

# TEXAS DEPARTMENT OF PUBLIC SAFETY

EXCEPTIONAL ITEMS FY 2008-09



**SENATE FINANCE COMMITTEE**  
Senator Steve Ogden,  
Chairman

**COMMITTEE ON APPROPRIATIONS**  
Representative Warren Chisum,  
Chairman

**LEGISLATIVE BUDGET BOARD**  
John O'Brien, Director

REVISED  
January 29, 2007

**PUBLIC SAFETY COMMISSION**  
Ernest Angelo, Jr., Chairman  
Louis E. Sturns, Commissioner

**DEPARTMENT OF PUBLIC SAFETY**  
Thomas A. Davis, Jr., Director  
David McEathron, Asst. Director

**EXCEPTIONAL ITEMS FY08-09**

Item	Exceptional Items	FY2008			FY2009			Biennial Cost \$
		FTE's		Cost \$	FTE's		Cost \$	
		C	N/C		C	N/C		
<b>A</b>	Operating Shortfall			16,166,796			16,858,061	33,024,856
				15,893,957			16,585,223	32,479,180
<b>B</b>	Regional Office & Land			42,532,723				42,532,723
	Recurring Operating Costs						440,880	440,880
	McAllen Regional Office Renovation			1,294,573				1,294,573
	Total, Regional Office & Land			43,827,296			440,880	44,268,176
<b>C</b>	Emergency Vehicle Operations Course							
	Course Construction & Buildings			49,713,043				49,713,043
	Additional Personnel				9	11	855,348	855,348
	Recurring Operating Costs (Vehicles/Buildings)						588,730	588,730
	Total, Emergency Vehicle Operations Course			49,713,043			1,444,078	51,157,121
<b>D</b>	Crime Laboratory							
	Salary/Operating Request			1,962,801			1,962,801	3,925,602
	Additional Personnel		64	3,812,271		64	3,437,083	7,249,354
	Equipment Needs			3,251,289			1,704,696	4,955,985
	Subtotal, FTE Items			9,026,361			7,104,580	16,130,941
	Crime Lab Expansions or New Lab			88,015,057				88,015,057
	Recurring Operating Costs (Buildings)						994,278	994,278
	Total, Crime Laboratory			\$ 97,041,418			\$ 8,098,858	\$ 105,140,276
<b>E</b>	10% Reduction Recovery			1,171,178			1,171,177	2,342,355
				806,214			806,213	1,612,427
<b>F</b>	In-car Computer Project		9	7,077,527		15	8,057,365	15,134,892
<b>G</b>	Building Program							
	San Antonio Multipurpose Office-N. Central (new)			9,994,005				9,994,005
	Recurring Operating Costs						146,509	146,509
	Weatherford Area Office (expansion)			3,173,654				3,173,654
	Recurring Operating Costs						67,919	67,919
	El Paso Gateway Driver License Office (new)			4,300,175				4,300,175
	Recurring Operating Costs						49,140	49,140
	San Antonio Babcock DL Office (Exp/Renovate)			1,735,776				1,735,776
	Recurring Operating Costs						30,860	30,860
	Williamson County Area Office (new)			5,959,098				5,959,098
	Recurring Operating Costs						83,357	83,357
	Rio Grande City Area Office (new)			4,589,410				4,589,410
	Recurring Operating Costs						65,239	65,239
	Pearsall Area Office (new)			2,899,157				2,899,157
	Recurring Operating Costs						39,731	39,731
	State Operations Center (expansion)			24,844,426				24,844,426
	Recurring Operating Costs						166,526	166,526
	Total, Building Program			57,495,701			649,281	58,144,982
<b>H</b>	Additional Personnel	116	137	24,099,136	116	137	14,563,909	38,663,045
<b>I</b>	Crime Records/Reg. Licensing Enhancements		28	5,798,834		29	2,582,790	8,381,624
	<b>Total Exceptional Items</b>	<b>116</b>	<b>238</b>	<b>\$ 301,753,126</b>	<b>125</b>	<b>256</b>	<b>\$ 53,228,597</b>	<b>\$ 354,981,723</b>

Item	Other Item	FY2008			FY2009			Biennial Cost \$
		FTE's		Cost \$	FTE's		Cost \$	
		C	N/C		C	N/C		
	Real ID Act	149	588	167,432,780	149	588	101,328,932	268,761,712
	<b>Total, Real ID Act</b>	<b>149</b>	<b>588</b>	<b>\$ 167,432,780</b>	<b>149</b>	<b>588</b>	<b>\$ 101,328,932</b>	<b>\$ 268,761,712</b>

## Operating Shortfall

Over the past biennium, steady, and significant increases in operating costs have been experienced by the Department. Historically, these expenditures were covered with lapse salary funds generated by commissioned officer and non-commissioned vacancies. The Department has aggressively filled commissioned vacancies through recruit schools. Unfunded changes to Hazardous Duty and Longevity benefits have also contributed to the depletion of funds for operating costs. Current estimates indicate that hazardous duty and longevity adjustments in FY06/07 will cost the agency \$7.3 million over the biennium. Consequently, funds to support the following operating costs have been significantly depleted:

	Requested	
	FY 08	FY 09
Utilities	3,900,000	3,900,000
Driver License Salary	4,972,667	4,972,667
Private Security Bureau	443,284	1,134,550
	245,446	936,713
Maintenance & Repair of Buildings	2,000,000	2,000,000
Recruit School	778,201	778,201
Staff Support Services	570,680	570,680
Information Technology Costs	1,734,355	1,734,355
Crash Records Information System (CRIS)	992,815	992,815
	917,815	917,815
Narcotics Salary and Operating	774,793	774,793
<b>Total Request</b>	<b>\$16,166,795</b>	<b>\$16,858,061</b>
	<b>\$15,893,957</b>	<b>\$16,585,223</b>
<b><u>Biennial Cost to DPS</u></b>		<b><u>\$33,024,856</u></b>
		<b><u>\$32,479,180</u></b>

**Utilities:** Over the past six years, the Department has experienced a significant increase in utility expenditures, specifically for electricity, natural gas, sewer and water. This is attributed to two factors; nationwide rate increases and the expansion of existing offices throughout the state. The Department's current annual utility appropriation is \$5.1 million dollars of which \$1.5 million is utilized

for telephone expenses. This leaves the Department \$3.6 million dollars for electricity, natural gas, sewer and water expenses. FY06 costs, excluding any telephone projections, are estimated to be \$7.3 million dollars which creates a shortfall of \$3.7 million.

In addition to current costs, new construction of four offices; Bryan, Garland, Snyder, and Waxahachie, will add an additional 70,234 square feet by the end of FY07, increasing the Department's utility costs by an estimated \$206,700. An additional \$3.9 million dollars is requested, annually, to cover the disparity between current costs and funds appropriated.

**Driver License Operating:** The Driver License Division (DLD) currently has a \$4.3M salary shortfall. It is primarily attributed to current non-commissioned employee costs. The Division is unable to fill approximately 98 vacancies. The cost to fill these vacancies is approximately \$2.6M. An additional \$1.7M is needed to cover the remaining shortfall. Currently, commissioned lapse salaries from other strategies provide the additional dollars to cover these expenses. This will become a challenge for the agency when these commissioned vacancies are filled. It is also important for the Department to fill the existing 98 non-commissioned vacancies in order to meet current public demands. The Department is requesting \$4,339,888 annually to cover this disparity.

**Justification \$4,339,888**

<b>Annualized DL Salary Budget to Include 98 FTE costs</b>	<b>\$53,139,254</b>
<b>Less: Total DL Division Annual Salary Budget</b>	<b><u>48,799,366</u></b>
<b>DL Salary Shortfall</b>	<b>\$ 4,339,888</b>

**Factors Causing Shortfall**

<b>Yearly Cost for Longevity/Haz. Duty Increase</b>	<b>\$1,265,489</b>
<b>Retirement Incentive Appn. Reduction</b>	<b>488,000</b>
<b>Plus: Vacancy Cost      98 FTEs</b>	<b><u>2,586,399</u></b>
<b>Salary Shortfall</b>	<b>\$4,339,888</b>

**Biennial Cost \$8,679,776**

The DLD has no funding for office furnishing maintenance. Additional funding is requested to manage a replacement cycle. The estimated cost per year is \$212,158. Funds are also requested to cover future postage cost increases (\$258,199/year) and Lease increases for DL offices in Houston (increase \$41,808/year) and San Antonio (\$120,614/year).

**Office Operating Maintenance:**

<b>FY08 \$212,158</b>		
<b>FY09 \$212,158</b>	<b>Biennial Cost</b>	<b>\$424,316</b>

**Postage Increase:**

<b>FY08 \$258,199</b>		
<b>FY09 \$258,199</b>	<b>Biennial Cost</b>	<b>\$516,398</b>

**Lease Increase:**

<b>FY08 \$162,422</b>		
<b>FY09 \$162,422</b>	<b>Biennial Cost</b>	<b>\$324,844</b>

**Total Driver License Request:**

<b>FY08 \$ 4,972,667</b>		
<b>FY09 \$ 4,972,667</b>	<b>Biennial Cost</b>	<b>\$9,945,334</b>

**Private Security Bureau:** In the FY 2006-2007 biennium, the Department's Private Security Bureau received a base appropriation of \$1,339,178. Based on Rider 59, enacted during the 79<sup>th</sup> Legislative Session, the Private Security Bureau also received a special appropriation, contingent on additional fees being collected, to hire 39 additional commissioned and non-commissioned personnel (FTEs).

