

September 2010

Volume 3, Issue 1

The LIDS Gazette



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ICE & DETAINER CLARIFICATION

In last month's Gazette it was noted to use VCC ARR998859 whenever an inmate had an ICE Detainer placed on them, or an Illegal Alien Warrant issued for them. Please note that this VCC should only be used if the inmate is confined solely on an ICE Detainer or Illegal Alien Warrant. If an inmate has local or state charges in addition to the detainer or warrant do not use, ARR998859. Using ARR998859 in conjunction with other charges may cause the inmate to have an incorrect payable status. For example, an inmate who is currently State Responsible, and has an ARR998859 charge entered for them would then become Local Responsible, and the per diem rate would drop from \$12 to \$4.

To assist in keeping track of inmates with detainers you may want to continue entered the ARR99859 in your local jail management system, as long as your local system provides a way to prevent this charge from being uploaded to LIDS.

In addition, please note that for inmates held on local/state charges who also have an ICE detainer placed on them, you may confine them in LIDS as Reason Confined 10 for 48 hours after they have finished serving sentence on all local/state charges. The 48-hour time frame specified by ICE for holding offenders on an ICE detainer does not include Saturdays, Sundays, or federal holidays. Therefore, the 48-hour allowable hold as Reason Confined '10' in LIDS for ICE detainees also excludes Saturdays, Sundays, and federal holidays.

LIDS

CERTIFICATION & APPROVAL

DUE ON 9/10/2010



AUDITOR'S CORNER

The Compensation Board Audit Staff presents the LIDS Audit results of the second half of FY10, January-June, 2010.

- ◆ 12 offices received an Exceptional Audit Rating
- ◆ 3 offices received a Satisfactory Audit Rating
- ◆ 2 offices received an Adequate Audit Rating

We wish to congratulate the following jails on receiving an *Exceptional* audit rating.

Albemarle/Charlottesville Regional Jail

Arlington County Jail

Brunswick County Jail

Fauquier County Jail

Hampton Roads Regional Jail

Norfolk City Jail

Rappahannock Regional Jail

Roanoke County Jail

Rockingham County Jail

Rockbridge Regional Jail

Southwest Virginia Regional Jail

Virginia Beach City Jail

ALIEN AUDIT PROCEDURE UPDATE

Clarification regarding the proper LIDS confinement status of suspected illegal aliens was made in the July LIDS Gazette. The following is an update to Compensation Board audit procedures as a result of this clarification.

Any suspected illegal alien held on a state Illegal Alien Warrant may be confined in LIDS as Reason Confined '10' for up to 72 hours. Any suspected illegal alien held on an ICE detainer may be confined in LIDS as Reason Confined '10' for up to 48 hours. Effective October 1, 2010, any offender found to be held in LIDS on an ICE detainer as Reason Confined '10' longer than 48 hours will constitute an audit finding. Please note that this pertains to inmates held solely on an ICE detainer. Inmates held on local/state charges on whom there is also an ICE detainer should be confined with the code appropriate to their local/state charges.

LIDS MONTHLY SUBMISSIONS

The Compensation Board requires each jail to reconcile population data submitted in LIDS and certify to the accuracy of this data monthly. These numbers are used in forecasting jail/prison populations as well as in reports used by the Compensation Board and other state agencies. Therefore, untimely submissions of this data may have an adverse effect in other areas. The historical precedent has been that the monthly LIDS financial status file be submitted by the 10th working day of the month. Henceforth this monthly certification will be due by the 10th calendar day of the month.





STATE RESPONSIBLE DEFINITION

In the March Gazette there was an article explaining the changes in jail per diem rates as well as the change in the definition of a State Responsible inmate. These updates were published as a result of 2010 General Assembly Action. However, during the reconvened session of the General Assembly, held on April 21st, the legislature approved an amendment by the Governor to strike this change in definition. Therefore, a State Responsible inmate continues to be defined as, any person convicted of one or more felony offenses and (a) the sum of consecutive effective sentences for felonies, committed on or after January 1, 1995, (Offense Type 'A'), is (i) more than twelve months or (ii) one year or more, or (b) the sum of consecutive effective sentences for felonies, committed before January 1, 1995, (Offense Type 'B') is more than two years.

HELD BY AGREEMENT

Jails are paid for State Responsible inmates at a per diem of \$12. If a jail makes a request to the Dept of Corrections to keep a State Responsible inmate, and the request is approved, that inmate becomes "Held by Agreement" and from that point on the inmate will be treated as a Local Responsible inmate, paid at the local per diem of \$4. In this case the inmate would be booked out with Release Code 23, and rebooked with Confinement Code 70 (Cadre).

Requesting that a state responsible inmate be placed on Work Release is not the same as an inmate being held by agreement. If you would like to allow a State Responsible inmate work release you must contact Gary Bass with the Dept of Corrections for approval. If approval is received the inmate should be booked out with Release Code 23 and rebooked with Confinement Code 26 (work release), and they will continue to be paid the State Responsible per diem of \$12. When contacting the Dept of Corrections it is important to be clear as to which type of request you are making.

MENTAL HEALTH SURVEY

The Compensation Board would like to thank all LIDS Technicians, medical staff, and administrative staff who assisted in completing the 2010 Jail Mental Health Survey. Responses were received from 65 out of 67 local and regional jails. On November 1, 2010 the Mental Illness in Jails Report will be submitted to the Governor and Chairman of the Senate Finance and House Appropriations Committees, as well as posted on the Compensation Board website.

Updates & Reminders

- ◆ The LIDS disposition of 'SC' has been updated. This is once again a valid disposition code to use when attempting to prevent overpayments for an offender with a combination misdemeanor/ordinance sentence. For full explanation of using the 'SC' disposition with misdemeanor/ordinance sentences see the December, 2009 LIDS Gazette.