



# THE AWAITING TRIAL POPULATION IN VIRGINIA

A Report for the

Legal/Legislative Committee  
Governor's Commission on Prison and Jail Overcrowding



Research & Evaluation Unit  
Planning & Engineering Services  
Virginia Department of Corrections

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## Acknowledgments

As project staff assigned to this undertaking, we would be remiss in not recognizing the contributions of others to this report:

First, several colleagues in the Research & Evaluation, and Planning & Development, Units gave generously of their time and expertise in a period when deadlines were routinely short;

Second, we were given a virtual "open line" to Tony Casale, Criminal Justice Analyst, Department of Criminal Justice Services, whose intimate knowledge of jail management planning and process evaluation made him singularly valuable to the collection and analysis of arrest dispositions.

Finally, we are grateful for access to records and files provided for coding purposes on exceptionally short notice by the Clerks of Court and the Sheriff's Offices in Fairfax County, Norfolk, Henrico County, Suffolk, and Petersburg, Virginia.

## THE AWAITING TRIAL POPULATION IN VIRGINIA

### Scope

As part of a larger undertaking by the Governor's Commission on Prison and Jail Overcrowding to examine the short- and long-term demand for prison and jail space, this component addresses the Virginia pretrial population. Since this part of the jail population has been growing steadily, and in view of the bedspace savings that could be achieved through reversal of this trend, the Committees on Space Requirements and on Legal/Legislative Issues have both given the matter close attention.

The field investigation reported here is best described as providing quantitative answers to a series of questions raised by the Legal/Legislative Committee about pretrial populations in Virginia and their characteristics. It is a logical extension of two other reports -- "Awaiting Trial Population in Local Jails", (May, 1989), and "Pretrial Strategies to Reduce Jail Overcrowding: National and Virginia Experiences" (June, 1989). Of greatest interest, and therefore the primary focus of the study, was to learn more about the types of cases comprising awaiting trial populations, to determine pretrial release activities as they relate to bonding decisions, and to calculate length of stay for each awaiting trial subgroup. The study was expected to identify possible divertable subgroups, tempered by reasonable concerns over their subsequent appearance for trial, and their threat to public safety.

### Background

Historical and constitutional issues regarding who may be detained pretrial in criminal proceedings have been discussed elsewhere. It is sufficient to note here that the probability of reappearance for trial has been a traditional criterion for release, supplemented in recent years by predictions about the defendant's rearrest while awaiting trial. Some jurisdictions, more recently yet, have tied pretrial release to estimates of the defendant's dangerousness to self or others.

In Virginia, considerations of public safety and the likelihood of pretrial criminality permeate each stage of decision-making beginning with arrest. Now that almost one-half of all jail beds in the Commonwealth are occupied by pretrial defendants, the time for creating optional dispositions for those persons posing less risk and individuals having special treatment or program needs is at hand.

A brief overview of trends in the jail population is instructive:

- o During FY84-89, the total jail population increased 103%;
- o The awaiting trial population itself increased 93%;

- o Growth of the awaiting trial population alone increased 72% in the recent period January, 1988 to May, 1989.

As further indication of the problem, figures prepared on May 30, 1989, show that 37 jails in Virginia had awaiting trial inmates comprising at least half of their total populations, and that 19 jails would be functioning above operational capacity if they held only those awaiting trial.

With respect to the characteristics of defendants awaiting trial, on any given day:

- o 75% were held for one or more felony charges;
- o 21% had incurred misdemeanor charges;
- o 4% were charged with local ordinance violations.

Since the focus of the current inquiry has been to quantitatively assess changes in the awaiting trial population in terms of increases in the number of defendants detained and the length of time they remain in jail, the underlying reasons for these changes is of interest. Contributing to the increases noted are:

- o Increasing drug cases, and a concurrent backlog in laboratory evidence processing;
- o Increases in cases to docket without a proportionate increase in judiciary;
- o Increased judicial use of presentence investigations (PSIs) without corresponding expansion of staff;
- o Increased usage of court continuances;
- o Conservative use of nonfinancial bonding mechanisms.

### Methodology

While a full description of the study methodology is contained in an Appendix, a brief account of the undertaking follows.

Research & Evaluation Unit staff, assisted by some from Planning and Development, manually retrieved data on all commitments made to each of five Virginia jails on October 4 and 5, 1988. These dates were selected because they fell on a Tuesday and Wednesday, traditionally stable jail intake days, typically unaffected by weekend surges, and the month of October because of its relative immunity to seasonal and monthly variations. This sampling -- a "slice of time" -- is recommended by the National Institute of Corrections for the survey of a typical jail population.

The sampling of five jurisdictions was designed to provide an acceptably representative set of jails, given limitations of time and staff resources. The five jails were selected to mirror urban, high volume municipalities, as well as smaller, moderately

urbanized localities. The jurisdictions, together with the number of cases identified in this time slice were:

o Fairfax County	n = 72	39%
o Norfolk City	n = 65	35%
o Henrico County	n = 22	12%
o Suffolk City	n = 16	9%
o Petersburg City	n = 10	5%
	<hr/>	<hr/>
	Total n = 185	100%

Thus, a total sample of 185 persons newly-committed on October 4/5, 1988, were tracked until data collection occurred in the localities during May 18-26, 1989. In this period, approximately 33 weeks, 165 of the 185 cases reached final disposition.

### Findings

The data from this study were summarized for the Legal/Legislative Committee in a presentation on June 15, 1989, and are contained in graphical and tabular form in Appendix C: Awaiting Trial Presentation (Figures and Tables). The reader is invited to refer to these materials in connection with the interpretations which follow.

Starting with the 185 cases comprising the sample for this survey, 66.5% reached a finding of guilty during the tracking period, ranging from 36.4% in Suffolk to 85.0% in Henrico. For the sample as a whole, the rest of the defendants were found not guilty in two cases (1%), sixteen cases (9%) were dismissed, and 24 cases (13%) were nolle prossed.

Bond study cases were distributed by race and gender as follows:

o Nonwhite males	51%
o White males	36%
o Nonwhite females	8%
o White females	5%

By age groupings, proportions of cases were:

18 - 24 years	33%
25 - 34 years	40%
35 - 44 years	15%
45 & over	12%

Since there was understandable interest in the types of offenses for which these persons were charged, the data indicate that 14.5% were for violent crimes (homicide, rape, assault, drugs), with the remainder, 85.5%, for nonviolent offenses (e.g., burglary, drunkenness, obstructing justice, traffic offenses). The crimes represented among these defendants ranged in seriousness from homicide to trespassing.

With this profile of the five jurisdiction sample in mind, it will be useful to envision the flow of cases through three levels of jail release activity. These are the (1) Magistrate level, (2) Arraignment level, and (3) Bond Reduction level. By means of this sequence, it is possible to track the numbers of each dispositional type, identify release mechanisms, and calculate bond amounts.

(1) Magistrate Level

All 185 cases, of course, were presented to a Magistrate, who ultimately released 93 (50%) by secure or unsecure means. The 57 individuals given unsecure release made bail (or personal recognizance, PR) ranging from \$250 to \$3,000, with a modal value of \$500, while five promised to appear (PTA), and another 11 required no bond but were released when sober. Of the defendants qualifying for secure release, 27 did so through a professional bondsman, at bail ranging from \$250 to \$15,000, with typical bails of \$500, \$1,000, and \$2,500. Another five persons posted cash bond ranging from \$200 to \$1,000, two posted real/personal property bond in the amounts of \$1,000 and \$2,500, and two provided corporate surety in amounts of \$250 and \$500.

The remaining 92 (50%) defendants were detained, of whom 65 were eligible for release, but unable to arrange it. The twenty-seven cases held for arraignment were charged with the following offenses:

	<u>N</u>	<u>Percent</u>
Obstructing Justice	9	33
Drug Offenses	7	26
Other Felonies	8	30
Other Misdemeanors	3	11
	<hr/>	<hr/>
Totals	27	100

(2) Arraignment Level

Three types of outcome are possible at arraignment. First, defendants may be released while awaiting trial by either secured or unsecured means. Thirty-four persons (18%) were admitted to bail, with six being given PR release, and one each released by PTA, and release when sober. Those awaiting trial as a



consequence of secure release did so in most cases (15) by posting bond through a bondsman ranging from \$500 to \$20,000, but five provided cash bond in amounts varying from \$500 to \$10,000, and six supplied corporate surety ranging from \$500 to \$2,500.

Second, cases may reach final disposition at arraignment. Where this happened, 16 of the 22 cases were found guilty, and six were dismissed. All six not guilty cases were in fact dismissed, four of whom were not eligible for either secure or nonsecure release, and one each had been eligible for \$500 secure bond, and for \$750 secure bond. Of the 16 found guilty, one was sentenced to prison, eleven to jail, and four were fined. Three of this latter category, found guilty, had not been eligible for release.

Third, defendants may be bound over for a bond reduction hearing. Of the 36 individuals in this category, 16 were denied release and 20 were not able to meet release conditions established by the court.

In sum, 34 cases (18% of the original 185) were released at this level to await trial.

### (3) Bond Reduction Level

Hearings to consider bond reduction were conducted for 13 defendants, 7% of the arrestees, with detention being the final outcome before trial for 29 (16%) others. They will be the focus of additional analysis later.

Bond reductions eventuated in release for four out of nine persons, with five still unable to meet bond requirements. All four posted secure bond, one through a bondsman, and three through corporate surety, cash, or personal property. Three out of four defendants unsuccessful in bond reductions managed release nonetheless, making bonds of \$2,000 through \$35,000 by corporate surety, cash, or personal property. Other than the findings that the median amount for those released was \$2,000, while the amount for those not released was \$35,000, no pattern was evident in the offenses for which persons released had been charged, nor for those persons detained.

This level of release produced a relatively small number (seven, or 4%) of additional cases to await trial in the community.

Final detained cases are of special interest, since they incur long term bedspace investment by jail administrators. The data from this survey show that, of 29 (one out of every six cases in the original arrestee cohort) detained after bond reduction hearings, 14 were denied bond, and 15 were unable to secure release although eligible to do so. Most of the detainees were felony cases (73%), while 24% were misdemeanants and 3% ordinance violators. Violent offenses accounted for 24%, and nonviolent offenses comprised 76% of the charges. For those unable to make bond, though eligible, the median amount was \$20,000.

## Findings Related to Specific Policy Issues

In view of interest expressed by Committee members about specific characteristics of offenders who may constitute a sizeable divertable population, data from the survey were analyzed further.

First, the total study group was recategorized to achieve a separation of those having intoxication charges. The distribution is then:

	<u>N</u>	<u>Percent</u>
Intoxication (DUI or Public Drunkenness)	55	30
Felonies	61	33
Misdemeanors/Ordinance Violators	69	37
Totals	186	100

Drunkenness/DUI offenders numbered 55, of whom 45 (82%) were released at the Magistrate level, with 42 unsecured and 3 secured. Another ten (18%) were released at Arraignment. Their stay in jail ranged from two hours to two days, with a average period of seven hours. At this rate, almost 10,000 arrestees could be expected at these five jails in one year, consuming over 2,800 bed days. This finding is consistent with previous studies that diversion of public drunkenness and DUI cases would have a dramatic impact on the awaiting trial population.

Second, of the 61 commitments for felonies, 42 were approved for release at the Magistrate level, and 19 held for Arraignment. Those obtaining release approval did not all return to the community; 26 did not, or could not, post bond, and one was released through an unsecure bond. Twenty-one felons were held through both Arraignment and Bond Reduction levels. For felons released pretrial, jail stay ranged from less than 24 hours to 40 days, with an average of 8.3 days. In the localities studied, this group utilized 332 bed-days; if extrapolated to a year, they could expect 7,300 felons requiring over 60,000 bed-days.

A third interest has been expressed in misdemeanor/ordinance violators, 69 of whom appeared in the sample. Almost half (46%) were released at the first level, about evenly distributed by secure and unsecure means. Eight were held through the remaining two levels. For those individuals released pretrial, the average length of stay was 43 hours. This calculates to 108 bed-days for the five localities taken together, and would by extension consume 19,600 bed-days for 10,900 arrestees in a year.

Returning to the earlier trichotomy of felons, misdemeanants, and ordinance violators, length of stay can be calculated for the awaiting trial population. Regardless of the type of "average" selected, mean, or median, the data show that felony cases compile about 3-4 times as many hours in jail as misdemeanor

cases, and that misdemeanant arrestees stay in jail twice as long as persons charged with ordinance violations.

Special attention was given to the release/bonding process by race and type of offense. As expected, release is most likely at the earliest level (Magistrate) for less serious offenses, but an examination of the data by race shows no clear pattern. Bond amounts tend to be higher, generally speaking, at Arraignment than at the first level (since lower bond cases have been released to the community), and show, not unexpectedly, some decrease at the reduction hearings. By levels, the median and range for Magistrate hearings are \$500 and \$150 - \$100,000, respectively, for Arraignments they are \$750 and \$250 - \$125,000, respectively, and for Bond Reduction Hearings, they are \$2,500 and \$250 - \$100,000. No pattern was clearly observable in these amounts among the five localities. A last comparison showed that final bond amounts were greatest, as anticipated, for those not released (in contrast to those who were), but that no differences by race were apparent.

Two remaining questions could be addressed from the data, although the small numbers of cases and the limitations of records make conclusions tentative:

- o What impact of bedspace is attributable to defendants found not guilty?

This study indicates that of the 42 (23%) arrestees whose cases were nolle prossed, dismissed, or who were found not guilty, their tenure in jail was an average of eight days. For the sample, this was 336 jail bed-days.

These data suggest the value of screening by pretrial services to preserve jail space.

- o Are the levels of violation by defendants released pretrial acceptably low?

The defendants studied exhibited a 16% failure to appear rate, and a misconduct/rearrest rate of 15%, both consistent with data appearing in other studies. It is unknown, but probable, that many of the nonappearances were unintentional, i.e., because the defendant forgot the date, went to the wrong courtroom, or had transportation problems.

### Summary and Conclusions

The design phase of this project was informed by a series of richly detailed Virginia studies (see Appendix D):

- o Fairfax County, by National Institute of Corrections technical assistance consultants;
- o Clarke-Frederick-Winchester, by the Department of Criminal Justice Services for their Jail Advisory Group;

- o Albemarle/Charlottesville Joint Security Complex's practices and procedures, by the Department of Criminal Justice Services;
- o The population jail management study of Richmond, conducted by Offender Aid and Restoration of Richmond, Inc., under contract with the Richmond Community Diversion Incentive Program.

The narrative developed earlier was organized in terms of case flow through three logically-ordered stages of disposition: Magistrate level, Arraignment Level, and Bond Reduction Level. Findings have been presented with respect to divertable subgroups of defendants, bed savings achievable through their diversion, and estimated time in jail experienced by offenders released or detained at each stage. The data gathered from five representative Virginia jurisdictions during a typical "slice" of time were, for the most part, consistent with findings of other studies done of specific localities in the Commonwealth.

Among the findings of greatest interest were that (1) bonding showed considerable variation, but was generally not unaffordably excessive; (2) bonding did not show disproportionality among defendants, with the exception of slightly greater amounts required of drug offenders; (3) as expected, felony cases had less mortality and incurred greater amounts of bonding than did lesser offenses; and (4) bonding varied in predictable fashion from Magistrate to Bond Reduction levels.

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**Appendix A**  
**Survey Methodology**

## Survey Methodology

The research questions posed by the Committee on Legal/Legislative Issues were, upon thorough review of automated sources, answerable only through a special survey designed to capture needed data elements. Among these were: the types and numbers of releases at all levels of pretrial activity; the role of professional bondsmen in effecting release, together with the amounts and types of bond required; the length of stay in jail for persons released by various means and for various offenses; and the risk to public safety of pretrial release, as measured by failure to appear for trial, and rearrest for criminal conduct while awaiting trial.

The survey design, access to localities' records, data collection, coding for MIS keying, programming computer runs, analysis, and report preparation will be discussed in turn, and forms on which data elements were entered in the field have been attached (see Appendix B).

### Survey Design

Limitations of time, and restrictions upon staff availability, dictated a sample that would assure representativeness of the Virginia awaiting trial population, yet would be feasible in the time allotted. After a number of optional designs had been created, it was decided to select five jurisdictions according to the following criteria: (1) they should reflect both high-volume, urban localities and moderate-volume, smaller jails, (2) their filings of cases should be, in the best of all worlds, automated, and in any event, complete, and (3) they should represent geographically diverse, but seriously overcrowded jails. The sample finally chosen included:

Fairfax County

Norfolk City

Henrico County

Suffolk City

Petersburg City

Similarly, after considering alternatives, an admissions cohort from these jurisdictions was selected from two consecutive days in October, 1988. The dates chosen were Tuesday and Wednesday, October 3/4, recommended by the National Institute of Corrections (NIC) to reflect the most stable jail intake of the seven weekdays. The choice of October, by the same reasoning, avoided seasonal and monthly variations, and had three other advantages:

- o It was the most recent month in which edited J7 data were available;
- o Enough time had elapsed since October for most case dispositions to have been made;
- o It was recent enough for courts to have their records (though often "Dead Files") readily accessible.

NIC advised, in addition, that a 100% sample of all jail commitments in these localities be drawn, based upon their schema of jail population which uses Average Daily Population (ADP). The intent of NIC was to recommend sampling generously from relatively small jails (as measured by their ADPs), and to reduce sample proportions for larger jails.

The sample was actually constructed at the Central Office using DOC J7 "reason confined" codes and date of admission. Other key identifiers were name and social security number. Samples were transmitted to the courts for each jurisdiction in one of two forms: (1) typed lists of prospective cases, or (2) original J7 sheets with selected defendants highlighted. In a departure from the original plan, these listings were sent to the Clerks of Court or their designee, since it was learned that court, rather than jail, records would most likely contain the needed data elements. Depending upon the size and complexity of locality, records of General District, Circuit, or Traffic courts were requested for review by coders going to the field.

A letter (see Appendix B) was prepared and sent to the Clerks of Court and Sheriffs about the objectives of the study, its authorization, and the imminent arrival of research staff.

#### Data Collection

In the absence of any preexisting sources for data on release type, amount and type of bond, and time in jail, it was apparent that a data collection instrument would have to be designed, pretested, and employed for training coders in its use. This was done in two stages, the first being to develop a form and instructions for coders that could have immediate use in the field. A second form was then created as a combination codebook and data codesheet for direct entry by MIS staff. Samples of these forms and the types of original court and booking forms are contained in Appendix B.

J7 data for the jurisdictions selected were initially scanned for "reason confined" coding, and three identifiers were then underscored or transferred to typed lists, depending upon locality: name, social security number, and date of admission. At the research sites, docket number was used most frequently as the unique identifier linking records. This process, in most cases,



required search of manual records (Norfolk's TRACER -- Total Recall of Adult Criminal Element Records -- was the only automated source for this information).

Entry of data from original court and booking records to the first codesheet mentioned above, and subsequently to the second codesheet, was then edited for accuracy and completeness, and keyed into a dataset by MIS.

### Analysis and Report Preparation

Extensive SAS programming was done to produce the data needed for tracking the flow of cases through dispositional levels, and to identify offender characteristics associated with this flow. Moreover, decision rules were developed in order to group data for analytical purposes, and these data were then converted to graphical and tabular form. Summary conclusions were derived for all tables and graphs, and thereby formed the basis for a more lengthy narrative.

It should be mentioned in conclusion that this project was labor-intensive in the most pejorative sense of that term. The requirement of field research staff to acquire data expeditiously was frequently compromised by workloads in the Clerk of Courts offices. This in no way diminished the quality of data collection; it did, however, severely compress the time available for analysis, given the scheduled presentation of findings. A conservative estimate would be that about 22 staff from two state agencies collaborated with a similar number from Clerks and Sheriffs' offices to produce the necessary data, and that this amounted to an investment of 11.5 man-weeks by the Department alone.

**Appendix B**

**Data Collection Instruments and Official Record Forms**

**CODING SHEET FOR PRETRIAL DATA COLLECTION FORM**  
**PG HG SG NG FG or PC HC SC NC FC**

- a. Identifiers: ..... 1 2  
 Name: \_\_\_\_\_ (last, first, mi)
- b. J-7 Line & Page No:..... 3 4 5 6
2. SSN:..... 7 8 9 10 11 12 13 14 15
5. NCIC Code & Charge Type: ..... ; <Filler>  
 (code only if error in J-7) 16 17 18 19 20 21-23
6. Date Committed (mm-dd-yy)..... <Filler>  
 (code only if error on J-7) 24 25 26 27 28 29 30-37
7. Time Committed: .....
8. Eligible Bond: ..... 38 39 40 41 \*  
 \*Codes: 1=Yes; 2=No; 3=Until Sober; 9=Can't Determine 42
9. Bond Type(s): ..... 43 44 ; 45 46  
 Codes: 20=Secure 21="Cash  
 10=Unsecure 22="Prof. Bondsman  
 11="PR 23="Real/PersProp  
 12="PTA 24="Corporate Sur  
 90=if more than 2 combinations)
10. Bond Amount(s):(2 amts)...\$ 47 48 49 50 51 52 ; \$ 53 54 55 56 57 58
11. Status Check, Could Not Pay Bond or he was Released ..... \*  
59
12. Arraignment Held? Date & Time: 60 \*; 61 62 63 64 65 66 ; 67 68 69 70
13. Arraigmt Bd Type(s): 71 72 ; 73 74 Amt\$ 75 76 77 78 ; \$ 79 80 81 82 83 84 85 86
14. Bd Reduction Hrg? \* Date: 87 88 89 90 ; Time: 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120
15. Was Bd Rev'd? \*;Type 94 95 96 ; Amt\$ 97 98 99 100 ; \$ 101 102 103 104 105 106 107 108 109 110
16. Release Date & Time: ..... 111 112 113 114 115 116 ; 117 118 119 120
17. Authority: Codes: 1=Magistrate; 2=Clerk; 3=Judge ..... 121
18. Pretrial: ..... \* <filler>  
122 123
19. Date Convicted: 124 125 126 127 128 129 Date Sentenced 130 131 132 133 134 135
20. PSI Ordered ? ..... \*  
136
21. Disposition: (Code no more than 3) ..... ; <filler>  
 20=Not Guilty 22=Case Dismissed 137 138 ; 139 140 ; 141 142 ; <filler>  
 21=Nol Proces. 23=Charges Dropped or 99=Not Sentenced;Can't Determine 143-144  
 30=Guilty 35=Guilty,Fine 36=Guilty,Cost 34=Guilty,Probation  
 33="CDI 32="Jail Sent. 31="Prison Sentence
22. Multiple Charges? (2=No;1=Yes;7=Bond Amt.Combined; 9=Can't Determ) 145
23. Failure To Appear? ..... \* ; Type of Arrest: 146  
 Arrest:1=Warrant; 2= W/o warrant 3= Capias  
 4=Summons 5=Citation 9=Can't Determine  
 ReArrest Date: 148 149 150 151 ; Time: 152 153 154 155 156 157
24. Pretrial Misconduct? ..... \* 27. Judge Order Confined? 158  
 Codes: 3=Not Yet Convicted; 2=No; 159  
 4=Not Yet Released; 1=Yes; 9=Can't det
25. Top of Page 4 has:  
 Codes: 1=No Additional Chgs; 2=Multiple Charges; 3=FTA ..... 160

## PRETRIAL CODING SURVEY

**Note:** The main survey questions (1 - 27) are found on pages one through three. The first 6 of these questions should be precoded for you, leaving only 21 questions that you should complete for all cases. Where applicable to shorten the time to complete the form, a comment regarding the next question to go to (i.e. [Go to Q.17] ) is given.

The pages attached which are numbered four and five, containing Questions 28 - 46, are only to be used if there are multiple charges or some mistrial conduct such as Failure to Appear. There is a box at the top of page four to complete to indicate that the page was not overlooked in the coding process, but rather not needed.

There is less information available on cases disposed of at the General District Court level than at the Circuit Court level. If the data is not available in the case file, just indicate that beside the question. In a complicated case, I have found it helpful to jot down on the top of page one, the significant dates and events in the case that I am reviewing. Do whatever works for you and don't hesitate to ask another team member or the court staff what something in the folder means.

### INSTRUCTIONS:

1. Precoding. On page 1, the underscored, numbered items are to be precoded. (1, 2, 3, 4, 5, and 6).
2. Orientation. Note that the DC J-7 Form is available to you and will give you an snapshot of the case you are coding. Check it to see if the defendant was released during October and the reason released. (ie. a code of 19 under RR (reason released) is "on bond." You can also be oriented to what date, the J-7 indicated, the defendant was released (under column 22, the day of the month is indicated) or detained for the rest of October (in column 23, you see the number of days for the jail was given payment for confining the prisoner). Remember to start out by questioning "Why was this individual arrested and in jail on 10/4 or 10/5/88?" Use these October dates as a frame of reference for all the material that you will see in the case folders.
3. Detail. Pencil is recommended; please print. Add clarifying comments for situations, especially if there are several amounts and types of bonds involved in the case.
4. The Warrant of Arrest paper has the committed date and time on it and whether an arraignment or bond appeal hearing was held. It also is a good source of bond information. I have not found the DC-352, commitment to Jail to often have the times.

