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HOUSE JOINT RESOLUTION NO. 121

Offered January 14, 2004

Prefiled January 13, 2004

Establishing a joint subcommittee to study good conduct allowance for jail inmates. Report.

Patron—Keister

Referred to Committee on Rules

WHEREAS, most criminal justice professionals agree that jail industries and work programs provide benefits to the correctional facility, the taxpayers, surrounding communities, and the inmates when successful; and

WHEREAS, jobs available under sheriffs' workforce programs, such as landscaping, trash removal and other maintenance duties, pay the inmate for his or her labor, with the inmate using that income to pay court costs, restitution, fines, child support, as well as pay for personal needs items for the inmate; and

WHEREAS, a local correctional facility may contract with other local or state agencies for the use of inmate labor, keeping costs down for local and state projects, and providing income and training for individual inmates; and

WHEREAS, while reducing costs down for local and state projects by using an inmate labor force is of great value to a community and also can give the individual inmate improved skills for post-release employment, reduction in the length of time of incarceration can also save a great deal of money for the locality and the state; and

WHEREAS, an evaluation of various programs and the use of pay incentives and good conduct allowance incentives is necessary to balance the benefits against the need for a secure local inmate population; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee is established to study good conduct allowance for jail inmates. The joint subcommittee shall consist of 12 members that include 10 legislative members and two nonlegislative citizen members. Members shall be appointed as follows: six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; four members of the Senate to be appointed by the Senate Committee on Privileges and Elections; one Virginia sheriff to be appointed by the Speaker of the House of Delegates; and one administrator of a regional jail to be appointed by the Senate Committee on Privileges and Elections. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall evaluate each type of work program, the number of inmates employed, the rate of pay, the value to individual inmates, facility or private entity of the overall project, and an evaluation as to whether substituting good conduct allowance for the pay component is feasible or desirable and for which classification of inmate it may be feasible or desirable.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. Technical assistance shall be provided by Virginia Sheriffs Association. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2004 interim, and the direct costs of this study shall not exceed \$ 10,800 without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

No recommendation of the joint subcommittee shall be adopted if a majority of the House members or a majority of the Senate members appointed to the joint subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

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59 The joint subcommittee shall complete its meetings by November 30, 2004, and the chairman shall
60 submit to the Division of Legislative Automated Systems an executive summary of its findings and
61 recommendations no later than the first day of the 2005 Regular Session of the General Assembly. The
62 executive summary shall state whether the joint subcommittee intends to submit to the General
63 Assembly and the Governor a report of its findings and recommendations. The executive summary and
64 the report shall be submitted as provided in the procedures of the Division of Legislative Automated
65 Systems for the processing of legislative documents and reports and shall be posted on the General
66 Assembly's website.

67 Implementation of this resolution is subject to subsequent approval and certification by the Joint
68 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
69 delay the period for the conduct of the study, or authorize additional meetings during the 2004 interim.