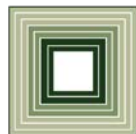




Joint Meetings of the House and Senate Appropriations Committee on Justice and Public Safety



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

Joint Appropriations Subcommittee on
Justice and Public Safety

Department of Public Safety Law Enforcement

March 11, 2021

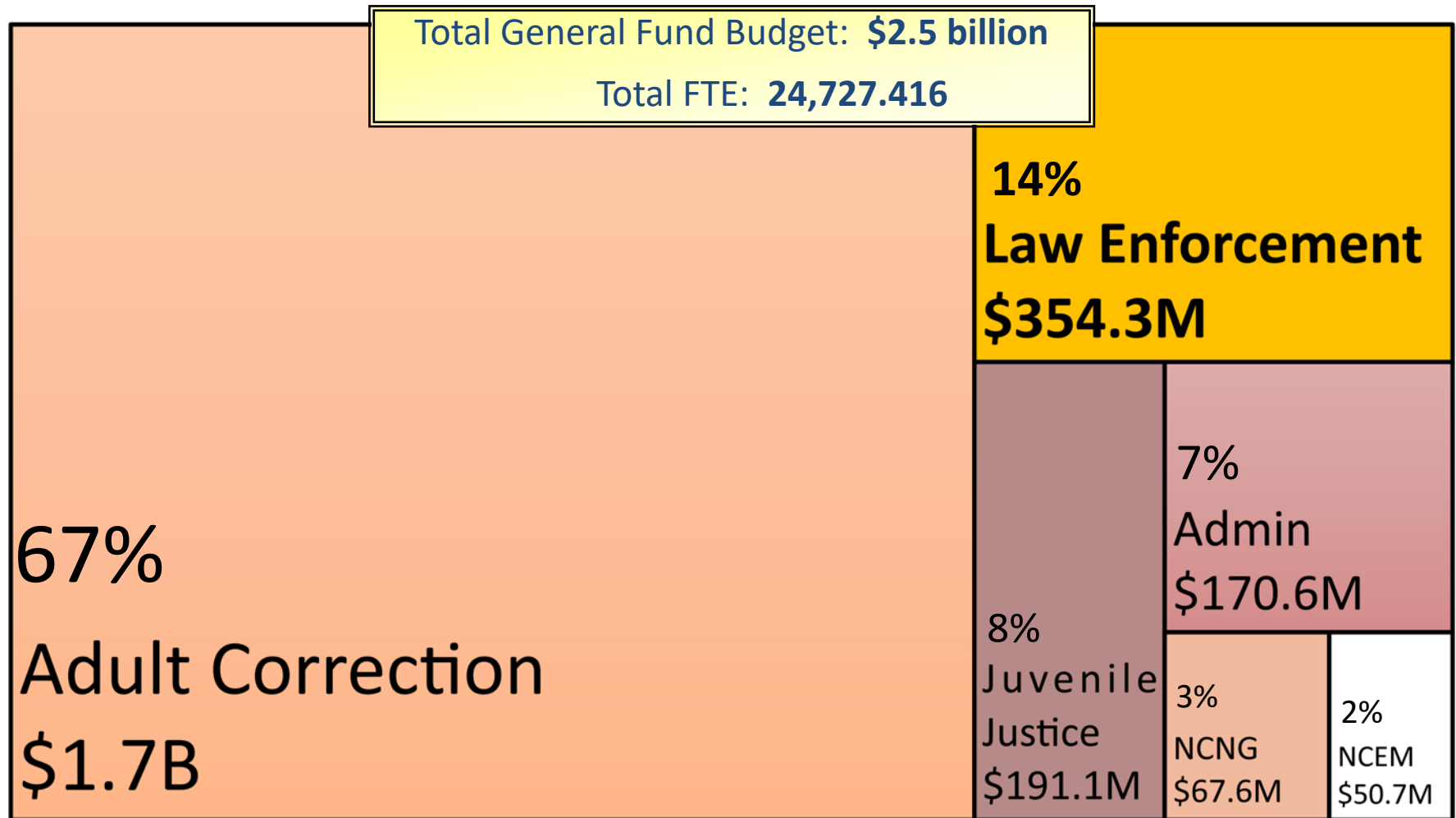
Mark White

Fiscal Research Division



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

DPS Base Budget by Function FY 2021-22

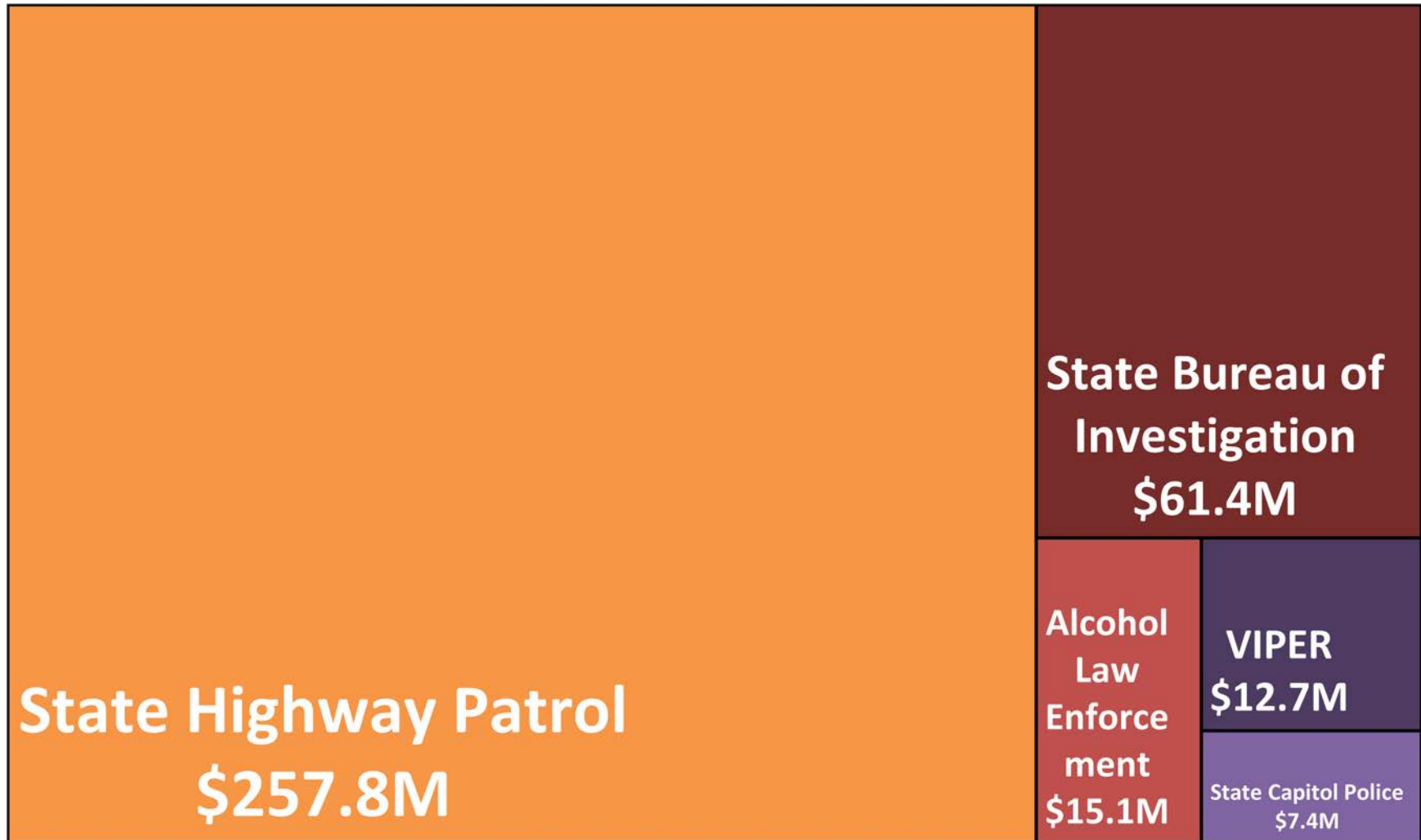


Source: FY 2021-22 Base Budget, OSBM

DPS Law Enforcement



DPS Law Enforcement



Outline

- **State Highway Patrol**
 - **VIPER**



- State Capitol Police
- Alcohol Law Enforcement
- State Bureau of Investigation

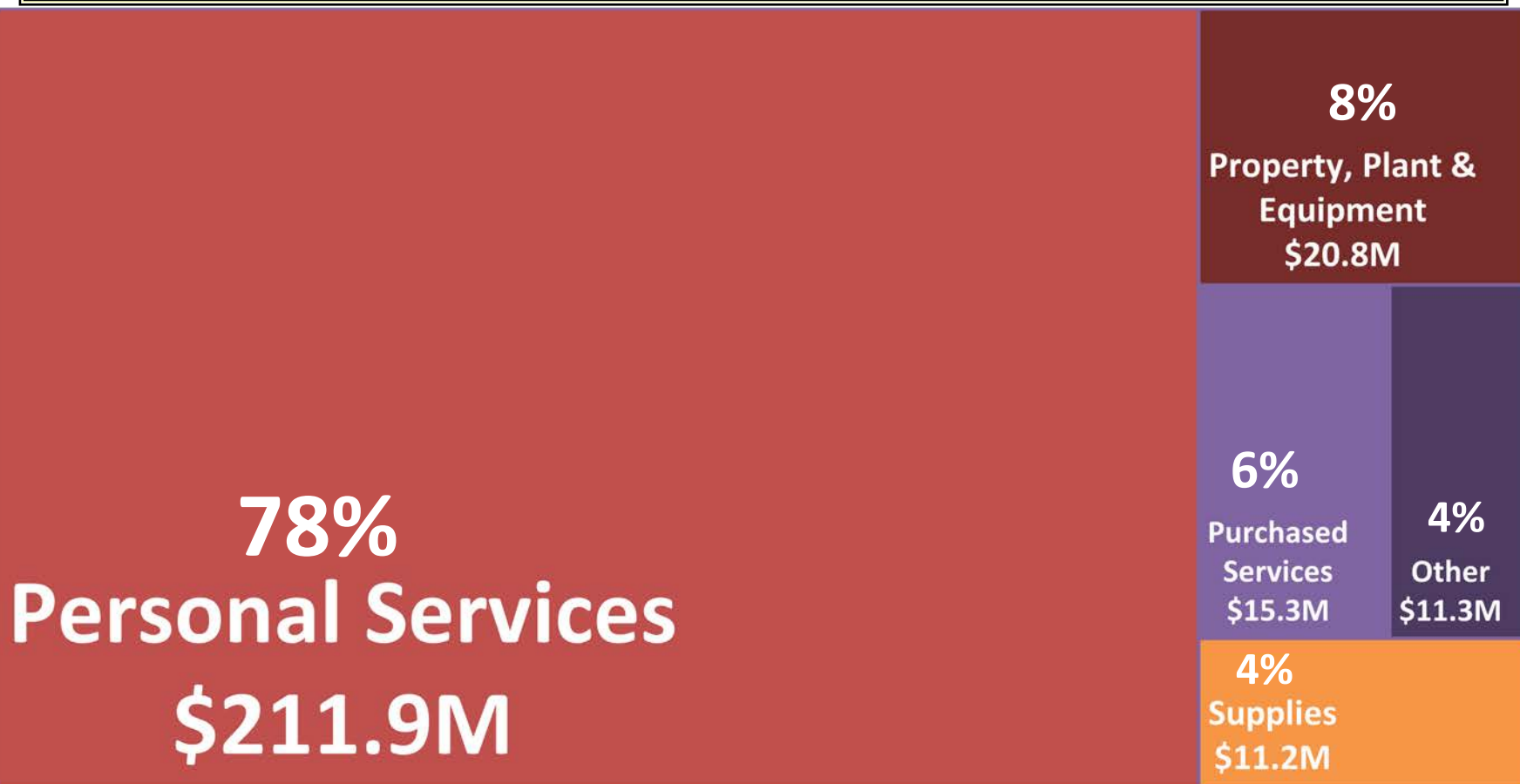
NC State Highway Patrol

Requirements: **\$270,455,533**

Net GF Appropriation: **\$261,293,164**

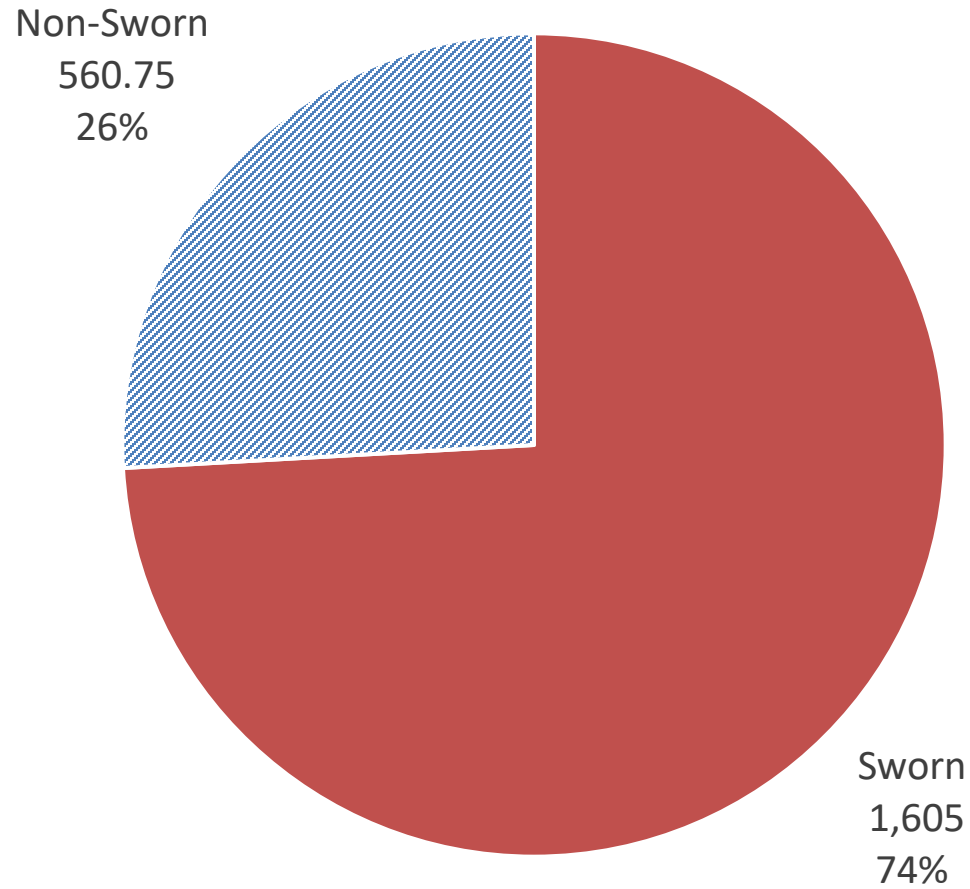
Receipts: **\$9,162,369**

Total FTE: **2,165.75**



Source: Recommended Base Budget (Worksheet I)

SHP Personnel

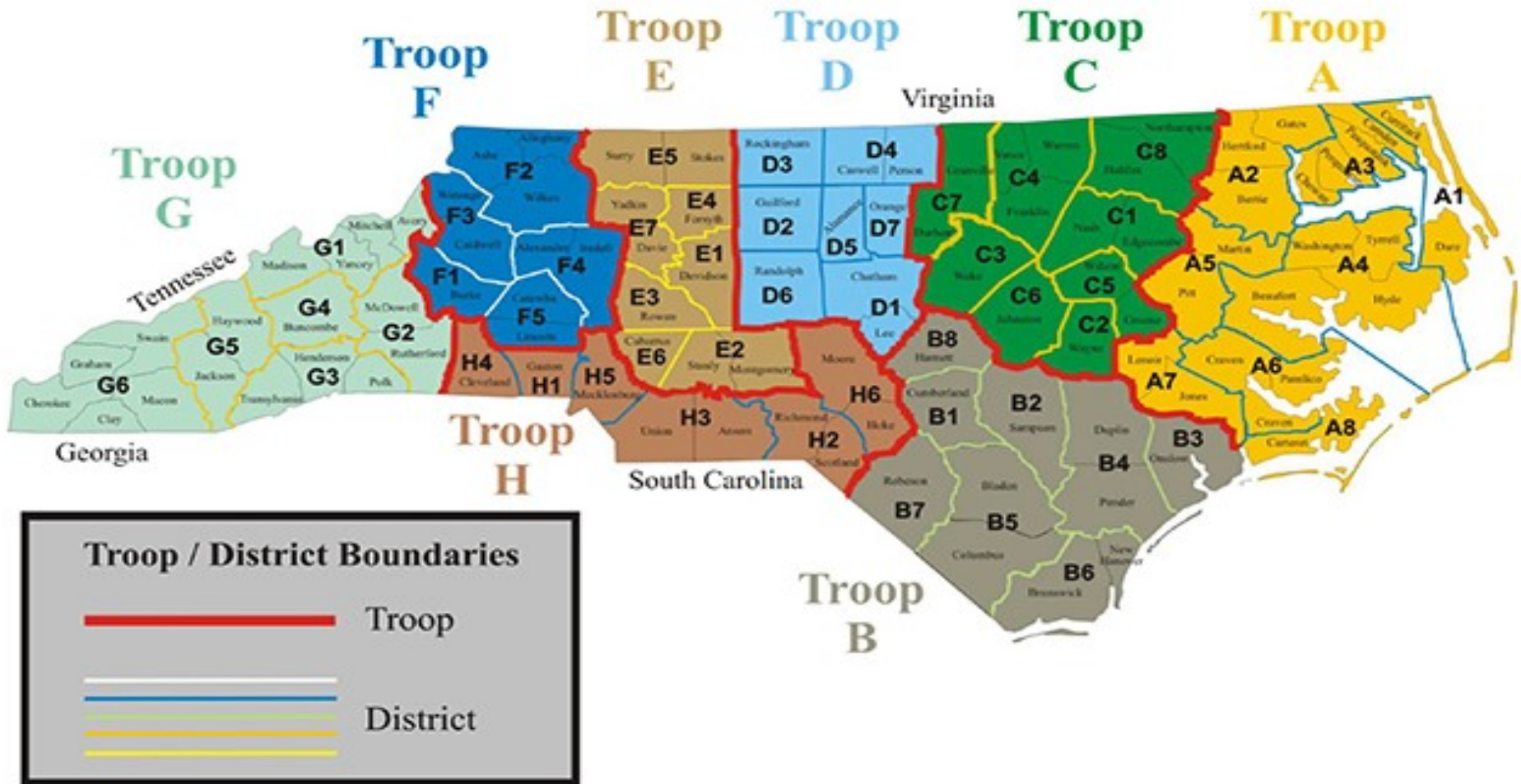


NC State Highway Patrol

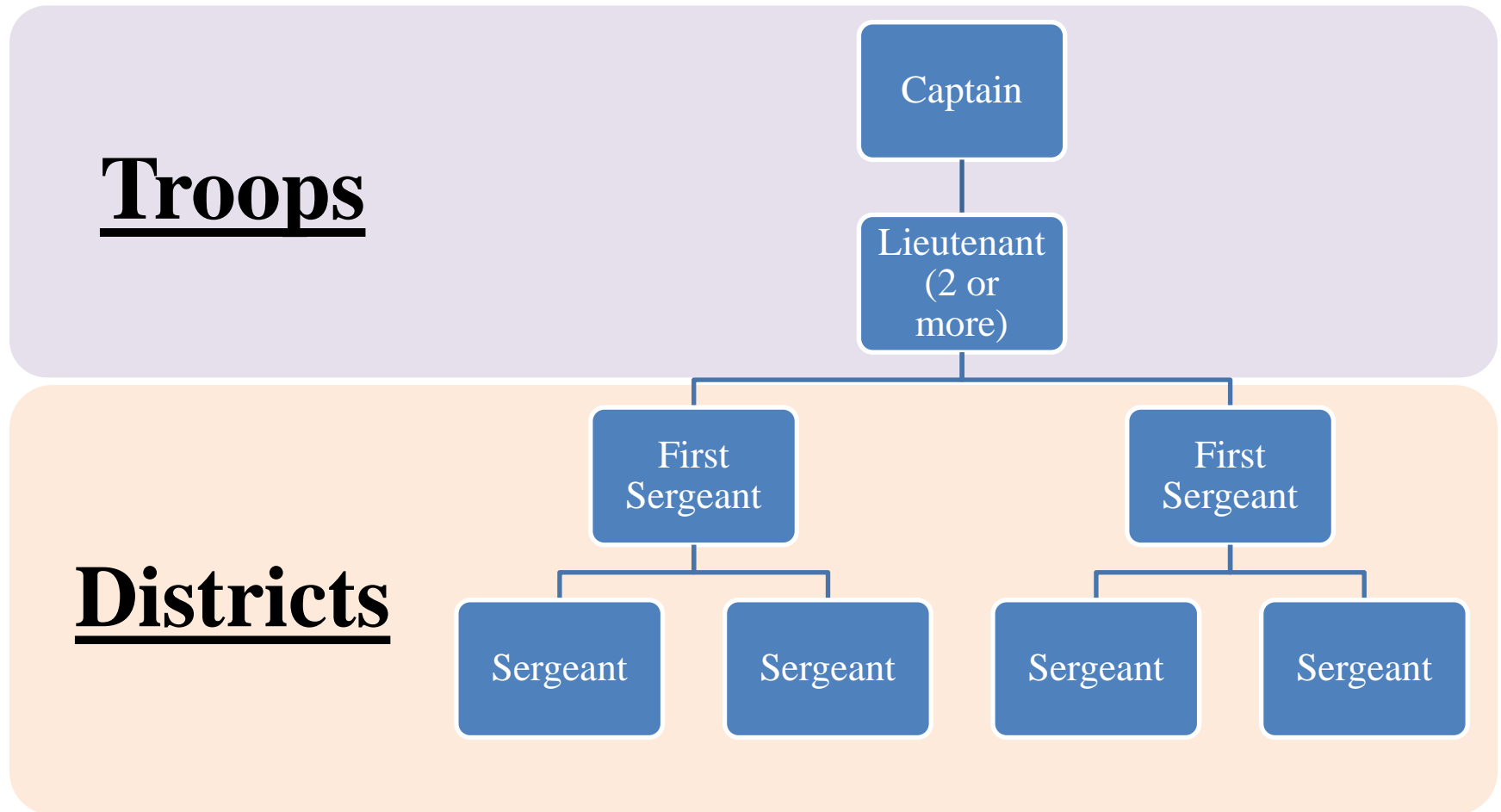
- Established in 1929
- Mission: To ensure safe, efficient transportation on our streets and highways, reduce crime, protect against terrorism, and respond to natural and manmade disasters.



NC State Highway Patrol



Field Operations Hierarchy



Field Operations

