



Report of the Subcommittee on  
Public Safety

(Senate Bills 29 and 30,  
as Introduced)

Senate Finance Committee  
Virginia General Assembly

February 22, 2004

# **REPORT OF THE SUBCOMMITTEE ON PUBLIC SAFETY**

## **On Senate Bills 29 and 30, as Introduced (February 22, 2004)**

The subcommittee has reviewed the provisions of Senate Bills 29 and 30, the budget bills as introduced, with respect to the Office of Public Safety. There are several important challenges that we face in this field, especially in adult corrections.

Senate Bill 30, as introduced, includes \$35 million to eliminate the use of our state facilities for housing out-of-state prisoners. This is a critical step. The time of surplus prison beds is over. We need every bed – and more – for Virginia's own inmates.

The number of state-responsible offenders is increasing by about four percent per year. Virginia has 35,500 offenders currently, and this number is expected to continue growing by 1,400 or more each year through the rest of the decade.

The out-of-compliance backlog of state prisoners in local and regional jails is over 2,500. Even with the termination of the final contracts for housing out-of-state inmates from Vermont and Connecticut, we expect the jail backlog to reach 3,000 by mid-2006, unless other steps are taken. We must act now to address this situation – before we reach a crisis point.

The offender population is growing for two reasons. First, when we abolished parole in 1994 we approved longer sentences for violent and repeat offenders. These longer sentences are now having the intended effect – the violent and repeat offenders are staying behind bars longer. Second, more probationers and offenders with suspended sentences are returning to prison on technical violations. A study last year by the Virginia Criminal Sentencing Commission found the statewide incarceration rate for technical violators is just about right, given the risk assessment of these offenders.

Our first priority must be to provide the required secure facilities. Senate Bill 39 (substitute), adopted by the Senate on February 20, provides Virginia Public Building Authority bonds for 3,448 new prison beds, including St. Brides Phase 2, Deerfield, and two new 1,024-bed, medium-security, celled prototype prisons. The new medium-security facilities would open in October 2006 at the Pocahontas site in Tazewell County and Chatham Correctional Field Unit in Pittsylvania County. In addition, we recommend initiating a third facility to open in 2007, located in the Mount Rogers Planning District in Southwest Virginia.

With respect to our jails, we are recommending that several regional and local jail construction projects move forward on an expedited basis to provide additional bed capacity. We are directing that lower-cost community custody facility standards be used wherever possible, unless more expensive construction standards can be justified.

We are recommending steps to assure that our limited jail capacity is used to house Virginia's local and state inmates, rather than federal inmates. The time has come to consider whether Virginia can afford to allow a few jails to house large numbers of federal inmates in facilities built and operated with state dollars, when jails statewide are operating substantially over capacity.

We are also recommending a planning study to consider the feasibility of a model facility for mental health treatment at the Hampton Roads Regional Jail, to be operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services. The backlog of mentally ill offenders in jail, who are awaiting treatment for restoration of competency to stand trial, is an issue of great concern to the subcommittee.

Over the past four years, the Department of Corrections has absorbed budget reductions totaling over \$163 million. These actions have resulted in increased crowding in state facilities, staff reductions, and the elimination or reduction of treatment programs.

The combination of staffing and program reductions and increased overcrowding (through the addition of 841 temporary emergency beds) has been taking its inevitable toll. Your subcommittee is concerned that there are now early warning signals on the horizon, which we can begin to see as we examine the level of serious assaults on inmates and staff. The positive trends that we observed during the period from 1994 through 2001 have unfortunately begun to change over the past two years, as the level of stress on this agency has increased.

Specifically, the number of serious assaults on staff rose from only one each in fiscal years 2000 and 2001 (0.03 per 1,000 offenders), to 13 in 2002 (0.42 per 1,000), and 15 in 2003 (0.48 per 1,000). To put this in perspective, for a number of years the level of assaults on staff in Virginia has ranked among the very lowest in the nation, but the trend over the past two years has been in the wrong direction. Steps are needed now to address this concern.

Accordingly, we recommend full funding for the 100 new correctional officers that the 2003 General Assembly added last year. This initiative was not fully funded in the budget, as introduced. In addition, we recommend restoring the remaining 15 of the 30 psychologist positions cut two years ago. Last year we restored 15. This action would restore the other 15. We also recommend deferring for now the proposed addition of 479 more temporary emergency beds. The level of overcrowding should not be increased. Our state facilities have reached their physical limits.

