

GEORGE H. RYAN
GOVERNOR

June 10, 2002

To the Honorable Members of the
Illinois House of Representatives
92nd General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto House Bill 3714 entitled, "AN ACT in relation to criminal law."

House Bill 3714 would amend the Unified Code of Corrections to forbid DoC from entering into a contract with a private vendor to provide food or commissary services for institutions or facilities of the Department. House Bill 3714 further stipulates that for the purposes of this Act, "private vendor" means a vendor that is not the State of Illinois.

House Bill 3714 was introduced to prohibit DoC from expanding the current use of a legitimate cost-saving initiative that is needed to help balance the Fiscal Year 2003 State budget. The privatization of prison food services works successfully in Illinois, as it does in 14 other states and in the federal government's prison system. If this bill were to become law, State government would face added costs in the Fiscal Year 2003 budget of \$27 million.

Many arguments have been given for reasons why DoC should maintain the status quo with their food service functions. None stand up against the facts.

The Department already has proven that privatization of dietary services works in Illinois. The use of contractual food services had been in place at Joliet Correctional Center from 1982 until its recent closure. The use of contractual food services is also in place at the Department's 11 adult transition centers, and private Commissary contracts are in place at the "super-max" Tamms Correctional Center and at most of the State's juvenile facilities. No problems have occurred at Joliet, Tamms, the adult transition centers or any of the juvenile facilities because of these privatized services.

Safety within Illinois prisons will not be affected by privatizing prison food services. Right now, of the approximately 500 dietary employees currently employed by DoC, 305 were hired from neighboring communities with no prior corrections experience. As would be the case with all contractual employees, all current dietary employees without any prior corrections experience were required to undergo and pass criminal background investigations and drug testing prior to being hired. All food services employees are required to attend a one week pre-service orientation session.

Contracting with private vendors for prison food services is an accepted practice in Illinois. Several counties in Illinois have fully privatized their food services. Most notably, Cook County has privatized food services for the more than 11,000 inmates that it houses. Other counties that have privatized their food service include: Depage, Lake, McHenry, Kane, Rock Island, Winnebago, Boone, Champaign, and St Clair.

By implementing a plan to privatize food and commissary service, DoC estimates that it will save approximately \$25 million in Fiscal Year 2003. The Fiscal Year 2003 budget for Department is based on these cost savings. Enactment of HB 3714 also would prevent the continuation of the dietary and commissary services that already are privatized at the Department's various adult transition centers and juvenile facilities. If the State is forced to assume the direct operation of these services, the new associated costs are anticipated to be \$2 million for Fiscal Year 2003.

Finally, I believe that it is very important that the Governor maintain flexibility in managing Executive Branch agencies, including maintaining authority over whether or not non-correctional services at the DoC may be provided by private vendors.

For these reasons, I hereby veto and return House Bill
3714.

Sincerely,
s/GEORGE H. RYAN
Governor