- SHP Primary Duties
 - Enforce traffic laws
 - Investigate accidents and assist motorists
 - Provide traffic safety information
 - Commercial Vehicle enforcement



Enforcement Statistics

<u>Motor Vehicle Enforcement</u>			
	<u>2019</u>	<u>2020</u>	<u>Percent Change</u>
Driving While Impaired	17,586	16,369	-7%
Speed Violations	329,795	277,760	-16%
Seatbelt Violations	87,514	60,304	-31%
Child Restraint Violations	9,384	6,424	-32%
<u>Total Charges (inc. others not listed)</u>	<u>870,497</u>	<u>701,795</u>	<u>-19%</u>
Warning Tickets Issued	142,204	107,641	-24%

Enforcement Statistics

<u>Statewide Collisions</u>			
	<u>2019</u>	<u>2020</u>	<u>Percent Change</u>
Fatal Collisions	981	1,040	6%
Fatalities	1,055	1,146	9%
Injury Collisions	33,115	29,350	-11%
Property Damage Collisions	99,828	93,008	-7%
<u>Total</u>	<u>133,924</u>	<u>123,398</u>	<u>-8%</u>

Enforcement Statistics

<u>Drug Seizures</u>			
	<u>2019</u>	<u>2020</u>	<u>Percent Change</u>
Cocaine (grams)	7,380	1,508	-80%
Marijuana (grams)	129,420	57,024	-56%
Heroin (grams)	8,030	140	-98%
Meth (grams)	2,977	19,200	545%
Prescription Pills	1,326	706	-47%
Firearms	7	9	29%
Currency	\$1,751,330	\$2,428,169	39%

Motor Carrier Enforcement (MCE)

- Specialized units charged with enforcing commercial vehicle laws; can also help with other non-specialized troop activities as needed
- Operate 8 permanent weigh stations and mobile scales, among other duties



