

VIRGINIA'S ADULT PRISONS: A CITIZENS' REPORT

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I. INTRODUCTION

Virginia has the fourteenth largest adult prison system in the United States, with a current population of roughly 12,000 inmates.¹ These inmates are scattered throughout the state in forty-two male and one female prisons,² giving Virginia the fourth largest number of prisons in the country. These forty-three institutions, however, do not constitute nearly all of the State's correctional facilities. There are an additional 132 local jails and lockups, eight juvenile institutions, and three work release camps, each of which is required to meet state specifications.⁴

The costs of such a system are high. With a budget of \$254.8 million in fiscal year 1985, the Department of Corrections alone comprised 3.32 percent of Virginia's total budget. This amounted to an annual per inmate cost of approximately \$14,859 in fiscal year 1985.⁵ This did not include an additional \$1.02 million to fund the Virginia Parole Board or \$11.4 million to fund the independent Department ~~of~~ Correctional Education in FY 1985.

Despite the large size and cost of Virginia's prison system, it remains largely invisible to, and thus forgotten by; most taxpayers. It would not be an exaggeration to characterize our prisons as the modern equivalent of medieval fortresses, largely cut off from their communities by physical and psychological barriers as formidable as any moat or mountain cliff. Few people outside the prison system, including attorneys,

prosecutors, legislators or judges, have a firm understanding of what goes on behind the walls of these 43 prisons.

The purpose of the Prisons and Corrections Committee of the Virginia Bar Association is to increase the private bar's involvement in Virginia's prison system and to seek ways to improve the entire corrections process. In 1984, the Committee set as one of its primary goals over the next two years the completion of a survey of the state's adult prisons and the issuance of a report with its findings. Although most members of the Committee had criminal law experience - both as prosecutors and defense attorneys - they realized that they had little first-hand knowledge of the system as a whole. The Committee agreed that if it could gain some first-hand knowledge of the entire system and summarize its findings and recommendations in a relatively objective "citizens" report, such a project might be useful in lowering some of the barriers that have limited the public's and the bar's involvement in the corrections process.

The following report is the final product of the past 28 months of work by this group. The Committee inspected 10 adult male prisons, including six major institutions, two field units, one work release unit, and one psychiatric facility.⁶ Committee members interviewed scores of correctional officers, counselors, and inmates at the various institutions, reviewed hundreds of pages of Department of Corrections (DOC) documents and consultants' reports (e.g. report of the Mecklenburg Correctional Center Study Committee), and compared conditions found in Virginia institutions with standards issued by national correctional organizations. At the conclusion of its on-site inspections, the Committee contacted

DOC staff in Richmond to determine system-wide policies and to compile certain statistics. In short, the Committee attempted to base its conclusions primarily on first-hand observations but also utilized secondary sources.

Roughly one month after the Committee decided to launch its study, Virginia's correctional system became the subject of national notoriety due to the escape of six prisoners from the state's "super-maximum-security" prison in Mecklenburg County on May 31, 1984. Billed as the largest death-row escape in U.S. history, the incident triggered a nationwide manhunt that lasted six weeks and eventually resulted in the recapture of all six men.

During that same summer, several other escapes from major institutions and a hostage-taking episode at Mecklenburg led to a political "crisis" in Virginia's entire prison system. Governor Robb accepted the resignation of his corrections chief, Robert M. Landon, and appointed a blue-ribbon commission to study the problems at Mecklenburg.

The Commission issued its report on November 7, 1984, calling for a number of recommendations directed largely at the operations of Mecklenburg. Among other things, the group recommended that 1) the prison's unique "phase program" be re-designed to deal more effectively with the system's most dangerous and violent inmates, 2) communications between line officers and their superiors be improved, 3) steps be taken to reduce violent assaults between inmates and staff, and 4) the state consider granting a pay increase for new correctional officers. In response to this report and to

initiatives taken by the new Director, Allyn R. Sielaff, the General Assembly and the Department made a number of reforms, both at Mecklenburg and throughout the system, that were directed largely at improving security and preventing escapes.

In December, 1984, one month after the Commission issued its report, this Committee inspected Mecklenburg. In general, the Committee's observations supported the findings of the Governor's task force. More importantly, however, the Committee's visits to nine other institutions throughout the state revealed more similarities than differences between Mecklenburg and most of the other institutions and compelled the Committee to view the problems at Mecklenburg as a manifestation of larger problems found throughout Virginia's correctional system.

The following report attempts to set forth some of these systemic problems by making specific factual findings and recommendations. However, it would be appropriate at this point to note several caveats. First, this report is simply a "citizens' report", prepared by volunteer attorneys without any staff or resources to conduct extensive research.⁷ It does not contain as complete a discussion of its findings and recommendations as the Committee would have liked, nor does it contain an analysis of the costs of its recommendations, which will be necessary in order to give priority to their implementation. Second, the reader should realize that there are major gaps in the Committee's discussion of adult corrections. For example, health care, fire safety, sanitation, and recreation are just a few of the important issues which time did not allow the Committee to address.

Finally, it is only fair to note that the Department of Corrections has undergone radical change during the course of this two-year study. Many of the problems cited in this report have already begun to be addressed and the Committee notes that the Department has made considerable strides in recent months in correcting some of the more blatant problems. However, this report still represents an accurate picture of conditions that existed at the time of the Committee's visits and that generally still exist. In other words, it remains to be seen whether many of the conditions cited in this report and recently addressed by the DOC staff in Richmond still require more fundamental reforms throughout the system.

II. FINDINGS

1. Overcrowding constitutes a serious problem for the Department of Corrections, both in terms of budgetary impact and corrections policy. As of October 17, 1986, the system held 12,207 prisoners in state prisons and jails, but the system's operational prison capacity was only 10,065. Thus, the system's population exceeded its capacity by about twenty percent.⁸

2. a. A shocking lack of consistency exists in the day-to-day operations and policies of the 10 institutions visited by the Committee. Perhaps the greatest single problem facing the Department is the inability or the refusal of individual prisons to follow the dictates of policies set in Richmond. In some cases, institutions are run more like personal fiefdoms than parts of a cohesive, well-managed bureaucracy. Correctional officers who had worked in more than one facility confirmed these variations in policy and actual practice among different institutions. For example, security procedures for visitors varied widely among the 10 institutions inspected by the Committee. On another level, at some institutions inmates were permitted to make as many telephone calls as they wanted, while at others, inmates were permitted only a certain number of calls per month. This lack of consistency hinders the Department in carrying out the policy directives set by the General Assembly, the Governor, the Board of Corrections, and the DOC staff in Richmond.

b. The lack of consistency among the institutions

has a detrimental effect on the self-rehabilitation process for inmates. It fosters their natural perception that the system is arbitrary, irrational and unfair. This, in turn, promotes unnecessary friction between inmates and staff and hampers inmates' adjustment upon their transfer from one facility to another.

c. Poor communications exist between many rank-and-file correctional employees and their superiors. The Committee's inspections confirmed the findings of the Mecklenburg Study Commission that correctional officers are often uninformed about DOC policy changes, lawsuits, budgetary changes, and operations of other units in the system. As a whole, most officers and counselors interviewed by this Committee thought that they had little input on policy-making within the Department.

3. The prisons visited by the Committee appear to be extremely isolated and cut off from their communities. Specifically:

a. Most institutions permit tours and allow volunteers to come inside the prison walls, but these contacts are very limited in scope and effectiveness. At some institutions, it is clear that outside volunteers are not encouraged to assist with educational, recreational, or training programs.

b. The overwhelming majority of all outside volunteers are members of religious organizations which conduct services for inmates who wish to participate. The general perception among both inmates and staff is that while these volunteers are dedicated and sincere, they are generally older, white, fundamentalist, lay preachers whose message fails to appeal to more than a handful of inmates.

c. While the average time actually served by inmates released in FY 1985 was less than two years,⁹ virtually no effort is made by local volunteer organizations to deal with the problems faced by parolees after they return to their communities.

d. A corollary of this segregation between prisons and their communities is that ordinary citizens fail to see and learn from the mistakes of convicted criminals. For example, Virginia high school students rarely get a chance to see or talk with convicted felons and thus to learn from inmates' past mistakes.

e. In recent months, the DOC has established Community Advisory Boards at eight major institutions across the state for the purpose of using local expertise and volunteers to develop innovative approaches to treatment programs and to improve community relations. It is too early to tell how effective these boards will be in breaking down long-standing barriers between prisons and their communities.

4. a. In the two years since the Mecklenburg escape, the Département has made steady and significant progress in improving security, both at major institutions and at field units. Escapes have dropped dramatically and are now at the point where the danger to the public from escapes is minimal.

b. On the other hand, the Committee noted a number of security lapses at individual institutions. At one major institution, one-half of the 28 television monitors used for continuous remote surveillance failed to operate on a regular basis; the Committee was told that the cameras were never fully operational. In other cases, the Committee found individual

institutions which routinely ignored security directives issued by State headquarters subsequent to the Mecklenburg escape.

5. The prisons visited by the Committee generally failed to provide the minimum tools and resources needed by inmates to rehabilitate themselves. Specifically:

a. Many inmates are unable to pursue any meaningful self-rehabilitation programs because they are so frequently transferred from one institution to another. Transfers are frequently made with little or no notice. Such transfers are expensive for the Department and often prevent prisoners from engaging in effective long-term treatment, educational, and training programs.

b. Classroom educational opportunities offered by the Department of Correctional Education are grossly inadequate. For example, neither of the field units nor the work release unit visited by the Committee offered any educational programs beyond the basic GED program.

c. The Department is in the process of implementing the "No Read, No Release" program (officially, The Literacy Incentive Program) recently announced by Governor Baliles. While it is still too early to tell how effective this program will be, it is a first step in recognizing the serious educational deficiencies in the system.

d. Vocational training programs are extremely limited, both in terms of their scope and in the number of inmates who can benefit from them. Although several institutions offer courses in such fields as masonry, carpentry and welding, the classes are available to only about 9% of the total prison population.¹⁰ The Committee generally found the classes to be too small and the training too limited to offer adequate training opportunities.

For example, at one major institution, the auto mechanics class only accomodated two vehicles and offered training in only minor repairs and tune-ups, significantly less than what an effective training program would provde.

e. The "Prison Industries Program", which provides paying jobs to inmates in such industries as tailoring, printing, furniture repair and construction, provides employment for approximately 11% of all inmates. Agricultural jobs employ an additional five percent.¹¹ While these programs have proven very successful in providing marketable skills and financial incentives to some inmates, they do not affect any of the 3,000 inmates assigned to field units, where most inmates spend the bulk of their time picking up trash from the state's highways. Although the highway jobs keep inmates nominally occupied during the day and offer them limited exercise and fresh air, they do not provide any meaningful opportunities for vocational training or self-improvement.

f. The prisons visited by the Committee provide few psychological, moral, or religious resources by which inmates can learn from their past mistakes or rebuild their lives. The counselors at every institution appeared to be overworked and burdened with excessive, mind-numbing paperwork. They uniformly complained of their frustration with low pay, poor working conditions, stress, and a lack of time to counsel inmates.

g. The state does not hire or compensate chaplains or any other personnel to provide religious guidance to inmates. The only chaplains are provided by the Virginia Chaplains Service and are not subject to any supervision or control by the Department.

h. The families of inmates are generally left out of the self-rehabilitation process. Family visits are rarely made a part of the system's long-range programs for changing inmate behavior. In 1985, only 25 percent of "A" custody inmates and 5.8 percent of all inmates received overnight family furloughs during the year.

i. Inmates interviewed by the Committee generally appeared ill-prepared for parole. They seemed largely acclimated to a rigid schedule where most of their physical needs were met by the system at no cost to themselves. This dependency, which is rationalized by the need for security and efficient prison operations, ironically becomes a liability for inmates when they are released without having learned how to provide for themselves.

6. Inmates do not receive adequate incentives from the Department to rehabilitate themselves. The various systems used for inmate classification, custody, housing, employment, education, privileges, and parole tend to operate independently of each other and interact in such a complex and inconsistent manner that inmates cannot see tangible or readily attainable rewards for self-improvement. Specifically:

a. The Department utilizes two principal means of "rewarding" inmates, each of which operates independently of the other. The first is to assign inmates to one of three custody levels (i.e., "A", "B", and "C" levels, with "A" being the least restrictive), depending on the security risk they pose to the public (See Appendix F). The second is to assign inmates to one of four "good time" classes, which serve to reduce the length of inmates'

sentences (i.e., Classes I, II, III, and IV, with Class I earning the greatest amount of "good time", 30 days' credit off of one's total sentence for every 30 days served). However, these two systems are not sufficiently linked together and with other institutional rewards to provide inmates with a well-focused program to bring about meaningful behavior modification. To illustrate, a "model" inmate who has a good behavior record, who earns 30 days' credit for every 30 days, and who is placed in "A" custody may have fewer educational, training, and wage-earning opportunities than a "B" custody inmate who does not have a good behavior record. Thus, the interplay between these various incentives is too inconsistent and complex to translate into a coherent behavior modification system for inmates who generally need simple, well-defined rewards for good behavior and self-improvement.

b. Several institutions utilize "progressive housing", by which well-behaved inmates can advance from very restrictive housing quarters to less restrictive ones. While this is a useful concept, it is insufficiently linked to other rewards, such as "good time". In addition, the distinctions among the various housing levels are not great enough to bring about significant changes in behavior.¹³

c. The best paying inmate jobs are not adequately linked to good institutional behavior and do not offer sufficient economic rewards. Approximately 70-80 percent of all inmates hold some type of job, but roughly 60% perform maintenance, kitchen, laundry or road crew jobs that pay a maximum of 90¢ per day.¹⁴ Inmates who participate in vocational or educational programs,

such as auto mechanics or upholstering, are generally paid 90¢ per day. Prison industry inmates, on the other hand, are paid on an incentive basis and may make as much as \$200 per month if they meet certain production goals or work extra hours.¹⁵ These significant differences in pay, however, are generally not tied to "good time" classes or custody levels.¹⁶ The arbitrary nature of the pay system undercuts other incentives for self-rehabilitation, causes friction among inmates, and prompts many inmates to forsake valuable vocational and educational programs in lieu of the higher paying prison industry jobs.

d. The "work release" program is designed to permit those inmates with little time remaining on their sentences to hold jobs outside of prison. This appears to be a generally successful program which helps inmates readjust to the "real" world prior to their release. At present, however, only 247 inmates (2 percent) are eligible to participate in the program.¹⁷ The criteria for making work release are so stringent and its availability is so limited that it does not serve as a meaningful goal for most inmates and is not widely understood within the system. At one work release unit, the Committee even interviewed staff who were not aware of other work release programs in the state.

e. The "good time" system for reducing inmates' total sentences appears to be a useful and easily understandable device to encourage inmate self-rehabilitation. However, the statutory scheme enacted by the General Assembly is so complicated and its implementation by the Department is so error-prone that it promotes confusion and resentment among inmates.

7. The parole system in Virginia is widely perceived by both inmates and correctional staff as being arbitrary, unfair, and so unrelated to an inmate's institutional performance that it cannot serve as a useful rehabilitative tool. Although the Committee did not attempt to review or evaluate the policies and procedures of the Virginia Parole Board, it observed that:

a. Inmates receive little, if any, useful parole guidelines from either the DOC or the Parole Board. Both inmates and correctional staff share the impression that inmates with the worst institutional records often make parole more quickly than well-behaved inmates with similar offenses.

b. The Parole Board provides virtually no feedback to inmates who have been denied parole as to the reasons for a "turn down".

c. Correctional officers and counselors interviewed by the Committee generally thought that they had little, if any, input in the parole decision-making process.

8. The 10 prisons inspected by the Committee appeared remarkably free of serious or widespread violence among inmates or violence between inmates and staff, with the notable exception of Mecklenburg. The Committee saw no signs, and were not told, of any racially motivated gang warfare, prostitution rings, or large-scale drug problems.

9. Except for overcrowding, basic living conditions in the 10 prisons were generally adequate to meet minimum humane and constitutional standards.

10. The Committee witnessed several examples of inmate punishment that appeared arbitrary and possibly excessive. Specifically:

a. Inmates are transferred from one institution to another for punitive reasons, often without adequate justification or notice to the inmate. Although there are often valid security reasons for moving troublesome inmates, the procedure is easily subject to arbitrary and excessive punishment of inmates who have done little to deserve transfers.

b. The Committee saw at least two instances of what seemed excessive use of solitary confinement for relatively minor offenses. In one case, an inmate was placed in solitary confinement for two weeks for having "cussed" an officer.

c. The Committee saw isolation cells at two institutions that were not fit for human habitation. The cells, which were used to punish inmates, were so lacking in light, ventilation and heating that they did not seem fit for any inmate.

11. a. Serious morale problems persist among the system's correctional officers. This is due to a number of factors, including 1) a lack of moral support for correctional officers by the public and the state's elected officials, 2) limited pay, promotion, and recognition opportunities and 3) the highly stressful nature of corrections work.

b. Correctional officers in Virginia have a relatively high turnover rate of 16 percent.¹⁸ For newly hired officers, the rate is even higher. For example, the Committee was told that the average new officer hired at the penitentiary lasts less than one year.

12. The educational and training levels attained by many officers and supervisors in the system appear to be inadequate. Although the DOC was unable to provide the Committee with statistics on the educational levels attained by wardens at individual institutions, several wardens interviewed by the Committee lacked advanced educational training.

