

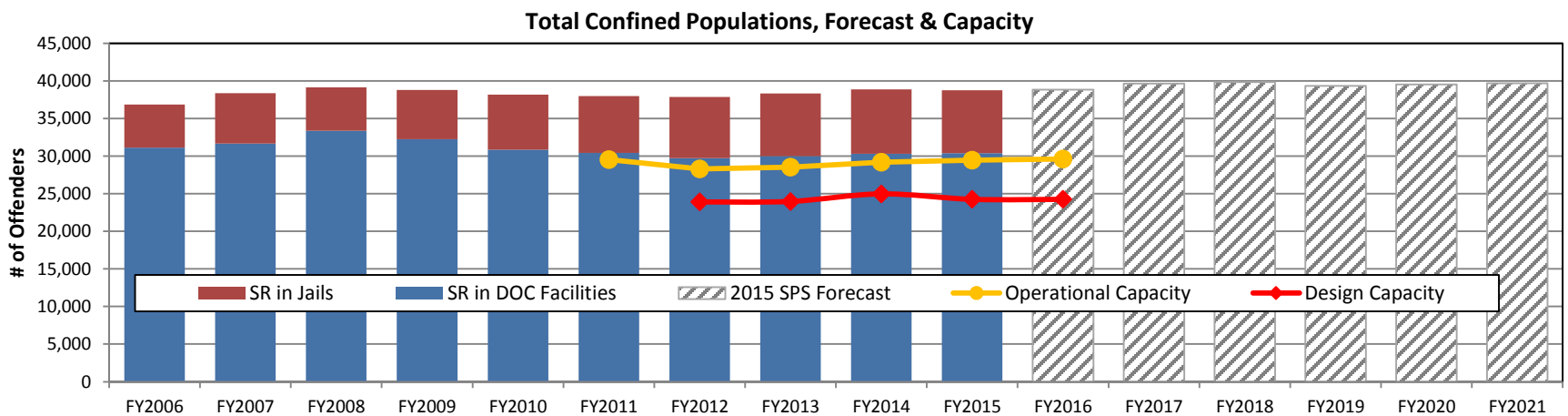
# House Appropriations Committee Follow-Up

Harold Clarke, Director  
Virginia Department of Corrections  
February 4, 2016

# Total Confined Populations, Forecast & Capacity

## FY2006-FY2021

- Total SR Population has increased by 1,910 (+5%) since the end of FY2006
  - SR offenders in DOC Facilities have decreased by 739 (-2%)
  - SR offenders in Local/Regional Jails have increased by 2,649 (+46%)
  - Forecasted to reach 39,702 (+941, +2.4%) by the end of FY2021<sup>1</sup>
- 7,954 SR offenders in Local/Regional Jails on December 31, 2015<sup>2</sup>
  - 4,939 (62%) were Out of Compliance (90 Days)
  - 3,015 (38%) were Not Out of Compliance
- Operational Capacity is defined as the total number of available beds less segregation, medical and mental health beds
  - Operational Capacity has increased by 104 beds (<1%) since FY2011
  - As of January 29, 2016, DOC Facilities were operating at 102% of Operational Capacity
- Design Capacity is defined as the number of beds planned for a facility at the time of design; all medical, dining and program space, infrastructure and equipment needs are based on this capacity
  - Design Capacity has increased by 340 beds (1%) since November 2012
  - As of January 29, 2016, DOC Facilities were operating at 125% of Design Capacity



<sup>1</sup>SR Forecast from *SPS Offender Population Forecast Report FY2016-FY2021*

<sup>2</sup>SR offenders in local/regional jails from State Compensation Board LIDS data; all data is preliminary as of January 29, 2016 due to information still outstanding for two large jails

