

ANALYSIS OF THE NEW JERSEY  
FISCAL YEAR 2003 - 2004 BUDGET



DEPARTMENT OF LAW AND PUBLIC SAFETY

PREPARED BY  
OFFICE OF LEGISLATIVE SERVICES  
NEW JERSEY LEGISLATURE  
APRIL 2003

## NEW JERSEY STATE LEGISLATURE

### SENATE BUDGET AND APPROPRIATIONS COMMITTEE

Wayne R. Bryant (D), 5th District (Parts of Camden and Gloucester), *Co-Chair*  
Robert E. Littell (R), 24th District (Sussex and parts of Hunterdon and Morris), *Co-Chair*  
Martha W. Bark (R), 8th District (Part of Burlington)  
Anthony R. Bucco (R), 25th District (Part of Morris)  
Barbara Buono (D), 18th District (Part of Middlesex)  
Joseph Charles, Jr. (D), 31st District (Part of Hudson)  
Sharpe James (D), 29th District (Parts of Essex and Union)  
Walter J. Kavanaugh (R), 16th District (Parts of Morris and Somerset)  
Thomas H. Kean, Jr. (R), 21st District (Parts of Essex, Morris, Somerset and Union)  
Bernard F. Kenny, Jr. (D), 33rd District (Part of Hudson)  
Leonard Lance (R), 23rd District (Warren and part of Hunterdon)  
Joseph Suliga (D), 22nd District (Parts of Middlesex, Somerset and Union)

### GENERAL ASSEMBLY BUDGET COMMITTEE

Louis D. Greenwald (D), 6th District (Part of Camden), *Chairman*  
William D. Payne (D), 29th District (Parts of Essex and Union), *Vice-Chairman*  
Francis J. Blee (R), 2nd District (Part of Atlantic)  
Joseph Cryan (D), 20th District (Part of Union)  
Clare M. Farragher (R), 12th District (Parts of Mercer and Monmouth)  
Douglas H. Fisher (D), 3rd District (Salem and parts of Cumberland and Gloucester)  
Linda R. Greenstein (D), 14th District (Parts of Mercer and Middlesex)  
Joseph R. Malone III (R), 30th District (Parts of Burlington, Mercer, Monmouth and Ocean)  
Kevin J. O'Toole (R), 40th District (Parts of Bergen, Essex and Passaic)  
Elba Perez-Cinciarelli (D), 31st District (Part of Hudson)  
Bonnie Watson Coleman (D), 15th District (Part of Mercer)

### OFFICE OF LEGISLATIVE SERVICES

Alan R. Kooney, *Legislative Budget and Finance Officer*  
Frank W. Haines III, *Assistant Legislative Budget and Finance Officer*  
  
Glenn E. Moore, III, *Director, Central Staff*  
David L. Sallach, *Section Chief, Law and Public Safety Section*

This report was prepared by the Law and Public Safety Section of the Office of Legislative Services under the direction of the Legislative Budget and Finance Officer. The primary author was Kristin A. Brunner.

Questions or comments may be directed to the OLS Law and Public Safety Section (609 984-0231) or the Legislative Budget and Finance Office (609 292-8030).

# DEPARTMENT OF LAW AND PUBLIC SAFETY

Budget Pages..... C-11 to C-12; C-19 to C-20; C-26 to  
C-27; C-29; C-33; D-297 to D-334

## Fiscal Summary (\$000)

	Expended FY 2002	Adjusted Appropriation FY 2003	Recommended FY 2004	Percent Change 2003-04
State Budgeted	\$584,678	\$521,768	\$466,377	(10.6)%
Federal Funds	134,853	226,984	194,519	(14.3)%
<u>Other</u>	<u>152,093</u>	<u>207,146</u>	<u>239,218</u>	<u>15.5%</u>
Grand Total	\$871,624	\$955,898	\$900,114	(5.8)%

## Personnel Summary - Positions By Funding Source

	Actual FY 2002	Revised FY 2003	Funded FY 2004	Percent Change 2003-04
State	7,046	6,922	6,830	(1.3)%
Federal	214	182	220	20.9%
<u>Other</u>	<u>1,854</u>	<u>1,757</u>	<u>1,846</u>	<u>5.1%</u>
Total Positions	9,114	8,861	8,896	0.4%

FY 2002 (as of December) and revised FY 2003 (as of September) personnel data reflect actual payroll counts. FY 2004 data reflect the number of positions funded.

## Introduction

The Department of Law and Public Safety, under the supervision of the Attorney General, is responsible for statewide law enforcement and the prosecution of criminals. The department also provides legal services for State government, promotes highway traffic safety, provides emergency response services, administers marine traffic laws, ensures compliance with voter registration requirements and enforces public protection laws in consumer affairs, civil rights, alcoholic beverages, gaming, boxing and racing.

Five independent agencies are administratively located within the Department of Law and Public Safety. They are the Election Law Enforcement Commission, the Executive Commission on Ethical Standards, the Victims of Crime Compensation Board, the Juvenile Justice Commission and the New Jersey Domestic Security Preparedness Task Force.

## Key Points

The Governor recommends a total State appropriation of \$466.4 million in FY 2004 for the Department of Law and Public Safety, a \$55.4 million, or 10.6 percent, decrease from the FY 2003 adjusted appropriation of \$521.8 million. The summary detail of changes is included in the Fiscal and Personal Section of this analysis.

- The Governor's budget recommends a combined \$4.28 million decrease in Direct State Services funding for projected savings from department-wide annualized attrition and deferred early retirement incentive savings. This amount includes \$434,000 from the Juvenile Justice Commission.

## Law Enforcement

### Division of State Police

- The recommended FY 2004 Direct State Services appropriation to the Division of State Police is \$215.5 million, a \$37.6 million decrease from the \$253.1 million FY 2003 adjusted appropriation.
- This recommended reduction will be offset by new "off budget" appropriations of \$32.1 million from revenue generated from a proposed wireless communication/cell tower assessment.
- No funds have been provided for State Police Recruit Training. In FY 2003 \$2.5 million was appropriated for two new recruit classes totaling 97 that will graduate in June 2003.
- The budget recommends a new appropriation of \$3.8 million in capitol construction to fund one time costs for building equipment and furnishings for the new State Police Forensic Laboratory and Troop "C" Building in Hamilton Township (Mercer County).
- The budget reflects a \$30 million federal funding decrease attributable to the Bureau of Justice Assistance State Police Communications Upgrade Grant. FY 2003 funds were a one-time grant to upgrade State security after the World Trade Center attacks.

### Division of Criminal Justice

- No funding is recommended for the Community Justice Grant program in FY 2004. This \$1 million grant-in-aid program has assisted county prosecutors and State Police to form neighborhood-based collaborations to improve law enforcement responsiveness.

## Special Law Enforcement Activities

### Division of Elections

- The budget recommends a decrease of \$3.3 million in State Aid to reimburse local costs of extended polling place hours from \$7.0 million in FY 2003 to \$3.7 million in FY 2004 in expectation of funding only the costs of the 2003 Spring elections.

## Key Points (Cont'd)

### Juvenile Services

#### Juvenile Justice Commission

- The Governor recommends an appropriation of \$99.5 million to the Juvenile Justice Commission (JJC) in FY 2004, a 3.4 percent decrease below the \$103 million FY 2003 adjusted appropriation. Operating appropriations for the New Jersey Training School for Boys and the Juvenile Medium Security Center, totaling \$48.3 million, are virtually equal to FY 2003 levels. JJC Grants-in-Aid funding of \$18.3 million remains unchanged from FY 2003.
- The budget recommends a decrease in capital construction appropriation from \$1.8 million in FY 2003 to \$500,000 in FY 2004, all of which is to fund suicide prevention improvements. No new funds are provided for critical repairs or security enhancements.
- Funding for Custody and Civilian Service Staff Training is recommended to decrease by \$1.4 million, from \$1.6 million in FY 2003 to about \$.2 million in FY 2004. This level of funding will support only minimum mandatory training for new personnel.

