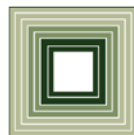




Joint Meetings of the House and Senate Appropriations Committee on Justice and Public Safety

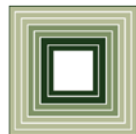


FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Department of Justice Overview

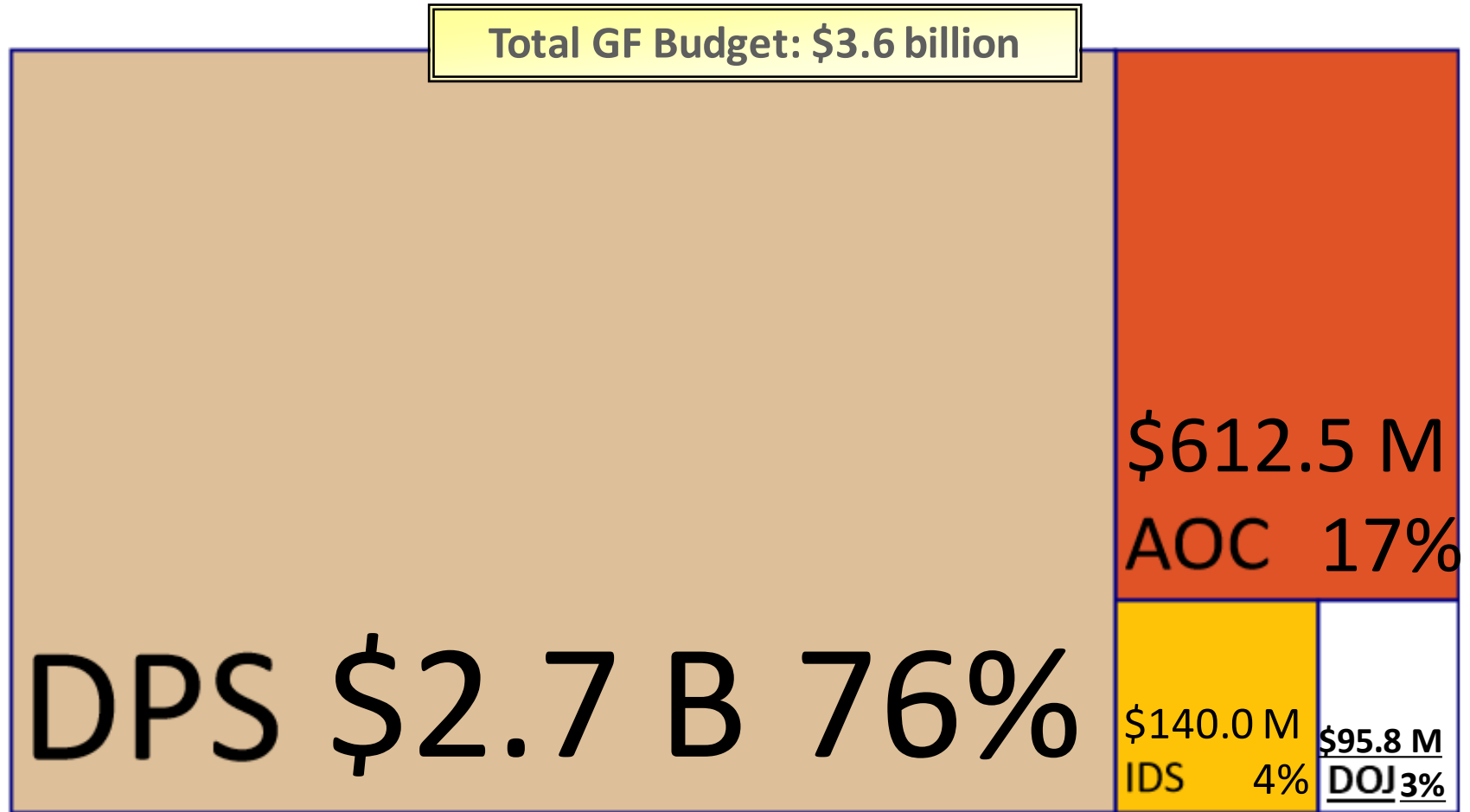
Joint Meeting of the House and Senate Appropriations Committees on
Justice and Public Safety

Mark White
Fiscal Research Division
March 23, 2021



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

JPS General Fund Authorized Expenditures by Agency FY 2020-21



Department of Justice

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

Includes:

- Criminal Justice Education and Training Standards
 - Justice Academy
- NC State Crime Lab
- Legal Services

