOTAL	\$ -	\$ -

[NAME OF DEPARTMENT OR AGENCY HERE]

GENERAL REVENUE APPROPRIATED	SPECIAL REVENUE APPROPRIATED	FEDERAL REVENUE APPROPRIATED
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DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY
DIVISION OF PROTECTIVE SERVICES
CAPITOL POLICE

Building 1, Room 152-A
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305
Telephone: 304-558-9911
Fax: 304-558-5604

KEVIN FOREMAN
DIRECTOR

JACK C. CHAMBERS
DEPUTY DIRECTOR

MEMORANDUM

To: House/Senate Finance Committees
From: Director Kevin J. Foreman
RE: Legislative Budget Hearings

The Division of Protective Services (Capitol Police) is a full service law enforcement agency whose mission is to provide for the safety and security of individuals who visit and work at the West Virginia State Capitol complex and other state owned or leased facilities.

We strive to maintain this security through the utilization of a highly trained and professional workforce and with information technology (IT). The Division operates a 24/7/365 Command Center in building 1 with Police Tele-communicators.

The Division also operates the Capitol Dispensary and employs two (2) Registered Nurses, one full time and the other part time. The dispensary is where the Doc of the Day Program is housed during the legislative session, and where patients are evaluated and treated. The nurses respond to on campus requests for medical services, teach classes on the proper use of automatic external defibrillator (AED), cardio pulmonary resuscitation (CPR), and provide information on wellness classes.

The Divisions FY 2020 General Revenue Appropriation of \$3,579,704 allocated positions for Fifty-Six (56) FTE's:

- 34 Officer Positions of which 8 are vacant
- 10 Police Tele-communicators
- 4 Security Officers
- 1 Administrative Services Manager
- 1 Security Systems Manager
- 2 Executive Secretaries
- 2 Operations Technicians
- 1 Security Screener
- 1 Registered Nurse

Annual General Appropriations

2017	\$2,678,975	Mid –Year Cut	\$52,141
2018	\$3,017,740		
2019	\$3,444,728		
2020	\$3,579,704		
2021	\$3,579,704		

In FY 2020, the division had \$ 255,631.20 expenditure transactions, utilizing purchase cards.

In FY 2020, the division spent \$13,492, on the vehicle fleet for maintenance, gasoline, and miscellaneous repairs. The division also leased one (1) vehicle from the Fleet Management Office for \$7,153.51 annually.

The division had no outside legal fees.

Division responses from questions posed by the Senate and House Finance Committees

1. FY 2020 COVID Expenses

a. Nitrile gloves	\$382.60
b. Hand sanitizer	\$118.80
c. Two (2) temporary nurse positions	\$3,898.00
d. Handheld thermometers	\$959.96
e. Facemasks	\$125.52
TOTAL	\$5484.88

FY 2021 COVID Expenses

a. Facemasks	\$299.50
b. Overtime pay to assemble COVID kits	\$1,942.93
c. Infrared Stand Thermometers	\$1,399.80
d. Thermometer stands	\$76.76
e. Thermometer wall chargers	\$14.99
TOTAL	\$3,733.98

2. The division will continue to employ a part time nurse to provide COVID-19 related services, as long as the pandemic continues. We do not anticipate other expenses related to COVID-19 for the remainder of FY 2021 or FY 2022. We continue to track and submit COVID-19 related expenses to the Division of Administrative Services for potential Cares Act reimbursement, but have not yet been reimbursed.
3. As a law enforcement agency I'm not aware of any efficiencies we've achieved because of a change in policies related to COVID-19. Division employees have worked on site throughout the pandemic, and four (4) civilian employees were assigned to Workforce West Virginia to assist with unemployment claims near the onset of the pandemic.
4. Governor Justice's FY 2022 recommended general revenue appropriation, for the Division of Protective Services is \$3,579,704, which is the same appropriation as the FY 2021 appropriation. The division did not receive any funding for improvements.
5. The division requested an improvement of 87,594 for Two (2) Capitol Security Screeners, to staff the Governor's Drive Guardhouse. The annual salary per position is \$25,000 and funding these positions would transfer security of the Governor's Drive to the Division of Protective Services from the Real Estate Division. With the technological security upgrades the division has made, after hour contract security has been eliminated. This

eliminated approximately 4, 576 annual hours of contract security funding, at a cost of approximately \$45,760. The improvement would provide two (2) positions to the division, and allow for better overall security on the Governors Drive. This improvement would also ensure a more effective screening process of vehicles entering the same.

6. The division was granted an improvement request in FY 2019 to its current expense account, which provided funding for operational expenses and security systems maintenance. Prior to this improvement the current expense appropriation was not sufficient to support the mission of the division. However, since receiving this improvement the division has had sufficient operating funds and been able make some improvement to our security systems. The division has not expended the entire appropriation in any year since the improvement, and we will continue to be frugal. The current funding is allowing us to meet our operational expenses and statutory obligations.
7. The division provides security services, both on and off the Capitol complex at thirty seven (37) state buildings. I believe it would be prudent to establish a security fund to maintain and upgrade the equipment at these buildings and make upgrades as necessary. The division utilizes closed circuit television (CCTV), card access, and security gates and bollards, which all require maintenance. Additionally, these systems require software updates that have been purchased or maintained through an agreement. The division is often asked to assess and provide security plans for departments, division, and offices, but funding is generally not available to procure the equipment necessary to implement the plan. I believe the funding should be shared by the departments, divisions, and offices, that are receiving services.
8. The advancement in technological security that I mentioned relating to the Governors Drive Guardhouse is the most significant that I can provide. This project eliminated approximately 4,576 hours of contract security or approximately \$45,760 annually. The division will continue to look for efficiencies with technologies as we move forward.
9. The division currently has eight (8) vacant full time employee positions between a salary range of \$32,000 to \$64,000. They average near the low part of the range at \$ 38,264. Seven (7) of these positions are vacant police officer positions. It is becoming more difficult to identify and hire quality law enforcement officers.

