

1994 SESSION

SENATE SUBSTITUTE

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SENATE JOINT RESOLUTION NO. 89
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Rules

on February 4, 1994)

(Patron Prior to Substitute—Senator Robb)

Requesting continuation of the Crime Commission study of drug offender cases and alternatives to prison and jail incarceration.

WHEREAS, a substantial number of offenders housed in state correctional facilities have admitted to or been identified as substance abusers; and

WHEREAS, many offenders are in correctional facilities for drug-related crimes; and

WHEREAS, increases in drug-related crimes continue to threaten the ability of our criminal justice system to deal fairly and efficiently with other crimes; and

WHEREAS, pursuant to Senate Joint Resolution No. 262 (1993), the Virginia State Crime Commission began collecting and analyzing data on drug cases in the juvenile, district and circuit courts; and

WHEREAS, over the past decade the number of arrests for drug offenses has increased by 49 percent; and

WHEREAS, despite increased efforts in law enforcement and more stringent sentencing, the tide does not appear to have turned; and

WHEREAS, the state provides treatment in addition to education and other programs for inmates, but, with the fiscal constraints currently hampering the flow of funds to all state agencies, funds for programs are being stretched beyond their capability; and

WHEREAS, the abuse of drugs is directly tied to rates of recidivism, especially when treatment has been in a controlled environment; and

WHEREAS, most inmates return to their original location when released and have no access to any type of phasing system to give them the skills to deal with societal pressures; and

WHEREAS, drug abuse treatment policy has generally shown that, after detoxification, a person responds better to treatment in the least restrictive environment which allows him to operate in the real world; and

WHEREAS, significant progress has been made in ascertaining ways to increase the use of appropriate alternatives to incarceration for drug convictions; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Virginia State Crime Commission continue its analysis of drug-offender cases and study of alternatives to incarceration. As part of its study, the Commission shall evaluate the potential use of regional drug abuse treatment units as a viable alternative for the treatment of drug offenders. The evaluation shall include, but not be limited to, an assessment of (i) the effectiveness of drug abuse treatment and its accompanying effect on recidivism, (ii) the cost savings of housing inmates in facilities other than institutions, (iii) the cost savings of locating treatment personnel and clientele in the same unit and its accompanying effect on the success of the program, (iv) the types of inmates who would be suitable for such a program, and (v) the methods of incarceration, including the use of electronic monitoring.

Technical assistance shall be provided by the Departments of Corrections and Mental Health, Mental Retardation and Substance Abuse Services. All agencies of the Commonwealth shall provide assistance to the Commission, upon request.

The Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 1995 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

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