

**REPORT OF THE  
VIRGINIA STATE CRIME COMMISSION ON**

**IMPROVEMENTS TO THE  
CRIMINAL JUSTICE SYSTEM  
IN VIRGINIA**

**TO THE GOVERNOR AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



**HOUSE DOCUMENT NO. 30**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
1995**



# COMMONWEALTH of VIRGINIA

Frederick L. Russell  
Executive Director

VIRGINIA STATE CRIME COMMISSION

General Assembly Building

December 13, 1994

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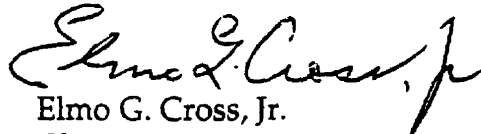
TO: The Honorable George Allen, Governor of Virginia  
and Members of the General Assembly:

House Joint Resolution 242, agreed to by the 1994 General Assembly, directed the Virginia State Crime Commission to study improvements in Virginia's criminal justice system and to submit its findings and recommendations to the Governor and the 1995 session of the General Assembly.

In fulfilling this directive, a study was conducted by the Virginia State Crime Commission in 1994. I have the honor of submitting herewith the study report and recommendations on Virginia's criminal justice system.

Additionally, we are including a summary of the results of HJR 147, agreed to by the 1994 General Assembly. This study directed the Crime Commission to study the costs and effectiveness of Virginia's criminal justice system. The results of both these studies are closely interrelated and the Commission believes the purpose of these studies is best served through the inclusion of both within this report. The report has identified numerous issues which will require further study. We look to working with you to continue our efforts to improve the criminal justice system for our citizens.

Respectfully submitted,

  
Elmo G. Cross, Jr.  
Chairman

EGC:sc

# MEMBERS OF THE VIRGINIA STATE CRIME COMMISSION

1994

## From the Senate:

Elmo G. Cross, Jr., Chairman  
Edgar S. Robb

## From the House of Delegates:

James F. Almand  
Robert B. Ball, Sr.  
Howard E. Copeland  
Jean W. Cunningham  
Raymond R. Guest, Jr.  
Clifton A. Woodrum, Vice Chairman

## Appointments by the Governor:

Robert C. Bobb  
Robert F. Horan, Jr.  
Rev. George F. Ricketts, Sr.

## Attorney General's Office:

James S. Gilmore, III

**Criminal Justice Subcommittee  
Studying  
Improvements to the Criminal Justice System  
in Virginia**

**HJR 242**

**Criminal Justice Subcommittee Members**

Delegate James F. Almand, Chairman

Delegate Robert B. Ball, Sr.  
Mr. Robert C. Bobb  
Delegate Jean W. Cunningham  
Attorney General James S. Gilmore, III  
Delegate Raymond R. Guest, Jr.  
Rev. George F. Ricketts, Sr.  
Senator Edgar S. Robb  
Delegate Clifton A. Woodrum

**Crime Commission Staff**

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## **HJR 242**

### ***Improvements to the Criminal Justice System in Virginia***

#### **I. AUTHORITY FOR STUDY**

The 1994 General Assembly approved an extension of the Virginia State Crime Commission study of the Virginia criminal justice system (HJR 242/Almand) directing the development of an integral plan for its improvement. (Appendix A)

Section 9-125 of the Code of Virginia establishes and directs the Virginia State Crime Commission "to study, report, and make recommendations on all areas of public safety and protection." Section 9-127 of the Code of Virginia provides that "the Commission shall have the duty and power to make such studies and gather information in order to accomplish its purpose, as set forth in Section 9-125, and to formulate its recommendations to the Governor and the General Assembly." Section 9-134 authorizes the Commission to "conduct private and public hearings, and to designate a member of the Commission to preside over such hearings." The Virginia State Crime Commission, in fulfilling its legislative mandate, undertook the study of Virginia's criminal justice system.

The study has proven to be both a complex and burgeoning undertaking. The various task forces which have developed the following recommendations have worked hard to coordinate their efforts with the work of other related executive branch and legislative studies to minimize the potential for conflict and duplication. These proposals represent a broad based approach to improving Virginia's criminal justice system through long range efforts.

#### **II. MEMBERS APPOINTED TO SERVE**

Chairman Senator Elmo G. Cross, Jr. selected Delegate James F. Almand to serve as Chairman of the Criminal Justice Subcommittee studying improvements to Virginia's criminal justice system. Crime Commission members serving on this

subcommittee include:

Delegate Robert B. Ball, Sr.  
Mr. Robert C. Bobb  
Delegate Jean W. Cunningham  
Attorney General James S. Gilmore, III  
Delegate Raymond R. Guest, Jr.  
George F. Ricketts, Sr.  
Senator Edgar S. Robb  
Delegate Clifton A. Woodrum

### III. EXECUTIVE SUMMARY

House Joint Resolution 242 directed the Crime Commission to continue to fine tune and prioritize the preliminary recommendations put forth by the House Joint Resolution 523 study committee of the Crime Commission. The final product of the study extension was to produce a comprehensive plan to improve Virginia's criminal justice system. Six main areas of study emphasis were noted:

- o improvement of delivery of services efficiently to offenders;
- o promote interventions with youthful offenders;
- o identify strategies to reduce recidivism;
- o increase the availability of community correctional programs;
- o implement community policing strategies; and
- o improve communications between the criminal justice agencies and with the public.

The Crime Commission staff identified four main areas for further development:

Information Management  
Law Enforcement  
Crime Prevention  
Institutional and Community Corrections

The study groups established to work on these study topics represented various state and local criminal justice interests. Each of the four groups evaluated the preliminary recommendations of HJR 523 relative to their topical area of study and determined how to proceed. Additional recommendations were developed as well,

based upon further discussions and recent legislative and policy changes. The overall goal of development of a comprehensive plan for Virginia's criminal justice services and programs will be accomplished through two main strategies:

- o A long range strategic plan for information management will be developed by 1997. This will be a collaborative effort through the Criminal Justice Information Systems Committee of the Board of Criminal Justice Services. A resolution to this effect will be a part of the 1995 legislative proposals of the Crime Commission. (See Appendix)
- o The Crime Commission will be developing standards for programming and staffing for both institutional and community corrections.

Implementation of the full complement of the HJR 242 recommendations will provide an integral whole for an effective criminal justice system in Virginia. The recommendations serve as building blocks towards improving the system to meet the demands of the twenty first century. The Crime Commission will need to continue to monitor the progress of implementation to insure that appropriate adjustments are made to meet new and unplanned changes in the criminal justice system as they occur.

#### IV. STUDY DESIGN

The study was divided into three main task forces:

Information Management

Crime Prevention

Law Enforcement.

A fourth area of study, Community and Institutional Corrections, was reviewed by staff from the Department of Youth and Family Services and the Department of Criminal Justice Services. It was decided to limit this area of study to an inventory of existing programs and to recommend expansion of these programs where appropriate. (See Appendix)

The members of the study groups represented both state and local criminal justice agencies. Membership also included locally elected officials, sheriffs and commonwealth attorneys, as well as judges and other interested individuals from the private sector. The full membership of the study groups is attached. (See Appendix)

Each study group developed its own study plan and set its meeting schedule. Preliminary recommendations from each of the three groups were presented to Criminal Justice Subcommittee in October for discussion. The Subcommittee received the final recommendations for action at the November meeting. The recommendations were then presented to the full Crime Commission for approval



at the December 13, 1994 meeting. Legislative study proposals were developed for submission to the 1995 General Assembly.

## **V. FINDING AND RECOMMENDATIONS**

The following recommendations are the distillation of many issues examined by the groups. The study groups recognized that the funding options which are presented must be viewed within the fiscal constraints of the state budget, but if improvements in the system are desirable, the needs must be met. There are also several areas identified for further study.

### **INFORMATION MANAGEMENT**

#### **1. Improved records accuracy**

The Crime Commission should direct the Department of Criminal Justice Services to review the training for law enforcement officials on recording arrest and disposition data. This review should include the information available in the Criminal Records History Task Report and incorporate the task force recommendations into its training activities. Advances in technology, particularly fingerprinting techniques, should be examined to determine if changes in fingerprinting policies should be made. With new fingerprinting equipment individuals can be fingerprinted immediately upon arrest without problem. Use of this new technology may allow all criminal records to be verified with a fingerprint.

#### **2. Expand CCRE Response Capacity**

During the past five years there has been a 112% increase in requests from the non criminal justice entities and a 41% increase in criminal justice requests for an overall 153% increase for criminal records checks. It is anticipated that these increases will continue to grow as increasing numbers of employers are mandated to require criminal records checks as a condition of employment and many do so as routine company policy. The Central Criminal Records Exchange (CCRE) currently charges \$15 for a name search criminal record check, \$37 for a state and a national fingerprint based check with the FBI (\$13 is retained by the State and the balance is sent to the FBI), \$15 for a sex offender registry check, and \$20 for a combined sex offender and criminal record check. All of the revenue generated by CCRE is returned to the general fund and funds are appropriated to underwrite the CCRE operations through the regular budgeting process. Recent budget cuts have resulted in staffing cuts to an already overstressed system. The Crime Commission recommends that the staffing be increased in this area to meet the demand for service. There are two funding options proposed:

1) A proposal to designate 25% of the revenue collected for criminal records checks be returned to the CCRE to expand their capacity to respond to requests in a timely fashion. Estimates of 94-95 collections are approximately \$2,250,000, of which twenty-five percent would be \$562,500. This would include the current funding of \$250,000 and the \$308,490 required for the thirteen new positions with a small reserve, or

2) A general fund appropriation of \$558,490. This includes the current \$250,000 appropriation and an additional \$308,490 for thirteen staff positions in a budget addendum submitted by the Department of State Police for consideration in the Governor's 1995 budget addenda.

Option 1 is the approach recommended by the study group as it allows for resources to expand or contract based upon the demand. As the number of requests increase, the corresponding revenue will also increase. There is a provision in state policy which allows for the establishment of special funded positions. This would allow the CCRE to increase their staffing levels as needed, with approval from the Secretary of Public Safety and the Director of Personnel and Training, without significantly increasing the maximum employment levels of state government.

### **3. Integrated justice systems**

The Crime Commission will sponsor a forum for its members, the members of the House Appropriations Committee, Senate Finance, criminal justice agency heads as designated by the Secretary of Public Safety and appropriate staff of the Supreme Court to discuss the necessity of developing an inclusive criminal justice information management system for Virginia. Issues which are to be addressed include: common data definitions, definition of hardware architecture, definition of network architecture and resource needs. The forum is designed to foster an improved understanding of the need for an integrated information system and will serve as the starting point for recommendation #4. It is scheduled for January 12, 1995 at 3 p.m. and is being sponsored through private resources.