FY 2021-22 DOJ Base Budget

Requirements: \$96,723,800*

Net GF Appropriation: \$50,687,077

Receipts: \$42,994,597

Total FTE: 789.885

81%
Personal Services
\$78.02 M

***Management Flex**
Cut Reserve
-3%

8.9%
Other
\$8.65 M

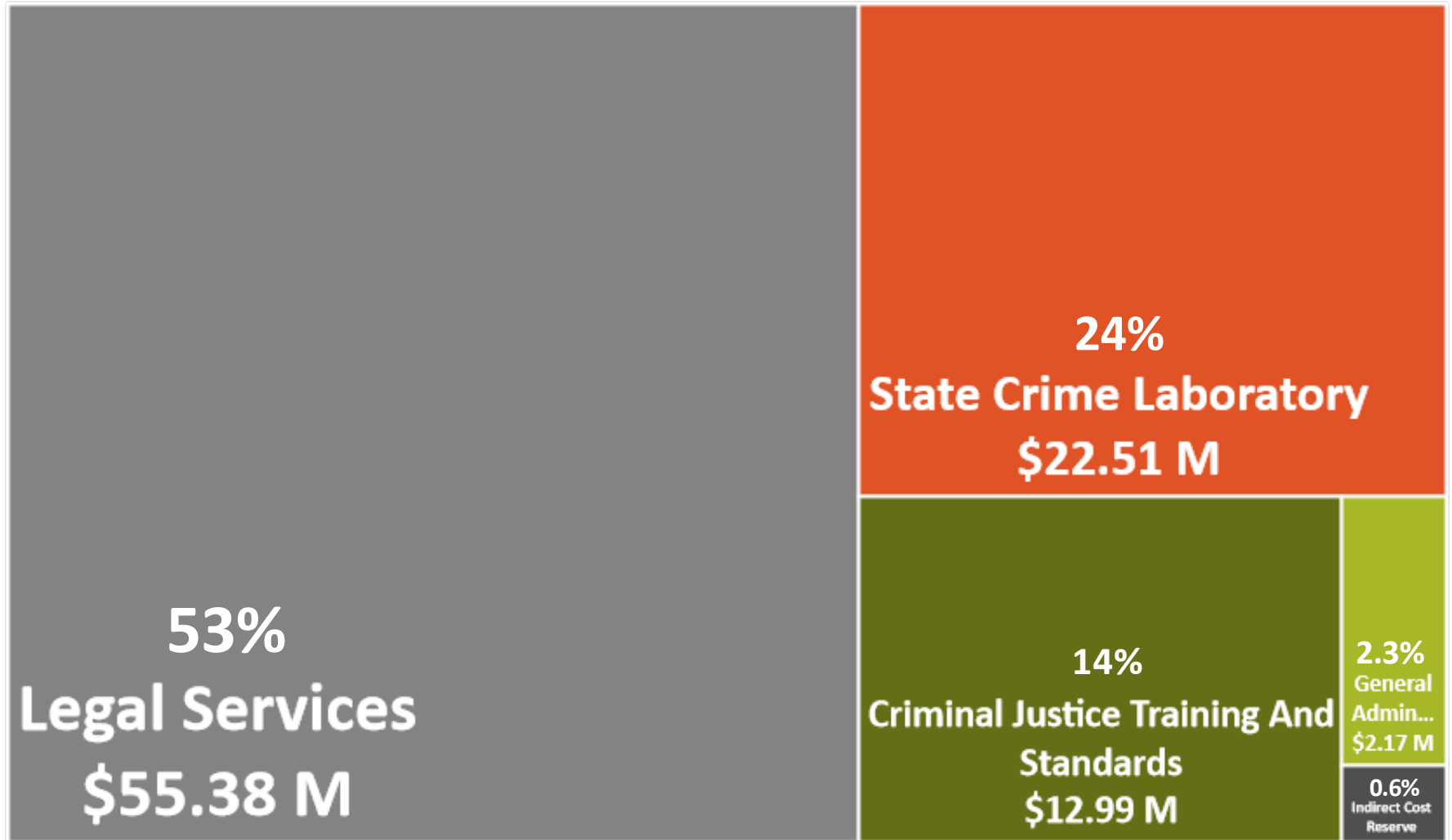
8.4%
Purchased
Services
\$8.08 M

Supplies 1.4%
\$1.36 M

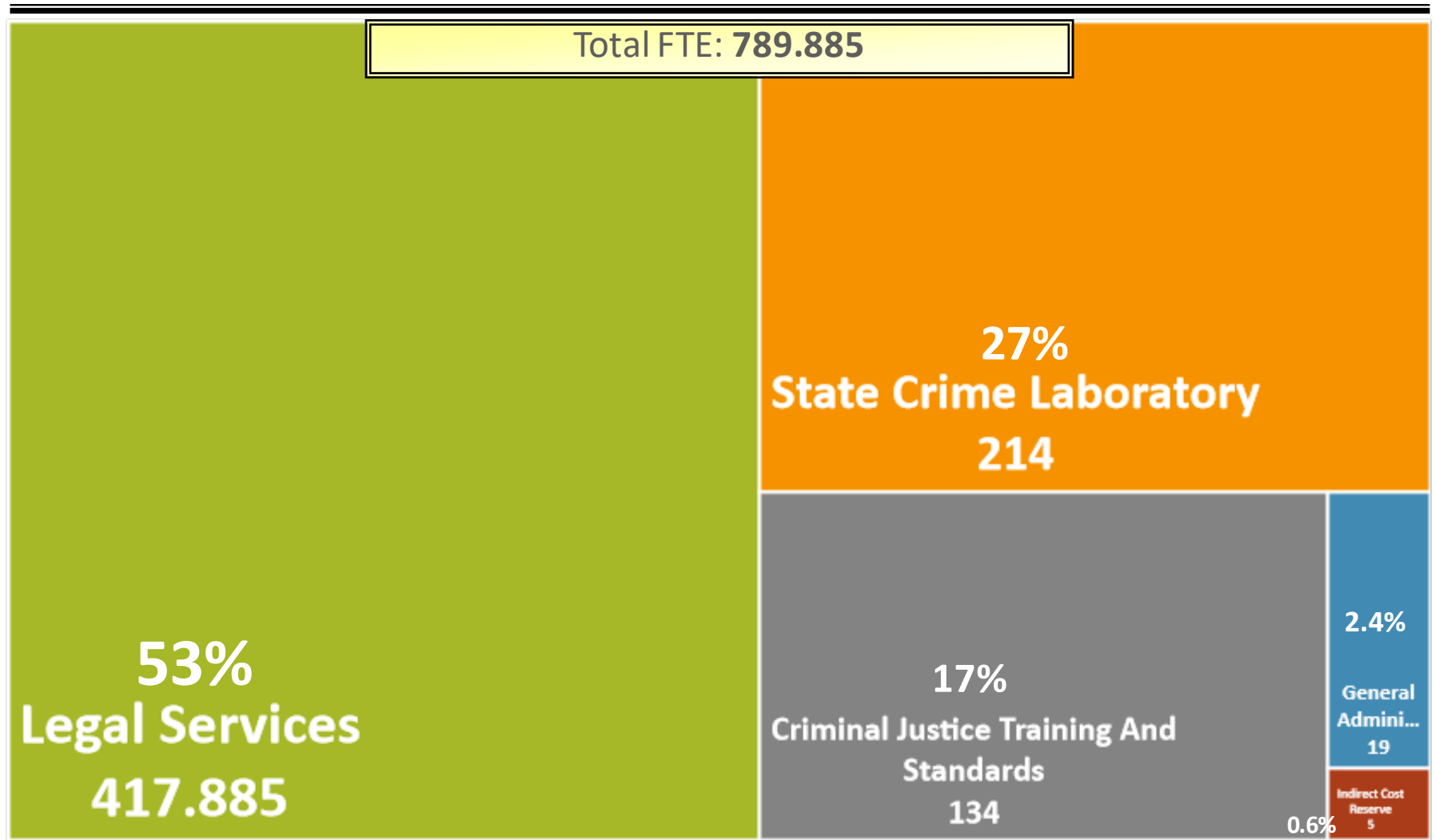
Prop...
Plant...



FY 2021-22 DOJ Base Budget by Section



FY 2021-22 DOJ Base Budget Positions



Criminal Justice Training and Standards



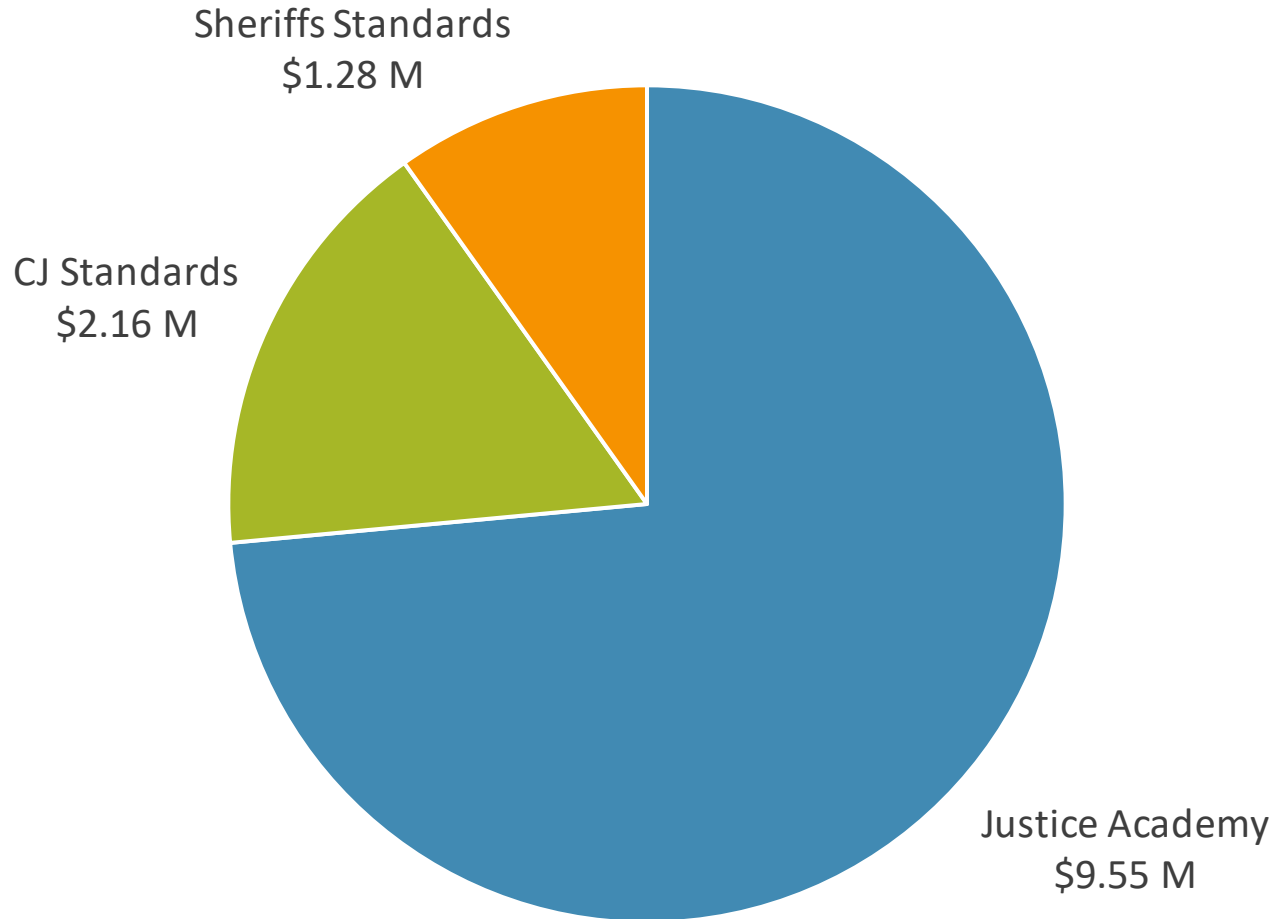
CJ Training and Standards Base Budget FY 2019-20



CJ Training and Standards

- NC Criminal Justice Education and Training Standards Commission
 - Standards for Basic Law Enforcement Training (BLET)
 - Standards for mandatory in-service training
 - Certification of completed training
 - Can revoke certifications for criminal offenses and rules violations
- NC Sheriffs' Education and Training Standards Commission
 - Same as CJE&TSC, but for deputy sheriffs, detention officers, and telecommunicators
- Justice Academy
 - In-service training, technical assistance to agencies, development of educational materials
 - Currently revising BLET; new curriculum to begin pilot January 2022

