

Department of Planning and Budget 2017 Fiscal Impact Statement

1. Bill Number: SB 942

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Cosgrove

3. Committee: Rehabilitation and Social Services

4. Title: Deaths of inmates in jails

5. Summary:

Under current law, the Virginia Board of Corrections is required to establish minimum operating standards for local and regional jails. The proposed legislation would give the Board authority to review the death of any inmate who was incarcerated in a local or regional jail at the time of his death. The purposes of the review would be to determine:

- the circumstances surrounding the inmate's death, including any act or omission by the jail or its staff that may have contributed to the inmate's death; and
- whether the facility was in compliance with the Board's regulations.

The legislation would require the Board to submit a detailed report of its findings of any review to the Governor, the General Assembly, and the Department of Corrections.

6. Budget Amendment Necessary: No. Funding for the fiscal impact of this legislation is included in the Governor's introduced bill.

7. Fiscal Impact Estimates: Preliminary. See Item 8 below.

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2017	0	
2018	\$200,000	General
2019	\$275,000	General
2020	\$275,000	General
2021	\$275,000	General
2022	\$275,000	General

8. Fiscal Implications:

According to the Department of Corrections, there were 36 inmate deaths in local and regional jails in 2015 and 42 in 2016. The proposed legislation does not require the Board to review all deaths, only those it determines warrant review, and some of these deaths would be “routine,” i.e. resulting from an underlying serious medical condition. However, to carry out its responsibilities under the legislation, the Board would need to gather some information about each death to determine if additional review were warranted. For some inmate deaths, the circumstances may warrant extensive review. In addition, for each review, the legislation requires the Board to prepare a detailed report. To carry out these responsibilities, the Board would need at least two additional staff, plus additional funds for travel.

Because there would probably be some delay in recruiting and filling the positions, the costs in the first year would be lower than in subsequent years, which would account for the increased costs shown in the years after FY 2018.

9. Specific Agency or Political Subdivisions Affected:

Board of Corrections
Department of Corrections
Local and regional jails.

10. Technical Amendment Necessary: None.

11. Other Comments: Similar to HB 1782.

Date: 1/13/2017