The Rider 59 appropriation included start-up and operation costs for FY 2006 and operation costs for FY 2007. The operation costs for FY 2007 included in Rider 59, (approximately \$1,643,581 when the expenses associated with hazardous duty pay, longevity, and SORM are added), are sufficient to fund the Bureau's normal operations each year, with two exceptions. First, the commissioned and non-commissioned pay increase also enacted during the 79<sup>th</sup> Legislative Session was not added to the Rider 59 appropriation for the 39 included FTEs. Second, the FY 2007 Rider 59 appropriation did not include funds to replace the vehicles purchased using the FY 2006 start-up appropriation, because it was not yet necessary to replace the vehicles.



For the FY 2008-2009 biennium, the Bureau would need the following appropriations in order to continue current operations: the original base appropriation of \$1,339,178, an additional appropriation of \$3,287,161 (which is equivalent to two years of operating costs of \$1,643,581 as estimated in Rider 59) for salary and operating costs associated with the new FTEs, an appropriation of \$592,104 to cover the cost of the pay increase enacted during the last session for the new FTEs, and an appropriation of \$691,262 for the replacement of the vehicles purchased during FY 2006. This results in a total operating need of **\$5,909,705** for the Private Security Bureau over the FY 2008-2009 biennium.

Prior to the enactment of Rider 59, the Comptroller of Public Account's estimate of total revenue that would be collected by the Bureau for the FY 2006-2007 biennium was \$7,880,000. When the Comptroller certified the additional fee revenue available to fund the appropriation made in Rider 59, they made an estimate based on the fees received during approximately the first nine months of the 24 month biennium. Based on that estimate, they certified that at a minimum, an additional \$3,388,370 in revenue would be collected during the biennium by the Bureau over the \$7,880,000 originally estimated. Therefore, they approved an additional appropriation of \$3,388,370 to the Bureau during the FY 2006-2007 biennium and provided us the ability to request further revenue certifications as fees received exceed their original estimate.

The Legislative Budget Board made its determination of the Bureau's base appropriation for the FY 2008-2009 biennium subsequent to the Comptroller's certification. The LBB included in the Bureau's base appropriation the original appropriation of \$1,339,178 and an additional appropriation of \$3,388,370 based on the Comptroller's certification. ~~In order to comply with the letter sent to state agencies regarding the 90% limitation of GR related funds, it was determined that the Private Security Bureau funds would be affected.~~ This resulted in a total base appropriation to the Bureau of ~~\$4,331,871~~ **\$4,727,546**. This appropriation will result in a shortfall to the Bureau of ~~\$1,577,834~~ **\$1,182,159** over the FY 2008-2009 biennium.

~~**Note:** The Private Security Bureau is funded by General Revenue appropriations and these funds are subject to a 10% reduction. DPS is requesting for the reinstatement of these dollars in a separate exceptional item. If these dollars are reinstated, the request for the operating shortfall exceptional item would change by reducing the amount requested by the 10% reinstatement amount.~~

**Maintenance and Repair of Buildings:** The current level of funding of \$1,125,000 appropriated annually for the rehabilitation and maintenance of our 126 state-owned buildings and infrastructure is inadequate for the agency to meet all of the demands for service. This shortfall has caused the agency to defer several maintenance and repair projects on our headquarters complex and

in our field offices until such time as funds become available, or the system fails, and creates an emergency condition. Currently, we have identified \$32 million of needed repairs that cannot be completed due to a lack of funding. The health and safety of our employees and the public become a concern when repairs and routine maintenance are neglected. Repair costs continue to escalate as building infrastructure and equipment deteriorate. Currently, the Department is expending approximately \$281,000 over the appropriated amount for capital repairs. The Department is also spending approximately \$500,000 each year for critical, non-capital repairs. An additional \$2,000,000 is needed each year for the ongoing/deferred maintenance and repairs of our buildings and infrastructure.

**Recruit School:** The cost of conducting a recruit school has continued to increase. In recent years, the school has been lengthened, thus increasing costs. The current budget is \$1,721,799 per school and the actual cost is approximately \$2,500,000 for a 125 member school. Approximately, \$778,201 each year will fully fund two recruit schools in the biennium, and will help ensure commissioned officer vacancies are kept at a minimum.

**Staff Support Services:** The Bureaus within Staff Support Service provide support to DPS employees in other Divisions of the agency. These services include training, maintenance of buildings and fleet vehicles, general warehousing operations, and personnel records. Over the past five years, increased costs of service contracts, materials, labor, supplies, and equipment have caused current service operating costs to exceed appropriations. In FY05, Staff Support Services experienced a \$453,446 operating shortfall. The FY06 shortfall is projected to be \$687,916, for a two-year average of \$570,680. Based upon the current level of services, these bureaus will need an additional \$570,680 per year in operating funds. Without this increase, Staff Support Services will not be able to adequately support the agency divisions.

### **Information Technology Costs**

Software Maintenance - The anticipated upgrade of the mainframe in August 2006 will require additional funding for Software Maintenance. The mainframe upgrade is necessary to support the mission critical agency applications and other increasing data information needs of the DPS customer areas. Additional funding of \$399,377 annually is requested.

Microsoft Software Assurance Agreement - The Microsoft Enterprise Agreement (EA) covers desktop/laptop operating systems, the IMS office client access licenses, (E-mail), and Structured Query Language (SQL) servers. The EA contract also provides future software releases, technical support and critical patches/updates. The critical updates are crucial in mitigating potential threats against viruses, Trojan Worms and other malicious code.

The Department entered into this agreement to ensure compliance with current software licensing laws last biennium. Each license costs the Department \$149. The funds requested would license 7,188 existing computers. Any additional computers requiring licensing are subject to a \$642 "true-up" cost per computer under the current contract agreement. This is a material annual cost to the agency that has not been funded in the past. Additional funding of \$1,071,000 annually is needed to continue the Enterprise Agreement with Microsoft.

Disaster Recovery - The Information Management Service (IMS), Disaster Recovery program provides a recovery site for data center operations in the event of a major catastrophe which encapsulates the main DPS data center. The program allows IMS personnel to recover mission critical mainframe law enforcement applications and TLETS connectivity at an alternative site. Currently, there is no permanent funding for this program within the existing IMS budget. Additional funding of \$263,978 each year is required for ongoing network costs and client server costs.

**Crash Records Information System (CRIS):** The CRIS program was developed as a joint project between the Texas Department of Public Safety (DPS) and The Texas Department of Transportation (TxDOT). In fiscal years 2006 and 2007 DPS was funded \$750,000 each year toward the maintenance and operating costs of the CRIS system. TxDOT provided funding for the ongoing support personnel through Traffic Safety grant money in the amount of \$768,096. TxDOT has indicated that they do not plan to fund the ongoing CRIS support in the future.

~~The budgeted allocation for CRIS has been reduced by 10% for FY 08 & 09 to \$675,000 while the CRIS operating costs are expected to be \$899,719 per year for software licenses and data communications. The total costs for CRIS maintenance and support will be \$1,667,815 per year.~~

~~The combination of the reduction in the CRIS support allocation and TxDOT ceasing to fund ongoing maintenance of the project will create a budget shortfall of \$992,815 in operating funds per year.~~

CRIS Software maintenance	\$ 349,051
CRIS Hosting & Communications	\$ 550,668
CRIS Ongoing support	<u>\$ 768,096</u>
Total Costs	\$1,667,815
Strategy 02-01-04)	<del>(\$ 675,000)</del>
	<u>(\$ 750,000)</u>
 CRIS Shortfall	 <del>\$ 992,815</del>
	<u>\$ 917,815</u>



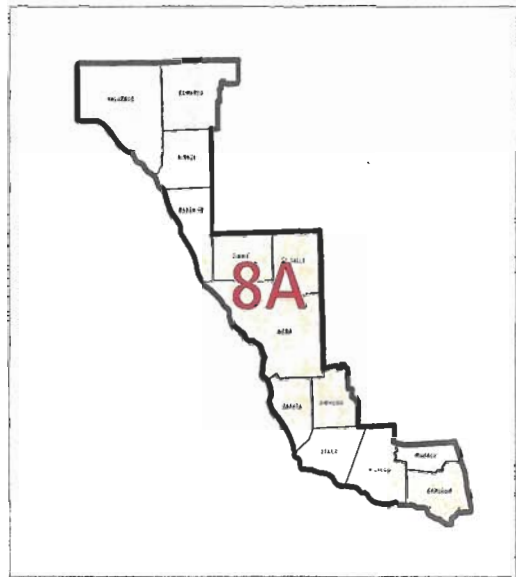
~~**Note:** The CRIS program is funded with General Revenue Dedicated Funds and is subject to a 10% reduction. DPS has requested for the reinstatement of these dollars in a separate exceptional item. If these dollars are reinstated, the request for the CRIS operating shortfall exceptional item would change by reducing the amount requested by the 10% reinstatement amount.~~

**Narcotics Service:** To perform its mission, the Narcotics Service has relied heavily on federal grant funds for many years to subsidize its operation. The Service has seen a large decrease in the availability of these funds especially related to funding operating and salary expenses. The primary source of these funds has been the High Intensity Drug Trafficking Areas (HIDTA) Program. With the shift of many federal dollars to Homeland Security, the HIDTA Program has reduced the availability of dollars. Consequently, the Narcotics Service has been forced to absorb the loss of grant funds by holding non-commissioned and commissioned vacancies and by shifting appropriated operating dollars to cover salaries. The combination of filling commissioned vacancies and reduction in federal grants has required the Service to convert operating funds to cover commissioned and non-commissioned salaries. The Narcotics Service is requesting \$774,793 each year to continue its current level of activity.