Governor's 1989 Commission On Overcrowding in Jails and Prisons  
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<<FAIRFAX>> PRETRIAL DATA COLLECTION FORM

General District Ct. Docket No: \_\_\_\_\_ ( ) Transferred to Circuit Ct.  
 Circuit Ct. Docket No: \_\_\_\_\_

Source: \_\_\_\_\_ (DC-J7) \_\_\_\_\_  
 (DC-J7) \_\_\_\_\_ Coder Initials: \_\_\_\_\_

1. Offenders Name: \_\_\_\_\_  
 (last, first, mi)

2. SSN: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ 3. Age: \_\_\_\_\_ 4. Ct. Court  
Fips Code: \_\_\_\_\_

5. Original Charge: NCIC Code Code of VA General Description  
 Type of  
 \_\_\_\_\_ (F)= Felony \_\_\_\_\_  
 \_\_\_\_\_ (M)= Misdem. \_\_\_\_\_  
 \_\_\_\_\_ (O)= Ordin. \_\_\_\_\_  
 Violat. \_\_\_\_\_

6. Date Committed: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 mm dd yy

(DC-352 or  
 Warr of Arrest-WA)  
 7. Time Committed: \_\_\_\_\_ [use military time ( ) Not Found  
 hh mm i.e. 1400 = 2:00pm]

(DC-352)  
 8. Eligible for Bond ? ( ) Y = ( ) N = [If No, go to Q.17]  
 Yes No

(DC-330)  
 9. Bond Type: (1) Unsecured (2) Secured  
 (be very ( ) PR ( ) Cash  
 specific ( ) PTA ( ) Professional Bondsman  
 ( ) Other Real/Personal Property  
 ( ) Corporate Surety

10. Bond Amount: \$ \_\_\_\_\_

11. Check if eligible but: ( ) not able to post original bond  
 set by magistrate  
or defendent: ( ) did post bond and was released  
 [If released, go to Q.17]

(DC-352/WA)

12. Was an Arraignment Hearing held? ( )=Yes ( )=No [Go to Q.15]

If Hearing held, Date & Time: mm - dd - yy ; hh mm [use 24 hr military]

(DC-330)

13. At Arraignment, list bond type set by judge:

Bond Type: (1) Unsecured (2) Secured
(be very specific ( ) PR ( ) PTA ( ) Cash ( ) Professional Bondsman ( ) Other Real/Personal Property ( ) Corporate Surety

(DC-352)

14. From Arraignment, list all bond amount(s): \$

(DC-352 or 355)

15. If after Arraignment, bond could not be paid, was a Bond Reduction Hearing held? ( )N=No ( )Y=Yes; Give bond reduction hearing [Go to Q.17] Date & Time: mm - dd - yy ; hh mm

16. If so, was bond type and amount revised? ( )Y=Yes ( )N=No Specify change to bond type and amount.

(DC-353)

17. DATE OF RELEASE mm - dd - yy or [If in jail, Go to Q.20] Defendent is now in jail in: ( ) Pretrial or ( ) Convicted, Awaiting Sentenc ( ) Serving Sentence ( ) Other-Specify

18. TIME OF RELEASE hh mm [use military time i.e. 1400 = 2:00pm]

19. RELEASE AUTHORITY ( )M=MAGISTRATE ( )C=CLERK ( )J=JUDGE

20. Was a Pretrial Program Service involved in screening the case? ( )Y=Yes; ( )N=No; ( )X=Can't Determine

21. Date Convicted mm - dd - yy or ( ) None Could Be Identified ( ) Case in Progress

(DC-352)

Date Sentenced mm - dd - yy or ( ) None Could Be Identified ( ) Case in Progress

22. Was a PSI ordered? ( )Y=Yes; ( )N=No; ( )X=Can't Determine

23. Case Disposition: check all that apply ( ) NOT GUILTY ( ) CASE DISMISSED ( ) GUILTY ( ) FINE ( ) PROBATION ( ) JAIL SENTENCE ( ) NOL PROCESSED ( ) CHARGES DROPPED ( ) NOT SENTENCED; ( ) COST ( ) CDI ( ) PRISON SENTENCE

24. Were multiple charges involved in the original arrest on 10/4/88 or 10/5/88 and included in the bond amount?
- No [Go to Q.25]
  - Bond information completed is for several chgs; can't separate
  - Can't Determine
- = Yes. If Yes, then a supplement sheet should be completed.

25. Did defendant Failure to Appear for trial?
- = No [Go to Q.26]
  - = Yes. If yes, was a capias/warrant issued & defendant picked up and detained prior to rescheduled sentencing hearing?
- If so, TYPE OF ARREST:  WARRANT (Form 312,313,314,315)
- WITHOUT WARRANT
  - CAPIAS (FORM 361/331)
  - CAN'T DETERMINE
  - SUMMONS  CITATION

Date & Time Re-Arrested:             -        -               (24hr)

mm    dd    yy    hh    mm

26. Did Case involved pretrial misconduct and individual who had been released on bond was later picked up and detained.
- NO [Go to Q.27]
  - YES
  - CAN'T DETERMINE

Specify dates & times.

27. If convicted, did judge order that individual to be confined in jail until sentencing?
- Not yet Convicted
  - Not applicable, not released
  - No
  - Yes
  - Can't Determine

\*\*\*\*\*

If multiple charges are involved in the bond process for the original arrest, pretrial misconduct results in reincarceration, a failure to appear results in rearrest, or the defendant is detained after conviction before sentencing, a separate form detailing the dates, times and bonding process should be completed and attached to this.

BE SURE TO CHECK THE BOXES AT THE TOP OF PAGE FOUR

\*\*\*\*\*

PAGE FOUR PRETRIAL DATA COLLECTION FORM CONTINUATION

FILL IN ( ) 1= No additional charges; this page is not needed  
 \*\*\*\* \*\* ( ) 2= Multiple charges  
 ( ) 3= Failure to Appear (FTA)

- Type of
28. Original Charge: NCIC Code Code of VA General Description
- \_\_\_\_ (F)= Felony \_\_\_\_\_  
 \_\_\_\_ (M)= Misdem. \_\_\_\_\_  
 \_\_\_\_ (O)= Ordin. \_\_\_\_\_  
 Violat. \_\_\_\_\_
29. Date Committed: \_\_\_\_ - \_\_\_\_ - \_\_\_\_ (Note Q.29 & 30 will be  
 mm dd yy identical to Q.6 & 7 on multip.  
 (DC-35) charges but not for FTA cases.)
30. Time Committed: \_\_\_\_ [military  
 hh mm 24 hrs]
31. Eligible for Bond ? ( ) Y = ( ) N = [If No, go to Q.40]  
 Yes No  
 (DC-330)
32. Bond Type: (1) Unsecured (2) Secured  
 (be very ( ) PR ( ) Cash  
 specific ( ) PTA ( ) Professional Bondsman  
 ( ) Other Real/Personal Property  
 ( ) Corporate Surety
33. Bond Amount(s): \$ \_\_\_\_\_
34. Check if eligible but: ( ) Not Able to post bond  
or defendent: ( ) did post bond and was released  
 [If released, go to Q.40]
35. Was an Arraignment Hearing held? ( )=Yes ( )=No [Go to Q.38]
- If Hearing held, Date & Time: \_\_\_\_ - \_\_\_\_ - \_\_\_\_ ; \_\_\_\_ [use 24 hr  
 (DC-330) mm dd yy hh mm military]
36. At Arraignment, list bond type set by judge:
- Bond Type: (1) Unsecured (2) Secured  
 (be very ( ) PR ( ) Cash  
 specific ( ) PTA ( ) Professional Bondsman  
 ( ) Other Real/Personal Property  
 ( ) Corporate Surety
- (DC-352)
37. From Arraignment, list all bond amount(s): \$  
 (DC-352 or 355)
38. If after Arraignment, bond could not be paid, was a Bond Reduction  
Hearing held? ( )N=No ( )Y=Yes; if Yes, give bond reduction hrg.  
Date & Time: \_\_\_\_ - \_\_\_\_ - \_\_\_\_ ; \_\_\_\_  
 mm dd yy hh mm
39. If so, was bond type and amount revised? ( )Y=Yes ( )N=No  
Specify change to bond type and amount. \_\_\_\_\_







# COMMONWEALTH of VIRGINIA

*Department of Corrections*

EDWARD W. MURRAY  
DIRECTOR

RICHMOND

May 17, 1989

Mr. Albert A. Dawson, Jr.  
Clerk  
Eleventh Judicial Circuit  
Petersburg Circuit Court  
Courthouse Hill  
Petersburg, Virginia 23803

Dear Mr. Dawson:

By this letter I am informing you that staff from the Planning & Engineering Services Division, Virginia Department of Corrections, have been asked to collect information from your jurisdiction about jail overcrowding. This project emanates from Governor Baliles' Commission on Jail and Prison Overcrowding, and more specifically, in response to a variety of questions raised by a Committee focusing on the pretrial jail population.

Project staff will be contacting your office to explain their needs, arrange access to records, and schedule a time convenient to you for data collection. I request your fullest cooperation in providing the information which will enable Commission members to develop innovative and responsible approaches to the critical problem of jail and prison overcrowding in Virginia.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael A. Jones".

Michael A. Jones  
Manager  
Research & Evaluation Unit

MAJ/ld

cc: E. F. Powell, Jr.



COMMONWEALTH of VIRGINIA

Department of Corrections

EDWARD W. MURRAY  
DIRECTOR

P.O. BOX 26963  
RICHMOND, VIRGINIA 23261  
(804) 257-1900

May 1, 1989

MEMORANDUM

To: Gene Johnson, Deputy Director, Adult Community Corrections  
Edward Morris, Deputy Director, Adult Institutions  
Carlton Bolte, Chief of Operations, Community Alternatives  
Dee Malcan, Chief of Operations, Community Alternatives  
Forrest Powell, Chief of Operations, Adult Institutions  
Frank Zera, Administrator, Management Information Services  
Harold R. Bradley, Program Director, Planning & Engineering Services  
Charles Chamberlayne, Program Director, Architecture & Design Unit  
Garey Conrad, Budget Director  
Walter Pulliam, Manager, Probation & Parole Support Services  
Ron Rinker, Assistant Comptroller, Financial Services

From: Edward Murray, Director *EWM*

Subject: Commission on Prison and Jail Overcrowding

As proposed by Governor Baliles, the 1989 Session of the General Assembly enacted House Joint Resolution 402 establishing the Governor's Commission on Prison and Jail Overcrowding. While the Commission's primary charge will be to assess the short- and long-range demand for prison and jail space, HJR 402 requires the Commission to examine a broad range of corrections issues. The Commission is to report its findings and recommendations to the Governor and General Assembly by December 1, 1989.

This agency will be asked to provide a great deal of the information necessary for the Commission to fully examine the complex issues relating to prison and jail space. Supporting the Commission's activities will be an important priority.

Edd Powell is serving as DOC's primary staff contact to work with a Commission Interagency Staff Team assigned to provide information and analytical support to the Commission members. Working with Edd Powell on this project will be Michael Jones of the Research & Evaluation Unit, and Jim Jones of the Program Development Unit.

I am asking that each of you assume the responsibility for collecting, organizing and analyzing any Commission information requests related to your areas and that may be requested through Edd Powell. It is important that we provide clear, concise and consistent information, within short time frames. If Commission members contact you directly for information, please see that Edd Powell receives a copy of the request and a copy of the response.

EWM/lgd

cc: John McCluskey  
Edd Powell

- Motion to Change Bond on:.....
- changed to \$ .....
- no change

JUDGE

- The Accused was this day:
- tried in absence
  - present

- The Accused PLEADED:
- not guilty
  - nolo contendere
  - guilty

- And was TRIED and FOUND by me:
- not guilty
  - guilty as charged
  - guilty of .....

- I ORDER the charge dismissed
- I ORDER a nolle prosequi on Commonwealth's motion

- I impose the following Sentence:
- FINE of \$ ..... with \$ ..... suspended;
- JAIL sentence of ..... days months with ..... suspended conditioned upon being of good behavior and keeping the peace.

- on PROBATION for .....
- DRIVER'S LICENSE suspended .....

- RESTITUTION of \$ ..... due by ..... Payable to ..... as condition of suspended sentence.

- ..... hours of community service to be performed for .....

- in addition to other sentence provision
- to be credited against fines and cost at \$ ..... /hr

- Bond: \$ .....

- Other: .....

- Appeal Bond \$ .....
- appeal noted on .....

FINE \$ .....

126 LIQUIDATED DAMAGES \$ .....

COSTS

112 PROCESSING FEE \$ .....

121 TIA FEE .....

133 BLOOD TEST FEE .....

132 CI .....

120 CT APPT. ATTY. ....

113 WITNESS FEE .....

125 WEIGHING FEE .....

OTHER (SPECIFY): .....

\$ .....

TOTAL \$

DATE PAID	RECEIPT NO.
\$ ..... discharged by ..... hours of community service (documentation attached)	

ATTORNEY(S) PRESENT:  
 COMMONWEALTH     DEFENSE

DATE

JUDGE

# WARRANT OF ARREST

VA. CODE ANN. §19.2-71,-72

CITY OR COUNTY

General District Court  Criminal  Traffic  
 Juvenile and Domestic Relations District Court

## TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth of Virginia forthwith to arrest and bring the Accused before this Court to answer the charge that the Accused, within this city or county, on

or about \_\_\_\_\_ did unlawfully in violation of Section

DATE

\_\_\_\_\_, Code of Virginia:

*COPY*

I, the undersigned, have found probable cause to believe that the Accused committed the offense charged, based on the sworn statements of

\_\_\_\_\_, Complainant.

Execution by summons  permitted at officer's discretion  not permitted.

DATE AND TIME ISSUED

CLERK  MAGISTRATE  JUDGE

## SUMMONS (If authorized above and by serving officer)

You are hereby commanded to appear before this court located at \_\_\_\_\_

on \_\_\_\_\_ at \_\_\_\_\_ AM/PM

I promise to appear in accordance with this Summons.

ACCUSED

**WARNING TO ACCUSED:** You may be tried and convicted in your absence if you fail to appear in response to this Summons. Willful failure to appear is a separate offense. SIGNING THIS NOTICE DOES NOT CONSTITUTE AN ADMISSION OF GUILT.

FORM DC-314 5/86 (114:2-102 11/87)

HEARING DATE

CASE NO.

ACCUSED

ADDRESS/LOCATION

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN			HT.		WGT	EYES	HAIR
		MO	DAY	YR	FT	IN			
SSN									

Commonwealth of Virginia

## WARRANT OF ARREST

CLASS \_\_\_\_\_ MISDEMEANOR

EXECUTED by arresting the Accused named above on this day:

EXECUTED by summoning the Accused named above on this day:

DATE AND TIME

ARRESTING OFFICER

RADGE NO., AGENCY AND JURISDICTION

for \_\_\_\_\_ SHERIFF

Attorney for the Accused:

# WAIVER OF PRELIMINARY HEARING

Understanding my right to a preliminary hearing before the Court named in this warrant to determine whether there is probable cause to believe that I committed a felony AND, having the consequences of my waiver explained to me by the Judge of this Court, I nevertheless WAIVE MY RIGHT TO A PRELIMINARY HEARING on the felony charged in this warrant.

Certified to the Circuit Court of this jurisdiction

\_\_\_\_\_  
ACCUSED

\_\_\_\_\_  
ATTORNEY FOR ACCUSED

\_\_\_\_\_  
DATE

\_\_\_\_\_  
JUDGE

- Motion to change Bond on:.....
- changed to \$ .....
- no change

\_\_\_\_\_  
JUDGE

- The Accused named within was brought before me or appeared this day, and upon hearing the evidence, I order the case certified to the grand jury of this jurisdiction, at its next term date, having found probable cause to believe that the Accused committed the felony charged in this warrant.

- The Accused was this day
  - tried in absence
  - present
 The charged was reduced to.....

On which the Accused PLEADED:

- not guilty
- nolo contendere
- guilty

And was TRIED and FOUND by me:

- not guilty
- guilty as charged
- guilty of .....

- I ORDER the charge dismissed
- I ORDER a nolle prosequi on Commonwealth's motion

FORM DC-312 (REVERSE) 5/86

- I impose the following Sentence:
- fine of \$..... with \$..... suspended;
  - jail sentence of ..... days ..... months with ..... suspended conditioned upon being of good behavior and keeping the peace.

- on probation for .....
- driver's license suspended .....

- RESTITUTION of \$ ..... due by ..... Payable to ..... as condition of suspended sentence.

- ..... hours of community service to be performed for .....
- in addition to other sentence provisions
- to be credited against fines and at \$ ..... /hr.

- Bond: .....
- Other:.....

- Appeal Bond \$ .....
- appeal noted on .....

\_\_\_\_\_  
DATE

\_\_\_\_\_  
JUDGE

**FINE** \$ .....

## COSTS

Misdemeanor Conviction	
112 PROCESSING FEE	\$ .....
132 CICF	.....
120 CT. APPT. ATTY. (state)	.....
113 WITNESS FEE	.....

Prelim. Hear. Assess.	
119 COMM. ATTY. (state)	\$ .....
203 COMM. ATTY. (local)	.....
120 CT. APP. ATTY. (state)	.....
113 WITNESS FEE	.....

Other (specify):  
..... \$ .....

**TOTAL** \$

DATE PAID	RECEIPT NO.
\$ ..... discharged by ..... hours of community service (documentation attached)	

**ATTORNEY(S) PRESENT:**

- COMMONWEALTH
- DEFENSE

# WARRANT OF ARREST — FELONY

VA. CODE ANN. §19.2-71,-72

..... CITY OR COUNTY ..... General District Court  Criminal  Traffic  
 Juvenile and Domestic Relations District Court

## TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth of Virginia forthwith to arrest and bring the Accused before this Court to answer the charge that the Accused, within this city or county, on or about ....., did unlawfully and feloniously in violation of Section

DATE ..... Code of Virginia: .....

*COPY*

I, the undersigned, have found probable cause to believe that the Accused committed the offense charged, based on the sworn statements of .....

....., Complainant.

DATE AND TIME ISSUED .....

CLERK  MAGISTRATE  JUDGE

HEARING DATE	CASE NO.								
.....									
.....									
..... ACCUSED									
..... ADDRESS/LOCATION									
.....									
COMPLETE DATA BELOW IF KNOWN									
RACE	SEX	MO	BORN DAY	YR.	FT.	HT. IN	WGT.	EYES	HAIR
SSN									
<p>Commonwealth of Virginia</p> <h2>WARRANT OF ARREST</h2> <h3>FELONY</h3>									
EXECUTED by arresting the Accused named above on this day:									
..... DATE AND TIME									
..... ARRESTING OFFICER									
BADGE NO., AGENCY AND JURISDICTION									
for ..... SHERIFF									
Attorney for the Accused:									

# CAPIAS ATTACHMENT OF THE BODY

VA. CODE ANN. §§18.2-456; 19.2-358; 16.1-69.24

.....  
 CITY OR COUNTY  General District Court  
 Juvenile and Domestic Relations District Court

**TO ANY AUTHORIZED OFFICER:**

You are hereby commanded in the name of the Commonwealth forthwith to arrest the Respondent, and to produce the Respondent in this Court when found, or as soon thereafter as this Court may be in session, to show cause, if any, why Respondent should not:

be held in contempt for failure to appear before this Court on

..... in response to a summons or subpoena, or written  
 DATE AND TIME  
 promise to appear in connection with the case indicated.

be imprisoned and/or fined for failure to make timely payment of fines, fees, or an installment thereof adjudged against Respondent in the case indicated, payment due

\$ ..... on

be held in contempt for willful failure to obey lawful process, order, judgment, or decree for

DATE ..... by  this Court  ..... ordering

CONTINUED ON BACK

[Other - Explain] .....

CONTINUED ON BACK

The following circumstances should be considered by the Judicial Officer determining bail:

DATE ISSUED

CLERK  MAGISTRATE  JUDGE

HEARING DATE		FILE NO							
ARREST:									
RESPONDENT									
COMPLETE DATA BELOW IF KNOWN									
AGE	SEX	WGT.	HT.	EYES	HAIR	BORN	MO.	DAY	YR.
			FT. IN.						
SSN									
<b>CAPIAS ATTACHMENT OF THE BODY</b>									
In connection with the case of									
<input type="checkbox"/> Commonwealth of Virginia									
<input type="checkbox"/>									
<i>In re/V.</i>									
DEFENDANT(S)									
COMPANION CASE-FILE NO. ....									
<b>EXECUTED</b> by arresting the Respondent named above on this day:									
DATE AND TIME									
ARRESTING OFFICER									
BADGE NO., AGENCY AND JURISDICTION									
for Sheriff									



Motion to Change Bond:

- changed to \$ .....
- no change

The Accused was this day:

- tried in absence
- present

The Accused PLEADED:

- not guilty
- nolo contendere
- guilty

And was TRIED and FOUND by me

- not guilty
- guilty as charged
- guilty of .....

- I ORDER the charge dismissed
- I ORDER a non-prosecution on Commonwealth's motion

I impose the following Sentence:

- fine of \$ ..... with \$ ..... suspended;
- jail sentence of ..... days ..... months with ..... suspended conditioned upon being of good behavior and keeping the peace.

on probation for .....

Restitution of .....

Payable to .....

By .....

as condition of suspended sentence.

Bond: .....

Other: .....

Appeal Bond \$ .....

- appeal noted on .....

DATE

\_\_\_\_\_  
JUDGE

FINE

\$ .....

COSTS

112 PROCESSING FEE \$ .....

121 TIA FEE .....

120 CT. APPT. ATTY. ....

OTHER (SPECIFY): .....

TOTAL

\$

DATE PAID

RECEIPT NO.

ATTORNEY(S) PRESENT:

- COMMONWEALTH  DEFENSE

# CONDITIONS OF RELEASE AND RECOGNIZANCE

VA. CODE ANN. §19.2-123. 19.2-258

The Accused promises to appear before the FAIRFAX COUNTY  
CITY OR COUNTY

- General District Court     Criminal Division     Traffic Division
- Juvenile and Domestic Relations District Court     Circuit Court

4110 Chain Bridge Road, Fairfax, Virginia, 22030  
(STREET ADDRESS OF COURT)

10:00 AM to answer the following charge(s) against the accused.  
DATE AND TIME

continued on back

The Accused further promises to appear to answer for the offenses for which he may be charged at all times and places and before any court or judge to which this case may be rescheduled, continued, transferred, certified or appealed. The Accused promises not to depart the Commonwealth of Virginia without leave of such court or judge, to keep the peace and be of good behavior until final disposition of this case.

**WARNING:** Failure to fulfill the terms conditions above or any violation thereof may result in your arrest and forfeiture of the bond on the lower portion of this page (if applicable). Failure to appear may result in your being tried and convicted in your absence. Failure to appear is a separate offense. If bonded to appear in circuit court on a misdemeanor charge, failure to appear constitutes waiver of trial by jury.

## OTHER CONDITIONS:

I, the Accused, hereby promise to fulfill faithfully the conditions given above.

- The accused is released into the custody of the person/organization named below, on the condition that said custodian make all reasonable effort to ensure that the accused fulfill the conditions given above, and that any violation by or disappearance of the accused be promptly reported to the court.

NAME OF CUSTODIAN \_\_\_\_\_ ADDRESS \_\_\_\_\_ SIGNATURE OF CUSTODIAN \_\_\_\_\_

## BOND

The Accused, and Surety(ies) (if any), each hereby acknowledges himself, his heirs and assigns indebted to  Commonwealth of Virginia (or)  City or Locality named above in the sum of \$ \_\_\_\_\_

- UNSECURED     Cash     corporate surety     professional bondsman
- SECURED by:  Other solvent surety(ies) having real or personal property

(and if secured by other solvent surety(ies) having real or personal property, the undersigned, having demonstrated to the officer taking this bond the nature of their interest in the property, also make oath that the equity of the undersigned in the property equals or exceeds the amount of this bond).

The additional terms printed on the back side of this document are incorporated herein by reference.

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)  
Surety Accused

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)  
Surety Surety

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)  
Surety Surety

HEARING DATE \_\_\_\_\_ CASE NO. \_\_\_\_\_

## CONDITIONS OF RELEASE, RECOGNIZANCE, AND BOND

ACCUSED

FILE NO.

RETURNABLE TO

- General District Court (CRIMINAL)
- General District Court (TRAFFIC)
- Juvenile and Domestic Relations District Court
- Circuit Court

DATE RECEIVED	DATE DISBURSED/ DISCHARGED
BOND AMOUNT	RECEIPT NO. (IF CASH DEPOSIT)
\$	

**ADMITTANCE TO BAIL:** The promise to fulfill the conditions of release, and the bond, if any, were subscribed and sworn to before me this day. The Accused is ordered released pursuant to the terms within.

CLERK     MAGISTRATE     JUDGE

JURISDICTION (IF DIFFERENT FROM COURT)

DATE AND TIME

**SURETY:** Name(s), address(es), and if corporate surety, name(s) of authorized agent(s).

The Accused, and Surety(ies) (if any), each waives all benefit of homestead exemptions as to this debt and further covenants jointly and severally that none of them shall permit or cause title to or possession of the property pledged to secure this bond to be transferred in any manner to any degree or encumbered to the extent of this obligation. The terms of the conditions of Release and Recognizance are hereby incorporated by reference. If the Accused shall faithfully fulfill the conditions of release and recognizance given above, this debt is to be void; otherwise this debt is to remain in full force and effect until declared void by a court of competent jurisdiction. If the Accused secures this bond with cash and the Accused otherwise meets the conditions of bail and the Accused is convicted, then the Accused consents to having fines and costs deducted from the cash posted to secure this bond. This consent does not apply to cash posted by a surety to secure this bond.

COPY

1. Copies
  - a. Original - attached to warrant or capias
  - b. Card - to jail
2. Prepared by magistrate, clerk or judge when accused is to be incarcerated.
3. Attachments
  - DC-312, Warrant of Arrest - (Felony)
  - DC-313, Warrant of Arrest - Felony (Bad Check)
  - DC-314, Warrant of Arrest - State Misdemeanor
  - DC-315, Warrant of Arrest - Local Misdemeanor
  - DC-315, Warrant of Arrest - State Misdemeanor (Bad Check)
  - DC-361, Capias - Attachment of the Body
4. Preparation Details
  - a. Use DC-352, Commitment to Jail, only on the initial pre-conviction commitment to jail.
  - b. Do not use this form if the accused is returned to jail when the case is continued. Instead, use DC--355, Continuance Notice.
  - c. Do not use this form if the accused is sentenced to jail by a district court judge. Instead, use DC-356, Disposition Notice.
  - d. If the placing of a juvenile in jail is desired, the provisions of Va Code §§ 16.1-249 must be followed.

