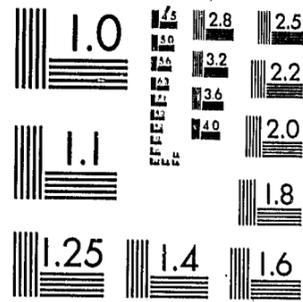


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ANNUAL REPORT ON CRIME AND THE JUSTICE SYSTEM IN VIRGINIA

EXECUTIVE SUMMARY

Council on Criminal Justice
Division of Justice and Crime Prevention

ANNUAL REPORT
ON
CRIME AND THE JUSTICE SYSTEM IN VIRGINIA

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Commonwealth of Virginia
Council on Criminal Justice
Division of Justice and Crime Prevention
December, 1980

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ACQUISITIONS

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INTRODUCTION

This is an executive summary of the "Annual Report on Crime and the Justice System in Virginia", a report produced by the Council on Criminal Justice and the Division of Justice and Crime Prevention to serve as a resource for the Executive, Legislative, and Judicial branches of State and local government in coping with the complex problems of crime, delinquency, and increasing the effectiveness of the justice system.

This document contains a summary of the following sections contained in the Report:

1. Assessment of crime and justice
2. Existing system efforts, impacts, and problems

The final section of the Report is included in this document almost in its entirety, since that section consists of suggested solutions to be implemented over a three-year period (1981-1983) to help alleviate the problems identified.

ASSESSMENT OF
CRIME AND JUSTICE

ASSESSMENT OF CRIME AND JUSTICE

CRIME TRENDS

Much of the increase in crime experienced by Virginia and the nation during the 1960's and early 1970's can be explained by the increasing number of persons during those years who were in the age segment of the population most prone to commit crime.

Crime rate projections for Virginia indicate generally increasing crime rates among crime-prone age groups (ages 15-29), with the total crime rate projected to remain essentially steady.

Although Virginia ranks 13th among the states in population, Virginia ranked 33rd in 1978 in crime rate, with a rate of 4,073 index crimes per 100,000 population. The crime rate is considerably lower than this in most jurisdictions.

OFFENDER PROCESSING

Using data aggregated for twelve large Virginia localities* for the crimes of robbery, burglary, and larceny (personal and household) during 1977, it is possible to obtain a close approximation of the situation in large Virginia localities. Using burglary as an example, the following information was obtained:

<u>Burglary</u>	<u>Number</u>	<u>Percent</u>
Estimated Number of Crimes	63,309	100.0%
Crimes not Reported	32,414	51.2%
No One Charged for Crime	25,096	39.6%
Charges not Prosecuted	1,769	2.8%
Acquittal of Charge or Dismissal	935	1.5%
Guilty of Charge: Not Incarcerated	792	1.3%
Guilty of Charge: Incarcerated	2,303	3.6%

VICTIMS OF VIOLENT CRIME

Within the United States, males are more than twice as likely as females to be victims of violent crime. Blacks have higher victimization rates than whites, and persons from families with low annual income have much higher victimization rates than those from families with higher annual income.

*Cities of Alexandria, Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Richmond, Virginia Beach, and Counties of Chesterfield, Fairfax, Henrico, and Prince William

VIRGINIA JUVENILE JUSTICE SYSTEM

Between July 1, 1978 and June 30, 1979, 111,195 complaints and 97,853 offenders were recorded by juvenile court intake units throughout the State. Approximately 27% of these complaints were diverted from formal court hearings.

The most recent data available reveal that if a petition is filed, the alleged offender is most likely to be released to the custody of his/her parents (45% of all cases), or to have no change in custody (22% of all cases). In 32% of the cases, the alleged offender was detained. Twenty-four percent of these were detained in secure and non-secure juvenile detention facilities; 2% were detained in jails, and data were not available for 6%.

Between July 1, 1978 and June 30, 1979, 1,306 juveniles were committed to the State Board of Corrections.

SYSTEM EFFORTS, IMPACTS, GAPS,
AND PROBLEMS

SYSTEM EFFORTS, IMPACTS, GAPS, AND PROBLEMS

CRIME PREVENTION

The concept of hardening crime targets is gaining recognition as an important and effective strategy for reducing crime. In order for target hardening, or mechanical crime prevention to be most efficiently and economically accomplished, it is essential for citizens to become fully aware of and involved in the process.

The types of crime prevention programs that both law enforcement and citizens' groups are involved in are similar in most localities, usually including the following activities:

- Full-time crime prevention units in law enforcement agencies
- Neighborhood watch
- Block security
- Operation identification
- Security surveys of homes and businesses
- Public awareness programs
- Media campaigns
- Burglary and larceny prevention
- Safety programs for women

The Virginia Crime Prevention Association supports and complements the efforts of law enforcement and community groups engaged in crime prevention programs. The Association, formed in 1978, is very active, within the constraints of its limited financial resources, in sponsoring and conducting crime prevention training.

The Office of the Secretary of Public Safety and several State agencies, including the Division of Justice and Crime Prevention (DJCP), the Virginia Office on Aging, and the Virginia Tech Extension Division also are active in promoting crime prevention, and in assisting various groups to initiate and maintain effective crime prevention programs.