## Region VIII Headquarters Hidalgo County

The Department of Public Safety is requesting authorization and funding to construct a new **Regional Office** in Hidalgo County during the FY 2008-09 biennium. The new office is needed to address span of control issues within the Highway Patrol Division, increase emphasis on border security issues, expand the capacity and efficiency of the McAllen Crime Laboratory, provide additional office space and public parking for the Driver License office, and provide space to accommodate the future growth in the Lower Rio Grande Valley area of the state.

In August, 2003, the Department realigned the Texas Highway Patrol Division into eight geographical regions instead of six by adding regional offices in Austin (Capitol) and McAllen. The realignment was necessitated by the implementation of Rider #51 of the FY 2002-03 General Appropriations Act and the opening of the commercial vehicle border inspection facilities which together added 473 employees to the Division. Rider #51 increased the number of Highway Patrol troopers by 170. The U. S. Department of Transportation provided 100% funding to add 101 Commercial Vehicle Enforcement troopers and 202 civilian inspectors and support personnel to conduct safety inspections on commercial vehicles along the Texas/Mexico border from El Paso to Brownsville.



The New Region VIII – Hidalgo County

Region VIII (McAllen) consists of 13 counties stretching along the Texas/Mexico border from Del Rio to Brownsville. The Texas Highway Patrol Division has 469.5 employees (255 commissioned officers and 214.5 non-commissioned employees) in the region. This alignment allows the Highway Patrol Division to focus more attention on Texas/Mexico border initiatives.

The current Regional Office, located at 1414 North Bicentennial in McAllen has 29,601 square feet consisting of the main building, a portable building used for offices, and a storage building. The complex provides office space for 122 employees representing all of the divisions of the agency as well as providing a full service Driver License office. The building, which served as a District Office for the southern portion of the Corpus Christi region until August 2003, is approximately 40% smaller than our other Regional Offices ( $\frac{1}{3}$  the size of Houston Regional) with a similar number of employees. The building is extremely overcrowded, especially the Driver License office, and provides no room for growth. There is a shortage of parking at this facility and adjacent structures prevent further expansion of the office. Growth in this area has made delivery of services to the public less than desirable for all of the different operations housed in the building.

Based upon the needs of the Department, we are proposing to construct a Regional Office in Hidalgo County that would be designed to accommodate up to 193 employees

consisting of the Regional Commander and his staff and employees from all six divisions of the Department. Given the extremely high cost of land in the Lower Rio Grande Valley, the Department would locate the Regional Office in any city in Hidalgo County where the 12 to 20 acres of land needed for the office and ancillary buildings could be purchased economically but still allow us to provide services to the citizens of the county.

The new Regional Office will have an expanded crime laboratory that would allow the Department to better support the law enforcement agencies in South Texas while relieving some of the workload on the Austin laboratory (the Department is the only provider for crime laboratory facilities south of San Antonio). With a current staff of 15 employees, the steady increase in their workload will require an increase of approximately 15 crime laboratory employees over the next six years.

The new Regional Office will also require a helicopter hangar and pad, a general storage building, a drug/evidence vault, an automotive/communications shop, communications tower, and other ancillary structures and equipment needed to support the operation of the employees. It is estimated that the new regional office building would require approximately 86,984 square feet of office/storage space along with 18,448 square feet for the ancillary building. These figures are based upon the new regional office being located in a city other than McAllen and include an expanded Driver License Office.

If the new regional office is located in a city other than McAllen, the Department would still have to maintain an office in McAllen to provide driver licensing and other services to the public. The Department would have the option of renovating 8,986 square feet of the current office to an expanded Driver License office and a Highway Patrol Sergeant Area Office and maintain 2,200 square feet of storage space in the ancillary building. The remaining space in the building (approximately 18,415 square feet, including other ancillary buildings) could be leased to other state agencies. This would reduce the square footage needed in the new regional office by 2,984 square feet as well as construction costs. If the Department vacates the current office, the building would revert back to the City of McAllen.

Two project analyses have been requested from the Texas Building & Procurement Commission to determine the estimated cost of the building and land:

- (1) Construction of a new regional office in a city other than McAllen and renovation of the current office in McAllen to a Driver License Office and Sergeant Area Office.
- (2) Construction of a new regional office that includes the Driver License Office in Hidalgo County.

~~Cost analysis to be determined by Texas Building and Procurement Commission—This information will be presented to the 80th Legislature as soon as it is available. estimates construction and land costs to be \$42,532,723 and recurring operating costs to be \$440,880 each-year. TBPC estimates that renovation of the McAllen Regional Office will be \$1,294,573.~~

**Personnel Cost:**

	<u>Request</u>	<u>FTEs</u>
FY2008	0	0
FY2009	\$377,382	3 (9-1-08; commissioned)
	\$375,717	6 (7-1-09; commissioned)
	<u>\$102,249</u>	11 (7-1-09; non-commissioned)
<b>TOTAL</b>	<u><b>\$855,348</b></u>	

**Full funding for 9 commissioned and 11 non-commissioned personnel would be required in FY2010/2011.**

**Construction Cost:**

*Cost analysis to be determined by The Texas Building and Procurement Commission*  
~~This information will be presented to the 80<sup>th</sup> Legislature as soon as it is available.~~  
estimates construction costs to be \$49,713,043 and recurring operating costs to be \$588,730 each year.



## EMERGENCY VEHICLE OPERATIONS COURSE

**Emergency Vehicle Operations Course:** The Department is requesting authorization and funding to construct a state of the art driver training facility on property owned by the agency near the city of Florence in Williamson County. The training facility is needed to provide quality emergency and non-emergency law enforcement driver training to our commissioned officers in an effort to address the Agency's fleet collision problem.

DPS crash statistics indicate a need for increased driver training for DPS and other Texas law enforcement personnel. In a 5-year period from January 2001 to December 2005, DPS experienced a 30% increase in the number of fleet collisions involving our commissioned officers, costing the agency and the State of Texas \$8,823,221 in vehicle repair/replacement and civil litigation. More significantly, two commissioned officers and six citizens were killed, 239 officers and 302 non-DPS personnel were injured during this time period. As an adjunct to the significant cost in lives and dollars, there was the loss of 40,824 patrol man-hours which has a detrimental effect on overall traffic safety in Texas. Tragically, this trend continues as DPS has had two officers killed in on-duty crashes in the first five months of 2006.

The Department is concerned that this upward trend in fleet collisions will continue to climb in the years to come. Statistics show that 61% of our fleet collisions involve our younger, less tenured officers. The agency has graduated 1,065 new commissioned officers in the last five years. It is expected that this trend will continue and is likely to increase without better driver training. It is prudent that we take corrective action now to provide adequate training facilities for these officers to reverse the current trend.

We propose to construct a driver training facility consisting of multiple driving areas that allow for training in various driving techniques ranging from high speed maneuvers in changing environments to low speed skills and skid recovery training. The facility will allow us to train all of our commissioned officers in the safe and proper use of the patrol vehicle in critical situations. The facility will also have an administration building with three classrooms, an automotive shop, and other related equipment needed for operation. This multipurpose facility will enhance the Department's training efforts as well as those of other state, county, and municipal law enforcement and emergency response agencies for years to come.

The agency will need additional employees to operate the complex. A project analysis has been requested from the Texas Building & Procurement Commission to determine the costs to construct and operate the facility.

**EMERGENCY VEHICLE OPERATIONS COURSE**

**STATE FUNDS:**

Request	FTE's	FY08 \$	FTE's	9/1/2008	FTE's	7/1/2009
Salary: Commissioned			3	182,424	6	58,728
Travel:				18,000		6,000
Non-Capital Equipment:				16,805		33,608
Operating:				19,400		9,675
Capital Equipment: FTE Capital Course Construction and Buildings		49,713,043		60,402		120,804
Recurring Operating Costs (Vehicle/Builings)				588,730		
Miscellaneous Costs: Stipends Recruit Training Hazardous Duty <b>Sub-total, Miscellaneous Costs</b>				3,960 72,071 4,320 <b>80,351</b>		1,320 144,142 1,440 <b>146,902</b>
<b>Total Commissioned</b>	<b>0</b>	<b>\$49,713,043</b>	<b>3</b>	<b>\$ 966,112</b>	<b>6</b>	<b>\$ 375,717</b>

Request	FTE's	FY08 \$	FTE's	9/1/2008	FTE's	7/1/2009
Salary: Non-Commissioned					11	45,677
Travel:						800
Non-capital Equipment:						35,037
Operating:						6,336
<b>Capital Equipment</b>						13,079
Miscellaneous Costs: Longevity						1,320
<b>Total Non-Commissioned</b>	<b>0</b>		<b>0</b>		<b>11</b>	<b>\$ 102,249</b>

<b>Total Request</b>	<b>0</b>	<b>\$ 49,713,043</b>	<b>3</b>	<b>\$ 966,112</b>	<b>17</b>	<b>\$ 477,966</b>
----------------------	----------	----------------------	----------	-------------------	-----------	-------------------

<b>TOTAL BIENNIAL COST</b>						<b>\$ 51,157,121</b>
----------------------------	--	--	--	--	--	----------------------

## CRIME LABORATORY SERVICE

The growth in the demand for crime laboratory services continues and the number of cases submitted by law enforcement officers to the DPS laboratories increased in 2005 to 69,578 cases, a 16% increase from 60,000 cases received in 2003. While case loads increased, prosecuting attorneys and district court judges called for faster crime laboratory service.

