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SENATE JOINT RESOLUTION NO. 327

Offered January 10, 2007

Prefiled December 28, 2006

Continuing the Joint Subcommittee to Study the Commonwealth's Program for Prisoner Reentry to Society for the purpose of receiving the recommendations and report of the Virginia Prisoner Reentry Policy Academy. Report.

Patron—Puller

Referred to Committee on Rules

WHEREAS, Senate Joint Resolution No. 273 (2005) established the Joint Subcommittee to study the Commonwealth's program for prisoner reentry to society; and

WHEREAS, the joint subcommittee was directed to continue the work of the Prisoner Reentry Policy Academy and to identify and develop strategies that address the essential needs of and overcome barriers for offenders prior to and upon release from prison to reduce the incidence of reincarceration and increase the success of their reintegration into the community; and

WHEREAS, Senate Joint Resolution No. 126 (2006) last continued the study and Senate Joint Resolution 95 (2006) was incorporated to direct the joint subcommittee to complete its work and to identify and develop strategies to overcome the adverse effects of incarceration on children, families, communities, and the economy and monitor any budget provisions and changes in the law recommended over the past year to ensure maximum effectiveness; and

WHEREAS, with the incorporation of Senate Joint Resolution 95 (2006), the joint subcommittee was also charged with comparing the overall benefits with the costs of incarcerating nonviolent offenders, determining whether the current sentencing system, together with statutory mandatory minimum sentences and prosecutorial practices, provided appropriate punishment without overreliance on incarceration, and evaluating the extent to which racial and ethnic disparity can be reduced in the criminal justice system; and

WHEREAS, the National Governors Association launched the Prisoner Reentry State Policy Academy ("Policy Academy") in 2003, and Virginia was selected to participate in the program; and

WHEREAS, participation in the Policy Academy has initiated the Virginia prisoner reentry planning process, and the Governor has established the Virginia Prisoner Reentry Policy Academy by Executive Order 22 (2006); and

WHEREAS, an increasing number of prisoners return to the community unprepared for reintegration and poorly connected to their community-based social structures, are more likely to have health or substance abuse problems, and face limited availability of jobs, housing, and social services; and

WHEREAS, returning prisoners may generate greater costs to communities, including costs associated with crime and public safety, greater public health risks, and high rates of unemployment and homelessness; and

WHEREAS, the Virginia Prisoner Reentry Policy Academy has established several pilot programs to evaluate the effectiveness of programs and services for prisoners reentering society, and the joint subcommittee has issued several proposals for public discussion to address issues and concerns that recently released prisoners face; and

WHEREAS, the results of the pilot programs, upon which the joint subcommittee plans to build its recommendations together with responses to its proposals, will be available in the summer of 2007; and

WHEREAS, the joint subcommittee needs additional time to confer with representatives of the Virginia Prisoner Reentry Policy Academy and to synthesize the recommendations and its proposals prior to determining the necessity for policy, fiscal, and legislative changes; and

WHEREAS, incarceration and issues facing prisoners returning to society affect all elements of society within the Commonwealth and its economy, and it is prudent to evaluate the probable efficacy and appropriateness of proposed policies and programs; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Joint Subcommittee to Study the Commonwealth's Program for Prisoner Reentry to Society for the purpose of receiving the recommendations and report of the Virginia Prisoner Reentry Policy Academy be continued. The joint subcommittee shall have a total membership of 17 members that shall consist of six legislative members, four nonlegislative citizen members, and seven ex officio members. Members shall be appointed as follows: two members of the Senate to be appointed by the Senate Committee on Rules; four 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; one

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nonlegislative citizen member, who shall be a member of a faith-based or other nonprofit organization working with offenders, and one representative of local government or member of an organization that provides services to victims of crime to be appointed by the Senate Committee on Rules; and one nonlegislative citizen member, who shall be a member of a faith-based or other nonprofit organization working with offenders and one representative of local government or member of an organization that provides services to victims of crime to be appointed by the Speaker of the House of Delegates. The Attorney General or his designee; the Secretary of Public Safety or his designee; the Director of the Department of Corrections or his designee; the Superintendent of Correctional Education or his designee; the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services or his designee; the Commissioner of Social Services or his designee; and the Commissioner of the Virginia Employment Commission or his designee shall serve ex officio with nonvoting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. The current members appointed by the Senate Committee on Rules shall continue to serve until replaced. The current members appointed by the Speaker of the House of Delegates shall be subject to reappointment. Vacancies shall be filled by the original appointing authority. 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 (i) process its proposals for discussion to offer appropriate recommendations therefrom; (ii) monitor the work of the Virginia Prisoner Reentry Policy Academy and its pilot programs; (iii) receive the report and recommendations of the Academy regarding the results of the pilot programs; and (iv) synthesize the joint subcommittee's proposals and the Academy's recommendations and recommend such feasible and appropriate alternatives that may reasonably facilitate the successful reintegration of prisoners in their communities.

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

The joint subcommittee shall be limited to two meetings for the 2007 interim, and the direct costs of this study shall not exceed $3,800 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 Senate members or a majority of the House 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.

The joint subcommittee shall complete its meetings by November 30, 2007, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2008 Regular Session of the General Assembly. The executive summary shall state whether the joint subcommittee intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or delay the period for the conduct of the study, or authorize additional meetings during the 2007 interim.