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## HOUSE JOINT RESOLUTION NO. 122

Offered January 11, 2012

Prefiled January 11, 2012

*Establishing a joint subcommittee to study reinstituting parole in the Commonwealth. Report.*

Patron—Sickles

Referred to Committee for Courts of Justice

WHEREAS, since 1995, a year after the Virginia General Assembly passed legislation to abolish parole, Virginia has built 13 new prisons and a number of regional jails and jail expansions; and

WHEREAS, prior to the abolishment of parole there were roughly 18,000 prisoners in the Commonwealth. There are approximately 9,000 still in the Department of Corrections under the old parole law. With abolishment of parole, the prison population grew from 18,000 in 1994 to 36,000 in 2005 and caused larger portions of government funds to go to prison construction and the gradual elimination of college and vocational programs from prisons in Virginia; and

WHEREAS, the abolishment of parole and the imposition of mandatory sentencing led to the expansion of the prison population; and

WHEREAS, numerous studies and statistics demonstrate that the costs of imprisoning people far exceed the financial costs of educating or sending people to college; and

WHEREAS, restoration of the parole law and a 65 percent standard of minimum time served will allow for the closing of unnecessary and costly prisons; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study reinstituting parole in the Commonwealth. The joint subcommittee shall have a total membership of 13 members who shall consist of 10 legislative members, two nonlegislative citizen members, and one ex officio member. 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 Rules; one nonlegislative citizen member who serves as an attorney for the Commonwealth to be appointed by the Speaker of the House of Delegates, and one nonlegislative citizen member who serves as an attorney for the Commonwealth to be appointed by the Senate Committee on Rules. The Chairman of the Virginia Parole Board 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. 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 consider whether reinstituting parole will benefit the citizens of the Commonwealth as a whole.

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 Criminal Sentencing Commission. 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 2012 interim, and the direct costs of this study shall not exceed \$21,200 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.

The joint subcommittee shall complete its meetings by November 30, 2012, 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 2013 Regular Session of the General Assembly. The executive summary shall state whether the joint subcommittee intends to submit to the General

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59 Assembly and the Governor a report of its findings and recommendations for publication as a House or  
60 Senate document. The executive summary and the report shall be submitted as provided in the  
61 procedures of the Division of Legislative Automated Systems for the processing of legislative documents  
62 and reports and shall be posted on the General Assembly's website.  
63 Implementation of this resolution is subject to subsequent approval and certification by the Joint  
64 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or  
65 delay the period for the conduct of the study, or authorize additional meetings during the 2012 interim.