COMMITMENT TO JAIL

NAME ..... ①		..... ⑤	
STREET ADDRESS .. ②		<input type="checkbox"/> GEN. DIST. CT. (TRAFFIC) <input type="checkbox"/> GEN. DIST. CT. (CRIMINAL) <input type="checkbox"/> GEN. DIST. CT. (CIVIL) ⑥ <input type="checkbox"/> J & DR DIST. CT. <input type="checkbox"/> CIRCUIT COURT	
CITY .....	STATE .....		
SEX ③	DOB ④	CHARGED UNDER ⑩	
SEX <input type="checkbox"/> M <input type="checkbox"/> F ⑦	STATUS <input type="checkbox"/> ADULT <input type="checkbox"/> JUVENILE ⑧	TYPE OF OFFENSE CHARGE ⑨ <input type="checkbox"/> FELONY <input type="checkbox"/> MISD	<input type="checkbox"/> STATE <input type="checkbox"/> LOCAL LAW
REASON ⑪ .....			
BOND IF APPLICABLE ⑫ \$ .....		<input type="checkbox"/> NOT ELIGIBLE FOR BAIL	
HEARING DATE ⑬	HEARING TIME IF APPLICABLE ⑭	TYPE OF HEARING ⑮ <input type="checkbox"/> TRIAL <input type="checkbox"/> PRELIMINARY <input type="checkbox"/> ARRAIGNMENT	
<p>TO THE SHERIFF OR JAILOR:</p> <p>You are hereby commanded to take custody of and safely keep the person named above in accordance with the appropriate instructions on the back of this card.</p>			
Received DATE ⑯		By ⑰	<input type="checkbox"/> MAGISTRATE <input type="checkbox"/> CLERK <input type="checkbox"/> JUDGE
FORM DC 152-3/70			

INSTRUCTIONS

If the prisoner is committed to jail:

**PENDING HEARING** -- Hold the prisoner in custody pending such hearing, and convey the prisoner to the appropriate court so that the prisoner be present in court at the time and date shown, unless the prisoner be previously released by law.

**FOR THE GRAND JURY** -- Hold the prisoner pending instructions from the Circuit Court of this jurisdiction, unless the prisoner be previously released by law.

OTHER --

⑰

## Data Elements

1. Name of the accused to be jailed.
2. Residential address.
3. Social Security Number of accused.
4. Date of Birth of accused.
5. Jurisdiction of court where the accused is required to appear.
6. Type of court in which the accused is required to appear.
7. Sex of accused.
8. Check whether the accused is an adult or juvenile.
9. Check the type of offense charged. If charged with both types, check both boxes.
10. Check whether the offense is a state or local offense for cost allocation reasons. If charged with both types, check both boxes. Insert name of town if offense is a town offense.
11. Short word description of charges in generally accepted language. (Examples - Reckless driving, DWI, murder, etc.) - this description is not a formal legal description. If laws of different jurisdictions are violated, note "state" or "local" beside each charge.
12. If the accused is eligible for bond but could not post bond, insert bond amount set by magistrate; if not eligible for bail, check box.
13. Date that the accused is required to be brought to court. Insert "GJ" if the accused has been certified by a district court to the circuit court grand jury after a preliminary hearing.
14. Time of hearing in Data Element No. 13.
15. Check the appropriate box.
16. Date of completion of this form.
17. Signature of person completing this form. Check the appropriate title box.
18. Date and time received at jail (to be completed by jail personnel).
19. Signature of person at jail receiving the accused.
20. This Data Element is on the back of the form. Use if additional information for jail is needed.

Using This Form

1. Copies
  - a. Card - to jail
2. Prepared by magistrate, clerk or judge when accused is to be released.
3. Attachments - none.

### RELEASE

NAME <span style="float: right;">①</span>		④ <input type="checkbox"/> GEN. DIST. CT. (TRAFFIC) <input type="checkbox"/> GEN. DIST. CT. (CRIMINAL) <input type="checkbox"/> GEN. DIST. CT. (CIVIL) <input type="checkbox"/> J & DR DIST. CT <input type="checkbox"/> CIRCUIT COURT <span style="float: right;">⑤</span>
SEX <span style="float: right;">②</span>	DOB <span style="float: right;">③</span>	
CHARGES <span style="float: right;">⑥</span>		
<b>TO THE SHERIFF OR JAILOR:</b> You are commanded to <b>RELEASE</b> the prisoner named above.		
⑦ DATE	⑧ _____	<input type="checkbox"/> MAGISTRATE <input type="checkbox"/> CLERK <input type="checkbox"/> JUDGE
Released	⑨ Date and Time	AM/PM By ⑩

FORM DC 353-1-88



1. Name of accused to be released.
2. Social Security Number of accused, if known.
3. Date of birth of accused, if known.
4. Jurisdiction of court where the accused is required to appear.
5. Type of court in which the accused is required to appear.
6. Short word description of all charges in generally accepted language. (Examples - reckless driving, DWI, murder, etc.) This description is not a legal charge.
7. Date of completion of this form.
8. Signature of person completing this form. Check the appropriate title box.
9. Date and time of release of accused (to be completed by jail personnel).
10. Signature of person at jail releasing the accused.

**Appendix C**

**Awaiting Trial Presentation (Figures and Tables)**

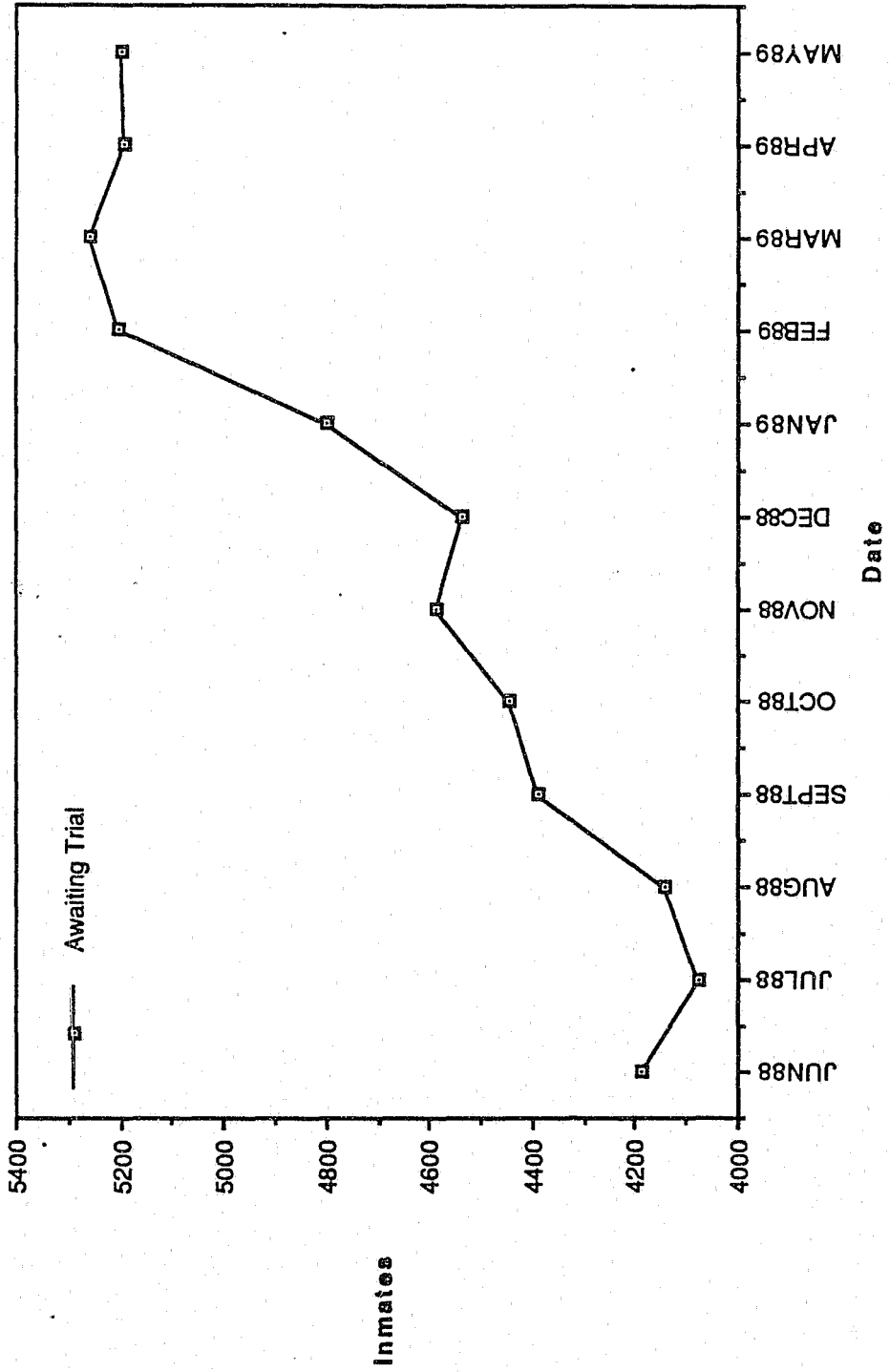
**AWAITING  
TRIAL  
PRESENTATION**

Virginia Department of Corrections  
Division of Planning and Engineering Services  
June 15, 1989

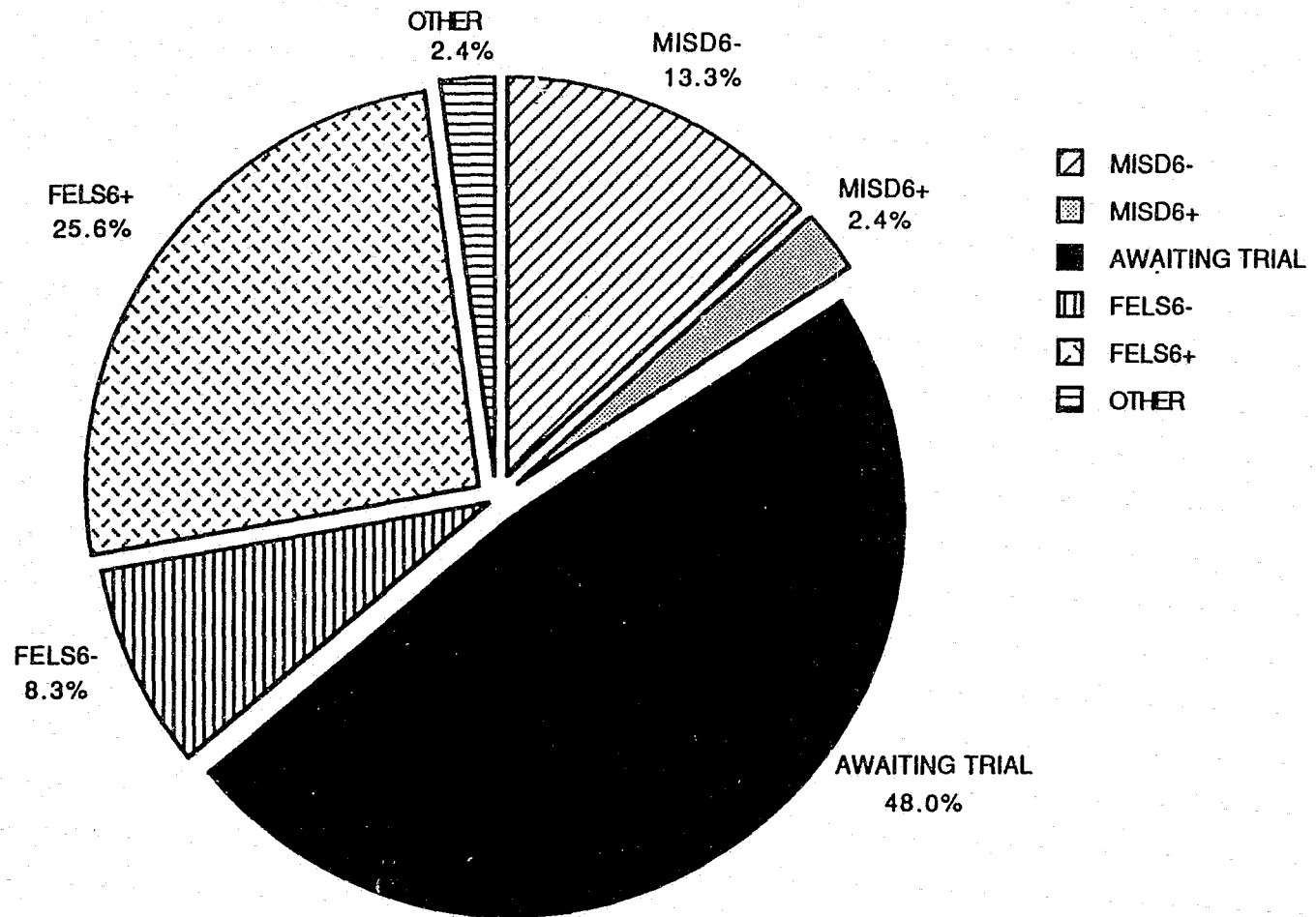
## RELATIVE TRENDS

- o FY84-89
  - total jail population increased 103% (5,400 - 11,000)
  - awaiting trial population increased 93% (2,734 - 5,269)
  
- o Recent growth in awaiting trial population has outpaced other jail sub-populations. Between January 1988 - May 1989
  - total jail population increased 35%
  - persons awaiting trial increased 72%
  
- o 43% of growth in awaiting trial population since 1983 has been observed in the last 12 months.

**TUESDAY REPORT  
AWAITING TRIAL  
12 MONTH TREND**

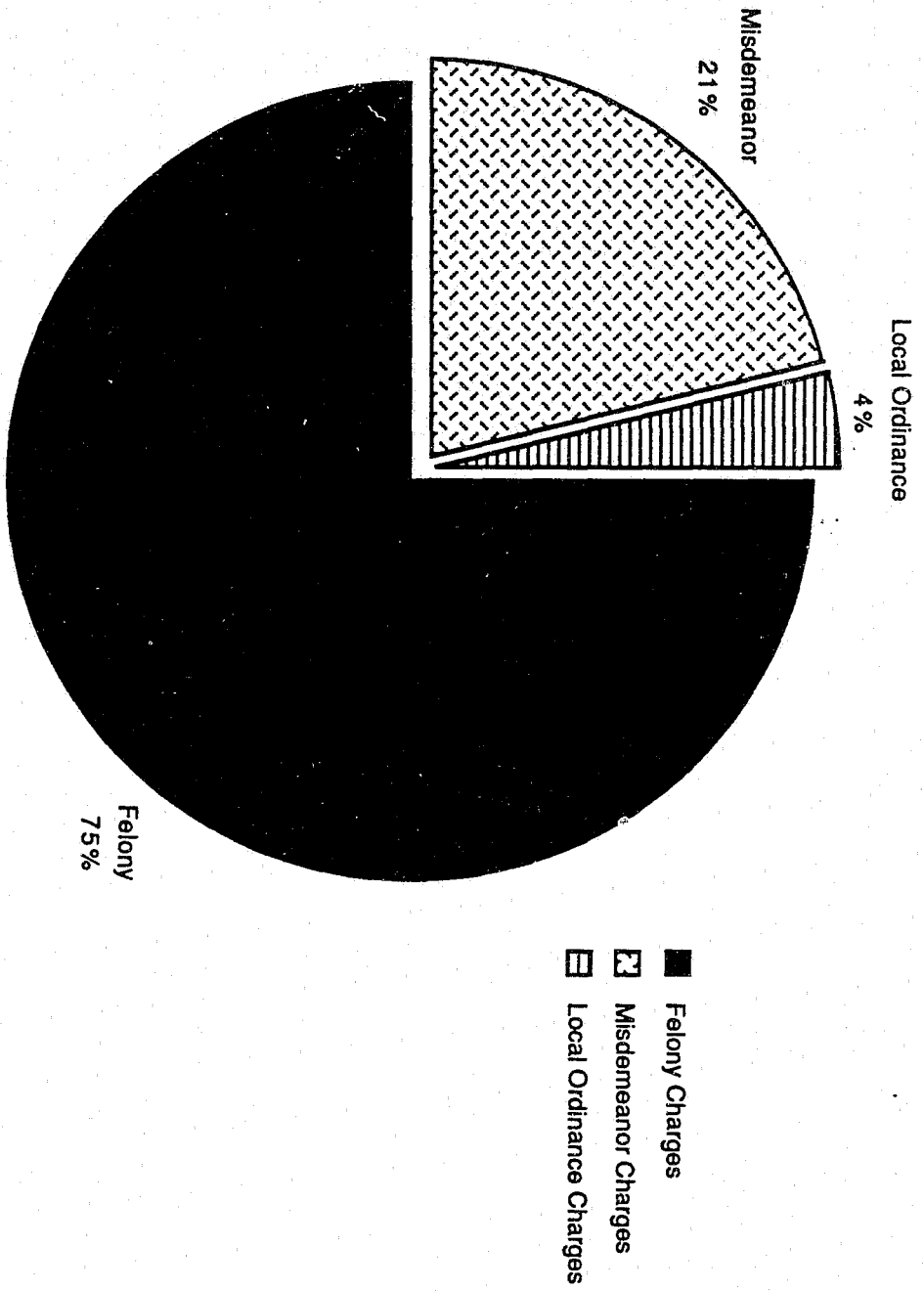


**JAIL POPULATION  
MEAN DISTRIBUTION  
MAY 1989**



Source: Tuesday Jail Report Data

# CHARACTERISTICS OF AWAITING TRIAL POPULATION



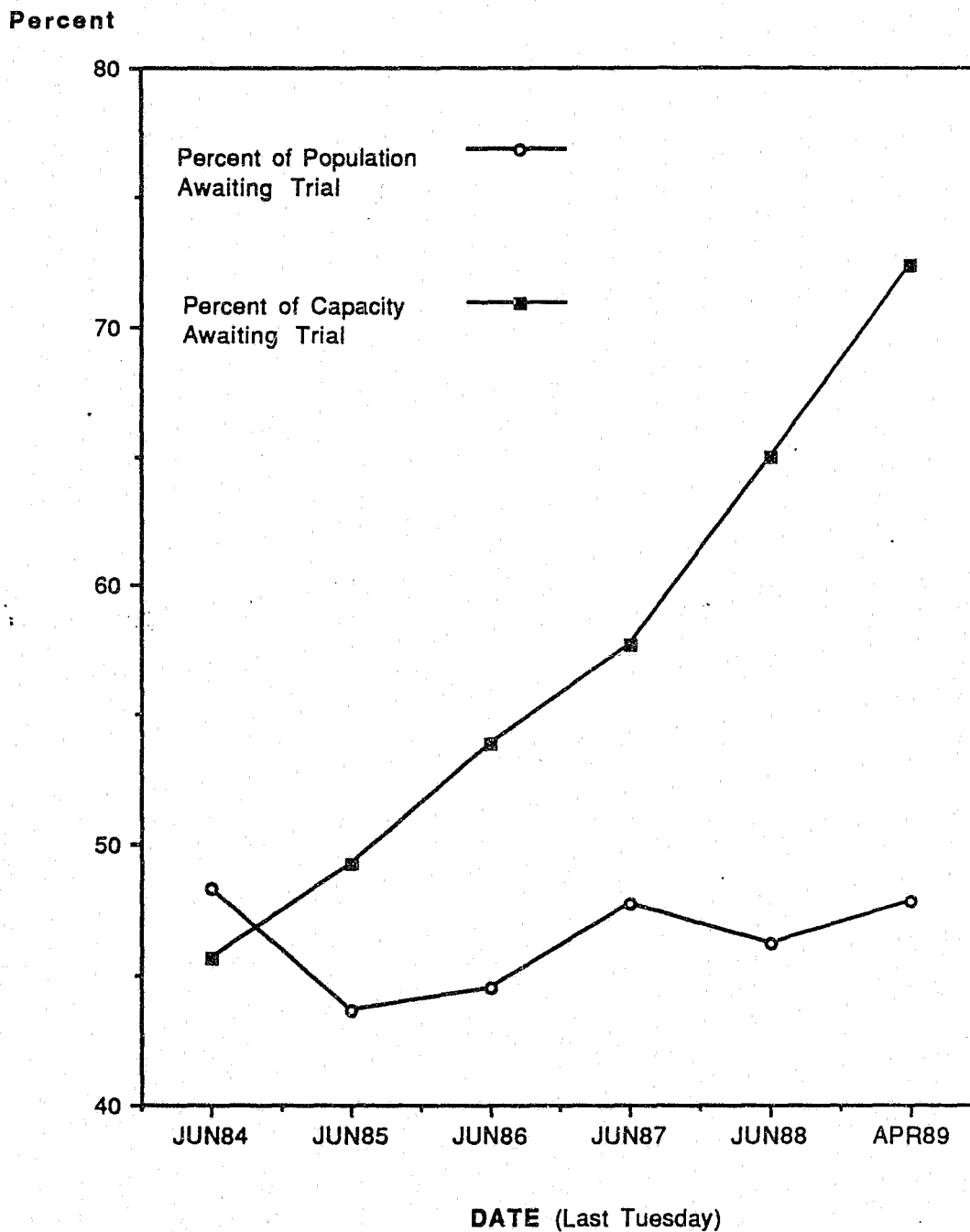
Source: DC-J7 Database

### OVERCROWDED JAILS

- o 75 of 97 jails (77%) were operating above their rated capacity on May 30, 1989
- o 37 jails (38%) have awaiting trial populations comprising at least half of total population
- o 57 jails (59%) have awaiting trial populations that comprise at least 50% of operational capacity
- o 19 jails (20%) would be over capacity if they held only those who were awaiting trial, including:
  - Rappahannock (171%)
  - Petersburg (145%)
  - Arlington (135%)
  - Norfolk (131%)
  - Virginia Beach (131%)
  - Prince William (122%)
  - Henrico (113%)
  - Portsmouth (105%)



# PERCENT OF AWAITING TRIAL JAIL PROFILE



Source: Tuesday Jail Report Data

Combined increases in volume of commitments to jail and increases in length of stay consistently and systematically lead to overcrowded facilities. To alleviate crowded conditions:

- jail construction
- decrease commitments
- decrease length of stay

#### OBSERVATIONS

- o Increase in drug cases and backlog in lab processing time
- o Increase in cases to docket without a corresponding increase in judges; corresponding increase in pre-sentence investigations without a corresponding increase in staff
- o Increased usage of court continuances
- o Conservative use of nonfinancial bonding mechanisms

Purpose

To examine pre-trial detainee release activities

- o compare bond established for those released and not released
- o determine length of stay
- o pinpoint possible divertable sub-populations

Method

Collected data on all bookings on October 4 and 5, 1988  
in five jails:

- o Fairfax County
- o Henrico
- o Norfolk
- o Petersburg
- o Suffolk

**Why October 4 and 5 selected?**

- o fell within one of four weeks determined by National Institute of Corrections to be representative of a typical jail population (less subject to seasonal and monthly variations)
- o most defendants adjudicated prior to data collection
- o Tuesday and Wednesday more stable, less inflated than weekend population

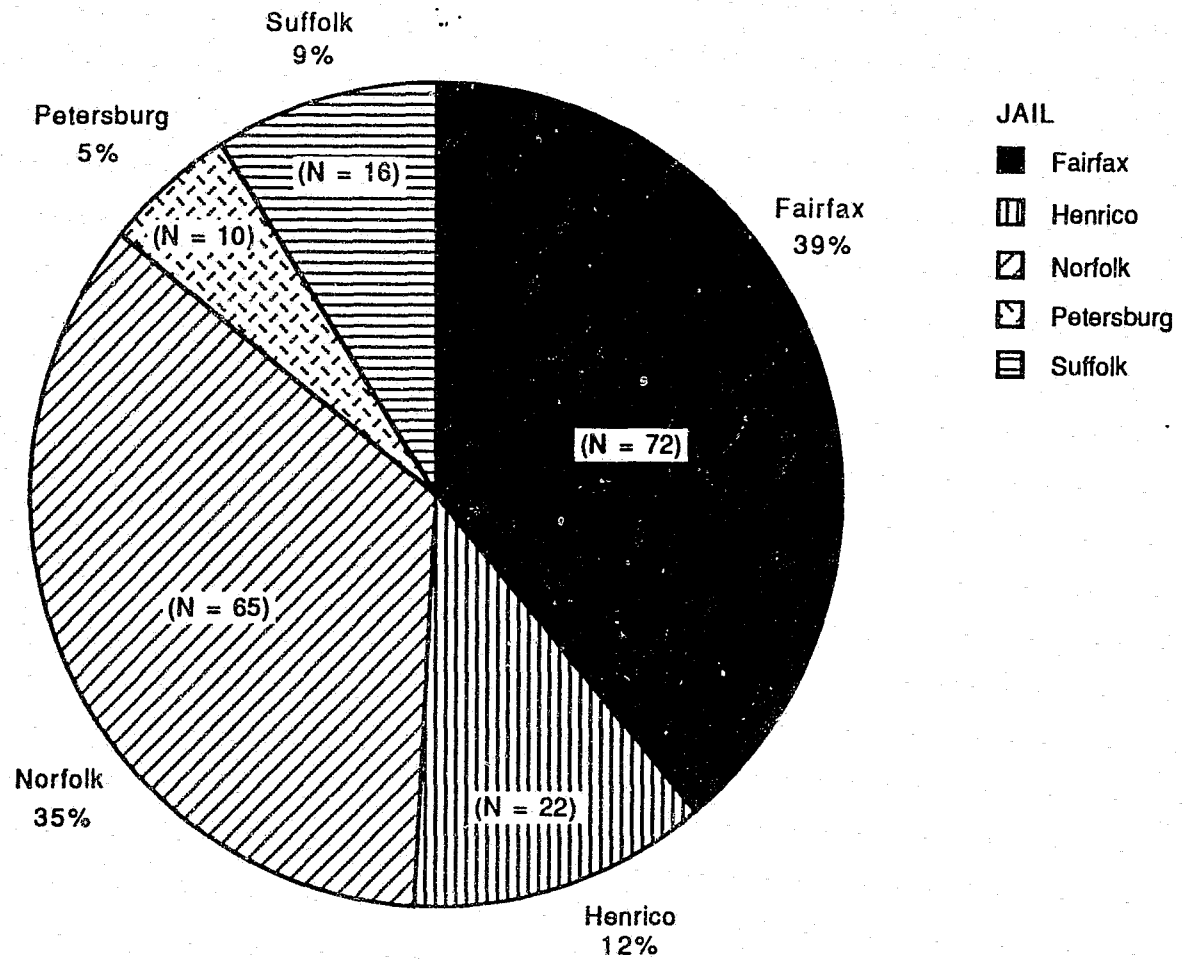
**VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit**