Governor Justice's recommendation for FY 2022 will allow the division to employ the personnel necessary to carry out our mission, and provide the equipment and resources utilized by law enforcement officers to fulfill their duties and responsibilities. Additionally, this recommended appropriation is sufficient, to allow the division to maintain its security systems, and make upgrades of the same, which will grow our capabilities.

The Division of Protective Services supports Governor Justice's recommendation for FY 2022, which will allow us to operate our agency, both efficiently and effectively. It appears to be sufficient in all areas, for the division to meet our needs and provide sufficient services.

We support Governor Justice's recommended proposal.

Fiscal Year 2022

DIVISION OF PROTECTIVE SERVICES

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance 02/04/2021	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
0585-Div of Protective Services			6425	Security Enforcement	\$ 1,025,000	\$ 892,301				
TOTAL			6426	Gov's Contingent Fund	\$ 7,500					
			TOTAL				TOTAL			

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE NON-APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
TOTAL			TOTAL				TOTAL			

DIVISION OF PROTECTIVE SERVICES	SPENDING AUTHORITY	CASH BALANCE AS OF 02/04/2021
GENERAL REVENUE ANNUAL	\$ 3,579,704	\$ 1,654,108
SPECIAL REVENUE:		
APPROPRIATED	\$ 1,032,500	\$ 892,301
NON-APPROPRIATED	\$ -	\$ -
FEDERAL REVENUE	\$ -	\$ -
GRAND TOTAL	\$ 4,612,204	\$ 2,546,409

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
(Current Fiscal Year)										
TOTAL			TOTAL				TOTAL			

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE NON-APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
TOTAL			TOTAL				TOTAL			

0	SPENDING AUTHORITY	CASH BALANCE AS OF [DATE]
GENERAL REVENUE ANNUAL	\$ -	\$ -
SPECIAL REVENUE:		
APPROPRIATED	\$ -	\$ -
NON-APPROPRIATED	\$ -	\$ -
FEDERAL REVENUE	\$ -	\$ -
GRAND TOTAL	\$ -	\$ -

GENERAL REVENUE APPROPRIATED	SPECIAL REVENUE APPROPRIATED	FEDERAL REVENUE APPROPRIATED
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Fiscal Year 2022

WV Division of Emergency Management

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance 2/9/21	Fund #	Fund Name	Spending Authority	Cash Balance 2/9/21
<i>(Current Fiscal Year)</i>			6208	Statewide Interoperabi	\$ 80,000	\$ 5,339	8727	Cons Federal Funds E	\$ 21,794,703	\$ 209,346
0443	Office of Emergency Sr	\$ 6,149,625	6295	WV Interoperable Radi	\$ 3,500,000	\$ 7,204,007	8320	Flood Disaster July 20	\$ 9,500,000	\$ -
							8729	Flood Disaster March 2	\$ 9,500,000	\$ -
							8747	June 2012 Wind Storm	\$ 385,000	\$ -
							8777	Dr 4059 Feb 2012 Win	\$ 50,000	\$ 45,503
							8779	March 15, 2012 Flood	\$ 703,600	\$ 3,236
							8791	Dr 4093 Hurricane Sar	\$ 3,800,000	\$ -
							8798	Federal Grants/Contra	\$ 150,000	\$ -
							8801	Disaster Funds Federa	\$ 52,135,189	\$ -
							8809	Flood Disaster June 20	\$ 250,000,000	\$ 467,215
							8909	April 2015 Severe Stor	\$ 2,000,000	\$ -
							8910	April 2015 Severe Stor	\$ 2,180,000	\$ -
							8911	April 2015 Severe Stor	\$ 2,430,000	\$ -
							8912	April 2015 Severe Stor	\$ 2,385,000	\$ -
							8910	April 2015 Severe Stor	\$ 2,180,000	\$ -
							8911	April 2015 Severe Stor	\$ 2,430,000	\$ -
							8912	April 2015 Severe Stor	\$ 2,385,000	\$ -
TOTAL			TOTAL				TOTAL			
		\$ 6,149,625			\$ 3,580,000	\$ 7,209,345			\$ 364,008,492	\$ 725,302
<i>(Unexpended Cash as of 2/9/21)</i>										
0443	Office of Emergency Sr	\$ 2,826,496								
TOTAL			TOTAL				TOTAL			
		\$ 2,826,496			\$ 3,580,000	\$ 7,209,345			\$ 364,008,492	\$ 725,302