SOURCE: VADOC Statistical Analysis & Forecast Unit, January 29, 2016

# Changes in Operational Capacity

FY2006 – FY2015

- Major Institutions
  - Opened 3 facilities  
Green Rock, Pocahontas, River North
  - Closed 7 facilities  
Botetourt, Brunswick, James River, Mecklenburg, Powhatan, Pulaski, Southampton
  - Delayed opening of new female facility in Culpeper until FY2017
  - Net loss of 697 beds
- Field Units & Work Centers
  - Closed 1 Work Center and 2 Field Units  
Cold Springs, Dinwiddie, Tazewell
  - Net loss of 418 beds
- Total loss of 1,115 beds

# Current DOC Facility Population & Capacity\*

## By Facility Security Level

- All Work Centers are below design capacity
- All other Male and Female Facilities are above design capacity except Red Onion and Fluvanna

Male Facilities	Current Population	Design Capacity		Operational Capacity	
		#	%	#	%
Level 1 – Work Centers	825	916	90%	1,044	79%
Level 1 – Field Units	1,006	592	170%	1,021	99%
Levels 2 & 3	19,121	13,896	138%	18,867	101%
Levels 4 & 5	4,126	3,834	108%	3,843	107%
Red Onion (Level 5 & Level S)	882	1,016	87%	679	130%
- Level 5	708				
- Level S	174**				
Other (Marion, Powhatan Reception)	738	683	108%	618	119%
<b>Female Facilities</b>					
Level 1 – Work Centers	343	400	86%	414	83%
Level 1 – Field Units	244	140	174%	286	85%
Level 2 (VCCW)	496	282	176%	554	90%
Level 3+ (Fluvanna)	1,210	1,230	98%	1,093	111%

\*All data from VirginiaCORIS Facility Population Summary Report for January 29, 2016

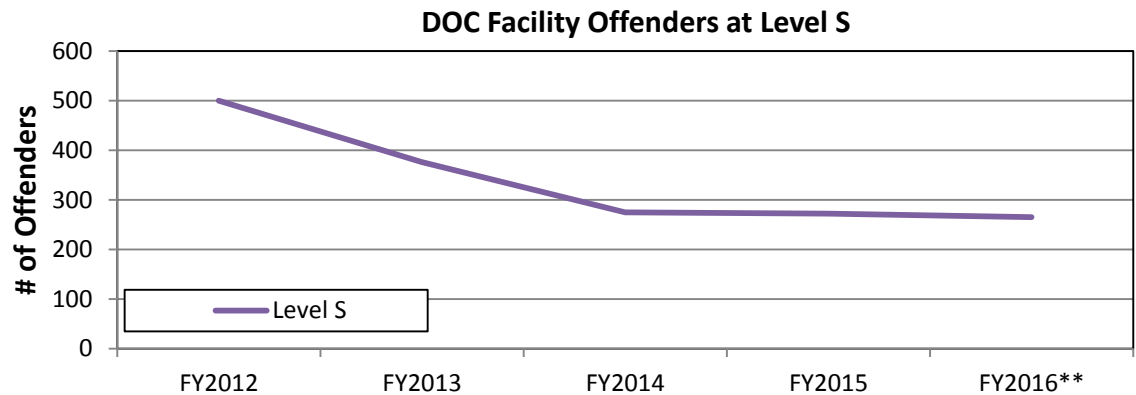
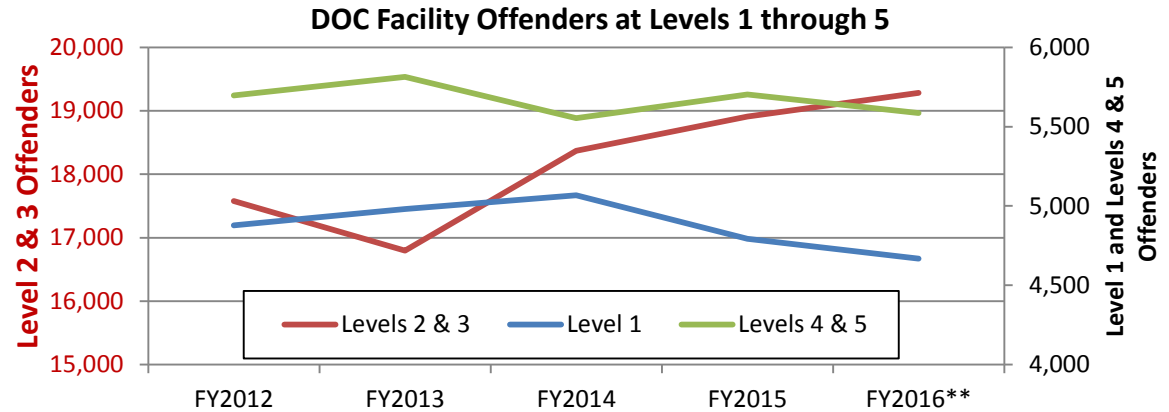
\*\*VADOC Statewide Restrictive Housing Coordinator, January 29, 2016