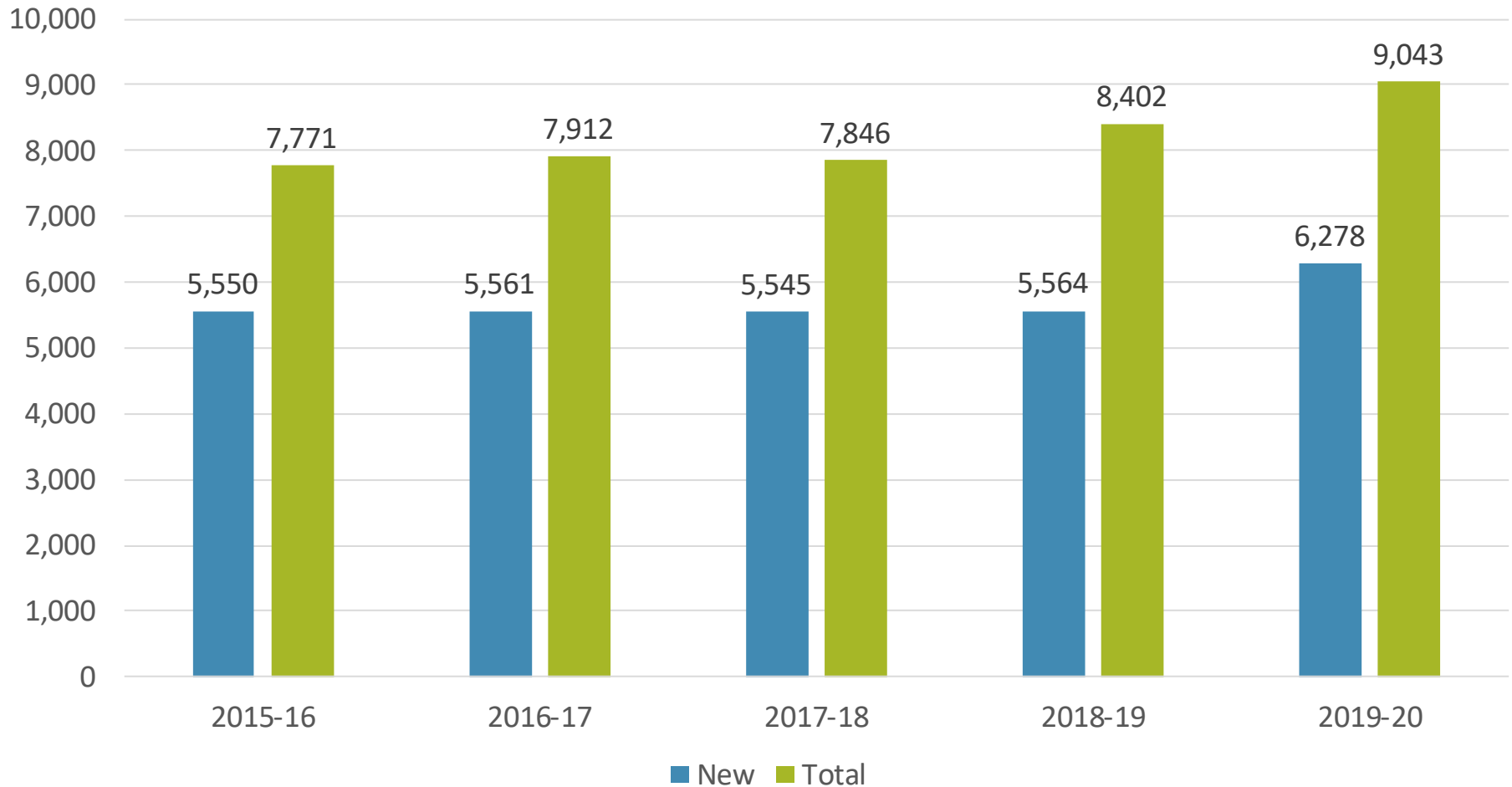
CJ Training and Standards by Section



Source: DOJ

Certified Law Enforcement

New and Total Certifications Issued by Year (CJ and Sheriffs Combined)