**BOND STUDY AND TUESDAY REPORT**

<u>TUESDAY REPORT 10/4/88</u>				<u>POPULATION TRACKED 10/4/88 &amp; 10/5/88</u>			
<u>JAIL NAME</u>	<u>TOTAL POPULATION</u>	<u>AWAITING TRIAL</u>	<u>AWAIT AS % OF POP</u>	<u>AWAITING TRIAL</u>	<u>GUILTY</u>	<u>NOT GUILTY</u>	<u>NO FINAL DISPOSITION</u>
Fairfax	754	396	52.5	72	56	13	3
Henrico	357	182	51.0	22	17	3	2
Norfolk	726	362	49.9	65	43	14	8
Petersburg	184	123	66.8	10	3	5	2
Suffolk	173	73	42.2	16	4	7	5
<hr/>							
Study	2194	1136	51.8	185	123	42*	20
% of State	23.3	25.7			66.5	22.7	10.8
<hr/>							
State	9424	4415	46.8	* <u>Not Guilty Breakdown</u> 1 % ( 2 ) Not Guilty 9 % (16) Case Dismissed 13 % (24) Nolle Prossed			

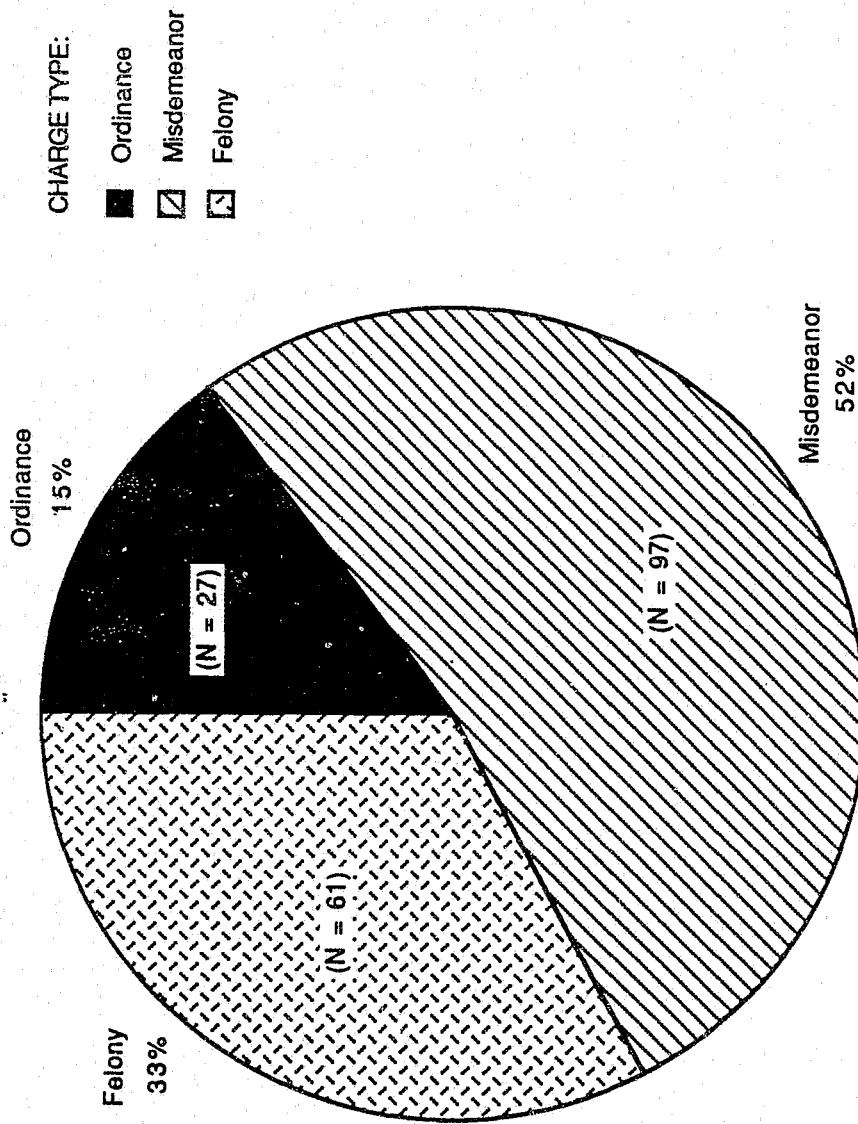
6/14/89

# PROFILE OF BOND STUDY CASES BY JAIL



Source: Bond Study

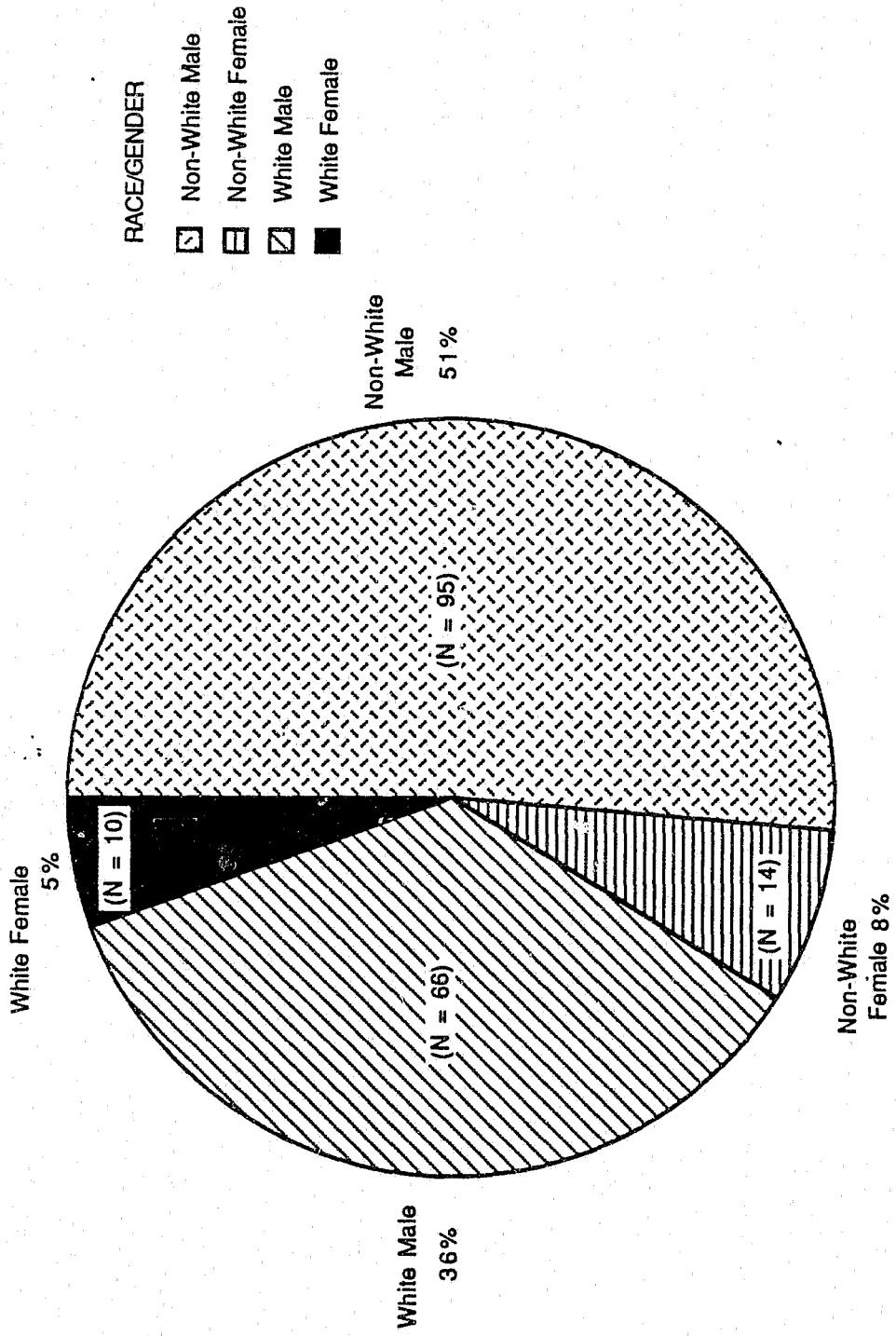
# PROFILE OF BOND STUDY CASES BY CHARGE TYPE



Source: Bond Study

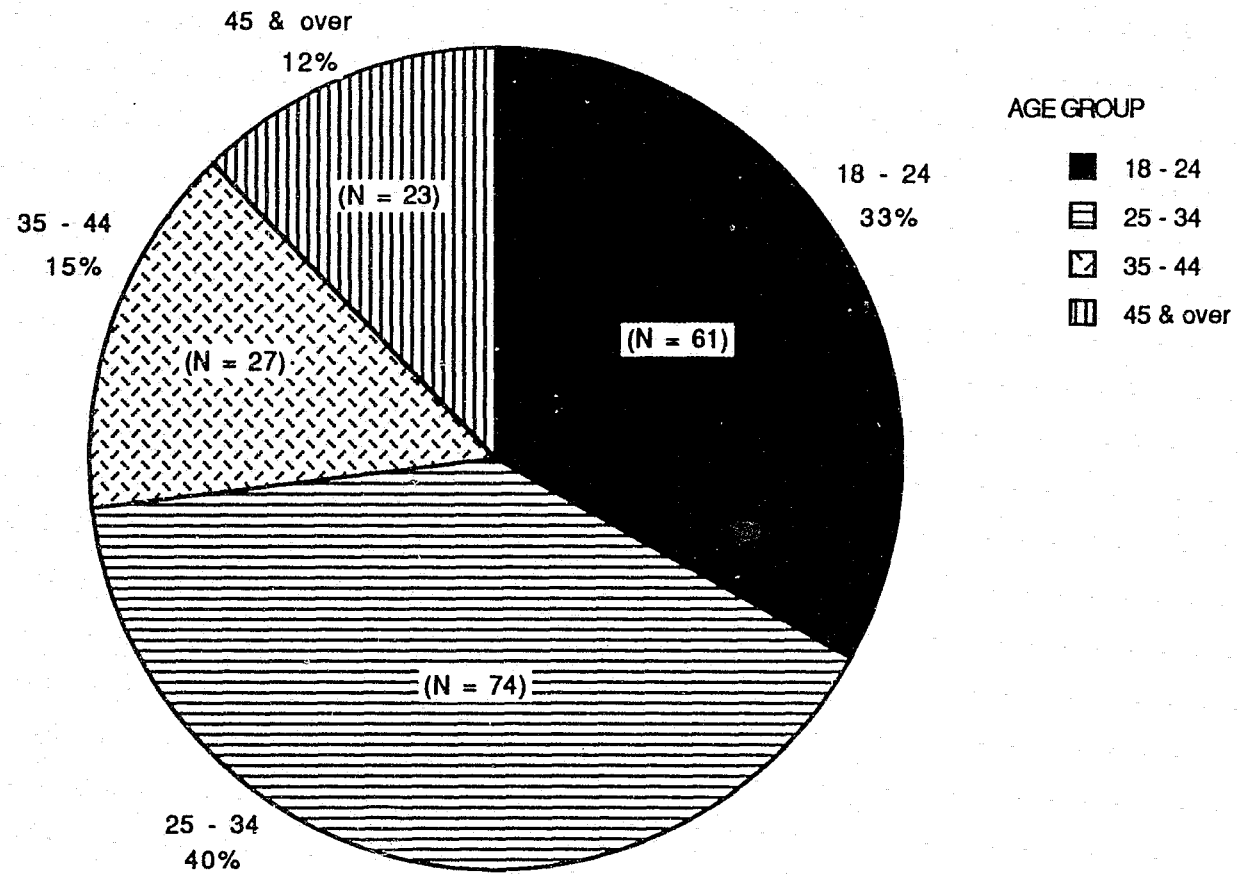


# PROFILE OF BOND STUDY CASES BY RACE/GENDER



Source: Bond Study

# PROFILE OF BOND STUDY CASES BY AGE GROUP



Source: Bond Study

VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

BOND STUDY: PROFILE OF CASES (TOTAL) [N=185]

Charge Type:

Ordinance	27	15 %
Misdemeanor	97	52 %
Felony	61	33 %

Race/Gender:

Non-White Male	95	51 %
Non-White Female	14	8 %
White Male	66	36 %
White Female	10	5 %
Non-Whites	109	59 %
Whites	76	41 %
Males	161	87 %
Females	24	13 %

Age Group:

18 - 24	61	33 %
25 - 34	74	40 %
35 - 44	27	15 %
45 & over	23	12 %

VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

BOND STUDY: VIOLENT VS NON-VIOLENT OFFENSES

OFFENSE TYPE	FREQUENCY		CUMULATIVE	
	#	%	#	%
<b>VIOLENT</b>				
Homicide	1	0.5	1	0.5
Rape	1	0.5	2	1.0
Assault	5	2.7	7	3.7
Drug	20	10.8	27	14.5
<b>NON-VIOLENT</b>				
Assault (NV)	5	2.7	32	17.2
Burglary	8	4.3	40	21.8
Larceny	19	10.3	59	32.1
Forgery/Fraud/ Embezzlement	9	4.9	68	37.0
Drunkenness	20	10.8	88	47.8
Obstructing Justice/FTA/ Tech Prob Viol	35	18.9	123	66.7
Traffic Offenses (Habitual Traf /DUI)	46	25.0	169	91.7
Invasion of Privacy (Trespassing)	6	3.2	175	94.9
Other	10	5.4	185	100.0

6/14/89

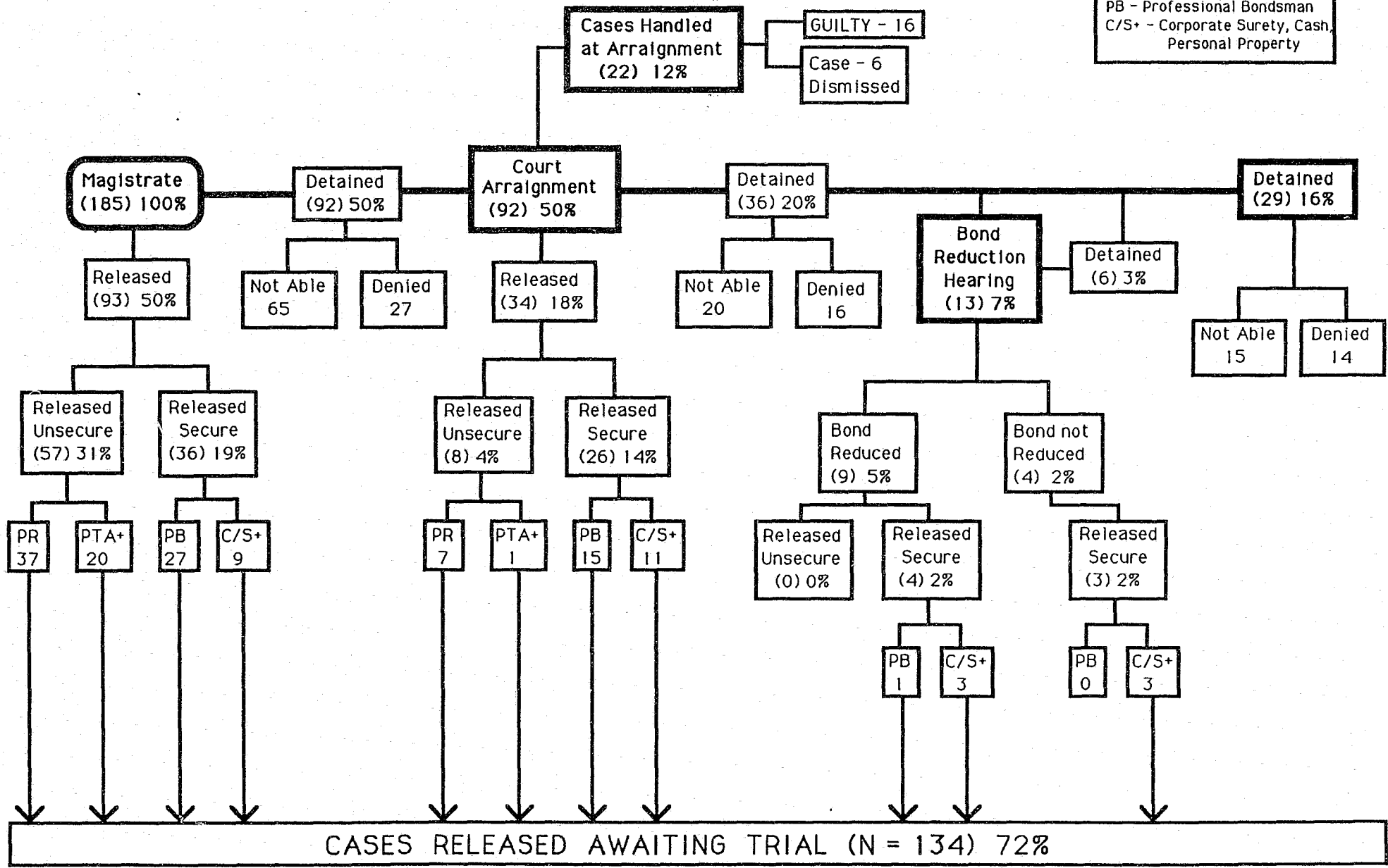
**VIRGINIA DEPARTMENT OF CORRECTIONS**  
**Research and Evaluation Unit**

**BOND STUDY: OFFENSE TYPES (TOTAL)**

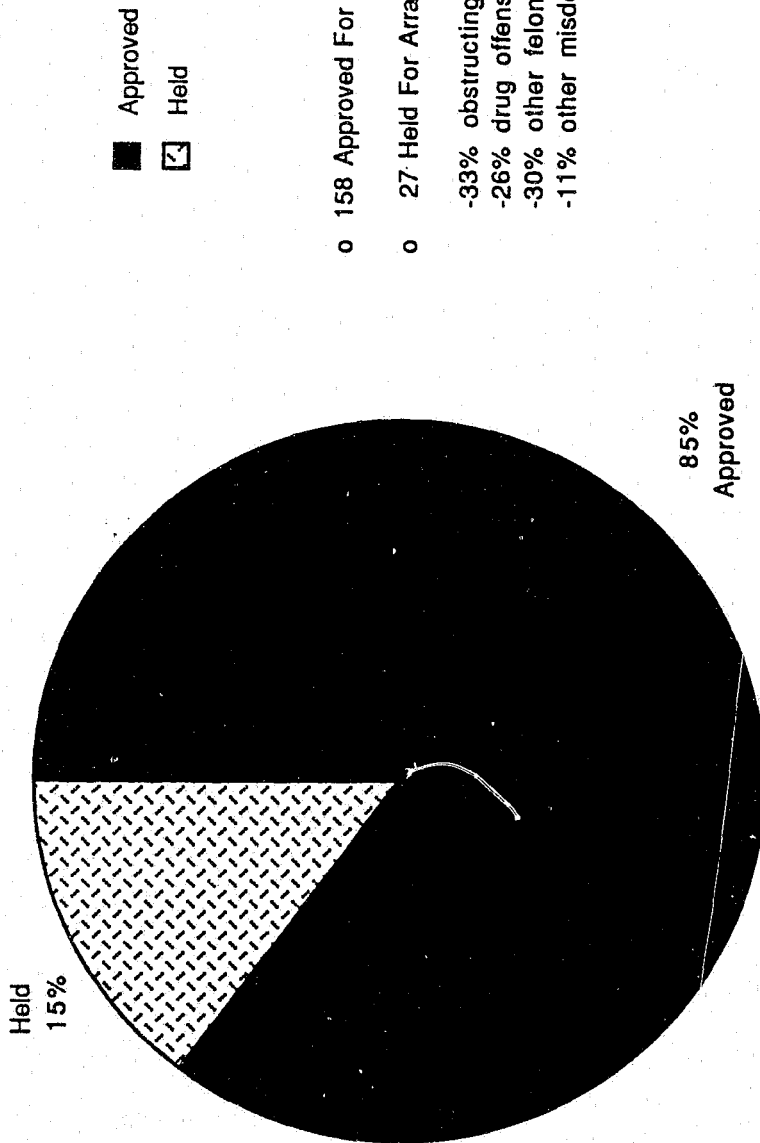
OFFENSE TYPE	TOTAL		FELONY		MISDEMEANOR		ORDINANCE	
	#	%	#	%	#	%	#	%
Homicide	1	0.5	1	100	0	0	0	0
Rape	1	0.5	1	100	0	0	0	0
Assault	10	5.4	3	30	2	20	5	50
Burglary	8	4.3	8	100	0	0	0	0
Larceny	19	10.3	11	58	8	42	0	0
Forgery/Fraud/ Embezzlement	9	4.9	6	67	3	33	0	0
Drug Offenses	20	10.8	19	95	1	5	0	0
Drugs	4	2.2	4	100	0	0	0	0
Sell Heroin	2	1.1	2	100	0	0	0	0
Sell Cocaine	5	2.7	5	100	0	0	0	0
Poss Cocaine	7	3.8	7	100	0	0	0	0
Poss Marijuana	1	0.5	0	0	1	100	0	0
Poss Control Drug	1	0.5	1	100	0	0	0	0
Drunkenness	20	10.8	0	0	12	60	8	40
Obstructing Justice/ FTA/Tech Prob Viol	35	18.9	4	11	31	89	0	0
Traffic Offenses (Habitual Traf/DUI)	46	24.9	2	4	34	74	10	22
Invasion of Privacy (Trespassing)	6	3.2	0	0	4	67	2	33
Other	10	5.4	6	60	2	20	2	20
Total	185	100.0	61	33	97	52	27	15

# JAIL RELEASE ACTIVITY

Abbreviations  
 PR - Personal Recognizance  
 PTA+ - Promise to Appear  
 PB - Professional Bondsman  
 C/S+ - Corporate Surety, Cash, Personal Property

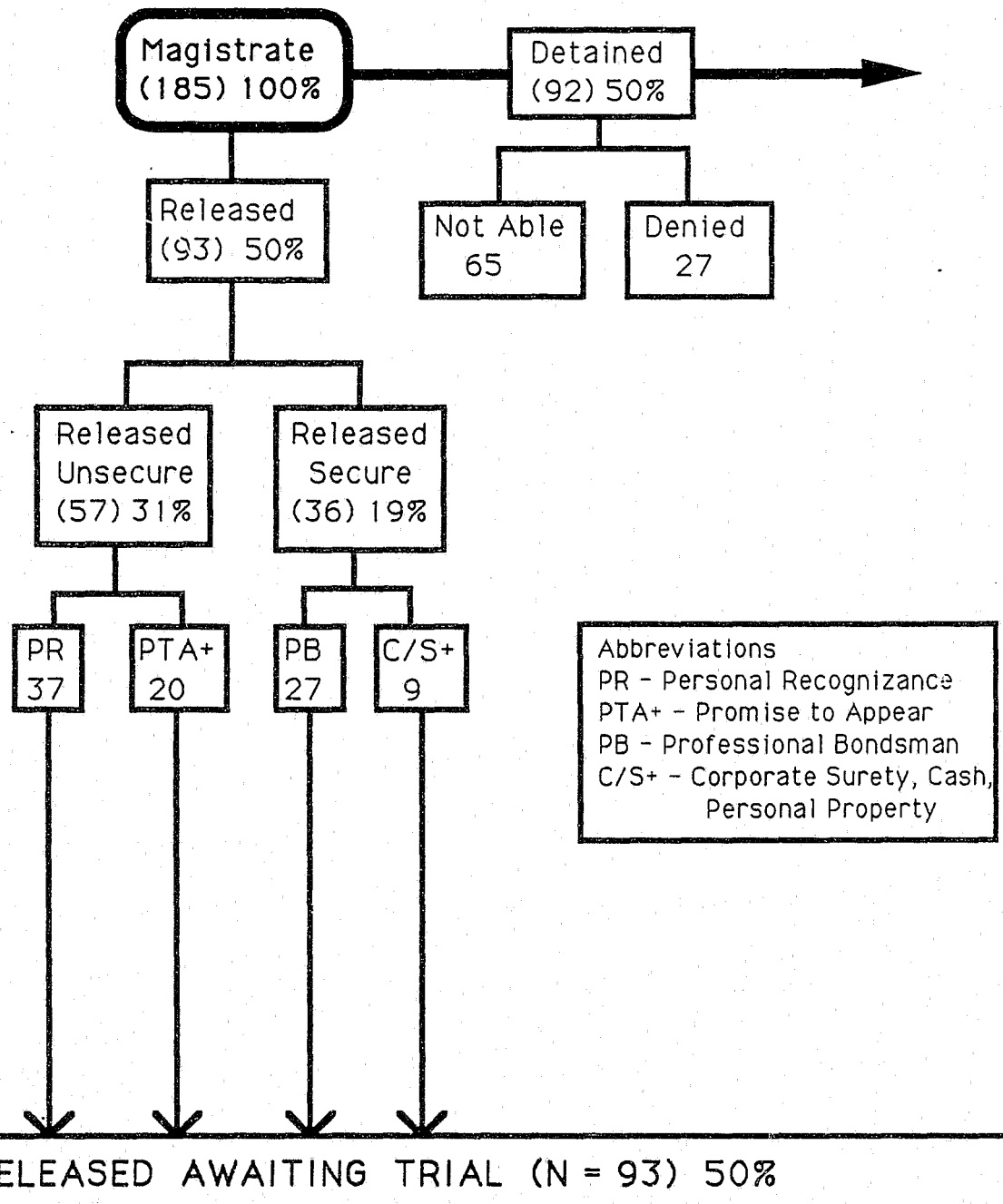


# MAGISTRATE



Source: Bond Study

# MAGISTRATE LEVEL JAIL RELEASE ACTIVITY





MAGISTRATE RELEASE TYPE AND AMOUNT

Unsecure (57)  
Personal Recognizance (37)

