

**LOCAL INMATE
DATA SYSTEM
(LIDS)**

Newsletter

SEPTEMBER

2004

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(804) 371-0235

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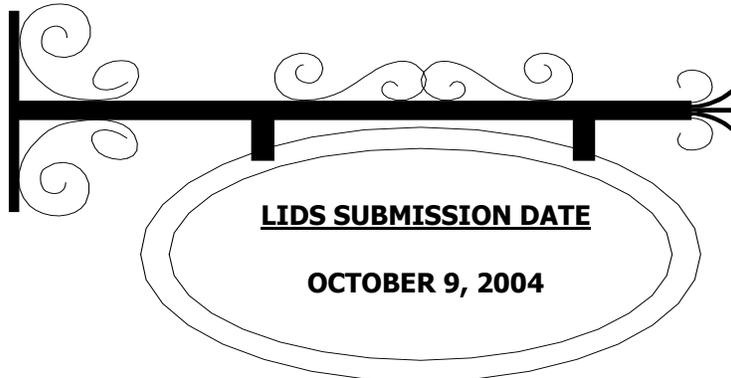
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VCC CODE

AUTHORITY TO ARREST ILLEGAL ALIENS

Heading: ARRESTS (FOR POLICE USE ONLY)
VCC: ARR-9988-S9
Statute: § 18.2-81.6
Subhead: Illegal Aliens
Description: Authority to arrest illegal aliens

CORRECTION

DISPOSITION 'CR' - COURT ORDER RELEASE

We appreciate one of Central Virginia's LIDS Technicians pointing out a discrepancy on the Description of Disposition Code CR—Court Order Release, Page 10-25 of the FY2005 LIDS Users Guide. The description should read:

To be found guilty, with a sentence of jail time imposed, court ordered to an alternative to incarceration program, case continued.

Please make the above correction in your copy of the FY2005 LIDS Users Guide.

Your attention to this matter is appreciated.

*****REMINDER*****

LIDS TECHNICIAN REQUIREMENTS

LIDS Technicians are the cornerstones of the LIDS success. Without timely and accurate inmate data, LIDS would fail. The Commonwealth of Virginia and local governments depend on the completeness, accuracy and timeliness of inmate data to determine the expenditure of millions of taxpayers' dollars for inmate per diems, and capital cost to construct or expand jails and prisons. The role of each LIDS Technician is vital to the ongoing success of LIDS.

It is of utmost importance that you email Sue Kelly-Graham or Alice Coe to advise of the reason, if and when, the report is not certified and approved by the first (1st) working day of the month. Continuous failure to report in a timely manner may jeopardize funding of the LIDS Technician position in those offices that do not report by the first (1st) day of the month.

The Compensation Board will receive, by the 10th business day of the month, a report listing the facilities that fail to certify and approve the monthly LIDS submission by the 1st working day of the month in accordance with the following statutes:

§ 53.1-115.1: Superintendents of regional jails and regional jail-farms to make monthly reports to Compensation Board

The superintendent of every regional jail and every regional jail-farm **shall report on the first day of each month** to the Compensation Board, giving the record of each prisoner received during the preceding month on blank forms to be furnished by the Compensation Board, stating whether the offense for each prisoner is for violation of state law or of city or town ordinance. The report shall be signed by both the superintendent and chairman of the regional jail-farm board. Either signer found guilty of willfully falsifying the information contained in such report shall be guilty of a Class 1 misdemeanor.

If any superintendent fails to send such report within ten business days after the date when the report should be forwarded, the Compensation Board shall notify the superintendent of such failure. If the superintendent fails to make the report within ten days from that date, then the Compensation Board shall cause the report to be prepared from the books of the superintendent and shall certify the cost thereof to the Comptroller. The Comptroller shall issue his warrant on the Treasurer for that amount, deducting the same from any funds that may be due the superintendent by the Commonwealth. (1983, c. 358; 2000, cc. 70, 291.)

Located on Page 13-8 of the Reimbursement Rates section of the FY05 LIDS USERS GUIDE



§ 53.1-121: Sheriffs to make monthly reports to Compensation Board; failure to send report

The sheriff **shall report on the first day of each month** to the Compensation Board, giving the record of each prisoner received during the preceding month on blank forms to be furnished by the Compensation Board, stating whether the offense is for violation of state law or of city or town ordinance.

If any sheriff fails to send such report within ten business days after the date when the report should be forwarded, the Compensation Board shall notify the sheriff of such failure. If the sheriff fails to make the report within ten days from that date, then the Compensation Board shall cause the report to be prepared from the books of the sheriff and shall certify the cost thereof to the Comptroller. The Comptroller shall issue his warrant on the Treasurer for that amount, deducting the same from any funds that may be due the sheriff by the Commonwealth.

