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SENATE JOINT RESOLUTION NO. 64
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Rules
on February 3, 2012)

(Patron Prior to Substitute—Senator Lucas)

Requesting the Virginia Criminal Sentencing Commission to study rating nonviolent felony offenses to aid certain classes of offenders in obtaining gainful employment, thereby further reducing chances for recidivism. Report.

WHEREAS, recidivism is a key indicator for determining whether criminal justice interventions, from diversion through incarceration, are making a difference in turning offenders away from crime; and

WHEREAS, differences occur in how recidivism is defined and measured; and

WHEREAS, while there is no standard national definition or measurement of recidivism, the three most common measures include (i) rearrest (charged with a new offense), (ii) reconviction (found guilty of a new offense in a court of law), and (iii) reincarceration (sentenced to a secure facility after being found guilty of a new offense); and

WHEREAS, the Virginia Department of Juvenile Justice tracks rearrest, reconviction, and reincarceration for 12 months after release from a juvenile correctional center; and

WHEREAS, in 2009, rearrest occurred within one year for 49.3 percent of juveniles released from a correctional center; and

WHEREAS, this rate is up from 2008, during which reconviction occurred for 37.7 percent and reincarceration for 26.4 percent of juveniles; and

WHEREAS, the Virginia Department of Corrections tracks reincarceration, including reincarceration stemming from parole violations, for three years after release from an adult correctional facility; and

WHEREAS, according to the latest data available, about 29 percent of inmates are reincarcerated within 36 months of being released from prison; and

WHEREAS, economic conditions and employment strongly influence whether or not offenders commit new crimes; and

WHEREAS, getting a job is often complicated by the stigma attached to being an ex-offender, and many are also unprepared for the world of work, lacking educational attainment, vocational training, and life skills; and

WHEREAS, offenders who have been incarcerated for long periods of time and juveniles who never developed such competencies may require a strong network of support services to avoid criminal behavior; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Virginia Criminal Sentencing Commission be requested to study rating nonviolent felony offenses to aid certain classes of offenders in obtaining gainful employment, thereby further reducing chances for recidivism.

All agencies of the Commonwealth shall provide assistance to the Commission for this study, upon request.

The Commission shall complete its meetings for the first year by November 30, 2012, and for the second year by November 30, 2013, and the Chairman shall submit to the Governor and General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document for each year. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the next Regular Session of the General Assembly and shall be posted on the General Assembly's website.