\$ 250 - 6  
\$ 300 - 2  
\$ 500 - 21  
\$ 750 - 1  
\$ 1,000 - 5  
\$ 1,550 - 1  
\$ 3,000 - 1

Unsecure Promise to Appear (5)

No Bond; Released When Sober (15)

Secure (36)  
Professional Bondsman (27)

\$ 250 - 2  
\$ 500 - 6  
\$ 600 - 1  
\$ 750 - 2  
\$ 1,000 - 4  
\$ 1,500 - 3  
\$ 2,000 - 1  
\$ 2,500 - 4  
\$ 3,000 - 1  
\$10,000 - 2  
\$15,000 - 1

Cash (5)

\$ 200 - 1  
\$ 250 - 1  
\$ 300 - 1  
\$ 500 - 1  
\$ 1,000 - 1

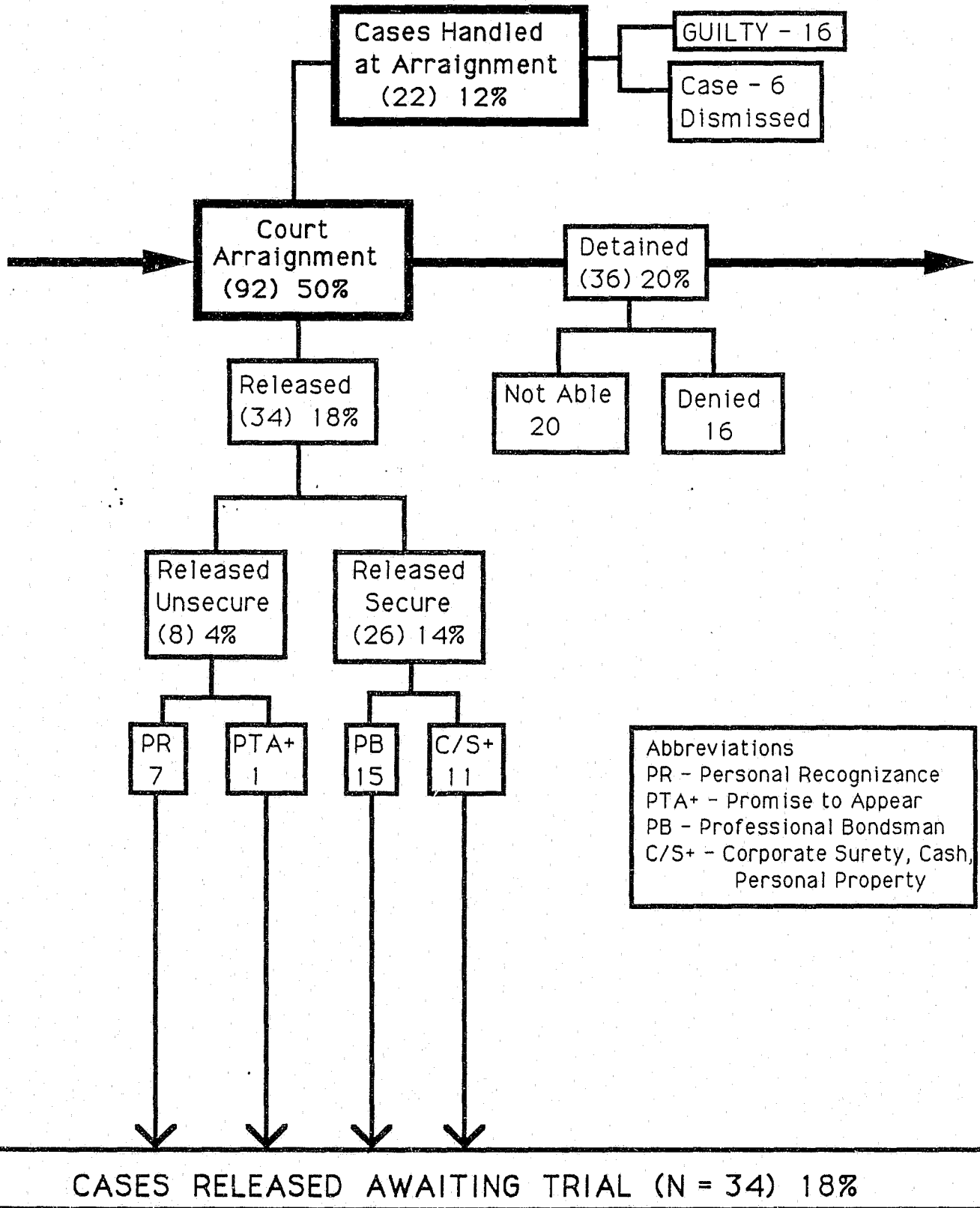
Real/Personal Property (2)

\$ 1,000 - 1  
\$ 2,500 - 1

Corporate Surety (2)

\$ 250 - 1  
\$ 500 - 1

# ARRAIGNMENT LEVEL JAIL RELEASE ACTIVITY



ARRAIGNMENT RELEASE TYPE AND AMOUNT

Unsecure (8)  
Personal Recognizance (6)

\$ 250 - 1  
\$ 500 - 4  
\$ 1,000 - 1

Unsecure Promise to Appear (1)

No Bond; Released When Sober (1)

Secure (26)  
Professional Bondsman (15)

\$ 500 - 1  
\$ 750 - 1  
\$ 1,000 - 3  
\$ 1,500 - 2  
\$ 2,500 - 2  
\$ 3,000 - 1  
\$ 5,000 - 1  
\$10,000 - 2  
\$20,000 - 2

Cash (5)

\$ 500 - 1  
\$ 1,000 - 1  
\$ 2,000 - 1  
\$10,000 - 2

Corporate Surety (6)

\$ 500 - 2  
\$ 750 - 2  
\$ 1,000 - 1  
\$ 2,500 - 1

ARRAIGNMENT CASES HANDLED

Not Guilty (6)

Dismissed (6)

4 Not Eligible - Dismissed  
1 Eligible \$500 Secure - Dismissed  
1 Eligible \$750 Secure - Dismissed

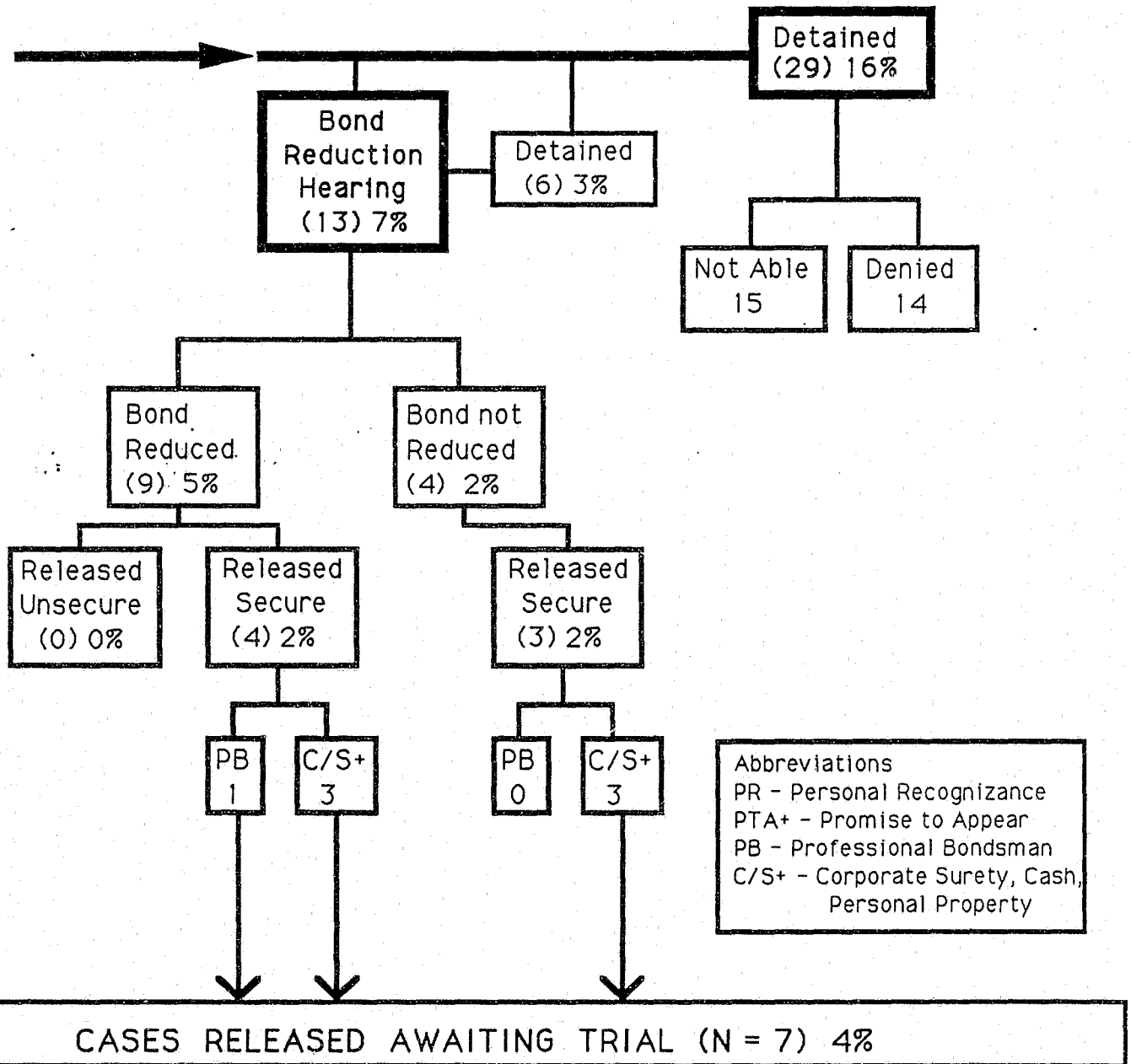
Guilty (16)

Prison - 1  
Jail - 11\*  
Fine - 4

3 Not Eligible - 1 Prison  
2 Jail

\* All jail sentenced individuals were released on the same day as arraignment.

# BOND REDUCTION LEVEL JAIL RELEASE ACTIVITY



**BOND REDUCTION HEARING**

**Release Secure (RS)**

<u>Magistrate</u>	<u>Arraignment</u>	<u>Reduction Hearing</u>	<u>Offense</u>	<u>Jail</u>	<u>Race/Sex</u>	<u>Activity</u>
\$750	\$750	\$250	5015 FTA	F-059	BF	Yes/RL
\$75,000	\$75,000	\$20,000	3510 Sell Heroin	F-059	BM	Yes/RL
\$5,000	\$2,000	\$2,000	5450 Traffic	F-059	BM	No/RL
\$25,000	\$2,000	\$2,000	2320 Larceny	F-059	WM	No/RL
\$2,500	\$10,000	\$2,500	1350 Assault	F-059	WM	Yes/RL
\$75,000	\$25,000	\$3,500	3500 Drugs	F-059	BM	Yes/RL
\$35,000	\$35,000	\$35,000	2404 Car Theft/Other	F-059	BM	No/RL

**Not Released (RN)**

<u>Magistrate</u>	<u>Arraignment</u>	<u>Reduction Hearing</u>	<u>Offense</u>	<u>Jail</u>	<u>Race/Sex</u>	<u>Activity</u>
Not Eligible	\$100,000	\$50,000	0900 Murder	F-059	BM	Yes/NR
\$40,000	\$20,000	\$15,000	3500 Drug	F-059	WM	Yes/NR
\$25,000	\$25,000	\$20,000	2200 Burglary	F-059	WM	Yes/NR
\$25,000	\$25,000	\$10,000	2200 Burglary	F-059	BM	Yes/NR
\$100,000	\$50,000	\$50,000	3530 Sell Cocaine	P-730	BM	No/NR
Not Eligible	\$125,000	\$100,000	3532 Possess Cocaine	S-800	BM	Yes/NR

4 = No Reduction of Bond

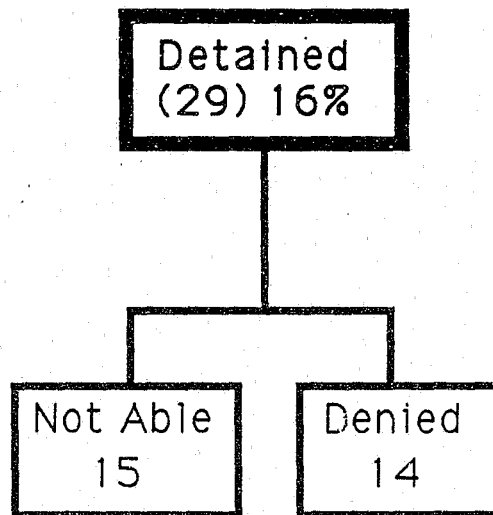
9 = Yes Reduction of Bond

7 = RL - Released

6 = NR - Not Released

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6/12/89

# DETAINED CASES JAIL RELEASE ACTIVITY



**FINAL DETAINED CASES**  
(N=29)

Felony	21	(73%)
Misdemeanor	7	(24%)
Ordinance	1	(3%)

**Offenses**

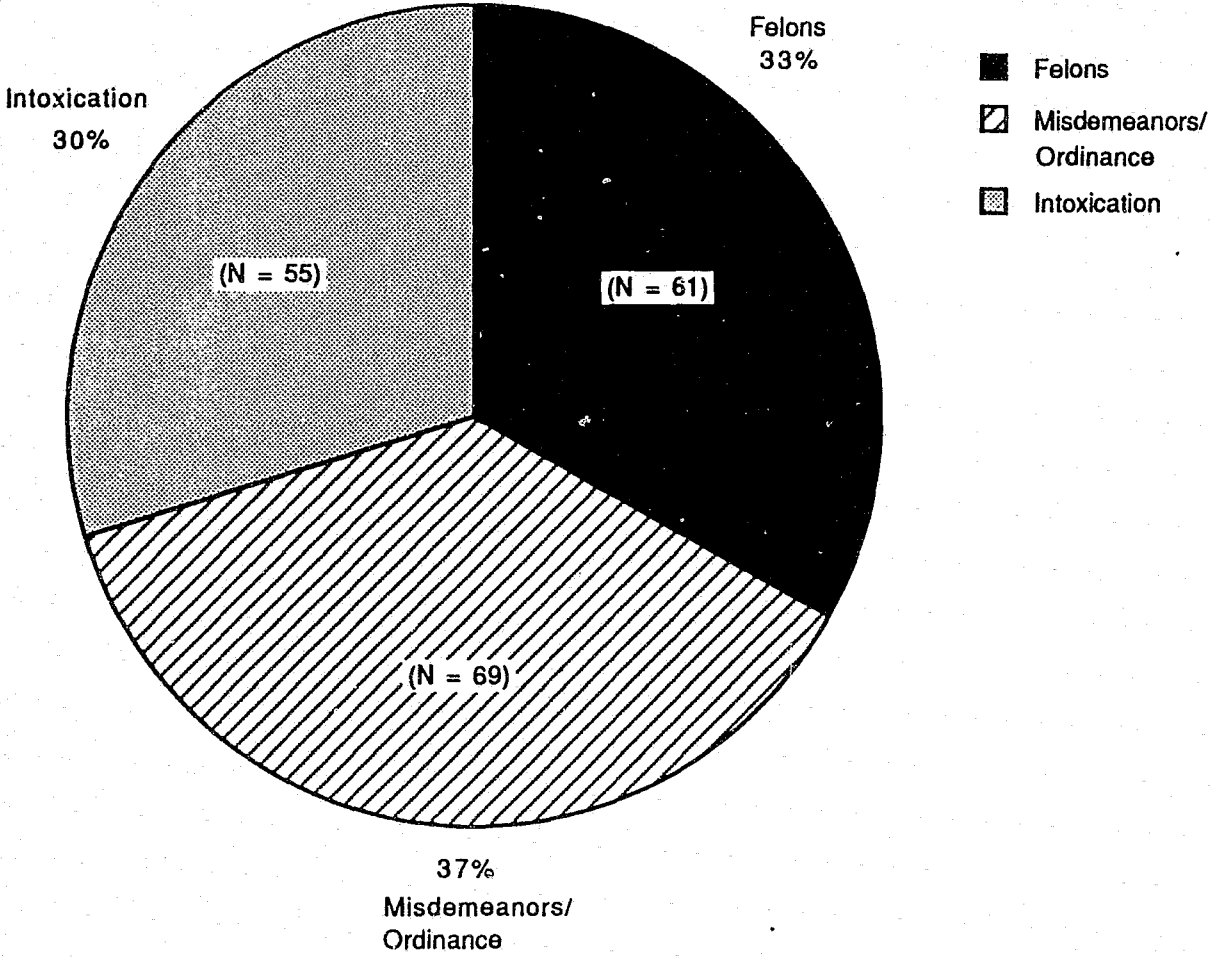
Homicide	1	4%
Assault	1	4%
Larceny	7	24%
Drugs	5	17%
Obst. Justice	4	14%
Burglary	3	10%
Traffic	3	10%
Forgery	3	10%
Trespass	2	7%

Violent	24%
Nonviolent	76%

Bond amount for 15 not able  
(Median) \$20,000



# TOTAL COMMITMENTS



Source: Bond Study

## DRUNKENNESS/DUI

- o 55 (30%) of commitments were charged with either public drunkenness or driving under the influence
- o Of the 55, 45 (82%) were released at the magistrate level; 42 unsecure and 3 secure
- o Of the 55, 10 (18%) were released at arraignment
- o Stay in jail ranged from 2 hours to 2 days, with a 7 hour average stay
- o 9,862 received per year results in 2,876 bed days utilized by this population
- o Results support previous studies that diversion of public drunkenness and DUI cases would have a significant impact on the awaiting trial population

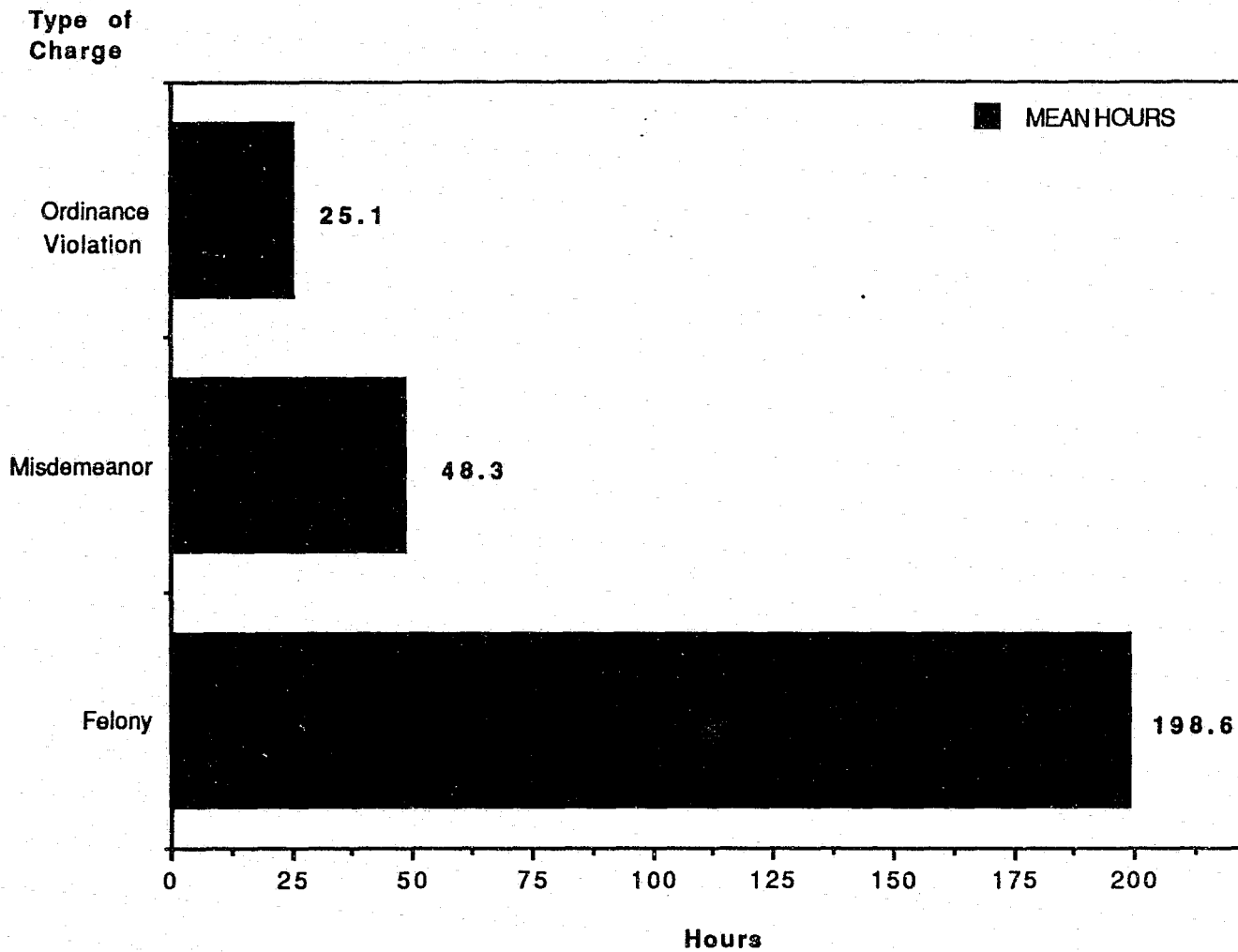
### MISDEMEANANTS/ORDINANCE VIOLATORS

- o 69 (37%) of commitments were charged with misdemeanor or local ordinance violations other than intoxication
- o Of the 69 cases, 32 (46%) were released at the magistrate level; 14 unsecure and 18 secure
- o 8 offenders were held through both arraignment and bond reduction hearings
- o For offenders released pre-trial, the average stay was 43 hours
- o Those offenders released pre-trial utilized 108 bed days in the target area
- o 10,957 received per year results in 19,632 bed days in the localities

## FELON COMMITMENTS

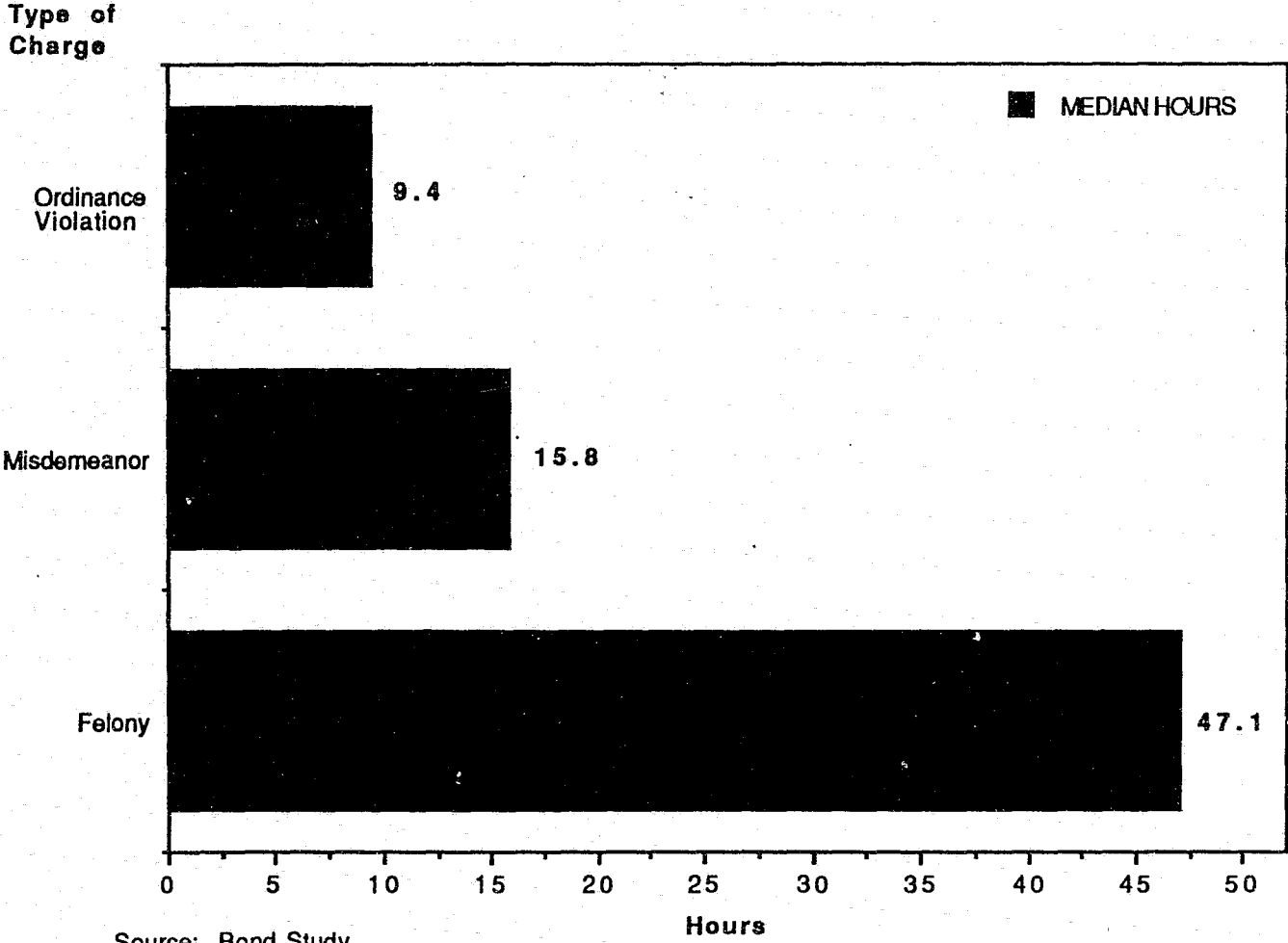
- o 61 (33%) of the commitments were charged with felony offenses
  - 42 were approved for release at magistrate level
  - 19 were held for arraignment
- o Of the 42 approved for release:
  - 15 were released with a secure bond
  - 26 did not/could not post bond
  - 1 was released with unsecure bond
- o 21 felons were held through both arraignment and bond reduction hearings
- o For felons released pre-trial, jail stay ranged from less than 24 hours to 40 days; the average stay was 8.3 days
- o This population utilized 332 bed days in the localities
- o 7,300 felons committed per year results in 60,590 bed days utilized by this population over a year.

