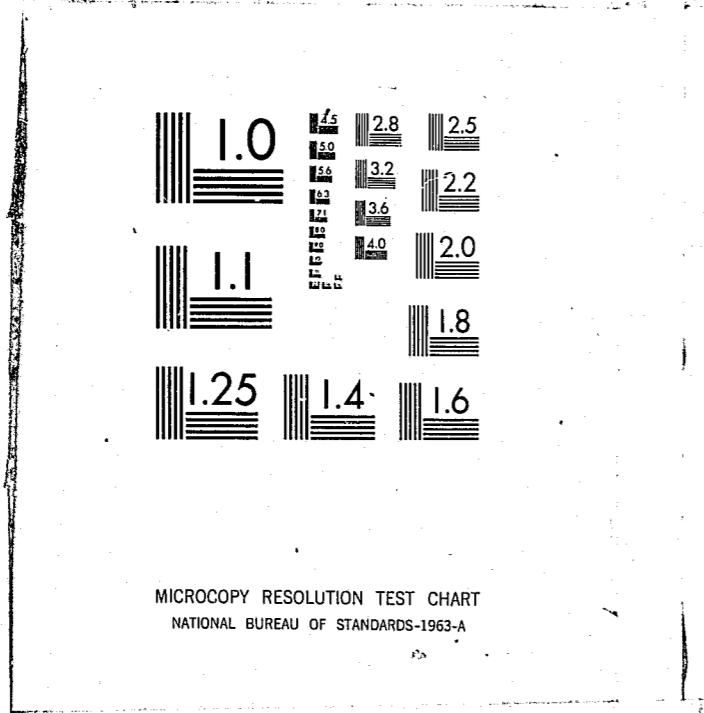


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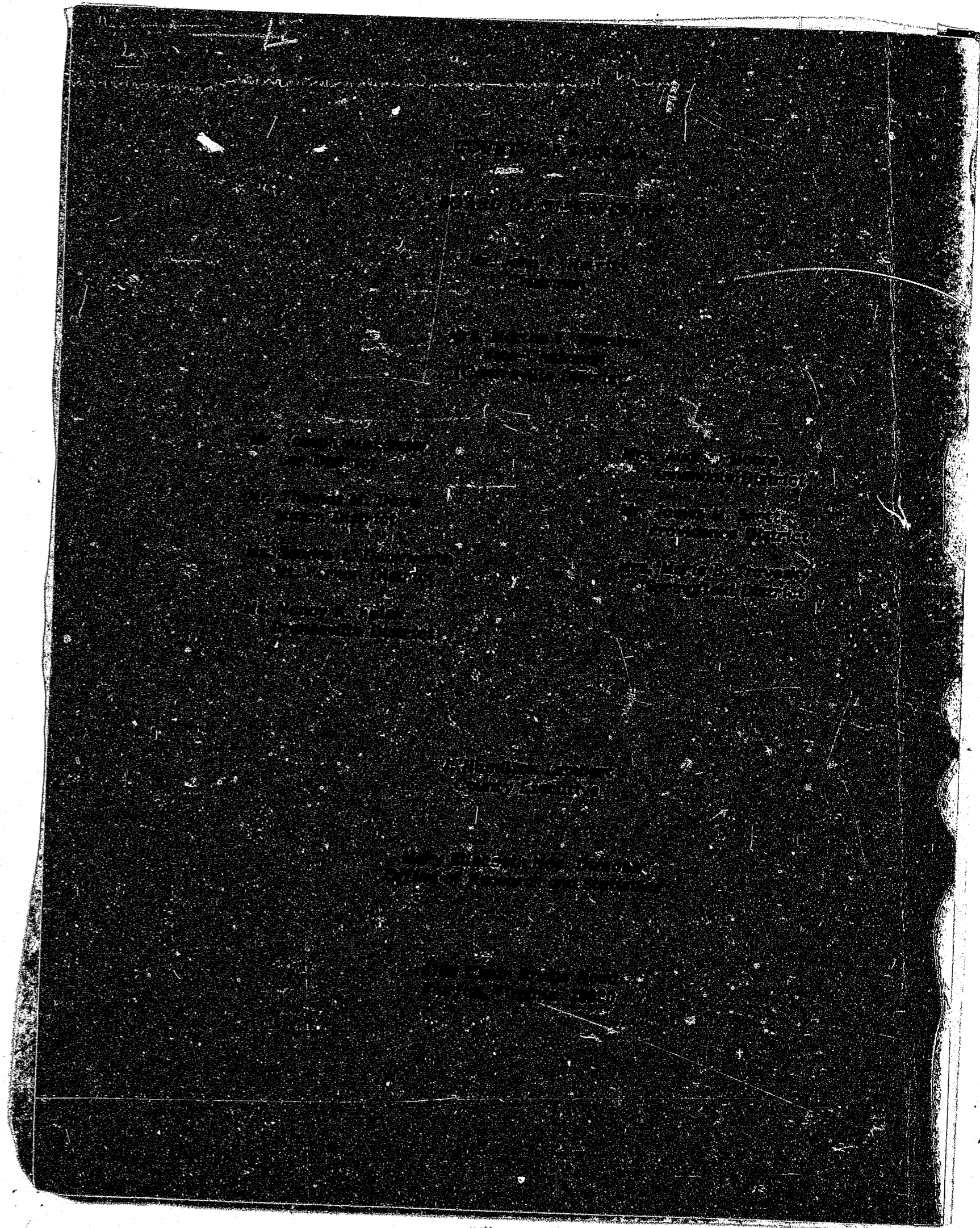
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COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD  
FAIRFAX, VIRGINIA 22030

April 14, 1981



The Honorable Chairman and Members  
Fairfax County Board of Supervisors

Mr. Chairman, Ladies and Gentlemen:

The Report of the Task Force to Study Alternatives to Incarceration and the Expansion of the Adult Detention Center is hereby forwarded for your consideration.

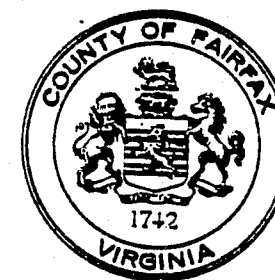
The Task Force was created by the Board of Supervisors by resolution on December 8, 1980 and met for the first time on January 7, 1981. Its task was to examine existing and potential alternatives to incarceration, with a view toward their impact on reduction of overcrowding in the Adult Detention Center, and to present recommendations to the Board of Supervisors regarding not only alternatives to incarceration but also expansion of the ADC, should the Task Force find that necessary. It was your desire that our report be submitted in time for your consideration in connection with the Fiscal Year 1982 Budget.

This report points to certain actions which must be taken on the basis of the highest priority if overcrowding of the ADC, already a critical problem, is not to become unmanageable, and to a number of long range actions which must be taken to ensure that the problem does not arise again. The report also suggests further study of alternative programs by the Criminal Justice Advisory Board, or other similar group, not because such alternatives in themselves could solve the problem of overcrowding but because some of them may offer better solutions to the problems of both the individual and the community than does automatic incarceration of offenders.

The Task Force appreciates the support it received from the County staff, without which it could not have functioned effectively in the time allotted.

Sincerely,

*Joseph F. O'Connor*  
Joseph F. O'Connor  
Chairperson



Ch. 22.1

FINAL REPORT OF THE TASK FORCE  
TO STUDY ALTERNATIVES TO INCARCERATION  
AND THE EXPANSION OF THE ADULT DETENTION CENTER

U.S. Department of Justice 78100  
National Institute of Justice

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**Joseph F. O'Connor, Chairman**

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April 1981

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I. INTRODUCTION

A. The Purpose of this Report

This report conveys to the Board of Supervisors and all citizens of Fairfax County the recommendations made by the Task Force appointed by the Board to study expansion of the Adult Detention Center and alternatives to incarceration and describes the deliberations which led to those recommendations.

B. Appointment of Alternatives Task Force

Acting on the recommendation made by the Citizen's Task Force on the 1980 Bond Referendum, and recognizing that the County must take early action to remedy jail overcrowding, the Board of Supervisors voted on December 8, 1980, to form a task force consisting of the Commonwealth's Attorney, the Sheriff, one judge each from the Circuit and General District Courts, two members of the Criminal Justice Advisory Board and the co-chairpersons of the Citizens Task Force on the Fall 1980 Bond Referendum. The Board charged the Task Force with the following tasks:

- (1) Review presently available alternatives to incarceration and make recommendations to the Board of Supervisors and the courts regarding any additional alternatives which should be created and the level of utilization of those presently available.
- (2) Review current ADC population with a view to determining -- in the case of both pre-trial and convicted inmates -- whether alternatives to incarceration could be considered for a significant number of these inmates and whether their lengths of stay (either while awaiting trial or while awaiting transfer to other detention facilities) could be shortened by changes in

court resources or procedures. This review would incorporate the study of pretrial detention and delay requested earlier by the Board.

- (3) On the basis of the above reviews, recommend to the Board an appropriate course of action with regard to alleviation of overcrowding at the ADC.

The Task Force met on January 7, 1981, and at its second meeting, January 20, adopted the following detailed statement of its mission and objectives:

Overall Task Force Mission

- . Review present Adult Detention Center space allocation and utilization, determine make-up of ADC population and present to BOS plans to renovate or expand existing space.
- . Review additional and presently available alternatives to incarceration and their level of utilization.
- . Consider whether alternative programs would be appropriate to presently confined persons; whether Court procedures or resources could reduce pre-trial time period.
- . Recommend to BOS appropriate courses of action.

Objectives

- . To review present allocation and utilization of space in ADC.
- . To review present plans to renovate existing space.
- . To analyze data on make-up of present ADC population.
- . To determine if alternatives to incarceration could be considered for a significant number of pretrial and convicted residents of the ADC.
- . To review present alternatives to incarceration to determine their utility, utilization, and expandability.

- . To determine if new alternatives are feasible, appropriate, and cost effective.
- . To determine whether Court resources or procedures can be modified to reduce length of stay in the ADC.
- . To make recommendations to the Board of Supervisors as to courses of action that could be undertaken to alleviate ADC overcrowding.

C. The Organization of the Report

The report is in seven chapters. This chapter reviews the history of jail building and overcrowding in Fairfax County and describes some previous studies of the problem. It also describes briefly the approach taken by the Task Force in gathering information for review.

The second chapter explores further the problem of overcrowding in the ADC. It compares the rate of incarceration in Fairfax with that in other comparable jurisdictions, showing that Fairfax's rate is lower than most. It further describes some of the causes of overcrowding that can be identified, including some that could not have been predicted at the time the ADC was being planned and designed. The prediction of future detention needs is considered, and conclusions are drawn as to what the County should plan for in the way of detention spaces. A brief statement is given here of the role that the Task Force believes can be played by programs that are alternatives to incarceration. The Task Force recommends that the County proceed immediately with planned renovations of existing spaces in the ADC.

Chapter III describes the Work Release Program now operating in the County and recommends that it be separated from the

ADC, increased in capacity, and given the capability to provide more extensive services and serve a broader population.

Chapter IV reviews all other alternative programs, both present and proposed, which were reviewed by the Task Force, and presents the recommendations proposed by the Task Force for the expansion of present programs or addition of new programs. The programs fall into two categories: pretrial and sentencing alternatives. The Chapter also indicates the Task Force's belief that exploration of alternative programs should continue.

Chapter V discusses briefly the role of court delay in jail overcrowding and describes some of the measures proposed by the Task Force to reduce court delay by expediting the trial of criminal cases. Most of these measures have been adopted by the courts and are already being implemented without waiting for a final report of the Task Force.

Chapter VI presents plans for expanding the size of the ADC through construction of a new wing, and through developing a correctional camp to house sentenced offenders. The Task Force believes that construction of additional detention space is critical and cannot be put off.

The final chapter discusses the concern of the Task Force for the better education of all citizens about the criminal justice system, criminal case processing, and correctional issues in the County.

D. The History of the Adult Detention Center

A survey of the Fairfax County Courthouse tract made in March 1800 shows a two-story jail building southwest of

the Courthouse. Little is known about that building, other than the fact that it -- or possibly a successor building -- was destroyed by fire in 1884. The following year, the County built a new jail on Little River Turnpike (now Fairfax City's Main Street) immediately west of the Courthouse. This building, which has been expanded and now houses offices of the Juvenile and Domestic Relations Court, served as the County Jail until 1953, when major additions to the Courthouse, including a jail wing, were completed.

The jail wing occupied in 1956 had a capacity of 70 prisoners. The County's population then was about 190,000, and it was growing by more than 15,000 persons a year. By 1970, the County's population had grown to more than 450,000 and the jail was housing twice its designed capacity.

In November 1971, County voters rejected a \$12 million bond issue for construction of a comprehensive Justice Center, which would have included a new courthouse to house the Circuit, General District and Juvenile and Domestic Relations Courts, associated court agencies, and detention facilities for more than 320 inmates plus 30 work-release beds. It was designed to meet needs through 1985, with the interior finished only to meet needs through 1980 and the shell capable of expansion to meet projected court-related needs through the end of the century.

Following the failure of this referendum, the Sheriff, the Criminal Justice Coordinating Council, the Board of Supervisors and interested segments of the public engaged in a protracted dialogue which attempted to define the



County's immediate and long term detention needs and to identify a source of funds to meet them. Two opposing points of view emerged. One, represented by the Sheriff, some members of the community and some members of the Board, called for construction of a facility to house approximately 350 inmates. The other, ultimately accepted by the Board of Supervisors, advocated a smaller detention facility and greater emphasis on work release, release on recognizance, and alternative sentencing. In November 1973, the voters approved a \$3.3 million bond issue to fund construction of a facility designed to accommodate 150 adult inmates and capable of expansion to house up to 200. Further evaluation of needs and contribution of federal funds resulted in construction of the present \$5.4 million Adult Detention Center, which opened in February 1978. The ADC includes the following confinement areas:

General Purpose Secure Cells	198
Males	186
Females	12
Work Release	30
Receiving Cells	26
Padded Cells	2
Isolation Cells	10
Medical Isolation Cells	9

While this adds up to a total of 275 cells, the padded cells, isolation cells, and medical cells can only be used under restricted circumstances so that it is more appropriate to speak of a total capacity of 254. In addition, there are facilities for recreation and visiting classrooms, dining room, kitchen, and other administrative and service areas.

The new ADC was considered a "model" facility, but it was filled nearly to capacity at the outset, and it soon became necessary to abandon some of its ideal design features to

accommodate a growing demand for inmate housing. The ADC houses male adults who have been sentenced and those who are awaiting trial; male adults in temporary classification cells, male adults in even more temporary receiving cells, male juveniles, males on work release, and female adults. Ideally, each of these groups should be segregated all or most of the time from all of the others, and some are required to be segregated. This ideal separation is possible, however, only when the number of inmates in each category does not exceed the capacity planned for that particular group. If the number of sentenced offenders or the number of predisposition detainees exceeds the ADC's designed capacity for that class of inmates, it becomes impossible to separate the two, and one of the features which makes the ADC a "model" institution is sacrificed. On the other hand, it is possible for vacant beds to exist in the women's section, the Pre-Release Center, disciplinary isolation cells or the dispensary even when the total number of inmates significantly exceeds the capacity of the institution.

E. Studies of Overcrowding in the Adult Detention Center

A study made by the Office of Research and Statistics in August 1978 concluded that the overall capacity of the ADC (including a section of the old jail which had been reopened) was never exceeded over a period of 92 days in May, June and July of that year, but that the capacities allocated to specific categories of inmates already were being exceeded with some frequency. A study of the adult corrections system made by the Criminal Justice Coordinating Council and released in December 1978 concluded:

The capacity of the Adult Detention Center to hold adult males is already inadequate in all but the holding area. Since July 1, 1978, at

least 15 individuals per day have been farmed out to institutions in other counties. No space was designed into the Adult Detention Center for the confinement of male juveniles; nevertheless, in 1976 and 1977 there were male juveniles in the Adult Detention Center on every day and in 1977 the number of male juveniles requiring confinement rose as high as 19. Space for male juveniles must be allocated from space initially designed for adult males.

The capacity constraints on the detention of female offenders are even more serious. While the Adult Detention Center has the capacity for 12 adult females, on 55 days in 1977 (approximately 15 percent of the time) 13 or more females required confinement.

By April 1979, the Sheriff was housing an average of 222 inmates in the new ADC, up to 260 in peak periods, with 49 farmed out to other jails in Virginia. (By January 1980, 18-20 persons were again being held in the old jail.) On May 1, 1979, the County awarded a contract to HMB Associates, Inc., for a management study of the ADC, to include recommendations on coping with the expanded jail population.

HMB submitted its report in August 1979,\* recommending a number of actions to increase the capacity of the ADC. Some -- such as relocating the Pre-Release Center (30 beds in semi-secure quarters for work-release inmates) to another building and building cells in the shelled-in ground floor -- would have provided additional spaces in the near term. But the consultant also recommended construction of an addition to the building which could house another 100 inmates, recognizing that the problem of overcrowding simply could not be solved without additional construction.

\*HMB Associates, Inc. Management Study of the Fairfax County Adult Detention Center, August, 1979.

On the subject of alternatives to incarceration, HMB found:

...It is no longer sufficient to state as a general proposition that Fairfax County "must explore alternatives to incarceration."  
...The vast majority of persons awaiting trial are not incarcerated before trial, and the great majority of convicted offenders are never incarcerated. There is no large pool of marginal detained or sentenced persons who could readily be released into the community if the courts took a more benign view of them... In sum, no major alternative to incarceration is going unexplored. No treatment alternative to be developed is going to serve a large enough segment of the ADC population to relieve overall population pressures.

Meanwhile, the County began feeling the impact of legislation enacted by the Virginia General Assembly in 1976 and 1979 which mandated that convicted offenders with sentences of less than one year be held in local jails rather than being transferred to State institutions. This mandate -- which was not accompanied by any State assistance in coping with its impact -- adds a requirement of about 40 cells to the Fairfax County ADC.

F. 1980 Bond Referendum

In the spring of 1980, the Board of Supervisors convened a citizen task force for the purpose of studying all County capital projects which had been proposed for bond referenda to be held in November 1980. The task force recommended five issues, including an \$8.55 million bond issue to expand the ADC and complete the shelled-in ground floor. This proposal would have provided approximately 134 secure cells and 30 additional work-release beds. The Supervisors concurred, and in November, four of the five issues passed with solid margins, in spite of the generally conservative trend that

characterized both national and local election outcomes. The one issue that failed was the ADC expansion.

G. Approach

In order to come to an understanding concerning the problem of overcrowding in the ADC, the Task Force needed information on four areas: (1) the nature and operation of the present ADC; (2) the nature of the present population of the ADC; (3) the number and type of present alternatives available to keep persons out of the ADC; and (4) the kinds of alternative programs and practices that might be proposed to take more persons out of the ADC. In addition, the Task Force considered the problem of court delay and its effect on overcrowding of the ADC.

1. A Description of the Adult Detention Center

The Sheriff was asked to present to the Task Force a description of the space available in the present ADC, the plans that are presently being made to renovate the ADC to provide additional cells, and the measures he is taking to cope with overcrowding. (A complete description of the facility is included in the Criminal Justice Coordinating Council's 1978 study, The Adult Corrections System.) The Sheriff pointed out that he had placed double bunks in almost all of the dayrooms so that cell blocks designed to hold either four or five prisoners were housing eight or nine prisoners. The four attorney visiting rooms were being used to house two inmates each. The women's multi-purpose room had been turned into a dormitory and two small offices in the women's section were used as double cells. A classroom had also been turned into inmate housing space by placing bunks there. In February,

the old jail, which had been abandoned as unfit for housing inmates in long-term holding, under orders from the Health Department, was again opened up, cleaned, repainted, and had its plumbing somewhat overhauled, so that it could again be used to house some of the overflow population.

The renovation of currently existing space which was suggested by the HMB study is going forward; an architect has been contracted with to develop the final designs. This renovation will provide 36 additional secure spaces and 43 additional receiving cells; if the Pre-Release Center is removed from the jail, 30 more cells will be available in that space. Even after all this renovation, however, the present average daily population of the ADC would exceed capacity by about 70 (February, 1981). Not counting the PRC area, the renovation is expected to cost about \$1,642,000; it is expected that the County will provide funds for the renovation out of the General Fund.

2. The Population of the Adult Detention Center

In order to answer the question, "Who is in the ADC?" the Task Force selected one sample day and obtained as much information as was possible about the population of the ADC on that day. The day selected was January 11, 1981; copies of the booking cards (the jail record for individual inmates) were obtained for every inmate in the custody of the Sheriff on that day, including those farmed out to other jurisdictions. On that day, there were 338 persons in the ADC and 24 farmed out to other jurisdictions; 13 were females and 11 were juveniles.

Table I shows how this population compares with that shown by the HMB study for the period November 1978 to May 1979 in terms of status categories of the inmates. Some of the variations in percentages relate to the fact that the HMB analysis did not include study of inmates farmed out to other jurisdictions, a group that consists primarily of sentenced inmates or inmates awaiting transfer to State institutions.

The comparison suggests no reason to believe that January 11, 1981 is unrepresentative in any significant way of the daily populations to be found in the jail at this time. Because January 11 was a Sunday, the ADC contained several persons who had been arrested over the weekend but not released by the magistrates; several of these persons were released Monday morning after their first court hearing. However, at any given time the receiving section of the jail may be filled with such persons; the turnover in this section is generally rapid and the variability is high. This is always a factor to be considered in reviewing population figures on the ADC. This total population of 362 on January 11 was 108 more persons than the 254 persons the ADC was designed to hold. Only 24 of the 108 were farmed out; 84 were in the ADC on extra bunks, mattresses on the floor, sleeping in dayrooms or wherever space could be found.

In addition to the information that could be obtained from the booking cards, further information was obtained from the records of the General District Court's Pretrial Services Office (Release on Recognizance, or ROR) for those persons in a pretrial status on January 11, concerning prior criminal records

Table I

Comparison of Inmate Categories,  
HMB Study, and Task Force Data

<u>Status</u>	<u>HMB Study (a)</u>		<u>Task Force (b)</u>	
	<u>#</u>	<u>(%)</u>	<u>#</u>	<u>(%)</u>
Awaiting Court Action	159	(71.3)	231	(63.8)
Await Trial or				
Grand Jury	137	(61.4)	198	(54.7)
Await Report and				
Sentencing	22	(9.9)	33	(9.1)
Serving Time	32	(14.3)	73	(20.2)
Work Release	16	(7.2)	25	(6.9)
General Population	13	(5.8)	46	(12.7)
Weekenders	3	(1.3)	2	(0.6)
Awaiting Transfer	5	(2.2)	7	(1.9)
Awaiting State Pick-Up	17	(7.6)	39	(10.8)
Holding, Other Authorities	10	(4.4)	12	(3.3)
Federal	7	(3.1)	10	(2.8)
Other	3	(1.3)	2	(0.6)
<b>Total</b>	<b>223</b>		<b>362</b>	

(a) Data assembled from Grand Jury reports from November 1978 to May 1979.