### **4. Development of a Criminal Justice Information System Strategic Plan**

Request by resolution that the Criminal Justice Information Systems Subcommittee (CJIS) of the Criminal Justice Services Board work with the Council on Information Management to develop a long range strategic plan for the integration of Virginia's criminal justice information systems. The CJIS subcommittee is composed of membership from Corrections, State Police, Criminal Justice Services, Youth and Family Services, Correctional Education, Parole Board, Information Technology, Supreme Court, a Commonwealth Attorney, a circuit court clerk, and a planner from a local police department. The study will incorporate the numerous studies completed in this area and include the current planning efforts of involved

agencies. An interim plan shall be completed and presented to the State Crime Commission by December, 1995. An accompanying budget addenda will be developed for the 1996-1998 biennial budget. The final plan will be completed and submitted to the 1997 General Assembly. (Appendix B) Staff support for this effort is requested. The Department of Criminal Justice Services proposes to utilize a consultant to assist in completing the strategic plan.

Department of Criminal Justice Services      FY 96    \$336,688

## 5. . Juvenile Records Expungement

The Crime Commission should introduce a resolution to the 1995 General Assembly to study the provisions for expungement of juvenile records. The new bifurcated trial legislation allows for the inclusion of certain juvenile arrest records to be used. Currently juvenile records are expunged at various stages once the individual reaches age 18. Most all records are automatically expunged at age 29. The study should determine if there is a need to propose amendments to or repeal of § 16.1-306 regarding expungement of court records. Provisions for retaining these records in the CCRE will also need to be made. Other Code cites which should be examined are § 16.1-307 through § 16.1-309.1 regarding confidentiality of juvenile records. Confidentiality laws have been studied recently by the Youth Commission and those recommendations should be incorporated into the focus of this study.(Appendix C)

## LAW ENFORCEMENT

### 1. Community Policing

Additional training should be made available throughout the State to local law enforcement agencies which wish to institute a community oriented strategy. The critical component of this approach to law enforcement is that it involves a partnership between all segments of the community. This needs to involve training opportunities for the community stakeholders: community residents, business owners, school personnel, local government. Effective law enforcement requires public responsibility and participation. Citizens need to become a part of the overall solution to crimes in their neighborhoods. Communities must develop solutions to potential crime problems that work for them. This approach acknowledges the fact that every community has its own character, culture and effective interventions must be tailored to these demographic factors. Technical assistance to localities should be provided through the Department of Criminal Justice Services. Citizen academies are a possible mechanism for training community residents. (See Crime Prevention)

Department of Criminal Justice Services      FY 96      \$320,820

The Department of Criminal Justice Services shall serve as a clearinghouse for information on community policing initiatives. They should develop an informational list for distribution which highlights successful initiatives. The Department of Criminal Justice Services is also directed to compile all the evaluative data available on community policing programs and distribute this to local law enforcement agencies and the Crime Commission. The Commission will determine in the next year if a separate evaluation should be conducted on Virginia's community policing efforts. It is critical to insure that the appropriate staff resources are available within the training division to meet the local demands

It is important to note for the Commission that community policing initiatives by their very definition and operational guidelines will initially result in an increase in the local crime rate. This is primarily due to the fact that community policing strategies, if they work well, contribute to a reduction in the community fear factor and crime reporting will increase. As the strategy progresses there will ultimately be a reduction in the crime rate.

## 2. Specially Appointed Police Powers

Minimal training standards should be required of all specially appointed police officers, particularly those who have been granted full police powers.

The Crime Commission will conduct a study of specially appointed police to determine if certain standards should be required, determine liability issues, and examine the feasibility of standardization of responsibilities. The study will include representatives from local law enforcement agencies who utilize specially appointed police officers through judicial appointment. A circuit court judge shall also be requested to serve. The study group will report back to the Crime Commission by December, 1995 and to the Governor and the General Assembly in 1996 on its findings and recommendations. (Appendix D)

## 3. Victim Services

The Crime Commission endorses the list of recommendations provided by the Victim-Witness Program which includes full funding for victim-witness programs statewide, increased support for existing programs which are understaffed, the development of regional programs for less populated jurisdictions, and several funding options for consideration. The study committee recognizes the reality of state fiscal limitations and, therefore proposes the following priorities for funding:

1. 19 new programs to cover 85% of the State  
FY 96 \$836,000
2. 23 regional programs  
FY 96 \$1.012 million

3. Toll-free Number  
FY 96      \$63,000

The Crime Commission recognizes that this recommendation should be coordinated with the final recommendations of the legislative study committee studying HB 5004, a victims rights bill.

4. **Specialty Law Enforcement Agencies**

The Crime Commission was asked to examine the role of specialty law enforcement agencies, such as the Alcoholic Beverage Control Board, the Department of Motor Vehicles, and other agencies with limited police powers. The review determined that there is no duplication of authority or effort in the current mission of these agencies. Each agency has a specific scope of authority for its statutory responsibilities. Coordination among the various agencies appears to work well at this time. The recommendation of the Crime Commission is to continue the role of these agencies in the same capacity as they are currently constructed.

## **CRIME PREVENTION**

1. **Community Crime Prevention Activities**

A grant system for increased efforts in crime prevention efforts shall be established and funds allocated to the localities through the local entity designated by the locality. The Crime Prevention Center at the Department of Criminal Justice Services shall provide technical assistance for the development of local crime prevention initiatives. Grants should require the participation and collaboration of all local community organizations, both public and private, who deal with issues related to prevention. This would include human services agencies, law enforcement agencies, churches, civic organizations, the business community, and local government officials. Approval of the community crime prevention grants should be based upon demonstrable collaboration between the local agencies and all agencies should be cosignatories on the grant application.

2. **Curbing Youth Violence**

The Crime Commission recognizes that youth violence is on the increase in Virginia. There have been several recent studies by the Youth Commission which have addressed some problems associated with youth violence. The Comprehensive Services Act State Management Team has undertaken a comprehensive study of early intervention and prevention strategies on the local level. The Crime Commission staff shall examine the findings of these efforts and

determine if there are gaps or areas which need further study. The review will include a detailed analysis of other states' efforts to address this issue. The staff will report back to the Crime Commission with its findings and recommendations by August, 1995.

### 3. Safer By Design

Implement the Safer By Design Program which was outlined in House Document 33, Feasibility of Establishing a Safer By Design Community Recognition Program. The program was approved by the Crime Commission in November, 1993 but has not been developed as yet. This proposal is a part of an overall environmental design approach as a strategy for crime prevention.

### 4. Citizen Academies

Examine the feasibility of developing "citizen academies" in localities around the State. These academies train citizens who volunteer to participate in a variety of community crime prevention activities. Several localities have developed these training models for citizen participation. This is a valuable adjunct to the community policing initiative. (See Law Enforcement) Grants should be made available to localities for this effort through the Department of Criminal Justice Services. Emphasis should be given through the grant process to funding those localities with the highest crime rates.

The Department of Criminal Justice Services will provide a "train the trainer" academy to train designated local leaders to provide the training to community residents. This recommendation will be contingent upon the availability of resources to carry this proposal forward. Localities are encouraged to seek either federal assistance or private resources wherever possible.

### 5. Safer and Secure Schools

Endorse the funding of a grant program through the Department of Criminal Justice Services to develop plans for safe and secure schools. This effort should be done through a mini-grant process to local school divisions for a two year process. The Department, in conjunction with the Department of Education, should provide technical assistance to the local school divisions in the planning phase. As an adjunct to the goal of secure schools the Department of Criminal Justice Services should designate a Safe School Center within the Department to serve as a clearinghouse of materials to be distributed to the local school districts and provide information and referral on issues relating to school safety and security.

The study committee recognizes that this effort must be a joint partnership between education and public safety. It is recommended that the Secretaries of Education and

Public Safety develop the program jointly. The funding should be administered through the Crime Prevention Center at the Department of Criminal Justice Services.        FY 96        \$250,000

6. Awards for Safe Neighborhood

Support the Governor's Awards for Safe Neighborhoods luncheon. This activity has garnered a lot of enthusiasm from communities in the past who competed for awards as an opportunity to bring focus to the issue of crime prevention. The Crime Commission should be a joint sponsor of this event.

INSTITUTIONAL AND COMMUNITY CORRECTIONS

Most correctional facilities currently have some degree of programming available, both treatment and educational/vocational, for their inmate populations. Increasing populations at these facilities have diminished the resources and space available to provide either treatment, such as substance abuse treatment, or the educational and vocational training to meet the increased demand. The recent legislation which abolishes parole will certainly increase the institutional demand for space. The Crime Commission should support the establishment of minimum programming standards for penal institutions to insure that adequate funding is included in the operational budgets to address this critical need. Incarceration through warehousing could create serious security problems within the institutions and produce inmates with more serious behavioral problems when they are released than when first incarcerated. Additionally, the Commission should consider undertaking a comprehensive study to examine the staffing levels of the institutions. (Appendix E) Adequate staffing is critical to ensuring both security and service levels are maintained at all times. Correctional officers are under enormous stress with the overcrowded conditions. The study needs to also examine the pay scales of the institutional to determine if there is an issue of pay equity among the staff and if there is appropriate compensation for the level of responsibility of the staff.

The new legislation also included a provision for the restructuring of community corrections. There will most likely be a renewed emphasis on community corrections for many nonviolent offenses. Currently local jurisdictions have a wide range of correctional options available in the community but these programs vary from locality to locality. Residential facilities are limited and practically nonexistent for someone with a violent offense record. There are only five day reporting centers to date, two of which are funded through a federal grant. There is only one "boot camp" available at this time for adult male offenders. Female offenders sentenced to boot camp are currently sent to Michigan through a contractual arrangement. There are no such programs available for juvenile offenders, although the "boot camp" concept has been shown to be effective with the juvenile population. Home electronic monitoring programs vary based upon available funding. The

Commission recommended a public inebriate center last year but funding was not forthcoming. The first year of this study recommended funding for an evaluation of the Jail Services Project which places substance abuse counselors in the local and regional jails to provide treatment. The evaluation was not funded. The Crime Commission should develop a minimum menu of community based programs and develop long range funding proposals to implement consistent community correctional programming throughout the Commonwealth by the year 2000.

The area of the criminal justice system which appears to need the most immediate attention is our juvenile justice system. Juvenile crime is increasing at an unprecedented rate. Every juvenile correctional center in Virginia is filled much beyond capacity. Our greatest hope for making reasonable headway in the fight against crime is to put our emphasis and attention on stemming the tide of youth violence. Additional programs must be implemented in the community to augment what is currently available. There are far fewer predispositional options available to juveniles offenders than to adult offenders. It is also much more likely that rehabilitation will work with juveniles than with adults with long criminal records. The Crime Commission staff should determine what additional strategies are needed after an evaluation of the findings and recommendations of the Youth Commission, the Comprehensive Services Act Early Intervention project and the study of 1994 of juvenile dispositional options conducted by the Department of Youth and Family Services.

## VI. CONCLUSION

The work of the HJR 242 Study Committee has stimulated the need for more intensive, in-depth examinations of several areas. The development of a Criminal Justice Information System Strategic Plan should provide a valuable mechanism for long term planning for systemic improvement. We are at a crossroads in Virginia with recent sweeping changes to our criminal justice system. With the implementation of the study committee's recommendations and the effects of these legislative changes there remains the need for continual fine-tuning and reprioritizing. The Crime Commission should continue to provide oversight to the ever present demands on Virginia's criminal justice system and provide the technical refinements to insure that we are responsive to Virginia's criminal justice needs.