SOURCE: VADOC Statistical Analysis & Forecast Unit, January 29, 2016

# DOC Facility Population by Offender Security Level\*

## FY2012 – FY2016

- Level 1 Offenders have declined by 209 (4%)
  - Levels 2 & 3 have increased by 1,705 (10%)
  - Levels 4 & 5 have declined by 111 (2%)
- 
- The number of Level S offenders has decreased by almost one-half since FY2012 (-235 offenders, 47%)



\*Security Level of an offender on June 30<sup>th</sup> of the year indicated; graphs exclude offenders whose security levels are Hearing Impaired, Transitional Pre-Release, Protective Custody and Death Row and newly received offenders not yet classified (FY12=960, FY13=915, FY14=1,116, FY15=639, FY16=539)

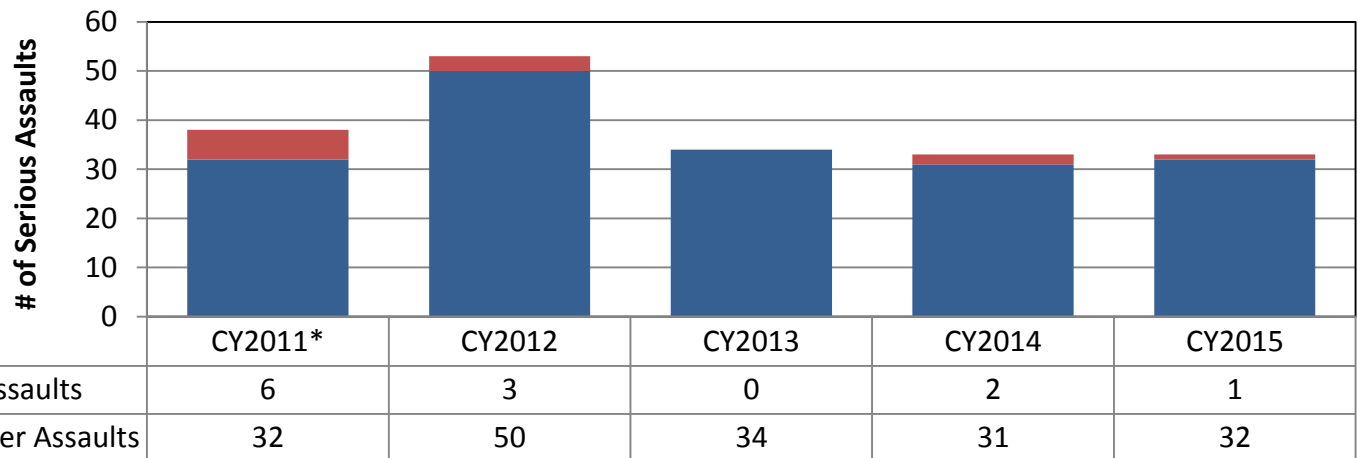
\*\*Data for FY2016 is for December 31, 2015