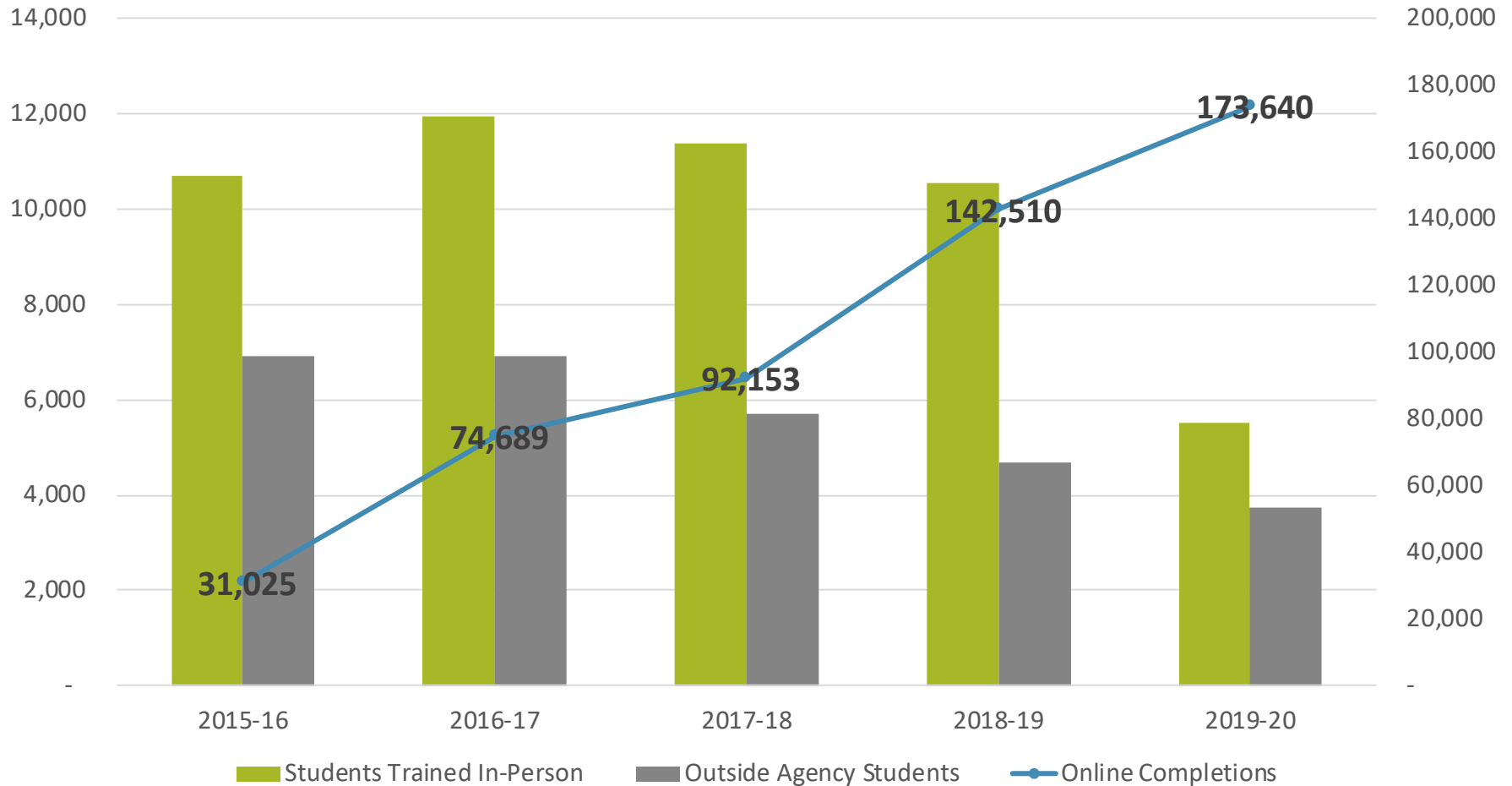
Source: DOJ

NC Justice Academy

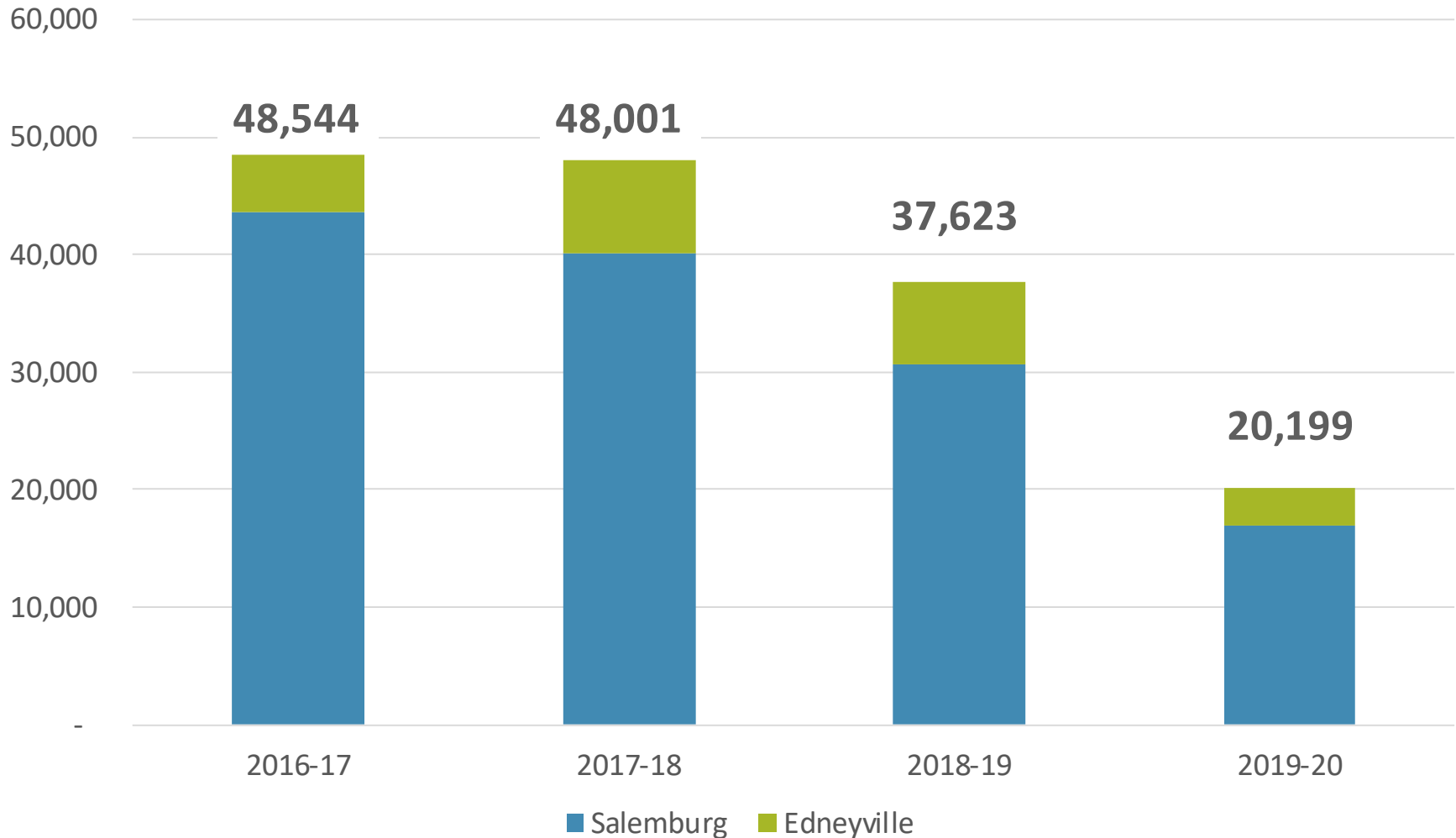
- Two campuses – Salemburg and Edneyville
 - Salemburg: 18 classrooms, driving track, outdoor firing ranges, three residence halls
 - Edneyville: 9 classrooms, indoor firing range, residence hall
- Academy provides in-service training (not BLET)
 - Facilities sometimes used by other agencies
 - Some training offered remotely (both live and when accessed by trainee)

Justice Academy

In-Person Instruction vs. Online Completions



Justice Academy Bed Nights



Criminal Justice Fellows Program

- Created in 2018 Appropriations Act but not funded (Original Request: \$664k R)
- Intended to increase CJ professionals throughout the State, esp. in rural areas
- Two classes have been admitted
 - 24 total students admitted; 15 currently enrolled, 2 graduates; remainder no longer associated
 - No dedicated funding

State Crime Lab



March 23, 2021

NC State Crime Laboratory

- Provides evidence analysis for criminal investigations free of charge for any NC public law enforcement agency
- Director: Vanessa Martinucci



FY 2020-21 Crime Lab Base Budget

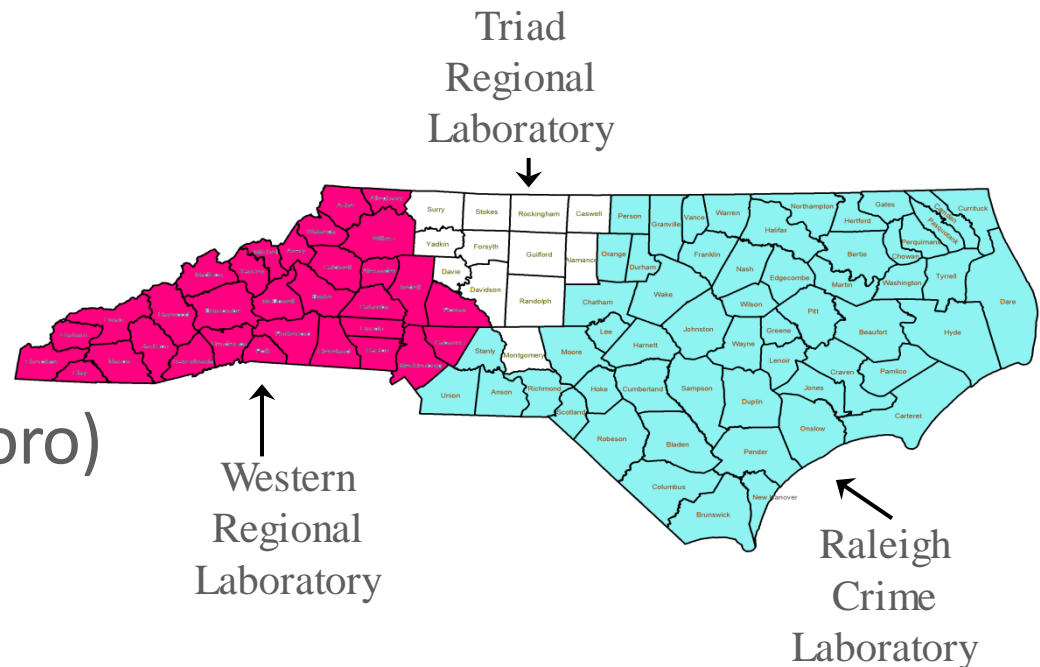


Crime Lab Locations

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

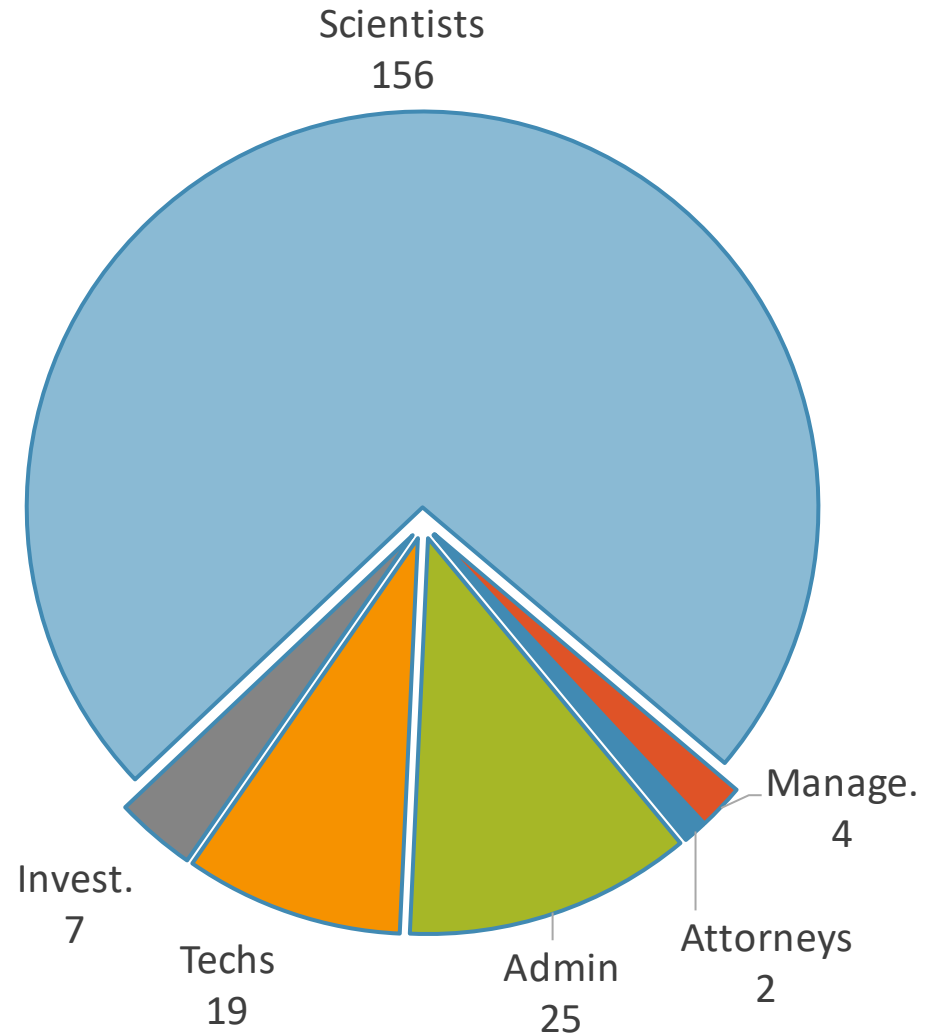
Three regional labs:

