

Presentation to the
Senate Finance Committee
General Government Subcommittee:

Jail Funding in Virginia

December 13, 2005

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Compensation Board

Snapshot of Jails Today:

- 67 Total Jails

33 County Jails	Sheriff operated
13 City Jails	Sheriff operated
19 Regional Jails	Superintendent operated
2 Jail Farms	Superintendent operated

- 3 Regional Jails under construction

Middle River (Verona) FY 06 (396 beds)
Eastern Shore (Accomack) FY07 (91 beds)
Botetourt/Craig (Botetourt) FY08 (86 beds)

3 county jails to close when these three regional jails open
(Augusta, Northampton, Botetourt)

- 11 Counties and Cities have jails but also participate in regional jails

Fauquier County	Northwestern RJ
Arlington County	Peumansend Creek RJ
Loudoun County	
Alexandria City	
Richmond City	
Hampton City	Hampton Roads RJ
Newport News City	
Norfolk City	
Portsmouth City	
Chesterfield County	Riverside RJ
Petersburg City	

- 19 Jails were 100% to 278% above capacity in October 2005.

Counties of Accomack, Appomattox, Augusta, Botetourt, Brunswick, Culpeper, Dinwiddie, Henry, Mecklenburg, Montgomery, Page, Patrick, Pittsylvania, Rappahannock, and Roanoke; Cities of Newport News, Norfolk and Virginia Beach; Piedmont Regional Jail

- 25 Jails held federal inmates in October 2005

Federal ADP was 1,921 in October 2005

4 jails held 5 or less federal inmates

7 jails held 100 or more federal inmates

3 jails held over 200 federal inmates (Hampton Roads, Northern Neck, and
Piedmont Regional Jails)

- 4 Jails have operating capacity that includes capacity built with federal capital outlay money:

Western Tidewater	180 Beds
Northern Neck	154 Beds
Central Virginia	146 Beds
Alexandria City	<u>100 Beds</u>
	580 Beds

Commonwealth Funding for Local and Regional Jails:

- Commonwealth involvement in jail costs includes the Compensation Board, as well as other agencies:
 - Board of Corrections: jail standards and approval of new jail construction costs
 - DOC: jail inspection, renovation costs, community based corrections plan review
 - DCJS: Community Based Corrections Plan Review
 - Treasury: Public Housing Authority issues bonds for the state's share of jail construction
- Operating costs funded by the Compensation Board include:
 - Jail Staffing
 - Salaries/fringes of Corrections Officers and support staff
 - Operating expenses (office expenses, office equipment)
 - Inmate Per Diem Payments
- Compensation Board funded staffing for jails includes a total of 7,161 positions in FY06, with a base staffing cost of \$220 million (excludes elected Sheriff with jail responsibilities). This represents a 20% increase over amounts expended for staffing in FY04.
- Other expenses funded by the Compensation Board, such as office expenses and equipment, were virtually eliminated through budget reductions in FY03-FY04. Minimal funding remains in the base.

- Compensation Board per diem payments for jails are funded at \$69.9 million for FY06. This represents a 23% increase over funds expended for per diems in FY04 (includes restoration of \$13.2 million FY04 budget reduction). Per diem payments based upon:
 - \$8 per day for local responsible inmates housed in local and regional jails – these are individuals confined in jail having been arrested on a state warrant. Inmate can be pre-trial, awaiting trial on additional charges, sentenced misdemeanor, and/or sentenced local responsible felon. A local responsible felon is an individual having a net effective sentence length of: a) less than 1 year or 12-months or less on felony offenses committed on or after January 1, 1995; or b) less than 2 years on felony offenses committed before January 1, 1995.
 - \$22 per day for local responsible inmates housed and maintained in a separate jail farm not under the control of the sheriff; this funding is provided in lieu of staffing for the farm by the Compensation Board, and is provided in 2 localities: Danville and Newport News.
 - \$6 ‘bonus payment’ per day for state responsible inmates** that have not been processed into the DOC by the 90th day from the most recent court order.
 - **A state responsible inmate is an individual having a net effective sentence length of: a) 1-year or more on felony offenses committed on or after January 1, 1995; or b) 2-years or more on felony offenses committed before January 1, 1995.
 - \$14 ‘Jail Contract Bed payment’ per day for those jails agreeing to house state responsible inmates to participate in work release programs. These agreements between the jails and DOC reduce the overall number of out of compliance inmates (inmates housed in jail that should be in DOC).
 - Federal Inmates: Language in paragraph H, Item 67, Chapter 951 directs the Compensation Board to recover state funded personnel costs associated with housing federal and out of state inmates in local and regional jail facilities from per diem payments due to the jail. Three jails are exempt from this provision. In FY04, \$8.1 million was recovered from per diem payments due.

How do we know what it costs to operate Virginia jails?

- In 1997, the Senate Finance Committee asked about the costs involved in operating jails in Virginia. Depending upon who we asked (Sheriffs, Superintendents, Local Governments, etc.), we got different answers; in 1998, the General Assembly directed the Compensation Board to prepare an annual jail cost report
- Compensation Board organized a Task Force of Sheriffs, Superintendents, local finance officers, APA, etc. to develop the reporting format and definitions

- First Jail Cost Report prepared by the Compensation Board was issued in November 1999, for FY98; all data used in the Jail Cost Report is certified as true and correct by the Sheriff or Superintendent and the local government(s)
- Jail Cost Report is an annual compilation of expenditure and revenue data intended to show inmate cost per day and the percent of funding that the Commonwealth, federal and local governments contribute to the cost of operation of each jail. It also includes canteen revenue and expenses, medical co-payments, telephone commissions and interest income
- Most recent Jail Cost Report for FY04 has just been completed (7 years of data now available)

Jail Operating Costs and Historical Comparisons:

- Overall cost to operate jails in Virginia was \$358 million in FY98, and grew to \$561 million in FY04 (57% growth)
 - Table labeled Appendix A, attached, shows historical total operating costs and funding from FY98 to FY04
 - Cost increase bases include a 37% growth in operating capacity from 12,309 in FY98 to 16,908 in FY04
 - Cost increase bases also include a 56% growth in average daily population from 16,223 in FY98 to 25,354 in FY04
- Operating Costs per Inmate Day averaged \$50.35 statewide in FY98, and have increased by 9% to an average of \$54.81 statewide in FY04
 - In FY98, per inmate day operating costs ranged from a low of \$30.27 in Patrick County to a high of \$126.69 in Bath County
 - In FY04, per inmate day operating costs ranged from a low of \$32.43 in Henry County to a high of \$119.90 in Fairfax County
 - Table labeled Appendix B, attached, shows the range of operating costs per inmate day by locality from FY98 to FY04
- Overall percentage of jail operating costs paid by the Commonwealth was 51.7% in FY98 with 40.0% paid by the localities; these figures changed to 44.0% paid by the Commonwealth in FY04, with 44.4% paid by the localities. Federal funding increased from 6.6% in FY98 to 7.3% in FY04
 - Chart labeled Appendix C, attached, shows the historical split by source of jail funding from FY98 to FY04)
 - In FY98, Commonwealth funded jail operating costs ranged from a low of 19% of total costs in Fairfax County to a high of 98% in Tazewell County
 - In FY04, Commonwealth funded jail operating costs ranged from a low of 20% of total costs in Fairfax County to a high of 87% in Charlotte County
 - Chart labeled Appendix D, attached, shows an example of the split by source of jail funding in FY04, comparing the low Commonwealth proportion of funding in Fairfax County, to the statewide average, to the high Commonwealth proportion of funding in Charlotte County

What is the current capacity of jails in Virginia?