SOURCE: VADOC Statistical Analysis & Forecast Unit, February 1, 2016

# Serious Assaults in DOC Facilities

CY2011 – CY2015

- The number of Serious Assaults in DOC Facilities has decreased from 53 in CY2012 to 33 in both CY2014 and CY2015
  - Offender-on-Offender Serious Assaults have decreased from 50 in CY2012 to 31 in CY2014 and 32 in CY2015
  - Since reaching 6 in CY2011, Offender-on-Staff Serious Assaults have remained between 0 and 3 per year
- On average, there were 2.8 serious assaults per month in CY2015
  - Averaged 4.4 per month in CY2012



\*With the implementation of the Incident module in VirginiaCORIS in January 2011, VADOC instituted a centralized review process of all incident reports which can result in internal incidents being re-classified as serious incidents; additionally, in July 2011 VADOC changed its definition of serious assaults to the American Society of Correctional Administrators (ASCA) definition: "an assault which requires urgent and immediate medical treatment and restricts the offender's usual activity (medical treatment is more extensive than first aid and requires stitches, setting of broken bones, treatment of concussion, loss of consciousness, etc.)" which allows for national comparisons

SOURCE: VADOC Statistical Analysis & Forecast Unit, January 29, 2016

# Red Onion Step-Down Program

# Red Onion Step-Down Program Goal

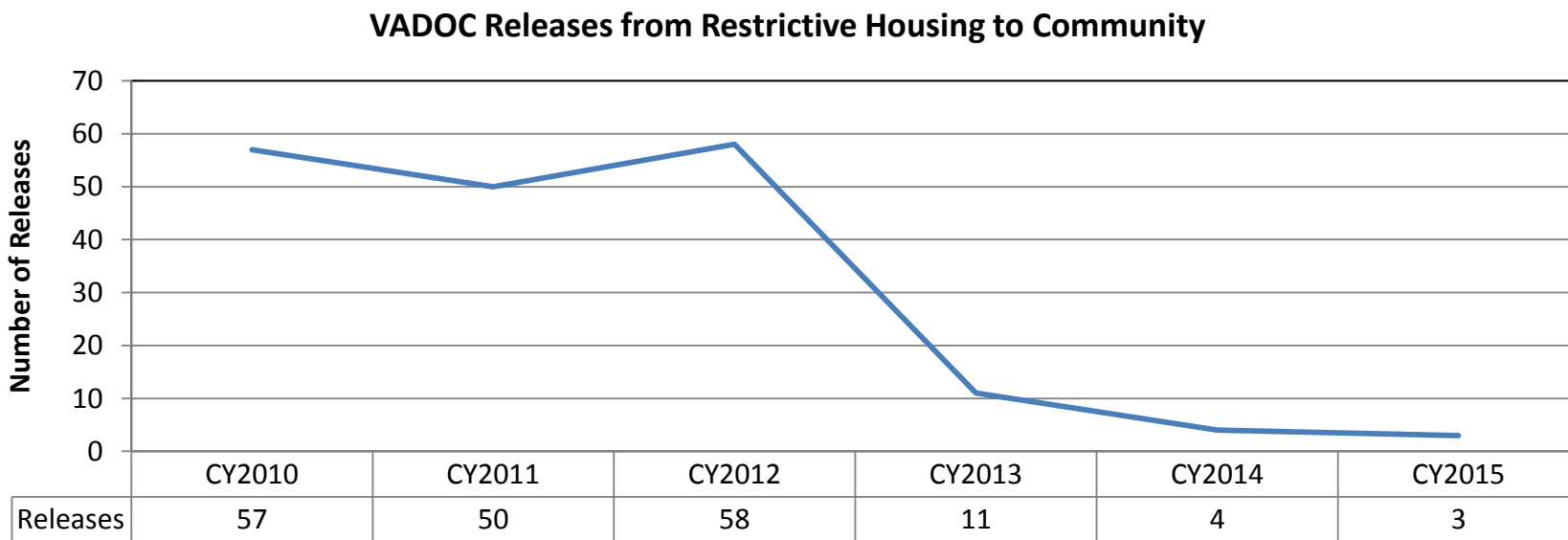
To institute a pathway to correctional achievements through the implementation of evidence-based practices and development of a cultural paradigm shift in efforts to reduce long-term restrictive housing for offenders