13. The amount and timing of training for correctional officers is inadequate. Many newly hired officers do not receive their "basic" classroom training until they have already been on the job for three, or sometimes even six, months.¹⁹

14. The Department and the General Assembly have failed to provide all inmates with adequate access to the courts.

Specifically:

a. Many facilities lack adequate law libraries. Under Bounds v. Smith, 430 U.S. 817 (1977), the state has the responsibility either to provide inmates with law libraries or court-appointed attorneys to advise them on matters related to their incarceration. Although Virginia meets its constitutional obligations under Bounds by providing court-appointed counsel to every adult prison in Virginia (Va. Code §53.1-40), it also provides some form of law library at many institutions. These libraries vary tremendously, with one of the state's best libraries ironically being located at Marion Correctional Center, which houses the state's mentally ill prisoners. There are no uniform guidelines on what these libraries should contain or how they should be maintained.

b. The Department and the General Assembly have

failed to provide any supervision or guidance to the attorneys who serve as court-appointed counsel in the 43 adult facilities or on the procedures governing inmate access to these attorneys. The result is that the attorneys provide vastly different types and amounts of legal assistance to inmates, often depending on the personalities of the warden and the attorney at each institution.

c. The Department and the General Assembly have failed to provide adequate legal assistance to death-row inmates who wish to challenge the constitutionality of their sentences. The institutional attorneys at Mecklenburg Correctional Center, Powhatan, and the Penitentiary, where death-row inmates are housed, are not able and do not provide the degree of specialized assistance needed in capital habeas corpus cases. As a result, many death-row inmates are forced to engage in frantic last-minute searches for legal assistance prior to their scheduled executions.

III. RECOMMENDATIONS

1. a. The Department of Corrections and the General Assembly should increase existing efforts to relieve overcrowding in the state's adult prison system. Increased emphasis should be placed on the use of work release, pre-release, community diversion, in-house arrest, and other cost-saving alternatives to incarceration.

b. The General Assembly should insure that the state penitentiary is not closed until a replacement facility has been constructed in the Richmond area. Such a facility is needed to permit visitation by the families of inmates on a regular basis and to fully utilize volunteers who wish to assist in the correctional process. The General Assembly should take these considerations into account in selecting a site for the new prison.

c. The Department should keep its own staff, inmates, and the public better informed about the extent of overcrowding in each institution. Toward this end, a notice should be posted in each facility stating the operational capacity for the institution and the current inmate population.

2. a. The Department should place the highest priority on improving the management chain within the Department to insure that uniform policies and procedures are followed at all institutions. It should also bring in more experienced and sophisticated program

managers - possibly managers from outside the corrections field - to run major institutions. A primary part of this management reform should be to involve correctional officers and counselors more directly in the policymaking process and to allow a greater opportunity for inmates to express their concerns.

b. The Department should maintain its relatively large number of small institutions, since such decentralization can serve as an effective means of implementing specialized correctional programs.

3. The Governor should take immediate steps to promote greater citizen involvement in the corrections process, not only in adult prisons but also in juvenile institutions and in the probation/parole process. He should appoint a special Commission on Citizen Participation in Corrections to devise and recommend practical and effective means (i) to improve communications and understanding between state correctional institutions and their local communities, (ii) to increase volunteer participation in the corrections process (including education, training, probation and parole), (iii) to reduce state spending on corrections through the expanded use of volunteers and community diversion programs, and (iv) to increase the educational role of prisons in teaching young people about the realities of prison life.

4. The Department should continue its efforts to improve security at all adult institutions, particularly through the use of cameras and other remote electronic surveillance devices at field units.

5. The Department should make major changes in its treatment and self-rehabilitation programs. Specifically:

a. Transfers of inmates should be reduced to a minimum. Punitive transfers should be governed by clear guidelines that include impartial hearings and greater notice of hearings. Inmates should be given at least 14 days' notice of non-punitive transfers.

b. Educational opportunities should be significantly expanded for all inmates. The Governor's recently announced literacy program should be pursued, but should not take precedence over the educational needs of other inmates nor be made an unconditional prerequisite for parole.

c. Vocational training programs should be significantly expanded. Inmates with good institutional records should be encouraged to enroll in training programs of sufficient duration and difficulty to allow for the development of marketable skills prior to release. The Department should consider converting several field units into minimum-security, specialized "Job Centers", where such skills as health care, auto mechanics, or computer operations could be taught. These "Job Centers" should be reserved for model inmates with good institutional records who do not pose substantial security risks.

d. The Department should take steps to hire more counselors and to insure that counselors are able to develop more permanent and meaningful counseling relationships with inmates. All counselors should be able to spend at least one-half of each day engaged in actual counseling with inmates.

e. The work release program should be significantly expanded so that most of the highest-rated inmates with little time remaining on their sentences can participate and begin to adapt to life outside the prison walls. Volunteers should be actively solicited to help run these programs.

f. The Department should take steps to improve the religious and spiritual opportunities for inmates. While such steps would be subject to constitutional limitations, the Commonwealth should seek to insure that there are full-time chaplains at all major institutions.

g. The Department should take steps to increase the role of inmates' families in the rehabilitation process. Family counseling should be expanded, particularly for inmates with substance abuse problems. Most "A" custody inmates and inmates nearing their final release dates should receive regular family furloughs.

6. The General Assembly, the Virginia Parole Board, and the Department of Corrections should thoroughly re-examine the DOC's entire classification, custody, good time, housing, employment, and parole systems to simplify and combine them into a cohesive and comprehensive "graduated release" program that consistently and adequately rewards inmates who demonstrate progress in self-rehabilitation. Such a re-examination would include the following measures:

a. The DOC should consider combining all the different incentive systems and instituting a single composite rating which would serve as the basis for most incentives and

rewards throughout an individual's entire sentence. To the greatest extent possible, the point system used to calculate inmate custody should be extended to the other rewards offered in the system.²⁰

b. Inmates with the highest composite rating should generally be entitled to the highest paying jobs, the maximum allowable good time, the best housing privileges, work release, furloughs, greater access to their personal funds, and other benefits.

c. The progressive housing system should be expanded and standardized as much as possible among all institutions within the state. Perhaps every housing unit could be assigned a housing code, which would carry with it uniform rights and restrictions. Greater distinctions should be made among the different housing levels.

d. The present "good time" system should be re-evaluated and simplified. The General Assembly should consider adding one or more additional categories for earning "good time" to the four that currently exist.

7. The corrections process and the parole system should be more closely linked. Inmates should be provided with a simple, realistic list of attainable goals which they must meet in order to make parole. Correctional officers and other staff should be included more in the parole decision-making process. Inmates should receive a more particularized statement - even if only a single paragraph - from the Parole Board as to consideration leading to a denial of their parole.

8. a. The Department should more closely monitor cells

used for solitary confinement in order to insure that all cells meet minimum standards for lighting, ventilation, sanitation, and heating.

b. The Department should issue and enforce more reasonable guidelines on the use of solitary confinement and the length of confinement for specific offenses.

9. The Department should take steps to improve the morale of counselors and correctional officers. Specifically:

a. The Department should consider increasing the pay levels for correctional officers, particularly those who meet higher educational standards. Officers who deal regularly with the most dangerous inmates, such as those at Mecklenburg, should receive some form of "combat pay", in the form of additional salary, compensatory time, or other benefits.

b. The Department should study ways to bring greater recognition, both financial and social, to outstanding officers and counselors.

c. The Department should develop "exchange programs" for officers and counselors, whereby they could visit correctional facilities in other parts of Virginia and in other states to learn how other correctional agencies deal with similar problems.

10. The Department and the General Assembly should take steps to provide inmates with more meaningful access to the courts. In particular:

a. All major institutions should have the same legal publications. All field units should have smaller, yet uniform,

libraries. All law libraries should be properly updated and the same equipment (e.g. typewriters) provided at each facility. All institutional attorneys should be provided with guidelines on their legal responsibilities to inmates.

b. All institutions should post the name and the address of the institution's court-appointed attorney, with uniform instructions on how inmates can contact the attorney.

c. The General Assembly should clarify Virginia Code §53.1-40 as to the responsibilities of institutional attorneys or other specially appointed attorneys to assist indigent inmates who wish to file habeas corpus actions in death penalty cases.

IV. CONCLUSION

The Prisons and Corrections Committee, in its inspection of 10 adult prisons, found that while significant improvements have been made over the past two years, many serious problems remain in Virginia's prison system. Foremost among these are a lack of consistent policies and procedures, a lack of coherent and effective programs for inmate self-rehabilitation, and a lack of public involvement in the corrections process.

Many reforms need to be made. Of the 10 specific recommendations set forth above, the Committee places the highest priority on the upgrading of DOC's administrative management and the coordination and redesign of the treatment and behavior incentive programs. These reforms, however, cannot win public support unless the public becomes more directly involved in the entire corrections process.

These changes, of course, only constitute a small portion of the steps which can and should be taken to improve the state's correctional system. By working together, the General Assembly, the Governor, the Department of Corrections, the Parole Board, and private citizens can fashion a system that is far more successful at encouraging self-rehabilitation and protecting the public from the tragedy of serious crime.

FOOTNOTES

¹In 1984, Virginia had the fourteenth largest prison population of any state. The Corrections Yearbook, by George and Camille Camp, (Criminal Justice Institute, 1985), pp. 26-27. As of October 17, 1986, Virginia's total inmate population was 12,207, including state felons in local jails. See Appendix A.

²The Department provided the Committee with two different figures for the total number of institutions. In Appendix B, the total is put at 57, but this apparently includes several different institutions on the same site. The lower figure shown here was provided by the Office of the Director.

³The Criminal Justice Institute (unpublished).

⁴See Appendix B.

⁵This is the amount per adult inmate. Juvenile figures are considerably higher. Ibid.

⁶The Committee visited the following institutions between May, 1984 and August, 1986: Richmond Penitentiary, Powhatan, Bland, Staunton, Mecklenburg, Southampton (major institutions); New Kent, Stafford (field units); Fairfax (work release); and Marion (psychiatric). The penitentiary was visited twice, in mid-1984 and in mid-1986.

⁷For a list of the members of the Prisons and Corrections Committee, see Appendix C.

⁸See Appendix A. Population and rated capacity statistics have been subject to widely divergent interpretations. In its total population figure of 12,207, the Committee included the 1,075 state prisoners confined in local jails since the Department of Corrections bears the responsibility for housing and treating all felons sentenced to more than one year.

In addition, the term "rated capacity" or "operational capacity" has also been subject to many different interpretations. Although national organizations, such as the American Correctional Association, would calculate the operational capacity of Virginia's system to be lower than what DOC's figures reflect, the Committee used the Department's own figures to reflect overcrowded conditions.

⁹See Appendix B.

¹⁰Virginia Department of Corrections figures (unpublished).

¹¹Ibid.

¹²Ibid. The Department was unable to provide the Committee

with the percentage of inmates released on parole in 1985 who had been granted furloughs prior to their release. This lack of information reveals how little correlation exists between parole and the furlough program.

¹³See Appendix D.

¹⁴Virginia Department of Corrections figures (unpublished).

¹⁵See Appendix B. The Department's estimate of "\$100.00 or more" may be somewhat low. The Committee's interviews with staff and inmates suggest that the maximum income could range as high as \$200-300 per month.

¹⁶See Appendix E. The chart shows a sample list of jobs held by inmates at Southampton Correctional Center. The fourth column indicates the custody of inmates who perform each job on a daily basis. Some of the best paying prison industry jobs, such as the shoe factory, are often filled by inmates with the lowest custody levels.

¹⁷See Appendix B.

¹⁸Ibid. According to the Corrections Compendium, (December, 1983), Virginia had a turnover rate among correctional offices of 20-25%. Only 6 states had a rate higher than 25% in 1983.

¹⁹The DOC informed the Committee that Department policy has now been changed to require that all correctional officers receive basic training before they start work in a prison.

²⁰The Committee recognizes the difficulties posed by combining the custody and the good time classification systems, the most obvious of which is the need to grant the maximum amount of "good time" credits to long-term offenders. The Department, however, should give such a project serious consideration. See Appendix F for the Inmate Custody Classification Scoresheet, a good example of the type of simple, easily understandable scoring system that is needed.

DEPARTMENT OF CORRECTIONS
DIVISION OF ADULT SERVICES
DAILY INMATE POPULATION AND MOVEMENT REPORT
FIELD SLOTS

DATE: 10/17/86
TIME: 11:32:48
PAGE: 01

LOCATION CODE	LOCATION NAME	TOTAL INMATES ASSIGNED	OPERATIONAL CAPACITY
001	PULASKI CORRECTIONAL UNIT	70	85
002	CAROLINE CORRECTIONAL UNIT	129	130
003	ROANOK CORRECTIONAL UNIT	93	90
004	BASKERVILLE CORRECTIONAL UNIT	116	104
007	WHITE POST CORRECTIONAL UNIT	100	85
008	HARRISONBURG CORRECTIONAL UNIT	99	100
009	AUSTBURG CORRECTIONAL UNIT	108	100
010	GREENVILLE CORRECTIONAL UNIT	99	85
011	CULPEPER CORRECTIONAL UNIT	70	65
012	FLUVANNA CORRECTIONAL UNIT	94	90
013	POCAHONTAS CORRECTIONAL UNIT	215	210
015	CHATHAM CORRECTIONAL UNIT	97	95
016	NEW KENT CORRECTIONAL UNIT	95	0
017	HAYNESVILLE CORRECTIONAL UNIT	99	85
018	WISE CORRECTIONAL UNIT	95	90
020	CAPRON CORRECTIONAL UNIT	95	85
021	STAFFORD CORRECTIONAL UNIT	105	90
022	TIDEWATER CORRECTIONAL UNIT	103	95
023	HALIFAX CORRECTIONAL UNIT	192	184
24	SMITH LAKE CORRECTIONAL UNIT	94	90
025	BOTETOURT CORRECTIONAL UNIT	93	88
026	HAYMARKET CORRECTIONAL UNIT	95	90
027	DINWIDDIE CORRECTIONAL UNIT	95	90
028	PATRICK HENRY CORRECTIONAL UNIT	111	102
030	FAIRFAX CORRECTIONAL CENTER	159	150
031	TAZEWELL CORRECTIONAL UNIT	105	100
032	APPALACHIAN CORR UNIT	12	43
070	CHESTERFIELD COMMUNITY CORRECT	113	100
071	SPRING STREET WORK RELEASE CEN	18	20
072	SOUTHAMPTON WORK RELEASE	30	32
SUB-TOTAL		3,001	2,753

** TOTALS INCLUDED IN GRAND TOTAL **

CARRS ONLY:

CHESTERFIELD COMM 25

SOUTHAMPTON WORK 4

* CONTINUED ON NEXT PAGE *

DEPARTMENT OF CORRECTIONS
 DIVISION OF ADULT SERVICES
 DAILY INMATE POPULATION AND MOVEMENT REPORT
 MAJOR INSTITUTIONS

DATE: 10/17/84
 TIME: 11:52:51
 PAGE: 02

LOCATION CODE	LOCATION NAME	TOTAL INMATES ASSIGNED	OPERATIONAL CAPACITY
100	ELAND CORRECTIONAL CENTER	459	440
101	VIRGINIA STATE PENITENTIARY	627	728
102	SOUTHAMPTON CORRECTIONAL CENTER	507	474
103	POWHATAN CORRECTIONAL UNIT	502	450
104	VA. CORRECTIONAL CENTER FOR WD	331	384
105	JAMES RIVER CORRECTIONAL CENTER	332	321
107	STAUNTON CORRECTIONAL CENTER	555	527
108	POWHATAN-100 UNIT	75	92
110	HECKLENBURG CORRECTIONAL CENTER	317	335
111	POWHATAN CORRECTIONAL CENTER I	34	47
150	AUGUSTA CORRECTIONAL CENTER	574	500
200	BUCKINGHAM COMP. CENTER	720	500
220	NOTTOWAY CORRECTIONAL CENTER	705	500
300	MEDICAL COLLEGE OF VIRGINIA	6	0
310	MARION CORRECTIONAL TREATMENT	160	160
400	POWHATAN RECEIVING CENTER	302	245
410	POWHATAN "M" BUILDING	87	99
500	PENITENTIARY HOSPITAL	18	42
510	PENITENTIARY "C" BUILDING	84	98
600	SOUTHAMPTON RECEIVING UNIT	159	116
710	SOUTHAMPTON YOUTHFUL OFFENDER	78	100
75	BRUNSWICK CORRECTIONAL CENTER	696	500
700	ST. BRIDES CORRECTIONAL UNIT	443	423
701	DEERFIELD CORRECTIONAL CENTER	320	290
800	WOMENS RECEIVING UNIT	40	41

SUB-TOTAL		8,131	7,312
GRAND-TOTAL		11,132	10,065

TOTALS NOT INCLUDED IN GRAND TOTAL	*****	TOTALS INCLUDED IN GRAND TOTAL
PRE-RELEASE	51	CADRE ONLY:
STATE HOSPITALS	19	POWHATAN RECEIVING
ADMINISTRATIVE	5	SOUTHAMPTON RECEIVING
LOCAL JAILS	1,075	

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF CORRECTIONS
INTER-STAFF MEMORANDUM

Date September 5 1986

TO: Helen Hinshaw, Lead Monitoring Analyst

FROM: James Duke

SUBJECT: Bar Association Survey

1. What is the total number of correctional facilities in Virginia, broken down by adult male facilities, adult female facilities, juvenile facilities, and local jails and lockups?