# MEAN HOURS ON AWAITING TRIAL POPULATION BY CHARGE TYPE



Source: Bond Study

**MEDIAN HOURS ON AWAITING TRIAL POPULATION BY CHARGE TYPE**



Source: Bond Study

**Released vs. Not Released on Bond Pre-Trial  
Final Bond Amounts**

	<u>Median</u>	<u>Minimum</u>	<u>Maximum</u>
<u>Released</u>			
Total	\$ 500	\$ 150	\$75,000
White	500	200	25,000
NonWhite	750	150	75,000
<u>Not Released</u>			
Total	10,000	250	125,000
White	10,000	2,000	40,000
NonWhite	2,500	250	125,000

**FINAL BOND AMOUNTS BY RELEASE LEVEL**

	<u>Magistrate</u>		<u>Arraignment</u>		<u>Reduction Hearing</u>		
	<u>Median</u>	<u>Range</u>	<u>Median</u>	<u>Range</u>	<u>Median</u>	<u>Range</u>	
<u>BY RELEASE LEVEL</u>	\$ 500	\$150-100,000	\$ 750	\$250-125,000	\$ 2,500	\$250-100,000	
<u>BY JAIL</u>							
Fairfax	W	\$ 750	\$250-25,000	\$ 1,000	\$500-25,000	\$ 8,750	\$2,000-\$20,000
	N	\$ 1,000	\$250-75,000	\$ 2,500	\$250-100,000	\$ 10,000	\$250-50,000
Henrico	W	\$ 500	\$300-10,000	\$10,000	\$10,000-10,000	.	.
	N	\$ 500	\$300-2,500	\$ 500	\$500-500	.	.
Norfolk	W	\$ 1,000	\$200-1,500	\$ 1,250	\$1,000-1,500	.	.
	N	\$ 2,250	\$150-50,000	\$ 2,250	\$500-20,000	.	.
Petersburg	W	\$ 300	\$300-300	.	.	.	.
	N	\$10,000	\$600-100,000	\$ 2,500	\$1,000-50,000	\$ 50,000	\$50,000-50,000
Suffolk	W	\$ 500	\$500-500	.	.	.	.
	N	\$ 750	\$500-3,000	\$50,500	\$17,500-125,000	\$100,000	\$100,000-\$100,000
<u>BY OFFENSE CHARGE</u>							
Felony		\$ 3,000	\$500-125,000	\$10,000	\$500-125,000	\$ 17,500	\$2,000-100,000
Misdemeanor		\$ 500	\$150-20,000	\$ 750	\$250-20,000	\$ 250	\$250-20,000
Ordinance		\$ 500	\$250-3,000	\$ 750	\$500-1,500	.	.

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**MEDIAN BOND AMOUNTS BY LEVEL HEARD AND RACE**

	<u>Magistrate Level</u>	<u>Arraignment Level</u>	<u>Reduction Level</u>
(N)	(138)	(53)	(13)
<b>All</b>	\$ 750	\$ 2,500	\$ 15,000
White	\$ 625	\$ 1,000	\$ 8,750
Non-White	\$ 750	\$ 3,000	\$ 15,000
<b>Rape</b>			
White			
Non-White	\$ 750		
<b>Assault</b>			
White	\$ 1,500	\$ 10,000	\$ 2,500
Non-White	\$ 1,400		
<b>Burglary</b>			
White	\$ 1,000	\$ 10,000	\$ 20,000
Non-White	\$ 3,000	\$ 14,000	\$ 10,000
<b>Larceny</b>			
White	\$ 1,500	\$ 1,500	\$ 2,000
Non-White	\$ 1,000	\$ 1,000	
<b>Forgery/Fraud/ Embezzle</b>			
White	\$ 1,000	\$ 500	
Non-White	\$ 2,500	\$ 5,000	
<b>Drug Offenses</b>			
White	\$ 10,000	\$ 10,000	\$ 15,000
Non-White	\$ 30,000	\$ 25,000	\$ 20,000
<b>Obstruct Justice</b>			
White	\$ 400		
Non-White	\$ 500	\$ 2,500	\$ 250
<b>Traffic</b>			
White	\$ 500	\$ 500	
Non-White	\$ 500	\$ 625	\$ 2,000
<b>Invasion of Privacy</b>			
White	\$ 1,400	\$ 2,500	
Non-White	\$ 375	\$ 250	
<b>Other</b>			
White	\$ 2,500	\$ 10,000	
Non-White	\$ 2,500	\$ 2,500	

DEFENDANTS NOT FOUND GUILTY

- o 42/185 (23%) have been determined not guilty
- o these defendants stayed in jail, on average 8 days each  
Not Guilty/Nolle Prossed/Case Dismissed  
Jail Bed Days: 42 defendants x 8 days = 336 jail bed days
- o Suggests potential for earlier screening of detained cases through pre-trial services

**PROFILE OF AWAITING TRIAL CASES**

Failure to Appear Rate	30	(16%)
Misconduct/ Rearrest Rate	27	(15%)
No Bond Established at Magistrate Level	27	(15%)

## SUMMARY

- o Magistrates approved release of 85% of all commitments (n=158)
- o Bond amounts were set for 65 offenders who were not released at the magistrate level (35% of all commitments)
- o Bail was denied at the magistrate level for 27 offenders (15% of all commitments)
- o 41% of all cases approved for release at the magistrate level were held to arraignment (n=65)
- o Excluding 9 DUI cases, 33 offenders had bail set at \$1,000 or less; 21 had bail set at \$500 or less
- o Of the 92 offenders not released at the magistrate level, 34 were released at arraignment:
  - 34 were released on bond at arraignment
  - 16 were found guilty
  - 6 cases were dismissed

**Appendix D**  
**Recent Virginia Jail Studies**

## RECENT VIRGINIA JAIL STUDIES

Adult Detention Center Expansion: Needs Analysis (Prince William County, Virginia), June 13, 1989

Development of a Pretrial Risk Assessment Instrument: A Pilot Study (Alexandria, Virginia), August, 1986

Fairfax County (Virginia) Sheriff's Office: Jail Capacity Forecasts, November 7, 1988

Jail Population Management Plan: Analysis and Recommendations for the City of Richmond, Virginia, June, 1987

Jail Population Needs Assessment for the Albemarle/Charlottesville (Virginia) Joint Security Complex, March 29, 1987

(Untitled) "Foundation for a Jail Population Management Plan", Winchester, Frederick County, Clarke County, Virginia, draft, December 7, 1988

**Appendix E**

**Case Dispositions, Five Jurisdictions and Total Sample**

VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

BOND STUDY: DISPOSITIONS

DISPOSITION TYPE	TOTAL	FAIRFAX	HENRICO	NORFOLK	PETERSBURG	SUFFOLK
<u>Not Guilty</u>	42 (22.7%)	13 (31%)	3 (7%)	14 (33%)	5 (12%)	7 (17%)
Not Guilty	2 (1.1%)	1 (50%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)
Nol Pros	24 (13.0%)	10 (42%)	2 (8%)	3 (12%)	4 (17%)	5 (21%)
Case Dismd	16 (8.7%)	2 (13%)	0 (0%)	11 (69%)	1 (6%)	2 (12%)
<u>Guilty</u>	123 (66.5%)	56 (46%)	17 (14%)	43 (35%)	3 (2%)	4 (3%)
Guilty	3 (1.6%)	0 (0%)	0 (0%)	0 (0%)	1 (33%)	2 (67%)
Prison	22 (11.9%)	8 (36%)	4 (18%)	9 (41%)	1 (5%)	0 (0%)
Jail	63 (34.1%)	31 (49%)	8 (13%)	24 (38%)	0 (0%)	0 (0%)
Probation	1 (0.5%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (100%)
Fine	34 (18.4%)	17 (50%)	5 (15%)	10 (29%)	1 (3%)	1 (3%)
<u>Not Adjudicated</u>	20 (10.8%)	3 (15%)	2 (10%)	8 (40%)	2 (10%)	5 (25%)
Total	185 (100.0%)	72 (38.9%)	22 (11.9%)	65 (35.1%)	10 (5.4%)	16 (8.7%)

06/14/89

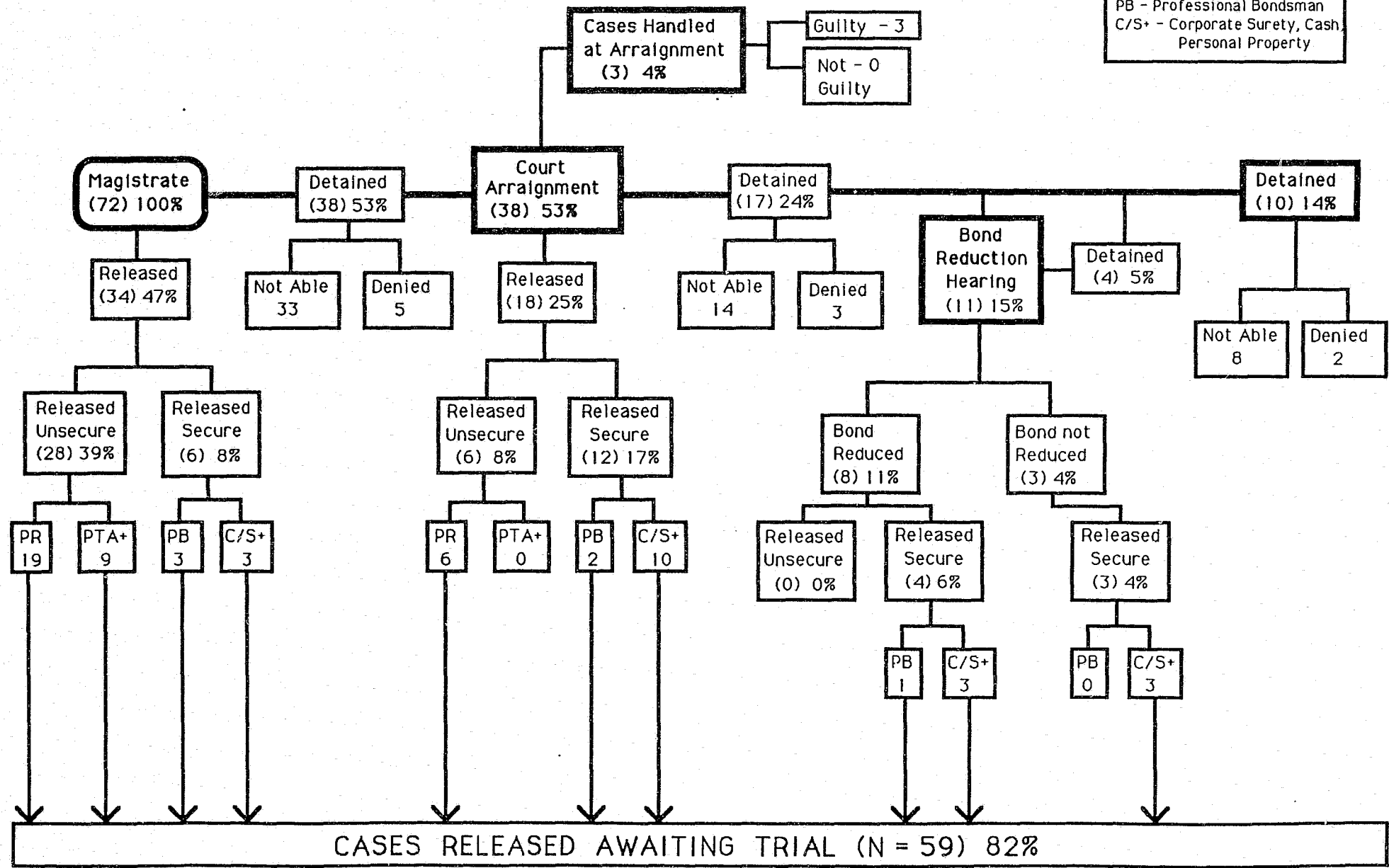


**Appendix F**

**Release Activity, Five Jurisdictions, Three Levels**

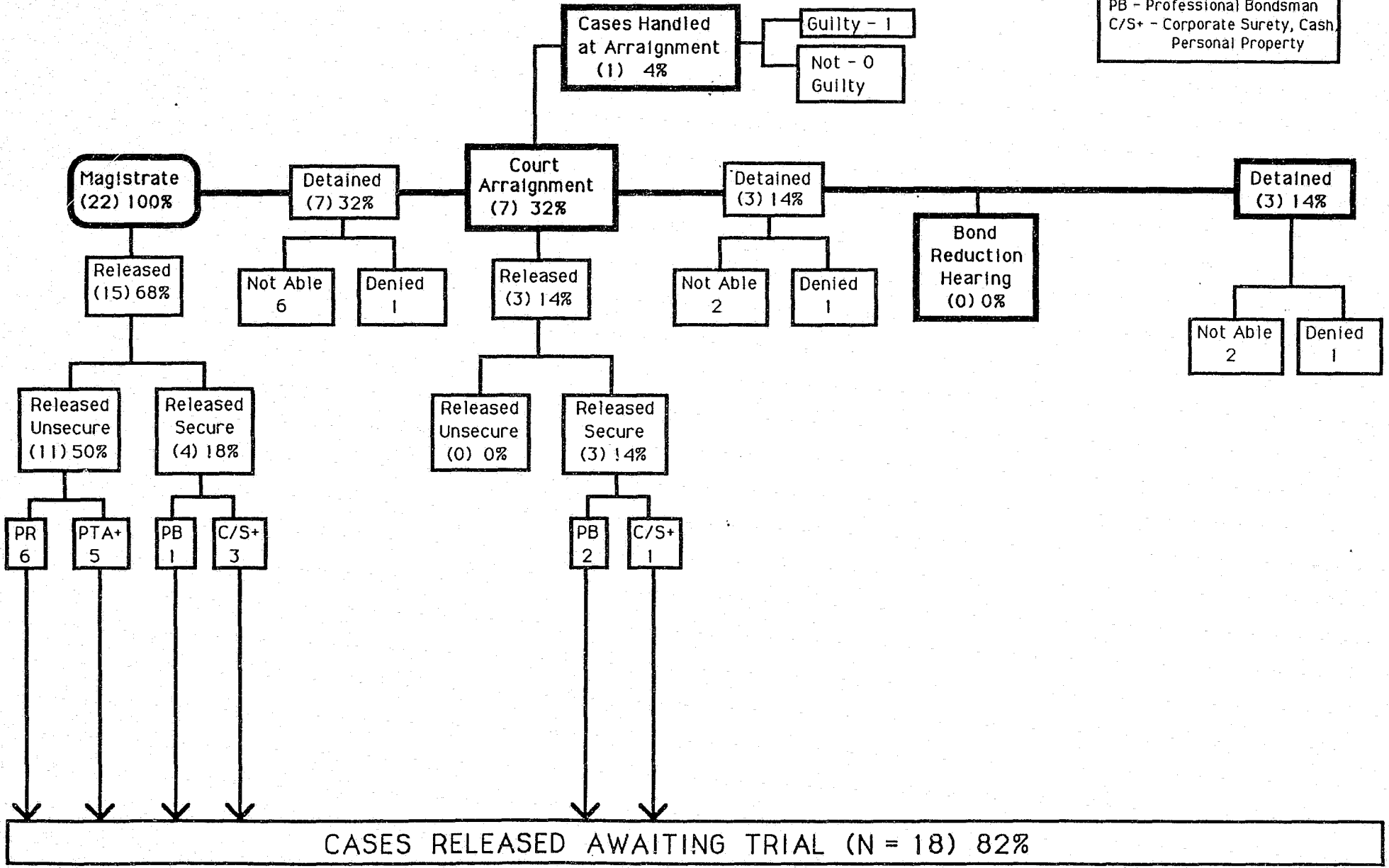
# FAIRFAX JAIL RELEASE ACTIVITY

Abbreviations  
 PR - Personal Recognizance  
 PTA+ - Promise to Appear  
 PB - Professional Bondsman  
 C/S+ - Corporate Surety, Cash, Personal Property



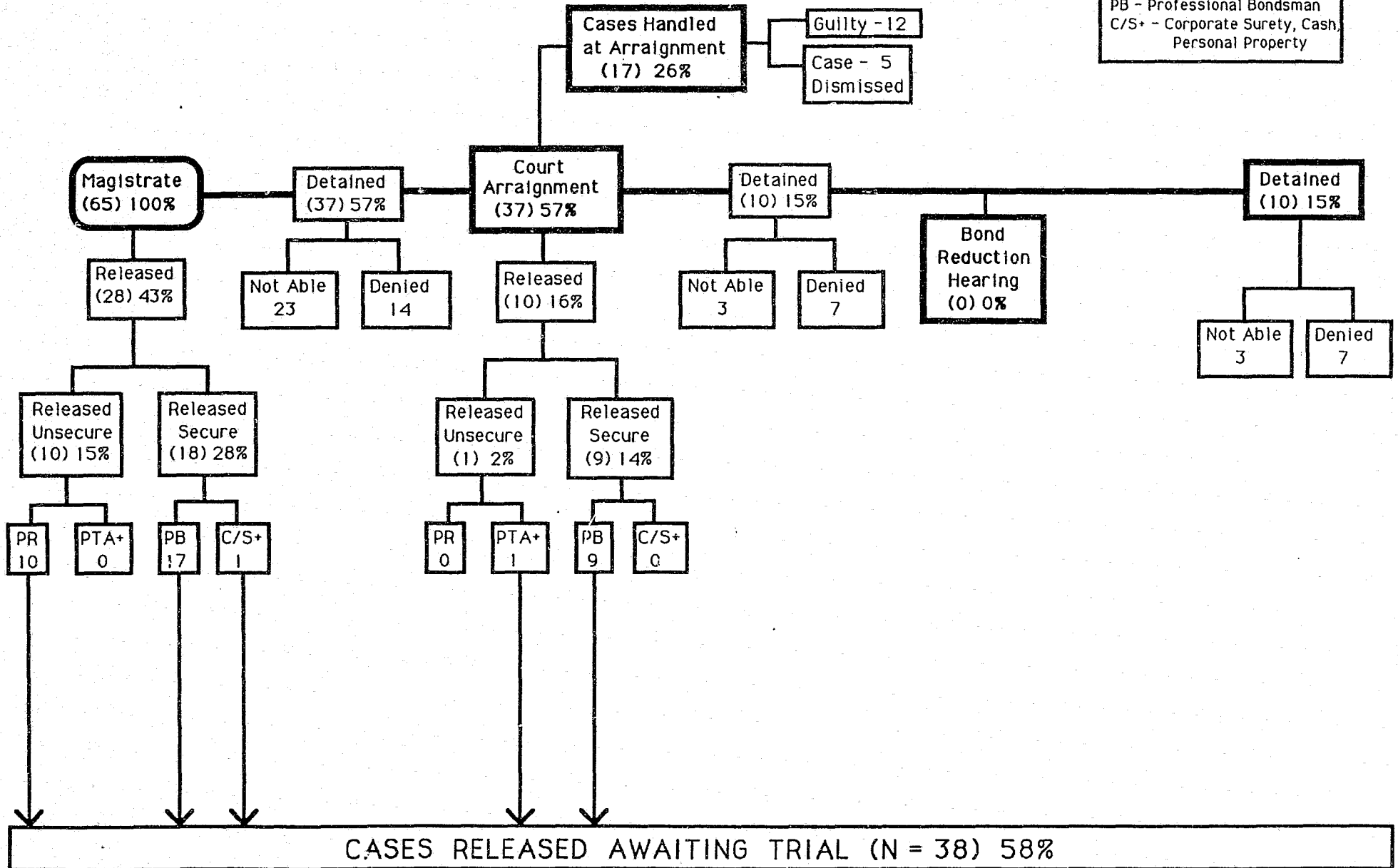
# HENRICO JAIL RELEASE ACTIVITY

Abbreviations  
 PR - Personal Recognizance  
 PTA+ - Promise to Appear  
 PB - Professional Bondsman  
 C/S+ - Corporate Surety, Cash, Personal Property



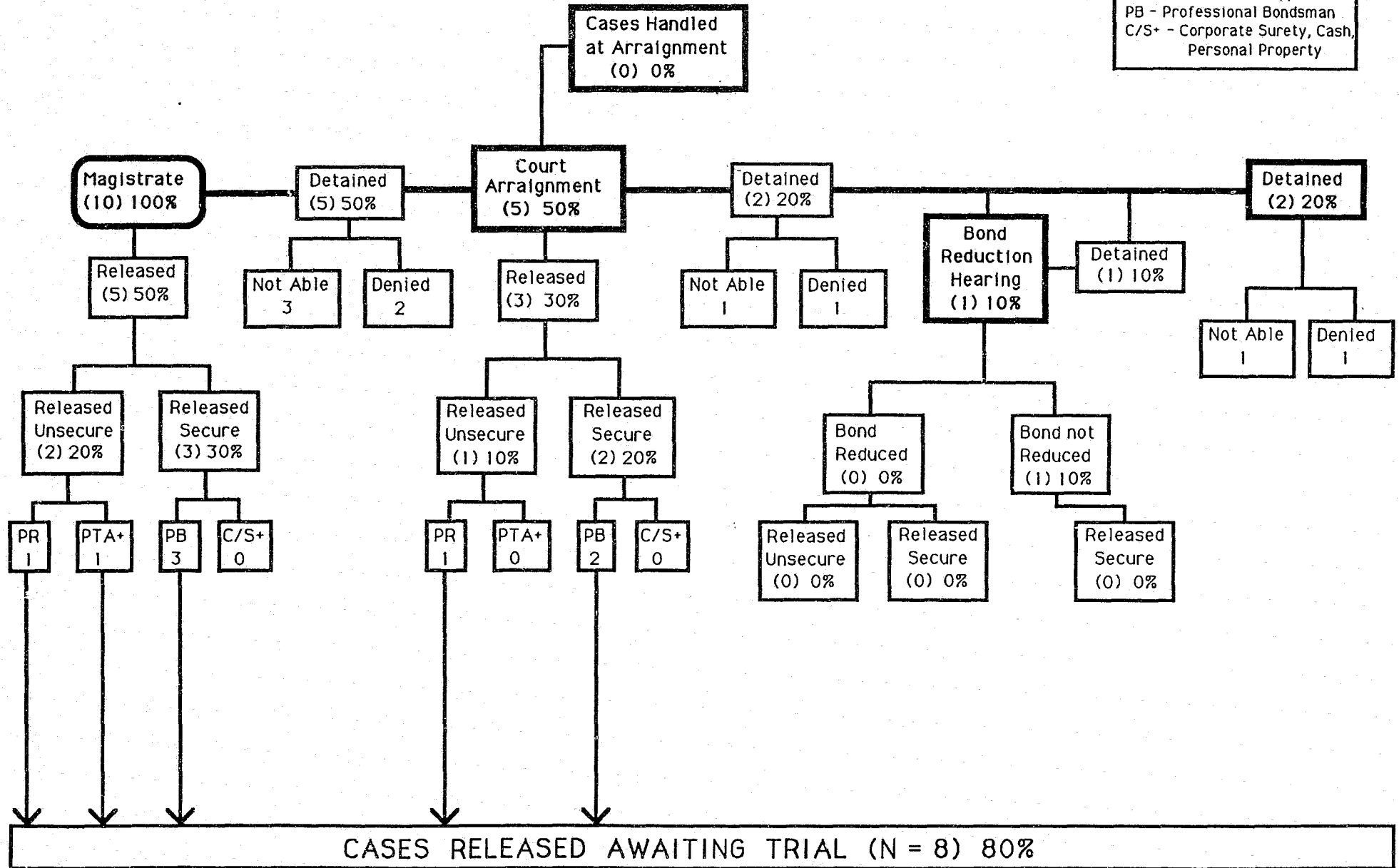
# NORFOLK JAIL RELEASE ACTIVITY

Abbreviations  
 PR - Personal Recognizance  
 PTA+ - Promise to Appear  
 PB - Professional Bondsman  
 C/S+ - Corporate Surety, Cash, Personal Property