The basic premise in mechanical prevention is that each person shares the responsibility for preventing crime against his own person and property. In order to prevent crime, there are a number of tactics employed. They include:

- Locking doors and windows
- Installing improved locking devices

- Providing ample lighting
- Locking automobiles
- Being cognizant of dangers while out at night
- Engraving identifying marks on property
- Watching out for neighbors' property
- Forming neighborhood security programs

While most of the largest jurisdictions in the State have active crime prevention programs, there is still a need for these programs and activities in most of the rural areas, which lack the necessary manpower, training, and resources to carry out successful crime prevention programs.

Crime prevention programs rarely have effective evaluation components, resulting in difficulties in planning their activities and assessing their results.

Many crime prevention programs lack sufficient citizen input in identifying specific crime problems and planning strategies to solve them. Citizen participation in these and other aspects of crime prevention is essential to the success of the effort.

There is a lack of resources to maximize the effectiveness of the Virginia Crime Prevention Association and to provide the needed level of training, direction, coordination, and assistance for crime prevention programs throughout the State.

LAW ENFORCEMENT

Law enforcement authorities and responsibilities are vested in a number of different agencies in the Commonwealth, including the Department of State Police, local sheriffs' departments, and city and town police departments. There are also State agencies and authorities which are empowered to enforce certain special State laws, or which have full enforcement powers within fixed jurisdictions.

Data available from a 1977 study of twenty-nine jurisdictions indicated that most of those jurisdictions spent 7%-13% of their annual budgets on law enforcement. The study showed that localities which spent the most for law enforcement cleared a smaller percentage of their Part I offenses by arrest.

Of the 209,096 major crimes reported in Virginia in 1978, only 24% were cleared. Although this efficiency indicator is comparable to those reported nationally, it nevertheless means that an offender has an almost 75% chance of not being arrested for his/her criminal violation.

Law enforcement personnel need appropriate training in order to function effectively in a variety of situations. The Commonwealth has made progress in setting standards for and providing law enforcement training through the Criminal Justice Services Commission and the ten regional criminal justice training academies in the State. However, there still are unmet needs for training of law enforcement personnel.

The rate of turnover among law enforcement personnel is high, and in 1979, approximately 13% of all officers were new employees.

The manner in which law enforcement responsibilities are allocated in the State results in a great deal of duplication, expense, and gaps in service where resources are not shared and consolidated.

ADJUDICATION

Judicial Sentencing

A number of concerns exist with regard to sentencing practices in the Commonwealth. Some of the issues are:

- Should sentencing be more uniform statewide?
- Should sentences in cases involving a jury trial be determined by the trial court judge, rather than the jury?
- Should limitations of any type be put on parole?
- Should the percentage of the sentence that must be served before an inmate is eligible for parole consideration be increased?
- Should determinate or flat-time sentences be permitted for juveniles?
- Should bifurcated trials in felony cases become mandatory?

One major problem in studying and revising sentencing practices is the generation of enough public support to warrant this effort by the General Assembly.

Computer Options for the Virginia Judicial System

Courts in the Commonwealth have begun to utilize automated methods for handling certain of their functions. Automated methods are particularly useful in court settings for administrative functions, case records, trial systems, and legal research systems.

Implementation of automated information systems promotes speedier trials by reducing administrative causes for court/trial delay.

Computerization has only recently been considered as a viable alternative for courts. Many court officials are skeptical about the use of automated systems; however, when implemented, these systems are useful in providing management information and in helping to handle increasing caseloads.

Victim, Witness, and Jury Assistance

There are five victim/witness programs operating out of Commonwealth's Attorney's offices in the State. The focus of these programs is to "humanize" the court process and to improve the quality of prosecutions by providing appropriate assistance to victims and witnesses of crimes.

One problem with victim/witness programs is the lack of public understanding and acceptance of them.

In 1977, legislation requiring mandatory randomization in jury selection was passed by the Virginia General Assembly. Randomization may be accomplished through either manual or electronic means.

There are a number of issues surrounding the Commonwealth's trial jury system which need study to determine the best course of action to take in implementing randomization and in improving jury management. The issues include:

- How many jury trials are conducted yearly, and what percentage is this of total cases?
- How many lists are generally used to generate jury panels?
- Are there better methods for melding these lists, or eliminating the use of some of them?
- What is the utilization for the size of various panels which are drawn?
- Should a pool concept for jury service be tried?
- Should challenge procedures and voir dire practices be changed?

Career Criminal Programs to Enhance the Quality of Prosecution

Five career criminal programs are in operation in Virginia. The purpose of these programs is to focus prosecutorial attention upon offenders who commit "major offenses" and/or a disproportionate share of crime in the locality.

In many suburban/urban jurisdictions, the caseload of a prosecutor's office is such that it is very difficult to allocate the necessary personnel and other resources to a career criminal/major offender unit. In less populated areas of the Commonwealth, the "career criminal" may not be considered a problem that needs special prosecutorial attention.

Competent Defense for Indigents

The basic objective of public defender offices is to provide adequate and effective legal assistance to indigent persons charged with crimes for which the penalty might be imprisonment and for which the United States Constitution, the Constitution of Virginia, and the Virginia statutes require that the opportunity for representation by competent counsel be provided at public expense.