To meet these demands, this budget request focuses on four (4) distinct needs:

- Additional funds for salaries are requested to sufficiently fund forensic scientist salaries to retain trained staff and reduce employee turnover and associated high training costs.
- Additional operating funds are requested to pay for the high costs of forensic DNA testing.
- Additional personnel are requested to handle the increased numbers of firearms, DNA, drug, and other cases submitted for testing, as noted above.
- The Department needs to greatly increase the size of its laboratory facilities (most of which were built thirty years ago) to accommodate larger staffs, greater case loads, and greater volumes of evidence.

The Governor's Criminal Justice Policy Council made recommendations for expanded crime laboratory funding. These recommendations are included in this exceptional item request. The additional requirements for the Crime Laboratory Service for FY 2008-2009 are as follows:

### SALARY/OPERATING REQUEST:

**Salary Increase for Forensic Scientists:** DPS is able to hire candidates for forensic science positions who meet the education requirements. They are then trained to learn the skills required to examine evidence. This training takes one to two years. Most city and county crime laboratories are unable to train forensic personnel, so they hire only trained people, many away from DPS. To reduce this turnover and retain trained scientists, additional salary funds are requested. An additional \$10,000 per forensic scientist position is requested for laboratory personnel, scientists, and lab managers.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$1,700,000	0	
FY2009	\$1,700,000	0	<b>Biennial Cost \$3,400,000</b>

**Forensic DNA and Offender DNA Testing-Operating:** The Crime Laboratory seeks funding to make up the considerable shortfall in operating costs for forensic DNA and CODIS programs. With the requirement to conduct DNA testing on all convicted felons (approximately 35,000 per year), and with the need to perform DNA tests on evidence in 4,000 criminal cases annually, additional operating funds are required. These funds will ensure that the DNA programs will continue to run effectively and expeditiously.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$ 262,801	0	
FY2009	\$ 262,801	0	<b>Biennial Cost \$ 525,602</b>

**ADDITIONAL PERSONNEL:**

The following requests more accurately reflect actual needs for the Crime Laboratory Service in order to establish a functional and efficient laboratory, *(estimates are based on current salaries)*.

- a) **Forensic Scientists (Drugs):** The drug case load continues to increase annually. In an effort to provide laboratory reports within 30 days, 12 additional forensic scientists are requested over the biennium in the field laboratories and one in the headquarters laboratory.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$818,726	13	
FY2009	\$756,935	13	<b>Biennial Cost \$1,575,661</b>

- b) **Forensic Scientists (Questioned Documents):** The State requires accreditation of crime laboratory scientists before providing expert witness testimony. Non-accredited document examiners who work for local agencies or are self-employed can no longer provide court testimony. Due to this new requirement, the loss of non-accredited document examiners will greatly increase DPS cases. Three (3) analysts are requested by the headquarters lab to handle the anticipated increase.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$188,937	3	
FY2009	\$166,418	3	<b>Biennial Cost \$355,355</b>

- c) **Forensic Scientists (Latent Prints):** Headquarters requires one (1) analyst to reduce the turnaround time on cases. Field laboratories will require two (2) additional examiners to provide latent fingerprint service to North Texas.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$188,937	3	
FY2009	\$166,418	3	<b>Biennial Cost \$355,355</b>



- d) **DNA Personnel:** Headquarters requires one (1) scientist and field laboratories require 12 scientists to be assigned to the seven (7) labs as needed over the biennium. These scientists will ensure that evidence received will be examined expeditiously.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$818,726	13	
FY2009	\$756,935	13	Biennial Cost \$1,575,661

Currently, Headquarters DNA analysts and the technical leader perform training functions. One (1) Forensic DNA Specialist is requested to conduct all training. This will allow current personnel to devote their time to existing case loads.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$74,548	1	
FY2009	\$67,041	1	Biennial Cost \$141,589

- e) **Forensic Scientists (Trace Evidence):** Headquarters requests one (1) analyst and the field laboratories will request three (3) analysts to examine trace and blood alcohol evidence.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$251,915	4	
FY2009	\$232,903	4	Biennial Cost \$484,818

- f) **Forensic Scientists (Toxicology):** Four (4) analysts are requested to reduce toxicology backlogs and to reduce turnaround time.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$251,915	4	
FY2009	\$232,903	4	Biennial Cost \$484,818

- g) **Forensic Scientists (Firearms):** Headquarters requires three (3) examiners and field laboratories need seven (7) additional examiners to reduce the backlog of criminal cases awaiting examination. Examiners will be assigned statewide.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$629,791	10	
FY2009	\$554,727	10	Biennial Cost \$1,184,518

**h) CODIS Personnel:** Two (2) CODIS Analysts are requested in anticipation of increasing numbers of offender samples for analysis.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$125,958	2	
FY2009	\$110,945	2	<b>Biennial Cost \$236,903</b>

**i) AFIS Personnel:** Three (3) Latent Print Technicians are requested due to increases of offender sample cards for verification and increases in latent print submissions.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$143,130	3	
FY2009	\$120,612	3	<b>Biennial Cost \$263,742</b>

**j) Crime Laboratory Evidence Technician:** Headquarters requests two (2) evidence technicians to perform DNA and CODIS quality control duties helping to free scientists to perform forensic examinations. Field laboratories require four (4) additional evidence technicians to receive and return increasing volumes of evidence.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$257,264	6	
FY2009	\$223,629	6	<b>Biennial Cost \$480,893</b>

**k) Administration:** Two (2) clerks are requested to provide clerical support for increased numbers of analysts.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$62,424	2	
FY2009	\$47,617	2	<b>Biennial Cost \$110,041</b>

<b>SUMMARY OF FTE REQUEST</b>			
	<b>Request</b>	<b>FTEs</b>	<b>Biennial Cost</b>
FY2008	\$3,812,271	64	
FY2009	\$3,437,083	64	\$7,249,354

**EQUIPMENT NEEDS:****FY08****FY09****a) Drug Analysis Equipment For All Labs:**

Gas Chromatograph/Mass Spectrometers (7/8)	\$435,981	\$498,264
Liquid Chromatograph/Mass Spectrometer (1)	210,000	
Spectrophotometers (FTIR) (4/4)	124,800	124,800
Spectrophotometers (UV) (4/4)	69,100	69,100
Gas Chromatographs blood alcohol and drug testing (3/2)	145,719	97,146

**b) Microscopes for Firearms, Trace Evidence and DNA Analysis:**

Firearms Comparison Microscopes (10/8)	597,580	478,064
Stereo Microscopes (10/10)	27,380	27,380
Light Microscopes (2)	9,670	
Polorized Microscopes (1)	9,671	

**c) DNA Equipment:**

Genetic analyzers (4 column – DNA) (4/3)	317,024	237,768
Genetic Analyzers (16 column – CODIS) (1)	147,423	
PCR DNA quantifying instruments (3/2)	143,733	95,822
Centrifuges (4/4)	19,572	19,572
Thermal cyclers (4)	26,288	
Pollights (4/4)	31,400	31,400
Robot - DNA (1)	80,000	
Robot – CODIS (1)	180,000	

**d) Other Equipment:**

Laboratory balances: (12/12)	25,380	25,380
Incinerators for marihuana disposal (3)	104,709	
Laser high intensity light source (4)	261,628	
AFIS verification terminals (2)	40,000	
X-Ray-Flourescence unit (1)	150,000	
Network Server for Toxicology (1)	39,962	
Fume Hoods (2)	39,269	
Questioned Document Software Upgrade	15,000	

<b>SUMMARY OF REQUEST</b>			
	<b>Request</b>	<b>FTEs</b>	<b>Biennial Cost</b>
FY2008	\$3,251,289	0	
FY2009	\$1,704,696	0	\$4,955,985

**LABORATORY BUILDING REPLACEMENT OR EXPANSION:**

**a) New Crime Laboratories:**

McAllen, 25,000 Sq. Ft.,

(Duplicate of Hidalgo County Regional Office exceptional item. If Hidalgo Regional Exceptional Item is approved, McAllen Regional Crime Lab would not be needed)

Abilene, 5,000 Sq. Ft., Construction Cost: \$2,996,528; Annual Operating: \$35,793

Corpus Christi, 12,000 Sq. Ft., Construction Cost: \$10,053,425; Annual Operating \$94,352

Lubbock, 20,000 Sq. Ft., Construction Cost: \$13,655,593; Annual Operating: \$179,632

**b) Expansion of Crime Laboratories:**

El Paso, 3,000 Sq. Ft., Construction Cost: \$6,497,032; Annual Operating: \$70,770

Tyler, 10,000 Sq. Ft., Construction Cost: \$6,849,022; Annual Operating: \$73,457

Austin, 18,000 Sq. Ft., Construction Cost: \$28,790,767; Annual Operating: \$342,220

Houston, 30,000 q. Ft., Construction Cost: \$19,172,690; Annual Operating: \$198,054

<b>SUMMARY OF REQUEST</b>			
	<b>Request</b>	<b>FTEs</b>	<b>Biennial Cost</b>
FY2008	\$88,015,057	0	
FY2009	\$994,278	0	\$89,009,335