Adult male facilities	55
Adult female facilities	2
Juvenile facilities (Learning centers)	8 (includes R & DC)
Local Jails	98
Local Lockups	34

2. What was the total cost per inmate in Virginia in FY84 and FY85? How do you calculate this figure?

	<u>Adult</u>	<u>Youth</u>
FY84	14,770	24,050 (Fed. expenses deducted)
FY85	14,859	27,654 (Fed. expenses deducted)

*Total expense (less revenues) divided by averaged annual population.

3. What was the total state spending for corrections in FY83, FY84, FY85, and FY86? For each year, what percentage of the state's total budget was devoted to corrections?

	<u>*Total Corrections Spending</u>	<u>% of States' Total Budget</u>
FY83	243,340,337	3.75%
FY84	239,919,226	3.49%
FY85	254,822,368	3.32%
FY86	286,502,193	3.45%

*Does not include Bureau of Industrial Enterprises.

14. What is the current starting salary of correctional officers and counselors?

	<u>Range</u>
Corrections Officer A	\$14,016 - \$19,145
Corrections Institution REhabilitation Counselor	\$16,757 - \$22,885

16. What is the turnover rate for all security personnel?*

	<u>Turnover % (7/1/85 to 6/30/86)</u>
Correctional Officer	16.77%
Corrections Sergeant	3.96%
Corrections Lieutenant	7.00%

* There is no Corrections Corporal rank

APPENDIX C
MEMBERS, PRISONS AND
CORRECTIONS COMMITTEE

PRISONS AND CORRECTIONS COMMITTEE
MEMBERSHIP LIST

September 15, 1986

1. James M. Pates, Chairman
City Attorney
City of Fredericksburg
Post Office Box 7447
Fredericksburg, Virginia 22404
2. Kevin Donovan, Vice-Chairman
Gillenwater, Donovan and Tew
705 Park Avenue
Falls Church, Virginia 22046
3. Lloyd Snook, Secretary
Attorney at Law
230 Court Square
Charlottesville, Virginia 22901
4. Thomas B. Baird, Jr.
Commonwealth's Attorney
P. O. Box 37
Wytheville, Virginia 24382
5. A. Hugo Blankingship, Jr.
Blankingship and Keith
4020 University Drive, Suite 312
Fairfax, Virginia 22030
6. Nate L. Adams, III
Bird, Kinder and Huffman
126 Church Avenue, S. W., Suite 200
Roanoke, Virginia 24011
7. James W. Speer
Corry and Corry, P. C.
114 West Grace Street
Richmond, Virginia 23220

APPENDIX A

Privileges and Limitations by building for the Progressive Housing Program:

1. C-1 Cell House

1. Gymnasium and television privileges alternate every other night
- b. Knockdown (lights out) is at 10:00 p.m. every night
- c. Cell call (to return or leave cell) occurs only on the hour after evening count
- d. No card tables in the hallway
- e. No photos, artwork, etc. hung on the walls
4. f. Last in line for meals
- g. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

2. C-2 Cell House

- a. Gymnasium and television privileges alternate every other night
- b. Knockdown is at 11:00 p.m. every night
- c. Cell call occurs only on the hour after evening count
- d. Card tables located in the hallway
- e. No photos, artwork, etc. hung on the walls
- f. Fourth building in line for meals
- g. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

3. C-3 Cell House

- a. Gymnasium and television privileges available every night
- b. Knockdown is at 11:00 p.m. on weekdays, and at the end of the movie on weekends
- c. Cell call occurs only on the hour after evening count
- d. Card tables located in the hallway
3. e. Limited privilege to hang photos, artwork, etc. on the cell walls
- f. Third building in line for meals
5. g. Picnic visits permitted once a month during late spring, summer and early autumn, if eligible and approved
- h. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

4. R-1 Honor Building

- a. Gymnasium, television, and R-3 recreation room privileges every night
- b. Knockdown is at 11:30 p.m. on Sunday through Thursday nights, and at 1:30 a.m. on Friday and Saturday nights. After knockdown in R-1, residents may have their lights on and be playing their TVs, radios or stereos; they may leave their rooms only to use the commode or drinking fountain
2. c. Residents have own room keys, so cell call is unnecessary
- d. Photos, artwork, etc. may be hung on the walls in rooms
6. e. Visiting of other residents' rooms on the same floor allowed prior to knockdown, but no more than one visitor at a time in a room
- f. Second in line for meals
- g. Picnic visits permitted once every other weekend during late spring, summer and early autumn, if eligible and approved
- h. Iron furnished
- i. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

5. R-3 Honor Building
 - a. Gymnasium, television, and R-3 recreation room privileges every night; all night TV room privileges every night
 - b. Knockdown is at 12:00 midnight on Sunday through Thursday; none on Friday and Saturday night. After knockdown in R-3, residents may have their lights on and be playing their TVs, radios or stereos; they may leave their rooms only to use the commode, drinking fountain or TV room.
 - c. Residents have own keys, so cell call is unnecessary
 - d. Personal dress shirts and dress pants of solid colors allowed
 - e. Photos, artwork, etc. may be hung on the walls in rooms
 - f. Visiting of other residents' rooms on either floor allowed prior to knockdown, with general limit of five men in one room at a time
 - g. First in line for meals
 - h. Picnic visits permitted once every weekend during late spring, summer and early autumn, if eligible and approved
 - i. Iron furnished
 - j. Pay telephone in building
 - k. Washer and dryer available
 - l. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

APPENDIX E
 NUMBER OF INMATES IN VARIOUS PRISON JOBS
 AND REQUIRED CUSTODY LEVELS,
 SOUTHAMPTON CORRECTIONAL CENTER

Southampton Correctional Center Work Gangs

Gang Number	Gang Name	Gang Foreman	Custody Required	No. of Inmate Average in 1 D.
1	Shoe Factory	L. J. Moses	C	50
2	Recreation	Floyd Coley	C	18
3	Dental Laboratory	J. C. Eversole	C	11
4	Security Department	Cpl. H. J. Barnes	C	2
5	Grounds Maintenance	L. R. Johnson	B, A	14
6	✓ Sawmill & Cannery	E. G. Harrell	B	15
7	Institution Barbers	Major E. T. Jones	C	6
8	Motor Pool	C. P. Griffith	B, A	21
9	✓ Tractors	W. G. Jarrett	B, A	11
10	Education Department	J. A. Carey	C	24
11	✓ Secure Farm Labor	T. M. Artis	B	39
12	Carpentry	C. E. Allen	B	14
13	✓ Dairy	R. M. Chaffin	B	6
14	Electrical		B	10
15	Laundry	M. F. Spence	C	24
16	Work Release Cadre	Sgt. W. F. Seal	A	12
17/C1	C-1 Maintenance	Cpl. Moses Smith	C	19
17/C2	C-2 Maintenance	Cpl. R. Goodwyn	C	19
17/C3	C-3 Maintenance	Cpl. H. A. Darden	C	23
17/R1	R-1 Maintenance	Cpl. G. T. Tann	C	15
17/R3	R-3 Maintenance	Cpl. P. Voltolin	C	14
18	Kitchen	A. E. Whitehead	C	117
19	✓ Farm Trusty	W. E. Burgess	A	6
20	Chair Factory	D. E. Jackson	C	35
21	Woodwork & Welding	W. K. Harrison	B	13
23	Unassigned			
24	Chapel	Rev. G. R. Powell	C	
27	Officers Quarters	Capt. H. A. Thorpe	A	2
28	Waste Water Treatment	D. L. Phillips	B, A	11
30	Clothing Room	J. B. Harris	C-	10
32	Boiler Plant	F. B. Vick	B	21
34	Treatment Department	L. A. Clifton	C	5
36	Warehouse	G. T. Mattox, Jr.	B	7
37	Gate Men	H. L. Teel	A	3
38	Confinement			
39	Creative Maintenance	A. L. Harris	B	12
40	Plumbing	H. M. Smith	B	13
41	Dog Kennel	Cpl. V. L. Raiford	B, A	3
42	Construction Labor	H. M. Carpenter	C	28
43	Security Maintenance	H. G. Council	C	9
45	Dispensary	J. R. Dickens	C	
46	Yard Utility	B. J. Hobbs, Jr.	C	7
47	Administration Building	Capt. W. F. Sasser	B, A	2
50	Electrical	A. M. Young	B	8
51	Heating & Refrigeration	Buck Edwards	B	11

Revised 05/08/85

VA. DEPT. OF CORRECTIONS - ADULT SERVICES
INITIAL INMATE CLASSIFICATION
CUSTODY

NAME _____ NUMBER _____
 LAST FIRST MI

INSTITUTION _____

CLASSIFICATION CASEWORKER _____ DATE _____

1. HISTORY OF INSTITUTIONAL VIOLENCE

(Jail or prison, code most serious within last five years.)

- None 0
- Assault not involving use of a weapon or resulting in serious injury 3
- Assault involving use of a weapon and/or resulting in serious injury or death. 7

score

2. SEVERITY OF CURRENT OFFENSE

(Refer to the Severity of Offense Scale. Score the most serious offense if there are multiple convictions.)

- Low 0 High 7
- Low Moderate 2 Highest 10
- Moderate 4

score

3. PRIOR ASSAULTIVE OFFENSE HISTORY

(Score the most severe in inmate's history. Refer to the Severity of Offense Scale.)

- None, Low, or Low Moderate 0 High 6
- Moderate 4 Highest 8

score

4. ESCAPE HISTORY (Rate last 3 years of incarceration.)

- No escapes or attempts (or no prior incarcerations) 0
- An escape or attempt from A custody, no actual or threatened violence:
Over 1 year ago 1 Within the last year 3
- An escape or attempt from B or C custody, or an escape from A custody with actual or threatened violence:
Over 1 year ago 5 Within the last year 7

score

5. LENGTH OF TIME TO PAROLE ELIGIBILITY DATE, IN YEARS.

score

6. ALCOHOL/DRUG ABUSE

- None 0
- Abuse causing occasional legal and social adjustment problems. 1
- Serious abuse; serious disruption of functioning 3

score

7. CURRENT DETAINER

- None 0
- Misdemeanor detainer 1
- Extradition initiated - misdemeanor 3
- Felony detainer. 4
- Extradition initiated - felony 6

score

8. PRIOR FELONY CONVICTIONS

- None = 0 One = 2 Two or More = 4

score

9. STABILITY FACTORS

(Check appropriate factor(s) and combine for score.)

- () Age 26 or over -2
- () High School diploma or GED received -1
- () Employed or attending school (full or part-time) for six months or longer at time of arrest -1

score

TOTAL SCORE

VIRGINIA'S ADULT PRISONS: A CITIZENS' REPORT

December 2, 1986

Prepared by
VIRGINIA BAR ASSOCIATION
Prisons and Corrections Committee
James M. Pates, Chairman

Adopted by
VIRGINIA BAR ASSOCIATION
Executive Committee
Edmund L. Walton, Jr., President

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I. INTRODUCTION

Virginia has the fourteenth largest adult prison system in the United States, with a current population of roughly 12,000 inmates.¹ These inmates are scattered throughout the state in forty-two male and one female prisons,² giving Virginia the fourth largest number of prisons in the country. These forty-three institutions, however, do not constitute nearly all of the State's correctional facilities. There are an additional 132 local jails and lockups, eight juvenile institutions, and three work release camps, each of which is required to meet state specifications.⁴

The costs of such a system are high. With a budget of \$254.8 million in fiscal year 1985, the Department of Corrections alone comprised 3.32 percent of Virginia's total budget. This amounted to an annual per inmate cost of approximately \$14,859 in fiscal year 1985.⁵ This did not include an additional \$1.02 million to fund the Virginia Parole Board or \$11.4 million to fund the independent Department ~~of~~ Correctional Education in FY 1985.

Despite the large size and cost of Virginia's prison system, it remains largely invisible to, and thus forgotten by; most taxpayers. It would not be an exaggeration to characterize our prisons as the modern equivalent of medieval fortresses, largely cut off from their communities by physical and psychological barriers as formidable as any moat or mountain cliff. Few people outside the prison system, including attorneys,

prosecutors, legislators or judges, have a firm understanding of what goes on behind the walls of these 43 prisons.

The purpose of the Prisons and Corrections Committee of the Virginia Bar Association is to increase the private bar's involvement in Virginia's prison system and to seek ways to improve the entire corrections process. In 1984, the Committee set as one of its primary goals over the next two years the completion of a survey of the state's adult prisons and the issuance of a report with its findings. Although most members of the Committee had criminal law experience - both as prosecutors and defense attorneys - they realized that they had little first-hand knowledge of the system as a whole. The Committee agreed that if it could gain some first-hand knowledge of the entire system and summarize its findings and recommendations in a relatively objective "citizens" report, such a project might be useful in lowering some of the barriers that have limited the public's and the bar's involvement in the corrections process.

The following report is the final product of the past 28 months of work by this group. The Committee inspected 10 adult male prisons, including six major institutions, two field units, one work release unit, and one psychiatric facility.⁶ Committee members interviewed scores of correctional officers, counselors, and inmates at the various institutions, reviewed hundreds of pages of Department of Corrections (DOC) documents and consultants' reports (e.g. report of the Mecklenburg Correctional Center Study Committee), and compared conditions found in Virginia institutions with standards issued by national correctional organizations. At the conclusion of its on-site inspections, the Committee contacted

DOC staff in Richmond to determine system-wide policies and to compile certain statistics. In short, the Committee attempted to base its conclusions primarily on first-hand observations but also utilized secondary sources.

Roughly one month after the Committee decided to launch its study, Virginia's correctional system became the subject of national notoriety due to the escape of six prisoners from the state's "super-maximum-security" prison in Mecklenburg County on May 31, 1984. Billed as the largest death-row escape in U.S. history, the incident triggered a nationwide manhunt that lasted six weeks and eventually resulted in the recapture of all six men.

During that same summer, several other escapes from major institutions and a hostage-taking episode at Mecklenburg led to a political "crisis" in Virginia's entire prison system. Governor Robb accepted the resignation of his corrections chief, Robert M. Landon, and appointed a blue-ribbon commission to study the problems at Mecklenburg.

The Commission issued its report on November 7, 1984, calling for a number of recommendations directed largely at the operations of Mecklenburg. Among other things, the group recommended that 1) the prison's unique "phase program" be re-designed to deal more effectively with the system's most dangerous and violent inmates, 2) communications between line officers and their superiors be improved, 3) steps be taken to reduce violent assaults between inmates and staff, and 4) the state consider granting a pay increase for new correctional officers. In response to this report and to

initiatives taken by the new Director, Allyn R. Sielaff, the General Assembly and the Department made a number of reforms, both at Mecklenburg and throughout the system, that were directed largely at improving security and preventing escapes.

In December, 1984, one month after the Commission issued its report, this Committee inspected Mecklenburg. In general, the Committee's observations supported the findings of the Governor's task force. More importantly, however, the Committee's visits to nine other institutions throughout the state revealed more similarities than differences between Mecklenburg and most of the other institutions and compelled the Committee to view the problems at Mecklenburg as a manifestation of larger problems found throughout Virginia's correctional system.

The following report attempts to set forth some of these systemic problems by making specific factual findings and recommendations. However, it would be appropriate at this point to note several caveats. First, this report is simply a "citizens' report", prepared by volunteer attorneys without any staff or resources to conduct extensive research.⁷ It does not contain as complete a discussion of its findings and recommendations as the Committee would have liked, nor does it contain an analysis of the costs of its recommendations, which will be necessary in order to give priority to their implementation. Second, the reader should realize that there are major gaps in the Committee's discussion of adult corrections. For example, health care, fire safety, sanitation, and recreation are just a few of the important issues which time did not allow the Committee to address.

Finally, it is only fair to note that the Department of Corrections has undergone radical change during the course of this two-year study. Many of the problems cited in this report have already begun to be addressed and the Committee notes that the Department has made considerable strides in recent months in correcting some of the more blatant problems. However, this report still represents an accurate picture of conditions that existed at the time of the Committee's visits and that generally still exist. In other words, it remains to be seen whether many of the conditions cited in this report and recently addressed by the DOC staff in Richmond still require more fundamental reforms throughout the system.

II. FINDINGS

1. Overcrowding constitutes a serious problem for the Department of Corrections, both in terms of budgetary impact and corrections policy. As of October 17, 1986, the system held 12,207 prisoners in state prisons and jails, but the system's operational prison capacity was only 10,065. Thus, the system's population exceeded its capacity by about twenty percent.⁸

2. a. A shocking lack of consistency exists in the day-to-day operations and policies of the 10 institutions visited by the Committee. Perhaps the greatest single problem facing the Department is the inability or the refusal of individual prisons to follow the dictates of policies set in Richmond. In some cases, institutions are run more like personal fiefdoms than parts of a cohesive, well-managed bureaucracy. Correctional officers who had worked in more than one facility confirmed these variations in policy and actual practice among different institutions. For example, security procedures for visitors varied widely among the 10 institutions inspected by the Committee. On another level, at some institutions inmates were permitted to make as many telephone calls as they wanted, while at others, inmates were permitted only a certain number of calls per month. This lack of consistency hinders the Department in carrying out the policy directives set by the General Assembly, the Governor, the Board of Corrections, and the DOC staff in Richmond.

b. The lack of consistency among the institutions

has a detrimental effect on the self-rehabilitation process for inmates. It fosters their natural perception that the system is arbitrary, irrational and unfair. This, in turn, promotes unnecessary friction between inmates and staff and hampers inmates' adjustment upon their transfer from one facility to another.

c. Poor communications exist between many rank-and-file correctional employees and their superiors. The Committee's inspections confirmed the findings of the Mecklenburg Study Commission that correctional officers are often uninformed about DOC policy changes, lawsuits, budgetary changes, and operations of other units in the system. As a whole, most officers and counselors interviewed by this Committee thought that they had little input on policy-making within the Department.

