

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

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael E. Noel

Senate Sponsor: _____

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, in order to allow the property on which the prison is located to be used for other purposes;

WHEREAS, if the determination is made that the prison should be relocated, there will be much discussion regarding where the prisoners currently housed at the Draper facility



28 should be incarcerated;

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

34 WHEREAS, regional correctional facilities and county jail contracting can promote the
35 department's mission;

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

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

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

42 WHEREAS, county jail contracting is a less expensive alternative to expending state
43 funds to build new facilities;

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

46 WHEREAS, if the determination is made to relocate Draper Prison inmates into county
47 operated facilities, various counties are willing to increase the capacity of their existing jails or
48 build new facilities if the state will guarantee inmates for a specified period of time and at a
49 specified payment rate;

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

53 WHEREAS, the Department of Corrections should engage in contract negotiations with
54 county jails to provide inmate housing of medium and minimum security inmates;

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

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

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

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

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

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

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

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

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

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

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

82 WHEREAS, future construction of maximum and medium security facilities should
83 accommodate the department's current maximum inmate population and future growth;

84 WHEREAS, maximum security space could be made available at regional or county jail
85 facilities;

86 WHEREAS, inmate programs could be structured so that, rather than providing
87 substance abuse, psychiatric, or sex offender treatment programs at each regional or county
88 correctional facility, each facility may provide one of those treatment programs;

89 WHEREAS, the decision of where to house an inmate would then depend on which

90 facility provides the program that the inmate most needs;

91 WHEREAS, utilizing regional and county correctional facilities would enable counties
92 to create more jobs for those living within the their boundaries; and

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

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

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

Legislative Review Note
as of 2-19-13 11:44 AM

Office of Legislative Research and General Counsel