Highway Patrol Training Academy

- Located at the Governor Morehead School for the Blind since 1976
 - 9 buildings, 317 acres, Driving track, Heliport
- Basic School - 79 cadets
 - 27 weeks, 1,047 hours
 - \$1.39m per class (\$17.6k/cadet)
- Fast-Track School – 50 cadets
 - Cadets who already possess NC law enforcement certification
 - 12 weeks, 481 hours
 - \$744k per class (\$14.9k/cadet)



Hiring and Retention

- Current trooper vacancies: 115
 - Average turnover: 7/month, 84/year
- New salary schedule with accelerated raises took effect FY 2018-19
- 220 new hires in 2020



New Salary Schedule

Estimated Trooper Salary Progression			
Years of Experience	Previous Schedule	New Schedule	% Δ
0	39,189	44,000	12.3%
1	41,148	46,860	13.9%
2	43,206	49,906	15.5%
3	47,634	53,150	11.6%
4	50,016	56,605	13.2%
5	52,517	60,284	14.8%
6	57,900	64,202	10.9%
7	60,795	64,202	5.6%
8+	62,875	64,202	2.1%

Outfitting a New Trooper

Weapons (Pistol & Shoulder)	\$3,196.35
Taser & Cartridges	\$1,864.95
Basic Issue: Uniform, Supplies, Traffic Vest, Ballistic Vest	\$5,037.86
Technical Services Unit Equipment: Docking station, printer, modem, radio, etc.	\$14,278
Patrol Vehicle Upfit: Radios, console, lights, decals, dash-cam, etc.	\$10,298.50
Patrol Vehicle (Dodge Charger)	\$29,311.56
<u>Total</u>	<u>\$63,987.22</u>

SHP: Fleet



Vehicle Type/Purpose	Number in Fleet	Make/Model Example
Standard Patrol Car	1,936	Dodge Charger
SUV	302	Chevrolet Tahoe
Truck	70	Ford F250/F350
Motorcycle	36	BMW R1200 RTP
Van	12	Ford Transit
Rollback (Towing)	10	Ford F650
Bus	3	Ford, Thomas
<u>Total</u>	<u>2,369</u>	

Special Events and Security

- Traffic and security assistance supplied for 80-90 events annually
- 2020 Examples:
 - 36 dignitary/VIP visits (POTUS, VPOTUS, Cabinet Sec.)
 - 42 Civil Disturbance/Protest Events
 - Hurricane Isais
 - 2020 RNC/Policy Conference
 - Bank of America Roval 400
- Most expenses covered by SHP operating funds
 - Some reimbursements: commercial/haz-mat escorts, municipal events, etc.

SHP: Aviation

- Ten pilots (sworn)
- Current fleet: 3 Bell helicopters
 - Acquired from 2008-2019; manufactured 2007



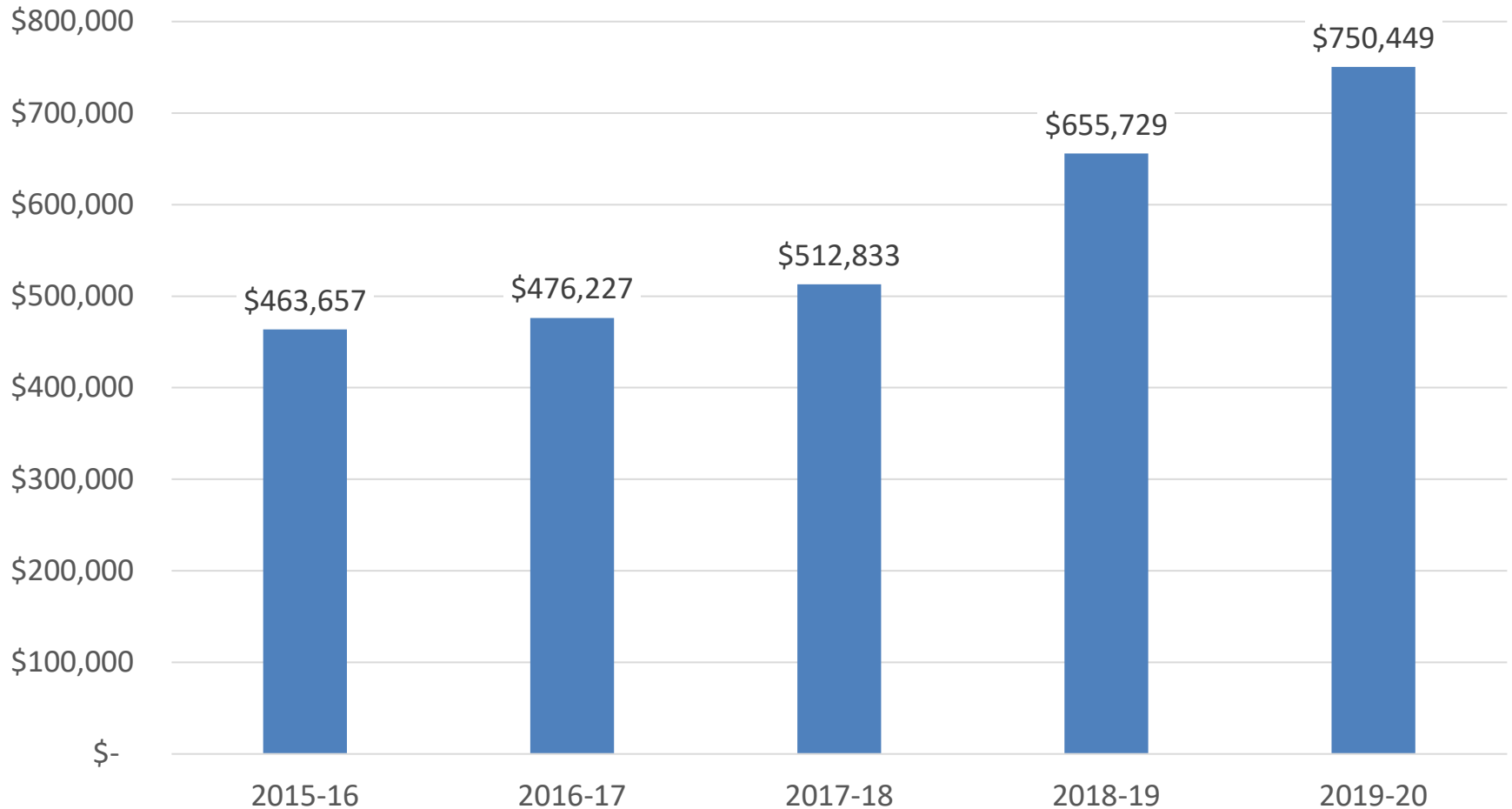
Seized Assets

- Federal programs through US DOJ and US Treasury
- Funds can be used for
 - Investigations, training, facilities, equipment, travel, other
- Funds cannot be used for:
 - Salaries, scholarships, food and beverage, hospitality suites, illegal activities



Seized Assets

State Highway Patrol Seized Asset Expenditures by Fiscal Year



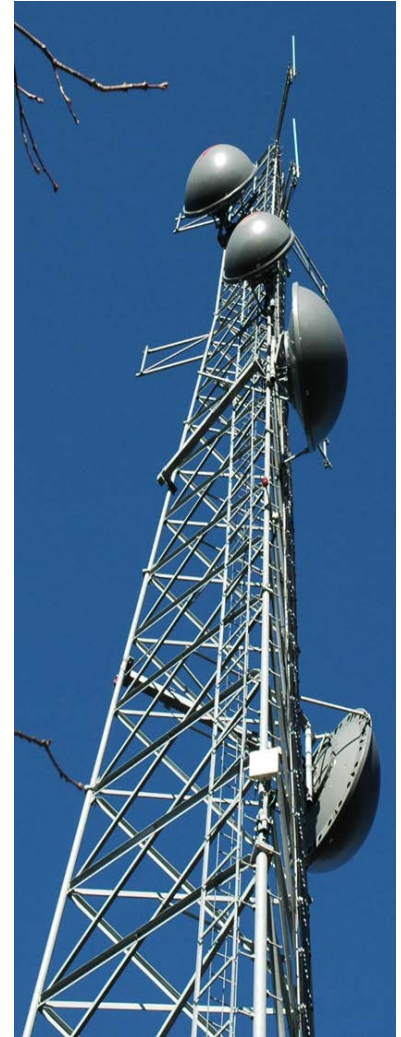
Source: SHP

SHP Recent Budget Actions

- FY 2017-18 Budget
 - \$200,000 reduction to salary reserve
 - Telecommunicator Positions: \$433k, 8 FTE
- FY 2018-19 Budget
 - New pay plan
- 2019-21 Biennium
 - None (excluding VIPER/salaries/capital)

VIPER

- **VIPER: Voice Interoperability Plan for Emergency Responders**
 - Operated and maintained by the State Highway Patrol; Allows inter-agency communication during emergencies
 - State/local Partnership: State pays for towers, Locals pay for their radios
 - 241 Tower sites planned (233 completed; 3 under construction, 2 in engineering phase)
 - 141,501 VIPER system IDs from over 1,500 agencies
- Around \$300 million invested to-date (federal and State support)



VIPER Recent Budget Actions

- FY 2017-18 Budget
 - VIPER Operating Costs: \$678,077 (R)
 - VIPER Construction Change
 - Moved \$4.16m from Recurring to Nonrecurring
 - VIPER budget reduced by \$4.16m in base budget starting FY 2019-20
- FY 2018-19
 - VIPER System Updates: \$16.5m (NR)
 - Base station hardware replacement, tower security, long-term software and support
 - SL 2019-250: \$1.5m (R) for long-term software contract
- FY 2020-21
 - SL 2020-14: \$19.8m (NR) from Coronavirus Relief Fund for final base station hardware replacement
- Microwave system losing manufacturer support end of 2021
 - \$18 million replacement; can be split over four years

Outline

- State Highway Patrol
 - VIPER
- **State Bureau of Investigation**
- Alcohol Law Enforcement
- State Capitol Police



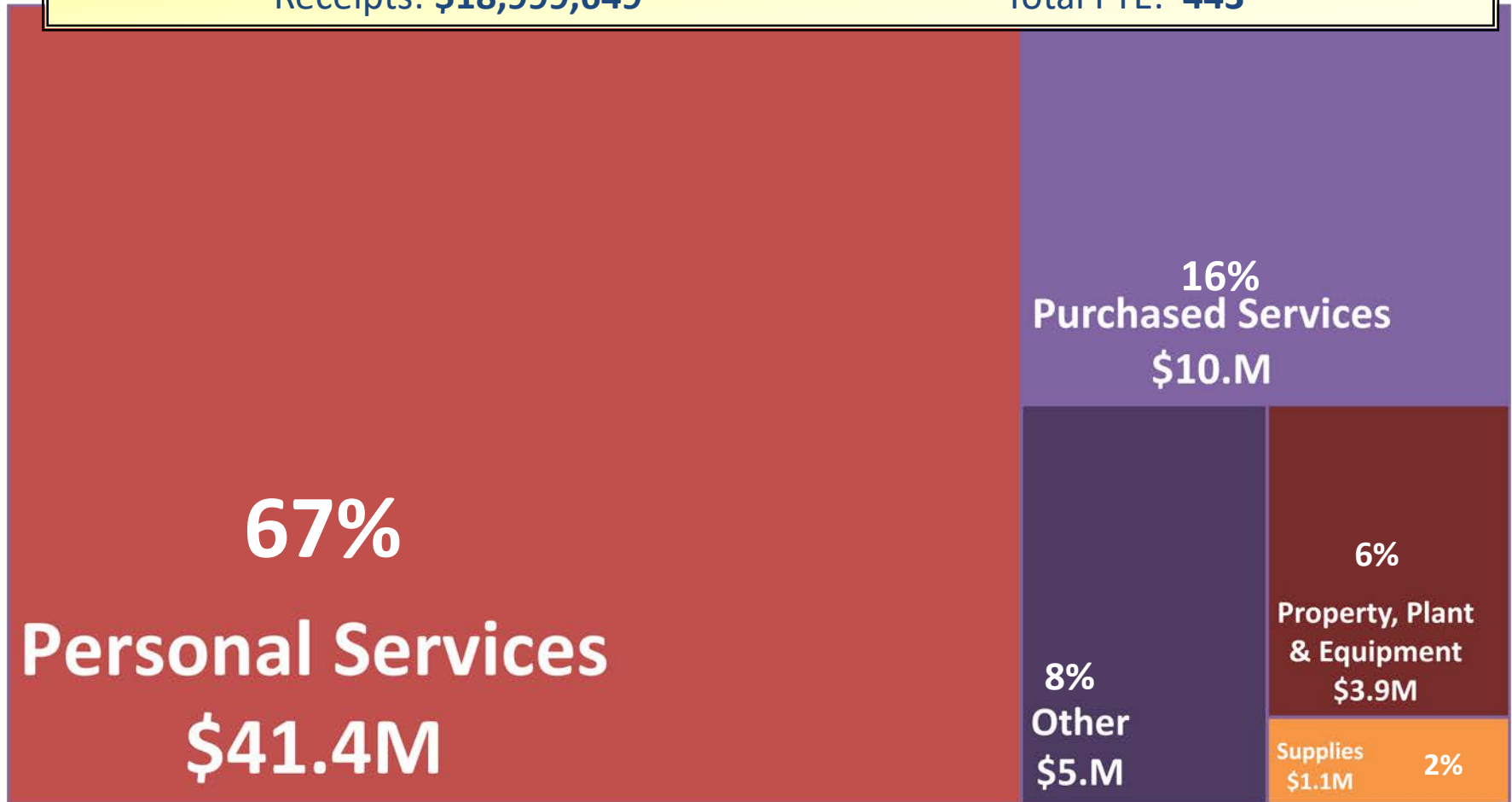
FY 2021-22 SBI Base Budget

Requirements: **\$61,391,702**

Net GF Appropriation: **\$42,392,053**

Receipts: **\$18,999,649**

Total FTE: **443**



Source: Recommended Base Budget (Worksheet I)

