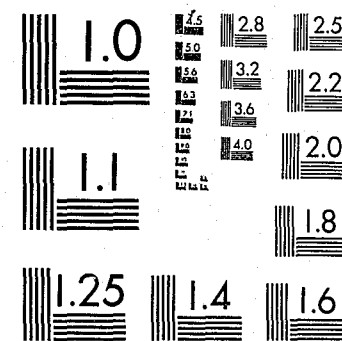


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COUNTY OF FAIRFAX

BOARD OF SUPERVISORS

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Chairman

Mrs. Martha V. Pennino  
Vice-Chairman  
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Mrs. Marie B. Travesky  
Springfield District

Ms. Nancy K. Falck  
Dramaville District

J. Hamilton Lambert  
County Executive

Mary Elizabeth Noe, Director  
Office of Research and Statistics

4100 Chain Bridge Road  
Fairfax, Virginia 22030

U.S. Department of Justice  
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FINAL REPORT OF THE TASK FORCE  
TO STUDY ALTERNATIVES TO INCARCERATION  
AND THE EXPANSION OF THE ADULT DETENTION CENTER  
EXECUTIVE SUMMARY

Prepared by:

Management Services Branch  
Office of Research and Statistics  
4100 Chain Bridge Road  
Fairfax, Virginia 22030

April 1981

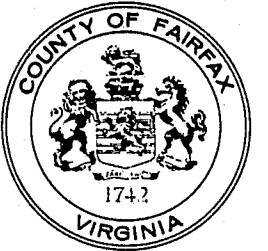
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MAY 13 1981

ACQUISITIONS



COMMONWEALTH OF VIRGINIA  
**COUNTY OF FAIRFAX**  
4100 CHAIN BRIDGE ROAD  
FAIRFAX, VIRGINIA 22030



April 14, 1981

The Honorable Chairman and Members  
Fairfax County Board of Supervisors

Mr. Chairman, Ladies and Gentlemen:

The Report of the Task Force to Study Alternatives to Incarceration and the Expansion of the Adult Detention Center is hereby forwarded for your consideration.

The Task Force was created by the Board of Supervisors by resolution on December 8, 1980 and met for the first time on January 7, 1981. Its task was to examine existing and potential alternatives to incarceration, with a view toward their impact on reduction of overcrowding in the Adult Detention Center, and to present recommendations to the Board of Supervisors regarding not only alternatives to incarceration but also expansion of the ADC, should the Task Force find that necessary. It was your desire that our report be submitted in time for your consideration in connection with the Fiscal Year 1982 Budget.

This report points to certain actions which must be taken on the basis of the highest priority if overcrowding of the ADC, already a critical problem, is not to become unmanageable, and to a number of long range actions which must be taken to ensure that the problem does not arise again. The report also suggests further study of alternative programs by the Criminal Justice Advisory Board, or other similar group, not because such alternatives in themselves could solve the problem of overcrowding but because some of them may offer better solutions to the problems of both the individual and the community than does automatic incarceration of offenders.

The Task Force appreciates the support it received from the County staff, without which it could not have functioned effectively in the time allotted.

Sincerely,

*Joseph F. O'Connor*  
Joseph F. O'Connor  
Chairperson



#### ALTERNATIVES TASK FORCE MEMBERS

Mr. Joseph F. O'Connor  
Chairman

Mr. Kevin H. Bell  
Citizen

The Honorable Robert M. Hurst  
General District Court

Ms. Kaye Sloan Burke  
Citizen

Mr. John H. McLees  
Criminal Justice Advisory Board

The Honorable Robert F. Horan  
Commonwealth's Attorney

The Honorable Thomas J. Middleton  
Circuit Court

The Honorable M. Wayne Huggins  
Sheriff

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Office of Management & Budget

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County Attorney's Office

#### EXECUTIVE SUMMARY

The Task Force to study alternatives to incarceration and the expansion of the Adult Detention Center was convened by the Board of Supervisors in January 1981. The Task Force saw its mission as being:

- to review available alternatives to incarceration;
- to consider their level of utilization;
- to review the current population of the Adult Detention Center;
- to consider whether alternatives to incarceration would be appropriate for any significant number of this population; and
- to make recommendations regarding additional alternatives which should be created.

After reviewing all of these elements, the Task Force was to recommend an appropriate course of action to alleviate overcrowding at the ADC.

The Task Force first met on January 7, 1981. In the ensuing weeks, it studied the nature and operation of the ADC; the nature and size of the ADC population; the number and kinds of alternatives to incarceration which now are available and which might be developed to supplement those presently available; and the effect, if any, of court delay on overcrowding of the ADC.

#### The Task Force found:

- That the rate of incarceration in Fairfax County is lower than that of comparable jurisdictions.
- That a variety of alternatives to incarceration exists and is being used.
- That additional alternatives could and should be developed, but that this step alone will not be sufficient to reduce jail overcrowding.

