
VIRGINIA STATE BUDGET

1998 Session

Budget Bill - HB29 (Introduced)

Bill Order » Office of Public Safety » Item 452

Department of Corrections

Item 452 (Not set out)	First Year - FY1997	Second Year - FY1998
Administrative and Support Services (37900)	\$31,027,010	\$28,972,399
General Management and Direction (37901)	\$11,455,808	\$11,455,247
Computer Services (37902)	\$4,969,793	\$2,917,731
Accounting and Budgeting Services (37903)	\$4,331,697	\$4,330,414
Architectural and Engineering Services (37904)	\$2,301,200	\$2,300,946
Personnel Services (37914)	\$1,070,667	\$1,070,216
Procurement and Distribution (37918)	\$6,897,845	\$6,897,845
Fund Sources:		
General	\$21,686,827	\$21,683,589
Special	\$2,740,183	\$688,810
Federal Trust	\$6,600,000	\$6,600,000

Authority: Title 53.1, Chapter 1, and section 9-170, Code of Virginia.

A. The Director of the Department of Corrections shall identify on the Population Survey of Local Correctional Facilities (Tuesday Report) the number of inmates held in each local and regional jail in violation of § 53.1-20, Code of Virginia. The report shall also identify the rate of crowding in each local and regional jail as a result of such non-compliance and the efforts undertaken by the Department to comply with § 53.1-20, Code of Virginia. This report shall be provided on a monthly basis to the Secretary of Public Safety and the Chairmen of the House Committees on Health, Welfare and Institutions and Appropriations and the Senate Committees on Rehabilitation and Social Services and Finance.

B. A joint subcommittee composed of members of the House Appropriations and Senate Finance Committees, appointed by the respective chairmen, shall study issues relating to the capital costs, financing and reimbursement mechanisms, and adult offender bedspace needs involving local and regional jail construction and operations. The joint subcommittee shall report its findings and recommendations not later than December 20, 1997.

C.1. Included within this appropriation is \$2,051,373 in the first year from nongeneral funds for implementation of the agency's automated commissary system. This system must be consistent with the agency's September 1, 1995, Information Management Plan and the agency's automation modernization initiative. The funding to support this appropriation is to come from profits projected to be generated by the commissary operations.

2. The Department of Corrections shall not proceed with its automation modernization plan until approval is granted by the Secretary of Public Safety, the State Treasurer and the Director of the Department of Planning and

Budget. The Council on Information Management and the Department of Information Technology must concur in the general technical aspects of the plan and on the most appropriate and cost-effective implementation approach. The Department shall present a final automation modernization implementation report for consideration, with appropriate financing, benefits, and payment options, to the Secretary of Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees not later than July 1, 1997.

D.1. In the event the federal government should make available funds for the Violent Offender Incarceration and Truth-in-Sentencing Incentive Grant Program, no such federal funds may be obligated or expended unless otherwise provided in this Act, prior to transmittal of a report to the Board of Corrections and the Chairmen of the House Appropriations and Senate Finance Committees, on proposed uses, item by item, of the federal funds and matching general funds.

2. The Department of Corrections shall make such modifications as may be required to the Virginia grant application for the Violent Offender Incarceration and Truth-in-Sentencing Incentive Grant Program, in the current fiscal year and in succeeding fiscal years, to expend such funds in the following priority order:

- a. Enhancement of the security level for the 1,000 bed private prison to be located in Charlotte County, from a minimum to a medium security institution;
- b. Evaluation of alternatives for renovation or reconstruction of the physical plant at the St. Brides Correctional Center including, but not limited to: (i) renovating the existing medium security facility; (ii) construction of a new medium security facility on the same site; and (iii) construction of a minimum security pre-release center;
- c. Construction of diversion centers on existing state-owned property in or near the Commonwealth's metropolitan areas;
- d. Planning for a medium security prison, to be located in Tazewell County (Project 15755), pursuant to Item C-66.10 of this Act.
- e. Construction of work centers, using inmate labor, adjacent to secure correctional centers.

3. The Director, Department of Planning and Budget, is authorized to establish capital outlay projects and transfer and allot these funds to implement the provisions of this Item.

E.1. In procuring inmate telephone services to be effective January 1, 1998, the Department of Corrections shall consult with the Department of Information Technology in the development of the request for proposal (RFP), evaluation of the submitted responses to the RFP, and negotiations and development of the contract.

2. In negotiating such contract, the Department should attempt to keep rates charged recipients of inmate calls from Department of Corrections operated facilities at a level that does not exceed collect call rates and surcharges charged public customers. Negotiations should seek to establish a benchmark calling cost rate such as an industry dominant long distance carrier's interLATA and interstate rates for public long distance collect calls, or the serving local exchange carrier (LEC) for local or intraLATA rates for public collect calls, including time and day of week sensitivity when applicable, and shall utilize a least-cost routing system.

3. The Department of Corrections shall require the contractor to provide:

- a. Inmate calling data in an automated format. Data provided shall include, but not be limited to, originating phone number, billed phone number, date and time of call, length of call, surcharge, and toll or per minute charges. The Department of Corrections, in consultation with the Department of Information Technology, shall develop procedures for automated audits and service evaluations of the inmate phone system;

- b. An annual report from an independent auditing firm verifying that the contractor's timing and billing systems are accurate and completely record all calls made;
- c. The Department of Corrections with at least 30 days written notice of pending rate charges and the new rates to be charged; and
- d. A means for limiting inmate calls only to those persons on a pre-approved list.

F. The Director of the Department of Corrections shall provide an annual report on employee turnover in the Department of Corrections by facility, beginning with a report for fiscal years 1996 and 1997, which shall include recommendations for reducing the level of turnover, as necessary. The first report shall be provided by September 1, 1997, to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees.

G. The Director of the Department of Corrections, with the assistance of the Department of Planning and Budget, shall review and update the staffing formula for determining the number of security positions required for adult correctional facilities. A report on this formula, with any recommendations, as appropriate, shall be provided by September 1, 1997, to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees.