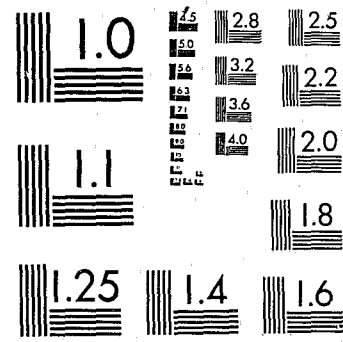


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12/01/81

ANNUAL REPORT ON CRIME AND THE JUSTICE SYSTEM IN VIRGINIA

77124
42121

Council on Criminal Justice
Division of Justice and Crime Prevention

ANNUAL REPORT
ON
X CRIME AND THE JUSTICE SYSTEM IN VIRGINIA X

77124
U.S. Department of Justice
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Commonwealth of Virginia
Council on Criminal Justice
Division of Justice and Crime Prevention
December, 1980

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INTRODUCTION

This report is intended to serve as a resource for the Executive, Legislative, and Judicial branches of State and local government in coping with the complex problems of crime, delinquency, and increasing the effectiveness of the justice system.

The report contains three major sections:

- Assessment of crime and justice
- System efforts, impacts, gaps, and problems
- Suggested solutions to be implemented over a three-year period (1981-1983) to help alleviate the problems identified

Sections two and three of the report are presented by category, including:

- Crime prevention
- Law enforcement
- Adjudication
- Adult corrections
- Juvenile justice and delinquency prevention
- Domestic violence
- Substance abuse

Much of the material in this report is based upon the products of State and local criminal and juvenile justice planning in the Commonwealth. These include the products of:

- The Department of Corrections
- The Department of Mental Health and Mental Retardation, Division of Substance Abuse
- The Office of the Executive Secretary of the Supreme Court
- The Department of State Police
- Planning district commissions
- Individual localities

ASSESSMENT OF
CRIME AND JUSTICE

ASSESSMENT OF CRIME AND JUSTICE

CRIME TRENDS

It has been shown (Anderson, 1976) that much of the increase in crime experienced by Virginia and the nation during the 1960's and early 1970's can be explained by the increasing number of persons during those years who were in that age segment of the population most prone to commit crime. Each age group has its own arrest rate. If we couple these rates with our quite accurate ability to project the population in each age group, we have the basis upon which to build crime forecasts (Anderson, 1977).

Changes in Virginia crime rates from year to year have been found to correlate quite highly with U.S. crime rates. Also, U.S. crime rates from year to year correlate quite highly with U.S. arrest rates. Therefore, we may assume with some confidence that trends in Virginia arrest rates will closely parallel those experienced nationally. U.S. crime rates for various age groups derived from U.S. arrest rates for these same age groups are shown in Figure 1. Note the steep rate of increase in the crime rate of whites 15-19 and 20-29 years old.

The projected slope or rate of change for each of the U.S. age group crime rates is next used to project Virginia age group crime rates. U.S. rates from Figure 1 are used because many more years of data support those projections than are available with Virginia data. Virginia crime rate projections are shown in Figure 2. Note that in spite of generally increasing crime rates among the crime-prone age groups, the total crime rate is projected to remain essentially steady. This is because the percent of the total population to be found in these age groups declines commencing about 1980. Although the total crime rate may be steady, Virginia's population is growing faster than the U.S. as a whole. Figure 3 shows the projected increase in index crimes which is based upon the population projections shown in Figure 4.

Although Virginia ranks 13th among the states in population, Virginia ranked 33rd in 1978 in crime rate, with a rate of 4,073 index crimes per 100,000 population. The crime rate is considerably lower than this in most jurisdictions. Figure 5 shows the distribution of crime among localities. Note that a high percentage of total index crime occurs in approximately twenty localities.

FIGURE 1
UNITED STATES CRIME RATES

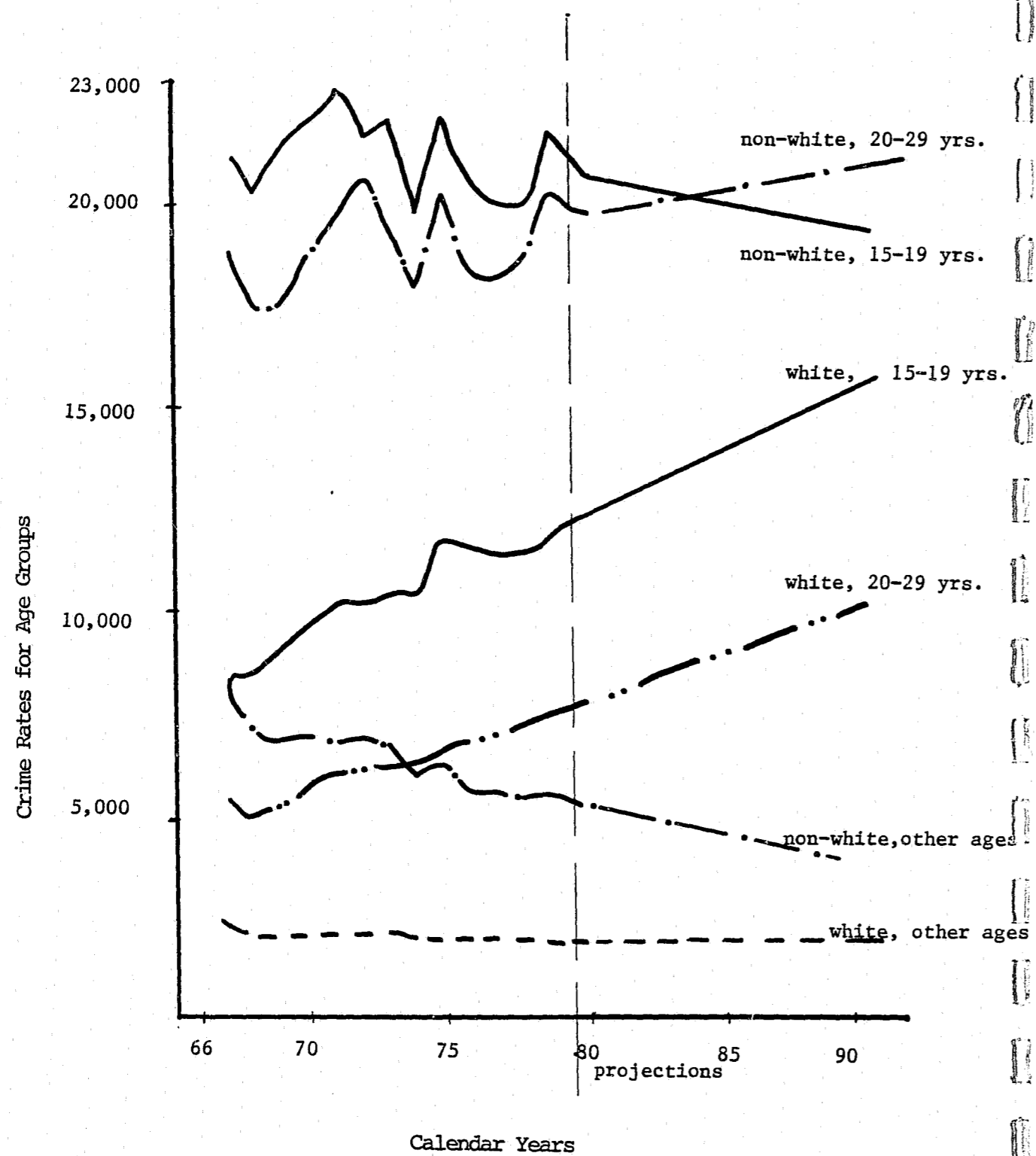


FIGURE 2
VIRGINIA CRIME RATE PROJECTIONS

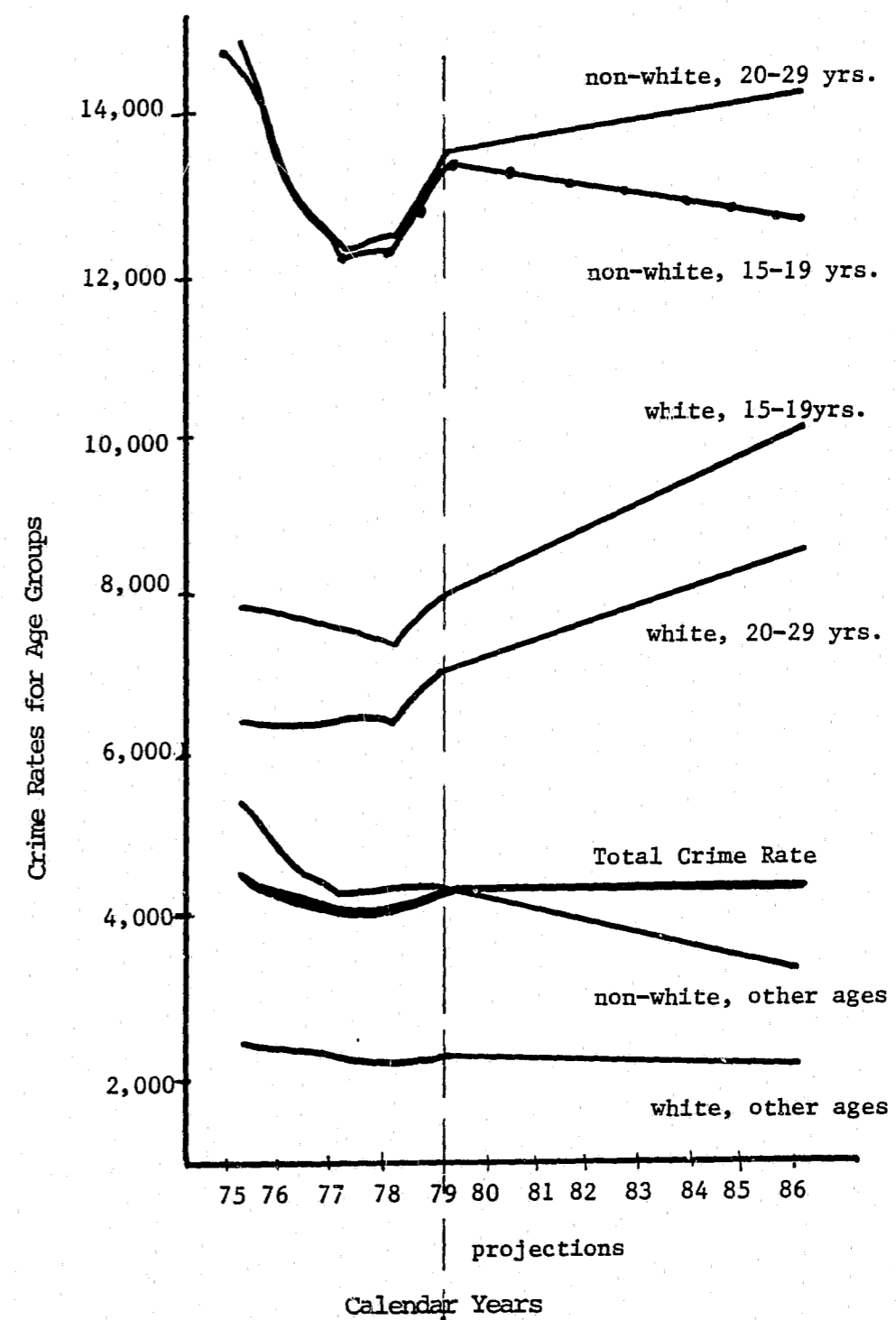


FIGURE 3
VIRGINIA INDEX CRIME PROJECTIONS

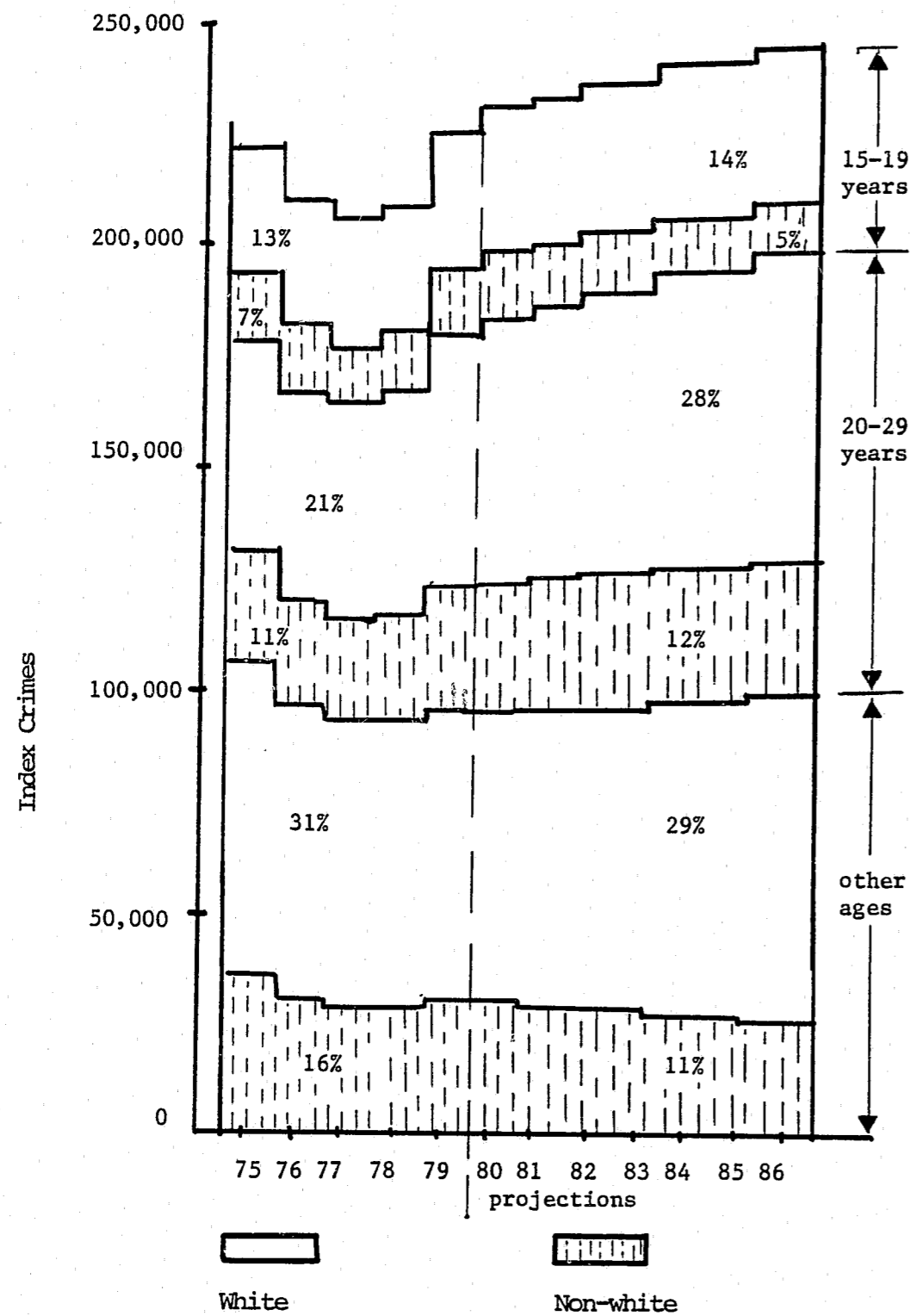


FIGURE 4
VIRGINIA POPULATION PROJECTIONS

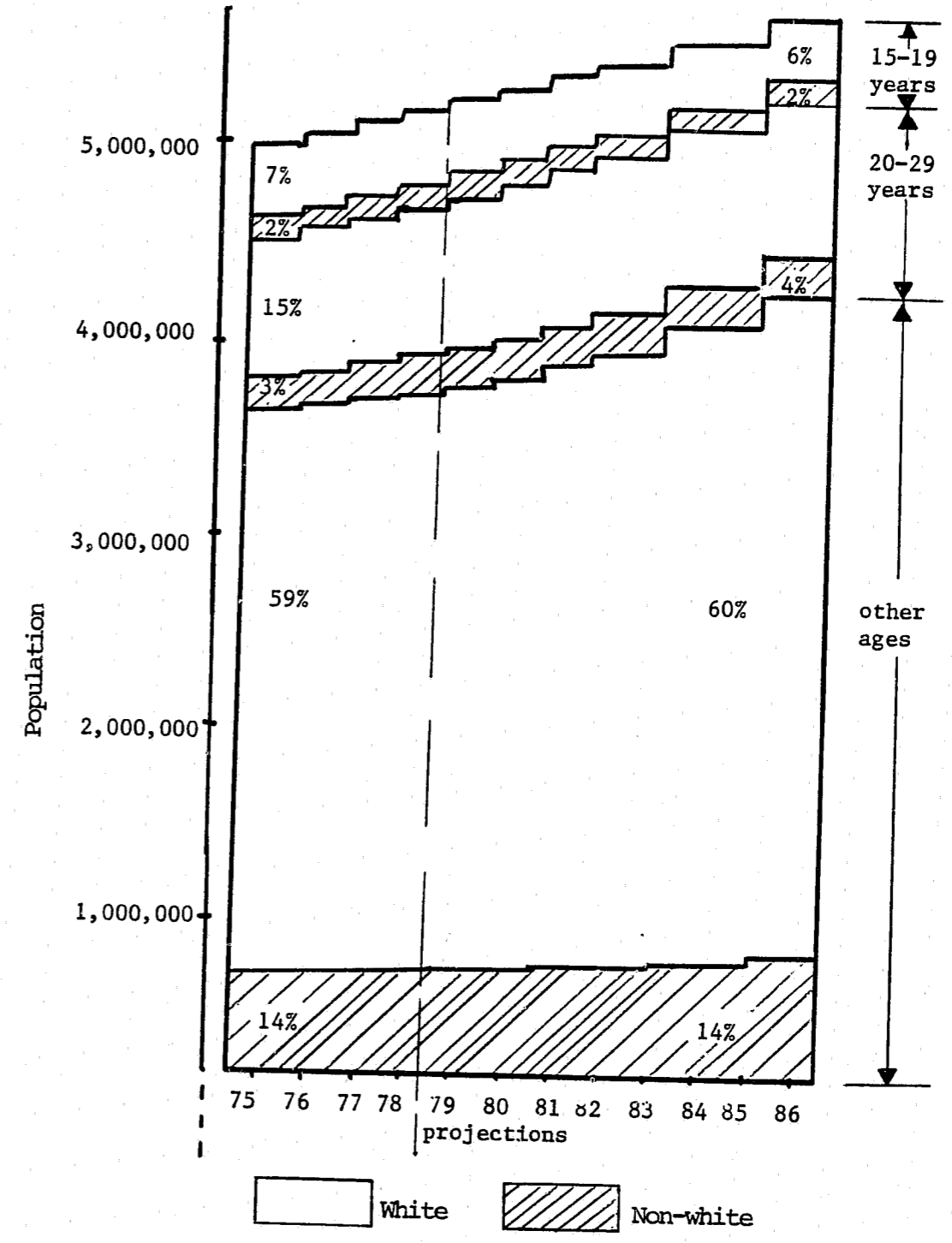
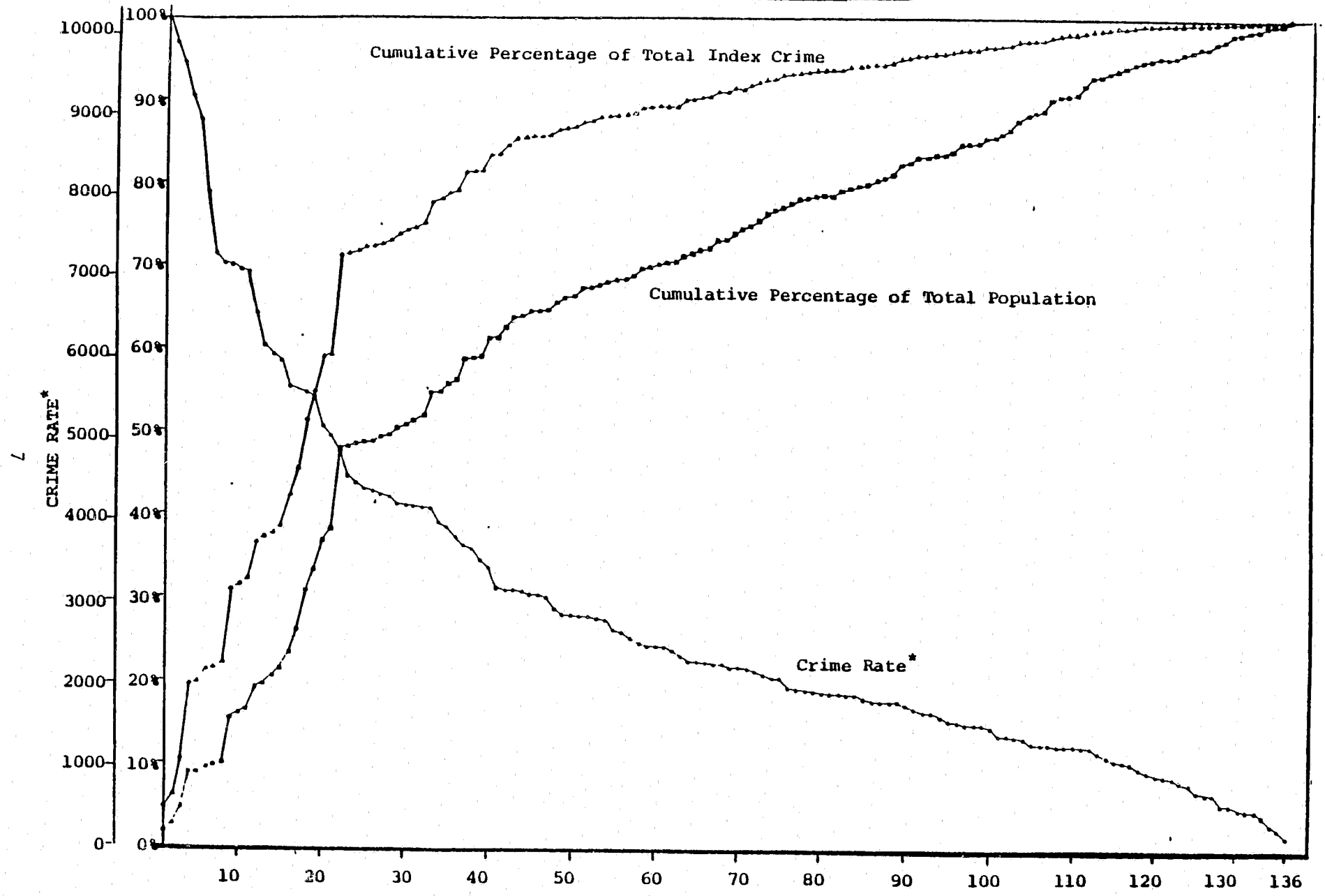


FIGURE 5
 DISTRIBUTION OF CRIME IN VIRGINIA, 1979



JURISDICTIONS IN DESCENDING ORDER OF CRIME RATE*

(All data is taken from "Crime in Virginia: 1979", Department of State Police)

*CRIME RATE - The number of index offenses reported per 100,000 population.

OFFENDER PROCESSING

Not all crime is reported to law enforcement officers. Of that crime which is reported, not all is accepted as crime. Arrests result for only a small percent of reported crimes. Trials resulting in guilty pleas or verdicts of guilt are but a small percent of charges upon arrest. An assessment of crime and justice based upon data aggregated for twelve large Virginia localities* follows. These localities are not representative of most localities. Nevertheless, 45% of the Commonwealth's population in 1977 resided in these localities and reported 65% of the major offenses reported in the State (murder and non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny, and motor vehicle theft).

Sources of Data

No single source of data accounts for crime, crime reporting, and criminal and juvenile justice process in Virginia localities. Calendar year 1977 is the latest year in which all applicable data are available.

To determine the amount of unreported crime, the assumption is made that national percentages of total victimizations which are not reported to law enforcement as determined in the annual National Crime Surveys of the U.S. Bureau of the Census are generally applicable to Virginia. Some of the crime categories in the National Crime Surveys are not comparable to crimes as defined in Uniform Crime Reporting (UCR). However, the crimes of robbery, burglary, and larceny, which comprised 89% of reported major offenses in Virginia in 1977, are sufficiently comparable to permit National Crime Survey data to be utilized in conjunction with UCR data to estimate the total amount of these crimes which were unreported.

Data covering all adult arrests for felonies and Class 1 and 2 misdemeanors and the resulting dispositions on the charges are products of the reports to the Central Criminal Records Exchange (CCRE) of the Department of State Police. These reports are required of law enforcement agencies and clerks of the courts by Section 19.2-390 Code of Virginia (1950), as amended. These data, with identifiers either removed or altered, are furnished to the Division of Justice and Crime Prevention (DJCP) for analysis by its Statistical Analysis Center.

Juvenile arrest data are gathered and reported by the Uniform Crime Reporting Section of the Department of State Police. For the years 1970 through 1974, data were collected from all courts of the Commonwealth by the DJCP. From these data, annual disposition rates for various crimes were obtained. Disposition rates of juveniles in juvenile and domestic relations district courts for the years 1970 through 1974 are assumed to be essentially unchanged in 1977.

*Localities are the Cities of Alexandria, Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Richmond, Virginia Beach, and the Counties of Chesterfield, Fairfax, Henrico, and Prince William.

Assessment of Crime and Justice

Figure 6 summarizes crime and delinquency in twelve large localities* with respect to the crimes of robbery, burglary, and larceny and the outcomes of arrests on charges therefore.

Calculation of the values in Figure 6 is complex and is not described in detail here. However, since the ESTIMATED NUMBER OF CRIMES is so much larger than numbers based solely on UCR, a detailed explanation of this estimate is provided in Appendix 1. This estimate is conservative as there are no means to account for crimes that are reported but do not enter Uniform Crime Reporting.

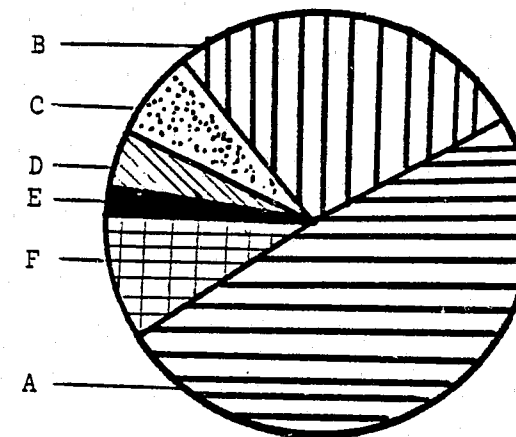
The quantity, CRIMES NOT REPORTED, slice A in Figure 6, is the estimated number of crimes minus the total reported crimes from UCR for the 12 localities. The quantity, NO ONE CHARGED FOR CRIME, slice B, is total UCR reported crime, minus arrests reported to CCRE and UCR arrests of juveniles adjusted for those diverted by law enforcement after arrest.

The quantities, CHARGES NOT PROSECUTED, ACQUITTAL OF CHARGE OR DISMISSAL, GUILTY OF CHARGE: NOT INCAR, AND INCARCERATED, slices C, D, E, and F, respectively, are from the adult transaction statistics reported to the CCRE, plus the approximation of juvenile transactions obtained by applying average disposition rates for juveniles for years 1970 through 1975 computed from the DJCP Court Data Base against adjusted 1977 UCR juvenile arrests.

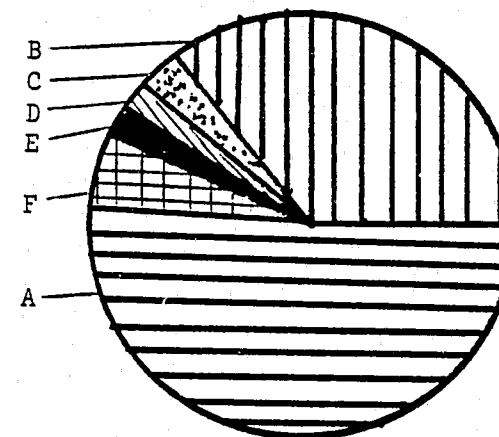
Because of problems in mixing data from several sources and applying each of the described assumptions, we must consider Figure 6 as only a close approximation of the situation in large Virginia localities.

*Localities are the Cities of Alexandria, Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Richmond, Virginia Beach, and the Counties of Chesterfield, Fairfax, Henrico, and Prince William.

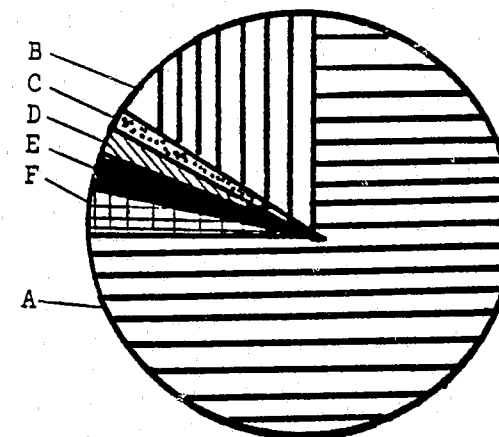
FIGURE 6
CRIME, DELINQUENCY, AND THE PROCESSING OF CRIMES AND
CHARGES THEREFORE IN TWELVE LARGE VIRGINIA LOCALITIES



<u>ROBBERY</u>		
	Estimated Number of Crimes	100.0%
A. Crimes not reported.....	2,833	44.5%
B. No one charged for crime..	2,022	31.8%
C. Charges not prosecuted....	439	6.9%
D. Acquittal or dismissal....	300	4.7%
E. Guilty/not incarcerated...	107	1.7%
F. Guilty/incarcerated.....	665	10.4%



<u>BURGLARY</u>		
	Estimated Number of Crimes	100.0%
A. Crimes not reported.....	32,414	51.2%
B. No one charged for crime..	25,096	39.6%
C. Charges not prosecuted....	1,769	2.8%
D. Acquittal or dismissal....	935	1.5%
E. Guilty/not incarcerated...	792	1.3%
F. Guilty/incarcerated.....	2,303	3.6%



<u>LARCENY</u>		
	Estimated Number of Crimes	100.0%
A. Crimes not reported.....	234,666	75.0%
B. No one charged for crime..	65,227	20.8%
C. Charges not prosecuted....	2,980	1.0%
D. Acquittal or dismissal....	2,133	.7%
E. Guilty/not incarcerated...	4,215	1.3%
F. Guilty/incarcerated.....	3,667	1.2%

Why is so much crime not reported?

There are many reasons why the public (victim and/or witnesses) fails to report or why law enforcement does not record all of the crimes of which it is made aware. Reasons why the public may fail to report crime include:

- Disinclination to invoke the law
- Class and individual tolerance of deviance
- Fear of: loss of pay, harassment in courtroom, or retaliation
- Communication barriers between segments of the public and agencies of criminal justice
- Awareness by victim of having played a role in precipitating the crime
- Lack of victim compensation or remediation
- Previous, but as yet disclosed, experience as an offender
- Victim's perception of low probability of adequate or just retribution

According to National Crime Survey reports, crimes involving strangers are reported more than those involving non-strangers and the percent of victimizations reported to law enforcement increases with the age of the victim, the value of the loss, or degree of injury, and annual family income.

The NCR reports the percent distribution of a set of reasons for not reporting victimizations to law enforcement. Two of these reasons account for just over one-half of non-reporting in most circumstances: 1) nothing could be done--lack of proof and 2) not important enough. The reasons private/personal matter and reported to someone else do well in crimes of violence. Too inconvenient or time consuming and fear of reprisal account for only small percentages of non-reporting.

Reasons why law enforcement officers and/or agencies do not accept many reported incidents as crimes include:

- Doubts of victim legitimacy
- Style of policing as affected by social, political, cultural, and demographic context; e.g., emphasis on order maintenance over that of law enforcement
- Informal methods of controlling juveniles
- Inadequate record keeping processes
- Individual discretion

- Acceleration of "unfoundings" with high caseloads
- Feedback of behavior at adjudicative and custodial levels of the system upon police behavior

Certain segments of the population are more likely to become victims than others. In many instances these are the segments identified as less apt to report the victimization when it happens. Rates of victimizations also vary with type of locality. The following information, based upon the 1977 National Crime Survey Report, Criminal Victimization in the United States, describes segments of the population more likely and less likely to become victims of violent crime and crimes of theft, and how victimization rates vary among types of localities.

Victims of Violent Crime

Rates are for the United States and, unless otherwise indicated, are per 1,000 population of age 12 and over.

- Males are more than twice as likely to be victims as are females (46/22).
- Males age 16-19 have highest rate (92) of any male age grouping. The same is true for females age 16-19 (44).
- Blacks have higher victimization rates than whites (male: B57/W45, female: B29/W22).
- Persons from families with low annual income have much higher victimization rates (less than \$3,000, 54.0; \$25,000 or more, 28.4).
- Rates generally increase with increased level of educational attainment. (ages 25 and over) (low of 12.4 for 8 years elementary to high of 30.2 for 1-3 years of college, declining to 24.3 for 4 or more years of college)
- Laborers, service workers, armed forces personnel, and operatives constitute occupational groups with highest rates (44.6-59.0) as compared to professional, technical, management, sales, and clerical groups (25.0-35.9) (persons age 16 and over).

Type of Locality

Type of Locality	Rate
Metropolitan areas	
Core city greater than 250,000	47.5
Core city 50,000 to 249,999	41.4
Suburban (core city greater than 250,000)	32.8
Suburban (core city 50,000 to 249,999)	29.5
Non-metropolitan areas	22.1

Victims of Crimes of Theft

Rates are for the United States and, unless otherwise indicated, are per 1,000 population of age 12 and over.

- Males are more apt to be victims than females (M108/F88).
- Among white males, the highest rate is for age 20-24 (182.0), while among black males the highest rate is for ages 25-34 (138.5).
- Among females, ages 15-19 have the highest rate (W142.1/B113.1).
- Victimization rates increase dramatically with increased family income (over \$25,000-129.3), although the very poor (less than \$3,000) have somewhat higher rates (92.3) than those with slightly better income (79.2).
- Rates increase rapidly with level of educational attainment (persons age 25 and over) (0-4 years elementary 32.3; 1-3 years high school 60.1; 4 or more years college 114.1).
- Professional, technical, and armed forces personnel have high rates (127-149.9) compared with farm laborers, private household workers, and operatives (70.7-95.2).
- Metropolitan localities, whether core city or suburban are higher (93.7-116.0) than non-metropolitan areas (70.9).

JUVENILES, DELINQUENCY, AND THE JUVENILE JUSTICE SYSTEM IN VIRGINIA

OVERVIEW:

The juvenile justice system in Virginia consists of the procedures and institutions which are utilized to deal with juvenile offenders. The law which is the basis for dealing with juveniles provides for organized methods of handling them. This law is based upon the concept that in all proceedings the paramount concern of the State is the welfare of the child and the family. The law provides considerable latitude and special consideration for juveniles who get involved in the juvenile justice system. The result is a system which is aimed at meeting the unique needs of youth and preventing further delinquent behavior. It is, therefore, necessary when describing the juvenile justice system to view it along two routes. One route is the system of formal official processing and the other is a somewhat informal system of processing which is guided by the concept of diverting youth from the system at the point where most benefit is received and where both the youth and the public have the most to gain.

Diversion refers to any alternative given to a youthful offender which will take him out of the formal official processing route. It may be done at any step in the route before or after the official processing commences. Police or court intake workers may divert youth through release to parents or guardians, referral to other service delivery agencies, or any other option which might be available in order to prevent filing a petition. Even after a petition is filed, there are ways by which a youth can be diverted from further official penetration into the juvenile justice system.

The other route is the official route in which a petition is filed and a youth enters the juvenile justice system to be processed according to a set of established legal procedures especially developed to handle youth and designed to provide the due process safeguards to which everyone is entitled. Under the system the individual has the right not to be diverted and may insist on coming into the formal system if he or she so chooses.

There is much concern over the extent of youth involvement in crime and delinquency, yet there are no valid figures of the numbers of offenses committed by juveniles. Many offenses committed by juveniles go undetected or unreported just as is the case with offenses committed by adults. The best gauge of delinquency presently available is juvenile arrest statistics.

According to the Department of Planning and Budget "Projected Populations, 1979," persons under 18 years of age represented 28% of Virginia's population in 1979 (1,458,403 of 5,248,545). According to the Department of State Police publication, Uniform Crime Report - Crime in Virginia, 1979, 13.5% of the total arrests were persons under the age of 18 (38,659 of 285,858).

TOTAL ARRESTS OF JUVENILES
FY 1979

Subtotal of Part I Offenses: 14,636
Subtotal of Part II Offenses: 24,023
Total Arrests 38,659

Source: Uniform Crime Report - Crime in Virginia, 1979,
Virginia Department of State Police

Part I Offenses, as defined by the Federal Bureau of Investigation, fall into seven categories: murder/manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny, and motor vehicle theft.

Part II Offenses include all other offenses not identified as Part I offenses.

POLICE DISPOSITIONS OF JUVENILES ARRESTED
FY 1979

Handled within Department and Released to Parents	10,260
Referred to Juvenile Court	25,966
Referred to Welfare Agencies	278
Referred to Other Police Agencies	329
Referred to Adult Criminal Court	51
Total Dispositions	36,884

Source: Uniform Crime Report - Crime In Virginia, 1979,
Virginia Department of State Police

Note: The discrepancy between the total number of arrests and police dispositions is attributed to inconsistencies in agency reporting procedures.

Police have a unique role in the juvenile justice system. When a youth comes into contact with the system the police officer is usually the first representative of the system the youth faces. The officer, at this first encounter, has considerable discretion in most cases and can decide to direct the juvenile offender toward an alternative to the formal system, usually diverting him to his home. The actions of police can have a significant impact upon both the formal and informal (diversion) processing in the juvenile justice system.

The juvenile and domestic relations district court is the formal adjudication module of the juvenile justice system. Juveniles come into contact with this segment of the juvenile justice system via referral to an intake department of a court service unit. Parents or guardians, school officials, police, social service workers, probation officers, and private citizens may initiate a formal complaint against a juvenile by filing a complaint with a juvenile intake officer in one of Virginia's thirty-two court service units.

The primary responsibility of intake service staff is to screen all complaints referred to it to decide whether or not a petition should be filed. If an intake officer decides that formal court processing of a youth is not in the best interests of the community, the youth may be diverted. Those cases not diverted could result in the filing of a formal petition. The filing of a petition does not negate diversion, since a judge of a juvenile and domestic relations court may divert a case, if he or she so chooses.

The most recent data available reveal that if a complaint results in the filing of a petition, the alleged offender is most likely to be released to the custody of his/her parents while awaiting a formal court hearing.

If it is decided that an alleged offender needs to be retained in custody until the preliminary court hearing, a detention order must first be issued by a judge, clerk, deputy clerk, or in special cases, other court personnel with delegated judicial authority. Delinquent youths may then be legally detained in secure juvenile detention facilities or in non-secure facilities.

If a high degree of security is needed, or if all other placement alternatives are exhausted, a delinquent youth may be detained in jail, provided that he or she is at least 15 years of age and entirely separated from confined adults in the same facility.

The next stage of the system is the formal juvenile court hearing. Most cases that appear in court have been processed through intake services but a few have not. After the preliminary hearing a few cases are dismissed, withdrawn, or nolle prossed, but most return to the juvenile court for adjudication of the charge(s). Those found innocent then exit the system and those found "not innocent" must return for sentencing or disposition.

Juvenile courts have a wide range of dispositions, ranging from continuing a case with supervision to commitment to the State Board of Corrections, or to a local jail. Within this range, dispositional alternatives available to the courts include placement with, or treatment from a community residential facility, a private facility, or other youth serving treatment programs. Youths may also stay within the community and be referred to local resources, and/or counseled directly by probation officers.

If a commitment is made to the State Board of Corrections, the delinquent offender is sent to the Reception and Diagnostic Center in Richmond where diagnostic testing is conducted for placement and treatment purposes. Placement is then made in a learning center, a State operated group home, a boarding home, or a specialized residential program.

Juvenile Court Processing

The two components of juvenile court processing, intake and hearing, will be addressed separately. The reason for this is to emphasize two key decision points between the time a complaint is registered and the formal court disposition.

Unless otherwise noted, all data presented are from the Virginia Department of Corrections, which operates the Virginia Juvenile Justice Information System and the Direct Care Information System.

Juvenile Court Intake

Court intake serves as a screening mechanism to reduce the number of inappropriate cases on juvenile court dockets. In fiscal year 1979, 83,136 cases (defining a case as a child) were handled by court intake services. Approximately 27% of all juvenile cases processed through court intake were diverted from formal court hearings. When a decision is made to hold an adjudicatory hearing, as happened in 73% of the cases, a juvenile is most likely to be released to the custody of his/her parents. However, if it is decided that an alleged offender needs to be retained in custody until the formal court hearing, she or he may be held in special detention facilities, or in some instances, if the need for security is high enough, she or he may be detained in jail, providing that she or he is at least 15 years of age and separated entirely from confined adults by sight and sound. In fiscal year 1979, 3,951 juveniles were detained in local jail facilities.

Secure Detention

During fiscal year 1979, 9,594 juveniles were placed in secure detention facilities. Children in need of services accounted for 17% of these youths, and alleged delinquent offenders made up the remaining 83%. Based on fiscal year 1979 data, the average number of days in detention per child was 15.6 days statewide. The shortest average stay was 9.2 days at Roanoke Detention Home, and the longest average stay was 21.4 days at Richmond Detention Home.