The report shall be signed by both the chief jailer and the sheriff who shall certify the accuracy of the report. Either signer found guilty of willfully falsifying the information contained in such report shall be guilty of a Class 1 misdemeanor. (Code 1950, § 53-169; 1972, c. 573; 1982, c. 636; 1983, c. 358; 1996, c. 288; 1998, cc.

Located on Page 13-9 of the Reimbursement Rates section of the FY05 LIDS USERS GUIDE

Each Sheriff and Superintendent will be notified of non-compliance with the above statutes. Consequently, on-time certification and approvals are essential. If the LIDS Technician or back-up cannot certify and approve by the 10th business day of the month, please email Sue Kelly-Graham @ sue.kelly-graham@scb.virginia.gov or Alice Coe @ alice.coe@scb.virginia.gov.

Thank you for your cooperation.



INMATES ATTENDING FUNERAL PROCEDURE CLARIFICATION

Several questions arose at the LIDS Conference on September 16 regarding the current procedure for inmates attending funerals. The following is further clarification of the procedure:

Question: An inmate that is still in the custody of the jail, is escorted by a jail deputy to attend a funeral, returns to the jail, and the inmate does not stay overnight. Should the inmate be released from LIDS?

Answer: NO. The inmate should not be released in LIDS **unless he/she stays overnight or is court ordered to be released.**

Question: An inmate is released by Court Order to attend a funeral. Should the inmate be released from LIDS?

Answer: YES. If the Court Order releases inmate from the jail's custody to attend a funeral and is ordered to return to the jail on another date, inmate should be released by using **reason release code 25 - To Furlough.**





*****REMINDERS*****

**WARRANT OF ARREST
ILLEGAL ALIEN PROCEDURE**

§ 19.2-81.6. Authority of law-enforcement officers to arrest illegal aliens. Effective 7/1/04.

All law-enforcement officers enumerated in § 19.2-81 shall have the authority to enforce immigration laws of the United States, pursuant to the provisions of this section. Any law-enforcement officer enumerated in § 19.2-81 may, in the course of acting upon reasonable suspicion that an individual has committed or is committing a crime, arrest the individual without a warrant upon receiving confirmation from the Bureau of Immigration and Customs Enforcement of the United States Department of Homeland Security that the individual (i) is an alien illegally present in the United States, and (ii) has previously been convicted of a felony in the United States and deported or left the United States after such conviction. Upon receiving such confirmation, the officer shall take the individual forthwith before a magistrate or other issuing authority and proceed pursuant to § 19.2-82. (2004, cc. 360, 412.)



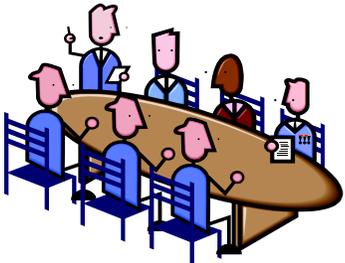
PROCEDURE:

- **If inmate is arrested on a state warrant** pursuant to § 19.2-81 in the course of acting upon reasonable suspicions that an individual committed or is committing a crime and held for 72 hours, use reason confined code 10 - Awaiting Trial. **If inmate is released via court order within 72 hours**, use release reason code 18 - Court Order.
- **If inmate is arrested on a state warrant, and ICE or Federal authority is to pick up inmate after the 72-hour time period**, and the inmate remains committed to jail, use release reason code 23 – Confinement Change Within Facility OR Violated Program, and recommit using reason confined code 73 - Held for Federal Authority/District of Columbia. **If inmate’s confinement was updated and released to U.S. Marshals Service/Federal authority**, use release reason code 51 – To Federal Authority.

**LIDS ADVISORY COMMITTEE
SLOTS OPEN**

LIDS Advisory Committee slots occasionally become available. If interested in becoming a LIDS Advisory Committee member, the following steps are required:

- Satisfactory audit results are maintained
- Prior approval of Sheriff/Superintendent
- Regular attendance is required. If a member is unable to attend a meeting, a representative from the member’s facility is expected to attend in his/her place. If a member does not attend three consecutive meetings or receives an unsatisfactory audit given by the Compensation Board auditors, the member could be asked to resign from the Committee.
- If you would like to be considered for a position on the LIDS Advisory Committee, a formal request should be sent via Email to Alice Coe (alice.coe@scb.virginia.gov)



The LIDS Advisory Committee meets quarterly (March, May, August and November). Travel expenses (meals, mileage, lodging) are reimbursed through SNIP in accordance with State Travel Regulations.