

Commonwealth of Virginia

# Virginia's Peculiar System of Local and Regional Jails

*The Virginia system is the most peculiar one in the nation.*

—Virginia Legislative Jail Commission, 1937



*The Old Debtor's Prison in Tappahannock (c. 1700s)*



*The Old Stone Jail in Goochland County (c. 1833)*



*The Old Fairfax Jail in the City of Fairfax (c. 1891)*



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# 1 INTRODUCTION

*The Virginia system is the most peculiar one in the nation. The grounds and buildings are owned by the counties and cities, the jails are operated by the sheriffs and city sergeants, authority is divided between these officials and the county supervisors or town councils and the circuit or corporation courts, and the state pays the cost of keeping the prisoners.*

*...The State, although paying the bills, has no actual authority over the jails other than the power of inspection and recommendation by the Department of Public Welfare, truly an anomalous situation.*

- Virginia Legislative Jail Commission, 1937<sup>1</sup>

Although much has changed since the Virginia Legislative Jail Commission made its report, the “peculiarity” that the report highlighted still remains largely true. Responsibilities for jails – construction, operation, certification, funding, etc. – are spread across multiple state and local agencies. The state provides substantial funding for jails, but other than certifying and inspecting the facilities, it has little direct authority over operations.

Because Virginia’s jail system is so fragmented – and often difficult to understand when trying to develop policies and programs concerning jails – this report was developed to provide a better understanding of the purpose, operations, funding, and development of Virginia’s jail system.

## 2 PURPOSE AND FUNCTION OF VIRGINIA’S JAILS

*Virginia jails are essential to the State’s criminal justice system.*

- Joint Legislative Audit and Review Commission, 1996<sup>2</sup>

Jails have been used in Virginia throughout its history, first mentioned in Jamestown documents in 1608.<sup>3</sup> They serve a crucial function within the state’s criminal justice system. They provide secure confinement, at the local level, for local and state-responsible inmates, as well as federal prisoners.

### Types of Inmates

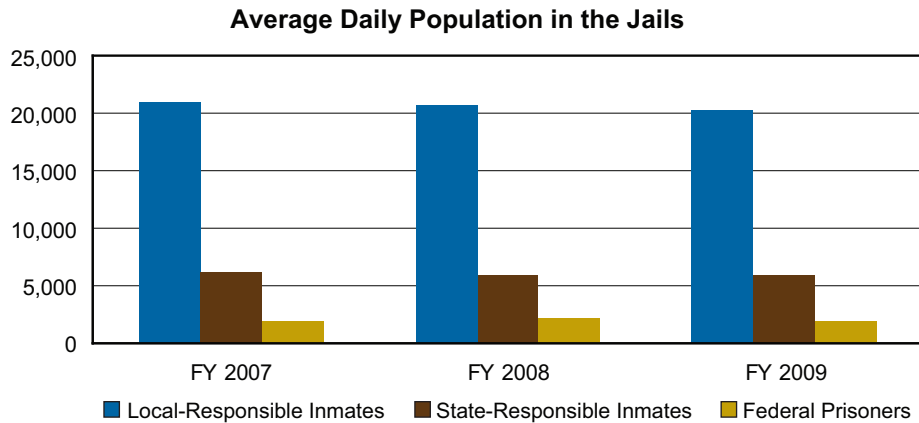
Individuals confined in Virginia’s local and regional jails fall into one of three broad categories:

- **Local-responsible** inmates, including:
  - Individuals charged with a felony, misdemeanor, or ordinance violation, who are not released on bail (*COV* § 19.2, Chapter 9).<sup>4</sup>
  - Offenders sentenced to jail following conviction for a misdemeanor.
  - Offenders sentenced to twelve months or less, following conviction for a felony.
  - Offenders committed for violation of conditions of probation, parole, or post-release supervision, to await a probation/parole revocation hearing.

– Offenders sentenced to jail for violation of a local ordinance.

- **State-responsible** inmates, which are offenders who have been sentenced to incarceration for one year or more. The Department of Corrections (DOC) is to take these inmates into custody within sixty days of the final sentencing order being mailed to DOC by the clerk of the court.<sup>5</sup> A jail may also have a contract with DOC to hold state responsible inmates on contract, and as part of a work release program.<sup>6</sup>
- Many jails also incarcerate **federal prisoners**, for which they receive per diem payments from the federal government.<sup>7</sup> The General Assembly has directed jails to give priority to housing local-responsible inmates and state-responsible inmates over federal prisoners.<sup>8</sup>

Local-responsible inmates make up the largest portion of the jail population, about 72% in fiscal years 2007-2009. Generally, the local-responsible population is the one people think of as the “jail” population, but it is important to remember that 28% of the bed space in jails is used by state and federal inmates.



### Entering Jail

When an individual is arrested, a law enforcement officer presents the arrested person to a magistrate or other court official, who will determine whether that person should await trial in jail or be released on bail. If the judicial officer determines that the individual is appropriate for release on recognizance, the court will set terms and conditions for release. These terms set by the judicial officer may include a secured or unsecured bond, as well as restrictions on travel and compliance with curfew or conditions.<sup>9</sup> If the magistrate or judge determines that the accused is charged with an offense that requires bail to be denied or if it is determined that there is probable cause that the accused will not appear at required court hearings or that the individual's liberty will constitute an unreasonable danger to the individual or the public, bail will be denied, and the individual will be committed to jail to await trial.<sup>10</sup> Alternately, if the court requires a secured bond for release on bail, the accused will remain in jail if the terms of the bond cannot be met.<sup>11</sup>

For individuals charged with a misdemeanor or violation of a local ordinance, guilt or innocence is determined by the General District Court judge. If the judge finds the defendant guilty (there are no jury trials in General District Court), the judge then determines the penalty and imposes sentence, which may include a term in jail.<sup>12</sup> The offender may be sentenced to serve those days consecutively, or the court may "impose the time to be served on weekends or nonconsecutive days" so that the offender can maintain gainful employment.<sup>13</sup> Typically, "weekender" sentences allow inmates to serve their sentence while keeping their jobs. Inmates given such a sentence are required to pay an amount to offset the cost of his or her incarceration.

For individuals charged with a felony, the General District Court conducts a hearing to determine if there is sufficient evidence in the case to send it to the grand jury.

then determines if there is probable cause to believe that the accused person has committed the crime in question. If there is probable cause, the case goes to the Circuit Court, where it may be tried before a jury or a judge. If the Circuit Court finds the defendant guilty, the court will impose a sentence which may include confinement in jail or prison.<sup>14</sup> Felons sentenced to *twelve months or less* are considered local-responsible inmates, and will remain in jail. Felons sentenced to *one year or more* are considered state-responsible inmates. Upon final sentencing (which may involve multiple trials in multiple jurisdictions, if the inmate has pending charges in other localities), the clerk of the court informs the Department of Corrections that the inmate has been committed to the state. DOC must take the inmate into custody within sixty days of that notice, or else the state will be required to pay a supplemental per diem to the jail (see *Funding the Jails on page 5*).



*Hanover Jail*

### 3 LOCAL AND REGIONAL JAILS

There are two main types of jail facilities currently in operation in Virginia.

- **Local jails** generally serve the single locality in which they are located (though they may hold inmates for other localities). These facilities are managed by locally elected sheriffs. Local jails accounted for 54.2% of total jail inmate days in fiscal year 2008.<sup>15</sup>
- **Regional jails** provide jail space to multiple localities, which may or may not operate their own local jails. These facilities are administered by a superintendent, who serves the regional jail board or jail authority. The superintendents have the same authority as sheriffs, with respect to offenders committed to their jails. The jail boards consist of, at minimum, the sheriffs of the participating localities and one appointed representative of each participating local government. Alternate members may be appointed.<sup>16</sup> Regional jails accounted for 44.8% of total jail inmate days in fiscal year 2008.<sup>17</sup>

*[T]he use of regional jails has proliferated in an attempt to reduce operating costs by replacing older, smaller, inefficient local facilities.*

A third facility type accounted for the remaining 1.0% of jail inmate days in fiscal year 2008. Localities can establish **jail farms**, “where any person convicted and sentenced to confinement” in jail “may be confined and required to do such work as may be assigned him during the term of his sentence. A local jail farm may be used to hold or confine any person who could be lawfully held or confined in a jail operated by the county or city.”<sup>18</sup> There are currently two locally-operated jail farms, in cities that are also served by a local jail. They are administered by superintendents who report to the local governing body.<sup>19</sup>

At the local and regional level, the major entities involved in the jails include:

- **Local sheriffs** and **regional jail superintendents**, who are the jail administrators, have the principal responsibility for the custodial care of inmates. They maintain the security of their facilities, and are responsible for the health and safety of their prisoners. They are also responsible for keeping and reporting records on their population to the Compensation Board and the Department of Corrections, and they ensure that their jails comply with standards set by the state Board of Corrections.<sup>20</sup>
- **Local deputy sheriffs** and **regional jail officers** (“guards”), who assist the sheriff/superintendent in their duties, and are funded by the state through the Compensation Board.