SPECIAL REVENUE NON-APPROPRIATED				
Fund #	Fund Name	Spending Authority	Cash Balance 2/9/21	
6202	April 2015 Severe Stor	\$ 800,000	\$ 825	
6203	April 2015 Severe Stor	\$ 815,000	\$ -	
6204	April 2015 Severe Stor	\$ 750,000	\$ -	
6205	April 2015 Severe Stor	\$ 425,602	\$ 3,175	
6206	Flood Disaster June 20	\$ 60,000,000	\$ 2,770,762	
6209	Flood Disaster July 20	\$ 3,000,000	\$ -	
6210	Disaster Funds State	\$ 16,542,549	\$ 107,412	
6226	March 2010 Flooding	\$ 3,000	\$ -	
6227	June 2010 Dr 1918 Flo	\$ 119,000	\$ -	
6228	Dr 4059 Feb 2012 Win	\$ 60,000	\$ -	
6229	March 15, 2012 Flood	\$ 235,000	\$ -	
6230	June 29, 2012 Wind St	\$ 600,000	\$ -	
6231	Hurricane Sandy - Con	\$ 1,245,000	\$ -	
6232	Dr 4132 - Contingency	\$ 260,000	\$ -	
6233	WV American Water E	\$ 200,000	\$ -	
6234	Flood Disaster March 2	\$ 3,163,004	\$ 230,186	
6254	Right To Know Act	\$ 1,086,060	\$ 446,580	
6267	Gifts Grants and Donat	\$ 25,247,878	\$ 20,790,414	
TOTAL				
		\$ 114,552,093	\$ 24,349,374	

<u>WV Division of Emergency Management</u>	<u>SPENDING AUTHORITY</u>	<u>CASH BALANCE AS OF 12/9/21</u>
GENERAL REVENUE ANNUAL	\$ 6,149,625	\$ 2,826,496
SPECIAL REVENUE:		
APPROPRIATED	\$ 3,580,000	\$ 7,209,345
NON-APPROPRIATED	\$ 114,552,093	\$ 24,349,374
FEDERAL REVENUE	\$ 364,008,492	\$ 725,302
GRAND TOTAL	\$ 488,290,210	\$ 35,110,517

[NAME OF DEPARTMENT OR AGENCY HERE]										
GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
<i>(Current Fiscal Year)</i>										
TOTAL			TOTAL				TOTAL			
		\$ -			\$ -	\$ -			\$ -	\$ -
<i>(Unexpended Cash as of DATE)</i>										
TOTAL			TOTAL				TOTAL			
		\$ -			\$ -	\$ -			\$ -	\$ -
SPECIAL REVENUE NON-APPROPRIATED										
Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]							
TOTAL										
		\$ -	\$ -							

<u>(NAME OF DEPARTMENT OR AGENCY HERE)</u>	<u>SPENDING AUTHORITY</u>	<u>CASH BALANCE AS OF (DATE)</u>
GENERAL REVENUE ANNUAL	\$ -	\$ -
SPECIAL REVENUE:		
APPROPRIATED	\$ -	\$ -
NON-APPROPRIATED	\$ -	\$ -
FEDERAL REVENUE	\$ -	\$ -
GRAND TOTAL	\$ -	\$ -

(NAME OF DEPARTMENT OR AGENCY HERE)

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
<i>(Current Fiscal Year)</i>										
TOTAL		\$ -	TOTAL		\$ -	\$ -	TOTAL		\$ -	\$ -
TOTAL		\$ -	TOTAL		\$ -	\$ -	TOTAL		\$ -	\$ -

SPECIAL REVENUE NON-APPROPRIATED		
Fund #	Fund Name	Cash Balance [As of DATE]
TOTAL		
\$ -		

<u>(NAME OF DEPARTMENT OR AGENCY HERE)</u>	<u>SPENDING AUTHORITY</u>	<u>CASH BALANCE AS OF (DATE)</u>
GENERAL REVENUE ANNUAL	\$ -	\$ -
SPECIAL REVENUE:		
APPROPRIATED	\$ -	\$ -
NON-APPROPRIATED	\$ -	\$ -
FEDERAL REVENUE	\$ -	\$ -
GRAND TOTAL	\$ -	\$ -

DEPARTMENT & AGENCY GRAND TOTALS

<u>(ALL DEPARTMENT/AGENCY NAMES HERE)</u>	<u>SPENDING AUTHORITY</u>	<u>CASH BALANCE AS OF (DATE)</u>
GENERAL REVENUE ANNUAL	\$ 6,149,625	\$ 2,826,496
SPECIAL REVENUE:		
APPROPRIATED	\$ 3,580,000	\$ 7,209,345
NON-APPROPRIATED	\$ 114,552,093	\$ 24,349,374
FEDERAL REVENUE	\$ 364,008,492	\$ 726,302
GRAND TOTAL	\$ 488,290,210	\$ 35,110,517

Spending Authority in Excess of Cash: \$ 453,179,693

ACCOMPLISHMENTS January – December 2020

<p>Public Assistance Grant Program</p> <ul style="list-style-type: none">• Nine disasters remain open.• Closed at least 1,011 projects in 2020.• Currently managing 714 projects totaling over \$589 million.• Closed two disasters from FY2015• Working with approximately 90 applicants on claims for COVID-19• Implementing the Civix software to automate grant management• Working on developing capacity to manage pending Individual Assistance declaration from FEMA	<p>Hazard Mitigation Grant Program (HMGP)</p> <ul style="list-style-type: none">• Ten disasters currently open• Managing projects totaling over \$117 million• Submitted applications for Building Resilient Infrastructure and Communities (BRIC) to FEMA• Submitted HMGP applications from 2019 flooding (DR 4455) to FEMA• Preparedness Grant programs• Awarded 132 grants to local jurisdictions from State Homeland Security and Emergency Management Performance grants exceeding \$7 million• Doubled participation in the Non-Profit Security Grant program• Automated grant application process through the state's Case Management software
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State of West Virginia
 Department of Homeland Security
 Division of Administrative Services
 1201 Greenbrier Street
 Charleston, WV 25311
 (304) 558-2350



JEFF S. SANDY, CFE, CAMS
 CABINET SECRETARY

MICHAEL V. COLEMAN
 ACTING DIRECTOR

Budget Fiscal Year 2022

I would like to thank the Committee and its Members for the opportunity to present the Fiscal Year 2022 Budget for the Division of Administrative Services and to advise you that we support the budget submitted by Governor Jim Justice.