Finally, the Crime Commission should re-evaluate the 1989 report on the Commission on Prison and Jail Overcrowding (COPJO) and determine what recommendations should continue to be pursued for implementation. A major criminal justice system audit, such as COPJO, should be conducted at least every ten years to provide the data necessary to continue improvements to Virginia's criminal justice system.



## VII. ACKNOWLEDGEMENTS

The Commission members extend a special thanks to the following agencies and individuals for their valuable assistance and contributions to this study:

### Alcoholic Beverage Control Board

John Cencich, Special Agent

### Attorney General's Office

Frank S. Ferguson, Counsel to the Attorney General

### Commonwealth Attorneys' Services Council

Jim Chin, Administrator

John Kloch, Commonwealth Attorney, Alexandria

Billy Davenport, Commonwealth Attorney, Chesterfield County

### Comprehensive Services Act

Ellie Cobb, Ph.D.

Dian McConnell

### Council on Information Management

Hud Croasdale, Director

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### Department of Corrections

Ron Angelone, Director

Gene Johnson, Deputy Director

Joan Kerr

Andrew Molloy

W. P. Rogers

### Department of Criminal Justice Services

James Kouten, Deputy Director

Dan Catley

Fran Ecker

Frank Johnstone

Mandie Patterson

Tim Paul

### Department of Education

Marsha Hubbard

### Department of Mental Health, Mental Retardation, & Substance Abuse Services

Diane Maloney

Ken Batten

**Department of Motor Vehicles**

Charlie Murphy

**Department of Youth and Family Services**

Valerie Boykin

Lillian Brooks, Court Services Director, Alexandria

Rory Carpenter, Charlottesville Commission on Youth Linda Nablo

Tom Northern

Steve Pullen

**Newport News Housing and Development Authority**

Ayissha Muhamared

Deborah Jewell

**Norfolk Community Services Board**

Peggy Crutchfield

**Secretary of Public Safety**

Roseanne Bencoach, Special Assistant

**Virginia Association of Chiefs of Police**

Charles Bennett, Chief, Lynchburg

Jeff Brown, Chief, Bedford

Marty Tapscott, Chief, Richmond

**Virginia Sheriff's Association**

Terry Hawkins, Sheriff, Albemarle County

**Virginians to Combat Drug Violence**

Lennice Werth

**Virginia Crime Prevention Association**

Harold Wright, Director

# **APPENDIX    A**

# 1994 SESSION

LD0938825

## HOUSE JOINT RESOLUTION NO. 242

Offered January 25, 1994

*Continuing the study by the Virginia State Crime Commission of a comprehensive plan for the Commonwealth's criminal justice system.*

Patrons—Almand, Ball, Copeland, Cunningham, Reynolds and Woodrum; Senators: Cross, Goode and Robb

Referred to Committee on Rules

WHEREAS, House Joint Resolution 523 (1993) directed the Virginia State Crime Commission to conduct a study of the Virginia criminal justice system and to develop a comprehensive plan for its improvement; and

WHEREAS, the Crime Commission has developed a multi-agency working group that has developed thirty-two preliminary recommendations for the improvement of the criminal justice system; and

WHEREAS, there remains considerable work to be done, including fine-tuning and assigning of priorities to the recommendations for incorporation into a comprehensive plan designed to meet the future needs of the Commonwealth; and

WHEREAS, the working group has focused on improving the efficiency of delivery of services to offenders, promoting intervention with youth offenders, reducing recidivism, increasing the availability of effective community corrections programs, implementing community policing strategies and improving communications among the various agencies involved in the criminal justice system and with the public; and

WHEREAS, the multi-agency working group has expressed a continuing concern for the future of the criminal justice system; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia State Crime Commission be directed to continue the study begun with the assistance of the multi-agency working group and to continue the development of the comprehensive plan for the Commonwealth's criminal justice system. Particular attention should be given to the financing of the preliminary recommendations. The Crime Commission should assign priorities to the preliminary recommendations for available funding and develop alternative funding schemes as well, with the assistance of the House Appropriations Committee, the Senate Finance Committee, the Office of the Governor, and executive branch agencies.

The Crime Commission shall provide staff support for the study. Technical assistance shall be provided by all agencies represented on the multi-agency working group. All agencies of the Commonwealth shall provide assistance to the Crime Commission, upon request.

The Crime Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 1995 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing legislative documents.

# **APPENDIX B**

## **Criminal Justice Information Strategic Plan**

Requesting the Criminal Justice Information Systems Subcommittee of the Criminal Justice Services Board, in conjunction with Council on Information Management and the Department of Information Technology, to develop a plan for the improvement of the Commonwealth's criminal justice information system.

WHEREAS, the various agencies and components of the Commonwealth's criminal justice sytem seperately compile and maintain a vast amount of information on crimes, criminals and the operation of the criminal justice system; and

WHEREAS, this information, which is necessary for the operation and administration of the programs of the various criminal justice agencies, is notecessarily shared among them or among any componens of the criminal justice system; and

WHEREAS, this information, which is necessary in order that informed and well-reasoned policy and budgetary decisions might be made by the Commonwealth's criminal justice agencies, the General Assembly and the Governor; and

WHEREAS, the Criminal Justice Services Board has created the Criminal Justice Information Systems Committee to oversee efforts to improve criminal justice information; and

WHEREAS, two agencies of the Commonwealth - The Council on Information Management and the Department of Infomation Technology - already exist to improve the management of information and the interagency and intergovernmental transfer of information; now, therefore, be it

RESOLVED by the House of Delegate/Senate, the Senate/House of Delegates concurring, that the Criminal Justice Information Systems Committee be directed to prepare a plan for the development and operation of an integrated criminal justice information system designed to improve the policy decision making process and to insure broader use of the information now being collected and maintained. The Committee shall make recommendations on (1)sharing criminal justice information, (2)improved data collection and reduction in duplication of effort, (3)flexibility in use and compilation of data/information to meet both administrative and operational needs of criminal justice agencies, and (4)reduction of present and future costs. The Committee shall consult with state and local criminal justice agencies and shall seek assistance from the Council on Information Management and the Department of Information Technology in the development

and determination of the feasibility of its proposed solutions.

The Committee shall complete its work in time to submit its findings and recommendations to the 1997 Session of the General Assembly, as provided in the procedures of the Division of Legislative Automated Systems; and shall make an interim report to the Virginia State Crime Commission, the Senate Finance Committee and the Appropriations Committee of the House of Delegates before December 31, 1995.

# APPENDIX C



## **Expungement of Juvenile Records**

**Requesting the State Crime Commission to develop legislative recommendations to address the issue of juvenile record expungement.**

**WHEREAS, the Virginia General Assembly passed legislation in 1994 which allows for the use of a bifurcated trial procedure in all jury felony cases; and**

**WHEREAS, the bifurcated trial legislation allows for the conviction records to include those convictions of a juvenile where the offense would be classified a felony if tried as an adult; and**

**WHEREAS, the legislation abolishing parole established a Sentencing Commission which will develop sentencing guidelines for the judiciary to use in their sentencing decisions, and**

**WHEREAS, the initial sentencing guidelines enacted provided for enhanced penalties for certain violent offenses or a history of convictions for violent offenses, including violent juvenile offense adjudications; and**

**WHEREAS, current Virginia laws provide for the expungement of juvenile records over a period of time, and most records to be expunged by the age of twenty-nine; and**

**WHEREAS, prior to expungement, such records are protected in the Central Criminal Records Exchange by certain laws governing confidentiality of juvenile records; and**

**WHEREAS, the lack of access to such records and the potential for removal of such records from the Central Criminal Records Exchange create a problem in the sentencing phase of a felony trial when such records may be deemed appropriate for use in the bifurcated trial or when such records would be a part of the sentencing guidelines for enhanced penalties for violent offenses; now, therefore, be it**

**RESOLVED by the House of Delegates/Senate, the Senate.House of Delegates concurring, that the State Crime Commission be directed to develop legislative proposals for the 1996 Session of the General Assembly to address the issue of retention and access to certain juvenile conviction records for purposes of introduction to the sentencing phase of a bifurcated jury trial and for use in the sentencing guidelines.**

**The Crime Commission shall be provided technical assistance by the Office of the Attorney General, the State Police, the Department of Youth and Family Services, the Commonwealth Attorney's Services Council, and the Supreme Court.**

The Crime Commission shall complete its work in time to submit the legislative proposals to the 1996 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing legislative documents.

# APPENDIX D

## Special Law Enforcement Officers

Requesting the Virginia State Crime Commission to study specially-appointed police officers regarding training issues, liability issues, and scope of authority.

WHEREAS, by authorization of the Code of Virginia, Section 15.1-144, special police officers may be appointed by the circuit judge to assist in the efforts of local law enforcement agencies; and

WHEREAS, specially-appointed police officers may be granted the same powers and authority as certified, sworn police officers; and

WHEREAS, the current training requirements for specially-appointed police officers may not be adequate to meet the responsibilities they are asked to perform; and

WHEREAS, issues concerning the extent of powers for specially-appointed police officers, and liability for their actions while serving in the appointed capacity, may also require further consideration; now, therefore, be it

RESOLVED, by the House of Delegates/Senate, the Senate/House of Delegates concurring, that the Virginia State Crime Commission study the appointment of special police officers, the extent of their police powers, liability issues connected to their actions, and examine the feasibility of a standardization of responsibilities and minimal training standards. The Commission shall be assisted by the agencies of the Commonwealth at the request of the Commission. Representatives of local law enforcement agencies and the circuit court will be requested to assist in the study.

The Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 1996 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing documents.

# **APPENDIX E**

## Staffing at Adult Correctional Institutions

Requesting the State Crime Commission to study the staffing patterns in Virginia's correctional institutions, the classification of correctional officers and other institutional support staff, the employee turnover rate, the impact of increasing prison populations on staffing patterns, and issues of staff safety related to increasing prison populations, and develop recommendations for the General Assembly to consider to ameliorate the identified problems.

WHEREAS, the census in Virginia's correctional institutions has risen approximately sixty-three percent in the past five years while staff has not been added at the same rate to meet the increased demand for security and services in these institutions; and

WHEREAS, most of Virginia's correctional institutions are filled beyond their design or rated capacity due to the practice of double bunking and double celling to meet the demand for inmate beds; and

WHEREAS, an increased prison population has brought about an increased need for services within Virginia's prisons in the following areas: security, prison support services, work and educational activities, health care services, and treatment personnel; and

WHEREAS, the increase in population has placed an increased burden on the system and forced the utilization of overtime to meet the additional security demands of the system; and

WHEREAS, recent legislative changes will further increase the demand for prison beds and additional correctional staff; and

WHEREAS, the work environment for correctional staff is highly pressured and demanding while the salary levels remain relatively low, creating a high personnel turnover and incidents of officer stress; and

WHEREAS, correctional officers have received a recent classification upgrade effective July, 1995 while correctional institution rehabilitation counselors, who provide case management services to inmates, continue to remain static and often noncompetitive in salary with their professional peers in other state agencies; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, that the State Crime Commission be directed to study the staffing patterns of Virginia's correctional institutions, the classification of correctional institution rehabilitation and other correctional institutional support staff, the staff turnover rate, the security needs of

staff at each institution, and develop recommendations that address these as well as the funding proposals to implement the recommendations.