- Chart labeled Appendix E, attached, shows the types of inmates housed in local and regional jail facilities in FY04
- Current Jail Capacity (excluding double celling/bunking) is 17,433 (this represents growth of 3% from 16,908 in FY04)
- As of October 31, 2005, there were 27,130 inmates being held in jails (this represents growth of 7% from 25,354 in FY04)
 - Of these, 1,921 were federal inmates and 1,537 were state “out-of-compliance” inmates
 - There were 24,767 local inmates and state “pipeline” inmates
- “Out of Compliance” inmates (i.e., inmates which should be in custody of DOC) totaled
 - 1,537 on October 28, 2005
 - 1,470 on October 8, 2004
- Jail Capacity will grow to 18,774 by June 2008 for projects approved but construction not yet completed (this represents growth of 11% from 17,433 in FY06), including 580 beds constructed with federal funds

Appendix A

Jail Cost Report – Historical Costs and Funding

Fiscal Year	Operating Expenses	Total Expenses	Commonwealth Funded	Locality Funded	Federal Funded	Other Funded
2004	\$514,860,952	\$561,080,413	\$247,118,118	\$248,858,747	\$40,860,600	\$31,449,622
2003	\$484,950,244	\$539,460,495	\$250,512,670	\$231,133,595	\$37,206,489	\$27,517,871
2002	\$460,493,686	\$567,466,556	\$309,984,492	\$202,009,741	\$33,995,050	\$27,606,179
2001	\$434,824,839	\$544,910,286	\$305,277,150	\$183,280,196	\$30,716,494	\$28,725,932
2000	\$386,701,015	\$459,315,894	\$240,429,370	\$164,008,235	\$31,092,105	\$23,821,013
1999	\$345,988,154	\$420,001,170	\$239,270,116	\$145,468,383	\$25,394,047	\$19,405,275
1998	\$300,353,965	\$358,045,280	\$185,177,696	\$143,440,095	\$23,739,254	\$16,504,968