(b) Data from booking cards for January 11, 1981.



and other pertinent information on the release/no release decision. Information was obtained from court records for those persons awaiting transfer to State institutions and to clarify questions on some other cases. It was intended to obtain prior criminal history information on all those waiting for sentences or serving sentences, but this proved impossible in the time available to the Task Force.

3. Currently Available Alternative Programs

In considering currently available alternative programs, the Task Force reviewed the Directory of Program Resources for General District Court Judges, prepared for the General District Court in August 1979, and also the Study of Program Resources prepared for the Court by Stanly Berkemeyer in December 1979. Table II summarizes the kinds of alternatives to arrest and/or incarceration that are available at various stages in the criminal justice process.

The Task Force also reviewed a draft evaluation report of the Pre-Release Center's program, prepared in January, 1981 by the Management Services Branch of the Office of Research and Statistics.

4. Proposed Alternative Programs

In order to consider whether there might be programs that could, if available to the courts and the Sheriff, help to relieve the overcrowding in the jail, the Task Force distributed to over 55 agencies and organizations, both public and private, a request for proposals or suggestions as to programs that might serve this purpose. Several of these organizations responded to this

Table II

Alternatives to Detention/Incarceration Available  
Fairfax County Criminal Justice System

<u>Alternative Available To:</u>	<u>Type:</u>	<u>Use:</u>
POLICE	<p>Summons -- written notification to appear in court on a certain date.</p> <p>Mobile Crisis Unit -- diversion of certain cases.</p>	<p>Used for misdemeanor as well as traffic violations witnessed by police officer.</p> <p>Used for mental crisis, family violence, and some drug and alcohol cases. Nondetention resolution effected in 74 percent of police referrals in 1979 (171 of 232 cases).</p>
MAGISTRATE	<p>Summons</p> <p>Release on personal recognizance (ROR) or third party custody.</p> <p>Bond</p> <p>Referral to mental health care.</p>	<p>Used extensively for certain offense categories (e.g., <u>County Code</u> violations).</p> <p>It is probable that 80 to 85 percent of all persons appearing before magistrates are released through these means without being detained in the Adult Detention Center.</p> <p>Magistrates subsequently release some of those who are booked into jail and found to be eligible for ROR or who make bail. About 59 percent of those eligible are released through these means prior to any court appearance.*</p> <p>Used as needed.</p>

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\* Based on six-month sample from Pretrial Service reports. This sample excludes drunk-in-public, minor traffic, and Juvenile and Domestic Relations (District Court and Circuit Court cases).

**Table II**  
 Alternatives to Detention/Incarceration Available  
 Fairfax County Criminal Justice System  
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Alternative Available To:	Type:	Use:										
COURT (first appearance)	Release on recognizance (ROR) or third-party custody. Bond Referral of individuals charged with drunk-in-public. Referral to mental health care.	Approximately 69 percent of offenders appearing in General District Court for mandatory one-day rule hearings are released through these means before trial date.  Used as needed.  Used as needed; may include Mobile Crisis Unit evaluation, outpatient care at community mental health centers, commitment to hospital or training center, or Vienna Ex-Offender Therapy Group.										
COURT (at preliminary hearing, trial, sentencing)	Referral to Community Service Restitution Program (CSR P)  Release on peace bond (at sentencing).	CSR P grant proposal cited an average of 99 persons per month sentenced on petit larceny charges. CSR P accepted 189 persons into the program over a 15-month period (April 1979 to June 1980), or approximately 12.7 percent of that average.  General District Court study (Berkeneyer, 1979) indicated use of peace bond as follows: <table data-bbox="1835 1123 2373 1242"> <tr> <td>Assault</td> <td>25 percent of cases</td> </tr> <tr> <td>Telephone Abuse</td> <td>37 percent of cases</td> </tr> <tr> <td>Trespass</td> <td>12 percent of cases</td> </tr> <tr> <td>Breach of Peace</td> <td>9 percent of cases</td> </tr> <tr> <td>Property Destruction/Vandalism</td> <td>8 percent of cases</td> </tr> </table>	Assault	25 percent of cases	Telephone Abuse	37 percent of cases	Trespass	12 percent of cases	Breach of Peace	9 percent of cases	Property Destruction/Vandalism	8 percent of cases
Assault	25 percent of cases											
Telephone Abuse	37 percent of cases											
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Breach of Peace	9 percent of cases											
Property Destruction/Vandalism	8 percent of cases											

Based on six-month sample from Pretrial Service reports. This sample excludes drunk-in-public, minor traffic, and Juvenile and Domestic Relations District Court and Circuit Court cases.

Table II  
 Alternatives to Detention/Incarceration Available  
 Fairfax County Criminal Justice System  
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Alternative Available To:	Type:	Use:										
COURT (at preliminary hearing, trial, sentencing) (continued)	<p>Referral to Treatment:</p> <ul style="list-style-type: none"> <li>Alcohol Treatment</li> <li>Drug Treatment</li> <li>Mental Health Treatment</li> </ul>	<p>Often used in conjunction with suspended imposition of sentence, suspended sentence, or probation.</p> <p>Driving-while-intoxicated referred to Alcohol Safety Action Project (ASAP); other referrals include LAS, ARI, and New Beginning.</p> <p>Referred to drug programs: Crossroads, Second Genesis, Alexandria Narcotics Treatment Program.</p> <p>Outpatient care at community mental health centers, commitment to hospital or training center, referral to MCIJ for evaluation, Vienna Ex-Offender Therapy Group.</p> <p>Suspended imposition may be used with referral to program, resulting in dismissal of charges.</p>										
	Suspended imposition of sentence or suspended sentence.	<p>Many suspended sentences used, especially in first offenses. General District Court study gave following sample statistics:</p>										
	Restitution	<table border="0"> <tr> <td>Assault</td> <td>37 percent of cases</td> </tr> <tr> <td>Drug Charges</td> <td>48 percent of cases</td> </tr> <tr> <td>Petit Larceny</td> <td>52 percent of cases</td> </tr> <tr> <td>Fraud</td> <td>52 percent of cases</td> </tr> <tr> <td>Breaking and Entering, Trespass</td> <td>32 percent of cases</td> </tr> </table> <p>Used for property crimes in conjunction with suspended sentence, probation, or work release. According to Adult Corrections Study (Criminal Justice Coordinating Council, 1978), about five percent of felony cases in Circuit Court were sentenced to pay restitution.</p>	Assault	37 percent of cases	Drug Charges	48 percent of cases	Petit Larceny	52 percent of cases	Fraud	52 percent of cases	Breaking and Entering, Trespass	32 percent of cases
Assault	37 percent of cases											
Drug Charges	48 percent of cases											
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Table II  
 Alternatives to Detention/Incarceration Available  
 Fairfax County Criminal Justice System  
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Alternative Available To:	Type:	Use:
COURT (at preliminary hearing, trial, sentencing) (continued)	Fines	<p>Adult Corrections Study sample showed the following use of fines:</p> <ul style="list-style-type: none"> <li>- Used for virtually all minor misdemeanors</li> <li>- Used for 50.7 percent of serious misdemeanors</li> <li>- Used for less than .01 percent felonies</li> </ul>
	Probation	<p>Used extensively, often in conjunction with other alternatives (e.g., treatment, restitution). General District Court uses most often for offenders with felony charges reduced to misdemeanors. Adult Corrections Study indicated almost 25 percent of Circuit Court cases placed on probation. On average, Circuit Court places approximately 54 cases per month; General District Court, 19 cases per month.</p>
	Work Release	<p>Court may refer offender directly to Pre-Release Center to avoid job loss, for sentences up to 30 days. General District Court referred 29 offenders in FY1979.</p>
	Weekend Incarceration	<p>Also used to prevent job loss. There are approximately five or six people per month incarcerated on weekends only. They are mostly misdemeanants.</p>
	Halfway House	<p>Occasional use for female offenders as a condition of probation. Not much potential for increase at this time because of scarcity of facilities. (Offender cannot be sentenced to existing facilities unless program agrees to accept.)</p>

request with expressions of interest and concern, and offers to be of assistance if possible. Others recommended or proposed alternative programs which they believed could serve to help relieve the overcrowding in the ADC. The Task Force is grateful for the interest shown in its work and appreciative of the effort many organizations expended in preparing proposals for consideration.

A subcommittee of four members\* of the Task Force was appointed to review and analyze the proposed alternative programs and report to the Task Force as a whole for discussion of the findings.

In addition to the proposals received in response to its request, the Task Force reviewed certain other information, such as a study of Ten Percent Deposit Bail prepared by Dr. Alan Henry of the Pretrial Services Resource Center, Washington, D.C., January 1980, and materials on the program and operations of the Montgomery County Pre-Release Center, an Exemplary Program of the Law Enforcement Assistance Administration. Several members of the Task Force and designated staff also visited the Montgomery County Center to see the facility and to learn more about the way the Montgomery County program is run.

#### 5. Court Delay and Jail Overcrowding

It was the intention of the Task Force at the outset to do an extensive and empirical study of the extent of pretrial delay and its impact on the population of the ADC. It was not possible to carry out these

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\*Ms. Burke, Mr. Bell, Mr. McLees, and Sheriff Huggins

intentions within the limits of the time set for the Task Force to make its report. Nevertheless, the Task Force did give its attention to the problem of delay based on the experience of its members with the criminal justice system and on a subjective assessment of some of the data obtained in the study of the population in the ADC on January 11, 1981. Out of this discussion came a program to reduce court delay that has already been put into practice in the courts. This program is described in Chapter V of this report.

## II. THE PROBLEM OF OVERCROWDING IN THE ADC

A question that was basic to the work of the Task Force was: Why is the Adult Detention Center overcrowded? To answer this question, the Task Force considered a number of issues: the present rate of incarceration in Fairfax County and how this compares with other jurisdictions; some of the causes of overcrowding in the ADC; the future detention population and the extent to which it can be predicted; and the possible role alternative programs may play in reducing detention needs. It also looked for a short-term solution to the problem.

### A. Incarceration Rates: Where Does Fairfax Stand?

The question of comparable incarceration rates was raised very early in the deliberations of the Task Force. To obtain information, a telephone survey was conducted on February 9 and 10, 1981 of 12 jurisdictions in Virginia and nearby suburban Maryland. The jail population totals used to calculate incarceration rates included persons on work release and farmed out, but excluded those being held for other jurisdictions. The results of this survey are shown on Table III. As shown on the table, Fairfax County's incarceration rate per hundred thousand population was 59, or eighth in number of persons incarcerated out of nine Virginia jurisdictions sampled.

Fairfax County also has a lower incarceration rate than that shown for two of the three Maryland jurisdictions. However, it must be noted that differences in state and local laws and practices make cross-state comparisons less certain. For instance, Maryland has no drunk-in-public statute, and its offenders can be sentenced for up to 18 months in local facilities.

Table III

Jail Incarceration Rates: Comparative Data\*

Locality	Jail Population (Including Work Release)	Farm- Outs	Holding for Other Jurisdictions	Incarceration** Rate
<u>Virginia Jurisdiction:</u>				
Alexandria	127	7	0	131
Arlington	166	0	2	108
Fairfax Co.	350	28	10	59
Henrico Co.	191	16	23	102
Loudoun Co.	41	0	10	54
Newport News	184	10	8	128
Norfolk	502	0	0	191
Prince William Co.	96	6	0	61
Richmond	686	33	31	314
<u>Maryland Jurisdiction:</u>				
Baltimore Co.	260	0	0	40
Montgomery Co.	428	0	3	75
Prince George's Co.	547	0	0	83

\*Sampled on February 9 and 10. Data prepared by the Management Services Branch of the Office of Research and Statistics

\*\*Per 100,000 population



Incarceration rates in local facilities cannot be compared with frequently cited national or other state incarceration rates, because these take into account inmates in state and/or federal facilities -- they measure a totally different population of offenders, against a different population base. However, the Bureau of Justice Statistics (formerly the National Criminal Justice Information and Statistics Service) compiles statistics on jail incarceration rates throughout the country. Table IV shows these rates for calendar year 1978. It shows that Virginia jurisdictions on the average incarcerated 84 persons per 100,000 population in local facilities during that year.

The Task Force therefore concluded that the overcrowding of the Fairfax County ADC does not appear to be caused by any extreme practice of over-incarceration, since we apparently incarcerate far fewer persons than most jurisdictions with which a reasonable comparison can be made.

B. Some of the Causes of Overcrowding in the Adult Detention Center

A number of factors appear to be involved in the overcrowding of the ADC. Some of these factors could not have been foreseen, and they developed after the planning for the ADC was completed.

Some of the factors in overcrowding are: changes in State legislation and policy; the deinstitutionalization of persons with mental health problems; the growth of the population and the crime rate; the increase in the size of the Police Department; the growing rate at which serious felons are being indicted by the Grand Jury; the decreasing ability to farm prisoners out; and the practice of holding juveniles in the ADC.

Table IV

Number of jails and jail inmates, by region and State and by inmate sex, legal status (adult or juvenile), and ratio to general population, 1978

Region and State	Jails	Inmates									Rate per 100,000 population
		All inmates			Adults			Juveniles			
		Total	Male	Female	Total	Male	Female	Total	Male	Female	
United States, total	3,493	158,394	148,839	9,555	156,783	147,506	9,277	1,611	1,333	278	76
Northeast	207	24,228	23,039	1,189	24,129	22,984	1,145	99	55	44	54
Maine	13	325	316	9	319	310	9	6	6	0	30
New Hampshire	11	370	347	23	362	340	22	8	7	1	43
Vermont*	...	...	...	...	...	...	...	...	...	...	...
Massachusetts	15	2,317	2,281	36	2,317	2,281	36	0	0	0	40
Rhode Island*	...	...	...	...	...	...	...	...	...	...	...
Connecticut*	...	...	...	...	...	...	...	...	...	...	...
New York	72	10,936	10,302	634	10,852	10,261	591	84	41	43	61
New Jersey	28	3,873	3,648	225	3,873	3,648	225	0	0	0	53
Pennsylvania	68	6,407	6,145	262	6,406	5,144	1,262	1	1	0	54
North Central	1,042	28,452	26,687	1,765	27,937	26,256	1,681	515	431	84	49
Ohio	150	5,465	5,109	356	5,377	5,035	342	88	74	14	51
Indiana	90	2,453	2,334	119	2,501	2,200	101	152	134	18	46
Illinois	100	5,781	5,499	282	5,758	5,476	282	23	23	0	52
Michigan	93	5,729	5,282	447	5,708	5,262	446	21	20	1	63
Wisconsin	70	1,926	1,806	120	1,864	1,767	97	62	39	23	41
Minnesota	65	1,517	1,431	86	1,504	1,421	83	13	10	3	38
Iowa	91	664	611	53	654	603	51	10	8	2	23
Missouri	137	2,849	2,668	181	2,829	2,652	177	20	16	4	60
North Dakota	39	118	105	13	117	105	12	1	0	1	18
South Dakota	44	276	258	18	253	243	10	23	15	8	40
Nebraska	77	676	647	29	638	611	27	38	36	2	44
Kansas	86	998	937	61	934	881	53	64	56	8	43
South	1,678	67,444	63,992	3,452	66,775	63,420	3,355	669	572	97	98
Delaware*	...	...	...	...	...	...	...	...	...	...	...
Maryland	25	3,553	3,418	135	3,553	3,418	135	0	0	0	86
District of Columbia	2	1,407	1,292	115	1,407	1,292	115	0	0	0	209
Virginia	92	4,232	4,059	173	4,077	3,907	170	155	152	3	84
West Virginia	54	1,066	1,017	49	1,044	996	48	22	21	1	57
North Carolina	95	2,798	2,635	163	2,766	2,615	151	32	20	12	51
South Carolina	68	2,362	2,281	81	2,328	2,256	72	34	25	9	84
Georgia	223	8,278	7,933	345	8,269	7,925	344	9	8	1	165
Florida	112	10,305	9,615	690	10,263	9,576	687	42	39	3	122
Kentucky	111	2,149	2,024	125	2,089	1,968	121	60	56	4	62
Tennessee	111	4,553	4,330	223	4,492	4,287	205	61	43	18	174
Alabama	108	5,049	4,903	146	5,027	4,883	144	22	20	2	51
Mississippi	94	2,427	2,310	117	2,359	2,260	99	68	50	18	102
Arkansas	92	1,334	1,261	73	1,277	1,211	66	57	50	7	62
Louisiana	93	5,232	4,996	236	5,217	4,985	232	15	11	4	134
Oklahoma	102	1,704	1,550	154	1,676	1,529	147	28	21	7	61
Texas	296	10,995	10,368	627	10,931	10,312	619	64	56	8	56
West	566	38,270	35,121	3,149	37,942	34,846	3,096	328	275	53	100
Montana	58	324	304	20	304	289	15	20	15	5	43
Idaho	45	539	508	31	498	477	21	41	31	10	62
Wyoming	31	268	243	25	244	230	14	24	13	11	66
Colorado	61	1,681	1,598	83	1,658	1,576	82	23	22	1	65
New Mexico	38	794	741	53	755	711	44	39	30	9	67
Arizona	39	2,501	2,163	338	2,484	2,150	334	17	13	4	108
Utah	24	676	643	33	675	642	33	1	1	0	53
Nevada	22	912	821	91	896	810	86	16	11	5	144
Washington	59	2,453	2,273	180	2,437	2,257	180	16	16	0	68
Oregon	48	1,872	1,750	122	1,855	1,737	118	17	13	4	78
California	135	26,206	24,036	2,170	26,093	23,927	2,166	113	109	4	120
Alaska*	6	44	41	3	43	40	3	1	1	0	11
Hawaii*	...	...	...	...	...	...	...	...	...	...	...

\*Five States—Connecticut, Delaware, Hawaii, Rhode Island, and Vermont—had integrated jail-prison systems and, therefore, were excluded in calculating the rate of inmates per 100,000 population at the regional and national levels. Alaska, which had 6 locally operated jails in addition to an integrated jail-prison system, was included in the calculation.

Source: Census of Jails and Survey of Jail Inmates - 1978, LEAA.

1. Changes in State Legislation

Prior to March 1976, persons sentenced to a period of confinement longer than 30 days were transferred to the State Department of Corrections (DOC) to serve that sentence in a State institution. In emergency legislation effective March 1976, a law was enacted (Code of Virginia 1950, amended, Section 19.2-310.1) determining that only persons with sentences longer than six months could be transferred to State institutions, except with the consent of the Director of DOC.

In 1979, further changes were made in both legislation and DOC policy and procedures which further increased the length of time that sentenced persons must be held in local jails rather than being transferred to the State. The effect of these additional changes was to determine that in order to be transferred to the State, a prisoner had to be specifically sentenced to the penitentiary for a period of one year or longer; acceptance into State institutions, however, is at the discretion of the Director, who cannot by law allow the population of State institutions to exceed their rated capacity;<sup>1</sup> no such law limits the populations of local jails.

Further legislation<sup>2</sup> mandated that all State prisoners who were within six months of their release date must be released on parole. This statute had the effect of reducing the sentences of persons who otherwise would be eligible for transfer to the State, and leaving them instead to serve their sentences in local jails.

<sup>1</sup>Code of Virginia, 1950, Amended 1975, Section 19.2-310)

<sup>2</sup>Code of Virginia, 1950, amended 1980, Section 53-251.3)

The cumulative effect of all of these changes in legislation and in State policy has been that the ADC now holds a large number of persons who formerly would have been transferred to State institutions. A study<sup>1</sup> performed by the Office of Research and Statistics indicated that during the period June-December, 1979, approximately 40 of the persons who at any one time were confined in the ADC were there because of these combined legislative and policy changes. That is, had the policies of 1975 still been in effect these persons would have been removed to State institutions. About 20 to 26 of these persons were there because of the 1979 changes of legislation and policy alone. Further changes of policy adopted more recently by DOC are requiring that prisoners have more than one year remaining to be served in order to be considered eligible for transfer to a State institution.

The numbers cited above do not include those persons whose sentences make them eligible for transfer to State institutions but who have not been transferred to the State because of lack of space in State institutions. This group of persons has also had a significant and growing impact on County jail population in recent years. On January 11, 1981, 27 persons were in the custody of the Sheriff who were fully eligible for transfer to the State but had not yet been accepted by the State.

The legislative changes described above were unknown and unexpected at the time the present ADC was being planned and designed. Those involved in the planning

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<sup>1</sup>Memorandum to J. Hamilton Lambert from Mary Elizabeth Noe, Subject: "The Impact of 1976-1979 Legislation Mandates on the Population of the Adult Detention Center and the Fiscal Consequences" dated January 27, 1980, with attachments.

were assuming that persons with sentences longer than 30 days would continue to be transferred to State institutions.

These changes in policy and procedure affect not only the population of the jail -- they also affect the nature of the programs and services that must be provided in the jail. It is not easy or necessary to provide extensive programming for persons who are being detained pretrial: they are not expected to be in the jail very long; they may make bond and be released at any moment; they are in and out for court hearings and conferences with lawyers. Persons who are going to serve sentences are in an entirely different category, however: they may be around for relatively long periods; they can be required to work; they need something to do; and everyone hopes that they will be released back into the community better able to manage their lives. It is reasonable to expect the jail to become for them a correctional institution, rather than just a place of detention. Such persons need readily available educational and recreational programs; they may need treatment for alcohol, drug, or mental health problems; they need training in how to get and keep jobs, how to get along with their families, how to handle their finances; they need medical and dental treatment. This means that in order to house such prisoners, the jail must have not only more cells, but also more classrooms, more recreational space, more treatment facilities and personnel, more visiting spaces, and a broader range of programs of all kinds. While the sheriffs of Fairfax County have always tried to have a variety of programs available for all inmates, both pretrial and post-trial, these programs

become even more essential as the jail becomes more and more a correctional facility.

2. The Deinstitutionalization of Persons with Mental Health Needs

During the 1970's, the State Department of Mental Health and Mental Retardation of Virginia, paralleling a trend taking place throughout the country, began reducing the population of major State mental institutions by sending as many individuals as possible back to their local communities for treatment, either in their homes or in smaller local institutions. In order to be confined for long periods of time involuntarily in State institutions, mentally disturbed or retarded persons must have been determined to be a danger to themselves or others. The State policy called for the local jurisdictions to develop a spectrum of services and facilities -- home care, day care, group homes, and small treatment facilities -- that would provide for the needs of the persons who formerly may have been held in large State mental institutions.

