

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: HB2487 H2

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Davis

3. Committee: Committee on Appropriations

4. Title: Correctional facilities; use of solitary confinement and restrictive housing.

5. Summary: The substitute bill governs the use of restorative housing, as defined in the bill, in state correctional facilities and sets requirements for out-of-cell time, medical and mental health evaluations, and placement reviews of inmates who are placed in restorative housing.

The bill requires, subject to the approval of the Director of the Department of Corrections, that the facility administrator have a defined and publicly available policy and procedure for the process of transitioning an incarcerated person placed in restorative housing back to the general population of the facility. The bill requires the Director to develop policies and procedures to effectuate the provisions of this section.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: The Virginia Department of Corrections (DOC) operates Restorative Housing Units (RHU) that are defined as special purpose bed assignments operated under maximum security regulations and procedures, for the personal protection or custodial management of inmates. Currently, inmates in the Restorative Housing program are offered a minimum of four hours of out-of-cell time daily consisting of showers, outdoor exercise, visitation, interactive journaling, programming, and other group elective options, seven days a week. DOC operates RHUs at all Security Level 2 facilities or higher, except for Deerfield Correctional Center. DOC reports that in FY 2022, a total of 4,962 inmates were placed in RHUs and that on any given day, there are approximately 354 inmates in RHUs.

According to DOC, the requirements included in this legislation are comparable to the agency's current Restorative Housing Unit policies and procedures. DOC reports that the agency does not need any additional financial resources to implement this legislation.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections

10. Technical Amendment Necessary: No

11. Other Comments: None