

**REPORT OF THE
JOINT SUBCOMMITTEE**

**TO STUDY THE ECONOMIC
PRODUCTIVITY OF THE
PRISON POPULATION AND
WORK RELEASE PROGRAMS**

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



Senate Document No. 19

**COMMONWEALTH OF VIRGINIA
RICHMOND
1984**

MEMBERS OF COMMITTEE

Stanley C. Walker, Chairman
William A. Truban, Vice-Chairman
Bernard S. Cohen
Ray L. Garland
J. Samuel Glasscock
W. Henry Maxwell
Frank W. Nolen
Frank M. Slayton
Alson H. Smith
S. Vance Wilkins, Jr.



STAFF

Legal and Research

Susan C. Ward, Staff Attorney
Joanne M. Fisher, Research Associate
Angela S. Cole, Secretary

Administrative and Clerical

Office of the Clerk, Senate of Virginia

**Report of the
Joint Subcommittee to Study the Economic**

Productivity of the Prison Population and

**Work Release Programs
To
The Governor and the General Assembly of Virginia
Richmond, Virginia
December, 1983**

To: Honorable Charles S. Robb, Governor of Virginia
and
The General Assembly of Virginia

INTRODUCTION

The Joint Subcommittee on Economic Productivity of the Prison Population and on Work Release Programs was initially authorized to conduct its study by Senate Joint Resolution No. 91, agreed to during the 1980 Session of the General Assembly. The Joint Subcommittee is composed of members of the Senate Committees on Finance and on Rehabilitation and Social Services and the House Committees on Appropriations and on Health, Welfare and Institutions. The study was continued during 1981 pursuant to Senate Joint Resolution No. 128 and again in 1982 by Senate Joint Resolution No. 33. The Joint Subcommittee continued the study for its fourth year in 1983 as directed by the legislature in Senate Joint Resolution No. 39, which states that during 1983 the Joint Subcommittee shall attend to the following matters:

1. Expanding the prisoner highway labor force by monitoring the implementation of recommendations made in 1982. The Director of the Department of Corrections and the Director of the Department of Highways and Transportation, in concert with the Secretaries administering those Departments, shall meet to study ways to facilitate utilization of prison labor and shall report their progress to the Joint Subcommittee by December 1, 1983.

2. Monitoring the implementation of the recommendations of the task force studying the expansion of the printing and data processing services of the Department of Corrections and further encouraging use of the Department's printing services by all agencies of the Commonwealth.

3. Locating a source of funds for expansion and development of all phases of the prison work programs, but especially the agribusiness program.

Senate Joint Resolution No. 39 is contained in Appendix A of this report.

During 1983, the Joint Subcommittee, in an effort to provide a forum for discussion and to carry out the monitoring responsibilities charged to it by the 1983 continuing resolution, met jointly with the Subcommittee on Public Safety of the Senate Finance Committee. Representatives from the Department of Corrections, Department of Highways and Transportation and the Department of General Services presented progress reports of their efforts to implement the Joint Subcommittee's 1982 recommendations.

FINDINGS AND RECOMMENDATIONS

Highway Labor

As part of its study in 1982, the Joint Subcommittee recommended that staff from the Department of Corrections and Highways and Transportation meet with the Secretary of Public

Safety to further facilitate the utilization of prison labor.

As a result of this recommendation, the Department of Corrections developed a plan designed to utilize inmate highway labor crews to the fullest extent possible. The Department's plan identifies four strategies for maximizing the use of inmates on highway maintenance projects. These are 1) maintaining sufficient security personnel to supervise road crews; 2) appropriately identifying, assigning and maintaining inmate highway work crews; 3) identifying and assigning inmates with special skills for permanent or seasonal crews; and 4) resolving the problems that the Department of Corrections and the Department of Highways and Transportation may experience with highway crews. These strategies are not expected to significantly increase the total number of inmates working on maintenance projects but rather to keep the daily average number of inmates working on these projects at a higher level.