Mission: The statutory mission of the Division of Administrative Services (DAS) to provide fiscal, payroll, human resources, procurement services for the Division of Corrections and Rehabilitation and any other agencies or boards required by the Cabinet Secretary, including serving as the designated staffing agency for the Governor’s Committee on Crime, Delinquency, and Correction, and all of its subcommittees. As a result of a code change, the former Division of Justice and Community Services was recently consolidated into our agency and its services are now part of our portfolio. Additional mission components, such as asset and fleet management services, and building maintenance are authorized under the statutory authority of the Cabinet Secretary or Director.

Summary of Division of Administrative Services FY2021 Budget

<u>Fund</u>	<u>Description</u>	<u>FY 2021 Current</u>
0546	Criminal Justice Fund	\$10,466,605
0619	Administrative Services	\$2,611,255
6386	Community Corrections	\$2,009,923
6804	Court Security	\$1,501,975
6810	2nd Chance Driver’s License Act	\$125,000
8803	Consolidated Federal Funds	\$26,631,166

Summary of Division of Administrative Services FY2022 Budget

<u>Fund</u>	<u>Description</u>	<u>FY 2022 Recommendation</u>
0546	Criminal Justice Fund	\$10,466,605
0619	Division of Administrative Services	\$2,611,255
6386	WV Community Corrections Fund	\$2,009,923
6804	Court Security Fund	\$1,501,975
6810	2nd Chance Driver’s License Act	\$125,000
8803*	Consolidated Federal Funds	\$76,631,166

Level funding allows DAS to continue operations and provide homeland security and criminal justice resources to all corners of the state.

*denotes are recommended increase in spending authority, not a budget increase

Accomplishments for FY 2021 include:

- The ability to carry on fiscal operations in all areas during the COVID-19 pandemic. DAS fiscal staff was able to maintain their services provided in this difficult situation. Despite the challenges posed by COVID-19, the DAS Accounting section was able to prepare and finalize all the data needed for the yearly audit, utilizing new staff in the accounting section. All documents were provided to the auditors on time and the audit was successfully completed by the set deadline
- Human Resource training manuals were created for the agencies that are served by DAS. Multiple training sessions were held by zoom, to enable staff to continue to provide support to the facilities that need assistance in these areas, during the difficult logistics of the COVID pandemic.
- Creating a detailed compilation of, and tracking system for, all fixed assets and inventory located at each Division of Corrections and Rehabilitation facility.
- Secured reliable, vetted, personal protective equipment (PPE) for our agency and customer agencies on a continuing basis throughout the COVID-19 pandemic. This continues to be a major undertaking for DAS Procurement with regard to the DCR facilities and offices.
- Purchase of a complex software system (\$1,387,331.00 over 4 years) for the Office of the Fire Marshal that provides fire data collection and reporting, inspection module, custom form creation, custom violation letters, mobile application, voice data entry, license management system, invoicing, payment processing, investigations, and other related processes, all in one.
- JCS increased federal funding coming into WV in FY 2020/2021 in support of the agency's criminal justice and public safety planning mission by 145%.
- Implemented a Strategic Planner within the agency to enhance mission effectiveness and to better support our criminal justice stakeholder's effectiveness in shaping criminal justice policy in WV. The position will have the responsibility of ongoing strategic planning in support of the JCS criminal justice planning and policy implementation responsibilities and similar responsibilities for DAS. Additionally, the position is responsible for researching, applying and securing federal grants to enhance the agency and department's criminal justice/public safety planning and resource allocation mission

Goals for FY 2022 include:

- Conduct a staffing analysis of all DAS sections to identify opportunities for efficiencies.
- Complete the transition of human resources, fiscal and budget services from the Emergency Management Division to DAS.
- Continue to work with our customer agencies to capitalize on economies of scale and cost reductions through combining contracts to increase the volume of commodities and services from vendors.
- Complete website development to aid in transparency for our customer agencies and the public.

Responses to Committee Questions:

- 1. Your agency's response to COVID-19 that required extraordinary expenses by including a summary of all COVID-related expenses for FYs 2020 and 2021 YTD:**

Due to DAS/JCS staff not being 'front-line' or first responders, the COVID impact had more to do with employees being able to work remotely. To facilitate this, \$6,234.99 was tagged as being COVID-related. This consists of some purchases of PPE, but mostly computer equipment (printers, scanners, webcams, etc.).

- 2. Anticipated expenses for the remainder of FY 2021 and FY 2022 as well as a full accounting of any COVID-related aid your agency has received (CARES Act or any other Federal/State dollars):**

Minimal, if any are anticipated. JCS did receive a pass-through grant to cover COVID-related inmate costs incurred by DCR. This grant was the Coronavirus Emergency Supplemental Funding Program and the total awarded to DCR was \$4,292,447.