- **Local governments**, with state support, pay for jail construction costs. When they believe it necessary, they also provide salary supplements, in addition to that paid by the Compensation Board.

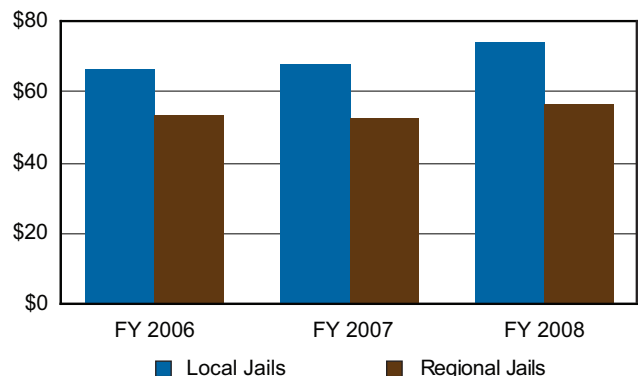
- **Magistrates** decide whether to release an accused to bail or to commit them to jail to await trial.<sup>21</sup>

- **Local judges** also make initial bail decisions, sentence inmates, and can modify the sentence of an inmate in jail. Judges also have the authority to fine a sheriff or superintendent that has “in any respect failed to perform his duties with respect to the operation of the jail.”<sup>22</sup>

Some localities use only a local or regional jail, while a few larger localities take advantage of both. Over the past several decades, the use of regional jails has proliferated in an attempt to reduce operating costs by replacing older, smaller, inefficient local facilities. Between 1988 and 2009, the number of local jails dropped from 90 to 45, while the number of regional jails increased from six to 20.<sup>23</sup>

According to the Compensation Board’s *FY 2008 Jail Cost Report*, the average operating cost of holding one inmate for one day in a local jail was \$73.71, while the average operating cost per inmate day in a regional jail was \$56.35. Those operating costs vary across individual local and regional jails, from a high of \$169.45 per inmate day (Loudoun County Jail) to a low of \$36.77 per inmate day (Piedmont Regional Jail).<sup>24</sup> (See Appendix B for cost breakdowns for local jails, regional jails, and local jail farms, produced by the Compensation Board.)

**Jail Operating Costs**



Together, but independently, these local and regional jails comprise Virginia’s statewide system of jails.

## 4 STATEWIDE JAIL SYSTEM

It is perhaps overly broad to refer to Virginia's jails as being a "system." That designation implies a certain amount of central planning and authority, rather than the loose collection of independent local and regional correctional facilities that are Virginia's jails.

Originally, the jails in Virginia were under the authority of the Governor. In 1779, control was vested in the circuit courts.<sup>25</sup> There is no state Department of Jails. Unlike the state prison system, which is operated by a state Department of Corrections, no state agency has direct operating authority over the "system" of jails, though jails must be certified by state auditors (see below). Each individual jail facility is managed by a locally-elected sheriff, or by appointed regional authorities.<sup>26</sup> However, the independent jails are connected via the state's system of oversight and funding, and the Local Inmate Data System (LIDS) maintained by the Compensation Board (CB).

Inmates are frequently transferred between jails, by agreement between the facilities. Inmates may have outstanding charges in multiple jurisdictions; after being committed and confined while awaiting trial in one jurisdiction, they may be transferred to another jail to await trial or a probation or parole revocation hearing in that jurisdiction's court. An individual inmate may be transferred between jails multiple times before finally being released.<sup>27</sup>

Although no one state agency has ultimate administrative authority, several state agencies have some kind of funding or oversight responsibilities for the state's jail system:

- The **Board of Corrections (BOC)** sets "standards for the construction, equipment, administration and operation" of jails.<sup>28</sup> BOC also approves new jail construction projects. The BOC can decertify a jail if the sheriff or jail administrator does not comply with life, health, and safety requirements within the time allotted, the Board can begin the process of closing the facility in conjunction with an appropriate circuit court.
- The **Department of Corrections (DOC)** monitors the jails' compliance with BOC standards through monitoring visits, annual inspections, and accreditation

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and certification audits. Jails must meet BOC standards to be certified by DOC. Funding for jail construction is provided in the DOC's budget as stated in the Appropriations Act, for construction projects approved by BOC.<sup>29</sup> State-responsible inmates are transferred to DOC "within sixty days of the date on which the final sentencing order is mailed by certified letter or sent by electronic transmission to the Director by the clerk" of the court.<sup>30</sup>

- The **Compensation Board (CB)** provides the state portion of operating costs for jails, including salaries and benefits of correctional officers and support staff, costs for certain programs and services, and office expenses.

Additionally, the Compensation Board dispenses inmate per diem payments.<sup>31</sup> As part of fulfilling this role, the CB maintains the LIDS database, which tracks persons entering and exiting jails, for the purpose of determining appropriate per diem levels. The CB publishes an annual report on jail operating costs.

- The **Department of Criminal Justice Services (DCJS)** establishes "compulsory minimum entry-level, in-service, and advanced training standards for persons employed as deputy sheriffs and jail officers by local criminal justice agencies."<sup>32</sup> DCJS also, in consultation with BOC, reviews the Community Based Corrections Plan submitted by localities seeking construction of a new jail.<sup>33</sup> DCJS also reviews, with the DOC, Home Electronic Incarceration standard operating procedures for jails seeking reimbursement for alternative payment days from the CB.
- The **Treasury Board** and the **Virginia Public Building Authorities** may also be involved in capital costs for jail construction, depending on the manner of payment selected by the General Assembly.<sup>34</sup>
- The **Department of Health** inspects jails to ensure that the kitchen facilities comply with the state's Food Regulations, and that all areas of the facility comply with BOC standards of facility cleanliness.<sup>35</sup>

## 5 FUNDING THE JAILS – CONSTRUCTION AND OPERATION

The most obvious role of the state in Virginia's jail system is funding. Most states put little or no state funds into local jails, but Virginia has a long history of state involvement in jail financing. Virginia's state support for jails dates to colonial times; the first per diem payment, five pounds of tobacco, was approved in 1613.<sup>36</sup> Much has changed in the intervening centuries, but Virginia's role in funding construction and operations remains significant.

### Construction Funding

The state's role in construction funding has evolved over time. State support for jail construction began in 1968. The state provided localities for a combination of localities up to half the cost of construction or enlargement of a jail, not to exceed \$25,000 (per participating locality) for any one project. In 1981, the General Assembly amended the process to include reimbursement for renovations (in addition to construction and enlargement), and to change the maximum reimbursement cap to be based on the size of the jail facility, with larger jails receiving a larger reimbursement. The reimbursement caps were doubled in 1987.<sup>37</sup>

In 1989, the General Assembly made further modifications, designed to encourage multi-jurisdictional cooperation through regional jails. The state would pay a maximum of fifty percent of the construction, enlargement, and/or renovation costs of regional jails, while reimbursements for local jails were still capped. The General Assembly also greatly expanded the responsibilities of the Board and Department of Corrections with regard to jail construction.<sup>38</sup>

Despite these changes, construction costs continued to be a concern. The General Assembly enacted reforms in 1993, changing reimbursement for construction, expansion, and renovation projects. The reforms sought to further encourage the use of regional jails by limiting reimbursement of local jail construction to 25%, but continuing to reimburse up to 50% of regional jail construction costs.<sup>39</sup> Three or more jurisdictions must participate in the regional jail to receive this higher reimbursement. The localities are responsible for the remainder of construction costs.