The presence of more mentally disturbed and retarded persons in the community inevitably means that some of them end up for longer or shorter periods of time in the jail. Often their offenses are neither serious nor violent; they drink too much, or write bad checks because they cannot cope with the complexities of modern finance, or are public nuisances. Most of them are by no means dangerous -- they are simply not able to manage their lives in the independent manner required in the present society. Partly this may be because the local government has not had adequate resources to

provide the services and local facilities that the State assumed would be made available to deinstitutionalized persons. Partly it may be because non-secure residences are simply not able to prevent erratic or antisocial public behavior.

It should be emphasized that most such offenders are released quite soon after arrest by magistrates or judges. Those who are incarcerated for any length of time are those whose behavior is repeatedly and consistently unacceptable.

The purpose of this discussion is not to suggest that the present State effort to deinstitutionalize mentally disturbed or retarded persons is wrong. The purpose is simply to note that if under the present system some of these persons turn up in the local jail, space must be provided for them. It is not possible to guess at the number of jail beds that may be occupied at any one time by persons who formerly would have been institutionalized in State mental hospitals, but it is apparent that at least some of the increased demand for jail space is caused by the appearance of such persons in the jail. A psychologist on the staff of the Woodburn Mental Health Center who is assigned to the ADC tries to identify any persons in the ADC who could more appropriately be handled in a mental health program or institution, and to expedite their transfer out of the ADC. For some these solutions are not permanent and they re-cycle through the ADC with regularity. For others there simply are no appropriate alternatives or treatments, so jail space must be made available to them.



3. Population Growth

Even without the changes in State statutes and policies described above, the steady growth of the population in Fairfax County that has taken place and is predicted to continue through the year 2000 suggests that continued growth of the jail population is inevitable. Table V shows the combined population estimates prepared by the Office of Research and Statistics for Fairfax County and the Cities of Fairfax and Falls Church from 1973 through the year 2000. The ADC serves as the jail for all three of these jurisdictions. These figures show that the total population of this area is growing at an average rate of about two percent per year. Also shown are figures for the estimated population of persons between the ages of 18 and 34, from which is drawn approximately 85 percent of the population of the ADC. Over the same period this group also grew at an average rate of about 1.8 percent per year. Whether the demand for jail space is viewed as depending more on total population, or more on the smaller at-risk population, that demand appears to be destined to increase for the foreseeable future.

At the time of the 1980 Bond Referendum, certain groups in the County expressed the belief that the population aged 18 to 26 in the County could be expected to decrease in the near future. They believed that this subgroup represented the most significant component of the risk population. According to the HMB Study, this age group accounted for 63 percent of the population of the ADC. The belief of some people that the population of this age group would decrease appeared to be based on an analysis of the school populations, which some studies have indicated would decrease. Table VI shows the age group estimates and projections for public school

Table V

Estimates of Total Population and the Population of Those Aged 18-34, in Fairfax County, Fairfax City, and Falls Church, (a) 1973 - 2000 (b)

<u>Year</u>	<u>Total Population</u>	<u>Population Aged 18 - 34 (c)</u>
1973	536,300	158,380
1974	554,500	162,540
1975	569,200	166,700
1976	585,800	170,860
1977	593,200	175,020
1978	600,300	179,180
1979	614,300	183,340
1980	625,300	178,700
1981	640,700	183,100
1985	710,500	231,000
1990	785,700	240,200
1995	870,500	249,600
2000	956,100	259,200

- (a) Persons incarcerated for charges or offenses in these three jurisdictions are housed in the Fairfax County Adult Detention Center.
- (b) Data were prepared by the Office of Research and Statistics.
- (c) This population accounts for about 85 percent of the population of the ADC.

Table VI

ESTIMATES AND PROJECTIONS OF PUBLIC SCHOOL MEMBERSHIP\*  
Fairfax County, School Years 1970-1971 to 1982-1983

	Head Start	K	1	2	3	4	5	6	7	8	9	10	11	12	Special Educa.	Total
1970 (Actual)	194	8,159	9,391	10,184	10,175	10,707	10,689	10,545	10,937	10,819	11,109	10,252	9,676	9,095	1,929	133,167
1971 (Actual)	167	7,843	8,833	10,129	10,521	10,415	11,051	10,978	11,095	11,090	11,505	11,067	9,907	9,589	1,761	135,253
1972 (Actual)	174	7,628	8,261	9,314	10,412	10,710	10,501	11,127	11,514	11,249	11,688	11,217	10,409	9,752	1,829	135,780
1973 (Actual)	124	8,155	8,126	8,885	9,488	10,521	10,826	10,692	11,481	11,400	11,787	11,561	10,541	10,195	2,103	135,819
1974 (Actual)	113	8,795	8,880	8,661	8,987	9,626	10,619	10,851	11,078	11,451	11,893	11,617	10,935	10,138	2,659	136,598
1975 (Actual)	175	8,707	9,699	9,151	8,849	9,490	9,877	11,021	11,262	11,335	12,256	11,675	10,917	10,635	1,875	136,969
1976 (Actual)	139	7,552	9,505	9,622	9,271	9,037	9,430	9,919	10,986	11,265	11,975	11,796	11,176	10,702	2,189	136,567
1977 (Actual)	172	6,825	8,607	9,682	9,542	9,410	9,237	9,628	9,973	11,087	11,886	11,430	11,214	10,964	2,560	137,217
1978 (Actual)	161	6,427	7,822	8,756	9,791	9,845	9,956	9,304	9,704	10,113	11,765	11,578	10,948	10,954	2,799	129,423
1979 (Actual)	171	6,565	7,644	8,065	8,821	9,878	9,818	9,314	9,383	9,554	10,957	11,443	11,130	10,578	4,657	127,798
1980 (Projected)	195	6,748	7,429	7,880	8,545	9,304	10,371	10,308	10,035	9,793	10,522	10,769	11,241	10,954	3,617	127,706
1981 (Projected)	195	6,973	7,631	7,701	8,408	8,790	9,568	10,627	10,908	10,240	10,542	10,363	10,611	11,127	3,617	127,791
1982 (Projected)	195	7,163	7,822	7,858	8,188	8,631	9,024	9,760	11,230	11,095	10,994	10,405	10,222	10,481	3,617	126,640

\*Based on September membership.

Source: Fairfax County Public Schools, Office of Statistical Support.

populations from 1970 through 1982, as prepared by the Office of Statistical Support of the Fairfax County Public Schools. This table does indicate that there are slight decreases through 1982 in the ninth, tenth, eleventh, and twelfth grades, from highs that occurred in 1977 or 1978. Note that this table includes only the public school populations and not those in private school. It should also be pointed out that even if the school age population decreases, in-migration to the County that occurs in the age group 20 to 29 years ensures that the risk population for the ADC, however defined, can be expected to continue to increase. From 1965 to 1970, for instance, Fairfax County experienced a net in-migration of over 10,000 persons in the age group 20 to 24 years old, and a net in-migration of over 16,000 in the age group 25 to 29 years old.<sup>1</sup>

Table VII shows population trends in Fairfax County by selected age groups, including projections through the year 2000. These figures reflect the conclusions drawn above about in-migration. While the age group 15 to 19 years old decreases about 9 percent between 1980 and 1985, and slightly less than 2 percent between 1985 and 1990, it then increases sharply. The age group 20 to 34 years old, which might be expected to reflect the dip in the numbers of the younger group, increases steadily throughout the period. While these projection data have not yet been modified by the results of the 1980 census, the overall trend is not expected to change, though actual numbers may be slightly lower than those shown.

<sup>1</sup>From, Gross Migration by County: 1965-1970. U.S. Department of Commerce, Bureau of the Census, Current Population Reports: Series P-25, No. 701, Population Estimates and Projections, May, 1977.

Table VII

POPULATION TRENDS IN FAIRFAX COUNTY BY SELECTED AGE GROUPS  
1960-1975 AND PROJECTIONS TO THE YEAR 2000

	<u>1960</u>	<u>1970</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1980</u>	<u>1985</u>	<u>1990</u>	<u>1995</u>	<u>2000</u>
0 - 4	34,500	40,600	50,100	51,600	53,200	54,600	60,500	69,400	71,800	69,200	69,300
5 - 9	33,900	50,000	50,700	51,000	51,600	51,700	52,800	58,100	67,100	71,000	69,300
10 - 14	27,000	58,200	60,600	60,200	59,900	59,100	59,300	55,900	61,700	74,400	77,900
15 - 19	15,900	42,700	47,500	48,900	49,900	51,100	56,000	51,000	50,000	58,800	82,200
20 - 34	49,900	99,000	131,100	138,100	145,800	152,900	186,200	209,500	218,600	220,700	228,900
35 - 54	70,800	126,600	133,200	136,400	140,300	143,200	159,700	181,900	216,300	259,600	296,400
55 - 64	9,700	23,500	32,900	33,800	35,500	36,400	43,200	47,400	50,000	54,500	66,500
65+	<u>7,300</u>	<u>13,700</u>	<u>16,200</u>	<u>17,200</u>	<u>18,300</u>	<u>19,300</u>	<u>26,400</u>	<u>34,700</u>	<u>45,300</u>	<u>57,100</u>	<u>69,300</u>
TOTAL	249,000	459,300	522,200	537,200	554,500	568,300	644,100	707,900	780,800	865,300	949,800
(161)	(150,700)	(295,222)	(348,300)	(361,500)	(376,500)	(389,285)	(455,400)	(506,900)	(559,800)	(650,700)	(733,200)

Sources: U.S. Bureau of the Census, U.S. Census of Population, 1960, 1970; 1960 figures have been adjusted to exclude Fairfax City.  
1975 figures estimated by OCP, based on distributions prepared by the Washington Center for Metropolitan Studies "Trends Alert" studies.  
Projections were made in accordance with the methodology described in the appendix.

Table VIII shows the percentage distributions of the age groups in Fairfax County, based on the numbers shown in Table VII. It can be seen that both age groups, 15 to 19 years and 20 to 34 years, are decreasing somewhat as a percentage of total population. Some persons have argued that because these groups are decreasing as a percentage of total population, the demand for jail space should go down as well. The fact that this group is not growing as fast as other components of the population, however, does not mean that it is not growing in absolute numbers or that its impact on jail population can be expected to decrease.

4. The Increasing Crime Rate

In a recent report prepared by the Fairfax County Police Department, the crime rate in Fairfax County for Index Crimes (murder, rape, robbery, aggravated assault, burglary, larceny, and motor vehicle theft) was compared with the rates of prior years and of neighboring jurisdictions.<sup>1</sup> The report indicates that Fairfax County's total rate of serious crimes, 4643.61 per 100,000 population, ranks below that of every other jurisdiction in the Metropolitan Washington area. The report also shows that in absolute numbers serious crime increased 5.17 percent in 1980. The crime rate, however, increased only .69 percent; this is the amount of increase that cannot be explained by the increase in population. (See Tables 1-3, Appendix 1).

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<sup>1</sup>Michael B. Fischel, Director, Planning and Research Section, Fairfax County Police Department, "Calendar Year 1980 Index Crime Analysis, Fairfax County, Virginia." February, 1981. See Appendix 1.

Table VIII

POPULATION TRENDS IN FAIRFAX COUNTY BY SELECTED AGE GROUPS  
1960-1975 AND PROJECTIONS TO THE YEAR 2000 (Percent Distribution)

	<u>1960</u>	<u>1970</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1980</u>	<u>1985</u>	<u>1990</u>	<u>1995</u>	<u>2000</u>
0 - 4	13.9	8.9	9.6	9.6	9.6	9.6	9.4	9.8	9.2	8.0	7.3
5 - 9	13.6	11.0	9.7	9.5	9.3	9.1	8.2	8.2	8.6	8.2	7.3
10 - 14	10.8	12.8	11.6	11.2	10.8	10.4	9.2	7.9	7.9	8.6	8.2
15 - 19	6.4	9.4	9.1	9.1	9.0	9.0	8.7	7.2	6.4	6.8	7.6
20 - 34	20.0	21.8	25.1	25.7	26.3	26.9	28.9	29.6	28.0	25.5	24.1
35 - 54	28.5	27.9	25.5	25.4	25.3	25.2	24.8	25.7	27.7	30.0	31.2
55 - 64	3.9	5.2	6.3	6.3	6.4	6.4	6.7	6.7	6.4	6.3	7.0
64+	<u>2.9</u>	<u>3.0</u>	<u>3.1</u>	<u>3.2</u>	<u>3.3</u>	<u>3.4</u>	<u>4.1</u>	<u>4.9</u>	<u>5.8</u>	<u>6.6</u>	<u>7.3</u>
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
(16+)		(65.0)	(66.7)	(67.3)	(67.9)	(68.5)	(70.7)	(71.6)	(71.7)	(75.2)	(77.2)

Source: Table VII

It seems reasonable to assume that this increase in the crime rate accompanies such factors as the growing urbanization of the County and increasing transportation opportunities offered by such developments as the Washington Beltway, improved arterial highways, and the approaching availability of METRO. Table IX shows the population densities of Fairfax County compared with that of other Metropolitan Washington jurisdictions. Fairfax population density, or population per square mile, is about one-fourth that of Arlington, one-fifth that of Alexandria, and less than one-sixth that of the District of Columbia. As our population continues to grow, it will approach the densities of these more urban areas, and the crime rate in Fairfax will also no doubt begin to approach theirs.

5. The Increasing Size of the Police Force

Because the Police Department's analysis of serious crime involves reported crime rather than actual crime (an unknown) or arrests (only a portion of committed crime), it is possible that some of the increase in serious crime involves increased reporting of criminal incidents rather than an increase in the actual occurrence of crime. Nevertheless, these rates do represent an increasing workload for the Police Department. On the basis of this increased workload, the County Executive's Advertised Fiscal Plan for FY1982 has requested for the Police Department an increase of 25 sworn officers.

The inevitable result of adding to the police force is that there will be more arrests, more court cases, and more persons to be incarcerated in the jail. The

Table IX

Population Densities of  
Metropolitan Washington Jurisdictions, 1980\*

	<u>Sq. Miles</u>	<u>1980 Pop.</u>	<u>Pop./Sq. Mile</u>
Alexandria	15	103,217	6,881
Arlington Co.	26	152,599	5,869
Montgomery Co.	495	579,053	1,170
Prince Geo. Co.	485	665,071	1,371
Washington, D.C.	61	637,651	10,453
Fairfax Co.	399	596,901	1,496
Prince William Co.	347	144,703	417
Loudoun Co.	517	57,427	111

\*Source: U.S. Bureau of the Census

outcome that citizens expect from police protection is that offenders will be identified, charged, convicted, and locked up; more police protection means that more people will be locked up.

Table X shows the following personnel increases for the Police Department from 1970 to 1982. These figures show a 1.1 percent increase from 1981 to 1982, and a 28 percent increase from 1972 to 1982, and suggest that the rate of police protection is at least keeping up with the rate of serious crime. If it continues to do so, the rate of incarceration cannot be expected to go down.

Another sign of the same trend is the increasing number of indictments handed down by the Grand Jury for serious crime. Table XI shows data prepared by the Commonwealth's Attorney comparing the number of defendants indicted and the total number of counts of these indictments, for 1974, 1978, and 1980. These data indicate that there were on average an additional 133 indictments each year in 1979 and 1980. Since indictments involve felony charges, these are the more serious charges, for which more defendants are likely to be incarcerated either pretrial, after sentencing, or both.

#### 6. Decreasing Ability to Farm Prisoners Out

One of the standard means by which Fairfax County sheriffs have in the past dealt with an excess of jail population has been the placing of Fairfax prisoners in jails in other jurisdictions, or farming them out. Usually this involves the payment by the County of a per diem rate to the other jurisdiction; amounts have



Table X

Size of the Fairfax County Police Department  
1970-1981 (1)

<u>Fiscal Year</u>	<u>Sworn Officers</u>	<u>Civilian Staff</u>	<u>Total</u>	<u>Total per 1,000 Population</u>
1970	394	188	582	1.38
1971	432	190	622	1.41
1972	466	195	661	1.44
1973	514	214	728	1.53
1974	541	218	759	1.54
1975	586	236	822	1.61
1976	624	295	919	1.76
1977	635	289	924	1.73
1978	657	301	958	1.74
1979	702	315	1017	1.83
1980	702	340	1042	1.83
1981	722 (2)	351	1073	1.84
1982	747	354	1101	1.84

(1) Source: Fairfax County Police Department

(2) This number was increased to 734 at midyear review by double encumbrance of 12 positions to make up for the delay in filling vacant positions.

Table XI

Defendants Indicted and Number of  
Counts of Indictment in Fairfax County  
Circuit Court, 1974, 1978, and 1980.\*

<u>Year</u>	<u>Defendants Indicted</u>	<u>Counts of Indictment</u>
1974	462	846
1978	647	1176
1980	913	1741

\* Source: Data prepared by the Commonwealth's Attorney.

ranged from \$5 to over \$20. Logically this is an appropriate way to deal with an occasional peak in the jail population; it is not, even when it is readily available, an effective long-term solution to a regular and daily overcrowding problem. Prisoners to be farmed out must be transported to the other jurisdiction and back by one or more Sheriff's deputies. It is neither convenient nor fair to farm out pretrial prisoners, because they must then be brought back every time they have a hearing, and they are removed from access to their lawyers and visits from families.

Moreover, in the past two years, the Sheriff has found that more and more other Virginia jurisdictions are refusing to accept farmed-out prisoners from Fairfax County. Those that continue to accept farm-outs may only accept certain limited categories of farm-outs, by setting up specific criteria as to age, race, sex, or type of charge. The Sheriff believes that the cause of this reluctance is that Fairfax prisoners are more sophisticated than some of their rural counterparts; they would rather be in jail in their home county than far away, and in a new jail than an old rural lock-up. They have learned that if their behavior is uncontrolled or if they file an excessive number of lawsuits for cruel and unusual punishment, they will be sent back to Fairfax for detention. Consequently, even when the ADC has contained a number of prisoners who would be suitable for farming out, such as those awaiting transfer to a State institution, the Sheriff has not been able to find other jails willing to take them. The nearby jurisdictions that might be more willing to help Fairfax out, such as Arlington and Alexandria, cannot because their jails are also overcrowded.

#### 7. Holding Juveniles in the ADC

At the time the ADC was being planned and designed, it was assumed that no juveniles would be held there; juveniles were expected to be housed in the Northern Virginia Regional Juvenile Detention Home, or possibly in a new County Juvenile Detention Facility that was also being planned and is now under construction. However, there have been juveniles housed in the ADC almost constantly from the day it opened. They may be there either because the regional facility is itself overcrowded, or because they are believed to be so violent or destructive that more secure holding is required. Some of the juveniles are certified to stand trial as adults, and some have been sentenced as juveniles to spend time in the ADC. All are there because a judge of the Juvenile Court has determined that it is appropriate for them to be there.

It is now generally believed that, even when the new Fairfax Juvenile Detention Facility opens, there will always be some juveniles in the ADC, because there will always be some who require more secure holding. There is no area in the ADC specifically designed for juveniles, but they must be held in an area completely separate from adult holding areas. As pointed out before, this requirement means that there are sometimes empty spaces which cannot be used because adults cannot be placed in the same cell block with juveniles.

#### C. Predicting Future Needs for Detention

Given the figures already shown for the expected growth in population of the County, both total population and

the young adult population which is particularly at risk for crime and incarceration, it seems inevitable that there will continue to be growth in the demand for jail space. It is not, however, possible to predict that demand very precisely, because of the number of intervening variables which cannot be predicted. How many police officers will the County be willing to provide over the next ten or twenty years? How will the policies of the Police Department change? What further changes is the State likely to adopt which will affect our jail population? Will there be another baby boom? What will happen to the economy and how will it affect the crime rate? How many more criminals will arrive by METRO? Many of the causes of overcrowding described above were not foreseen and could not have been foreseen. Nevertheless, the record of what has happened in the past is our only base of information on which to predict the future.

The HMB Study developed estimates for the required size of the ADC based on HMB's analysis of the ADC populations and the demands for bed spaces required by persons charged with different types of crimes. They then developed predictions, based on predicted population changes, for the future bed space needs. Their predictions are shown in Table XII.

The Task Force found HMB's analysis of the current population of the ADC extremely helpful, and agreed with HMB's assertion that Fairfax County is already using alternatives to a large extent and cannot depend on alternatives to solve the detention space needs in the County. The predictions for future space needs are believed by the Task Force to be inadequate, however, for the following reasons:

Table XII  
HMB Projections of Bed Spaces  
Needed for the ADC, 1980-1995

Year	Additional Bed Spaces Required This Year		Total Size Of Facility Required*	
	High	Low	High	Low
1980	19	19	245	245
1981	20	19	265	245
1982	21	19	286	245
1983	22	20	308	265
1984	23	21	331	286
1985	24	22	355	308
1986	22	20	377	328
1987	19	17	396	345
1988	17	14	427	359
1989	14	12	441	371
1990	12	10	453	381
1991	8	6	461	387
1992	4	2	465	389
1993	0	-2 **	465	387
1994	-4	-6	461	381
1995	-8	-11	450	370

\*Excludes Work Release, Disciplinary Isolation And Medical Areas Of The Facility.

\*\*Negative indicates a surplus of bedspaces.

- the HMB analysis did not attempt to account for the persons who at that time were farmed out to other jurisdictions; after September 1979, 25 to 40 prisoners were farmed out at all times until it became impossible to find spaces for this number;
- the HMB analysis did not include the persons on work release or juveniles;
- the numbers of additional bed spaces which HMB indicated would be needed each year were based on the percentage change in the percentage the risk population (18 to 35 in their calculations) represented of the total population. It has already been shown that the fact that this group is decreasing as a proportion of the total population does not mean that it is decreasing in absolute numbers or that its effect on incarceration demands will decrease.

The Sheriff has calculated that the average daily population of the jail in 1975 was about 140; by 1978 it was about 200, and by 1981, 350. Thus the average growth for those six years was 35 beds per year, and for the last three years, 50 beds per year. If the growth in demand for jail spaces continues at the average rate of 35 beds per year, the total demand in 1990 would be 665 beds; and if the demand were to continue to grow at the high rate of the past three years, or about 50 beds per year, the demand in 1990 could reach as high as a total of 800 beds.

Based on the foregoing, the Task Force has concluded that the County must be prepared to handle a total detention population of between 600 and 700 by the year 1990. While the Task Force does not believe that predictions can be made

past that point, it sees no reason to believe that detention needs will not continue to rise between 1990 and 2000, much as it would welcome any sound evidence of a decrease.