The Department of Corrections reported that in 1982, of the approximate 1,026 prisoners employed by Highways and Transportation, there were 950 inmates a day working on highway projects. In 1983, there was an average of 1,028 inmates a day working on highway maintenance programs. This represents approximately 42.8% of the total population of the field units where highway job quotas exist. Income earned by the inmates in the field units totals approximately \$245,000 per month or nearly \$3 million dollars annually.

In 1982, the Joint Subcommittee determined that the skill level of prisoners limits them to the construction of simple beam bridges rather than bridges of more complex design. The use of prison labor to assist skilled crews in the unskilled bridge construction tasks can create problems of competition with nonconvict labor. It was also determined that there is a lack of trustees and skilled prisoners who are best suited to this type of construction work. However, it was agreed that the Department of Corrections could provide two or three additional bridge crews which could be utilized by the Department of Highways and Transportation.

The Department of Corrections reported that during the summer months of 1983, in an effort to utilize prison labor more productively and to provide the additional labor for bridge crews agreed upon, they identified approximately forty skilled inmates to work on the construction of buildings and bridges. These additional inmates will be employed for these seasonal projects whenever possible.

The Department of Corrections reported that, while progress has been made in the area of prison labor for highway projects, there are obstacles to the continuing growth and expansion of these programs. Current fiscal conditions have resulted in budget reductions, staff shortages and reductions in overtime funding. Also, with the expansion of the Community Diversion Incentive program and other alternatives to incarceration and increased use of parole, there remain in the institutions more inmates requiring increased security; consequently, in the future, highway crews will more likely require armed supervision. Funding increases are, therefore, reportedly needed for employing additional corrections officers or for paying overtime to existing security staff in order to maintain or increase the current number of inmates on highway crews. Given these constraints, the Department of Corrections reported that it will continue to work with the Department of Highways and Transportation to improve these programs in the future.

Proposal for Expansion of Corrections Construction Unit

The Corrections Construction Unit was created in the 1970's to coordinate inmate work forces constructing emergency facilities to meet the bedspace shortage. Since that time, the unit has completed projects ranging from small maintenance tasks to major renovations and construction projects.

This unit currently has thirty-two nonprisoner employees and provides work for seventy-five inmates, although up to 200 have been employed at times.

In response to a request from both this Joint Subcommittee and the Public Safety Subcommittee of the Senate Finance Committee, the Department developed the following plan for expansion of the unit. The Department notes that the plan requires that the unit become a formal program to allow adequate funding and staffing. The unit must be operated as a business, similar to the enterprises program, rather than on the present project-to-project basis with fluctuations in workload and staff. Stable and adequate funding will allow stockpiling of

construction materials to improve economy and efficiency. Equipment is now purchased from federal surplus; expansion will require additional sources for more orderly acquisition of more reliable equipment.

Several expansion options developed by the Department are outlined below. Equipment and personnel needs and costs are specified in Appendix B of this report.

Option 1

In the 1984-86 biennium, the unit could continue at the present workload level of major construction or renovation projects, valued at one to two million dollars, at correctional facilities. The Department suggests establishing a maintenance reserve account of up to \$3.7 million or 2% of the value of the facilities. This reserve account would allow the unit to perform approximately 20% of emergency construction work.

Option 2

In the 1986-88 biennium, the unit could continue the 1984-86 workload level and also reconstruct Deep Meadow Correctional Center, at an additional cost of \$8,939,200. Total construction projects for the biennium are estimated to cost \$10 million.

Option 3

In 1986-88 biennium, the unit could perform the projects in Options 1 and 2 above and upgrade three field units. Additional construction costs over Option 2 would total \$5 million, for a total construction level of \$15 million. The Department suggests the development of a mobile field unit at this level. The mobile unit would provide inmate facilities on renovation sites and would also allow the unit to do construction work for other state agencies.