Between 1993 and 2008, the state's share of local and regional jail construction costs was almost \$536 million, over 44% of total construction costs.<sup>40</sup>

*[T]he first per diem  
payment, five pounds  
of tobacco,  
was approved  
in 1613.*



*Lumpkin Jail*

In 1996, the Virginia General Assembly declared a moratorium on all jail construction projects. Prior to this, the Board of Corrections approved jail construction projects without legislative involvement. With the moratorium, new projects require a legislative exemption, as part of a budget amendment, before they can be reviewed by the BOC.<sup>41</sup>

Once the project has received an exemption, planning documents are submitted to DOC. These documents include a Community Based Corrections Plan (CBCP), which will be reviewed by DOC and DCJS. The CBCP must include a jail inmate population forecast specific to the locality or region seeking the new jail, and it must describe any existing facilities and programs that should serve as alternatives to incarceration.<sup>42</sup> DOC will also review a planning study that must be included in the submission, which must have details on the planned jail, staffing needs, detailed construction cost estimates, a six-year operating budget, and other factors.<sup>43</sup>

If a proposed jail is exempted from the moratorium and approved by the Board of Corrections, it can be submitted to the Governor for final approval prior to including state funding for the project in the proposed biennial budget.

### Operational Funding

The state also pays a large proportion of the operating costs of both local and regional jails. The CB pays 100% of base salaries and benefits for local jail deputies and regional jail officers, up to the number of officers required by staffing ratios established by the General Assembly in the Appropriations Act. The reimbursable base salaries of the local and regional jail correctional officers are commensurate with DOC correctional officer salaries. Individual jails or

regions may choose to provide salary supplements, but the participating localities are responsible for the additional cost.<sup>44</sup> The jails can employ additional correctional staff, but the localities are responsible for the salaries and benefits of those additional staff. The Compensation Board also pays two-thirds of salaries of medical and treatment staff in local and regional jails.<sup>45</sup>

The General Assembly adopted staffing standards, based on inmate populations, in 1988.<sup>46</sup> The 2009 Appropriations Act specifies that the Compensation Board shall fund one jail deputy (or regional jail correctional officer) for every three beds of operational capacity (determined by DOC). If a jail's average daily population exceeds operational capacity, the Compensation Board can fund up to one additional deputy/officer per five inmates above capacity.<sup>47</sup>

The Compensation Board also sets staffing standards for partially funded medical, treatment, classification, and records positions, as well as cook positions, and administrative staff.<sup>48</sup>

- One medical, classification, treatment, or records positions for every 25 inmates of average daily population;
- Between one and five cook positions may be allocated, depending upon the operating capacity of the facility;
- One administrative position for every 100 inmates of average daily population;
- One Local Inmate Data System technician per jail.

In addition to paying salaries for recognized positions, the state also pays a per diem to the jails for state and local-responsible inmates. In FY 2009, the per diem payment for local-responsible inmates was \$8 per day. For state-responsible inmates, the per diem was \$8 per day during the first 90 days after final sentencing, at which point the inmate is designated "out of compliance," since he or she should have been transferred to the state Department of Corrections. On the 91<sup>st</sup> day, the reimbursement rate rises to \$14 per day. For state-responsible inmates who are in jail on contract as part of a work release program, the per diem is \$28 per day, paid by DOC.<sup>49</sup>

The per diems are paid to localities and regional jail boards in four quarterly payments, based on the actual inmate populations in the jails for the previous quarter. The Compensation Board makes the payments using its Local Inmate Data System to identify the appropriate per diem levels.<sup>50</sup>

## Comparison to Other States

Virginia is one of only seven states that provide state funding for the construction or renovation of local and regional jails.<sup>51</sup> Only 28 states provide any state assistance for jail operations, and only seven of those provide more than \$10 per capita. Virginia spent \$42 of state funds per capita on jail operations in FY 2008, the second highest among the states.<sup>52</sup>

## Federal Funding

Local and regional jails may also receive prisoners committed under the authority of the United States. On any given month, about 25 to 30 jails hold federal prisoners. In such cases, the sheriff or superintendent collects a per diem from the federal government.<sup>53</sup> That per diem can vary. The federal government has also contributed capital construction funds for bed space within four local or regional jails. These beds may be used for other prisoners when they are otherwise vacant, but federal prisoners have priority for their use.<sup>54</sup> The General Assembly has directed the Compensation Board to recover from individual jails the state-fund costs associated with holding federal prisoners. Those jails in which the federal government's contribution toward capital costs exceeded the state's contribution are exempted.<sup>55</sup> In FY 2008, \$9.6 million was recovered from local and regional facilities holding federal inmates.<sup>56</sup>

*The Compensation Board pays 100% of base salaries and benefits for local jail deputies and regional jail officers...*



*The former Fauquier County jail.*



## 6 PROGRAMS AND SERVICES IN THE JAILS

The minimum standards set by the Board of Corrections indicate some programs and services that must be present in jails. Each jail must have a written policy describing these programs and services, though there can be significant variation in the type and level across jails.<sup>57</sup>

- Upon admission into the facility, all inmates must receive a medical screening. That screening must include identification of current illnesses, health problems and conditions; past history of communicable diseases; identification of current symptoms related to mental health, dental problems, allergies, current medications, special dietary requirements, and symptoms of venereal disease; inquiry into past and present drug and alcohol abuse, mental health status, depression, suicidal tendencies, and skin conditions; and, for female inmates, inquiry into possible pregnancy or gynecological problems.
- Inmates must be informed, upon admission to the facility, of the procedures for obtaining medical services. The jail's medical and health services must be supervised by a licensed physician. Health care personnel must meet appropriate licensing or certification requirements.
- All inmates must have access to regular physical exercise and some kind of recreational activities.

*Minimum standards set by the Board of Corrections indicate some programs and services that must be present in jails.*

- Reading materials shall be permitted in jails, unless the material poses a threat to security or is not in compliance with other restrictions or guidelines. Jails must provide reading materials, including periodicals no more than one year old.
  - Commissary services (“canteen”) must be available, allowing inmates to make purchases from an approved list of items at a minimum of once per week.
  - Inmates must be allowed to participate voluntarily in religious services or counseling of their choice.
  - Educational services must be made available to inmates.<sup>58</sup>
- Jails may also provide a number of other programs and services, though their availability varies across individual facilities. They can include substance abuse services, social services, mental health services, and re-entry programs. Re-entry programs might include work release, educational release, home electronic monitoring, public work force, and weekend sentencing/community service programs. More information on some of these programs and services can be found in *Issues Impacting Jails* below.

## 7 ISSUES IMPACTING JAILS

Statewide, more than twenty thousand individuals are admitted to jail every month, and about the same number are released. These inmates – including pretrial and sentenced local-responsible prisoners, state-responsible prisoners at various stages of their sentence, and federal prisoners – bring a range of concerns, both individually and in the aggregate.

### Overcrowding

*Overcrowding can place significant demands and stresses on jail facilities, staff, and inmates, and negatively impact health and safety conditions... Overcrowding has forced sheriffs and jail administrators to reduce or eliminate programs, postpone or forego routine maintenance and repairs, and convert jail space formerly used for programs into inmate housing areas. Moreover, overcrowding has limited the ability of sheriffs and jail administrators to effectively manage their facilities.*

- Joint Legislative Audit and Review Commission, 1996<sup>59</sup>

Jail overcrowding is obviously a serious concern. In 1989, some jails were operating at three times their capacity.<sup>60</sup> In June 2007, the statewide jail system was operating at 58% over capacity.<sup>61</sup> However, as a 1987 report by the Joint Legislative Audit and Review Commission (JLARC) noted, “Notions of correctional capacity are relatively fluid.”<sup>62</sup>

The official operating capacity is established by the BOC. A single (one-person) jail cell must be at least 70 square feet, and a double cell (designed to hold two inmates) must be at least 115 square feet, to meet BOC requirements. For comparison, the Department of Corrections builds prison cells at 80 square feet per double cell.<sup>63</sup> Localities will often receive

advance permission from the BOC to install “double bunking” in single cells. The BOC considers double bunking to be an operational decision, under the purview of the localities, but that it is supposed to be a temporary measure.<sup>64</sup> Nonetheless, double-bunking of jail cells occurs regularly. In estimating “actual” jail capacity, it is becoming common practice to assume 50% double-bunking.<sup>65</sup>

*Statewide, more than twenty thousand individuals are admitted to jail every month...*

between 1993 and 2009, more than doubled the BOC operating capacity of the jails.<sup>66</sup> Meanwhile, the local-responsible inmate population, which grew 47% between FY 1999 and FY 2007, dropped 7% by FY 2009. State and federal-responsible inmates, which grew 68% and 79% respectively between FY 1999 and FY 2007, dropped 1% and 6% respectively by FY 2009.<sup>67</sup> Table 1 below compares the

Significant, widespread overcrowding in the jails has not been a primary concern in recent years. Jail construction

statewide capacity (BOC-Rated and 50% double-bunking) to the average daily population (ADP) in the jails.