#### D. The Role of Alternatives

As will be spelled out in greater detail in Chapter IV of this report, the Task Force has reached the following conclusions with regard to alternatives to incarceration:

- that the Courts are already using alternatives to incarceration;
- that because of the use of alternatives the County already has a low incarceration rate;
- that while the Task Force will recommend that certain new alternative programs be made available and other present alternatives expanded, it does not believe that alternative programs, individually or collectively, can be relied upon to reduce the demand for detention spaces sufficiently to permit the County to forego construction of additional secure space.

The Task Force is aware that some groups in the County would prefer to see the County try the alternatives first and if they do not work, then take steps to build more space. The Task Force, however, believes that given the overcrowding that already exists today, it is too late for that approach. By speaking of a demand for 600 to 700 detention spaces in 1990, it has already placed its estimate toward the lower range of the possible growth. If the County is able to reduce the detention needs by means of the alternative programs discussed in Chapter IV, or by means of expediting the trial process for detained offenders, as described in

Chapter VI, these reductions may only ensure that we do not reach the upper range of the possible growth by 1990; if they are even more effective than that, they will enable the County to avoid another jail construction program for the year 2000.

The Task Force believes that alternatives should continue to be explored and utilized to the greatest extent possible, but it does not believe they can be allowed to delay further the construction of jail space which is desperately needed at this very moment.

E. Short-Term Approaches to the Problem of Overcrowding

Having determined that (a) the ADC does in fact have a severe overcrowding problem right now; (b) all indications are that it will continue to get worse in the foreseeable future; and (c) the implementation of alternatives will not solve the problem; the Task Force sought ways of providing immediate relief for the problem. No solutions have been identified that will solve the problem immediately. Two strategies were identified which appear to provide the quickest form of at least partial relief. The first of these solutions is to complete the renovation of existing spaces in the ADC as planned by the Department of Public Works.

The planned renovation, for which designs are now being completed, is expected to include the following cell additions:

- 30 general purpose secure cells in the shelled-in basement area

- 30-35 receiving cells for males in the shelled-in space
- 6 secure cells in the former isolation area\*
- 8 receiving cells for females (from the present male receiving cells).

This renovation would therefore add approximately 74-79 cells to the ADC. The cost of the renovation is estimated at \$1,642,000; \$1,202,000 is already included for this project in the Advertised Fiscal Plan for FY1982. The Consideration Package contains an additional \$440,000 for renovation of the ADC.

*RECOMMENDATION 1: Renovating Existing Spaces in the ADC*

*The Board of Supervisors should give highest priority to and should proceed immediately with the planned renovation of existing spaces in the ADC, by approving funds for this project included in the Advertised Fiscal Plan for FY1982 and the Budget Consideration Package for a total of \$1,642,000.*

The second strategy identified by the Task Force is the removal of the Pre-Release Center from the ADC, so that its 30 spaces can be renovated to provide secure housing.

Because it will take time to locate a new site for a PRC and to construct or remodel an adequate facility, the Task Force believes that the PRC should be temporarily relocated in the old jail (attached to the old courthouse)

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\*Some of the present receiving cells will be converted to isolation cells.

while a new facility is being planned and developed. With some fixing up and repair (not equivalent to remodeling) the Sheriff believes that the basement area of the old jail can be made into a minimally suitable temporary facility for the work release program.

The Division of Facilities Management has estimated that, using inmate labor for some of the work, this temporary renovation will cost \$75,000. (See Appendix 2)

RECOMMENDATION 2: Renovating the Old Jail as a Temporary Work Release Facility

The Board of Supervisors should authorize funds in FY1982 in the amount of \$75,000 for the purpose of making improvements in the old jail that will allow the work release program to be housed there temporarily.

The Task Force recognizes that if the PRC is to be separated from the ADC, round-the-clock staffing would have to be provided at the new location. At present, the PRC relies on occasional checks by the ADC confinement staff during the night. This additional staffing has also been recommended in the ORS evaluation study of the PRC. The cost of the four positions, including fringe benefits, is estimated by the Sheriff to be \$86,972. If the positions are approved by DOC, some reimbursement should be expected from the State. However, because of its own budget problems, DOC has not been approving new positions automatically, and may not reimburse the County for these, particularly the first year.

RECOMMENDATION 3: Providing 24-Hour Staffing for the PRC

The Board of Supervisors should authorize the addition of four staff positions for the purpose of providing 24-hour staffing of the relocated PRC. These positions should be made available as soon as possible so that recruitment and training can be carried out and the positions therefore filled by the time the old jail is ready to house the PRC. The cost of these positions is estimated by the Sheriff to be \$86,972 in FY1982.

As soon as the old jail is made ready, the work release program should be moved into it and the former PRC should be renovated to provide secure prisoner housing. The Department of Public Works has estimated the cost of this renovation at \$360,000.

RECOMMENDATION 4: Renovation of the PRC for Secure Housing

The Board of Supervisors should authorize funds in the amount of \$360,000 in FY1982 for the renovation of the vacated PRC space in the ADC into secure cells.

### III. PRE-RELEASE CENTER

#### A. The Present Facility

The present work release facility, called the Pre-Release Center (PRC), is a 30-bed facility located in the ADC. It has a staff of five persons who screen candidates for admission to the program, assist them in finding jobs, offer training programs in various life skills and coping techniques, and supervise them by performing job checks, monitoring their coming and going, and offering primary counseling assistance. Inmates are referred to the Pre-Release Center in several different ways. Some are placed in the PRC directly by court order at the time of sentencing, so that their entire sentence is served in the PRC. Others are sentenced to the ADC but as they approach their release dates are reviewed for eligibility to enter the work release program and may be accepted to spend the final period of their sentence (usually 120 days) preparing for eventual release by participating in work release. Finally, some are Fairfax County residents who have been sentenced to State correctional institutions and are accepted into the PRC for the final four to six months of their sentences. Often these State inmates spend a transitional period in the State's work release facility at Camp No. 6 in Woodbridge, Va., before coming to the PRC.

A complete description of the PRC program and operations can be found in the Evaluation of the Pre-Release Center, a study prepared by the Management Services Branch of the Office of Research and Statistics in January 1981 and made available to the Task Force. Among the findings of this study were that:



- 88 percent of the participants successfully completed the program;
- 77 percent of the successful completions had not been rearrested within one year after release;
- violent offenders had success rates about the same as or slightly better than non-violent offenders.

The study concluded that the PRC had been able to develop a solid program and a good core staff to support it, and that it was supported by the Sheriff's Office, the local courts, and the Department of Corrections.

The study also recommended that:

- Program funding should be continued as part of the Sheriff's budget.
- Program expansion should continue to be considered as part of any new construction, renovation, or extension of County correctional facilities.
- Current program policy of accepting only local residents from State and federal referrals should be continued.
- Some procedural changes should be considered to facilitate program operations, including:
  - o re-evaluation of the need to execute separate court orders to place an inmate in the program, to release him/her for employment, to change employment, and to participate in community treatment or educational programs;
  - o study of program forms to attempt to reduce paperwork by consolidating some forms.
- Program staff should be expanded to provide 24-hour coverage in the PRC by PRC counselors rather than ADC confinement staff. It was estimated that this

would require three additional full-time positions at an FY1982 cost of approximately \$66,000. DOC should reimburse some of this amount, leaving a net County cost of about \$38,000.

- The County should consider the creation within the Office of the Sheriff of a separate division for community based corrections. This division could oversee the PRC as well as other community programs which might be developed to meet expanding correction needs.

B. The Montgomery County Pre-Release Center

The Montgomery County Pre-Release Center has been selected by the Law Enforcement Assistance Administration as an Exemplary Program -- that is, a Criminal Justice program picked out by LEAA as worth considering for replication in other jurisdictions. In fact, to the extent possible, the Director of the Fairfax County PRC has modeled the Fairfax program, particularly the Life Skills training, on that followed in Montgomery County. Several members of the Task Force and staff visited the Montgomery County facility, discussed the program with staff there, and read materials describing its philosophy, operations, and procedures. Montgomery County, which has a population quite similar to that in Fairfax County in both size and character, has a PRC of about 100 beds. It takes in both State and local clients, but also accepts some pretrial detainees. The Montgomery County facility has a staff of between 40 and 50, counting part-time personnel and two County probation officers assigned to the facility full time; in addition, a number of student interns and volunteers work at the facility. It is located in a commercial/light industrial area not far from the White Flint Mall, totally separate from the jail.

Positive features which the Task Force members and staff observed in the Montgomery County facility were its size, its location and separateness from the jail, the high staff/inmate ratio, the philosophy of the program, and the resources made available in the facility.

C. Expanding the PRC

In view of the findings and recommendations of the ORS evaluation report, the Task Force believed that the work release program should be considered as a significant component of the Fairfax County correctional system -- one that should be expanded in order to handle a larger component of the detention population. The Task Force also considered that if Montgomery County can successfully support a 100-bed facility and in fact be considering enlarging that facility, it seems reasonable that the detention population of Fairfax County could support a work release program of a similar number. The Task Force also believed that it was better to have offenders working and providing support for themselves and their families, if possible, than to be spending their time doing virtually nothing in the ADC. Furthermore, it was felt that it would be wise for the County to let as many of those inmates as possible who have been incarcerated for a long period of time but who will be getting out and returning to take up residence in the County get prepared for that return by spending the last portion of their sentences in the PRC. Little additional risk is involved since these people would soon be getting out anyway. From the County's point of view, it is better for them to get out gradually and with some preparation, which the PRC provides. Because work releasees pay room and board on the days they work, as well as State and Federal taxes, the program is less costly to operate than the jail. Finally, the present PRC has no accommodation

for female releasees. Though there have not been many females eligible for the work release program in the past, Federal courts have ruled that females are entitled to be provided the same correctional programs and opportunities as male offenders. Some females have in fact participated in work release but have had to be accommodated in the secure section of the ADC because there is no accommodation for them in the present PRC.

The Task Force considers that a permanent work release facility of at least 100 beds should be planned for Fairfax County. It may be reasonable to increase the size of the facility in stages rather than all at once, first increasing it to 60 beds or to 60 beds for males and ten for females, for an interim total of 70 beds, with 30 to be added at a later date; but whatever is planned now should include the possibility of future expansion to 100.

D. Finding a Permanent Location for the PRC

Crucial to the expansion and permanent relocation of the PRC is the identification of an appropriate site where it can be located. The Task Force considered a number of possibilities.

1. County Property

Finding property already owned by the County where a PRC could be located would have several advantages -- it would in most cases save the costs of land acquisition and in some cases avoid citizen opposition to placement of a correctional facility near any residential area. County property that might be considered includes the following:

a. On the Site of the Proposed Government Center

The site for the proposed new government center is an area relatively undeveloped at the moment but slated for development, where jobs and transportation would be available for the work release participants. However, if the PRC were the first facility to be placed on the new government center tract, millions of dollars worth of sewer and water connections would have to be provided for it. The Task Force did not believe it practical to consider this site until plans for the government center are more definite.

b. In the Present County Complex

Because the ADC and courts are already located there, the present County complex appears to be a logical place to locate a new PRC. However, the Task Force could not be certain that there is enough room left in the complex to locate the PRC there. The Task Force believes that this possibility should be investigated very thoroughly, however.

c. Empty School Buildings

While these are often suggested as the ideal place to locate a work release center, in fact there are not many vacated schools actually available for such a use. Those that the School Board has suggested may be declared surplus are either in extremely bad condition, so that extensive re-building would be required, or are located in residential areas where extreme citizen opposition to the placement of a correctional

facility would be expected, or both. The Task Force does not believe that school buildings will prove to be satisfactory locations for a new PRC.

d. The Old Jail

Utilization of the old jail continues to be a focus of attention on the part of citizen groups and therefore of the Task Force as well. If renovation were to be undertaken to make this facility into a new PRC, it would have to meet State standards as to cell space and other provisions. These standards would probably mean that 50 spaces would be the maximum allowable in the old jail. The Task Force believed that the PRC might be enlarged by expanding into the courthouse wing adjacent to the old jail instead of using that space for County offices. If this is possible, and if it will yield a capacity of 100 beds, the Task Force recommends that this course be seriously considered. It may be that remodeling of this facility to a PRC would first require finding another temporary location for the work release program, as well as ending the use of the facility for overflow prisoners from the ADC. Thus, the use of this facility for a new PRC could cause a temporary reduction in the detention spaces available rather than the increase sought by immediately relocating the PRC.

Other disadvantages of this option are:

-- that the State Department of Corrections, while not forbidding the project, is

generally opposed to renovation to provide such a facility and has recommended against conversion of the old jail.\*

-- That coordination of the project with the already approved project to renovate the old courthouse for use as courts and county offices would be complex and could cause delay of both projects.

The Office of Project Management, Department of Public Works (DPW) has estimated the costs of remodeling the old jail and the courthouse wing into a PRC would be as follows:

(1) Remodeling the Old Jail into 50-Bed PRC (no kitchen)		
FY1982	\$ 235,000	Design Costs
FY1983	<u>2,179,000</u>	Construction
	\$2,414,000	Total

(2) Renovate Old Courthouse for Additional 50 PRC Beds		
FY1982	\$ 245,000	Design Costs
FY1983	<u>2,275,000</u>	Construction
	\$2,520,000	Total

This means that total design costs for a 100-bed facility would be \$480,000 and construction costs \$4,454,000, for a grand total of \$4,934,000.

\*Letter to Tony Bottley, Manager of State and Local Facilities, Regional Office of DOC for the Northern Virginia Region, from Frank Mueller, DOC Assistant Director for Capital Outlay and Maintenance, dated February 20, 1980.

## 2. A Purchased Site in a Commercial Area

Having considered the success of the Montgomery County program, which is located apart from the jail in a commercial/industrial area, the Task Force considered finding a similar location for the PRC in Fairfax County. Possible areas in which to look for such a site would be Merrifield, the Springfield Industrial Park, or other like places. The advantages of such a site are that it will be close to both jobs and transportation and removed from residential areas where citizen opposition would be strongest. The disadvantage is primarily the cost of purchasing the property as well as the cost of constructing a new facility. If a new facility is built, however, it could be designed to serve totally as a PRC, resulting in a better facility than one made over from something else.

DPW has estimated the costs of building a new PRC on a commercial site as follows:

<u>(a) 100-Bed PRC</u>		
FY1982	\$ 500,000	Land Acquisition
FY1983	483,000	Design
FY1984	<u>5,832,000</u>	Construction
	\$6,815,000	Total

<u>(b) 60-Bed PRC (expandable to 100)</u>		
FY1982	\$ 500,000	Land Acquisition
FY1983	410,000	Design
FY1984	<u>4,960,000</u>	Construction
	\$5,870,000	Total

3. Conclusions

*RECOMMENDATION 5: Finding a Permanent Site for the PRC*

*The Board of Supervisors, in consultation with the Courts and the County Executive, should immediately resolve whether sufficient space can be provided on the present County government complex or the old jail and the adjacent courthouse wing to house a 100-bed work release facility (a new PRC). If space will be both suitable and available in either, planning and design should proceed for a new PRC which will house 100 residents and meet all applicable State standards.*

*If adequate space cannot be provided in the County complex or in the old jail/courthouse for a 100-bed PRC, a search should be begun for an appropriate site in a commercial/industrial area of the County.*

*RECOMMENDATION 6: Preliminary Funds for a New Prc*

*The Board of Supervisors should immediately authorize funding in the FY1982 budget of \$500,000 in preliminary funding for a new PRC. This amount would serve as site acquisition funding for a PRC on a commercial site, or as design funding for a PRC in the County complex, in the old jail/courthouse facility, or on other County property.*

*RECOMMENDATION 7: Construction Funds for a New Prc*

*The Board of Supervisors should proceed immediately with plans to provide construction funding for a new PRC. Funding needed will range from \$4,934,000 (if conversion of space in the old jail/courthouse is feasible) to \$6,815,000 (for a 100-bed facility on a commercial site) with options in between depending on the location and initial size of the facility. These estimates include the design/site acquisition funds noted in Recommendation 6.*

Projected staffing and operating costs for a 60-bed PRC are shown in Appendix 3.

E. Increasing Capabilities and Services in the PRC

After discussing proposals made by the Sheriff, the Task Force concluded that the work release program could serve a somewhat broader range of clients than it now does, particularly if certain services and staffing were made available at the PRC to deal with clients having special needs. These include alcohol, drug, and mental health counseling services, and the use of the PRC for a restitution center, as a Halfway-In House for probation and parole violators, and as a pretrial or conditional release program.

1. Alcohol and Drug Services

Various surveys that have been made of the ADC population have indicated that a large percentage -- as high as 85 to 95 percent -- have some involvement with alcohol or drugs, and that many have serious problems with one or both. An enlarged PRC could work with more of these inmates if they were identified and more in-depth treatment of substance abusers could be made available in the facility. This would require additional staff trained in the identification and treatment of substance abuse, and possibly equipment for urine testing and breath testing. These services would be supervised by and coordinated with the Director of Substance Abuse Programs of the Fairfax-Falls Church Community Services Board.

2. Mental Health Treatment

The Sheriff has further proposed that a half-time psychologist be made available on the staff of the PRC to assist

in client screening, prescription of client counseling and therapy, and staff development and training. This would improve the effectiveness of the program more than broaden the clientele, but would be an important adjunct to the provision of substance abuse treatment.

3. Restitution Center

Section 53-166.1 of the Code of Virginia, effective July 1, 1980, provided for the inclusion of restitution in work release programs. Previously only offenders on probation or on a suspended sentence could be ordered to make restitution. This increases the potential for the effective use of the PRC as a sentencing alternative for property offenders. Under a court order for restitution, the PRC would credit 15 percent of the offender's paycheck for restitution, and forward monthly check to whomever the court specified. If restitution is not completed by the time the offender has completed his sentence, the PRC could continue to monitor the restitution payments until the order is satisfied. Restitution is already used to a limited extent as a sanction for a work release participant. The Task Force agrees with the Sheriff that all work release participants whose charges included property loss or destruction should have restitution orders included in their sentences. If the PRC were enlarged and operated as a separate facility from the ADC, a finance clerk would be required on the staff to assist with all PRC financial matters. This staff person would also assist in handling the restitution payments.

4. Halfway-In Program

For the most part the courts have considered only two alternatives when confronted with technical or minor

violations of probation or parole: to keep the offender on probation/parole, or to return the offender to jail or the penitentiary. The Sheriff has proposed that more consideration be given to use of the PRC as a sanction which recognizes the violation but does not require complete incarceration. Offenders who were not fully successful on release would receive the additional supervision and preparation needed to achieve more responsible independence. The use of the PRC as a halfway-in program would not require any additional staff. It would simply require that judges and probation officers be aware of its availability and consider it to deal with probation and parole violations.

5. Pretrial Work Release

Because the Montgomery County PRC has been successful in putting its pretrial detainees on work release, the Task Force was interested in the possibility of using our PRC in the same way, particularly since the majority of the population of the ADC are pretrial detainees. The Sheriff has expressed an interest in exploring with the court the possibility of pretrial work release, either by placing pretrial detainees in the PRC so that they could continue to work while awaiting trial, or by using the staff of the PRC to run a conditional release program in which released defendants would be monitored by telephone and job checks. For a few defendants whose residence is too transient or job too unstable to make them eligible for Release on Recognizance, but who can show that they have been Fairfax County residents, and who cannot make bond, this use of the PRC might provide a suitable pretrial release alternative.

RECOMMENDATION 8: Providing a Substance Abuse  
Counselor for the PRC

The Board of Supervisors should authorize one additional staff person for the PRC to serve as a Substance Abuse Counselor. The FY1982 cost of this position will be \$23,832, including fringe benefits. When the PRC has been expanded, the Board should approve the following positions to increase the capabilities and services provided in the PRC:

- One half-time psychologist, to provide mental health services
  - One finance clerk to support a restitution program.
- (These positions are all included in the staffing pattern proposed for a 60-bed facility. See Appendix 3.)

When additional beds are available, the Sheriff should also work with the courts to increase the use of the PRC as a Restitution Center, a Halfway-In House for probation and parole violators and a Pretrial Release Program.

IV. OTHER ALTERNATIVES TO INCARCERATION

A. The Role of Alternatives

In the context of the need for detention space, "alternative" refers to any program or practice that would enable a person now incarcerated to be dealt with in such a way that incarceration would no longer be necessary or enable a person who would otherwise be incarcerated not to be. In addition to work release, the Task Force considered two kinds of alternative programs: those that would facilitate the release of persons now incarcerated pending trial and sentencing; and those that offer possibilities for the release of sentenced prisoners. Overall, the conclusion of the Task Force is that Fairfax County is using many alternative programs at this time; interest was expressed in some of the proposed new alternatives, and the Task Force believes that the County should continue to explore the possibility of developing new programs that may serve as alternatives to incarceration. The Task Force has several recommendations to offer with respect to proposed alternative programs, but does not believe that any alternative program or group of programs can be recommended to the Board of Supervisors that will reduce the demand for detention space sufficiently to forego construction. Many of the programs may have positive values to offer such as humanity, fairness, and the possibility of rehabilitation, or better preparation of the offender for a return to society. The Task Force, however, was not formed to deal with these issues. It believed that its purpose was to study and propose ways to resolve the problem of overcrowding the ADC, and concluded that none of the alternatives could be recommended to the Board of Supervisors as ways of significantly reducing that overcrowding.



A significant concern of the Task Force in reaching this conclusion was that there are not many people in our jail who are suitable for placement in alternative programs. As explained below, Fairfax County already releases most offenders under existing programs such as probation, personal recognizance, etc. Those who are in jail by and large are there because it was felt that they should be held in secure detention. Another concern of the Task Force was that alternatives introduced ostensibly to reduce jail population often draw their clients from people who would otherwise be placed on probation or released unconditionally. Evaluations of alternative programs in other jurisdictions have suggested that this is often the result: instead of releasing people from jail to place them in an alternative program, the system sweeps up an entirely different set of people to give them more intensive supervision or partial incarceration or treatment of some more rigorous form than they were formerly receiving.\* These may all be reasonable things to do: some of the offenders now released

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\*See, e.g.: Residential Community Corrections Programs in Minnesota: An Evaluation Report, prepared by the Evaluation Unit of the Governor's Commission on Crime Prevention and Control, November, 1976; note page 290.

Also, Herbert Hoelter, Program Director of the National Center on Institutions and Alternatives (NCIA). "The alternatives that have been developed have brought more people than ever (under social control) ... They might be alternatives but too often what they offer is an alternative to outright release." quoted in John Blackmore, "Community Corrections," Corrections Magazine, October, 1980 p. 13.

Also, Michael Kroll: "...There are disquieting indications that a whole new industry of so-called alternatives has been spawned in the last decade, resulting in a steadily growing number of people sucked into the criminal justice system." also cited in Blackmore, op cit.

may in fact be in need of more supervision, more treatment, or more gradual release through a partial residential program. But such programs would not reduce overcrowding at the ADC. They would serve a group of the offender population and would increase the numbers of persons being dealt with by the system as well as the cost of the system.