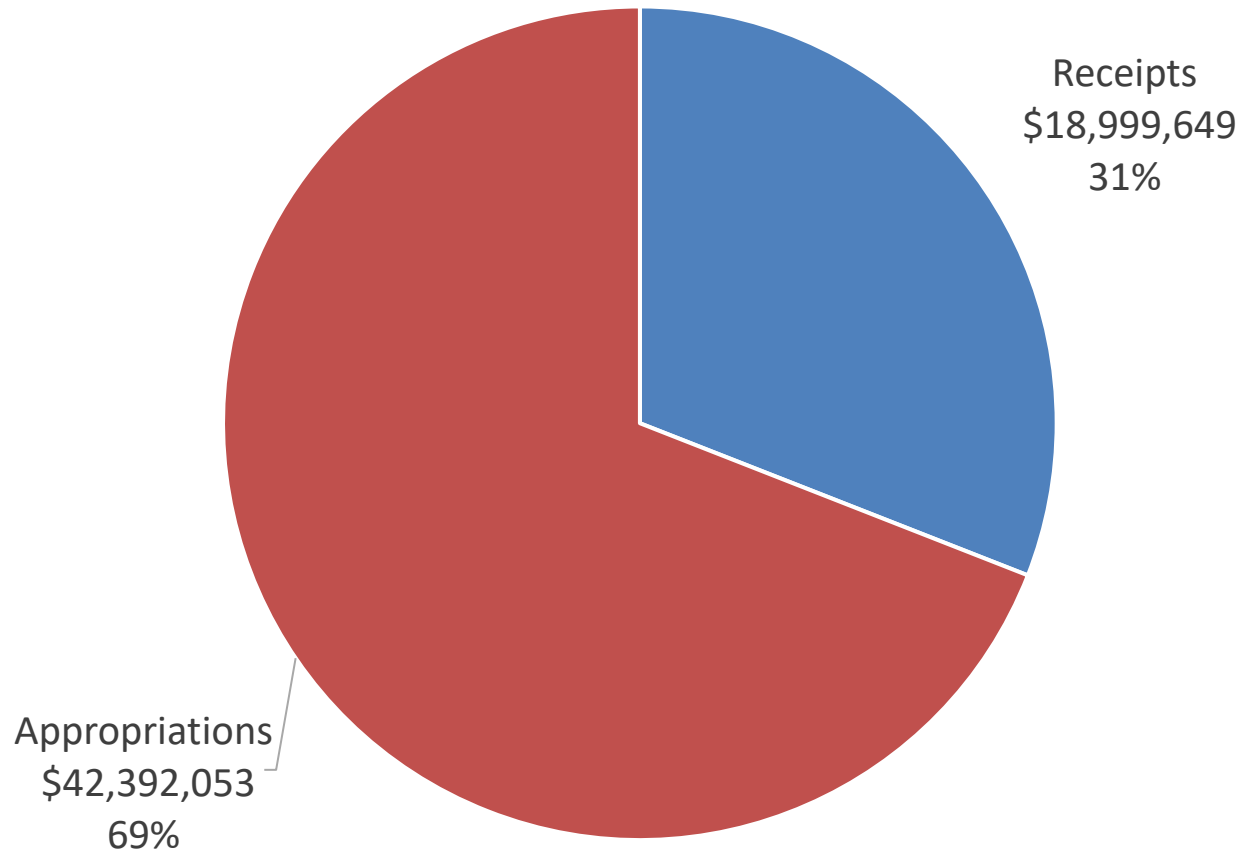
FY 2021-22 SBI Base Budget by Source

Major Receipt Sources

Concealed Handgun
Permits:
\$5,797,520

Background Checks
(Fingerprint and
Criminal Records):
\$4,223,568

DCIN Fees
\$3,649,752



Source: Recommended Base Budget (Worksheet I)

State Bureau of Investigation

- G.S. 143B-919 lists SBI original jurisdiction:
 - Election fraud
 - Lynchings
 - Computer crimes against children
 - Child sex abuse in daycares
 - Explosives
 - Hazardous waste dumping
 - Communicating threats
 - Arson (G.S. 58-79-5)
 - Gambling and Lottery
 - Drugs (G.S. 90-113.5)
 - Human Trafficking
 - Assistance to law enforcement upon request



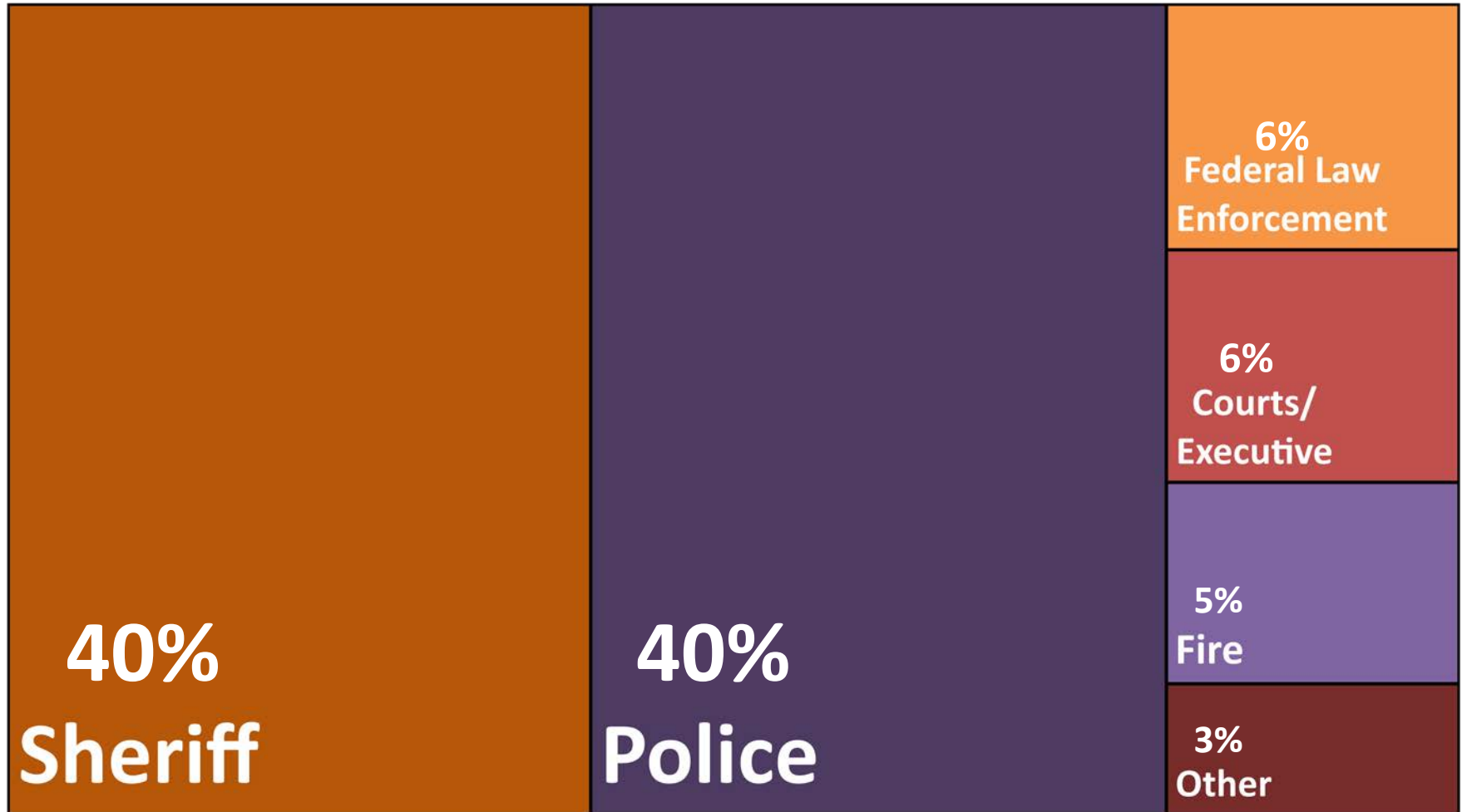
Investigation Origins FY 2019-20



Source: SBI

Investigation Origins FY 2019-20

Non-Original Jurisdiction Request Origins, FY 2019-20



Source: SBI

SBI Director

Previous Law

- Appointed by the Attorney General (AG)
- Served at pleasure of the AG
- No set terms
- Conducted most investigations “upon the request of” or “under the direction of” the Governor

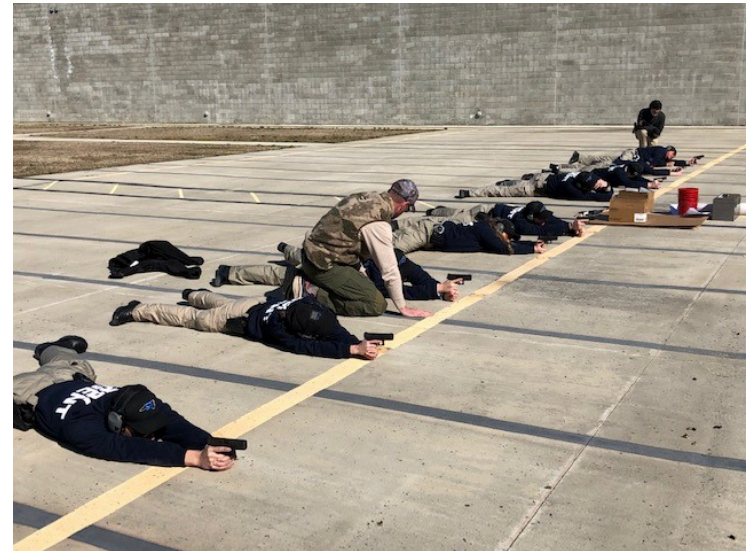
S.L. 2014-100, Sec. 17.1

- Nominated by the Governor and confirmed by the NCGA
- Can only be removed for cause by the Governor
- Eight-year terms
- Conducts most investigations “at the request of” or “under the direction of” the Governor

