



FY 2019 Recommended Budget Budget Question

Board Question #: 7

BUDGET QUESTION: What is driving the increase in the jail use? Does the increase necessarily mean an increase in the crime rate? What are the crimes? How can we reduce this number?

RESPONSE: As per the Rappahannock Regional Jail (RRJ) agreement, each participating locality pays their share of the operational cost based on their locality's jail inmate population, with inmates being the responsibility of the jurisdiction in which they are arrested.

Data from the Virginia State Police Crime in Virginia Report shows that while the annual number of adult arrests in Virginia has increased by 21.9% from CY 2012 to CY 2016, adult arrests in Spotsylvania County has decreased by over 20% for that same period.

As noted in the Virginia State Police Crime in Virginia Report, there are many factors that influence or contribute to crime including:

- Population density and degree of urbanization;
- Population variations in composition and stability;
- Economic conditions and employment availability;
- Mores, cultural conditions, education, and religious characteristics;
- Family cohesiveness;
- Climate, including seasonal weather conditions;
- Effective strength of the police force;
- Standards governing appointments to the police force;
- Attitudes and policies of the courts, prosecutors and corrections;
- Citizen attitudes toward crime and police;
- The administrative and investigative efficiency of police agencies and the organization and cooperation of adjoining and overlapping police jurisdictions;
- Crime reporting practices of citizens.

In recent years, the Spotsylvania Sheriff's office and the Spotsylvania Commonwealth Attorney's office have both increased their Community Outreach programs in an effort to positively impact some of the factors noted above and they believe based on their current feedback that their efforts have had a positive influence on reducing crime in our Community.

FY 2019 Recommended Budget

Budget Question

Based on data provided from the Sheriff's office from their CrimeView reporting system, arrests in Spotsylvania County had declined by 4% from CY 2016 (2,587) to CY 2017 (2,482). In spite of the decrease in arrests for CY2017 **Spotsylvania's inmate population days totaled 162,562 in FY 2017, an increase of 25,622 (19%) over FY 2016.**

While the number of arrests have a direct impact on inmate days at RRJ, once the arrests are made there are multiple factors that impact the length of stay for an inmate, including:

- Type of charge
- Is the person released on their personal recognizance pending trial or is a bond set?
- If a bond is issued, is the bond secured or unsecured?
- The amount of the bond
- The time involved in processing paperwork.
- Will a plea bargain be accepted versus incarceration?
- The length of the sentence.

We are pleased to report that in recent discussions with Jail staff, it was reported that there are no issues with the efficiency of the paperwork processes in Spotsylvania County.

A factor that has had an impact on Spotsylvania County is the opioid crisis. The crisis is real and among multiple efforts being made to address the crisis in Spotsylvania County is the issuance of harsher sentences for heroin dealers.

Another factor that we feel is impacting the rising costs at RRJ is the type of bond issued. There are three different types of bond commonly seen in Virginia: (1) personal recognizance (2) unsecured and (3) secured. Personal recognizance and unsecured bonds are very similar—neither requires the posting of any sum of money. Personal recognizance means that you're told your court date and released. Unsecured bonds carry a promise to pay a specific sum if you don't follow the conditions of your bail, but you are not required to pay that amount up front. A person released on their personal recognizance or an unsecured bond is typically released from Jail within hours.

However when a secured bond is issued, there is a requirement that some sum of money or surety be posted before the defendant may be released on bail. Secured bonds are generally given for more severe offenses, repeat criminal offenders, or in cases where the judicial officer believes the person poses some risk to the community or a flight risk. Depending on the amount of the bond and the defendant's ability to pay the sum required, it could take several days before someone is able to post their bond requirements and be released from jail.

Historical counts on bonds issued for pretrial supervision show that the number of secured bonds issued in CY 2017 totaled 531, an increase of 273 (106%) over the 258 secured bonds that were issued in CY 2013. The Virginia State Police Crime Report has not been released for

FY 2019 Recommended Budget

Budget Question

CY 2017, however the CY 2016 data shows the number of arrests for serious offenses in Spotsylvania was 1,537, an increase of 94 (7%) over CY 2013. So, while this increase in the number of serious offense arrests can be considered a factor in the increase in secured bonds issued, it is not the sole factor contributing to the increase in secured bonds.