The Crime Commission shall provide staff support for the study with technical assistance from the appropriate criminal justice agencies, particularly the Department of Corrections and the Department of Correctional Education, as well as the staff of the House Appropriations Committee and Senate Finance Committee.

The Crime Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 1996 General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing documents.

# **APPENDIX F**



## DEPARTMENT OF STATE POLICE

### Criminal History Record Checks December 2, 1994

The Department of State Police, as of July 1, 1994, collects \$15.00 per criminal history record check. This charge is for all record checks from non-criminal justice entities.

After reviewing the revenue collections through November of this year, it is anticipated that we will collect approximately \$2,250,000 for 94-95. Of that figure \$875,000 is obligated to the general fund as a part of the Department's 1994-96 Budget Reduction Plan. Another \$250,000 of the revenue is already appropriated to cover expenses in the operations of CCRE. Approximately \$174,000 of the \$250,000 is used for salary, and the rest is spent on equipment.

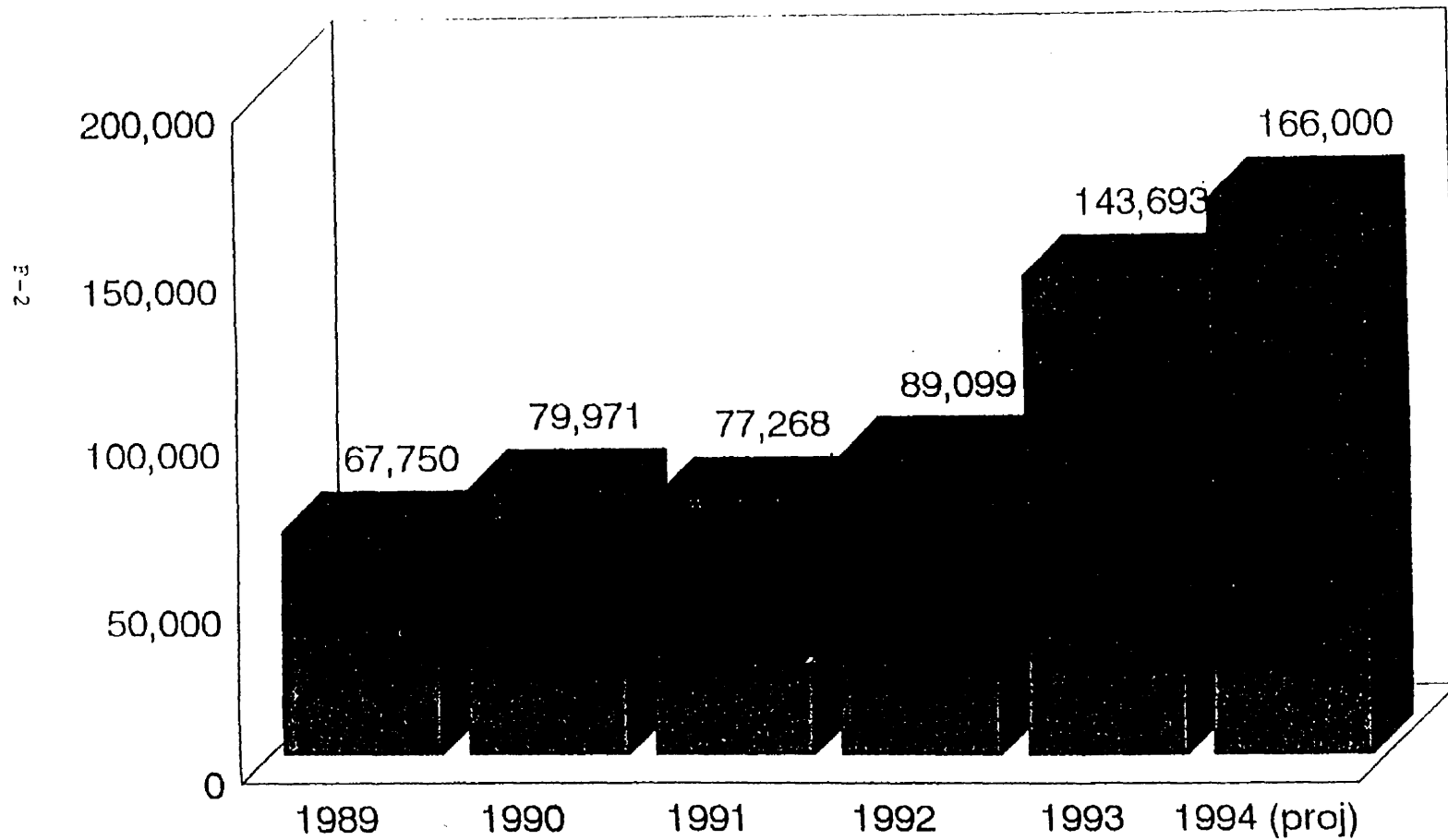
The Department would like to retain at least 25% of these revenue collections. Twenty-five per cent of the estimated \$2,250,000 is \$562,500. We have submitted a budget amendment requesting to use an additional \$308,490 of the funds. The funds are needed to provide additional staff for the CCRE section. Effective July 1, 1994, a number of legislative amendments were enacted that created additional fingerprint submissions, and criminal record name searches for the purpose of employment. This has made the revenue collections exceed projections, but has also caused a backlog of work in non-criminal justice inquires. On several occasions we have had to discontinue processing criminal records to assign all staff to processing non-criminal justice inquires. This activity invalidates the inquire results. To produce accurate searches they must be conducted against a criminal file that is current.

The 25% (\$562,500) will cover the \$250,000 we are currently receiving and the \$308,490 requested in Amendment No. 502.