Currently, there are four public defender offices operating in the State. The first three were studied for cost effectiveness, cost savings, and quality of defense and were found to be doing well in all areas.

ADULT CORRECTIONS

Beginning in 1974, and continuing through 1977, Virginia experienced a sharp increase in commitments to its adult correctional institutions. This rapid increase resulted in serious overcrowding in State institutions, and a backlog of State inmates in local jails. However, for the past two years, there has been a decrease in felon commitments.

Part of the decrease in felon commitments can be attributed to a backlog of sentenced felon offenders awaiting transfer from local jails to State institutions. The monthly average number of sentenced felons awaiting transfer during fiscal year 1980 was down 22% from the monthly average during 1979.

For the past two years, the State Department of Corrections has been involved in an active building campaign which helped relieve the felon population of local jails. An additional 1,580 beds are slated to be added during the next 2 to 3 years.

Although the backlog of felons contributes to jail overcrowding, it is the high misdemeanor pre-trial population that is the primary cause of jail overcrowding.

In fiscal year 1978, the Department of Corrections reported 151,721 commitments to city and county jails in Virginia. Fiscal year 1978 data show that 52% of these commitments were for misdemeanors, 26% for local ordinance violations, and 22% for felonies. This has remained relatively constant since fiscal year 1975.

Between 1976 and 1979, the number of arrest warrants issued by magistrates for felonies has increased 6.6%, while the number for misdemeanors has decreased by 2.6%. The felony bonding rate increased 25.5% while misdemeanor bonds decreased by 18.8%.

Of the 2,732 new commitments to the Virginia correctional system during fiscal year 1979, 16% had served one or more previous felon sentences in the Virginia correctional system. A total of 24.1% had served one or more previous felon sentences in the Virginia correctional system and/or elsewhere. Parole data indicate that 32.4% of Virginia recidivists confined were on parole when their present offense was committed. This compares with 20% during fiscal year 1978.

In 1977, the Secretary of Public Safety and the Department of Corrections formed a steering committee to develop a master plan for corrections in Virginia. This committee utilized consultants from the National Clearinghouse for Criminal Justice Planning and Architecture for assistance. This effort culminated in a report entitled Corrections Options for the Eighties.

A major focus of the committee's work was upon forecasting future jail and State correctional institution populations, and thereby estimating future bed space needs. One finding was that by 1990, there will be a need for 12,987 bed spaces in the State correctional system if current practices are

continued. Assuming no upgrading of present facilities and no closing of temporary ones, 4,776 spaces in addition to the present and newly funded facilities would be needed, at a cost of \$191,040,000 in capitol outlay for those spaces. After presently funded new facilities are built and old facilities are closed or renovated, the Department would need 8,156 beds to meet the demand projected for 1990.

The cost of necessary renovation is calculated at approximately \$127,700,000; the cost of 8,156 new beds at about \$326,240,000, for a total demand of \$453,940,000.

Future jail populations were also estimated in the study, with the result that in 1990, Virginia's jails were projected to have an average daily population of 5,707. The projected shortfall of local jail beds is not as significant as that for State correctional institutions.

At the end of fiscal year 1979, there were 10,151 probationers from circuit courts remaining under supervision, and 1,103 from district courts.

During fiscal year 1979, there were 5,200 parolees or pardonees served by the Department of Corrections Division of Community and Prevention Services.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Prevention

Although delinquency prevention is not specifically a part of the juvenile justice system, both the system and local communities are placing increasing emphasis upon community prevention services and diversion, i.e., referring youth to non-juvenile justice agencies and non-traditional juvenile justice programs for services. The Virginia General Assembly is placing increasing emphasis upon the need for delinquency prevention, as evidenced by passage of the Delinquency Prevention and Youth Development Act (House Bill 1020).

The emphasis on delinquency prevention in Virginia has had some positive results. The quality of community-based prevention services has increased generally, and the public is becoming more aware of the many resources for prevention. Localities have responded by creating offices on youth to serve as advocates for youth and to improve and coordinate local services for youth.

The lack of coordination of services at state and local levels often results in conflicts, duplications, and gaps in services. Not all localities in the State have equal access to prevention services, due to geographic, political, or cost factors. Prevention programs and services are difficult to evaluate.

Law Enforcement Services

During the past seven years, at least twenty law enforcement agencies in the Commonwealth have established juvenile divisions responsible for investigating and processing all juvenile cases in those particular localities. In addition to investigation, these agencies place high priority on prevention and diversion services.

Complaints at court intake and court caseloads are decreasing in localities which have diversion-oriented police divisions. More law enforcement officers are receiving specialized training in juvenile related matters.

Many localities do not have the benefit of juvenile divisions in their police departments. A problem in localities with juvenile divisions is securing appropriate training for the officers. Most of the training is costly and is provided out of state.

Accurate and timely law enforcement data are difficult to obtain. This, in turn, makes it difficult to plan and evaluate services.

Court Intake Services

Juveniles not diverted by law enforcement are referred to juvenile court intake. Thirty-two court districts provide 24-hour intake service for juveniles in Virginia. The goal here is to divert from formal court action juveniles who could be cared for by alternative programs outside of the justice system.

More youth are being referred to needed community-based services due to the increasing emphasis on diversion and improved intake services. Court intake, and all court services are being monitored by the Department of Corrections court certification process and by Department of Corrections regional court specialists.