3. The prisons visited by the Committee appear to be extremely isolated and cut off from their communities. Specifically:

a. Most institutions permit tours and allow volunteers to come inside the prison walls, but these contacts are very limited in scope and effectiveness. At some institutions, it is clear that outside volunteers are not encouraged to assist with educational, recreational, or training programs.

b. The overwhelming majority of all outside volunteers are members of religious organizations which conduct services for inmates who wish to participate. The general perception among both inmates and staff is that while these volunteers are dedicated and sincere, they are generally older, white, fundamentalist, lay preachers whose message fails to appeal to more than a handful of inmates.

c. While the average time actually served by inmates released in FY 1985 was less than two years,⁹ virtually no effort is made by local volunteer organizations to deal with the problems faced by parolees after they return to their communities.

d. A corollary of this segregation between prisons and their communities is that ordinary citizens fail to see and learn from the mistakes of convicted criminals. For example, Virginia high school students rarely get a chance to see or talk with convicted felons and thus to learn from inmates' past mistakes.

e. In recent months, the DOC has established Community Advisory Boards at eight major institutions across the state for the purpose of using local expertise and volunteers to develop innovative approaches to treatment programs and to improve community relations. It is too early to tell how effective these boards will be in breaking down long-standing barriers between prisons and their communities.

4. a. In the two years since the Mecklenburg escape, the Département has made steady and significant progress in improving security, both at major institutions and at field units. Escapes have dropped dramatically and are now at the point where the danger to the public from escapes is minimal.

b. On the other hand, the Committee noted a number of security lapses at individual institutions. At one major institution, one-half of the 28 television monitors used for continuous remote surveillance failed to operate on a regular basis; the Committee was told that the cameras were never fully operational. In other cases, the Committee found individual

institutions which routinely ignored security directives issued by State headquarters subsequent to the Mecklenburg escape.

5. The prisons visited by the Committee generally failed to provide the minimum tools and resources needed by inmates to rehabilitate themselves. Specifically:

a. Many inmates are unable to pursue any meaningful self-rehabilitation programs because they are so frequently transferred from one institution to another. Transfers are frequently made with little or no notice. Such transfers are expensive for the Department and often prevent prisoners from engaging in effective long-term treatment, educational, and training programs.

b. Classroom educational opportunities offered by the Department of Correctional Education are grossly inadequate. For example, neither of the field units nor the work release unit visited by the Committee offered any educational programs beyond the basic GED program.

c. The Department is in the process of implementing the "No Read, No Release" program (officially, The Literacy Incentive Program) recently announced by Governor Baliles. While it is still too early to tell how effective this program will be, it is a first step in recognizing the serious educational deficiencies in the system.

d. Vocational training programs are extremely limited, both in terms of their scope and in the number of inmates who can benefit from them. Although several institutions offer courses in such fields as masonry, carpentry and welding, the classes are available to only about 9% of the total prison population.¹⁰ The Committee generally found the classes to be too small and the training too limited to offer adequate training opportunities.

For example, at one major institution, the auto mechanics class only accomodated two vehicles and offered training in only minor repairs and tune-ups, significantly less than what an effective training program would provde.

e. The "Prison Industries Program", which provides paying jobs to inmates in such industries as tailoring, printing, furniture repair and construction, provides employment for approximately 11% of all inmates. Agricultural jobs employ an additional five percent.¹¹ While these programs have proven very successful in providing marketable skills and financial incentives to some inmates, they do not affect any of the 3,000 inmates assigned to field units, where most inmates spend the bulk of their time picking up trash from the state's highways. Although the highway jobs keep inmates nominally occupied during the day and offer them limited exercise and fresh air, they do not provide any meaningful opportunities for vocational training or self-improvement.

f. The prisons visited by the Committee provide few psychological, moral, or religious resources by which inmates can learn from their past mistakes or rebuild their lives. The counselors at every institution appeared to be overworked and burdened with excessive, mind-numbing paperwork. They uniformly complained of their frustration with low pay, poor working conditions, stress, and a lack of time to counsel inmates.

g. The state does not hire or compensate chaplains or any other personnel to provide religious guidance to inmates. The only chaplains are provided by the Virginia Chaplains Service and are not subject to any supervision or control by the Department.

h. The families of inmates are generally left out of the self-rehabilitation process. Family visits are rarely made a part of the system's long-range programs for changing inmate behavior. In 1985, only 25 percent of "A" custody inmates and 5.8 percent of all inmates received overnight family furloughs during the year.

i. Inmates interviewed by the Committee generally appeared ill-prepared for parole. They seemed largely acclimated to a rigid schedule where most of their physical needs were met by the system at no cost to themselves. This dependency, which is rationalized by the need for security and efficient prison operations, ironically becomes a liability for inmates when they are released without having learned how to provide for themselves.

6. Inmates do not receive adequate incentives from the Department to rehabilitate themselves. The various systems used for inmate classification, custody, housing, employment, education, privileges, and parole tend to operate independently of each other and interact in such a complex and inconsistent manner that inmates cannot see tangible or readily attainable rewards for self-improvement. Specifically:

a. The Department utilizes two principal means of "rewarding" inmates, each of which operates independently of the other. The first is to assign inmates to one of three custody levels (i.e., "A", "B", and "C" levels, with "A" being the least restrictive), depending on the security risk they pose to the public (See Appendix F). The second is to assign inmates to one of four "good time" classes, which serve to reduce the length of inmates'

sentences (i.e., Classes I, II, III, and IV, with Class I earning the greatest amount of "good time", 30 days' credit off of one's total sentence for every 30 days served). However, these two systems are not sufficiently linked together and with other institutional rewards to provide inmates with a well-focused program to bring about meaningful behavior modification. To illustrate, a "model" inmate who has a good behavior record, who earns 30 days' credit for every 30 days, and who is placed in "A" custody may have fewer educational, training, and wage-earning opportunities than a "B" custody inmate who does not have a good behavior record. Thus, the interplay between these various incentives is too inconsistent and complex to translate into a coherent behavior modification system for inmates who generally need simple, well-defined rewards for good behavior and self-improvement.

b. Several institutions utilize "progressive housing", by which well-behaved inmates can advance from very restrictive housing quarters to less restrictive ones. While this is a useful concept, it is insufficiently linked to other rewards, such as "good time". In addition, the distinctions among the various housing levels are not great enough to bring about significant changes in behavior.¹³

c. The best paying inmate jobs are not adequately linked to good institutional behavior and do not offer sufficient economic rewards. Approximately 70-80 percent of all inmates hold some type of job, but roughly 60% perform maintenance, kitchen, laundry or road crew jobs that pay a maximum of 90¢ per day.¹⁴ Inmates who participate in vocational or educational programs,

such as auto mechanics or upholstering, are generally paid 90¢ per day. Prison industry inmates, on the other hand, are paid on an incentive basis and may make as much as \$200 per month if they meet certain production goals or work extra hours.¹⁵ These significant differences in pay, however, are generally not tied to "good time" classes or custody levels.¹⁶ The arbitrary nature of the pay system undercuts other incentives for self-rehabilitation, causes friction among inmates, and prompts many inmates to forsake valuable vocational and educational programs in lieu of the higher paying prison industry jobs.

d. The "work release" program is designed to permit those inmates with little time remaining on their sentences to hold jobs outside of prison. This appears to be a generally successful program which helps inmates readjust to the "real" world prior to their release. At present, however, only 247 inmates (2 percent) are eligible to participate in the program.¹⁷ The criteria for making work release are so stringent and its availability is so limited that it does not serve as a meaningful goal for most inmates and is not widely understood within the system. At one work release unit, the Committee even interviewed staff who were not aware of other work release programs in the state.

e. The "good time" system for reducing inmates' total sentences appears to be a useful and easily understandable device to encourage inmate self-rehabilitation. However, the statutory scheme enacted by the General Assembly is so complicated and its implementation by the Department is so error-prone that it promotes confusion and resentment among inmates.

7. The parole system in Virginia is widely perceived by both inmates and correctional staff as being arbitrary, unfair, and so unrelated to an inmate's institutional performance that it cannot serve as a useful rehabilitative tool. Although the Committee did not attempt to review or evaluate the policies and procedures of the Virginia Parole Board, it observed that:

a. Inmates receive little, if any, useful parole guidelines from either the DOC or the Parole Board. Both inmates and correctional staff share the impression that inmates with the worst institutional records often make parole more quickly than well-behaved inmates with similar offenses.

b. The Parole Board provides virtually no feedback to inmates who have been denied parole as to the reasons for a "turn down".

c. Correctional officers and counselors interviewed by the Committee generally thought that they had little, if any, input in the parole decision-making process.

8. The 10 prisons inspected by the Committee appeared remarkably free of serious or widespread violence among inmates or violence between inmates and staff, with the notable exception of Mecklenburg. The Committee saw no signs, and were not told, of any racially motivated gang warfare, prostitution rings, or large-scale drug problems.

9. Except for overcrowding, basic living conditions in the 10 prisons were generally adequate to meet minimum humane and constitutional standards.

10. The Committee witnessed several examples of inmate punishment that appeared arbitrary and possibly excessive. Specifically:

a. Inmates are transferred from one institution to another for punitive reasons, often without adequate justification or notice to the inmate. Although there are often valid security reasons for moving troublesome inmates, the procedure is easily subject to arbitrary and excessive punishment of inmates who have done little to deserve transfers.

b. The Committee saw at least two instances of what seemed excessive use of solitary confinement for relatively minor offenses. In one case, an inmate was placed in solitary confinement for two weeks for having "cussed" an officer.

c. The Committee saw isolation cells at two institutions that were not fit for human habitation. The cells, which were used to punish inmates, were so lacking in light, ventilation and heating that they did not seem fit for any inmate.

11. a. Serious morale problems persist among the system's correctional officers. This is due to a number of factors, including 1) a lack of moral support for correctional officers by the public and the state's elected officials, 2) limited pay, promotion, and recognition opportunities and 3) the highly stressful nature of corrections work.

b. Correctional officers in Virginia have a relatively high turnover rate of 16 percent.¹⁸ For newly hired officers, the rate is even higher. For example, the Committee was told that the average new officer hired at the penitentiary lasts less than one year.

12. The educational and training levels attained by many officers and supervisors in the system appear to be inadequate. Although the DOC was unable to provide the Committee with statistics on the educational levels attained by wardens at individual institutions, several wardens interviewed by the Committee lacked advanced educational training.

13. The amount and timing of training for correctional officers is inadequate. Many newly hired officers do not receive their "basic" classroom training until they have already been on the job for three, or sometimes even six, months.¹⁹

14. The Department and the General Assembly have failed to provide all inmates with adequate access to the courts. Specifically:

a. Many facilities lack adequate law libraries. Under Bounds v. Smith, 430 U.S. 817 (1977), the state has the responsibility either to provide inmates with law libraries or court-appointed attorneys to advise them on matters related to their incarceration. Although Virginia meets its constitutional obligations under Bounds by providing court-appointed counsel to every adult prison in Virginia (Va. Code §53.1-40), it also provides some form of law library at many institutions. These libraries vary tremendously, with one of the state's best libraries ironically being located at Marion Correctional Center, which houses the state's mentally ill prisoners. There are no uniform guidelines on what these libraries should contain or how they should be maintained.

b. The Department and the General Assembly have

failed to provide any supervision or guidance to the attorneys who serve as court-appointed counsel in the 43 adult facilities or on the procedures governing inmate access to these attorneys. The result is that the attorneys provide vastly different types and amounts of legal assistance to inmates, often depending on the personalities of the warden and the attorney at each institution.

c. The Department and the General Assembly have failed to provide adequate legal assistance to death-row inmates who wish to challenge the constitutionality of their sentences. The institutional attorneys at Mecklenburg Correctional Center, Powhatan, and the Penitentiary, where death-row inmates are housed, are not able and do not provide the degree of specialized assistance needed in capital habeas corpus cases. As a result, many death-row inmates are forced to engage in frantic last-minute searches for legal assistance prior to their scheduled executions.

III. RECOMMENDATIONS

1. a. The Department of Corrections and the General Assembly should increase existing efforts to relieve overcrowding in the state's adult prison system. Increased emphasis should be placed on the use of work release, pre-release, community diversion, in-house arrest, and other cost-saving alternatives to incarceration.

b. The General Assembly should insure that the state penitentiary is not closed until a replacement facility has been constructed in the Richmond area. Such a facility is needed to permit visitation by the families of inmates on a regular basis and to fully utilize volunteers who wish to assist in the correctional process. The General Assembly should take these considerations into account in selecting a site for the new prison.

c. The Department should keep its own staff, inmates, and the public better informed about the extent of overcrowding in each institution. Toward this end, a notice should be posted in each facility stating the operational capacity for the institution and the current inmate population.

2. a. The Department should place the highest priority on improving the management chain within the Department to insure that uniform policies and procedures are followed at all institutions. It should also bring in more experienced and sophisticated program

managers - possibly managers from outside the corrections field - to run major institutions. A primary part of this management reform should be to involve correctional officers and counselors more directly in the policymaking process, and to allow a greater opportunity for inmates to express their concerns.

b. The Department should maintain its relatively large number of small institutions, since such decentralization can serve as an effective means of implementing specialized correctional programs.

3. The Governor should take immediate steps to promote greater citizen involvement in the corrections process, not only in adult prisons but also in juvenile institutions and in the probation/parole process. He should appoint a special Commission on Citizen Participation in Corrections to devise and recommend practical and effective means (i) to improve communications and understanding between state correctional institutions and their local communities, (ii) to increase volunteer participation in the corrections process (including education, training, probation and parole), (iii) to reduce state spending on corrections through the expanded use of volunteers and community diversion programs, and (iv) to increase the educational role of prisons in teaching young people about the realities of prison life.

4. The Department should continue its efforts to improve security at all adult institutions, particularly through the use of cameras and other remote electronic surveillance devices at field units.

5. The Department should make major changes in its treatment and self-rehabilitation programs. Specifically:

a. Transfers of inmates should be reduced to a minimum. Punitive transfers should be governed by clear guidelines that include impartial hearings and greater notice of hearings. Inmates should be given at least 14 days' notice of non-punitive transfers.

b. Educational opportunities should be significantly expanded for all inmates. The Governor's recently announced literacy program should be pursued, but should not take precedence over the educational needs of other inmates nor be made an unconditional prerequisite for parole.

c. Vocational training programs should be significantly expanded. Inmates with good institutional records should be encouraged to enroll in training programs of sufficient duration and difficulty to allow for the development of marketable skills prior to release. The Department should consider converting several field units into minimum-security, specialized "Job Centers", where such skills as health care, auto mechanics, or computer operations could be taught. These "Job Centers" should be reserved for model inmates with good institutional records who do not pose substantial security risks.

d. The Department should take steps to hire more counselors and to insure that counselors are able to develop more permanent and meaningful counseling relationships with inmates. All counselors should be able to spend at least one-half of each day engaged in actual counseling with inmates.

e. The work release program should be significantly expanded so that most of the highest-rated inmates with little time remaining on their sentences can participate and begin to adapt to life outside the prison walls. Volunteers should be actively solicited to help run these programs.

f. The Department should take steps to improve the religious and spiritual opportunities for inmates. While such steps would be subject to constitutional limitations, the Commonwealth should seek to insure that there are full-time chaplains at all major institutions.

g. The Department should take steps to increase the role of inmates' families in the rehabilitation process. Family counseling should be expanded, particularly for inmates with substance abuse problems. Most "A" custody inmates and inmates nearing their final release dates should receive regular family furloughs.

6. The General Assembly, the Virginia Parole Board, and the Department of Corrections should thoroughly re-examine the DOC's entire classification, custody, good time, housing, employment, and parole systems to simplify and combine them into a cohesive and comprehensive "graduated release" program that consistently and adequately rewards inmates who demonstrate progress in self-rehabilitation. Such a re-examination would include the following measures:

a. The DOC should consider combining all the different incentive systems and instituting a single composite rating which would serve as the basis for most incentives and

rewards throughout an individual's entire sentence. To the greatest extent possible, the point system used to calculate inmate custody should be extended to the other rewards offered in the system.²⁰

b. Inmates with the highest composite rating should generally be entitled to the highest paying jobs, the maximum allowable good time, the best housing privileges, work release, furloughs, greater access to their personal funds, and other benefits.

c. The progressive housing system should be expanded and standardized as much as possible among all institutions within the state. Perhaps every housing unit could be assigned a housing code, which would carry with it uniform rights and restrictions. Greater distinctions should be made among the different housing levels.

d. The present "good time" system should be re-evaluated and simplified. The General Assembly should consider adding one or more additional categories for earning "good time" to the four that currently exist.

7. The corrections process and the parole system should be more closely linked. Inmates should be provided with a simple, realistic list of attainable goals which they must meet in order to make parole. Correctional officers and other staff should be included more in the parole decision-making process. Inmates should receive a more particularized statement - even if only a single paragraph - from the Parole Board as to consideration leading to a denial of their parole.

8. a. The Department should more closely monitor cells

used for solitary confinement in order to insure that all cells meet minimum standards for lighting, ventilation, sanitation, and heating.

b. The Department should issue and enforce more reasonable guidelines on the use of solitary confinement and the length of confinement for specific offenses.