Less Secure Detention

During the same fiscal year, 627 children were housed in less secure detention facilities. Of this total, 35.6% were children in need of services and 64.4% were alleged delinquent offenders.

Crisis Intervention Centers

During fiscal year 1979, 1,836 youths were housed in locally operated crisis centers in Virginia. Children in need of services accounted for 34.8% of this total. The remaining 65.2% of youth were charged with delinquent offenses.

Outreach Detention Supervision

Several of Virginia's regionally operated secure detention facilities offer outreach counseling services. During fiscal year 1979, 1,088 youth received this service. The majority of youth receiving this service were alleged delinquent offenders (70.8%). The remaining 29.2% were alleged non-delinquent offenders.

Court Dispositions

In fiscal year 1979, juvenile and domestic relations district court hearings were held for 61,978 youths involving 71,168 complaints. Over 22% (15,851) of the complaints were dismissed, and 1.4% (1,027) were disposed of with mild sanction. Probation accounted for 10.3% (7,356) of the dispositions, while unsupervised probation comprised 4.6% (3,268) of the dispositions. There were 927 complaints (1.3%) deemed serious enough to be certified to a circuit court for processing as an adult.

Institutionalization is another alternative in court imposed sentencing. In fiscal year 1979, in Virginia, 1.6% (1,127) of the court dispositions resulted in a jail sentence. An additional 1.8% (1,291) of the dispositions were suspended jail sentences.

Over 3% (2,184) of the complaints resulted in commitment to the State Board of Corrections. Of these commitments, 1.8% (1,306) were placed in State learning centers and group homes. Learning centers are administered by the Department of Corrections, and their purpose is to provide educational and vocational training for delinquent youth while they receive rehabilitative treatment. Suspended commitments to the State Board of Corrections comprised 2.1% (1,475) of the complaints.

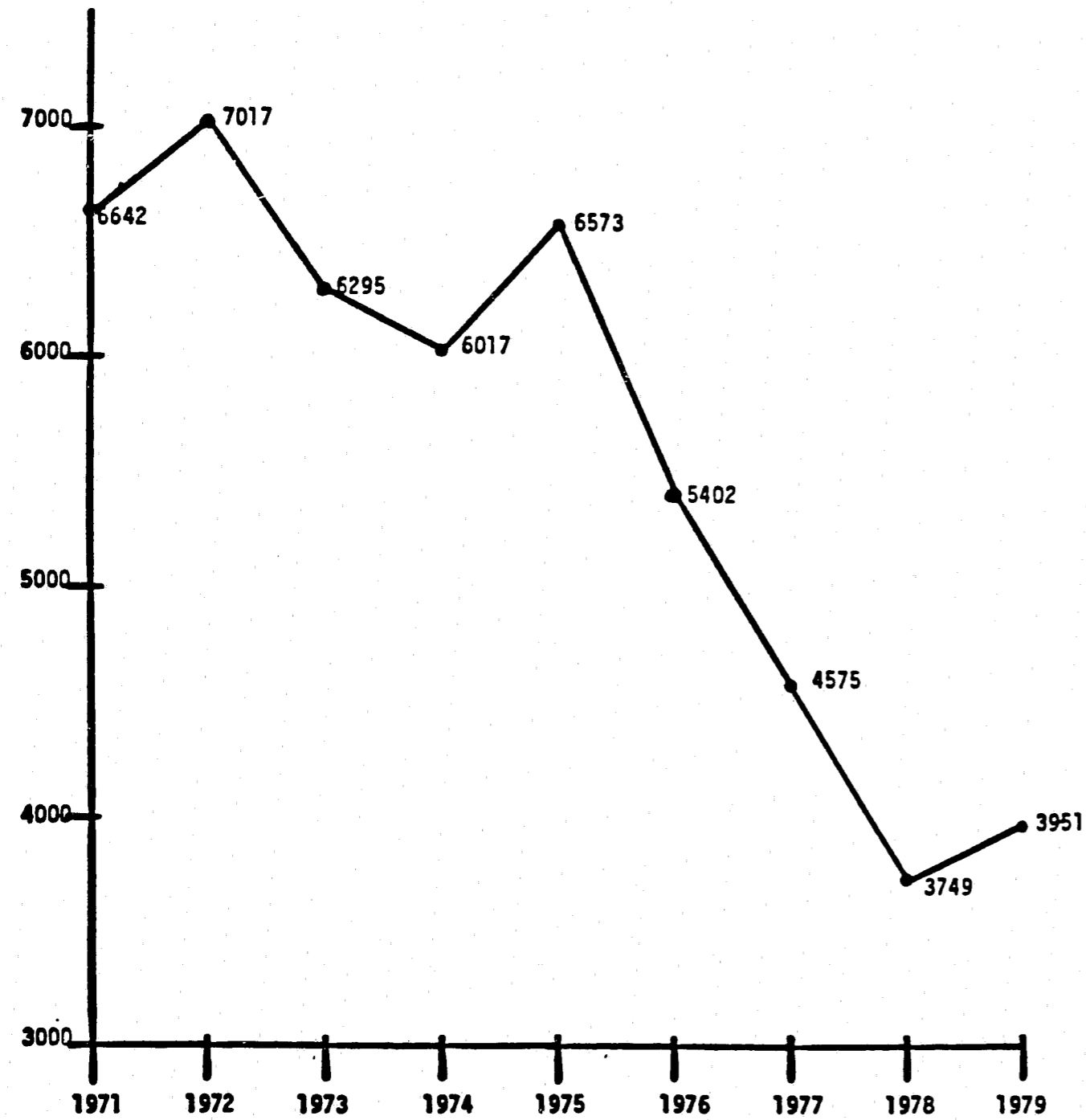
All other types of dispositions account for just over 51% (3,649) of the complaints heard by the juvenile and domestic relations district courts.

In most cases after youth are released from these placements, the court service unit or the local social service department in the jurisdiction where commitment was ordered resumes counseling contact with them in the community. Assuming a successful adjustment back into society, aftercare counseling ceases and contact with the juvenile justice system ends.

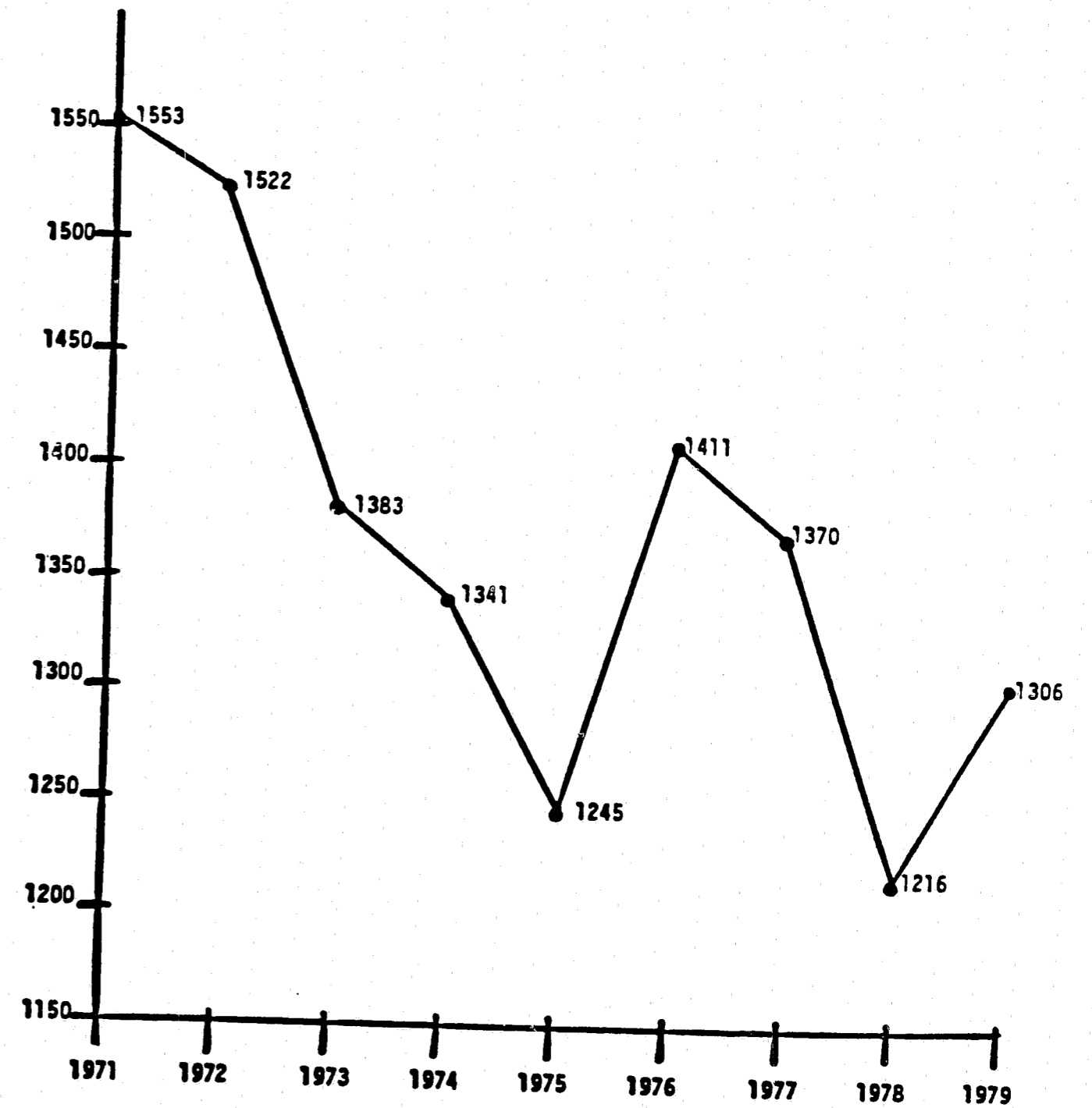
Costs

In conclusion, the cost of processing juvenile offenders should be noted. According to the Department of Corrections, Division of Community and Prevention Services, \$9,329,785 was spent on the State operated court service units alone in fiscal year 1979. Reimbursements to localities totaled \$2,707,555 for locally operated court service units, and it is estimated that these localities spent approximately \$3.2 million of their own monies. The costs to the juvenile justice system for court service units in Virginia for fiscal year 1979 can be expected to total \$15.2 million. While this monetary expenditure may seem astounding, the cost in terms of human tragedy cannot be assessed.

Juvenile Commitments to Jails in Virginia
Fiscal Years 1971 - 1979



Juvenile Commitments to Learning Centers in Virginia
Fiscal Years 1971 - 1979



SYSTEM EFFORTS, IMPACTS, GAPS,
AND PROBLEMS

SYSTEM EFFORTS, IMPACTS, GAPS, AND PROBLEMS

CRIME PREVENTION

EXISTING EFFORTS AND RESOURCES:

The concept of hardening targets to reduce opportunities for crime has gained recent recognition as a viable crime control strategy. A decade ago, only a handful of law enforcement agencies across Virginia and the nation, and even fewer citizens' groups grasped the significance of target hardening as a method for preventing crime. For the most part, citizens believed that crime deterrence was the responsibility of their local and State law enforcement agencies. The law enforcement community accepted this premise, and relied on traditional means to prevent crime. Now the view has changed to one wherein law enforcement and citizens must share in the responsibility for controlling crime, and traditional strategies such as preventive patrol are regarded as only marginally successful in preventing crime.

During the last five or six years, twenty-four local law enforcement agencies in Virginia have created full-time specialized units to promote crime prevention in their localities. Other law enforcement agencies attempt to satisfy citizens' requests for crime prevention programs, but due apparently to insufficient resources, respond only on an as needed basis. In addition to the twenty-four law enforcement agencies that have specialized full-time crime prevention units, there are a number of citizens' groups throughout the State that are actively involved in crime prevention. It is difficult to assess the number of citizens actively involved in crime prevention programs because these programs often involve no more than civic associations conducting neighborhood watches or block security programs. There are, however, some larger efforts throughout the State and, in some instances, these efforts are jurisdiction-wide with comprehensive programs, both in the number of people they serve and the interests they represent. In most instances, the larger community-based crime prevention programs are located within the twenty-four jurisdictions that have full-time crime prevention efforts in their law enforcement agencies.

The types of programs that both law enforcement and citizens' groups involve themselves in are similar in most localities. For instance, most departments that have full-time crime prevention units and most citizens' groups active in crime prevention stress neighborhood watch, block security programs, operation identification, security surveys of homes and businesses, public awareness programs, media campaigns, burglary prevention, larceny prevention, and safety programs for women in regard to rapes and sexual assaults. The emphasis in crime prevention strategies varies according to the frequency and severity of the crime problems in each area.

The Virginia Crime Prevention Association supports and complements the efforts of law enforcement and community groups engaged in crime prevention programs. The Association was formed in 1978, and one of its stated purposes is "to promote crime prevention/resistance on a statewide basis in order to increase citizen and law enforcement involvement in the reduction of criminal opportunity". The Association

currently has 160 members representing law enforcement, community, business, and civic groups, as well as other non-criminal justice governmental agencies such as the Virginia Office of Aging, Virginia Tech Extension Division, and others. The Association has attempted to provide training to groups and agencies in Virginia which are involved in crime prevention programs. In many instances, this is the only crime prevention training available to citizens' groups and law enforcement agencies. Since 1978, the Association has conducted four statewide seminars, and three regional seminars aimed at both citizens and law enforcement. The Virginia Crime Prevention Association has been able to bring resources into Virginia that normally would not have been available. By working with the Retired Teachers Association/American Association of Retired Persons and their national crime prevention program, the Association has received the equivalent of \$10,000 to \$15,000 in training resources. The American Association of Retired Persons (AARP) has assisted the Virginia Crime Prevention Association in planning its seminars and workshops and has also provided seminar speakers representing successful crime prevention programs from throughout the United States. The AARP has paid the travel and expenses for speakers from Detroit, Chicago, Illinois, Florida, and other areas to come to Virginia to conduct crime prevention training. Virginia also maintains a close relationship with the National Council on Crime and Delinquency and their Citizen's Crime Prevention Coalition which has made offers to assist the State in furthering citizen involvement in crime prevention.

The crime prevention effort in Virginia also has been aided to a great extent by State agencies. The Office of the Secretary of Public Safety and the Virginia Division of Justice and Crime Prevention (DJCP) have taken an active role in promoting crime prevention throughout the Commonwealth. A member of the DJCP staff serves as an advisor to the Board of Directors of the Virginia Crime Prevention Association and has attempted to coordinate many of its crime prevention efforts, and, to the extent possible, act as a clearinghouse for crime prevention information. The DJCP prepares and distributes a quarterly memorandum to approximately 200 crime prevention practitioners within law enforcement and private groups, advising them of the availability of resources, new program concepts, and other materials that they might find useful. Accordingly, the DJCP is in contact with the National Criminal Justice Reference Service, the Law Enforcement Assistance Administration, the National Institute of Law Enforcement and Criminal Justice, the American Association of Retired Persons, the Crime Prevention Coalition, and other national organizations in order to obtain crime prevention materials, studies, etc., to distribute throughout the State.

The DJCP has been instrumental in providing technical assistance and program development to local crime prevention programs. This effort has been directed primarily towards designing crime prevention programs that are comprehensive in nature and take into account the need for joint citizen and law enforcement planning and implementation. The DJCP has developed a resource directory which contains information from the major crime prevention programs in Virginia and has distributed the directory to appropriate groups and agencies.

Other State agencies that are actively involved in promoting crime prevention are the Virginia Office on Aging and the Virginia Tech Extension

Division. The Office on Aging now has a full-time Crime Prevention Coordinator who presents crime prevention programs to elderly groups throughout the State. This effort has been a valuable service to the crime prevention movement, since the Office on Aging has the capability to reach groups that heretofore have not been in the mainstream of crime prevention programming. The Virginia Tech Extension Division has become increasingly interested in the educational aspect of crime prevention, and has assisted in the development of training programs sponsored by the Virginia Crime Prevention Association.

In 1979, the Extension Division received a grant for the purpose of developing two crime prevention slide/tape programs. Although they were developed originally for the New River Valley Planning District Commission, they are now being duplicated for statewide distribution.

CRIME PREVENTION

IMPACTS AND GAPS:

The need for law enforcement, other governmental agencies, and community groups to promote the prevention of crime is evident, since crime prevention is in the public's interest in regard to assuring, to at least some degree, public safety, and because it is a cost-effective method of preventing crime.

Most law enforcement experts would agree that there are three broad types of crime control strategies. The first, and the one most often employed by law enforcement agencies, is punitive crime prevention. An example of this approach is the belief that the presence of a police officer will deter a great majority of the population from committing crimes. It is on this basis that law enforcement agencies allocate as much as 40% of their total patrol time for preventive purposes. Preventive patrol means that while not responding to a call for service, police officers patrol the streets in a highly visible manner in hopes of being detected by a potential criminal who hopefully, will not commit a crime for fear of apprehension. Additionally, law enforcement agencies think that if their response to criminal incidents is good in regard to apprehensions, investigations, and prosecutions, then that also will prevent further crimes because potential criminals will fear swift and sure punishment. While enforcement certainly is necessary, it by no means even suggests to the public that their safety is being enhanced, since a number of studies show that the lack of preventive patrol, or the lack of high visibility by the police has very little bearing on the incidence of crime or the number of calls for service in a given locality. Furthermore, such a philosophy clearly indicates to the public that the law enforcement agency is more concerned with apprehension and arrest than with the prevention of crime.

The second strategy is labeled corrective crime prevention. This approach calls for the system (meaning the criminal justice system and others that may affect it) to correct the behavior of criminals and potential criminals, by eliminating the physical and social conditions in which crime flourishes. It is obvious that in order for this strategy to achieve positive results, there must be almost unlimited funds for such costly services as housing, education, recreation, rehabilitation programs, jobs, and job training programs. Corrective prevention is obviously a broader issue than the criminal justice system alone can address and one that has very little impact when funds for social programs are limited.

The third strategy, and the one that law enforcement agencies and citizens' crime prevention groups are beginning to embrace is mechanical prevention, or target hardening. The basic premise in mechanical prevention is that each person shares the responsibility for preventing crime against his own person and property. In order to prevent crime there are a number of tactics that can be employed. Among others, they include locking doors and windows, installing improved locking devices, providing ample lighting, locking automobiles, being cognizant of dangers that may exist while out alone at night, engraving identifying marks on property, taking the opportunity and the time to watch out for neighbors' property, forming

neighborhood security programs, as well as others. Target hardening has a proper role for both law enforcement agencies and for community groups. Basically, the role of the law enforcement agency is to act as a catalyst and to develop within the community a volunteer service delivery system which provides direct service to the general population. In this regard, the law enforcement agency provides training, coordination, planning, and to the extent possible, resources to those who have agreed to be part of the service delivery network. On the other hand, citizens' groups play a significant role in crime prevention by assuring their own safety. In addition, citizens can form, or become part of, neighborhood groups that may have a mutual concern over the safety of the community and can assist law enforcement agencies or community organizations in fulfilling their crime prevention goals. Where law enforcement and citizens are working in tandem, the mechanical, or target hardening strategy becomes a cost-effective way of preventing crime.

As has been indicated, citizen and law enforcement participation in crime prevention has increased substantially in a relatively short period of time in Virginia. Currently, crime prevention efforts in the State are located primarily in the metropolitan areas of Northern Virginia, Richmond, and Tidewater. Formalized efforts in the predominantly rural areas of Virginia are almost non-existent. Although the sixteen largest jurisdictions in Virginia report almost 80% of the crime, there is still a need in the rural and outlying areas for citizens and law enforcement to promote the prevention of crime. One of the areas of concern among many rural Virginians is the theft of farm implements; a problem that crime prevention efforts in this State have not begun to address. In addition, law enforcement agencies in the rural sections of Virginia are ill-equipped in terms of manpower, training, and resources to become catalysts for crime prevention like their counterparts in the urban areas of the State. Often community groups and service organizations in rural communities have an interest in preventing crime, but have no one to whom they can turn for information and resources.

One of the difficulties that has plagued crime prevention units since their inception is a lack of planning and an inability to measure accurately, or evaluate the impact of their efforts. Crime prevention units and law enforcement agencies typically respond to requests for services from the public. For instance, a service club may request a crime prevention program on burglary prevention; a store owner may request a security assessment be done on his premises, and a church group may request a speaker on the subject of crime prevention at one of its functions. The problem with this approach is that it is scattered and has no real evaluation design built in. Therefore, resources are not being utilized to the maximum. As has been indicated earlier, a more logical approach would be for law enforcement agencies and their crime prevention specialists to identify, or establish within their jurisdiction, a resource delivery system which would mean that the law enforcement agency's crime prevention unit would provide coordination, etc., and the citizen volunteers would actually provide the direct services.

Although crime prevention efforts in many Virginia localities are cooperative efforts between the law enforcement agencies and the citizens' groups, there is nevertheless little opportunity for citizens to participate in identifying specific crime problems and planning strategies that would result in solutions. When

there is no opportunity, or no mechanism to allow for citizen participation and planning, then there is little chance that the programs or projects will be comprehensive and serve the needs of the majority of the community. In addition, where such participation is lacking, the citizens' groups often do not regard themselves as an integral part of the project and, therefore, do not have a vested interest in its success.

CRIME PREVENTION

PROBLEMS:

If crime prevention is to become a viable crime control strategy and one that totally fulfills its potential as a cost-effective and efficient way to reduce crime, then it is necessary to involve a great many more Virginians than are currently involved. Specifically, there is a need to expand the crime prevention program into the rural areas of the State, both among the law enforcement communities and the community at large. As has been noted, it is in the rural areas that law enforcement agencies and citizens' groups are lacking the expertise and resources with which to conduct programs.

Although Virginia is fortunate to have the level of interest that it does in preventing crime, it is essential that it be maintained and that all such efforts to deliver services be coordinated in order to maximize limited resources. Although the Virginia Crime Prevention Association is attempting to address the coordination problem, it is limited in its activities because most of its members are responsible for planning, implementing, and coordinating programs in their own localities.

Another major problem with crime prevention in Virginia is the lack of a service delivery network to provide crime prevention services to the general public. If the entire burden for delivering crime prevention services is placed on law enforcement, then the cost to provide such services becomes prohibitive. There is every indication that there are sufficient agencies, organizations, groups, and citizens in Virginia willing to participate in such a service delivery network. Members of the network must have training, direction, coordination, and limited resources.

If citizens in Virginia are to learn how to protect themselves and their property from crimes, then there must be a cadre of volunteers and professionals who possess the knowledge to teach others how to protect themselves. Unfortunately, crime prevention training in Virginia is deficient. Currently, police officers and some citizens are provided with the opportunity to attend the National Crime Prevention Institute in Louisville, Kentucky, for specialized training. However, as Law Enforcement Assistance Administration funds continue to decrease and local budgets continue to shrink, it is unlikely that many departments and groups will be able to send their representatives to Kentucky for crime prevention training. Again, the Virginia Crime Prevention Association has attempted to fill the void, but is, of course, lacking in the necessary resources with which to provide training to the large number of people who need it.

LAW ENFORCEMENT

EXISTING EFFORTS AND RESOURCES:

Law enforcement is conducted in two distinct forms in Virginia. The Commonwealth funds and maintains law enforcement agencies with statewide responsibilities, and most political subdivisions within the Commonwealth maintain law enforcement agencies with jurisdictions limited to the boundaries of each political subdivision.

The largest of the statewide law enforcement agencies is the Department of State Police. Its functions are parallel to those of local police and sheriffs' departments. However, the State Police generally are not active within municipal boundaries, except for patrolling the State's highways. In 1979, the Department of State Police reorganized its investigative division and established a Bureau of Criminal Investigation to investigate major criminal activities with expertise and equipment often not available to smaller departments.

The Department of State Police also manages and operates the Virginia Criminal Information Network (V-CIN). V-CIN is the center of law enforcement telecommunications in Virginia and routes messages from local law enforcement agencies to such networks as the National Crime Information Center. By transmitting information concerning crimes and criminals, V-CIN helps to facilitate a cooperative and statewide effort to apprehend suspects. The Department of State Police operates the Central Criminal Records Exchange (CCRE), a system by which other law enforcement agencies can quickly obtain the records of suspected offenders.

There are other State agencies and authorities which are empowered to enforce certain special State laws, or which have full enforcement powers within fixed jurisdictions. Agencies such as the Enforcement Division of the Alcoholic Beverage Control (ABC) Board, the Commission on Game and Inland Fisheries, the Division of Motor Vehicles, and the State Corporation Commission enforce certain special State laws. Agencies such as campus police, the State Capitol Police, Bridge and Tunnel Police, the Virginia Port Authority, and institutional police departments have full enforcement power in fixed jurisdictions. Local agencies provide the majority of law enforcement services within each political subdivision in Virginia. These local agencies can be categorized as follows: county sheriffs' departments, city police departments, and town police departments.

County sheriffs' departments, which are charged with serving summonses, maintaining courtroom security, operating jails, etc., are supported by both local and State funds. The State provides two-thirds of the funds for the operation of these departments, while the county picks up the remaining one-third of the cost. The salaries of sheriffs and deputies are established by the State Compensation Board. Such salaries may be supplemented locally. If a county chooses to hire more deputies than the Compensation Board deems necessary, it must pay the total salary for the additional deputies. The sheriff is a constitutional officer elected by the citizens

within his jurisdiction. Sheriffs' departments have criminal jurisdiction; although in five Virginia counties, separate police departments enforce criminal laws.

City police departments are established and administered through the respective city charters. A city police department is primarily responsible for the prevention of crime and the enforcement of the criminal code of Virginia and the ordinances of the city which it serves. Each police department is headed by a chief of police who is usually appointed by a city manager or director of public safety. Each city is financially responsible for maintaining its police department.

Town police departments are empowered to enforce State criminal laws and town ordinances and regulations. The entire operating cost for a town police department is provided by the town in which it is located. The town police department is headed by a town sergeant or chief of police, who is appointed by the town manager or mayor.

Information is available for 1977 which provides an indication of the resources utilized by law enforcement within the Commonwealth. Law enforcement is an important priority in most Virginia cities and counties. Most of the twenty-nine jurisdictions studied spend 7% -13% of their annual budgets on law enforcement services. Local law enforcement expenditures per 1,000 population range from \$4,804 in rural Bedford County to \$96,916 in Falls Church, with a statewide mean of \$23,400. Northern Virginia jurisdictions studied spend almost twice as much per 1,000 population on law enforcement as do localities in any other region of the State. The average suburban jurisdiction studied spends \$37,583 on law enforcement, while the average urban locality outlays \$29,540 and the average rural locality \$8,735.

There are high correlations between law enforcement expenditure levels and the following variables:

Sworn Law Enforcement Officers per 1,000 Population	(.86)
Population per Square Mile	(.79)
Property Crime Rate	(.75)
Total Part I Crime Rate	(.72)
Violent Crime Rate	(.69)

These relationships indicate that jurisdictions with the most serious crime problems generally spend the most to cope with these problems. However, those localities which spend the most do not necessarily wage the most successful campaigns against the crime problem. The correlation between law enforcement expenditure levels and clearance rate for Part I offenses was -.48, indicating that high-spending jurisdictions clear a smaller percentage of their Part I offenses by arrests.

Law enforcement expenditures are unusually high in Northern Virginia, largely because of the higher salaries accorded law enforcement officers in this area. Each of the six Northern Virginia jurisdictions spends over \$20,000 per officer, while only one other locality in the State (Virginia Beach, \$20,973) spends that much per officer. The mean of the suburban localities' expenditure per sworn officer is \$21,432; more than the \$16,127 for urban jurisdictions and \$10,742 for rural.

The number of sworn officers per 1,000 population ranges from 0.44 in Wise County to 3.00 in Falls Church. Cities with high crime rates hire more officers to deal with the problems. The number of sworn officers per 1,000 population correlates highly with law enforcement expenditures (.86) and population per square mile (.75). However, the correlation between the number of sworn officers per 1,000 population and clearance rate is -.50.

Data indicate that putting more officers in high crime areas does not wholly negate differences in workload per sworn officer. Petersburg has 45.7 Part I offenses per sworn officer as a "potential workload". Lee County has only 2.8. This range, though significant, is not as great as the range in Part I offenses per 1,000 population for localities. Most urban and suburban localities have between 25 and 42 offenses per officer, while rural jurisdictions have less. Part I offenses are by no means an officer's only responsibility; still, the rate of Part I offenses per sworn officer is a general indicator of workload.

The number of adult arrestees for Part I and Part II offenses per sworn officer is a measure of both the workload and the performance of a local law enforcement agency. Urban and rural areas tend to have higher rates than suburban cities and counties. The three counties in the Southwest corner of Virginia have an average of 110.5 arrestees per sworn officer. The Capital Region has the second highest mean among geographical groupings, with 43.6 adult arrestees per sworn officer. Northern Virginia, which has more crime and more officers than other regions, has only 25.5 adult arrestees per sworn officer.

Clearance rates for Part I arrests are inordinately low in Northern Virginia. The mean of the clearance rates for the six Northern Virginia localities studied was 18.5%. The corresponding percentage in Southwest Virginia was 59.8%. On the average, suburban localities solve less than one-fourth of their crime by arrest; urban cities less than one-third, and rural jurisdictions about one-half. This does not necessarily imply poor performance by urban or suburban police, as it is commonly known that it is easier for criminals to escape undetected in the anonymity of the city.

Data also indicate that almost twice as many adults are arrested per 1,000 population in urban localities (80.3) as in their suburban (44.2) and rural (42.8) counterparts. Police are especially active in Roanoke, where 159.1 arrests for Part I and Part II offenses were made for each 1,000 inhabitants. High arrest rates for Petersburg and Richmond make the mean for the Capital Region the highest in the State.

The higher rates of Part I offenses, especially violent offenses, make police work much more difficult and dangerous in urban and suburban areas than in rural. The ratio of Part II to Part I arrests averages 5.38 to 1.0 in rural jurisdictions studied, as opposed to 2.60 to 1.0 in urban localities. In Lynchburg, the ratio is only 1.2 to 1.0, in Salem 1.1 to 1.0. In Southwest Virginia, most of the arrests (more than 9 of every 10) are alleged Part II offenses.

LAW ENFORCEMENT

IMPACTS AND GAPS:

In 1978, major crime in Virginia increased by 1.4% from 1977, and decreased by 0.7% from 1976. Considering major crimes as well as Part II offenses for which there were victims, approximately one in every eleven Virginians is victimized by crime annually. A study done for the Division of Justice and Crime Prevention in June, 1975, entitled "A Survey of Public Attitudes Toward Crime and the Criminal Justice System in the State of Virginia", found that one-half of Virginia residents are fearful that they or a member of their family will become victims of a crime. The fear is well founded in that as many as one in every 2.6 families in Virginia is victimized, if the aggregate incidence of crime is related only to families. Expressed in a different manner, the level of crime is such that one in every 2.6 families could be victimized.

The survey also found that citizen concern for crime is greatest in the large urban-suburban areas. Such jurisdictions account for 69.3% of the reported major crimes.

Of the 209,096 major crimes reported in 1978, 24% were cleared by arrest or by exceptional means. Although this efficiency indicator is comparable to those reported nationally, it nevertheless means that an offender has an almost 75% chance of never being arrested for his or her criminal violation. During the same period, Virginians reported the theft of \$74 million worth of currency and property, a figure which equals 35% of total law enforcement expenditures in the State. Law enforcement agencies were able to recover 38% of the stolen currency and property, but, for a number of reasons, returned a lesser amount to owners.

The previously mentioned public attitude survey revealed that 80% of Virginia residents feel it is important for local citizens to join in organized efforts to help prevent crime. Of those surveyed, 27% felt that individuals themselves can do a great deal to help protect themselves and their families from crime. In this regard, 37% of the residents had increased their alertness; 32% had added or changed locks; 31% left lights and/or radios on; 26% did not go into dangerous areas; 21% did not go out alone at night; 13% had obtained a dog for protection; 11% had bought a firearm; 5% had marked their property with ID; 4% had learned self-defense, and 4% had joined a community citizens' group.

The sale and use of narcotics also concerns the citizens of the Commonwealth. In 1978, law enforcement officers made 12,287 arrests for narcotics violations, or 2.5 arrests per 1,000 population. When citizens were asked to rank twelve problems as part of the 1975 survey, they ranked crime as number three and the sale and use of drugs as number four. The following is the outcome of the ranking:

Inflation	1	Housing	6 tie
Unemployment	2	Juvenile Delinquency	6 tie
Crime	3	Energy Shortage	7
Sale and Use of Drugs	4 tie	Air and Water Pollution	8
High Taxes	4 tie	Mass Transportation	9
Schools and Education	5	Poverty	10

Although law enforcement personnel have the responsibility to suppress and control crime, they represent less than two-tenths of one percent of the total population of Virginia. Therefore, law enforcement must rely not only on its own efforts to suppress crime, but also on community awareness and action towards this end.

In 1968, the Virginia General Assembly created the Law Enforcement Officers' Training Standards Commission. In 1976, the General Assembly re-named it the Criminal Justice Services Commission. The Commission is empowered to establish compulsory minimum training standards for law enforcement officers subsequent to their employment as law enforcement officers, in permanent positions, and in temporary or probationary status, and to establish the time required for completion of such training. Further, it is empowered to establish compulsory minimum requirements for in-service and advanced courses and programs for schools operated by, or for the State, or any political subdivisions thereof for the specific purpose of training law enforcement officers.

In the 1980 Session, the General Assembly approved \$660,000 for the 1980-1982 biennium to help finance a training delivery system that would provide training opportunities for every law enforcement officer in the State.

Like the General Assembly, the citizens of the Commonwealth are aware that law enforcement officers need more training. The public attitude survey conducted for the Division of Justice and Crime Prevention revealed that one-half of those persons surveyed felt that the police need more training.

In 1979, 11,028 law enforcement officers in Virginia received training. Specifically, 1,083 received State mandated basic recruit training, 4,748 received State mandated in-service training, and 5,197 received specialized training. In essence, almost 54% of law enforcement training was conducted for the purpose of acquainting new officers with minimum requirements of their jobs, to keep veteran officers current with changes in laws and procedures, and to maintain a level of proficiency in the use of firearms. Although the exact percentage is unknown, it can be assumed that at least one-half of the officers who received in-service training also received specialized training, since the law requires that officers receive 40 hours of in-service training every two years.

Basic recruit training was provided for 1,083 law enforcement officers, or for about 13% of all law enforcement officers in the State. Noting that basic recruit training is preparatory in nature, it is evident that in 1979, 13% of all officers in Virginia were new employees.

Data are not available which indicate whether the number of new officers is due to new positions, normal attrition, or turnover. It is unlikely that a significant number of new positions are being created, since many departments are experiencing budget difficulties. However, it is apparent that it

is costly and disruptive to police organizations to train new officers. The ultimate impact is felt by citizens who are not receiving the level of performance they believe they are entitled to receive.

The need for basic and in-service training is well recognized by law enforcement agencies, the Virginia General Assembly, the Criminal Justice Services Commission, and the citizens of the Commonwealth of Virginia. However, mandated recruit and in-service training address only minimum performance requirements. The history of policing illustrates the need for officers to be prepared in a comprehensive manner so that performance will be acceptable regardless of the problem or situation. Neither basic nor in-service training teaches officers or agencies how to cope with organized crime, hostage situations, computer fraud, or other special law enforcement problems. Furthermore, such basic instruction does little in the way of improving criminal investigations, the crime scene search process, management, crime prevention, and other similar police functions.

One of the primary causes of turnover, especially in small police departments, and many sheriffs' departments, is the lack of a personnel plan which protects employees from arbitrary dismissal. It is not uncommon for a new sheriff to bring with him a complete complement of deputies upon taking office. To do this, he obviously must dismiss the deputies who served the previous sheriff.

Currently, most medium and large departments select officers at mid-management levels with growth potential and send them either to the FBI's National Academy, or the Southern Police Institute at the University of Louisville. Both of these schools are excellent, but enrollment is limited. Furthermore, both schools are mid-management oriented with the National Academy accepting candidates at the rank of Sergeant.

Virginia law enforcement executives attend administrative courses sponsored by the International Chiefs of Police, Northwestern University, University of Maryland, University of Georgia, University of Indiana, and many others. These are generally short courses on administrative matters and are no doubt essential. However, this type of approach is merely incremental and not a well planned executive development program. Virginia should not have to rely on others to train its police executives. There are sufficient resources within Virginia's colleges and universities to develop and implement executive level training for police.

Within the past several years, twelve police departments have employed chiefs from departments outside the State, or from other disciplines. Conversely, only two chiefs have been tapped for comparable positions outside the State. Ironically, both of those had become Virginia police chiefs via out-of-state departments.

Within the Commonwealth, there are 95 county sheriffs' departments, 26 city sheriffs' departments, 5 county police departments, 35 city police departments, 7 college or university police departments, 4 State law enforcement agencies, and approximately 216 town police departments. These approximately 350 departments employ an estimated 8,500 law enforcement officers.

Although there is an attempt to allocate law enforcement responsibilities, there is nevertheless a great deal of duplication. For instance, 26 of the 35 cities claim both a sheriff's department and a police department. The allocation of responsibility occurs in that the sheriff handles civil process, courtroom security, and the maintenance of the jails. The city police, on the other hand, are responsible for enforcement of criminal laws and the host of other things related to policing. Since deputies serve court papers, they are out in the community and are at times available to help with preventive patrol and calls for service. Policemen are almost always in court and are capable of handling some courtroom security. Many cities have both a detention facility within the police department and a jail maintained by the sheriff. The personnel and costs associated with booking and temporarily detaining arrestees are largely unnecessary since the jail is very capable of providing this service with only a slight increase in resources.

The duplication between State and local law enforcement agencies produces costly law enforcement services. For instance, the Department of Alcoholic Beverage Control, Enforcement Division, primarily investigates liquor law violations on a statewide basis, with personnel assigned to specific geographic areas. Approximately 70% of the liquor law violations occur in metropolitan areas, where law enforcement officers are also assigned to this function. Another State agency which operates on a statewide basis is the 1,196 member Department of State Police which has an average of 8.7 uniformed officers assigned to each county. The primary effort of the State Police is devoted to highway patrol, promotion of highway safety, and enforcement of motor vehicle laws. Conversely, sheriffs' departments rarely handle traffic matters, but direct their resources to criminal violations and serving court papers. In 1975, the Department of State Police investigated approximately 1% of the major crimes reported in Virginia. Even though sheriffs and the State Police serve the same public in one jurisdiction, they obviously serve them in very separate and distinct ways. Considering the average level of resources available in a county, that is, both uniformed State Police and "road" deputies, the average county has at its disposal 21.1 law enforcement officers. Considering total resources, both sheriffs and State Police, as much as 37% of the resources are devoted to traffic; yet, in metropolitan areas, a substantially smaller percent is devoted to traffic enforcement.

The annual budget of the Department of State Police is approximately \$41 million. The State spends another estimated \$21 million by paying two-thirds of the sheriffs' salaries through the State Compensation Board. Even though the Commonwealth is paying 32% of the total \$175 million spent on law enforcement in Virginia, there is every indication that the State's investment is not being maximized due to the over-delineation of responsibilities between the State Police and county sheriffs' departments.

Counties across the State have duplicative law enforcement resources, with only marginal sharing occurring. As previously noted, there are 95 counties in Virginia with sheriffs' departments. Forty-eight of those counties contain two or more law enforcement agencies; 22 contain three or more agencies; 10 contain four or more agencies; 3 have five or more agencies, and one has six or more agencies. This is not a true representation because the information includes only those departments which

participate in the Uniform Crime Reporting (UCR) Program. Since many one and two-man departments do not participate in UCR, a complete list of departments is not available.

Since each law enforcement agency is autonomous, there is a common belief that each should have sufficient capabilities to handle a wide range of law enforcement problems, many of which occur infrequently. The result is obviously costly, as services and resources are not often shared or consolidated to an extent which assures that law enforcement services are being provided in a cost effective manner.

The State has long provided services that would be costly if each law enforcement department in the State had to duplicate them. One such service is arson and bomb investigations. This service requires a great deal of technical skill and costly equipment. The State also has developed a forensic science capability with four laboratories conveniently located around the State. The examination of evidence is a costly service that does not have to be borne by each department within the State. The Bureau of Forensic Science also processes and prints crime related photographs for local departments which lack this capability.

The Department of State Police historically has provided assistance to local law enforcement agencies. It supplies personnel and equipment during civil disorders and other emergencies which are beyond the control of local law enforcement agencies. It also provides polygraph and crime scene search resources to local departments, as well as narcotic and organized crime investigative services. In short, the Department of State Police has the capability to provide specialized police services which would be extremely costly if each department had to duplicate them.

In 1979, the Statewide Interdepartmental Radio System (SIRS) was established providing for the first time a radio communications link between State and local law enforcement agencies. This system enables local police and sheriffs to communicate with State troopers in the field, to foster better cooperation and to provide an important link in the combined law enforcement effort. Gaps exist, however, in that some of the urban areas are not yet participating in the system because of funding limitations. However, the areas (90% of the total law enforcement agencies) participating have consistently expressed their enthusiasm and support for this successful concept. Continued efforts will be made to bring all law enforcement agencies into the system.