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



Crime Lab Positions

- Out of 213 FTE:
 - 156 Scientists
 - 37 Sworn LEOs
 - 3.5 Receipt-supported
- Staffing Distribution
 - Raleigh: 154 FTE
 - Western: 40 FTE
 - Triad: 20 FTE



Crime Lab Disciplines

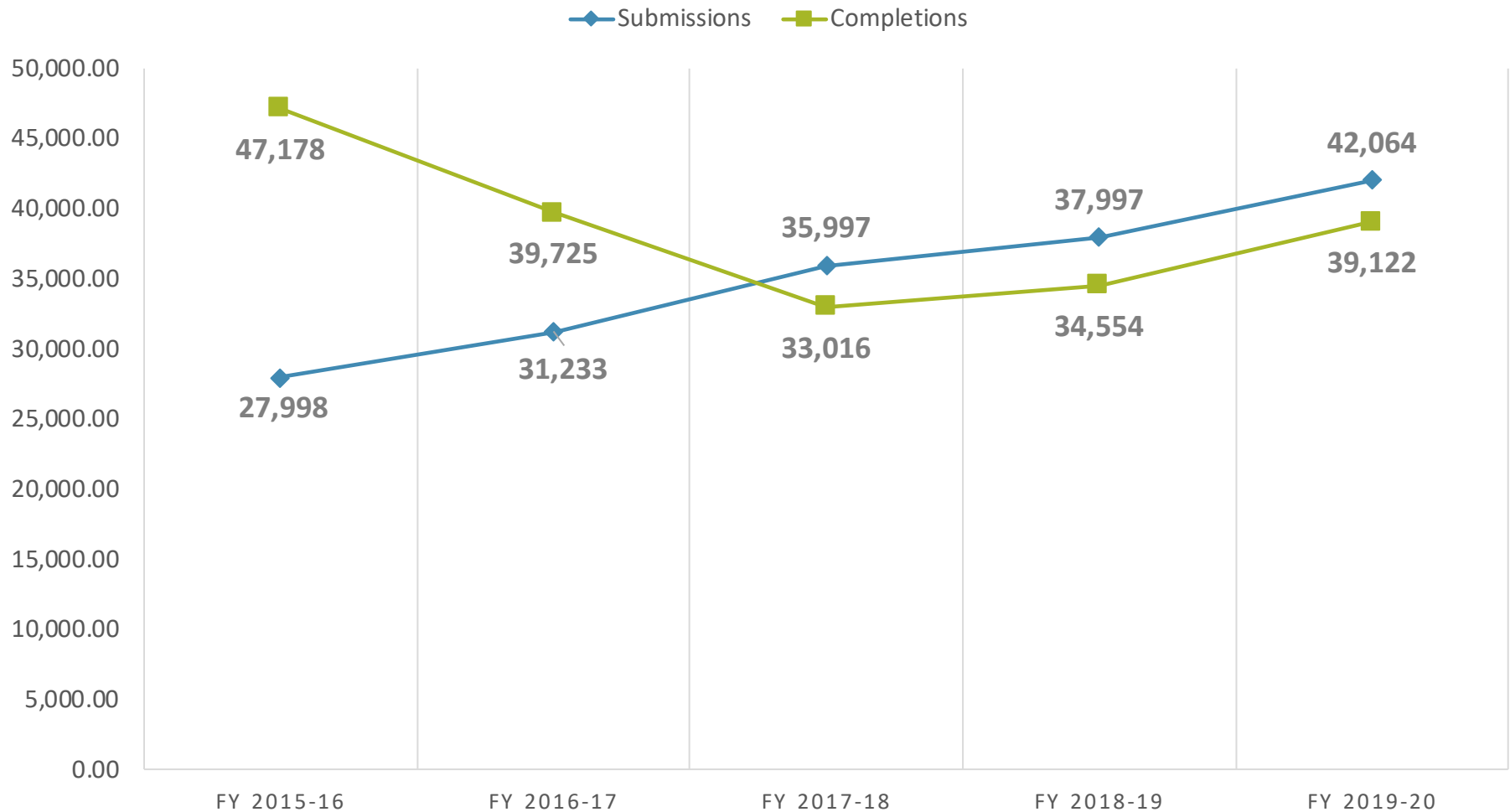
Discipline	Forensic Analyses
Drug Chemistry	controlled substances
Toxicology	controlled substances; alcohol/drugs in blood/urine
Forensic Biology	body fluids, DNA testing
Latent Evidence	fingerprints, palm prints, footprints, footwear, tire impressions
Digital Evidence	computers, cellphones, audio, video, encryption bypass
Trace Evidence	hair, fiber, glass, paint, headlight filaments, gunshot residue, explosives and fire debris
Firearms	weapons, ammunition
DNA Database	Process and upload of convicted offender and arrestee samples; maintenance of State DNA Database

Source: NC State Crime Laboratory

Crime Lab Disciplines

Discipline	Raleigh Crime Lab	Triad Crime Lab	Western Crime Lab
Drug Chemistry	X	X	X
Toxicology	X	X	X
Forensic Biology	X	-	X
DNA Database	X	-	-
Latent Evidence	X	X	X
Digital Evidence	X	-	-
Trace Evidence	X	-	-
Firearm	X	-	X