- ~~Cost analysis to be preformed by TBPC and will be presented to the 80<sup>th</sup> Legislature.~~

*Cost estimates from Texas Building and Procurement Commission (TBPC).*



## Crime Lab

### STATE FUNDS:

Request	FTE's	FY08 \$	FTE's	FY09 \$
Salary:				
Pay Raise		1,700,000		1,700,000
Non-Commissioned FTE Request	64	2,466,167	64	2,571,172
<b>Subtotal, Salary</b>		<b>4,166,167</b>		<b>4,271,172</b>
Travel:		53,000		53,000
Non-capital Equipment:				
64 FTEs		448,641		
<b>Subtotal, Non-capital Equipment</b>		<b>448,641</b>		
Operating:				
Forensic DNA & Offender Testing Shortfall		262,801		262,801
Additional FTEs Operating (64 FTEs)		798,383		766,831
<b>Subtotal Operating</b>		<b>1,061,184</b>		<b>1,029,632</b>
Miscellaneous Costs:				
Longevity		46,080		46,080
Capital 64 FTEs		3,251,289		1,704,696
<b>Subtotal, Miscellaneous Costs</b>		<b>3,297,369</b>		<b>1,750,776</b>
Construction:				
Crime Lab Expansions or New Labs		88,015,057		
Recurring Operating Costs (Buildings)				994,278
<b>Subtotal, Construction</b>		<b>88,015,057</b>		<b>994,278</b>
<b>Total Non-Commissioned</b>	<b>64</b>	<b>\$ 97,041,418</b>	<b>64</b>	<b>\$ 8,098,858</b>

<b>Total Request</b>	<b>64</b>	<b>\$ 97,041,418</b>	<b>64</b>	<b>\$ 8,098,858</b>
----------------------	-----------	----------------------	-----------	---------------------

<b>TOTAL BIENNIAL COST</b>	<b>\$ 105,140,276</b>
----------------------------	-----------------------

**Request for Re-appropriation of 10% General Revenue Related  
Baseline Reduction**

The Department has some strategies that will be significantly impacted by the 10% reduction. Because our agency only has a limited amount of funds appropriated out of General Revenue Related funds, the Department took a proportional approach to the reduction. The strategies that will be impacted are:

<b>STRATEGY</b>	<b>DESCRIPTION</b>	<b>BIENNIAL REDUCTION</b>
<b>A.1.3</b>	Vehicle Inspection	\$1,612,427
<b>B.1.4</b>	Crash Record Information System	150,000
<b>D.1.1</b>	Emergency Planning	86,476
<b>D.1.2</b>	Response Coordination	28,750
<b>D.1.3</b>	Disaster Recovery	69,027
<b>E.3.1</b>	Private Security Board – Investigations	40,112
<b>E.3.3</b>	Private Security Board – License & Registration	16,726
<b>E.3.1</b>	Rider 59 Private Security Board	282,815
<b>E.3.3</b>	Rider 59 Private Security Board	56,022
	<b>TOTAL REDUCTION</b>	<b>\$2,342,355</b>

**IMPACT**

*Strategy A.1.3, VEHICLE INSPECTION* encompasses the Department's administration of the State's Vehicle Safety Inspection and Emissions Testing Programs. The reduction of General Revenue expenditures in this strategy by \$1,612,427 dollars over the biennium could potentially impact services in the following manner:

- 1 Reduction or elimination of contracting for subject matter expert assistance
- 2 Extension of computer hardware replacement cycles
- 3 Reduction or elimination of contract for public outreach
- 4 Reduction in contracts for software development and maintenance

~~*Strategy B.1.4, Crash Record Information System (CRIS)*~~—The reduction of CRIS maintenance funds will seriously jeopardize the maintenance of a significant data processing project used to provide vital highway safety data to the Department and the Texas Department of Transportation (TxDOT). TxDOT utilizes this data to report Texas crash activity to the federal government. This information is a requirement and must be supplied in order for Texas to receive federal grant dollars. In addition, this strategy is included in the agency's Operating Shortfall Exceptional Item Request because additional operating dollars are needed to support this program.

~~**Note:** The reinstatement of these dollars would effect the Operating Shortfall Exceptional Item for the CRIS program.~~

~~*Strategies D.1.1, D.1.2 & D.1.3 are all tied to Emergency Management.*~~ This reduction will most likely require a reduction of three current FTEs. More significantly, the indirect result of this decrease in state appropriated funds could require the elimination of additional positions and the loss of federal dollars. Currently, the Department utilizes these dollars, along with other limited local dollars for match purposes to qualify for \$4.6M in Emergency Management Grant Program funds.

~~*Strategies E.3.1, E.3.3 and Rider 59 in our bill pattern are all tied to the Department's Private Security Bureau (PSB).*~~ The proposed reduction will have an affect on the number of FTEs currently utilized to support the program. The reduction in FTEs will result in a reduced amount of revenue generated by the bureau deposited into the General Revenue Fund. Current estimates indicate that \$10.8M will be collected in the FY06/07 biennium. This strategy was most recently appropriated additional dollars through Rider 59 in our bill pattern this past Legislative Session to improve the operations within this strategy. Collections have increased due to these additional appropriations.

It is requested that these funds be re-appropriated to these programs so each program's mission is not compromised.

~~**Note:** The reinstatement of these dollars would effect the Operating Shortfall Exceptional Item for the PSB.~~

## IN-CAR COMPUTER PROJECT

The Highway Patrol Vehicle Automation project will provide direct roadside messaging and communications to the trooper on patrol. A proof of concept demonstration providing automated information to the trooper, automating enforcement/investigative activities at the roadside to increase officer safety and efficiency has been implemented with successful results throughout the State. Therefore, the Department is seeking funding to implement a statewide deployment.

The implementation and deployment of the program will have several benefits to the Department and the citizens of the State of Texas:

- Direct messaging and communications to the trooper on patrol via a secure network will provide real time alerts, digital photographs, and homeland security information that can be acted upon immediately, further increasing officer safety and efficiency.
- Wireless driver, vehicle, and criminal warrant/stolen inquiries will be provided directly to the trooper on the roadside. This information will be provided in a data format suitable for completing required forms and will eliminate manual entry of information and increase officer efficiency.
- Wireless carrier authority and out of service information for commercial motor vehicles will be provided directly to the trooper on the roadside to enhance the regulation of commercial vehicle enforcement. Software enhancements will be implemented to meet Federal Motor Carrier Safety Administration (FMCSA) mandates, requiring states to increase CDL driver license checks through state and federal databases for all commercial vehicle drivers.
- Incorporating Global Positioning System (GPS) data and mapping software between the patrol unit and the Department's thirty-four (34) communications facilities to provide alerts and locations of units in need of emergency assistance and to assist in locating remote incidents. It will provide exact location coordinates to interface with the Department's Crash Records Information System (CRIS) automated web entry application.
- It will deploy data entry/reporting software for citations (TLE-6), warnings (HP-3), and other Department reports for use on the in-car computer platform that is integrated with the THP Automated Information System (AIS).
- Text to speech capability will allow voice returns directly to the trooper to enhance officer safety.
- Data entry by clerical personnel will be eliminated for increased efficiency and cost savings.
- Timely information will be available to commanders and administrators to target enforcement activities and identify problems and trends to maximize the utilization of available personnel.

**Cost Breakdown:**

**FY08 & FY09**

<b>Request</b>	<b>FTE's</b>	<b>FY08 \$</b>	<b>FTE's</b>	<b>FY09 \$</b>
Capital: Computer Hardware (970 vehicles/yr. X \$6,000 each)		5,820,000		5,820,000
Operating: Wireless Service (970 vehicles x \$600/yr.) (1,970 vehicles x \$600/yr.)		582,000		1,182,000
Information Resources Support: Salary and Associated Expenses	9	675,527	15	1,055,365
<b><u>TOTAL REQUEST</u></b>	<b>9</b>	<b>\$7,077,527</b>	<b>15</b>	<b>\$8,057,365</b>

**Note: Estimated "Out Year" Costs are as Follows:**

FY10 \$2,237,365-Support Personnel Salary/Wireless Service

FY11 \$5,110,935-Support Personnel Salary/Wireless Service/Computer Replacement\*

FY12 \$5,110,935-Support Personnel Salary/Wireless Service/Computer Replacement\*

(\*Computer Replacement will be based on a four year replacement schedule)

## IN-CAR COMPUTER

Request	FTE's	FY08 \$	FTE's	FY09 \$
Salary: Non-Commissioned	9	449,748	15	749,580
Travel: Mileage; Per Diem; Overnight Travel		108,000		180,000
Non-capital Equipment:		63,119		42,079
Operating:				
FTE Operating Costs		48,180		72,906
Wireless Service (970 vehicles x \$600/yr.)		582,000		
Wireless Service (1,970 vehicles x \$600/yr.)				1,182,000
Subtotal, Operating		630,180		1,254,906
Capital: (970 vehicles x \$6,000 each)		5,820,000		5,820,000
Miscellaneous Costs:				
Longevity		6,480		10,800
<b>Total Non-Commissioned</b>	<b>9</b>	<b>7,077,527</b>	<b>15</b>	<b>8,057,365</b>

<b>Total Request</b>	<b>9</b>	<b>\$7,077,527</b>	<b>15</b>	<b>\$8,057,365</b>
----------------------	----------	--------------------	-----------	--------------------

<b>TOTAL BIENNIAL COST</b>			<b>15</b>	<b>\$15,134,892</b>
----------------------------	--	--	-----------	---------------------

**NOTE: Estimated "Out Year Costs are as Follows:**

**FY10 \$2,237,365**

**FY11 \$5,110,935**

**FY12 \$5,110,935**

**Computer replacement will be based on a four year replacement schedule**



## **BUILDING PROGRAM REQUEST**

### **San Antonio Multipurpose Office – Northwest (new)**

The San Antonio District office on the south side of the city has exceeded its space needs for all services. The Rangers Cold Case Unit and the Narcotics Service are currently housed in leased facilities. Additional employees are expected in the future for these two services and for the Motor Vehicle Theft Service and Criminal Intelligence Service. In addition, the Driver License offices located in San Antonio are very crowded and current space does not allow for additional personnel to help ease the long lines in the local Driver License offices. The Department proposes to construct a 20,110 square foot office building in the Northwest area of San Antonio. This facility would accommodate 38 current employees in all DPS services that would be relocated from existing offices in the city and the addition of 41 new employees anticipated in the future. This office would provide the public with easier access to DPS services while alleviating some of the congestion in our other offices in San Antonio. ~~The Texas Building & Procurement Commission is preparing a project analysis to determine the estimated cost of the building and land. This information will be presented to the 80<sup>th</sup> Legislature as soon as it is available.~~ estimates the cost of construction and land to be \$9,994,005 with recurring operating costs of \$146,509 each year.