Attachment

# Name Inquiries

## Non-Criminal Justice

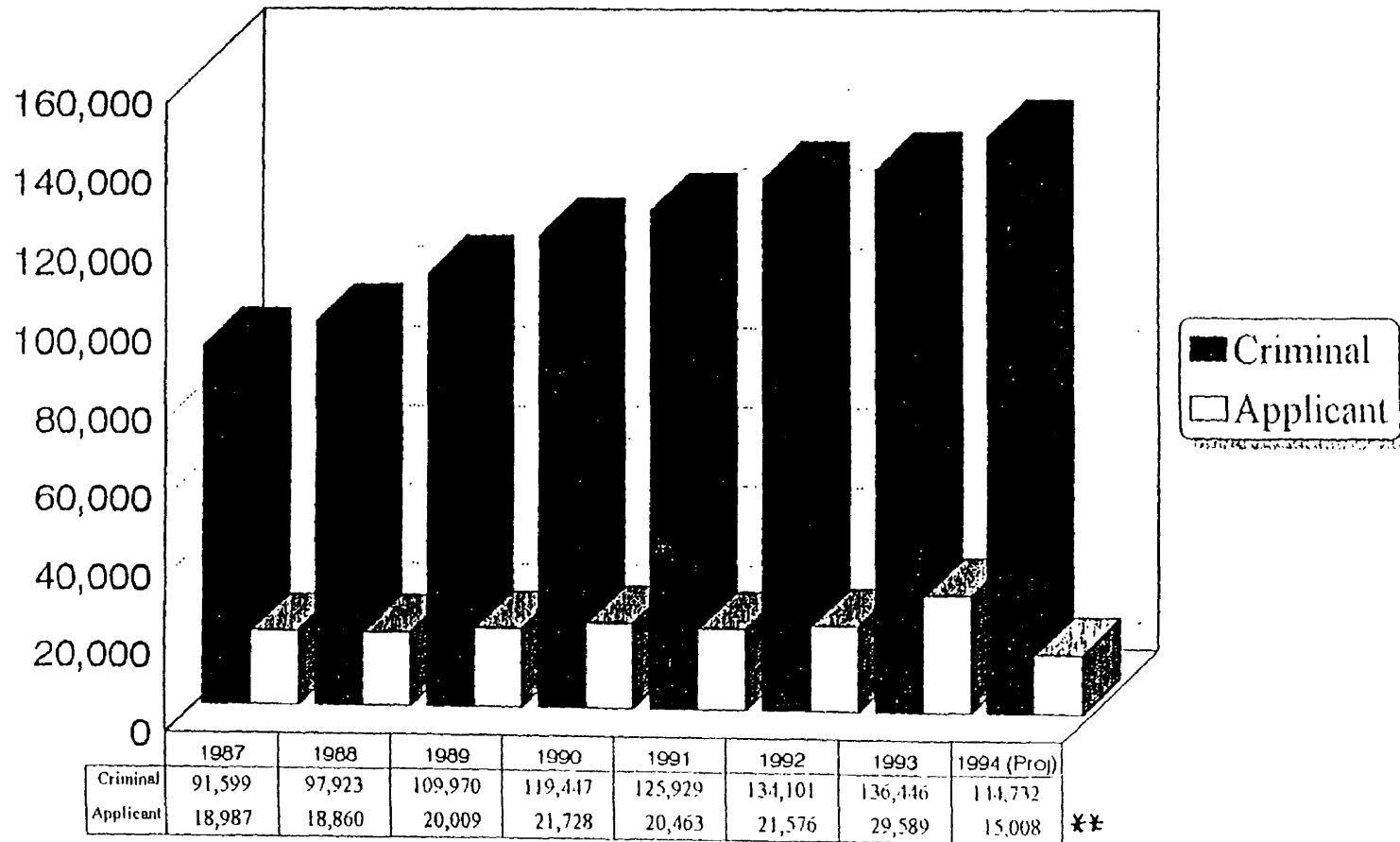


1994 - Records Management Division

Overall Increase 112%

# Criminal & Applicant Fingerprint Receipts

E-3

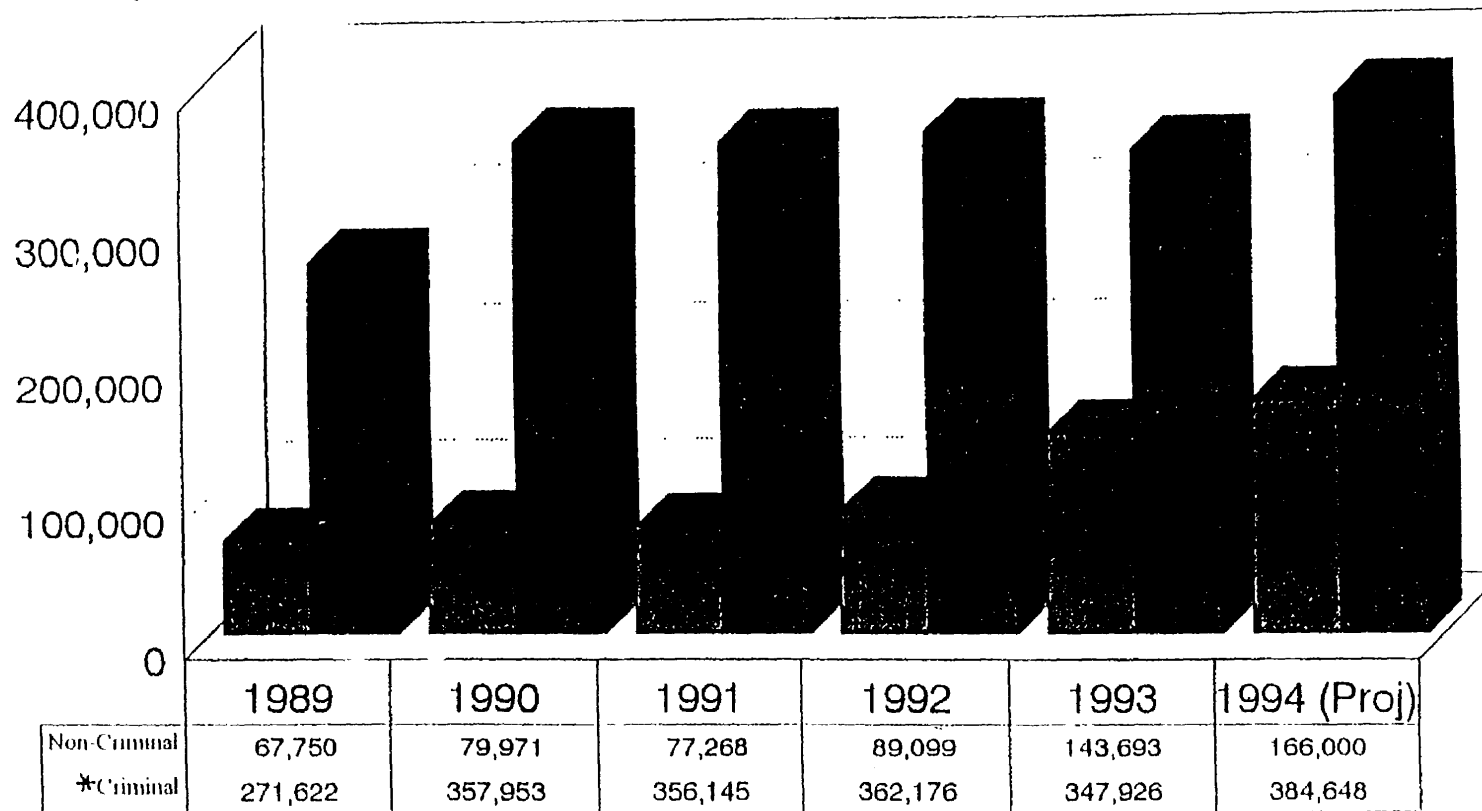


1994 - Records Management Division

\*\* FIGURE NOT PROJECTION

## \*Criminal Records/Non-Criminal Records Received

4-5



■ Non-Criminal ■ Criminal

1994 - Records Management Division

\* INCLUDES COURT DISPOSITION RECORDS

# **APPENDIX G**

# **COMMUNITY POLICING**

OR

## **COMMUNITY ORIENTED GOVERNMENT**

### **ELEMENTS OF COMMUNITY POLICING:**

1. Police are moved into direct engagement with a community rather than the insular patrolling in the automobile which removes the officer from the community. The direct contact enables the police officer to develop more insight into the community demographic profile in order to develop solutions to local problems unique to the neighborhood.
2. Police officer is relieved of non-emergency response duties in order to engage in proactive crime prevention. Calls for police services must be better managed than in the past.
3. Decentralization of operations allows the opportunity for police officers to develop more in depth knowledge of the specific workings and needs of various neighborhoods and constituencies and to adapt the police operations to meet those needs.
4. Local residents become a part of the solution to crime prevention.
5. Decisions are made by the individuals in the trenches where the community's problems exist instead of at the top and removed from the actual problems.
6. Local residents are encouraged to take the initiative in preventing and solving crimes.

### **LOCAL EMPOWERMENT OF COMMUNITIES**

## LAW ENFORCEMENT ACTIVITIES IN COMMUNITY POLICING

- \* Operation of neighborhood substations
- \* Meeting with community groups and individuals
- \* Analyzing and solving, through local input, neighborhood problems
- \* Community partnerships in crime prevention programs
- \* Door-to-door surveys of neighborhood residents
- \* Working with the neighborhood schools and students
- \* Meeting with local merchants
- \* Conducting security checks of local businesses
- \* Early intervention with criminally prone residents (disorderly conduct interventions)

Community policing is both a philosophy and an organizational strategy. It recommends the permanent assignment of police officers to a specific beat where they will have daily interaction with the residents in the neighborhood. In order to develop the public support to make such an approach succeed, there must be a period of education for civic groups, local businesses, and local officials. The local residents' commitment to community policing is essential to the implementation of this strategy. Community agencies must be involved from the beginning in the planning and implementation stages of the strategy. Once the groundwork has been completed with all of the community's stakeholders, a formal diagnosis can be made of the community's strengths and weaknesses. From this blueprint, solutions can be formulated by those vested in the strategy.

## MODELS FOR ASSESSMENT

Norfolk's PACE program

Richmond's Weed & Seed program

## INDICATORS OF EFFECTIVENESS

- \* Positive community response
- \* Neighborhood crime rate
- \* Sense of safety by the public
- \* Number of citizen complaints about police rudeness  
(Civility between the police and the neighborhood residents)

There is a distinct lack of evaluative data on the effectiveness of community policing initiatives. Consideration should be given to requiring any recommendation for expansion of the Commonwealth's community policing efforts to include an evaluation component.

### **"BROKEN WINDOWS"**

**Atlantic Monthly, March, 1982, Kelling and Wilson**

- \* Neighborhood disorder, such as drunks, prostitution, youth gangs, create chaos and fear in a neighborhood.
- \* Unrepaired broken windows often signal a distinct disregard for property and can lead to further vandalism. Similarly, persistent disorderly behavior also indicates that no one cares about the neighborhood and can lead to further crime. This too will create citizen fear and attract criminal elements.
- \* Police will have to rely upon the residents in these neighborhoods to provide assistance and legitimize their actions in dealing with the disorder.

Daily incivilities disrupt and often destroy the neighborhood social, commercial, and political life.



## **STRATEGIES FOR CHANGE**

1. The first line of defense in a neighborhood is the preservation of the community institutions; the most basic being the family. The police must work with the families, the schools, the local businesses to develop a sense of mutual responsibility in the preservation and protection of the neighborhood's integrity.
2. Police must take a new approach to policing: problem-oriented policing. This is simply a method of working with citizens to help them identify the neighborhood's problems and to develop solutions.

## **ISSUES FOR CONSIDERATION**

1. Effect of community policing on limited resources?
2. Effect of community policing on current organizational structure of local police departments?
3. Effect of traditional versus community assignment on the morale of police officers?
4. Needed resources and training for statewide implementation of the philosophy of community policing in local police departments?

# **APPENDIX H**

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# Juvenile Justice Programs

## DYFS Juvenile Correctional Centers

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- ▶ SERVICES
  - Provide 24 hour security, residential services, education and rehabilitation to juvenile offenders committed to The Department of Youth and Family Services
  
- ▶ PROGRAMS
  - 6 juvenile correctional centers and 1 Reception & Diagnostic Center
  
  - 1,565 juveniles committed in FY 1994
  
  - Board approved capacity of 725 secure beds
  
  - Estimated "safe" capacity of approximately 830
  
  - Average daily population during FY 1994 was 857
  
  - Population on October 17, 1994 is 955
  
  - Facilities located:
    - Barrett - *Hanover Co.*
    - Beaumont - *Powhatan Co.*
    - Bon Air - *Richmond*
    - Hanover - *Hanover Co.*
    - Natural Bridge - *Rockbridge Co.*
    - Oak Ridge - *Richmond*
    - Reception & Diagnostic Ctr. - *Richmond*

11  
2

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# Juvenile Justice Programs

## DYFS Juvenile Correctional Centers (continued)

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▶ PROGRAMS cont.

- Barrett is a specialized facility serving only juveniles requiring substance abuse services
- Bon Air is only facility serving females (coed)
- Oak Ridge has a specialized program for lower functioning delinquents with serious behavioral problems
- Reception & Diagnostic Center provides psychological, educational, social and medical evaluations
- Standard juvenile correctional center services include:
  - Behavioral Services Unit - psychological services
  - Central Infirmary - medical, dental and health services
  - Department of Correctional Education - academic and vocational education and speech therapy
- Substance Treatment Programs - all juvenile correctional centers; additionally Barrett received \$1.8M federal grant
- Expansion of Drug Dealers Program (in development)
- Sex Offender Treatment Programs - Hanover, Oak Ridge and Beaumont have specialized living units and prescriptive services are available at all juvenile correctional centers

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# Juvenile Justice Programs

## DYFS Juvenile Correctional Centers (continued)

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- ▶ PROGRAMS cont.
  - Social Habilitation Treatment Programs such as anger control, victim awareness, behavior control, and community adjustment are offered at all juvenile correctional centers
  - Independent Living / Work Release Program offered at Bon Air (coed)
  - C.R.I.M.E.S.T.O.P. - "Controlled Rehabilitation in a Managed Environment, Secure Treatment Offender Program" at Hanover, Barrett and Natural Bridge
  - Recreational activity programs at all centers
  - Religious programs at all centers
  - Achievement-oriented organizations - Boy Scouts at Hanover and Beaumont, Explorer Posts at all other juvenile correctional centers
  - Volunteer programs such as arts & crafts, tutoring, and recreational activities
  - Classification System = Length of Stay
  - Youth Industries - Code of Virginia amended in 1994 to provide for enhanced programs (in development)

H-4

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# Juvenile Justice Programs

## Community Corrections - Court Service Units

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- There are 32 state-operated and 3 locally operated Court Service Units (CSU) offering services such as:
  - Intake
    - screening and processing of complaints coming to the Juvenile & Domestic Relations District Court
    - 13,160 juvenile complaints per month in FY 1993
  - Diversion
    - diversion of appropriate cases from formal court hearings including referral to services and often unofficial supervision and counseling
    - 2,878 cases receiving unofficial supervision per month in FY 1993
  - Investigations & Reports
    - preparation of social history investigations, transfer reports and custody investigations
    - 1,007 reports completed per month in FY 1993
  - Supervision
    - juvenile probation and parole supervision
    - 9,195 juveniles under court supervision each month in FY 1993
  - Domestic Relations
    - counseling, referrals, mediation, supervision
  - Specialized court programs
    - array of specialized programs provided by staff and volunteers

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# Juvenile Justice Programs

## Community Corrections - Pre-Disposition Alternatives

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- SECURE DETENTION

- SERVICE

- Provide 24 hour secure pre-dispositional group living for juveniles who require a maximum restricted environment for the protection of the community while awaiting court action. Educational instruction is required for all youth detained beyond 72 hours.