LAW ENFORCEMENT

PROBLEMS:

The incidence of major crime in Virginia constitutes a serious drain on resources and threatens the well-being of the citizens of the Commonwealth. Every two and one-half minutes, a serious crime is committed in Virginia, and one in every 24 persons is the victim of a serious crime in any given year. Law enforcement expenditures equal \$40.00 per person in Virginia, and law enforcement agencies are faced with ever increasing budgetary constraints.

The demands upon law enforcement to stay abreast of changes in policing, and the increased demands for service delivery place severe strains upon the resources available for training and education of law enforcement officers. High turnover rates require continued efforts to provide basic training to new law enforcement officers. State mandated in-service training requirements necessitate the re-training of 8,500 officers every two years. Continued legislative amending and judicial interpretation of criminal codes and law enforcement procedures require constant retraining of existing personnel. Law enforcement agencies traditionally lag behind the private sector with regard to innovative and more productive methods of management and operation.

Law enforcement capabilities and resources in the Commonwealth are not coordinated and consolidated to maximize their use and benefits. Few agencies have consolidated duplicative dispatching and record keeping systems. Little or no use has been made of the resident trooper program. Very few localities have entered into mutual aid and assistance agreements.

High personnel turnover rates in Virginia's law enforcement agencies diminish the effectiveness of the agencies. Salaries and benefits of law enforcement agencies traditionally lag behind those in the private sector. There are no statewide standards for entry level law enforcement officers, and this precludes the ability to establish minimum salary scales statewide. Few opportunities exist for lateral entry at supervisory and management level positions in law enforcement agencies.

ADJUDICATION

EXISTING EFFORTS AND RESOURCES:

Judicial Education

The judicial systems in the United States have, in the past few years, come under criticism for being large, inefficient organizations which, because of the inherent bureaucratic maze, might allow dangerous offenders to return to society unpunished and unrehabilitated. Criticism also exists that the judicial system is not, to the lay observer, doing anything to end or significantly reduce these practices which many citizens feel are "unjust" toward the community as a whole.

In an effort to stem the tide of criticism, the judicial branches of government are now engaged, or engaging, in processes which can and will result in significant improvements in the performance of trial courts. Among these efforts are attempts to reduce the time delay from arrest to final disposition of criminal cases, efforts to better manage a court's caseload through the implementation of better, more modern managerial/administrative techniques, and better utilization of existing resources (physical, personnel, and financial).

One method of approaching these problems is continuing the education and training received by members of the judiciary in an effort to maintain minimum standards within the judicial branch. Thus, one finds more members of the judiciary undergoing, usually on an annual basis, a minimum level of training and/or education in law, or law-related fields. It is believed that continued exposure of the judiciary to these types of educational opportunities will encourage and initiate some of the desired managerial/administrative changes necessary to enable the courts to better fulfill their legal mandate to the communities in which they are located.

In the Commonwealth of Virginia, it is the responsibility of the Office of the Executive Secretary of the State Supreme Court (O.E.S.) to coordinate training for members of the judiciary. In conjunction with the Secretary of Public Safety, through the Division of Justice and Crime Prevention (DJCP), education grants have been awarded to the O.E.S. for purposes of the continued and ongoing training and education of judges of the circuit courts (30 judicial circuits, 111 circuit court judges) and judges of the district courts (30 judicial districts, total of 153 judges, which is broken down further into 98 in the general district court and 65 in the juvenile and domestic relations district court). This continuous training and education, it is believed, will enable members of the judiciary to better fulfill their duties and legal responsibilities.

The court reorganization which occurred in 1973 brought with it many changes, including the need to further expand training to district judges, magistrates, and clerks. (Virginia Code Section 19.2-43 requires that the O.E.S. provide training to magistrates.) Since 1973, one of the primary functions of the OES has been to coordinate all judicial education activities. To this end, the Office employs a full-time Education Officer who supervises the preparation and presentation of in-state conferences and seminars.

The Committee on District Courts, which oversees policy in the district court system, has indicted its commitment to judicial education in a most positive way. In November 1974, it unanimously endorsed a program of continuing education to advance the level of professional competency in the State's judicial system. The Committee directed that a certain number of days be allowed to each segment for in-state training purposes. Thus, general district court judges and judges of juvenile and domestic relations district courts are authorized six days' administrative leave annually to attend in-state training programs. Magistrates receive three such days, while clerks and deputy clerks and designated clerks' office personnel are granted two days each year for their workshops. Mandatory attendance at a designated in-state program is required of circuit and district judges and district court clerks once yearly.

The Committee has also approved a priority of courses that the district judges should follow in availing themselves of out-of-state training opportunities. The regular three-and four-week courses offered at the National College of the State Judiciary in Reno, Nevada, or the courses offered in several places in the United States, sponsored by the American Academy of Judicial Education in Washington, D.C., or the two-week seasonal courses at the National College of Juvenile Justice in Nevada, satisfy the Committee's intent of having all new judges complete one basic course before they are allowed to attend any speciality or graduate-level program. Judges who attend courses at these or similar institutions are granted an additional five days' administrative leave. Where courses of more than five days' duration are taken, judges use their own accumulated annual leave to make up the difference.

This comprehensive career program of judicial education emphasizes the following objectives:

1. Provision of a comprehensive curriculum to each new judge during his or her first year of judicial service, including pre-bench orientation, in-state conferences, and attendance at appropriate national programs
2. Continuing education for sitting judges, offering opportunities for national as well as in-state participation
3. Provision for adequate time so that judges may attend training sessions, and incentives to attend the recommended quota of educational offerings

The expansion of educational opportunities to more of the Commonwealth's judicial personnel has been possible in major part through the assistance of funds through the Council on Criminal Justice.

Judicial Sentencing

Many states, including the Commonwealth of Virginia, have been undergoing, in recent years, a thorough self-analysis regarding their sentencing

procedures. In this process, in Virginia, several concerns have been raised regarding some sentencing practices:

1. Should sentencing be more uniform statewide, and should sentences, in cases involving a jury trial, be determined by the trial court judge rather than the jury?
2. Should limitations of any type be put on parole, and should the percentage of the sentence that must be served before an inmate is eligible for parole consideration be increased?
3. Should determinate or flat-time sentences be permitted in juvenile and domestic relations district courts?
4. Should bifurcated trials in felony cases become mandatory? (one trial to determine guilt or innocence; the second to determine penalty, if convicted in the first)
5. Should indeterminate sentences be revised or abolished because of a lack of facilities?

These are some of the issues which will have to be addressed and decided in the near future.

The Code of Virginia defines the boundaries to which a court or a jury may proceed in sentencing defendants convicted of crimes within the Commonwealth. As in many other states, much discretion is given in sentencing, to the extent that a sentence imposed in one jurisdiction for a given offense is vastly different from the sentence imposed in another jurisdiction, yet the offenses for which the sentence is imposed are virtually identical.

Current sentencing practices in the Commonwealth reflect the legislative intent to conform with U.S. Supreme Court and other federal court decisions and guidelines on sentencing. As a result, changes in sentencing within the Commonwealth would require action by the General Assembly. However, the emergence of the concerns enumerated above is indicative of the need to reexamine sentencing practice in Virginia in a continuing effort to keep sentencing practices in conformity with federal court decisions.

Computer Options for the Virginia Judicial System

Currently, there are three categories of automated systems which can be applied to a court setting:

1. Administrative systems include payroll, personnel, budget, supplies inventory, financial records, and statistical systems
2. Case records and trial systems include docketing, indexing, case scheduling, jury management, case tracking, exception reporting, court reporting, and information systems
3. Legal research systems

Many of these automated systems may be applied at either the trial level or the administrative level of a court system, or both.

In Virginia, the Office of the Executive Secretary of the Supreme Court (O.E.S.) currently maintains, on an administrative level, a computerized court personnel record keeping system, leave accounting system, budget tracking system, and is currently converting to an automated payroll. Also, the O.E.S. maintains a computerized statistical system for the circuit and district courts and the magistrates. Some of the earliest and most successful computer applications at a trial court level have been in the financial administration areas. In Virginia, the Portsmouth, Fairfax, Roanoke City, and Richmond Juvenile and Domestic Relations District Courts have developed support, check writing, and records maintenance systems, while the Frederick and Winchester General District Courts have developed a fines and cost payment tracking system.

Under development, also at the trial court level, are case records and trial systems (or information systems) in the following Virginia Courts:

1. Portsmouth Juvenile and Domestic Relations District Court
2. Chesapeake Juvenile and Domestic Relations District Court
3. Fairfax Juvenile and Domestic Relations District Court
4. Richmond Juvenile and Domestic Relations District Court
5. Norfolk General District Court
6. Portsmouth General District Court
7. Fairfax General District Court
8. Frederick General District Court
9. Winchester General District Court
10. Richmond General District Court
11. Fairfax Circuit Court

It should be noted that each of the above mentioned court information systems was developed independently of the others, thus reducing the probability of the localities' benefiting from shared experiences and/or information.

The Supreme Court has participated in the temporary installation of an automated legal research system, known as JURIS.

Finally, the O.E.S. is involved in development, for the Roanoke City Juvenile and Domestic Relations District Court and the General District

Court, of operational systems for court clerks in the following areas:

1. Financial, for implementation in general district courts, for use in traffic cases, basically (i.e., receipts for fines, etc.)
2. Financial support for clerks of the juvenile and domestic relations district courts, which is, basically, a system for tracking payments which are processed through the courts
3. Case management which is composed of three initial modules --
(1) the indexing module, (2) the docketing module, and
(3) the basic reporting module

Other modules, such as notice generation and management reporting can be developed and implemented as needed. The emphasis is upon the first three modules, however.

Victim, Witness, and Jury Assistance

Presently there are five victim/witness programs operating out of Commonwealth's Attorneys' Offices in Portsmouth, Virginia Beach, Lexington (which includes Rockbridge County), Leesburg (including Loudoun County), and Richmond. These Commonwealth's Attorneys' Offices serve both rural and urban populations.

The approach to these existing programs is a two-pronged approach:

1. To provide victims of crimes with the necessary information so that they will be able to obtain social services that might be needed following a victimization, including, but not limited to medical assistance, psychiatric/psychological assistance, financial assistance, and such other assistance as may be needed to enable the victim to cope with the events which have occurred to him/her
2. To provide information to witnesses so that they will be in the right place at the right time with a minimum of inconvenience; included in this is assistance in obtaining transportation to and from court; telephone alert systems placing witnesses on call; assisting witnesses in obtaining time off from work for each required court appearance, and a telephone recording system whereby witnesses call a number the evening before their required appearance to be advised if that appearance is still necessary

The focus of these efforts is to humanize the court process for those who are usually involuntarily dragged into it, making the "rites of passage" as painless, as coherent, as comfortable as possible; in sum, to show witnesses and victims of crimes that the criminal justice system cares about their participation in the process by looking out for their interests as much as is humanly possible, and regarding the time they spend in the court process to be valuable and necessary for any successful prosecution.

In 1976, the Virginia State Bar undertook a study of then current juror selection procedures across the Commonwealth. The purpose of the study (which was funded by the Division of Justice and Crime Prevention) was "to compare and contrast the present system of selecting the master juror lists (pursuant to Section 8-208.10 Virginia Code Annotated) which permits the use of random selection, with a system which mandates random selection".¹ Quoting from the recommendations of that study:

The basic question considered in this report is whether the present system of jury selection, where the jury commissioners exercise almost total discretion over which names are to be placed on the jury list, is less preferable than one where jury lists are chosen in a mechanical manner and little or no discretion is left to jury commissioners. The present system is far more subject to abuse and consequent legal attack even though it usually produces a measure of control over the "quality of jurors." Random selection, on the other hand, being basically mechanical in nature, removes the potential for abuse, virtually eliminates legal attack, and produces a jury list truly representative of a fair cross section of the community.

Based on the study, it is felt that even though under the present system judges are making a conscious effort to obtain tremendous discretion. ... The Board of Governors of the Criminal Law Section recommends:

The General Assembly should enact mandatory random selection legislation for Virginia courts as this is the best method of assuring a constitutional jury list.

Legislation requiring mandatory randomization was introduced in the 1976 legislative session, but was carried over into the 1977 session. It received passage in 1977 and was signed by the Governor in April. The text of the law reads:²

The jury commissioners shall utilize random selection techniques, either manual, mechanical, or electronic, using a current voter registration list and other such lists as shall be designated and approved by the chief judge of the Circuit, to select the jurors to be placed on the master jury list. After such random selection, the

¹A Study of Jury Selection in Virginia and the Feasibility of Mandatory Random Selection, Report of the Board of Governors Section on Criminal Law, Virginia State Bar to the Governor and the General Assembly of Virginia, September, 1976, p. 2.

²Virginia Code Annotated, Section 8-208.10 as amended.

commissioners shall apply such statutory exceptions and exemptions as may be applicable to the names so selected. The chief judge shall promulgate such procedural rules as are necessary to ensure the integrity of the random selection process and to ensure compliance with other provisions of law with respect to jury selection and service.

As noted in the Virginia State Bar study, randomization does not depend upon the use of data processing nor does it take control of jury selection out of the hands of local officials. The report then goes on to discuss several alternative methods for randomization by manual and electronic means. Two of the manual methods discussed are the "key number system" and the "master jury wheel".

For large metropolitan jurisdictions where manual selection may be very burdensome, it may be useful to implement data processing randomization. In all three of the circuits in Virginia currently using randomization data processing, jury service is rotated throughout the entire populace. In one circuit, jurors will be called once every ten years; in another, once every five years; in a third, about every three years.

In terms of cost, the Bar Study Report notes that the programming expenditures are not great. One jurisdiction reported a development and programming cost of \$300. The cost of running the program is minimal; \$5.00 per month for 100 form subpoenas and \$16 per month for computer time. The total cost per year for computer selection of jurors and preparation of subpoenas is \$252. This compares to a cost of \$514.50 in 1975 when the system was manual (the cost including \$274.50 in Commissioner expenses and \$240 for the typing of subpoenas).

In another circuit, where data processing is used to prepare the annual listing of names, the cost of the computer runs from \$25 to \$40 per year.

Virginia's circuit courts which may be interested in data processing alternatives could study the experiences of Harris County, Texas, and Detroit, Michigan, where a methodology called one day-one trial has been used very successfully. This method is being implemented on a modified basis in many other court settings. See Appendix 2 for a description of the Texas procedure.

The experiences of the Houston and Detroit courts point to efficiencies and savings far beyond just the issue of randomization. However, it may be most fruitful for the Commonwealth to undertake a careful analysis of the entire jury trial system. In anticipation of any study or analysis of individual or several circuits, it may be useful to formulate some general questions about the effectiveness, efficiency, and cost-benefits of the current jury system. These questions might include:

1. How many jury trials are conducted yearly and what percentage is this of total cases?

2. How many lists are generally used to generate jury panels and are there better methods for melding these lists, or perhaps eliminating the use of some of them?
3. What utilization exists for the size of various panels which are drawn?
4. Should there be changes in the number of panel size?
5. Should qualification and summons procedures be modified to ease administrative burdens and facilitate prospective juror participation?
6. Should a pool concept for jury service be tried?
7. Should juror fees be either raised or eliminated entirely?
8. Should challenge procedures and voir dire practices be changed?

This is only a partial list of issues which can be raised about the current practices and procedures of trial jury operations in the Commonwealth's circuit courts. As has been noted in a comprehensive study of the trial jury system of Hawaii,³ there are a variety of perspectives from which to analyze the jury system --from a system-oriented approach, from a management approach, or perhaps purely from the standpoint of finding ways to increase citizen participation in the criminal justice process.

In 1978, the Office of the Executive Secretary of the Supreme Court of Virginia sought federal funding for a study to determine the best ways to implement random jury selection on a statewide basis and to improve jury management. This request was denied.

Since 1977, the Model Jury Instructions Project, which has been funded by the Council on Criminal Justice, has been diligently working on the preparation of model jury instructions for both civil and criminal cases. The model instructions will not only improve the attainment of uniformity in procedure on a statewide basis, but will substantially upgrade the quality and correctness of jury instructions in Virginia. The criminal instructions were completed, printed, and placed on sale in 1979. The civil instructions have been finished and sent to the publishers. The jury exemptions list was drastically reduced from 24 classes to 7 classes (of which two were restricted) by Senate Bill 80, enacted in 1980.

Training of Prosecutors/Commonwealth's Attorneys

After each election, approximately 25% of all Commonwealth's Attorneys are new to the prosecution arena and the turnover rate among assistants is almost 25% annually. Most of these prosecutorial neophytes spend a few

³Trial Jury System of Hawaii, National Center for State Courts, September, 1976, Vol. II.

initiation days learning their way around the courthouse and then take their place in the system as prosecutors. During their tenure, on the job training of the "learn by experience" variety is administered. Although many self-starters who are also keen observers profit from their mistakes, and, in addition stay around to become top notch prosecutors, the statistics show that a substantial number annually retreat to higher paying jobs or less frustrating ventures.

In addition, there are constant demands upon all the Commonwealth's Attorneys and their staffs to stay abreast of changes in laws, programs, and management techniques. The limited budgets of these offices place severe strains on the resources available for training and education of prosecutorial staff.

On January 1, 1978, eight additional Commonwealth's Attorneys' offices became full-time, bringing the total to seventeen. Only four of these offices are presently staffed with an office manager or administrative assistant charged with the responsibilities of operations. Their duties include management of correspondence, overseeing the smooth flow of cases after assignments are made scheduling the status of cases, supervising clerical personnel, administering uniform office policies, and reducing the administrative workload of the Commonwealth's Attorney himself, who has numerous other responsibilities. Such arrangements and lack of training often result in failure to maximize scarce prosecutorial resources.

Career Criminal Programs to Enhance the Quality of Prosecution

Within the Commonwealth there currently exist five career criminal programs, located in Richmond, Norfolk, Portsmouth, Virginia Beach, and Alexandria. The focus of each of these programs has been upon individuals who have established "track records" in crime and/or those individuals who commit offenses which are classified as "major offenses". Criteria for selection of these offenders are established by each locality, reflecting the needs of the locality in question. By focusing prosecutorial attention and resources upon the individuals who are responsible for a disproportionate share of crime, Commonwealth's Attorneys hope to get these offenders off the streets more quickly than if their cases were prosecuted in the normal procedure, and into prison where the emphasis is upon longer sentences than would be given had the individual not been prosecuted as a "career criminal" or "major offender".

Competent Defense for Indigents

The public defender system as it exists in Virginia today is the result of an exhaustive study conducted almost ten years ago by the Criminal Law Section of the Virginia State Bar, and enabling legislation passed in 1972. Additionally, grants awarded by the Council on Criminal Justice have made possible the initial operation of all four offices that are presently in existence. The basic objective of public defender offices is to provide adequate and effective legal assistance to indigent persons charged with crimes for which the penalty might be imprisonment and for which the United States Constitution, the Constitution of Virginia, and

the Virginia statutes require that the opportunity for representation by competent counsel be provided at public expense.

A secondary purpose of using the public defender offices as pilot projects is to determine whether the overall cost of providing counsel for indigents can be decreased. The first three defender offices were authorized by the initial enabling legislation, and all three offices have been widely accepted by the judiciary, the bar, and the public; a positive indicator of the effectiveness of the system. Additionally, the General Assembly has approved assumption of the costs of these projects.

In 1978, following a report of the Public Defender Commission and endorsement by the Judicial Council of Virginia, the General Assembly amended the legislation to provide for two additional offices; one in a county or city with a population of less than 100,000, and one in a county or city with a population of more than 100,000. Both the Public Defender Commission and the Judicial Council were of the opinion that the program should not be expanded to include a statewide system at that time, but should be expanded to allow more visibility, analysis, and evaluation. Accordingly, the Petersburg office was opened on July 1, 1979.⁴

Other Public Defender's Offices are operating in Staunton-Waynesboro-Augusta County, Virginia Beach, and the City of Roanoke. These offices began with grant monies from the Division of Justice and Crime Prevention, and are now fully supported by State funds.

⁴Public Defender Commission Phase I Input for FY 1981-1983.

ADJUDICATION

IMPACTS AND GAPS:

Judicial Education

The impact of judicial education/training will be upon several specific areas, including, but not limited to, the respective courts in which the judges who participate in the training serve, the court system in its entirety, and the people of the Commonwealth of Virginia.

The information which judges are exposed to in the training/education sessions is designed to stimulate their thinking and to be taken back and utilized in their practice. A side benefit of this exposure to new ideas and technology through training is that it gives the potential users an opportunity to discuss the merits with their peers from other parts of the Commonwealth.

The entire court system is a potential beneficiary in that the members of the judiciary are kept up-to-date on the latest information and practices in areas of substantive law as well as areas of managerial practices and responsibility. Thus, to paraphrase an old saying, a better informed and educated judge is a better judge on the bench.

Finally, the people of the Commonwealth benefit by having better informed and trained members of the judiciary in that the efficiency and effectiveness of the entire judicial system is enhanced by having better trained, better educated, and thus better qualified judges sitting on the bench.

Judicial Sentencing

The impact of changes in the sentencing system currently in use in Virginia will be upon the courts, the Department of Corrections, local jail/lock-up facilities, those who come into contact with the criminal justice system, especially defendants and jurors, and the general public.

Computer Options for the Virginia Judicial System

The impact of computerization will be upon members of the judiciary, all judicial support personnel, all persons having business with the courts, and the general public. Implementation of automated information systems promotes speedier trials because administrative loggheads are significantly reduced, or eliminated entirely, thus reducing administrative causes for court/trial delay.

Victim, Witness, and Jury Assistance

The impact of victim/witness programs will be upon those individuals who are usually involuntarily involved in the criminal justice system, the victims of/witnesses to crime, in addition to court personnel, prosecutors, and defendants.

Implementation of victim/witness programs can be expected to improve the overall quality of the court process and citizens' participation in it, as well as enhance the quality of prosecution.

Development of effective systems for random jury selection should be not only cost-efficient, but also reduce extra expenditures by different courts to design and implement duplicative systems and eliminate waste caused by developmental errors by different courts. Model jury instructions will save valuable court and attorney time both in drafting and in reducing the number of cases that are retried because of errors in jury instructions.

Better informed and better treated prospective jurors enhance the functioning of the entire criminal justice process. Uniform jury instructions will speed up jury trials and reduce the number of jury trials that are retried because of faulty instructions.

Training for Prosecutors/Commonwealth's Attorneys

The impact of training for Commonwealth's Attorneys, Assistant Commonwealth's Attorneys, and members of their staffs will be on enhancing the quality of prosecution in the Commonwealth of Virginia. By providing continuing education in law-related, juvenile specific, and managerial/administrative areas, the public is assured that a high standard is established and maintained for Commonwealth's Attorneys and Assistant Commonwealth's Attorneys.

Among the effectiveness measures for such training are measurements of length of trials in which the Commonwealth's Attorney's Office is involved, including but not limited to, the number of days between indictment and trial and final disposition; the number of cases won; the number of cases "lost" and why; the average length of sentences being given defendants prosecuted by the Commonwealth's Attorney's Office; the number of plea negotiations entered into and why, and the amount of time an attorney spends in case preparation (excluding unusual or complicated cases). Such information, coupled with the training received will better enable a prosecutor to more effectively allocate his personnel, money, and physical resources in order to achieve his established goal of improving the quality of prosecutions.

Career Criminal Programs to Enhance Prosecution

The impact of career criminal/major offender programs will be upon the communities these programs serve. By focusing special prosecutorial attention upon those individuals within the community who are responsible for a disproportionate share of crimes within that community, it is anticipated that the crimes upon which prosecutorial attention is focused will decrease, as those responsible for the disproportionate share of them will be in jail for longer periods of time than they had been previously.

Competent Defense for Indigents

The Public Defender's Offices offer defense services to those indigents charged with crimes, either felonies or misdemeanors. Thus, the immediate impact is upon the circuit and general district courts and upon their respective case calendaring efforts.

The rising costs of indigent defense have been documented and cost comparisons between the court appointed private counsel and the public defender have been made. The reports of the Public Defender Commission provide evidence of the savings of a public defender system over the court-appointed private counsel system of indigent defense.

In the future, it will be critical for the Commonwealth to examine carefully the costs and benefits of a statewide public defender system and the overall savings which may result from a State financed system.

ADJUDICATION

PROBLEMS:

Judicial Education

One of the most significant problems surrounding judicial education is the reduced level of funding available to support the activities. This situation has led to consideration of what changes in the structure and/or the administration of judicial education programs would be useful, given the reduced level of funding. Use of cyclical curricula, reduction of semi-annual conferences, and reduction, or elimination of consultant support have been considered.

Other options which have been considered are the possibility of changing conference attendance rules, holding judicial conferences as joint meetings of district and circuit judiciary and of magistrates and clerks, and establishing a judicial institute within the State to accommodate all educational opportunities for clerks, magistrates, and judges.

Some of the questions which exist relative to training for clerks and magistrates are:

1. What educational requirements, if any, should be set for magistrates and chief magistrates?
2. Should the State underwrite the costs of magistrates' participation in administration of justice courses offered by Virginia's community colleges?
3. Should the funding levels for out-of-state training be increased, and should opportunities for such training be extended to clerks?

Judicial Sentencing

A major problem is to generate enough support in the General Assembly for a critical re-examination of sentencing practices within the Commonwealth. At present, the General Assembly is not inclined to change existing sentencing practices without strong justification and outside support (i.e., public support) for such action. Until this occurs, sentencing in Virginia will remain essentially unaltered, and, as such, may not meet, in either letter or spirit, federal court decisions.

Computer Options for the Virginia Judicial System

The increasing use of courts as dispute resolution centers has focused attention upon a "new" function of the courts. The new function is one of serving as a primary information center; a function which, in theory, benefits the entire justice system. This role, along with the increasing complexity of court operations, has placed a heavy burden upon the existing

personnel resources. New methods must, it is now realized, be sought and implemented to meet these new and ever increasing needs and challenges.

Computerization has only recently been considered as a viable alternative for courts. While the computer has proven its effectiveness in business, it is still viewed by some court officials with skepticism. The current interest in automated court information systems is a reflection of the necessity of solving the problems of increasing caseloads and providing managerial information.

Unfortunately, computerization is not, and should not be considered, a panacea; utilization of computers won't automatically solve a court's managerial problems. In short, computers have proven effective in the business world and can be adapted to a court's management needs. Computers can aid a court in identifying and solving managerial problems, but they cannot cure them alone.

Victim, Witness, and Jury Assistance

The major problem with victim/witness assistance programs is the lack of acceptance/understanding by the general public. Unfortunately, most members of the public who have never had contact with the courts or the legal process have had their ideas of how courts function shaped by television programs such as "Perry Mason". Once the public accepts the idea that the victim/witness is one of the key elements in any successful prosecution, and that the entire society benefits by having persons coming forward to testify about crimes they have witnessed, thus making a significant contribution to putting the offender in jail, demands for such programs will increase.

Secondly, victim/witness programs also reduce the chances of essential witnesses being "lost" in the system, of witnesses refusing to testify, and of witness "no-show" problems; thus, if cases are dismissed, it won't be because of the failure of witnesses to appear.

Finally, victim/witness programs reinforce the importance of the victim/witness to the prosecutorial process. All too often, court services are designed for the convicted offender, and the needs of the victim/witness are glossed over, if not ignored completely. The "humanization" of the court process for victims/witnesses reinforces their importance and the prosecutor's gratitude for individuals' taking the time from their schedules to help ensure a successful prosecution of an offender. By making a victim/witness feel that his/her experience in the court system is a more positive one, the prosecutor, through a victim/witness program, will probably positively affect the community's attitudes toward the criminal justice system in general, and the prosecutor in particular.

Following study of the Virginia courts juror selection procedures by the State Bar in 1976, and the passage of H. B. 307 in the 1977 General Assembly Session, circuit court jury commissioners will now be implementing mandatory random selection techniques to replace non-random procedures.

While several circuit courts have already implemented random selection, the others will need to study carefully the most appropriate and cost-effective methods for randomization. These choices include the use of manual systems, automated/computerized processes, or the testing of programs which have been instituted in several other state courts, such as one-day one-trial.

As the analysis of randomization methods is undertaken, it may be very useful to expand the study to an assessment of the entire trial jury system. Following are questions posed by judges within the Commonwealth which attest to an interest in some of these other areas of jury utilization, summons, qualification, and treatment:

1. Should petit jury exemption lists be revised to reduce the number of those who are exempt?
2. What procedures should courts use to improve juror information and court-juror relations?
3. What procedures can be used to implement mandatory random jury selections as prescribed by H. B. 307?
4. Should juror compensation levels be increased?
5. What procedures can be instituted to improve jury summons procedures?
6. Is present jury utilization during trial satisfactory, or should jury size be changed?

Training for Prosecutor's/Commonwealth's Attorneys

Commonwealth's Attorneys, their Assistants, and members of their support staffs need to be properly trained in law and management upon assumption of their duties, and thereafter, to stay abreast of the constant changes in criminal law and managerial/administrative practices.

Career Criminal Programs to Enhance Prosecution

In many suburban/urban jurisdictions, the caseload of a prosecutor's office is such that it is very difficult to allocate the necessary personnel and other resources to a career criminal/major offender unit. In less populated areas of the Commonwealth, the "career criminal" may not be considered a problem that needs special prosecutorial attention. In short, career criminal/major offender programs must be looked at in relation to the population that the prosecutor's office serves.

Competent Defense for Indigents

Persons charged with crimes for which they can be deprived of their liberty are entitled to adequate and effective representation by counsel at

public expense, assuming, of course, that the accused is unable to afford counsel. The determination of indigency is an age-old problem, and the enabling legislation is designed to have the public defender and/or his staff assist in the determination of indigency. To do this, a financial questionnaire is used for determining general assets or liabilities of defendants, and this information is furnished to the courts with the final determination as to eligibility being made by the court.

In the past two or three years, the cost of court-appointed counsel has leveled off to some extent. It is no longer required that counsel be appointed for recidivist cases, since only those cases which involve additional punishment by virtue of the conviction itself are now prosecuted. It is anticipated, however, that the cost of court-appointed counsel will increase considerably in the next two years because of some increases in fees and general administrative costs. It is also believed that specialization in criminal law, both from a defense standpoint as well as a prosecution standpoint, will result in a stronger system of criminal justice. Nationwide, the number of states providing defender services (as opposed to the case by case court-appointment of private counsel) has increased enormously in the last ten years.

ADULT CORRECTIONS

EXISTING EFFORTS AND RESOURCES:

State Adult Corrections

Beginning in 1974, and continuing through 1977, Virginia experienced a sharp increase in commitments to its correctional institutions. This rapid increase resulted in serious overcrowding in State institutions, and a backlog of State inmates in local jails. However, for the past two fiscal years there has been a decrease in felon commitments. Figures 7 through 9 show trends in felon and misdemeanor commitments to the State correctional system, and felon confinements in the State correctional system for the years 1970 through 1979.

The following analysis of commitments and confinements is obtained from the Annual Statistical Report of Felons and Misdemeanants Committed to the Virginia State Correctional System during the Year Ended June 30, 1979 and Felons Confined in the Correctional System on June 30, 1979 including Felon Recidivists Committed and Confined, published by the Virginia Department of Corrections.⁵

Part of the decrease in felon commitments can be attributed to the backlog of sentenced felon offenders awaiting transfer from local jails to State adult institutions. The number of sentenced felon offenders awaiting transfer was 1,375 on June 3, 1980, or a monthly average of 1,094 for 11 months of fiscal year 1980. (See Figure 10.) This is down 22% over the monthly average of 1,334 for fiscal year 1979. (See Figure 11.) During the past two years, the State Department of Corrections has been involved in an active building campaign which helped relieve the felon population of local jails, with an additional 1,580 beds to be added during the next 24 to 36 months.

Although the backlog of felons contributes to jail overcrowding, it is the high ratio of misdemeanor pre-trial population that is the primary cause of jail overcrowding. This will be discussed later.

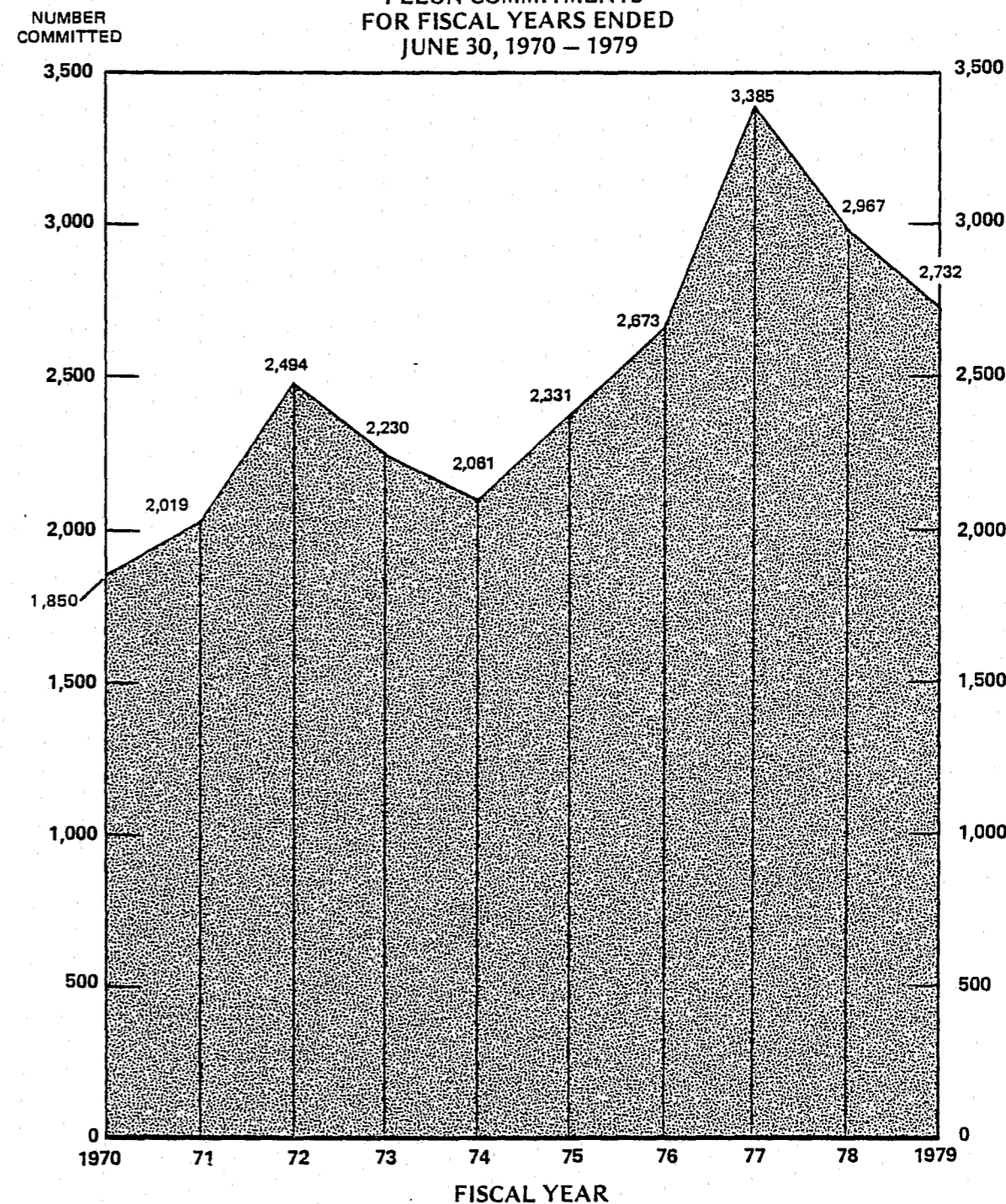
A total of 2,732 felons were committed to the Virginia correctional system during the fiscal year which ended June 30, 1979. This reflects a decrease of 235, or 7.9% compared to the 2,967 felons committed during fiscal year 1978. From fiscal year 1974 to fiscal year 1977, there was an increase each year in felon commitments. However, for the last two fiscal years there has been a decrease in felon commitments.

Of the 2,732 commitments, 51.7% were non-white and 48.3% were white. Females constituted only 6.5% of the commitments, an increase of some 2% over the past year. During fiscal year 1977, 44.6% of commitments were white, and 55.4% non-white.

While the average age of new commitments is getting older; age 27 for fiscal 1979, 26 for 1977 and 1978, the most frequent age was 19, compared to

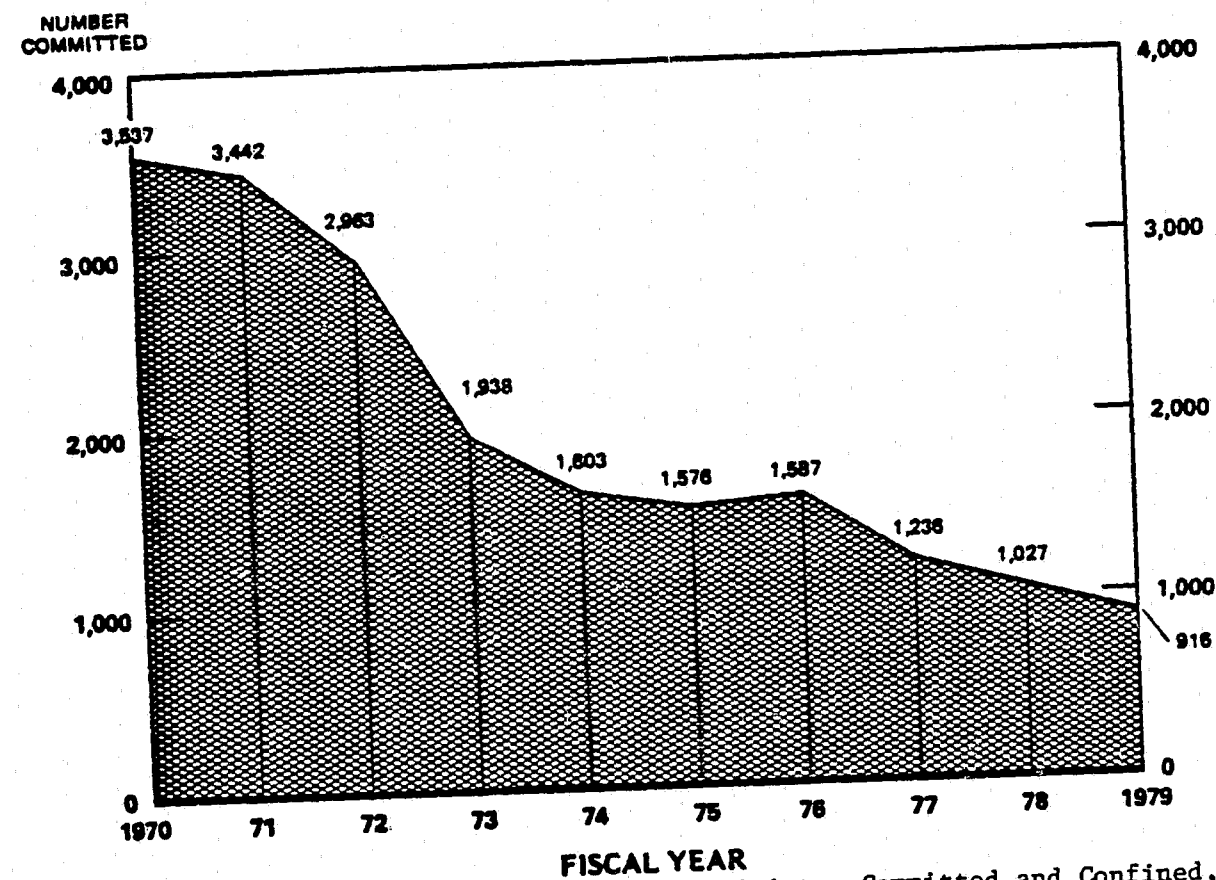
⁵Hereafter, this report will be cited as Felons, Misdemeanants, Recidivists, Committed and Confined, Year Ended June 30, 1979.