The Department concludes that, while the cost of enabling the corrections construction unit to operate as a major construction firm will be significant, it will allow a 20% to 30% savings per project and so is recoverable and minor in view of potential savings. The Department's constant physical plant needs can be more easily met with an ample supply of manpower from the prison population. A greater number of inmates will be productively employed. Correctional institutions will be upgraded, and eventually, other state agencies can enlist the help of the Department to effect cost savings.

Printing and Data Processing Operations

In order to encourage the expansion of the printing and data processing services of the Department of Corrections, the Joint Subcommittee, in 1982, recommended the establishment of a policy that by December 31, 1986, fifty percent of the printing requirements of state government be met by the Department of Corrections.

The Department reports that additional equipment has been purchased for the penitentiary print shop and that the number of inmates assigned has been increased from eighteen to over forty. As a result of these increases, during the last six months of 1983, production in the print shop doubled from \$325,000 per year to \$600,000 per year. It is anticipated that, by the end of the fiscal year, production will reach \$750,000 per year.

The Department has also determined that a market exists for "printed snap-out" forms, and plans to establish a print shop at the former West Housing Unit at Powhatan Correctional Center to produce these forms. It is expected that this shop will employ an additional thirty-five to forty inmates and generate approximately \$1,500,000 a year in revenue.

The data processing operation employs approximately seventy-five inmates at its shops at the Virginia Correctional Center for Women and at the Penitentiary. The shop at the Penitentiary operates both day and evening shifts. While there has been some increase in sales from data processing services, it is expected that sales will not continue and will possibly be reduced due to changes in technology. Many agencies use on-line remote terminals and input data directly into the computer, rather than from batches to discs or cards; therefore, the Department is

considering the possibility of providing microfilm or microfiche to state agencies, such as the State Library.

Other Prison Goods and Services

The Department of Corrections reported that the correctional enterprises program is currently working 920 inmates, as compared to 680 last year. Sales for the fiscal year ending June 30, 1983 were above \$12,000,000 as compared to \$9,000,000 previously. Deliveries are ahead by 15% from last year and are expected to amount to over \$14,000 in sales for 1983.

A recent contract with Virginia Commonwealth University amounting to a half-million dollars for furniture for 384 new dormitory rooms has been accepted, and the Department seeks similar contracts with other colleges and universities.

Production at the slaughterhouse has been increased by nearly 50%.

The Department is working to bring the metal shops to capacity, and has received an order for thirty-five solid steel security doors, which should eliminate the need to purchase this item from outside vendors.

A contract is expected with the Division of Motor Vehicles to renovate child restraint seats.

The new wood cutting shop at Nottoway will eliminate the need to buy furniture parts and will expedite the delivery of furniture.

The Department plans to manufacture clothing for local police officers in the new Augusta facility.

Due to the increase in the number of inmates working and the opening of new shops, it is necessary to more aggressively market the goods and services. Therefore, a commission-incentive program for salespersons is proposed, with special emphasis on the needs of local government and nonprofit organizations.

Agricultural Programs

In 1982, the Joint Subcommittee recommended the adoption of a policy that the corrections system be self-sufficient in its food requirements by 1990. In order to accomplish this, it was suggested that the Department of Corrections expand its agribusiness operations in the following areas: dairy, eggs, pork, vegetables, broilers, and the addition of a smokehouse at the slaughterhouse at Powhatan.

The Department reported that the agribusiness program has made progress toward its goal of producing 90% of its food needs; however, capital improvements and increased maintenance and operations funding is needed to fully succeed.

Progress in the recommended areas of expansion, as reported by the Department, is described below.

Vegetables and Canning Operations

Vegetables are provided at all locations that have enough land for a garden. Vegetables will be grown at the Nottoway Teaching Farms in 1985. Weather conditions in 1983 have severely cut production and prevented the program from reaching its goal of canning approximately 6,000 cans of vegetables.