9. The Department should take steps to improve the morale of counselors and correctional officers. Specifically:

a. The Department should consider increasing the pay levels for correctional officers, particularly those who meet higher educational standards. Officers who deal regularly with the most dangerous inmates, such as those at Mecklenburg, should receive some form of "combat pay", in the form of additional salary, compensatory time, or other benefits.

b. The Department should study ways to bring greater recognition, both financial and social, to outstanding officers and counselors.

c. The Department should develop "exchange programs" for officers and counselors, whereby they could visit correctional facilities in other parts of Virginia and in other states to learn how other correctional agencies deal with similar problems.

10. The Department and the General Assembly should take steps to provide inmates with more meaningful access to the courts. In particular:

a. All major institutions should have the same legal publications. All field units should have smaller, yet uniform,

libraries. All law libraries should be properly updated and the same equipment (e.g. typewriters) provided at each facility. All institutional attorneys should be provided with guidelines on their legal responsibilities to inmates.

b. All institutions should post the name and the address of the institution's court-appointed attorney, with uniform instructions on how inmates can contact the attorney.

c. The General Assembly should clarify Virginia Code §53.1-40 as to the responsibilities of institutional attorneys or other specially appointed attorneys to assist indigent inmates who wish to file habeas corpus actions in death penalty cases.

IV. CONCLUSION

The Prisons and Corrections Committee, in its inspection of 10 adult prisons, found that while significant improvements have been made over the past two years, many serious problems remain in Virginia's prison system. Foremost among these are a lack of consistent policies and procedures, a lack of coherent and effective programs for inmate self-rehabilitation, and a lack of public involvement in the corrections process.

Many reforms need to be made. Of the 10 specific recommendations set forth above, the Committee places the highest priority on the upgrading of DOC's administrative management and the coordination and redesign of the treatment and behavior incentive programs. These reforms, however, cannot win public support unless the public becomes more directly involved in the entire corrections process.

These changes, of course, only constitute a small portion of the steps which can and should be taken to improve the state's correctional system. By working together, the General Assembly, the Governor, the Department of Corrections, the Parole Board, and private citizens can fashion a system that is far more successful at encouraging self-rehabilitation and protecting the public from the tragedy of serious crime.

FOOTNOTES

¹In 1984, Virginia had the fourteenth largest prison population of any state. The Corrections Yearbook, by George and Camille Camp, (Criminal Justice Institute, 1985), pp. 26-27. As of October 17, 1986, Virginia's total inmate population was 12,207, including state felons in local jails. See Appendix A.

²The Department provided the Committee with two different figures for the total number of institutions. In Appendix B, the total is put at 57, but this apparently includes several different institutions on the same site. The lower figure shown here was provided by the Office of the Director.

³The Criminal Justice Institute (unpublished).

⁴See Appendix B.

⁵This is the amount per adult inmate. Juvenile figures are considerably higher. Ibid.

⁶The Committee visited the following institutions between May, 1984 and August, 1986: Richmond Penitentiary, Powhatan, Bland, Staunton, Mecklenburg, Southampton (major institutions); New Kent, Stafford (field units); Fairfax (work release); and Marion (psychiatric). The penitentiary was visited twice, in mid-1984 and in mid-1986.

⁷For a list of the members of the Prisons and Corrections Committee, see Appendix C.

⁸See Appendix A. Population and rated capacity statistics have been subject to widely divergent interpretations. In its total population figure of 12,207, the Committee included the 1,075 state prisoners confined in local jails since the Department of Corrections bears the responsibility for housing and treating all felons sentenced to more than one year.

In addition, the term "rated capacity" or "operational capacity" has also been subject to many different interpretations. Although national organizations, such as the American Correctional Association, would calculate the operational capacity of Virginia's system to be lower than what DOC's figures reflect, the Committee used the Department's own figures to reflect overcrowded conditions.

⁹See Appendix B.

¹⁰Virginia Department of Corrections figures (unpublished).

¹¹Ibid.

¹²Ibid. The Department was unable to provide the Committee

with the percentage of inmates released on parole in 1985 who had been granted furloughs prior to their release. This lack of information reveals how little correlation exists between parole and the furlough program.

¹³See Appendix D.

¹⁴Virginia Department of Corrections figures (unpublished).

¹⁵See Appendix B. The Department's estimate of "\$100.00 or more" may be somewhat low. The Committee's interviews with staff and inmates suggest that the maximum income could range as high as \$200-300 per month.

¹⁶See Appendix E. The chart shows a sample list of jobs held by inmates at Southampton Correctional Center. The fourth column indicates the custody of inmates who perform each job on a daily basis. Some of the best paying prison industry jobs, such as the shoe factory, are often filled by inmates with the lowest custody levels.

¹⁷See Appendix B.

¹⁸Ibid. According to the Corrections Compendium, (December, 1983), Virginia had a turnover rate among correctional offices of 20-25%. Only 6 states had a rate higher than 25% in 1983.

¹⁹The DOC informed the Committee that Department policy has now been changed to require that all correctional officers receive basic training before they start work in a prison.

²⁰The Committee recognizes the difficulties posed by combining the custody and the good time classification systems, the most obvious of which is the need to grant the maximum amount of "good time" credits to long-term offenders. The Department, however, should give such a project serious consideration. See Appendix F for the Inmate Custody Classification Scoresheet, a good example of the type of simple, easily understandable scoring system that is needed.

APPENDIX A
INMATE POPULATION

DEPARTMENT OF CORRECTIONS
DIVISION OF ADULT SERVICES
DAILY INMATE POPULATION AND MOVEMENT REPORT
FIELD DATA

DATE: 10/17/86
TIME: 11:32:48
PAGE: 01

LOCATION CODE	LOCATION NAME	TOTAL INMATES ASSIGNED	OPERATIONAL CAPACITY
001	PULASKI CORRECTIONAL UNIT	70	85
002	CAROLINE CORRECTIONAL UNIT	129	130
003	WANSEMOND CORRECTIONAL UNIT	95	90
004	BASKERVILLE CORRECTIONAL UNIT	116	104
007	WHITE POST CORRECTIONAL UNIT	100	85
008	HARRISONBURG CORRECTIONAL UNIT	99	100
009	AUSTBURG CORRECTIONAL UNIT	108	100
010	GREENVILLE CORRECTIONAL UNIT	99	85
011	CULPEPER CORRECTIONAL UNIT	70	65
012	FLOYVANNA CORRECTIONAL UNIT	94	90
013	POCAHONTAS CORRECTIONAL UNIT	215	210
015	CHATHAM CORRECTIONAL UNIT	97	95
016	NEW KENT CORRECTIONAL UNIT	95	0
017	HAYNESVILLE CORRECTIONAL UNIT	99	85
018	WISE CORRECTIONAL UNIT	95	90
020	CAPRON CORRECTIONAL UNIT	95	85
021	STAFFORD CORRECTIONAL UNIT	105	90
022	TIDEWATER CORRECTIONAL UNIT	103	95
023	HALIFAX CORRECTIONAL UNIT	192	184
024	SMITH LAKE CORRECTIONAL UNIT	94	90
025	BOTETOURT CORRECTIONAL UNIT	93	88
026	HAYMARKET CORRECTIONAL UNIT	95	90
027	DINWIDDIE CORRECTIONAL UNIT	95	90
028	PATRICK HENRY CORRECTIONAL UNIT	111	102
030	FAIRFAX CORRECTIONAL CENTER	159	150
031	TAZEWELL CORRECTIONAL UNIT	105	100
032	APPALACHIAN CORR UNIT	12	43
070	CHESTERFIELD COMMUNITY CORRECT	113	100
071	SPRING STREET WORK RELEASE CEN	18	20
072	SOUTHAMPTON WORK RELEASE	30	32
SUB-TOTAL		3,001	2,753

** TOTALS INCLUDED IN GRAND TOTAL **

CADRE ONLY:

CHESTERFIELD COMM 25

SOUTHAMPTON WORK 4

* CONTINUED ON NEXT PAGE *

DEPARTMENT OF CORRECTIONS
 DIVISION OF ADULT SERVICES
 DAILY INMATE POPULATION AND MOVEMENT REPORT
 MAJOR INSTITUTIONS

DATE: 10/17/84
 TIME: 11:32:51
 PAGE: 02

LOCATION CODE	LOCATION NAME	TOTAL INMATES ASSIGNED	OPERATIONAL CAPACITY
100	BLAND CORRECTIONAL CENTER	459	440
101	VIRGINIA STATE PENITENTIARY	627	728
102	SOUTHAMPTON CORRECTIONAL CENTER	507	474
103	POWATAN CORRECTIONAL UNIT	502	450
104	VA. CORRECTIONAL CENTER FOR WD	331	284
105	JAMES RIVER CORRECTIONAL CENTER	332	321
107	STAUNTON CORRECTIONAL CENTER	555	527
108	POWATAN-100 UNIT	75	92
110	BECKLENSBURG CORRECTIONAL CENTER	317	335
111	POWATAN CORRECTIONAL CENTER I	34	47
150	AUGUSTA CORRECTIONAL CENTER	574	500
200	BUCKINGHAM CORP. CENTER	720	500
220	ROTTOWAY CORRECTIONAL CENTER	705	500
300	MEDICAL COLLEGE OF VIRGINIA	6	0
310	MARION CORRECTIONAL TREATMENT	160	160
400	POWATAN RECEIVING CENTER	302	245
410	POWATAN 'M' BUILDING	87	99
500	PENITENTIARY HOSPITAL	18	42
510	PENITENTIARY 'C' BUILDING	84	98
600	SOUTHAMPTON RECEIVING UNIT	159	114
110	SOUTHAMPTON YOUTHFUL OFFENDER	78	100
5	BRUNSWICK CORRECTIONAL CENTER	696	500
700	ST. BRIDES CORRECTIONAL UNIT	443	423
701	DEERFIELD CORRECTIONAL CENTER	320	290
800	WOMENS RECEIVING UNIT	40	41
SUB-TOTAL		8,131	7,312
GRAND-TOTAL		11,132	10,065

** TOTALS NOT INCLUDED IN GRAND TOTAL *****		TOTALS INCLUDED IN GRAND TOTAL	
PRE-RELEASE	51	CADRE ONLY:	
STATE HOSPITALS	19	POWATAN RECEIVING	9
ADMINISTRATIVE	5	SOUTHAMPTON RECEIVING	15
LOCAL JAILS	1,075		

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF CORRECTIONS
INTER-STAFF MEMORANDUM

Date September 5 1986

TO: Helen Hinshaw, Lead Monitoring Analyst
FROM: James Duke
SUBJECT: Bar Association Survey

1. What is the total number of correctional facilities in Virginia, broken down by adult male facilities, adult female facilities, juvenile facilities, and local jails and lockups?

Adult male facilities	55
Adult female facilities	2
Juvenile facilities (Learning centers)	8 (includes R & DC)
Local Jails	98
Local Lockups	34

2. What was the total cost per inmate in Virginia in FY84 and FY85?* How do you calculate this figure?

	<u>Adult</u>	<u>Youth</u>
FY84	14,770	24,050 (Fed. expenses deducted)
FY85	14,859	27,654 (Fed. expenses deducted)

*Total expense (less revenues) divided by averaged annual population.

3. What was the total state spending for corrections in FY83, FY84, FY85, and FY86? For each year, what percentage of the state's total budget was devoted to corrections?

	<u>*Total Corrections Spending</u>	<u>% of States' Total Budget</u>
FY83	243,340,337	3.75%
FY84	239,919,226	3.49%
FY85	254,822,368	3.32%
FY86	286,502,193	3.45%

*Does not include Bureau of Industrial Enterprises.

6. For the prisoners released in FY85, what was the average length of their sentences actually served, in total number of months or years?

Averaged Time Served 27.4 months
(not including local jails)

Averaged Time Served 23.6 months
(including local jails)

10. Are inmates who are engaged in vocational training programs eligible to work in prison industries at the same time? In other words, can these trainees earn more than the standard 90 cents per day?

The answer is yes. There are no particular exclusions in this regard. If the Classification Board assigns an inmate a prison industries job, then the inmate will be paid if he works at least $\frac{1}{2}$ day.

12. What is roughly the maximum amount of money that an inmate can earn in prison industries work?

It should be understood that inmates working in prison industries are paid on an incentive plan. In this sense there is no maximum wage. An inmate might earn \$100.00 or more a month.

An example: In the Women's Data Processing Center, an inmate was paid the top wage of \$224.70 for the period July 11, 1986 to August 10, 1986. The woman in question was paid this amount for entering 3,250,000 key strokes.

13. Approximately how many inmates are currently participating in the work release program and pre-release program?

	<u>Work Release</u>	<u>Pre-Release</u>	<u>Total</u>
June 1986	247	65	312

How many institutions have either program?

	<u>Work Release</u>	<u>Pre-Release</u>	<u>Total</u>
June 1986	8	4	12

14. What is the current starting salary of correctional officers and counselors?

	<u>Range</u>
Corrections Officer A	\$14,016 - \$19,145
Corrections Institution REhabilitation Counselor	\$16,757 - \$22,885

16. What is the turnover rate for all security personnel?*

	<u>Turnover % (7/1/85 to 6/30/86)</u>
Correctional Officer	16.77%
Corrections Sergeant	3.96%
Corrections Lieutenant	7.00%

* There is no Corrections Corporal rank

APPENDIX C
MEMBERS, PRISONS AND
CORRECTIONS COMMITTEE

PRISONS AND CORRECTIONS COMMITTEE
MEMBERSHIP LIST

September 15, 1986

1. James M. Pates, Chairman
City Attorney
City of Fredericksburg
Post Office Box 7447
Fredericksburg, Virginia 22404
2. Kevin Donovan, Vice-Chairman
Gillenwater, Donovan and Tew
705 Park Avenue
Falls Church, Virginia 22046
3. Lloyd Snook, Secretary
Attorney at Law
230 Court Square
Charlottesville, Virginia 22901
4. Thomas B. Baird, Jr.
Commonwealth's Attorney
P. O. Box 37
Wytheville, Virginia 24382
5. A. Hugo Blankingship, Jr.
Blankingship and Keith
4020 University Drive, Suite 312
Fairfax, Virginia 22030
6. Nate L. Adams, III
Bird, Kinder and Huffman
126 Church Avenue, S. W., Suite 200
Roanoke, Virginia 24011
7. James W. Speer
Corry and Corry, P. C.
114 West Grace Street
Richmond, Virginia 23220

APPENDIX A

Privileges and Limitations by building for the Progressive Housing Program:

1. C-1 Cell House

- 1a. Gymnasium and television privileges alternate every other night
- b. Knockdown (lights out) is at 10:00 p.m. every night
- c. Cell call (to return or leave cell) occurs only on the hour after evening count
- d. No card tables in the hallway
- e. No photos, artwork, etc. hung on the walls
- 4f. Last in line for meals
- g. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

2. C-2 Cell House

- a. Gymnasium and television privileges alternate every other night
- b. Knockdown is at 11:00 p.m. every night
- c. Cell call occurs only on the hour after evening count
- d. Card tables located in the hallway
- e. No photos, artwork, etc. hung on the walls
- f. Fourth building in line for meals
- g. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

3. C-3 Cell House

- a. Gymnasium and television privileges available every night
- b. Knockdown is at 11:00 p.m. on weekdays, and at the end of the movie on weekends
- c. Cell call occurs only on the hour after evening count
- d. Card tables located in the hallway
- 3e. Limited privilege to hang photos, artwork, etc. on the cell walls
- f. Third building in line for meals
- 5g. Picnic visits permitted once a month during late spring, summer and early autumn, if eligible and approved
- h. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

4. R-1 Honor Building

- a. Gymnasium, television, and R-3 recreation room privileges every night
- b. Knockdown is at 11:30 p.m. on Sunday through Thursday nights, and at 1:30 a.m. on Friday and Saturday nights. After knockdown in R-1, residents may have their lights on and be playing their TVs, radios or stereos; they may leave their rooms only to use the commode or drinking fountain
- 2c. Residents have own room keys, so cell call is unnecessary
- d. Photos, artwork, etc. may be hung on the walls in rooms
- 6e. Visiting of other residents' rooms on the same floor allowed prior to knockdown, but no more than one visitor at a time in a room
- f. Second in line for meals
- g. Picnic visits permitted once every other weekend during late spring, summer and early autumn, if eligible and approved
- h. Iron furnished
- i. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

5. R-3 Honor Building
 - a. Gymnasium, television, and R-3 recreation room privileges every night; all night TV room privileges every night
 - b. Knockdown is at 12:00 midnight on Sunday through Thursday; none on Friday and Saturday night. After knockdown in R-3, residents may have their lights on and be playing their TVs, radios or stereos; they may leave their rooms only to use the commode, drinking fountain or TV room.
 - c. Residents have own keys, so cell call is unnecessary
 - d. Personal dress shirts and dress pants of solid colors allowed
 - e. Photos, artwork, etc. may be hung on the walls in rooms
 - f. Visiting of other residents' rooms on either floor allowed prior to knockdown, with general limit of five men in one room at a time
 - g. First in line for meals
 - h. Picnic visits permitted once every weekend during late spring, summer and early autumn, if eligible and approved
 - i. Iron furnished
 - j. Pay telephone in building
 - k. Washer and dryer available
 - l. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