FIGURE 7
FELON COMMITMENTS
FOR FISCAL YEARS ENDED
JUNE 30, 1970 - 1979



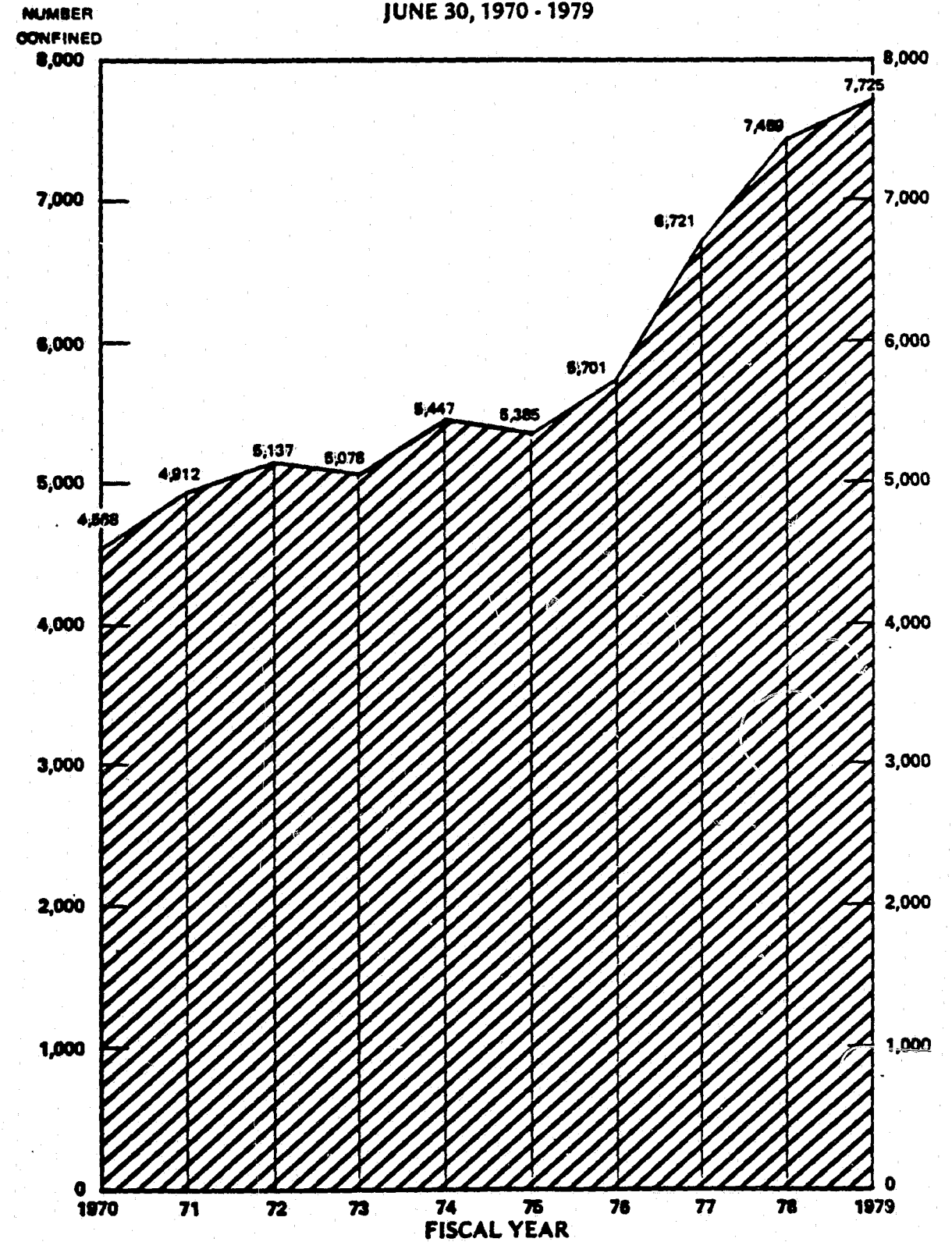
Source: Felons, Misdemeanants, Recidivists, Committed and Confined, Year Ended June 30, 1979, Virginia Department of Corrections, 1979.

FIGURE 8
MISDEMEANANT COMMITMENTS
FOR FISCAL YEARS ENDED
JUNE 30, 1970 - 1979



Source: Felons, Misdemeanants, Recidivists, Committed and Confined, Year Ended June 30, 1979, Virginia Department of Corrections, 1979.

FIGURE 9
FELONS CONFINED ON
JUNE 30, 1970 - 1979



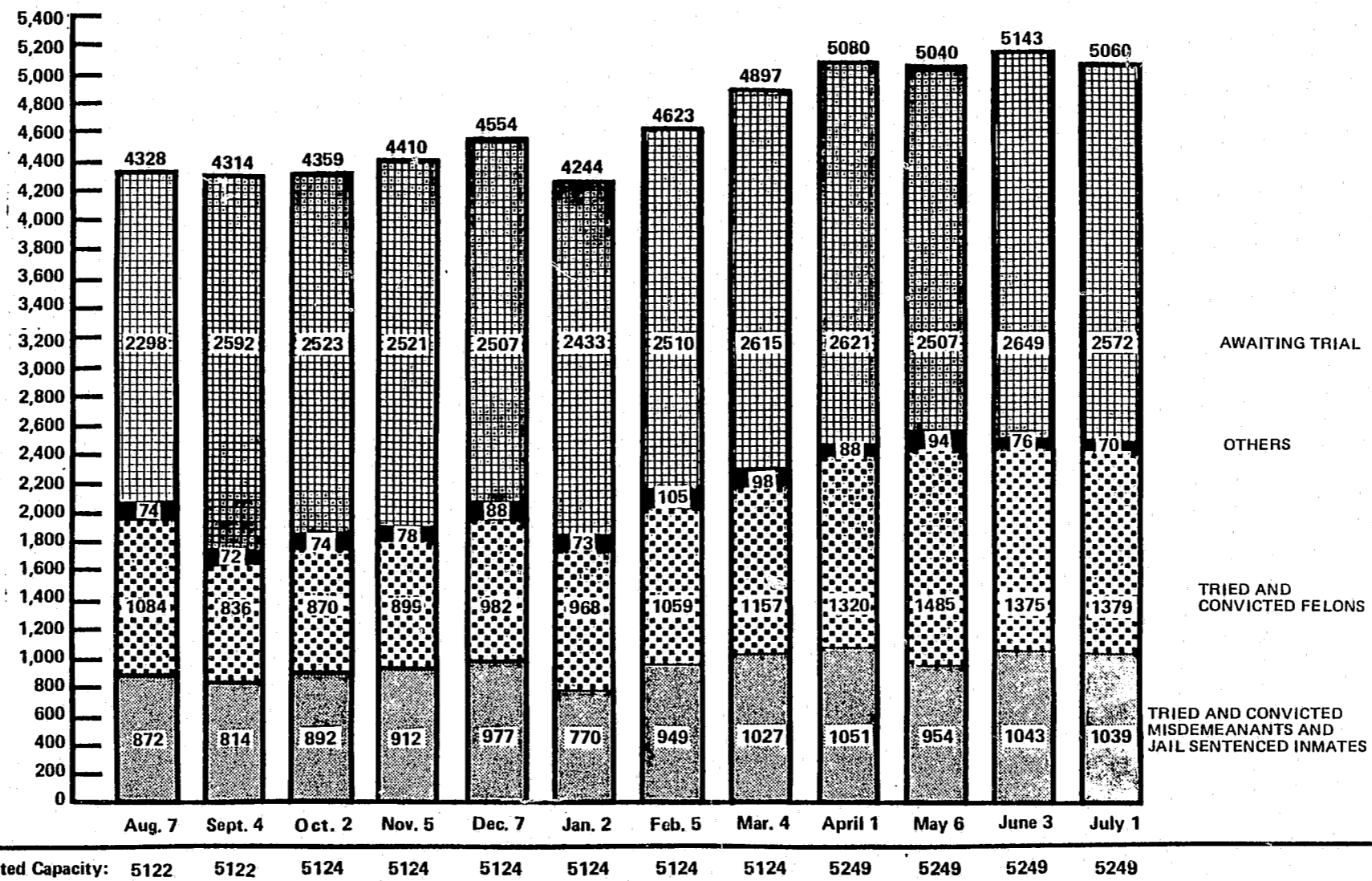
Source: Felons, Misdemeanants, Recidivists, Committed and Confined, Year Ended June 30, 1979, Virginia Department of Corrections, 1979.

FIGURE 10

DEPARTMENT OF CORRECTIONS

Jail Population*

JULY 1979 - JUNE 1980



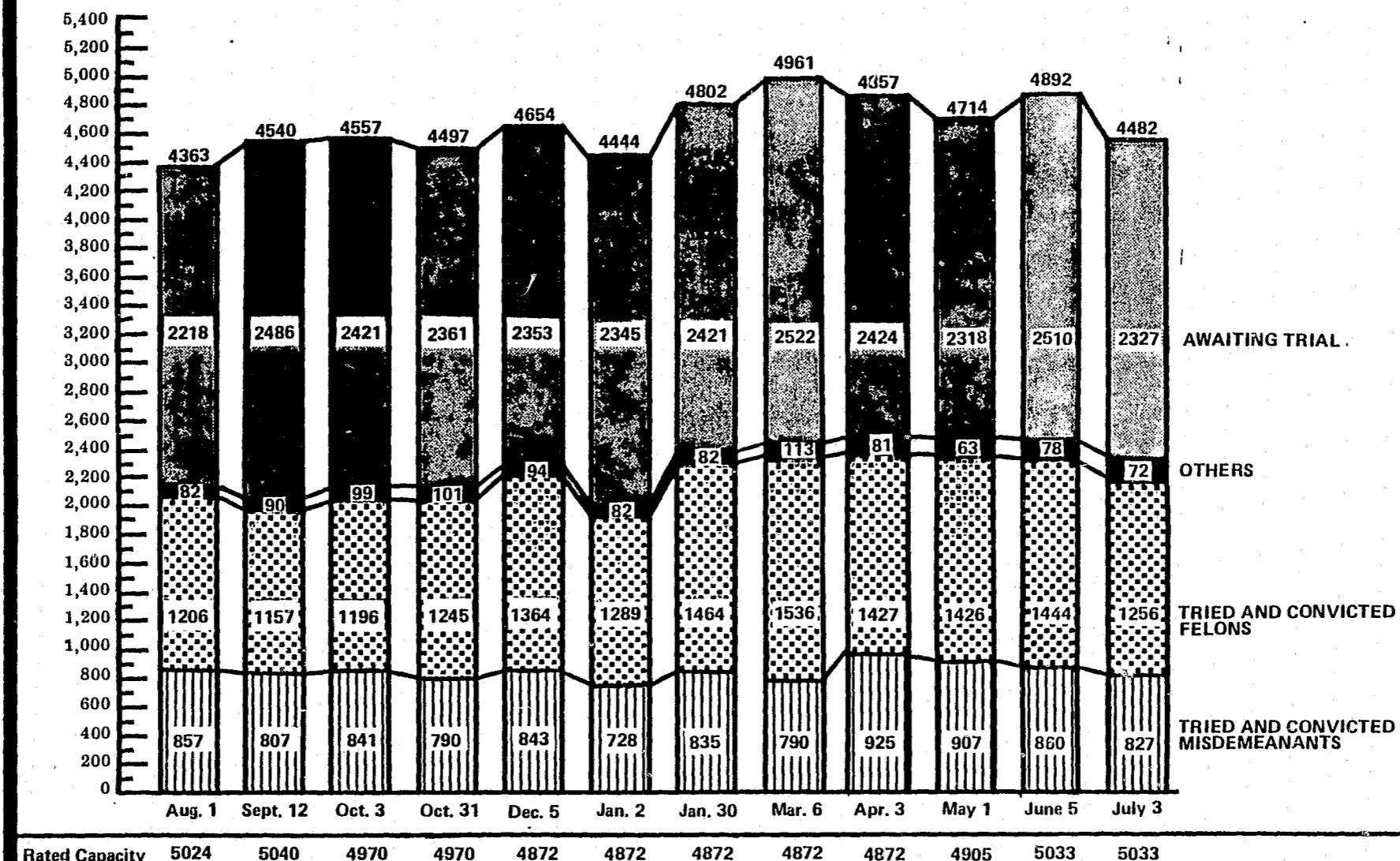
*Source: Population Survey of Local Institutions.

FIGURE 11

DEPARTMENT OF CORRECTIONS

Jail Population

JULY, 1978 - JUNE, 1979



* Source: Population Survey of Local Institutions.

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21 for last year, and 19 again for 1977. Over one-half of the 2,732 new felons (1,544, or 56.5%) were 25 years of age or younger.

A breakdown of the 2,732 new commitments shows that 1,460, or 53.4% were committed from city courts; 1,268, or 46.4% were committed from county courts, and 4, or 0.2% were committed from out-of-state courts. This has been relatively stable since 1977. As in the past, the largest number of felons were committed by the cities of Richmond and Norfolk. Norfolk, with 5.3% of the total State population, committed 10.1% of the new felons; Richmond, with 4.1% of the total State population, committed 9.5% of the new commitments, while the total new commitments decreased by 7.9% over the previous year. Richmond had 21.5% less commitments in fiscal 1979, and Norfolk courts decreased their commitments by 5.5%. Of the counties, Fairfax had the largest number of new commitments, with 180, or 6.6% of the total commitments. This represents an increase of 11.1% from the previous year.

A study of the types of offenses committed by new commitments shows that 922, or 33.8% committed offenses against persons, and 1,294, or 47.4% committed offenses against property. This year shows a decrease in commitments for drug violations from the previous year. There were 259, or 9.5% in fiscal 1979 compared to 304, or 10.2% for fiscal 1978. The level of drug violation commitments has increased from 1.5% in fiscal 1965 to a high of 20.7% in fiscal 1972, and has since decreased to the current level of 9.5%.

Statistics show that 1,650, or 60.4% of the new commitments received a sentence of five years or less (compared to 60.2% last year) and 217, or 7.9% received sentences of twenty years or more (excluding life and death sentences). This represents a decrease over last year's figure of 8.2%. The number of life sentences increased this year to 43 (1.6%) from 38 (1.3%) in fiscal 1978. There was 1 new felon who received a death sentence. The Department of Corrections Master Plan states that the average length of stay for all felons was twenty-eight months.

Of the 2,598 new commitments tested for intelligence, 1,125, or 43.3% were found to be of normal intelligence. The percentage of new commitments found to be severely or moderately retarded has increased to 5.3% in fiscal 1979 from 3.8% in fiscal 1978. Felons tested with an intelligence level of bright or superior constituted 432, or 16.6% of new commitments.

Of the felons committed, 664 were known to have served in the Armed Forces, a 43% decrease since 1977. Of these, 177, or 26.7% had received undesirable, bad conduct, or dishonorable discharges, or were in the service at the time of the offense and had not yet received a discharge at the time of commitment to the Virginia correctional system. Discharges of these persons are usually other than honorable.

At the time of commitment, there were 2,413 felons with known drug and/or alcohol usage, representing 88.3% of the total. There were 128 (4.7%) new felons with no record of alcohol of drug usage; 186 (6.8%) who were only occasional alcohol users, and 5 (0.2%) whose habits were unknown. In 1977 and 1978, the percentages of commitments which were known drug/alcohol users were 66.4 and 57.9, respectively.

Of the 2,732 new commitments, 1,344, or 49.2% had a juvenile record, while 1,388, or 50.8% did not. In comparison, 47.3% of last year's new commitments had a juvenile record, while 52.7% did not. The only year during the past six years which did not conform to this trend of even distribution was fiscal 1975, when 34.8% had known juvenile records, and 65.2% did not. There were 611 felons, or 22.4% who had been previously committed to a State learning center.

Of the 7,725 felons confined on June 30, 1979, 4,703, or 60.9% were non-white and 3,022, or 39.1% were white. Female felons constituted 3.2% of the population. There have been no significant changes since 1977.

The average age of the felon population on June 30, 1979, was 30 years; however, the most frequent age was 24 years. The median age of the population was 27 years. Again, there were no significant differences from 1977.

Courts in Virginia cities committed 4,751, or 61.5% of the felons confined on June 30, 1979, while county courts committed 2,968, or 38.4%. There were 6 (0.1%) committed by out-of-state courts. Felons committed by courts in the city of Richmond represented 15.5% of those confined, while Norfolk courts committed 10.5%. Among the county courts, Fairfax committed the largest number with 333, or 4.3% of the total population.

Of the 7,725 felons confined on June 30, 1979, 4,310, or 55.8% committed offenses against persons and 2,578, or 33.4% committed offenses against property. In comparing the percentage of new commitments sentenced in each of the offense categories, a greater portion committed offenses against property (47.4%) than offenses against persons (33.8%). The percentage of confined felons committed for violation of narcotic drug laws (7.7%) is below that for felons newly committed for these offenses (9.5%). A breakdown of offenses for felons confined at the end of the fiscal year 1979 shows that the two most commonly occurring offenses are robbery (unspecified), with 1,195 occurrences (15.5%) and burglary (including statutory), with 1,163 occurrences (15.1%). These rates also have not differed significantly since 1977.

1,788, or 23.2% of the 7,725 felons confined at the end of the fiscal year were serving sentences of five years or less, and 2,046, or 26.5% were serving sentences of twenty years or more (excluding life and death sentences). Those felons serving life sentences constituted 6.1% (472) of the total, while 6 felons (0.1%) received a death sentence. The average length of sentence for felons confined, excluding those with life or death sentences, was 15.6 years. This included additional time received after commitment for recidivism, escape, and/or other offenses. The average length of sentence has increased 56% since fiscal year 1977.

Of the 7,455 felons tested for intelligence, 3,488, or 46.8% displayed normal intelligence. This figure is similar to the percentage of new commitments with normal intelligence (43.3%). The statistics also revealed that 360, or 4.8% were severely or moderately retarded, and 1,258, or 16.9% were bright normal or superior intelligence. There have been no significant differences from 1977.

Of the 7,483 confined felons for which juvenile record information was available at the time of commitment, 56.0% had a juvenile record and 44.0% did not. In 1977, 57.9% of the commitments had a juvenile record.

There were 916 misdemeanants committed to the Virginia correctional system during the fiscal year which ended June 30, 1979. This reflects a decrease of 111, or 10.8% from the previous fiscal year. The number of misdemeanants committed has declined every year since 1967, when there were 3,817 commitments, until fiscal year 1976, when there was an insignificant increase. This is primarily due to overcrowding and some legislative changes preventing misdemeanants with less than 6 months from being transferred to the State.

The largest portion of the misdemeanants (770, or 84.1%) were initially received by the correctional field units. This reflects a slight increase from the previous year when the field units received 83.6% of the misdemeanants.

Of the 916 misdemeanor commitments, 55.6% were white, and 44.4% were non-white. A breakdown by sex shows that 90.5% were male and 9.5% were female. In comparison, only 4.8% of the felon new commitments for fiscal year 1979 were female.

Ages were recorded for 915 of the 916 misdemeanants committed. Of these, 50.1% were under the age of 24. The youngest misdemeanor committed was 16 years of age and the oldest was 73 years of age. The mean age at commitment was 26.5 years; the median was 23.5 years, and the mode was 21.0 years, showing no significant changes since fiscal year 1977.

Of the 916 misdemeanants committed, 555, or 60.6% committed offenses against property; 140, or 15.3% committed offenses against persons; 41, or 4.5% committed offenses against decency, morality, peace and good order; 19, or 2.1% committed offenses against public justice and administration; 56, or 6.1% committed traffic violations; 90, or 9.8% committed offenses against public policy, economy and health; and 15, or 1.6% committed miscellaneous offenses. The most frequently committed offense was petty larceny (106 or 11.6%), followed by grand larceny (105, or 11.5%). Violation of narcotic drug laws was committed by 81, or 8.8% of the misdemeanants. This represents a decrease from the previous year when 11.3% violated narcotic drug laws. This pattern is generally the same for fiscal years 1977 and 1978, and differs significantly from the felon population where offenses against persons are higher.

Courts in Virginia counties committed 486, or 53.1% of the misdemeanants, while the cities committed 430, or 46.9%. A breakdown of individual counties reveals that Henrico County committed the largest number (58, or 11.9%) of all county commitments. Among the cities, Norfolk committed the largest number (75, or 17.4%) of all city commitments, a change from fiscal year 1977 when Richmond was first with 17.9%, and Norfolk with 11.9%.

Local Jails

Local jails are supervised and operated by local units of government under the auspices of a constitutional officer (sheriff), or regional jail administrator. Although basically autonomous institutions, jails are tied to the State Department of Corrections and the Board of Corrections by certain statutes in the Code of Virginia which provide supervisory requirements and reimbursement for personnel and specific equipment. Because of this system linkage, it becomes difficult to discuss State problems without relating them to similar problems on the local level.

In fiscal year 1978, the Department of Corrections reported 151,721 commitments to city and county jails in Virginia. The commitments resulted in 1,647,222 prisoner days, averaging 10.9 days per commitment (includes pre and post adjudication detention). The design capacities of these jails in fiscal year 1978 provided a maximum of 1,790,325 prisoner days per year. This is the total number of prisoner days that would be available if every jail had been filled to capacity every day of the year (rated capacity X 365). The rated capacity for all the State's jails was 4,867 in fiscal year 1976; 4,979 in fiscal year 1977; 5,024 in fiscal year 1978; 5,033 in fiscal year 1979, and 5,249 by June of 1980, an increase of 7.9% during the past five years.

During fiscal year 1979, there were 77,717 less total prisoner days than the jails were designed to accommodate. From 1976, when there were 94,828 more prisoner days than capacity days, to 1978 with 143,103 less prisoners days, jail populations decreased by 13.6%. In fiscal year 1979, there were 1,759,328 total prisoner days for the State's jails, an increase of 6.8% over the previous year.

Of the total jail commitments during fiscal year 1979, 67% were white and 33% were non-white. The racial distribution shows no change over fiscal years 1975-1979. Commitments of youths under the age of eighteen show a downward trend; 6,573 in fiscal year 1975, to 3,749 in fiscal year 1978; a drop of 75.3% during the past four years. Commitments increased from fiscal year 1978 to fiscal year 1979 to 3,951 or 5.4%. The general trend for commitments to jail for this age group shows a 29% increase from 1964, at 5,601 to 1970, at 7,225. The next ten years demonstrated an overall reduction (of 82.9%) in commitments of persons under the age of eighteen.

An analysis of offenses for fiscal year 1978 shows that those against decency, peace and good order (32%) were most frequent. Among these offenses, the one most frequently occurring was drunk in public (25%). Traffic violations ranked second with 21%. There has been no significant change in these percentages of commitments since fiscal year 1975. Fiscal year 1978 data clearly show that 52% of all commitments were for misdemeanors, 26% for local ordinances, and 22% for felonies. This has remained relatively constant since fiscal year 1975.

The following chart exhibits the percentage of misdemeanor, ordinance, and felon commitments to jails since 1964:

Fiscal Year	% Commitments		
	Misdemeanant	Ordinance	Felony
1964	86.4	0	11.6
1965	86.8	0	11.2
1966	86.5	0	11.3
1967	86.5	0	11.5
1968	86.1	0	12.1
1969	85.7	0	12.5
1970	84.5	0	13.4
1971	82.9	0	15.2
1972	82.0	0	16.2
1973	82.7	1%	16.2
1974	69.0	13.6%	17.4

% Commitments

<u>Fiscal Year</u>	<u>Misdemeanant</u>	<u>Ordinance</u>	<u>Felony</u>
1975	56.0	22.4%	21.6
1976	51.0	25.2%	23.8
1977	53.6	23.9%	22.5
1978	51.9	26.3%	21.8

Misdemeanant commitments to State adult institutions have decreased significantly from 1968 to 1979, some 31%. Misdemeanant commitments to jails have also decreased, although the total of misdemeanants and ordinance violators has remained somewhat constant. The significant increase is in felony commitments, 88% over the past 15 years, due in part to the overcrowded conditions in State adult institutions.

As can be seen in Table 1, the number of arrest warrants issued by magistrates for felonies has increased 6.6% since 1976, while misdemeanor arrest warrants have decreased by 2.6%. The issuance of summonses fell 19% from 1976 to 1979. While felon arrest warrants increased, the felony bonding rate also increased 25.5% during 1976-1979. Misdemeanant bonds decreased by 18.8%, and commitments and releases increased by 49%.

A study of jail data for 30 jails indicated that 50-75% of all commitments to jails were in the pre-trial status and accounted for only 25-40% of the average daily population. It is apparent that there is a heavy flow of misdemeanor offender traffic during the peak hours of operation which also contributes to the overcrowding in jails, since most are released in a short time on bond. State reimbursement practices of allowing one day's credit for commitment and release on the same day also contributed to overcrowding. During fiscal years 1978 and 1979, only 23 of the jails in the State were over their rated capacity 100% of the time. Seventeen of these are major facilities with a rated capacity of 65 and over, accounting for 3,335 spaces of the total bed capacity in all the jails. In other words, 18% of the jails have 64% of the beds. These localities generally also have the highest rates of incarceration in the State for an average rate of incarceration of 160, or one bed for every 625 residents.

Of the 96 jails operating in 1980, 48 have classification services; 55 have medical services, and 37 have recreation services. Forty-eight jails have no day space or multipurpose area, and 59 have neither outdoor nor indoor recreation. In addition, 21 have education services; 64 provide visiting privileges 2-3 times a week; 30 have bona fide substance abuse counseling services; 61 have libraries ranging from fully equipped to cast-off materials, and 32 provide work release alternatives.

Training and Education of Correctional Personnel

The Virginia Criminal Justice Services Commission has established minimum basic training requirements for law enforcement and correctional officers, and has established minimum in-service annual training requirements for law enforcement personnel. During fiscal year 1980, minimum in-service training requirements for local correctional officers were implemented.

While the Criminal Justice Services Commission is mandated to establish compulsory minimum training standards for correctional officers, it is the State

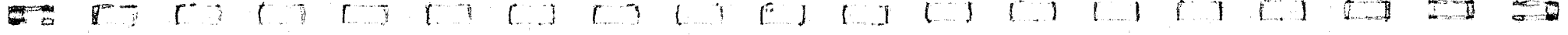


TABLE 1

<u>Year</u>	<u>Arrests</u>		<u>Bonds</u>		<u>Summons</u>	<u>Commitments/ Releases</u>
	<u>Felony</u>	<u>Misdemeanant</u>	<u>Felony</u>	<u>Misdemeanant</u>		
1976	34,410	256,937	16,796	208,168	40,554	142,609
1977	33,208	254,197	17,230	191,342	36,428	162,226
1978	36,118	242,741	19,710 ¹	152,210 ²	35,410	189,680 ³
1979	36,681	250,494	21,071 ⁴	175,172 ⁵	34,088	212,651 ⁶

1. Includes 5,929 unsecure and 13,781 secure felon bonds.
2. Includes 68,312 unsecure and 90,898 secure misdemeanor bonds.
3. Includes 102,207 commitments and 87,473 releases.
4. Includes 5,534 unsecure felon bonds, of which 616 are Promise to Appear and 4,918 are Personal Recognizance; and 15,537 secure felon bonds.
5. Includes 83,347 unsecure misdemeanor bonds, of which 8,380 are Promise to Appear and 74,967 are Personal Recognizance; and 91,825 secure misdemeanor bonds.
6. Includes 113,840 commitments and 98,811 releases.

Department of Corrections which provides basic level training for State and local correctional officers.

Recent legislation has limited the definition of correctional officer to the following:

Section 53-19.18:1, "Correctional Officer" defined. The term "correctional officer" shall mean an employee of the Department of Corrections whose normal duties relate to maintaining immediate control, supervision and custody of prisoners confined in any penitentiary, prison camp, prison farm, or correctional field unit, owned or operated by the Department of Corrections, and who has taken an oath that he will faithfully and impartially discharge and perform all duties incumbent upon him as a correctional officer. (1976, cc. 740, 746.)

The result is that a large number of correctional personnel who for all intents and purposes provide supervision for offenders as a result of their specific treatment or support services function are not required to complete basic training, nor are they required to be certified.

The Corrections Academy for Staff Development, located in Waynesboro, Virginia, is operated by the Department of Corrections. The Academy provides staff and facilities for basic correctional officer training and for basic and specialized training for Community and Prevention Services staff. The Academy provides a three-day orientation session for most Department of Corrections employees; training for some Department of Corrections food service personnel; training in first aid; facilities for training by consultants geared to Department of Corrections management personnel, and facilities for various Department of Corrections employee association and staff meetings.

Some basic or specialized training of local correctional officers is provided via eight regional law enforcement academies. Approximately eight to ten per cent of curriculum time is devoted to correctional training.

Basic training is provided to probation and parole officers, and local and State correctional officers. Basic training for other correctional personnel such as medical, maintenance, and treatment personnel is also provided.

Advanced training is provided to some correctional officers, probation, and parole officers, and some management and treatment personnel.

ADULT CORRECTIONS

IMPACTS AND GAPS:

State Adult Corrections

Of the 2,732 new commitments to the Virginia correctional system for fiscal year 1979, 454, or 16.6% had served one or more previous felon sentences in the Virginia correctional system. The recidivism rate of 16.6% represents a decrease from fiscal year 1978, when the rate was 18.0%. The recidivism rate has remained fairly constant since fiscal year 1971, with the exception of fiscal year 1974 when the rate sharply increased to 24.1% from fiscal year 1973's rate of 17.0%. (See Figure 12.)

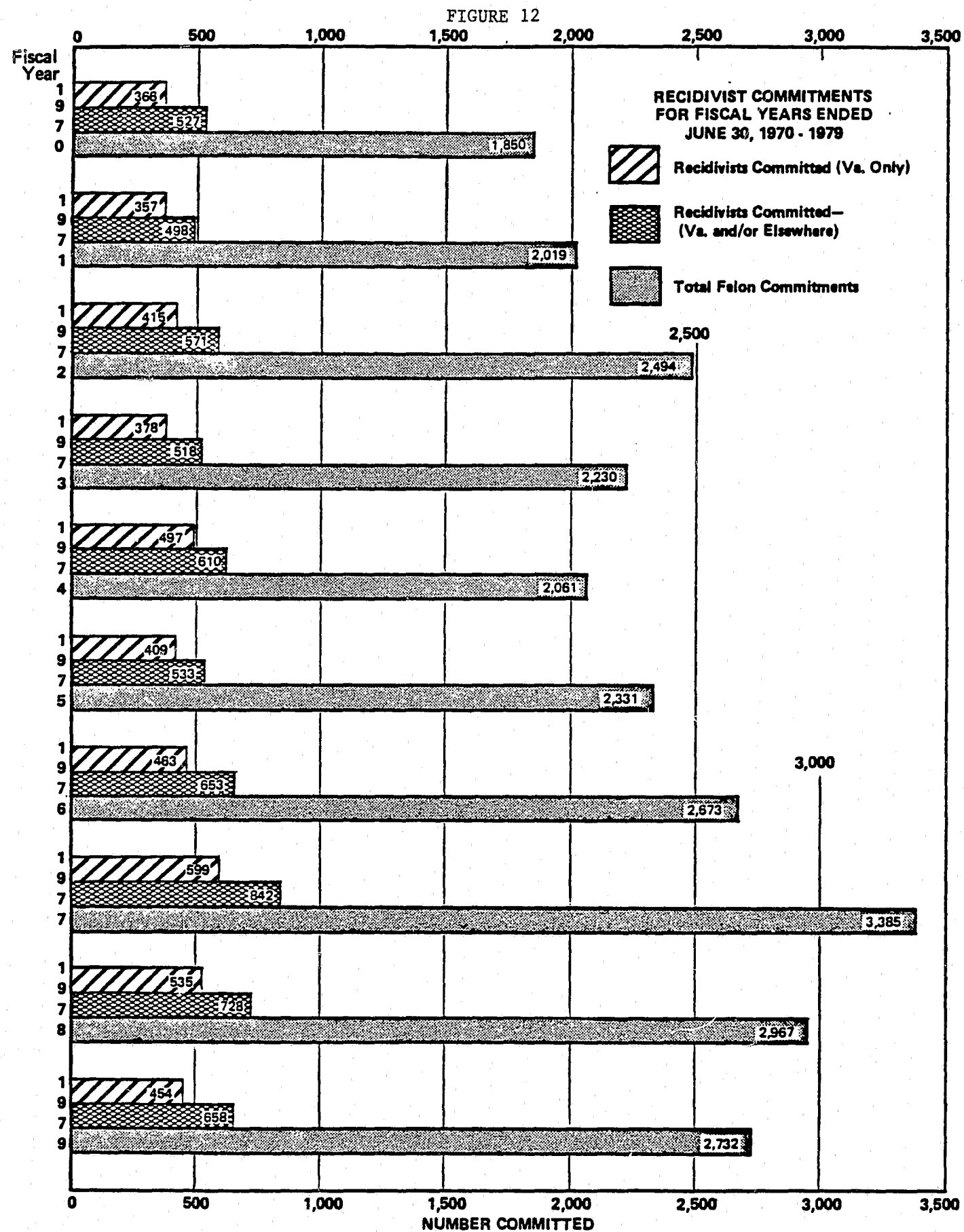
A total of 24.1%, or 658 persons who were new commitments for fiscal year 1979 had served one or more previous felon sentences in the Virginia correctional system and/or elsewhere. This recidivism rate shows very little change from fiscal year 1978, when the rate was 24.5%. This rate, however, shows an increase over fiscal year 1975, when the rate was 22.9%, the lowest rate in the past ten years. Fiscal year 1972 also exhibited a recidivism rate of 22.9%.

Non-whites constituted over half (54.7%) of the repeaters, while whites constituted 45.3% of the recidivist population. Only 5.0% of the recidivists were females. This recidivism rate for females shows an increase over fiscal year 1978, when the rate was 3.4%. An analysis of all new commitments shows that non-white recidivists constituted 25.5% of the 1,411 non-white felons, and white recidivists constituted 22% of the 1,321 white felons.

The 454 Virginia recidivists were 60.1% non-white and 39.9% white. Female recidivists constituted 4.4% of the total. An analysis of all new commitments shows that white recidivists constituted 13.7% of the 1,321 white felons, and non-white recidivists constituted 19.3% of the 1,411 non-white felons.

Of the 454 recidivists, 342, or 75.3% had served only one prior Virginia felon sentence; 85, or 18.7% had served two prior sentences, and 27, or 6.0% had served three or more prior sentences in Virginia. The percentage of recidivists with only one prior felon commitment is slightly higher this fiscal year than the percentage in fiscal 1978 (73.5%). The percentage of recidivists with three or more prior sentences is lower this year than the percentage in fiscal year 1978 (8.4%). However, of the 658 persons who had served prior felon sentences in Virginia and/or elsewhere, 459, or 69.8% had served only one previous sentence; 131, or 19.9% had served two prior sentences, and 68, or 10.3% had served three or more prior sentences. There were two recidivists who had served seven prior sentences.

Further analysis shows that the percentage of recidivists serving three or more previous sentences had declined during the years of 1970-1974, from 14.6% to 9.0%. In fiscal 1975, the figure rose to 13.3% and declined again



Source: Felons, Misdemeanants, Recidivists, Committed and Confined, Year Ended June 30, 1979, Virginia Department of Corrections, 1979.

to 10.1% in fiscal 1976, and 9.0% in fiscal 1977. In fiscal 1978, the figure increased to 11.7%, then declined again to the current level of 10.3%.

A study of recidivists shows that 148, or 32.6% had been paroled and discharged from parole supervision at the time the present offense was committed. Last fiscal year, recidivists in this category accounted for 12.5% of the Virginia repeaters. In fiscal 1978, 11.4% of the recidivists were on parole from their last sentence at the time they committed the offense for which they were returned. In fiscal 1979, there were no recidivists who fell into this category.

Recidivists who had been paroled, but had been released from parole supervision before committing their new offense, numbered 148 or 22.5%. This represents a large increase over the 9.2% of recidivists in fiscal 1978 who had been paroled and released from parole supervision before committing their new offense. In fiscal 1978, 8.4% of the recidivists were on parole at the time they committed their new offense. In fiscal 1979, there were no felon recidivists committed who fell into this category. A parolee who violates parole through the commission of a new offense is considered a parole violator and not a new recidivist commitment.

A study of the offenses committed by the 658 recidivists reveals that 340, or 51.7% committed offenses against property; 188, or 28.6% committed offenses against persons, and 130, or 19.8% committed other offenses. The figures for all new felon commitments in fiscal 1979 display similar findings, with 47.4% committing offenses against property; 33.8% committing offenses against persons, and 18.8% committing other offenses.

Of the 454 Virginia recidivists, 228, or 50.2% were convicted of offenses against property; 121, or 26.7% had committed offenses against persons, and 105, or 23.1% committed other offenses. In comparison to the breakdown of all new commitments, the study reveals that 47.4% committed offenses against property; 33.8% committed offenses against persons, and 18.8% committed other offenses. Burglary, with 92 occurrences (20.3%) was the offense most often committed. The number of recidivists committed for violation of narcotic drug laws remained fairly constant with 9.3% last fiscal year, and 9.5% in fiscal 1979.

The average age of the 454 Virginia recidivists was 32.3 years. This figure represents very little change in the average age of last fiscal year's recidivists (31.5 years). The most frequent age was 23 years, with 31 occurrences or 6.8%. Almost half (47.8%) of the recidivists were under 30 years of age, with the youngest recidivist being 18 years of age.

The average age of all recidivists (Virginia and elsewhere) was 32 years, while the most frequent age was 23 years (occurring 44 times or 6.7%). Almost one-half (49.4%) were under thirty years of age.

An analysis of the 612 recidivists who were tested for intelligence level shows that 49.0% were within the normal intelligence range; 25.3% were bright normal or superior, and 3.3% were severely or moderately retarded.

Of the 423 Virginia recidivists tested for intelligence level, 50.6% were classified as having normal intelligence; 20.8% as bright normal or superior; 8.0% as borderline, and 4.3% as moderately or severely retarded.

For Virginia recidivists the most frequent sentence was two years, while the median sentence was four years. Excluding the recidivists with life and death sentences, the average sentence was 6.8 years. This figure represents a decrease in the average length of sentence, from 8.8 years in the last fiscal year, to the current level of 6.8 years.

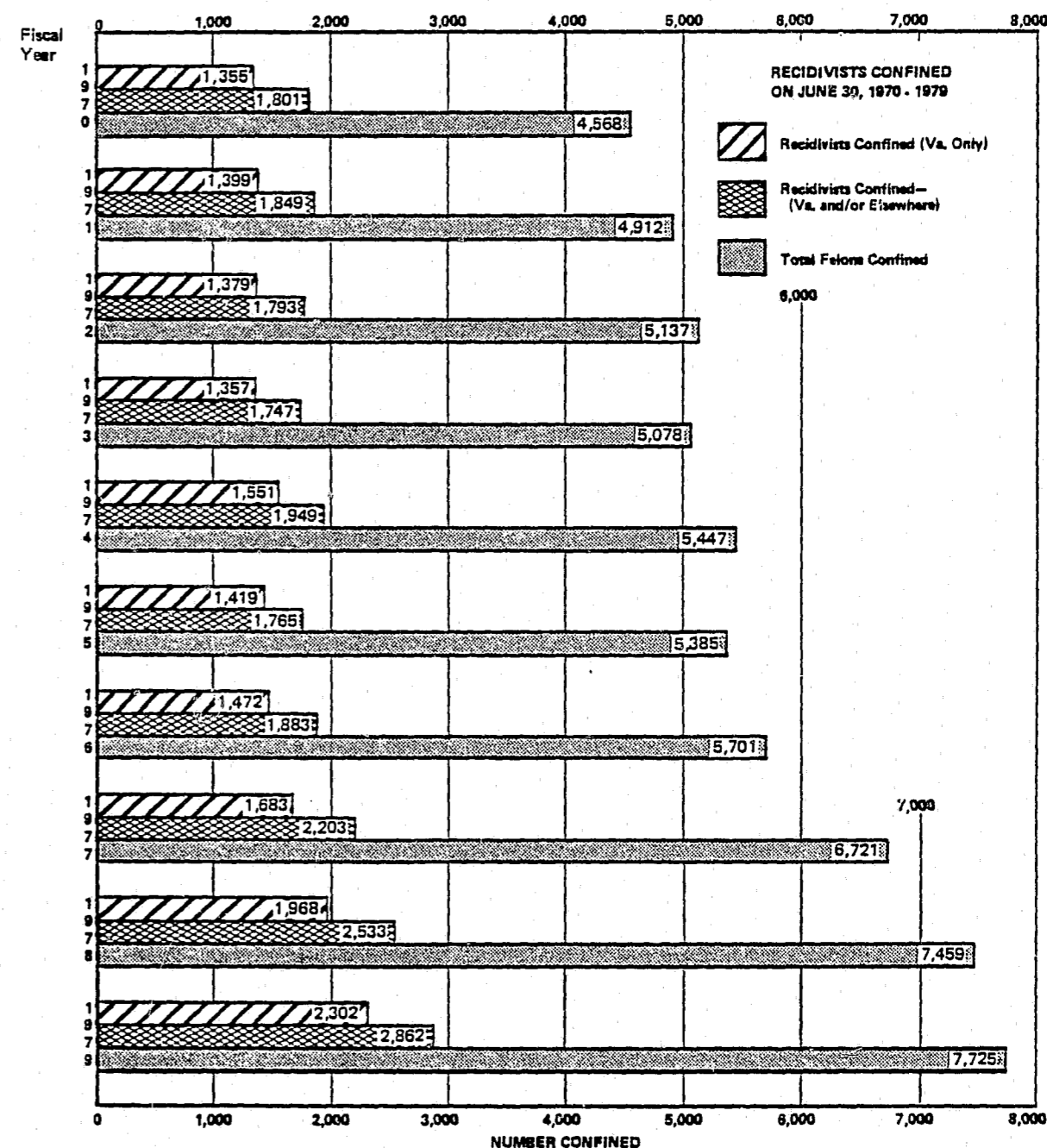
The average length of sentence for all recidivists was 7.6 years, excluding recidivists with life or death sentences. This figure represents a decrease from last fiscal year's figure of 8.6 years. A sentence of two years was the most frequently occurring sentence and a sentence of five years was the median length of sentence.

A review of all felon recidivists confined* in the Virginia adult correctional system shows that they comprise 37.0% of the total felon population in custody, an increase of 3% over the past year. (See Figure 13.) Virginia recidivists make up only 29.8% of the total number of felons confined during the past year (7,725), an increase of 3.4% over last year. Racial distribution also did not differ from the commitment make-up. Prior commitments were about the same; 72.2% of Virginia recidivists confined had one prior felony, while 65.7% of all felons confined had served one previous sentence.