In many areas of the State, 24-hour intake is provided on an "on call" basis, creating transportation problems and delays in processing of complaints. Some intake units have no access to non-secure facilities, resulting in inappropriate placements of youth in secure facilities.

Community-Based Alternatives

Recent changes in the Code of Virginia reinforced the importance of developing and utilizing community-based alternative services for youth who could be served there in lieu of progressing further into the justice system. With the development and use of these services, youth who previously would have been processed through the court are receiving needed services more quickly and closer to their homes. Whenever possible, the least restrictive alternative is being used. Volunteers are being used to increase services and reduce costs.

Fewer status offenders are being held in secure detention. Virginia is currently in 95.2% compliance with the deinstitutionalization requirement of the Juvenile Justice and Delinquency Prevention Act (JJDP Act).

Detention Services

If a petition is filed on a juvenile and he cannot be released to parental custody, he may be placed in a non-secure (outreach), less-secure, or secure detention program, depending upon individual factors. In recent years, increasing emphasis has been placed upon keeping a child in the least restrictive setting possible while awaiting court action. The 1977 Juvenile Code Revision (House Bill 518) took a major step towards minimizing the use of secure detention for most juveniles. Status offenders may not be held in secure detention in excess of 72 hours.

A number of localities have developed outreach and less-secure detention programs. There are 15 secure detention homes in operation across the State. All of these detention programs are monitored by the Department of Corrections and undergo an annual certification process.

Inappropriate, or unnecessary placement of youth in outreach and less-secure detention results in "widening the net". This means that youth who should be, or who normally would be released to the custody of their parents to await court action are placed in these programs. When "children in need of services" are placed in these programs, the impact on secure detention and jailing rates is questionable. Some youth also are placed inappropriately in secure detention due to a lack of alternatives and/or a lack of knowledge about alternatives.

Transportation is frequently a problem in providing appropriate detention services. Responsibility for transportation has been divided between detention and law enforcement personnel, with no clear delineation of roles.

Secure detention homes are being utilized for post-trial youth committed to the State Board of Corrections awaiting transportation. This consumes bed space needed for pre-trial youth needing detention.

Jail Services

Youth in Virginia may be held in jails on delinquent charges pre and post dispositionally, in accordance with the Code of Virginia. A very high priority has been placed on the separation of juveniles from adults in jails which house both. Virginia law requires "sight and sound" separation of juveniles from adults in jails. The State Board of Corrections recently established standards for the jailing of juveniles which closely parallel federal standards.

All 91 jails in the Commonwealth have undergone certification procedures in the last year. Fifty-six are presently certified to hold juveniles; 33 are not, and 2 have since closed and are building new facilities. Services provided youth in the certified facilities vary widely from virtually nothing to medical, recreational, counseling, and educational services; however, separation of juveniles while they are involved in programming is often impossible, and adds to jail management problems.

The Division of Justice and Crime Prevention and the Department of Corrections are currently cooperating in conducting an impact analysis of the effects of removing all juveniles from Virginia jails.

Virginia is expected to be in 100% compliance with the Juvenile Justice and Delinquency Prevention Act requirement for separation of youth from adults in detention and correctional facilities by June 30, 1981.

Some juveniles are being transported a distance from their communities in order to be placed in certified jails. This creates problems in their access to legal and court services and to family visits. Many youths are jailed temporarily on a pre-trial basis due to a lack of transportation services to the nearest detention home.

Youth placed "appropriately" in jail usually do not have quality educational, recreational, treatment, and medical services available to them. There is no provision for juvenile specific training for jail staff charged with caring for youth.

Court Dispositional Alternative Services

Resources available to juvenile court judges as dispositional alternatives vary widely throughout the State. Dispositional alternatives include fines, restitution, probation, court-based programs (family counseling, volunteer programs, etc.), community-based programs, commitment to the State Board of Corrections, and commitment to jail.

Through the provision of in-house psychological services in some court service units, fewer youth are being committed to the State Board of Corrections for a 30-day screening and diagnosis period.

Court services are being monitored by the Department of Corrections and undergoing a certification process.

There is a need to provide dispositional alternatives for courts which lack them, and to train the judiciary in the need for and use of these alternatives.

Institutional Services

If a youth has been found guilty of a delinquent offense, he/she can be committed to the State Board of Corrections. House Bill 518 (1977 Juvenile Code Revision) prohibits the commitment of status offenders to the State Board of Corrections. Upon commitment, a youth is transferred to the Reception and Diagnostic Center for screening, testing, diagnosis, and placement. Depending upon the outcome of this screening, a youth may be placed in State foster care, a "special placement" (public or private residential facility), or transferred to one of the six State operated learning centers. A seventh facility, the Intensive Treatment Learning Center, is under construction and scheduled to begin operation in July, 1981. Services provided in the learning centers include medical, recreational, treatment, educational, (academic, vocational, tutoring), psychological, psychiatric, religious, transportation, visitation, and volunteer services. The average length of stay is approximately 9 months.

The Department of Corrections operates and staffs the learning centers; the Rehabilitative School Authority (RSA) provides academic and vocational instruction to the students. The Department of Corrections has developed minimum standards for learning center operations. Beginning in fiscal year 1981, all learning centers will be certified on these standards.