Current Director: Bob Schurmeier, sworn-in July 2016

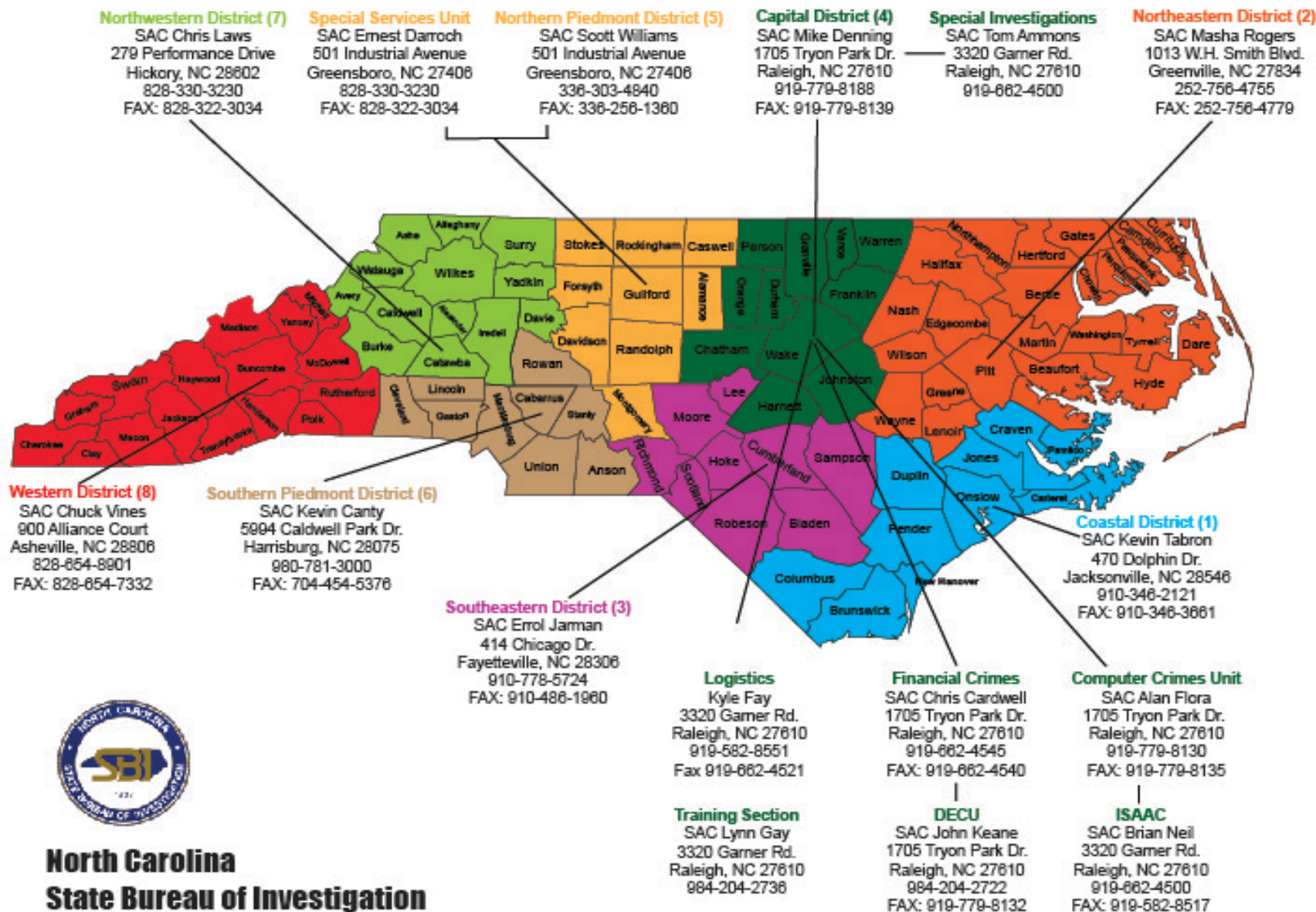
Recruitment and Training

- To be an SBI Agent, recruits must:
 - Have at minimum a bachelor's degree
 - Have or obtain law enforcement certification
 - Complete background checks, psychological evaluations, other testing
 - Attend SBI Academy
- SBI Academy classes
 - 12 weeks, plus 4 weeks field training.
 - Includes classroom, practical instruction, firearms, physical fitness



Field Operations

- Eight District Offices
 - Personnel: Special Agent in Charge (SAC), Assistant SAC, special agents, administrative secretary, office assistant
- Provide assistance to local law enforcement
- Investigate original jurisdiction cases in their district
- Crime Scene Search
- Polygraph



North Carolina State Bureau of Investigation

Updated: 10/15/2020

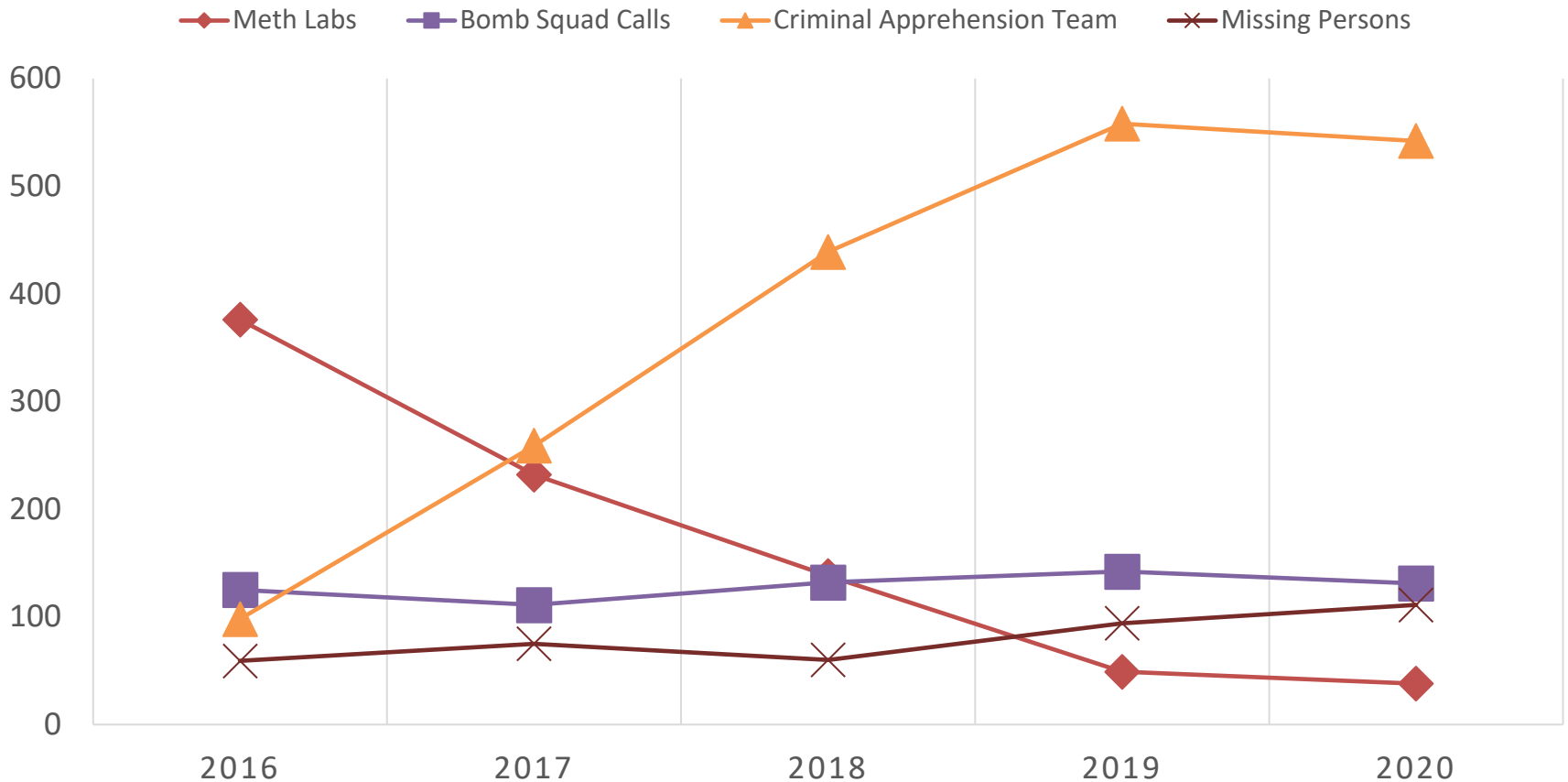
Intelligence and Special Ops

- Computer Crimes
 - Internet Crimes Against Children Task Force
- Diversion and Environmental
 - Operation Medicine Drop
- Fire/Arson
- Clandestine Labs
 - Meth/Other
- Tactical Services (SRT/Bomb Squad)
- Financial Crimes



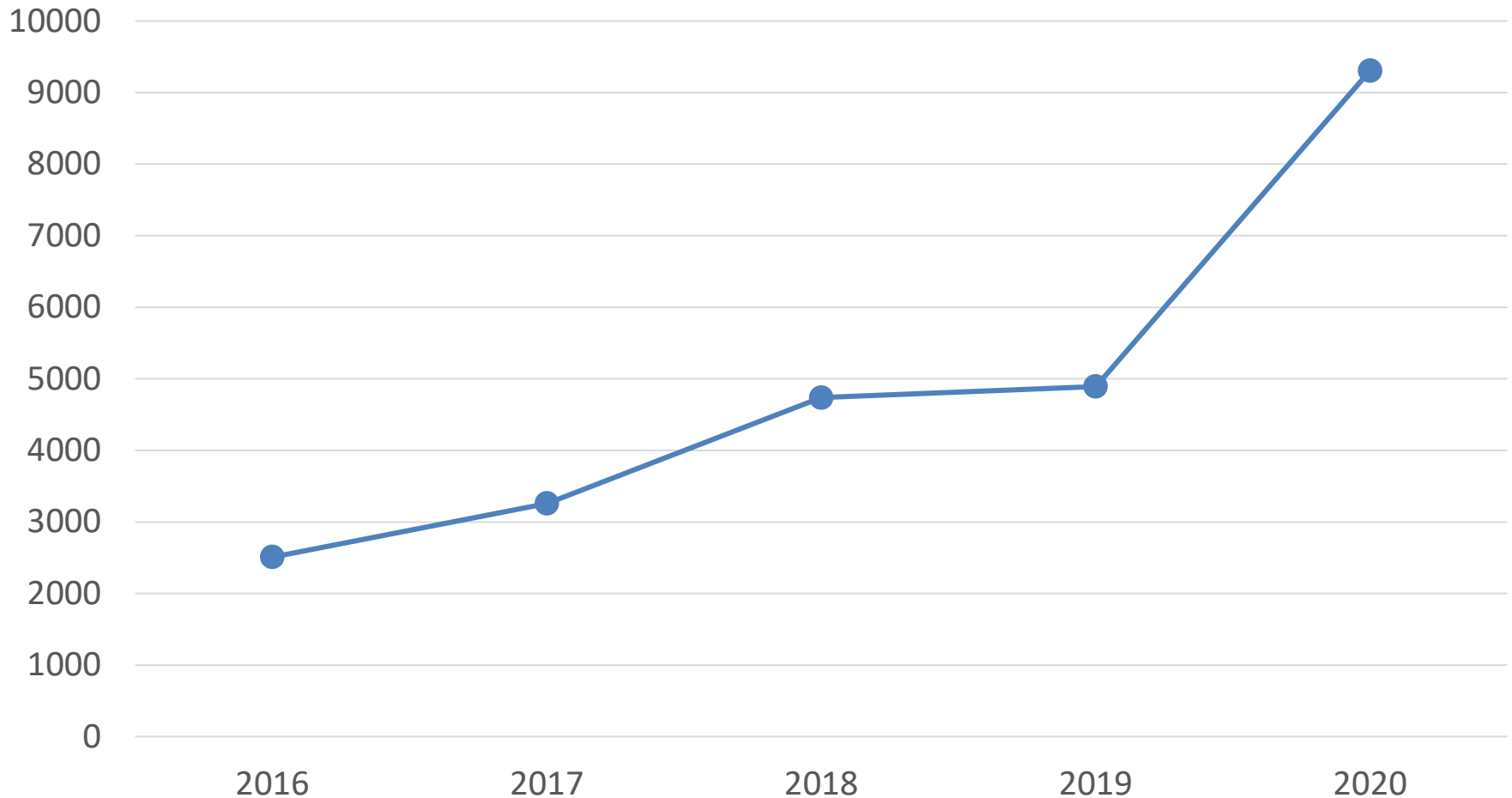
Intelligence and Special Ops

SPECIAL OPERATIONS CALLS AND INVESTIGATIONS



Intelligence and Special Ops

Computer Crimes Unit - CyberTips



Behavioral Threat Assessment (BeTA)

- New initiative seeking pro-active approach to preventing mass violence, especially in schools or places of worship
- Works with ISAAC, Center for Safer Schools, and other resources to identify threats
- 7 of 8 positions currently filled
- 104 threat assessment cases worked to date



ISAAC

- “Fusion Center” – collaboration between multiple law enforcement and other agencies to detect, prevent, investigate, and respond to criminal and terrorist activity
- Database and assigned personnel
- Analyze intelligence, monitor social media, other sources to identify future threats



Air Wing

- Three full-time pilots
- Supports SBI personnel along with federal, state, and local law enforcement
- Transportation/deployments (special agents, witnesses, fugitive extradition, prisoners), manhunts, search and rescue, reconnaissance, aerial photography