Prison and jail construction is needed, but this cannot be our only answer. We must also increase our emphasis on alternative methods of incarceration, including efforts to divert lower-risk offenders and reduce recidivism.

As the state responsible offender population grows, so too does the number of offenders to be supervised in the community. However, with no additional resources, the caseloads of our probation officers are rising to unacceptable levels.

To address this problem, we recommend 25 new probation officers. No progress can be made towards better utilization of alternative methods of incarceration in the absence of effective probation supervision.

We also recommend \$2.2 million each year to expand local community corrections and pre-trial release programs, to relieve some of the population pressures on our jails. This will result in the addition of about 52 local probation officers and the estimated addition of 2,000 low-risk offenders to the average daily caseloads of these programs. This proposed expansion will not “widen the net,” because there is a clear definition of which offenders are eligible to participate. These programs represent our fastest and most cost-effective investment in new correctional capacity.

In summary, the subcommittee’s plan provides 4,472 new prison beds by 2007, utilizing a public-private partnership to bring these beds on line as fast as possible. We are providing fast-track authority for new jail capacity, using the lowest-cost design standards possible, and increasing funding for local community corrections and pre-trial release programs as a “safety valve,” to prevent inefficient use of jail space. With these steps, we will continue to fulfill the promise that all Virginians should be free from the fear of crime in their homes and communities.

Finally, we recommend additional funds to fill 15 juvenile probation officer positions held vacant intentionally by the Department of Juvenile Justice due to budget cuts. This department is operating eight juvenile correctional centers on a budget for seven, a situation which cannot be permitted to continue indefinitely. The severity of the reductions in this agency is of great concern to your subcommittee and will require our attention during the coming year.

## REPORT OF THE SUBCOMMITTEE ON PUBLIC SAFETY

(Recommended Amendments to SB 29 and SB 30, As Introduced. General Funds only. Nongeneral Funds shown as NGF.)

| Amendment                                                                    | FY 2004  | FY 2005                    | FY 2006     | Biennium    |
|------------------------------------------------------------------------------|----------|----------------------------|-------------|-------------|
| <b>Secretary of Public Safety</b>                                            |          |                            |             |             |
| Sec'y PS - Transfer of Property from DMV to ABC (GOV)                        | Language |                            |             |             |
| <b>Commonwealth's Attorneys' Services Council</b>                            |          |                            |             |             |
| CASC - Eliminate Contingent Language for Training                            |          | Language                   | Language    |             |
| <b>Department of Corrections</b>                                             |          |                            |             |             |
| DOC - Adjust Debt Service for Prison #1 (Tazewell County)                    |          | Included in Treasury Board |             |             |
| DOC - Add Debt Service for Prison # 2 (Pittsylvania County)                  |          | Included in Treasury Board |             |             |
| DOC - Planning for Prison # 3 (Mt. Rogers Planning District)                 | Language | Language                   | Language    |             |
| DOC - Defer Funding 479 Temporary Emergency Beds                             |          | (635,408)                  | (1,980,665) | (2,616,073) |
| DOC - Full Funding 100 Correctional Officers                                 |          | 1,445,715                  | 1,445,715   | 2,891,430   |
| DOC - Probation Officer Caseload Control (25 FTE)                            |          | 926,551                    | 1,463,224   | 2,389,775   |
| DOC - Restore 15 Psychologists (15 FTE)                                      |          | 894,000                    | 894,000     | 1,788,000   |
| DOC - Commissary Funds (Assisting Families of Inmates, faith-based services) |          | NGF                        | NGF         | NGF         |
| DOC - Require Plans to BOC by May 1, 2004 (SB 29)                            | Language |                            |             |             |
| DOC - Build For Projected Local and State Population                         | Language | Language                   |             |             |
| DOC - Use Community Custody Construction Standards                           | Language | Language                   |             |             |
| DOC - Plan to Expand Jail Contract Bed Program                               | Language | Language                   |             |             |
| DOC - Pamunkey Regional Jail                                                 | Language | Language                   |             |             |
| DOC - Hampton Roads Regional Jail (Planning Study)                           | Language | Language                   |             |             |
| DOC - Study Mental Health Unit @ HRRJ with DMHMRSAS                          | Language | Language                   |             |             |
| DOC - Portsmouth City Jail (Replacement at HRRJ)                             | Language | Language                   |             |             |
| DOC - Gloucester County Jail                                                 | Language | Language                   |             |             |
| DOC - Roanoke County-City of Salem Jail                                      | Language | Language                   |             |             |
| DOC - Pittsylvania County Jail                                               | Language | Language                   |             |             |
| DOC - Riverside Regional Jail                                                | Language | Language                   |             |             |
| DOC - Rappahannock Regional Jail                                             | Language | Language                   |             |             |
| DOC - Winchester Regional Adult Detention Center                             | Language | Language                   |             |             |
| DOC - Prison Labor/Farm Commodities (Move language from Part 4 to DOC)       |          | Language                   | Language    |             |
| <b>Department of Criminal Justice Services</b>                               |          |                            |             |             |
| DCJS - Forensic Lab DNA Caseload Control (12 FTE)                            |          | 433,260                    | 519,912     | 953,172     |
| DCJS - Restore Law Enforcement Training Academies (GOV)                      |          | 101,620                    | 101,620     | 203,240     |
| DCJS - Restore Sexual Assault Crisis Centers                                 |          | 220,000                    | 220,000     | 440,000     |
| DCJS - Restore Court-Appointed Special Advocates (CASA)                      |          | 146,250                    | 146,250     | 292,500     |
| DCJS - Domestic Violence Victim Fund - SB 237 (1 FTE)                        |          | 83,600                     | 75,850      | 159,450     |
| DCJS - Local Community Corrections/Pre-Trial Diversion                       |          | 2,184,000                  | 2,184,000   | 4,368,000   |
| DCJS - Eliminate Pilot Diversion Program from 2003 Session                   |          | Language                   | Language    |             |
| DCJS - Eliminate Contingent Language for HB 599                              |          | Language                   | Language    |             |
| <b>Department of Fire Programs</b>                                           |          |                            |             |             |
| DFP - Eliminate GF Match for Federal SAFER Grants to Localities              |          | (1,250,000)                |             | (1,250,000) |