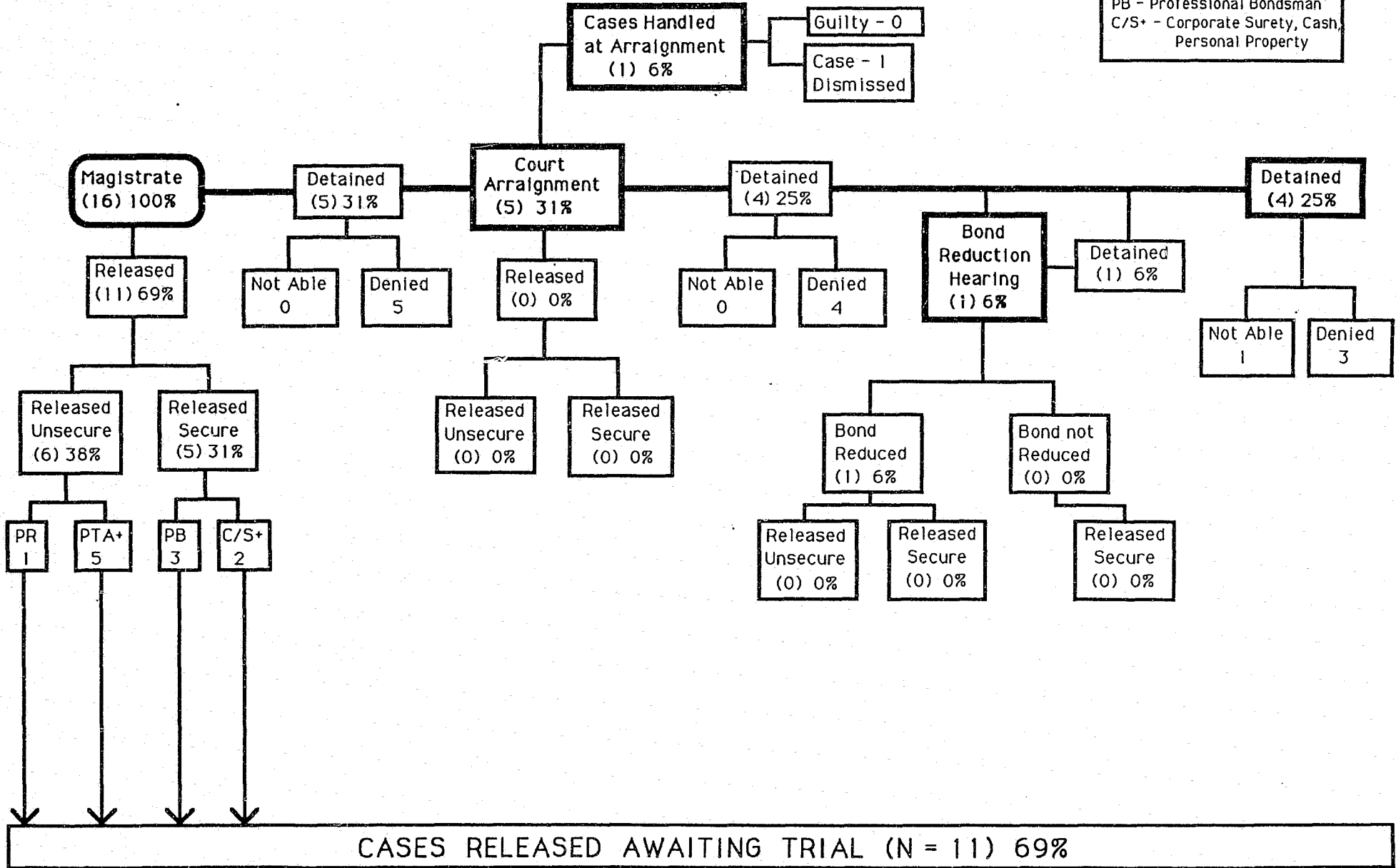
# PETERSBURG JAIL RELEASE ACTIVITY

Abbreviations  
 PR - Personal Recognizance  
 PTA+ - Promise to Appear  
 PB - Professional Bondsman  
 C/S+ - Corporate Surety, Cash,  
 Personal Property



# SUFFOLK JAIL RELEASE ACTIVITY

Abbreviations  
 PR - Personal Recognizance  
 PTA+ - Promise to Appear  
 PB - Professional Bondsman  
 C/S+ - Corporate Surety, Cash, Personal Property



**Appendix G**

**Case Characteristics, Five Jurisdictions and Total Sample**

VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

BOND STUDY: PROFILE OF CASES (TOTAL) [N=185]

<u>Charge Type:</u>			
Ordinance		27	15 %
Misdemeanor		97	52 %
Felony		61	33 %
<u>Race/Gender:</u>			
Non-White Male		95	51 %
Non-White Female		14	8 %
White Male		66	36 %
White Female		10	5 %
Non-Whites		109	59 %
Whites		76	41 %
Males		161	87 %
Females		24	13 %
<u>Age Group:</u>			
18 - 24		61	33 %
25 - 34		74	40 %
35 - 44		27	15 %
45 & over		23	12 %
<u>Offense Type:</u>			
Homicide		1	0.5 %
Rape		1	0.5 %
Assault		10	5.4 %
Violent		5	2.7 %
Non-violent		5	2.7 %
Burglary		8	4.3 %
Larceny		19	10.3 %
Forgery/Fraud/Embezzlement		9	4.9 %
Drug Offenses		20	10.8 %
Drugs	4	2.2 %	
Sell Heroin	2	1.1 %	
Sell Cocaine	5	2.7 %	
Poss Cocaine	7	3.8 %	
Poss Marijuana	1	0.5 %	
Poss Control Drug	1	0.5 %	
Drunkenness		20	10.8 %
Obstructing Justice/FTA/Tech Prob Viol		35	18.9 %
Traffic Offenses (Habitual Traf/DUI)		46	25.0 %
Invasion of Privacy (Trespassing)		6	3.2 %
Other		10	5.4 %
<u>Commit Date:</u>			
Tuesday 10/4/89		92	50 %
Wednesday 10/5/89		93	50 %
<u>Jail:</u>			
Fairfax		72	39 %
Henrico		22	12 %
Norfolk		65	35 %
Petersburg		10	5 %
Suffolk		16	9 %



VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

BOND STUDY: PROFILE OF CASES (FAIRFAX) [N=72]

Charge Type:

Ordinance	8	11 %
Misdemeanor	43	60 %
Felony	21	29 %

Race/Gender:

Non-White Male	24	34 %
Non-White Female	4	5 %
White Male	38	53 %
White Female	6	8 %
Non-Whites	28	39 %
Whites	44	61 %
Males	62	86 %
Females	10	14 %

Age Group:

18 - 24	26	36 %
25 - 34	31	43 %
35 - 44	8	11 %
45 & over	7	10 %

Offense Type:

Homicide	1	1.4 %
Rape	0	0.0 %
Assault	1	1.4 %
Burglary	4	5.6 %
Larceny	5	6.9 %
Forgery/Fraud/Embezzlement	4	5.6 %
Drug Offenses	6	8.3 %
Drugs	4	5.6 %
Sell Heroin	1	1.4 %
Sell Cocaine	0	0.0 %
Poss Cocaine	0	0.0 %
Poss Marijuana	0	0.0 %
Poss Control Drug	1	1.4 %
Drunkenness	9	12.5 %
Obstructing Justice/FTA/Tech Prob Viol	3	4.2 %
Traffic Offenses (Habitual Traf/DUI)	32	44.4 %
Invasion of Privacy (Trespassing)	3	4.2 %
Other	4	5.6 %

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VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

BOND STUDY: PROFILE OF CASES (NORFOLK) [N=65]

Charge Type:

Ordinance	13	20 %
Misdemeanor	31	48 %
Felony	21	32 %

Race/Gender:

Non-White Male	43	66 %
Non-White Female	4	6 %
White Male	15	23 %
White Female	3	5 %
Non-Whites	47	72 %
Whites	18	28 %
Males	58	89 %
Females	7	11 %

Age Group:

18 - 24	25	39 %
25 - 34	22	34 %
35 - 44	10	15 %
45 & over	8	12 %

Offense Type:

Homicide	0	0.0 %
Rape	1	1.5 %
Assault	5	7.7 %
Burglary	4	6.2 %
Larceny	6	9.2 %
Forgery/Fraud/Embezzlement	4	6.2 %
Drug Offenses	4	6.2 %
Drugs	0	0.0 %
Sell Heroin	0	0.0 %
Sell Cocaine	1	1.5 %
Poss Cocaine	3	4.6 %
Poss Marijuana	0	0.0 %
Poss Control Drug	0	0.0 %
Drunkenness	0	0.0 %
Obstructing Justice/FTA/Tech Prob Viol	27	41.5 %
Traffic Offenses (Habitual Traf/DUI)	6	9.2 %
Invasion of Privacy (Trespassing)	2	3.1 %
Other	6	9.2 %

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VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

BOND STUDY: PROFILE OF CASES (HENRICO) [N=22]

Charge Type:

Ordinance	6	27 %
Misdemeanor	10	46 %
Felony	6	27 %

Race/Gender:

Non-White Male	10	46 %
Non-White Female	0	0 %
White Male	11	50 %
White Female	1	4 %

Non-Whites	10	46 %
Whites	12	54 %

Males	21	96 %
Females	1	4 %

Age Group:

18 - 24	3	14 %
25 - 34	13	58 %
35 - 44	3	14 %
45 & over	3	14 %

Offense Type:

Homicide	0	0.0 %
Rape	0	0.0 %
Assault	4	18.2 %
Burglary	0	0.0 %
Larceny	3	13.6 %
Forgery/Fraud/Embezzlement	0	0.0 %
Drug Offenses	1	4.5 %
Drugs	0	0.0 %
Sell Heroin	1	4.5 %
Sell Cocaine	0	0.0 %
Poss Cocaine	0	0.0 %
Poss Marijuana	0	0.0 %
Poss Control Drug	0	0.0 %
Drunkenness	5	22.7 %
Obstructing Justice/FTA/Tech Prob Viol	2	9.1 %
Traffic Offenses (Habitual Traf/DUI)	6	27.3 %
Invasion of Privacy (Trespassing)	1	4.5 %
Other	0	0.0 %

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VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

BOND STUDY: PROFILE OF CASES (PETERSBURG) [N=10]

Charge Type:

Ordinance	0	0 %
Misdemeanor	5	50 %
Felony	5	50 %

Race/Gender:

Non-White Male	8	80 %
Non-White Female	1	10 %
White Male	1	10 %
White Female	0	0 %

Non-Whites	9	90 %
Whites	1	10 %

Males	9	90 %
Females	1	10 %

Age Group:

18 - 24	4	40 %
25 - 34	3	30 %
35 - 44	3	30 %
45 & over	0	0 %

Offense Type:

Homicide	0	0.0 %
Rape	0	0.0 %
Assault	0	0.0 %
Burglary	0	0.0 %
Larceny	1	10.0 %
Forgery/Fraud/Embezzlement	0	0.0 %
Drug Offenses	4	40.0 %
Drugs	0	0.0 %
Sell Heroin	0	0.0 %
Sell Cocaine	4	40.0 %
Poss Cocaine	0	0.0 %
Poss Marijuana	0	0.0 %
Poss Control Drug	0	0.0 %
Drunkenness	1	10.0 %
Obstructing Justice/FTA/Tech Prob Viol	3	30.0 %
Traffic Offenses (Habitual Traf/DUI)	1	10.0 %
Invasion of Privacy (Trespassing)	0	0.0 %
Other	0	0.0 %

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VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

BOND STUDY: PROFILE OF CASES (SUFFOLK) [N=16]

<u>Charge Type:</u>			
Ordinance	0	0	%
Misdemeanor	8	50	%
Felony	8	50	%
<u>Race/Gender:</u>			
Non-White Male	10	63	%
Non-White Female	5	31	%
White Male	1	6	%
White Female	0	0	%
Non-Whites	15	94	%
Whites	1	6	%
Males	11	69	%
Females	5	31	%
<u>Age Group:</u>			
18 - 24	3	19	%
25 - 34	5	31	%
35 - 44	3	19	%
45 & over	5	31	%
<u>Offense Type:</u>			
Homicide	0	0.0	%
Rape	0	0.0	%
Assault	0	0.0	%
Burglary	0	0.0	%
Larceny	4	25.0	%
Forgery/Fraud/Embezzlement	1	6.2	%
Drug Offenses	5	31.3	%
Drugs	0	0.0	%
Sell Heroin	0	0.0	%
Sell Cocaine	0	0.0	%
Poss Cocaine	4	25.0	%
Poss Marijuana	1	6.3	%
Poss Control Drug	0	0.0	%
Drunkenness	5	31.3	%
Obstructing Justice/FTA/Tech Prob Viol	0	0.0	%
Traffic Offenses (Habitual Traf/DUI)	1	6.2	%
Invasion of Privacy (Trespassing)	0	0.0	%
Other	0	0.0	%

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**Appendix H**

**Offenses by Type (Violent/Non-Violent), Five Jurisdictions  
and Total Sample**

**VIRGINIA DEPARTMENT OF CORRECTIONS  
BOND STUDY: OFFENSES BY VIOLENT AND NON-VIOLENT**

OFFENSE TYPE	TOTAL		CUMULATIVE		FELONY		MISDEMEANOR		ORDINANCE	
	#	%	#	%	#	%	#	%	#	%
<b>VIOLENT</b>	<b>27</b>	<b>14.5</b>	<b>-</b>	<b>-</b>	<b>24</b>	<b>89</b>	<b>3</b>	<b>11</b>	<b>0</b>	<b>0</b>
Homicide	1	0.5	1	0.5	1	100	0	0	0	0
Rape	1	0.5	2	1.0	1	100	0	0	0	0
Assault	5	2.7	7	3.7	3	60	2	40	0	0
Drug Offenses	20	10.8	27	14.5	19	95	1	5	0	0
Drugs	4	2.2	-	-	4	100	0	0	0	0
Sell Heroin	2	1.1	-	-	2	100	0	0	0	0
Sell Cocaine	5	2.7	-	-	5	100	0	0	0	0
Poss Cocaine	7	3.8	-	-	7	100	0	0	0	0
Poss Marijuana	1	0.5	-	-	0	0	1	100	0	0
Poss Control Drug	1	0.5	-	-	1	100	0	0	0	0
<b>NON-VIOLENT</b>	<b>158</b>	<b>85.6</b>	<b>-</b>	<b>-</b>	<b>37</b>	<b>23</b>	<b>95</b>	<b>60</b>	<b>27</b>	<b>17</b>
Assault (NV)	5	2.7	32	17.2	0	0	0	0	5	100
Burglary	8	4.3	40	21.8	8	100	0	0	0	0
Larceny	19	10.3	59	32.1	11	58	8	42	0	0
Forgery/Fraud/ Embezzlement	9	4.9	68	37.0	6	67	3	33	0	0
Drunkenness	20	10.8	88	47.8	0	0	12	60	8	40
Obstructing Justice/ FTA/Tech Prob Viol	35	18.9	123	66.7	4	11	31	89	0	0
Traffic Offenses (Habitual Traf/DUI)	46	24.9	169	91.7	2	4	34	74	10	22
Invasion of Privacy (Trespassing)	6	3.2	175	94.9	0	0	4	67	2	33
Other	10	5.4	185	100.0	6	60	2	20	2	20
<b>TOTAL</b>	<b>185</b>	<b>100.0</b>	<b>185</b>	<b>100.0</b>	<b>61</b>	<b>33</b>	<b>97</b>	<b>52</b>	<b>27</b>	<b>15</b>

VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

BOND STUDY: OFFENSE TYPES (FAIRFAX)

OFFENSE TYPE	TOTAL		FELONY		MISDEMEANOR		ORDINANCE	
	#	%	#	%	#	%	#	%
Homicide	1	1.4	1	100	0	0	0	0
Rape	0	0.0	0	0	0	0	0	0
Assault	1	1.4	1	100	0	0	0	0
Burglary	4	5.6	4	100	0	0	0	0
Larceny	5	6.9	2	40	3	60	0	0
Forgery/Fraud/ Embezzlement	4	5.6	2	50	2	50	0	0
Drug Offenses	6	8.3	6	100	0	0	0	0
Drugs	4	5.6	4	100	0	0	0	0
Sell Heroin	1	1.4	1	100	0	0	0	0
Sell Cocaine	0	0.0	0	0	0	0	0	0
Poss Cocaine	0	0.0	0	0	0	0	0	0
Poss Marijuana	0	0.0	0	0	0	0	0	0
Poss Control Drug	1	1.4	1	100	0	0	0	0
Drunkenness	9	12.5	0	0	6	67	3	33
Obstructing Justice/ FTA/Tech Prob Viol	3	4.2	1	3	2	67	0	0
Traffic Offenses (Habitual Traf/DUI)	32	44.3	1	3	26	81	5	16
Invasion of Privacy (Trespassing)	3	4.2	0	0	3	100	0	0
Other	4	5.6	3	75	1	25	0	0
Total	72	100.0	21	29	43	60	8	11

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VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

BOND STUDY: OFFENSE TYPES (HENRICO)

OFFENSE TYPE	TOTAL		FELONY		MISDEMEANOR		ORDINANCE	
	#	%	#	%	#	%	#	%
Homicide	0	0.0	0	0	0	0	0	0
Rape	0	0.0	0	0	0	0	0	0
Assault	4	18.2	2	50	2	50	0	0
Burglary	0	0.0	0	0	0	0	0	0
Larceny	3	13.7	2	67	1	33	0	0
Forgery/Fraud/ Embezzlement	0	0.0	0	0	0	0	0	0
Drug Offenses	1	4.5	1	100	0	0	0	0
Drugs	0	0.0	0	0	0	0	0	0
Sell Heroin	1	4.5	1	100	0	0	0	0
Sell Cocaine	0	0.0	0	0	0	0	0	0
Poss Cocaine	0	0.0	0	0	0	0	0	0
Poss Marijuana	0	0.0	0	0	0	0	0	0
Poss Control Drug	0	0.0	0	0	0	0	0	0
Drunkenness	5	22.7	0	0	0	0	5	100
Obstructing Justice/ FTA/Tech Prob Viol	2	9.1	0	0	2	100	0	0
Traffic Offenses (Habitual Traf/DUI)	6	27.3	1	17	4	66	1	17
Invasion of Privacy (Trespassing)	1	4.5	0	0	1	100	0	0
Other	0	0.0	0	0	0	0	0	0
Total	22	100.0	6	27	10	46	6	27

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VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

BOND STUDY: OFFENSE TYPES (NORFOLK)

OFFENSE TYPE	TOTAL		FELONY		MISDEMEANOR		ORDINANCE	
	#	%	#	%	#	%	#	%
Homicide	0	0.0	0	0	0	0	0	0
Rape	1	1.5	1	100	0	0	0	0
Assault	5	7.7	0	0	0	0	5	100
Burglary	4	6.2	4	100	0	0	0	0
Larceny	6	9.2	3	50	3	50	0	0
Forgery/Fraud/ Embezzlement	4	6.2	4	100	0	0	0	0
Drug Offenses	4	6.2	4	100	0	0	0	0
Drugs	0	0.0	0	0	0	0	0	0
Sell Heroin	0	0.0	0	0	0	0	0	0
Sell Cocaine	1	1.5	1	100	0	0	0	0
Poss Cocaine	3	4.6	3	100	0	0	0	0
Poss Marijuana	0	0.0	0	0	0	0	0	0
Poss Control Drug	0	0.0	0	0	0	0	0	0
Drunkenness	0	0.0	0	0	0	0	0	0
Obstructing Justice/ FTA/Tech Prob Viol	27	41.5	2	7	25	93	0	0
Traffic Offenses (Habitual Traf/DUI)	6	9.2	0	0	2	33	4	67
Invasion of Privacy (Trespassing)	2	3.1	0	0	0	0	2	100
Other	6	9.2	3	50	1	17	2	33
Total	65	100.0	21	32	31	48	13	20

VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

BOND STUDY: OFFENSE TYPES (PETERSBURG)

OFFENSE TYPE	TOTAL		FELONY		MISDEMEANOR		ORDINANCE	
	#	%	#	%	#	%	#	%
Homicide	0	0.0	0	0	0	0	0	0
Rape	0	0.0	0	0	0	0	0	0
Assault	0	0.0	0	0	0	0	0	0
Burglary	0	0.0	0	0	0	0	0	0
Larceny	1	10.0	0	0	1	100	0	0
Forgery/Fraud/ Embezzlement	0	0.0	0	0	0	0	0	0
Drug Offenses	4	40.0	4	100	0	0	0	0
Drugs	0	0.0	0	0	0	0	0	0
Sell Heroin	0	0.0	0	0	0	0	0	0
Sell Cocaine	4	40.0	4	100	0	0	0	0
Poss Cocaine	0	0.0	0	0	0	0	0	0
Poss Marijuana	0	0.0	0	0	0	0	0	0
Poss Control Drug	0	0.0	0	0	0	0	0	0
Drunkenness	1	10.0	0	0	1	100	0	0
Obstructing Justice/ FTA/Tech Prob Viol	3	30.0	1	33	2	67	0	0
Traffic Offenses (Habitual Traf/DUI)	1	10.0	0	0	1	100	0	0
Invasion of Privacy (Trespassing)	0	0.0	0	0	0	0	0	0
Other	0	0.0	0	0	0	0	0	0
Total	10	100.0	5	50	5	50	0	0

**VIRGINIA DEPARTMENT OF CORRECTIONS**  
**Research and Evaluation Unit**

**BOND STUDY: OFFENSE TYPES (SUFFOLK)**

OFFENSE TYPE	TOTAL		FELONY		MISDEMEANOR		ORDINANCE	
	#	%	#	%	#	%	#	%
Homicide	0	0.0	0	0	0	0	0	0
Rape	0	0.0	0	0	0	0	0	0
Assault	0	0.0	0	0	0	0	0	0
Burglary	0	0.0	0	0	0	0	0	0
Larceny	4	25.0	4	100	0	0	0	0
Forgery/Fraud/ Embezzlement	1	6.3	0	0	0	0	0	0
Drug Offenses	5	31.3	4	80	1	20	0	0
Drugs	0	0.0	0	0	0	0	0	0
Sell Heroin	0	0.0	0	0	0	0	0	0
Sell Cocaine	0	0.0	0	0	0	0	0	0
Poss Cocaine	4	25.0	4	100	0	0	0	0
Poss Marijuana	1	6.3	0	0	1	100	0	0
Poss Control Drug	0	0.0	0	0	0	0	0	0
Drunkenness	5	31.3	0	0	5	100	0	0
Obstructing Justice/ FTA/Tech Prob Viol	0	0.0	0	0	0	0	0	0
Traffic Offenses (Habitual Traf/DUI)	1	6.3	0	0	1	100	0	0
Invasion of Privacy (Trespassing)	0	0.0	0	0	0	0	0	0
Other	0	0.0	0	0	0	0	0	0
<b>Total</b>	<b>16</b>	<b>100.0</b>	<b>8</b>	<b>50</b>	<b>8</b>	<b>50</b>	<b>0</b>	<b>0</b>

**Appendix I**

**Arrests (Felony/Misdemeanor/Ordinance)  
by NCIC Offense Code and Description**

**VIRGINIA DEPARTMENT OF CORRECTIONS  
BOND STUDY: ARRESTS BY CHARGE TYPE  
TOTAL**

<u>NCIC Offense &amp; Description</u>	<u>Total</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Ordinance</u>
0900 Homicide	1	1	0	0
1100 Rape	1	1	0	0
1300 Assault	10	3	2	5
1300 Assault	4	0	2	2
1313 Simple Assault	3	0	0	3
1350 With Intent to Maim	3	3	0	0
2200 Burglary	8	8	0	0
2200 Burglary	6	6	0	0
2202 F.E. Residence	1	1	0	0
2203 F.E. Non-Residence	1	1	0	0
2300 Larceny	19	11	8	0
2300 Larceny	5	3	2	0
2303 Shoplifting	5	0	5	0
2320 Grand Larceny	6	6	0	0
2340 Petty Larceny	3	2	1	0
2500 Forgery	4	4	0	0
2500 Forgery	2	2	0	0
2501 Forgery of Checks	2	2	0	0
2600 Fraud	4	1	3	0
2600 Fraud	1	1	0	0
2606 Insufficient Funds Check	3	0	3	0
2700 Embezzle	1	1	0	0
3500 Dangerous Drugs	20	19	1	0
3500 Dangerous Drugs	4	4	0	0
3510 Sell Heroin	2	2	0	0
3530 Sell Cocaine	5	5	0	0
3532 Possess Cocaine	7	7	0	0
3562 Possess Marijuana	1	0	1	0
3587 Possess Controlled Drug	1	1	0	0
4200 Drunkenness	20	0	12	8
4902 Flight to Avoid	2	1	1	0
5012 Probation Violation	3	1	2	0
5015 Failure to Appear	30	2	28	0
5400 Traffic Offense	46	2	34	10
5400 Traffic Offense	1	0	1	0
5401 Hit & Run	1	0	1	0
5404 DUI	35	0	29	6
5405 Moving Traffic Viol.	6	0	3	3
5406 Non-Moving Traffic Viol.	1	0	0	1
5450 Habitual Traffic Offender	2	2	0	0
5707 Trespassing	6	0	4	2
Other	10	6	2	2
0002 Conspiracy to Commit Fel.	1	1	0	0
2404 Vehicle Theft	1	1	0	0
2800 Stolen Property	1	1	0	0
3601 Sex Off. Fondling Child	1	1	0	0
3707 Obscene Material	1	0	1	0
5202 Carrying Concealed Weapon	1	0	1	0
5311 Disorderly Conduct	2	0	0	2
7299 Morals - Decency	2	2	0	0
<b>TOTAL</b>	<b>185</b>	<b>61</b>	<b>97</b>	<b>27</b>