- 3. Any efficiencies your department has achieved because of a change in policies due to COVID-19. Provide an estimate of how much money has been saved in each spending category and state whether these changes will continue after the pandemic threat has ended:**

No savings during pandemic as service provision continued at pre-pandemic levels. Continuity of Operations Planning and implementation has risen to the top as a need for attention and enhancement. Agency has secured federal funding to better prepare for future disruptions in operations and administrative functions to ensure our support of the criminal justice system and the delivery of necessary and critical services across the state are not negatively impacted.

- 4. The Governor's recommended FY 2022 budget for your agency, specifically any cuts or improvements with respect to FY 2021:**

0546	Criminal Justice Fund	\$ 10,466,605
0619	Division of Administrative Services	\$ 2,611,255
6386	WV Community Corrections Fund	\$ 2,009,923
6804	Court Security Fund	\$ 1,501,975
6810	2nd Chance Driver's License Act	\$ 125,000
8803*	Consolidated Federal Funds	\$ 76,631,166

Level funding allows Division of Administrative Services to continue operations and provide criminal justice and public safety resources and programs to all corners of the state.

*This is only a request for an increase in spending authority of \$50,000,000 for federal funds in Fund 8803. It is **not** a request for new funding.

5. Requests for improvements and/or supplemental appropriations, with justification:

No requests for improvements submitted for FY2022 aside from an increase in the spending authority for the Consolidated Federal Fund 8803.

6. Any improvements your agency has been granted in the past two fiscal years. How much of that money has been spent down? How much progress has been made in achieving the intended goal for those funds? Are statutory obligations being met?

No improvements of general revenue appropriation over last two years; statutory obligations continue to be met.

7. Current and future financial issues that may require legislative action:

Justice Reinvestment funding shortfall. Program provides treatment supervision and alternative sentencing options for the offender population. Program has spent down surpluses in funding over last several years and beginning with FY 2022, funding cuts to community-based treatment supervision programs will take effect due to losing the re-appropriation language in the budget bill and current funding unable to support previous years' award level.

For planning purposes for FY 2023 budget Cycle DAS would like to request an improvement for a General Revenue appropriation to cover the 32 positions, and operating costs, which are currently being paid under the DCR Jail special revenue accounts.

8. What new efficiencies have been realized since your last budget hearing. Please itemize any investments from the legislature that would be necessary to help realize further efficiencies:

As noted above, DAS continue to transition duties from other Homeland Security agencies. General Revenue has remained consistent, but the agency has seen an increase of federal funding due to applying and receiving grant opportunities to assist with criminal justice and public safety planning and resource allocation.

9. The number of unfilled FTEs broken down into four tiers by salary range as follows: >\$32K, \$32K-64K, \$64k-100K, and over \$100k

DAS's Justice and Community Services: FTEs: <\$32,000 (1 FTE); \$32,000-\$64,000 (5 FTEs) all positions in process of being filled or interviewing candidates; \$64,000-\$100,000 (0 FTEs); Over \$100,000 (0 FTEs). All other positions related to DAS are reported on the Division of Corrections and Rehabilitation response since DAS's positions are still carried on DCR's budget.

Very respectfully,

Michael V. Coleman, Acting Director

Fiscal Year 2022

Division of Administrative Services

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance (As of 2.9.21)	Fund #	Fund Name	Spending Authority	Cash Balance (As of 2.9.21)
<i>(Current Fiscal Year)</i>			6386	Community Correction	\$ 2,009,923	\$ 2,133,962	8803	Cons Federal Funds	\$ 26,631,166	\$ 1,663,408
0619	Administrative Services	\$ 2,611,255	6804	Court Security	\$ 1,501,975	\$ 1,000,730				
0546	Criminal Justice Fund	\$ 10,466,605	6810	SCDL	\$ 125,000	\$ 134,427				
TOTAL										
\$ 13,077,860										
<i>(Unexpended Cash as of 2.9.21)</i>										
0619	Administrative Services	\$ 1,415,379								
0546	Criminal Justice Fund	\$ 1,851,849								
TOTAL			TOTAL				TOTAL			
\$ 3,267,228			\$ 3,636,898				\$ 3,269,119			

SPECIAL REVENUE NON-APPROPRIATED				
Fund #	Fund Name	Spending Authority	Cash Balance (As of 2.9.21)	
6801	LET Program	\$ 900,000	\$ 1,136,210	
6802	LET Admin	\$ 40,000	\$ 131,415	
6808	Civil Legal Services	\$ 3,000,000	\$ 1,507,252	
TOTAL				
\$ 3,940,000				

Division of Administrative Services	SPENDING AUTHORITY	CASH BALANCE AS OF 2.9.21
GENERAL REVENUE ANNUAL	\$ 13,077,860	\$ 3,267,228
SPECIAL REVENUE:		
APPROPRIATED	\$ 3,636,898	\$ 3,269,119
NON-APPROPRIATED	\$ 3,940,000	\$ 2,774,877
FEDERAL REVENUE	\$ 26,631,166	\$ 1,663,408
GRAND TOTAL	\$ 47,285,924	\$ 10,974,632

[NAME OF DEPARTMENT OR AGENCY HERE]

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance (As of DATE)	Fund #	Fund Name	Spending Authority	Cash Balance (As of DATE)
<i>(Current Fiscal Year)</i>										
TOTAL			TOTAL				TOTAL			
\$ -			\$ -				\$ -			
<i>(Unexpended Cash as of DATE)</i>										
TOTAL			TOTAL				TOTAL			
\$ -			\$ -				\$ -			

