

VIRGINIA STATE BUDGET

1999 Session

Budget Bill - HB1450 (Chapter 935)

Bill Order » Office of Public Safety » Item 467

Department of Corrections, Central Activities

Item 467

| | First Year - FY1999 | Second Year - FY2000 |
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| Administrative and Support Services (37900) | \$33,327,773 \$33,448,173 | \$32,601,170 \$34,896,684 |
| General Management and Direction (37901) | \$12,094,211 \$12,089,611 | \$12,151,170 |
| Computer Services (37902) | \$7,329,077 | \$6,502,779 \$8,673,273 |
| Accounting and Budgeting Services (37903) | \$2,882,078 | \$2,946,433 \$2,946,453 |
| Architectural and Engineering Services (37904) | \$2,414,521 \$2,539,521 | \$2,313,901 \$2,438,901 |
| Food and Dietary Services (37907) | \$320,774 | \$360,644 |
| Personnel Services (37914) | \$1,450,282 | \$1,479,948 |
| Procurement and Distribution (37918) | \$6,836,830 | \$6,846,295 |
| Fund Sources: | | |
| General | \$24,787,985 \$24,783,385 | \$24,930,379 \$27,100,893 |
| Special | \$1,939,788 \$2,064,788 | \$1,070,791 \$1,195,791 |
| Federal Trust | \$6,600,000 | \$6,600,000 |

Authority: Title 53.1, Chapter 1; § 9-170, Code of Virginia.

A.1. The Department of Corrections shall develop a plan for modernizing and integrating its automated systems. Such plan shall be based on developing the integrated system in phases, or modules. Before the department proceeds with implementation of *any phase or component* of the plan, the Secretary of Public Safety, ~~The State Treasurer, and the Director of the Department of Planning and Budget~~ must approve it. ~~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 Secretary of Technology, and the Secretary of Finance must approve it. An oversight committee, comprised of representatives from the Council on Information Management, Department of Information Technology, the Department of Planning and Budget, and the office of the Secretary of Public Safety shall be established. This committee shall review and make recommendations, as directed by the Secretary of Public Safety, over all aspects of the automation modernization, including the development of any requests for proposals. The Department of Corrections shall submit periodic reports, as directed by the Secretary of Public Safety, to this committee regarding its progress in implementing the automation modernization.*

2. Included within this appropriation is \$1 million the first year and \$88,810 the second year from nongeneral

funds for the development and implementation of one module of the integrated system - the automation of the commissary system. The nongeneral funds shall come from profits projected to be generated by the commissary operations. ~~The department shall request additional funds as needed for implementation of the other modules of its system in subsequent fiscal years.~~

3. Included within this appropriation is \$325,000 the first year and \$325,000 the second year from the general fund for the development and implementation of a time computation system. ~~The review requirement set out in paragraph A-1 shall not be applicable to the development of this module.~~

4. Included within this appropriation is \$436,000 the first year from the general fund and \$3,601,000 the second year from the general fund for the replacement of the Department of Corrections automation network. These funds are to be used for payments on the purchase of equipment with a total cost of approximately \$17.0 million through the Commonwealth's equipment master lease program, or other short term financing plan, as approved by the State Treasurer, and for other costs of replacing the network. The total cost of the network replacement, excluding interest costs, is estimated at \$20.5 million.

5. The Department of Corrections shall comply with all application and reporting requirements established by the U.S. Immigration and Naturalization Service for reimbursement for the housing of illegal aliens in state correctional facilities. The Department shall provide a report of the status of said reimbursements to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than December 1, 1999.

B.1. The Director of the Department of Planning and Budget is authorized to transfer \$77,590 the first year and \$217,570 the second year to the Department of Corrections from Item C-1.10 of this act to replace and remediate underground storage tanks. ~~No~~ *Other than for planning purposes, no funds shall be transferred for this purpose until the Department of Corrections has developed a plan for upgrading the tanks and such plan has been approved by the Director of the Department of Environmental Quality.*

2. Out of the appropriation for architectural and engineering services, \$322,749 the second year from the general fund is designated for project management positions, including five architecture and engineering positions, formerly supported by nongeneral funds.

C.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. Planning for a phased replacement of the existing St. Brides Correctional Center facility with a new medium security prison to be located on the same site;
- b. 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;
- c. Construction of, or conversion of existing facilities into, diversion centers on existing state-owned property in or near the Commonwealth's metropolitan areas;
- d. 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.

D.1. In procuring inmate telephone services to be effective January 1, 1999, 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, and from facilities operated under contract with the Department, 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 preapproved list.

E. 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 October 1, 1998, to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees.

F. The Department of Corrections shall buy back the 20-acre parcel at the Greenville Correctional Center that was sold to the Southside Regional Jail Authority for use as a regional jail site for the sum of \$20,000. This transaction shall be exempt from any statute, regulation, or procedure established for the acquisition of real property by state agencies.