### Central Planning, Direction and Management

#### Office of the Attorney General

- The Governor recommends a new appropriation of \$250,000 for Smart-Growth Enforcement, to provide assistance to municipalities challenging developers who want to build in over-developed or protected areas.
- The Governor recommends an increase of \$1 million to enhance the ability of the Office of Government Integrity, in concert with the Division of Criminal Justice, to uncover and prosecute public corruption. The Office is recommended to receive a total appropriation of \$4.1 million in FY 2004.

### General Government Services

#### Division of Law

- The budget recommends \$1.43 million for a new Child Welfare Unit within the Division of Law, a component of the Administration's efforts to upgrade the Department of Human Services' child protective services. This appropriation would fund 14 deputy attorneys general and support staff to provide expanded legal representation in child abuse and neglect cases.

### BACKGROUND PAPER

Office of Counter-Terrorism

p. 25 -26

## Program Description and Overview

The Department of Law and Public Safety, under the direction of the Attorney General, is responsible for statewide law enforcement, the prosecution of criminals and statewide emergency response services. In addition, the department is charged with protecting citizens' civil and consumer rights, promoting highway traffic safety, regulating the alcoholic beverage, gaming and racing industries, and providing legal services to other State agencies.

Five independent agencies are administratively located within the Department of Law and Public Safety. These agencies include the following:

- Election Law Enforcement Commission (ELEC)  
Monitors the reporting of campaign contributions and expenditures, and lobbyists' financial disclosures. ELEC administers the State's gubernatorial election public financing law.
- Executive Commission on Ethical Standards (ECES)  
Issues advisory opinions interpreting the New Jersey conflicts of interest law for State officers and employees, enforces the financial disclosure law, and also administers and enforces certain provisions of the Casino Control Act.
- Juvenile Justice Commission (JJC)  
Provides custody, care, treatment and rehabilitation for juvenile offenders in State institutions and community programs, and also administers grant programs to localities.
- Victims of Crime Compensation Board (VCCB)  
Assists crime victims through compensation for medical expenses and loss of earnings as well as providing a victim counseling service.
- New Jersey Domestic Security Preparedness Task Force  
Preserves, protects and maintains the domestic security of the State and develops, implements and manages comprehensive responses to possible terrorist attacks and technological disasters.

### *Office of the Attorney General*

The Office of the Attorney General (OAG) is responsible for the overall administration of the Department of Law and Public Safety. The Attorney General, as the State's chief law enforcement officer, oversees and directs the department's diverse law enforcement and prosecutorial activities. A number of department-wide financial, employee, and other management activities are centralized in the OAG. The department's central law library is also located in this office. For FY 2004, a Direct State Services appropriation of \$13.2 million is recommended for the OAG.

P.L.2001, c.246 appropriated \$2.7 million for the creation of the Counter-Terrorism Unit (CTU) in the Division of State Police. On January 24, 2002, Governor McGreevey established the Office of Counter-Terrorism (OCT), by Executive Order, to administer the State's counter-terrorism and preparedness efforts with the goals of identifying, deterring and detecting terrorist-related activities. The recommended FY 2004 budget authorizes \$7.2 million for the OCT from revenues derived from the \$2 per day surcharge on vehicle rentals (budget language, page D-327).

## Program Description and Overview (Cont'd)

P.L.2001, c.246 also established the New Jersey Domestic Security Preparedness Task Force to reinforce and expand the State's existing anti-terrorism efforts and to integrate them with preparedness measures taken by other levels of government and the private sector. Existing agencies with domestic security responsibilities include the Office of Counter-Terrorism, the Office of Emergency Management in the Division of State Police, the New Jersey National Guard and county and local emergency management organizations. Established in, but not of, the New Jersey Department of Law and Public Safety, the task force reports directly to the Governor.

The Office of Government Integrity/Fiscal Integrity Unit in the Office of the Attorney General is recommended to receive an increase of \$1.0 million to continue to fight public corruption. By order of the Attorney General this unit superseded the department's Office of the Inspector General, which was established in CY 2000 to detect and prevent waste, fraud, abuse, corruption and political or unethical conduct related to the expenditure of public funds. A \$4.1 million appropriation is recommended for the office in FY 2004. In addition, the Governor's budget recommends \$250,000 to fund Smart Growth Enforcement. These funds are to provide legal services to municipalities whose local budgets are not equipped to defend the State's smart growth policies.

### *Division of State Police*

The Division of State Police, with a force of 2,690 troopers, is responsible for statewide law enforcement, including road patrol, marine policing, major crime investigation, criminal history background checks, forensic sciences, electronic surveillance and Internet crime. The division also plans, maintains and coordinates emergency response statewide. To reinforce and expand the State's existing anti-terrorism efforts, P.L.2001, c.246 established a Counter-Terrorism Unit (CTU) in the New Jersey State Police. The CTU works with the Office of Counter-Terrorism (OCT) in the Attorney General's Office and is charged with the responsibility of collecting and evaluating information regarding potential terrorist activity.

A \$215.5 million Direct State Services appropriation is recommended for the Division of State Police, a \$37.6 million or 17.5 percent, decrease from the \$253.1 million FY 2003 adjusted appropriation. Capital construction funding would decrease by \$2.154 million to \$3.846 million from an adjusted appropriation of \$6 million. The recommended FY 2004 budget also includes "other funds" totaling \$121.3 million and federal funds of \$107.9 million. \$32.1 million of "other funds" supports State Police salaries from the proceeds of a proposed wireless communication/cell tower assessment. These projected new resources would provide \$29.9 million for salaries, \$1.4 million for a portion of the costs of the State Police Dispatch Unit, and \$800,000 for Nuclear Facilities Security details for half of FY 2004.

No funding has been provided for State Police Recruit Training. In FY 2003 \$2.5 million was appropriated for two new recruit classes totaling 97 that will graduate in June 2003. Capital Construction funding of \$3.8 million would provide resources to equip and furnish the new State Police Forensic Laboratory and Troop "C" Building in Hamilton Township (Mercer County).

### *Division of Criminal Justice*

Formed under the *Criminal Justice Act of 1970*, the Division of Criminal Justice investigates and prosecutes criminal activity and provides oversight and coordination of New Jersey's law enforcement community. The Division's Direct State Services funding recommendation for FY 2004 is \$26.2 million, a reduction of \$400,000 below FY 2003 due primarily to attrition savings.

## Program Description and Overview (Cont'd)

No funding is recommended for the Community Justice Grant program in FY 2004. This \$1 million grant-in-aid program has assisted county prosecutors and state police to form neighborhood-based collaborations to improve law enforcement responsiveness. State Aid for the Safe and Secure Neighborhoods Program remains level at \$1 million, which provides grants for police officers' salaries and related services to approximately 165 municipalities. In addition, budget language (page D-310) would appropriate up to \$1.1 million from the Safe Neighborhoods Services Fund for the State match for the Criminal Justice Statewide Law Enforcement Federal grant. This program also is projected to receive \$7.1 million in FY 2004 from criminal penalties, its other funding source. State Aid of \$9 million added by the Legislature in FY 2003 for the Local Domestic Preparedness Equipment Grant Program is eliminated in FY 2004.

Pursuant to the Auto Insurance Cost Reduction Act, P.L.1998, c.21, the Office of Insurance Fraud Prosecutor was established within the division. Assessments imposed on insurers would fund the OIFP's estimated administrative costs of \$29.8 million.