VIRGINIA DEPARTMENT OF CORRECTIONS  
 BOND STUDY: ARRESTS BY CHARGE TYPE  
 FAIRFAX

<u>NCIC Offense &amp; Description</u>	<u>Total</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Ordinance</u>
0900 Homicide	1	1	0	0
1100 Rape	0	0	0	0
1300 Assault	1	1	0	0
1300 Assault	0	0	0	0
1313 Simple Assault	0	0	0	0
1350 With Intent to Maim	1	1	0	0
2200 Burglary	4	4	0	0
2200 Burglary	4	4	0	0
2202 F.E. Residence	0	0	0	0
2203 F.E. Non-Residence	0	0	0	0
2300 Larceny	5	2	3	0
2300 Larceny	0	0	0	0
2303 Shoplifting	3	0	3	0
2320 Grand Larceny	2	2	0	0
2340 Petty Larceny	0	0	0	0
2500 Forgery	0	0	0	0
2500 Forgery	0	0	0	0
2501 Forgery of Checks	0	0	0	0
2600 Fraud	3	1	2	0
2600 Fraud	1	1	0	0
2606 Insufficient Funds Check	2	0	2	0
2700 Embezzle	1	1	0	0
3500 Dangerous Drugs	6	6	0	0
3500 Dangerous Drugs	4	4	0	0
3510 Sell Heroin	1	1	0	0
3530 Sell Cocaine	0	0	0	0
3532 Possess Cocaine	0	0	0	0
3562 Possess Marijuana	0	0	0	0
3587 Possess Controlled Drug	1	1	0	0
4200 Drunkenness	9	0	6	3
4902 Flight to Avoid	0	0	0	0
5012 Probation Violation	0	0	0	0
5015 Failure to Appear	3	1	2	0
5400 Traffic Offense	32	1	26	5
5400 Traffic Offense	0	0	0	0
5401 Hit & Run	0	0	0	0
5404 DUI	25	0	23	2
5405 Moving Traffic Viol.	6	0	3	3
5406 Non-Moving Traffic Viol.	0	0	0	0
5450 Habitual Traffic Offender	1	0	0	0
5707 Trespassing	3	0	3	0
Other	4	3	1	0
0002 Conspiracy to Commit Fel.	1	1	0	0
2404 Vehicle Theft	1	1	0	0
2800 Stolen Property	0	0	0	0
3601 Sex Off. Fondling Child	1	1	0	0
3707 Obscene Material	1	0	1	0
5202 Carrying Concealed Weapon	0	0	0	0
5311 Disorderly Conduct	0	0	0	0
7299 Morals - Decency	0	0	0	0
<b>TOTAL</b>	<b>72</b>	<b>21</b>	<b>43</b>	<b>8</b>

VIRGINIA DEPARTMENT OF CORRECTIONS  
BOND STUDY: ARRESTS BY CHARGE TYPE  
HENRICO

<u>NCIC Offense &amp; Description</u>	<u>Total</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Ordinance</u>
0900 Homicide	0	0	0	0
1100 Rape	0	0	0	0
1300 Assault	4	2	2	0
1300 Assault	2	0	2	0
1313 Simple Assault	0	0	0	0
1350 With Intent to Maim	2	2	0	0
2200 Burglary	0	0	0	0
2200 Burglary	0	0	0	0
2202 F.E. Residence	0	0	0	0
2203 F.E. Non-Residence	0	0	0	0
2300 Larceny	3	2	1	0
2300 Larceny	0	0	0	0
2303 Shoplifting	1	0	1	0
2320 Grand Larceny	1	1	0	0
2340 Petty Larceny	1	1	0	0
2500 Forgery	0	0	0	0
2500 Forgery	0	0	0	0
2501 Forgery of Checks	0	0	0	0
2600 Fraud	0	0	0	0
2600 Fraud	0	0	0	0
2606 Insufficient Funds Check	0	0	0	0
2700 Embezzle	0	0	0	0
3500 Dangerous Drugs	1	1	0	0
3500 Dangerous Drugs	0	0	0	0
3510 Sell Heroin	1	1	0	0
3530 Sell Cocaine	0	0	0	0
3532 Possess Cocaine	0	0	0	0
3562 Possess Marijuana	0	0	0	0
3587 Possess Controlled Drug	0	0	0	0
4200 Drunkenness	5	0	0	5
4902 Flight to Avoid	0	0	0	0
5012 Probation Violation	0	0	0	0
5015 Failure to Appear	2	0	2	0
5400 Traffic Offense	6	1	4	1
5400 Traffic Offense	0	0	0	0
5401 Hit & Run	0	0	0	0
5404 DUI	5	0	4	1
5405 Moving Traffic Viol.	0	0	0	0
5406 Non-Moving Traffic Viol.	0	0	0	0
5450 Habitual Traffic Offender	1	1	0	0
5707 Trespassing	1	0	1	0
Other	0	0	0	0
0002 Conspiracy to Commit Fel.	0	0	0	0
2404 Vehicle Theft	0	0	0	0
2800 Stolen Property	0	0	0	0
3601 Sex Off. Fondling Child	0	0	0	0
3707 Obscene Material	0	0	0	0
5202 Carrying Concealed Weapon	0	0	0	0
5311 Disorderly Conduct	0	0	0	0
7299 Morals - Decency	0	0	0	0
<b>TOTAL</b>	<b>22</b>	<b>6</b>	<b>10</b>	<b>6</b>



**VIRGINIA DEPARTMENT OF CORRECTIONS  
BOND STUDY: ARRESTS BY CHARGE TYPE  
NORFOLK**

<u>NCIC Offense &amp; Description</u>	<u>Total</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Ordinance</u>
0900 Homicide	0	0	0	0
1100 Rape	1	1	0	0
1300 Assault	5	0	0	5
1300 Assault	2	0	0	2
1313 Simple Assault	3	0	0	3
1350 With Intent to Maim	0	0	0	0
2200 Burglary	4	4	0	0
2200 Burglary	2	2	0	0
2202 F.E. Residence	1	1	0	0
2203 F.E. Non-Residence	1	1	0	0
2300 Larceny	6	3	3	0
2300 Larceny	5	3	2	0
2303 Shoplifting	1	0	1	0
2320 Grand Larceny	0	0	0	0
2340 Petty Larceny	0	0	0	0
2500 Forgery	4	4	0	0
2500 Forgery	2	2	0	0
2501 Forgery of Checks	2	2	0	0
2600 Fraud	0	0	0	0
2600 Fraud	0	0	0	0
2606 Insufficient Funds Check	0	0	0	0
2700 Embezzle	0	0	0	0
3500 Dangerous Drugs	4	4	0	0
3500 Dangerous Drugs	0	0	0	0
3510 Sell Heroin	0	0	0	0
3530 Sell Cocaine	1	1	0	0
3532 Possess Cocaine	3	3	0	0
3562 Possess Marijuana	0	0	0	0
3587 Possess Controlled Drug	0	0	0	0
4200 Drunkenness	0	0	0	0
4902 Flight to Avoid	1	1	0	0
5012 Probation Violation	3	1	2	0
5015 Failure to Appear	23	0	23	0
5400 Traffic Offense	6	0	2	4
5400 Traffic Offense	0	0	0	0
5401 Hit & Run	1	0	1	0
5404 DUI	4	0	1	3
5405 Moving Traffic Viol.	0	0	0	0
5406 Non-Moving Traffic Viol.	1	0	0	1
5450 Habitual Traffic Offender	0	0	0	0
5707 Trespassing	2	0	0	2
Other	6	3	1	2
0002 Conspiracy to Commit Fel.	0	0	0	0
2404 Vehicle Theft	0	0	0	0
2800 Stolen Property	1	1	0	0
3601 Sex Off. Fondling Child	0	0	0	0
3707 Obscene Material	0	0	0	0
5202 Carrying Concealed Weapon	1	0	1	0
5311 Disorderly Conduct	2	0	0	2
7299 Morals - Decency	2	2	0	0
<b>TOTAL</b>	<b>65</b>	<b>21</b>	<b>31</b>	<b>13</b>

VIRGINIA DEPARTMENT OF CORRECTIONS  
 BOND STUDY: ARRESTS BY CHARGE TYPE  
 PETERSBURG

<u>NCIC Offense &amp; Description</u>	<u>Total</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Ordinance</u>
0900 Homicide	0	0	0	0
1100 Rape	0	0	0	0
1300 Assault	0	0	0	0
1300 Assault	0	0	0	0
1313 Simple Assault	0	0	0	0
1350 With Intent to Maim	0	0	0	0
2200 Burglary	0	0	0	0
2200 Burglary	0	0	0	0
2202 F.E. Residence	0	0	0	0
2203 F.E. Non-Residence	0	0	0	0
2300 Larceny	1	0	1	0
2300 Larceny	0	0	0	0
2303 Shoplifting	0	0	0	0
2320 Grand Larceny	0	0	0	0
2340 Petty Larceny	1	0	1	0
2500 Forgery	0	0	0	0
2500 Forgery	0	0	0	0
2501 Forgery of Checks	0	0	0	0
2600 Fraud	0	0	0	0
2600 Fraud	0	0	0	0
2606 Insufficient Funds Check	0	0	0	0
2700 Embezzle	0	0	0	0
3500 Dangerous Drugs	4	4	0	0
3500 Dangerous Drugs	0	0	0	0
3510 Sell Heroin	0	0	0	0
3530 Sell Cocaine	4	4	0	0
3532 Possess Cocaine	0	0	0	0
3562 Possess Marijuana	0	0	0	0
3587 Possess Controlled Drug	0	0	0	0
4200 Drunkenness	1	0	1	0
4902 Flight to Avoid	1	0	1	0
5012 Probation Violation	0	0	0	0
5015 Failure to Appear	2	1	1	0
5400 Traffic Offense	1	0	1	0
5400 Traffic Offense	0	0	0	0
5401 Hit & Run	0	0	0	0
5404 DUI	1	0	1	0
5405 Moving Traffic Viol.	0	0	0	0
5406 Non-Moving Traffic Viol.	0	0	0	0
5450 Habitual Traffic Offender	0	0	0	0
5707 Trespassing	0	0	0	0
Other	0	0	0	0
0002 Conspiracy to Commit Fel.	0	0	0	0
2404 Vehicle Theft	0	0	0	0
2800 Stolen Property	0	0	0	0
3601 Sex Off. Fondling Child	0	0	0	0
3707 Obscene Material	0	0	0	0
5202 Carrying Concealed Weapon	0	0	0	0
5311 Disorderly Conduct	0	0	0	0
7299 Morals - Decency	0	0	0	0
<b>TOTAL</b>	<b>10</b>	<b>5</b>	<b>5</b>	<b>0</b>

**VIRGINIA DEPARTMENT OF CORRECTIONS  
BOND STUDY: ARRESTS BY CHARGE TYPE  
SUFFOLK**

<u>NCIC Offense &amp; Description</u>	<u>Total</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Ordinance</u>
0900 Homicide	0	0	0	0
1100 Rape	0	0	0	0
1300 Assault	0	0	0	0
1300 Assault	0	0	0	0
1313 Simple Assault	0	0	0	0
1350 With Intent to Maim	0	0	0	0
2200 Burglary	0	0	0	0
2200 Burglary	0	0	0	0
2202 F.E. Residence	0	0	0	0
2203 F.E. Non-Residence	0	0	0	0
2300 Larceny	4	4	0	0
2300 Larceny	0	0	0	0
2303 Shoplifting	0	0	0	0
2320 Grand Larceny	3	3	0	0
2340 Petty Larceny	1	1	0	0
2500 Forgery	0	0	0	0
2500 Forgery	0	0	0	0
2501 Forgery of Checks	0	0	0	0
2600 Fraud	1	0	1	0
2600 Fraud	0	0	0	0
2606 Insufficient Funds Check	1	0	1	0
2700 Embezzle	0	0	0	0
3500 Dangerous Drugs	5	4	1	0
3500 Dangerous Drugs	0	0	0	0
3510 Sell Heroin	0	0	0	0
3530 Sell Cocaine	0	0	0	0
3532 Possess Cocaine	4	4	0	0
3562 Possess Marijuana	1	0	1	0
3587 Possess Controlled Drug	0	0	0	0
4200 Drunkenness	5	0	5	0
4902 Flight to Avoid	0	0	0	0
5012 Probation Violation	0	0	0	0
5015 Failure to Appear	0	0	0	0
5400 Traffic Offense	1	0	1	0
5400 Traffic Offense	1	0	1	0
5401 Hit & Run	0	0	0	0
5404 DUI	0	0	0	0
5405 Moving Traffic Viol.	0	0	0	0
5406 Non-Moving Traffic Viol.	0	0	0	0
5450 Habitual Traffic Offender	0	0	0	0
5707 Trespassing	0	0	0	0
Other	0	0	0	0
0002 Conspiracy to Commit Fel.	0	0	0	0
2404 Vehicle Theft	0	0	0	0
2800 Stolen Property	0	0	0	0
3601 Sex Off. Fondling Child	0	0	0	0
3707 Obscene Material	0	0	0	0
5202 Carrying Concealed Weapon	0	0	0	0
5311 Disorderly Conduct	0	0	0	0
7299 Morals - Decency	0	0	0	0
<b>TOTAL</b>	<b>27</b>	<b>16</b>	<b>11</b>	<b>0</b>

**Appendix J**

**Awaiting Trial Population in Local Jails  
May, 1989**

VIRGINIA DEPARTMENT OF CORRECTIONS  
Research and Evaluation Unit

Awaiting Trial Population in Local Jails  
May 1989

### Scope

Although recent media attention has focused on the number of felons awaiting transfer to state correctional facilities, another segment of the jail population, unconvicted defendants awaiting trial, was growing steadily. In May 1989 the awaiting trial population represented 48.0% of the total jail population in the Commonwealth. This jail population grew nearly ten percent over the last six months. Increasingly, there is an awareness that many jails would be operating beyond their rated capacity even if all convicted felons were transferred to Department facilities.

### Background

The Department of Corrections does not track individuals until they are adjudicated. Beyond aggregate figures, there is a limited amount of automated data available relating to persons in the awaiting trial status. In this brief analysis two available data systems were utilized in an attempt to highlight population characteristics and trends in those jails reporting as being over capacity in late May 1989.

- o The Population Survey of Local Correctional Facilities (Tuesday Report) provides a current and historical count of jail sub-populations.
- o The DC-J7 database developed from forms submitted by local jail administrators requesting reimbursement for confined felons provides information on the legal status of certain persons in the awaiting trial status.

### Findings

#### Overcrowded Jails

- o As of May 30, 1989, 75 of 97 local jails (77.3%) were operating above their rated capacity.
- o 37 jails (38.1%) have awaiting trial populations comprising at least half of total population (see Table 1).

- o 57 jails (58.8%) have awaiting trial populations that comprise at least 50% of operational capacity (see Tables 2 and 2-A).
- o 43 jails (44.3%) would be near, or over, operational capacity if all felons with greater than six months to serve were removed from the jails (see Tables 3 and 3-A). For example:

<u>Jail Name</u>	<u>Total Population as % of Capacity With Felons &gt; 6 Months Removed</u>
- Rappahannock	229
- Orange	214
- Suffolk	211
- Norfolk	196
- Virginia Beach	172
- Henrico	164
- Arlington	161
- Prince William	158
- Hampton	153
- Petersburg	152
- Portsmouth	125
- Chesapeake	124
- Newport News	114
- Fairfax	113
- Richmond City	107

- o 19 jails (19.6%) would be operating above operational capacity if they held only those who were awaiting trial (see Table 4). For example:

<u>Jail Name</u>	<u>Awaiting Trial as % of Capacity</u>
- Rappahannock	171
- Orange	157
- Petersburg	145
- Arlington	135
- Norfolk	131
- Virginia Beach	131
- Prince William	122
- Henrico	113
- Portsmouth	105
- Patrick	100

Annual Percentage Changes

- o Between July 1983 and May 1989, local jail sub-populations grew significantly. Growth in felons with over six months to serve out-paced both the total jail population and persons awaiting trial.

- The total jail population increased from 5,405 to 10,980. This represents a population increase of 103.1%.
- Felons with over six months to serve increased from 880 to 2,805, an increase of 218.8%.
- The awaiting trial population increased from 2,734 to 5,269, an increase of 92.7%.
- o As a relative percentage of total jail population, the awaiting trial population has changed from a high of 51% in July 1983 to a low of 44% in July 1985. In May 1989, it comprised 48.0% of the total statewide jail population.
- o Recent growth in the awaiting trial population has out-paced other local jail populations.
  - Between January 1988 and May 1989 the total jail population increased 35.1%; felons with over six months to serve increased 27.8%; and persons awaiting trial increased 71.5%.
- o Since May 1988, total jail population grew 20.6%; felons with greater than six months to serve, 13.2%; and persons awaiting trial, 27.1%.

#### Characteristics of Awaiting Trial Population

- o In June 1988, on any given day a breakdown of the awaiting trial population by offense type revealed, that:
  - 75% were held for felony charges
  - 21% were held for misdemeanor charges
  - 4% were held for local ordinance violations.
- o Approximately 95% of those awaiting trial were apparently under no other manner of legal restraint at the time of commitment to jail. The remainder were characterized as:
  - 2% probation violators
  - 3% parole violators
  - 1% juveniles certified to be tried as adults.
- o For persons with felony charges, the average number of days between commitment to jail and date of sentencing generally has been increasing. Since June 1985, the average number of days until sentencing has increased from 74 to 86 days.

- o The greatest annual increase in both the number of felony defendants and their average time spent in jail from admission to sentencing occurred between June 1985 and June 1986, when the number increased 104% (from 731 to 1492) and time to sentencing increased 24% (from 74 to 90 days).

### Conclusions

Persons held in awaiting trial status constitute the single largest group of inmates in local jails. While the awaiting trial category is increasing, the overall percentage of this group to the total jail population has not changed since 1983.

In recent years, despite annual increases and decreases, the awaiting trial population has comprised approximately 50% of the total jail population. While there is variation from jail to jail, this population comprises as much as 70% of total population in some jails.

It was found that on any given day, on average, approximately 75% of those in awaiting trial status were charged with one or more felonies. This group spends about 85 days in pre-trial status. Analysis of available data suggests that defendants are staying somewhat longer in jail prior to either release or sentencing.

The focus of the current inquiry has been to quantitatively assess changes in the awaiting trial population in terms of increases in the number of defendants detained and/or the length of time these defendants remain in jail. While underlying reasons for changes in this population remain to be explored, the combined increases in the volume of commitments to jail and increases in length of stay inevitably and systematically lead to crowded facilities.

Contributing to increases in this population may be:

- o The increase in drug related cases and a backlog in laboratory processing time.
- o Increase in pre-sentence investigation reports.
- o Increases in cases to docket and no increase in circuit court judges.
- o Increased usage of court continuances.
- o Conservative use of bonding mechanisms.



TABLE 1

**OVERCROWDED JAILS WITH AWAITING TRIAL POPULATION  
AT LEAST 50% OF TOTAL JAIL POPULATION**

<u>Jail Name</u>	<u>Percent</u>
Petersburg	81
Sussex	69
Portsmouth	68
Northampton	68
Newport News	67
Rappahannock	67
Westmoreland	64
Arlington	63
Warren	62
Stafford	62
Loudoun	61
Accomack	60
Southampton	59
Fredericksburg/Rappahannock	59
Chesterfield	59
Dinwiddie	59
Clarke	58
Prince William	57
Augusta	56
Halifax	56
Roanoke City	55
Frederick	55
Hanover	55
Carroll	54
Patrick	53
Henry	53
Fauquier	53
Norfolk	53
Gloucester	52
Danville	52
Culpeper	52
Henrico	52
Richmond City	51
Fairfax	51
Mecklenburg	51
Virginia Beach	50
Botetourt	50

Source: May 30, 1989 Tuesday Report: Population Survey of  
Local Correctional Facilities.

TABLE 2

**OVERCROWDED JAILS WITH AWAITING TRIAL POPULATION  
AT LEAST 50% OF JAIL CAPACITY  
(LARGE JAILS -- 75 OR MORE BEDS)**

<u>Jail Name</u>	<u>Operating Capacity</u>	<u>Awaiting Trial</u>	<u>% of Capacity</u>
Petersburg	130	189	145
Arlington	174	235	135
Norfolk	365	478	131
Virginia Beach	179	234	131
Prince William	193	236	122
Henrico	178	202	113
Portsmouth	230	242	105
Suffolk	88	90	102
Newport News	198	195	98
Fredericksburg/Rappahannock	92	80	87
Chesterfield	154	130	84
Fairfax	589	469	80
Chesapeake	193	144	75
Piedmont	103	71	69
Hampton	122	80	66
Roanoke City	216	140	65
Augusta	90	56	62
Richmond City	782	473	60
Alexandria	240	141	59
Danville	84	50	59
Albemarle/Charlottesville	131	65	50

Source: May 30, 1989 Tuesday Report: Population Survey of Local Correctional Facilities.

TABLE 2-A

**OVERCROWDED JAILS WITH AWAITING TRIAL POPULATION  
AT LEAST 50% OF JAIL CAPACITY  
(SMALL JAILS -- LESS THAN 75 BEDS)**

<u>Jail Name</u>	<u>Operating Capacity</u>	<u>Awaiting Trial</u>	<u>% of Capacity</u>
Rappahannock	7	12	171
Northampton	17	27	159
Orange	7	11	157
Hanover	40	53	133
Southampton	32	41	128
Sussex	28	33	118
Westmoreland	8	9	113
Carroll	17	19	112
Frederick	42	47	112
Clarke	10	11	110
Patrick	8	8	100
Culpeper	31	29	94
Dinwiddie	32	30	94
Loudoun	63	59	94
Stafford	40	37	93
Warren	32	28	88
Fauquier	43	36	84
Halifax	36	30	83
Accomack	46	35	76
Mid Peninsula	32	30	72
Wythe	14	10	71
Grayson	10	7	70
Caroline	24	16	67
Lynchburg	64	33	67
Henry	52	33	63
Martinsville	18	11	61
Botetourt	32	19	59
Bedford	36	21	58
Nelson	7	4	57
Rockingham	61	35	57
Amherst	20	11	55
Gloucester	20	11	55
Mecklenburg	68	37	54
Appomattox	12	6	50
Giles	14	7	50
Louisa	20	10	50

Source: May 30, 1989 Tuesday Report: Population Survey of Local Correctional Facilities.

**TABLE 3**  
**OVERCROWDED JAILS OVER CAPACITY AFTER FELONS OVER SIX MONTHS REMOVED**  
**(LARGE JAILS -- 75 OR MORE BEDS)**

<u>Jail Name</u>	<u>Operating Capacity</u>	<u>Awaiting Trial</u>	<u>Felons Over Six Months</u>	<u>Population/ Capacity</u>
Suffolk	88	90	41	211
Norfolk	365	478	191	196
Virginia Beach	179	234	159	172
Henrico	178	202	99	164
Arlington	174	235	93	161
Prince William	193	236	106	158
Hampton	122	80	75	153
Petersburg	130	189	35	152
Chesapeake	193	144	91	124
Portsmouth	230	242	68	124
Chesterfield	154	130	42	116
Newport News	198	195	63	114
Fairfax	589	469	261	113
Piedmont	103	71	38	109
Richmond City	782	473	83	107
Albemarle/Charlottesville	131	65	35	106
Fredericksburg/Rappahannock	92	80	40	103

Note: Population/Capacity represents the percent of overcapacity remaining after felons over six months are removed from the Population figure.

Source: May 30, 1989 Tuesday Report: Population Survey of Local Correctional Facilities.

TABLE 3-A  
 OVERCROWDED JAILS OVER CAPACITY AFTER FELONS OVER SIX MONTHS REMOVED  
 (SMALL JAILS -- LESS THAN 75 BEDS)

<u>Jail Name</u>	<u>Operating Capacity</u>	<u>Awaiting Trial</u>	<u>Felons Over Six Months</u>	<u>Population/ Capacity</u>
Rappahannock	7	12	2	229
Orange	7	11	10	214
Hanover	40	53	20	190
Northampton	17	27	8	188
Patrick	8	8	2	163
Southampton	32	41	19	156
Carroll	17	19	9	153
Wythe	14	10	7	150
Lynchburg	64	43	33	136
Frederick	42	47	28	136
Sussex	28	33	11	132
Mid Peninsula	32	23	14	128
Loudoun	63	59	17	127
Fauquier	43	36	14	126
Warren	32	28	5	125
Westmoreland	8	9	4	125
Culpeper	31	29	18	123
Newport News Farm	120	0	18	122
Clarke	10	11	7	120
Stafford	40	37	12	120
Dinwiddie	32	30	13	119
Radford	8	3	3	113
Halifax	36	30	14	111
Williamsburg	46	24	11	109
Accomack	46	35	10	104
Petersburg Farm	65	27	75	103

Note: Population/Capacity represents the percent of overcapacity remaining after felons over six months are removed from the Population figure.

Source: May 30, 1989 Tuesday Report: Population Survey of Local Correctional Facilities.

**TABLE 4**  
**OVERCROWDED JAILS WHERE AWAITING TRIAL IS OVER CAPACITY**

<u>Jail Name</u>	<u>Operating Capacity</u>	<u>Total Population</u>	<u>Awaiting Trial</u>	<u>Awaiting Trial as % of Capacity</u>
Rappahannock	7	18	12	171
Northampton	17	40	27	158
Orange	7	25	10	157
Petersburg	130	233	189	145
Arlington	174	373	235	135
Hanover	40	96	53	133
Norfolk	365	907	478	131
Virginia Beach	179	467	234	131
Southampton	32	69	41	128
Prince William	193	411	236	122
Sussex	28	48	33	118
Henrico	178	391	202	113
Westmoreland	8	14	9	113
Carroll	17	35	19	112
Frederick	42	85	47	112
Clarke	10	19	11	110
Portsmouth	230	355	242	105
Suffolk	88	227	90	102
Patrick	8	15	8	100

Source: May 30, 1989 Tuesday Report: Population Survey of Local Correctional Facilities.

June 14, 1989