Virginia recidivist felons who had two prior felon sentences comprised 19.8% of the confined population, while 22% of all recidivists had served two prior felon sentences. Only 8% of Virginia recidivists had three or more previous felon sentences, compared to 12.3% for all recidivists confined. In addition, 18.6% had also served one or more previous misdemeanor sentences. Parole data indicate that 32.4% of Virginia recidivists confined were on parole when their present offense was committed. During fiscal year 1978, 20.0% were on parole at the time of commission of another crime.

*Includes prior commitments still incarcerated, as well as fiscal year 1979 commitments.

FIGURE 13



Source: Felons, Misdemeanants, Recidivists, Committed and Confined, Year Ended June 30, 1970, Virginia Department of Corrections, 1979.

About 16% of Virginia recidivists during fiscal years 1978 and 1979 had been discharged from parole prior to the commission of another crime. Of all the felon recidivists confined, including out-of-state confinements, 26% were on parole, and 12.9% had been released from parole supervision prior to the commission of another crime. Offenses against persons comprised about 50% of all recidivist crimes for both groups.

The average age of the 2,302 Virginia recidivists confined on June 30, 1979, was 33.5 years. Those recidivists under the age of 31 constituted 47.7%, while the most frequent age was 27 years, with 136 occurrences, or 5.9%.

Most of the total recidivists were three years older than the total confined population, displaying a mean age of 33.5 years. The most frequent age was 28 years, with 165 occurrences (5.8%), and the median age was 31 years. The youngest recidivist in confinement was eighteen. Profiles on intelligence demonstrate no variation from the general population. The average level of educational achievement at commitment was 6.4 for reading, 6.9 for arithmetic, and 6.3 for language arts. In addition, about 79% of offenders confined identified their previous occupational experience as unskilled, while 6% were skilled, and 15% did not respond.

In 1977, the Secretary of Public Safety and the Department of Corrections formed a steering committee to develop a master plan for corrections in Virginia. The steering committee utilized consultants from the National Clearinghouse for Criminal Justice Planning and Architecture for assistance in this effort.

One of the concerns addressed in the planning process was to assess the magnitude of the future incarcerated population. A task force began work on the development of a projection model. Below is an excerpt from the Executive Summary of Corrections Options for the Eighties, which describes the projection model developed, its application, and suggestions for remediating problems:

Several approaches were assessed, and the present model represents the result of approximately 18 months of intensive development and entails the analysis of approximately 30 years of data.* The staff of the Clearinghouse has reviewed the model with the appropriate persons in Virginia for inclusion in this plan.

The approach is a "simulation" model, the core of which is a computer-created replica of the actual input-output processes within the department's institutional segment.

Essentially, using established historical trends for jail time accrual, length of stay, parole/discharge, etc., the computer establishes for each "person" entering, a date of commitment, an anticipated length of stay, and a projected release date.

*The model used for this projection was developed by Mr. Ray Tuegel, Virginia Department of Corrections, Bureau of Electronic Data Processing.

The current model uses, as input to the system, projected commitments based on the historically established relationship between felony arrests (provided by the Department of State Police) and commitments to the Department of Corrections.

For the purposes of this model, the state inmate population is divided into four groups:

1. Misdemeanants in the state system
2. Felons currently confined in state institutions
3. Convicted felons in local jails awaiting admission to the state system
4. Felons expected to be committed during the projection time frame

While each group is processed within the model in a slightly different manner, each is accounted for and included in the projection.

PROJECTION ASSUMPTIONS

These projections are based on the historically predictable relationship between felony arrests and commitments to the Department of Corrections. This approach has the distinct advantage of summarily accounting for the pre-arrest effects of most socioeconomic factors that affect both arrests and commitments, such as unemployment, changes in general population, and many others.

The arrest/commitment relationship used in this projection also accounts for some factors affecting commitments after the arrest stage. These factors are historic and assumed constant to the end of the projection period (approximately 92.5 commitments per 1,000 arrests as of January 1978). Dramatic changes in these post-arrest factors are not accounted for in this approach. Changes in sentencing patterns (such as the initiation of Determinate Sentencing) is one such unaccountable factor.

Certain internal changes occurring within the correctional system are not at this time included, but can be anticipated and the projection adjusted as needed. Such factors as the increased availability of new beds (due to the opening of new institutions), which would allow the Department to relieve some of the housing pressures in local jails, would affect the projection through judicial perception of increased inmate capacity.

Other changes within the correctional system, such as changes in correctional or parole policy, philosophy, or legal responsibility cannot be built into this projection, as none can be predicted.

Generally, no dramatic changes are accounted for nor anticipated in any area considered critical to the corrections population for this projection period. It is essentially a "business as usual" projection. Given that no official predictions of dramatic shifts in either the economy, general state population, or employment, are expected, this is the best estimate available for Virginia prisoner population.

Using the above-described method, the following projections were derived for adult institutions:

1980 - 9,729
1985 - 12,867
1990 - 12,987
1995 - 12,658

On June 16, 1980, there were 8,168 assignable beds in the Department of Corrections' Division of Adult Institutional Services, excluding 784 special purpose beds (isolation, segregation, hospital). In April of 1980, there were 8,236 felons and misdemeanants confined in State adult institutions (see Figure 14), an increase of 111 over the same month during the previous year; and 1,485 felons awaiting transfer to State institutions. The average monthly population for fiscal year 1980 was 8,119 which in essence means that the system was operating at rated capacity during most of this year. Since the monthly average for felons awaiting transfer during fiscal year 1980 was 1,094, it is apparent that the Department of Corrections would have needed a minimum of 9,213 beds to house this combined population; only 5.6% less than the projected population for 1980.

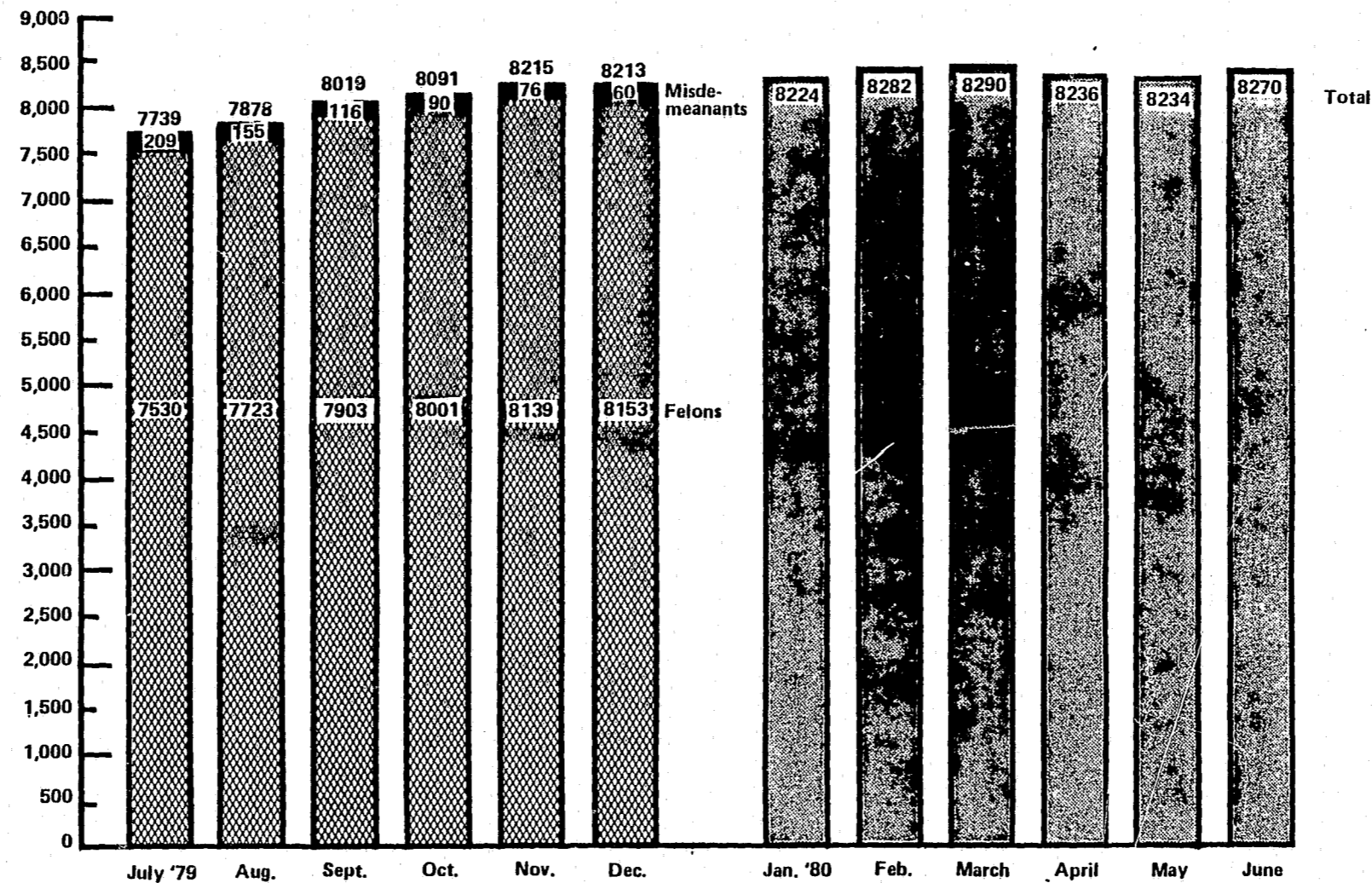
In assessing the needs of adult facilities, the Clearinghouse staff visited all major institutions in the State and eleven of the field units. In all such visits, both architectural and program specialists toured the facilities and interviewed key staff.

As a more comprehensive part of the study, an analysis was made of all present institutional capacities, future capacities following new construction or renovations required to meet acceptable standards, and the effects of projected commitment rates. The resulting findings were that by 1990 there will be a need for 12,987 spaces in the system if current practices are continued. Assuming no upgrading to present facilities or closing of temporary ones, this would require 4,776 spaces in addition to the present and newly funded facilities, and this new construction would call for an additional \$191,040,000 in capital outlay.

However, the reality must be faced that currently operated facilities do not meet standards and cannot continue to operate in their present condition and with their present capacities until 1990. So, the loss of obsolete space that must be phased out, or the loss of beds through renovation of dormitories to single occupancy will mean that after presently funded new facilities are built and old facilities are closed or renovated, the department will have only 4,831 beds in 1990--a shortfall of 8,156 beds.

FIGURE 14

VA. DEPARTMENT OF CORRECTIONS
 Adult Institutions Average Daily Population
 JULY 1979 - JUNE 1980**



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8068	8140	8140	8140	8140	8125	8113	8101	8101	8147	8168	8168	ASSIGNABLE BEDS
742	744	744	744	744	743	742	742	742	784	784	784	SPECIAL PURPOSE BEDS
8810	8884	8884	8884	8884	8868	8855	8843	8843	8931	8952	8952	TOTAL BEDS

*Source: Division of Institutional Services Classification & Records Daily Population Report.

**These totals do not include inmates assigned to local jails.

Altogether, the facts emerging in these population projections show that a severe crisis is developing, with future prisoner populations far outstripping the capacity of Virginia's present and projected institutions to handle the load. At the same time, construction costs are becoming so excessive that new prisons to meet commitment increases under existing practices would incur more expense than taxpayers can reasonably sustain.⁶

The cost of the necessary renovation is calculated at approximately \$127,700,000; the cost of 8,156 new beds at about \$326,240,000, for a total of \$453,940,000.

The extreme nature of these costs requires serious consideration of any reasonable procedures for reducing the number of commitments to institutions, or the length of time served by committed persons. One encouraging fact is that a substantial reduction of the problem can be achieved by a relatively small change in time served, case by case. In other words, individual offenders do not have to have more than slight reductions in time in order to produce a cumulative effect that is highly useful. For instance, if all presently incarcerated prisoners were to have their time reduced by only four months, and if alternative sentences could accomplish a ten percent decrease in annual admissions, the prisoner population would be reduced by about 22%.

If these measures and other alternatives could be fully implemented during future years, the effect could be that in 1990, the prisoner population would reach a level of only 7,640, instead of the projected 12,987.⁷

Probation, Parole, Pardon, and Discharge

Probationers are received for supervision from courts of record (circuit courts) and courts not of record (general district courts). Of the total clients served during 1979, there were 17,672 from circuit courts and 2,447 from district courts. This represents a 5.4% increase from the previous years from the circuit courts and 5.8% from the district courts. At the end of the fiscal year, there were 10,151 probationers remaining under supervision from circuit courts, and 1,103 from district courts. At the end of last fiscal year, there were 9,624 probationers under supervision from courts of record, and 1,040 from courts not of record. This is a 5.5% increase in the number of clients under supervision from circuit courts, and a 6.1% increase in clients from district courts. The Southeast Region had the largest number of probationers under supervision on June 30, 1979, with 2,787. The smallest regional caseload was the East Central Region, with 1,537 probationers under supervision. Probation caseloads for circuit courts have increased by 21.7% since 1976. District court caseloads decreased by 31.8% from 1976 to 1978, and increased 6.1% in 1979, for an overall decrease of 24.3%.

⁶Corrections Options for the Eighties, Executive Summary, Department of Corrections, 1978, pp. 12 and 13.

⁷Corrections Options for the Eighties, Executive Summary, Department of Corrections, 1978, pp. 11, 12, and 23.

FY	Probations			
	Circuit	District	Paroles	Pardonees
1975	8,346		2,448	15
1976	8,342	1,371	2,806	15
1977	9,019	1,012	2,992	13
1978	9,625	1,040	3,008	13
1979	10,151	1,103	3,135	8

During fiscal year 1979, there were 5,200 parolees or pardonees who were served by the Division of Community and Prevention Services. On the last day of the fiscal year, there were 3,135 parolees under supervision and 8 pardonees under supervision. Last fiscal year there were 3,008 parolees and 13 pardonees being supervised on June 30. This represents a 4.2% increase in the number of parolees under supervision, and a 38.5% decrease in the number of pardonees under supervision. The East Central Region had the highest number of parolees under supervision on June 30, 1979, with 879; the Southeast Region was supervising 858 parolees on June 30. The Western Region had the smallest caseload, with 446 parolees/pardonees under supervision. From 1975 to 1979, there has been a 28.1% increase in the number of offenders paroled, and an 87.5% decrease in the number of pardons.

Among the probationers received for supervision during fiscal year 1979, 66.8% were new cases from court; 4.1% were cases restored to supervision; 6.9% were new cases received from other states; 20.0% were Virginia probationers received from other districts; 1.2% were Virginia probationers returned from other states, and 1.1% were opened administratively to other districts.

A total of 22.5% of the probationers were removed from probation supervision due to the expiration of term of probation, and an additional 21.2% were removed from supervision by order of the court. Warrants were issued for 7.7% of the probationers who were discharged, and 6.9% were probationers who had their probation revoked. Among the total probationers removed from supervision, 21.3% were transferred to other districts, and 6.0% were transferred to other states for supervision.

The majority of parolees/pardonees who were received for supervision came directly from Virginia institutions (74.0%). There were 1.6% restored to supervision; 12.0% of the clients transferred from other districts, and 10.4% transferred from other states. Among those removed from supervision, 49.1% were discharged from supervision, 21.7% were issued warrants; 12.7% were transferred to other districts, and 3.6% were transferred to other states.

This can be compared to fiscal year 1978 where the client flow statistics do not differ significantly for probationers received for supervision during that year. Eighty-four percent were new cases from court; 4.4% were cases restored to supervision; 9.5% were new cases received from other

states; 1.5% were Virginia probationers returned from other states, and 0.6% were opened administratively.

Due to expiration of the term of probation, 29.3% of the probationers were removed from probation supervision; an additional 27.2% were removed from supervision by order of the court. Warrants were issued for 9.2% of the probationers who had their probation revoked. Among the total probationers removed from supervision, 18.1% were transferred to other states for supervision.

The majority of parolees/pardonees who were received for supervision came directly from Virginia institutions (83.5%). One percent were restored to supervision, and 14.9% of the clients were transferred from other states. Among those removed from supervision, 25.5% were issued warrants, and 15.6% were transferred to other states.

Of the 2,846 felons, 1,103 were discharged during the fiscal year which ended June 30, 1979. Of these, 980, or 88.8% were first releases, while 123, or 11.2% were discharged after having been returned as parole violators. First releases served an average of 25 months, while violator releases served an average of 45 months. The average time served for all discharges was 27 months. Of the 1,103 discharges, 1,024, or 92.8% served less than 5 years. The longest time served was 13 years, 10 months.

More than half (609, or 55.2%) of the discharged felons had committed offenses against property. There were 265 (24.0%) felons who had committed offenses against persons.

There were 466 felons (42.2%) felons discharged who had sentences of 2 years or less; 472 (42.8%) who had sentences of 3 to 5 years, and 165 (15.0%) who had sentences of over 5 years. The longest sentence was 21 years, 6 months.

Felons paroled during fiscal year 1979 numbered 1,743. Of these, 1,670, or 95.8% were first releases, and 73, or 4.2% were paroled after having been returned as parole violators. First releases served an average of 30 months, while violator releases served an average of 75 months. The average time served by all parolees was 32 months. Of the 1,743 parolees, 1,716, or 98.5% served less than 10 years. The longest time served was 27 years, 11 months.

Among the parolees, 819, or 47.0% committed offenses against property, and 634, or 36.4% committed offenses against persons. Narcotic related offenses had been committed by 229, or 13.1% of the parolees.

There were 222 parolees (12.7%) who had terms of sentences of 2 years or less. A total of 1,316 parolees (75.5%) had sentences of less than 10 years. Eleven felons with life sentences were paroled. In addition, there were 8 felons pardoned, 24 released by court order, and 16 felons who died.

Local Jails

The utilization of alternatives to incarceration has long been the responsibility of the judicial system. Recent developments have made this a

prime concern of the correctional sector, from the local sheriff to the State Director of Corrections.

Since 1976, bonding of misdemeanants has decreased by 18.8% and jail statistics show that the majority of jail populations consist primarily of misdemeanant and ordinance violators awaiting trial. Felony bonds increased by 25.5% over the same time period. The present rate of felon probation is 66% compared to 17% for misdemeanants.⁸ Although arrested for less serious offenses (primarily property offenses, drunk-in-public, driving while intoxicated, traffic offenses, and contempt of court), misdemeanants are not significantly afforded pre and post trial alternatives to detention and incarceration.

The following data is based on a self-report survey developed for use in the fiscal year 1980 DJCP planning process, using the most current data available (fiscal year 1978). The survey was designed to show the percent of jail commitments released on cash bond or released on recognizance. Eighty-two (82) out of ninety-four (94) jails, or 87.2% responded to the overall survey. Sixty-three (63) out of ninety-four (94) jails reported data on releases. The aggregated information indicates that 53% of all commitments to these jails were released on bond to court, to the bondsman, or released on recognizance. The detailed survey results are presented in Table 2.

⁸ Corrections Options for the Eighties, Virginia Department of Corrections, 1978, p. 32.

TABLE 2

JAIL	PERCENT	JAIL	PERCENT
Albemarle-Charlottesville Joint Security Complex	40%	Martinsville Farm	0%
Alleghany County	90%	Mecklenburg County	39%
Amherst County	98%	Middle Peninsula Regional Security Center	6%
Appomattox County	---	Montgomery County	65.9%
Augusta County	35%	Nelson County	50%
Bath County	85%	Newport News City	68.9%
Bedford County	92%	Norfolk City	43%
Botetourt County	---	Northumberland County	---
Brunswick County	70%	Nottoway County	40%
Buchanan County	13%	Orange County	67.6%
Campbell County	87.3%	Page County	81%
Caroline County	---	Patrick County	48%
Carroll County	72%	Petersburg Farm	72%
Charlotte County	100%	Portsmouth City	40%
Chesapeake City	39%	Prince Edward County	48%
Chesterfield County	64%	Prince William County	83%
Clarke County	31%	Pulaski County	68.3%
Clifton Forge City	65%	Radford City	15.2%
Culpeper County	56.9%	Rappahannock Security Center	55%
Danville City	---	Richmond City	---
Danville Farm	0%	Richmond County	---
Dickenson County	---	Roanoke City	20%
Essex County	50%	Roanoke County	56%
Fauquier County	44.3%	Rockbridge County	---
Floyd County	55.8%	Rockingham County	30%
Frederick County	34%	Russell County	20%
Giles County	55.4%	Scott County	36.3%
Grayson County	50%	Shenandoah County	66%
Greensville County	---	Smyth County	31%
Halifax County	78%	Southampton County	---
Hampton County	21.2%	Stafford County	100%
Hanover County	---	Suffolk City	30%
Henrico County	---	Tazewell County	---
Henry County	23%	Virginia Beach City	---
Highland County	75%	Warren County	55%
Lancaster County	---	Washington County	75%
Lee County	89%	Westmoreland County	---
Loudoun County	65%	Williamsburg City	59.3%
Louisa County	53%	Wise County	15%
Lunenburg County	30%	Wythe County	69%
Lynchburg City	---	York County	43.9%

A projection method was developed for assessing the future populations of local jails in the State. The following excerpt from Corrections Options for the Eighties provides information about the method of projection and its application:

Due to its financial responsibility of reimbursing localities for inmates charged with State offenses and housed in local jails (either awaiting trial or transfer to State institutions), the Department of Corrections' Division of Finance maintains monthly records of jail population.* Because of their fiscal purpose, these records are the most reliable sources of past jail confinements. These forms report daily population in terms of "prisoner days" (number of inmates X number of days served by each = total prisoner days).

These reports from July, 1964 through November, 1977 were collected and tabulated for each month (161 months).

For the purpose of this projection, total prisoner days by month was converted to average daily population, based on the relationship:

$$\text{Average Daily Population} = \frac{\text{Total Monthly Prisoner Days}}{\text{Number of Days per month (28, 30, or 31)}}$$

Based on these approximately 13.5 years of data, the projection of jail average daily population was derived as follows:

A computer-plotted scattergram indicated that the Least Square Regression technique would be the most valid technique. (Regression Analysis attempts, depending on the data, to draw a line--the line of the least squares--between the data points that explain the greatest amount of variation between the points). The thirteen years of jail data indicate a pattern sufficient to justify the use of average daily jail population as a self predictor.

Utilizing the Least Squares Regression technique, computer analysis produced the following equation:

$$\text{Average Daily Population} = 3,004.47 = 8.81 (\text{month}) \text{ Where "month"} = 0 \text{ for July, 1964.}$$

*The collection and analysis of data for this projection was provided by the Division of Justice and Crime Prevention, William Lucas, Statistical Analyst.

CONTINUED

1 OF 3

This equation was found to be significant at the .00001 level. Once established, this trend was extended over time to produce projections through 1980. The following projections of average daily population for Virginia's local correctional facilities were found:

January 1980 - 4,651 average daily population
 1985 - 5,179 average daily population
 1990 - 5,707 average daily population

Another method for establishing future population is the ratio method which converts the rate of incarceration* into a ratio of jail average daily population divided by general population. A low and a high ratio are selected for a period which represents the jail rates of incarceration trends.

Table 3 and Figure 15 indicate that the rate of incarceration during the past twenty years had similar peaks in 1960 and 1979. For this reason, the ten year period from 1970-1979 was selected. The low ratio (.000680) in 1973 and the high for 1976 (.001015) are then multiplied by future total State population, resulting in the following average daily populations:

FY	State population	ADP Low (.000680)	ADP High (.001015)	ADP Mean (.000848)
1980	5,313,000	3612.8	5392.7	4502.8
1981	5,379,972	3658.4	5460.7	4559.6
1982	5,447,228	3704.1	5528.9	4616.5
1983	5,514,509	3749.9	5597.2	4673.6
1984	5,581,789	3795.6	5665.5	4787.4
1985	5,648,847	3841.2	5733.6	4787.4
1986	5,716,125	3887.0	5801.9	4844.5
1990	5,985,000	4070.0	6074.8	5072.4
1995	6,262,503	4258.5	6356.4	5307.5
2000	6,540,000	4447.2	6638.1	5543.7

The above demonstrates that the State can expect the average daily population for all jails to be in the 4,447-6,638 range, with 5,543 a realistic planning mean. Still, jails experience a peak population factor of about 25% which must be taken into consideration. With this in mind and without any changes to the system over the next 20 years, there will be a need in the range of 5,559-8,298 beds, with 6,928 being a reasonable mean to handle peak jail population. The projected rated capacity for State jails by 1984 is about 5,800 due to new construction, expansion, and renovation. Since the mean rated capacity projected for 1984 is 5,913, there will be a shortfall of some 113 beds statewide.

* Rate of Incarceration = $\frac{\text{Average Daily Population} \times 100,000}{\text{Total Population}}$

In examining the factors which affect corrections populations, two important facts emerge:

- Small changes in either the number of admissions or the average length of stay of offenders in a program or facilities can have a resounding impact on corrections populations.
- Most of the decisions which determine these two factors are outside of the jurisdiction of the Department of Corrections.

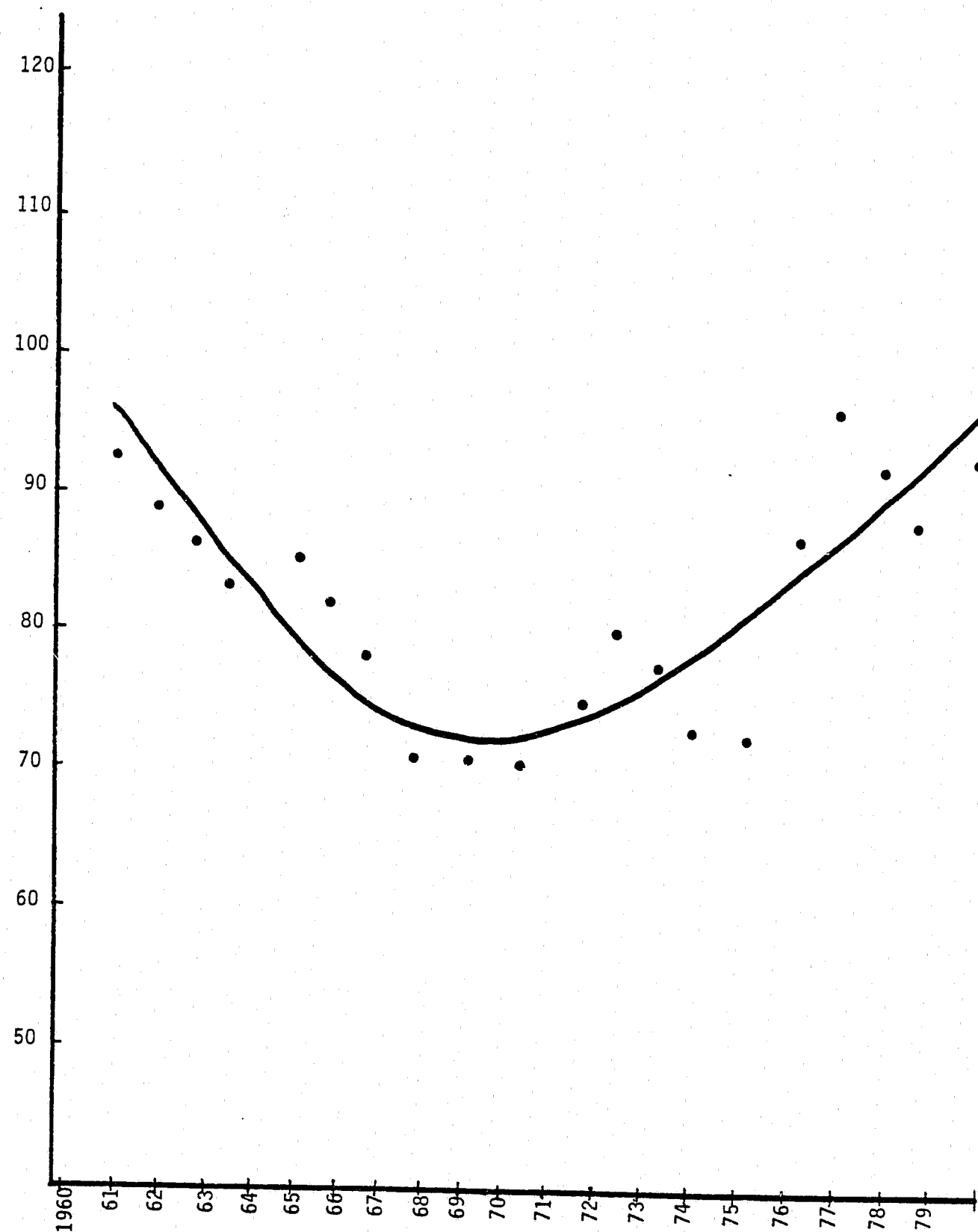
Table 3

FY	Commitments	Total Prisoner Days	A.L.S.**	A.D.P.	Total Pop.	ROI*
1960	118,177	1,346,246	11.4	3688.3	3,954,429	93.3
1961	115,832	1,321,931	11.4	3621.7	4,095,000	88.4
1962	116,596	1,318,024	11.3	3611.0	4,180,000	86.4
1963	118,121	1,290,908	10.9	3536.7	4,276,000	82.7
1964	127,953	1,368,285	10.7	3748.7	4,357,999	86.0
1965	127,993	1,340,892	10.5	3673.7	4,411,000	83.3
1966	123,274	1,270,400	10.3	3480.5	4,456,000	78.1
1967	121,665	1,178,682	9.7	3229.3	4,508,000	71.6
1968	120,828	1,176,733	9.7	3223.9	4,558,000	70.7
1969	126,662	1,172,444	9.3	3212.2	4,614,000	69.6
1970	131,057	1,251,237	9.5	3428.0	4,651,448	73.7
1971	131,439	1,372,350	10.4	3759.9	4,720,000	79.7
1972	130,172	1,335,506	10.3	3658.9	4,754,000	77.0
1973	136,486	1,202,089	8.8	3293.4	4,844,000	68.0
1974	148,013	1,239,175	8.4	3395.0	4,909,000	69.2
1975	149,300	1,539,215	10.3	4217.0	4,980,600	84.7
1976	137,597	1,871,283	13.6	5126.8	5,052,400	101.5
1977	144,459	1,729,526	12.0	4738.4	5,094,600	93.0
1978	151,721	1,647,222	10.9	4512.9	5,183,873	87.1
1979	174,350	1,759,328	10.1	4820.1	5,248,545	91.8

*ROI = $\frac{\text{ADP}}{\text{Tot. Population}} \times 100,000$

**Average length of stay in days

FIGURE 15
 RATE OF INCARCERATION - JAILS
 FY 1960 - FY 1979



Training and Education of Correctional Personnel

During fiscal year 1976, the following training was provided by the Department of Corrections:

State Correctional Officers	1,168	Basic Training
Local Correctional Officers	460	Basic Training
Local Correctional Officers	1,623	Advanced Training
State Probation and Parole Officers	600	Advanced Training

During fiscal year 1979, 680 State correctional officers received basic training while 41 received advanced training. A total of 1,267 local correctional officers received basic or advanced training, and 99 probation officers received basic training. Clearly, the profile of personnel receiving training has changed over the past four years. By now, most have received the required basic training, and staff turnover rates are decreasing. Advanced in-service training on an annual basis will be the emphasis during the next few years. There is a need to provide a standardized program of advanced training to all correctional personnel.

ADULT CORRECTIONS

PROBLEMS:

State and Local Corrections and Detention

There is a need to provide safe, secure, and uncrowded State and local adult correctional and detention facilities which meet minimum standards for design, personnel, and programs throughout the State.

Overcrowding of both State and local correctional institutions is a pressing problem at this time and is projected to be a problem for years to come. There is a need to expand and improve adult rehabilitation and treatment programs at both the State and local level. There is a need to establish and/or implement minimum standards ensuring quality of facilities and programs in all correctional institutions. Virginia is mobilizing to develop a systemwide correctional program to provide a continuum of care for offenders from the point of arrest through post-release supervision.

If the criminal justice system in Virginia continues to function according to current practice, the number of offenders in the system will rise dramatically in the next decade. The potential number of probation cases would reach 11,556 in 1990, and parole cases would reach 3,356.⁹

While cases under supervision have risen during the past four or five years, the rate has not kept pace with the total number of commitments to prison. Discharges also have not matched commitments, although a total of 2,846 felons were either discharged or paroled during fiscal year 1979. The average time served by all parolees and discharges was 30 months. The median time was 25 months. The result is that State institutions are overcrowded.

Related to the need for community-based alternatives is a more specific need to provide a continuum of care for ex-offenders returning to their respective communities through comprehensive re-entry programs and facilities. This problem is recognized by both the State Department of Corrections and local correctional and community mental health service agencies.

During the past five or six years, the majority of services available to probationers, parolees, and offenders discharged from State and local institutions have been available through agencies with missions other than corrections. Additional services have been available from the State Department of Vocational Rehabilitation, now the Department of Rehabilitative Services. However, about two years ago, changes in federal requirements eliminated offenders and ex-offenders as a target group for receiving vocational and transitional residence services through the Department of Rehabilitative Services. Although only limited services

⁹Corrections Options for the Eighties, Virginia Department of Corrections, 1978, p. 32.

have been available for probationers and parolees, the group of offenders most disadvantaged by the lack of services has been offenders discharged on flat time completion of sentences.

Five years ago the State had two probation/parole halfway houses in operation and three sites in the planning stages. The intent was to develop a site for each major population area of the State in what are now identified as the Department of Corrections regional areas. Community resistance was so strong that the three on the drawing boards never materialized, and another has since closed. Localities have resisted providing less secure environments for probationers and parolees, with less than half a dozen of these facilities operating in the State, exclusive of substance/alcohol abuse residential treatment programs. It is hoped that the Community Diversion Incentive Act will help to resolve the problems with community resistance. Without viable transitional programs providing pre and post adjudicative and release services, many of the State's probationers, parolees, and discharges are responsible for themselves in their communities, facing civil disabilities and economic instability. Higher recidivism rates are the most likely result of not providing a reasonable continuum of care for these offenders and ex-offenders.

It is necessary to reduce overcrowding in local and State adult detention and correctional facilities, so that the offenders with the greatest needs for these facilities and services may receive them in a more efficient and effective manner, and so that offenders who need alternatives to those services may be served more appropriately in other programs.

There is a need to develop and implement responsible community-based alternatives, both pre and post trial, to increase the utilization of existing community resources, and to provide comprehensive re-entry programs and facilities for ex-offenders returning to their communities. Local support and understanding are essential to these efforts.

Localities need technical assistance in all aspects of local adult detention facility planning and operation, including the implementation of management information systems.

Training and Education of Adult Correctional Personnel

There is a need to expand and improve the level of effort for training and education of adult correctional personnel. This includes providing basic training, specific advanced training, and specific technical and in-service training for all correctional personnel. Salary scales and personnel classifications for correctional officers need to be upgraded throughout the State.

There is a need to standardize basic and advanced levels of training for all correctional personnel. Currently, the only standardized correctional training provided is basic correctional officer training, and basic probation and parole officer training. All other correctional training is provided without specific standards.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION

EXISTING EFFORTS AND RESOURCES:

Prevention Services

Although delinquency prevention is not viewed as a part of the juvenile justice system, both the system and local communities are placing increasing emphasis upon community prevention services and diversion, i.e., referring youth to non-juvenile justice agencies and non-traditional juvenile justice programs for services.

Federal, State, local, and private resources are currently supporting a variety of prevention initiatives in the Commonwealth. Direct services include diagnosis and screening; alternative academic and vocational education; recreation; counseling; residential care; employment counseling and training; and job placement and referral. Indirect services include research and evaluation, technical assistance, training, advocacy, program development and coordination, and management of direct services. State agencies responsible for coordination and delivery of prevention services include:

Department of Corrections

Through House Bill 1020, the Delinquency Prevention and Youth Development Act, State funds were appropriated for the creation of local offices on youth. Twelve such offices are funded currently in order to coordinate local services and serve as referral sources for youth throughout the State. Through recent reorganization of the Department of Corrections, increasing emphasis is being placed upon community prevention services. Prevention specialists are located in all 5 regions; the central administration also staffs this effort. Standards for prevention services are in place, and a manual for citizen involvement has been developed.

Division for Children

This agency was created to assume a youth advocacy role at the State level. Working closely with service delivery agencies, the Division is involved in many activities to improve the availability and quality of all services to youth.

Department of Welfare

Diagnosis, referral, counseling, treatment, residential care, and financial assistance are provided to youth who might come into contact with the juvenile justice system if their service needs were not met by social service agencies.

Department of Education

The recently developed Standards of Quality mandate alternatives to traditional education for youth not able to succeed in the regular classroom. All 131 school districts in the State must provide some type of alternative to suspension, expulsion, or "pushing out" of students, in an effort

to reinforce the need for education. Included are individualized vocational and academic education and tutorial services.

Department of Mental Health/Mental Retardation

This agency provides, through local community services boards, diagnosis and screening, psychological counseling, drug education and counseling, and referral services for youth.

Virginia Employment Commission

This agency provides employment counseling, vocational training, and job placement through a statewide network of local offices.

Department of Rehabilitative Services

This agency provides financial assistance and services for eligible handicapped youth in the State.

Office on Volunteerism

While not offering direct service, this office oversees and advocates the utilization of volunteers in youth programming. Volunteers play an important role in delinquency prevention by one to one "matching" (Big Brother/Big Sister) and provision of volunteer homes for youth in crisis. Volunteers are utilized by many youth serving projects in Virginia.

Commission on Outdoor Recreation

The Commission assures the provision of quality recreational facilities and services to families in the Commonwealth.

Department of Health

Medical services are provided to youth and families through local health departments.

Division of Justice and Crime Prevention

Through administration of the Juvenile Justice and Delinquency Prevention Act (JJDP Act) and the Crime Control Act, seed money for a variety of prevention programs has been provided to localities and State agencies. Many of the offices on youth and alternative education programs were begun through assistance provided by these dollars. Additionally, program development, technical assistance, and evaluation services are offered throughout the State.

Law Enforcement Services

Law enforcement agencies throughout the Commonwealth are locally operated in the form of police or sheriffs' departments. Normally, the first point of contact with the system occurs at the law enforcement level; whether a delinquent act has been committed, or a child is a runaway, neglected, abused, or

abandoned. Traditionally, no emphasis was placed on the unique problems/situations of juveniles, and thus, alleged juvenile offenders were handled by law enforcement officers in a manner similar to adult offenders. In the past seven years, at least 20 law enforcement agencies in the Commonwealth have established juvenile divisions responsible for the investigation and processing of all juvenile cases in those particular localities. In addition to investigation, these agencies place high priority on prevention and diversion services.

Prevention services include counseling, law-related education, school resource activities, recreational organization and programming, and public education. Diversion services include referral of youth to needed community services in lieu of processing through the court.

Court Intake Services

Juveniles not diverted at the law enforcement level are referred to juvenile court intake for action. Thirty-two court districts provide 24-hour intake service for juveniles in all localities in Virginia. Complaints may be filed for delinquent or status offenses, and in situations of custody, abuse and neglect, and abandonment. Juvenile courts also handle complaints against adults in juvenile related matters. Complaints may be brought to juvenile court intake by law enforcement officers, parents, citizens, social service agencies, schools, and others. The goal at this level also is to divert from formal court action those juveniles who could be cared for by alternative programs outside of the juvenile justice system. The Juvenile Code Revision (HB 518) provides court intake officers with the discretionary authority not to file a petition against a juvenile charged with a minor offense. Instead, the intake officer may refer the juvenile to another agency or program which might be better suited than the juvenile court to meet the child's needs.

For juveniles who do require court processing, the intake officer also has the responsibility to decide who will supervise the child prior to the court hearings. Whenever possible, the goal is to release the child to his/her parent or guardian. If this is not feasible, then a non-secure detention program is preferable. However, in order to protect the public safety, the child, or to insure the presence of the child at court proceedings, it is necessary to securely detain some children.

The majority of Virginia's court service units are operated by the Department of Corrections; a few are locally-operated. The DJCP and the Department of Corrections have provided technical assistance, evaluation, and training to court personnel.

Community-Based Alternatives

Many services previously described under "Prevention" also serve as diversion alternatives for police and court intake officers. Included here are both residential and non-residential programs, educational, employment, counseling, referral, and diagnostic screening programs. If a youth is in need of services provided by any of these programs, a referral can be made to the appropriate service. Recent changes in the Code of Virginia reinforced the importance of

developing a network of community-based programs in the Commonwealth. Community-based alternative programs in Virginia are operated with a variety of local, State, federal, and private resources. Many times a combination of funding sources is utilized. Some programs operate within the framework of the court service unit; most do not.

The Department of Corrections operates a network of community-based residential alternatives including group homes and family-oriented group homes, (i.e., therapeutic foster homes). Standards for operations have been developed and training provided to project staff. The Department of Corrections also reimburses two-thirds of operational costs of locally operated residential facilities. The regional structure of the Department allows ongoing monitoring of these programs on a routine basis. The DJCP cooperates with the Department in the areas of program development, planning, technical assistance, evaluation, and research to assist community-based alternative programs. Financial assistance is provided to localities and the Department through the JJDP Act block grant program. The DJCP is currently initiating a service integration initiative for local service delivery efforts.