**Table 1: Statewide Jail Capacity vs. Inmate Population, Fiscal Year Averages<sup>68</sup>**

Fiscal Year	Rated Capacity	Local-Responsible ADP	State-Responsible ADP	Federal-Responsible ADP	Total ADP	Total ADP/BOC-Rated Capacity	Total ADP/Capacity, 50% Double Bunking
2005	17,745	18,344	5,120	1,806	25,270	142.4%	94.9%
2006	18,387	19,656	5,255	1,903	26,813	145.8%	97.2%
2007	18,616	21,063	6,253	1,830	29,147	156.6%	104.4%
2008	18,674	20,724	5,879	2,081	28,683	153.6%	102.4%
2009	18,777	20,130	5,962	1,985	28,077	149.5%	99.7%

Table 1 demonstrates that, when 50% double-bunking is taken into account, the state as a whole has not experienced significant overcrowding in recent years. In fact, given that the jails are not required to hold federal prisoners, it would seem that statewide ratio of inmates to capacity (again, with 50% double-bunking) is entirely manageable. However, as was noted earlier, the jails can only loosely be considered a true system, and adequate capacity *statewide* does not imply adequate capacity *throughout the state*. Indeed, some individual jails were over 150% of capacity, even taking 50% double bunking into account.<sup>69</sup> (See Appendix A for ADP and admissions jail data, for each jail.)

**Security Classification**

New jails must be constructed to include housing divided by secure custody classification levels. The BOC standards state that 20% of space shall be maximum custody level, 40% medium, and 40% minimum, unless a different breakdown is justified by historical data.<sup>70</sup> Separate housing must be provided for male and female inmates, and for juveniles. Juvenile inmates must be separate from both the sight and sound of adult inmates.<sup>71</sup>

**Work Release**

Work release is a program designed to allow sentenced inmates to maintain regular employment outside of the jails. Inmates may be assigned to the program by their sentencing court, or by the sheriff or superintendent of the jail. Work release inmates spend their nights in jail, but are permitted to leave the jail for work.<sup>72</sup> The jail administrators must notify the sentencing court of any work release assignments they make. The administrators may also authorize an inmate

to participate in educational or rehabilitative programs to supplement the work release employment.<sup>73</sup>

Because the inmate spends the night (and non-employment days) in jail, work release programs do not eliminate overcrowding. The population levels may drop during the day, but bed space must still be provided. However, the programs do serve to defray some of the costs of holding inmates. The inmate’s wages may be used to offset the costs of confinement and program participation, to provide support for the inmate’s dependents, to make payments to the local Department of Social Services on behalf of dependents receiving public assistance or social services, or to pay any fines or restitution ordered by the courts.<sup>74</sup> In FY 2008, work release programs generated \$7.8 million toward jail operating costs. In 2008, 97% of jails listed reported revenues for a work release program.<sup>75</sup>

Jails may also contract with DOC to hold state responsible inmates on contract as part of a work release program. Referred to as “Jail Contract Beds” (JCB), these programs allow inmates to begin the process of reintegrating into

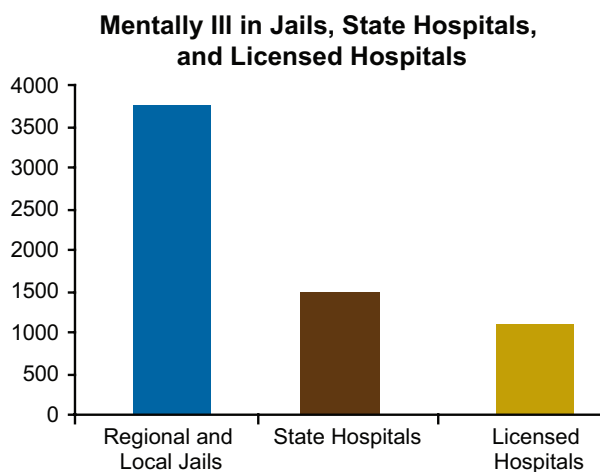
their communities prior to release. JCB participants must be within twelve months of their “good time” release date, or within three years of their mandatory release date. Participants must also meet other behavioral and offense history requirements.<sup>76</sup>

## Good Time

Jail inmates can earn “good time” sentencing credits by complying with the jail’s rules and regulations. By statute, offenders sentenced for misdemeanors earn time at a rate of one day for each day served, providing they obey the rules. They may earn additional credit at the discretion of the jail administrator for voluntary participation in institutional work assignments, participation in classes, or participation in local work force programs (if available), at a maximum rate of five days credit for every thirty days of participation.<sup>77</sup> Felons may earn a maximum of four and one-half days of credit for every thirty days served, consistent with Virginia’s policy that felons must serve 85% of their imposed incarceration.<sup>78</sup> Inmates placed on home incarceration or electronic monitoring by the jail administrator do not earn good time credits for the period in which they are in the program.<sup>79</sup> Also, inmates whose offenses require a mandatory minimum sentence cannot earn good time during that portion of their sentence (for example, a inmate with a 90-day sentence, including a 30-day minimum, could not begin earning good time until after the first thirty days had been served).<sup>80</sup>

## Mental Health

It is an unfortunate fact that many individuals admitted to jail are suffering from mental illness. This may be in part because some individuals are arrested and charged with a crime when mental health services might be more appropriate. A recent study found that more mentally ill persons were served in jails than in state hospitals and licensed hospitals combined.<sup>81</sup>



Data source: *Availability and Cost of Psychiatric Services in Virginia*, Joint Legislative Audit and Review Commission, 2007

Another study found that 35% of female inmates and 14% of male inmates (state and local-responsible inmates only, identified in an August 2009 survey of jails) were mentally ill. Almost half (49%) of the mentally ill inmates were identified as having a “serious” mental illness, defined in the study as a diagnosis of schizophrenia/delusional, bi-polar, or major depressive disorder, and 74% had a co-occurring substance use/abuse disorder.<sup>82</sup>

Most jails (81% in 2009) conduct mental health screenings on *all* inmates upon admission, though these screenings are often provided by jail officers rather than mental health professionals. A higher percentage of jails (89%) provide more comprehensive mental health assessments for those who show acute signs of mental illness, or who receive a positive initial screening for mental illness.<sup>83</sup>

The type and level of treatment provided to mentally ill inmates varies across the jails. In some cases, local community services boards (CSBs) provide mental health services to inmates, but this is not required. The 2009 study found that over fifteen thousand treatment hours were provided in the jails in July 2009. Sixty-one percent of treatment hours were provided by CSBs, and the rest were provided by private contractors, psychiatrists, medical doctors, or jail mental health staff.<sup>84</sup>

Recent state and federal grant programs seek to reduce the number of mentally ill persons in jail by developing mental health diversion programs.<sup>85</sup>

## Alternatives to Incarceration

Secure confinement in jail is frequently necessary to maintain public safety and to ensure defendants appear in court for trial. However, secure confinement is the most expensive means of achieving these goals. Also, the degree to which incarceration disrupts the lives of individual inmates (a particular concern with regard to pretrial inmates and low-level offenders) may at times seem out of proportion to the risk they pose to public safety.

Alternatives to incarceration are available, to varying degrees, across the state. A locality’s Community Based Corrections Plan, which must be approved prior to new jail construction, includes available or planned alternatives that will help control the jail’s population growth. Although these programs are not necessarily operated by the jails, they can have a significant impact on jail population, and therefore operations.

