



# LOCAL INMATE DATA SYSTEM (LIDS) NEWSLETTER

## Compensation Board

## May 2005

### PREFERRED METHOD OF REPORTING CERTAIN ORDINANCE VIOLATIONS CLARIFICATION

Due to the large number of questions we received relating to this article in the March and April Newsletters, we find it necessary to reissue it to clarify the past two months' statements:

Many but not all cities and counties have adopted Virginia's criminal offenses, in whole, to take the place of their own local ordinance statutes. As a result, we want to give you the preferred recording method at those counties and cities when a local police officer and magistrate commit an individual to jail using a local warrant and commitment order. In this type of situation, the preferred reporting method is the following:

Use a State misdemeanor code with an ORD prefix and a suffix of S9.  
Example: DWI5413M1 = ORD5413S9

For cases when an individual is jailed using a local ordinance and the State of Virginia Crime Code (VCC) does not include a statute; for example: Drunk in Public, LIDS VCC's have been augmented to provide for this situation. The preferred VCC is ORD9966S9. LIDS has many such VCC's. To familiarize yourself with those available, go to the Compensation Board's Website: [http:// www.scb.virginia.gov](http://www.scb.virginia.gov) VCC's and review the provided VCC's.

### FELONY OR MISDEMEANOR CHARGE REDUCED TO ORDINANCE VIOLATION PROCEDURE

(Revised)

A slight change has been made pertaining to this article which was featured in the March & April LIDS Newsletters. The change is highlighted in **bold type**.

**The court** may reduce a felony or misdemeanor charge to an ordinance violation at any step in the legal process. The warrant or commitment order will show the ordinance violation.

The procedure applies when a prisoner was originally arrested/committed on a felony or misdemeanor charge and was sentenced as an ordinance violator:

COMPLETE court documentation (Disposition Notice, etc.) is required to support changing the charge from a felony or misdemeanor to a local violation/ordinance.

#### PROCEDURE:

- Release inmate (utilizing Release Reason Code 23, Confinement Change) on the State charge (felony/misdemeanor) effective the date of the court decision
- Recommit inmate as an Ordinance violator "O" the same day that he was sentenced as an ordinance violator

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The inmate population forecasting "season" has begun. Please have your files certified & approved:

MAY 2005 - No later than June 8, 2005

JUNE 2005 - No later than July 7, 2005



# REMINDERS

## LIDS ENHANCEMENTS EFFECTIVE 4/15/05

### 'AP', APPEALED DISPOSITION CODE CHANGE

'AP', Appealed, disposition code will be changed to work with both convicted and sentenced reason confined codes.

### 'SS', SUSPENDED SENTENCE DISPOSITION CODE CHANGE

'SS', Suspended Sentence, disposition code will be changed to sentenced - disregard charge as of the disposition date.

### NEW 'AD', ADMINISTRATIVELY DISCHARGED DISPOSITION CODE

'AD', Administratively Discharged, disposition code will be added to LIDS to be used when an individual is administratively discharged from parole.

### NEW 'ML', MANDATORY LENGTH DISPOSITION CODE

'ML', Mandatory Length, disposition code will be added to LIDS to be used when an individual will serve more than 50% of misdemeanor sentence.

Examples: mandatory minimums and summary contempt when inmate will serve 100% of misdemeanor sentence time.

## FIRST OFFENDER STATUS

First offender inmates should be coded as follows:

- The disposition code of 'UA', Under Advice, should **only** be used if the inmate was placed on probation.
- If the offender was given an active sentence, the disposition code should not be used.

## PAROLE/PROBATION VIOLATOR

Parole/Probation violators should be coded as follows:

<u>Reason Confined Code</u>	<u>Description</u>
11	Awaiting parole revocation hearing
12	Awaiting probation revocation hearing

### Procedure:

- Reason Confined Code '11' should be used until the revocation form has been received from the Parole Board. If the parole was revoked, the reason confined code should be changed to '20', Serving Sentence, and the sentence length imposed by the Parole Board should be recorded in the sentence length field along with the original offense code.
- Reason Confined Code '12' should be used until the probation revocation hearing. If the probation was revoked, the reason confined code should be changed to a '20', Serving Sentence, and the sentence length imposed should be recorded in the sentence length field along with the original offense code.



## REMINDERS

### 2005 LIDS CONFERENCE

The Annual LIDS Conference is being planned and will be held September 21 & 22, 2005 in Richmond. Funding has been approved to allow all LIDS technicians and one back-up technician, as well as LIDS Advisory Committee members to attend.



Attendance at the LIDS Conference will be counted as a regular 7-1/2 hour Basic LIDS training. Therefore, LIDS Technicians who are due to attend Basic LIDS training for re-certification between June 2005 and September 2005, based on the 24-month training requirement, will NOT be required to attend our normal Basic LIDS training in Richmond if they attend the 2005 LIDS Conference.



Registration begins June 30, 2005 on the Compensation Board website: <http://www.scb.virginia.gov> and ends August 15, 2005.

**The location & further developments will be released in upcoming LIDS Newsletters.** If you have questions, contact Sue Kelly-Graham at 804-786-0786 Ext. 220 ([sue.kelly-graham@scb.virginia.gov](mailto:sue.kelly-graham@scb.virginia.gov))

### STAFFING STANDARDS FOR EMERGENCY POSITIONS

#### Staffing Standards for Emergency Positions in Local and Regional Jails Due to Overcrowding

Many jails have received funding from the Compensation Board for Emergency Correction Officers due to overcrowded conditions in the jail. A leading 'E' in the class code denotes these positions, and can be found in the Compensation Board's reimbursement system and on the Compensation Board website under "FY05 Approved Budgets". Currently there are 467 emergency positions in local and regional jails. The Appropriation Act directs the Compensation Board to examine inmate populations of local jails and to reallocate or reduce these temporary positions when overcrowding conditions change. In jails experiencing overcrowding, the Compensation Board **may** allocate one additional jail deputy for every five inmates above operational capacity. In practice, due to limited funding and available positions, the Compensation Board rarely allocates overcrowding positions to jails that are less than 50% above their operational capacity as determined by the Department of Corrections.

The average daily population (ADP) used to determine a jail's eligibility for consideration of emergency jail positions is based upon the jail's payable State Responsible population only. This ADP does **not** include ordinance violators, federal, military, transient or out-of-state contract inmates (non-payable population). Increases in the non-payable population do not result in the jail being considered for the allocation of emergency positions. You may wish to make sure that your Sheriff or Superintendent is aware that only payable jail population is considered when the Compensation Board determines the allocation of emergency positions.

### OVERLAP PROBLEMS

The Compensation Board continues to receive reports from LIDS Technicians related to overlap problems due to late release of inmates in LIDS. The main reason given for delays has been the LIDS Technician/user was out of the office, on vacation, or the facility had no additional staff experienced to release the inmate on LIDS. **Prompt attention to overlaps is imperative due to loss of revenue in one facility and the overpayment in another facility. This is an audit issue.**

The LIDS Advisory Committee recommended that each LIDS Technician should cross train a staff member on LIDS. LIDS Technicians are responsible for training other staff members. If it is necessary for the staff members to attend Compensation Board training, additional staff will not be reimbursed by the Compensation Board for travel expenses. Contact Sue Kelly-Graham ([sue.kelly-graham@scb.virginia.gov](mailto:sue.kelly-graham@scb.virginia.gov)) if monthly Basic LIDS training is required. Each facility's cooperation is appreciated.