APPENDIX E
 NUMBER OF INMATES IN VARIOUS PRISON JOBS
 AND REQUIRED CUSTODY LEVELS,
 SOUTHAMPTON CORRECTIONAL CENTER

Southampton Correctional Center Work Gangs

Gang Number	Gang Name	Gang Foreman	Custody Required	No. of Inmate Average in 12
1	Shoe Factory	L. J. Moses	C	50
2	Recreation	Floyd Coley	C	18
3	Dental Laboratory	J. C. Eversole	C	11
4	Security Department	Cpl. H. J. Barnes	C	2
5	Grounds Maintenance	L. R. Johnson	B, A	14
6	✓Sawmill & Cannery	E. G. Harrell	B	15
7	Institution Barbers	Major E. T. Jones	C	6
8	Motor Pool	C. P. Griffith	B, A	21
9	✓Tractors	W. G. Jarrett	B, A	11
10	Education Department	J. A. Carey	C	24
11	✓Secure Farm Labor	T. M. Artis	B	39
12	Carpentry	C. E. Allen	B	14
13	✓Dairy	R. M. Chaffin	B	6
14	Electrical		B	10
15	Laundry	M. F. Spence	C	24
16	Work Release Cadre	Sgt. W. F. Seal	A	12
17/C1	C-1 Maintenance	Cpl. Moses Smith	C	19
17/C2	C-2 Maintenance	Cpl. R. Goodwyn	C	19
17/C3	C-3 Maintenance	Cpl. H. A. Darden	C	23
17/R1	R-1 Maintenance	Cpl. G. T. Tann	C	15
17/R3	R-3 Maintenance	Cpl. P. Voltolin	C	14
18	Kitchen	A. E. Whitehead	C	117
19	✓Farm Trusty	W. E. Burgess	A	6
20	Chair Factory	D. E. Jackson	C	35
21	Woodwork & Welding	W. K. Harrison	B	13
23	Unassigned			
24	Chapel	Rev. G. R. Powell	C	
27	Officers Quarters	Capt. H. A. Thorpe	A	2
28	Waste Water Treatment	D. L. Phillips	B, A	11
30	Clothing Room	J. B. Harris	C	10
32	Boiler Plant	F. B. Vick	B	21
34	Treatment Department	L. A. Clifton	C	5
36	Warehouse	G. T. Mattox, Jr.	B	7
37	Gate Men	H. L. Teel	A	3
38	Confinement			
39	Creative Maintenance	A. L. Harris	B	12
40	Plumbing	H. M. Smith	B	13
41	Dog Kennel	Cpl. V. L. Raiford	B, A	3
42	Construction Labor	H. M. Carpenter	C	28
43	Security Maintenance	H. G. Council	C	9
45	Dispensary	J. R. Dickens	C	
46	Yard Utility	B. J. Hobbs, Jr.	C	7
47	Administration Building	Capt. W. F. Sasser	B, A	2
50	Electrical	A. M. Young	B	8
51	Heating & Refrigeration	Buck Edwards	B	11

No. of Inmate
Average in 12

90

Revised 05/08/85

VA. DEPT. OF CORRECTIONS — ADULT SERVICES
INITIAL INMATE CLASSIFICATION
CUSTODY

NAME _____ NUMBER _____
 LAST FIRST MI

INSTITUTION _____

CLASSIFICATION CASEWORKER _____ DATE _____

1. HISTORY OF INSTITUTIONAL VIOLENCE

(Jail or prison, code most serious within last five years.)

- None 0
- Assault not involving use of a weapon or resulting in serious injury 3
- Assault involving use of a weapon and/or resulting in serious injury or death. 7

score _____

2. SEVERITY OF CURRENT OFFENSE

(Refer to the Severity of Offense Scale. Score the most serious offense if there are multiple convictions.)

- Low 0 High 7
- Low Moderate 2 Highest 10
- Moderate 4

score _____

3. PRIOR ASSAULTIVE OFFENSE HISTORY

(Score the most severe in inmate's history. Refer to the Severity of Offense Scale.)

- None, Low, or Low Moderate 0 High 6
- Moderate 4 Highest 8

score _____

4. ESCAPE HISTORY (Rate last 3 years of incarceration.)

- No escapes or attempts (or no prior incarcerations) 0
- An escape or attempt from A custody, no actual or threatened violence:
Over 1 year ago 1 Within the last year 3
- An escape or attempt from B or C custody, or an escape from A custody with actual or threatened violence:
Over 1 year ago 5 Within the last year 7

score _____

5. LENGTH OF TIME TO PAROLE ELIGIBILITY DATE, IN YEARS.

score _____

6. ALCOHOL/DRUG ABUSE

- None 0
- Abuse causing occasional legal and social adjustment problems. 1
- Serious abuse; serious disruption of functioning 3

score _____

7. CURRENT DETAINER

- None 0
- Misdemeanor detainer 1
- Extradition initiated - misdemeanor 3
- Felony detainer. 4
- Extradition initiated - felony 6

score _____

8. PRIOR FELONY CONVICTIONS

- None = 0 One = 2 Two or More = 4

score _____

9. STABILITY FACTORS

(Check appropriate factor(s) and combine for score.)

- () Age 26 or over. -2
- () High School diploma or GED received -1
- () Employed or attending school (full or part-time) for six months or longer at time of arrest -1

score _____

TOTAL SCORE _____

VIRGINIA'S ADULT PRISONS: A CITIZENS' REPORT

December 2, 1986

Prepared by
VIRGINIA BAR ASSOCIATION
Prisons and Corrections Committee
James M. Pates, Chairman

Adopted by
VIRGINIA BAR ASSOCIATION
Executive Committee
Edmund L. Walton, Jr., President

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I. INTRODUCTION

Virginia has the fourteenth largest adult prison system in the United States, with a current population of roughly 12,000 inmates.¹ These inmates are scattered throughout the state in forty-two male and one female prisons,² giving Virginia the fourth largest number of prisons in the country. These forty-three institutions, however, do not constitute nearly all of the State's correctional facilities. There are an additional 132 local jails and lockups, eight juvenile institutions, and three work release camps, each of which is required to meet state specifications.⁴

The costs of such a system are high. With a budget of \$254.8 million in fiscal year 1985, the Department of Corrections alone comprised 3.32 percent of Virginia's total budget. This amounted to an annual per inmate cost of approximately \$14,859 in fiscal year 1985.⁵ This did not include an additional \$1.02 million to fund the Virginia Parole Board or \$11.4 million to fund the independent Department of Correctional Education in FY 1985.

Despite the large size and cost of Virginia's prison system, it remains largely invisible to, and thus forgotten by; most taxpayers. It would not be an exaggeration to characterize our prisons as the modern equivalent of medieval fortresses, largely cut off from their communities by physical and psychological barriers as formidable as any moat or mountain cliff. Few people outside the prison system, including attorneys,

prosecutors, legislators or judges, have a firm understanding of what goes on behind the walls of these 43 prisons.

The purpose of the Prisons and Corrections Committee of the Virginia Bar Association is to increase the private bar's involvement in Virginia's prison system and to seek ways to improve the entire corrections process. In 1984, the Committee set as one of its primary goals over the next two years the completion of a survey of the state's adult prisons and the issuance of a report with its findings. Although most members of the Committee had criminal law experience - both as prosecutors and defense attorneys - they realized that they had little first-hand knowledge of the system as a whole. The Committee agreed that if it could gain some first-hand knowledge of the entire system and summarize its findings and recommendations in a relatively objective "citizens" report, such a project might be useful in lowering some of the barriers that have limited the public's and the bar's involvement in the corrections process.

The following report is the final product of the past 28 months of work by this group. The Committee inspected 10 adult male prisons, including six major institutions, two field units, one work release unit, and one psychiatric facility.⁶ Committee members interviewed scores of correctional officers, counselors, and inmates at the various institutions, reviewed hundreds of pages of Department of Corrections (DOC) documents and consultants' reports (e.g. report of the Mecklenburg Correctional Center Study Committee), and compared conditions found in Virginia institutions with standards issued by national correctional organizations. At the conclusion of its on-site inspections, the Committee contacted

DOC staff in Richmond to determine system-wide policies and to compile certain statistics. In short, the Committee attempted to base its conclusions primarily on first-hand observations but also utilized secondary sources.

Roughly one month after the Committee decided to launch its study, Virginia's correctional system became the subject of national notoriety due to the escape of six prisoners from the state's "super-maximum-security" prison in Mecklenburg County on May 31, 1984. Billed as the largest death-row escape in U.S. history, the incident triggered a nationwide manhunt that lasted six weeks and eventually resulted in the recapture of all six men.

During that same summer, several other escapes from major institutions and a hostage-taking episode at Mecklenburg led to a political "crisis" in Virginia's entire prison system. Governor Robb accepted the resignation of his corrections chief, Robert M. Landon, and appointed a blue-ribbon commission to study the problems at Mecklenburg.

The Commission issued its report on November 7, 1984, calling for a number of recommendations directed largely at the operations of Mecklenburg. Among other things, the group recommended that 1) the prison's unique "phase program" be re-designed to deal more effectively with the system's most dangerous and violent inmates, 2) communications between line officers and their superiors be improved, 3) steps be taken to reduce violent assaults between inmates and staff, and 4) the state consider granting a pay increase for new correctional officers. In response to this report and to

initiatives taken by the new Director, Allyn R. Sielaff, the General Assembly and the Department made a number of reforms, both at Mecklenburg and throughout the system, that were directed largely at improving security and preventing escapes.

In December, 1984, one month after the Commission issued its report, this Committee inspected Mecklenburg. In general, the Committee's observations supported the findings of the Governor's task force. More importantly, however, the Committee's visits to nine other institutions throughout the state revealed more similarities than differences between Mecklenburg and most of the other institutions and compelled the Committee to view the problems at Mecklenburg as a manifestation of larger problems found throughout Virginia's correctional system.

The following report attempts to set forth some of these systemic problems by making specific factual findings and recommendations. However, it would be appropriate at this point to note several caveats. First, this report is simply a "citizens' report", prepared by volunteer attorneys without any staff or resources to conduct extensive research.⁷ It does not contain as complete a discussion of its findings and recommendations as the Committee would have liked, nor does it contain an analysis of the costs of its recommendations, which will be necessary in order to give priority to their implementation. Second, the reader should realize that there are major gaps in the Committee's discussion of adult corrections. For example, health care, fire safety, sanitation, and recreation are just a few of the important issues which time did not allow the Committee to address.

Finally, it is only fair to note that the Department of Corrections has undergone radical change during the course of this two-year study. Many of the problems cited in this report have already begun to be addressed and the Committee notes that the Department has made considerable strides in recent months in correcting some of the more blatant problems. However, this report still represents an accurate picture of conditions that existed at the time of the Committee's visits and that generally still exist. In other words, it remains to be seen whether many of the conditions cited in this report and recently addressed by the DOC staff in Richmond still require more fundamental reforms throughout the system.

II. FINDINGS

1. Overcrowding constitutes a serious problem for the Department of Corrections, both in terms of budgetary impact and corrections policy. As of October 17, 1986, the system held 12,207 prisoners in state prisons and jails, but the system's operational prison capacity was only 10,065. Thus, the system's population exceeded its capacity by about twenty percent.⁸

2. a. A shocking lack of consistency exists in the day-to-day operations and policies of the 10 institutions visited by the Committee. Perhaps the greatest single problem facing the Department is the inability or the refusal of individual prisons to follow the dictates of policies set in Richmond. In some cases, institutions are run more like personal fiefdoms than parts of a cohesive, well-managed bureaucracy. Correctional officers who had worked in more than one facility confirmed these variations in policy and actual practice among different institutions. For example, security procedures for visitors varied widely among the 10 institutions inspected by the Committee. On another level, at some institutions inmates were permitted to make as many telephone calls as they wanted, while at others, inmates were permitted only a certain number of calls per month. This lack of consistency hinders the Department in carrying out the policy directives set by the General Assembly, the Governor, the Board of Corrections, and the DOC staff in Richmond.

b. The lack of consistency among the institutions

has a detrimental effect on the self-rehabilitation process for inmates. It fosters their natural perception that the system is arbitrary, irrational and unfair. This, in turn, promotes unnecessary friction between inmates and staff and hampers inmates' adjustment upon their transfer from one facility to another.

c. Poor communications exist between many rank-and-file correctional employees and their superiors. The Committee's inspections confirmed the findings of the Mecklenburg Study Commission that correctional officers are often uninformed about DOC policy changes, lawsuits, budgetary changes, and operations of other units in the system. As a whole, most officers and counselors interviewed by this Committee thought that they had little input on policy-making within the Department.

3. The prisons visited by the Committee appear to be extremely isolated and cut off from their communities. Specifically:

a. Most institutions permit tours and allow volunteers to come inside the prison walls, but these contacts are very limited in scope and effectiveness. At some institutions, it is clear that outside volunteers are not encouraged to assist with educational, recreational, or training programs.

b. The overwhelming majority of all outside volunteers are members of religious organizations which conduct services for inmates who wish to participate. The general perception among both inmates and staff is that while these volunteers are dedicated and sincere, they are generally older, white, fundamentalist, lay preachers whose message fails to appeal to more than a handful of inmates.

c. While the average time actually served by inmates released, in FY 1985 was less than two years,⁹ virtually no effort is made by local volunteer organizations to deal with the problems faced by parolees after they return to their communities.

d. A corollary of this segregation between prisons and their communities is that ordinary citizens fail to see and learn from the mistakes of convicted criminals. For example, Virginia high school students rarely get a chance to see or talk with convicted felons and thus to learn from inmates' past mistakes.

e. In recent months, the DOC has established Community Advisory Boards at eight major institutions across the state for the purpose of using local expertise and volunteers to develop innovative approaches to treatment programs and to improve community relations. It is too early to tell how effective these boards will be in breaking down long-standing barriers between prisons and their communities.

4. a. In the two years since the Mecklenburg escape, the Département has made steady and significant progress in improving security, both at major institutions and at field units. Escapes have dropped dramatically and are now at the point where the danger to the public from escapes is minimal.

b. On the other hand, the Committee noted a number of security lapses at individual institutions. At one major institution, one-half of the 28 television monitors used for continuous remote surveillance failed to operate on a regular basis; the Committee was told that the cameras were never fully operational. In other cases, the Committee found individual

institutions which routinely ignored security directives issued by State headquarters subsequent to the Mecklenburg escape.

5. The prisons visited by the Committee generally failed to provide the minimum tools and resources needed by inmates to rehabilitate themselves. Specifically:

a. Many inmates are unable to pursue any meaningful self-rehabilitation programs because they are so frequently transferred from one institution to another. Transfers are frequently made with little or no notice. Such transfers are expensive for the Department and often prevent prisoners from engaging in effective long-term treatment, educational, and training programs.

b. Classroom educational opportunities offered by the Department of Correctional Education are grossly inadequate. For example, neither of the field units nor the work release unit visited by the Committee offered any educational programs beyond the basic GED program.

c. The Department is in the process of implementing the "No Read, No Release" program (officially, The Literacy Incentive Program) recently announced by Governor Baliles. While it is still too early to tell how effective this program will be, it is a first step in recognizing the serious educational deficiencies in the system.

d. Vocational training programs are extremely limited, both in terms of their scope and in the number of inmates who can benefit from them. Although several institutions offer courses in such fields as masonry, carpentry and welding, the classes are available to only about 9% of the total prison population.¹⁰ The Committee generally found the classes to be too small and the training too limited to offer adequate training opportunities.

For example, at one major institution, the auto mechanics class only accomodated two vehicles and offered training in only minor repairs and tune-ups, significantly less than what an effective training program would provde.

e. The "Prison Industries Program", which provides paying jobs to inmates in such industries as tailoring, printing, furniture repair and construction, provides employment for approximately 11% of all inmates. Agricultural jobs employ an additional five percent.¹¹ While these programs have proven very successful in providing marketable skills and financial incentives to some inmates, they do not affect any of the 3,000 inmates assigned to field units, where most inmates spend the bulk of their time picking up trash from the state's highways. Although the highway jobs keep inmates nominally occupied during the day and offer them limited exercise and fresh air, they do not provide any meaningful opportunities for vocational training or self-improvement.

f. The prisons visited by the Committee provide few psychological, moral, or religious resources by which inmates can learn from their past mistakes or rebuild their lives. The counselors at every institution appeared to be overworked and burdened with excessive, mind-numbing paperwork. They uniformly complained of their frustration with low pay, poor working conditions, stress, and a lack of time to counsel inmates.

g. The state does not hire or compensate chaplains or any other personnel to provide religious guidance to inmates. The only chaplains are provided by the Virginia Chaplains Service and are not subject to any supervision or control by the Department.

h. The families of inmates are generally left out of the self-rehabilitation process. Family visits are rarely made a part of the system's long-range programs for changing inmate behavior. In 1985, only 25 percent of "A" custody inmates and 5.8 percent of all inmates received overnight family furloughs during the year.

i. Inmates interviewed by the Committee generally appeared ill-prepared for parole. They seemed largely acclimated to a rigid schedule where most of their physical needs were met by the system at no cost to themselves. This dependency, which is rationalized by the need for security and efficient prison operations, ironically becomes a liability for inmates when they are released without having learned how to provide for themselves.