Some alternatives to incarceration include:

- **Pretrial services** – Pretrial services give courts an option other than releasing a defendant to secured bond or confining them in jail. Pretrial services agencies,

currently serving 81 of Virginia's 134 cities and counties, assist the judicial officers in considering or reconsidering bail by providing more information for determining the risk to public safety and the likelihood of appearance at later hearings. These agencies also provide monitoring and supervision for those placed on pretrial supervision in lieu of custody prior to trial.<sup>86</sup> Approximately 50,000 pretrial services investigations were conducted each year in fiscal years 2007, 2008, and 2009. In FY 2009, 87% of misdemeanants and 81% of felons placed on pretrial supervision were successful (no failure to appear, new arrest, technical violation, or other program failure).<sup>87</sup>

DCJS, in partnership with the Virginia Community Criminal Justice Association and Luminosity, Inc., developed a risk assessment instrument for use by pretrial services agencies. The Virginia Pretrial Risk Assessment Instrument has been implemented and validated in Virginia for the purpose of assessing a defendant's danger to the community and likelihood of failure to appear in court.<sup>88</sup>

- **Community-based probation supervision** – Local probation services are intended to provide the judicial system with sentencing alternatives for any offender convicted of a misdemeanor or a felony that is not a felony act of violence and for which the court imposes a total sentence of 12 months or less, with the goal of enhancing offender accountability and public safety.<sup>89</sup> The courts placed about 39,000 offenders on local probation supervision in fiscal years 2007 and 2008, and over 40,000 in 2009.<sup>90</sup>
- **Victim restitution and community service** – The *Code of Virginia* states that “no person convicted of a crime... shall be placed on probation or have his sentence suspended unless such person shall make at least partial restitution for such property damage or loss, or shall be compelled to perform community services, or both, or shall submit a plan for doing that which appears to the court to be feasible under the circumstances.”<sup>91</sup> Programs that allow offenders to maintain gainful employment make it possible for offenders to make financial restitution to their victims. Offenders may also make restitution for their crimes by providing community service.<sup>92</sup>
- **Home incarceration/electronic monitoring (H/EM)** – Home incarceration and electronic

*Although [alternatives to incarceration] are not necessarily operated by the jails, they can have a significant impact on jail population, and therefore operations.*

monitoring (separately or together) can be used as a condition of probation. Also, offenders sentenced to jail, who meet participation requirements, may be placed on H/EM by the sheriff or regional jail superintendent, upon notice to the committing court.<sup>93</sup> Participants must have no convictions for violent felonies. In fiscal year 2009, there were an average of 327 offenders on H/EM on any given day, following placement by a sheriff or regional jail superintendent.<sup>94</sup> Offenders placed on H/EM cannot earn good time credits while in the program, which results in some inmates

choosing not to participate.<sup>95</sup> Home incarceration can vary in terms of restrictiveness. An offender may be required to remain home at all times, or be given a curfew. Electronic monitoring may be used with home incarceration, to ensure compliance, or may be part of an intensive supervision program.<sup>96</sup>

### Inmate Population Forecast

Virginia develops and updates correctional population projections each year. The Office of the Secretary of Public Safety oversees the process, which uses an approach known as “consensus forecasting.” The process takes advantage of advanced data systems, widely accepted statistical techniques, qualitative information from correctional administrators, and input from top-level policy makers. The process results in both short and long-term population projections, which serve to guide budget decisions at the state and local level.<sup>97</sup>

Among those projections is that for the local-responsible inmate population. Referred to commonly as the “jail” forecast, it is more specifically a projection of inmates



*Lawrenceville jail*

awaiting trial, serving a sentence for a misdemeanor, or serving a sentence to jail (twelve months or less) for conviction of a felony. Federal inmates, state-responsible inmates, and ordinance violators are not included in the “jail” forecast.<sup>98</sup>

In fiscal years 2006 and 2007, the local-responsible population grew by over 7%. In FY 2008, however, the population dropped for the first time on record, by almost 2%. In FY 2009, the local-responsible population dropped again, by 3%. These drops appear to be driven by a similar drop in drug arrests. Specifically, cocaine-related arrests dropped 7% in calendar year 2007 and 26% in calendar year 2008.<sup>99</sup> Drug offenders represent a large proportion of the jail population. The 1989 Commission on Prison and Jail Overcrowding noted that, “The impact of drug sales and use in the Commonwealth and the nation is – and, as experts told the Commission, will continue to be – a driving force behind increases in prison and jail populations.”<sup>100</sup> It should therefore be no surprise that a drop in jail population would accompany a drop in drug arrests. Of course, it is difficult to predict whether drug arrests will continue to decline, or return to previous levels.

## Reentry

When offenders are released from incarceration, they can have difficulty returning to their communities as productive citizens. Reentry programs are intended to assist inmates with this transition. Such programs may provide services inside the jails to prepare inmates in advance of release, or they may provide services in the community to help ex-offenders find employment, housing, and access to services that can help them get started. Over 70% of Virginia localities are members of the Offender Reentry and Transition Services (ORTS) Coalition. Programs in these localities work with jails (and prisons) to identify inmates and connect them with the services they require. Reentry services are also provided by other agencies and local organizations. The Virginia Prisoner Reentry Policy Academy, established in 2006 and including staff from more than twenty state agencies, seeks to coordinate the efforts of state and local agencies as well as non-profit and faith-based organizations that work to improve the success of persons released from prisons and jails.<sup>101</sup>

## 8 VIRGINIA'S JAIL SYSTEM

Understanding Virginia's jail system, and the wide range of agencies and actors involved, can be difficult. While the term “system” may be a misnomer, the local and regional jails – together and independently – continue to play a vital role in Virginia's overall criminal justice system. As jails have grown and changed over the years, decades, and centuries, their importance to the courts and the community has remained strong.

*The independent nature of the jails has allowed some to lead the way in adopting new technologies, practices and programs.*

resources, and the needs of their inmates and their communities. The independent nature of the jails has allowed some to lead the way in adopting new technologies, practices and programs. Lessons learned can then be applied elsewhere, perhaps spreading statewide if appropriate. In this way, jails will continue to serve the needs of the courts, the community, and the Commonwealth.

Though all jails share the common missions of protecting public safety and assisting the court, the jails vary in size,

## 9 ACKNOWLEDGEMENTS

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## 10 APPENDICES

Appendix A – Capacity, Operating Cost, Average Daily Population, and Commitment Data for Local and Regional Jails<sup>102</sup>