### **Weatherford Area Office (expansion)**

The Department currently has 40 employees from all of our law enforcement divisions assigned to Weatherford. However, our current facility is very overcrowded and inadequate to meet our current or future needs to serve the public. This overcrowding has resulted in staff being housed throughout the area in a combination of leased space and other DPS facilities in other cities. Additional staff intended for the Weatherford area cannot be stationed there because of the insufficient space. We are proposing to add 9,611 square feet to the office building and renovate the current 3,476 square feet to provide sufficient space for all services and provide the public with easier access to DPS services. ~~The Texas Building & Procurement Commission is preparing a project analysis to determine the estimated cost to expand this building. This information will be presented to the 80<sup>th</sup> Legislature as soon as it is available.~~ estimates the cost of construction to be \$3,173,654 with recurring operating costs of \$67,919 each year.

### **El Paso Gateway Driver License Office (new)**

The Gateway Driver License (DL) office was constructed in the 1960's to accommodate all DPS services at the time. Increases in staffing and the construction of a District Office resulted in this office becoming a stand-alone Driver License Office. Currently, 16 employees are assigned to this office. Because of the interior dimensions of the building, the configuration of the DL lobby, testing area, and employee work area there are inefficiencies in the work flow that result in long waiting lines. With the continuing population growth in the area, the demands for services at this office has exceeded the existing staff and the space provided in the building. The Department anticipates adding an additional 20 employees to this office. We propose to demolish the existing office and construct a new office on the property that would provide sufficient space for the employees and the public. ~~The Texas Building & Procurement Commission is preparing a project analysis to determine the estimated cost of demolishing the existing~~

~~building and constructing a new office. This information will be presented to the 80<sup>th</sup> Legislature as soon as it is available.~~ estimates the cost of construction to be \$4,300,175 with recurring operating costs of \$49,140 each year.

### **San Antonio Babcock Driver License Office (expansion and renovation)**

The Department currently operates a DPS-owned Driver License (DL) office in northwest San Antonio that is inadequate to meet our needs and the public. Twenty employees are currently assigned to this office with a DL trooper, a DL technician and three Motor Vehicle Inspection employees having to be reassigned to another location. The increase in population over the years has created a need for a larger office for our personnel to provide more timely delivery of Driver License services to the public. We are proposing to expand and renovate the current office that would accommodate the Driver License employees, the staff that was reassigned to another location, and the addition of three DL employees in the Fraud Section. The Department proposes to add 3,827 square feet of office space to the building, address ADA deficiencies in the building and the parking lot, and expand the parking lot by 25-40 spaces. ~~The Texas Building & Procurement Commission is preparing a project analysis to determine the estimated cost of expanding and renovating the building.~~ This information will be presented to the 80<sup>th</sup> Legislature as soon as it is available. estimates the cost of construction to be \$1,735,776 with recurring operating costs of \$30,860 each year.

### **Williamson County Area Office (new)**

The Department currently has 36.5 employees from all of our law enforcement divisions assigned to Williamson County. These employees are housed in two separate leased offices, one of which is leased from the County. The shortage of space in these offices prevents the Department from adding 24.5 additional employees to this area in the upcoming years to handle the traffic and demand for services in a rapidly growing part of the State. The Department proposes to construct a 16,762 square foot office building that would accommodate all DPS services and provide the public with easier access to DPS services. ~~The Texas Building & Procurement Commission is preparing a project analysis to determine the estimated cost of the building and land.~~ This information will be presented to the 80<sup>th</sup> Legislature as soon as it is available. estimates the cost of construction and land to be \$5,959,098 with recurring operating costs of \$83,357 each year.

### **Rio Grande City Area Office (new)**

The Department currently has 17 employees assigned to Rio Grande City. These employees are housed in county owned space and leased space. The county-owned space is in poor condition and is inadequate to accommodate our current employees and the additional staff needed for this high crime area along the Texas/Mexico border. The Department anticipates adding 20 commissioned officers and support staff to this area in the future. We are proposing to construct a 11,713 square foot office building that would provide the public with easier access to DPS services. ~~The Texas Building & Procurement Commission is preparing a project analysis to determine the estimated cost of the building and land.~~ This information will be presented to the 80<sup>th</sup> Legislature



~~as soon as it is available.~~ estimates the cost of construction and land to be \$4,589,410 with recurring operating costs of \$65,239 each year.

### **Pearsall Area Office (new)**

The Department currently has 15 employees stationed in the Pearsall office provided by Frio County at the county jail. Another employee assigned to Pearsall, a Special Crimes Sergeant, has to work out of the San Antonio District Office because of a lack of space in the county facility. The current office space is insufficient to meet our current needs and will not allow for future expansion of personnel. The Department anticipates adding seven additional employees to this office in the upcoming years. We are proposing to construct a 7,772 square foot office building that would provide the public with easier access to DPS services. ~~The Texas Building & Procurement Commission is preparing a project analysis to determine the estimated cost of the building and land.~~ This information will be presented to the 80<sup>th</sup> Legislature as soon as it is available. estimates the cost of construction and land to be \$2,899,157 with recurring operating costs of \$39,731 each year.

### **State Operations Center (expansion)**

The State Operations Center (SOC) is located in the lower sub-basement of the main building on the DPS Headquarters complex. The current location accommodates 81 employees and six contractors in the Emergency Management Division resulting in overcrowded conditions. The SOC operates around the clock to monitor threats, make notification of threats and provide information on emergency incidents to local, state, and federal officials. During major emergencies, the state agencies and volunteer groups that comprise the State Emergency Management Council convene at the SOC to identify, mobilize, and deploy state and volunteer group resources to respond to emergencies, almost doubling the occupancy of the office area. In addition to the Division's employees, the SOC also contains the Texas Fusion Center that is staffed around the clock by 15 DPS Criminal Intelligence personnel.

Originally constructed in 1963 and expanded in 1992, the SOC currently has 25,182 square feet of office and storage space. This office area is inadequate to handle the current staff, the additional personnel from other agencies that utilize the SOC during major emergencies, and the future needs of the Division. The Division currently has 19 employees in the Preparedness Section that are housed in very overcrowded space and another 29 employees in the State Administration Agency (SAA) Section that are housed in a temporary portable building. These employees were hired in the summer of 2005 when the Homeland Security functions, previously under the purview of the Texas A&M Extension Service, were transferred to the Department. The Department proposes to expand the SOC by 12,000 square feet to provide needed office space for these employees and provide for future growth. ~~The Texas Building & Procurement Commission is preparing a project analysis to determine the estimated cost of expanding the SOC, either underground as an extension of the building or above ground as a new stand-alone building.~~ This information will be presented to the 80<sup>th</sup> Legislature as soon as it is available. estimates the cost of construction to be \$24,844,426 with recurring operating costs of \$ 166,526 each year.

## ADDITIONAL PERSONNEL INCREASES

**Crime Analysts:** The Criminal Intelligence Service (CIS) is requesting funding for 20 FTE crime analysts in which federal grant funds are no longer available.

	<u>Request</u>	<u>FTEs</u>	
FY 2008	\$886,603	20	
FY 2009	\$886,603	20	<b>Biennial Cost \$1,773,206</b>

**Narcotics Regulatory Programs:** The Narcotics Regulatory Programs require the support of Diversion investigators to audit and inspect Controlled Substances registrants for compliance. One (1) supervisor and two (2) civilian investigators are needed to support this program. The anticipated cost for salaries and operating and purchase of startup equipment would be approximately:

	<u>Request</u>	<u>FTEs</u>	
FY 2008	\$253,516	3	
FY 2009	\$160,005	3	<b>Biennial Cost \$413,521</b>

**Narcotic Sergeant Investigators:** The Service would add an additional 24 sergeants in Fiscal Year 2008 to fully implement the State Drug Strategy and provide personnel to fully staff all lieutenant areas.

	<u>Request</u>	<u>FTEs</u>	
FY 2008	\$3,489,354	24	
FY 2009	\$1,829,251	24	<b>Biennial Cost \$5,318,605</b>

**Telephone Analyst Unit:** The Narcotics Service provides telephone analysis support to Department and other entities. The demand has grown beyond the capacity of the unit. Three (3) additional analysts and four (4) record technicians are needed to fully staff the telephone analysis unit.

