

Representative Michael E. Noel proposes the following substitute bill:

**CONCURRENT RESOLUTION ON REGIONAL
CORRECTIONAL FACILITIES AND COUNTY JAIL**

CONTRACTING

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael E. Noel

Senate Sponsor: Scott K. Jenkins

LONG TITLE

General Description:

This concurrent resolution of the Legislature and the Governor recognizes regional correctional facilities and county jail contracting as alternatives to address increasing incarceration costs and critical prison space needs.

Highlighted Provisions:

This resolution:

► recognizes that regional correctional facilities and county jail contracting can assist the state of Utah in addressing increasing incarceration costs and critical prison space needs.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, the state of Utah is seriously considering the possibility of closing the prison located in Draper, Utah;

WHEREAS, the process for determining whether the Draper facility should be



26 relocated should include a determination of the ideal housing of prisoners currently at the
27 Draper facility;

28 WHEREAS, any discussion of prison relocation should focus on public safety
29 outcomes;

30 WHEREAS, corrections programming and bricks and mortar planning and decisions
31 should align with public safety policy goals and maximize government efficiency and
32 effectiveness as well as achieve the Department of Correction's goal of rehabilitation and
33 recidivism reduction;

34 WHEREAS, the mission statement of the Utah Department of Corrections declares,
35 "Our dedicated team of professionals ensures public safety by effectively managing offenders
36 while maintaining close collaboration with partner agencies and the community. Our team is
37 devoted to providing maximum opportunities for offenders to make lasting changes through
38 accountability, treatment, education, and positive reinforcement within a safe environment";

39 WHEREAS, soliciting input and recommendations from county officials regarding
40 regional correctional facilities and county jail contracting is a useful tool to accomplish
41 correctional goals and achieve the Department of Correction's mission;

42 WHEREAS, regional correctional facilities and county jail contracting will promote the
43 Department of Correction's mission;

44 WHEREAS, various counties in the state of Utah have, for a number of years,
45 contracted with the Department of Corrections to house prisoners in their jails;

46 WHEREAS, many counties in the state have constructed jail facilities specifically for
47 the purpose of housing state inmates on a contract basis with the Department of Corrections;

48 WHEREAS, counties are an integral part of Utah and can be a strong partner in
49 addressing state prison space needs;

50 WHEREAS, county jail contracting has proven to be a less expensive alternative to
51 expending state funds to build new facilities;

52 WHEREAS, currently there is some excess capacity in some county jail facilities that
53 could be utilized to house prisoners currently housed at the Draper Prison;

54 WHEREAS, if the determination is made to relocate Draper Prison inmates into county
55 operated facilities, various counties are willing to increase the capacity of their existing jails or
56 build new facilities if the state will guarantee inmates for a specified period of time and at a

57 specified payment rate;

58 WHEREAS, programming and treatment opportunities in the prison and in county jails
59 upon re-entry into the community should be considered along with any decision to increase
60 current capacity of prison or jail beds;

61 WHEREAS, county facilities have developed programming opportunities for inmates
62 that range from treatment programs to education programs and have provided excellent
63 opportunities for inmates to receive treatment and to advance their education;

64 WHEREAS, currently the Department of Corrections may engage in contract
65 negotiations with county jails to tailor inmate housing of medium and minimum security
66 inmates to the individual county's capacity to provide efficient and effective security for the
67 surrounding community and the public-at-large;

68 WHEREAS, for any county entering into a contract, minimum standards should be set,
69 reviewed, and monitored by the Department of Corrections;

70 WHEREAS, county jails may be a viable option for housing medium and minimum
71 security state inmates;

72 WHEREAS, counties should work with the Department of Corrections to determine the
73 programming needs for state inmates;

74 WHEREAS, treatment programming in county jails should have the written approval of
75 the Department of Corrections prior to implementation;

76 WHEREAS, technology, including video systems, has been developed and is in use in
77 many jails throughout the state that allows hearings to be held at jail facilities with judges and
78 hearing officers in different locations from the actual inmates;

79 WHEREAS, new techniques have been developed in several of the county jails that
80 allow visitation of inmates to be conducted either by video or through Internet access using a
81 computer, so that the family or professional visitors do not need to come to the jail facility to
82 visit with an inmate;

83 WHEREAS, counties have developed excellent work programs that allow inmates to
84 work in the communities in which they are housed;

85 WHEREAS, this enhances the good of the community and the wellbeing of the inmate;

86 WHEREAS, several county facilities have specialized in housing female inmates and
87 are in a position to expand and increase their capacity to house more female inmates;

88 WHEREAS, the counties are capable, willing, and ready to enter into negotiations with
89 the state to provide additional bed space up to the maximum amount of bed space needed to
90 relocate the Draper Prison facility and to provide all necessary accessories, as outlined in this
91 resolution, in order for the inmates to successfully reenter society upon the completion of their
92 prison terms;

93 WHEREAS, county jail programs should, at a minimum, be administered in the way
94 the Department of Corrections administers its own programming;

95 ~~H→ [WHEREAS, future construction of maximum and medium security facilities should~~
96 ~~accommodate the department's current maximum inmate population and future growth;~~
97 ~~———WHEREAS, maximum security space could be made available at regional or county jail~~
98 ~~facilities;] ←H~~

99 WHEREAS, recognizing that inmate treatment and programmatic needs are
100 multifaceted, each regional or county correctional facility may develop areas of specialization
101 and tailor programming that still serves the multiple needs of inmates, including substance
102 abuse, psychiatric, or sex offender treatment programs;

103 WHEREAS, the decision of where to house inmates would then be influenced by which
104 facility provides the best programming options to meet the inmates' needs; and

105 WHEREAS, if counties build jail facilities, the state does not have to bond because the
106 state would be paying for the use of the facilities, not the facilities' construction:

107 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
108 Governor concurring therein, recognizes that regional correctional facilities and county jail
109 contracting can assist the state of Utah in addressing increasing incarceration costs and critical
110 prison space needs.

111 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Utah
112 Department of Corrections and commissions of each county in the state of Utah.