While the number of unsecured bonds and releases on personal recognizance has also increased over the same period, there are significantly fewer of those types of bonds. Unsecured bonds issued in 2017 totaled 125 an increase of 47 (60%) over the 78 unsecured bonds that were issued in 2013. Personal recognizance bonds totaled 108 in 2017 an increase of 70 (184%) over the 38 that were issued in 2013.

Another area of concern impacting the County's increase at the RRJ is the Out of Compliance inmates. Within 60 days after final sentencing an inmate should be accepted into the Virginia Department of Corrections (DOC) system. Until they are accepted they are housed at regional jails like RRJ. While they are waiting to be accepted into the State system, the state will reimburse RRJ \$4 per day to house the inmate. Once the inmate is accepted into the State system, the State reimburse RRJ at a rate of \$12 per day and the State has 30 days from acceptance into their system to transfer the inmate to a State facility. When an inmate remains at RRJ past 90 days (60 days for acceptance into the State system and 30 days to be transported to a State facility) they are referred to as Out of Compliance inmates.

While the State does provide some level of reimbursement for these inmates (\$4 per day or \$12 per day), the 2017 Jail Cost Audit estimates the inmate cost per day at RRJ to be \$54.96 without Debt Service. The cost per day increases to \$63.09 when Debt Service is included. Another cost factor for these inmates is their medical costs. During the first 60 days RRJ is responsible for all medical costs associated with the inmate. Beginning on the 61st day, the RRJ can be reimbursed by DOC (Nonhospital and prescriptions) and/or the Compensation Board (Hospital costs) for the inmate's medical costs while they are housed at RRJ.

Beginning in 2008 the Virginia Department of Corrections began closing State facilities. Since that time they have closed a total of 13 Correctional Centers, Field Units and/or Work Centers, while opening only one additional Correctional Center. The closing of these facilities and the combining of Detention and Diversion programs has created limited bed space for inmates and limited space for inmates to participate in mandated programs.

Most inmates sentenced to two years or less will generally never enter a DOC facility. An inmate who is held in jail during their entire prosecution process sometimes will have enough prior jail credit to have only one year to serve, once they are sentenced. It takes 3 to 6 months for reception and classification before being moved to a designated facility and 6 to 9 months is not enough time to complete most reentry programs, so some inmates never leave RRJ. Also, the increase in retirees at the DOC has created a backlog in their processing time. We understand that there is currently a one year backlog in processing.

FY 2019 Recommended Budget

Budget Question

RRJ has ranked among the top 5 regional jails for the number of Out of Compliance inmates for the past few years, often receiving the # 1 spot on that list. In December of 2012 RRJ had 251 Out of Compliance inmates and that number grew to a high of 288 in October of 2013. The number has fluctuated between 144 and 288 over the past few years and is currently at 175.

The overall amount of RRJ's Operational budget will have a direct impact on Spotsylvania's cost as RRJ calculates each locality's annual funding request by applying their inmate population percentage to the Jail's Operational Budget. This is an area where financial staff from all of the RRJ participating localities has worked diligently with RJJ staff for the past few years to minimize Jail funding increases. Several steps have been taken to better estimate RRJ revenues and expenditures. With these steps in place, the Regional Jail's FY 2019 operational budget request decreased by over \$1 Million from FY 2018. The bulk of that decrease is tied to continued turnover and reduced Health Insurance costs. RRJ's significant turnover rate is a concern that the RRJ Board will be reviewing with the Superintendent in the future. The FY 2019 RRJ budget again assumes the use of one time bond proceeds to offset Debt Service, which will result in an increase in the localities share of debt service for FY 2020.

As you can see, there are multiple factors that are impacting the County's increase in RRJ expenditures for FY 2019. Mark Taylor, Sheriff Roger Harris and Travis Bird serve as Spotsylvania County's Board Members on the Rappahannock Regional Jail Authority which meets on a regular basis. Mr. Taylor plans to address areas of concern noted in this response at future Jail authority meetings and plans to keep the Board up to date on any actions taken to resolve issues.