	<u>Request</u>	<u>FTEs</u>	
FY 2008	\$273,014	7	
FY 2009	\$225,405	7	<b>Biennial Cost \$498,419</b>

**Narcotics Technical Unit:** One (1) network specialist position would be added to the Technical Unit to provide support as the electronic surveillance of telephones continues to move from facility-based to switch-based solutions.

	<u>Request</u>	<u>FTEs</u>	
FY 2008	\$57,142	1	
FY 2009	\$48,838	1	<b>Biennial Cost \$105,980</b>

**Texas Rangers:** The last substantial field personnel increase for the Texas Rangers was in 1996, elevating the service to 118 Rangers. Over the last six years, the Ranger Division has experienced a 73% increase in opened criminal investigations per year, and a 68.8% increase in related investigative reports generated per year. With contemporary issues of Homeland Security, Mexican Border violence, and projections of continued substantial growth in population; the Ranger Division is requesting an additional 11 commissioned officers. This request consists of six (6) Ranger Sergeants and five (5) Ranger Lieutenants. Five (5) additional Administrative Technicians are requested to support the Ranger Lieutenants.

	<u>Request</u>	<u>FTEs</u>
FY 2008	\$1,722,445	11 (commissioned) 5 (non-commissioned)
FY 2009	\$ 960,088	11(commissioned) 5(non-commissioned)
	<b>Biennial Cost</b>	<b>\$2,682,533</b>

**Commercial Vehicle Enforcement (CVE):** The best impact the Department can have on Motor Carrier Safety is through individual company compliance. This can be accomplished by auditing more companies on a routine basis. To accomplish this, the Department is requesting an increase in the number of non-commissioned investigators positions by 50.

In order to meet the growing public safety and security demands that stem from the ever increasing number of commercial motor vehicles that are operating in Texas, the Department is also requesting an increase in the number of commissioned CVE Trooper positions by 50. This staffing increase will allow the Department to assign CVE Troopers in areas where there is currently a lack of coverage on Texas highways that carry a significant number of commercial motor vehicles.

	<u>Requests</u>	<u>FTEs</u>
FY 2008	\$10,504,983	50(commissioned) 50(non-commissioned)
FY 2009	\$5,725,733	50(commissioned) 50(non-commissioned)
	<b>Biennial Cost</b>	<b>\$16,230,716</b>

**Border Auto Theft Information Center:** This increase in personnel is requested to maintain proactive investigation in areas where the maximum potential of criminal and terrorist activities is prevalent. In addition, the Service oversees the Border Auto Theft Information Center (B.A.T.I.C.) that is comprised of one (1) analyst supervisor and six (6) analysts. These FTEs are currently funded by a grant from the Texas Auto Theft Prevention Authority. The dollars provided by this grant will no longer support the salaries for the seven (7) FTEs.

This request provides for 12 commissioned personnel – two (2) lieutenants, ten (10) sergeants; nine (9) support personnel; two (2) research specialists and authorization for seven (7) B.A.T.I.C. FTEs. The total estimated cost for the proposed personnel increase is:

	<u>Request</u>	<u>FTEs</u>	
FY 2008	\$2,034,050	21	
FY 2009	\$1,236,010	21	<b>Biennial Cost \$3,270,060</b>

**Staff Support Services:** In the past, the Department has been able to acquire many additional resources to provide direct services to the public. However, corresponding personnel to support the activities of the line personnel have not kept pace. Consequently, the ability to provide needed support activities has suffered. Less than adequate support resources have resulted in job evaluations backlogged for over two years, construction and repair delays, less than adequate cleaning services, delays in purchasing, printing mail services, and a lack of adequate mental health staffing.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$1,959,035	43	
FY2009	\$1,699,731	43	<b>Biennial Cost \$3,658,766</b>

**Aircraft Section Pilots:** The increase of nine (9) commissioned DPS pilots is requested to increase our pilot/aircraft ratio from 1.5 pilots per aircraft to 2.0 pilots per aircraft. This increase in pilots is needed to maintain proactive and reactive response when maximum potential of criminal and terrorist activity are prevalent to support the Department and local and Federal police. This request provides for nine (9) commissioned DPS pilots – one (1) lieutenant and eight (8) sergeants:

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$1,838,715	9	
FY2009	\$1,282,235	9	<b>Biennial Cost \$3,120,950</b>

**Aircraft Sections Tactical Flight Officers:** The Aircraft Section has a need for nine (9) Tactical Flight Officers to be stationed in our nine (9) helicopter stations around the state. The additional FTEs would provide the eyes and ears of our surveillances, marijuana eradication, criminal manhunts, search for lost people and operate the sophisticated technical equipment on the aircraft necessary to successfully complete the mission. This promotes safety of flight enabling the pilot to concentrate on flying the aircraft without doing both the surveillance and piloting the aircraft.

	<u>Request</u>	<u>FTEs</u>	
FY2008	\$1,080,279	9	
FY2009	\$510,010	9	<b>Biennial Cost \$1,590,289</b>



## ADDITIONAL PERSONNEL

### STATE FUNDS:

Request	FTE's	FY08 \$	FTE's	FY09 \$
Salary: Commissioned	116	6,370,072	116	6,370,072
Travel:		289,645		289,645
Training		46,080		46,080
Non-capital Equipment:		1,271,437		-
Operating:		1,842,224		1,610,965
Capital Equipment:		4,346,911		-
Miscellaneous Costs:				
Recruit Training		2,786,746		-
Stipends		153,120		153,120
Hazardous Duty		142,560		156,480
<b>Sub-total - Miscellaneous Costs</b>		<b>3,082,426</b>		<b>309,600</b>
<b>Total Commissioned</b>	<b>116</b>	<b>17,248,795</b>	<b>116</b>	<b>8,626,362</b>

Request	FTE's	FY08 \$	FTE's	FY09 \$
Salary: Non-Commissioned	137	4,529,735	137	4,549,391
Travel:		711,780		711,780
Non-capital Equipment:		799,782		-
Operating:		641,611		577,736
Capital Equipment:		68,793		-
Miscellaneous Costs:				
Longevity		98,640		98,640
<b>Sub-total - Miscellaneous Costs</b>		<b>98,640</b>		<b>98,640</b>
<b>Total Non-Commissioned</b>	<b>137</b>	<b>6,850,341</b>	<b>137</b>	<b>5,937,547</b>

<b>Total Request</b>	<b>253</b>	<b>24,099,136</b>	<b>253</b>	<b>14,563,909</b>
----------------------	------------	-------------------	------------	-------------------

<b>TOTAL BIENNIAL COST</b>				<b>\$38,663,045</b>
----------------------------	--	--	--	---------------------

**CRIME RECORDS/REGULATORY LICENSING ENHANCEMENTS**

**CRIME RECORDS:**

**Crime Records Field Support Enhancements:** As the state program manager for a number of National Criminal Justice Information Programs, the Crime Records Service depends heavily upon an effective field support staff to deliver the programs directly to local law enforcement and criminal justice agencies. We are at a cross-roads with the Crime Records systems and their need for field support. The increasing need is in three areas.

**Area I**

While Crime Records does a good job of training and auditing criminal justice users of the criminal history received from the DPS and FBI criminal history files, there has never been the same level of attention directed at the non-criminal justice users. The State Legislature and U.S. Congress continue to make the criminal history records available to non-criminal justice agencies for licensing and employment purposes. Adequate controls on the access and use of that information has become a critical national need. A recent internal DPS audit and the just completed State Auditor's Office audit both have formal findings regarding the need in this area. The FBI is now beginning implementation of non-criminal justice audit requirements on all states. In order to fulfill these requirements, the Department estimates a need for twelve (12) auditors.

**Area II**

With the emergence of sex offender registration as a national public safety priority, the need for the state-level registration program to have an effective local presence has become very clear. Crime Records recently reorganized and created three (3) such positions. Requested are three additional field representatives. The additional positions will have a direct effect upon the timeliness and accuracy of the DPS Public Sex Offender website.

**Area III**

The FBI has instituted requirements that each state audit the implementation of the national *Criminal Justice Information System Security Policy* regarding connections to the FBI's national systems. Current staffing is not sufficient to meet this requirement. Crime Records has reorganized and identified a single position for the lead "Information Security Officer," but at least twelve (12) auditors are needed to perform the critical security reviews of local agencies' systems and to visit the agencies in an auditing capacity.

	<u>Request</u>	<u>FTEs</u>		
FY2008	\$1,939,932	27		
FY2009	\$1,380,791	27	Biennial Cost	\$3,320,723

**Automated Fingerprint Identification System (AFIS) Palm Print Subsystem:** This request is to install a subsystem on the DPS AFIS that would allow it to receive, store, and search palm prints taken at the time of arrest. This capability would also extend to searching the palm prints developed at crime scenes against new database arrestee palm prints. Presently, DPS AFIS does not have this capability. This service would allow local law enforcement agencies to solve more crimes from latent evidence developed at crime scenes.

Local agencies currently take paper palm prints of arrestees. The goal of the palm print upgrade would be to place those palm prints into the DPS AFIS, which would provide law enforcement agencies the ability to search crime scene latent palm prints in the same manner as they now are able to search crime scene latent fingerprints found at crime scenes. The partial palm print left by a person writing on paper is an excellent example of the sort of evidence that might be searched against such a palm print system. Law enforcement agencies throughout the state have expressed support for DPS pursuing a palm print system.

