

Comments by the Honorable Janet D. Howell
Public Safety Subcommittee
(Friday, January 23, 2009)

We have a very important agenda this morning, at a very serious time, as we face very uncertain economic conditions. We expect we may be facing another reduction in our general fund revenue estimates in the next few weeks, as we finalize our amendments to the state budget.

The Department of Corrections, not to mention the other agencies in the public safety secretariat, has significantly downsized. The reductions that were presented to us by the Governor in October, and some of the additional reductions presented in December, are very, very difficult, and in many cases personally saddening to us. These reductions will have a very real, human impact, on state employees, and on Virginians across the Commonwealth.

This subcommittee also understands the very real limitations on our debt capacity; Senator Marsh, these have been discussed in your Subcommittee on Capital Outlay. Under the current revenue assumptions, we have less than \$40 million left in debt capacity, and if general fund revenue estimates are reduced again, we have no debt capacity – through fiscal year 2010.

What this means -- very simply -- is that we can't issue any more debt. We have to put the credit card away. The credit card in this case is the Virginia Public Building Authority (VPBA bonds).

For the next several biennia, we will only have a few hundred million dollars in debt capacity – and that will have to cover higher education, mental health, water quality improvement, prisons and jails.

In our area, this means we have to do business differently. At this point, given our current economic circumstances, **we can no longer continue to approve jail and prison capital projects.**

We will have to set priorities. And I think I speak for the entire subcommittee when I suggest we can no longer – for the time being – approve any more debt for prison construction or for jail construction.

This means we're going to have to do business differently. And that's an important consideration driving our agenda this morning.

Local and Regional Jails

The process for approving jail projects and the debt financing for the state share of local and regional jails is **broken.**

We don't have sufficient debt capacity right now even to cover the cost overruns on completed projects, let alone all of the projects we have already approved. We certainly can't approve any **new** projects.

We need to stop approving any more jail construction projects for the time being – **we need to close the door** – until we decide what our reimbursement policy should be in the future.

I believe the policy discussion of how we should reimburse jail projects – if at all – should be done as a joint study with our colleagues in the House.

The immediate issue is how to draw a bright red line for the current jail projects that we have already approved – which ones should go forward and eventually be reimbursed, and which ones we should “de-authorize.” This includes cost overruns.

Turning to Corrections

In corrections, again, the bottom line is that we can't continue to do business as usual. We have the proposal from the Governor to increase the current 30-day early release policy to 90 days. Gene Johnson is here to present that proposal.

Senator Stolle and I are working on a bill to have non-violent offenders, who have already been sentenced to a year or more in prison, and who are low-risk, according to the risk assessment process – be given three to six months in jail, and then put on home electronic incarceration for the rest of their sentence. Rick Kern is going to present information this morning that will help to shed some light on the numbers of offenders who might be eligible for this.

The bottom line is we're going to have to change the way we do business and do some restructuring and downsizing in corrections.

The good news is that serious crime remains very low in Virginia, and our prison and jail populations are not growing, for now. And I don't want us to forget for one moment that a tremendous amount of good work is being done at the state and local level to achieve those good results, and to keep Virginians safe. The men and women in state and local corrections, law enforcement, and emergency services are doing yeoman's work, and they deserve our thanks for their dedication to public service.

These are serious times, and I look forward to serious discussion this morning.