Facilities at most learning centers are in deteriorating condition and must be closed on a rotating basis for renovation and repairs, resulting in lack of adequate space. Overcrowded conditions exist at all learning centers despite the exclusion of status offenders from the populations. The average length of stay at learning centers is unnecessarily long, often due to "red-tape" in placement procedures. Because centers receive children from throughout the State, transportation of families, aftercare workers, lawyers, and friends is burdensome and expensive; planning for aftercare service is difficult. Case tracking capabilities do not extend past release from the learning centers.

Transportation of youth from detention homes to the Reception and Diagnostic Center (a responsibility of Department of Corrections staff) often is delayed causing backlogs of committed youth in detention facilities.

Overcrowded conditions at the Reception and Diagnostic Center necessitate rapid processing of youth, resulting in occasional inappropriate placements. Youth in need of special placements frequently are not able to be transferred to them due to lack of information, lengthy application procedures, lack of

available space, and/or ineligibility due to technical criteria. Most youth affected in this way are transferred on "pending" status to a learning center, thus receiving virtually no treatment services in the interim.

Youth committed for 30-day screening and diagnosis are taking up bed space which could otherwise be utilized for longer term commitments.

Aftercare Services

Aftercare services for youth begin when a youth is committed to the State Board of Corrections. While a youth is in State care, the committing court service unit is responsible for maintaining contact with the youth and being involved in planning for services after the youth is released. At least ten court service units have separate aftercare divisions; the remainder utilize probation staff for aftercare cases. Services provided to youth while they are in State care include: case coordination, family contact, visits to the learning center, and referrals to community service. Upon return to the community, transition services offered include educational and job placement, and ongoing counseling with the purpose of reintegrating the youth back into the home, school, and community.

In courts having specialized aftercare units, probation caseloads have decreased to manageable levels. The intensity and quality of aftercare services is less in court service units not having the specialized units.

Transportation can be burdensome and costly for both staff and youth, and travel time diminishes service delivery time. Visits must be made once every three months by aftercare workers to every facility housing a youth on their caseloads.

DOMESTIC VIOLENCE

Domestic violence is thought to be the most frequently occurring type of crime. Family fights constitute the largest single category of police calls. Homicide statistics indicate that the majority of murders occur among family members.

A number of different agencies and services are involved in dealing with the problems of domestic violence. Legislation passed by the 1980 Session of the Virginia General Assembly gives the Department of Welfare primary responsibility for planning, coordinating, and implementing programs and services for domestic violence victims in the State.

Current programs and services for domestic violence victims and their families are generally community initiated and community funded.

It is difficult to assess the nature and scope of domestic violence because of the shame and secrecy surrounding it and because there is no systematic statewide data collection effort. The lack of data also complicates the issue of coordinating efforts to explore and address the problem, since it crosses many agencies and services.

Law enforcement personnel need specialized training so that they may respond to domestic violence situations more effectively.

There is a need for more community service programs to assist victims of domestic violence and their families. Efforts to educate the public about the problems would be helpful in reaching those who need assistance.

SUBSTANCE ABUSE

Virginia's primary mechanism for delivering substance abuse services is the programs administered through the thirty-seven local community service boards (Chapter X Boards), which operate within standards established by the Virginia Department of Mental Health and Mental Retardation.

Existing alcohol abuse services include 19 outpatient clinics, 18 alcoholism service units in community mental health centers, an inpatient program for Virginia residents at the Medical College of Virginia, 21 residential treatment facilities, and 4 inpatient units at State mental hospitals.

Existing drug abuse services in the Commonwealth include 5 methadone clinics, 7 residential treatment facilities, 25 outpatient drug free components of service efforts, and a Treatment Alternatives to Street Crime (TASC) program.

Other substance abuse service efforts include education and prevention, intervention, occupational assistance, services to special populations (women, youth, aging, cultural minorities), and criminal justice interface activities.

According to the Virginia Substance Abuse Plan for FY 1979 - 1980, publicly supported drug abuse services were provided to 5,390 persons during fiscal year 1978. For the same time period, 19,280 persons entered publicly supported alcoholism treatment programs.

There are not enough alcoholism treatment services and services targeted to barbiturate, sedative, and tranquilizer abuse.

The organization and operation of substance abuse services in a manner which promotes continuity of care for clients needing different types and/or levels of care is needed in Virginia. This is especially important in aftercare programming which draws from a variety of community resources.

Special service needs of population groups such as women and the elderly must receive increased attention from both drug abuse and alcoholism programs.

For prevention and education efforts, there is a need for educational material which provides useful facts about substance abuse and provides a basis for individual decision making in a rational manner. Programs designed to impact attitudes about substance use and abuse and behavioral programs to reinforce or change behavior related to substance use and abuse are needed.

At the state and local levels, there is a need for better interface between substance abuse services and the criminal justice system so that better services can be provided for substance abusers involved in the criminal justice system.

POSSIBLE SOLUTIONS

(1981-1983)

POSSIBLE SOLUTIONS (1981-1983)

CRIME PREVENTION

1. Establish a mechanism at the State level to direct, coordinate, and assist statewide crime prevention activities.
2. Increase public awareness of crime and methods to prevent it.
3. Develop a statewide volunteer crime prevention service delivery network.