|                                                                        |          |                  |                   |
|------------------------------------------------------------------------|----------|------------------|-------------------|
| <b>Department of Juvenile Justice</b>                                  |          |                  |                   |
| DJJ - Restore 15 Juvenile Probation Officers                           | 788,289  | 788,289          | 1,576,578         |
| DJJ - Eliminate Contingent Language for Juvenile Correctional Officers | Language | Language         |                   |
| DJJ - Corrections Special Reserve Fund (SB 339 - Edwards)              | 175,887  |                  | 175,887           |
| <b>Department of State Police</b>                                      |          |                  |                   |
| DSP - Correct Title for STARS                                          | Language |                  |                   |
| DSP - Eliminate Contingent Language for Trooper Retention              | Language | Language         |                   |
| <b>Central Appropriations</b>                                          |          |                  |                   |
| DSP - Eliminate Contingent Language for STARS                          | Language | Language         |                   |
| <b>Part 3 - Interfund Transfers</b>                                    |          |                  |                   |
| Sale of ABC Property in Alexandria (GOV)                               | Language | Language         |                   |
| <b>Part 4 - General Provisions</b>                                     |          |                  |                   |
| DOC - Prison Labor/Farm Commodities (Move language from Part 4 to DOC) | Language | Language         |                   |
| <b>Sub-Total - Public Safety</b>                                       | <u>0</u> | <u>5,513,764</u> | <u>5,858,195</u>  |
|                                                                        |          |                  | <u>11,371,959</u> |

**Public Safety**

Division Of Community  
Corrections

Language

**Language:**

Page 231, strike lines 7-20 and insert:

"D. The following projects are hereby exempted from the provisions of Paragraph C.1. in order to proceed in planning. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the governing bodies of these proposed facilities shall submit the required community-based corrections plans, facility specifications, and the expected financing costs to the Department of Corrections by May 1, 2004, in order that the Board of Corrections may complete its review of these projects prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such projects, for consideration by the General Assembly at its 2005 Session. The review by the Board of Corrections of each of these projects shall be consistent with Paragraphs D., E., and F. below.

1. The Pamunkey Regional Jail Authority.
2. The Hampton Roads Regional Jail Authority, for a planning study.
3. The Hampton Roads Regional Jail Authority, for a preliminary study of the feasibility of a specialized facility for mental health treatment.
4. The Portsmouth City Jail, for a replacement project consisting of additional space to be constructed at the Hampton Roads Regional Jail complex.
5. The Gloucester County Jail.
6. The Roanoke County-Salem Jail.
7. The Pittsylvania County Jail.
8. The Riverside Regional Jail Authority.
9. The Rappahannock Regional Jail Authority.