Another concern of the Task Force is that the experience of other jurisdictions indicates that when persons are diverted from incarceration to alternative programs, the diversion is not always successful.\* It appears that as many as half or more of the clientele treated by a program are eventually (that is, subsequent to their participation in the program or even during the program) rearrested and incarcerated. This means that even if a program could be developed which would take out ten persons now incarcerated, no one can be confident that even as many as five cell spaces would in fact be freed. The benefit to society from those who are rehabilitated may be large, but the cost to society of those who are not cannot be ignored either. And the problem of overcrowding at the ADC most likely would stay with us in spite of any new alternative programs.

## B. Pretrial Alternatives

### 1. The Pretrial Population of the ADC

A number of studies of the population of the ADC have observed that the majority of this population is made up of persons awaiting trial or sentencing. The CJCC study of the Adult Corrections System found that

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\*See, e.g.: James McSparren, General Counsel, New York State Division of Substance Abuse Services. "Community Correction and Diversion: Costs and Benefits, Subsidy Modes, and Start-Up Recommendations." in Crime and Delinquency, April 1980, pp 226-247.

throughout 1977, about 68 percent of the ADC population were awaiting some court action, while 32 percent were sentenced. The HMB Study reported that at any given time approximately 61 percent of the ADC population were awaiting trial and 10 percent were awaiting a sentencing hearing, while the remaining 29 percent were sentenced. The Task Force found that while these categories appeared to be consistent with the present population of the ADC, the categories need to be analyzed more closely for purposes of considering the appropriateness of alternatives.

On the sample day studied by the Task Force, 231 persons, or 63.8 percent of the total population of the ADC, were detained awaiting some court action, whether pretrial hearing, trial, or sentencing; 119, or 33 percent, were sentenced; the sentenced category included 5 juveniles, 2 females, 7 males being held pending acceptance into the Crossroads residential facility, 25 in the Pre-Release Center, 39 waiting to be transferred to the State, and 41 males sentenced to serve sentences in the ADC.

For the Sheriff's purposes of categorizing people in the ADC according to what he can do with them, it is appropriate to think of the 231 persons as being held pretrial; all will have pretrial hearings, trials, or sentencing hearings scheduled for which they must be kept available. In most cases they cannot be farmed out to other institutions, or at least not distant ones.

For the purpose of considering alternatives, however, these persons should not all be viewed as pretrial detainees, in the sense of being innocent until proven guilty: thirty-five of them were awaiting trial on one charge but were already convicted and sentenced on another

charge; this group included some who had been charged with probation or parole violations and were awaiting a probation or parole revocation hearing. Thirty-three were convicted and awaiting a sentencing hearing; for some of these cases, the defendant was released up until trial, but upon conviction, bond was revoked and the person was placed in the ADC on the expectation that the sentence when decided upon would include incarceration. These two groups cannot be considered as generally eligible for some form of pretrial release, nor can the twelve prisoners who were being held for other jurisdictions (ten for the federal government, two for other Virginia Counties). This means that in fact, only 163 prisoners in the ADC on January 11, 1981, or 45 percent, were simply awaiting trial; and of these, a good many had detainers or outstanding warrants from other jurisdictions, were residents of other jurisdictions, or had a prior history of failing to appear for trial.

Of these 163 pretrial detainees, five were juveniles and nine were females; 111 were males awaiting felony trials; 38 were males awaiting misdemeanor trials. The charges of the 111 males awaiting felony trials break down as follows (considering only the most serious charge -- many had several serious charges against them):

Arson	2
Murder	5
Rape, Sodomy	9
Assault, Abduction, Wounding	8
Armed Robbery	17
Burglary, B & E	32
Grand Larceny, Unauthorized Use	21
Other Felony Property Charges	13
Other	4
Total	111

Males awaiting trial on misdemeanor charges included the following charges:

Driving While Intoxicated	10
Speed to Elude	1
Assault, Destruction of Property, Disorderly	6
Drunk in Public	6
Concealment, Uttering, Petty Larceny	12
Failure to Appear, Probation Violation	<u>3</u>
Total	38

Many of these with more minor misdemeanor charges or charges involving drunkenness -- both DIP and DWI -- were released within one day of the time these data were obtained, as soon as they attended their first court hearing.

The conclusion of the Task Force on reviewing these data, case by case and as a group, was that very few of the persons being held pretrial in the ADC on that day were suitable for pretrial release programs.

## 2. Existing Pretrial Programs

The vast majority of persons arrested in Fairfax County, Falls Church, and Fairfax City are never incarcerated and the vast majority of those who are incarcerated do not remain in jail very long. Six to seven thousand persons are booked into the ADC every month, and some of these are sentenced persons or federal prisoners. The HMB Study further concluded that of 1000 persons booked into the ADC only 340 were held longer than three days.

A summary picture of available pretrial alternatives is included in Table II, page 15 above. These programs include release by the arresting officer on citation or summons; release by the magistrate or court on own recognition; release to a parent, relative, or friend on third party custody; and release on cash or surety bond. Central to this system is the Release on Recognizance program of the Pretrial Services Unit of the General District Court. ROR interviewers attempt to interview all pretrial persons booked into the jail except those who:

- have collateral charges, such as drunk-in-public or traffic charges for which they will be released quickly anyway, usually by posting collateral;
- have been charged by the Juvenile and Domestic Relations District Court;
- have been arrested on a probation or parole violation;
- have capital charges.

Some of those arrested refuse to be interviewed by ROR. For those who are interviewed, ROR attempts to assemble information on as many as possible of the following areas:

- the defendant's employment status and history and financial condition;
- the nature and extent of the defendant's family relationships;
- the defendant's past and present residences and ties to the community;
- the defendant's prior criminal record, if any, and, if previously released pending trial, whether the defendant appeared as required;
- the nature of the current offense;
- any facts indicating the possibility of future violations of law if the defendant is released;

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- the defendant's history, if any, of past or current substance abuse and any treatment received;
- the defendant's history, if any, of mental instability and/or psychological treatment;
- the names and relationship of persons who agree to assist the defendant in attending court on the appointed date;
- any other facts to indicate the defendant is likely or unlikely to comply with an order to appear in court on a certain day.

On the basis of this information, or lack of it, the magistrate or judge will make a decision as to whether the person can be released on his/her own recognizance or in the custody of a family member or friend. If not, magistrates set a bond amount according to a schedule based on the offense charged; judges may set the bond amount according to their own estimate of the likelihood that a person will appear for trial or be a danger to the community during the pretrial period.

In discussing the ROR procedures, the Task Force expressed concern that interviewers do not routinely record on the interview form their recommendation as to release or detention or the reasons for their recommendation. The General District Court, has, however, expressed its willingness to ensure that recommendations and reasons will in the future be recorded for all ROR interviews.

The Task Force is convinced that in all cases, persons who are detained pretrial are detained because a judge has reviewed the facts of the case -- on the first court day after arrest and at regular intervals thereafter -- and concluded that the person is not an appropriate candidate for Release on Recognizance, that the bond amount

is reasonable, or that the person should in fact be detained without bond. Defendants are not detained because they have been forgotten or overlooked or because no one thought to consider them for alternative programs. From its review of the jail population on the sample day in January, the Task Force observed that most of the defendants in the ADC waiting for trial (a) are charged with serious crimes, for which a high bail amount seems appropriate, such as burglary, robbery, rape, and homicide; (b) have detainers or outstanding warrants placed against them by other jurisdictions for other offenses; (c) have a history of failure to appear for previous court dates; or (d) are not residents of Fairfax or employed in a stable job, so that they would be unlikely to return for trial if released.

### 3. Percentage Bail Deposit

Persons who are released on bond sometimes are able to deposit with the court the full amount of the bond set by the court; in most cases, they instead pay a fee to a bondsman, for whom they also must put up collateral for the full amount of the bond, and the bondsman guarantees to the court that the bond amount will be paid if the defendant fails to appear. As an alternative, some jurisdictions permit the defendant to deposit with the court an amount equal to a set percentage of the total bond amount -- usually ten percent. If the defendant appears for all required court hearings, the deposit is returned. (In some cases, one percent of the bond amount is retained by the court to handle the expenses of the program.)

The Task Force considered the possibility of instituting a percentage bail deposit system for Fairfax County after reviewing a study, Ten Percent Deposit Bail, prepared by D. Alan Henry of the Pretrial Services Resources Center (Washington, D.C., January, 1980). Both Community Ministry of Fairfax and Offender Aide and Restoration (OAR) had recommended that the Task Force consider such a program. Several members of the Task Force were interested in such a program and believed that Fairfax County should explore it. The Task Force majority, however, concluded that the program would not have a significant effect on the jail population, and could not be recommended for that purpose. The Task Force also noted that it is not clear at this time whether the Code of Virginia would permit local Virginia jurisdictions to institute such a program using local court rules, or whether enabling legislation would have to be sought, and believed that this issue should be clarified.

*RECOMMENDATION 9: Attorney General's Opinion on Percentage Bail Deposit*

*The Board of Supervisors should request the County Attorney to obtain from the Attorney General an opinion as to whether the release of defendants pretrial through percentage bail deposit is permissible under present Virginia law, using rules of court, or whether a legislative change must be sought.*

4. Conditional Release and Third Party Custody

Several proposals were received by the Task Force suggesting that certain additional forms of pretrial release could be tried; these included:

- release of persons on certain conditions where the employees and/or volunteers of a pretrial release agency have undertaken to monitor and/or stay in constant touch with the individuals to ensure that they abide by the conditions. The conditions might include making daily or weekly phone contact, maintaining a job, getting needed alcohol or drug treatment, et cetera;
- designating an agency or non-profit organization to serve as a third party custodian of pretrial releasees, that custodian to monitor release conditions like those listed above, as well as to ensure that the defendant is able to get to court on the appointed day.

The proposals received from Lutheran Social Services and from the National Center on Institutions and Alternatives (NCIA) both involved contracts with non-profit agencies to provide monitoring of release conditions and/or third-party custodial type services to releasees. Community Ministry recommended that the County develop such a program, without specifying whether it should be through a County agency or contract with a non-profit organization.

The Task Force concluded that setting up such a program would require putting a large amount of bureaucratic machinery in place when there were probably very few persons in the ADC who would in fact be suitable for such a program. The judges on the Task Force believed that such a program would not be helpful to them in increasing the number of persons they could release pretrial. The criteria described, for instance, by Lutheran Social Services (See Appendix 4) for defendants who could be accepted into their Triangles Pretrial Release Project are not that different from the

criteria currently in use for release of persons on their own recognizance, and in some instances appear more stringent (such as, "has appropriate transportation at disposal"). Most of the people who could in fact meet the Triangles criteria are already being released on their own recognizance. The other programs did not spell out specific criteria, but the Task Force believes that reasonable criteria for non-financial release could not be met by most of the persons held in the ADC on pretrial status.

The Task Force notes that when release is obtained under present financial conditions, there is in most cases a bondsman responsible for the defendant who will, if the defendant fails to appear, locate him/her and bring him/her to the court -- failure to do so makes the bondsman liable to the court for the full amount of the bond. With a percentage bail deposit system or conditional release program, the Task Force was not confident that there would be any person with the resources and determination of the bondsman, as well as the financial incentive, to ensure that the defendant did appear. The Task Force did not believe that notification to the court by a third-party custodian that a given defendant had failed to meet the conditions of release would be a satisfactory alternative to the commitment of a bondsman to seeing that the defendant appears for trial.

##### 5. Alcohol Crisis Center

Under a grant from the Edna McConnell Clark Foundation and OAR-USA, Offender Aid and Restoration (OAR) Incorporated, of Fairfax County last year instituted a project to develop alternatives to incarceration. One of

the alternatives proposed by that project's task force is an Alcohol Crisis Center for the diversion from incarceration of persons now arrested and charged with Drunk in Public, and held in the ADC or a local lock-up until sober or until released into the custody of a relative or friends. Section 18.2-388 of the Code of Virginia permits the public inebriate to be transported to a court-approved detoxification center by a police officer or other designated person, provided that general authorization has been made by a judge of the General District Court and that the inebriate enters the facility voluntarily.

OAR has proposed a 20-bed facility; land for and construction of the facility would be donated at no cost to the County. Public inebriates picked up by the police would be offered the option of going to the Alcohol Crisis Center (ACC) instead of to jail or lock-up; if they refused or were deemed by the police officer to be too violent or destructive to go to a non-secure facility like the ACC, they would instead be transported to the lock-up or to the ADC. If they chose the ACC, they would be expected to remain in the facility until sober, and could if necessary remain there for up to seven days, although the ACC would not be a treatment facility. Counselors at the ACC would attempt to confront clients with the reality of their alcohol problems and to refer them to treatment and long-term therapy.

It has been estimated that the operational cost of such a facility would be about \$245,000 in its first year of operation (FY1983). OAR hoped to obtain \$100,000 from the State Department of Mental Health and Mental



Retardation (DMHMR), Division of Substance Abuse and about \$45,000 in client fees (to be assessed on a sliding scale); that would leave about \$100,000 to be funded by the County.

A number of organizations have spoken of the need for a low-cost, non-hospital detoxification center as an alternative to jail for the public inebriate, including the Criminal Justice Coordinating Council, in its 1978 study of the Adult Corrections System in Fairfax County, and the Fairfax-Falls Church Community Services Board in its Needs Assessment for alcohol services (1978). Also, individuals and groups, newspaper and magazine articles have spoken of the inappropriateness of incarceration for the public inebriate. It has been estimated by the Police Department that about 4000 inebriates are arrested each year and that if even half of these were diverted to the ACC about 1000 hours of police time in arresting, transporting, and booking them as prisoners would be saved. Both the magistrates and the court would be relieved of any paperwork in diverted cases. Furthermore, while the jail can provide a safe place where an inebriate can sober up without hurting himself or others, it cannot provide, in its receiving section, services or care that are likely to impact on the underlying alcohol problem. Persons involved in alcohol treatment generally believe that the jail is an inappropriate place to take someone who has an alcohol problem and no other criminal charges.

However, it was also clear to the Task Force that public inebriates with no other charges do not spend very long in the ADC -- usually about four to six hours -- and do not take up space in the permanent holding

section; they are held in receiving cells and quickly released when they sober up or are taken home by a relative. Getting them out of the ADC will not significantly or immediately impact the space needs in the jail. Being held in jail may be a problem for them, but they really do not contribute to the overcrowding problem of the ADC. Therefore, the Task Force concluded that the ACC could not be recommended to the Board of Supervisors as a solution to the problem of overcrowding.

#### 6. Pretrial Conclusions

Overall, the Task Force concluded Fairfax County is already releasing a high percentage of defendants pre-trial. Additional pretrial release programs should continue to be explored, but none can be recommended at this time as solutions to the problem of ADC overcrowding.

#### C. Sentencing Alternatives

##### 1. Present Programs

Judges currently have available to them at the time of sentencing a broad range of options, shown in Table II (page 15): peace bonds, restitution, suspended imposition of sentence, suspended sentence, probation, referral to alcohol, drug, or mental health treatment, fines, a half-way house for women offenders (Guest House), and work release. Weekend sentencing has also been used though not extensively because the ADC tends to be crowded on weekends anyway. Two additional programs are the Alcohol Safety Action Project (ASAP), a program of education and therapy for drunk drivers, and the Community Service

Restitution Program (CSRP) operated by OAR to refer shoplifters to community service projects. These last two projects do not serve as alternatives to incarceration but do offer useful sentencing options in particular cases.

A recently developed program is the Prescriptive Sentencing Program for misdemeanants operated for the General District Court by OAR. Non-violent property offenders who are likely to receive jail sentences and who are capable of working or performing community service are referred to the program by the judge for evaluation. If they are judged suitable for participation, a program is developed for the specific offender which may include job training, community service, making restitution payments, getting treatment of some kind, learning how to handle personal finances, or being closely supervised by the OAR counselor. Because the General District Court sentences so few persons to jail, however, it has been able to identify very few offenders who are suitable for this program -- an average of less than one client per week.

In addition, there are presently available a number of programs which provide treatment for alcohol, drug, and mental health problems. The CJCC study of the Adult Corrections System contains descriptions of the alcohol, drug, and mental health programs that were available at that time. References should be made to that study for descriptions of these programs. They included:

- The Alcohol Safety Action Project
- Local Alcoholism Services -- outpatient treatment for alcoholism
- The Alcoholism Outreach Program of the Fairfax Community Action Project (FCAP)

- The New Beginning, an inpatient alcoholism treatment facility
- The Fairfax Hospital Alcoholism Program -- then an inpatient treatment program but now becoming an outpatient program
- Alcoholic Rehabilitation Inc., of Arlington, which provides both intensive inpatient treatment and a halfway house residence for alcoholics
- The Crossroads Drug Abuse Control Program, including both inpatient and outpatient services for substance abusers
- Second Genesis, an inpatient treatment facility for drug abusers in Alexandria
- The Alexandria Narcotic Treatment Program, an outpatient drug treatment program including a methadone maintenance component
- County mental health services

Except for the two Alexandria programs and ARI, the drug and alcohol programs are coordinated by the Director of Drug and Alcohol Abuse Programs for the Services Board.

## 2. The Community Diversion Program

The Community Diversion Incentive Act passed by the General Assembly in 1980 (Section 53-128.17 of the Code of Virginia) authorizes the Department of Corrections to assist localities in the development of community diversion programs by providing grants to local jurisdictions to evaluate offenders, refer them to treatment or training, and develop community service or restitution options. While much like the Prescriptive Sentencing Program, it is intended for offenders who have been sentenced to State correctional institutions. Funds for the operation of five pilot

programs were authorized by the General Assembly for FY1981; Fairfax County applied for one of these grants but did not receive one. An additional five programs will be funded beginning in FY1982; Fairfax is being encouraged by the State Department of Corrections to update its application and resubmit it by May 1, 1981, to participate in this second round of funding. It is assumed that funding would be available from the State for at least two years.

The Act and the accompanying guidelines prepared by DOC require the local jurisdiction to set up a local advisory board called the Community Corrections Resources Board, which would review each case suggested for diversion and make recommendations to the judge about the suitability of the candidate and the options suggested for the sentence. The State would provide \$30,000 for administration of the program, to pay for a Program Coordinator, clerical assistance, office rental and equipment, et cetera. Up to \$400 would be available for evaluation services for each offender evaluated for the program; this money could not be spent except on an offender who has been sentenced to a State institution. Up to \$3,600 would then be available for the purchase of services for each offender accepted by the program. No funds are made available for construction, and no more than three offenders can be evaluated for each one that is accepted by the program.

The Task Force recognizes that certain aspects of this program are not exactly as the County would want them to be had we designed it ourselves: the judges would prefer a pre-sentence option to a post-sentence option;

the CCRB requires the contribution of a significant amount of time with no reimbursement from the State; and no funds can be used for capital expenses. Nevertheless, it also recognizes that the program is experimental; if Fairfax County participates in the program in its early stages, we can help to show what the program can and cannot do, and have a role in designing any modifications that are made. On this basis, and recognizing that there may be drawbacks to the program, the Task Force recommends that the County proceed with preparation of an application to the DOC for grant funds under the Community Diversion Incentive Act.

*RECOMMENDATION 10: Application for a Community Diversion Incentive Grant*

*The County should immediately revise and resubmit its grant application to the State Department of Corrections for funding of a Community Diversion Program in Fairfax County. The County should also express to the DOC and the General Assembly its belief that the program should be modified to provide presentence options to the judges instead of post-sentence options.*

3. A New Weekender Program

The Sheriff has proposed a new version of the weekend sentence which would use the resources of the work release program without requiring overnight housing for the weekender clients. One of the purposes of the old weekender sentence was to punish an offender without making him/her lose a job; the offender reported to the jail on Friday evening and stayed until Monday morning, so that he/she was significantly deprived of

freedom but could still work. This process is continued for as many weekends as the sentence requires. It has not been a productive or effective program; the weekenders simply sat in jail and watched TV all weekend, while exacerbating the overcrowding in the ADC.

As an alternative, the Sheriff has proposed to the Task Force that offenders for whom a short sentence is believed appropriate -- up to 15 days, for instance -- could be required to spend weekends participating in organized community service or work projects for the County, while spending the night in their own homes. Weekenders would report to the PRC at 8 A.M. Saturday, and be supervised through the day in work for the County, such as maintaining parks, washing County vehicles, painting, etc. Lunch and dinner would be provided, and the offenders would participate in an evening program at the PRC on one of the Life Skills topics, before returning home. On Sundays they would work from 8 A.M. to 5 P.M. and then return home.

The program would be administered by a staff person assigned full time to the PRC about three-fourths of whose time would be used to run the Weekender program. Meals would be provided by the ADC. Some cooperation would be needed from other County agencies in providing appropriate tasks for the group to work on.

The Task Force believes that such a program can provide a satisfactory alternative for persons who now receive short sentences to the ADC and are not violent or unstable. It satisfies the demand for justice, since the offenders would be significantly deprived of freedom, without increasing the need for cell spaces at the ADC, and in

addition it could provide significant amounts of service to the County. The principal cost of the program would be the salary of a work release counselor to supervise the program.

*RECOMMENDATION 11: Weekender Program*

*One 3/4 time position should be authorized and placed under the supervision of the Director of the PRC for the purpose of developing a Weekender Program as a non-residential alternative to short-term incarceration. The cost of this position is estimated to be \$16,500.*

Any person with a sentence of 15 days or less who formerly would have been sentenced to spend weekends in the ADC could be considered instead for assignment to this non-residential program, as described above. The cost of this position is expected to be about \$16,500. It is not expected that the coordination of the weekender program would take full time services; supervising the weekend activities would take 22 hours; an additional eight hours is allowed for planning and administration of the program.

4. Additional Prescriptive Sentencing Programs

Two programs of the prescriptive sentencing type were proposed to the Task Force. One of these was a proposal by OAR to develop a Prescriptive Sentencing Program (PSP) for the Circuit Court, quite similar to the program already operating in the General District Court. Another was a proposal for Client Specific Planning, submitted by the National Center on Institutions and Alternatives, a non-profit organization in Washington D.C.,

whose approach to promoting alternatives to incarceration is to develop an individualized plan for each offender. NCIA already makes its client specific planning approach available to defendants on a fee basis, through referrals from defense attorneys. It has prepared such plans for several offenders in the Fairfax Courts.