- PROGRAMS

- Facilities are locally operated and supported with state and local funds
- 17 Secure Juvenile Detention Homes in Virginia - current bed capacity of 532
- 13,064 admissions during FY 1994
- Average daily population of 655 during FY 1994 - 123% of capacity
- Average length of stay is approximately 21 days
- Facilities are located:

<i>Chesterfield - Chesterfield</i>	<i>New River - Christiansburg</i>	<i>Roanoke - Roanoke</i>
<i>Crater - Disputanta</i>	<i>Newport News - Newport News</i>	<i>Shenandoah - Staunton</i>
<i>Fairfax - Fairfax</i>	<i>Norfolk - Norfolk</i>	<i>Tidewater - Chesapeake</i>
<i>Hennico - Henrico</i>	<i>Pr William - Manassas</i>	<i>WW Moore - Danville</i>
<i>Highlands - Bristol</i>	<i>Rappahannock - Fredericksburg</i>	
<i>Lynchburg - Lynchburg</i>	<i>Richmond - Richmond</i>	

- 32 localities are currently without participating or user agreements for any secure detention space
- New facilities are approved to be built in Loudoun County and Middle Peninsula
- 173 beds will be added through expansion or new construction by FY 1997

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# Juvenile Justice Programs

## Community Corrections - Pre-Disposition Alternatives (continued)

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- **LESS SECURE DETENTION**

- Provides temporary pre-dispositional group living within a nonsecure environment, for juveniles accused of a delinquent act or a CHINS (Children in Need of Services) offense

- **PROGRAMS**

- 2 locally operated facilities currently operating statewide
- Programs located in Fairfax and Hampton-Newport News
- Total statewide capacity is 24 beds

- **CRISIS SHELTERS**

- Provides nonsecure pre-dispositional group living on a short term basis, generally 1 - 60 days, for youth involved in family or personal crisis

- **PROGRAMS**

- 11 locally operated facilities statewide
- Current capacity of 136 beds
- Serve delinquent and nondelinquent juveniles

- **ELECTRONIC MONITORING**

- Provides supervision of a juvenile by the use of an electronic device (normally placed around the ankle) and monitored through a computerized telecommunication system. This service is normally provided in conjunction with intensive supervision and allows for more intensive monitoring and restriction of the juvenile's movements.

- **PROGRAMS**

- 9 programs currently operating statewide
- 23 localities report having access to EM for pre-dispositional use

E-7



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# Juvenile Justice Programs

## Community Corrections - Pre-Dispositional Alternatives (continued)

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▶ **INTENSIVE HOME BASED SUPERVISION**

- Provides a high level of contact (sometimes daily) between a specially trained counselor and a juvenile typically at high risk of being removed from their home. The service can be based on a surveillance model, intervention model, or a family preservation model. It is generally intended to be short in duration and requires that very small caseloads be maintained

▶ **PROGRAMS**

- 6 programs currently operating statewide
- 9 localities report having access to intensive supervision for pre-dispositional use

▶ **OUTREACH DETENTION**

- Provides intensive supervision of youth in their own home or a surrogate home who would otherwise be held in secure detention. Counselors generally carry a caseload of no more than 7 juveniles at a time.

▶ **PROGRAMS**

- 12 programs currently operating statewide
- 33 localities report having access to outreach detention

▶ **HOUSE ARREST**

- Provides an alternative to detention by restricting a juvenile's movements to attending school and returning to home - monitored by parents who are required to report violations to CSU

▶ **PROGRAMS**

- 11 programs currently operating statewide
- 37 localities report having access to house arrest for pre-dispositional use

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# Juvenile Justice Programs

## Community Corrections - Pre-Dispositional Alternatives (continued)

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▶ **SUBSTANCE ABUSE SERVICES**

- Provides a variety of services for juveniles with substance problems. Services may include drug screening, group and individual counseling, drug education, or specialized services for drug dealers.

▶ **PROGRAMS**

- 32 programs currently operating statewide
- 58 localities report having access to some type of substance abuse service for pre-dispositional use

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# Juvenile Justice Programs

## Juvenile Community Corrections - Post Disposition Alternatives

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▶ **POST-DISPOSITIONAL SENTENCING TO DETENTION**

- Provides sentencing to a local detention home as a dispositional option available to the courts for juveniles age 16 and over who have been found guilty of a Class 1 misdemeanor or a felony. Access to this alternative has been severely limited in Virginia due to the increased demand for pre-dispositional secure detention bed space.

▶ **PROGRAMS**

- 14 of the 17 secure detention homes offer some type of post-dispositional sentencing option
- 463 juveniles were sentenced to a local detention home during FY 1993
- Sentences range from 1 day to 6 months

▶ **COMMUNITY GROUP HOMES**

- Provides nonsecure group living for delinquent youth not able to remain in their own homes. Group homes are generally 10 to 15 beds and services include group and individual counseling. Residents attend local schools and access community resources.

▶ **PROGRAMS**

- 28 facilities currently operate statewide
- These programs have a current capacity of 338 beds

▶ **FAMILY ORIENTED GROUP HOMES**

- Provides small group living in a private family dwelling. Homes are contractually affiliated with a local governing body to provide residential care, counseling and support services to juveniles placed by the court.

▶ **PROGRAMS**

- 7 programs currently operate statewide
- These programs have a capacity of 74 beds

H-10

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# Juvenile Justice Programs

## Community Corrections - Post-Disposition Alternatives (continued)

---

▶ **INTENSIVE SUPERVISION**

- Provides a high level of contact (sometimes daily) between a specially trained counselor and a juvenile typically at high risk of being removed from their home. The service can be based on a surveillance model, intervention model or a family preservation model. It is generally intended to be short in duration and requires that very small caseloads be maintained.

▶ **PROGRAMS**

- 15 programs currently operate statewide
- 24 localities report having access to intensive supervision for post-dispositional use

▶ **ELECTRONIC MONITORING**

- Provides supervision of a juvenile by the use of an electronic device (normally placed around the ankle) and monitored through a computerized telecommunication system. This service is normally provided in conjunction with intensive supervision and allows for more intensive monitoring and restriction of the juvenile's movements.

▶ **PROGRAMS**

- 5 programs currently operate statewide
- 11 localities report having access to EM for post-dispositional use

▶ **RESTITUTION**

- Provides for the monitoring of court ordered payment to victims; services may include job placement and employability skills training.

▶ **PROGRAMS**

- 11 programs currently operate statewide
- 27 localities report having access to restitution programs

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# Juvenile Justice Programs

## Community Corrections - Post Disposition Alternatives (continued)

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▶ **COMMUNITY SERVICE**

- Provides for placement of juveniles in community service or work alternative job sites to "pay back" the community with volunteer labor for their delinquent offenses.

▶ **PROGRAMS**

- 22 programs currently operating statewide
- 80 localities report having access to community service programs

▶ **HALFWAY HOUSES**

- Provides transitional group living designed for older youth returning from state care to the community. Services include training in independent living and job seeking skills.

▶ **PROGRAMS**

- 4 facilities currently operating statewide; Norfolk, Staunton, Roanoke, and Richmond
- Total available bedspace is 44
- Three facilities are state operated and one is operated under a private contract -- Harriet Tubman House

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# Juvenile Justice Programs

## Community Corrections - Post Disposition Alternatives (continued)

---

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- Provides for placement of juveniles in community service or work alternative job sites to "pay back" the community with volunteer labor for their delinquent offenses.

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- 4 facilities currently operating statewide; Norfolk, Staunton, Roanoke, and Richmond
- Total available bedspace is 44
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# **APPENDIX I**

## Pretrial Diversion & Related Services

### History:

On June 20, 1988, the Governor signed a directive authorizing the Department of Corrections (DOC) to initiate up to five pretrial diversion programs beginning in July, 1988. In February, 1989 the General Assembly transferred responsibility for pretrial programs to the Department of Criminal Justice Services (DCJS). By 1991, six more programs were established through state and federal funds. There are currently a total of 13 programs in operation with funding for three to five new programs scheduled to be operational by FY 1995/96. Target sites include cities, urbanized counties and localities served by regional jails.

### Goals:

- ⇒ To Ensure Public Safety
- ⇒ To Improve the Case Management Capability of the Courts and Offices of the Commonwealth's Attorney
- ⇒ To Reduce Jail Crowding By Targeting Defendants Awaiting Trial in Jail Held on Secure Bond

### Objectives:

To provide the General District Court with the capacity to release defendants on bail to supervision and other conditions in lieu of secure bond.

### Offender Profile:

Generally, defendants have or may have:

- Criminal misdemeanor and felon charges for which they have been admitted to bail but detained in jail awaiting first appearance, unable to meet the conditions of a secure bond
- Generally non-violent behavior, but moderate to moderately high release risk
- Moderate history of convictions
- Prior failures to appear for traffic or criminal misdemeanor offenses for which they had been released from custody on a summons or unsecured bond
- Most likely have a substance abuse history or problem
- Relative community residential stability
- Borderline employment or economic stability



### **Program Elements:**

Pretrial diversion programs provide the following services:

- Obtain and verify defendant criminal history and local arrest records
- Assess defendant community stability
- Complete defendant interview prior to first appearance
- Verify, to the degree possible prior to initial appearance, the statements of the defendant
- Assess the level of risk related to releasing the defendant
- Make one of the following release recommendations:
  - a. Promise to Appear
  - b. Unsecured Bond
  - c. Supervised Release
  - d. Reduced Secure Bond
  - e. Same Bond
  - f. Continued Detention
- Provide court, defense and prosecution with defendant based information
- Provide a level of supervision necessary for each defendant released to the custody of the pretrial program
- Perform drug and alcohol testing, if available
- Assure defendant compliance with all conditions of release
- Assist the court with matters related to the pretrial release of detained defendants
- Assist the jail with pretrial release of defendants on home/electronic incarceration
- Provide technical assistance to other state pretrial programs

### **Special Notes:**

Programs do not screen defendants denied bail, nor those detained for public intoxication, nor do they generally screen and recommend for supervised release those arrested for traffic offenses or for local ordinance violations.

### **Evaluation:**

The 1993 Department of Planning and Budget *Study of Alternative Programs for Offenders* found that Pretrial programs generated a significant cost avoidance (\$3.7M cost avoidance for \$1.2M program cost for FY92). The participant success rate significantly exceeds national rates. Program failures are typically violated for failure to adhere to program rules, not for failure-to-appear or pretrial criminality.

## Electronic Monitoring Local Programming

### History:

In 1986 the General Assembly allocated funds for the establishment of two electronic monitoring programs. These programs were initiated as part of an effort to assist localities in reducing crowded jail conditions. In 1989 funds were appropriated to the Department of Criminal Justice Services (DCJS) for the establishment of four new programs. In 1990, the DCJS was appropriated funds for the establishment of five additional programs. No funds were awarded to localities in 1991 and in 1992, by action of the General Assembly, all funds for electronic monitoring were transferred to the DOC for the high risk parolee program. The General Assembly reinstated funds in 1994 for the DCJS to award to localities for the establishment of new local programs in FY 1995/96.

### Goals:

- ⇒ To Ensure Public Safety
- ⇒ To Provide for the Graduated Release of Sentenced Offenders
- ⇒ To Provide a Secure Release Option for Selected Pretrial Offenders

### Objectives:

To provide sheriffs, jail administrators, and judges with the capacity to release selected defendants and offenders to a highly restrictive form of supervision in lieu of continued jail confinement.

### Offender Profile:

There are several types of offenders who may be suitable candidates for this form of sanctioning:

- Non-violent offenders
- Habitual Traffic Offenders
- Offenders convicted of driving under the influence of alcohol or drugs
- Offenders who are nearing completion of their sentence and have demonstrated themselves to be ready for a less restrictive form of supervision
- Offenders who have been successful on work release
- Offenders in need of special, on-going medical treatment
- Moderate risk pretrial offenders who cannot meet the conditions of secure release
- Those suitable for weekends/non-consecutive days

### **Program Elements:**

Using a basic concept of house arrest, offenders are required to remain in their homes at all times, except for approved absences for work or doctor appointments. To help ensure that offenders adhere to the home confinement stipulations of their release from secure custody, an electronic monitoring device is used. Offenders are also required to check in with program staff, undergo drug testing, provide proof of employment, and adhere to any other conditions of release. Program staff will make announced or unannounced visits to the offender's home or work place to provide an additional level of supervision.