6. Inmates do not receive adequate incentives from the Department to rehabilitate themselves. The various systems used for inmate classification, custody, housing, employment, education, privileges, and parole tend to operate independently of each other and interact in such a complex and inconsistent manner that inmates cannot see tangible or readily attainable rewards for self-improvement. Specifically:

a. The Department utilizes two principal means of "rewarding" inmates, each of which operates independently of the other. The first is to assign inmates to one of three custody levels (i.e., "A", "B", and "C" levels, with "A" being the least restrictive), depending on the security risk they pose to the public (See Appendix F). The second is to assign inmates to one of four "good time" classes, which serve to reduce the length of inmates'

sentences (i.e., Classes I, II, III, and IV, with Class I earning the greatest amount of "good time", 30 days' credit off of one's total sentence for every 30 days served). However, these two systems are not sufficiently linked together and with other institutional rewards to provide inmates with a well-focused program to bring about meaningful behavior modification. To illustrate, a "model" inmate who has a good behavior record, who earns 30 days' credit for every 30 days, and who is placed in "A" custody may have fewer educational, training, and wage-earning opportunities than a "B" custody inmate who does not have a good behavior record. Thus, the interplay between these various incentives is too inconsistent and complex to translate into a coherent behavior modification system for inmates who generally need simple, well-defined rewards for good behavior and self-improvement.

b. Several institutions utilize "progressive housing", by which well-behaved inmates can advance from very restrictive housing quarters to less restrictive ones. While this is a useful concept, it is insufficiently linked to other rewards, such as "good time". In addition, the distinctions among the various housing levels are not great enough to bring about significant changes in behavior.¹³

c. The best paying inmate jobs are not adequately linked to good institutional behavior and do not offer sufficient economic rewards. Approximately 70-80 percent of all inmates hold some type of job, but roughly 60% perform maintenance, kitchen, laundry or road crew jobs that pay a maximum of 90¢ per day.¹⁴ Inmates who participate in vocational or educational programs,

such as auto mechanics or upholstering, are generally paid 90c per day. Prison industry inmates, on the other hand, are paid on an incentive basis and may make as much as \$200 per month if they meet certain production goals or work extra hours.¹⁵ These significant differences in pay, however, are generally not tied to "good time" classes or custody levels.¹⁶ The arbitrary nature of the pay system undercuts other incentives for self-rehabilitation, causes friction among inmates, and prompts many inmates to forsake valuable vocational and educational programs in lieu of the higher paying prison industry jobs.

d. The "work release" program is designed to permit those inmates with little time remaining on their sentences to hold jobs outside of prison. This appears to be a generally successful program which helps inmates readjust to the "real" world prior to their release. At present, however, only 247 inmates (2 percent) are eligible to participate in the program.¹⁷ The criteria for making work release are so stringent and its availability is so limited that it does not serve as a meaningful goal for most inmates and is not widely understood within the system. At one work release unit, the Committee even interviewed staff who were not aware of other work release programs in the state.

e. The "good time" system for reducing inmates' total sentences appears to be a useful and easily understandable device to encourage inmate self-rehabilitation. However, the statutory scheme enacted by the General Assembly is so complicated and its implementation by the Department is so error-prone that it promotes confusion and resentment among inmates.

7. The parole system in Virginia is widely perceived by both inmates and correctional staff as being arbitrary, unfair, and so unrelated to an inmate's institutional performance that it cannot serve as a useful rehabilitative tool. Although the Committee did not attempt to review or evaluate the policies and procedures of the Virginia Parole Board, it observed that:

a. Inmates receive little, if any, useful parole guidelines from either the DOC or the Parole Board. Both inmates and correctional staff share the impression that inmates with the worst institutional records often make parole more quickly than well-behaved inmates with similar offenses.

b. The Parole Board provides virtually no feedback to inmates who have been denied parole as to the reasons for a "turn down".

c. Correctional officers and counselors interviewed by the Committee generally thought that they had little, if any, input in the parole decision-making process.

8. The 10 prisons inspected by the Committee appeared remarkably free of serious or widespread violence among inmates or violence between inmates and staff, with the notable exception of Mecklenburg. The Committee saw no signs, and were not told, of any racially motivated gang warfare, prostitution rings, or large-scale drug problems.

9. Except for overcrowding, basic living conditions in the 10 prisons were generally adequate to meet minimum humane and constitutional standards.

10. The Committee witnessed several examples of inmate punishment that appeared arbitrary and possibly excessive. Specifically:

a. Inmates are transferred from one institution to another for punitive reasons, often without adequate justification or notice to the inmate. Although there are often valid security reasons for moving troublesome inmates, the procedure is easily subject to arbitrary and excessive punishment of inmates who have done little to deserve transfers.

b. The Committee saw at least two instances of what seemed excessive use of solitary confinement for relatively minor offenses. In one case, an inmate was placed in solitary confinement for two weeks for having "cussed" an officer.

c. The Committee saw isolation cells at two institutions that were not fit for human habitation. The cells, which were used to punish inmates, were so lacking in light, ventilation and heating that they did not seem fit for any inmate.

11. a. Serious morale problems persist among the system's correctional officers. This is due to a number of factors, including 1) a lack of moral support for correctional officers by the public and the state's elected officials, 2) limited pay, promotion, and recognition opportunities and 3) the highly stressful nature of corrections work.

b. Correctional officers in Virginia have a relatively high turnover rate of 16 percent.¹⁸ For newly hired officers, the rate is even higher. For example, the Committee was told that the average new officer hired at the penitentiary lasts less than one year.

12. The educational and training levels attained by many officers and supervisors in the system appear to be inadequate. Although the DOC was unable to provide the Committee with statistics on the educational levels attained by wardens at individual institutions, several wardens interviewed by the Committee lacked advanced educational training.

13. The amount and timing of training for correctional officers is inadequate. Many newly hired officers do not receive their "basic" classroom training until they have already been on the job for three, or sometimes even six, months.¹⁹

14. The Department and the General Assembly have failed to provide all inmates with adequate access to the courts. Specifically:

a. Many facilities lack adequate law libraries. Under Bounds v. Smith, 430 U.S. 817 (1977), the state has the responsibility either to provide inmates with law libraries or court-appointed attorneys to advise them on matters related to their incarceration. Although Virginia meets its constitutional obligations under Bounds by providing court-appointed counsel to every adult prison in Virginia (Va. Code §53.1-40), it also provides some form of law library at many institutions. These libraries vary tremendously, with one of the state's best libraries ironically being located at Marion Correctional Center, which houses the state's mentally ill prisoners. There are no uniform guidelines on what these libraries should contain or how they should be maintained.

b. The Department and the General Assembly have

failed to provide any supervision or guidance to the attorneys who serve as court-appointed counsel in the 43 adult facilities or on the procedures governing inmate access to these attorneys. The result is that the attorneys provide vastly different types and amounts of legal assistance to inmates, often depending on the personalities of the warden and the attorney at each institution.

c. The Department and the General Assembly have failed to provide adequate legal assistance to death-row inmates who wish to challenge the constitutionality of their sentences. The institutional attorneys at Mecklenburg Correctional Center, Powhatan, and the Penitentiary, where death-row inmates are housed, are not able and do not provide the degree of specialized assistance needed in capital habeas corpus cases. As a result, many death-row inmates are forced to engage in frantic last-minute searches for legal assistance prior to their scheduled executions.

III. RECOMMENDATIONS

1. a. The Department of Corrections and the General Assembly should increase existing efforts to relieve overcrowding in the state's adult prison system. Increased emphasis should be placed on the use of work release, pre-release, community diversion, in-house arrest, and other cost-saving alternatives to incarceration.

b. The General Assembly should insure that the state penitentiary is not closed until a replacement facility has been constructed in the Richmond area. Such a facility is needed to permit visitation by the families of inmates on a regular basis and to fully utilize volunteers who wish to assist in the correctional process. The General Assembly should take these considerations into account in selecting a site for the new prison.

c. The Department should keep its own staff, inmates, and the public better informed about the extent of overcrowding in each institution. Toward this end, a notice should be posted in each facility stating the operational capacity for the institution and the current inmate population.

2. a. The Department should place the highest priority on improving the management chain within the Department to insure that uniform policies and procedures are followed at all institutions. It should also bring in more experienced and sophisticated program

managers - possibly managers from outside the corrections field - to run major institutions. A primary part of this management reform should be to involve correctional officers and counselors more directly in the policymaking process and to allow a greater opportunity for inmates to express their concerns.

b. The Department should maintain its relatively large number of small institutions, since such decentralization can serve as an effective means of implementing specialized correctional programs.

3. The Governor should take immediate steps to promote greater citizen involvement in the corrections process, not only in adult prisons but also in juvenile institutions and in the probation/parole process. He should appoint a special Commission on Citizen Participation in Corrections to devise and recommend practical and effective means (i) to improve communications and understanding between state correctional institutions and their local communities, (ii) to increase volunteer participation in the corrections process (including education, training, probation and parole), (iii) to reduce state spending on corrections through the expanded use of volunteers and community diversion programs, and (iv) to increase the educational role of prisons in teaching young people about the realities of prison life.

4. The Department should continue its efforts to improve security at all adult institutions, particularly through the use of cameras and other remote electronic surveillance devices at field units.

5. The Department should make major changes in its treatment and self-rehabilitation programs. Specifically:

a. Transfers of inmates should be reduced to a minimum. Punitive transfers should be governed by clear guidelines that include impartial hearings and greater notice of hearings. Inmates should be given at least 14 days' notice of non-punitive transfers.

b. Educational opportunities should be significantly expanded for all inmates. The Governor's recently announced literacy program should be pursued, but should not take precedence over the educational needs of other inmates nor be made an unconditional prerequisite for parole.

c. Vocational training programs should be significantly expanded. Inmates with good institutional records should be encouraged to enroll in training programs of sufficient duration and difficulty to allow for the development of marketable skills prior to release. The Department should consider converting several field units into minimum-security, specialized "Job Centers", where such skills as health care, auto mechanics, or computer operations could be taught. These "Job Centers" should be reserved for model inmates with good institutional records who do not pose substantial security risks.

d. The Department should take steps to hire more counselors and to insure that counselors are able to develop more permanent and meaningful counseling relationships with inmates. All counselors should be able to spend at least one-half of each day engaged in actual counseling with inmates.

e. The work release program should be significantly expanded so that most of the highest-rated inmates with little time remaining on their sentences can participate and begin to adapt to life outside the prison walls. Volunteers should be actively solicited to help run these programs.

f. The Department should take steps to improve the religious and spiritual opportunities for inmates. While such steps would be subject to constitutional limitations, the Commonwealth should seek to insure that there are full-time chaplains at all major institutions.

g. The Department should take steps to increase the role of inmates' families in the rehabilitation process. Family counseling should be expanded, particularly for inmates with substance abuse problems. Most "A" custody inmates and inmates nearing their final release dates should receive regular family furloughs.

6. The General Assembly, the Virginia Parole Board, and the Department of Corrections should thoroughly re-examine the DOC's entire classification, custody, good time, housing, employment, and parole systems to simplify and combine them into a cohesive and comprehensive "graduated release" program that consistently and adequately rewards inmates who demonstrate progress in self-rehabilitation. Such a re-examination would include the following measures:

a. The DOC should consider combining all the different incentive systems and instituting a single composite rating which would serve as the basis for most incentives and

rewards throughout an individual's entire sentence. To the greatest extent possible, the point system used to calculate inmate custody should be extended to the other rewards offered in the system.²⁰

b. Inmates with the highest composite rating should generally be entitled to the highest paying jobs, the maximum allowable good time, the best housing privileges, work release, furloughs, greater access to their personal funds, and other benefits.

c. The progressive housing system should be expanded and standardized as much as possible among all institutions within the state. Perhaps every housing unit could be assigned a housing code, which would carry with it uniform rights and restrictions. Greater distinctions should be made among the different housing levels.

d. The present "good time" system should be re-evaluated and simplified. The General Assembly should consider adding one or more additional categories for earning "good time" to the four that currently exist.

7. The corrections process and the parole system should be more closely linked. Inmates should be provided with a simple, realistic list of attainable goals which they must meet in order to make parole. Correctional officers and other staff should be included more in the parole decision-making process. Inmates should receive a more particularized statement - even if only a single paragraph - from the Parole Board as to consideration leading to a denial of their parole.

8. a. The Department should more closely monitor cells

used for solitary confinement in order to insure that all cells meet minimum standards for lighting, ventilation, sanitation, and heating.

b. The Department should issue and enforce more reasonable guidelines on the use of solitary confinement and the length of confinement for specific offenses.

9. The Department should take steps to improve the morale of counselors and correctional officers. Specifically:

a. The Department should consider increasing the pay levels for correctional officers, particularly those who meet higher educational standards. Officers who deal regularly with the most dangerous inmates, such as those at Mecklenburg, should receive some form of "combat pay", in the form of additional salary, compensatory time, or other benefits.

b. The Department should study ways to bring greater recognition, both financial and social, to outstanding officers and counselors.

c. The Department should develop "exchange programs" for officers and counselors, whereby they could visit correctional facilities in other parts of Virginia and in other states to learn how other correctional agencies deal with similar problems.

10. The Department and the General Assembly should take steps to provide inmates with more meaningful access to the courts. In particular:

a. All major institutions should have the same legal publications. All field units should have smaller, yet uniform,

libraries. All law libraries should be properly updated and the same equipment (e.g. typewriters) provided at each facility. All institutional attorneys should be provided with guidelines on their legal responsibilities to inmates.

b. All institutions should post the name and the address of the institution's court-appointed attorney, with uniform instructions on how inmates can contact the attorney.

c. The General Assembly should clarify Virginia Code §53.1-40 as to the responsibilities of institutional attorneys or other specially appointed attorneys to assist indigent inmates who wish to file habeas corpus actions in death penalty cases.

IV. CONCLUSION

The Prisons and Corrections Committee, in its inspection of 10 adult prisons, found that while significant improvements have been made over the past two years, many serious problems remain in Virginia's prison system. Foremost among these are a lack of consistent policies and procedures, a lack of coherent and effective programs for inmate self-rehabilitation, and a lack of public involvement in the corrections process.

Many reforms need to be made. Of the 10 specific recommendations set forth above, the Committee places the highest priority on the upgrading of DOC's administrative management and the coordination and redesign of the treatment and behavior incentive programs. These reforms, however, cannot win public support unless the public becomes more directly involved in the entire corrections process.

These changes, of course, only constitute a small portion of the steps which can and should be taken to improve the state's correctional system. By working together, the General Assembly, the Governor, the Department of Corrections, the Parole Board, and private citizens can fashion a system that is far more successful at encouraging self-rehabilitation and protecting the public from the tragedy of serious crime.

FOOTNOTES

¹In 1984, Virginia had the fourteenth largest prison population of any state. The Corrections Yearbook, by George and Camille Camp, (Criminal Justice Institute, 1985), pp. 26-27. As of October 17, 1986, Virginia's total inmate population was 12,207, including state felons in local jails. See Appendix A.

²The Department provided the Committee with two different figures for the total number of institutions. In Appendix B, the total is put at 57, but this apparently includes several different institutions on the same site. The lower figure shown here was provided by the Office of the Director.

³The Criminal Justice Institute (unpublished).

⁴See Appendix B.

⁵This is the amount per adult inmate. Juvenile figures are considerably higher. Ibid.

⁶The Committee visited the following institutions between May, 1984 and August, 1986: Richmond Penitentiary, Powhatan, Bland, Staunton, Mecklenburg, Southampton (major institutions); New Kent, Stafford (field units); Fairfax (work release); and Marion (psychiatric). The penitentiary was visited twice, in mid-1984 and in mid-1986.

⁷For a list of the members of the Prisons and Corrections Committee, see Appendix C.

⁸See Appendix A. Population and rated capacity statistics have been subject to widely divergent interpretations. In its total population figure of 12,207, the Committee included the 1,075 state prisoners confined in local jails since the Department of Corrections bears the responsibility for housing and treating all felons sentenced to more than one year.

In addition, the term "rated capacity" or "operational capacity" has also been subject to many different interpretations. Although national organizations, such as the American Correctional Association, would calculate the operational capacity of Virginia's system to be lower than what DOC's figures reflect, the Committee used the Department's own figures to reflect overcrowded conditions.

⁹See Appendix B.

¹⁰Virginia Department of Corrections figures (unpublished).

¹¹Ibid.

¹²Ibid. The Department was unable to provide the Committee

with the percentage of inmates released on parole in 1985 who had been granted furloughs prior to their release. This lack of information reveals how little correlation exists between parole and the furlough program.

¹³See Appendix D.

¹⁴Virginia Department of Corrections figures (unpublished).

¹⁵See Appendix B. The Department's estimate of "\$100.00 or more" may be somewhat low. The Committee's interviews with staff and inmates suggest that the maximum income could range as high as \$200-300 per month.

¹⁶See Appendix E. The chart shows a sample list of jobs held by inmates at Southampton Correctional Center. The fourth column indicates the custody of inmates who perform each job on a daily basis. Some of the best paying prison industry jobs, such as the shoe factory, are often filled by inmates with the lowest custody levels.

¹⁷See Appendix B.

¹⁸Ibid. According to the Corrections Compendium, (December, 1983), Virginia had a turnover rate among correctional offices of 20-25%. Only 6 states had a rate higher than 25% in 1983.

¹⁹The DOC informed the Committee that Department policy has now been changed to require that all correctional officers receive basic training before they start work in a prison.

²⁰The Committee recognizes the difficulties posed by combining the custody and the good time classification systems, the most obvious of which is the need to grant the maximum amount of "good time" credits to long-term offenders. The Department, however, should give such a project serious consideration. See Appendix F for the Inmate Custody Classification Scoresheet, a good example of the type of simple, easily understandable scoring system that is needed.