Jail Name	Jail Number	FY 2009 Capacity	FY 2008 Operating Costs		FY 2009 Average Daily Population							ADP Total
			Cost Per Inmate Day	Percent State Funding	Local - Awaiting Trial	Local - Misd.	Local - Felon	Local - Ordinance	State Inmates	Federal Inmates		
<b>Regional Jails</b>												
Albemarle-Charlottesville Reg.	003	329	\$67.72	42.84%	300	51	47	3	125	14	539	
Alleghany County****	005	56	\$82.06	49.28%	48	11	7	0	19	0	84	
Arlington County****	013	474	\$133.94	29.40%	265	55	33	4	81	36	474	
Blue Ridge Reg.	485	760	\$53.17	56.13%	431	139	151	10	253	12	995	
Central Virginia Reg.	137	242	\$48.85	38.97%	138	53	28	0	58	102	379	
Eastern Shore Reg.****	131	148	\$107.38	39.02%	43	10	6	0	15	0	74	
Fairfax County****	059	1260	\$145.49	19.33%	664	149	165	68	239	15	1,301	
Hampton Roads Reg.	475	798	\$61.07	39.23%	574	30	62	10	260	325	1,260	
Henrico County****	087	787	\$70.18	42.12%	601	165	190	27	194	0	1,177	
Middle Peninsula Reg.	119	121	\$76.76	35.69%	82	26	15	2	65	0	190	
Middle River Reg.	493	396	\$40.38	58.12%	278	57	56	1	200	0	593	
New River Reg.	480	371	\$43.99	56.30%	335	49	78	2	196	0	659	
Northern Neck Reg.	193	234	\$46.15	25.59%	81	16	15	2	39	289	442	
Northwestern Reg.	069	556	\$68.59	64.76%	219	74	138	0	84	33	547	
Pamunkey Reg.	460	290	\$61.30	29.68%	152	34	41	12	42	140	421	
Peumansend Creek Reg.	490	336	\$83.14	51.51%	31	33	40	0	138	0	242	
Piedmont Reg.	135	181	\$36.77	28.24%	180	55	44	4	88	211	583	
Prince William/Manassas Reg.	153	467	\$116.04	26.59%	534	84	36	12	149	8	822	
Rappahannock Reg.	630	592	\$51.82	42.69%	541	105	156	17	216	37	1,072	
Riverside Reg.	465	736	\$51.17	42.59%	604	115	187	9	238	48	1,201	
Roanoke County/Salem City****	161	108	\$62.63	51.82%	154	24	20	2	20	0	221	
Rockbridge Reg.	163	56	\$78.77	67.79%	36	12	8	0	26	0	83	
Rockingham County/Harrisonburg City****	165	208	\$61.19	49.01%	152	40	37	14	57	14	314	
Southside Reg.	491	100	\$52.34	55.06%	99	33	16	1	61	0	209	
Southwest Virginia Reg.	492	896	\$45.93	58.05%	580	74	126	4	439	35	1,258	
Virginia Peninsula Reg.	470	290	\$60.99	46.35%	206	57	30	3	126	15	436	
Western Tidewater Reg.	620	552	\$40.36	47.35%	321	28	67	0	173	206	796	
Western Virginia Reg.***	494	605	NA	NA	175	46	70	0	142	0	434	
<b>Local Jails</b>												
Accomack County	001	46	\$55.51	54.99%	61	12	7	0	15	0	96	
Alexandria City	510	340	\$135.10	16.95%	106	24	66	4	65	168	432	
Amherst County	009	50	\$59.27	56.50%	36	18	18	1	26	0	99	
Appomattox County	011	12	\$92.83	63.70%	13	3	8	0	4	0	27	
Botetourt County	023	124	\$101.22	82.76%	35	10	14	0	28	0	87	
Bristol City	520	67	\$55.82	63.19%	61	12	16	1	30	8	128	
Brunswick County	025	24	\$63.88	60.39%	29	8	4	0	12	0	53	
Charlotte County	037	29	\$59.04	72.83%	20	9	7	0	26	0	62	
Chesapeake City	550	543	\$70.92	35.27%	566	50	137	24	326	40	1,144	
Chesterfield County	041	250	\$112.57	47.10%	122	100	42	17	38	0	319	
Culpeper County	047	37	\$85.72	55.06%	42	18	7	0	12	0	79	
Danville City	590	213	\$54.00	68.06%	134	11	24	2	37	0	208	
Dinwiddie County	053	32	\$71.65	40.61%	32	9	5	0	4	0	50	
Fauquier County	061	56	\$63.43	38.38%	65	19	13	1	15	0	113	
Franklin County	067	49	\$63.82	54.16%	33	11	8	0	27	0	80	
Gloucester County	073	42	\$73.75	52.76%	39	16	11	0	18	1	84	
Hampton City	650	468	\$56.72	63.43%	228	42	28	9	57	0	363	
Henry County	089	67	\$39.16	62.63%	89	30	18	2	38	0	177	
Lancaster County	103	26	\$85.04	54.85%	13	5	2	0	8	0	29	
Loudoun County	107	220	\$169.45	19.58%	110	33	21	6	27	2	199	
Martinsville City	690	79	\$50.82	67.44%	48	22	21	3	43	0	137	
Mecklenburg County	117	68	\$73.20	61.71%	61	14	16	1	30	0	122	
Montgomery County	121	60	\$47.09	69.93%	94	19	20	0	30	0	162	
Newport News City	700	248	\$48.02	48.69%	396	40	22	19	80	0	557	
Norfolk City	710	833	\$45.90	55.68%	1,059	107	124	47	263	23	1,623	
Page County	139	34	\$52.01	61.94%	31	14	9	0	27	0	80	
Patrick County	141	8	\$82.00	63.46%	18	2	4	0	3	0	27	
Petersburg City	730	195	\$68.36	61.84%	120	25	20	1	43	0	208	
Pittsylvania County	143	36	\$59.09	57.23%	64	16	27	0	22	0	129	
Portsmouth City	740	288	\$52.57	54.82%	206	43	37	1	160	52	499	
Rappahannock County	157	7	\$121.49	42.95%	8	5	4	0	6	0	23	
Richmond City	760	882	\$47.57	65.40%	873	172	142	16	229	3	1,434	
Roanoke City	770	409	\$60.14	47.94%	298	70	82	0	157	106	715	
Shenandoah County	171	55	\$65.36	63.29%	46	12	17	1	20	0	96	
Southampton County	175	122	\$65.10	71.33%	38	11	7	0	56	0	112	
Sussex County	183	28	\$81.99	45.80%	50	11	5	0	11	0	77	
Virginia Beach City	810	889	\$59.55	48.36%	781	85	150	86	243	41	1,384	
Warren County	187	79	\$54.74	64.61%	57	21	7	1	34	0	119	
<b>Local Jail Farms</b>												
Danville City Farm	220	240	\$47.19	49.95%	13	53	69	4	24	0	163	
Newport News City Farm	250	137	\$108.72	20.54%	16	31	9	8	34	0	98	

\*\*\*Opened April 2009. Population and Commitment data apply to April-June 2009.

\*\*\*\*These regional jails are administered by a sheriff rather than a superintendent.

Virginia's Peculiar System of Local and Regional Jails

Appendix A (continued)