	<u>Request</u>	<u>FTEs</u>		
FY2008	\$2,344,641	1		
FY2009	\$ 541,999	2	<b>Biennial Cost</b>	<b>\$2,886,640</b>

#### **REGULATORY LICENSING ENHANCEMENTS:**

**Private Security Bureau:** The Private Security Bureau currently maintains paper files on all registrants and licensees in a moveable filing system. As the number of registrants and licensees increases, the number of files, and subsequently, the space needed to store them, also increases.

In order to more efficiently maintain these files, funds are requested for a document imaging system. This would result in additional available work space as well as less employee time lost retrieving and refiling paper files. Estimated equipment and software costs are \$1,264,547 with additional start up expenses of \$660,000 for outsourcing labor tied to scanning the existing files into the system.

	<u>Requested</u>	<u>FTEs</u>		
FY2008	\$1,264,547	0		
FY2009	\$ 660,000	0	<b>Biennial Cost</b>	<b>\$1,924,547</b>

**Concealed Handgun Licensing Bureau:** The Concealed Handgun Licensing Bureau currently has a document imaging system. The system documents images at the end of the application process. Funds for a software upgrade for the existing system is requested to more efficiently process applications and other documents at the time they are received. If images are scanned on the front end, it would save time and reduce the occurrence of misplaced files.

	<b>Requested</b>	<b>FTEs</b>	
<b>FY2008</b>	<b>\$ 249,714</b>	<b>0</b>	
<b>FY2009</b>	<b>\$ 0</b>	<b>0</b>	<b>Biennial Cost \$ 249,714</b>

**CRIME RECORDS/REGULATORY LICENSING SUMMARY**

Request	FTE's	FY08 \$	FTE's	FY09 \$
Salary: Non-Commissioned	28	1,080,979	29	1,114,259
Travel:		201,583		204,042
Non-capital Equipment:		132,212		4,997
Operating:		130,111		578,612
Capital Equipment:				
Vehicles (CRS)		419,364		
AFIS Palm Print Subsystem		2,300,164		
Document Imaging Software Upgrade (CHL)		249,714		
Document Imaging System (Private Security)		1,264,547		
Contract Labor (Scan Existing Documents)				660,000
Subtotal, Capital Equipment		4,233,789		660,000
Miscellaneous Costs:				
Longevity		20,160		20,880
<b>Total Non-commissioned</b>	<b>28</b>	<b>\$ 5,798,834</b>	<b>29</b>	<b>\$ 2,582,790</b>

<b>Total Request</b>	<b>28</b>	<b>\$ 5,798,834</b>	<b>29</b>	<b>\$ 2,582,790</b>
----------------------	-----------	---------------------	-----------	---------------------

<b>Total Biennial Request</b>				<b>\$ 8,381,624</b>
-------------------------------	--	--	--	---------------------

## REAL ID ACT

Provisions contained in the REAL ID Act of 2005, included in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act (H.R. 1268), require certain state standards and procedures for issuing driver license and identification cards (DL/ID) if they are to be accepted as identity documents by the federal government. As passed, the statute will have a wide-reaching impact on Texas and its citizens requiring significant changes to the driver license issuance process, impacting all 20 million existing driver license and identification card holders. The Act and anticipated proposed rule are specific and will have significant implementation challenges with legislative, operational, technological and fiscal limitations.

States ability to implement the requirements of Real ID by the implementation date of May 11, 2008 will directly depend on how much deference the federal government is willing to grant for compliance with the statute and their commitment to establish necessary verification systems. Texas will be challenged to comply with all the requirements of Real ID by the statutory deadline of May 2008. However, if we are unable to pass the necessary legislative changes to allow for full compliance, it will be impossible to meet the 2008 deadline which would leave Texas with less time to implement; anticipating that the rule will require full compliance by May 2013.

## **RE-ENROLLMENT PROCESS**

A mandatory re-enrollment process will require all applicants for a renewal or duplicate DL/ID to appear in-person at the driver license office and to provide acceptable identification documents prior to issuance of the DL/ID. This will prove particularly challenging for Texas as the anticipated five-year re-enrollment period conflicts with the state's current six-year renewal cycle and will increase overall traffic in the driver license office by at least 22% each year. Current staffing levels and hours of operation are not sufficient to process the increased number of applicants. Wait-times in the office will be dramatically impacted as a result of the increase in issuance requirements and the compressed timeframe for implementation.

Automated verifications of identity documents such as birth certificates, social security cards, United States-issued passports and immigration documents are required prior to the issuance of a DL/ID. Compliance with this regulation is reliant on national databases, some of which are not yet operational. Verifications will have a fiscal impact, as states will incur query costs for the use of these databases. States will be required to re-verify identification documents at each renewal period, resulting in continued costs to the state. Alternate renewal/duplicate methods (i.e. mail, online, telephone) will not be allowed during the re-enrollment process, resulting in an additional increase in traffic to the driver license office of 21% of DL/ID card holders using this service annually. Upon completion of the re-enrollment process, online services will resume; however, costly modifications to these programs will be necessary to meet the security levels and document verification requirements of the Act.



## **LAWFUL PRESENCE REQUIREMENT**

All DL/ID applicants will be required to provide evidence that they are either a citizen of the United States or lawfully residing in the United States. Non-United States citizens will be required to present valid documentation of their lawful presence at the driver license office which will then require verification via the Systematic Alien Verification Entitlements (SAVE) program. Temporary DL/ID cards must be issued to non-United States citizens who present evidence of legal presence and the card must clearly indicate that it is "temporary" and include an expiration date that coincides with the authorized period of stay in the United States, not to exceed one year. The issuance of a one-year or less "temporary" license will cause an additional annual increase in customer traffic. States that do not comply with the requirements of this Act must issue "non-conforming" DL/ID cards that clearly state they may not be accepted by any Federal Agency for federal identification or any other official purpose.

## **RESTRICTED SECURITY FEATURES**

It is anticipated that the proposed rule will limit all states to a predetermined set of card materials and security features. These requirements will compel major production and design changes which will mandate amendments to our current contract for DL/ID production. The card materials and security features are projected to increase the cost per card of the current contract by nine (9) times.

## **OPERATIONAL CHALLENGES**

Staffing and facilities will be challenged to manage Real ID, as the regulations will increase visits to driver license offices by over 43% annually (compressed implementation timeframe – 22%; discontinuation of alternate issuance methods – 21% and an unknown number of one-year "temporary" issuances). Consequently, the Driver License Division will require additional staff, facilities, training and equipment to implement Real ID. This will include extended work hours and/or additional workdays to effectively manage the regulations without significantly inconveniencing the public. System enhancements will be necessary, including development, expansion and deployment of several verification systems as well as modifications to numerous business processes to meet the requirements of the Act. Texas will see a significant impact to DL office operations and budget constraints due to higher volumes of queries to identification databases.

The Act's proposed rules are specific and create significant implementation challenges. Real ID will require additional resources and the development, expansion and deployment of numerous real-time verification systems. Accordingly, costs associated with Real ID will be significant. Without being fully budgeted, the Department of Public Safety cannot implement the provisions of the Real ID Act. To meet these challenges, the Department will work with the Texas Legislature to pursue conforming legislation in 2007 to implement necessary programs in order to comply with the Act.

REAL ID

**STATE FUNDS:**

Request	FTE's	FY08 \$	FTE's	FY09 \$
<b>Salary:</b>				
Commissioned	149	7,716,448	149	7,716,448
<b>Travel:</b>		402,020		402,020
<b>Non-capital Equipment:</b>		1,657,910		-
<b>Operating:</b>		1,085,182		1,004,647
<b>Capital Equipment:</b>		4,915,546		-
<b>Miscellaneous Costs:</b>				
Recruit Training & Equipment		3,579,525		
Hazardous Duty		167,040		184,920
Stipend		196,680		196,680
<b>Subtotal - Miscellaneous Costs</b>		<b>3,943,245</b>		<b>381,600</b>
<b>Total Commissioned</b>	<b>149</b>	<b>\$ 19,720,351</b>	<b>149</b>	<b>\$ 9,504,715</b>

Request	FTE's	FY08 \$	FTE's	FY09 \$
<b>Salary:</b>				
Non-Commissioned	588	15,647,189	588	15,647,189
<b>Travel:</b>		452,925		452,925
<b>Training:</b>		134,442		38,376
<b>Non-capital Equipment:</b>		1,412,919		-
<b>Operating:</b>				
588 FTEs		1,532,766		1,378,457
General Real ID Operating		61,376,443		64,120,432
<b>Subtotal - Operating</b>		<b>62,909,209</b>		<b>65,498,889</b>
<b>Capital Equipment:</b>		56,968,907		-
<b>Miscellaneous Costs:</b>				
Longevity		423,360		423,360
Overtime		9,763,478		9,763,478
<b>Subtotal - Miscellaneous Costs</b>		<b>10,186,838</b>		<b>10,186,838</b>
<b>Total Non-Commissioned</b>	<b>588</b>	<b>\$ 147,712,429</b>	<b>588</b>	<b>\$ 91,824,217</b>

<b>Total Request</b>	<b>737</b>	<b>\$ 167,432,780</b>	<b>737</b>	<b>\$ 101,328,932</b>
----------------------	------------	-----------------------	------------	-----------------------

**TOTAL BIENNIAL COST** **\$268,761,712**