Detention Services

If a court petition is filed on a juvenile, and circumstances prohibit his being released to parental custody, the youth may be placed in a non-secure, less-secure, or secure detention setting, dependent upon individual factors. In recent years, increasing emphasis has been placed upon keeping the child in the least restrictive alternative while awaiting court action. HB 518 (1977 Juvenile Code Revision) took a major step towards minimizing the use of secure detention. Currently, status offenders may not be held in secure detention in excess of 72 hours.

In response to this emphasis, outreach detention programs have been implemented in at least five court service units. Here, the youth is released to parental, or in loco parentis custody and supervised daily by court outreach workers.

If slightly more supervision is deemed necessary, a child may be placed in a less-secure detention setting, i.e., a non-secure residential facility, while awaiting court action. Currently, nine court service units have this option available. Services provided in addition to supervision include behavioral observation and referral to needed services.

When secure detention is warranted, the youth may be placed on a pre-trial basis in one of 15 detention homes in the State. All detention homes are locally or regionally operated and reimbursed by the Department of Corrections. Localities not operating detention facilities may purchase service on a per diem, space available basis from other localities. Services provided youths while in secure detention include medical, psychological diagnosis and screening, transportation, education, and recreation. Temporary housing and supervision are also provided for youth committed to the State Board of Corrections and awaiting transfer.

The Department of Corrections monitors the operations of all detention programs and facilities through an annual certification process; training is also provided through the Department.

The DJCP has provided block grant assistance to at least 12 outreach, less-secure, and secure detention programs throughout the State. Additionally, planning, needs assessments, program development, technical assistance, and evaluation are offered. The DJCP monitors detention homes annually to determine compliance with requirements of the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

Jail Services

Youth in Virginia may be held in jails on delinquent charges pre and post dispositionally, in accordance with the Code of Virginia. A very high priority has been placed on the separation of juveniles from adults in jails which house both. Virginia law requires "sight and sound" separation of juveniles from adults in jails. The State Board of Corrections recently established standards for the jailing of juveniles which closely parallel Federal standards.

All 91 jails in the Commonwealth have undergone certification procedures in the last year; 56 are presently certified to hold juveniles; 33 are not; and 2 have since closed and are building new facilities. Services provided youth in the certified facilities vary widely from virtually nothing to medical, recreational, counseling, and educational services; however, separation of juveniles while they are involved in programming is often impossible, and adds to jail management problems.

The Department of Corrections reimburses two-thirds of the base salaries for treatment and basic services staff such as medical, classification, work release, and recreational services and reimburses operational costs on a pro-rata basis dependent upon the number of offenders housed on State felony or misdemeanor charges. In addition, the Virginia State Compensation Board reimburses base salaries for jailors, matrons, correctional officers, and support staff.

The DJCP has provided intensive resources to local jails over the past ten years including: block grant assistance, needs assessments, jail studies, architectural and program technical assistance, and evaluation. The DJCP has also educated State officials as to federal standards and the requirements of the JJDP Act. All jails are monitored by DJCP staff at least once yearly to determine compliance with these requirements.

The DJCP and Department of Corrections are currently cooperating in conducting an impact analysis of the effects of removing all juveniles from Virginia jails.

Court Dispositional Alternative Services

Virginia judges have several dispositional alternatives available to them in most instances. If a youth is found to be guilty of a delinquent offense, dispositions may include, among others:

1. Fines
2. Restitution
3. Probation
4. Court-based programs (i.e., family counseling, volunteer programs, etc.)
5. Community-based programs
6. Commitment to State Board of Corrections
7. Commitment to jail

Resources available vary widely throughout the State.

Institutional Services

If a youth has been found guilty of a delinquent offense, he can be committed to the State Board of Corrections. House Bill 518 (1977 Juvenile Code Revision) prohibits the commitment of status offenders to the State Board of Corrections. Upon commitment, a youth is transferred to the Reception and Diagnostic Center for screening, testing, diagnosis, and placement. Dependent upon the outcome of this screening, a youth may be placed in State foster care, a "special placement" (public or private residential facility), or transferred to one of the six State operated learning centers. A seventh facility, the Intensive Treatment Learning Center, is under construction and scheduled to begin operation in July, 1981. Services provided in the learning centers include medical, recreational, treatment, educational (academic, vocational, tutoring), psychological, psychiatric, religious, transportation, visitation, and volunteer services. The average length of stay is approximately 9 months.

The Department of Corrections operates and staffs the learning centers; the Rehabilitative School Authority (RSA) provides academic and vocational instruction to the students. RSA receives federal dollars from a variety of sources to support programming. The DJCP provides block grant assistance to both RSA and the Department of Corrections for facilities and programming. The DJCP additionally provides planning, program development, technical assistance, and evaluation for learning center programs.

The Department of Corrections has developed minimum standards for learning center operations. Beginning in fiscal year 1981, all learning centers will be certified on these standards. Training is provided all personnel through the Department.

Aftercare Services

Upon commitment to the State Board of Corrections, aftercare services commence. While a youth is in State care, the committing court service unit is responsible for maintaining contact with the youth and being involved in

planning for services after the youth is released. At least 10 court service units have separate aftercare divisions; the remainder utilize probation staff for aftercare cases. Services provided to youth while they are in State care include: case coordination, family contact, visits to the learning center, and referrals to community service. Upon return to the community, transition services offered include educational and job placement, and ongoing counseling with the purpose of reintegrating the youth back into the home, school, and community.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION

IMPACTS AND GAPS:

Prevention

The recent emphasis placed on preventing delinquency has had some positive results. The quantity of community-based prevention services has increased generally. The public, through educational efforts, is becoming increasingly aware of the myriad of resources available for prevention. Prevention services are being coordinated at the local level through Offices on Youth, and at the regional level through Department of Corrections Community and Prevention Services staff. Advocacy for children's services is occurring at the local and State levels, through the efforts of the Division for Children. The private sector is contributing greatly to delinquency prevention. Volunteers are being "plugged into" prevention services throughout the State, resulting in more efficient and less costly service delivery. State and local agencies responsible for human service delivery are becoming more aware of the role their agencies can play in delinquency prevention. Local agencies are beginning to develop methods of service integration where the need is the greatest. The Virginia General Assembly is placing increasing emphasis on the need for prevention through passage of the Delinquency Prevention and Youth Development Act (House Bill 1020).

Though major strides are being made in prevention programming in the Commonwealth, there are gaps which hinder the provision of services. One is the lack of State agency level coordination of services. Each service delivery agency is responsible for carrying out a unique and necessary mission. At the local level, these missions often conflict, overlap, or fail to serve a population in need. This results in some youth receiving duplicate and unnecessary services, and others receiving no services at all.

Prevention programming is the most difficult to area to evaluate. Longitudinal studies provide the most valid means of determining effectiveness, but often they are too difficult and too costly to implement.

Not all localities in the State have equal access to prevention programming, due to geographic, political, or cost factors. Planning capabilities at the regional level are being slowly depleted, and in the future it will become more difficult to obtain data necessary for determining program needs.

Staff in prevention programs sometimes lack the skill and training required.

Law Enforcement Services

Creation of juvenile divisions in law enforcement agencies has had a positive impact in the Commonwealth. More youth are receiving needed services at the community level through the emphasis on diversion. Complaints at court intake and court caseloads are decreasing in localities which have diversion-oriented police divisions. Public attitudes towards law

enforcement officers have improved through the non-traditional roles assumed by juvenile officers. The number and quality of prevention programs and coordination of existing services have increased due to youth officer efforts in community organization. Regular patrol officers are receiving specialized training in juvenile related matters. Law-related education is being provided to youth in the Commonwealth.

There are gaps in law enforcement services for juveniles. Many localities do not have the benefit of juvenile divisions, and court caseloads and costs of processing youth through the system are remaining at past levels, or increasing. Financial assistance to law enforcement agencies is being slowly depleted through lack of State money available and decreasing federal assistance. Training for officers in juvenile-specific laws and human relations counseling is not available in the Commonwealth. Officers must attend schools out of state to receive necessary training and professional development. This training, although vital, is often time-consuming and costly.

Court Intake Services

Court service unit intake offices have had a positive impact on the juvenile justice system. Intake is now provided on a 24-hour a day basis to every locality in the State. More youth are being referred to needed community-based services due to the increasing emphasis on diversion. Better decisions are being made for the handling of complaints. Court intake services are being monitored through the Department of Corrections court certification process. Intake services are being coordinated at the regional level through the Department of Corrections regional court specialists.

There are still problems with juvenile court intake services. In some localities, particularly rural ones, 24-hour intake is provided on an "on-call" basis, creating transportation problems and delays in processing of complaints. While training is available to intake officers through the Department of Corrections, often these officers lack adequate training in community-based services necessary for efficient and timely decisions to be made regarding processing of youth. Some intake units have no immediate access to non-secure facilities, necessitating inappropriate placements in secure facilities in some cases.

Community-Based Alternatives

Community-based programs throughout the Commonwealth are having a profound impact on the juvenile justice system. Youth who otherwise would have been processed through the court are now receiving needed services more quickly and closer to their homes; i.e., the "least restrictive alternative" is being utilized. Costs to the system are decreasing with the use of non-justice system alternatives. The public is becoming increasingly aware of and receptive to the diversion of youth from the system due to visible successes. Volunteers are being utilized to increase services and reduce costs. Fewer youth are being committed to the State Board of Corrections for 30-day screening and diagnosis. Fewer status offenders (CHINS) are being held in secure detention. Virginia is presently 95.2% in compliance with the OJJDP deinstitutionalization requirement.

The quantity and quality of community-based services has steadily increased. Community-based services are being coordinated locally by offices on youth, and regionally by the Department of Corrections Community and Prevention Services staff. The private sector is playing an increasingly important role in the treatment of delinquency.

State and local agencies are becoming more aware of their role in treatment of delinquency. Local agencies are beginning to look toward service integration to improve the quality of services. The adult correctional system is utilizing the experience of the juvenile justice system in moving towards community-based corrections (Community Diversion Incentive Act).

Alternative programs accepting youth in the custody of the State Board of Corrections are being monitored through the Department of Corrections certification process. Public and private residential facilities are being monitored by the DJCP for compliance with JJDP Act requirements.

Though the advent of community-based alternatives has positively impacted the system, some gaps still exist. Conflicts in State and local agency policies, procedures, and practices impede service delivery at the local level. Each agency has a unique and necessary mission. Often these missions overlap, conflict, or fail to provide an avenue for needed services to a given youth. Some youth, as a result, receive duplicative services; others receive none. Community-based alternative programs should serve as resources for all human service providers. Therefore, training in available programs is essential. Often, youth are processed through the system simply because of a lack of knowledge of available alternatives. Even if awareness of community alternatives is present, often the "traditional" attitudes and habits of potential referrers interfere with appropriate placement of youth. Some localities, particularly rural ones, do not have enough alternatives available to them. This often results in youth being processed through the justice system as the "lesser of two evils".

There are often delays in placing youth, particularly in residential facilities, due to lack of available space, time-consuming application processes, and/or failure to meet technical eligibility requirements. Sometimes youth are "misplaced" due to lack of adequate screening and diagnosis.

There is no statewide tracking system for youth placed in community-based programs, making client impact evaluation difficult.

There is a lack of evaluation evidence that community-based programs truly do divert youth from the juvenile justice system.

Detention Services

Less-secure and outreach detention programs have had a number of positive impacts. Youth who might have been detained in a secure setting unnecessarily are now being placed in the least restrictive alternative while

awaiting court action; in the case of outreach, services are provided in the child's home. Through training, the quality of less-secure detention services is improving and valuable information is being made available to the court for disposition. More youth are appearing at court hearings. More space has been made available for youth needing secure detention, decreasing the possibility of pre-trial jailing. Average length of stay in secure detention is lower in localities which have less-secure options available. Standards for the operation of such programs have been developed, and Department of Corrections certification procedures are in place.

Secure detention has also impacted the system. Secure placement in lieu of jail is available for those youth needing it. Needed services (medical, diagnostic, recreational, educational, counseling) are being provided. Detention homes are being monitored through the Department of Corrections certification process. Detention homes are being monitored annually by the DJCP for compliance with QJDP requirements. Training is being provided for detention home personnel.

Though detention services fill a definite need in the Commonwealth, there are a myriad of gaps needing attention. Inappropriate placement of youth in less-secure or outreach detention results in "widening the net", i.e., services are sometimes given unnecessarily to youth who would normally be released to parental custody. When "children in need of services" fill such slots, the impact on secure detention and jailing rates becomes questionable. Some youth are also placed inappropriately in secure detention due to lack of alternatives, i.e., less-secure programs, or lack of knowledge about alternatives.

Transportation is frequently a problem, especially when long distances are involved. Responsibility for transportation has been divided among detention home personnel and law enforcement agencies with no clear delineation of roles.

Detention homes are being utilized for post-trial youth committed to the Board of Corrections awaiting transportation. This consumes bed space needed for pre-trial youth needing detention. Three detention homes are constantly overcrowded.

Many localities do not have easy access to detention homes; even fewer localities have less-secure programs available to them. Some children in need of services (CHINS) are being held in secure detention in violation of the 72 hour limit.

Youth are often placed in secure detention (and placed for longer periods of time) due to an internal pressure to keep beds filled to capacity for reimbursement and budget justification purposes.

Personnel in detention programs often lack human relations skills essential to working with youth. Emphasis is placed more on custody and supervision than on identifying problems, making referrals to needed services, and crisis counseling. Educational and recreational services in secure detention homes need upgrading.

Jail Services

The effort to separate juveniles from adults in jails has had an impact on the juvenile justice system. Fewer youth are being held in jail, both pre-trial and post-trial. Jail certification by the Department of Corrections is insuring that juveniles will not be jailed unless sight and sound separation are possible. Virginia is expected to be in 100% compliance with the JJDP Act requirement for separation by June 30, 1981. The DJCP has monitored every jail on a yearly basis for compliance with JJDP Act requirements.

In some instances, better services are being provided to youth placed in jails. The use of jails offers juvenile judges a means of determinate sentencing.

There are gaps in this area which need attention. Some juveniles are being transported a distance from their community in order to be placed in a certified jail. This creates problems in their receiving legal services and court services from their home community, and makes contact with families more difficult. Many youth are jailed on a pre-trial basis temporarily due to lack of transportation services to the nearest detention home.

Some youth are inappropriately sentenced (post-trial) to jail due to the lack of available alternatives. Even when preferred alternatives are available, some youth are inappropriately sentenced to jail due to a lack of knowledge of alternatives and/or "traditional" punitive judicial attitudes.

Those youth placed "appropriately" in jail do not have quality educational, recreational, treatment, and medical services available to them. There is no provision for juvenile specific training for jail staff charged with caring for youth. The only training provided is of a custodial nature.

Court Dispositional Alternative Services

The impact of developing and upgrading court services has been positive in many ways. More judges have dispositional alternatives available to them than before. Alternatives are beginning to be more relevant, and thus, of benefit to the court, the offender, and the victim (as in the case of restitution). Volunteers are being "plugged in" resulting in greater intensity of services and reduced cost.

Probation caseloads are decreasing and thus, becoming more manageable. More attention can be devoted to youth needing intensive supervision. Training is being offered to judges, and court service unit personnel.

The citizenry is beginning to view the court in a "helping" light as opposed to a traditional punitive one.

Through the provision of in-house psychological services in some court service units, fewer youth are being committed to the State Board of Corrections for a 30-day screening and diagnosis period, and psychological services are becoming less expensive.

The social history format has been standardized, facilitating use throughout the system.

Court services are being monitored through the Department of Corrections certification process, and are being coordinated through the Department of Corrections regional Community and Prevention Services staff.

There are still gaps in juvenile court services. Even when alternatives are present, some are under-utilized due to lack of knowledge of their existence, or traditional attitudes and/or habits. Partially due to the locally operated/State operated dichotomy and partially due to judicial discretion, procedures and practices in handling juveniles vary widely from court service unit to court service unit.

There is a lack of data and evaluations available on factors precipitating delinquent behavior and thus court involvement. There is no case management tracking system available. In some localities, there is a lack of coordination and cooperation with local agencies, and there is no juvenile specific training available.

Institutional Services

The "Youth Region", consisting of the Reception and Diagnostic Center and six learning centers has had some positive impact. The learning centers provide medium to secure confinement for youth needing highly structured placements and constant supervision while they receive the necessary diagnostic and treatment services.

There are a number of gaps remaining in institutional services. Facilities at most learning centers are in deteriorating condition and must be closed on a rotating basis for renovation and repairs, resulting in lack of adequate space. Overcrowded conditions exist at all learning centers despite the exclusion of status offenders from the populations. The average length of stay at learning centers is unnecessarily long, often due to "red-tape" in placement procedures. Because centers receive children from throughout the State, transportation of families, aftercare workers, lawyers, and friends is burdensome and expensive; planning for aftercare service is difficult. Case tracking capabilities do not extend past release from the learning centers. Despite efforts to overcome a punitive image, the centers continue to be viewed as "warehouses" for delinquents.

Transportation of youth from detention homes to the Reception and Diagnostic Center (a responsibility of Department of Corrections staff) often is delayed causing backlogs of committed youth in detention facilities. Transportation must be provided for youth in 15 detention homes as far away as Bristol, Virginia. Overcrowded conditions at the Reception and Diagnostic Center necessitate rapid processing of youth, resulting in occasional inappropriate placements. Youth in need of special placements frequently are not able to be transferred to them due to lack of information, lengthy application procedures, lack of available space, and/or ineligibility due to technical criteria. Most youth affected in this way are transferred on "pending" status to a learning center, thus receiving virtually no treatment services in the interim. Youth committed for 30-day screening and diagnosis are taking up bed space which could otherwise be utilized for longer term commitments.

Aftercare Services

Aftercare services in the Commonwealth play an important role in the juvenile justice system, and have had a positive impact. More youth are receiving better transitional and post-institutional services to aid in home and community readjustment. Aftercare units are working closely with community-based prevention and treatment programs, thus completing the circle from prevention to aftercare to prevention.

In courts having specialized aftercare units, probation caseloads have decreased to manageable levels. Subsequent delinquent acts have been decreased in most court service units. Monitoring of aftercare services is occurring through Department of Corrections certification procedures. Specialized training for personnel is made available through the Department.

There are gaps in the provision of aftercare services. The intensity and quality of aftercare services is less in those court service units not having the specialized units.

Transportation can be burdensome and costly for both staff and youth. Visits must be made once every three months to every facility housing a youth on a particular caseload. Travel time diminishes service delivery time.

There are only sporadic attempts made at tracing youth after discharge from aftercare to monitor adjustment and recidivism.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION

PROBLEMS:

Prevention

1. There is a need to resolve conflicts in legislation, policy, procedure, and practice which impede youth service delivery at the local level.
2. There is a need to determine the impact of various program strategies on the prevention of delinquency.
3. There is a need to make services available to localities having limited, or no access to prevention programs.
4. There is a need to develop new, and maintain existing planning capabilities at the local and regional levels.
5. There is a need to upgrade the quality of existing prevention services.

Law Enforcement

1. There is a need to establish juvenile-specific law enforcement capabilities in police and sheriffs' departments which have no juvenile units at present.
2. There is a need to upgrade the services provided in existing juvenile divisions.
3. There is a need to establish a statewide training program for juvenile officers.
4. There is a need to establish a systematic, speedy access law enforcement information system.

Court Intake

1. There is a need to resolve delays in processing of complaints.
2. There is a need to provide training in community-based programs and diversion strategies to intake officers.
3. There is a need to develop less-secure alternatives for diversionary use in localities not having access to them at present.

Community-Based Alternatives

1. There is a need to resolve conflicts in legislation, policy, procedure, and practice which impede service delivery at the local level.
2. There is a need to provide training in community-based alternative diversion strategies to referral sources throughout the State.

3. There is a need to educate the public of the benefits of diversion.
4. There is a need to provide adequate community-based alternatives in localities having limited, or no access to such programs at present.
5. There is a need to upgrade the quality of existing alternative services.
6. There is a need to provide educational services to youth placed in short-term residential facilities.
7. There is a need to resolve delays in placement of youth into appropriate programs.
8. There is a need to evaluate the effectiveness of community-based programs in diverting youth from the juvenile justice system.
9. There is a need to upgrade screening and diagnostic services at the local level.
10. There is a need to establish a centralized tracking system for youth placed in community-based programs.
11. There is a need to continue to monitor public and private community-based residential facilities for compliance with requirements of the JJDP Act and the Code of Virginia.

Detention

1. There is a need to encourage the appropriate placement of youth into secure and less-secure detention programs.
2. There is a need to establish clear lines of responsibility in the transportation of youth to and from detention.
3. There is a need to upgrade detention facilities and services provided in them.
4. There is a need to explore solutions to the housing of post-trial (committed) juveniles in secure detention facilities.
5. There is a need to provide adequate transportation services for utilization of detention in lieu of jail placement.
6. There is a need to continue to monitor the placement of status offenders in secure detention facilities for compliance with JJDP Act requirements and the Code of Virginia.
7. There is a need to alleviate pressures which tend to lengthen a youth's stay in secure detention and create overcrowded conditions.
8. There is a need for training of detention personnel in human relations skills and crisis intervention.

Jail

1. There is a need to provide alternatives to the jailing of juveniles.
2. There is a need to provide transportation services to and from detention to avoid temporary pre-trial jailing of juveniles.
3. There is a need to educate the public, the judiciary, and intake personnel in the need for alternatives to jailing.
4. There is a need to upgrade the facilities and programs in those jails certified to hold juveniles.
5. There is a need to provide training and upgrade positions for jail personnel to improve the quality of services to jailed youth.
6. There is a need to study the potential impact of removing juveniles from jail.
7. There is a need to continue to monitor Virginia's jails for compliance with JJDP Act requirements and the Code of Virginia.

Court Dispositional Alternatives

1. There is a need to provide dispositional alternatives for courts presently having none.
2. There is a need to train the judiciary in the need for alternatives to traditional dispositions.
3. There is a need to evaluate and standardize court service unit operations throughout the State.
4. There is a need to evaluate factors precipitating court involvement and recidivism.
5. There is a need to establish case management tracking systems at the court service level, from intake through aftercare and discharge.
6. There is a need for court service units to work closely with public and private agencies in provision of services to youth.
7. There is a need for training of Commonwealth's Attorneys in juvenile-related matters.

Institutional Services

1. There is a need to address rapid staff turnover at the State learning centers.
2. There is a need to standardize services available at the learning centers.

3. There is a need to upgrade facilities and services at the learning centers.
4. There is a need to accredit the Rehabilitative School Authority's schools.
5. There is a need to assure adequate staff training at the learning centers.
6. There is a need to resolve overcrowded conditions at the learning centers.
7. There is a need to reduce average length of stay for youth at the learning centers.
8. There is a need to improve aftercare planning capabilities and encourage interaction with families, while youth reside at the learning centers.
9. There is a need to upgrade direct care information options and to develop a follow-up case tracking capability, from release from a learning center to discharge from the system.
10. There is a need to educate the public about the purposes and programs in the learning centers.
11. There is a need to provide adequate transportation services at the Reception and Diagnostic Center.
12. There is a need to reduce delays in the placement of youth from the Reception and Diagnostic Center.
13. There is a need to reduce the number of youth committed for 30-day screening and diagnosis.
14. There is a need to monitor State learning centers for compliance with JJDP Act requirements.

Aftercare Services

1. There is a need to create specialized aftercare units in court service units not presently having them, where practicable.
2. There is a need to provide and coordinate transportation services needed by aftercare personnel in performing their jobs.
3. There is a need to establish a systematic tracking of youth upon discharge from aftercare.

DOMESTIC VIOLENCE

EXISTING EFFORTS AND RESOURCES:

Public awareness of family violence has surfaced only recently, and citizens are becoming concerned about this problem. Family violence is being discussed, researched, dramatized, and publicized through various media which often raise an issue about the unwillingness and and/or inability of the police and courts to aid the victims of family violence.

Throughout history, the American legal and criminal justice systems have been uncertain about the appropriate method or methods for dealing with the complex problem of family violence.

Domestic violence is thought to be the most frequently occurring type of crime. Family fights constitute the largest single category of police calls. Homicide statistics indicate that the majority of murders occur among family members. Basic statistics specific to wife abuse are not routinely collected by the police or hospital emergency rooms. There is a lack of specialized training for law enforcement and social services personnel, and specialized programs for the victims of domestic violence and their families. Within Virginia, there is no continuity of services among agencies that serve victims of domestic violence. These agencies include mental health, health, welfare, and the criminal justice system. There is a need in Virginia to enhance coordination among agencies such as law enforcement, health, welfare, medical, education, legal, and others dealing with domestic violence.

The 1978 Session of the General Assembly passed House Joint Resolution Number 31 (HJR 31) encouraging all localities of the State to establish community-based shelters for battered spouses and their children, and encouraging the Virginia Department of Welfare to provide Title XX funding for local information and referral services to battered spouses. This resolution also encouraged the use of funding available through the Division of Justice and Crime Prevention to support the shelters.

As a result of HJR 31, the Division of Justice and Crime Prevention conducted a survey of thirty-five local law enforcement agencies in the State to determine the specific needs of law enforcement in addressing domestic violence. Three major issues emerged from the survey:

1. The need for more specialized training for law enforcement officers
2. The need to establish and/or modify law enforcement standard operating procedures to reduce the impact of domestic violence calls and situations on the agencies and the individual officers responding
3. The need to develop community programs and awareness of existing resources

Analysis of the survey results and further study by the DJCP and the Department of Welfare resulted in a request from the House Appropriations Committee of the Virginia General Assembly for the DJCP to draft legislation addressing the issue of domestic violence, its victims, possible solutions, and alternatives for the Commonwealth. House Bill 690 was drafted and later modified and approved by both Houses of the General Assembly. This bill was modeled on the existing child abuse statues, and gives the Department of Welfare primary responsibility for the planning, coordination, and implementation of programs and services for domestic violence victims within the State.

Current programs and services for victims and their families are generally community initiated and community funded. Many are sponsored and funded by women's centers and organizations, YWCA's, United Way, and church groups.

Programs and services within the Commonwealth are listed below:

Prince William Women's Aid
Jenifer Levy
P. O. Box 174
Dumfries, Virginia 22026
703-494-7483

Bristol Crisis Center
Marylon Barrett
P. O. Box 642
Bristol, Virginia 24201

Vanessa Dane
Lynchburg YWCA
626 Church Street
Lynchburg, Virginia 24504
804-847-7751

Pamela M. Spivey
612 Second Street
Radford, Virginia 24141

Mental Health Association of Charlottesville
415 Lexington Avenue
Charlottesville, Virginia 22901
804-977-4673

United Way of Greater Richmond
2501 Monument Avenue
Richmond, Virginia 23219
804-353-1201

Abuse Victims Steering Committee
326 W. 20th Street
Norfolk, Virginia 22350
804-446-5140

Rachel Key
323 Pendleton Road
Danville, Virginia 24541
804-792-0657

Battered Women's Support Project
Ann Brickson
P. O. Box 178
Alexandria, Virginia 22313
703-750-6631

Community Services Abuse Victims Program
Betty Martineau
P. O. Box 1980
Norfolk, Virginia 23501
804-446-5140

YWCA Women's Victim Advocacy Program
Sheila Cohen
6 N. 5th Street
Richmond, Virginia 23215
804-643-6761

Fairfax County Victim Assistance Network
Edity Herman and Virginia Ratliff
8119 Holland Road
Alexandria, Virginia 22306
703-360-6910

Shelter for Help in Emergency (SHE)
Ann Woods
P. O. Box 3013-University Station
Charlottesville, Virginia 22903
804-293-8509

Domestic Violence Emergency Service
Margaret Clore
300 Randolph
Danville, Virginia 24541
804-797-2504

Shirley Carr, Chairwoman
127 Westmoreland Court
Danville, Virginia 24541
804-793-8851

Action in the Community Through
Service
South Main Street
Dumfries, Virginia 22026
703-221-7852

Williamsburg Area Women's Center
Sandra Peterson
P. O. Box 126
Williamsburg, Virginia 23185
804-229-7944 or 804-253-4405

Arlington Battered Women's Support
Group
Cristine Moran
141 N. Illinois
Arlington, Virginia 22205
703-435-4286

Farifax County Women's Shelter
Wendy Reges
P. O. Box 1174
Vienna, Virginia 22180
703-435-4940

Peninsula Council for Battered
Women
Carolyn Tighe
Penninsula Psychiatric Hospital
530 E. Queen Street
Hampton, Virginia 23669
804-722-2504

Christiansburg Women's Resource
Center
Sheila Davis/Joan Clark
P. O. Box 278
Christiansburg, Virginia 24073
703-382-6553
Total Action Against Poverty (TAAP)

First Step, Inc.
Sharon Sprague
Box 69-B
Keezleton, Virginia 22382
703-434-9161

Rappahannock Council on Domestic Violence
Judi Schmidt
P. O. Box 1785
Fredericksburg, Virginia 22401
703-371-9002

YWCA
Thea Hentz
626 Church Street
Lynchburg, Virginia 24504
804-847-7751

Betty Long
P. O. Box 2868
Roanoke, Virginia 24001
703-345-6781

Women's Resources and Service
Center
Barbara Todd
605 1st Street
Roanoke, Virginia 24011
703-342-4076

The House
Susan Sroim
29 Weems Lane
Winchester, Virginia 22601
703-667-6529

DOMESTIC VIOLENCE

IMPACTS AND GAPS:

Wife battering is estimated to be the most frequently committed crime; and yet, accurate statistics are unavailable because of the victim's shame and secrecy, fear of retaliation, and a history of social and legal indifference. In most jurisdictions within Virginia, spouse abuse is not considered or reported as a separate crime category, thereby obscuring further the magnitude of domestic violence. Data regarding the nature and extent of domestic violence are incomplete and unreliable.

When the Division of Justice and Crime Prevention began making funds available for domestic violence programs in 1979, several areas of the State indicated a need for these programs, and began collecting the little information which was available.

Information presented by Arlington County in their criminal justice plan for fiscal year 1981 indicates that in 1978, Arlington County Police recorded 1,267 calls in the family offense category. In 1979, the family offense calls increased 12% to 1,426 requests for service, most of which involved some degree of spouse abuse. In Arlington it is estimated that as many as 3,600 hidden victims of chronic abuse are in need of services. Eleven percent (11%) of the reported requests for police intervention, or as few as 155 cases received services of the Juvenile and Domestic Relations District Courts in 1979. Although the Department of Health Resources records approximately 280 requests from victims of abuse, the enormity of needs presented by these families renders current resources inadequate.

The Central Virginia Planning District's criminal justice plan for fiscal year 1981 indicates that the number of domestic violence cases coming to the attention of social service agencies is steadily increasing. This violence occurs between members of the same family or between persons who live together in the same household. This includes spouse abuse, child abuse, abuse of parents by children, sexual abuse of children, and other forms of intra-family violence. Based on statistical information from the Tayloe-Murphy Institute, it is estimated that approximately one-third of the population, or 89,000 people in the Central Virginia Planning District suffer from domestic violence. These people are victims of physical, psychological, emotional, and/or verbal abuse.

Each month the Lynchburg Police Department receives between 300 to 325 calls because of domestic violence. Other police officials in the Central Virginia Planning District receive between 100 to 150 calls a month because of disturbances in homes.

It was reported by Lynchburg Protective Services that they serve approximately 50 to 75 children a month who suffer from child abuse or neglect because of violence or conflict between parents. In addition, other agencies such as

Lynchburg Youth Services, Family Services, and the Juvenile and Domestic Relations District Court also serve children who are having emotional problems that can be attributed to violence within the home.

Between 50 to 75 people per week receive medical attention in the Central Virginia Planning District because of violence between immediate family members.

The fiscal year 1981 criminal justice plan for the Rappahannock Planning District indicates that between January 1, 1979, and December 31, 1979, there were 974 domestic calls to four of the law enforcement agencies, resulting in 125 arrests. Warrants sworn against husbands totaled 191, and 12 against wives for the same period of time.

Domestic Violence Calls

Jan. 1, 1979 - Dec. 31, 1979

<u>Agency</u>	<u>Number Domestic Calls</u>	<u>Number Spouse Assault Arrests</u>
Caroline County Sheriff's Department	50	55
Fredericksburg Police Department	225	28
Spotsylvania County Sheriff's Department	375	NA
Stafford County Sheriff's Department	324	42
TOTAL	974	125

Spouse Against Spouse Warrants

Jan. 1, 1979 - Dec. 13, 1979

Locality	Against Husbands	Against Wives
Caroline	47	2
Fredericksburg	26	2
King George	2	1
Spotsylvania	55	1
Stafford	61	6
TOTAL	191	12

Hospital emergency room data show the majority of victims were females between the ages of 18 to 44 who were victimized by either their husband or another family member.

Rappahannock Council on Domestic Violence statistics for the Rappahannock Planning District showed 508 calls for assistance, with 216 clients assisted in some form by the shelter. A shelter was established and opened in November, 1979, and served 13 clients during the first three months of operation.

Rappahannock Council on Domestic Violence

Dec. 1, 1978 - Nov. 30, 1979

Locality	Information/ Assistance Calls	Clients Assisted
Caroline	19	10
Fredericksburg	121	52
King George	8	7
Spotsylvania	149	48
Stafford	154	72
Other	57	27
TOTAL	508	216

Shelter Residents

Nov. 2, 1979 - Jan. 31, 1980

Locality	Number of Families
Caroline	1
Fredericksburg	3
King George	1

Shelter Residents Cont'd

Nov. 2, 1979 - Jan. 31, 1980

Locality	Number of Families
Spotsylvania	4
Stafford	3
Other	1
TOTAL	13

In the New River Valley Planning District, the Women's Resource Center operates a temporary shelter and reported providing shelter for 304 women and children during 1979. They also reported there were no other documentable data available from the criminal justice system or the social service delivery system.

The City of Bristol, in Mount Rogers Planning District, reported their Crisis Center assisted 389 individuals in 1979 who were in abuse situations. The Bristol Police Department reported responding to 1,200 domestic violence calls from April, 1979, to April, 1980.

The City of Alexandria domestic violence program statistics are the most comprehensive collected to date. The following information was provided in the fiscal year 1981 criminal justice plan for the city of Alexandria:

CITY OF ALEXANDRIA DOMESTIC VIOLENCE PROGRAM

June, 1978 - June, 1979

Police Involvement	#	%
Client called once	18	15.1
Client called more than once	5	4.2
Client never called police	57	47.9
Unknown	39	32.8

TOTAL 119

Battered Women's Support Program (BWSP) Referral Source

	#	%
Area shelter or crisis line	18	15.1
Police	9	7.6
Magistrate	1	.8
Friend or acquaintance	6	5.0
Court	3	2.5

Battered Women's Support Program (BWSP) Referral Source Cont'd.

Social Services	14	11.8
Advertisement or phone book	7	5.9
WEOP or RVCP	3	2.5
Church group	4	3.4
City agency	5	4.2
Army	1	.8
Lawyer	1	.8
Unknown*	47	39.5

TOTAL 119

*Prior to 12/78, referral source was not an intake question and so, "unknowns" are very high.

CITY OF ALEXANDRIA DOMESTIC VIOLENCE PROGRAM

June, 1978 - June, 1979

Total Calls by Month	#	%	Child Abuse Incidence	#	%
1978			Client stated that		
June	3	2.5	husband/boyfriend also		
July	1	.8	abused children	19	15.9
August	6	5.0	No, abuser does not strike		
September	9	7.6	child	20	16.9
October	13	10.9	Unknown	65	54.6
November	11	9.2			
December	8	6.7			
1979			TOTAL	104*	

*15, or 12.7% clients had no children

Client by Marital Status	#	%	BWSP Client Referrals	#	%
Married	84	70.6	Magistrate	18	10.2
Separated	6	5.0	Lawyer	40	22.6
Divorced	7	5.9	Social Services	13	7.3
Single	19	15.9	Employment Services	19	10.7
Unknown	3	2.5	Counseling	33	18.6
			Program in client's area	9	5.1
			Housing	16	9.0
			BWSP office	7	3.9
			Protective Services	1	.8
			Hospital	1	.8
			Detox.	1	.8
			No referral	19	10.7
			TOTAL	177	

Client's Number of Children	#	%
0	15	12.7
1 - 2	66	55.5
3 - 4	19	15.9
5 +	3	2.5
Unknown	16	13.4
TOTAL	119	

Duration of Abuse - # years	#	%
0 - 1	63	52.9
1 - 2	13	10.9
2 - 3	5	4.2
3 +	18	15.1
Unknown	20	16.9

TOTAL 119

Age of Client	#	%
Years		
21-25	5	4.2
26-30	29	24.4
31-35	20	16.9
36-40	9	7.6
41-45	11	9.2
46-50	2	1.7
51 +	3	2.5
Unknown	4	3.4
TOTAL	36	30.3

Weapon Involvement

10, or 8.4%, of the clients specifically stated that the abuser used a weapon.

Client by Race	#	%
Black	41	34.5
White	54	45.4
Hispanic	1	.8
Oriental	3	2.5
Unknown	20	16.8
TOTAL	119	

Geographic Location of Clients

	#	%
Alexandria	72	60.5
Arlington Co.	8	6.7
Fairfax Co.	5	4.2
Other Virginia	1	.8
Wash., D.C.	1	.8
Maryland	3	2.5
Other State	6	5.0
Unknown	23	19.3

TOTAL 119

Shelter	#	%
BWSP purchased	9	7.6
BWSP assisted	18	10.2
Client arranged	21	17.6
Client remaining at present site	7	5.9
Unknown outcome of shelter req.	13	10.9
No shelter request	47	39.5
Unknown	4	3.4
TOTAL	119	

Alcohol Involvement

	#	%
Yes	37	31.1
No	22	18.5
Unknown	60	50.4

TOTAL 119

DOMESTIC VIOLENCE

PROBLEMS:

The first and foremost problem in this area is the lack of documentable data available to assess accurately the nature, extent, and victims of domestic violence in the Commonwealth. Lack of data also complicates the issue of determining responsibility for exploring and addressing this problem, since it crosses many agencies and professions.

Secondly, there is a need for more specialized training of law enforcement personnel in the handling of domestic calls. There also is a need to establish and/or modify current standard operating procedures utilized by law enforcement agencies, to reduce the impact these calls have on the department and on the individual officer.

In conjunction with law enforcement needs, there is also a need for community programs to function as alternative resources for police, as well as provide services and shelter for victims and their families. Community awareness and education should be an integral service provided by these programs.

SUBSTANCE ABUSE

EXISTING EFFORTS AND RESOURCES:

The focus of the substance abuse service delivery system in most Virginia communities is the programs administered through 37 community services boards which are locally managed, and operate within the standards established by the Virginia Department of Mental Health and Mental Retardation. Funding for these substance abuse services is provided through local government support, the Virginia Department of Mental Health and Mental Retardation, private and public third party payers, and the federal government; primarily the National Institute on Alcohol Abuse and Alcoholism and the National Institute on Drug Abuse.

Within the Commonwealth's substance abuse services network, the alcohol abuse services include 19 outpatient clinics, 18 alcoholism service units within community mental health centers, an inpatient program serving residents of Virginia at the Medical College of Virginia, 21 alcoholism residential treatment facilities, and 4 inpatient State hospital units. The clinics and mental health centers provide primary outpatient treatment, public education and information, agency consultation, and serve as community catalysts for the development of community involvement in the establishment of local programs and services. The State inpatient program located at the Medical College of Virginia, and the units at Eastern State Hospital, Central State Hospital, Western State Hospital, and Southwestern State Hospital provide intensive, specialized alcoholism treatment.

The 21 residential treatment facilities, totaling approximately 414 beds, provide a protective environment where alcoholics receive an array of counseling services aimed at recovery and enhanced self-sufficiency. Residential programs are of two types: subacute detoxification (five day average stay) in which clients withdraw from the toxic effects of alcohol, and residential rehabilitation in which clients receive individual and group counseling aimed at re-entry to society by beginning to work and re-establishing family relationships (average stay two to twelve months).

The Commonwealth's drug services network consists of 5 methadone clinics, 7 residential treatment facilities, 25 outpatient drug free components of service efforts, and a Treatment Alternatives to Street Crime (TASC) program. Prevention, education, crisis intervention, and referral services are offered by these programs, as well as numerous private agencies.

The five methadone clinics provide medically supervised detoxification or maintenance and other need support. They are located in the major metropolitan areas, specifically Portsmouth, Norfolk, Richmond, Alexandria, and Hampton, where opiate use is most prevalent. These programs have a capacity to provide services to 536 persons, including 447 maintenance and 89 detoxification treatment units.

The residential treatment facilities provide an array of services, including individual, group and family counseling, educational services, vocational and job placement counseling, referrals for health care, medically and non-medically supervised detoxification, psychiatric, and legal services.

The publicly supported residential substance abuse treatment capacity in Virginia is 364 beds. (Virginia Substance Abuse Plan, FY 1979-1980)

The outpatient drug free treatment services in Virginia are similar to, but generally less intensive than, those provided in residential facilities. Out-patient treatment units serve approximately 2,185 persons at this time. TASC, while not a treatment provider, functions as an identification, screening, and referral program for the drug abusing client involved in the criminal justice system. This program provides services to approximately 250 clients in the Richmond area annually.