Appendix B

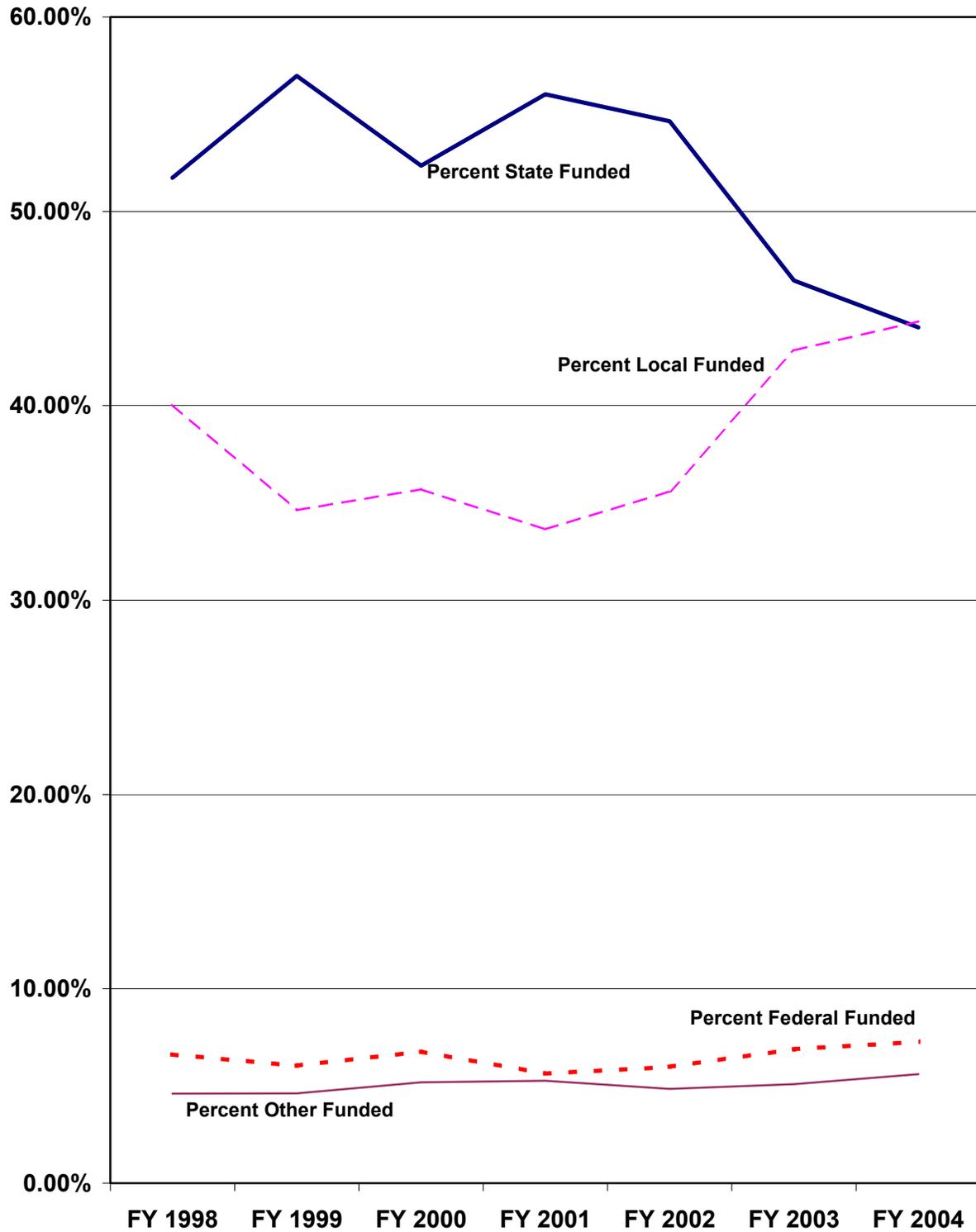
Jail Cost Per Inmate Day

Fiscal Year 2004-1998	Operating Cost Per Inmate-Day						
Locality	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999	FY 1998
001 Accomack County	\$42.98	\$39.51	\$35.18	\$31.21	\$30.57	\$33.11	\$33.14
003 Alb/Charlottesville Reg	\$57.14	\$53.54	\$50.62	\$47.31	\$40.54	\$43.95	\$37.98
510 Alexandria City	\$102.85	\$101.10	\$104.66	\$106.27	\$96.02	\$98.26	\$92.75
005 Alleghany County	\$79.08	\$85.54	\$79.01	N.A.	N.A.	N.A.	N.A.
009 Amherst County	\$49.16	\$52.32	\$45.64	\$44.94	\$46.95	\$42.72	\$42.47
011 Appomattox County	\$79.60	\$85.93	\$94.51	\$77.77	\$69.26	\$65.17	\$62.70
013 Arlington County	\$90.51	\$90.74	\$89.97	\$90.64	\$92.12	\$91.51	\$87.61
015 Augusta County	\$54.76	\$49.27	\$47.41	\$44.43	\$40.68	\$38.14	\$41.69
485 Blue Ridge Regional	\$49.56	\$46.33	\$45.14	\$47.45	\$46.41	\$36.40	N.A.
023 Botetourt County	\$63.50	\$56.69	\$72.16	\$55.27	\$56.47	\$52.01	\$52.77
520 Bristol City	\$59.18	\$55.75	\$51.87	\$57.18	\$62.72	\$69.36	\$67.88
025 Brunswick County	\$61.80	\$52.41	\$49.41	\$47.14	\$39.32	\$47.28	\$42.28
027 Buchanan County	\$47.49	\$45.03	\$46.13	\$49.52	\$83.53	\$61.38	\$75.90
137 Central Virginia Reg JI	\$35.16	\$37.08	\$38.01	\$42.24	\$39.76	\$39.32	\$35.55
037 Charlotte County	\$41.89	\$37.47	\$41.51	\$54.34	\$78.69	\$90.89	\$54.28
550 Chesapeake City	\$63.74	\$68.08	\$68.26	\$69.42	\$70.04	\$65.67	\$64.71
041 Chesterfield County	\$74.35	\$63.11	\$69.02	\$60.38	\$55.24	\$47.25	\$45.07
069 Northwestern Reg JI	\$53.97	\$53.86	\$51.37	\$51.43	\$57.71	\$56.83	\$56.71
047 Culpeper County	\$65.79	\$65.52	\$82.70	\$80.20	\$77.35	\$74.04	\$69.91
590 Danville City	\$38.66	\$37.98	\$39.89	\$40.99	\$36.82	\$41.98	\$38.27
220 Danville City Farm	\$36.14	\$34.32	\$40.88	\$38.45	\$40.02	\$48.50	\$44.14
051 Dickenson County	\$49.76	\$50.31	\$56.36	\$57.35	\$79.77	\$71.10	\$59.41
053 Dinwiddie County	\$51.50	\$53.26	\$43.34	\$41.06	\$42.38	\$44.24	\$54.14
059 Fairfax County	\$119.90	\$125.51	\$129.77	\$122.86	\$107.75	\$97.18	\$85.53
061 Fauquier County	\$79.77	\$70.59	\$70.27	\$63.35	\$63.22	\$58.78	\$62.26
067 Franklin County	\$54.27	\$52.40	\$43.43	\$48.33	\$42.45	\$47.12	\$37.46
073 Gloucester County	\$57.21	\$53.49	\$57.62	\$61.84	\$59.86	\$51.79	\$50.46
650 Hampton City	\$43.95	\$41.64	\$51.31	\$51.29	\$50.03	\$55.86	\$45.07
475 Hampton Roads Reg JI	\$53.47	\$54.40	\$56.14	\$55.55	\$46.12	\$41.03	N.A.
087 Henrico County	\$59.56	\$58.68	\$57.10	\$63.02	\$61.48	\$65.59	\$76.62