The Task Force was interested in both of these proposals, and recommends the NCIA resources to defense attorneys for their consideration in cases which may result in incarceration. It believes that since the Circuit Court has expressed interest in the PSP program, funds should be authorized to make this program available. OAR has estimated that the costs of the program would be:

Personnel:	
Counselor	\$16,500
fringe benefits	1,980
Administrative Assistant	6,250
fringe benefits	750
Equipment maintenance and repair	300
Telephone @ \$75/month	800
Supplies and printing	1,000
Travel and training	<u>1,200</u>
	\$28,700
Testing and referral costs for	
indigent clients	<u>7,000</u>
Total	\$35,780

**RECOMMENDATION 12: Providing a Prescriptive Sentencing Program for the Circuit Court**

The Board of Supervisors should authorize FY1982 funding up to \$36,000 to provide for prescriptive

sentencing services for the Circuit Court. The County Executive should consult with the Circuit Court and Offender Aid and Restoration to determine staffing and funding. The Circuit Court will determine appropriate procedures.

**5. A Proposal for the Expansion of the Crossroads Facility**

One of the problems noted by the Task Force was that on the day for which jail population data were obtained, there were seven offenders in the ADC who had been convicted and sentenced to the Crossroads facility for treatment. Several had been waiting for an opening in the facility for a month or more. The Task Force felt that if more drug treatment beds were available in the County, then the detention spaces currently used to hold people waiting for placement at Crossroads would be freed for holding other prisoners.<sup>1</sup>

A proposal made to the Task Force by the Services Board suggested that the residential Crossroads facility could be expanded by purchasing a trailer that would provide bed spaces for ten clients. The trailer would be used as a residence for clients who had reached the reentry phase of the treatment program and were out working or attending school during the day, and residing in the facility only at night. This would free ten beds in the facility for new clients.

<sup>1</sup>It should be noted that during the period of the Task Force's deliberations, it was learned that subsequent to January 11, six of the seven were admitted to the Crossroads program, and at least three of these absconded from the program within the first day.

The reason for proposing a trailer for the expansion is that the site of the Crossroads facility is planned for a METRO station, and is expected to be taken over by METRO sometime in FY1983. Funds of \$25,000 are included in the Advertised Fiscal Plan for FY1982 to plan for study of the relocation of the facility, probably on land dedicated by METRO close to its present location. Under these circumstances, it would not be practical to build a permanent addition to the present facility. It should also be noted, however, that placement of a trailer on the site will require approval of a Special Exception to the zoning ordinance by the Board of Supervisors after a public hearing. The Services Board estimates that the cost of purchasing, installing, and equipping the trailer would be \$26,128; the costs of providing staff and supplies for one year would be approximately \$26,849.

*RECOMMENDATION 13: Expanding the Crossroads Facility  
The Board of Supervisors should authorize FY1982 funding for the expansion of the Crossroads Residential Drug Treatment Facility, and should authorize an additional position to staff the facility. The Services Board estimates that the cost of purchasing, installing, and equipping a trailer to house ten additional clients would be \$26,128, and the cost of providing staff and supplies for one year would be \$26,849. The Services Board should immediately initiate an application for a Special Exception to permit a trailer to be placed on the site of the Crossroads facility.*

The Task Force notes that the Crossroads facility is a County program and already gives priority to County residents to the extent that only 5 percent or less of its clients are residents of other neighboring jurisdictions.

The Task Force also recognizes that the Crossroads staff must manage admissions in order to maintain what they believe to be an appropriate mix of clients for effective treatment. However, it hopes that to the greatest extent possible, priority will be given to ADC inmates recommended for the program.

6. Adult Day Care Center: Intensive Outpatient Drug Treatment

A second proposal by the Services Board called for development of an intensive outpatient treatment program for drug-abuse-involved offenders. The offenders would live in their own homes or possibly in the PRC, but would spend the daytime hours in an intensive drug treatment program much like that of the Crossroads residential program.

The Task Force concluded that the kinds of drug-involved offenders who were in the ADC needed to be removed from their home environments and also needed the 24-hour supervision of a residential program. For these reasons, it did not believe a day care program could provide a significant alternative for jailed, drug-involved offenders.

7. Alcohol Treatment

Alcoholic Rehabilitation Inc., of Arlington (ARI) proposed to the Task Force that the County make greater use of ARI's resources as a pre- or post-sentencing alternative for offenders, whatever the charge, who have serious alcohol problems. Implicit in the concept suggested by ARI was the idea that a staff person should be made available by the County to work both in the jail and in the General District Court to identify offenders who should be referred to ARI for treatment and expedite their entry

into the program. Also implicit is the suggestion that if Fairfax County refers more persons to ARI, Fairfax will be required to provide more funds to support their treatment.

It was the opinion of the Task Force that the judges of both courts are well aware of ARI's program and do refer offenders to it with some frequency. It did not believe a specific staff person should be placed in the court for the purpose of identifying these offenders. The costs to Fairfax County of placing Fairfax residents in the Arlington program are negotiated annually with ARI. The Task Force believes that the County should be aware when these negotiations are carried out that ARI offers an important service which it would be very difficult to duplicate within Fairfax County.

*RECOMMENDATION 14: County Contribution to ARI Budget  
In their annual budget preparations, the County Executive and Board of Supervisors should consider seriously the fact that Alcoholic Rehabilitation, Inc. (ARI) of Arlington offers significant and cost-effective services to the County for alcoholism treatment and rehabilitation and that it would be difficult to duplicate these services within Fairfax County.*

8. Mental Health/Mental Retardation Group Home

A proposal presented to the Task Force by the Services Board notes that citizens who have a double diagnosis of mental illness and mental retardation may have no access to appropriate community residential facilities, since the available facilities tend to target one or the other

of these disabilities, but not both. When placed in a facility designed to treat either mental illness or mental retardation, such persons are often not successful and may disrupt the program for the other residents. Frequently they become a temporary burden on the criminal justice system and the jail.

The Services Board proposed to develop a group home specifically for persons with this kind of double diagnosis. It would house four persons at a time, for a length of stay of from 6 to 12 months, so that 6 to 8 persons could be treated there per month. As a 24-hour facility, the home would require 4.75 full-time equivalent staff persons, and was estimated to cost \$128,000 in its start-up year.

While appreciating the possible need for such a group home, the Task Force could not recommend it to the Board of Supervisors as a significant alternative to ADC construction, because it would cost so much and treat so few persons. The Task Force hopes that the Services Board will continue to pursue the development of such a facility as part of its own program.

9. Work Training

The Mental Health Association of Northern Virginia proposed to the Task Force that the Work Adjustment Training Program which it conducts at two sites, in Alexandria and in Arlington, could serve as an alternative to incarceration. The purpose of the training is to build self-confidence, teach acceptable work behavior, develop realistic job goals, and to place clients in gainful employment or further training. Thirty-one slots are available for clients who are expected to spend about

four months in the program. The cost of the program is \$20.35 per client per day.

The Task Force believed that this form of training might be valuable to offenders in readjusting to life in the community, but did not believe that it represented an alternative to incarceration. Counselors for the pre-scriptive sentencing programs may wish to explore the possibility of referring clients for the Work Adjustment Training Program.

10. Offender Evaluation by Forensic Habilitation, Inc.

A response to the Task Force's request for proposals was received from a for-profit organization called Forensic Habilitation Inc., which was not specifically a proposal but is worth noting in this report. FHI analyzes the cases of criminal defendants using medical, psychological, and family evaluations to identify causes of criminality which may be treatable or preventable, and has been able to recommend treatment alternatives which were effective in a number of cases. FHI takes referrals from defense attorneys and charges a fee of \$250 per case.

The Task Force makes no recommendation with regard to this program; it believes this is a service of which defense attorneys are aware.

11. Summary

Table XIII summarizes the proposals for alternative programs considered by the Alternatives Task Force. Starred programs are those for which funding and/or implementation were recommended.



\* Starred programs have been recommended for implementation by the Task Force.

Table XIII  
ALTERNATIVE PROGRAMS PROPOSED TO THE ALTERNATIVES TASK FORCE

<u>Program Type</u>	<u>Program Title</u>	<u>Sponsor</u>	<u>Residential/ Nonresidential</u>	<u>Total Annual Cost</u>	<u>Total Annual Caseload</u>	<u>Average Daily Caseload</u>	<u>Cost Per Client Day</u>	<u>Cost Per Client</u>
Pretrial	Triangles Proposal Third Party Custody	Lutheran Social Services	Nonresidential	\$63,000		20	\$9.00	
Pretrial	Conditional Release	National Center on Institutions and Alternatives	Nonresidential	\$100,000	120			\$800
Pretrial	Third Party Custody	Community Ministry	Nonresidential					
Pretrial	Ten Percent Bail Deposit	Community Ministry	Nonresidential					
Alternative Sentencing	Prescriptive Sentencing* Program	Offender Aid and Restoration	Nonresidential	\$46,000		20	\$6.00	
Alternative Sentencing	Client Specific Planning	National Center on Institutions and Alternatives	Nonresidential	\$100,000	120			\$500 to \$800
Alternative Sentencing	Community Diversion* Incentive Act	Department of Correc- tions and County Executive's Office	Nonresidential	\$100,000	25			\$4,000
Alternative Sentencing	Client Screening	Forensic Habilitation	Nonresidential					\$250
Alternative Sentencing	Weekender Program*	Sheriff—Pre-Release Center	Nonresidential	\$22,000			If 15 per weekend, \$15.00	
Alternative Sentencing	Court Sentencing Team	Sheriff—Pre-Release Center	Nonresidential	\$25,000				
Alcohol	Alcohol Detoxification Center	Offender Aid and Restoration	Residential	\$246,000		Maximum 20	\$34.00	

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<u>Program Type</u>	<u>Program Title</u>	<u>Sponsor</u>	<u>Residential/ Nonresidential</u>	<u>Total Annual Cost</u>	<u>Total Annual Caseload</u>	<u>Average Daily Caseload</u>	<u>Cost Per Client Day</u>	<u>Cost Per Client</u>
Alcohol	Alcohol Treatment and Halfway House	Alcoholic Rehabilitation, Inc. of Arlington	Residential				\$20.00	
Drug Treatment	Expansion of Crossroads *	Services Board	Residential	1st year \$53,000		10	\$23.00	
Drug Treatment	Intensive Outpatient Drug Treatment	Services Board	Nonresidential	\$72,000	75	25	\$8.00	
Mental Health	Mental Health/Mental Retardation Group Home	Services Board	Residential	\$128,968	6 to 8	4	\$88.00	\$16,000
Work Release	Work Adjustment Training Program	Mental Health Association of Northern Virginia	Nonresidential				\$20.35	\$2,442 Average
Work Release	Work Release	Metropolitan Prison Ministries, Inc.	Residential	\$219,000 plus start up				
Work Release	Restitution Center *	Sheriff—Pre-Release Center	Residential				\$26.39	
Work Release	Drug Treatment in * Pre-Release Center	Sheriff—Pre-Release Center	Residential				\$26.39	
Work Release	Alcohol Treatment in * Pre-Release Center	Sheriff—Pre-Release Center	Residential				\$26.39	
Work Release	Halfway-In Program * for Probation/Parole Violators	Sheriff—Pre-Release Center	Residential				\$26.39	
Work Release	Expand Pre-Release * Center	Offender Aid and Restoration						

The Task Force believes that some knowledgeable group in the County should be assigned to carry forward an ongoing review and exploration of programs that could serve as alternatives to incarceration. This exploration should include the evaluation of present programs and of any new programs which are implemented, to determine their effectiveness and the degree to which they actually reduce the demand for jail space. The appropriate group to carry out such a mandate is the Criminal Justice Advisory Board. This Board should consult with the judges to determine what levels of alternatives are needed and would be utilized in sentencing. It should prepare an annual report for the County Executive, to be forwarded to the Board of Supervisors, concerning its evaluation activities and the need for new alternative programs. This report should be prepared in time for its findings to be included in County budget preparation. However, the group should look for programs which would offer community support and participation to serve correctional needs as well as those that require County funding.

**RECOMMENDATION 15: Continuing Exploration of Alternative Programs**

The Criminal Justice Advisory Board or some other similar group should be formally tasked by the County Executive with the review of current programs serving as alternatives to incarceration and the active search for and exploration of new programs. The Task Force received several proposals for programs upon which it took no action, not because these programs had no merit but because they would not significantly address the problem of overcrowding. CJAB (or other group) should review these proposals again to determine whether they should be implemented to serve other purposes. Those programs where

*implementation has been recommended should be evaluated by the group after a year of operation. An annual report of its finding should be presented to the County Executive prior to preparation of the annual budget.*

#### V. CRIMINAL JUSTICE SYSTEM PROCEDURES AND RESOURCES

The Task Force had hoped to include in its analysis an investigation of the extent and causes of court delay and of the effects of court delay on overcrowding in the ADC -- to determine, for instance, which components of criminal processing take the most time, and why, and whether particular types of offenders or charges take longer to process. Unfortunately, this sort of in-depth study could not be carried out in the time available to the Task Force. Nevertheless, the Task Force did consider what might be done to speed up criminal processing for detained defendants.

It should be noted that all of the time saved by expediting the trial and sentencing of detained offenders will not necessarily serve to reduce the period of incarceration. Any time served pretrial will be subtracted from the sentence of incarceration received by an offender. Therefore, if an offender is sentenced to serve time in the ADC, reducing the pretrial period may only increase the amount of time to be served after sentencing. For persons sentenced to State institutions, however, faster pretrial processing would make these persons eligible for transfer to the State sooner; if that transfer can be achieved, time spent in the ADC would be reduced. Speedier processing might also make eligible for transfer to the State more people with mid-range sentences who at this time are serving so much time pretrial that, despite a sentence of, for instance, two years, they have so few months left to serve after sentencing that the State would not accept them.

A. Expediting Trial Procedures

On the basis of Task Force discussions of court delay and of some suggestions that were considered by the Task Force for reducing that delay -- and without waiting for the final report of the Task Force or action by the Board of Supervisors -- the Circuit and General District Courts have consulted with the Clerk of Courts, the Commonwealth's Attorney, and the Sheriff to develop expedited procedures for criminal cases involving detained defendants. Use of these procedures involved the following components of criminal case processing: preliminary hearings, indictment by the grand jury, motions hearings and trials, sentencing, and processing of papers of offenders sentenced to State institutions.

The procedures are experimental in nature and may have to be modified as the courts gain experience with them. The courts hope that the modification will be in the direction of applying the procedures to all criminal cases instead of just those where the defendant is confined. The procedures will require the cooperation of the defense bar as well as many criminal justice agencies, and will also require close monitoring and supervision by the courts. It should be noted that they may have benefits other than their possible effect on incarceration: victims of crime and witnesses will know sooner precisely when trial will be held, and will be more assured that these plans will not be interrupted by continuances.

1. Preliminary Hearings

The preliminary hearing is usually the second major court appearance in a felony proceeding; the first is

held shortly after arrest, if the defendant is jailed, to review bond and ensure assignment of a defense attorney. At the preliminary hearing evidence is presented to enable the court to determine whether there is probable cause to believe that an offense was committed and that the defendant committed it. If probable cause is found, the defendant is bound over to the grand jury to be considered for indictment.

In the past, while the court attempted to schedule preliminary hearings within a month of arrest, that time was often extended by continuances. Now the Court intends to schedule preliminary hearings of defendants within ten days of arrest. Continuances will be limited and requests for continuances carefully scrutinized.

2. Grand Jury Proceedings

The grand jury reviews any felony charges after the preliminary hearing to determine whether to indict the defendant on the charges, and therefore to proceed to trial. The grand jury has always met once per term of court, a two-month period. As a consequence, a defendant whose preliminary hearing was held early in the term might wait almost 60 days before he/she came before the grand jury.

Upon reviewing these procedures, the courts concluded that a grand jury called to serve for a term of court could be reconvened a second time to review the cases of defendants who were being detained pending trial, rather than making them wait for the next term of

court. This means that for detained defendants there will be a grand jury convened once a month and the waiting period for indictment will be considerably reduced in a number of cases.

### 3. Motions Hearings and Trials

In the past, trial dates in felony cases have been set on Term Day, the first day of the court term when all the indictments were handed down by the grand jury. If possible, the trial would be set for sometime during the next term of court, or within the next two months. Sometimes conflicts in attorney schedules would require setting even later trial dates. Motions hearings would be set on interim Fridays at the instigation of the defense attorney if he/she wished to file any motions.

Now the court is requiring that both trial dates and motions hearing dates be set and confirmed with the attorneys at the time of the preliminary hearing, the trial date to be set within one month of the scheduled grand jury hearing. Should the grand jury decide not to indict, these dates can be dropped; if the indictment is returned, these dates have already been set aside and trial can proceed without delay.

### 4. Sentencing Hearings

Sentencing hearings have traditionally been set within one or two months of the close of the trial, to permit the Office of Probation and Parole to develop a Pre-Sentence Investigation and Report on the defendant.

If for any reason a continuance is then requested the time between conviction and sentencing can extend to three months or more. One of the causes of delay can be the difficulty of getting timely responses to inquiries concerning the criminal history of the defendant from the FBI and the State's Central Criminal Records Exchange (CCRE).

The Court announced that its new policy would be to schedule sentencing hearings within two weeks of conviction. The Office of Probation and Parole expressed dismay because of the difficulty in getting criminal history information soon enough to complete a thorough Pre-Sentence Investigation and Report within that limited time. Having investigated the situation further, the Courts have concluded that FBI and CCRE checks will be authorized at the preliminary hearing so that if the defendant is convicted, they will already be on hand. The Police Department has also agreed to provide support in this effort.

### 5. Transfer of Inmates to State Institutions

Inmates who had been convicted and sentenced to State institutions numbered 39 in the jail population on January 11, 1981. Such persons remain in the jail instead of being transferred immediately to the State for two reasons:

- The written orders from the Circuit Court assigning them to State institutions must be received by the Department of Corrections before these offenders can actually be considered eligible for transfer. Of the 39

inmates sentenced to State institutions who were in the ADC on January 11, the records that were available for 37 indicated that an average of 20 days were spent in the ADC between the sentence and the day on which the orders were mailed to DOC. Four cases had waited 30 days or more for these orders to be sent.

- The overcrowding in State institutions has made the State slow in agreeing to accept new prisoners. Of the prisoners sentenced to State institutions, the 27 who were eligible for transfer on January 11 had already by that day spent a total of 895 prisoner-days waiting for transfer -- an average of 33 days each; seven had waited for transfer longer than 60 days -- one for 103 days. This back-up for entry into State institutions is obviously affecting the overcrowding in the ADC.

The Court has attempted to address the first of these issues by expediting the processing of court papers of defendants sentenced to State institutions and ensuring that they are sent to DOC within seven court days of the sentence. This goal is more likely to be achieved because of the word processing equipment recently acquired by the court.

The Sheriff has addressed the second issue by informing the State by letter (twice) of the seriousness of the overcrowding situation in the ADC and the degree to which State prisoners were contributing to that overcrowding. Within two weeks of a letter sent in February, the State accepted 21 of the prisoners and stated that it was their intention in the future to

give Fairfax first priority for spaces which become available in State institutions. There is no guarantee that this commitment will continue to be kept, but the Sheriff expects to continue to put pressure on the State to take State prisoners out of the ADC.

Section 53-19.17 of the Code of Virginia gives authority to the Director of the State Department of Corrections to transfer inmates of one jail to any other jail in the State as well as to State institutions; any prisoner charged with or convicted of a crime under a State statute is considered a State prisoner and under the authority of the Director. The Director has not chosen to exercise this authority to require under-utilized jails in the State to accept prisoners farmed-out by the overcrowded jails, although he could by so doing relieve some of the overcrowding. The Task Force believes that legislative pressure should be brought to bear on the Department of Corrections to persuade the Director to use his discretionary powers to relieve jail overcrowding as much as possible.

**RECOMMENDATION 16: Facilitating the Placement of Prisoners in Other Jails**

*The Board of Supervisors should request the legislative delegation to take action to ensure that the Director of the Department of Corrections exercise the discretion made available to him in Section 53-19.17, Code of Virginia, which gives him authority to transfer inmates from one jail to any other jail, as well as to State correctional institutions. By exercise*

*of this discretion, the Director could relieve the overcrowding of some jails in the State by removing prisoners to other under-utilized jails.*

6. Weekend Court

Weekends tend to be periods of peak population for the ADC. Primarily this results from the fact that weekends are periods of peak social activity. Some of this social activity inevitably results in arrests either because its participants get into trouble such as drinking and driving, or they become targeted as victims of crime -- burglary, robbery, assaults, et cetera.

Many defendants who are arrested over the weekend are released on bond or recognizance as soon as they come to the court the first time on Monday morning. The question was raised in the Task Force as to whether holding court for a few hours Saturday and Sunday morning might expedite the pretrial release of some such weekend offenders.

The Task Force is aware that convening the Court on the weekend would require the commitment of significant Court resources -- not only a judge, but also a clerk, a bailiff, and access to Court records. Nevertheless, given the critical degree of ADC overcrowding, the Task Force believes that weekend court may be worth further exploration.

*RECOMMENDATION 17: Weekend Court*

*The Board of Supervisors should request the General District Court to explore the possibility of holding court on the weekends*

*for the purpose of bringing newly arrested persons before a judge to expedite the release of those whom the Court can release.*

B. System Resources to Reduce Delay

Another question raised by the Task Force concerned whether the courts needed additional resources which the County could provide in order to prevent delay and its negative effects on jail overcrowding. Generally, staffing of the courts, that is, support personnel such as clerks and secretaries, is determined for the General District Courts by the legislative committee on the District Courts and for the Circuit Courts by the Clerks of Court. The General Assembly has recently passed legislation (Section 16.1-69.45, Code of Virginia, effective July 1, 1980) making it impossible for local jurisdictions to supplement the salaries of any personnel, judicial or other, in the General District Courts. Similar legislation is being considered for the Circuit Court clerks. In Fairfax County, both Courts have expressed concern with the effect this limitation has or could have on their ability to attract and keep competent personnel, particularly at the lower echelons of clerical support. The compensation levels established by the State's Courts of Justice Committee for the entire State do not meet the levels of compensation for comparable work in the Northern Virginia area.

*RECOMMENDATION 18: Funding for Clerical Personnel in the Courts*

*The Board of Supervisors should request the legislative delegation to take action to resist any attempt by the General Assembly to limit the ability of local jurisdictions to supplement the salaries of*



employees of the Clerks of Circuit Courts. The Task Force has observed that the passage of such legislation covering General District Court personnel has already reduced the General District Court's ability to attract and retain competent employees. Every effort should be made to rescind that legislation (Section 16.1-69.45) as well as to prevent adoption of similar legislation affecting the Circuit Court.