### **Special Notes:**

The program does work best when the jail's sheriff or administrator takes responsibility for screening and directly assigning offenders to the program or recommending assignments for the judiciary to consider. The Code of Virginia, §53.1-131.2, permits sheriffs and jail administrators to directly assign selected offenders to the program. If there are other offenders who the sheriff or jail administrator feels may be suitable, they may request that the court order those offenders to the program while the Court is permitted to directly place offenders, the Court is encouraged to confer with the sheriff or jail administrator to ensure that the offender would be suitable for placement in accordance with program selection criteria.

Electronic monitoring may also be used in conjunction with a pretrial release program, or any other supervision program as an additional supervision tool or as a sanction for program violation.

### **Evaluation:**

In March, 1993 the Department of Planning and Budget (DPB) produced an evaluation of electronic monitoring programs, *Study of Electronic Monitoring Programs for Offenders*. In regard to local programming, the DPB reported that electronic monitoring "represents a way to substantially avoid the costs associated with placing low-risk offenders in expensive jail beds." The DPB concluded that local programs "appear to save money, and based on the types of offenses committed by offenders in the programs, net-widening is likely to be minimal. The additional funding of local programs seems to be rational and reasonable."

## Community Services Programs

### *History:*

"Community Service" is a sentencing alternative which allows offenders to perform a specified number of hours of unpaid work in public or non-profit agencies, usually in lieu of fines and costs, probation and/or incarceration. The use of community service as a formal sentencing option began in England in the 1960's and in the United States during the seventies. At first, the community service option was used only when judges felt that the talents of a specially skilled or educated offender should be used to the benefit of the community. In the late 1970's, community service began to proliferate in response to criminal justice system and public concerns with inmate idleness, high correctional costs, and prison and jail crowding.

### *Objectives:*

- ⇒ To broaden the range of sentencing options
- ⇒ To establish a more appropriate sanction for offenders who require a sanction more meaningful than mere probation but less stigmatizing than incarceration
- ⇒ To provide a more reliable means of compensating the victim

### *Program Elements:*

Referrals are made by Circuit, General District, and Juvenile & Domestic Relations Court judges. Offenders may be directly placed in the program (as with New River Community Sentencing, NRCS, and Rooftop CAP) or referred to local community service boards for review. NRCS and Rooftop Boards confine themselves to developing policy and approving funding rather than evaluating clients for suitability.

If accepted, clients are assigned a counselor who will match offender skills, interests, and personalities with job sites they have previously developed. Counselors assist in establishing a work schedule, regularly monitor offender compliance and performance and address problems as they arise. Counselors report back to the court upon completion of the community service sentence or in the case of intractable noncompliance.

### *Evaluation:*

Direct Measures of Economic Benefit:

- Jail cost savings for community service used in lieu of jail terms

- Actual value of community service work
- Savings in the cost of supervising probationers
- Wages received, taxes paid

Indirect Measures of Monetary Value:

- Value of fines and costs excused; savings to the court accrued
- Value of community service work beyond the minimum hourly rate
- Savings in the cost of public assistance averted for offender's family
- betterment of community relations with criminal justice agencies

## Public Inebriate Centers (PIC's)

### *History:*

Most law enforcement, corrections, mental health, and substance abuse treatment professionals agree that jailing chronic inebriates is a waste of valuable resources. The arresting and booking of this population takes the law enforcement officer away from his duties for extensive periods of time. Few jails are staffed and trained to handle the behavioral and medical problems of these people, particularly in relation to the suicide potential while in jail. Treatment professionals recognize that sobering-up in jail does not initiate a detoxification process nor link the public inebriate to substance abuse services.

The Detoxification Center Program was established in §§ 9-173.1 and 9-173.2 of the *Code of Virginia* in 1982. The program was based on the public safety or "sobering-up station" model advocated by the Virginia State Crime Commission. Programs were established in Frederick County and Charlottesville in 1982 and in Virginia Beach in 1983. PIC services were established in 1986 in Newport News; although this program has recently been terminated due to failure to meet diversion requirements. Funding has been established to initiate a PIC in Richmond this year.

### *Goals:*

- ⇒ To divert public inebriates from jails to a safe, humane, and appropriate alternative setting
- ⇒ To reduce law enforcement time involved in the arrest and booking of public inebriates
- ⇒ To link public inebriates to services which can assist in addressing chronic alcohol problems

### *Objectives:*

To provide an appropriate level of supervision and services to public inebriates in a setting other than jail.

### *Offender Profile:*

- Mostly chronic public inebriates
- Increasingly involved poly-substance abusers
- Voluntary admission only
- No aggravating factors such as criminal charges or resisting arrest

### ***Program Elements:***

- Voluntary admissions only
- Staff trained to recognize medical problems related to alcohol withdrawal/alcohol poisoning
- Clean, shelter-like environment
- Linkages exist with longer term detoxification programs and with community based treatment and "12 step" programs

### ***Evaluation:***

The 1993 Department of Planning and Budget's *Study of Alternative Programs for Offenders* found that direct jail cost-avoidance alone does not justify these programs. However, when the cost of law enforcement and judicial officer time is factored in, it is likely that there is an overall cost-savings association with the programs. The evaluation supports the concept that PIC programs are more humane and appropriate than jail for public inebriates. The evaluation also suggests that program costs have been driven up, in great part, by licensure requirements of the Department of Mental Health, Mental Retardation, and Substance Abuse Services (DMHMRSAS).

## Community Diversion Incentive Program

### *History:*

In 1980, the Community Diversion Incentive (CDI) program was created as a judicial alternative for non-violent offenders sentenced to incarceration. The CDI program provides for local citizen input into court dispositions through Community Corrections Rescues Boards. These Boards consist of equal numbers of community and judiciary appointees, and one appointee of the Department of Corrections. The Board evaluates offenders sentenced to incarceration and recommends whether or not the offender can be safely monitored in the community in lieu of incarceration. Currently there are 29 CDI programs covering approximately 90% of Virginia.

### *Objectives:*

The primary purpose of CDI is to ensure public safety by closely monitoring the activities of selected offenders through increased surveillance, identification, and utilization of community resources. This type of supervision offers an intermediate step between conventional probation and incarceration.

### *Offender Profile:*

- Non-violent felons and misdemeanants

### *Program Elements:*

Offenders are referred to CDI by the Circuit and General District Courts. The Community Corrections Resources Board then reviews the case to determine whether the offender would be an acceptable placement. Offenders are subject to intensive supervision, community service work, random drug and alcohol screening, and mental health and substance abuse treatment services. Offenders are required to pay any restitution and court costs.

### *Special Notes:*

The 1994 Special Session of the General Assembly disestablished the original form of the CDI network. A Comprehensive Community Corrections Act for Local Responsible Offenders was passed which increases offender services and changes the make-up of the



Community Services Boards. The programs under the new act will be monitored by the DCJS.

**Evaluation:**

The 1993 Department of Planning and Budget *Study of Alternative Punishment Programs for Offenders* found a cost avoidance benefit of \$12M; but speculated that due to net-widening, the actual savings are likely lower.

## Virginia Alcohol Safety Action Program

### *History:*

The Virginia General Assembly of 1975 passed enabling legislation to authorize the development of the VASAP system. Currently there are 25 programs in operation around the state. Administrative oversight of these local entities are provided by a legislative branch agency known as the Commission on VASAP chaired by Delegate William Robinson. This program was initially designed and funded as a result of a federal commission to confront the growing problem of driving under the influence.

### *Goals:*

- ⇒ General Deterrence - Conduct Public Information & Education programs aimed at the individuals who may engage in DUI but are not likely to be arrested.
- ⇒ Community Focus - Placing program emphasis and responsibility at the local level.
- ⇒ Systems Approach - Integrating the enforcement, prosecution, adjudication, education/treatment, public information/education, and licensing functions at the state and local level.
- ⇒ Financial - Establishing a system of user fees to defray the costs of program operation. Local ASAP program are not funded with state general fund dollars.
- ⇒ Citizen Support - Each local program is mandated to have a local advisory board.

### *Objectives:*

- ⇒ Provide DUI offender assessment, referral, and tracking services for the court.
- ⇒ Provide Public Information & Education regarding the dangers of DUI.

### *Offender Profile:*

ASAP is a post conviction intervention program. Participants have generally been convicted for DUI (1st or 2nd offense) and have been referred by the sentencing court.

### *Program Elements:*

The Commission on VASAP has set the following as its core requirements for local program operation:

- Case Management

- Education and Treatment Referral
- Law Enforcement DUI detection training
- Local Public Information & Education campaigns

**Evaluation:**

The Department of Mental Health, Mental Retardation, and Substance Abuse Services' evaluation of Community Board Services across the state, *Evaluation of Community- Based Consumer Services* (1994), found that ASAP participants were twice as likely as other criminal justice referrals to successfully complete treatment services.

## Supervised Probation

### *History:*

In 1942, probation legislation was enacted statewide. § 53.1-145-150 of the *Code of Virginia* permits the community supervision of convicted felons who do not have mandatory sentences. There are currently 40 probation offices throughout Virginia. As of March 31, 1994, there were 23,757 probationers under supervision in Virginia.

### *Goals:*

- ⇒ The primary goal of probation is to ensure public safety through the supervision the of activities of convicted felons.

### *Objectives:*

- ⇒ To provide probationary services for circuit court judges.
- ⇒ To provide a continuum of community sanctions and punishments appropriate for individual offenders beyond fines and restitution.
- ⇒ To provide a cadre of skilled officers who develop and monitor supervision plans and conduct random urinalysis checks.

### *Program Elements:*

Offenders are placed on probation by the Circuit Court. supervision is provided by skilled, trained officers who develop and monitor supervision plans and conduct random urinalysis checks. The Intensive Supervision Program (ISP) and the State Electronic Monitoring Program (EM) serve as enhancements to probation for higher risk/need offenders. The use of ISP and/or EM may be Court ordered or as a result of a supervising officer's referral.

### *Evaluation:*

Evaluation of the Intensive Supervision Program and the State Electronic Monitoring Program (newly developed program enhancements) are ongoing. Initial indication is that these interventions when used as enhancements to traditional probation services show measurable improvements in ensuring public safety.

## Adult Residential Facilities/ Pre-Release Services

### *History:*

The program began in 1985 when the Department of Corrections contracted for 10 beds in Norfolk. It has grown, with steady general fund increases, to over 200 beds. Pre-release beds are now available in most major metropolitan areas of the state.

### *Goals:*

- ⇒ To assist releasing offenders in making a successful transition to the community
- ⇒ To increase offender employability upon release
- ⇒ To provide a less-costly residential alternative for soon-to-be release offenders

### *Objectives:*

To provide a lower-cost residential setting for the supervised reintegration of offenders into the community.