Fiscal Year 2004-1998	Operating Cost Per Inmate-Day						
Locality	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999	FY 1998
089 Henry County	\$32.43	\$29.82	\$29.60	\$39.31	\$42.00	\$45.38	\$42.23
103 Lancaster County	\$92.29	\$84.31	\$81.94	\$69.10	\$67.02	\$90.21	\$77.57
105 Lee County	\$33.88	\$30.86	\$36.39	\$41.60	\$41.42	\$49.45	\$62.56
107 Loudoun County	\$96.33	\$91.96	\$95.27	\$88.70	\$81.44	\$88.46	\$80.16
690 Martinsville City	\$42.01	\$44.85	\$42.70	\$52.54	\$53.19	\$49.61	\$48.58
117 Mecklenburg County	\$51.16	\$56.97	\$57.31	\$53.09	\$52.72	\$47.60	\$37.20
119 Middle Pen Reg JI	\$76.99	\$73.04	\$76.48	\$67.96	\$63.98	\$68.32	\$53.18
121 Montgomery County	\$44.78	\$44.75	\$40.16	\$36.38	\$37.38	\$33.26	\$40.09
480 New River Valley Reg JI	\$38.16	\$38.58	\$34.78	\$41.90	\$49.29	N.A.	N.A.
700 Newport News City	\$38.27	\$35.21	\$38.66	\$40.07	\$40.96	\$46.41	\$37.37
250 Newport News City Farm	\$65.00	\$67.95	\$82.28	\$60.99	\$57.02	\$51.75	\$51.92
710 Norfolk City	\$37.00	\$41.75	\$37.11	\$38.29	\$39.25	\$40.23	\$34.89
131 Northampton County	\$70.72	\$67.82	\$60.78	\$65.78	\$63.88	\$51.73	\$48.30
193 Northern Neck Reg JI	\$39.64	\$41.54	\$41.64	\$48.57	\$40.74	\$37.45	\$33.26
139 Page County	\$48.18	\$47.19	\$39.20	\$45.65	\$54.66	\$40.14	\$40.16
460 Pamunkey Regional	\$44.34	\$48.45	\$47.94	\$49.84	\$54.90	\$59.87	N.A.
141 Patrick County	\$67.26	\$58.59	\$51.86	\$52.15	\$65.81	\$37.60	\$30.27
730 Petersburg City	\$41.69	\$43.69	\$44.77	\$48.84	\$45.83	\$46.47	\$40.72
490 Peumansend Creek Reg	\$69.81	\$66.60	\$65.38	\$63.71	N.A.	N.A.	N.A.
135 Piedmont Regional	\$33.97	\$31.55	\$31.39	\$29.25	\$29.25	\$30.81	\$32.95
143 Pittsylvania County	\$47.93	\$51.73	\$50.76	\$45.76	\$39.71	\$37.85	\$46.47
740 Portsmouth City	\$48.96	\$40.44	\$37.94	\$40.19	\$44.97	\$45.25	\$36.57
153 Pr Wm/Manassas Reg	\$85.48	\$81.20	\$73.58	\$68.42	\$78.06	\$68.99	\$66.77
157 Rappahannock County	\$78.60	\$98.83	\$72.64	\$78.22	\$91.91	\$71.60	\$64.89
630 Rappahannock Reg JI	\$49.70	\$48.50	\$53.42	\$64.34	\$62.07	\$53.16	\$51.31
760 Richmond City	\$41.86	\$43.41	\$42.41	\$38.29	\$34.17	\$33.70	\$39.03
465 Riverside Regional	\$43.14	\$46.73	\$44.90	\$49.95	\$52.00	\$52.11	\$52.13
770 Roanoke City	\$49.36	\$46.80	\$44.47	\$49.71	\$49.89	\$44.50	\$38.16
161 Roanoke County/Salem	\$51.34	\$51.81	\$61.03	\$59.23	\$60.46	\$54.07	\$60.47
163 Rockbridge Regional	\$56.30	\$57.36	\$54.85	\$56.19	\$72.13	\$73.49	\$53.88
165 Rockingham County	\$47.15	\$43.51	\$43.57	\$46.75	\$52.50	\$53.61	\$47.66
167 Russell County	\$43.10	\$45.96	\$53.69	\$58.21	\$51.67	\$55.82	\$54.76