The Southampton cannery operation, reinstated in 1983, is cost-effective and is providing work programs for thirty-five inmates. In 1983, produce canned included string beans, kale, tomatoes, tomato juice, peanut butter and sweet potatoes. Total value of the canned goods was \$27,436. It is projected that at Southampton, by the end of the season, 24,189 cans will be produced. With funding for the addition of a larger canning operation at Pamunkey Farms, the

Department should be able to reach the goal of producing 90% of vegetables consumed.

Dairy

Dairy operations at Bland, James River, Pamunkey, Hanover and Southampton are productive but outdated. With the imminent closing of the Pamunkey facility, the Department will not be able to maintain its current rate of production.

The Department requests funding for the construction of a new dairy at James River and Augusta.

Beef

The Department anticipates increasing breeding herds in the future. The expected increases may not be evident for two years. As a result of this effort, the amount of beef slaughtered may level off or decline. In the meantime, the Department is cross-breeding within existing herds to maximize productivity.

Pork

The current decrease in the production of pork is expected to be short-term and is due to the planned increase in the number of brood sows. In order to achieve its goal, additional funding for new finishing facilities at James River and Southampton is needed.

Egg Production

Currently, the Department is satisfying approximately 15% of its needs. Two 30,000-capacity layer houses are requested in order to increase production, as the existing small layer operations lack expansion potential.

Broilers

The Department has requested a broiler house that will provide up to 507,000 pounds of broilers annually.

Land Needs

The Department can use 11,000 acres of its total 18,405 acres for crop and pastureland. The remaining acreage is unsuitable for farming due to soil conditions, timber or its use for buildings. The Department has identified an additional 1,000 acres at Southampton, Beaumont and Hanover that would be suitable for farming if the necessary funding is available for timber cutting, clearing and extensive drainage work. However, even with the additional 1,000 acres, the Department will still lack approximately 1,621 crop and pasture acres needed to meet current needs. Productivity increases to help resolve this imbalance are planned at Southampton, Beaumont, Hanover and James River. By 1990, as a result of the expected increase in population, more land will be required. For each additional 500 inmates and staff, an additional 631 crop and pasture acres are needed.

Efforts to increase productivity within existing resources include crop rotation and no-till practices where possible.

Work Release Programs

In August, 1983, the Department completed a study which examined the program's centralized concept of operations. The study concluded that a decentralized program was feasible and a pilot program was begun to expand the potential and the benefits of the work release programs. As of November, 1983, there were thirteen correctional facilities and 220 inmates participating in work release programs.

Continuing the Study

The Joint Subcommittee, in its four years of study, has assisted the Department of Corrections and the other state agencies with actual and potential prisoner work opportunities in resolving problems and difficulties with the use of prisoner labor. The Joint Subcommittee has assisted with the continued search for more productive and efficient means of utilizing prison labor and improving prison work programs.

It is recommended that the Joint Subcommittee be continued for another year to continue to serve as a forum for discussion for all participating agencies involved with prison work programs and to continue to encourage the rehabilitation of prisoners through the efficient use and expansion of prison work programs. Specific areas requiring further study and recommendations are the agribusiness program and the corrections construction unit.

Respectfully submitted,
Stanley C. Walker, Chairman
William A. Truban, Vice-Chairman
Bernard S. Cohen
Ray L. Garland
J. Samuel Glasscock
W. Henry Maxwell
Frank W. Nolen
Frank M. Slayton
Alson H. Smith
S. Vance Wilkins, Jr.

APPENDIX A

SENATE JOINT RESOLUTION NO. 39

Continuing the Joint Subcommittee on the Economic Productivity of the Prison Population and on Work Release Programs.