### *State Medical Examiner*

The State Medical Examiner's Office oversees the investigation of violent or suspicious deaths and those which constitute a threat to public health within the State. The office also provides oversight and operational support for county medical examinations, including toxicology services to 13 counties. In FY 2004, the Medical Examiner's budget increases to \$7.4 million. Of this total, \$6.8 million would represent county reimbursements, with another \$600,000 in State funding, the same as FY 2003.

### *Division of Gaming Enforcement*

The Division of Gaming Enforcement investigates licensing applications of casino owners, employees and casino service industries, tests gaming devices, and monitors casino operations. The division's budget is funded by industry assessments through the Casino Control Fund. The division's recommended FY 2004 appropriation remains level at \$35.8 million.

### *Special Law Enforcement Activities*

The New Jersey Office of Highway Traffic Safety (OHTS) is responsible for developing State and local highway safety programs. A Direct State Services appropriation of \$338,000 is recommended for OHTS in FY 2004, an amount equal to its FY 2003 adjusted appropriation. Most OHTS funding comes from federal sources. The budget anticipates federal funding of \$14.8 million for the OHTS in FY 2004, a \$681,000 increase over its FY 2003 adjusted appropriation.

The Election Law Enforcement Commission (ELEC) is an agency in, but not of, the Department of Law and Public Safety. Its mission is to ensure that State campaign finance laws are enforced and that the public has access to information about political candidates. More than 23,000 disclosure reports are filed with ELEC in an average year. A Direct State Services appropriation of \$2.9 million is recommended for ELEC in FY 2004, an amount equal to its FY 2003 adjusted appropriation.

The Division of Alcoholic Beverage and Control (ABC) regulates the manufacture, distribution, sale and transportation of all alcoholic beverages in New Jersey. A \$1.5 million Direct State Services appropriation is recommended for the ABC. Budget language (page D-309) would continue to provide the division with revenues from fees and penalties.



## Program Description and Overview (Cont'd)

The New Jersey Racing Commission is responsible for regulating horse racing and pari-mutuel wagering in New Jersey. The commission's budget is largely funded by the fees it charges for its services. These include: (1) veterinary services; (2) forensic testing and collections; (3) providing officials for race events; (4) supervising mutuel services; (5) investigative services; and (6) licensing racing participants. The FY 2004 budget provides no resources from State appropriations for the commission, but an increase is anticipated in revenues from Off Track Betting and increased fees on the industry that are appropriated for commission operations.

P.L.2001, c.199 established an off-track wagering system for horse races run at tracks in this State and in other states where parimutuel wagering on simulcast horse races is permitted; and also established an account wagering system through which persons may wager on horse races by phone or other electronic means. Under a recent agreement between the New Jersey Thoroughbred Horsemen's Association and the Standardbred Breeders and Owners Association of New Jersey, there will be a total of 486 racing days in CY 2004.

The Division of Elections is responsible for coordinating voter registration and elections. The Division's recommended FY 2004 operating appropriation remains level at \$977,000. State Aid of \$3.7 million is recommended in FY 2004 to reimburse localities for the cost of extended polling place hours, a decrease from \$7.0 million in FY 2003. FY 2004 funding reflects only the costs of the 2003 Spring elections.

### *Juvenile Justice Commission*

Pursuant to P.L.1995, c.284, the Juvenile Justice Commission (JJC) was established to administer and coordinate a variety of juvenile custody, care and treatment programs that were formerly located in the department and in the Departments of Corrections and Human Services. The JJC operates four secure institutions housing offenders under the age of 19, a "boot camp" for nonviolent juvenile offenders, one county detention center, 16 noninstitutional residential programs and six day programs.

The Governor recommends an appropriation of \$99.5 million to the Juvenile Justice Commission (JJC) in FY 2004, including \$80.7 million in Direct State Services funding; \$18.3 million in Grants-in-Aid; and \$500,000 in capital construction funding. The budget also anticipates the receipt of \$13.4 million in federal funds and \$34.4 million in other funds, for a total budget of \$147.2 million.

A Direct State Services appropriation of \$20.5 million is recommended for the New Jersey Training School for Boys (NJTSB), down \$60,000 from its FY 2003 adjusted appropriation. The budget also provides a \$27.9 million Direct State Services appropriation for the Juvenile Medium Security Center (JMSC) in Bordentown, \$236,000 under its FY 2003 adjusted appropriation. The average daily population at NJTSB is projected to be 324, at an annual per capita cost of \$63,343. JMSC is projected to have 341 youth in secure facilities and 80 participants in Juvenile Boot Camp, with annual per capita costs of \$66,007.

The Governor recommends a capital construction appropriation of \$500,000 for the JJC, all of which is earmarked for Suicide Prevention Improvements. This is a decrease of \$1.3 million below the FY 2003 appropriation, due to elimination of funding for critical repairs and additional security improvements.

## Program Description and Overview (Cont'd)

### *Division of Law*

The Division of Law provides legal representation and counsel to other agencies and instrumentalities of State government. The division's recommended State appropriation for FY 2004 totals \$66.4 million, including \$19.5 million in Direct State Services and \$46.9 million in reimbursements from client agencies for legal services. A new appropriation of \$1.43 million is recommended for a new Child Welfare Unit, which is a component of the Administration's efforts to upgrade the Department of Human Services' child protective services. This appropriation would fund 14 deputy attorneys general and support staff to provide expanded legal representation in child abuse and neglect cases.

### *Protection of Citizens' Rights*

The Division of Consumer Affairs protects the rights of the consumer, provides uniform enforcement of public protection laws and oversees the operation of the State professional boards. The 41 boards and committees regulate the activities of over 80 professions and occupations and license approximately 500,000 individuals. The costs associated with regulating these professionals are borne by the licensees through fees.

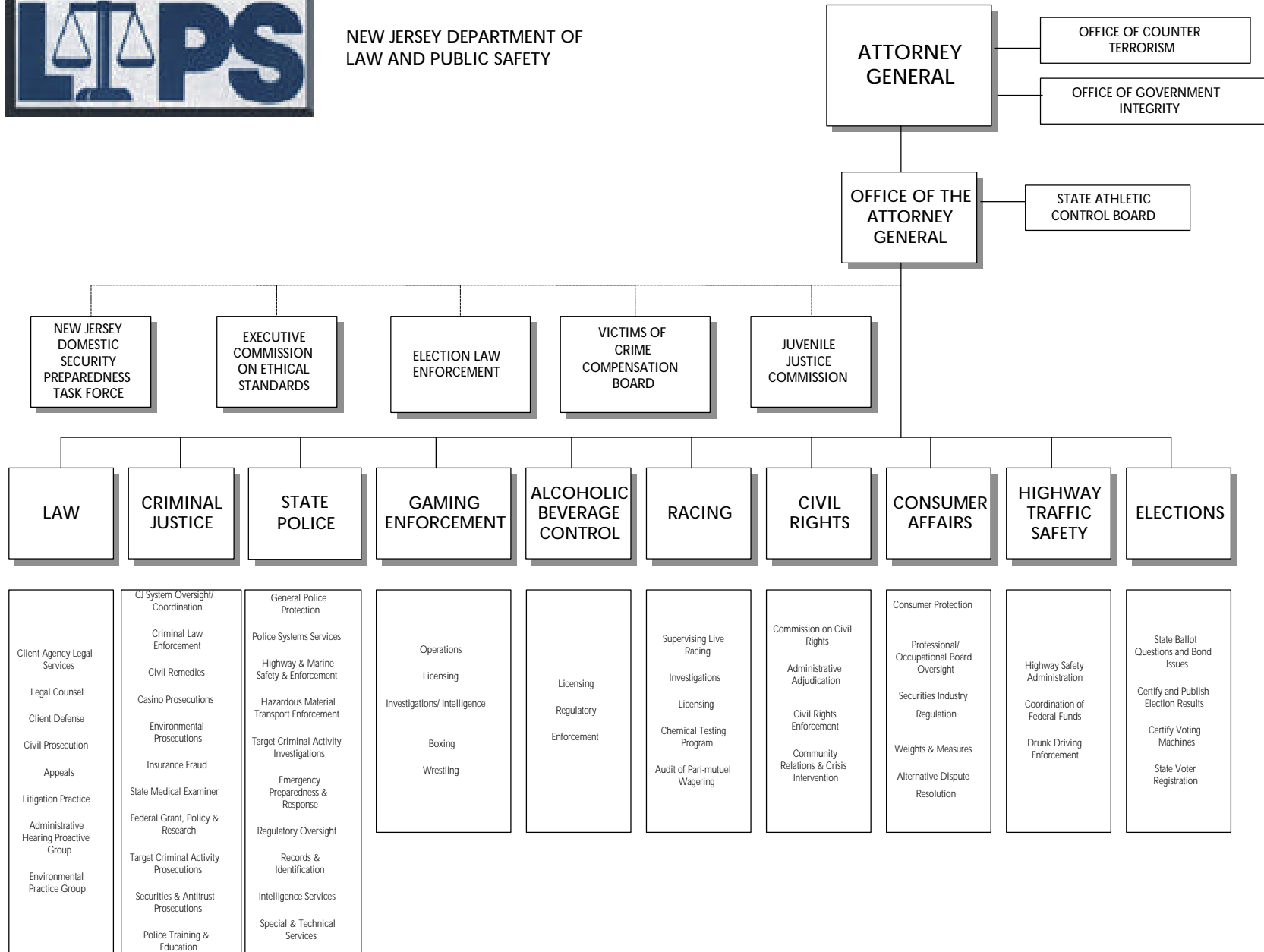
The Division on Civil Rights is charged with enforcing *The New Jersey Law Against Discrimination*. Its work is focused in three major areas: employment, housing and public accommodation discrimination.