Other substance abuse service efforts in Virginia include education and prevention, intervention, occupational assistance, services to special populations, i.e., women, youth, the aging, and cultural minorities, and criminal justice interface activities. Education and prevention programs are usually affiliated with the services offered by the community services board or an individual treatment program. School divisions provide supplemental prevention programs which emphasize peer counseling, positive self-concepts, and decision-making skills. Approximately 25 prevention and education efforts, including prevention components in treatment programs, receive support from the Virginia Department of Mental Health and Mental Retardation, although it should be noted that many private and civic prevention efforts are conducted within the Commonwealth. Additionally, the Department of Education reports that 49 county and city school divisions have supplemental prevention programs.

Intervention and outreach programs are most often affiliated with community services boards, treatment programs, or other locally based organizations. These activities include hotlines, walk-in centers, and other forms of crisis intervention counseling. Occupational assistance programs are being developed by a number of businesses, industries, and governmental units in Virginia. Two new employer-related consortia which purchase occupational programming services, training expertise, and employee evaluation and referral through local substance abuse programs are operational. In addition, the State Employee Assistance Service (SEAS) is in its second year of operation.

Within the criminal justice system, counseling programs which provide substance abuse services are operational at the Virginia Correctional Center for Women, Staunton Correctional Center, Southampton Correctional Center, the Norfolk City Jail, the Virginia Beach City Jail, and a therapeutic community at the James River Correctional Center. The Department of Corrections, Division of Community and Prevention Services continues to provide direct services to clients through the utilization and training of substance abuse specialists.

The following is a list of substance abuse programs that are providing services within the Commonwealth:

TREATMENT AND REHABILITATION

Source: Virginia Substance Abuse Plan, FY 1979-1980

Planning District	Alcohol	
	Program	Nature of Services
1	Planning District 1 Community MH/MR Services Board	Outpatient
2	Cumberland Plateau Community MH/MR Services Board	Outpatient
3	Abingdon Local Alcoholism Services Waddell Rehabilitation Center	Outpatient Residential Detoxification Residential
	Alpha House Mount Rogers Community MH/MR Services Board	Outpatient
4	New River Valley Council on Alcoholism	Outpatient Residential Residential
5	White Cross Alcoholic Center	Residential; Detoxification
	Mental Health Services of the Roanoke Valley-Outpatient Alcoholism Services Mental Health Services of the Roanoke Valley-Transitional Living Apartments	Outpatient Transitional Housing Residential
	Bethany Hall Mental Health Services of the Roanoke Valley-Alcoholism Programs	Detoxification
6	Pear Street Shenandoah Lodge Rockbridge Community MH/MR Services Board Valley Community MH/MR Services Board	Residential; Residential Outpatient Outpatient Outpatient

TREATMENT AND REHABILITATION CONT'D

Source: Virginia Substance Abuse Plan, FY 1979-1980

<u>Planning District</u>	<u>Alcohol Program</u>	<u>Nature of Services</u>
7	Council on Alcoholism, Front Royal Northwestern Mental Health Center Council on Alcoholism, Lord Fairfax Community, Inc. T.H.E. Counseling Center of Winchester	Detoxification Outpatient Residential Outpatient
8	Prince William County Drug and Alcohol Program The New Beginning Fairfax Hospital Alcoholism Treatment Unit FCAP Alcoholism Outreach Program Fairfax Local Alcoholism Service Alcoholic Rehabilitation, Inc. Alcoholism Treatment Program (Arlington) Alexandria Alcoholism Services Program Loudoun County Community MH/MR Services Board	Outpatient Residential Detoxification Outpatient Outpatient Residential Detoxification Outpatient; Residential Outpatient
9	Culpeper Total Health Education Clinic Rappahannock-Rapidan Community MH/MR Services Board	Outpatient Outpatient
10	Full Circle House Alcoholism Treatment Center David C. Wilson Neuropsychiatric Hospital	Residential Outpatient Inpatient Outpatient Detoxification
11	Alcoholic Rehabilitation Center of Central Virginia ARISE	Residential Outpatient
12	Alcoholism Treatment Center, Martinsville Alcoholism Treatment Center, Danville Hope Harbor, Danville House of Hope Alcoholic Treatment Center Magnolia Serenity Home	Outpatient Outpatient Residential Residential Residential

TREATMENT AND REHABILITATION CONT'D

Source: Virginia Substance Abuse Plan, FY 1979-1980

<u>Planning District</u>	<u>Alcohol Program</u>	<u>Nature of Services</u>
13	Southside Community MH/MR Services Board	Outpatient
14	Piedmont Area Community MH/MR Services Board Willow Oaks Farm	Outpatient Residential
15	Needle's Eye Rubicon Alcoholism Program Project Jump Street Richmond Aftercare Hanover Community MH/MR Services Board Chesterfield County Community MH/MR Services Board Henrico Community MH/MR Services Board Richmond Metropolitan Hospital	Residential Outpatient Detoxification Residential Outpatient Outpatient Outpatient Detoxification
16	Serenity Home Rappahannock Area Alcoholism Program	Residential Outpatient
17	Middle Peninsula Community MH/MR Services Board (served by)	Outpatient
18	Middle Peninsula Community MH/MR Services Board	Outpatient
19	Petersburg LAS (Local Alcoholism Services)	Outpatient
20	Western Tidewater Community MH/MR Services Board Flynn House of Portsmouth, Inc. Chesapeake Substance Abuse Program Portsmouth Alcoholism Services Virginia Beach Community MH/MR Services Board Norfolk LAS (Local Alcoholism Services)	Outpatient Residential Outpatient Outpatient Outpatient Outpatient
21	Serenity House Peninsula Alcoholism Services Hampton Alcoholism Clinic	Residential Outpatient Outpatient
22	Eastern Shore Community MH/MR Services Board	Outpatient

TREATMENT AND REHABILITATION CONT'D

Source: Virginia Substance Abuse Plan, FY 1979-1980

<u>Planning District</u>	<u>Alcohol</u>	<u>Nature of Services</u>
	<u>Program</u>	
<u>State</u>	Eastern State Hospital	Detoxification; Inpatient
	Central State Hospital	Detoxification; Inpatient
	Western State Hospital	Detoxification; Inpatient
	Southwestern State Hospital	Detoxification; Inpatient
	Medical College of Virginia	Detoxification; Inpatient
	<u>Drug Abuse</u>	
<u>Planning District</u>	<u>Program</u>	<u>Nature of Service</u>
1	Planning District 1 Community MH/MR Services Board	Outpatient Drug Free
2	Cumberland Plateau Community MH/MR Services Board	Outpatient Drug Free
3	Invest	Outpatient Drug Free
	Mount Rogers Community MH/MR Services Board	Outpatient Drug Free
4	Raft, Inc.	Outpatient Drug Free
5	Mental Health Services of the Roanoke Valley	Outpatient Drug Free Residential Drug Free Transitional Housing
6	Rockbridge Community MH/MR Services Board	Outpatient Drug Free

TREATMENT AND REHABILITATION CONT'D

Source: Virginia Substance Abuse Plan, FY 1979-1980

<u>Planning District</u>	<u>Alcohol</u>	<u>Nature of Services</u>
	<u>Program</u>	
7	Shalom et Benedictus	Residential Drug Free
	Northwestern Community MH/MR Services Board	Outpatient Drug Free
8	Fairfax County Drug Abuse Control Program	Residential Drug Free Outpatient Drug Free
	DHR Counseling Center	Outpatient Drug Free
	Alexandria Narcotics Treatment Program	Outpatient Methadone; Outpatient Drug Free
	Prince William County Drug and Alcohol Program	Outpatient Drug Free
	Second Genesis, Inc.	Residential Drug Free Outpatient Drug Free
	Loudoun County Substance Abuse Program	Outpatient Drug Free
9	Rappahannock-Rapidan Community MH/MR Services Board - Drug Awareness Program	Outpatient Drug Free
10	Region X Community Mh/MR Services Board	Outpatient Drug Free
11	ARISE	Outpatient Drug Free; Prison Drug Free
12	Impact Ridge Street Center	Outpatient Drug Free Outpatient Drug Free
13	Southside Community MH/MR Services Board	Outpatient Drug Free
14	Piedmont Area Community MH/MR Services Board	Outpatient Drug Free
15	Adolescent Clinic Project Jump Street	Outpatient Drug Free Outpatient Drug Free; Residential Methadone Outpatient Methadone
	Rubicon	Residential Drug Free Outpatient Drug Free
	Hanover Community MH/MR Services Board	Outpatient Drug Free

TREATMENT AND REHABILITATION CONT'D

Source: Virginia Substance Abuse Plan, FY 1979-1980

Planning District	Alcohol	
	Program	Nature of Services
	Chesterfield County Community MH/MR Services Board	Outpatient Drug Free
	Henrico Community MH/MR Services Board	Outpatient Drug Free
	Daily Planet	Outpatient Drug Free
16	Rappahannock Area Community MH/MR Services Board	Outpatient Drug Free
17	Middle Peninsula Community MH/MR Services Board (served by) - the CARE PROGRAM	Outpatient Drug Free
18	Middle Peninsula Community MH/MR Services Board - CARE PROGRAM	Outpatient Drug Free
19	Real House	Outpatient Drug Free
20	Virginia Beach Community MH/MR Services Board	Outpatient Drug Free
	Western Tidewater Community MH/MR Services Board	Outpatient Drug Free
	Norfolk Drug Abuse Services Board	Outpatient Drug Free; Outpatient Methadone
	Chesapeake Substance Abuse Portsmouth Drug Free Center	Outpatient Drug Free; Residential Drug Free
	Portsmouth Drug Treatment Center	Outpatient Methadone; Outpatient Drug Free
21	Action Committee to Stop Drugs	Residential Drug Free
	Hampton Roads Drug Center	Outpatient Drug Free; Outpatient Methadone
	Alternatives, Inc. Bacon Street	Outpatient Drug Free
22	Eastern Shore Community MH/MR Services Board	Outpatient Drug Free

Prevention

Source: Virginia Substance Abuse Plan, FY 1979-1980

Program	Public Information			
	Education	Attitudinal	Behavioral	
Valley Area Comm. College		X		
Ridge Street	X	X	X	
IMPACT	X	X		
Arise	X	X	X	X
Raft	X	X	X	
New River Comm. College	X	X		
Richmond ADAPTS	X	X		
Rappahannock Drug Abuse Program	X	X	X	
Alexandria City Schools		X	X	
Alexandria CADEO	X	X	X	X
Hanover Outreach	X	X	X	X
Powhatan Outreach	X	X		
Alcohol and Narcotics Council of Virginia Churches	X			
Chesapeake Schools	X		X	X
Chesapeake Substance Abuse Program	X	X	X	X
Alternatives	X	X	X	X
Bacon Street	X	X	X	X
Portsmouth MH/MR Services Board	X	X	X	X
Danville-Pittsylvania MH/MR Services Board	X	X	X	X
Virginia Beach Comprehensive Services	X	X	X	
Culpeper Substance Abuse Program	X	X	X	
Western Tidewater	X	X	X	
Real House	X		X	X

In addition, the Virginia prevention system includes public information and education services which are provided by a majority of the community services boards and the local alcoholism services agencies. Further, all school districts have a substance abuse education curriculum, and many provide attitudinal programs emphasizing peer education (SODA).

SUBSTANCE ABUSE

IMPACTS AND GAPS:

Admissions to Treatment

According to the Virginia Substance Abuse Plan for FY 1979-1980, during fiscal year 1978, publicly supported drug abuse services were provided to 5,390 persons. For the same time period, 19,280 persons entered publicly supported alcoholism treatment programs, an increase of 7% over the admissions to programs during FY 1977. The Virginia Substance Abuse Plan for FY 1979-80 states that males between the ages of 20 and 29 are most in need of alcoholism services, followed by males between the ages of 40 and 49 and 30 and 39. The female population most in need of alcoholism services appears to be between the ages of 30 and 49 years. Persons between the ages of 18 and 34 appear to be most in need of services for narcotic addiction. Persons under 25 years of age appear most likely to be involved in barbiturate abuse, with males slightly more involved than females. According to treatment admission data, males under the age of 25 have the highest rate of admission to treatment services.

Male admissions for all primary drug abuse categories were more frequent than admissions for females. For alcohol abuse, the frequency of male admissions to treatment was approximately five times greater than those for females; for narcotics abuse, 3.7 times; and for marijuana abuse, 2.3 times greater. (See Tables 4-8 in Appendix 3.)

Arrests

Arrest data do not provide an accurate picture of the extent of the substance abuse problem, since they identify only that substance abuse activity which is visible to law enforcement agencies. Also, these data vary with the increase or decrease in the activity of local and State law enforcement efforts and the emphasis which law enforcement agencies place on particular violations. This emphasis may vary from locality to locality. The number of sworn vice squad officers and other officers in less populous areas can also influence arrest data. Even with these limitations, an examination of arrest data can reveal information helpful to analyzing the type of problem in the State.

According to information contained in the Virginia Substance Abuse Plan, FY 1979-1980, the arrest rate for males was 408.76, and 28.44 for females. Table 9 in Appendix 3 shows males accounted for the overwhelming majority of arrests. Although the majority of persons arrested were white, the arrest rate (381.50) for blacks was higher. As shown in Table 10, Appendix 3, the highest arrest rates for alcohol law violations occurred generally in the more rural localities of the State. There was an increase in the arrest rate for seven of the fifteen localities for which data were available for FY 1977 and 1978.

Persons between the ages of 18 and 24, and 35 and 59 experienced the highest arrest rates. The arrest rate for persons between the ages of 18 and 24 was

285.41; for those of the 35-44 age group, 273.55; for those of the 45-59 age group, 262.48. The arrest rate for males was lowest for the under 18 age category and highest for the 18-24 age group. For females, the lowest arrest rate was for the age category 60 years and older and highest for those females under 18 years of age. The only age group for which the arrest rate for females approximated that for males was the under 18 years of age category. For the other age categories, the arrest rate for males was at least 12 times (approximate) greater than that for females. (See Table 11 in Appendix 3.)

There were 11,935 arrests for violations of the Virginia drug law during fiscal year 1978. This number represents a 2.8% increase in those arrests for fiscal year 1977. Drug abuse arrest rates were high in both urban and non-urban localities of the State. Of the localities shown, the highest drug arrest rates were for Richmond City, Emporia, and Norfolk; the lowest rate was for Culpeper. (See Table 12, Appendix 3.)

Table 13 in Appendix 3 presents the number of arrests according to substance and locality. Of the total arrests (4,818), 82% were for violation of marijuana laws; 9% for other non-narcotics. The City of Culpeper in Health Service Area (HSA) I experienced the greatest percent (98%) of arrests for violation of marijuana laws; the City of Petersburg the greatest percent (25%) of arrests for violations of opium, cocaine, derivatives and synthetic narcotic laws; the County of Bland the greatest percent (43%) of arrests for violation of other non-narcotic laws.

Of the total number of arrests, 75% were white. However, the arrest rate for blacks was greater than for whites for all substances. The arrest rates for males was seven times that for females. Additionally, the arrest rate for males was higher for all substances. Persons under 24 years of age experienced higher arrest rates than those 25 years of age and older. The 18-24 age group experienced higher arrest rates than those 25 years of age and older. The 18-24 age group experienced the highest arrest rate for all substance categories. (See Tables 14, 15, and 16 in Appendix 3.)

For all age groups, arrest rates for marijuana were significantly higher than for all other substances.

Drug Thefts

According to the Virginia Substance Abuse Plan, FY 1979-1980, drug thefts from pharmacies, hospitals, manufacturers and doctor's offices increased from 171 to 202 from fiscal year 1977 to 1978. This change represented an increase of 18.1%. The volume of drugs stolen increased by 24.7%, with an increase in every category. Amphetamines increased the greatest percentage (69.5%). The percentage distribution of drug thefts among types of drugs stolen has remained fairly stable from fiscal year 1976 through fiscal year 1978. An exception is an increase in the percentage of thefts for other depressants and a decrease in the percentage of thefts for barbiturates. (See Tables 17 and 18 Appendix 3.)

The Board of Pharmacy estimates the street price of diverted narcotics at \$20 per dosage unit, stimulants at \$15 per dosage unit, and depressants at \$10 per dosage unit. Using these figures, the street price of diverted illicit drugs during fiscal year 1978 totalled \$7,257,885.

Alcohol Related Traffic Accidents

Information in the Virginia Substance Abuse Plan, FY 1979-1980 shows that during fiscal year 1977 there were 21,169 alcohol related traffic accidents within the Commonwealth. These accidents accounted for 14.8% of all traffic accidents. Of fatal traffic accidents, 379, or 37.9%, were alcohol related. These accidents resulted in 439 deaths and 13,325 injuries. (See Table 19 in Appendix 3.)

Table 20 in Appendix 3 shows Virginia localities experiencing the highest rates of alcohol related accidents. While Craig County experienced the highest percent and rate for alcohol related accidents, the number of alcohol related accidents for that locality was fourth from the lowest (27 for Bland County).

Drivers under the age of 24 had the highest rates for alcohol related accidents. The lowest rate for alcohol related accidents was for drivers who were 65 years and older. (See Table 21 in Appendix 3.)

Drug and Alcohol Deaths

The Virginia Center for Health Statistics reported 518 deaths resulting directly from alcohol consumption during calendar year 1978. These deaths are classified as follows:

	<u>Number</u>	<u>Percent</u>
Deaths resulting from alcoholic psychosis	23	4.4
Deaths resulting from alcoholic addiction	83	16.0
Deaths resulting from alcoholism when associated with emotional disorder	72	13.9
Deaths resulting from acute alcohol poisoning	68	13.1
Deaths resulting from unspecified alcoholism	57	11.0
Deaths resulting from alcohol cirrhosis of the liver	215	41.5
	<u>518</u>	<u>100.0</u>

The smallest percent of these deaths resulted from alcohol psychosis. The greatest percent of these deaths resulted from alcoholic cirrhosis of the liver.

Table 22 in Appendix 3 shows those localities of Virginia experiencing the highest alcohol related mortality rates per 10,000 population. As indicated, King and Queen County experienced the highest alcohol related mortality rate (5.31) and Northumberland the lowest (2.11).

White males accounted for 240, or 46% of all alcohol related deaths. Of these deaths, 46% were attributed to alcohol cirrhosis of the liver. While the number of alcohol related deaths for white males is approximately 2.2 times that for black males, the alcohol related mortality rate for black males is approximately 2.4 times greater than that for white males. For both race and sex, black males experienced the highest alcohol related mortality rate.

The alcohol related mortality rate for both white and black females is lower than that for white and black males. (See Table 23 in Appendix 3.)

Table 24 in Appendix 3 shows the number of alcohol deaths according to age groups. As indicated, the alcohol related mortality rate was greatest for persons 45 years of age and older. Within the 45-49 and 60-64 age groups, the highest alcohol related mortality rates resulted from cirrhosis of the liver. The mortality rate resulting from alcoholism associated with emotional disorders was higher than that for all categories and highest for the 65 years and older age group.

Tables 25 and 26 in Appendix 3 show information about accidental drug deaths during calendar year 1977.

Hospital Emergency Visits

Statistical information regarding substance related emergency room incidents is not available from every hospital emergency room in Virginia. However, the planning district commissions obtained fiscal year 1978 data from 64.6% of all hospital emergency rooms. Because of the inconsistencies in reporting, it is not possible to examine the data to define target areas of the State.

Tables 27 and 28 in Appendix 3 present information relating to hospital emergency visits. The participating hospitals reported 9,716 substance related incidents which required emergency treatment. Of the total emergencies for substance, 39.8% were alcohol related. The emergencies for barbiturates, tranquilizers, and sedatives represented 12.3% of the total emergencies for substance abuse.

However, emergency room practitioners have stated that these data should be used cautiously. Due to problems in diagnosis, the number of actual alcohol related emergency visits far exceeds the number reflected on hospital records.

Of the hospital emergency cases for which race was recorded, blacks experienced almost twice as many crises requiring emergency care as whites. Almost one-half of the persons receiving emergency treatment were females. Rates of emergency visits were highest among persons under 18 years of age except for black males. Black males experiencing the highest rates of emergency visits were between the ages of 35 and 44.

Method for Estimating Nature and Extent of Substance Abuse Problems

See Appendix 4 for a description of the application of a formula to estimate numbers and types of substance abusers in Virginia.

SUBSTANCE ABUSE

PROBLEMS:

In Virginia, available substance abuse services vary widely among catchment areas. At best, these services can be considered to be minimally responsive to the substance abuse service needs in Virginia. This is particularly true for the provision of alcoholism treatment services and services targeted to barbiturate, sedative, and tranquilizer abuse. The Virginia Substance Abuse Plan for FY 1979-1980 reports that in fiscal year 1978, less than 10% of those persons estimated to be problem drinkers received alcoholism services. In many outpatient alcoholism programs, 75% of the caseload consisted of referrals to treatment through the Virginia Alcohol Safety Action Program (VASAP), resulting in waiting lists and limited services for the non-VASAP clients. Preliminary assessments indicate that increased community-based service capacity must be created in Virginia to meet these needs and to handle the increased burden resulting from the possible closing, or reduction in the capacity of alcoholism units in some State mental hospitals. Also, preliminary assessments indicate that an increased service capacity must be created if Virginia enacts the Uniform Alcoholism Act which is targeted to the provision of services to the public inebriate population.

The organization and operation of substance abuse services in a manner which promotes continuity of care for clients who require different types and /or levels of care is needed in Virginia. This is especially important in the provision of aftercare programming which draws from a variety of community resources. There is an expressed need for the development of a coordinated interagency network of substance abuse services through cross-referral mechanisms, consultation, and service contracts. Liaison with the criminal justice system, as well as other human service agencies through formal and informal relationships also is important for the provision of treatment, aftercare, vocational, legal, and educational services to clients.

Special service requirements of population groups such as women and the elderly must receive increased attention by both drug abuse and alcoholism programs. Both federal and State policies and plans have targeted the service needs of these population groups as priority concerns. The provision of treatment, intervention, and prevention services to these population groups needs to involve both the enhancement of the existing service network and the development of programs targeted specifically to their special needs. For women with drug or alcohol abuse problems, special programs might include residential programs which provide arrangements for child care and transitional living facilities for women abusers not yet ready to return to their home environments. Substance abuse prevention efforts targeted to at-risk women (e.g., those experiencing trauma resulting from divorce, rape, or spouse abuse) are potentially available through a variety of "gatekeeper" or early intervention agencies such as family planning clinics, crisis intervention programs, rape crisis centers, child protective services, and other social service agencies.

The improvement of strategies to identify and refer these individuals to appropriate services requires the development of special outreach strategies and training of substance abuse program personnel.

Treatment and Rehabilitation

1. There is a lack of comprehensive alcohol services within each Health Service Area, especially in rural or mountainous areas of Virginia.
2. There is a lack of adequate community-based treatment services to replace those intensive treatment services being phased out of State hospitals.
3. There are not enough programs to serve the special needs of population groups such as women, elderly, and chronically dependent individuals who need long term care.
4. There is a need to verify community substance abuse program standards.

Prevention/Education:

1. There is a lack of accurate public information regarding substance abuse prevention.
2. There is a lack of educational material that provides useful facts concerning substance abuse and provides a basis for individual decision making in a rational manner.
3. There is a lack of programs designed to impact attitudes concerning substance use and abuse (values clarification and alternatives programs).
4. There is a lack of behavioral programs to reinforce or change behavior concerning substance use and abuse (especially in the lower grades).

Criminal Justice Interface

1. There is a lack of substance abuse, criminal justice interface activities and programs at the State and local levels.
2. There is a lack of new and expanded substance abuse activities for justice-treatment interface strategies which will enhance the level of services provided for substance abusers involved in the criminal justice system.

POSSIBLE SOULTIONS (1981-1983)

POSSIBLE SOLUTIONS (1981-1983)

CRIME PREVENTION

If the crime prevention needs of the citizens of Virginia are to be met, then it is necessary to initiate at the State level a mechanism which directs and coordinates a largely volunteer service delivery network dedicated to providing crime prevention services to all segments of Virginia's population. The volunteer network, along with the citizens of Virginia, could then be served by a small staff responsible for identifying and coordinating existing resources; developing new resources; increasing public awareness of crime and efforts to prevent it; providing technical assistance to citizens, law enforcement, and other governmental agencies involved in crime prevention, and serving as a statewide crime prevention clearinghouse.

The State's crime prevention efforts, along with those at the local level, must increase the public's awareness of crime and methods to prevent it, which will in turn increase the joint involvement of citizens and law enforcement in the reduction of criminal opportunity. The increased public awareness could be accomplished through the development and distribution of crime prevention public service announcements to radio and television stations throughout the State, as well as by encouraging the news media to feature crime prevention programs, articles, and public service announcements.

There is also a need to initiate community crime prevention at the local level. This could be accomplished by establishing and utilizing speakers' bureaus and by the development of local and/or regional crime prevention steering committees. The steering committees would be the catalysts for citizen involvement in crime prevention. Such committees would also enhance coordination and the sharing of resources among individual programs.

As previously mentioned, it is necessary to develop a service delivery network throughout the State. The volunteer crime prevention delivery system would be a coordinated network comprised of law enforcement agencies, other governmental agencies, service clubs, individual citizens, and community organizations serving as resources. In order to fulfill their service delivery role, members of the network would have to receive technical assistance and an appropriate level of program development to strengthen their capabilities and resources to assist organizations and groups which could not alone develop crime prevention programs. Specifically, the State needs to work with local and regional agencies and groups in the design and implementation of crime prevention programs with emphasis on recruitment and training of volunteers. Likewise, the State program would need to work with the Virginia Crime Prevention Association and the Criminal Justice Services Commission in establishing crime prevention training standards for law enforcement officers at both the recruit and in-service levels.

One of the key elements of improving the delivery of crime prevention services in Virginia is to promote a uniformity among programs throughout the

State. For instance, it is essential that a single numbering system be developed for operation identification, a program which calls for citizens to place their social security number or an identifying number on all personal property. When property is stolen in Richmond and recovered in Norfolk, it is necessary for the police in Norfolk to be able to trace the property back to its owner through the use of a unique, identifiable number.

One of the primary functions of the statewide crime prevention program is to serve as a clearinghouse for crime prevention information. Accordingly, the State should track appropriate federal, State, and local laws, regulations, ordinances, and policies that might affect crime prevention, and disseminate information to appropriate organizations throughout the State. It should also keep abreast of crime prevention techniques and concepts which have proven to be successful on a local, State, or national level, and distribute this information to appropriate agencies and groups. The clearinghouse would also serve as a repository for crime prevention handouts and reference materials which would serve as resources for groups and agencies planning to develop printed materials or displays. Lastly, it is necessary for the State to develop a mechanism which could share information from national, State, and local crime prevention activities on a timely basis. This could be accomplished through publication of a quarterly newsletter which would summarize such activities and at the same time, provide local crime prevention programs throughout the Commonwealth with specific techniques which they could use to remove crime opportunities.

LAW ENFORCEMENT

The introduction and assimilation of integrated criminal apprehension program concepts such as crime analysis, career criminal prosecution, directed patrol, and application of crime prevention strategies would assist in improving the crime detection, investigation, and apprehension capabilities of law enforcement agencies. Along this line, it would also be useful to provide greater means of technology transfer of successful, or proven concepts and programs among various law enforcement agencies.

Cooperation and coordination among law enforcement agencies at the local, State, and federal levels would improve services and lower costs, as would multi-jurisdictional sharing and consolidation of selected resources.

There needs to be a better training delivery system to enhance the effectiveness of law enforcement by providing basic, in-service, and specialized training for law enforcement officers. There should also be a continuous training program at an institution of higher learning for top law enforcement executives in the State.

Law enforcement could be more efficient and effective if administrative and operational systems and procedures were improved and if high productivity concepts were introduced and implemented.

Personnel retention could be improved and better qualified applicants attracted through increased salary and benefits programs and the establishment of minimum pre-employment standards.

ADJUDICATION

Judicial Education

As a result of the budget balancing efforts of the Governor and the General Assembly, and in consideration of the President's and the Congress' efforts to balance the federal budget, monies available to the judiciary for training will be significantly reduced. Thus, a series of alternative actions to meet the overall needs of the goal of continuing judicial education have been developed by the Office of the Executive Secretary, and are contained in the Comprehensive Judicial Plan, published by the Office of Executive Secretary, Supreme Court of Virginia, as follows:

ALTERNATIVE ONE: A Judicial Institute

A time schedule has been assigned to developing the plan for the judicial institute. Information from existing judicial institutes throughout the country has been solicited and is being received. Writing the plan will be completed prior to the beginning of the Fall conference cycle in September of 1980. The concept of locating the institute at an existing law school remains central to the plan.

ALTERNATIVE TWO: Joint Conference

The concept of holding joint conferences of circuit and district court judges and joint conferences of magistrates and clerks has been dropped. Subjects to be addressed are too disparate and the numbers of people to be housed and taught are too great for existing facilities and effective education or training.

ALTERNATIVE THREE: Mandatory Conference Attendance

The Committee on District Courts requires the mandatory attendance by each district court clerk at one selected District Courts Clerks Conference each year. No action has been taken on making attendance by magistrates at a Magistrates Conference mandatory. This matter continues to be studied.

ALTERNATIVE FOUR: Mandatory Minimum Education Standards for Magistrates

Magistrate minimum education standards were developed by the Magistrate Education Committee and the O.E.S., but rejected by the General Assembly. These standards would have required new magistrates to possess a high school diploma or GED to qualify for selection. The O.E.S. will continue to recommend this requirement.

ALTERNATIVE FIVE: Use of Cyclical Curricula for Judicial Training

A cyclical, multi-year plan was drafted at the request of the District Judges' Education Committee. The results of this program

will be used to determine how reasonable a cyclical curriculum is. The proposed plan combines the "fixed" cyclical curricula with "flexible" electives to permit current topics to be covered as needed.

ALTERNATIVE SIX: Reduction of Outside Consultant Use

As of the 1979 Fall conference cycle, the use of outside consultants has ceased. The Educational Services Directorate now is fully responsible for all conferences.

ALTERNATIVE SEVEN: Funding for Out-of-State Training for District Court Clerks

Funding for this training in the amount of \$22,175 has been included in the education budgets for FY 1980 and 1981. Funding for future years will be sought.

ALTERNATIVE EIGHT: Increased Funding of Out-of-State Training

Funding for out-of-state training has increased in each of the previous years; however, the outlook for FY 1981 is uncertain in light of the President's announced budget balancing efforts and the retrenchment in LEAA approval of grants. How this change will affect out-of-state training is not known at this time. The number of judges participating in out-of-state training has also increased, but in light of current budget uncertainties, increased promotion of out-of-state training is not being planned at this time. The O.E.S. will continue to seek additional funding for this program.

ALTERNATIVE NINE: Individual Visits to Correctional Institutions

Funding for visits to correctional facilities has been received. This program has been expanded to cover visits to mental health facilities which were started in 1979.

ALTERNATIVE TEN: Delivery of Video Equipment

The Educational Services Directorate has determined that the least expensive delivery method is to rent and drive a truck to conferences where video equipment must be used. On occasion, a State station wagon is suitable for such delivery. As for individual use of the equipment, the O.E.S. currently supplies only the video tapes and lets the recipient use local police or educational viewing equipment.

ALTERNATIVE ELEVEN: Certification Program for Magistrates

The magistrate certification as approved by the 1980 Session of the General Assembly has been developed and is scheduled to be implemented July 1, 1980. Essentially, it will consist of 20

hours of training for new magistrates by chief magistrates. New magistrates will be required to pass a test on the training and also to successfully complete a six-month probationary period before being appointed for a full term.

ALTERNATIVE TWELVE: Education Seminars for Circuit Court Clerks

The Circuit Court Clerks' Conferences have been conducted semi-annually on a voluntary basis during the last two years. Attendance has fluctuated between 20 and 60 clerks. The O.E.S. intends to continue with these seminars on at least an annual basis.

ALTERNATIVE THIRTEEN: Orientation Programs for New Judges, District Court Clerks, and Magistrates

Orientation programs for judges, magistrates, and district court clerks have been implemented. There is a five day pre-bench orientation for new judges immediately after each session of the General Assembly. Magistrates receive two days of orientation in Richmond shortly after being appointed, and Class IV, V, and VI magistrates also receive a four-day training course within six months of their initial appointment. District court clerks receive a two-day orientation in Richmond shortly after their appointment. Further refinement of these programs is anticipated.

ALTERNATIVE FOURTEEN: A. District Court Clerks Certification

The certification program for district court clerks will parallel the Magistrates Certification Program described in Alternative Eleven. Its implementation date is scheduled for July 1, 1981; however, this date could change based on lessons from the magistrates program.

B. Mandatory Continuing Education Requirement

A proposal for continuing legal education will be drafted and submitted to the judges for their comments during the Spring conferences. Should their comments be positive, the proposal will be submitted to the Committee on District Courts for review and approval prior to its introduction in the 1981 Session of the General Assembly.

C. Education and Training for O.E.S. Staff

Policies and procedures to make education reimbursement payments and training accessible to the O.E.S. staff members are being developed. Funds for the reimbursement will be available on July 1, 1980. Funding for training has not been allocated, but the procedures and policies will be ready when it is.

Judicial Sentencing

1. Create a judicial panel to review existing sentencing procedures and report to the legislature.
2. Create a "blue ribbon" panel composed of attorneys, judges, and lay persons to review existing sentencing procedures and report to the legislature.
3. Refer the issues surrounding sentencing to the Criminal Procedures Committee.

Computer Options for the Virginia Judicial System

1. Proceed with systems development.
2. Obtain funding to develop all of the systems and the implementation of a pilot program.
 - a. Case Management System
 - 1) Indexing
 - 2) Docketing
 - 3) Basic Reporting
 - 4) Notice Generation
 - 5) Management Reporting
 - b. Financial System
 - c. Support Payment System
3. Prioritize and develop the above systems.
 - a. Priority I Activities
 - 1) Indexing
 - 2) Docketing
 - 3) Basic Reporting
 - 4) Financial Modules
 - b. Priority II Activities
 - 1) Notice Generation
 - 2) Support Payment Modules

c. Priority III Activities

1) Management Reporting

Victim, Witness, and Jury Assistance

1. Maintain existing victim/witness programs.
2. Encourage Commonwealth's Attorneys' Offices that do not have a victim/witness program to establish such a program.
3. Encourage legislative action allowing each Commonwealth's Attorney's Office to hire and maintain, at State expense, a full-time victim/witness coordinator.
4. Retain current juror selection procedures and practices, but institute methods for random selection in conformance with the new law.
5. Study the various methods of randomization and implement the most effective, efficient, and cost-beneficial alternative.
6. In line with the need to study various randomization schemes, study the operations of the trial jury system in a selected number of jurisdictions. This could develop as a pilot analysis of a metropolitan, a rural, and a combination of circuit courts.
7. Seek funding for a statewide analysis of trial jury system operations. This type of study could include three parts--a study of the use of multiple lists, a data analysis study to ascertain how effective current jury utilization is, and an implementation phase to assist interested circuit courts in improved jury management and utilization.

Training for Prosecutors/Commonwealth's Attorneys

In order to meet the needs for training Commonwealth's Attorneys, their assistants, and members of their staffs, several actions are suggested:

1. Provide basic training and assistance to new Commonwealth's Attorneys, their assistants, and members of their staffs.
2. Provide at least one in-state training program a year for Commonwealth's Attorneys, and their assistants.
3. Provide funding for a least 85 Commonwealth's Attorneys, and/or their assistants to seek out-of-state training once a year.

4. Provide management training for Commonwealth's Attorneys, their assistants, and members of their staffs.

If the above actions are achieved, the goal of continuing to enhance the quality of prosecution in the Commonwealth of Virginia by providing continued in-service training and education to Commonwealth's Attorneys, their assistants, and members of their support staffs will be met.

Career Criminal Programs to Enhance Prosecution

1. Maintain the current level of career criminal/major offender programs throughout the Commonwealth.
2. Increase the number of career criminal/major offender programs throughout the Commonwealth.

Competent Defense for Indigents

1. Continue the operation of existing defender offices.
2. Furnish adequate resources and training in substantive and procedural law to public defender personnel.
3. Assist the courts insofar as can be done without any conflicts of interest in the determination of indigency.
4. Evaluate the operations of the offices on a continuing basis.
5. Educate the public as to the availability of defense services for indigents.

ADULT CORRECTIONS

State and Local Adult Corrections

In July of 1978, legislation was implemented to allow comprehensive rehabilitative services for all offenders in need of transitional services:

Section 53-128.6. Authority of Director to establish, etc.; temporary room, board and counseling, etc., for probationers and parolees. --The Director of the Department of Corrections is hereby authorized to establish and maintain such a system of halfway houses as he may from time to time purchase, construct or rent for the temporary care of adults who are deemed capable of participation therein. The Director is further authorized to employ necessary staff personnel for such facilities and to promulgate such rules and regulations for the operation of such facilities as may be appropriate. The Director is further authorized to advise and assist individuals, groups, corporations or other governmental agencies in the establishment of halfway houses. The Director may, with the approval of the Board of Corrections, provide minimum standards for the operation of said facilities and, if such minimum standards are established, shall maintain a list of approved halfway houses.

The Director may purchase temporary room and board and training, counseling and rehabilitation services for probationers and parolees whom the Director deems to be in need of such room and board or services and capable of participation therein; provided, however, the Board of Corrections shall prescribe rules and regulations for the implementation of this provision which shall conform with the requirements of all locally adopted zoning regulations in providing for services authorized by this paragraph. (1968, c. 298; 1974, cc. 44, 45; 1978, c. 492.)

This is vitally important legislation in view of the impact that other legislation, Section 53-251.3, effective July 1, 1979, will have on creating a need for rehabilitative services for releasees from correctional institutions.

Section 53-296 of the Code of Virginia which mandated sentences for additional time for recidivists was repealed. This helped to address crowded conditions in State correctional institutions.

Pursuant to Section 53-251.3 of the Code of Virginia, the State will be releasing offenders who have six months left on their sentences via mandatory parole:

Mandatory discharge on parole.--Every person who is sentenced and committed under the laws of the Commonwealth to any State correctional institution or as provided for in Section 19.2-308.1 shall be discharged on parole by the Virginia Parole Board when six months remain in the person's sentence until his date of final discharge; provided, however, each person so sentenced or committed shall serve a minimum of three months of his sentence prior to such a discharge. Such persons who are so discharged on parole shall be subject to a minimum of six months supervision and such an additional period of parole as the Board deems appropriate in accordance with Section 53-255.

In addition, two new pieces of legislation were passed in the 1980 Session of the General Assembly:

Sections 53-128.16 through 53-128.21 added. Community Diversion Incentive Act. Establishes the Community Diversion Incentive Act. Authorizes the Director of the Department of Corrections to assist localities in developing and entering into contracts to establish community diversion programs. Authorizes such programs to serve as alternative placements to correctional institutions for certain offenders. Provides funding incentives for these community-based services and requires the State Board of Corrections to establish standards for the programs. Establishes community corrections resources boards, specifies their membership and prescribes their responsibilities. H. 896; Ch. 300

Sections 53-166.1 through 53-166.2 added. Local work release programs for offenders. Permits offenders who are sentenced to confinement in local jails and who are assigned by the court to a work release program to participate also in educational or other rehabilitative programs to supplement their employment. Provides that any offender who leaves his place of employment or educational or rehabilitative program is guilty of a Class 2 misdemeanor and shall be ineligible for further participation in a work release program during his current term of confinement. Permits wages earned by an offender in a work release program to be paid to the administrator of the program with specified deductions and distribution of the wages authorized. Defines "work release," "educational program" and "rehabilitative program." Authorizes furloughs from local work release programs in accordance with the same criteria as furloughs from State work release programs. H.129; Ch. 566

These and other recent additions to the Code of Virginia set forth intent, and open doors for actions to address many of the issues which the Virginia correctional system is facing.

Specifically, the following actions would help to alleviate some of the problems previously discussed:

1. Expand the role of substance abuse and community mental health residential facilities in providing services for State and local offenders.
2. Encourage general district and circuit courts to increase use of responsible probation for nondangerous offenders, by utilizing restitution and community service programs.
3. Encourage local magistrates to develop and implement programs for release on recognizance.
4. Expand local community-based pre-release and work release programs statewide.
5. Increase services and programs for parolees on a regional basis.
6. Expand and improve adult correctional education, rehabilitation, and treatment programs statewide.
7. Reduce overcrowding in State and local adult detention centers through the continuation of the expansion program initiated by the Department of Corrections; by renovating and expanding existing facilities, constructing new facilities, and through increased use of alternatives.
8. Implement standards for accreditation of State facilities.

Section 18.2-388 of the Code of Virginia was amended as follows and went into effect July 1, 1979:

Profane swearing and drunkenness.--If any person profanely curse or swear or be drunk in public he shall be deemed guilty of a Class 4 misdemeanor. In any area in which there is located a court-approved detoxification center, the judge of the general district court may, by written order, authorize the transportation, by police or otherwise, of public inebriates to such detoxification center; provided, however, that no person shall be involuntarily detained in such a center.

There is an increasing effort to further decriminalize the charge of being drunk in public, which should help reduce the large percentage of jail commitments which are attributed to public drunkenness.

During fiscal years 1978 and 1979, the Division of Justice and Crime Prevention identified a statewide need to assist local units of government

with local adult detention and correctional planning. This need was identified by reviewing the submissions of needs and problems from the regional and local planning units.

