
VIRGINIA STATE BUDGET

2008 Session

Budget Bill - SB30 (Introduced)

Bill Order » Office of Public Safety » Item 391

Department of Corrections

Item 391	First Year - FY2009	Second Year - FY2010
Administrative and Support Services (39900)	\$77,806,935	\$79,275,303
General Management and Direction (39901)	\$15,542,150	\$15,542,150
Information Technology Services (39902)	\$26,228,732	\$26,228,732
Accounting and Budgeting Services (39903)	\$3,481,305	\$3,481,305
Architectural and Engineering Services (39904)	\$6,119,064	\$7,587,432
Human Resources Services (39914)	\$2,614,684	\$2,614,684
Planning and Evaluation Services (39916)	\$394,442	\$394,442
Procurement and Distribution Services (39918)	\$8,044,266	\$8,044,266
Training Academy (39929)	\$6,052,992	\$6,052,992
Offender Classification and Time Computation Services (39930)	\$9,329,300	\$9,329,300
Fund Sources:		
General	\$73,206,935	\$74,675,303
Special	\$4,600,000	\$4,600,000

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 \$1,000,000 the first year and \$1,000,000 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, 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. 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.

E.1. Thereby is hereby reappropriated \$1,000,000 from the general fund balance remaining in this program on June 30, 2008, and on June 30, 2009. This amount shall not be allotted by the Department of Planning and Budget until the Department of Corrections has entered into a contract with the town of Craigsville as provided in paragraph E 2 of this Item.

2. Included within the appropriation for this Item is \$1,522,469 the second year from the general fund. This amount, together with the \$1,000,000 reappropriated in paragraph E 1 of this Item, shall constitute the initial portion of the Commonwealth's 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 to be 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. The contract shall also provide that the Department of Corrections shall make an annual payment of \$120,000 for 20 years to the town of Craigsville. This payment shall be the reimbursement of debt service on a loan received by the town from the Department of Environmental Quality for part of the construction cost of the treatment plant. After such contract between the department and the town has been entered into and a construction contract for the facility has been entered into by the town, the department shall make the total initial payment of \$2,522,469. Such payment may be made in an installment of \$1,000,000 in the first year and \$1,522,469 in the second year, if the requirements set out in this paragraph are met.

F. The Department of Corrections is exempted from the approval requirements of Chapter 11 of the Construction and Professional Services Manual as issued by the Division of Engineering and Buildings. The Department of Corrections may authorize and initiate design-build contracts as deemed appropriate by the Director, Department of Corrections, in accordance with §§ 2.2-4301 and 2.2-4306, Code of Virginia.

G. 1. The Department of Corrections shall continue its planning for a correctional facility to be located in Charlotte County. Any such facility shall include at least one dormitory-style unit designed to house a transition center, a habitual technical violator center, or both. The programming planned for such unit shall be an intensive cognitive remediation treatment program and substance abuse therapy, using practices that have been shown by widely accepted evidence to be effective in reducing recidivism.

2. If the department uses the process established under the Public-Private Education and Infrastructure Act (PPEA) to develop the plans for this facility and if any proposal it has under consideration involves private operation and financing of the facility, the department shall follow the procedures, and meet all the requirements, of Chapter 15 of Title 53.1, Code of Virginia. Before any comprehensive agreement is finalized, the Department of Planning and Budget shall conduct the cost benefit evaluation required by § 53.1-262, Code of Virginia. In addition, the Department of the Treasury shall evaluate the proposed financing to determine if it would be more advantageous

to the state to finance the construction of the facility itself. Finally, any PPEA comprehensive agreement for construction of the Charlotte County facility shall be submitted to the Governor for approval after being reviewed by the Secretaries of Public Safety, Administration, and Finance.

H. The Department of Corrections shall conduct a thorough analysis of the physical plant of the Powhatan Correctional Center and project the cost of the upgrades, renovations, and repairs needed over the next ten years to maintain the facility in good working order as a secure correctional facility. It shall also project the cost of replacing the Powhatan Correctional Center with a facility of comparable security and bed capacity. With this data, and taking into account any operational efficiencies that would be effected with a new prison, the department shall prepare a report comparing the costs of renovating the existing facility with the projected costs of replacing it and shall make a recommendation concerning renovation or replacement. The department shall submit the report to the Secretaries of Public Safety and Finance by October 1, 2008.

I. The Department of Corrections shall strive to have no more than 500 general population and reception beds of its base bed space capacity vacant at any one time. The Director, Department of Planning and Budget, is authorized to increase the department's appropriation of revenue received from housing out of state inmates by \$14 per prisoner-day that the vacancy level falls below 500. Any such additional appropriation shall be used only for non-recurring expenses.