The Victims of Crime Compensation Board (VCCB) provides monetary compensation and services to those victimized by crime. The VCCB is supported by (1) Direct State Services appropriations, (2) penalties assessed on criminals, (3) a 10 percent surcharge on items sold in the commissaries of State and county correctional facilities, and (4) federal crime victim grants.

# Organization Chart



NEW JERSEY DEPARTMENT OF  
LAW AND PUBLIC SAFETY



### Fiscal and Personnel Summary

#### AGENCY FUNDING BY SOURCE OF FUNDS (\$000)

	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>	<u>2002-04</u>	<u>2003-04</u>
<b>General Fund</b>					
Direct State Services	\$484,027	\$441,155	\$402,498	(16.8)%	(8.8)%
Grants-In-Aid	35,123	19,822	18,822	(46.4)%	(5.0)%
State Aid	10,251	17,072	4,820	(53.0)%	(71.8)%
Capital Construction	9,167	7,828	4,346	(52.6)%	(44.5)%
Debt Service	0	0	0	0.0%	0.0%
<b>Sub-Total</b>	<b>\$538,568</b>	<b>\$485,877</b>	<b>\$430,486</b>	<b>(20.1)%</b>	<b>(11.4)%</b>
<b>Property Tax Relief Fund</b>					
Direct State Services	\$0	\$0	\$0	0.0%	0.0%
Grants-In-Aid	0	0	0	0.0%	0.0%
State Aid	0	0	0	0.0%	0.0%
<b>Sub-Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>Casino Revenue Fund</b>	<b>\$88</b>	<b>\$92</b>	<b>\$92</b>	<b>4.5%</b>	<b>0.0%</b>
<b>Casino Control Fund</b>	<b>\$34,822</b>	<b>\$35,799</b>	<b>\$35,799</b>	<b>2.8%</b>	<b>0.0%</b>
<b>Gubernatorial Elections Fund</b>	<b>\$11,200</b>	<b>\$0</b>	<b>\$0</b>	<b>(100.0)%</b>	<b>0.0%</b>
<b>State Total</b>	<b>\$584,678</b>	<b>\$521,768</b>	<b>\$466,377</b>	<b>(20.2)%</b>	<b>(10.6)%</b>
<b>Federal Funds</b>	<b>\$134,853</b>	<b>\$226,984</b>	<b>\$194,519</b>	<b>44.2%</b>	<b>(14.3)%</b>
<b>Other Funds</b>	<b>\$152,093</b>	<b>\$207,146</b>	<b>\$239,218</b>	<b>57.3%</b>	<b>15.5%</b>
<b>Grand Total</b>	<b>\$871,624</b>	<b>\$955,898</b>	<b>\$900,114</b>	<b>3.3%</b>	<b>(5.8)%</b>

#### PERSONNEL SUMMARY - POSITIONS BY FUNDING SOURCE

	<u>Actual FY 2002</u>	<u>Revised FY 2003</u>	<u>Funded FY 2004</u>	<u>Percent Change</u>	
				<u>2002-04</u>	<u>2003-04</u>
State	7,046	6,922	6,830	(3.1)%	(1.3)%
Federal	214	182	220	2.8%	20.9%
All Other	1,854	1,757	1,846	(0.4)%	5.1%
<b>Total Positions</b>	<b>9,114</b>	<b>8,861</b>	<b>8,896</b>	<b>(2.4)%</b>	<b>0.4%</b>

FY 2002 (as of December) and revised FY 2003 (as of September) personnel data reflect actual payroll counts. FY 2004 data reflect the number of positions funded.

#### AFFIRMATIVE ACTION DATA

Total Minority Percent	31.3%	32.1%	27.0%	----	----
------------------------	-------	-------	-------	------	------

**Significant Changes/New Programs (\$000)**

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2003</u>	<u>Recomm.</u> <u>FY 2004</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
--------------------	---------------------------------------	----------------------------------	--------------------------------	---------------------------------	------------------------------

**LAW ENFORCEMENT****Direct State Services**

	\$182,455				
Salaries and Wages	12,900 (s)	\$160,248	(\$35,107)	(18.0)%	D-305

The components of this decrease are as follows: State Police, shift to off-budget revenues from the proposed wireless/cell tower assessment, \$31.3 million; State Police, civilian employee attrition and early retirement savings, \$2.5 million; Division of Criminal Justice, \$1.3 million, \$400,000 of which comprises savings from attrition/ early retirement, and the balance of which could be offset by assignment of personnel to the Office of Government Integrity and its \$1 million proposed funding increase. Accordingly, this reduction is likely to have no impact on staffing levels in either the State Police or the Division of Criminal Justice.

**Nuclear Facilities**

Security Detail	\$1,600(s)	\$0	(\$1,600)	(100.0)%	D-306
-----------------	------------	-----	-----------	----------	-------

It was originally intended that State Police security details at nuclear power facilities would be funded in FY 2003 for six months at an estimated cost by \$550,000 from "off-budget" car rental surcharge revenue. This revenue source is now projected to generate less than half the amount originally anticipated. Also security details have extended for the full year. Therefore, the department is projected to receive a supplemental appropriation of \$1.6 million to cover FY 2003 costs. In FY 2004, the costs of six months of security details, \$800,000 are to be funded "off-budget" from the proceeds of a proposed wireless communication/cell tower assessment.

**State Police Recruit**

Training	\$2,500	\$0	(\$2,500)	(100.0)%	D-306
----------	---------	-----	-----------	----------	-------

The FY 2003 appropriation funded State Police Academy training for approximately 100 recruits scheduled to graduate June 2003 to fill vacancies expected to result from attrition in FY 2002 and FY 2003. This recommended decrease reflects that no new recruit class is planned for FY 2004.