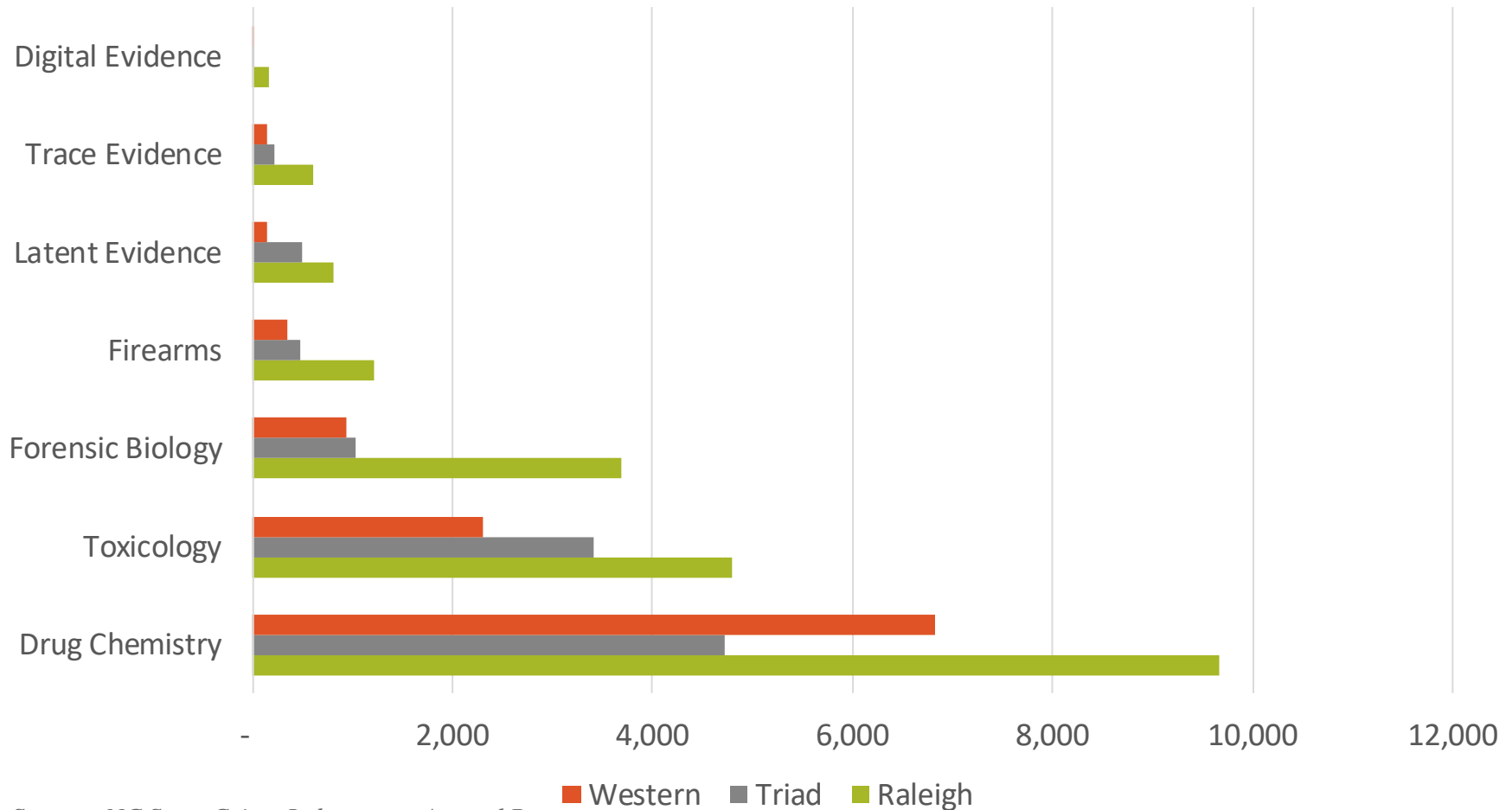
Crime Lab Submissions and Completions



Source: NC State Crime Laboratory Annual Report

Crime Lab Submissions by Discipline

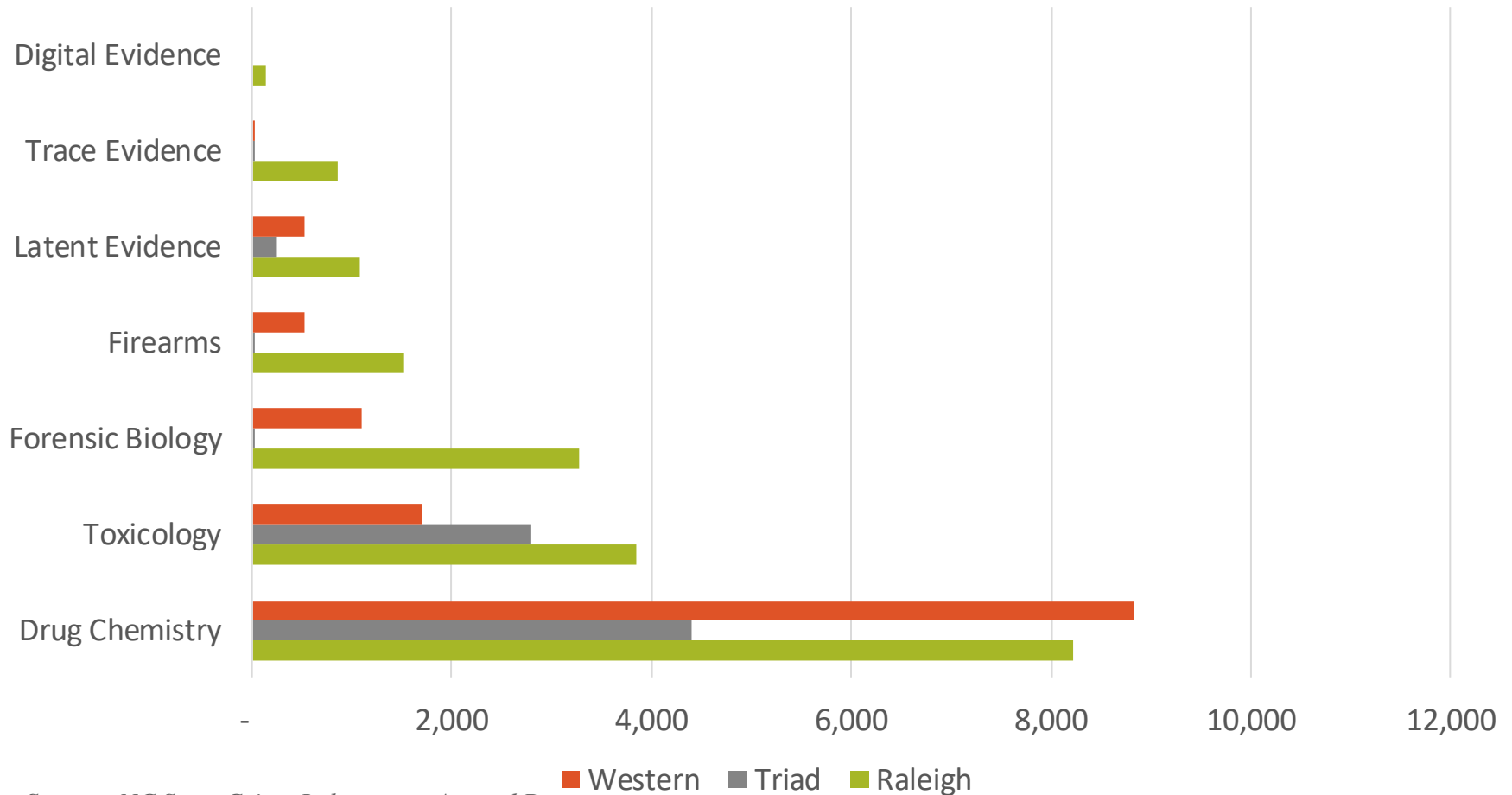
Crime Lab Submissions by Discipline, FY 2019-20



Source: NC State Crime Laboratory Annual Report

Crime Lab Completions by Discipline

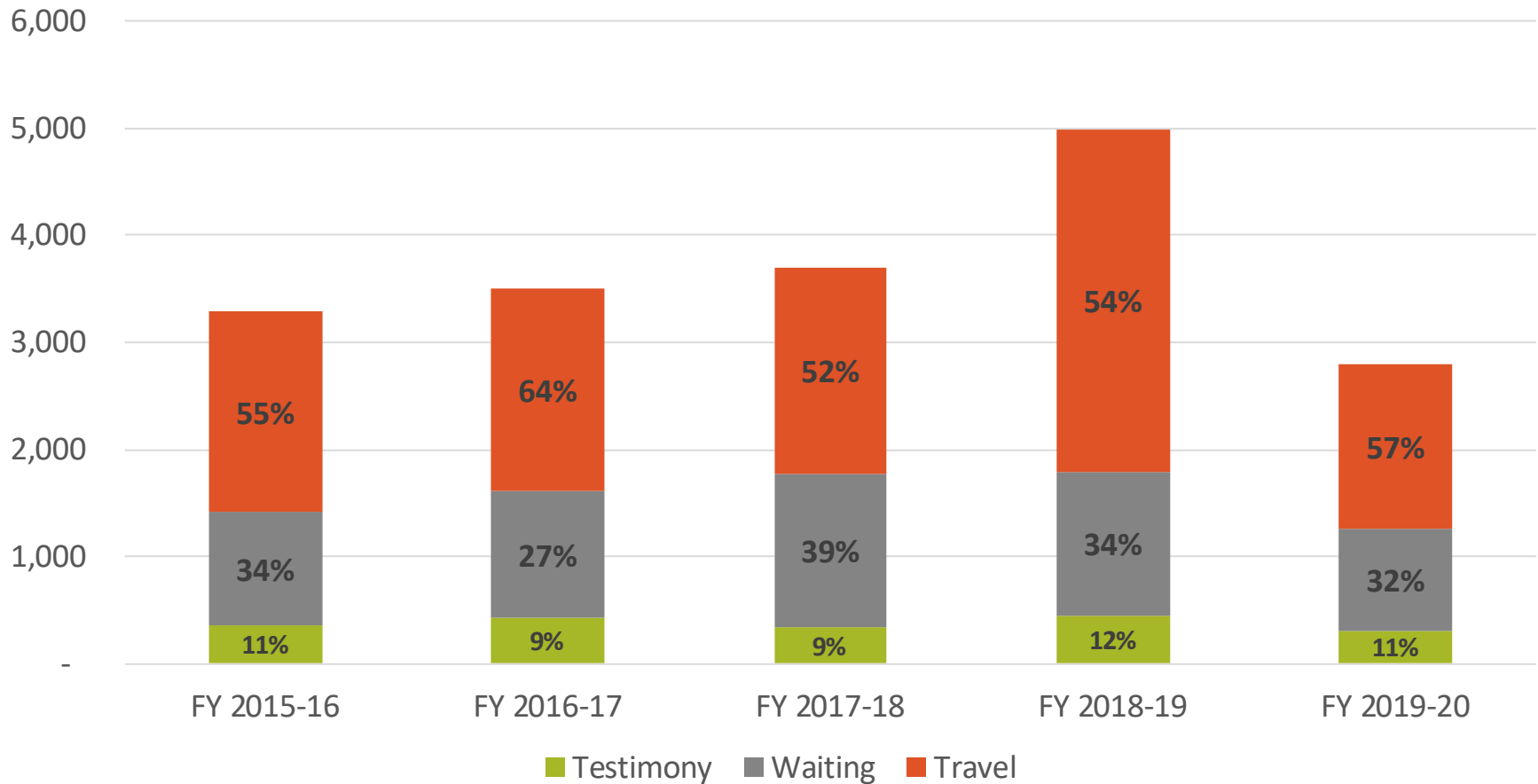
Crime Lab Completions by Discipline, FY 2019-20