Professional Standards Division

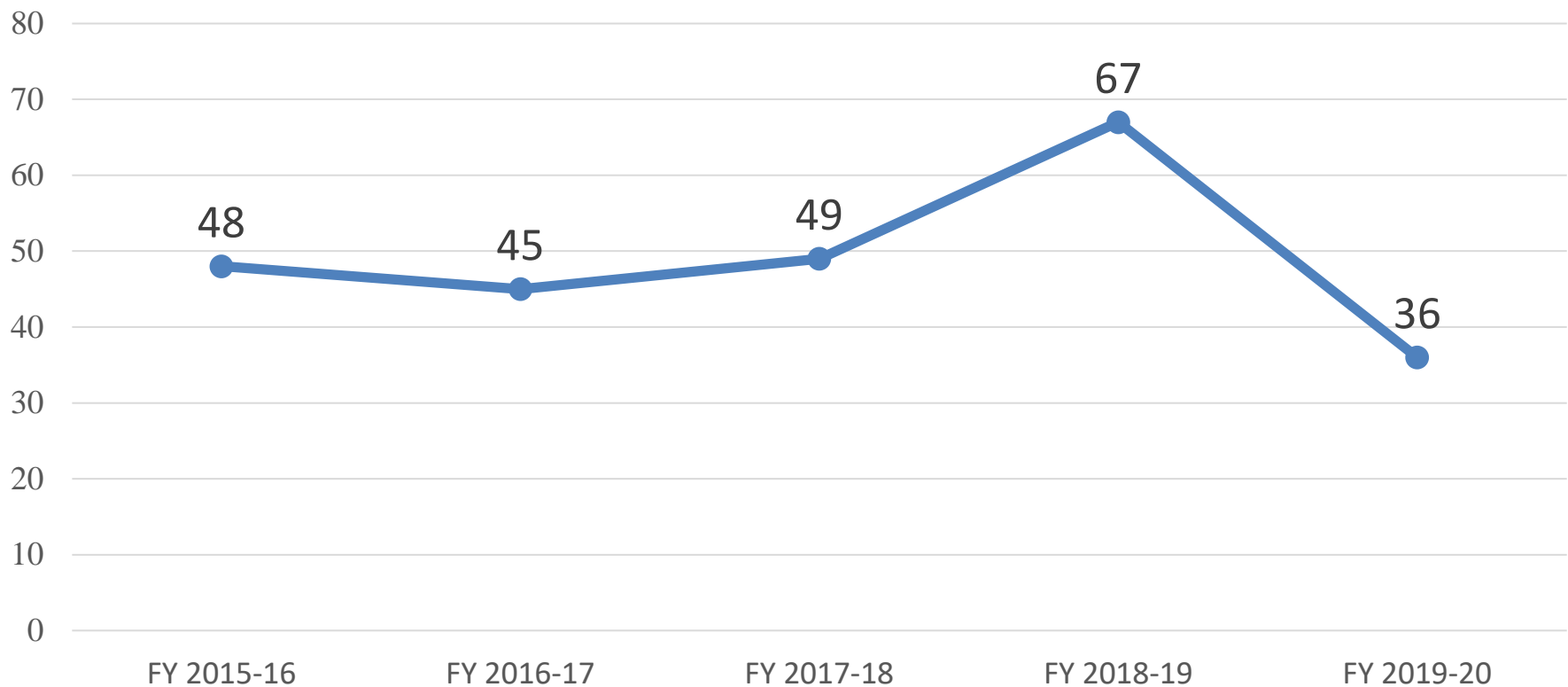
- Cooperative Disability Investigations
- Inspections and Compliance
- Internal Affairs
- Special Investigations Unit
- State Property



Special Investigations Unit

Investigates public corruption and government misconduct and internal affairs for the SBI.

Public Corruption Investigations by Year



Source: SBI

Criminal Information and Identification

- Background checks
- Statewide Automated Fingerprint Identification System (SAFIS)
- Division of Criminal Information Network (DCIN)
- Sex Offender Registry



Background Checks

- SBI conducts background checks for:
 - Employment
 - Licensure
 - Adoption
 - Concealed weapons
 - Law enforcement
- Fees charged:
 - \$38 for state and federal fingerprint searches
 - \$24 for state and federal fingerprints for law enforcement
 - \$14 for state-only fingerprints
 - \$10 for name-only searches
 - \$45 for concealed carry permits (\$40 renewal)*



Background Checks: FY 2019-20

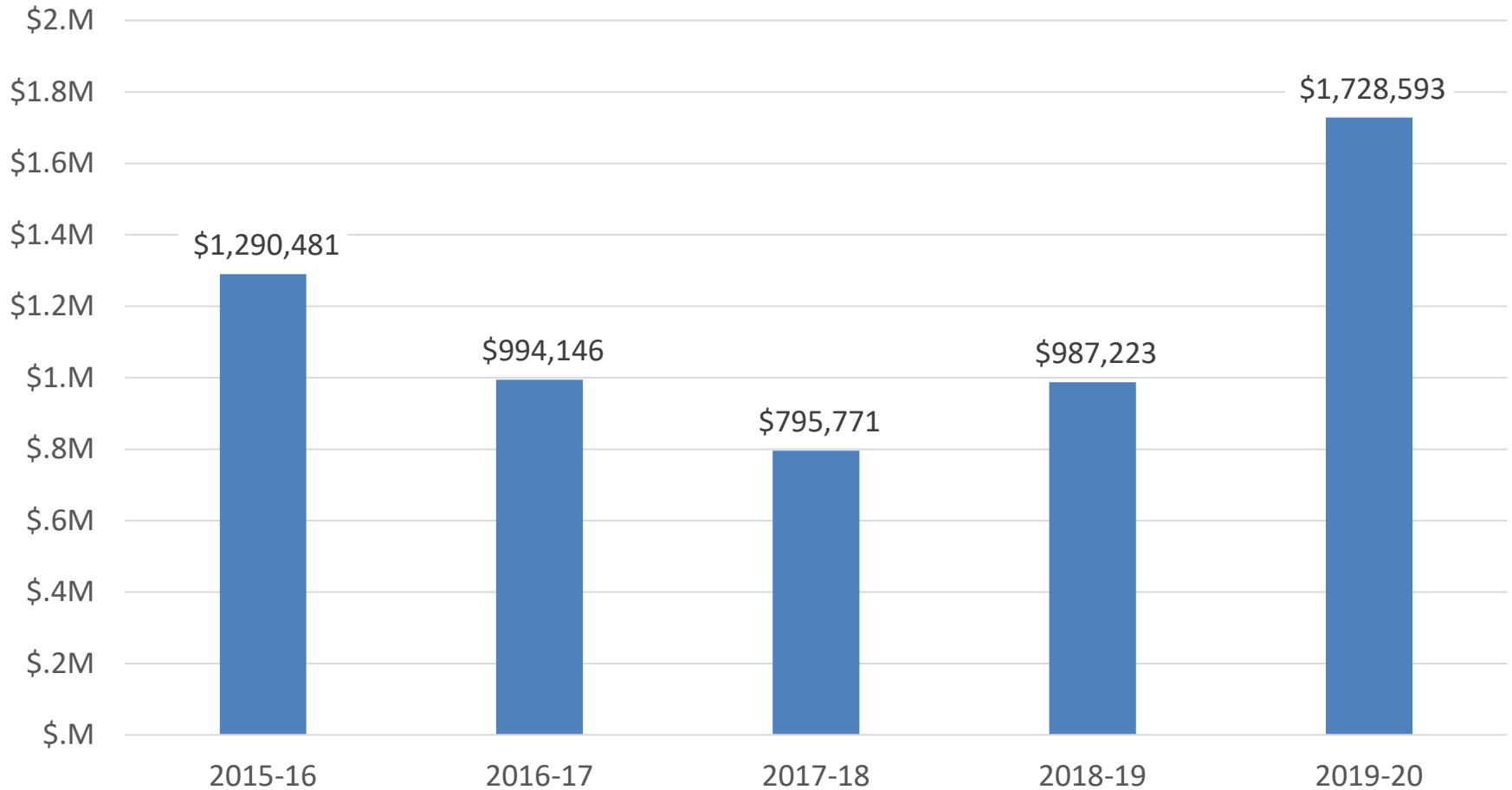
Type of Check	Fee Charged	Searches	Receipts Generated
State and Federal Fingerprints	\$38	70,072	\$2,662,736
State and Federal Fingerprints for Law Enforcement	\$24*	50,920	\$1,222,080
State-only Fingerprints	\$14	11,178	\$156,492
Name-based Criminal Records Check	\$10	18,226	\$182,260
Concealed Carry Permits	\$45	68,864	\$3,098,880
Concealed Carry Renewal	\$40	67,466	\$2,698,640
<u>Total</u>		<u>286,726</u>	<u>\$10,021,088</u>

SBI: DCIN

- System that allows law enforcement to access criminal records from federal and other states' systems
- Monthly fees: \$25 for desktops, \$12 for mobile devices
- FY 2019-20: 537 agencies with 22,868 users generating \$3.6m annually
 - Operational costs: \$4.8m/year
 - Shortfall historically covered by lapsed salary or other available funds

SBI Seized Assets

SBI Seized Asset Expenditures by Fiscal Year



Source: SBI

SBI Recent Legislative Actions

S.L. 2019-203 – Transfer ALE/Move Boxing Advisory Commission

- Made Alcohol Law Enforcement a division under DPS rather than under SBI

S.L. 2019-211 – Pay Increases/SBI & ALE

- Established a step pay plan for SBI and ALE Agents modeled on SHP step plan
 - Beginning salary: \$45,100 (FY 2019-20)
 - 6.5% raise each year for six years
 - Ending Salary: \$65,807

S.L. 2019-222 – School Safety Funds, Programs, and Reports

- Added 8 sworn law enforcement positions to SBI for the Behavioral Threat Assessment program

Outline

- State Highway Patrol
 - VIPER
- State Bureau of Investigation
- **Alcohol Law Enforcement**
- State Capitol Police