**Grants-In-Aid****Community Justice**

Grant	\$1,000	\$0	(\$1,000)	(100.0)%	D-307
-------	---------	-----	-----------	----------	-------

This grant, which was allocated to the counties, funded a program to bring the community and local police together. The grant assisted county prosecutors and state police to form neighborhood-based collaborations to improve law enforcement responsiveness. This program will not be funded in in FY 2004.

**Significant Changes/New Programs (\$000) (Cont'd)****State Aid****Statewide Local  
Domestic Preparedness  
Equipment Grant  
Program**

\$9,000	\$0	(\$9,000)	(100.0)%	D-307
---------	-----	-----------	----------	-------

This State aid program was added by the Legislature to the FY 2003 budget, and is not recommended to continue in FY 2004.

**Capital Construction****Computer Aided  
Dispatch and Records  
Management System**

\$6,000	\$0	(\$6,000)	(100.0)%	D-308
---------	-----	-----------	----------	-------

This FY 2003 appropriation was intended to fund the replacement of the State Police Computer Aided Dispatch/Record Management System (CAD/RMS). According to the Office of Management and Budget, the department is re-evaluating the timetable for implementing this project, and will not require additional funding in FY 2004.

**Hamilton Complex  
Troop "C" Building  
Equipment and  
Furnishings**

\$0	\$3,846	\$3,846	—	D-308
-----	---------	---------	---	-------

This FY 2004 appropriation would fund costs of equipping and furnishing the State Police Forensic Laboratory and Troop C Headquarters in Hamilton Township.

**Federal Funds**

	\$137,852			
<b>State Police Operations</b>	289 (s)	\$107,852	(\$30,000)	(21.9)% D-308

This projected decrease in federal funding reflects the non-recurring FY 2003 Bureau of Justice Assistance State Police Communications Upgrade Grant of \$30 million.

<b>Criminal Justice</b>	\$37,400	\$38,428	\$1,028	2.7% D-308
-------------------------	----------	----------	---------	------------

This increase in federal funds consists mostly of a projected \$1 million increase in County Prosecutors Assistance.

**All Other Funds**

<b>State Police Operations</b>	\$86,514	\$121,315	\$34,801	40.2% D-309
--------------------------------	----------	-----------	----------	-------------

This increase consists mostly of the recommended allocation of \$32.1 million in new revenue

**Significant Changes/New Programs (\$000) (Cont'd)**

for a proposed wireless/cell tower assessment or franchise fee. These new revenues would replace \$13.9 million in FY 2003 supplemental State spending that makes up for under-realization of a \$2 per day vehicle rental surcharge, and \$18.2 million in General Fund appropriations for State Police Salaries. The balance of the projected increase comprises added contributions from the toll road authorities for State Police patrol services.

**SPECIAL LAW ENFORCEMENT****State Aid****Election Management  
and Coordination -**

<b>Extended Polling Place Hours</b>	<b>\$4,782</b>				
	<b>\$2,200 (s)</b>	<b>\$3,730</b>	<b>(\$3,252)</b>	<b>(46.6)%</b>	<b>D-314</b>

The original FY 2003 appropriation was adequate to cover Spring 2002 election costs attributable to State-mandated extension of polling place hours and election workers' pay. Supplemental funding comprises the amount needed for Fall 2002 election costs. The FY 2004 recommended appropriation provides only for the costs of Spring 2003 elections.

**Regulation of Racing  
Activities**

	<b>\$10,399</b>	<b>\$12,180</b>	<b>\$1,781</b>	<b>17.1%</b>	<b>D-314</b>
--	-----------------	-----------------	----------------	--------------	--------------

This projected increase in fees, assessments and other income supporting the operating costs of New Jersey Racing Commission reflects full implementation of off track and account wagering as authorized by P.L. 2001, c. 199.

**DIVISION OF JUVENILE SERVICES****Direct State Services**

<b>Salaries and Wages</b>	<b>\$25,308</b>	<b>\$25,008</b>	<b>(\$300)</b>	<b>(1.2)%</b>	<b>D-317</b>
---------------------------	-----------------	-----------------	----------------	---------------	--------------

This reduction reflects anticipated salary savings from annualized attrition (\$89,000) and early retirements (\$211,000).

**Step Down Program-  
State Match**

	<b>\$70</b>	<b>\$0</b>	<b>(\$70)</b>	<b>(100.0)%</b>	<b>D-318</b>
--	-------------	------------	---------------	-----------------	--------------

According to the Office of Management and Budget, state matching funds are no longer needed, because this program to provide services to juvenile sex offenders will not be sustained in FY 2004.

**Juvenile Justice-State  
Matching Funds**

	<b>\$406</b>	<b>\$0</b>	<b>(\$406)</b>	<b>(100.0)%</b>	<b>D-318</b>
--	--------------	------------	----------------	-----------------	--------------

According to the Office of Management and Budget, this matching funds appropriation is not needed in FY 2004 to maintain federally funded Commission programs.

**Significant Changes/New Programs (\$000) (Cont'd)**

<b>Custody and Civilian Staff Training</b>	\$1,585	\$185	(\$1,400)	(88.3)%	D-318
--------------------------------------------	---------	-------	-----------	---------	-------

This recommended decrease represents the elimination of non-mandatory training for FY 2004, with funding reduced to only the amount needed to maintain mandatory training programs for new staff.

<b>Critical Repairs, Juvenile Services Facilities</b>	\$500	\$0	(\$500)	(100.0)%	D-319
-------------------------------------------------------	-------	-----	---------	----------	-------

This FY 2003 appropriation funded the repairs to upgrade aging building systems and structures such as plumbing, electric, and sewer repairs. The Commission will need to reallocate from other project balances or operating funds to meet emergent FY 2004 needs.

<b>Security Enhancements, Various Facilities</b>	\$343	\$0	(\$343)	(100.0)%	D-319
--------------------------------------------------	-------	-----	---------	----------	-------

This FY 2003 appropriation funded security enhancements in the secure and community program sites, specifically, the Valentine Unit at the Johnstone Campus in Bordentown.

<b>Cell Door Locking System</b>	\$485	\$0	(\$485)	(100.0)%	D-320
---------------------------------	-------	-----	---------	----------	-------

This FY 2003 appropriation funded the installation of a new electro-magnetic cell door and locking system at the Valentine Unit.

**NEW JERSEY TRAINING SCHOOL FOR BOYS****Direct State Services**

<b>Salaries and Wages</b>	\$15,969	\$15,909	(\$60)	(0.4)%	D-322
---------------------------	----------	----------	--------	--------	-------

This reduction reflects anticipated salary savings from attrition.

**All Other Funds**

<b>Institutional Care and Treatment</b>	\$6,046	\$6,382	\$336	5.6%	D-322
-----------------------------------------	---------	---------	-------	------	-------

This represents a projected increase in the State Facility Education Act (SFEA) funding, which is based on the number of eligible youth in the system the program is expected to serve in FY 2004.



**Significant Changes/New Programs (\$000) (Cont'd)****JUVENILE MEDIUM SECURITY CENTER****Direct State Services**

Salaries and Wages	\$14,105	\$14,031	(\$74)	(0.5)%	D-324
--------------------	----------	----------	--------	--------	-------

This recommended decrease reflects anticipated salary savings from attrition.

**All Other Funds**

Institutional Care and Treatment	\$4,492	\$5,141	\$649	14.4%	D-324
----------------------------------	---------	---------	-------	-------	-------

This represents a projected increase in the State Facility Education Act (SFEA) funding, which is based on the number of eligible youth in the system the program is expected to serve in FY 2004.

**CENTRAL PLANNING, DIRECTION AND MANAGEMENT****Direct State Services**

Salaries and Wages	\$7,919	\$7,819	(\$100)	(1.3)%	D-326
--------------------	---------	---------	---------	--------	-------

This recommended decrease reflects anticipated deferred salary savings from the early retirement incentive program.