Source: NC State Crime Laboratory Annual Report

Crime Lab Court Time

Court Time Hours by Fiscal Year



Source: NC State Crime Laboratory Annual Report

Sexual Assault Evidence Collection Kits

- SL 2019-221: Standing Up for Rape Victims Act
 - NCGA appropriated \$3 million NR in FY 2019-20 and FY 2020-21 (\$6 million total)
 - To date, of 16,179 untested kits statewide:
 - 2,400 tested
 - 5,315 in process of being tested
 - 925 cases entered into CODIS; 46% hit
 - 30 cold cases in NC solved so far

Sexual Assault Evidence Collection Kits

- State Crime Lab lacks capacity to test all SAECKs; most have been sent to private labs
- Increased national demand for these services = price increase for testing at private labs
 - \$700 --> \$1,245 (75%+)
 - At that rate, cost to complete testing = \$9 million (7,200 kits)
 - Private labs can test 1,200 kits per quarter

Legal Services



March 23, 2021

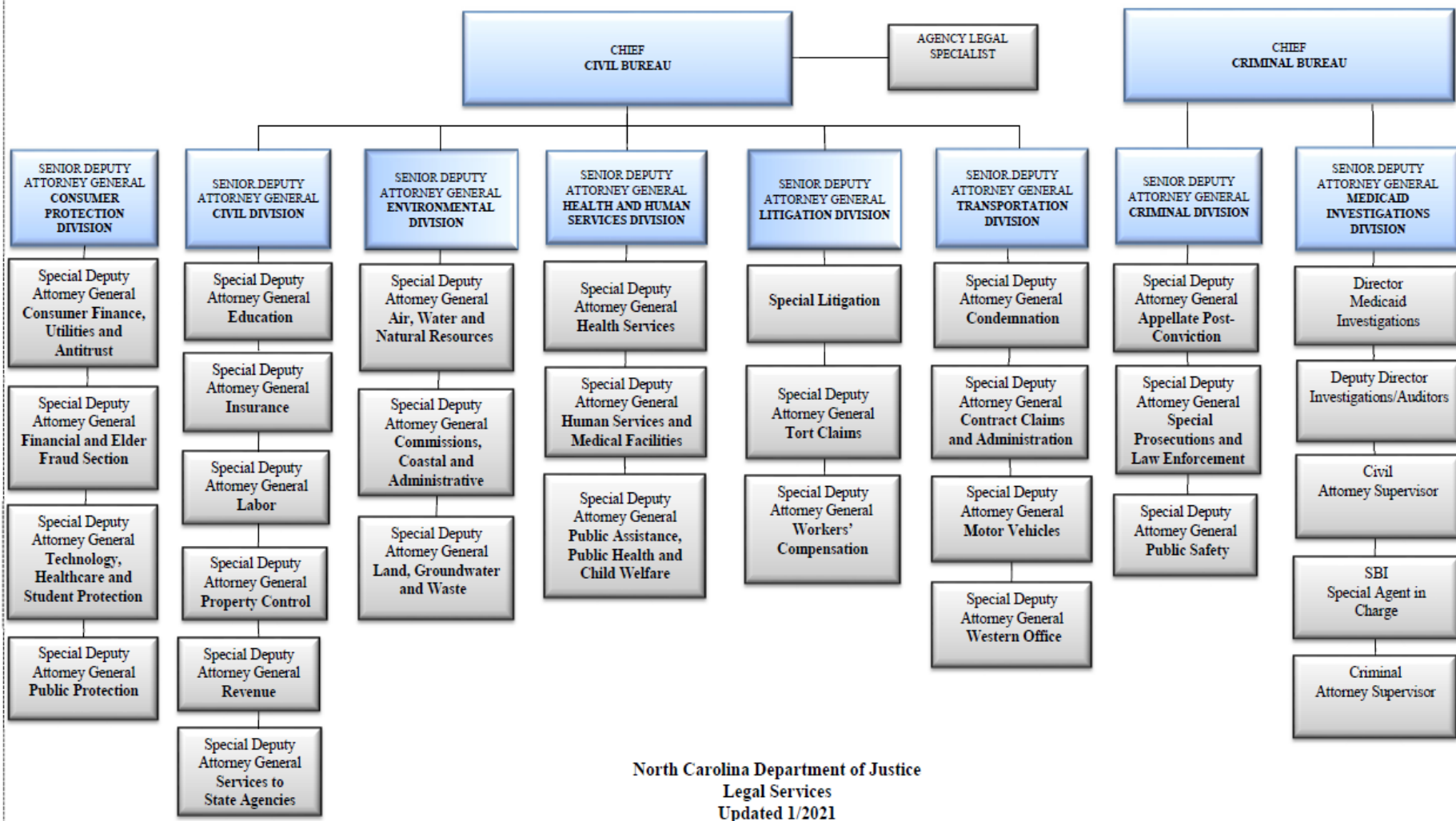
DOJ Legal Services

- G.S. 114-2: Attorney General is responsible for:
 - Representing State in all matters (civil and criminal)
 - Providing representation/advice to all State agencies
 - Providing consultation/advice to prosecutors
- Current docket includes:
 - 147 separate cases with at least \$1 million in potential liability
 - Total liability: more than \$10 billion
 - As of Oct. 2020: 529 pending constitutionality cases