Agreed to by the Senate, February 2, 1983

Agreed to by the House of Delegates, February 24, 1983

WHEREAS, Senate Joint Resolution No. 91, agreed to by the 1980 Session of the General Assembly, established the Joint Subcommittee on the Economic Productivity of the Prison Population and on Work Release Programs; and

WHEREAS, the Joint Subcommittee was continued pursuant to Senate Joint Resolution No. 128 in 1981, and it issued a report and recommendations to the 1982 Session of the General Assembly; and

WHEREAS, the Joint Subcommittee was continued pursuant to Senate Joint Resolution No. 33 in 1982 and it issued a report and recommendations to the 1983 Session of the General Assembly; and

WHEREAS, the Joint Subcommittee has met during 1982 with representatives of the Department of Corrections, the Department of Highways and Transportation, the Department of Conservation and Economic Development, and other agencies and organizations with current and potential employment opportunities for prisoners; and

WHEREAS, these meetings have clarified the existing obstacles to the provision and expansion of work opportunities for prisoners and have suggested important new areas for attention; and

WHEREAS, the Joint Subcommittee's recommendations concerning the problems it has identified can be better implemented if the many agency participants in the prison work program are provided a legislative forum; and

WHEREAS, the Joint Subcommittee has determined that further attention should be given to the financial support of the prison work program by locating a source of capital funds for expansion; now, therefore, be it

RESOLVED by the Senate of Virginia, the House of Delegates concurring, That the Joint Subcommittee on the Economic Productivity of the Prison Population and on Work Release Programs is hereby continued. The membership of the Joint Subcommittee shall continue to serve. Any vacancies in the membership of the Joint Subcommittee shall be filled by the Chairman of the Senate Committee on Privileges and Elections from the membership of the Senate Committee on Rehabilitation and Social Services or by the Speaker of the House of Delegates from the membership of the House Committee on Health, Welfare and Institutions.

During 1983 the Joint Subcommittee shall attend to the following matters:

1. Expanding the prisoner highway labor force by monitoring the implementation of recommendations made in 1982. The Secretary of the Department of Corrections and the Secretary of the Department of Highways and Transportation, in concert with the Directors of those Departments, shall meet to study ways to facilitate utilization of prison labor and shall report its progress to the Joint Subcommittee by December 1, 1983.

2. Monitoring the implementation of the recommendations of the task force studying the expansion of the printing and data processing services of the Department of Corrections and further encouraging use of the Department's printing services by all agencies of the Commonwealth.

3. Locating a source of capital funds for expansion and development of all phases of the prison work programs, but especially the agribusiness program.

The Joint Subcommittee shall complete its work in time to make recommendations to the 1984 Session of the General Assembly.

The cost of this study shall not exceed \$6000.

APPENDIX B

OPTION 1

Biennium	1984-86																		
Projects	Major construction, roofing and maintenance Total projects \$\$1-2 million																		
Staff	Present: 1 Manager 1 Architect B 1 Clerk Typist C 2 B & G Superintendent B 1 B & G Superintendent A 1 B & G Supervisor A 1 Storekeeper C 24 Temporary Staff (paid by projects) New: 1 Plumber Foreman 1 Electrical Foreman 1 Carpenter Foreman 1 Mason Foreman 1 Heavy Equipment Mechanic B Projected operating budget Increase; \$221,323/biennium Number of inmates employed: 75																		
Equipment	<table border="0"> <tr> <td>1 Backhoe</td> <td>\$50,000</td> </tr> <tr> <td>3-15 Passenger Vans</td> <td>45,000</td> </tr> <tr> <td>1 Data track system</td> <td>6,000</td> </tr> <tr> <td>1984 Equipment budget</td> <td><u>\$101,000</u></td> </tr> <tr> <td>3 One ton vans</td> <td>\$33,000</td> </tr> <tr> <td>3 pick up trucks</td> <td>27,000</td> </tr> <tr> <td>1 Stake body truck</td> <td>20,000</td> </tr> <tr> <td>1985 Equipment Budget</td> <td><u>\$80,000</u></td> </tr> <tr> <td>Biennium Equipment Budget</td> <td>\$181,000</td> </tr> </table> <p>Home Base At Powhatan</p>	1 Backhoe	\$50,000	3-15 Passenger Vans	45,000	1 Data track system	6,000	1984 Equipment budget	<u>\$101,000</u>	3 One ton vans	\$33,000	3 pick up trucks	27,000	1 Stake body truck	20,000	1985 Equipment Budget	<u>\$80,000</u>	Biennium Equipment Budget	\$181,000
1 Backhoe	\$50,000																		
3-15 Passenger Vans	45,000																		
1 Data track system	6,000																		
1984 Equipment budget	<u>\$101,000</u>																		
3 One ton vans	\$33,000																		
3 pick up trucks	27,000																		
1 Stake body truck	20,000																		
1985 Equipment Budget	<u>\$80,000</u>																		
Biennium Equipment Budget	\$181,000																		