Fiscal Integrity Unit/Office of Governmental Integrity	\$3,100	\$4,100	\$1,000	32.3%	D-326
--------------------------------------------------------------	---------	---------	---------	-------	-------

The governor recommends an increase of \$1.0 million to enhance the ability of the Office of Integrity, along with the Division of Criminal Justice, to uncover and prosecute public corruption.

Smart Growth Enforcement	\$0	\$250	\$250	—	D-326
-----------------------------	-----	-------	-------	---	-------

The governor recommends this FY 2004 funding to provide assistance to municipalities challenging developers who want to build in over-developed or protected areas.

**GENERAL GOVERNMENT SERVICES****Direct State Services**

Child Welfare Unit	\$0	\$1,430	\$1,430	—	D-328
--------------------	-----	---------	---------	---	-------

**Significant Changes/New Programs (\$000) (Cont'd)**

The FY 2004 appropriation would fund 23 additional positions for a Child Welfare Unit, to provide expanded legal representation in child abuse and neglect cases involving the Division of Youth and Family Services (DYFS).

**PROTECTION OF CITIZENS' RIGHTS**

**Direct State Services**

<b>Consumer Affairs</b>	<b>\$12,591</b>	<b>\$12,191</b>	<b>(\$400)</b>	<b>(3.2)%</b>	<b>D-331</b>
-------------------------	-----------------	-----------------	----------------	---------------	--------------

This recommended decrease reflects anticipated salary savings from attrition (\$100,000) and deferred early retirements (\$200,000), and reduced costs of information technology services (\$100,000).

**Federal Funds**

<b>Victims of Crime</b>	<b>\$4,800</b>				
<b>Compensation Board</b>	<b>\$4,000 (s)</b>	<b>\$4,800</b>	<b>(\$4,000)</b>	<b>(45.5)%</b>	<b>D-332</b>

The FY 2003 supplemental federal funding of \$4 million reflects the one-time funding provided to the Board to provide aid to the victims of the World Trade Center tragedy.

## Language Provisions

### LAW ENFORCEMENT

#### 2003 Appropriations Handbook

p. B-119; B-122

Notwithstanding the provisions of section 14 of P.L. 1992, c. 188 (C.33:1-4.1), that in addition to the amount hereinabove, all fees and penalties collected by the Director of the Division of Alcoholic Beverage Control in excess of **\$2,000,000** are appropriated for the purpose of offsetting additional operational costs of the Alcoholic Beverage Control Enforcement Bureau in the Division of State Police and the Division of Alcoholic Beverage Control, subject to the approval of the Director of the Division of Budget and Accounting.

#### 2004 Budget Recommendations

p. D-309; D-315

Notwithstanding the provisions of section 14 of P.L. 1992, c. 188 (C.33:1-4.1), that in addition to the amount hereinabove, all fees and penalties collected by the Director of the Division of Alcoholic Beverage Control in excess of **\$3,960,000** are appropriated for the purpose of offsetting additional operational costs of the Alcoholic Beverage Control Enforcement Bureau in the Division of State Police and the Division of Alcoholic Beverage Control, subject to the approval of the Director of the Division of Budget and Accounting.

#### Explanation

The proposed language reflects an increase of \$1,960,000 in the threshold above which excess revenues the Division of Alcoholic Beverage Control are appropriated to offset operational costs. This corresponds to a \$1.96 million increase in FY 2004 revenue from a proposed increase in license and permit fees requiring legislative approval.

#### 2003 Appropriations Handbook

p. B-120

In addition to the amount hereinabove for State Police Operations, there is appropriated from the General Fund such sums as are necessary to pay for debt service costs associated with the purchase of helicopters, subject to the approval of the Director of the Division of Budget and Accounting.

#### 2004 Budget Recommendations

No comparable language.

#### Explanation

This language authorized the appropriation of money from the General Fund as needed to pay for debt service costs associated with the purchase of helicopters. In FY 2004, there is no proposed funding for helicopters and no additional funds are required for debt service.

## Language Provisions (Cont'd)

2003 Appropriations Handbook

## p. B-120

Receipts derived from the agency surcharge on vehicle rentals pursuant to P.L.2002, c.34, not to exceed \$550,000 for State Police security at nuclear power facilities, and not to exceed \$17,900,000 for State Police salaries related to Statewide security services, are appropriated for those purposes and shall be deposited into a dedicated account, the expenditure of which shall be subject to the approval of the Director of the Division of Budget and Accounting.

2004 Budget Recommendations

## p. D-310

Receipts derived from the agency surcharge on vehicle rentals pursuant to P.L.2002, c.34, not to exceed \$5,000,000 for State Police salaries related to Statewide security services, are appropriated for those purposes and shall be deposited into a dedicated account, the expenditure of which shall be subject to the approval of the Director of the Division of Budget and Accounting.

Explanation

In FY 2003, it had been estimated that a surcharge on vehicle rentals would generate \$40 million, some of which was to be used for State police security at nuclear power facilities (\$500,000) and for State Police salaries related to Statewide security (\$17.9 million). The vehicle rental surcharge is now projected to produce less than half as much revenue as was anticipated. A \$14.5 million supplemental appropriation is projected to substitute for these unrealized funds. In FY 2004, up to \$5 million in vehicle rental surcharges will be used for State Police salaries related to Statewide security services, with other funding to be derived from new revenues (see below).

2003 Appropriations Handbook

No comparable language.

2004 Budget Recommendations

## p. D-310

Receipts derived from the wireless communication/cell tower assessment pursuant to the passage of enabling legislation, not to exceed \$800,000 for State Police security at nuclear power facilities, not to exceed \$29,885,000 for State Police salaries related to Statewide security services, and not to exceed \$1,400,000 for the pro rata portion of salaries, training, and other operational costs related to the State Police Operation Dispatch Unit, are appropriated for those purposes and shall be deposited into a dedicated account, the expenditure of which shall be subject to the approval of the Director of the Division of Budget and Accounting.

## Language Provisions (Cont'd)

### Explanation

This FY 2004 language appropriates \$32,085,000 in revenues from a proposed wireless communication/cell tower assessment for the following purposes:

- \$800,000 for State Police security at nuclear power facilities;
- \$29,885,000 for State Police salaries related to Statewide security services; and
- \$1,400,000 for the pro rata portion of salaries, training, and other operational costs related to the State Police Operation Dispatch Unit

The wireless communication/cell tower assessment is expected to total \$46.1 million. Recommended Direct State Services funding for FY 2004 has been reduced to reflect this proposed new resource.

---

### *SPECIAL LAW ENFORCEMENT ACTIVITIES*

#### 2003 Appropriations Handbook

##### p. B-122

Receipts derived from breakage monies and uncashed pari-mutuel winning tickets resulting from off-track and account wagering and any reimbursement assessment against permit holders or successors in interest to permit holders shall be distributed to the New Jersey Racing Commission in accordance with the provisions of the "Off-Track and Account Wagering Act," P.L.2001, c.199 (C.5:5-127 et seq.), subject to the approval of the Director of the Division of Budget and Accounting. [If such receipts and reimbursement assessments are insufficient to cover the operational support for the New Jersey Racing Commission, there is appropriated an amount not to exceed \$250,000 for those costs subject to the approval of the Director of the Division of Budget and Accounting.]