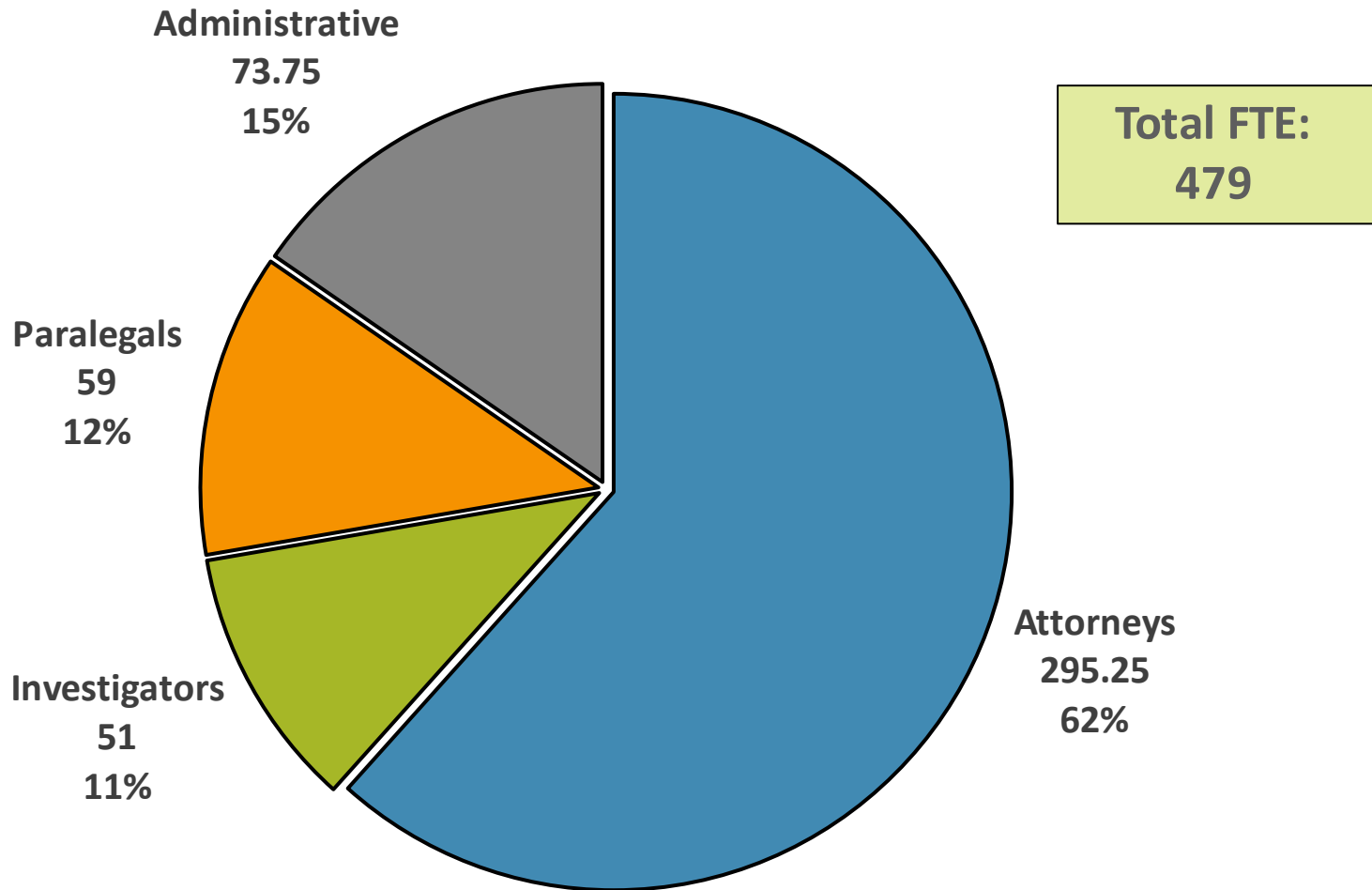
DOJ Legal Services Base Budget



DOJ Legal Services Org Chart



Legal Services Positions



Legal Services Civil Bureau

- Represent the State in non-criminal legal matters
- Legal services provided to State agencies; agencies pay for some/all of these services



Legal Services Civil Bureau

Division	Portfolio	Number of FTE	Receipt-Supported
Civil	Education, Insurance, Labor, Revenue, Property Control, Commerce, IT, Treasurer, DNCR, DACS, AOC	77.5	67%
Consumer Protection*	Protect consumers from fraud/scams	52	93%
Environmental	DEQ	30	47%
Health and Human Services	DHHS	70	83%
Litigation	Worker's Comp, Torts	53	34%
Transportation**	DOT	76	100%

Legal Services Criminal Bureau

- Criminal Division: Represents the State in criminal appeals, post-conviction litigation, and special prosecutions at the request of a District Attorney and provides legal services for law enforcement agencies and DPS.
 - Criminal appeals (2020: 524 cases in NC, 69 federal habeas cases)
 - Special Prosecutions and Law Enforcement Litigation
 - Representing CJ Training & Standards Commissions
 - Public Safety Litigation
 - Representing DPS
- 26 Attorneys

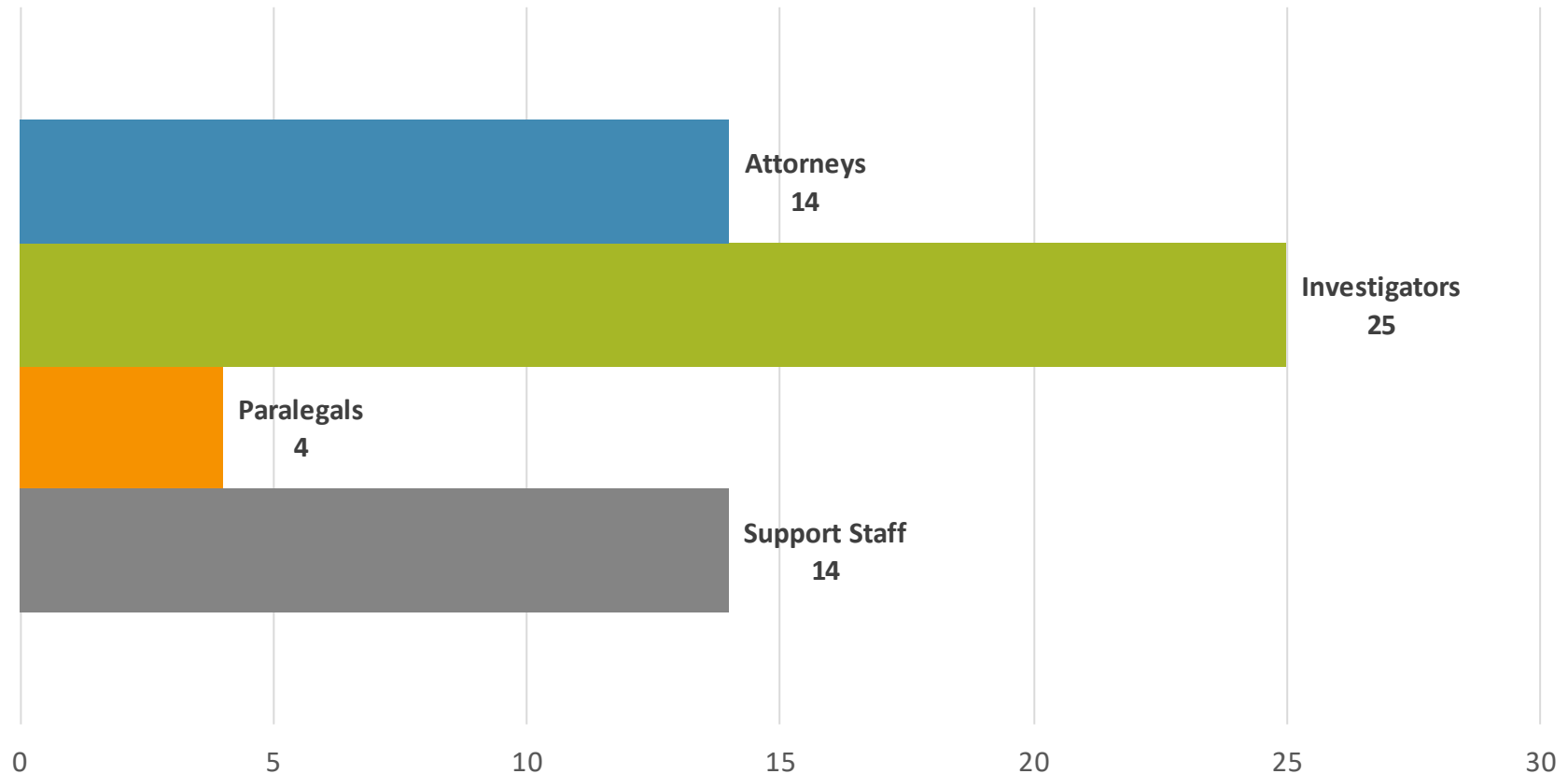
Medicaid Investigations Division

- Investigates and pursues legal action related to:
 - Medicaid provider fraud;
 - physical abuse of patients in Medicaid-funded facilities;
 - misappropriation of patient funds; and
 - fraud in administration of the Medicaid program.

Source: DOJ Medicaid Fraud Unit Annual Reports

Medicaid Investigations Division

75% Federal/25% General Fund



Source: BEACON, March 16, 2021

Medicaid Investigations Division

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Referrals	336	260	308	384	336
Investigations	594	535	514	505	513
Criminal Convictions	27	17	22	10	3
Criminal Restitution	\$13.4m	\$3.0m	\$9.6m	\$9.7m	\$6.1m
Civil Settlements	29	15	20	15	14
Civil Recovery	\$80.8m	\$2.0m	\$30.1m	\$13.4m	\$19.4m

Source: DOJ Medicaid Fraud Unit Annual Reports

Recent Budget Actions

- 2017-19 Biennium
 - Management Flex Cut
 - Crime Lab Positions: 9 FTE
 - Justice Academy Firearms Instructor
 - Criminal Justice Fellows program established
- 2019-21 Biennium
 - \$3m NR each year (\$6m total) for SAECK testing
 - Criminal Justice Fee Increase

Dept. of Justice