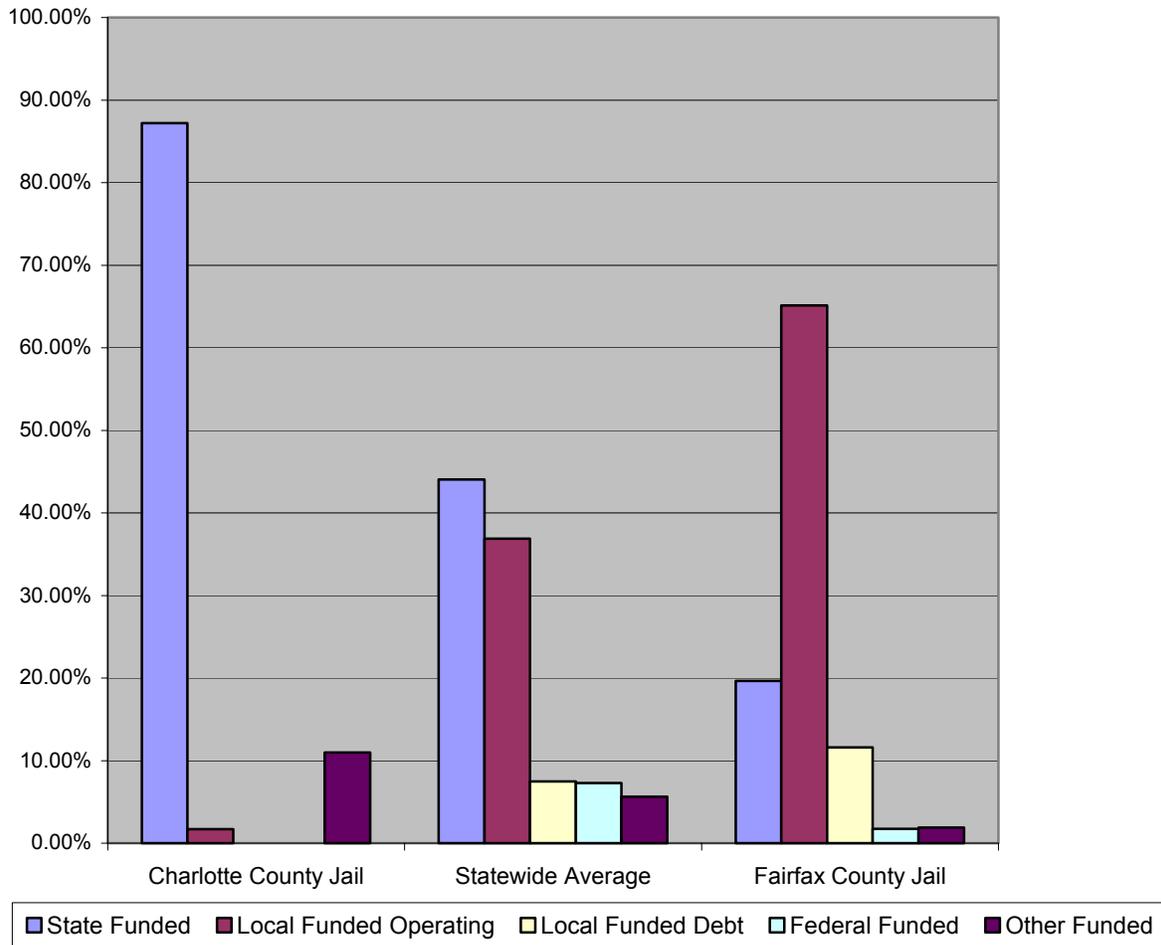
Fiscal Year 2004-1998	Operating Cost Per Inmate-Day						
Locality	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999	FY 1998
169 Scott County	\$43.65	\$48.97	\$57.57	\$46.44	\$52.95	\$59.95	\$80.12
171 Shenandoah County	\$47.98	\$48.02	\$47.24	\$55.90	\$51.14	\$56.49	\$56.53
173 Smyth County	\$39.44	\$36.27	\$44.50	\$46.44	\$51.47	\$51.68	\$48.96
175 Southampton County	\$55.17	\$53.83	\$49.95	\$55.60	\$57.11	\$53.20	\$45.71
491 Southside Regional	\$50.02	\$49.94	\$53.43	\$65.40	\$61.97	\$51.70	N.A.
183 Sussex County	\$69.00	\$64.25	\$76.85	\$69.93	\$71.43	\$59.65	\$63.15
185 Tazewell County	\$34.79	\$30.92	\$41.73	\$38.97	\$43.11	\$39.76	\$30.76
810 Virginia Beach City	\$45.09	\$46.79	\$43.56	\$45.06	\$41.14	\$39.40	\$34.98
470 Virginia Peninsula Reg	\$52.52	\$51.14	\$49.48	\$48.01	\$44.18	\$47.39	\$45.52
187 Warren County	\$47.35	\$45.61	\$43.62	\$52.95	\$75.13	\$58.02	\$81.12
191 Washington County	\$44.75	\$45.76	\$41.35	\$41.44	\$41.59	\$37.31	\$34.15
620 Western Tidewater Reg	\$34.96	\$35.24	\$36.97	\$38.76	\$39.84	\$37.05	\$35.95
195 Wise County	\$47.64	\$52.17	\$45.03	\$52.69	\$49.95	\$45.07	\$52.28
Average	\$54.81	\$54.81	\$54.52	\$55.27	\$53.61	\$52.25	\$50.35