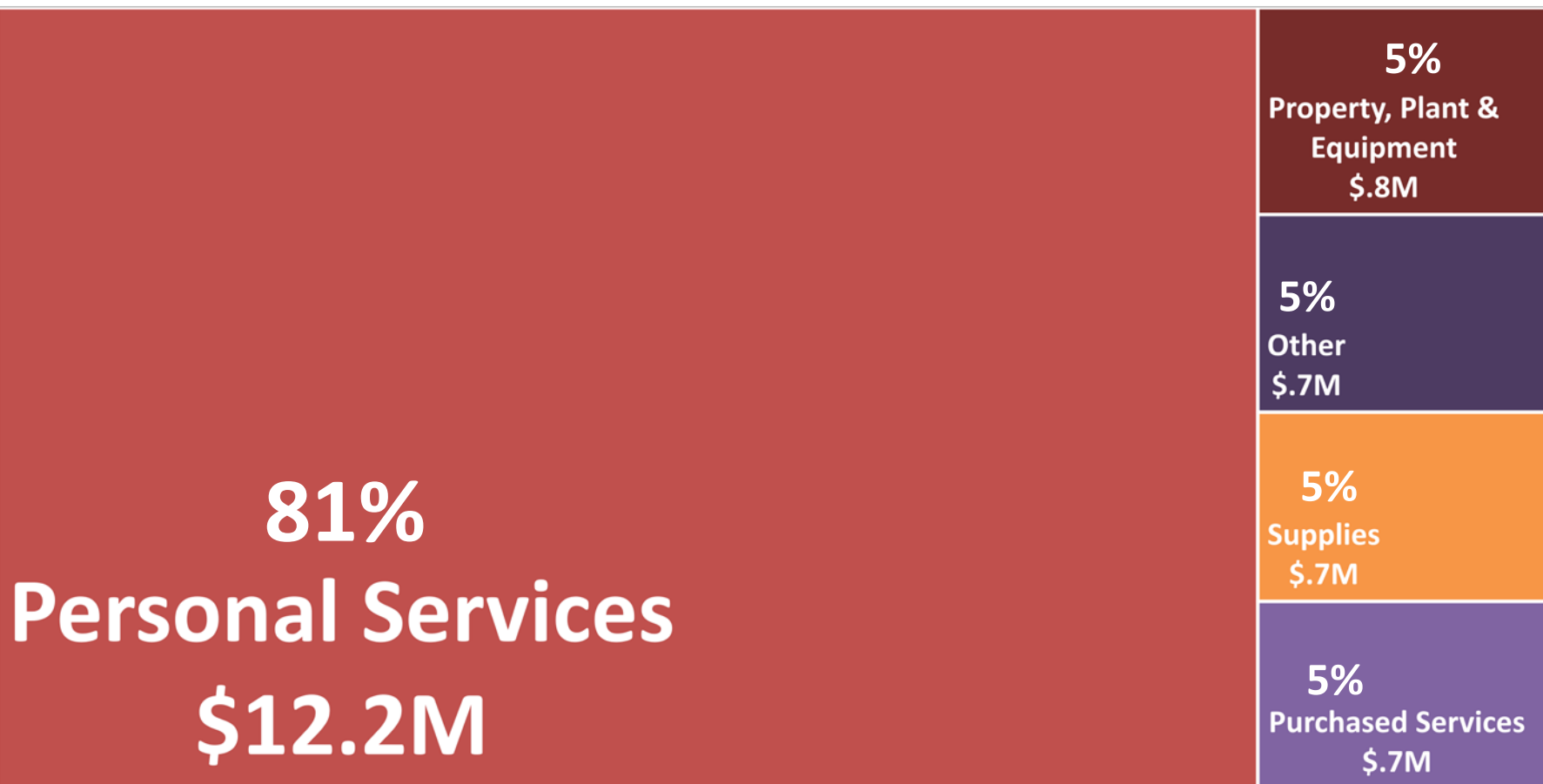
Alcohol Law Enforcement

Requirements: **\$15,069,045**

Net GF Appropriation: **\$11,217,518**

Receipts: **\$3,851,527**

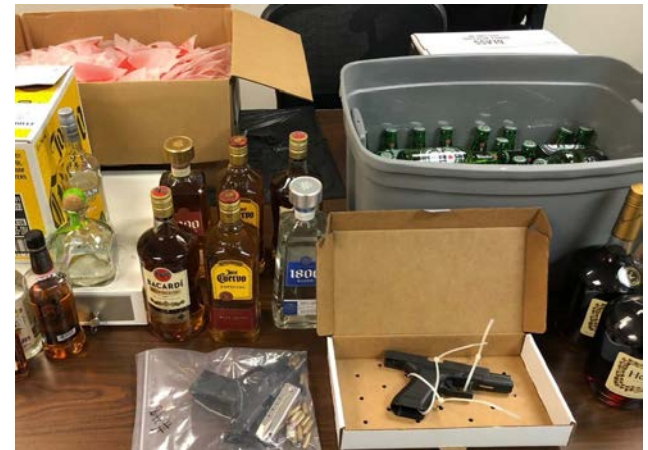
Total FTE: **122**



Source: Recommended Base Budget (Worksheet I)

Alcohol Law Enforcement

- Statewide jurisdiction:
 - ABC laws
 - Controlled Substances Act (Article 5, G.S. 90)
 - Lottery laws
 - Bingo
 - Gambling
 - Boxing
- 20,096 ABC-permitted establishments
 - 11,241 with on-premise permits
 - 8,855 with off-premise permits



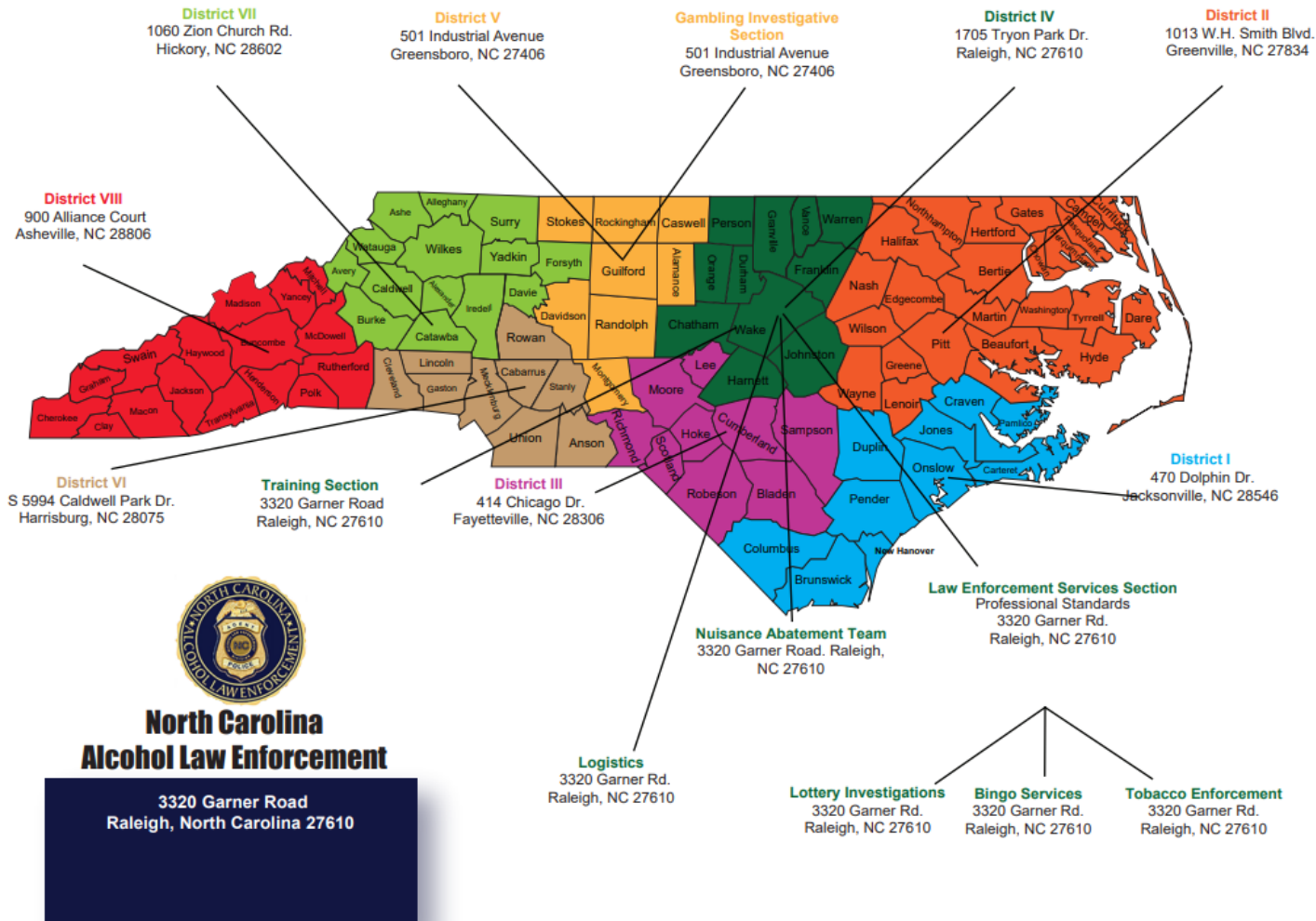
ALE Staffing

- 122 FTE
 - 111 Sworn, 11 Non-sworn administrative staff
 - 11 Special Agents in Charge
 - 16 Assistant SACs
 - 81 Agents
- Nine district offices