The Clerk of the Circuit Court further expressed concern that while the County is permitted to supplement the salaries of personnel in this office, the classification levels currently adopted by the County for personnel of the Office of the Clerk do not match those for other County positions of similar job description. This means that the Court has difficulty attracting and maintaining qualified personnel, and that many employees who are both competent and devoted must make sacrifices in order to continue to support the Court. These are the people who are being asked to expedite the complicated processing of criminal cases and case papers in order to get more people out of the ADC faster. Without competent personnel, the Clerk will not be able to support the common goals of the criminal justice system for criminal procedures that are both fair and expeditious.

**RECOMMENDATION 19: Classification and Salary Review for Clerk's Office Personnel**

The Board of Supervisors should authorize restudy of the classification and salary schedules of the administrative and clerical staff of the Clerk of Circuit Court to ensure that the salaries of these employees are commensurate with those of other County employees whose work is of comparable

complexity and responsibility. When this reclassification has been completed, the Board should authorize funds to supplement the salaries of those employees at the recommended levels.

## VI. PROVIDING DETENTION CAPACITY

While predicting an overall need for 600 to 700 detention spaces by 1990, the Task Force does not believe that all of these spaces should be provided as secure cells within the Adult Detention Center, nor that they can be made available all at once. Some of these spaces, as already described above, should be made available as minimum secure cells in a separate and enlarged work release facility. Others should be provided through the development of a medium secure facility or corrections camp to house non-violent sentenced offenders. Some will need to be maximum secure cells in an enlarged ADC.

Following this approach means not one but three separate construction projects. It should be noted that the State Department of Corrections has been authorized by new legislation (Section 53-133.1) to reimburse each jurisdiction participating in the construction of a local detention facility of over 100 beds up to \$250,000, and a smaller amount for a smaller facility. This authorization becomes effective July 1, 1982. How this legislation will be interpreted and applied has yet to be worked out, but it appears that this increased State aid may be available for all three of these construction projects.

### A. The Adult Detention Center

Maximum secure detention capacity should be provided at the ADC through renovation of shelled-in basement space, renovation and securing of spaces presently occupied by the Pre-Release Center, and through the construction of a new wing. The Task Force recommends that a total of 500 spaces be provided at the ADC to meet estimated maximum secure detention capacity needs up to 1990. The

present ADC houses 198 inmates in secure detention, counting the female section and permanent adult male holding cells, but not counting the Pre-Release Center or the shelled-in basement. By relocating the PRC and renovating and securing that space about 30 cells will be provided for housing prison trustees. The other renovations will make available another 79 secure cells, including:

- 30 general purpose cells
- 35 receiving cells, for males
- 6 cells formed from the present isolation area\*
- 8 female receiving cells, from the present male receiving area.

The Task Force recommends that a new wing be added to the ADC capable of providing approximately 200 secure cells, which would give the entire facility a total capacity of about 500 cells. In reaching this recommendation the Task Force was fully aware that the unsuccessful bond referendum last year had asked for expansion to a total capacity of about 370 secure cells, or about 130 cells less than are being recommended here. That bond referendum also included 60 work release beds to be included in the new ADC wing. However, the Task Force strongly urges that a business decision be made now by the County to expand the ADC to its estimated full capacity of 500 secure cells. This is the capacity which can be supported without having to expand the existing support facilities such as the kitchen, laundry, visiting area, et cetera. It is also

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\*Some of the present receiving cells will be converted to new isolation cells.

the capacity generally recognized as the limit beyond which one is dealing with a major penitentiary. The Task Force feels that once the decision has been made to expand the ADC to its limit of 500 cells, actual construction of the new wing can in fact be undertaken in two phases. The first phase can be the construction of a 100-cell wing, built with the structural capacity to have a second floor added later in a second phase.

**RECOMMENDATION 20: Enlarging the ADC**

The Board of Supervisors should immediately authorize FY1982 funding in the amount of \$762,000 so that planning and design of a new secure wing to be added to the ADC can proceed as soon as possible. A wing of 200 beds is recommended, or a wing of 100 beds expandable to 200 beds at a later date. The Board should plan to proceed with construction of the wing and should determine how that construction is to be funded. The Department of Public Works estimates that the total construction cost of a 200-bed wing will be \$10,405,000, including design costs. The cost of a 100-bed wing expandable to 200 beds at a later time is estimated at \$8,615,000.

The estimated staffing and operating costs for this facility when it is completed to 100 beds are shown in Appendix 5.

**B. Proposed Fairfax County Corrections Camp**

For many years the idea of developing a minimum secure facility for non-violent offenders has been talked about

as one solution to the problem of overcrowding in the ADC. Sometimes referred to as a jail farm or corrections camp, this facility would be less expensive to construct and operate than a maximum secure detention facility like the ADC. The camp would be used for holding sentenced offenders only, as the inmates would be required to do productive work. Some of that work would be the growing of produce to feed the prisoners themselves, hence the name jail farm preferred by some people. But the camp would also provide training in other types of work more appropriate to the Northern Virginia job market, such as construction, carpentry, or the installation or repair of various types of equipment.

The Task Force recommends that the County develop a medium secure corrections camp to provide accommodation for 40 to 50 inmates initially, with the possibility of future expansion to 100. It is thought that a tract of 50 to 100 acres would be needed on which relatively simple structures for housing could be constructed. The Task Force believes that some of the property connected with the District of Columbia correctional facility at Lorton would be suitable as the location for such a camp, and urges the County to pursue negotiations with the D.C. government towards this end. The Task Force decided to push for a County rather than a regional facility because it believes that a regional facility would simply take too long to get off the ground. The need to get all the jurisdictions involved to negotiate and agree on all the essential details of such an operation would consume more time than the Task Force believes is available to the County to get this facility in place. The Task Force also recognized that determination of an appropriate site for such a facility will take time, and has therefore made no recommendation for funding this facility in FY1982.

*RECOMMENDATION 21: Developing a Corrections Camp*

*The Board of Supervisors should pursue the development of a Fairfax County Correctional Camp to house approximately 50 sentenced offenders, later expandable to 100.*

The costs of construction of the correctional camp, not counting any acquisition costs or the costs of site development for farm land, are estimated to be \$3,735,000 in FY1984 for a 50-bed facility or \$4,605,000 for a 100-bed facility. The estimated staffing and operating costs of a 50-bed correctional camp in 1985 are shown in Appendix 6.

## VII. DEVELOPING CITIZEN SUPPORT

### A. Citizen Support for a Bond Referendum

The November 1980 bond referendum on the expansion of the Adult Detention Center (ADC) was opposed in 121 of 144 voting precincts in the County. Of the five issues put before the voter in the referendum, ADC expansion was the only issue defeated. Furthermore, this issue had the smallest total vote. This evidence of widespread disapproval for expansion suggests that the task of educating the public to the need for expansion will require an extensive and well-coordinated effort.

The defeat of the bond referendum for ADC expansion has been attributed to a coalition of citizens which had disparate views on the issue. One group of citizens perceived that alternatives to incarceration should be relied upon to solve the overcrowding problem. Another group perceived ADC expansion as an indication of the County's showing too much concern for the comfort of criminals. The Task Force believes that both of these perceptions are incorrect: alternatives do not exist and would not be appropriate for most of the ADC population, but the elimination of the overcrowded condition of the ADC is imperative to make humane and safe treatment of prisoners possible. While a Citizen's Task Force was appointed to advise and educate the voters about the 1980 Bond Referendum, they were not able in the time available to them to convince the public as to the need for ADC expansion.

The Alternatives Task Force has taken no position on how the major construction costs of expanding the ADC and relocating the PRC should be financed. However, if the Board of Supervisors decides that a bond referendum is needed, the Task

Force believes that it will be critical to the success of that bond referendum to have the decision made early. An early decision would permit a citizen's group to be formed to help educate the public about the need for the referendum and the crucial need for more jail space. Such a group needs time to organize and educate itself, and to plan its approach to the problem of informing the public. These plans should be formulated in time to notify civic and other organizations about the effort and get on their agendas for fall meetings before these organizations recess for summer vacations.

The informational group, or new Citizen's Task Force on ADC Expansion, should include members who are familiar with the complexity of the expansion issue and are willing to devote a significant amount of time to the effort of educating the public about the issue. Little time will be available for members to educate themselves on the issue before they can approach the voters. This need suggests that members of the present Alternatives Task Force should be included in a Bond Referendum Task Force on ADC Expansion. The group should receive full support from Criminal Justice agencies, including the Police Department, the Commonwealth's Attorney, the Sheriff, and the Judiciary, all of whom would be available to discuss the referendum with citizen groups.

**RECOMMENDATION 22: Bond Referendum Option**

*If the Board of Supervisors decides to have a 1981 bond referendum on ADC and PRC expansion, it should hold a public hearing on the referendum no later than May 18, 1981, and should reach a decision on the Bond Referendum Package by June 1, 1981 in order that the public can be informed about the issue. Also, if the Board decides on*

*this course of action, it should appoint a Citizen's Task Force to serve as an informational group exclusively for these issues. It should include some members of the present Alternatives Task Force and others who are knowledgeable about the issue. It should begin its work as early as possible in June and receive support from all criminal justice agencies and assistance from the Office of Public Affairs. The Board of Supervisors should authorize funding in the amount of \$30,000 for the preparation of materials such as a slide presentation, brochures, posters, et cetera, for the use of the Citizen's Task Force in educating the public about the need for more detention space, and for postage to disseminate information.*

*This cost includes the following estimates:*

<i>Slide Show on the ADC</i>	<i>\$ 500.00</i>
<i>Printing</i>	<i>10,500.00</i>
<i>Addressing</i>	<i>2,000.00</i>
<i>Postage</i>	<i><u>17,000.00</u></i>
<i>TOTAL</i>	<i>\$30,000.00</i>

**B. Increasing Citizen Understanding of the Criminal Justice System**

The Alternatives Task Force concluded that there is a great need for increased citizen awareness of and understanding of the criminal justice system. The Task Force believes that a program of education of citizens on a broad spectrum of criminal justice issues should be undertaken in the County, and that some specific group should be tasked with the development of that program.

The Criminal Justice Advisory Board (CJAB) includes a cross section of participants, both criminal justice professionals

and citizens, who are familiar with the criminal justice system and concerned that it be better understood by citizens. It would be appropriate to task them with addressing this need. Assistance will be needed from the Office of Public Affairs in developing written materials and brochures for distribution and in serving as a contact point for citizen groups interested in criminal justice issues.

Some of the issues about which citizens need more information might include:

- What happens when a person is arrested and charged with a crime?
- What are the rights of an offender and why are they important?
- What are the rights of a victim of crime, and how can victims receive better support from the community?
- What does "Community Corrections" mean, and what is the role of the community and its citizens in supporting the correctional system?
- What kinds of alternatives to incarceration are being used in our County?
- Why is the jail so overcrowded?
- Why aren't more known offenders locked up?

*RECOMMENDATION 23: Ongoing Citizen Education in Criminal Justice*

*The County Executive should direct the Criminal Justice Advisory Board (CJAB) or some other similar group to develop and oversee an ongoing program of education for County citizens concerning the criminal justice system and problems and issues connected with it.*

- (a) CJAB (or other group) should work with the Offices of Research and Statistics and of*

*Public Affairs to develop a plan for public education concerning criminal justice and to prepare printed materials or other media resources for disseminating information about the criminal justice system.*

- (b) CJAB (or other group) should work with representatives of the Fairfax County School System to assist them in developing curriculum materials for students of various ages and in identifying knowledgeable persons who would be willing to visit the schools to speak about criminal justice issues.*
- (c) CJAB (or other group) should be requested to return to the Board by February 1, 1982, with a plan for the ongoing education of citizens on criminal justice issues, including an estimate of costs that will be incurred in FY1983 for preparation of educational materials, to be included in the FY1983 budget.*

APPENDIX 1

Police Department's Analysis  
of Index Crime, CY1980

CALENDAR YEAR 1980  
INDEX CRIME ANALYSIS  
FAIRFAX COUNTY, VIRGINIA

Prepared By:

Michael B. Fischel, Director  
Planning and Research Section  
Fairfax County Police Department



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SUMMARY

Deriving hard and fast conclusions from crime statistics alone can be difficult. Some generalized conclusions, however, are possible from the data described in Tables 1 - 3. They are:

- 1) Crime is increasing in Fairfax County, but the increase is not as dramatic as would appear from focusing on the "raw" increases in crime volume from 1979 to 1980.
- 2) A large proportion of the apparent increase in crime probably reflects the fact that the County's population, and factors relating to population growth, are increasing. Unadjusted for population, serious crimes are up 5.17% in 1980 in the County. However, after adjusting for population the increase is .69%.
- 3) In terms of the rate of crime, Fairfax County compares exceptionally well to other jurisdictions in the area. The total crime rate, and rates for every category of Index crime, are well below area-wide average, as well as the individual rates in these other jurisdictions.
- 4) Two categories of crime, aggravated assault and burglary appear to be increasing beyond what can be explained by population growth. These categories stand apart because: (1) there have been large increases in these categories in 1980 compared to 1979; (2) the increases in these categories exceed the area-wide average increases and increases in neighboring jurisdictions; and, (3) increases in these categories remain significant even after adjustment of the raw data for population.
- 5) Given both the noted increases in Index crime and the impact on crime levels resulting from population growth, one point seems clear. To maintain or suppress the growth in Fairfax County's crime rate will require that the level of police service--especially when resources are deployed to deter crime--keep pace with growth in the County.

One salient factor impacting the allocation of police resources that can't be measured from crime statistics is public perception. It is clear to me--as I'm sure it is to you--that Fairfax County residents are demanding crime related police services beyond previous levels. This public perception factor, coupled with the continued growth in crime, requires a comparable growth in sworn officer numbers.

## ANALYSIS

The incidence of reported crime in a jurisdiction and its relative changes from year to year is perhaps the most seized upon indicator of crime in a community. There are limitations on both the collection and use of the raw data about reported crime and even the rates which are typically developed from this data. In this regard, differences in reporting practices among law enforcement agencies and the fact that "reported" crime usually misrepresents by 30 - 50% the actual level of crime in a jurisdiction are the most notable limitations. Yet, despite these limitations, headlines in our local papers continue to read, for example, "Crime increases 36% in the County" or other similar pronouncements. Once raised as an issue, however, comparisons among jurisdictions with respect to reported crime from one year to another tend to receive intense scrutiny. Perhaps this is because the public has become somewhat comfortable with these statistics and the practice of equating them with the level of crime in a community.

It's no secret that crime is on the increase throughout the nation. Fairfax County is no exception, not surprisingly with its growth and rapid urban development. Yet, the desire to know how this County compares to neighboring jurisdictions and how crime compares with previous years is inevitable. Tables 1, 2, and 3 which are attached, provide pertinent data about crime as reported in the last five years by Fairfax County and four neighboring jurisdictions: the City of Alexandria, Arlington County, the District of Columbia and Montgomery County, Maryland. Unfortunately, crime data from Prince George's County, Maryland, a jurisdiction which in some respects is most similar to Fairfax County, has yet to be released and was unavailable for this analysis.

Table 1 portrays the number of reported Index Crimes in 1979 and 1980 in the five jurisdictions. Included in this table are the yearly totals for all Index Crimes (defined by the FBI as murder, rape, robbery, aggravated assault, burglary, larceny and motor vehicle theft) and yearly totals for each Index category. Additionally, yearly totals are provided for Index Crimes on the basis of classifying these crimes as either "violent" (murder, rape, robbery, aggravated assault) or "property" (burglary, larceny, and motor vehicle theft). Finally, the collective area-wide average changes from 1979 to 1980 for the five jurisdictions are provided.

While Table 1 portrays the number of Index crimes reported to the police, the focus is necessarily on the proportionate increase or decrease in offenses in the two years represented and how Fairfax County compares on this basis. These comparisons, however, should be viewed with extreme caution primarily because the figures in this table are not adjusted in any way for the size of the population in the jurisdictions examined - a factor because of its covariation with other factors is known to have a significant impact on the reported crime in a community. For this reason, Table 2 is also provided to indicate the dramatic differences that can be portrayed with crime data when viewing pure changes in the volume of crime in jurisdictions and when comparing the figures after adjusting for population, i.e., crime rate.

With respect to Index crime totals, Table 1 shows an increase in reported crime of 5.17% in 1980 over 1979 in Fairfax County. This increase was the second highest increase behind only the rise of 12.83% in the District of Columbia. It is important to remember, however, that the surprisingly high growth may in fact reflect population growth in the County rather than real growth in the rate of crime. Across the five jurisdictions, there was an average increase of 3.05% in reported Index Crime from 1979 to 1980. Thus, the County's increase was slightly higher than the area-wide increase in Index Crime and is unlikely to be indicative of any real difference among the jurisdictions analyzed.

For the specific Index crimes, reported crime totals in the County appear to have increased beyond area-wide average increases in three categories: aggravated assault, burglary, and larceny. There is a notable disparity between Fairfax County's increase for aggravated assault (+32.86%) and the area-wide average increase (+6.75%) for this crime. In fact, the County's increase in this category far exceeds any of the other jurisdictions. Using the raw data, Fairfax County had 93 more aggravated assaults in 1980 than in 1979. In contrast, the District had over 270 more of these crimes over the same period. Because the District's 1979 total for this crime was comparatively large already, the 270 additional crimes represents a 9.18% increase. However, because the County's total for aggravated assault in 1979 was the lowest of any jurisdiction and substantially lower than the District of Columbia, the increase of 93 crimes in 1980 represents a larger proportional increase.

Fairfax County compares quite favorably for the murder, rape, robbery, and motor vehicle theft categories of Index crime. In each of these categories, the County either experienced a decrease in reported crime over 1979 (rape and motor vehicle theft) or the increase was substantially below the average increase for the area (murder and robbery).

Table 1 also indicates the proportionate increases in reported Index Crimes when classified in the FBI's "violent" and "property" categories. In 1980, "violent" crimes increased 12.20% over 1979 while property crimes increased 4.93%. The increase in violent crimes, though the largest of the two categories, was smaller than the area-wide average for violent crimes (12.2% vs. 15.29%). The smaller property crime increase was larger than the area-wide increase (4.93% vs. 1.95%).

No doubt, Table 1 portrays Fairfax County as a county in which the number of crimes reported to the police in 1980 has increased over 1979. This portrayal, however, begs the question of how crime in Fairfax County, with these increases, compares with the other jurisdictions when the volume of reported crime is adjusted for differences in population through the derivation of a crime rate (i.e., crimes per 100,000 population) - a better, but still flawed, indication of crime in the community. After all, population is indicative of the two major factors that drive the reporting of crime. Growth in population increases the potential for victimization (there are more people to rob, murder, rape, and there are more homes and cars to burglarize or steal). Increase in population also enhances the likelihood that crimes will be observed by others and reported.

Table 2 compares the level of Index crime in the five jurisdictions for 1980 after they have been adjusted for population through the calculation of the crime rate. Population data from Fairfax County's Office of Research and Statistics, Fairfax County Profile were used to derive the rates in this table. The data in this table shows a marked difference from Table 1 in that it clearly indicates that the crime rate in Fairfax County, both overall and for specific Index crime categories, is well below the area-wide averages. In fact, with the exception of murder, the County rate of Index crime for every category is lower than any of the other individual jurisdictions examined. When compared with the area-wide averages, particularly notable are the extremely lower rates in the County for rape (16.18 vs. 37.46), robbery (85.69 vs. 429.25), aggravated assault (64.05 vs. 207.96). The County rate of burglary\*, larceny and motor vehicle theft in 1980 were also significantly lower than area-wide average rates, as well as the comparable rates in the other four jurisdictions.

\*An additional point of comparison for residential burglaries could be the incidence of this type crime with respect to the total number of residences in a community. Montgomery County, Maryland recently declared in the press that there was one residential burglary for every thirty-seven residences in 1980. Comparable figures for Fairfax County indicate that in 1980 there was one residential burglary for every forty-two County residences. Data from the other three jurisdictions were not readily available for this analysis.

Similarly, the Fairfax County Index crime rates for "violent" (169 crimes per 100,000 population) and "property" crime (4474 crimes per 100,000 population) are well below both area-wide averages and the comparable rates in each of the other jurisdictions.

Finally, Table 3 examines Fairfax County's crime rate over the last five calendar years. It is important to note that while this table indicates increases in the rate of crime in Fairfax County beyond that which can be explained by population growth, these increases are significantly less abrupt than would appear from merely focusing on the pure increase or decrease in the number of crimes from 1979 to 1980.

Where Table 1 indicates a 5.57% increase in 1980 in the volume of all Index crime, when adjusted for population, Table 3 shows the increase in crime rate over the same period to be less than one percent (+.69%). In fact, over the five years represented in this table, the increase in the total Index crime rate since 1976 has been 3.51%.

Examination of the changes in the rate for the "violent" and "property" crime categories in Table 3 reveal a pattern similar to the total Index rate. The "violent" rate increased 7.43% in 1980 compared to the 19.31% increase in reported crimes before adjusting for population (Table 1). Since 1976, "violent" crime has increased 8.38%. The "property" crime rate increased +.46% in 1980 over 1979, a rather large difference (+.46% vs. 4.93%) than the increase might seem when comparing the unadjusted crime volume in Table 1. The "property" category has increased 3.33% since 1976.

Discounting the figures for murder and rape in Table 3 because they are so sensitive to relatively small shifts in numbers from year to year, only the rate of aggravated assaults and burglary show significant increases over 1979. While the 1980 increase in the rate of aggravated assault is indeed large (+27.18%) over the 1979 level, this increase could appear less significant when compared to the same rate in 1976 through 1978 (roughly 6-8% greater).

For burglary, a similar pattern appears to exist. The growth in the burglary rate from 1979 to 1980 was 10.52%. Yet, the 1980 rate is only 1.23% greater than in 1976 and is actually nearly 1% less than the 1977 rate. A pattern like this of course raises the question of whether the large increase from 1979 to 1980 represent a true increase in the level of crime or rather a statistical phenomenon resulting from the comparatively low rates for burglary in 1978 and 1979.