Appendix C Jail Funding by Source - Historical



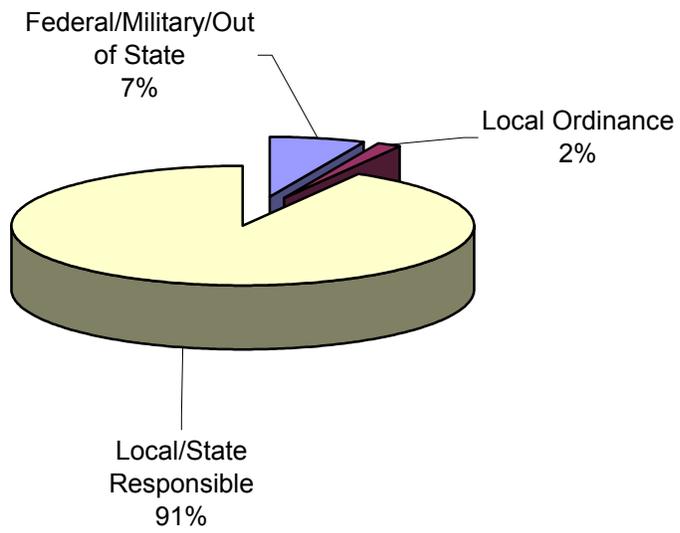
Appendix D

Funding Percent of Total Expenditures by Source – FY2004



Appendix E

Inmate Days by Type – FY2004



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