LAW ENFORCEMENT

1. Implement integrated criminal apprehension program concepts.
2. Promote and provide better means of technology transfer among law enforcement agencies.
3. Enhance cooperation, coordination, and multi-jurisdictional sharing and consolidation of selected resources among law enforcement agencies.
4. Improve the delivery system for basic, in-service, and specialized law enforcement training, and establish a continuous training program for top law enforcement executives in the State.
5. Introduce and implement improved administrative and operational systems and procedures and high productivity concepts in law enforcement agencies.
6. Establish minimum pre-employment standards and improved salary and benefits programs for law enforcement personnel.

ADJUDICATION

Judicial Education

The Office of the Executive Secretary of the Supreme Court (O.E.S.) has developed a series of alternative actions to meet the needs of continuing judicial education within existing financial constraints. These are as follows:

1. Establish a judicial institute.

2. Implement joint conferences of circuit and district court judges and of magistrates and clerks.
3. Establish mandatory conference attendance for magistrates.
4. Establish mandatory minimum education standards for magistrates.
5. Utilize cyclical curricula for judicial training.
6. Reduce or eliminate use of outside consultants.
7. Seek funding for out-of-state training for district court clerks.
8. Seek increased funding for out-of-state training.
9. Implement individual visits to correctional institutions.
10. Deliver video equipment.
11. Implement a certification program for magistrates.
12. Continue education seminars for circuit court clerks.
13. Implement orientation programs for new judges, district court clerks, and magistrates.
14. Implement district court clerks certification.
15. Propose mandatory continuing legal education requirement.
16. Provide education and training for O.E.S. staff.

Judicial Sentencing

1. Create a judicial panel to review existing sentencing procedures and report to the legislature.
2. Create a "blue ribbon" panel composed of attorneys, judges, and lay persons to review existing sentencing procedures and report to the legislature.
3. Refer the issues surrounding sentencing to the Criminal Procedures Committee.

Computer Options for the Virginia Judicial System

1. Proceed with systems development.
2. Obtain funding to develop all of the systems and to implement a pilot program.
 - a. Case Management System
 - 1) Indexing

- 2) Docketing
- 3) Basic Reporting
- 4) Notice Generation
- 5) Management Reporting

b. Financial System

c. Support Payment System

3. Prioritize and develop the above systems.

a. Priority I Activities

- 1) Indexing
- 2) Docketing
- 3) Basic Reporting
- 4) Financial Modules

b. Priority II Activities

- 1) Notice Generation
- 2) Support Payment Modules

c. Priority III Activities

- 1) Management Reporting

Victim, Witness, and Jury Assistance

1. Maintain existing victim/witness programs.
2. Encourage Commonwealth's Attorney's Offices to establish victim/witness programs.
3. Encourage legislative action allowing each Commonwealth's Attorney's Office to hire and maintain, at State expense, a full-time victim/witness coordinator.
4. Retain current juror selection procedures and practices, but institute methods for random selection in conformance with the new law.
5. Study the various methods of randomization and implement the most effective, efficient, and cost-beneficial alternative.
6. Study the operations of the trial jury system in a selected number of jurisdictions.
7. Seek funding for a statewide analysis of trial jury system operations, including a study of the use of multiple lists, a data analysis study to ascertain how effective current jury utilization is, and an implementation phase to assist interested circuit courts in improved jury management and utilization.
8. Seek funding for development of model jury instructions.

Training for Prosecutors/Commonwealth's Attorneys

1. Provide basic training and assistance to new Commonwealth's Attorneys, their assistants, and members of their staffs.
2. Provide at least one in-state training program a year for Commonwealth's Attorneys and their assistants.
3. Provide funding for at least 85 Commonwealth's Attorneys, and/or their assistants to seek out-of-state training once a year.
4. Provide management training for Commonwealth's Attorneys, their assistants, and members of their staffs.

Career Criminal Programs to Enhance Prosecution

1. Maintain the current level of career criminal/major offender programs.
2. Increase the number of career criminal/major offender programs.

Competent Defense for Indigents

1. Continue the operation of existing defender offices.
2. Furnish adequate resources and training in substantive and procedural law to public defender personnel.
3. Assist the courts insofar as can be done without any conflicts of interest in the determination of indigency.
4. Evaluate the operations of the offices on a continuing basis.
5. Educate the public as to the availability of defense services for indigents.

ADULT CORRECTIONS

1. Expand the role of substance abuse and community mental health residential facilities in providing services for State and local offenders.
2. Encourage general district and circuit courts to increase use of responsible probation for non-dangerous offenders, by utilizing restitution and community service programs.
3. Encourage local magistrates to develop and implement programs for release on recognizance.