In 1979, Division of Justice and Crime Prevention representatives visited the National Clearinghouse for Criminal Justice Planning and Architecture and received important feedback relative to the local adult detention planning model. In addition, a visit was made to the Minnesota Department of Corrections to discuss their jail planning methodology which supported their Community Corrections Act. The Virginia Department of Corrections has, for a long time, subsidized local adult detention facilities, and developed in 1976, an information reporting form which provided a relatively reliable source of data on local jails. This data source became the nucleus for a jail planning methodology. See Appendix 5 for the methodology.

During the past 18-20 months, the DJCP has produced nine technical assistance reports analyzing existing local adult criminal justice systems, and developing future needs assessments for nine localities. These nine localities operate jails serving 16 cities and/or counties. In addition, eight other localities were provided on-site technical assistance concerning jail or juvenile secure detention. As part of the 1980-1983 planning effort by the DJCP, twelve large cities and counties were provided with a jail profile package containing four years of offense-based data by sex and adjudicatory status; frequency of population charts, and daily population charts. Currently, there are three local adult detention studies in progress, with six to eight planned for the coming year.

Last year, the Adult Services Subcommittee of the Virginia Council on Criminal Justice requested Department of Corrections and Division of Justice and Crime Prevention staff to work together in developing a comprehensive management information system for local jails. Work on this project began in April of 1979, and was completed in June of 1980.

By October of 1980, the State will have four years of data available from the Offender Based Tracking System, and three years of information from the Offender Based State Correctional Information System (OBSCIS). This information will be assessed concerning its applicability in improving State and local detention planning methodologies.

Based upon information now available, the following actions would help to alleviate many of the problems which local adult detention centers are now experiencing:

1. Improve and implement a local adult detention planning methodology for Virginia.
2. Provide technical assistance in the area of correctional program development and implementation.
3. Assist local adult detention centers to implement management information systems which meet current needs.

4. Implement comprehensive minimum standards for planning, design, construction, operation, and programs for local adult detention centers.
5. Provide assistance to local detention centers deemed suitable for renovation/expansion.
6. Assist local units of government to construct new regional adult detention centers which meet or exceed minimum standards.
7. Expand statewide the level of adult detention programs and services.

Training and Education of Adult Correctional Personnel

With increasing jail and prison populations, local and State correctional institutions would maximize the utilization of existing support staff by requiring basic correctional officer training for all correctional personnel. This would help ensure that all personnel working directly with offenders have the basic training necessary to perform satisfactorily.

Other actions which would upgrade correctional personnel and enhance their retention on the job include:

1. Maintain and/or increase the level of effort for correctional training statewide.
2. Explore the feasibility of expanding correctional curricula within regional criminal justice training academies.
3. Study current correctional officer personnel classification procedures and salary scales.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Prevention

1. Convene local and State issues study groups to identify and resolve conflicts in policies, procedures, and practices of eleven State agencies and their local counterparts.
2. Develop and implement an "ideal" service delivery model in one locality.
3. Evaluate the model and prepare a report suggesting changes in legislation, policies, and procedures of the agencies involved.
4. Conduct an evaluation of school alternative programs.
5. Promote a close working relationship between the DJCP and the Department of Corrections H. B. 1020 Coordinator and regional prevention specialists to encourage evaluations of prevention programs, and to review existing efforts, both State and national.
6. Provide program development and funding assistance to localities which currently have little or no access to prevention programs.
7. Promote a close working relationship between the DJCP and local and regional units of government to encourage local maintenance of juvenile justice and delinquency prevention planning capabilities. Encourage Department of Corrections regional staff to assume these planning efforts where gaps exist.
8. Encourage agencies not traditionally thought of as part of the juvenile justice system to become actively involved in delinquency prevention planning.
9. Continue to monitor and offer technical assistance in the upgrading of existing prevention programs in the State.
10. Offer program development and funding assistance for statewide training of existing prevention services personnel.

Law Enforcement

1. Provide program development and funding assistance to law enforcement agencies wishing to create juvenile units.
2. Continue to monitor and offer technical assistance and training information to upgrade existing law enforcement juvenile units.
3. Establish specialized juvenile training at the regional training academies through cooperative efforts between DJCP and the Criminal Justice Services Commission.
4. Upgrade the quality and access time of police data through cooperative efforts of the DJCP, the Juvenile Justice and Delinquency Prevention Advisory Council, and the State Police.

Court Intake

1. Provide technical assistance and program development to courts wishing to establish 24-hour intake services.
2. Encourage and provide training in diversion and available community-based alternatives for juvenile court intake officers.

Community-Based Alternatives

1. Encourage localities to provide training in community-based alternatives to all potential sources of youth referrals.
2. Encourage the Division for Children to develop and launch a media campaign concerning the need for diversion.
3. Provide program development and funding assistance to localities and State agencies to develop community-based alternative programs.
4. Continue to monitor and offer technical assistance to upgrade existing community-based alternative programs.
5. Resolve existing conflicts which hinder the provision of educational services in short-term residential facilities through the cooperative efforts of the DJCP, the Department of Education, and the Department of Corrections.
6. Encourage appropriate State agencies to design a statewide computerized juvenile facilities information system. Provide program development and funding to one State agency to implement the information system, with technical assistance in maintaining the system provided by DJCP.
7. Encourage evaluation of diversion programs and review of existing State and national efforts by State and local service delivery agencies.
8. Monitor and offer technical assistance to upgrade and consolidate existing diagnostic services at the local level, and encourage localities to use local services in lieu of 30-day commitments to the Reception and Diagnostic Center.
9. Encourage the creation and implementation of a centralized, locally based information system (bank) for use by all referral agencies, and link the system to the court services information system for tracking prior services offered to youth coming in contact with the juvenile justice system.
10. Monitor public and private residential facilities for compliance with JJDP Act requirements, reporting violations of the Act and the Code of Virginia, along with recommendations for action.

Detention

1. Offer technical assistance to existing outreach and less-secure detention programs in court screening and placement procedures.
2. Encourage secure detention programs to screen and place youth as quickly as possible.
3. Provide program development and funding assistance to localities wishing to establish less-secure detention programs.
4. Encourage and offer training for judges in the availability and proper use of less-secure alternatives.
5. Encourage resolution of legislative and policy conflicts which confuse the lines of responsibility for transportation of juveniles to and from detention facilities.
6. Provide program development, technical assistance, and funding, where appropriate, to upgrade the facilities and programs of the 15 detention facilities in the State.
7. Study and implement possible solutions to the housing of post-trial juveniles in detention facilities.
8. Monitor, and offer technical assistance and funding, where appropriate, to localities and State agencies to upgrade present transportation services.
9. Monitor on an annual basis all secure detention facilities for compliance with JJDP Act requirements and the Code of Virginia, reporting violations, along with recommendations for action.
10. Resolve legislative, policy, and procedural conflicts which encourage over utilization of detention beds.
11. Encourage and offer appropriate training for detention home personnel through the Department of Corrections, DJCP, and the Virginia Juvenile Officers Association.

Jails

1. Provide program development and funding assistance to localities wishing to implement jail alternatives.
2. Encourage the Department of Corrections and the State Conference of Juvenile Court Judges to offer training for intake officers and judges in the need for and proper use of alternatives to jailing.
3. Encourage the Division for Children to develop and launch a media campaign concerning the need for alternatives to jailing.
4. Offer program development, technical assistance, and funding, where

appropriate, to upgrade facilities and services for juveniles in jails certified to house juveniles.

5. Encourage the Department of Corrections and the Virginia Sheriffs' Association to offer specialized training in juvenile areas to jail personnel.
6. Encourage the State Compensation Board to upgrade positions and salaries for jail personnel involved in juvenile programming.
7. Conduct an impact analysis of the effects of removing juveniles from Virginia's jails.
8. Implement and monitor the recommendations resulting from the impact analysis.
9. Revise the standards for jails through the cooperative efforts of the DJCP and the Department of Corrections, and continue their participation on jail certification teams.
10. Encourage the Department of Corrections to certify only those jails which can guarantee adequate separation of juveniles from adults.
11. Monitor all jails on an annual basis for compliance with JJDP Act requirements and the Code of Virginia, reporting violations, along with recommendations for appropriate actions.

Court Dispositional Alternatives

1. Offer program development and funding assistance to localities wishing to implement court dispositional alternative programs.
2. Encourage and offer training for juvenile court judges in dispositional alternatives.
3. Conduct a needs assessment of the juvenile court service units resulting in recommendations for changes which would standardize operations. Implement and monitor these changes.
4. Encourage public and private organizations to conduct research in the causes of delinquency and recidivism. Review existing and future studies on the State and national level.
5. Encourage and provide technical assistance for the development and implementation of a court-based case management information system to be tied into the community-based information system and the direct care information system.
6. Encourage court service units to work closely with public and private agencies involved with service delivery to youth.
7. Encourage and make available training in juvenile-specific areas for Commonwealth's Attorneys.

Institutional Services

1. Encourage and support the upgrading of positions and salaries for learning center employees.
2. Provide equal access to individualized programming for all youth committed to the State Board of Corrections.
3. Provide program development, technical assistance, and funding to upgrade services and facilities at all learning centers.
4. Seek accreditation for all learning center schools.
5. Provide program development and funding assistance for initial training of staff to be employed at the Intensive Treatment Learning Center.
6. Offer specialized training for all learning center personnel.
7. Study the reasons for overcrowding at the learning centers and the Reception and Diagnostic Center, and develop solutions for the problems identified.
8. Develop methods of reducing the average length of stay at learning centers, in addition to methods already developed.
9. Encourage the Department of Corrections to facilitate communications between learning center personnel and court aftercare workers through training, joint staffing of cases at the Reception and Diagnostic Center, and exchange visitation programs.
10. Provide technical assistance to the Department of Corrections in maintaining and upgrading the direct care information system.
11. Assist the Department of Corrections Youth Region in developing and launching a public education/relations effort.
12. Monitor the existing Reception and Diagnostic Center transportation system, and offer technical assistance and funding, if appropriate, for upgrading services to transport post-trial youth from detention to the Reception Center.
13. Monitor all learning centers on an annual basis for compliance with JJDP Act requirements and the Code of Virginia, reporting violations, along with recommendations for appropriate actions.

Aftercare Services

1. Determine the need for creation of specialized aftercare units in juvenile court service units.
2. Provide technical assistance and funding, where appropriate, to localities wishing to establish aftercare units.

3. Encourage the Department of Corrections and local court service units to pool transportation resources in delivering services to youth in State care.
4. Provide funding to aftercare units which do not have adequate transportation resources.

DOMESTIC VIOLENCE

1. Develop and implement pilot programs within regional academies for both basic and in-service training.
2. Develop and implement four to six community programs to provide services and shelter for victims and their families.
3. Provide technical assistance to three to six localities and/or communities interested in establishing programs to reduce the incidence of domestic violence.
4. Assist the Department of Welfare in establishing a service delivery network within the State to address domestic violence issues and victims.
5. Develop a data retrieval system to determine domestic violence needs within the Commonwealth utilizing local police data, court data, hospital data, and current program data.

SUBSTANCE ABUSE

Treatment and Rehabilitation

1. Maintain and expand substance abuse services (alcohol) in those areas of the State currently without minimal services, i.e., rural and mountainous.
2. Establish intensive community-based treatment programs to replace current State hospital services.
 - Central State
 - Eastern State
 - Western State
3. Explore the feasibility and establish two to four programs to address the special needs of the elderly, women, and chronically dependent individuals:
 - To improve existing services and activities for special populations
 - To increase services and resources specifically designed to assist target populations

Prevention/Education

1. Maintain and expand current prevention programs and services within the Commonwealth.
2. Expand distribution of prevention/education materials oriented towards youth, blacks, and women.
3. Continue the National Institute of Alcoholism and Alcohol Abuse replication projects in Henry and Franklin County Schools.
4. Continue the National Institute on Drug Abuse State Prevention Coordinator program, which provides regional prevention coordinators in two rural health service areas (NSA I and III).
5. Identify and catalog prevention models for specific target groups, i.e., elderly, youth, and minorities for the development of new programs within the State.
6. Continue development of guidelines for prevention program operations.

Criminal Justice Interface

1. Maintain and expand services currently provided in State correctional institutions for substance abusers.
 - Continue Unicom House - Staunton

- Continue House of Thought - Powhatan
- Establish substance abuse services in those remaining institutions with greatest need.
2. Expand community services board substance abuse services for treatment, screening, referral, and aftercare to offenders in local jails.
3. Continue the Justice-Treatment Interface Training Program.
4. Identify and survey all planned and projected sites for public inebriate detox and protective services.
5. Increase the utilization of community-based substance abuse programs as alternatives to incarceration for those offenders who are substance users and abusers.
6. Develop and/or revise interagency agreements among all State agencies with justice-treatment interface responsibility by December 31, 1980, including:
 - The Department of Mental Health and Mental Retardation
 - The Department of Corrections
 - The Division of Justice and Crime Prevention
 - The State Supreme Court
 - The State Board of Pharmacy
 - The Department of State Police
 - The Division of Consolidated Laboratories
 - The Department of Transportation

Appendix 1

Appendix 1

EXPLANATION OF ESTIMATED NUMBER OF
CRIMES (E) IN FIGURE 6

The ESTIMATED NUMBER OF CRIMES for each of the three crimes for all of the twelve localities as shown in Figure 6 is obtained by:

$$E = \frac{R}{A}, \text{ where}$$

- E = Estimated number of crimes,
- R = Total reported crimes for UCR for the 12 localities,
- A = National Crime Survey percentage of total crimes actually reported.

Values for R and A are shown in the table.

	<u>Robbery</u>	<u>Burglary</u>	<u>Larceny</u>
R	3,533	30,895	78,222
A	.555	.488	.250*

*Combines personal larceny (.248) and household larceny (.254).

Appendix 2

Appendix 2

DESCRIPTION OF ONE DAY/ONE TRIAL PROCEDURE

THE TEXAS EXPERIENCE

In July 1969, Texas began development of a one/day trial jury system which coincided with legislation providing for selection of jurors by electronic means. The effect of this one day/one trial system is that it limits service to one day, or to one trial. To meet the court's needs the term of jury service was administratively set for one (1) day, and only enough jurors are called to meet a single day's projected needs. Naturally, there may be occasions when a juror who has not been assigned to voir dire by the court is asked to return on a day when no jurors are regularly scheduled, but this is the exception, not the rule.

The one day/one trial jury system has several unique characteristics:

1. One day term of service
2. No recycling of jurors
3. Fewer exceptions
4. No juror qualifications

Among the advantages to this type of jury system are, as noted in #3, above, there are fewer exemptions from jury duty as more people become liable for jury service, and the one day term of jury service significantly reduces the time previously spent waiting for a juror to be seated or challenged. There is always a possibility, of course, that a juror could be selected for a protracted case, but this is not likely as the national average for the length of jury trials in the United States is between one and three days.

A disadvantage, at least in the Texas experience, is an increased cost of not reusing jurors once they have been removed from a panel. It is estimated that perhaps one-third of the man days used for jury selection could be eliminated by the reusing of jurors.

In addition to Harris County, Texas, several other jurisdictions have implemented one day/one trial jury service in some form. While these projects are too new for positive data to have been collected, initial data indicates, thus far, that one day/one trial jury service is one cost-saving feature available to a court system, and the results indicate that excuses from jury services are reduced, as fewer people are inconvenienced by being called to serve. Satisfaction on the part of those individuals completing jury service is higher because of the highly visible efforts of the court system to reduce the tediousness of jury service. As said earlier, these are preliminary findings, at best. As more experience is gained from one day/one trial jury service, better and more meaningful data will be collected, evaluated, and compared to see if they stand up to these early indications.

Appendix 3

Appendix 3

TABLE 4

Total Clients in Treatment By
Primary Drug of Abuse
FY 1978

Narcotics	2321	43%
Marijuana	1247	23%
Alcohol	649	12%
Barbiturates/ Sedatives/ Tranquilizers	384	7%
Hallucinogens	186	3%
Amphetamines	175	3%
Cocaine	82	2%
Inhalants	25	1%
Over the Counter	11	*
Other and Unknown	310	6%

*Less than 1%

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 5

Admissions to Programs Reporting to
Client Oriented Data Acquisition Process (CODAP)
By Primary Drug of Abuse
FY 1978

	Fiscal Year 1978		Fiscal Year 1977	
Narcotics	1,342	(39%)	1,721	(46%)
Marijuana	861	(25%)	914	(24%)
Alcohol	402	(12%)	482	(13%)
Barbiturates/ Sedatives/ Tranquilizers	293	(8%)	209	(6%)
All Other and Unknown	582	(16%)	434	(12%)
	3,480	(100%)	3,760	(100%)

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 6

Primary Drug of Abuse by Race
Per 10,000 Population*
FY 1978

Substance	White	Black
Alcohol	46.70	42.20
Narcotics	1.47	12.87
Marijuana	2.27	1.74
Barbiturates/Sedatives/Tranquilizers	.78	.53
Amphetamines	.32	.50
Cocaine	.11	.50
Hallucinogens	.38	.18
Inhalants	.04	.06

*Based on population 15 years of age or older

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 7

Primary Drug of Abuse by Sex
Per 10,000 Population*
FY 1978

Substance	Male	Female
Alcohol	84.65	18.29
Narcotics	5.53	1.50
Marijuana	3.13	1.35
Barbiturates/Sedatives/Tranquilizers	.94	.59
Amphetamines	.54	.18
Hallucinogens	.59	.13
Inhalants	.08	.02

*Based on population 15 years of age and older

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 8

Primary Drug of Abuse by Age
Per 10,000 Population*
FY 1978

Substance	Under 18	18-24	25-34	35-44	45-59	60+
Alcohol	22.54	38.23	52.17	77.53	56.67	21.67
Narcotics	.41	6.26	9.27	1.58	.15	.03
Marijuana	18.65	3.18	.94	.10	.01	.03
Barbiturates/ Sedatives/ Tranquilizers	2.39	2.00	.74	.43	.03	.03
Amphetamines	.99	.93	.42	.12		.02
Hallucinogens	1.64	.95	.24			
Inhalants	.44	.08	.04			

*Based on population 15 years of age and older

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 9

Alcohol Arrests by Sex and Race
Per 10,000 Population*
FY 1978

<u>Male</u>	<u>Female</u>	<u>White</u>	<u>Black</u>
408.76	278.44	160.26	281.50

*Based on populations 15 years of age and over

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 10

Localities With Highest Alcohol Arrest Rates
Per 10,000 Population

Locality	1978	1977
Norton	979.53	647.3
Galax	602.74	566.7
Harrisonburg	530.20	445.1
Giles County	524.46	811.4
City of Roanoke	497.88	572.3
Bristol	472.24	504.5
Buchanan County	439.91	
Bath County	430.89	
Petersburg	422.17	300.2
Staunton	421.92	351.4
Lexington	417.08	384.3
Winchester	409.34	350.7
Wythe County	388.37	392.4
Scott County	360.83	
Martinsville	352.54	417.7
Danville	348.80	404.7
Charlottesville	341.74	
Tazewell County	340.14	
Fairfax City	337.00	
Emporia	333.45	
Falls Church	304.98	362.0
Buena Vista	299.24	389.6
South Boston	287.02	
Russell County	271.02	
Warren county	264.02	

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 11

Alcohol Arrests by Age and Sex
Per 10,000 Population*
FY 1978

	<u>Male</u>	<u>Female</u>	<u>Total</u>
Under 18	75.65	61.58	70.29
18-24	524.23	36.68	285.41
25-34	397.10	29.60	213.31
35-44	508.67	44.25	273.55
45-59	410.47	34.47	262.48
60 +	171.90	7.92	76.81

*Based on population 15 years of age and over

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 12

Localities With Highest Drug Arrest Rates
Per 10,000 Population
FY 1978

Richmond City	
Emporia	71.7
Bristol	71.6
Norfolk	71.5
Bland County	67.1
Falls Church	55.9
Fairfax City	54.2
Petersburg	44.5
Staunton	41.3
Galax	40.8
Virginia Beach	39.6
Chesterfield County	38.4
Roanoke City	34.6
Hopewell	33.6
Culpeper	30.2
	30.1

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 13
Arrests by Substance
FY 1978

Locality	Marijuana	Opium, Cocaine Derivatives and Synthetic Narcotics	Other Non-Narcotics	Total
Richmond City	1,222 (78%)	159 (10%)	195 (12%)	1,576
Emporia	39 (95%)	1 (2.5%)	1 (2.5%)	41
Bristol	143 (96%)	5 (3%)	1 (1%)	149
Norfolk	1,488 (79%)	19 (12%)	167 (9%)	1,874
Bland County	28 (90%)	3 (10%)		31
Falls Church	28 (53%)	2 (4%)	23 (43%)	53
Fairfax City	68 (73%)		25 (27%)	93
Petersburg	128 (70%)	46 (25%)	9 (5%)	183
Staunton	89 (97%)	3 (3%)		92
Galax	21 (81%)		5 (19%)	26
Virginia Beach	818 (91%)	62 (7%)	16 (2%)	896
Chesterfield County	342 (89%)	6 (1%)	38 (10%)	386
Roanoke City	295 (81%)	30 (9%)	38 (10%)	363
Hopewell	53 (76%)	4 (6%)	13 (18%)	70
Culpeper	56 (98%)	1 (2%)		57
	4,818 (82%)	541 (9%)	531 (9%)	5890

Source: Virginia Substance Abuse Plan, FY 1979-1-80

TABLE 14
Arrests by Race and Substance
Per 10,000 Population*
FY 1978

Substance	White	Black
Marijuana	19.1	29.8
Opium, Cocaine Derivatives and Synthetic Narcotics	2.5	6.2
Other Non-Narcotics	2.0	3.1

*Based on population 15 years of age and older

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 15
Arrests by Sex and Substance
Per 10,000 Population
FY 1978

Substance	White	Black
Marijuana	43.62	5.13
Opium, Cocaine Derivatives and Synthetic Narcotics		
Synthetic Narcotics	6.01	1.09
Other Non-Narcotics	5.75	1.36
	55.38	7.58

*Based on population 15 years of age and older

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 16
Arrests by Age and Substance
Per 10,000 Population
FY 1978

Substance	15-17	18-24	25-34	35 +
Marijuana	59.36	80.44	17.24	1.58
Opium, Cocaine Derivatives and Synthetic Narcotics	3.25	10.80	5.00	.33
Other Non-Narcotics	5.47	11.03	3.85	.43
	68.08	102.27	26.09	2.34

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 17

Total Drug Thefts by Volume
Reported in Dosage Units

	FY 75	FY 76	FY 77	FY 78	% Change Over FY 77
Number of Thefts	322	196	171	202	+18.1%
Narcotics	365,521	363,047	116,692	155,928	+33.6%
Amphetamines	195,993	77,996	39,129	66,325	+69.5%
Barbiturates	348,249	187,020	76,876	78,816	+ 2.5%
Other Stimulants	104,086	52,709	26,820	36,266	+35.2%
Other Depressants	170,152	204,144	156,169	181,230	+16.1%
Total Volume	1,184,001	884,916	415,686	518,557	24.7%

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 18

Total Drug Thefts by Volume and Type

	FY 1975		FY 1976		FY 1977		FY 1978	
	Dosage	Percent of Total	Dosage	Percent of Total	Dosage	Percent of Total	Dosage	Percent of Total
Narcotics	365,521	30.9%	363,047	41.0%	116,692	28.0%	155,928	30.1%
Amphetamines	195,993	16.5%	77,996	8.8%	39,129	9.4%	66,325	12.8%
Barbiturates	348,249	29.4%	187,020	21.1%	76,876	18.5%	78,816	15.2%
Other Stimulants	104,086	8.8%	52,709	5.9%	26,820	6.5%	36,266	6.9%
Other Depressants	170,152	14.3%	204,144	23.0%	156,169	37.6%	181,230	35.0%
Total Volume	1,184,001	100%	884,916	100%	415,686	100%	518,557	100%

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 19

Alcohol Related Accidents
FY 1977

Alcohol Involvement	Fatal	Injury	Property Damage	Total	Percent of Total
Alcohol Related	379	8,734	12,056	21,169	14.87%
Not Alcohol Related	373	27,922	75,502	103,797	72.96%
Unknown	247	3,140	13,919	17,306	12.17%

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 20

Localities With Highest Rates of
Alcohol Related Accidents
FY 1977

Locality	# of Alcohol Related Accidents	% of Total Accidents	Rate Per 10,000 Population
Craig County	33	35.86%	84.23
Rockbridge County	106	19.37%	63.49
New Kent County	50	20.24%	63.16
Fairfax County	131	13.10%	62.62
Alleghany County	73	19.83%	61.03
Martinsville	107	16.26%	58.67
Frederick County	164	22.37%	57.07
Spottsylvania County	172	18.41%	56.50
Isle of Wight County	117	20.96%	55.03
Albemarle County	275	18.28%	54.90
Clarke County	48	21.71%	54.62
Goochland County	62	20.12%	54.39
Greensville County	53	21.54%	53.43
Suffolk County	256	18.14%	52.78
Stafford County	81	13.17%	52.03
Dinwiddie County	103	23.19%	51.35
Norfolk	1,406	13.46%	50.32
Petersburg	223	15.47%	50.29
Floyd County	51	24.87%	49.95
Buckingham County	56	26.04%	49.93
Rappahannock County	28	17.39%	49.88
Virginia Beach	1,147	16.58%	49.19
Bland County	27	18.49%	48.75
Galax City	32	11.94%	48.71
Louisa County	80	17.42%	47.84

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 21
Driver Age by Alcohol Involvement
FY 1977

	Number	% of Total Drivers	Per 10,000 Population
Under 16	52	.2%	2.79*
16-19	4184	18.1%	107.18
20-24	5990	25.9%	115.60
25-34	5738	24.8%	69.2
35-44	3075	13.3%	51.3
45-54	2197	9.5%	40.3
55-64	1082	4.6%	23.7
65 +	330	1.4%	7.3
Unknown	507	2.2%	---

*Based on population 14-15 years of age

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 22
Localities With Highest Alcohol Related
Mortality Rates
CY 1978

Locality	Number of Deaths	Mortality Rate Per 10,000 Population
King and Queen County	3	5.31
Clifton Forge	2	3.84
Nelson County	4	3.41
Highland county	1	3.20
South Boston	2	2.96
Charlottesville	12	2.93
Nottoway County	4	2.86
Martinsville	5	2.74
Cumberland County	2	2.72
Middlesex County	2	2.66
Radford	3	2.59
Brunswick County	4	2.58
Craig County	1	2.55
Wythe County	6	2.53
Northampton County	4	2.52
Richmond City	55	2.50
Roanoke Cty	27	2.50
Washington County	10	2.47
James City County	5	2.46

TABLE 22 (Cont'd)
Localities With Highest Alcohol Related
Mortality Rates
CY 1978 (Cont'd)

Locality	Number of Deaths	Mortality Rate Per 10,000 Population
Danville	16	2.40
Caroline County	4	2.40
Norton	1	2.33
Accomack County	7	2.19
Lynchburg	15	2.16
Northumberland County	2	2.11

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 23
Alcohol Deaths by Race and Sex
Per 10,000 Population
CY 1978

	No.	White Male	No.	Black Male	No.	White Female	No.	Black Female
Alcoholic Psychosis	13	.06	3	.07	4	.02	3	.06
Alcoholic Addiction	39	.19	26	.59	11	.05	7	.15
Unspecified Alcoholism When Associated With	30	.15	21	.48	6	.03	0	---
Emotional Disorder	18	.09	8	.18	37	.17	9	.19
Cirrhosis of Liver	111	.54	44	.99	39	.18	21	.44
Acute Poisoning	29	.14	23	.52	11	.05	5	.11
TOTAL	240	1.17	125	2.84	108	.51	45	.95

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 24
Alcohol Deaths by Age
Per 10,000 Population
CY 1978

	15-17	18-24	25-34	35-44	45-59	60-64	65 +
Alcoholic Psychosis			.01	.02	.08	.24	.22
Alcoholic Addiction			.07	.20	.44	.72	.33
Unspecified Alcoholism		.01	.05	.18	.37	.29	.13
When Associated With Emotional Disorder					.01	.14	1.51
Cirrhosis of Liver			.13	.72	1.44	1.06	.55
Acute Poisoning	.03		.05	.22	.42	.34	.22
TOTAL	.03	.01	.31	1.33	2.75	2.79	2.97

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 25
Accidental Drug Deaths by Race, Sex, and Drug
Per 10,000 Population
CY 1977

	Opiates and Other Analgesics and Antipyretics	Barbiturates and Other Depressants and Hypnotics	Amphet- amines	Cocaine	Other and Unspeci- fied
White Male	.01	.01		.01	.07
Black Male		.02		.02	.07
White Female	.02	.02	.005	.005	.05
Black Female		.02			.02
Total Male	.008	.012		.012	.068
Total Female	.015	.019	.004	.004	.046
Total White	.014	.014	.002	.007	.06
Total Black		.022		.011	.044
TOTAL	.012	.016	.002	.008	.057

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 26
Accidental Drug Deaths by Age and Drug
Per 10,000 Population
CY 1977

	14-17	18-24	25-34	35-44	45-59	60-64	65 +
Opiates and Other Analgesics and Antipyretics		.01		.03	.01	.05	.02
Barbiturates and Other Depressants and Hypnotics	.03	.03		.03	.04		
Amphetamines					.01		
Cocaine		.06					
Other and Unspecified	.05	.04	.06	.05	.11		.16
TOTAL	.08	.14	.06	.12	.18	.05	.18

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 27
Hospital Emergency Room Visits by Substance
FY 1978

Substance	# of Incidents	% of Total
Heroin	18	.2
Methadone	15	.2
Opiates	94	.9
Barbiturates/Tranquilizers/ Sedatives	1,194	12.3
Amphetamines	127	1.3
Cocaine	21	.2
Alcohol	3,870	39.8
Hallucinogens	90	.9
Cannabis	54	.6
Volatile Substance	125	1.3
Other	2,252	23.2
Combination	1,159	11.9
Unknown	697	7.2
TOTAL	9,716	100%

Source: Virginia Substance Abuse Plan, FY 1979-1980

TABLE 28
 Hospital Emergency Cases by Race, Sex, and Age**
 Per 10,000 Population
 FY 1978

	White		Black		Total*	
	Male	Female	Male	Female	Male	Female
Under 18	29.44	40.10	28.10	42.12	39.77	56.43
18-24	15.80	19.48	26.40	30.09	24.82	28.74
25-34	13.05	18.12	31.15	29.59	23.20	26.93
35-44	12.49	15.63	35.70	23.14	24.71	23.08
45-59	10.71	9.13	32.19	13.70	23.53	12.96
60 +	6.71	3.24	6.6	3.52	11.46	4.28

*Total is greater than sum of white and nonwhite because some cases were recorded by sex, but not by race

**Based on population 15 years of age and older

Source: Virginia Substance Abuse Plan, FY 1979-1980

Appendix 4

Appendix 4

ESTIMATING THE NATURE AND EXTENT OF SUBSTANCE ABUSE
PROBLEMS IN VIRGINIA

Source: Virginia Substance Abuse Plan, FY 1979-1980

A relatively new procedure developed by Parker G. Marden, Ph.D., attempts to identify persons with alcohol related problems for the purpose of estimating the potential clientele of alcoholism service programs. This method relies on the findings of a national sample survey from which probabilities of high-risk problem drinking were generated for persons grouped by correlations of age, sex, and occupation.

Application of this technique to 1970 Virginia census data results in a figure of 209,115 persons in the State who have alcohol related problems and may need the services of alcohol treatment programs.

Estimated Number of Problem Drinkers in Virginia by Health Service Area:

<u>Health Service Area</u>	<u>Number</u>
I (PDC's 6,7,9,10,16)	27,473
II (PDC 8)	38,748
III (PDC's 1,2,3,4,5,11,12)	53,631
IV (PDC's 13,14,15,19)	41,271
V (PDC's 17,18,20,21,22)	47,992
TOTAL	209,115

A recognized method for determining the prevalence of drug abuse is unavailable at this time. Indicator data used in the absence of such a method suggest a stability in the extent of other drug abuse in the State. Slight increases occurred in the number of arrests for violation of Virginia's drug law and in thefts of drugs from pharmacies, manufacturers, clinics, and doctors' offices. A slight decrease occurred in the number of admissions to treatment.

The Nature of the Problem:

The available data indicate that alcohol abuse is the leading substance abuse problem in Virginia. Other major substances abused are narcotics, marijuana, and barbiturates/sedatives/tranquilizers.

Target Groups of the Population

1. Alcohol Abuse

Application of the Marden formula to Virginia census data indicates that males between the ages of 20 and 29 years are most in need of services, followed by males between the ages of 40 and 49, and 30

CONTINUED

2 OF 3

and 39. The female population most in need of services appears to be between the ages of 30 and 49 years. Admissions to treatment, arrest, and mortality data indicate that blacks are more involved in alcohol abuse than whites.

Use of the Marden formula enables estimates of persons with alcohol related problems by occupation. The occupational category containing the largest number of persons with alcohol problems is "Craftsmen and Foremen", followed by "Professional and Technical" and "Managers and Administrators, except Farm". The greatest number of women with alcohol problems are clerical workers; however, it should be noted that the greatest number of women in the labor force are employed in this occupation.

Estimated Persons in Need of Alcoholism Services by Age and Sex

Age	Male	Female	Total
20-29	63,896	3,929	67,825
30-39	37,822	10,619	48,441
40-49	42,022	10,202	52,224
50-59	29,080	2,158	31,238
60 and over	8,802	585	9,387
TOTAL	181,622	27,493	209,115

Indicators of Alcohol Problems by Race

	Admissions to Treatment Per 10,000 Population	Arrests Per 10,000 Population	Deaths Per 10,000 Population
White	46.70	160.26	2.68
Black	42.20	281.50	3.79

Estimated Number of Persons with Alcohol Related Problems By Occupation and Sex

Occupation	Male	Female	Total
Professional and Technical Managers and Administrators, except Farm	18,436	4,484	22,920
Sales Workers	20,781	1,070	21,851
Clerical	8,319	1,641	9,960
Craftsmen and Foremen	10,868	8,728	19,596
Operators, except Transport	47,870	525	48,395
Transport Equipment Operators	29,496	4,290	33,786
	14,520	315	14,835

Estimated Number of Persons with Alcohol Related Problems By Occupation and Sex

Occupation	Male	Female	Total
Laborers, except Farm	13,907	279	14,186
Farmers and Farm Managers	2,174	36	2,210
Farm Laborers and Farm Foremen	3,584	98	3,682
Service Workers, excluding Private Household	8,283	5,133	13,416
Unemployed	3,384	894	4,278

2. Narcotics

Persons between the ages of 18 and 34 appear to be most in need of services for narcotics addiction. Available admissions to treatment and arrest data indicate that blacks are more likely than whites to need services. Although males were arrested and entered treatment more frequently than females, deaths from narcotic overdose for females was slightly higher than that for males.

Indicators of Narcotics Problems by Age

	Admissions to Treatment Per 10,000 Population	Arrests Per 10,000 Population	Deaths Per 10,000 Population
Under 18	.41	3.25	
18-24	6.26	10.80	.01
25-34	9.27	5.00	
35-44	1.58	.33*	.03
45-59	.15		.01
60 +	.03		.07

*Includes arrests of all persons 35 years of age and older.

Indicators of Narcotics Problems by Race

	Admissions to Treatment Per 10,000 Population	Arrests Per 10,000 Population	Deaths Per 10,000 Population
Whites	1.47	2.5	.01
Blacks	12.87	6.2	

Indicators of Narcotics Problems by Sex

	Admissions to Treatment Per 10,000 Population	Arrests Per 10,000 Population	Deaths Per 10,000 Population
Males	5.53	6.01	.008
Females	1.50	1.09	.015

3. Marijuana

As shown by admission rates for treatment, males under the age of 25 abuse marijuana most frequently. While the admission to treatment rates for whites is higher than for blacks, the number of arrests for marijuana abuse is greater for blacks than whites. The arrest rate for males is approximately eight times that for females.

Indicators of Marijuana Abuse by Age

	Admissions to Treatment Per 10,000 Population	Deaths Per 10,000 Population
Under 18	18.65	59.36
18-24	3.18	80.44
25-34	.94	17.24
35-44	.10	1.58*
45-59	.01	
60 +	.03	

*Includes all arrests of persons 35 years of age and above.

Indicators of Marijuana Abuse by Race

	Admissions to Treatment Per 10,000 Population	Arrests Per 10,000 Population	Deaths Per 10,000 Population
Whites	2.27	19.1	
Blacks	1.74	29.8	

Indicators of Marijuana Abuse by Sex

	Admissions to Treatment Per 10,000 Population	Arrests Per 10,000 Population	Deaths Per 10,000 Population
Male	3.13	43.62	
Female	1.35	5.13	

4. Barbiturates

Persons under 25 years of age appear most likely to be involved in barbiturate abuse. Males appear to be slightly more involved than females according to admission to treatment rates. Blacks have higher rates for admissions to treatment, arrests, and mortality for barbiturate abuse, although the differential between rates is small. Accordingly, blacks and whites are likely to abuse barbiturates.

Indicators of Barbiturate Abuse by Age

	Admissions to Treatment Per 10,000 Population	Arrests Per 10,000 Population *	Deaths Per 10,000 Population
Under 18	2.39	5.47	.03
18-24	2.00	11.03	.03
25-34	.74	3.85	
35-44	.43	.43**	.03
45-59	.03		.04
60+	.03		

* Includes all arrests for non-narcotic drugs, excluding marijuana.
 **Includes arrests of all persons 35 years of age and above.

Indicators of Barbiturate Abuse by Race

	Admissions to Treatment Per 10,000 Population	Arrests Per 10,000 Population *	Deaths Per 10,000 Population
Whites	.78	2.0	.014
Blacks	.53	3.1	.022

*Includes arrests for all non-narcotic drugs, excluding marijuana.

Indicators of Barbiturate Abuse by Sex

	Admissions to Treatment Per 10,000 Population	Arrests Per 10,000 Population *	Deaths Per 10,000 Population
Males	.94	5.75	.012
Females	.59	1.36	.019

*Includes arrests for all non-narcotic drugs, excluding marijuana.

Appendix 5

Appendix 5

DIVISION OF JUSTICE AND CRIME PREVENTION

Suggested Methodology for Jail Planning Studies in Virginia

<u>Phases of the Jail Study and Responsible Agency</u>	<u>Purpose of Phase</u>	<u>Steps Involved in Phase</u>	<u>Activities</u>	<u>Other Agencies Involved¹</u>
Phase I Establish the correctional needs of the locality. Directed by a local administrator	To develop a community-based corrections needs assessment.	A. Determine how well the existing jail is serving it's purpose. B. Determine alternatives to incarceration. (Analysis of SCM Form I.) C. Population forecasts.	1. Inspection of existing facility. 2. Survey of existing programs and services. 3. Jail population studies and survey. 1. Analysis of offender profiles. 2. Evaluation of existing programs. 3. Identify and use community resources. 1. Obtain and analyze average daily population. 2. Obtain and analyze offender profiles. 3. Obtain and analyze daily headcounts.	DJCP DOC DJCP DOC DJCP DJCP DOC DJCP DJCP DJCP
Phase II Site selection. Local county or city administrator	Assure that the facility is located strategically for transportation of prisoners, staff, materials, supplies, jail visitors, and for accessibility to essential program resources and courts.	A. Study findings of Phase I. B. Geological survey. C. Environmental impact study. D. Examine needs for/cost of relocation of individuals/families.	1. Survey essential programs, staff requirements, court locations. 1. Soil tests, study topography, etc. 1. Review site for compliance with federal and State statutes established for the protection of the environment and historical preservation. 1. Protection of individual property rights and public safety.	Consultant Consultant Council on the Environment DJCP & LEAA
Phase III Prepare specifications. Locality	To be used as a guideline for the architect.	A. Collaboration with agencies involved in Phases I and II.	1. Determine decisions made on jail capacity, security requirements, feeding and visiting arrangements and programs.	Consultant and agencies involved in Phase I and II

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<u>Phases of the Jail Study and Responsible Agency</u>	<u>Purpose of Phase</u>	<u>Steps Involved in Phase</u>	<u>Activities</u>	<u>Other Agencies Involved¹</u>
Phase IV Architecture design.	Translate recommendations of planning groups involved in Phases I and II into operational realities.	A. Prepare detailed schematics.	1. Collaborate with consultant used in Phase II to determine operational needs, security requirements, and supervisory problems.	Architect
		B. Specify materials.	1. Determine most economical materials which adequately serve the needs.	Architect
Phase V Design review. Department of Corrections and DJCP	Determine if the design meets minimum State and federal standards.	A. Review for State standards.	1. Review design for compliance with minimum standards established for planning, programs, and construction.	DJCP ² , DOC
		B. Review for federal standards.	1. Review planning study and design for compliance with the Part E amendment. 2. Review jail program design for compliance with the Part E amendment.	DJCP ³ , LEAA (through T.A. Contracts) DJCP, LEAA (through T. A. Contracts)

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¹Every activity is a local responsibility. Other agencies involved will provide needed technical assistance or/are required by policy to perform the indicated function.

²Only for agency approval.

³DJCP's role in these functions is cursory review and coordination with the federal consultants mentioned.

END