10. The Clarke-Fauquier-Frederick-Winchester Regional Adult Detention Center, for an expansion project involving the development of a new community corrections facility with approximately 204 beds, and a 120-bed expansion of the existing jail.

D. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is consistent with the projected number of local and state responsible offenders to be housed in such facility.

E. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is proposed to be built using Community Custody Facilities Standards, as adopted by the Board, unless the use of more expensive construction standards is justified, based on a documented projection of offender populations that would require a higher level of security."

Page 231, line 21, strike "D" and insert "F".

Page 231, line 21, strike "may" and insert "shall".

**Explanation:**

(This amendment provides for expedited review and approval of certain local and regional jail construction projects by the Board of Corrections, with certain restrictions on the types of construction standards and types of inmates to be held in the proposed facilities. The intent of this amendment is to encourage the development of the lowest-cost jail facilities, consistent with the need to meet the expected growth in the number of local and state inmates.)

**Public Safety**

Department Of Corrections,  
Central Activities

Language

**Language:**

Page 316, following line 57, insert:

"H. The Department of Corrections shall develop preliminary plans for construction of a medium security prison, in addition to those authorized in this act, and shall present such plans to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no later than December 1, 2004. The plans may consider construction and operation, either or both, of such prison under this act, the Public Private Education and Infrastructure Act, the Corrections Private Management Act, or such other means as may be appropriate. The Department shall give first priority consideration to locating such prison within the Mount Rogers Planning District. The next priority for the location of a subsequent facility shall be given to a location within Charlotte County."

**Explanation:**

(This amendment authorizes the Department of Corrections to begin planning for a third new medium security prison in the Mount Rogers Planning District, as the first priority location. The next priority for locating a subsequent facility would be Charlotte County.)

**Public Safety**

Division Of Community  
Corrections

Language

**Language:**

Page 319, following line 19, insert:

"4. The Pamunkey Regional Jail Authority, in order to proceed in planning for an expansion project. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the Authority may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session."

**Explanation:**

(This amendment provides an exception to the moratorium on approval by the Board of Corrections of new jail construction projects, to permit the proposed expansion project for the Pamunkey Regional Jail to be considered by the Board of Corrections. A companion amendment to Senate Bill 29 directs that the required plans be submitted to the Board of Corrections not later than May 1, 2004, for expedited review.)

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Public Safety Subcommittee

Item 416 #2s

**Public Safety**

Division Of Community  
Corrections

Language

**Language:**

Page 319, following line 19, insert:

"4. The Hampton Roads Regional Jail Authority, in order to conduct a planning study for the expansion of the Hampton Roads Regional Jail complex to serve the projected requirements for the region. Specific capital project recommendations resulting from this study shall be subject to the approval of the General Assembly prior to final approval by the Board of Corrections."

**Explanation:**

(This amendment provides an exception to the moratorium on approval by the Board of Corrections of new jail construction projects, to permit the Hampton Roads Regional Jail Authority to initiate a planning study to determine the future needs for additional facilities to be located at the regional jail complex.)

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Public Safety Subcommittee

Item 416 #3s

**Public Safety**

Division Of Community  
Corrections

Language

**Language:**

Page 319, following line 19, insert:

"4. The Portsmouth City Jail, in order to proceed in planning for replacement facilities, to consist of secure detention space to be constructed at the Hampton Roads Regional Jail complex. Notwithstanding the provisions of Section 53.1-82.3,

Code of Virginia, the Hampton Roads Regional Jail Authority may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session."

**Explanation:**

(This amendment provides an exception to the moratorium on approval by the Board of Corrections of new jail construction projects, to permit the proposed Portsmouth City Jail replacement project at the Hampton Roads Regional Jail complex to be considered by the Board of Corrections. A companion amendment to Senate Bill 29 directs that the required plans be submitted to the Board of Corrections not later than May 1, 2004, for expedited review.)

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Public Safety Subcommittee

Item 416 #4s

**Public Safety**

Division Of Community  
Corrections

Language

**Language:**

Page 319, following line 19, insert:

"4. The County of Gloucester, in order to proceed in planning for an expansion project for the Gloucester County Jail. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the County may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session."