Jail Name	Jail Number	FY 2009 Capacity	FY 2009 Commitments to Jail (Selected Types)*				FY 2009 Individuals Committed to Jail**	
			Pretrial	Probation/Parole Revocation Hearing	Serving Sentence	Weekender	Total	Weekender Only
<b>Regional Jails</b>								
Albemarle-Charlottesville Reg.	003	329	3,022	3,036	1,592	889	3,682	189
Alleghany County****	005	56	744	744	333	231	774	47
Arlington County****	013	474	3,182	3,218	1,766	444	5,178	95
Blue Ridge Reg.	485	760	4,623	4,635	3,368	1,196	6,677	197
Central Virginia Reg.	137	242	1,928	2,030	922	1,528	3,152	285
Eastern Shore Reg.****	131	148	293	293	295	529	574	90
Fairfax County****	059	1260	17,983	17,998	6,050	968	18,668	219
Hampton Roads Reg.	475	798	742	1,067	1,271		5,113	
Henrico County****	087	787	6,995	6,995	4,358	3,979	9,673	790
Middle Peninsula Reg.	119	121	1,134	1,134	576	345	1,488	86
Middle River Reg.	493	396	3,312	3,312	1,468	459	3,904	105
New River Reg.	480	371	4,441	4,441	1,348	2,157	5,012	350
Northern Neck Reg.	193	234	802	1,091	330	454	2,825	84
Northwestern Reg.	069	556	2,516	2,549	1,327	911	3,698	202
Pamunkey Reg.	460	290	3,041	3,181	1,257	1,779	4,842	338
Peumansend Creek Reg.	490	336	381	381	763	1	936	
Piedmont Reg.	135	181	1,513	1,724	1,156	1,958	3,879	390
Prince William/Manassas Reg.	153	467	8,719	8,727	3,164	257	9,549	28
Rappahannock Reg.	630	592	7,303	7,340	3,659	235	8,856	52
Riverside Reg.	465	736	3,346	3,394	2,401	2,074	6,286	443
Roanoke County/Salem City****	161	108	2,625	2,625	1,248	351	3,310	96
Rockbridge Reg.	163	56	880	880	434	25	1,037	9
Rockingham County/Harrisonburg City ****	165	208	2,698	2,712	932	37	3,103	15
Southside Reg.	491	100	820	820	623	195	1,325	48
Southwest Virginia Reg.	492	896	6,818	6,853	2,941	2,861	8,438	423
Virginia Peninsula Reg.	470	290	3,251	3,266	1,292	2,136	4,031	385
Western Tidewater Reg.	620	552	2,976	3,182	991	1,039	4,498	292
Western Virginia Reg.***	494	605	212	212	605	15	976	5
<b>Local Jails</b>								
Accomack County	001	46	631	631	288	579	899	113
Alexandria City	510	340	2,428	2,596	1,166	710	3,790	141
Amherst County	009	50	652	652	308	422	846	110
Appomattox County	011	12	201	201	106	97	285	22
Botetourt County	023	124	472	472	353	35	748	5
Bristol City	520	67	1,251	1,259	277	342	1,258	67
Brunswick County	025	24	437	437	133	271	538	40
Charlotte County	037	29	230	230	134	263	353	38
Chesapeake City	550	543	4,813	4,853	1,967	7,118	6,423	912
Chesterfield County	041	250	5,670	5,670	2,765	7,440	7,227	834
Culpeper County	047	37	1,144	1,144	527	342	1,255	75
Danville City	590	213	2,134	2,134	690	622	2,296	96
Dinwiddie County	053	32	550	550	164	356	646	83
Fauquier County	061	56	1,344	1,344	518	410	1,609	90
Franklin County	067	49	1,204	1,204	414	147	1,264	29
Gloucester County	073	42	669	670	284	490	861	75
Hampton City	650	468	3,310	3,310	918	1,529	3,928	270
Henry County	089	67	1,104	1,104	652		1,440	
Lancaster County	103	26	189	189	109	117	253	22
Loudoun County	107	220	4,224	4,226	2,281	564	4,610	115
Martinsville City	690	79	680	680	458	20	916	7
Mecklenburg County	117	68	541	541	364	474	797	97
Montgomery County	121	60	2,621	2,621	429	1,208	2,654	228
Newport News City	700	248	6,858	6,858	1,371	1,733	6,620	171
Norfolk City	710	833	10,501	10,524	2,218	5,184	10,489	799
Page County	139	34	509	509	261		641	
Patrick County	141	8	406	406	204	6	464	2
Petersburg City	730	195	1,064	1,064	330	1,158	1,282	126
Pittsylvania County	143	36	798	798	606	246	1,189	35
Portsmouth City	740	288	2,626	2,678	1,232	289	3,406	48
Rappahannock County	157	7	103	103	60	30	174	10
Richmond City	760	882	8,932	8,935	4,756	6,762	11,049	1,583
Roanoke City	770	409	5,796	5,902	2,013	1,988	6,236	356
Shenandoah County	171	55	832	832	425	38	1,093	11
Southampton County	175	122	153	153	187	125	356	23
Sussex County	183	28	393	393	236	64	524	19
Virginia Beach City	810	889	11,579	11,620	4,698	8,180	13,995	1,303
Warren County	187	79	1,219	1,219	360		1,321	
<b>Local Jail Farms</b>								
Danville City Farm	220	240		0	649	521	811	103
Newport News City Farm	250	137	13	13	408	2,391	860	407

\*Includes select confinement codes only (10, 11, 12, 20, & 29), identified in the LIDS database. Individuals may be counted multiple times, both across and within categories. Weekender commitments include all admissions under confinement code 29; for example, individuals serving 15 weekends will be counted all fifteen times. Neither the Serving Sentence nor Weekender categories include individuals with pending charges.

\*\*Counts the number of individuals (based on social security number) who served a weekend sentence at the given jail in FY 2009. For this column, an individual serving 15 consecutive weekend commitments would only be counted once.

\*\*\*Opened April 2009. Population and Commitment data apply to April-June 2009.

\*\*\*\*These regional jails are administered by a sheriff rather than a superintendent.



## Appendix B – Jail Cost Breakdowns for Local Jails, Regional Jails, and Local Jail Farms

From the Compensation Board's FY 2008 Jail Cost Report

Prepared by Staff - The Compensation Board

### All Local Jails (45)

Fiscal Year 2008

#### 1. FACILITY PROFILE

Contract Medical	Mixed	Jail "Books" Inmates	Mixed
Contract Food Service	Mixed	Local Salary Supplement	Mixed
# Federal Contract Beds	274	# of Locally Funded Positions	1,229
Direct Supervision - # Beds	2,457	Air Conditioned	Mixed
Indirect Supervision - # Beds	7,603	Houses Females	Mixed
Date(s) Built	1835 - 2008	Operates Dispatch	Mixed
Compensation Board Funded Positions	4,319		
<b>ALL INMATE HOUSED DAYS (LIDS)</b>	<b>5,737,241</b>	<b>OPERATING CAPACITY</b>	
<b>FED/ OUT OF STATE ADP</b>	<b>550</b>		
<b>TOTAL LIDS ADP</b>	<b>15,676</b>	156% TOTAL	
<b>DOC RATED OPERATING CAPACITY</b>	<b>10,060</b>	150% STATE RESPONSIBLE	

ALL INMATE RESPONSIBLE DAYS 5,800,975

#### 2. EXPENDITURES

		<i>Expenses Per Inmate Day</i>	
Personal Services	\$301,510,422	\$51.98	
Food Services	\$20,131,434	\$3.47	
Medical Services	\$37,382,598	\$6.44	
Inmate Programs	\$1,039,091	\$0.18	
Transportation	\$5,353,765	\$0.92	
Direct Jail Support	\$31,778,387	\$5.48	
Capital Accounts - Operating	\$1,462,906	\$0.25	
Other Jail Indirect Expenses	\$28,946,207	\$4.99	
<b>SUB-TOTAL OPERATING</b>	<b>\$427,604,810</b>	<b>\$73.71</b>	<b>Per Inmate Day</b>
Capital Accounts - Long Term	\$7,704,809	\$1.33	
Debt Service	\$36,393,199	\$6.27	
<b>TOTAL EXPENSES</b>	<b>\$471,702,818</b>	<b>\$81.31</b>	<b>Per Inmate Day</b>

ALL INMATE RESPONSIBLE DAYS 5,800,975

#### 3. REVENUES

		<i>Revenue Per Inmate Day (All)</i>	<i>Revenue Per Federal Inmate Day</i>	
Commonwealth Funded				
Grants	\$90,461	\$0.02		
Salaries	\$138,859,708	\$23.94		
Per-Diems (Gross)	\$47,849,320	\$8.25		
- Overhead Recovery	(\$3,088,319)	(\$0.53)		
Per-Diems (Net)	\$44,761,001	\$7.72		
Office / Vehicles	\$790,382	\$0.14		
Other	\$145,727	\$0.02		
Federal: Per-Diems	\$15,491,382	\$2.67	\$77.20	
Grants	\$2,702,386	\$0.47		
Other	\$338,571	\$0.05		
Local Jurisdictional - Operating (to balance)	\$206,353,306	\$35.57		
Non-Local Jurisdictional	\$4,590,455	\$0.79		
Out of State	\$491	\$0.00		
Work Release	\$5,110,498	\$0.88		
Other	\$8,794,848	\$1.52		
<b>SUB-TOTAL OPERATING</b>	<b>\$428,029,216</b>	<b>\$73.79</b>		<b>Per Inmate Day</b>
Local Jurisdictional - Debt Related	\$27,087,862	\$4.67		
Non-Local Jurisdictional - Debt Related	\$588,079	\$0.10		
Commonwealth Construction Reimbursement	\$15,997,661	\$2.76		
CAP Funds (Federal)	\$0	\$0.00		
<b>TOTAL REVENUES</b>	<b>\$471,702,818</b>	<b>\$81.31</b>		<b>Per Inmate Day</b>

Excess (Deficiency) of Revenues over Expenditures **\$0**

Appendix B (continued)

Prepared by Staff - The Compensation Board

**All Regional Jails (20)**

Fiscal Year 2008

**1. FACILITY PROFILE**

Contract Medical	Mixed	Jail "Books" Inmates	Mixed
Contract Food Service	Mixed	Local Salary Supplement	Mixed
# Federal Contract Beds	472	# of Locally Funded Positions	584
Direct Supervision - # Beds	3,420	Air Conditioned	Mixed
Indirect Supervision - # Beds	4,883	Houses Females	Yes
Date(s) Built	1935 - 2007	Operates Dispatch	No
Compensation Board Funded Positions	3,011		
<b>ALL INMATE HOUSED DAYS (LIDS)</b>	4,744,370	<b>OPERATING</b>	
<b>FED/ OUT OF STATE ADP</b>	1,528	<b>CAPACITY</b>	
<b>TOTAL LIDS ADP</b>	12,963	156% TOTAL	
<b>DOC RATED OPERATING CAPACITY</b>	8,303	138% STATE RESPONSIBLE	