OPTION 2

Biennium

1986-88

Projects

Option 1
Plus replacement of Deep Meadow
\$8,939,200
Total projects: \$10 million plus

Staff

New:

1 Sheet Metal Foreman
1 Painter Foreman
1 B & G Supervisor B
1 Personnel Clerk
1 Classification Specialist

Projected operating budget increase:
\$270,510/biennium

Number of inmates employed: 200

Equipment

2 Tractors	\$ 99,000
3 State Body Trucks	66,000
1986 Equipment Budget	<u>\$165,000</u>

3 Pick Ups	\$ 26,400
3-15 Passenger Vans	49,500
3 ½ Ton Vans	29,700
1987 Equipment Budget	<u>\$105,600</u>

Biennium Equipment Budget
\$270,600

OPTION 3

Biennium

1986-88

Projects

Options 1 & 2
Plus upgrade of 3 field units
\$5,019,150
Total projects \$15 million plus

Staff

New:

1 Accountant B
1 Accountant A
2 Clerk Typist C
6 Upgrade from Foreman to B & G Supervisor A

Projected operating budget
Increase: \$110,268/biennium

Number of inmates employed: 300

Equipment

New:

2 Dump Trucks	\$ 38,000
1 Backhoe	55,000
1 Hydraulic Crane	66,000
Biennium Equipment Budget	<u>\$159,000</u>

Mobile Base \$1,000,000

APPENDIX C

SENATE JOINT RESOLUTION NO. 31

Requesting that the Joint Subcommittee Studying the Economic Productivity of the Prison Population and on Work Release Programs be continued.

WHEREAS, the Joint Subcommittee on the Economic Productivity of the Prison Population and on Work Release Programs was established in 1980 by Senate Joint Resolution No. 91 and has continued to serve since that time; and

WHEREAS, the Joint Subcommittee has provided support and a forum for discussion between the legislature, the Department of Corrections, and the Department of Highways and Transportation and all other agencies with current and potential employment opportunities for prisoners; and

WHEREAS, the Joint Subcommittee, in 1983, met jointly with the Subcommittee on Public Safety and was apprised of progress on the expansion of the prisoner labor force, printing and data processing services of the Department of Corrections and its agribusiness operations; and

WHEREAS, the Joint Subcommittee has determined that further attention is needed in the areas of expansion of the agribusiness program and expansion of the corrections construction unit; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Joint Subcommittee Studying the Economic Productivity of the Prison Population and on Work Release Programs is hereby continued. The membership of the Joint Subcommittee, constituted according to Senate Joint Resolution No. 91 of the 1980 Session of the General Assembly, shall continue to serve. Any vacancies in the membership shall be filled by the Senate Committee on Privileges and Elections from the membership of the Senate Finance Committee and Senate Committee on Rehabilitation and Social Services and by the Speaker of the House of Delegates from the membership of the House Appropriations Committee and the House Committee on Health, Welfare and Institutions.

All direct and indirect costs of this study are estimated to be \$8,960.