### *Offender Profile:*

None of the current programs allow for participation by offenders with significant histories of violent behavior. Generally, the programs accept:

- Non-violent offenders approaching mandatory release and in need of transition services
- Already released offenders referred due to need for transition services, housing, or structure
- Offenders who have substance abuse problems
- Offenders in need of employability assistance

### *Program Elements:*

Pre-release services include the following services:

- Structured scheduling
- Behavioral contracting
- Employability training; job placement
- Life skills training

- Group and individual counseling
- Substance abuse treatment

***Evaluation:***

The 1993 Department of Planning and Budget *Study of Alternative Programs for Offenders* found that pre-release beds cost significantly less than institutional beds and slightly less than boot camp beds. Further, the study found increased employability among participants and noted that three-fourths of the participants pay room and board while in the program.

## Day Reporting Centers

### *History:*

The concept of Day Reporting Centers originated in England in the early seventies. It was meant as a diversion from incarceration for the chronic but less serious offender for whom all other forms of case management failed. These offenders lacked the basic skills to survive lawfully, were socially isolated, and often were dependent on drugs or alcohol. The stress on probation prompted searches for more inventive ways of controlling offenders within the community. Day Reporting Centers combined the use of many of the intermediate sanctions as well as emphasizing the mobilization of community resources--such as drug and alcohol treatment and job placement--to alter negative behavior and reduce the risk offenders pose to the community. The 1993 General Assembly authorized funds for the establishment of a pilot day reporting center in Fairfax for probation and parole technical violators who are under the supervision of the Fairfax parole and probation district and who live within a certain high crime corridor of that county. Richmond and Norfolk received general funds the following year to create similar programs. Abingdon successfully competed for federal funds during 93-94 to establish a rural model of day reporting.

### *Objectives:*

- ⇒ To enhance probation or parole supervision
- ⇒ To treat offenders' problems
- ⇒ To reduce prison or jail crowding

### *Program Elements:*

- Increased contacts with clients (the most rigorous range from 42 to 80 contacts per week; the least restrictive require 3 or 4 contacts per week)
- Curfew requirements (usually monitored electronically)
- Drug-use testing and/or treatment
- Training in job-seeking skills and job placement
- Individual and/or group counseling
- Literacy or GED programs
- Less common elements may include: emergency housing assistance, classes in parenting and opportunities for community service

**Evaluation:**

According to NIJ's 1990 study entitled "Day Reporting Centers for Criminal Offenders: A Descriptive Analysis of Existing Programs", there is "little information available from which to assess the impact of day reporting programs". This is true, not only because U.S. DRCs have not been operating for lengthy periods but also "because the programs vary greatly in length and type of treatment, response to violations and definitions of success". The Criminal Justice Research Center of the DCJS submitted a preliminary examination of the Fairfax DRC in December 1993. It described the program implementation and an overview of the program. A more comprehensive evaluation is currently underway to assess the impact of the Fairfax program as is a preliminary evaluation of the Richmond and Norfolk programs.



## Southampton Intensive Supervision Program "Boot Camp"

### *History:*

In 1990, the General Assembly enacted § 53.1-67.1 of the *Code of Virginia*, which established a "Boot Camp Incarceration Program". The program began January 1, 1991 and will continue as a pilot program through December 31, 1995. As of April 8, 1994, 28 platoons, comprised of 651 "probates" had entered and completed the program.

### *Objectives:*

The program components were established to build self-discipline, confidence and group cohesion in young offenders through close supervision and continuous evaluation of individual performance.

### *Offender Profile:*

- Non-violent felony offenders
- Male
- 24 years of age or under (tried and convicted as an adult)
- No more than one term of incarceration on any one sentencing event not to have exceeded 12 months and not to have been classified as state responsible inmate
- Voluntary entry
- Medically and psychologically fit to participate

### *Program Elements:*

Offenders are referred to the program by Circuit Court. The program included the following elements:

- Military drill
- Physical conditioning
- Rigorous work schedule
- Academic instruction
- Counseling
- Drug education
- Vocational assessment

### ***Evaluation.***

The 1993 Department of Planning and Budget's *Study of Alternative Punishment Programs for Offenders* reports evaluation findings from the Department of Corrections which indicate improvement in boot camp participants' reading levels, math skills, and in psychosocial measures of adjustment. However, the study also reports that program costs are only slightly less than regular incarceration costs and that there remain questions as to whether the program is actually targeting offenders who would otherwise have gone to prison or is, instead, net widening.

# APPENDIX J

# **HJR 242 WORK GROUP MEMBERSHIP**

## **CRIMINAL JUSTICE INFORMATION MANAGEMENT**

Captain Louis Vass - Department of State Police  
Betty Dillehay- Council on Information Management  
Ken Mittendorf - Supreme Court/Office of the Exec. Secretary  
Steve Pullen - Department of Youth and Family Services  
John Kloch - Commonwealth Attorney  
Terry Hawkins - Sheriff, Albemarle County  
Frank Johnstone - Department of Criminal Justice Services

## **PREVENTION/EARLY INTERVENTION**

Diane Maloney - DMHMRSAS  
Ellie Cobb - Comprehensive Services Act Early Intervention Project  
The Honorable Dean Lewis - J & D Judge/Fredericksburg  
Fran Ecker - Department of Criminal Justice Services  
Rita Katzman - Department of Social Services  
Rory Carpenter - Charlottesville Commission on Youth  
Ayissha Muhamared - Safe Neighborhood Project, Newport News  
Peggy Crutchfield - Norfolk CSB  
Harold Wright - Virginia Crime Prevention Association  
Marsha Hubbard - Department of Education  
Tom Northern - Department of Youth and Family Services  
Mark Abernathy - Department of Criminal Justice Services  
Deborah Jewell- Newport News Redevelopment Authority  
Officer Tom Kincaid - Roanoke County Police Department

## LAW ENFORCEMENT

Frank Ferguson, Chairman - Office of the Attorney General  
Billy Davenport - Commonwealth Attorney  
Charlie Murphy - Division of Motor Vehicles  
Sherry Feagan - Office of the Secretary of Public Safety  
Jeffrey Brown - Police Chief, Covington  
Vernie Francis - Sheriff, Southhampton County  
Lennice Werth - Virginia to Combat Drug Violence  
Judge William Lemmond - Prince George Circuit Court  
Lillian Brooks - Court Services Unit Director, Alexandria  
Charles Bennett -Chief, Lynchburg Police Department  
Robert Bobb - Richmond City Manager, Weed and Seed  
John Cencich - Special Agent, District 6, Alcoholic Beverage Control Board  
Tim Paul - Department of Criminal Justice Services  
Valerie Boykin - Department of Youth and Family Services  
Mandie Patterson - Department of Criminal Justice Services

## INSTITUTIONAL AND COMMUNITY CORRECTIONS

### Juvenile System

Linda Nablo, Chairperson - Department of Youth and Family Services

### Adult System

Dan Catley, Chairman - Department of Criminal Justice Services

# **APPENDIX K**

# 1994 SESSION

LD2348468

**HOUSE JOINT RESOLUTION NO. 147**  
**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**(Proposed by the Senate Committee on Rules**  
**on March 3, 1994)**

**(Patron Prior to Substitute—Delegate Thomas)**

*Requesting the Virginia State Crime Commission in its study to develop a comprehensive plan for the Commonwealth's criminal justice services to examine the costs and effectiveness of the policies, practices, and priorities of Virginia's criminal justice system.*

WHEREAS, during the past decade, while arrests for serious (Part I) criminal offenses increased by 28 percent and arrests for drug offenses increased by 49 percent, spending for state and local law enforcement has grown to over \$626 million annually; and

WHEREAS, while overall criminal court caseloads increased 75 percent, state and local spending for the judiciary, prosecution and indigent criminal defense has grown to over \$253 million annually; and

WHEREAS, while prisoners in state prisons and local jails increased 108 percent, state and local funding for corrections has grown to over \$559 million annually with 110,000 Virginians now under some form of state or local correctional supervision; and

WHEREAS, state and local criminal justice agencies in Virginia now spend more than \$1.5 billion annually and employ more than 30,000 public workers; and

WHEREAS, despite allocation of these massive amounts of money and large numbers of personnel, crime has not been reduced and citizens do not feel any safer; and

WHEREAS, continued or additional funding of current criminal justice policies, practices and priorities must come at the expense of pressing public needs in education and economic and human resource development; and

WHEREAS, current criminal justice policies, practices and priorities are neither efficient nor effective in either reducing crime or improving public safety in the Commonwealth even as arrests, court caseloads and prison populations increase; and

WHEREAS, the time has come to reexamine criminal justice policies, practices and priorities in law enforcement, adjudication and corrections to determine if they should be redesigned, restructured and reordered to be more efficient and effective in improving public safety; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia State Crime Commission in its study to develop a comprehensive plan for the Commonwealth's criminal justice services be requested to examine the following issues:

1. The cost of current narcotics law enforcement and sanctions strategies and their effectiveness in reducing drug demand;

2. The cost of local and state policing priorities and their effectiveness in preventing crime and improving neighborhood safety;

3. The cost of local prosecution, defense and judicial priorities and their effectiveness in reducing drug demand, improving neighborhood safety and reducing recidivism;

4. The cost of state and local correctional priorities and their effectiveness in reducing recidivism; and

5. The statutory and cost requirements for implementing alternative policies, practices and priorities that will reduce drug demand, prevent crime and improve public safety.

All state agencies, upon request, shall cooperate and assist the Commission in its study.

The Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 1995 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

***House Joint Resolution 147--Costs and Effectiveness of  
Virginia's Criminal Justice System***

Delegate A. Victor Thomas of Roanoke sponsored House Joint Resolution 147 (1994) requesting the Virginia State Crime Commission "to develop a comprehensive plan for the Commonwealth's criminal justice services to examine the costs and effectiveness of the policies, practices, and priorities of Virginia's criminal justice system." In the study resolution, Delegate Thomas identified the following issues for study by the Commission:

- the cost of current narcotics law enforcement and sanctions strategies and their effectiveness in reducing drug demand;
- the cost of local and state policing priorities and their effectiveness in preventing crime and improving neighborhood safety;
- the cost of local prosecution, defense and judicial priorities and their effectiveness in reducing drug demand, improving neighborhood safety and reducing recidivism;
- the cost of state and local correctional priorities and their effectiveness in reducing recidivism; and
- the statutory and cost requirements for implementing alternative policies, practices and priorities that will reduce drug demand, prevent crime and improve public safety.

With Delegate Thomas' permission, the Crime Commission's Criminal Justice Subcommittee, chaired by Delegate James F. Almand of Arlington, considered the underlying issues raised by HJR 147 under the auspices of its concurrent studies on Improvements to the Criminal Justice System in Virginia (HJR 242, sponsored by Delegate Almand) and Transition Services (HJR 70, sponsored by Delegate Marian Van Landingham of Alexandria). Consequently, the Subcommittee decided not to issue a separate study document on HJR 147.

Several key components must be in place before a comprehensive plan to examine the cost effectiveness of the criminal justice system can be developed. Improvements to information management and communications, as recommended in the Commission's final report on HJR 242 and House Document 10 on HJR 70, are vital to assessing the cost effectiveness of programs. Necessary improvements would include enhanced records accuracy, integrated justice systems and a criminal justice information system strategic plan.