**2. EXPENDITURES**

<b>ALL INMATE RESPONSIBLE DAYS</b>	4,788,635	<b>Expenses Per</b>	
		<b>Inmate Day</b>	
Personal Services	\$188,249,419	\$39.31	
Food Services	\$17,077,652	\$3.57	
Medical Services	\$24,247,876	\$5.06	
Inmate Programs	\$914,404	\$0.20	
Transportation	\$2,172,124	\$0.45	
Direct Jail Support	\$34,157,318	\$7.13	
Capital Accounts - Operating	\$2,930,190	\$0.61	
Other Jail Indirect Expenses	\$91,653	\$0.02	
<b>SUB-TOTAL OPERATING</b>	<b>\$269,840,636</b>	<b>\$56.35</b>	<b>Per Inmate Day</b>
Capital Accounts - Long Term	\$915,567	\$0.19	
Debt Service	\$47,506,465	\$9.92	
<b>TOTAL EXPENSES</b>	<b>\$318,262,668</b>	<b>\$66.46</b>	<b>Per Inmate Day</b>

**3. REVENUES**

<b>ALL INMATE RESPONSIBLE DAYS</b>	4,788,635	<b>Revenue Per</b>	<b>Revenue Per</b>	
		<b>Inmate Day</b>	<b>Federal</b>	
		<b>(All)</b>	<b>Inmate Day</b>	
Commonwealth Funded				
Grants	\$757,893	\$0.16		
Salaries	\$98,892,565	\$20.65		
Per-Diems (Gross)	\$39,192,756	\$8.18		
- Overhead Recovery	(\$6,477,959)	(\$1.35)		
Per-Diems (Net)	\$32,714,797	\$6.83		
Office / Vehicles	\$652,002	\$0.14		
Other	\$26,875	\$0.01		
Federal: Per-Diems	\$32,182,338	\$6.72	\$57.71	
Grants	\$1,306,275	\$0.27		
Other	\$1,474,552	\$0.31		
Local Jurisdictional - Operating	\$91,339,712	\$19.07		
Non-Local Jurisdictional	\$10,383,987	\$2.17		
Out of State	\$7,152	\$0.00		
Work Release	\$2,618,197	\$0.55		
Other	\$15,630,796	\$3.26		
<b>SUB-TOTAL OPERATING</b>	<b>\$287,987,141</b>	<b>\$60.14</b>		
Local Jurisdictional - Debt Related	\$32,502,083	\$6.79		
Commonwealth Construction Reimbursement	\$10,405,076	\$2.17		
CAP Funds (Federal)	\$0	\$0.00		
<b>TOTAL REVENUES</b>	<b>\$330,894,300</b>	<b>\$69.10</b>		

**FUNDING PERCENT OF TOTAL EXPENDITURES BY SOURCE**

45.07%	STATE FUNDED
10.99%	FEDERAL FUNDED
28.70%	LOCAL OPERATING
10.21%	LOCAL DEBT - RELATED
9.00%	OTHER FUNDED
<b>103.97%</b>	<b>TOTAL FUNDED</b>

*Excess (Deficiency) of Revenues over Expenditures* **\$12,631,632** **\$2.64** Per Inmate Day

Appendix B (continued)

Prepared by Staff - The Compensation Board

**All Jail Farms (2)**

Fiscal Year 2008

**1. FACILITY PROFILE**

Contract Medical	Mixed	Farm "Books" Inmates	No
Contract Food Service	Yes	Local Salary Supplement	Yes
# Federal Contract Beds	0	# of Locally Funded Positions	107
Direct Supervision - # Beds	0	Air Conditioned	Mixed
Indirect Supervision - # Beds	257	Houses Females	No
Date(s) Built	1914 - 1962	Operates Dispatch	No
Compensation Board Funded Positions	0		

<b>ALL INMATE HOUSED DAYS (LIDS)</b>	105,447	<b>OPERATING</b>	
<b>FED / OUT OF STATE ADP</b>	0	<b>CAPACITY</b>	
<b>TOTAL LIDS ADP</b>	288	112%	<b>TOTAL</b>
<b>DOC RATED OPERATING CAPACITY</b>	257	112%	<b>STATE RESPONSIBLE</b>

ALL INMATE RESPONSIBLE DAYS 105,447

**2. EXPENDITURES**

		<i>Expenses Per Inmate Day</i>	
Personal Services	\$5,198,022	\$49.30	
Food Services	\$528,107	\$5.01	
Medical Services	\$185,711	\$1.76	
Inmate Programs	\$1,371	\$0.01	
Transportation	\$113,901	\$1.08	
Direct Jail Support	\$1,180,505	\$11.20	
Capital Accounts - Operating	\$1,278	\$0.01	
Other Jail Indirect Expenses	\$892,209	\$8.46	
<b>SUB-TOTAL OPERATING</b>	<b>\$8,101,104</b>	<b>\$76.83</b>	<b>Per Inmate Day</b>
Capital Accounts - Long Term	\$0	\$0.00	
Debt Service	\$23,930	\$0.22	
<b>TOTAL EXPENDITURES</b>	<b>\$8,125,034</b>	<b>\$77.05</b>	<b>Per Inmate Day</b>

ALL INMATE RESPONSIBLE DAYS 105,447

**3. REVENUES**

		<i>Revenue Per Inmate Day (All)</i>	<i>Revenue Per Federal Inmate Day</i>	
Commonwealth Funded				
Grants	\$0	\$0.00		
Salaries	\$0	\$0.00		
Per-Diems (Gross)	\$2,427,400	\$23.02		
- Overhead Recovery	\$0	\$0.00		
Per-Diems (Net)	\$2,427,400	\$23.02		
Office / Vehicles	\$0	\$0.00		
Other	\$0	\$0.00		
Federal: Per-Diems	\$0	\$0.00		
Grants	\$0	\$0.00		
Other	\$0	\$0.00		
Local Jurisdictional - Operating (to balance)	\$5,393,980	\$51.15		
Non-Local Jurisdictional	\$12,060	\$0.11		
Out of State	\$0	\$0.00		
Work Release	\$83,356	\$0.79		
Other	\$184,308	\$1.75		
<b>SUB-TOTAL OPERATING</b>	<b>\$8,101,104</b>	<b>\$76.83</b>	<b>Per Inmate Day</b>	
Local Jurisdictional - Debt Related	\$23,930	\$0.22		
Commonwealth Construction Reimbursement	\$0	\$0.00		
CAP Funds (Federal)	\$0	\$0.00		
<b>TOTAL REVENUES</b>	<b>\$8,125,034</b>	<b>\$77.05</b>	<b>Per Inmate Day</b>	

**FUNDING PERCENT OF TOTAL EXPENDITURES BY SOURCE**

29.88% STATE FUNDED  
0.00% FEDERAL FUNDED  
66.39% LOCAL OPERATING  
0.29% LOCAL DEBT RELATED  
3.44% OTHER FUNDED  
100.00% TOTAL FUNDED

Excess (Deficiency) of Revenues over Expenditures \$0

# 11 ENDNOTES

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14. *Final Report of the Commission on Prison and Jail Overcrowding*, House Document No. 46, 1990.
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29. *Review of Jail Oversight and Report Activities*, Joint Legislative Audit and Review Commission, 1996, and *Code of Virginia* § 53.1-82.2.A1.
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33. *Code of Virginia* §53.1-82.1
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35. *Virginia Administrative Code*, 6VAC15-20-210
36. *Joint Subcommittee on Public Safety, Staff Briefing*, presentation by Dick Hickman and Paul Van Lenten, Jr., May 21, 2009.
37. *Report of the Subcommittee to Study Financing Mechanisms for Jail Construction*, House Document No. 58, 1993.
38. *Report of the Subcommittee to Study Financing Mechanisms for Jail Construction*, House Document No. 58, 1993.
39. *Local and Regional Jail Financing*, presentation by Paul Van Lenten, Jr., House Appropriations Committee Retreat, November 19, 2008.
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