1998 Special Session I

Budget Bill - HB4001 (Introduced)

Bill Order » Office of Public Safety » Item 472

Division of Institutions

Item 472	First Year - FY1999	Second Year - FY2000
Secure Confinement (35700)	**$328,983,981**	**$344,981,332**
Adult Rehabilitation and Treatment Services (35701)	$21,691,232	$21,834,617
Adult Security (35702)	$307,292,749	$323,146,715
Fund Sources:		
General	$296,770,051	$292,772,496
Special	$32,213,930	$52,208,836

Authority: §§ 53.1-12, 53.1-19, 53.1-23, 53.1-24, 53.1-42, 53.1-43, 53.1-138, 53.1-188 and 53.1-190, Code of Virginia.

A. The Department of Corrections shall continue to implement recommendations made in the report "Security Staffing in Adult Facilities of the Virginia Department of Corrections". Changes to facility post audits shall be made in accordance with the methodology prescribed in the report and approved by the Director or his designee. Security positions added at or subsequent to the 1998 Session for any correctional center or field unit shall not be filled until post audits have been completed and approved as provided in the above report.

B. The Department of Corrections, in cooperation with the Departments of Conservation and Recreation, Game and Inland Fisheries, and Forestry, shall continue to pursue the use of inmates assigned to work projects at state parks and natural areas, wildlife management areas, fishing lakes, boat ramps and forests. A progress report on the implementation of this program shall be presented to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by October 1 of each year.

C. The total number of inmates for which support costs are provided to the Department of Corrections, based on projected average daily populations in state facilities, is 27,678 the first year and 28,983 the second year.

D. Included in this appropriation is $42,000 the first year and $42,000 the second year from special funds which shall be paid to the Prison Visitation Project, Inc. The funding to support this appropriation shall be provided from profits generated by prison commissary operations.

E.1.a. Included in this appropriation is $17,705,871 the first year and $16,441,763 the second year from the general fund to contract for private financing, maintenance, and operation of one 1,500-bed medium security facility located in Brunswick County.

b. Such contract may, subject to approval of the Governor and the provisions of § 53.1-262, Code of Virginia, provide for the private construction, financing, maintenance and operation of facilities on lands currently owned by the Department of Corrections. The Department is also authorized to use these funds for reasonable oversight costs associated with the private prison contracts.

2. The General Assembly finds that a request-for-proposal having been issued and a prime vendor having been selected, the Department may enter into a contract for the financing, design, construction, and operation of a 1,000-bed medium security private prison in Charlotte County when the following criteria are met: 1) the Secretary of Public Safety certifies that the official state responsible inmate forecast shows a need for additional beds within three years when compared to existing, authorized, or contracted Department of Corrections bed capacity; 2) the Department of Planning and Budget has completed an analysis showing that this contract provides a cost-benefit to the Commonwealth when compared to alternative means of providing this facility and, 3) the State Treasurer, the Attorney General, and the Department of General Services have reviewed the form and content of any proposed contract, pursuant to §2.1 of Title 53.1, Code of Virginia. Such certification, and the results of the analyses and reviews, shall be presented to the Chairmen of the House Appropriations and Senate Finance Committees at least 30 days prior to signing of any contract.

3. The Department shall not enter into any contract which will result in an inmate in the custody of the Commonwealth of Virginia being housed in a facility not directly operated by the Commonwealth of Virginia or its political subdivisions, unless the governing body of the locality in which such non-state facility is located has consented, by formal resolution, to the location and operation of such facility within its borders.

4. Private financing as permitted by § 53.1-262.5.e., Code of Virginia, may be used so long as the maximum amount payable by the Commonwealth under capital lease, lease-purchase or similar arrangements annually shall not exceed the dollar amount of the appropriation.

F. The Department shall seek up to $1,300,000 each year in federal funds from the Department of Criminal Justice Services to establish a structured treatment program for youthful offenders at St. Brides Correctional Center and to expand intensive substance abuse treatment services at Botetourt Correctional Field Unit, Virginia Correctional Center for Women, and Fluvanna Correctional Center for Women. The Department shall submit quarterly reports on its progress in implementing this program to the Secretary of Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees, beginning July 1, 1998.

G. Subject to the conditions stated in this item and with the prior written approval of the Director of the Department of Planning and Budget, there is hereby reappropriated the unexpended balance, remaining at the close of business on June 30, 1998, in the appropriations made from Items 457 and 459 of Chapter 924, Acts of Assembly of 1997. Any such balances shall have been committed to the purchase of equipment for Red Onion, Wallens Ridge, or Sussex II State Prisons and costs associated with the expansion of Mecklenburg Correctional Center and shall be used only for such purpose.

H. The Department of Corrections is authorized to contract with another governmental entity to house male and female prisoners from that jurisdiction in facilities operated by the Department.