- Created step-down classification security levels as a proving ground for changed behavior
- Enhanced review of the classification process before offenders are assigned to or are removed from Administrative Segregation
- Established a track for sub-groupings of offenders based on their potential to change
- Applied evidence-based cognitive behavioral programming through all phases of prison operations paired with incentives and sanctions
- Provided “Effective Communication” and “Motivational Interviewing” training to Corrections Officers and other staff to enhance their communication skills and de-escalation techniques
- Instituted a step-down practice whereby offenders earn more responsibility as they reflect the ability to participate in programs and demonstrate control and accountability for their behavior
- Designed program delivery formats for high security environments that allow program participation and slow integration into group settings while ensuring the safety of participants and staff through the use of “Therapeutic Modules” and “Programming Chairs”



# Red Onion Step-Down Program

- Prior to program implementation in April 2012, VADOC offenders were released directly from a fully restrained restrictive housing setting to the community
- Releases from restrictive housing have declined each year since program implementation



SOURCE: VADOC Statewide Restrictive Housing Coordinator, January 29, 2016

# Red Onion Step-Down Program Achievements

- Level S population has declined by 70% since implementation
  - Only 13 program completers have returned to Level S due to disciplinary reasons
- Reportable Incidents are down 65%
- Informal Complaints are down 76%
- Offender Grievances are down 71%
- Education
  - Academic enrollment has increased 20% since school opened in 2013 (from 217 to 260 students)
  - 16 students have earned their GED
  - Library book circulation has increased 34% (from 13,074 to 17,468)

# Red Onion Step-Down Program Achievements

- 2013 State Transformation & Action Recognition (STAR) Award from the Southern Legislative Conference
- SJ184 (2014) commended VADOC “...for its outstanding leadership and dedication to public safety in administrating the Step-Down program...”\*
- Recognized by the U.S. Department of Justice in January 2016 for “...effective strategies, success in the percentage of reduction seen in Restrictive Housing, and strategies to motivate change...”\*\*

\*<http://lis.virginia.gov/cgi-bin/legp604.exe?141+ful+SJ184ER>

\*\*Report and Recommendations Concerning the Use of Restrictive Housing. U.S. Department of Justice, January 2016. <http://www.justice.gov/restrictivehousing>

SOURCE: VADOC Statewide Restrictive Housing Coordinator, January 29, 2016

# Access to DMAS GAP by Community Corrections

# Community Mental Health Service Needs and GAP Programming

- Returning citizens with known MH impairment recidivate at significantly higher rates than those with no known MH impairment\*
- The lack of availability of MH treatment for offenders is a public safety issue
- VADOC refers returning citizens to other agencies such as CSBs and Social Security for determination of the level of funding and services they will receive upon release
- CSBs determine eligibility for GAP Programming

	Mentally Impaired <sup>2</sup>		No Known Mental Impairment <sup>3</sup>	
	Number	Percent	Number	Percent
<b>FY2009 SR Releases</b>				
Recidivated	737	28.0%	2,198	21.4%
Did Not Recidivate	1,892	72.0%	8,058	78.6%
Total	2,629		10,256	
<b>FY2010 SR Releases</b>				
Recidivated	763	28.5%	2,210	21.4%
Did Not Recidivate	1,910	71.5%	8,135	78.6%
Total	2,673		10,345	
<b>FY2011 SR Releases</b>				
Recidivated	755	30.2%	2,061	21.1%
Did Not Recidivate	1,746	69.8%	7,701	78.9%
Total	2,501		9,762	