SPECIAL REVENUE NON-APPROPRIATED				
Fund #	Fund Name	Spending Authority	Cash Balance (As of DATE)	
TOTAL				
\$ -				

[NAME OF DEPARTMENT OR AGENCY HERE]	SPENDING AUTHORITY	CASH BALANCE AS OF (DATE)
GENERAL REVENUE ANNUAL	\$ -	\$ -
SPECIAL REVENUE:		
APPROPRIATED	\$ -	\$ -
NON-APPROPRIATED	\$ -	\$ -
FEDERAL REVENUE	\$ -	\$ -
GRAND TOTAL	\$ -	\$ -

[NAME OF DEPARTMENT OR AGENCY HERE]

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance (As of DATE)	Fund #	Fund Name	Spending Authority	Cash Balance (As of DATE)

(Current Fiscal Year)

TOTAL \$ -

(Unexpended Cash as of DATE)

TOTAL \$ -

TOTAL	\$ -	\$ -	\$ -	TOTAL	\$ -	\$ -

SPECIAL REVENUE NON-APPROPRIATED			
Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
TOTAL		\$ -	\$ -

[NAME OF DEPARTMENT OR AGENCY HERE]	SPENDING AUTHORITY	CASH BALANCE AS OF [DATE]
GENERAL REVENUE ANNUAL	\$ -	\$ -
SPECIAL REVENUE:		
APPROPRIATED	\$ -	\$ -
NON-APPROPRIATED	\$ -	\$ -
FEDERAL REVENUE	\$ -	\$ -
GRAND TOTAL	\$ -	\$ -

DEPARTMENT & AGENCY GRAND TOTALS

[ALL DEPARTMENT/AGENCY NAMES HERE]	SPENDING AUTHORITY	CASH BALANCE AS OF 2.9.21
GENERAL REVENUE ANNUAL	\$ 13,077,860	\$ 3,267,228
SPECIAL REVENUE:		
APPROPRIATED	\$ 3,636,898	\$ 3,269,119
NON-APPROPRIATED	\$ 3,940,000	\$ 2,774,877
FEDERAL REVENUE	\$ 26,631,166	\$ 1,663,408
GRAND TOTAL	\$ 47,285,924	\$ 10,974,632

Spending Authority in Excess of Cash: \$ 36,311,292

JEFF S. SANDY, CFE, CAMS
CABINET SECRETARY



RALPH D. MILLER
CHAIRPERSON

WEST VIRGINIA STATE PAROLE BOARD
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BOARD MEMBERS
BENITA F. MURPHY
KIM M. BLAIR
MARY M. DOWNEY
HAROLD L. HUGHES
HOLLIS T. LEWIS
BRIAN K. REED
DAVID P. REIDER
CEDRIC R. ROBERTSON
JACK G. ROOP
EDWARD E. WOOTON

Parole Board's Budget for Fiscal Year 2022

I would like to thank the Chairman and this Honorable Committee for the opportunity to present our Fiscal Year 2022 Budget. In addition, we would like to thank the Governor for his recommended funding level for the upcoming fiscal year.

PURPOSE

The purpose of the West Virginia Parole Board is to determine when to release those offenders eligible for parole prior to the expiration of the court-imposed sentence. The Parole Board has implemented evidence-based decision-making practices which have been in use since 2014. The Parole Board reviews all available information regarding an offender and takes into consideration information such as: facts and circumstances related to the crime(s), offense severity, factors related to the risk of reoffending, compliance with Division of Corrections and Rehabilitation (DCR) recommended risk reducing programs, and re-entry planning efforts.

GOALS AND OBJECTIVES

- Consider public safety first.
- Maintain compliance with court orders and statutes.
- Continue to provide every effort to interview every offender as they become eligible for parole.
- Release offenders according to the mission statement.
- Continue to conduct careful, thorough, precise reviews of offender files.
- Continue to use our implemented parole guidelines with structured evidence-based practices.
- Limit the number of delayed hearings.
- Carefully analyze statements made by offender, victims, families, and other interested parties during the parole interview.
- Educate victims of the crimes regarding the parole process and their involvement therein and inmate families regarding the parole process.
- Continue to improve the working relationship between the West Virginia Parole Board and the West Virginia Division of Corrections and Rehabilitation.

POPULATION SERVED

The West Virginia Parole Board serves the entire population of the State of West Virginia. We are challenged to protect society by the timely integration of offenders back into society. Our most recent data shows that at the end of Fiscal Year 2021 the Parole Board had conducted 4,354 hearings and had a grant rate of 63%.

SERVICES PROVIDED

The Parole Board sends notice of parole hearings to public officials involved in the offender's case. Also, notice given to the victims of the crime so that they may comment on the appropriateness of granting parole.

We conduct Revocation hearings for all referred parolees to determine if parole should be revoked or reinstated due to violation of parole. We discharge all eligible parolees from their parole term, including instate and out-of-state parolees. We process and provide recommendations to the Governor regarding applications for Executive Clemency.

GOVERNOR'S RECOMMENDED FY 2022 BUDGET LEVEL

The Parole Board's current operating budget for the Fiscal Year (FY) 2021 is \$1,386,282.00, all of which is used to support nine (9) Board Members (statutorily appointed), five (5) Substitute Board Members (statutorily appointed), a staff of one (1) full-time office employee, and one (1) temporary/part time position.

Currently all nine (9) Board Member positions are filled. Two (2) of the five (5) Substitute positions are filled. Our staff includes an Executive Secretary and a Temporary Position.