**Explanation:**

(This amendment provides an exception to the moratorium on approval by the Board of Corrections of new jail construction projects, to permit the proposed expansion project for the Gloucester County Jail to be considered by the Board of Corrections. A companion amendment to Senate Bill 29 directs that the required plans be submitted to the Board of Corrections not later than May 1, 2004, for expedited review.)

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Public Safety Subcommittee

Item 416 #5s

**Public Safety**

Division Of Community  
Corrections

Language

**Language:**

Page 319, following line 19, insert:

"4. The County of Roanoke and City of Salem, in order to proceed in planning for an expansion project for the Roanoke County-Salem Jail complex. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, Roanoke County and the City of Salem may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session."

**Explanation:**

(This amendment provides an exception to the moratorium on approval by the Board of Corrections of new jail construction projects, to permit the proposed expansion project for the Roanoke County-Salem Jail complex to be considered by the Board of Corrections. A companion amendment to Senate Bill 29 directs that the required plans be submitted to the Board of Corrections not later than May 1, 2004, for expedited review.)

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Public Safety Subcommittee

Item 416 #7s

**Public Safety**

Division Of Community  
Corrections

Language

**Language:**

Page 319, following line 19, insert:

"4. The County of Pittsylvania, in order to proceed in planning for a renovation project for the Pittsylvania County Jail. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, Pittsylvania County may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session."

**Explanation:**

(This amendment provides an exception to the moratorium on approval by the Board of Corrections of new jail construction projects, to permit the proposed expansion project for the Pittsylvania County Jail to be considered by the Board of Corrections. A companion amendment to Senate Bill 29 directs that the required plans be submitted to the Board of Corrections not later than May 1, 2004, for expedited review.)

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Public Safety Subcommittee

Item 416 #8s

**Public Safety**

Division Of Community  
Corrections

Language

**Language:**

Page 319, following line 19, insert:

"4. The Riverside Regional Jail Authority, in order to proceed in planning for an expansion project. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the Authority may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session."

**Explanation:**

(This amendment provides an exception to the moratorium on approval by the Board of Corrections of new jail construction projects, to permit the proposed expansion project for the Riverside Regional Jail to be considered by the Board of Corrections. A companion amendment to Senate Bill 29 directs that the required plans be submitted to the Board of Corrections not later than May 1, 2004, for expedited review.)

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Public Safety Subcommittee

Item 416 #9s

**Public Safety**

Division Of Community  
Corrections

Language

**Language:**

Page 319, strike line 9 and insert:

"for an expansion project involving the development of a new community corrections facility with approximately 204 beds and a 120-bed expansion to the existing regional jail."

**Explanation:**

(This amendment clarifies an exception to the moratorium on approval by the Board of Corrections of new jail construction projects, by describing the proposed expansion project for the Clarke-Fauquier-Frederick-Winchester Regional Adult Detention Center. A companion amendment to Senate Bill 29 directs that the required plans be submitted to the Board of Corrections not later than May 1, 2004, for expedited review.)

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Public Safety Subcommittee

Item 416 #11s

**Public Safety**

Division Of Community  
Corrections

Language

**Language:**

Page 319, line 20, insert:

"C. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is consistent with the projected number of local and state responsible offenders to be housed in such facility."

**Explanation:**

(This amendment expresses the intent of the General Assembly that the Commonwealth only contribute its limited resources to proposed jail facilities that are intended to house local and state offenders.)

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Public Safety Subcommittee

Item 416 #12s

**Public Safety**

Division Of Community  
Corrections

Language

**Language:**

Page 319, following line 19, insert:

"4. The Rappahannock Regional Jail Authority, in order to proceed in planning for

an expansion project. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the Authority may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session."

**Explanation:**

(This amendment provides an exception to the moratorium on approval by the Board of Corrections of new jail construction projects, to permit the proposed expansion project for the Rappahannock Regional Jail to be considered by the Board of Corrections. A companion amendment to Senate Bill 29 directs that the required plans be submitted to the Board of Corrections not later than May 1, 2004, for expedited review.)

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Public Safety Subcommittee

Item 416 #13s

**Public Safety**

Division Of Community  
Corrections

Language

**Language:**

Page 319, line 20, insert:

"C. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is proposed to be built using Community Custody Facilities Standards as adopted by the Board, unless the use of more expensive construction standards is justified, based on a documented projection of offender populations that would require a higher level of security."

**Explanation:**

(This amendment expresses the intent of the General Assembly that the Board of Corrections require the use of Community Custody Facility Standards, unless more expensive construction standards are justified in a particular case.)