4. Expand local community-based pre-release and work release programs statewide.
5. Increase services and programs for parolees on a regional basis.
6. Expand and improve adult correctional education, rehabilitation, and treatment programs statewide.
7. Reduce overcrowding in State and local adult detention centers by continuing the expansion program initiated by the Department of Corrections; by renovating and expanding existing facilities, constructing new facilities, and through increased use of alternatives.
8. Implement standards for accreditation of State facilities.
9. Improve and implement a local adult detention planning methodology for Virginia.
10. Provide technical assistance in the area of correctional program development and implementation.
11. Assist local adult detention centers to implement management information systems which meet current needs.
12. Implement comprehensive minimum standards for planning, design, construction, operation, and programs for local adult detention centers.
13. Provide assistance to local detention centers deemed suitable for renovation/expansion.
14. Assist local units of government to construct new regional adult detention centers which meet or exceed minimum standards.
15. Expand statewide the level of adult detention programs and services.
16. Maintain and increase the level of effort for correctional training statewide.
17. Require basic correctional officer training for all correctional personnel.
18. Explore the feasibility of expanding correctional curricula within regional criminal justice training academies.
19. Study current correctional officer personnel classification procedures and salary scales.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Prevention

1. Convene local and State issues study groups to identify and resolve conflicts in policies, procedures, and practices of eleven State agencies and their local counterparts.
2. Develop and implement an "ideal" service delivery model in one locality.
3. Evaluate the model and prepare a report suggesting changes in legislation, policies, and procedures of the agencies involved.
4. Conduct an evaluation of school alternative programs.
5. Promote a close working relationship between the DJCP and the Department of Corrections H. B. 1020 Coordinator and regional prevention specialists to encourage evaluations of prevention programs, and to review existing efforts, both State and national.
6. Provide program development and funding assistance to localities which currently have little or no access to prevention programs.
7. Promote a close working relationship between the DJCP and local and regional units of government to encourage local maintenance of juvenile justice and delinquency prevention planning capabilities. Encourage Department of Corrections regional staff to assume these planning efforts where gaps exist.
8. Encourage agencies not traditionally thought of as part of the juvenile justice system to become actively involved in delinquency prevention planning.
9. Continue to monitor and offer technical assistance to upgrade existing prevention programs in the State.
10. Offer program development and funding assistance for statewide training of existing prevention services personnel.

Law Enforcement

1. Provide program development and funding assistance to law enforcement agencies wishing to create juvenile units.
2. Continue to monitor and offer technical assistance and training information to upgrade existing law enforcement juvenile units.
3. Establish specialized juvenile training at the regional training academies.
4. Upgrade the quality and access time of police data.

Court Intake

1. Provide technical assistance and program development to courts wishing to establish 24-hour intake services.
2. Encourage and provide training in diversion and available community-based alternatives for juvenile court intake officers.

Community-Based Alternatives

1. Encourage localities to provide training in community-based alternatives to all potential sources of youth referrals.
2. Encourage the Division for Children to develop and launch a media campaign concerning the need for diversion.
3. Provide program development and funding assistance to localities and State agencies to develop community-based alternative programs.
4. Continue to monitor and offer technical assistance to upgrade existing community-based alternative programs.
5. Resolve existing conflicts which hinder the provision of educational services in short-term residential facilities.
6. Encourage appropriate State agencies to design a state-wide computerized juvenile facilities information system. Provide program development and funding to one State agency to implement the information system.
7. Encourage evaluation of diversion programs and review of existing State and national efforts by State and local service delivery agencies.
8. Monitor and offer technical assistance to upgrade and consolidate existing diagnostic services at the local level, and encourage localities to use local services in lieu of 30-day commitments to the Reception and Diagnostic Center.
9. Encourage the creation and implementation of a centralized locally-based information system (bank) for use by all referral agencies, and link the system to the court services information system for tracking prior services offered to youth coming in contact with the juvenile justice system.
10. Monitor public and private residential facilities for compliance with JJDP Act requirements, reporting violations of the Act and the Code of Virginia, along with recommendations for action.

Detention

1. Offer technical assistance to existing outreach and less-secure detention programs in court screening and placement procedures.
2. Encourage secure detention programs to screen and place youth as quickly as possible.
3. Provide program development and funding assistance to localities wishing to establish less-secure detention programs.
4. Encourage and offer training for judges in the availability and proper use of less-secure alternatives.
5. Encourage resolution of legislative and policy conflicts which confuse the lines of responsibility for transportation of juveniles to and from detention facilities.
6. Provide program development, technical assistance, and funding, where appropriate, to upgrade the State's 15 secure detention facilities.
7. Study and implement possible solutions to the housing of post-trial juveniles in detention facilities.
8. Monitor and offer technical assistance and funding, where appropriate, to localities and State agencies to upgrade transportation services.
9. Monitor on an annual basis all secure detention facilities for compliance with JJDP Act requirements and the Code of Virginia, reporting violations, along with recommendations for action.
10. Resolve legislative, policy, and procedural conflicts which encourage over utilization of detention beds.
11. Encourage and offer appropriate training for detention home personnel.

Jail Services

1. Provide program development and funding assistance to localities wishing to implement jail alternatives.
2. Encourage the Department of Corrections and the State Conference of Juvenile Court Judges to offer training for intake officers and judges in the need for and proper use of alternatives to jailing.
3. Encourage the Division for Children to develop and launch a media campaign concerning the need for alternatives to jailing.
4. Offer program development, technical assistance, and funding, where appropriate, to upgrade facilities and services for juveniles in jails certified to house juveniles.