The passing of House Bill 4509 led to changes within the Parole Board. The Division of Corrections and Rehabilitation absorbed the management of administrative staff and began assisting in the administrative work the board requires for the parole process. This included adding the budget of the Parole Board into the expenses of Division of Corrections and Rehabilitation. The staff was moved to a DCR managed office in August 2020.

The Honorable Governor Justice has recommended our budget for the Fiscal Year 2022 in the amount of \$1,386,282.00:

Personal Services and Employees Benefits	\$ 307,843
Current Expenses	\$ 10,000
Unclassified	\$ 355,234
Salaries of Board Members	\$ 707,056
BRIM Premium	\$ 6,149

The budget will be:

- Providing each offender, facility, sentencing judge, and prosecuting attorney with notice of scheduled interviews.
- Comprehensively reviewing the legal files and conducting interviews of adult offenders. In addition, holding parole violation and sanction hearings throughout the state and determining which cases are to be returned to prison or returned to society.
- Reviewing each of the early discharge eligible reports for parolees that have successfully served at least one year on parole to decide if they should be released before meeting their maximum parole date.
- Investigating and making recommendations to the Governor concerning the many applications for Executive Clemency.
- The Parole Board continuously corresponds with all persons who have an interest in the Board's activities and various cases.
- Conducting general office duties including processing invoices for leased office equipment and other consumed services.

EXPENDITURES AND PREVIOUS APPROPRIATIONS

Over the past five years the Parole Board's budget has averaged about \$1.2 million dollars. Starting in FY 2017, our budget was \$1,182,595.00. In FY 2018, our budget was \$1,276,287.00. In FY 2019, our budget was \$1,383,470.00. In FY 2020, our budget was \$1,386,282.00, and FY 2021, our budget is \$1,386,282.00.

These appropriations cover operational functions of the Board and expenditures such as: salaries, benefits, BRIM premiums, ordering of basic supplies, travel, making lease payments for necessary office equipment, payment of services consumed by the Board (e.g. West Virginia Attorney General fees and West Virginia Office of Technology services), and rental of office space.

The Board began utilizing Teleconference for board hearings in 2020. This saved approximately \$33,000.00 in travel expenses and vehicle operating costs. The Board is on track to save an additional \$50,000.00 this FY 2020.

The main priority of the Parole Board is to protect society. Our decisions are based on rehabilitation of offenders with timing and conditions of release that will best facilitate their integration into the community as law-abiding citizens. Therefore, the requested level of funding will allow us to move forward using Evidence Based Practices and assist us in carrying out the mission and goals of the Parole Board.

The West Virginia Parole Board would like to thank you for your consideration.

Ralph Miller, Chairman, West Virginia Parole Board

Fiscal Year 2022

Parole Board

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
<i>(Current Fiscal Year)</i>										
0440	Parole Board	\$ 1,386,282								
TOTAL		\$ 1,386,282								
<i>(Unexpended Cash as of 2/8/21)</i>										
0440	Parole Board	\$ 814,543								
TOTAL		\$ 814,543	TOTAL		\$ -	\$ -	TOTAL		\$ -	\$ -

SPECIAL REVENUE NON-APPROPRIATED			
Fund #	Fund Name	Spending Authority	Cash Balance 2/8/21
6201	Gifts Grants & Donations	\$ 20,000	\$ -
TOTAL		\$ 20,000	\$ -

Parole Board		SPENDING AUTHORITY	CASH BALANCE AS OF 2/8/21
GENERAL REVENUE ANNUAL	\$ 1,386,282	\$	814,543
SPECIAL REVENUE:			
APPROPRIATED	\$ -	\$	-
NON-APPROPRIATED	\$ 20,000	\$	-
FEDERAL REVENUE	\$ -	\$	-
GRAND TOTAL	\$ 1,406,282	\$	814,543

[NAME OF DEPARTMENT OR AGENCY HERE]

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
<i>(Current Fiscal Year)</i>										
TOTAL		\$ -								
<i>(Unexpended Cash as of DATE)</i>										
TOTAL		\$ -	TOTAL		\$ -	\$ -	TOTAL		\$ -	\$ -

SPECIAL REVENUE NON-APPROPRIATED			
Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
TOTAL			
		\$ -	\$ -

[NAME OF DEPARTMENT OR AGENCY HERE]		SPENDING AUTHORITY	CASH BALANCE AS OF (DATE)
GENERAL REVENUE ANNUAL	\$ -	\$	-
SPECIAL REVENUE:			
APPROPRIATED	\$ -	\$	-
NON-APPROPRIATED	\$ -	\$	-
FEDERAL REVENUE	\$ -	\$	-
GRAND TOTAL	\$ -	\$	-

[NAME OF DEPARTMENT OR AGENCY HERE]

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]



State of West Virginia
OFFICE OF THE SECRETARY
DEPARTMENT OF HOMELAND SECURITY

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JEFF S. SANDY CAMS, CFE
CABINET SECRETARY

THOMAS L. KIRK, JD, CFE
DEPUTY SECRETARY

OFFICE OF THE CABINET SECRETARY
BUDGET SUMMARY FOR FY 2022

The Office of the Secretary serves as the central point of administrative support for all the Divisions within DMAPS including financial, general management, and policy issues. In addition, its services as the central point of communication with the Governor's Office. The Office also serves as the administrator of the West Virginia Fire and EMS Survivor Benefit Act (WV Code 5H -1), the Law Enforcement, Safety and Emergency Worker Funeral Fund (WV Code 15-11) as well as provides direct administrative support for the WV Fusion Center.