#### 2004 Budget Recommendations

##### p. D-315

Receipts derived from breakage monies and uncashed pari-mutuel winning tickets resulting from off-track and account wagering and any reimbursement assessment against permit holders or successors in interest to permit holders shall be distributed to the New Jersey Racing Commission in accordance with the provisions of the "Off-Track and Account Wagering Act," P.L.2001, c.199 (C.5:5-127 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

### Explanation

The language allows the New Jersey Racing Commission to continue receive breakage monies and outstanding parimutuel ticket monies to offset racing costs. Breakage monies represent the amount of money in excess over the actual payoff for winning tickets. P.L.2001, c.199 established an off-track wagering system for horse races run at tracks in this State and in other states where parimutuel wagering on simulcast horse races is permitted; and also established an account wagering system through which persons may wager on horse races by telephone or other electronic means. The omission of FY 2003 bracketed language allowing a \$250,000 appropriation, if needed,

## Language Provisions (Cont'd)

assumes an increase in revenues from Off Track Betting and an increase in fees on the industry.

---

### *JUVENILE JUSTICE COMMISSION*

#### 2003 Appropriations Handbook

#### 2004 Budget Recommendations

##### p. B-123

From the amounts provided hereinabove for cost of living adjustments throughout the Department of Law and Public Safety, it is intended that, at a minimum, a **2.0%** cost of living increase shall be expended for direct service workers' salaries, effective July 1, 2002.

No comparable language.

#### Explanation

The FY 2003 language applied only to the cost of living monies made available in the FY 2003 Appropriation Act. As no cost of living moneys are provided in the FY 2004 recommended budget, similar language is not needed.

---

### *CENTRAL PLANNING, DIRECTION AND MANAGEMENT*

#### 2003 Appropriations Handbook

#### 2004 Budget Recommendations

##### p. B-126

From amounts appropriated within the Department of Law and Public Safety for the Office of the Attorney General, so much thereof as is necessary shall be expended by the Attorney General to perform a study of the direct and indirect State fiscal, personnel and public safety impacts of the providing of police protection by the State Police to the inhabitants of rural sections of the State pursuant to R.S.53:2-1. The Attorney General shall prepare a written report specifying the results of the study and including any recommendations for legislation that he may suggest which shall be provided to the Governor and the Legislature on or before December 1, 2002.

No comparable language.

## Language Provisions (Cont'd)

### Explanation

The language authorized a study to be conducted to determine the impact of providing police protection by the State Police to the inhabitants of rural sections. No additional funding is needed for this purpose in FY 2004, hence the language is not continued.

---

### *GENERAL GOVERNMENT SERVICES*

#### 2003 Appropriations Handbook

##### p. B-126

In addition to the **\$46,267,000** attributable to Reimbursements from Other Sources and the corresponding additional amount associated with employee fringe benefit costs, there are appropriated such sums as may be received or receivable from any State agency, instrumentality or public authority for direct or indirect costs of legal services furnished thereto and attributable to a change in or the addition of a client agency agreement, subject to the approval of the Director of the Division of Budget and Accounting.

#### 2004 Budget Recommendations

##### p. D-328

In addition to the **\$46,927,626** attributable to Reimbursements from Other Sources and the corresponding additional amount associated with employee fringe benefit costs, there are appropriated such sums as may be received or receivable from any State agency, instrumentality or public authority for direct or indirect costs of legal services furnished thereto and attributable to a change in or the addition of a client agency agreement, subject to the approval of the Director of the Division of Budget and Accounting.

### Explanation

This language change reflects the FY 2004 increase in anticipated reimbursements to the Division of Law, as the result of higher negotiated billing rates. The Division of Law derives a significant portion of its operating support from reimbursements it receives for legal services provided to other State agencies. The Governor's budget (page D-328) estimates these reimbursements at \$46,927,626 in FY 2004, an increase of about \$0.7 million. This language would allow the division to spend any receipts received above this amount.

## Discussion Points

1. The Governor's Budget identifies approximately \$32.1 million in revenues for Law and Public Safety from a proposed wireless communication/cell tower assessment which will fund up to \$800,000 for State Police security at the nuclear power facilities, up to \$29,885,000 for State Police salaries and up to \$1,400,000 for salaries, training, and operational costs related to the State Police Operation Dispatch Unit. Enactment of legislation will be required, which has yet to be introduced.

- **Question:** When will legislation for the wireless communication/cell tower assessment be introduced? If such legislation were not enacted, how would the State Police costs be funded?

2. Federal enactments and federal budget proposals often impact significantly on State programs and fiscal resources.

- **Question:** What impact will the expectation of (a) increased or decreased federal funding, or (b) new or revised federal mandates or matching requirements, have on the department's resources and activities in FY 2004? Be specific with regard to the expected federal action and the corresponding State or local impact.

3. New Jersey recently enacted P.L. 2002, c.129 establishing "Amber's Plan," providing for an Amber Alert program in New Jersey. In this program participating broadcast media transmit an emergency alert to inform the public that there has been a child abduction in the area. At this writing, the U.S. Congress has passed legislation which now awaits a signature from the President, making the Amber Alert a nationwide mandatory program.

- **Question:** Please provide information concerning whether the federal legislation requires changes in the current New Jersey program. What are the cost differentials associated with the mandatory program compared to the current New Jersey voluntary program? What state and local financial incentives are contained in federal legislation, if any?

4. P.L. 2003, c.34, which was recently signed by the Governor, amends Megan's Law to comply with the federal Campus Sex Crimes Prevention Act. The act imposes registration requirements on certain sex offenders enrolled in New Jersey educational institutions.

- **Question:** Does the department know if there are any other changes needed in Megan's law to comply with federal sex offender laws and obtain federal funding?

5. The Governor's budget recommends an appropriation of \$250,000 to the Office of the Attorney General for smart growth enforcement. According to the budget document, the Office of the Attorney General would utilize the funds to assist the municipalities in challenging lawsuits against developers who want to build in over-developed or protected areas.

- **Question:** Please outline the criteria the Attorney General will employ in determining whether to provide assistance. Are additional staff contemplated to assist with these cases?

6. As a result of the terrorist attacks on September 11, 2001 and subsequent terror alerts, there is an increased emphasis on homeland security. In response, the State has enacted legislation to expand the number of public and private sector employees subject to background checks.



## Discussion Points (Cont'd)

- **Question:** What is the increased burden on the State Police? Please provide a fiscal analysis of these and any other costs associated with required background checks such as personnel, time, administration, etc.
7. The 131st and 132nd State Police Recruit Class will graduate June 2003 with approximately 90 new officers. The FY 2004 budget provides no funding for State Police Recruit Training.
- **Question:** Is a State Police Recruit Training class planned for 2004? How will the department handle attrition in the State Police enlisted force for the upcoming year?
8. The DNA backlog of cases has increased significantly over the years and is expected to continue to grow as DNA tests become more prominent in criminal investigations. Pending legislation (e.g., Assembly Bill 2617) would increase the number of defendants subject to DNA requirements by expanding the list of crimes for which blood samples are collected for purposes of DNA testing.
- **Question:** What is the current status of the DNA backlog? What is the cost of processing an individual DNA test? What steps are being taken to address the backlog?
9. The Federal government has suggested that first responders prepare for terrorist activity such as chemical and biological attacks. The local authorities are often called "first responders" as they would be the first entities to respond in case of an emergency. Anticipating that they would be reimbursed by the State, some local authorities are preparing by conducting additional training, adding security and purchasing new or updating existing equipment. Other local authorities have not been able to conduct any preparation due to a lack of funding, but are concerned about their level of readiness in the event of an attack. In FY 2003, the Legislature provided \$9 million to the department for Statewide Local Domestic Preparedness grants for equipment funding. As of April 10, 2003, none of this money appears to have been disbursed to local first responders.
- **Question:** Given that there have been delays in federal funding for first responders, why have State funds not been distributed? Please provide a detailed summary of the purpose of this State assistance program and outline the process used to distribute these grants.
10. In his FY 2003 State Budget message, the Governor stated that a new State Police training center was needed because the current facility no longer was meeting the needs for training purposes. Five million dollars was allocated for up-front funding, a feasibility study, preliminary design and land acquisition. Only \$25,000 has been expended for preliminary design, and there is no funding budgeted for this purpose in 2004. OLS has been informed that the project has been suspended.
- **Question:** Please evaluate the adequacy of the current training site and provide information regarding plans to build a new State Police training center.
11. The FY 2004 budget provides \$500,000 in capital funding to the Juvenile Justice Commission for Suicide Prevention Improvements; however, there is no funding recommended for critical repairs and renovations at various juvenile justice institutions. Due to the lack of funding in the past and the age of the various institutions, numerous facilities have deteriorated to the point of requiring immediate repair. The New Jersey Commission on Capital Budgeting and Planning

## Discussion Points (Cont'd)

recommended that the department receive \$1.5 million for capital projects in FY 2004, of which \$1 million was to be used for Critical Repairs and Fire Safety.

