2006 Special Session I

Budget Bill - HB5002 (Chapter 3)

Department of Corrections

Item 387	First Year - FY2007	Second Year - FY2008
Administrative and Support Services (39900)	**$65,479,725**	**$58,023,137**
General Management and Direction (39901)	$13,980,740	$14,452,458
Information Technology Services (39902)	$10,816,209	$8,871,127
Accounting and Budgeting Services (39903)	$3,300,675	$3,300,675
Architectural and Engineering Services (39904)	$11,966,703	$5,951,358
Human Resources Services (39914)	$2,476,957	$2,476,957
Planning and Evaluation Services (39916)	$341,282	$341,282
Procurement and Distribution Services (39918)	$7,994,764	$7,994,764
Training Academy (39929)	$5,780,134	$5,780,134
Offender Classification and Time Computation Services (39930)	$8,822,261	$8,854,382
Fund Sources:		
General	$61,379,725	$53,923,137
Special	$4,100,000	$4,100,000

Authority: §§ 53.1-1 and 53.1-10, Code of Virginia.

A. 1. Any plan to modernize and integrate the automated systems of the Department of Corrections shall be based on developing the integrated system in phases, or modules. Furthermore, any such integrated system shall be designed to provide the department the data needed to evaluate its programs, including that data needed to measure recidivism.

2. The appropriation in this Item includes $500,000 the first year and $500,000 the second year from the Contract Prisoners Special Revenue Fund to defray a portion of the costs of developing the offender management system. In addition to any general fund appropriations and any federal grant funds available from the Department of Criminal Justice Services, the Department of Corrections may, subject to the authorization of the Director, Department of Planning and Budget, utilize additional revenue deposited in the Contract Prisoners Special Revenue Fund to support the development of the offender management system.

B. Included in this appropriation is $600,000 the first year and $600,000 the second year from nongeneral funds to be used for installation and operating expenses of the telemedicine program operated by the Department of Corrections. The source of the funds is revenue from inmate fees collected for medical services.

C. Included in this appropriation is $3,000,000 the first year and $3,000,000 the second year from nongeneral funds

to be used by the Department of Corrections for the operations of its Corrections Construction Unit. The Comptroller shall continue the Corrections Construction Unit Special Operating Fund on the Commonwealth Accounting and Reporting System to reflect the activities of contracts between the Corrections Construction Unit and (i) institutions within the Department of Corrections for work not related to a capital project and (ii) agencies without the Department of Corrections for work performed for those agencies.

D. All residential staff housing properties owned by the Commonwealth and in the possession of the Department of Corrections are authorized to be sold as surplus property pursuant to § 2.2-1156, Code of Virginia. Notwithstanding the provisions of § 2.2-1156 D, Code of Virginia, all net proceeds from the sale of such property after provision is made for any bonds outstanding on such property, as appropriate, shall be deposited into the general fund. Prior to the sale of these properties the Department of General Services shall obtain an appraisal of the fair market value of such properties. Current employees of the Department of Corrections who are currently residing in such residential staff housing shall be granted the first right of refusal to purchase these residences at fair market value.

E. Notwithstanding the provisions of § 53.1-20 A. and B., Code of Virginia, the director of the Department of Corrections shall receive offenders into the state correctional system from local and regional jails at such time as he determines that sufficient, secure and appropriate housing is available, placing a priority on receiving inmates diagnosed and being treated for HIV, mental illnesses requiring medication, or Hepatitis C. The director shall maximize, consistent with inmate and staff safety, the use of bed space in the state correctional system. The director shall report monthly to the Secretary of Public Safety and the Secretary of Administration on the number of inmates housed in the state correctional system, the number of inmate beds available, and the number of offenders housed in local and regional jails that meet the criteria set out in § 53.1-20 A. and B.

F. Included in this appropriation is $3,541,345 the first year from the general fund for the estimated net increase in the operating costs of adult correctional facilities resulting from the enactment of House Bills 102, 775, 984, 1141, 1333, 1339, and 1341, and Senate Bill 559, of the 2006 Session of the General Assembly. This amount shall be paid into the Corrections Special Reserve Fund, established in accordance with § 30-19.1:4, Code of Virginia.

G. The Department of Corrections shall provide a planning report on alternatives for developing a satellite training facility in Southwest Virginia. The report shall consider the potential for cost savings through the provision of training services on a regional basis. Copies of an interim report, including a scope statement and work plan, shall be provided by October 16, 2006, and a final report by April 30, 2007, to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees.

H. The Department of Corrections shall provide a planning report on alternatives for developing additional medical, mental health and geriatric facilities. The report shall consider the potential for cost savings through the expansion or replacement of the medical unit at Powhatan Correctional Center, the optimum mix of services and facilities at other facilities, the use of contract services, requirements for mental health services, requirements for geriatric services for older inmates, and financing options. Copies of an interim report, including a scope statement and work plan, shall be provided by October 16, 2006, and a final report by April 30, 2007, to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees.

I. Included in this appropriation is $1,500,000 the first year for the Department of Corrections to continue moving forward towards final identification, selection and acquisition of a site in the Mount Rogers Planning District for a medium security correctional facility, including moving to Phase 2 of the PPEA process as envisioned in Item 410.H.2 of Chapter 951, Acts of Assembly 2006, and entering into an Interim Agreement. The Department shall provide a report on the status of this project to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 16, 2006.

J. The Department of Corrections shall report on the feasibility of developing a therapeutic incarceration program for criminal defendants who otherwise would have been sentenced to a fixed term of incarceration of three years or

longer for a felony conviction and who the court determines require treatment for drug or alcohol substance abuse issues. The Department shall provide copies of its report to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 16, 2006.

K.1. Included within this appropriation is $1,094,000 the first year from the general fund for the initial portion of the Commonwealth's estimated 56 percent share of the cost of constructing a wastewater treatment plant by the Town of Craigsville. No payment shall be made to the town unless the Department of Corrections enters into a new contract with the town of Craigsville, which, along with other appropriate terms, shall provide that all charges paid for all future wastewater treatment for the Augusta Correctional Center shall be based only upon the correctional center's actual metered usages and that the Augusta Correctional Center shall be charged at a rate no higher than the lowest rate charged to any other customer of Craigsville's wastewater treatment system. After such contract between the department and the town has been entered into, the funds shall be paid to the town in quarterly installments after a construction contract for the facility has been entered into by the town.

2. Also included within this appropriation is $120,000 the second year from the general fund, as the initial annual payment on a 20-year, zero-interest loan from the Department of Environmental Quality for this project.

3. The Department of Corrections shall assist the Town of Craigsville, the County of Augusta, and the Central Shenandoah Planning District Commission in applying for a Water Quality Improvement Fund grant for an estimated amount of $750,000, which represents the 50 percent share of the portion of the cost of this project which is attributable to nutrient reduction, pursuant to Senate Bill 644 of the 2006 General Assembly. The Department shall provide a report on the status of this project, the status of all federal and state grants and loans applicable to the project, and the total estimated construction cost of the project. Copies of the report shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 16, 2006.