5. Encourage specialized training in juvenile areas for jail personnel.
6. Encourage the upgrading of positions and salaries for jail personnel involved in juvenile programming.
7. Conduct an impact analysis of the effects of removing juveniles from Virginia's jails.
8. Implement and monitor the recommendations resulting from the impact analysis.
9. Revise the standards for jails.
10. Encourage the Department of Corrections to certify only those jails which can guarantee adequate separation of juveniles from adults.
11. Monitor all jails on an annual basis for compliance with JJDP Act requirements and the Code of Virginia, reporting violations, along with recommendations for appropriate actions.

Court Dispositional Alternatives

1. Offer program development and funding assistance to localities wishing to implement court dispositional alternative programs.
2. Encourage and offer training for juvenile court judges in dispositional alternatives.
3. Conduct a needs assessment of the juvenile court service units resulting in recommendations for changes which would standardize operations. Implement and monitor these changes.
4. Encourage public and private organizations to conduct research in the causes of delinquency and recidivism. Review existing and future studies on the state and national level.
5. Encourage and provide technical assistance for the development and implementation of a court-based case management information system to be tied into the community-based information system and the direct care information system.
6. Encourage court service units to work closely with public and private agencies involved with service delivery to youth.
7. Encourage and make available training in juvenile-specific areas for Commonwealth's Attorneys.

Institutional Services

1. Encourage and support upgrading of learning center positions and salaries.

2. Provide equal access to individualized programming for all youth committed to the State Board of Corrections.
3. Provide program development, technical assistance, and funding to upgrade services and facilities at all learning centers.
4. Seek accreditation for all learning center schools.
5. Provide program development and funding assistance for initial training of staff to be employed at the Intensive Treatment Learning Center.
6. Offer specialized training for all learning center personnel.
7. Study the reasons for overcrowding at the learning centers and the Reception and Diagnostic Center, and develop solutions for the problems identified.
8. Develop methods of reducing the average length of stay at learning centers.
9. Encourage the Department of Corrections to facilitate communications between learning center personnel and court aftercare workers.
10. Provide technical assistance to the Department of Corrections in maintaining and upgrading the direct care information system.
11. Assist the Department of Corrections Youth Region in developing and launching a public education/relations effort.
12. Monitor the existing Reception and Diagnostic Center transportation system, and offer technical assistance and funding, if appropriate, for upgrading services to transport post-trial youth from detention to the Reception Center.
13. Monitor all learning centers on an annual basis for compliance with JJDP Act requirements and the Code of Virginia, reporting violations, along with recommendations for appropriate action.

Aftercare Services

1. Determine the need for creation of specialized aftercare units.
2. Provide technical assistance and funding, where appropriate, to localities wishing to establish aftercare units.
3. Encourage the Department of Corrections and local court service units to pool transportation resources in delivering services to youth in State care.
4. Provide funding to aftercare units which do not have adequate transportation resources.

DOMESTIC VIOLENCE

1. Develop and implement pilot programs within regional academies for both basic and in-service training.
2. Develop and implement four to six community programs to provide services and shelter for victims and their families.
3. Provide technical assistance to three to six localities and/or communities interested in establishing programs to reduce the incidence of domestic violence.
4. Assist the Department of Welfare in establishing a service delivery network within the State to address domestic violence issues and victims.
5. Develop a data retrieval system to determine domestic violence needs within the Commonwealth utilizing local police data, court data, hospital data, and current program data.

SUBSTANCE ABUSE

Treatment and Rehabilitation

1. Maintain and expand substance abuse services (alcohol) in those areas of the State currently without minimal services, i.e., rural and mountainous.
2. Establish intensive community-based treatment programs to replace current State hospital services at Central State, Eastern State, and Western State Hospitals.
3. Explore the feasibility and establish two to four programs to address the special needs of the elderly, women, and chronically dependent individuals:
 - To improve existing services and activities for special populations
 - To increase services and resources specifically designed to assist target populations

Prevention/Education

1. Maintain and expand current prevention programs and services.
2. Expand distribution of prevention/education material oriented towards youth, blacks, and women.

3. Continue the National Institute of Alcoholism and Alcohol Abuse replication projects in Henry and Franklin County Schools.
4. Continue the National Institute on Drug Abuse State Prevention Coordinator program, which provides regional prevention coordinators in two rural health service areas (HSA I and III).
5. Identify and catalog prevention models for specific target groups, i.e., elderly, youth, and minorities for the development of new programs.
6. Continue development of guidelines for prevention program operations.

Criminal Justice Interface

1. Maintain and expand services currently provided in State correctional institutions for substance abusers.
 - Continue Unicom House - Staunton
 - Continue House of Thought - Powhatan
 - Establish substance abuse services in those remaining institutions with greatest need.
2. Expand community services board substance abuse services for treatment, screening, referral, and aftercare to inmates of local jails.
3. Continue the Justice-Treatment Interface Training Program.
4. Identify and survey all planned and projected sites for public inebriate detox and protective services.
5. Increase the utilization of community-based substance abuse programs as alternatives to incarceration for offenders.
6. Develop and/or revise interagency agreements among all State agencies with justice-treatment interface responsibility by December 31, 1980, including:
 - The Department of Mental Health and Mental Retardation
 - The Department of Corrections
 - The Division of Justice and Crime Prevention
 - The State Supreme Court
 - The State Board of Pharmacy

- The Department of State Police
- The Division of Consolidated Laboratories
- The Department of Transportation

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