Through prudent management of its resources, the Office of the Cabinet Secretary has operated for several years successfully on a minimally unchanged budget designed only to cover modest costs; primarily salaries and associated mandatory benefits. The General Revenue funds recommended for FY 2022 by the Governor is unchanged from 2020 in the amount of \$1,129,843 and will help cover salaries and benefits for the 6 positions in the Office of the Cabinet Secretary, as well as some of the day-to-day operations costs and funding for survivor benefits and funeral fund. As customary over the past several years, **there are no supplemental or improvement requests for the Office of the Cabinet Secretary.**

The West Virginia Fusion Center (WVFC) is the primary clearinghouse for the State of West Virginia for the collection, analysis, and proper distribution of information and actionable intelligence, generating intelligence analyses critical for homeland security policy and relevant threat warning in order to protect life, liberty, and property in West Virginia; promote and improve intelligence sharing among public safety and public service agencies at the federal, state, and local levels, and with critical infrastructure and

HONORING THE PAST - EMBRACING THE PRESENT - CREATING THE FUTURE.



key resource entities within the private sector. The annual general revenue budget for the Fusion Center is \$2,724,000

To advance the Governors vision for the West Virginia Fusion Center and the Narcotics Intelligence Unit (NIU), the West Virginia Fusion Center has accomplished the following:

- Hired 5 Intelligence Analysts who are uniquely qualified for their specific duties including but not limited to digital forensics, open-source analysis, financial fraud and human trafficking.
- Hired an NIU Coordinator. A retired law enforcement officer with over 20 years of drug investigation experience.
- Established a designated group of Analysts to assist Law Enforcement in identifying, locating, apprehending and prosecuting those individuals who are trafficking illegal drugs in and to our state.
- Established an **Open-Source Intelligence Team** consisting of a designated group of Analysts to assist law Enforcement in providing real time open-source analysis of
- Established a **Financial Fraud Intel Team** consisting of a designated group of Analysts to assist law Enforcement in identifying locating and tracking the real property as well as U.S. currency assets of these persons.
- Established a **Digital Forensics Lab** to assist law Enforcement in their investigations. This lab possesses the capability to extract evidentiary evidence from cell phones, computers and any other digital device. The analyst will then provide the investigating officer an analytical report of relative findings.
- Established a **Statewide 24hr Drug Tip Line** which provides the public with a toll-free phone number as well as on line capability to provide drug related information. Analysts compile this information by location and send the information to the Drug Task Force responsible for the area.
- Purchased or purchasing in process for state-of-the-art software and hardware to provide additional and/or improved services to our states law enforcement.
- Developing new partnerships with DEA, ATF and HSI to more efficiently share intelligence information and assist them in their investigations.
- Developing partnerships with Fusion Centers and Law Enforcement agencies in States and Cities that are known sources who target our state for the distribution of illegal drugs. The information sharing will assist in identifying these Drug trafficking Organizations (DTO's) and/or individuals

Fiscal Year 2022

[NAME OF DEPARTMENT OR AGENCY HERE]

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance 2/9/21	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
430	Operations	\$ 3,853,843	6003	Funeral	\$ 32,000	\$ 153,714	8876	Consolidated Federal	\$ 500,000	\$ -
TOTAL		\$ 3,853,843	TOTAL		\$ 32,000	\$ 153,714	TOTAL		\$ 500,000	\$ -
(Unexpended Cash as of 2/9/21)		\$ 2,773,358								
TOTAL		\$ 2,773,358								

SPECIAL REVENUE NON-APPROPRIATED			
Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
TOTAL			
		\$ -	\$ -

[NAME OF DEPARTMENT OR AGENCY HERE]	SPENDING AUTHORITY	CASH BALANCE AS OF [DATE]
GENERAL REVENUE ANNUAL	\$ 3,853,843	\$ 2,773,358
SPECIAL REVENUE:		
APPROPRIATED	\$ 32,000	\$ 153,714
NON-APPROPRIATED	\$ -	\$ -
FEDERAL REVENUE	\$ 500,000	\$ -
GRAND TOTAL	\$ 4,386,843	\$ 2,927,072

[NAME OF DEPARTMENT OR AGENCY HERE]

GENERAL REVENUE APPROPRIATED			SPECIAL REVENUE APPROPRIATED				FEDERAL REVENUE APPROPRIATED			
Fund #	Fund Name	Approp. Amount	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]	Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
TOTAL		\$ -	TOTAL		\$ -	\$ -	TOTAL		\$ -	\$ -
(Unexpended Cash as of DATE)										
TOTAL		\$ -								

SPECIAL REVENUE NON-APPROPRIATED			
Fund #	Fund Name	Spending Authority	Cash Balance [As of DATE]
TOTAL			
		\$ -	\$ -

[NAME OF DEPARTMENT OR AGENCY HERE]	SPENDING AUTHORITY	CASH BALANCE AS OF [DATE]
GENERAL REVENUE ANNUAL	\$ -	\$ -
SPECIAL REVENUE:		
APPROPRIATED	\$ -	\$ -
NON-APPROPRIATED	\$ -	\$ -
FEDERAL REVENUE	\$ -	\$ -
GRAND TOTAL	\$ -	\$ -

[NAME OF DEPARTMENT OR AGENCY HERE]

GENERAL REVENUE APPROPRIATED	SPECIAL REVENUE APPROPRIATED	FEDERAL REVENUE APPROPRIATED