<sup>2</sup> Includes offenders reported as having minimal, mild, moderate, and severe impairment

<sup>3</sup> Includes offenders that have no history or current evidence of mental impairment and those who have not been assigned a mental health code in Virginia CORIS

SOURCE: VADOC Mental Health Services Director, February 1, 2016

\*Mental Health and Recidivism: A Comparison of the FY2009, FY2010 and FY2011 SR Release Cohorts. VADOC Statistical Analysis & Forecast Unit, September 2015.

<http://vadoc.virginia.gov/about/facts/research/mental-health-and-recidivism-2015.pdf>

# Community Mental Health Service Needs and GAP Programming

GAP Programming does not cover needed services including:

- Those with severe mental illness (i.e. Schizophrenia, Bipolar Disorder) who do not meet other GAP criteria (i.e. age, income thresholds)
- Those with less severe, yet debilitating, mental disorders (i.e. depression, anxiety)
- Housing and other services for MH offenders with special needs:
  - Sex offenders
  - Geriatric offenders
  - Offenders who have MH issues and physical complications (often refused by nursing homes on a basis of their increased liability)

# Increasing the Presence of Prison Fellowship in DOC Facilities

# Constitutional Prohibitions Against Ministry Funding

- Article IV, Section 16 of the Virginia Constitution prohibits the use of taxpayer monies to fund any church or sectarian society:

*The General Assembly shall not make any appropriation of public funds, personal property, or real estate to any church or sectarian society; or any association or institution of any kind whatever which is entirely or partly, directly or indirectly, controlled by any church or sectarian society. Nor shall the General Assembly make any like appropriation to any charitable institution which is not owned or controlled by the Commonwealth; the General Assembly may, however make appropriations to nonsectarian institutions for the reform of youthful criminals and may also authorize counties, cities, or towns to make such appropriations to any charitable institution or association.*



# History of Prison Fellowship

- Purpose was never to provide chaplains, but to encourage local churches to volunteer leading services and Bible studies
- Implemented Angel Tree Program
- Started Faith-Based Reentry Program in 2008
  - Cut services in 2012 due to financial constraints
  - GracelInside took over program
- Stopped offering a lot of direct volunteer services
- Has no plans to provide chaplaincy to prisons in the future

# History of GraceInside

- Non-profit prison ministry formed by churches in 1919
  - Hired and paid chaplains to work in Virginia's prisons
- Prison growth began to outpace ministry resources in 1990s
  - Inmate Commissary Fund codified in 2002 to help fund ministry
  - Churches began decreasing their funding
- Name changed to GraceInside in 2012
- Changed all chaplains to part-time in 2013 due to funding issues
  - Currently back to 7 full-time chaplains

# Cost of Increasing Ministry

- GraceInside's current budget is \$1.1 million
  - Commissary Fund currently provides \$780,000 (71%)
  - Introduced budget increases this amount to \$950,000 to cover increased costs of comprehensive programming
- All DOC facilities receive chaplain services
- GraceInside would like to have full-time chaplains at all major facilities\*

# Cost Comparisons

## DPB Calculations vs. DOC Calculations

### DPB Calculations (Woodrum)

- FY2015 = \$31,406/offender
- Includes
  - Facility Costs
  - Costs at privately operated Lawrenceville CC
  - Administrative overhead at Headquarters and Regional Offices
- Excludes
  - Detention & Diversion Centers

### DOC Calculations

- FY2015 = \$27,928/offender
- Includes
  - Facility Costs (incl. D&D)
  - Medical costs charged to the Office of Health Services
  - Some treatment services
  - Cost of operating wastewater treatment and power plants charged to the Environmental Services Unit
  - Costs associated with Agribusiness operations
- Excludes
  - Costs at privately operated Lawrenceville CC