TABLE 1  
INDEX CRIMES - METROPOLITAN AREA COMPARISONS  
(UNADJUSTED FOR POPULATION) 1979-1980

		Murder	Rape	Robbery	Agg. Assault	Burglary	Larceny	Motor Veh. Theft	Total	Violent	Property
Arlington	79	1	55	322	287	2084	6479	649	9877	665	9212
	80	9	56	376	282	2150	6041	646	9560	723	8837
	% Change	+800.00	+1.82	+16.77	-1.75	+3.17	-6.76	-.47	-3.21	+8.72	-4.10
Alexandria	79	12	44	467	310	2841	5695	712	10021	773	9248
	80	7	62	528	324	2607	5402	638	9568	921	8647
	% Change	-41.67	+40.91	+29.73	+4.52	-8.29	-5.15	-10.40	-4.52	+19.15	-6.50
District	79	180	489	6920	2964	13452	28819	3606	56430	10553	45877
	80	200	439	8897	3236	16260	31068	3568	63668	12772	50896
	% Change	+11.11	-10.22	+28.57	+9.18	+20.87	+7.80	-1.1	+12.83	+21.02	+10.94
Mont. Co.	79	18	130	560	534	6289	19096	2059	28686	1242	27444
	80	18	144	798	475	8015	18792	1872	30114	1335	28679
	% Change	+0.00	+10.77	+42.50	-11.05	+27.44	-1.59	-9.08	+4.98	+15.38	+4.50
Prince George's	79	51	346	2276	1868	10141	21305	3726	39713	4541	35172
	80	49	383	2888	1870	11529	21804	3709	42232	5190	37042
	% Change	-3.92	+10.69	+26.89	+0.11	+13.69	+2.34	-0.46	+6.34	+14.29	+5.32
Fairfax	79	11	124	467	283	5527	17822	1683	25917	885	25032
	80	19	95	503	376	6380	18276	1609	27258	993	26265
	% Change	+72.73	-23.39	+7.71	+32.86	+15.43	+2.55	-4.40	+5.17	+12.20	+4.93
Area* Totals	79	222	842	8676	4378	30193	77911	8709	130931	14118	116813
	80	253	796	11102	4693	35412	79579	8333	140168	16844	123324
	% Change	+13.96	-5.46	+27.96	+7.20	+17.29	+2.14	-4.32	+7.05	+19.31	+5.57
Average AreaWide Change		168.43	3.98	25.06	6.75	11.73	-.63	-5.09	3.05	15.29	1.95

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TABLE 2  
INDEX CRIME (PER 100,000 POPULATION)<sup>1</sup>  
FIVE METROPOLITAN JURISDICTIONS

	<u>Arl.</u>	<u>Alex.</u>	<u>D. C.</u>	<u>Montg.</u>	<u>Fairfax</u>	<u>Area Wide Average</u>
Murder	5.36	5.79	28.49	3.0	3.24	9.18
Rape	33.33	51.24	62.54	24.00	16.18	37.46
Robbery	223.81	436.36	1267.38	133.00	85.69	429.25
Aggravated Assault	167.86	267.77	460.97	79.17	64.05	207.96
Burglary	1279.77	2154.55	2316.24	1335.83	1086.88	1634.65
Larceny	3595.83	4464.46	4425.64	3132	3113.46	3746.28
Motor Veh. Theft	384.52	527.27	508.26	312	274.11	401.23
<sup>1-10</sup> Total	5690.48	7907.43	9069.52	5019	4643.61	6465.41
Violent	430.36	761.16	1819.37	239.17	169.17	683.85
Property	5260.12	7146.27	7250.15	4779.83	4474.45	5782.16

<sup>1</sup>Source: Fairfax County Profile, Office of Research and Statistics, 1980.

TABLE 3  
 FAIRFAX COUNTY INDEX CRIME-RATE  
 1976 Through 1980  
 PER 100,000

	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>% Change 1979-1980</u>	<u>%Change 1976-1980</u>
Murder	3.68	2.45	3.68	1.96	3.24	+65.31	-11.96
Rape	18.57	16.79	17.31	22.06	16.18	-26.65	-12.87
Robbery	74.47	79.06	90.61	33.10	85.69	+ 3.12	+15.07
Aggravated Assault	59.38	60.38	57.83	50.36	64.05	+27.18	+ 7.86
Burglary	1073.69	1096.23	937.20	983.45	1086.88	+10.52	+ 1.23
Larceny	2917.41	2800.00	3017.13	3171.17	3113.46	- 1.82	+ 6.72
Motor Veh. Theft	<u>339.07</u>	<u>356.04</u>	<u>312.52</u>	<u>299.47</u>	<u>274.11</u>	<u>- 8.47</u>	<u>-19.16</u>
Total	4486.27	4410.94	4436.28	4611.57	4643.61	+ .69	+ 3.51
Violent Crimes	156.09	158.68	169.43	157.47	169.17	+ 7.43	+ 8.38
Property Crimes	4330.17	4252.26	4266.85	4454.09	4474.45	+ .46	+ 3.33

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Sarah Cox  
Office of Research & Statistics  
FROM: L. F. Spaine, Assistant Director  
Facilities Management Division *LFS*  
FILE NO:  
SUBJECT: Jail Basement - 4000 Chain Bridge Rd.

DATE April 7, 1981

REFERENCE:

An inspection at the Sheriff's request of the Jail basement at 4000 Chain Bridge Road has shown an order of magnitude for renovation of an estimated \$75,000. This figure includes air conditioning, heating, electrical up-grades for the same, paint, drywall, water-proofing, floor tile, renovated bath facilities, electrical outlets, fluorescent lighting (all areas), new lay in ceiling (all areas). These items fulfill only the bare necessities.

This renovation will, on a temporary basis only, allow this area to be used as a prerelease bedroom facility (non-secured).

The Jail is approximately 30 years old. In order for this basement area to be used on a permanent basis under current Penal Codes it would require major electrical, mechanical and structural renovations.

Due to the limited time frame allowed to prepare this estimate, code regulations affecting this area have not been completely confirmed.

The scope of work does not include a kitchen furnishings or furniture. The scope of work also is based on the promise that inmates will perform all demolition and removal of debris excepting steel. In addition the inmates will paint and place vinyl asbestos tile on the floors.

LFS:RCL:sh

Attachment - (Present floor plan)

cc: Carl Peel (w/attachments)  
Richard Robertson (w/attachments)

APPENDIX 2

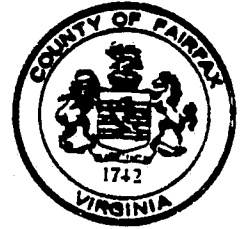
Cost Estimate for Renovation of Jail Basement  
as Temporary Pre-Release Center





Office of the Sheriff  
**FAIRFAX COUNTY PRE-RELEASE CENTER**

10520 Jones Street  
 Fairfax, Virginia 22030  
 (703) 691-3484



APRIL 13, 1981

TO : Sarah Cox  
 Office of Research & Statistics

FROM: Kenneth D. Lane, Jr. *KDL*  
 Program Director

SUBJ: Cost Analysis for 60 Bed Pre-Release Center

PERSONNEL COSTS:

Administration:

- Program Director - S-24
- \*Clerk/typist - S-6
- \*Finance Clerk - S-8
- Applicant Screener S-17
- \*½ Time Psychologist - Contract @ \$15,000
- Weekender Program - S-18

Treatment Staff: 1-10 Bed Female Unit, 2-25 Bed Male Units

FEMALE UNIT:

- Unit Supervisor/Operations Officer - S-21
- Work Release Coordinator - S-17

Male Units:

- Unit Supervisors (2) - S-19
- Work Release Coordinator - S-18
- Asst. Work Release Coordinator - S-17
- Community Programs Coordinator - S-18
- Substance Abuse Counselor - S-18

Residential Supervision Staff:

Female Unit

- Residential Supervisor - S-17
- Residential Staff - (4) - S-16

Male Units:

- Residential Supervisor - S-17
- Residential Staff - (4) - S-16

NOTE: Uniformed Personnel Costs includes 27.756% Fringe Benefits  
 Non-Uniformed Personnel Costs includes 20.652 Fringe Benefits\*

PERSONNEL COSTS TOTALS:

<u>FY82</u>	<u>FY83</u>	<u>FY84</u>	<u>FY85</u>	<u>FY86</u>
\$517,694	\$572,052	\$629,257	\$689,037	\$751,050

APPENDIX 3

Staffing and Operating Costs of  
 Sixty-Bed Pre-Release Center

FOOD & OPERATIONAL COSTS :

Note: For FY82, food costs have been figured at \$5.00 per day. This figure is given to include food buying and food preparation. At this point, food services have not been determined on whether they will be prepared in-house, or if another method would be used.

<u>FY82</u>	<u>FY83</u>	<u>FY84</u>	<u>FY85</u>	<u>FY86</u>
\$129,500	\$139,860	\$151,048	\$163,132	\$176,183

TOTAL OPERATING COSTS/PERSONNEL COSTS FOR 60 BED COED FACILITY:

<u>FY82</u>	<u>FY83</u>	<u>FY84</u>	<u>FY85</u>	<u>FY86</u>
\$647,194	\$711,912	\$780,305	\$852,169	\$927,233

COST PER CLIENT DAY:

<u>FY82</u>	<u>FY83</u>	<u>FY84</u>	<u>FY85</u>	<u>FY86</u>
\$29.55	\$32.51	\$35.63	\$38.91	\$42.34

ANTICIPATED ROOM & BOARD FROM PARTICIPANTS:(NOTE: Maximum incomes anticipated)

<u>FY82 @\$8 per</u>	<u>FY83 @\$9 per</u>	<u>FY84 @\$10 Per</u>	<u>FY85 @\$11 per</u>	<u>FY86 @\$12 per</u>
\$126,720	\$142,560	\$158,400	\$174,240	\$190,080

COST PER CLIENT DAY, AFTER ROOM & BOARD:

<u>FY82</u>	<u>FY83</u>	<u>FY84</u>	<u>FY85</u>	<u>FY86</u>
\$23.77	\$26.00	\$28.40	\$30.96	\$33.66

APPENDIX 4

Selection Criteria for Pretrial Release  
Under the Triangles Project  
of Lutheran Social Services

PROJECT TRIANGLES ACCEPTANCE CRITERIA

PROPOSED OUTLINE

OFFENSE:

Defendants with the following charges will not be accepted by Project Triangles:

- violent crimes against persons
- crimes involving firearms
- prostitution
- sex offenses
- habitual offender - felony
- fugitives
- fta (failure to appear)
- probation/parole violations
- more than two (2) pending charges
- more than one (1) B.R.A. conviction in previous two (2) years
- more than two (2) FTA's in the previous year.

RESIDENCE:

Defendants must meet all of the following criteria:

- owns, rents, leases residence; lives with family
- has lived at current address 3 months or more
- has had address check or home visit by P.O., ROR staff, Triangles staff or other custodian within the last 30 days
- resides within a 30 mile radius of Courthouse/Triangles office, and has appropriate transportation at disposal.

MENTAL HEALTH:

Defendants must meet all of the following criteria:

- has had no hospitalization for mental health treatment in the previous year
- does not have a history of institutionalization for mental health treatment/observation in previous 3 years aggregating over 6 months total
- willingness to enroll in out-patient drug, alcohol, psychiatric counseling, as deemed appropriate by staff.

MOTIVATION:

All defendants must agree to abide by Triangles' conditions of supervision and state that all answers given to interview questions are correct under penalty of third-party custody termination.

APPENDIX 5

Staffing and Operating Costs for the Enlarged  
Adult Detention Center

APPENDIX 5

Staffing and Operating Costs for the Enlarged  
Adult Detention Center

Appendix 5 includes the following tables:

Table 1. Personnel Costs, Completed Shelled Area

Table 2. Personnel Costs, Renovated PRC Area

Table 3. Personnel Costs, 100-Bed Wing to ADC

Table 4. Personnel Costs for Second 100-Beds of Wing to ADC

Table 5. Estimated operating Costs of Additional ADC  
Space

Table 6. Estimated Capital Costs of Additional ADC  
Space

Tables 1 and 2 give estimated costs in FY1983 dollars, since these areas should be completed at that time. Tables 5 and 6 give estimated capital and operating costs of the renovated area and the new wing of 100 beds. They are updated from materials prepared for the 1980 Bond Referendum. Since a sufficient number of inmates is already in the custody of the Sheriff each day to fill the cells to be provided by renovating existing areas in the ADC, operating costs for these inmates are already included in the Sheriff's budget.

These cost projections are based on the Sheriff's estimates of staffing needs and operating costs.

Table 1  
 Personnel Costs, Completed Shelled Area  
COMPLETED SHELLLED AREA

<u>ITEM</u>	<u>ADD-ON</u>		=	<u>ADD-ON COST</u>
<b>Confinement</b>				
DS-S-19	4	x 18,020.86	=	\$ 72,083.44
DS-S-16	25	x 15,692.56	=	392,314.00
<b>Classification &amp; Treatment</b>				
DS-S-18 Classification Officer	1	x 17,200.04	=	17,200.04
<b>Medical</b>				
RN-S-19	1	x 18,020.86	=	18,020.86
PA II S-18	1	x 17,200.04	=	17,200.04
<b>Logistics &amp; Services</b>				
S-16 Commissary	<u>1</u>	x 15,692.56	=	<u>15,692.56</u>
	33		<b>TOTAL</b>	532,510.94

5-2

Update to 1983

A. Total Estimated Personnel Costs,	\$532,510.94
B. Inflated to the Level of FY1982 <sup>1</sup> Dollars	630,351.83
C. State Reimbursement (60% of Item B)	378,211.09
D. Fringe Benefits (27.756% of Item B)	<u>174,960.45</u>
E. County Share (Item B less Item C plus item D)	\$427,101.19

(1) This renovation is expected to be completed and occupied in FY1983.

Table 2  
 RENOVATED PRE-RELEASE CENTER  
PERSONNEL COST

<u>ITEM</u>	<u>ADD-ON</u>	<u>ADD-ON COST</u>
Confinement		
DS-S-16	5	\$ 78,462.80

A. Total Estimated Personnel Costs	\$78,462.80
B. Inflated to the Level of(1) FY1983 Dollars	92,879.16
C. State Reimbursement (60% of Item B)	55,727.49
D. Fringe Benefits (27.756% of Item B)	<u>25,779.54</u>
E. County Share (Item B less Item C plus Item D)	\$62,931.21

(1) This renovation is expected to be completed and occupied in BY1983.

Table 3  
Personnel Costs  
100 BED WING

<u>ITEM</u>	<u>ADD-ON</u>		<u>ADD-ON COST</u>	
<b>Confinement</b>				
DS-16	14	x	15,692.56	= \$ 219,695.84
<b>Classification &amp; Treatment</b>				
DS-S-18 Classification Officer	1	x	17,200.04	= 17,200.04
DS-S-16 Recreation	1	x	15,692.56	= 15,692.56
<b>Medical</b>				
RN-S-19	2	x	18,020.86	= 36,041.72
<b>Logistics &amp; Services</b>				
S-16 Janitorial Maintenance	1	x	15,692.56	= 15,692.56
<b>Training</b>				
DS-S-17	$\frac{1}{20}$	x	16,448.64	= $\frac{16,448.64}{20}$
			TOTAL \$ 320,771.36	
A. Total Estimated Personnel Costs			\$320,771.36	
B. Inflated to the Level of FY1985 (1) Dollars			440,841.31	
C. State Reimbursement (60% of Item B)			264,504.78	
D. Fringe Benefits (27.756% of Item B)			<u>122,359.91</u>	
E. County Chare (Item B less Item C plus Item D)			\$298,696.44	

(1) This construction is not expected to be complete until 1985.

5-4

Table 4

Personnel Costs for Second 100 Beds of New Wing to ADC

<u>ITEM</u>	<u>ADD-ON</u>	<u>ADD-ON COST</u>
Confinement		
DS-S-16	25	\$ 392,314.00
Classification & Treatment		
S-18 - Classification Officer	2	34,400.08
Medical		
RN-S-19	<u>1</u>	<u>18,020.86</u>
	28	TOTAL \$ 444,734.94

5-5

A. Total Estimated Personnel Costs	\$444,734.94
B. Inflated to the Level (1) of FY1985 Dollars	611,206.47
C. State Reimbursement (60% of Item B)	366,723.88
D. Fringe Benefits (27.756% of Item B)	<u>169,646.46</u>
E. County Share (Item B less Item C plus Item D)	\$414,129.05

(1) These costs are estimated for FY1985. If construction of the second 100 beds is delayed to a later date, staffing costs will have to be refigured.



Table 5

Estimated Operating Costs of Additional ADC Space <sup>(1)</sup>

Item	Units and Cost	Total Add-On Cost
1. Spoons, Cups, Bowls, and Trays	180 units @ \$15 per unit	\$ 2,700
2. Food	180 units @ \$3 per unit for 365 days	197,100
3. Deputy Wearing Apparel	53 units @ \$606 per unit	32,118
4. Ammunition	53 staff qualifying twice a year @ \$14 per qualification	1,484
5. Inmate Clothing, Bedding, and Supplies	180 units @ \$70 per unit	12,600
6. Shower Curtains	40 cell blocks @ \$7 per block	280
7. Cleaning Equipment	10 units @ \$45 per unit	450
8. Trash Barrels	8 units @ \$45 per unit	350
9. Flash Lights, Bulbs, and Batteries		600
10. Razor Blades	25 thousand @ \$60 per thousand	1,500
11. Other Janitorial Supplies	2/3 of existing cost	5,000
12. Medial Supplies and Services	2/3 of existing cost	83,000
13. Dental Services		<u>10,000</u>
A. TOTAL ESTIMATED OPERATING COSTS, 1980		\$347,182
B. Total Operating Costs Inflated to the Level of 1985 dollars		486,941
C. Estimated State Reimbursement (60 percent of item 2)		292,164
D. County Share (Item 2 less Item 3)		194,777

(1) These data, updated from materials prepared for the 1980 Bond Referendum, are considered applicable to the renovated space and the new wing of 100 beds.

Board of Supervisors

TABLE VI

Estimated Costs of Capital Equipment  
for Enlargement of the ADC

1. Washing Machine	2 50 lb. industrial washers \$5,000 each	\$10,000
2. Dryers	2 50 lb. dryers \$1,400 each	2,800
3. Steam Jacket Kettle	40 gallon	3,006
4. Baking and Roasting Double Oven		4,868
5. Tilting Brazing Pan		4,120
6. Food Carts	2	8,132
7. Ice Machine	1	990
8. Toaster	1	428
9. Tray Drying Rack	2 - \$957 each	1,914
10. Revolver	52 X \$114	5,928
11. Chairs	160 X \$18	2,880
12. Communications Equipment	3 portable radios	3,600
13. Scott Air Packs	3	3,000
14. Polaroid Camera		3,500
15. Sand Urns	12 X \$56 each	3,500
16. Buffers and Drive Assembly	3	<u>2,600</u>
A. Total Estimated Costs of Capital Equipment		\$58,438
B. Inflated to the Level of FY1985 dollars		81,962
C. State Reimbursement (60% of Item 2)		<u>49,177</u>
D. County Share (Item 2 less Item 3)		32,894

## APPENDIX 6

## Staffing and Operating Costs for Correctional Camp

Table 1  
Personnel Costs for Correctional Camp (1)

<u>ITEM</u>	<u>ADD-ON</u>	<u>ADD-ON COST</u>
Captain Superintendent		
DS-S-24	1	\$ 22,812
Farm Supervisor		
DS-S-19	1	18,021
Security		
DS-S-21 Lieutenant Security Supervisor	1	19,802
DS-S-16 Security Staff	15	235,395
DS-S-16 Crew Chiefs	4	62,772
Cook		
S-12	1	13,025
Clerk		
S-11	1	12,478
Transportation Officer DS-S-16	1	15,693
Classification Officer DS-S-19	<u>1</u>	<u>18,021</u>
TOTAL STAFF	26	\$ 418,019

I-6-1

A. Total Estimated Personnel Costs	\$418,019.00
B. Inflated to the Level of FY1985 Dollars	574,490.32
C. State Reimbursement (60% of Item B)	344,694.19
D. Fringe Benefits (27.756% of Item B)	159,455.53
E. County Share (Item B less Item C plus Item D)	<u>389,251.66</u>

(1) Based on estimated provided by the Sheriff.

Table 2

Estimated Operating Costs  
for 50-Bed Correctional Camp<sup>(1)</sup>

Total Prisoner Days (50x365) =	18,250
Estimated Cost per Prisoner day (not including staffing costs)	X \$7.10
A. Total Operating Costs Estimated at FY1981 levels	\$129,575
B. Inflated to Level of FY1985 Dollars	169,846
C. State Reimbursement (60% of Item B)	101,908
D. County Share (Item B less Item C)	67,938

(1) Based on estimates provided by the Sheriff.

APPENDIX 7

DETAILED CONSTRUCTION COST ESTIMATES



DEPARTMENT OF PUBLIC WORKS  
4100 Chain Bridge Road  
Fairfax, Virginia 22030

Phone: 691- \_\_\_\_\_

**LETTER OF TRANSMITTAL**

TO: Sarah Cox  
Office of Research and  
Statistics

DATE: April 10, 1981  
PROJECT NO. 61/8035  
RE: Adult Detention Center  
Expansion

GENTLEMEN: -

WE ARE SENDING YOU  ATTACHED  UNDER SEPARATE COVER VIA \_\_\_\_\_

THE FOLLOWING ITEMS:

- TRACINGS       PRINTS       SPECIFICATIONS       SHOP DRAWINGS
- COMPUTATIONS       DESCRIPTIONS       APPLICATIONS       CHANGE ORDER
- \_\_\_\_\_

COPIES	DATE	NO.	DESCRIPTION
1	4/9/81		Set Calculations for Cost Estimates per Alternatives Task Force

THESE ARE TRANSMITTED AS CHECKED BELOW:

- FOR APPROVAL       APPROVED AS SUBMITTED       RETURN \_\_\_\_\_ COPIES FOR APPROVAL
- FOR REVIEW       APPROVED AS NOTED       SUBMIT \_\_\_\_\_ COPIES FOR DISTRIBUTION
- FOR YOUR USE       RETURNED FOR CORRECTIONS       RETURN \_\_\_\_\_ CORRECTED PRINTS
- FOR COMMENT       \_\_\_\_\_

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

cc: J. W. di Zerega, w/attachment

Received by: \_\_\_\_\_

*Richard P. Robertson*  
Signed: Richard P. Robertson  
Project Manager

If enclosures are not as noted, kindly notify us at once.

COST ESTIMATE

PROJECT A

April 9, 1981

RENOVATION OF THE ADULT DETENTION CENTER

Estimates per FY 1982 Budget Request, as revised.

SCHEDULE:

A/E Contract Executed . . . . . 2/81  
Plans Complete . . . . . 10/81  
Bid Opening . . . . . 2/82  
Start Construction . . . . . 4/82  
Complete Construction . . . . . 1/83

FY 1981 Design Funding . . . . .	\$ 125,000
FY 1982 County Administration . . . . .	\$ 23,000
Design Funding (remainder) . . . . .	\$ 40,000
County Construction . . . . .	\$ 1,000
Construction (A/E estimate) . . . . .	\$1,492,000
Construction Contingency (5%) . . . . .	\$ 75,000
Permits, etc. . . . .	\$ 11,000
	<u>\$1,642,000</u>

TOTAL - \$1,767,000

**END**