March 11, 2021

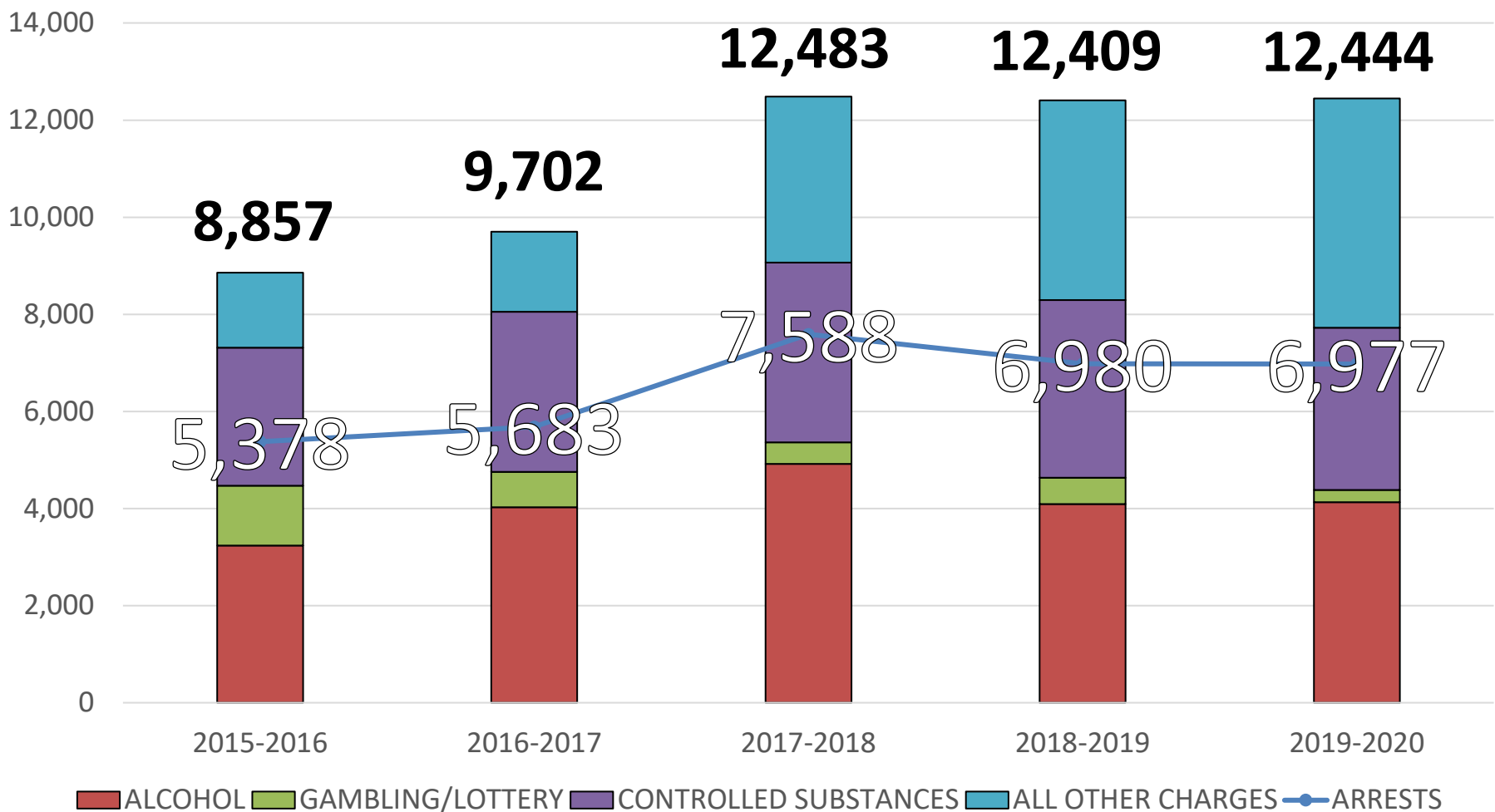
Alcohol Law Enforcement



Source: DPS

ALE Charges and Arrests

ALE Charges and Arrests, by Fiscal Year



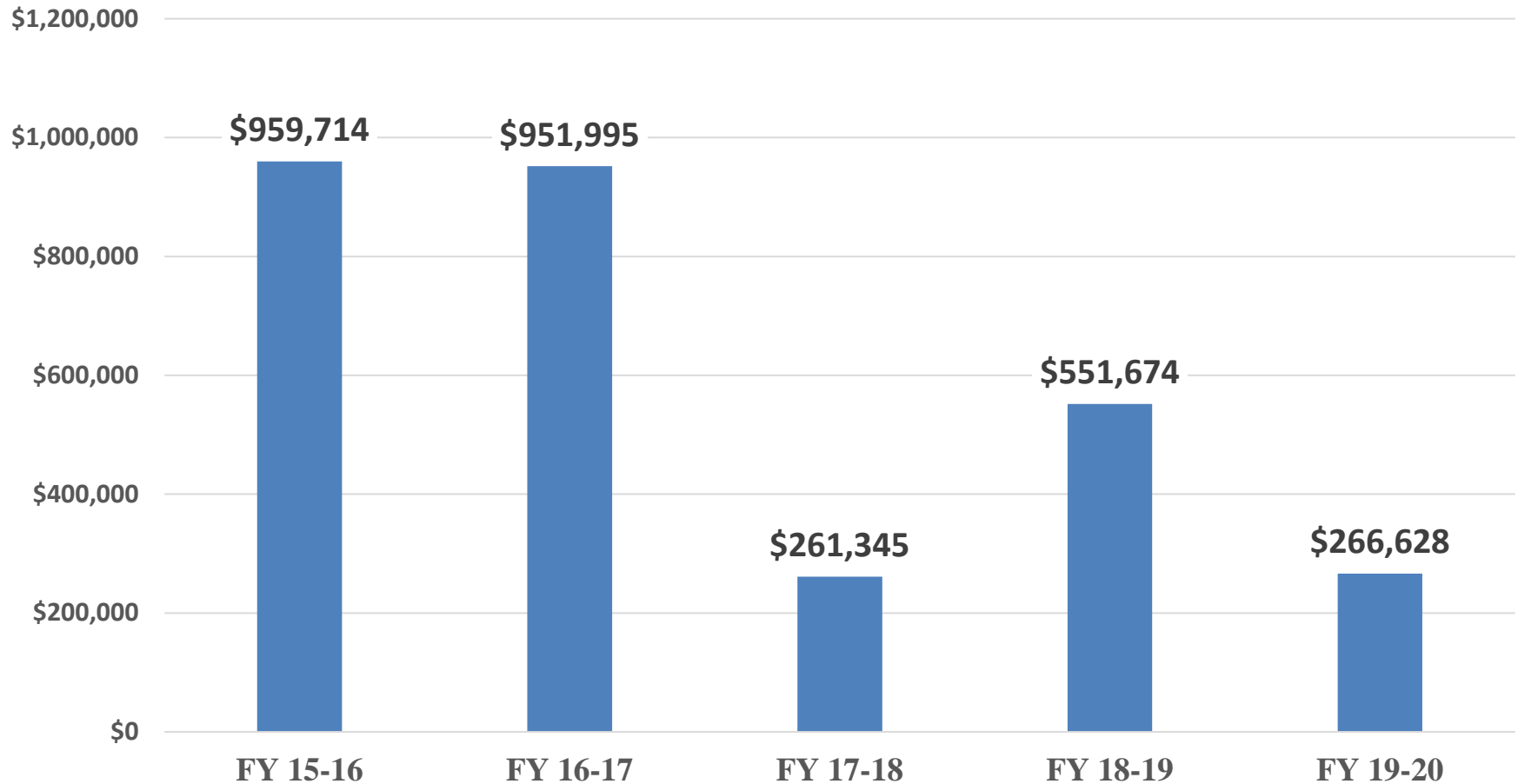
ALE Receipts

- ALE receipts include:
 - Restitution (\$12k)
 - Game Night permits (\$63k)
 - Bingo Permits (\$122k)
 - Time-limited positions for Durham County ABC services (\$1.36m)
 - NC Education Lottery Fund transfer for enforcement (\$2.1m)



ALE Seized Assets

ALE Seized Asset Expenditures by Fiscal Year



Source: ALE

ALE Recent Legislative Actions

S.L. 2019-203 – Transfer ALE/Move Boxing Advisory Commission

- Made Alcohol Law Enforcement a division under DPS rather than under SBI
 - ALE continues to co-locate; has rented 18 storage units for evidence due to space limitations; requesting administrative personnel
- Moved Boxing Commission to be independent Commission under Dept. Of Commerce
 - ALE MOA to assist Boxing Commission expired August 7, 2020
 - ALE lost 3 receipt-supported FTE in boxing transfer

S.L. 2019-211 – Pay Increases/SBI & ALE

- Established a step pay plan for SBI and ALE Agents
 - Beginning salary: \$45,100 (FY 2019-20)
 - 6.5% raise each year for six years
 - Ending Salary: \$65,807

Outline

- State Highway Patrol
 - VIPER
- State Bureau of Investigation
- Alcohol Law Enforcement
- **State Capitol Police**



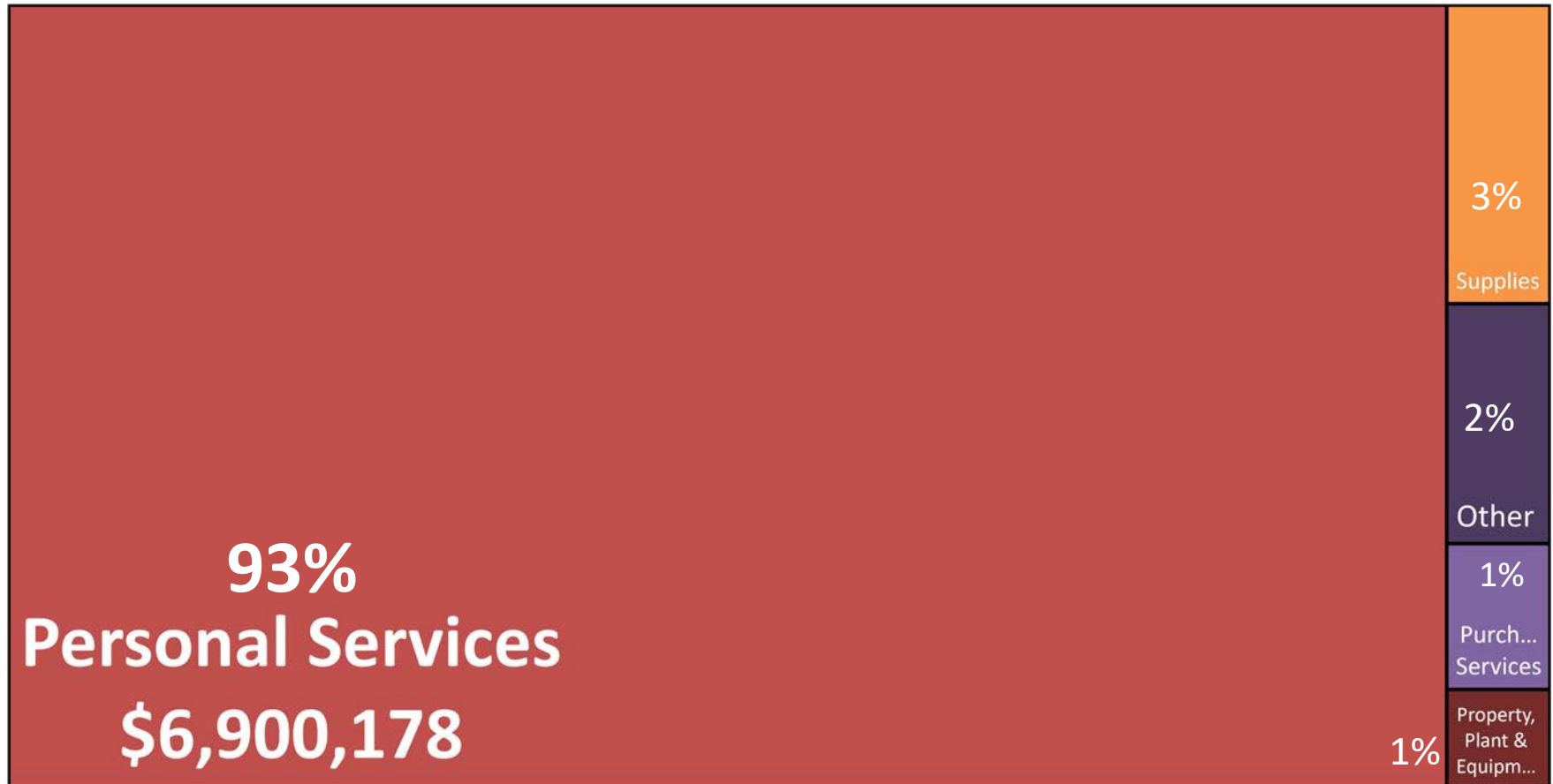
State Capitol Police

Requirements: **\$7,395,755**

Net GF Appropriation: **\$2,442,483**

Receipts: **\$4,953,272**

Total FTE: **101**



Source: Recommended Base Budget (Worksheet I)

State Capitol Police

- G.S. 143B-900
- Jurisdiction: Same as a Raleigh police officer or Wake County deputy sheriff on property owned, leased, or maintained by the State in the city of Raleigh or Wake County



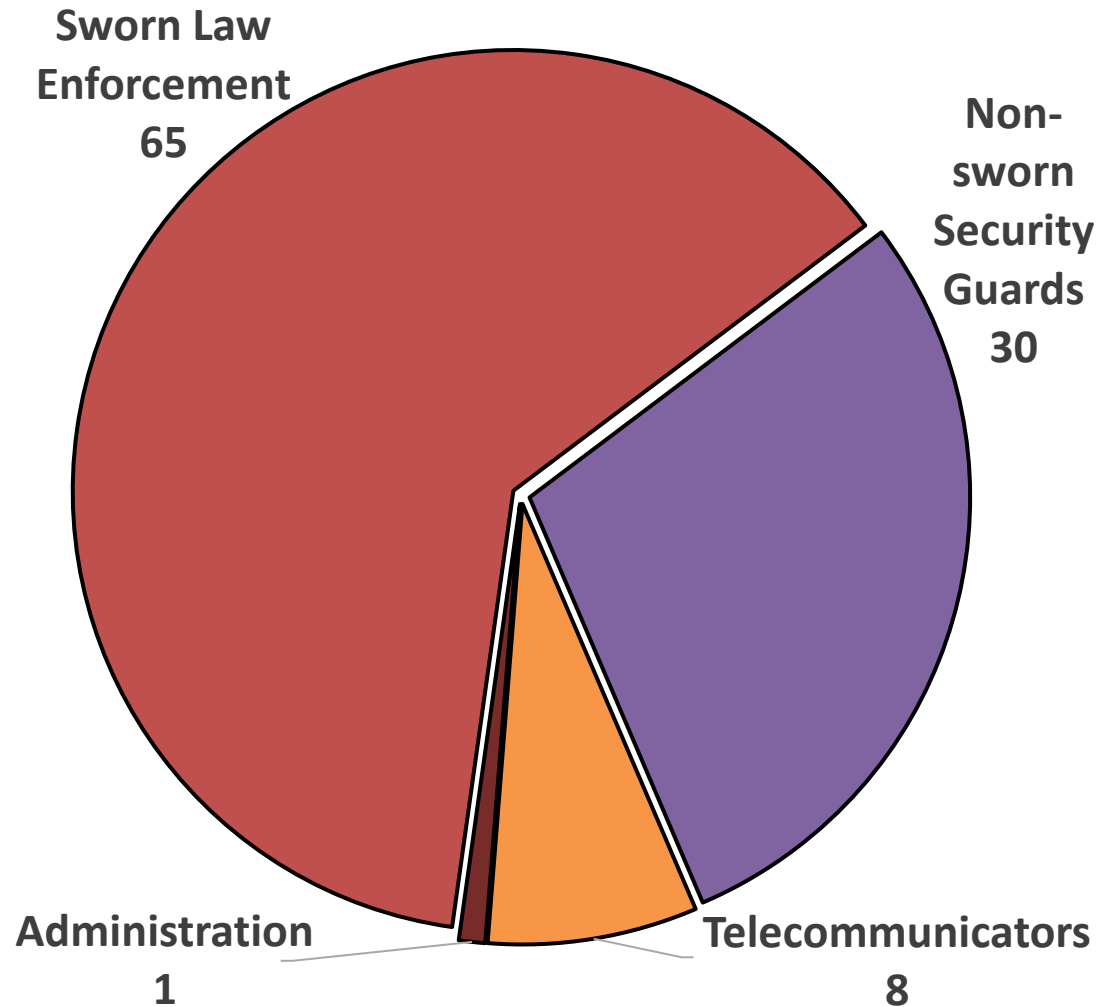
SCP Staffing

- Agency Supported Positions
 - Agencies support mix of non-sworn security guards and sworn officers
 - Hours of coverage for contracted positions depend on the contract
- General Fund Positions
 - Cover higher-risk sites, sometimes 24/7
- SCP Communications Center
 - 8 FTE
 - Monitor alarms for 784 sites
 - 24-hour coverage



State Capitol Police

- 101 FTE
 - Active security at 25 sites in Raleigh
 - Monitor 784 sites
 - 320 in Wake County, 464 elsewhere
 - 30 General Fund, 71 receipt supported



Source: State Capitol Police

DPS Law Enforcement and COVID-19

- Hazard Pay for most sworn employees
- PPE for all employees (sworn and non)
- Virtual activities where appropriate and feasible
 - Example: ALE's Be A Responsible Server (BARS) training, including new Executive Order compliance information
 - SHP Academy Classes
- Remote work/telework where appropriate

DPS Law Enforcement

