

**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

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**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

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*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 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;

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.