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Public Safety Subcommittee

Item 416 #14s

**Public Safety**

Division Of Community  
Corrections

Language

**Language:**

Page 319, following line 19, insert:

"C. The Hampton Roads Regional Jail Authority, with the assistance of the Departments of Corrections and Mental Health, Mental Retardation and Substance Abuse Services, shall prepare a preliminary report on the feasibility of developing a specialized facility at the regional jail complex for jail inmates referred by the criminal courts of the Commonwealth for evaluation and treatment, pursuant to the provisions of Chapter 11 of Title 19.2 of the Code of Virginia. Such facility would be owned by the Hampton Roads Regional Jail Authority, and operated under contract by the Department of Mental Health, Mental Retardation and Substance Abuse Services, with the goal of reducing waiting times for emergency treatment, evaluation of competency to stand trial and/or sanity, and restoration to competency to stand trial. The Departments of Corrections and Mental Health, Mental Retardation and Substance Abuse Services shall provide all necessary technical assistance to support this study in cooperation with the Hampton Roads Regional Jail Authority. A report on this study shall be provided to the Secretaries of Public Safety and Health and Human Resources, the Chairmen of the Senate Finance and House Appropriations Committees, and the Chairman of the Joint Commission on Health Care, by October 15, 2004."

**Explanation:**

(This amendment provides for a study of the feasibility of constructing a specialized mental health treatment facility at the Hampton Roads Regional Jail.)

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Item 419 #1s

**Public Safety**

Division Of Institutions

Language

**Language:**

Page 320, line 15, before "To" insert "A."

Page 320, after line 17, insert:

"B. The Governor may authorize or direct the transfer of prisoner labor, or of farm commodities produced, at any state agency to any other state agency. It is further provided that unit prices of foodstuffs or other commodities produced on farms shall be fixed on a basis no more frequently than semiannually by the Director, Department of Corrections. These unit prices shall be the basis for charging the value of foods produced by the farms and consumed by the producing agencies or sold to other state agencies of the Commonwealth under the provisions of §

2.2-1116, Code of Virginia."

**Explanation:**

(This amendment transfers language included in the Part 4 of the budget to this Item. Placing the language within the appropriation for the Department of Corrections makes this policy more accessible to other state agencies and to the public. A companion amendment deletes the language from General Provisions.)

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Public Safety Subcommittee

Item 420 #4s

**Public Safety**

**FY 04-05**

**FY 05-06**

Division Of Institutions

\$250,000

\$250,000 NGF

**Language:**

Page 320, line 18, strike "\$405,086,042" and insert "\$405,336,042".

Page 320, line 18, strike "\$407,600,523" and insert "\$407,850,523".

Page 320, line 33, strike "100,000" and "100,000" and insert "150,000" and 150,000".

Page 320, line 34, strike "Prison Family Support Services" and insert "Assisting Families of Inmates".

Page 320, line 35, strike "100,000" and "100,000" and insert "300,000" and "300,000".

**Explanation:**

(This amendment provides \$150,000 each year in special funds to increase current allocations to the following two programs. First, the allocation for Assisting Families of Inmates, Inc. would be increased by \$50,000 each year for bus transportation to help families visit family members in Virginia state correctional facilities. Second, the allocation for the Department of Corrections to contract with organizations that work to enhance faith-based services would be increased by \$200,000 each year. The source of the special funds is profits from prison commissary operations.)

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Public Safety Subcommittee

Item 420 #5s

**Public Safety**

Division Of Institutions

Language

**Language:**

Page 321, line 31, after "D." insert "1."

Page 321, line 31, strike "may" and insert "shall".

Page 321, following line 36, insert:

"2. The Department shall prepare a plan to house a total of 1,000 state-responsible offenders in such local and regional jails as it may deem appropriate, pursuant to the jail contract bed program, during the 2004-06 biennium. As a companion to this plan, the Department shall submit a budget amendment to the Department of Planning and Budget requesting the anticipated funds required to implement this plan, either in full or in part. As approved by the Secretary of Public Safety, the plan and associated request for funding shall be presented to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by September 15, 2004."

**Explanation:**

(This amendment directs the Department of Corrections to prepare a plan to expand the Jail Contract Bed program from its current utilization of approximately 200 beds to a total of 1,000 beds during the 2004-06 biennium. Under this program, the Commonwealth pays \$28 per diem for state-responsible offenders, compared to the usual rate of \$14 per diem.)