

Chapter 9b Work Programs for Prisoners

64-9b-1 Legislative findings.

- (1) The Legislature finds that it is in the best interest of the state for the department to:
 - (a) develop job opportunities to further enhance the rehabilitation of inmates of the Utah state prison;
 - (b) establish and actively work toward the goal that all inmates shall be productively involved in a treatment, education, or work program, or a combination of these programs, as appropriate, except for inmates who the department determines have a physical or mental disability, or pose a danger to the public, so that they are unable to engage in these activities; and
 - (c) submit a comprehensive management plan outlining the department's plan to meet this goal to the Legislature on or before November 1 of each even-numbered year, and the plan shall include:
 - (i) a cost-effective analysis of current inmate education, treatment, and work programs; and
 - (ii) a study of the feasibility of expanding inmate work programs, particularly in regard to programs that:
 - (A) are not capital intensive;
 - (B) do not unfairly compete with existing Utah industry; and
 - (C) are designed to increase the motivation, develop the work capabilities, and foster the cooperation of inmates.
- (2) The Legislature further finds that a proper means to accomplish this is through a liberal application of this chapter.

Amended by Chapter 366, 2011 General Session

64-9b-2 Definitions.

As used in this chapter:

- (1) "Department" means the Department of Corrections.
- (2) "Inmate" means any man or woman who is under the jurisdiction of the department and who is assigned to the Utah state prison or to a county jail.

Amended by Chapter 21, 1999 General Session

64-9b-3 Encouragement of private industry -- Types of employers to be sought.

- (1) The department is authorized to encourage private industry to locate and provide rehabilitative and job opportunities for inmates at the Utah state prison and county jails housing inmates under the jurisdiction of the department.
- (2) The department shall determine what type of employer is to be allowed to locate at the prison or county jail, taking into consideration the physical facilities and space at the prison or county jail, the abilities of the inmates, and the type of product to be produced by the employer.

Amended by Chapter 158, 1997 General Session

64-9b-4 Work to be voluntary -- Payment of prevailing wages.

- (1) Rehabilitative and job opportunities at the Utah state prison and participating county jails shall not be forced upon any inmate contrary to the Utah Constitution, Article XVI, Section 3 (2), but instead shall be on a completely voluntary basis.
- (2) Private businesses that manufacture products for sale in Utah or in interstate commerce shall pay inmates the prevailing wage for similar work in local private industry. Private businesses that provide services, agricultural products, or manufactured products for export shall pay inmates wages determined by the department, but should not displace local Utah workers as a result of their employment of inmates.

Amended by Chapter 158, 1997 General Session

64-9b-5 Intent of Legislature.

It is the legislative intent, and inmates are encouraged, to use their personal earnings from jobs created under this chapter for the following:

- (1) for restitution to the victims of the inmate's criminal offense, where applicable;
- (2) for support of the inmate's family, where applicable;
- (3) for the inmate's personal use; and
- (4) for reimbursement of security, operational, and other costs incurred by the Utah Correctional Industries Division of the department in administering these projects.

Amended by Chapter 158, 1997 General Session

64-9b-6 Rules.

The department is authorized to promulgate rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as necessary to carry out the purposes of this chapter.

Amended by Chapter 382, 2008 General Session