APPENDIX A
INMATE POPULATION

DEPARTMENT OF CORRECTIONS
DIVISION OF ADULT SERVICES
DAILY INMATE POPULATION AND MOVEMENT REPORT
FIELD DATA

DATE: 10/17/86
TIME: 11:32:48
PAGE: 01

LOCATION CODE	LOCATION NAME	TOTAL INMATES ASSIGNED	OPERATIONAL CAPACITY
001	PULASKI CORRECTIONAL UNIT	70	85
002	CAROLINE CORRECTIONAL UNIT	129	130
003	WYSEMOND CORRECTIONAL UNIT	93	90
004	BASKERVILLE CORRECTIONAL UNIT	116	104
007	WHITE POST CORRECTIONAL UNIT	100	85
008	HARRISONBURG CORRECTIONAL UNIT	99	100
009	RUSTBURG CORRECTIONAL UNIT	108	100
010	GREENVILLE CORRECTIONAL UNIT	99	85
011	CULPEPER CORRECTIONAL UNIT	70	65
012	FLOYD CORRECTIONAL UNIT	94	90
013	POCAHONTAS CORRECTIONAL UNIT	215	210
015	CHATHAM CORRECTIONAL UNIT	97	95
016	NEW KENT CORRECTIONAL UNIT	95	0
017	HAYNESVILLE CORRECTIONAL UNIT	99	85
018	WISE CORRECTIONAL UNIT	95	90
020	CAPRON CORRECTIONAL UNIT	95	85
021	STAFFORD CORRECTIONAL UNIT	105	90
022	TIDEWATER CORRECTIONAL UNIT	103	95
025	HALIFAX CORRECTIONAL UNIT	192	184
024	SMITH LAKE CORRECTIONAL UNIT	94	90
025	BOTETOURT CORRECTIONAL UNIT	93	88
026	HAYMARKET CORRECTIONAL UNIT	95	90
027	DINWIDDIE CORRECTIONAL UNIT	95	90
028	PATRICK HENRY CORRECTIONAL UNIT	111	102
030	FAIRFAX CORRECTIONAL CENTER	159	150
031	TAZEWELL CORRECTIONAL UNIT	105	100
033	APPALACHIAN CORR UNIT	12	43
070	CHESTERFIELD COMMUNITY CORRECT	113	100
071	SPRING STREET WORK RELEASE CEN	18	20
072	SOUTHAMPTON WORK RELEASE	30	32
SUB-TOTAL		3,001	2,753

** TOTALS INCLUDED IN GRAND TOTAL **

CABRE ONLY:

CHESTERFIELD COMM 25

SOUTHAMPTON WORK 4

* CONTINUED ON NEXT PAGE *

DEPARTMENT OF CORRECTIONS
 DIVISION OF ADULT SERVICES
 DAILY INMATE POPULATION AND MOVEMENT REPORT
 MAJOR INSTITUTIONS

DATE: 10/17/80
 TIME: 11:32:51
 PAGE: 02

LOCATION CODE	LOCATION NAME	TOTAL INMATES ASSIGNED	OPERATIONAL CAPACITY
100	ELAND CORRECTIONAL CENTER	459	440
101	VIRGINIA STATE PENITENTIARY	627	728
102	SOUTHAMPTON CORRECTIONAL CENTER	507	474
103	POWHATAN CORRECTIONAL UNIT	502	450
104	VA. CORRECTIONAL CENTER FOR WD	331	284
105	JAMES RIVER CORRECTIONAL CENTER	332	321
107	STAUNTON CORRECTIONAL CENTER	555	527
108	POWHATAN-100 UNIT	75	92
110	HECKLENBURG CORRECTIONAL CENTER	317	335
111	POWHATAN CORRECTIONAL CENTER J	34	47
150	AUGUSTA CORRECTIONAL CENTER	574	500
200	BUCKINGHAM CORP. CENTER	720	500
220	NOTTOWAY CORRECTIONAL CENTER	705	500
300	MEDICAL COLLEGE OF VIRGINIA	6	0
310	MARION CORRECTIONAL TREATMENT	160	160
400	POWHATAN RECEIVING CENTER	302	245
410	POWHATAN "M" BUILDING	87	99
500	PENITENTIARY HOSPITAL	18	42
510	PENITENTIARY "C" BUILDING	84	98
600	SOUTHAMPTON RECEIVING UNIT	159	116
710	SOUTHAMPTON YOUTHFUL OFFENDER	78	100
5	BRUNSWICK CORRECTIONAL CENTER	696	500
700	ST. BRIDES CORRECTIONAL UNIT	443	423
701	DEERFIELD CORRECTIONAL CENTER	320	290
800	WOMENS RECEIVING UNIT	40	41

SUB-TOTAL		8,131	7,312
GRAND-TOTAL		11,132	10,065

** TOTALS NOT INCLUDED IN GRAND TOTAL *****		TOTALS INCLUDED IN GRAND TOTAL	
PRE-RELEASE	51	CADRE ONLY:	
STATE HOSPITALS	19	POWHATAN RECEIVING	9
ADMINISTRATIVE	5	SOUTHAMPTON RECEIVING	5
LOCAL JAILS	1,075		

C-26
 1190 Recut
 7/74

COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF CORRECTIONS
 INTER-STAFF MEMORANDUM

Date September 5 1986

TO: Helen Hinshaw, Lead Monitoring Analyst
 FROM: James Duke
 SUBJECT: Bar Association Survey

1. What is the total number of correctional facilities in Virginia, broken down by adult male facilities, adult female facilities, juvenile facilities, and local jails and lockups?

Adult male facilities	55
Adult female facilities	2
Juvenile facilities (Learning centers)	8 (includes R & DC)
Local Jails	98
Local Lockups	34

2. What was the total cost per inmate in Virginia in FY84 and FY85? How do you calculate this figure?

	<u>Adult</u>	<u>Youth</u>
FY84	14,770	24,050 (Fed. expenses deducted)
FY85	14,859	27,654 (Fed. expenses deducted)

*Total expense (less revenues) divided by averaged annual population.

3. What was the total state spending for corrections in FY83, FY84, FY85, and FY86? For each year, what percentage of the state's total budget was devoted to corrections?

	<u>*Total Corrections Spending</u>	<u>% of States' Total Budget</u>
FY83	243,340,337	3.75%
FY84	239,919,226	3.49%
FY85	254,822,368	3.32%
FY86	286,502,193	3.45%

*Does not include Bureau of Industrial Enterprises.

6. For the prisoners released in FY85, what was the average length of their sentences actually served, in total number of months or years?

Averaged Time Served 27.4 months
(not including local jails)

Averaged Time Served 23.6 months
(including local jails)

10. Are inmates who are engaged in vocational training programs eligible to work in prison industries at the same time? In other words, can these trainees earn more than the standard 90 cents per day?

The answer is yes. There are no particular exclusions in this regard. If the Classification Board assigns an inmate a prison industries job, then the inmate will be paid if he works at least $\frac{1}{2}$ day.

12. What is roughly the maximum amount of money that an inmate can earn in prison industries work?

It should be understood that inmates working in prison industries are paid on an incentive plan. In this sense there is no maximum wage. An inmate might earn \$100.00 or more a month.

An example: In the Women's Data Processing Center, an inmate was paid the top wage of \$224.70 for the period July 11, 1986 to August 10, 1986. The woman in question was paid this amount for entering 3,250,000 key strokes.

13. Approximately how many inmates are currently participating in the work release program and pre-release program?

	<u>Work Release</u>	<u>Pre-Release</u>	<u>Total</u>
June 1986	247	65	312

How many institutions have either program?

	<u>Work Release</u>	<u>Pre-Release</u>	<u>Total</u>
June 1986	8	4	12

14. What is the current starting salary of correctional officers and counselors?

	<u>Range</u>
Corrections Officer A	\$14,016 - \$19,145
Corrections Institution REhabilitation Counselor	\$16,757 - \$22,885

16. What is the turnover rate for all security personnel?*

	<u>Turnover % (7/1/85 to 6/30/86)</u>
Correctional Officer	16.77%
Corrections Sergeant	3.96%
Corrections Lieutenant	7.00%

* There is no Corrections Corporal rank

APPENDIX C
MEMBERS, PRISONS AND
CORRECTIONS COMMITTEE

PRISONS AND CORRECTIONS COMMITTEE
MEMBERSHIP LIST

September 15, 1986

1. James M. Pates, Chairman
City Attorney
City of Fredericksburg
Post Office Box 7447
Fredericksburg, Virginia 22404
2. Kevin Donovan, Vice-Chairman
Gillenwater, Donovan and Tew
705 Park Avenue
Falls Church, Virginia 22046
3. Lloyd Snook, Secretary
Attorney at Law
230 Court Square
Charlottesville, Virginia 22901
4. Thomas B. Baird, Jr.
Commonwealth's Attorney
P. O. Box 37
Wytheville, Virginia 24382
5. A. Hugo Blankingship, Jr.
Blankingship and Keith
4020 University Drive, Suite 312
Fairfax, Virginia 22030
6. Nate L. Adams, III
Bird, Kinder and Huffman
126 Church Avenue, S. W., Suite 200
Roanoke, Virginia 24011
7. James W. Speer
Corry and Corry, P. C.
114 West Grace Street
Richmond, Virginia 23220

APPENDIX A

Privileges and Limitations by building for the Progressive Housing Program:

1. C-1 Cell House

1. Gymnasium and television privileges alternate every other night
- b. Knockdown (lights out) is at 10:00 p.m. every night
- c. Cell call (to return or leave cell) occurs only on the hour after evening count
- d. No card tables in the hallway
- e. No photos, artwork, etc. hung on the walls
4. f. Last in line for meals
- g. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

2. C-2 Cell House

- a. Gymnasium and television privileges alternate every other night
- b. Knockdown is at 11:00 p.m. every night
- c. Cell call occurs only on the hour after evening count
- d. Card tables located in the hallway
- e. No photos, artwork, etc. hung on the walls
- f. Fourth building in line for meals
- g. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

3. C-3 Cell House

- a. Gymnasium and television privileges available every night
- b. Knockdown is at 11:00 p.m. on weekdays, and at the end of the movie on weekends
- c. Cell call occurs only on the hour after evening count
- d. Card tables located in the hallway
3. e. Limited privilege to hang photos, artwork, etc. on the cell walls
- f. Third building in line for meals
5. g. Picnic visits permitted once a month during late spring, summer and early autumn, if eligible and approved
- h. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

4. R-1 Honor Building

- a. Gymnasium, television, and R-3 recreation room privileges every night
- b. Knockdown is at 11:30 p.m. on Sunday through Thursday nights, and at 1:30 a.m. on Friday and Saturday nights. After knockdown in R-1, residents may have their lights on and be playing their TVs, radios or stereos; they may leave their rooms only to use the commode or drinking fountain
2. c. Residents have own room keys, so cell call is unnecessary
- d. Photos, artwork, etc. may be hung on the walls in rooms
6. e. Visiting of other residents' rooms on the same floor allowed prior to knockdown, but no more than one visitor at a time in a room
- f. Second in line for meals
- g. Picnic visits permitted once every other weekend during late spring, summer and early autumn, if eligible and approved
- h. Iron furnished
- i. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

5. R-3 Honor Building
 - a. Gymnasium, television, and R-3 recreation room privileges every night; all night TV room privileges every night
 - b. Knockdown is at 12:00 midnight on Sunday through Thursday; none on Friday and Saturday night. After knockdown in R-3, residents may have their lights on and be playing their TVs, radios or stereos; they may leave their rooms only to use the commode, drinking fountain or TV room.
 - c. Residents have own keys, so cell call is unnecessary
 - d. Personal dress shirts and dress pants of solid colors allowed
 - e. Photos, artwork, etc. may be hung on the walls in rooms
 - f. Visiting of other residents' rooms on either floor allowed prior to knockdown, with general limit of five men in one room at a time
 - g. First in line for meals
 - h. Picnic visits permitted once every weekend during late spring, summer and early autumn, if eligible and approved
 - i. Iron furnished
 - j. Pay telephone in building
 - k. Washer and dryer available
 - l. Personal property as allowed by Division Guidelines, Regional Policy, and Institutional Policy on personal property

APPENDIX E
NUMBER OF INMATES IN VARIOUS PRISON JOBS
AND REQUIRED CUSTODY LEVELS,
SOUTHAMPTON CORRECTIONAL CENTER

Southampton Correctional Center Work Gangs

Gang Number	Gang Name	Gang Foreman	Custody Required	No. of Inmate Average in 1/2
1	Shoe Factory	L. J. Moses	C	50
2	Recreation	Floyd Coley	C	18
3	Dental Laboratory	J. C. Eversole	C	11
4	Security Department	Cpl. H. J. Barnes	C	2
5	Grounds Maintenance	L. R. Johnson	B, A	14
6	✓ Sawmill & Cannery	E. G. Harrell	B	15
7	Institution Barbers	Major E. T. Jones	C	6
8	Motor Pool	C. P. Griffith	B, A	21
9	✓ Tractors	W. G. Jarrett	B, A	11
10	Education Department	J. A. Carey	C	24
11	✓ Secure Farm Labor	T. M. Artis	B	39
12	Carpentry	C. E. Allen	B	14
13	✓ Dairy	R. M. Chaffin	B	6
14	Electrical		B	10
15	Laundry	M. F. Spence	C	24
16	Work Release Cadre	Sgt. W. F. Seal	A	12
17/C1	C-1 Maintenance	Cpl. Moses Smith	C	19
17/C2	C-2 Maintenance	Cpl. R. Goodwyn	C	19
17/C3	C-3 Maintenance	Cpl. H. A. Darden	C	23
17/R1	R-1 Maintenance	Cpl. G. T. Tann	C	15
17/R3	R-3 Maintenance	Cpl. P. Voltolin	C	14
18	Kitchen	A. E. Whitehead	C	117
19	✓ Farm Trusty	W. E. Burgess	A	6
20	Chair Factory	D. E. Jackson	C	35
21	Woodwork & Welding	W. K. Harrison	B	13
23	Unassigned			
24	Chapel	Rev. G. R. Powell	C	
27	Officers Quarters	Capt. H. A. Thorpe	A	2
28	Waste Water Treatment	D. L. Phillips	B, A	11
30	Clothing Room	J. B. Harris	C	10
32	Boiler Plant	F. B. Vick	B	21
34	Treatment Department	L. A. Clifton	C	5
36	Warehouse	G. T. Mattox, Jr.	B	7
37	Gate Men	H. L. Teel	A	3
38	Confinement			
39	Creative Maintenance	A. L. Harris	B	12
40	Plumbing	H. M. Smith	B	13
41	Dog Kennel	Cpl. V. L. Raiford	B, A	3
42	Construction Labor	H. M. Carpenter	C	28
43	Security Maintenance	H. G. Council	C	9
45	Dispensary	J. R. Dickens	C	
46	Yard Utility	B. J. Hobbs, Jr.	C	7
47	Administration Building	Capt. W. F. Sasser	B, A	2
50	Electrical	A. M. Young	B	8
51	Heating & Refrigeration	Buck Edwards	B	11

Revised 05/08/85

VA. DEPT. OF CORRECTIONS - ADULT SERVICES
INITIAL INMATE CLASSIFICATION
CUSTODY

NAME _____ NUMBER _____
 LAST FIRST MI

INSTITUTION _____

CLASSIFICATION CASEWORKER _____ DATE _____

- 1. HISTORY OF INSTITUTIONAL VIOLENCE
(Jail or prison, code most serious within last five years.)

None .....	.0	
Assault not involving use of a weapon or resulting in serious injury .....	.3	score
Assault involving use of a weapon and/or resulting in serious injury or death. ....	.7	

- 2. SEVERITY OF CURRENT OFFENSE
(Refer to the Severity of Offense Scale. Score the most serious offense if there are multiple convictions.)

Low .....	.0	High .....	.7	
Low Moderate .....	.2	Highest .....	.10	score
Moderate .....	.4			

- 3. PRIOR ASSAULTIVE OFFENSE HISTORY
(Score the most severe in inmate's history. Refer to the Severity of Offense Scale.)

None, Low, or Low Moderate .....	.0	High .....	.6	
Moderate .....	.4	Highest .....	.8	score

- 4. ESCAPE HISTORY *(Rate last 3 years of incarceration.)*

No escapes or attempts (or no prior incarcerations) .....	.0			
<i>An escape or attempt from A custody, no actual or threatened violence:</i>				
Over 1 year ago .....	.1	Within the last year .....	.3	
<i>An escape or attempt from B or C custody, or an escape from A custody with actual or threatened violence:</i>				
Over 1 year ago .....	.5	Within the last year .....	.7	score

- 5. LENGTH OF TIME TO PAROLE ELIGIBILITY DATE, IN YEARS.
score

- 6. ALCOHOL/DRUG ABUSE

None .....	.0	
Abuse causing occasional legal and social adjustment problems. ....	.1	score
Serious abuse; serious disruption of functioning .....	.3	

- 7. CURRENT DETAINER

None .....	.0	
Misdemeanor detainer .....	.1	score
Extradition initiated - misdemeanor .....	.3	
Felony detainer. ....	.4	
Extradition initiated - felony .....	.6	

- 8. PRIOR FELONY CONVICTIONS

None = 0	One = 2	Two or More = 4	
			score

- 9. STABILITY FACTORS
(Check appropriate factor(s) and combine for score.)

() Age 26 or over.	-2	
() High School diploma or GED received	-1	score
() Employed or attending school (full or part-time) for six months or longer at time of arrest	-1	

TOTAL SCORE _____