- **Question:** How does the commission plan to address the needs of the facilities requiring immediate repair? How has deferred maintenance impacted the functioning of the commission's facilities?

12. One of the few increases in the Law and Public Safety budget is for the Office of Government Integrity. The budget would increase by \$1 million, from \$3.1 million in FY 2003 to \$4.1 million in FY 2004. According to the Governor's budget, this increase will enhance the ability of the office, along with the Division of Criminal Justice, to uncover and prosecute public corruption.

- **Question:** What specific plans are in place to increase the presence and involvement of the Attorney General's office in the investigation and prosecution of public corruption cases?

## Background Paper: Office of Counter-Terrorism

Budget Pages.... B-12; C-19; D-306; D-309;  
D-327

The September 11, 2001 terrorist attacks on the World Trade Center and the Pentagon emphasized the need for domestic preparedness nationwide. New Jersey joined the rest of the nation in assessing the need for heightened domestic security and preparedness on the part of state and local governments. Among the State's public policy responses was the creation of the Office of Counter -Terrorism.

### INITIAL RESPONSE

The New Jersey Domestic Security Preparedness Act was signed into law by Acting Governor DiFrancesco on October 4, 2001 to reinforce and expand the States existing anti-terrorism efforts and to integrate preparedness efforts among State agencies. The Domestic Security Preparedness Task Force was created to maximize, enhance and effectuate coordination of the disaster preparedness and recovery resources provided through the Office of Emergency Management (OEM), the New Jersey National Guard and county and local emergency management organizations. The act appropriated \$2.7 million for the creation of the Counter-Terrorism Unit within the New Jersey Division of State Police Central Security Bureau.

### CREATION OF THE OFFICE OF COUNTER-TERRORISM

On January 24, 2002, Governor McGreevey signed Executive Order #3 (Executive Order #3 was rescinded and replaced by Executive Order #33 on October 3, 2002), which established the Office of Counter-Terrorism (OCT). The OCT was established as a separate office within the Department of Law and Public Safety, under the direction of the Attorney General and the Governor. Sidney J. Caspersen currently serves as the Director of OCT. Executive Order #33 empowered OCT to act as a centralized office to administer, coordinate, and lead the State's counter-terrorism and preparedness efforts with the goals of identifying, deterring and detecting terrorist-related activities pursuant to the New Jersey Domestic Security Preparedness Act. The OCT is vested with all the powers of law enforcement conferred by law upon the Attorney General, but exercises those powers to the extent the Attorney General approves.

In FY 2003, the OCT and CTU were jointly appropriated \$7.2 million to be derived from anticipated receipts from a \$2 per day surcharge on vehicle rentals. The funded staff level for OCT and CTU is set for 68 positions: 45 positions in the OCT for State and Special Investigators, attorneys, intelligence analysts, and support staff and 23 positions in CTU for 19 enlisted officers and 4 civilians.

### PROGRAMS

Working closely with the Domestic Security Preparedness Task Force, the OCT is coordinating the State's counter-terrorism and preparedness efforts for all state departments and local law enforcement agencies and communicating with federal agencies to strengthen public safety at all levels. The OCT currently are:

- Sharing intelligence on a daily basis with the FBI, the U. S. Department of Homeland Security, the 21 county counter-terrorism coordinators and the more than 500 municipal and other police agencies in New Jersey;

## Background Paper: Office of Counter-Terrorism (Cont'd)

- Coordinating regular meetings of the Statewide Law Enforcement Advisory Council and regular meetings of the 21 county counter-terrorism coordinators;
- Deploying the Statewide Intelligence Management System (Memex), an Intranet-based intelligence system and "leads" database regarding terrorists and terrorist-related activity;
- Providing Counter Terrorism intelligence and awareness training, in collaboration with the FBI and the New Jersey State Police;
- Training New Jersey Division of State Police enlisted personnel on international and domestic terrorism, Arabic Culture, Document Fraud, and the role of the Office of Counter-Terrorism;
- Working with the Police Training Commission Standards Committee and the New Jersey State Police Office of Emergency Management to include terrorism and domestic preparedness related courses to the Basic Course Program for Police Officers beginning August 2003;
- Working in conjunction with the New Jersey State Police Community Policing Unit and the New Jersey Division of Criminal Justice Bias Crime Unit on a Community Outreach Program;
- Working with the Domestic Security Preparedness Task Force and the Infrastructure Advisory Committee to identify New Jersey's most critical infrastructure sites;
- Working with private industry to develop "best practices" for securing key industrial sectors;
- Deploying radiological detection pagers to critical law enforcement agencies including the State Police Commercial Vehicle Inspection Teams, Turnpike Patrols, Marine Police Units, and several key municipal departments. OCT is researching other detection devices and anticipates deploying more to key law enforcement entities in the near future;
- Deploying the Communicator, an automatic call out/notification system designed for disseminating Alert information;
- Deploying Blackberry wireless e-mail communication devices to selected Law and Public Safety and OCT senior, investigative and analytical staff to facilitate 24-hour communication between law enforcement and key State officials;
- Developing three secure websites: a law enforcement-specific website, critical infrastructure website, and internal OCT staff website; and
- Providing daily updates on significant developments and leads pertaining to suspected terrorist-related activities to the Governor, the Attorney General, the Superintendent of State Police and representatives from the Department of Health and the Department of Military and Veterans Affairs.

### RECOMMENDED FY 2004 APPROPRIATIONS

In FY 2004, the OCT and CTU are again recommended to receive a joint appropriation of \$7.2 million from the proceeds of the vehicle rental surcharge.

## OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services provides nonpartisan assistance to the State Legislature in the areas of legal, fiscal, research, bill drafting, committee staffing and administrative services. It operates under the jurisdiction of the Legislative Services Commission, a bipartisan body consisting of eight members of each House. The Executive Director supervises and directs the Office of Legislative Services.

The Legislative Budget and Finance Officer is the chief fiscal officer for the Legislature. The Legislative Budget and Finance Officer collects and presents fiscal information for the Legislature; serves as Secretary to the Joint Budget Oversight Committee; attends upon the Appropriations Committees during review of the Governor's Budget recommendations; reports on such matters as the committees or Legislature may direct; administers the fiscal note process and has statutory responsibilities for the review of appropriations transfers and other State fiscal transactions.

The Office of Legislative Services Central Staff provides a variety of legal, fiscal, research and administrative services to individual legislators, legislative officers, legislative committees and commissions, and partisan staff. The central staff is organized under the Central Staff Management Unit into ten subject area sections. Each section, under a section chief, includes legal, fiscal, and research staff for the standing reference committees of the Legislature and, upon request, to special commissions created by the Legislature. The central staff assists the Legislative Budget and Finance Officer in providing services to the Appropriations Committees during the budget review process.

Individuals wishing information and committee schedules on the FY 2004 budget are encouraged to contact:

Legislative Budget and Finance Office  
State House Annex  
Room 140 PO Box 068  
Trenton, NJ 08625

(609) 292-8030

Fax (609) 777-2442