- That changes in court procedures could reduce the length of stay of some inmates in the ADC. (Without waiting for completion of the Task Force's work, the Circuit and General District Courts have made some such changes, the most significant of which is doubling the frequency of grand jury sessions.)
- That the ADC is overcrowded and becoming more so. (Population typically exceeds design capacity by about 100 persons, in spite of the use of alternatives and "farming out" prisoners to other jurisdictions.)
- That factors not foreseeable at the time the ADC was planned and designed - including changes in state legislation and the trend toward deinstitutionalization of the mentally ill - have contributed to overcrowding.
- That while the Office of Research and Statistics projects that the size of the County's population aged 18 to 34, from which approximately 85 percent of the ADC population is drawn, is decreasing as a percentage of total population, it also projects that this group is increasing in absolute numbers as is the total population, and that it will continue to increase through the year 2000. Some of this increase is the result of in-migration to the County.
- That, according to the Fairfax County Police Department, the crime rate in Fairfax County, while lower than that of any other jurisdiction in the Washington metropolitan area, is increasing and can be expected to increase at a higher rate as population density increases; and that the size of the Police Department has been increased to keep pace with the crime rate as well as with population growth.
- That felony indictments (charges for serious crimes) grew by 46 per year between 1974 and 1978 and 133 per year between 1978 and 1980.
- That although the Sheriff has been able to reduce overcrowding in the past by "farming out" prisoners to other

- jails, this is not a viable long-term solution to the problem because of cost, fairness to the prisoners themselves (who are thereby removed from access to their attorneys and families) and the growing reluctance of other jurisdictions to accept Fairfax prisoners.
- That although the ADC was not designed to hold juveniles, they are placed there now when secure holding is required and probably some always will be held there.
- That the present ADC could be expanded to house 500 inmates without providing a completely new kitchen or laundry, and that exceeding this capacity would in effect convert the facility from a county jail to a major penitentiary.
- That HMB Associates, Inc., in their Management Study of the Fairfax County Adult Detention Center (August 1979) projected bed space needs for the ADC at 281 to 453 by 1990 and 387 to 465 by 1993, not counting juveniles, the work release program or farmed out inmates. Using the Sheriff's projections of growth of 35 to 50 beds per year in bed space needs, and a need for 350 beds in the ADC at this time, the Task Force estimated that a total of 600 to 800 detention spaces in the ADC and other facilities could be needed in 1990. By rigorous use of alternatives and expedited court procedures, the County may be able to limit its 1990 need to between 600 and 700 total detention spaces.

The alternative programs recommended by the Task Force include a non-residential Weekender Program, an expansion of the Crossroads Residential Drug Treatment Facility, a Prescriptive Sentencing Program for the Circuit Court, and an enlargement of the Pre-Release Center so that it can serve as a Restitution Center, a Halfway-In House for probation and parole violators, and possibly offer a Pre-Trial Release program. However, those alternatives do not significantly affect the County's need to construct additional detention spaces.

The Task Force recommends that the detention needs be met using three institutions:

- The Pre-Release Center, to be increased to 100 beds by 1990.
- A correctional camp to house 40-50 inmates at first but to be increased to 100 later.
- The ADC, enlarged to 500 beds.

The first priority for construction is the planned renovation of existing space in the ADC to provide 75 to 80 spaces. Second is to remove the present Pre-Release Center from the ADC and locate it temporarily in the old jail, so that the PRC space in the ADC can be renovated for secure cells. The third priority is to increase the PRC to 100 beds; this can be done in two stages, beginning with a facility of 60 beds. Fourth is the addition of a 200 bed wing to the ADC, which also can be done in two stages. Finally, the Task Force recommends development of a correctional camp or work-training facility for non-violent sentenced misdemeanants.

The Task Force urges the Board of Supervisors to provide funding in FY1982 for renovating the ADC, temporarily relocating the PRC, renovating the PRC to secure space, developing preliminary designs for the ADC and a new expanded PRC, and to initiate the recommended alternative programs.

Recommendation 1: Renovating Existing Spaces in the ADC

The Board of Supervisors should give highest priority to and should proceed immediately with the planned renovation of existing spaces in the ADC, by approving funds for this project included in the Advertised Fiscal Plan for FY1982 and the budget consideration package, for a total of \$1,642,000.

Recommendation 2: Renovating the Old Jail as a Temporary Work Release Facility

The Board of Supervisors should authorize funds in FY1982 in the amount of \$75,000 for the purpose of making improvements in the old jail that will allow the work release program to be housed there temporarily.

Recommendation 3: Providing 24-Hour Staffing for the PRC

The Board of Supervisors should authorize the addition of four staff positions for the purpose of providing 24-hour staffing of the relocated PRC. These positions should be made available as soon as possible so that recruitment and training can be carried out and the positions therefore filled by the time the old jail is ready to house the PRC. The cost of these positions is estimated by the Sheriff to be \$86,972 in FY1982.

Recommendation 4: Renovation of the PRC for Secure Housing

The Board of Supervisors should authorize funds in the amount of \$360,000 in FY1982 for the renovation of the vacated PRC space in the ADC into secure cells.

Recommendation 5: Finding a Permanent Site for the PRC

The Board of Supervisors, in consultation with Courts and the County Executive, should immediately resolve whether sufficient space can be provided in the present County government complex or the old jail and the adjacent courthouse wing to house a 100-bed work release facility (a new PRC). If space will be

both suitable and available in either, planning and design should proceed for a new PRC which will house 100 residents and meet all applicable State standards. If adequate space cannot be provided in the County complex or the old jail/courthouse for a 100-bed PRC, a search should be begun for an appropriate site in a commercial/industrial area of the County.

Recommendation 6: Preliminary Funds for a New PRC

The Board of Supervisors should immediately authorize funding in the FY1982 budget of \$500,000 in preliminary funding for a new PRC. This amount would serve as site acquisition funding for a PRC on a commercial site, or as design funding for a PRC in the old jail/courthouse facility, or on other County property.

Recommendation 7: Construction Funds for a New PRC

The Board of Supervisors should proceed immediately with plans to provide construction funding for a new PRC. Funding needed will range from \$4,934,000 (if conversion of space in the old jail/courthouse is feasible) to \$6,815,000 (for a 100-bed facility on a commercial site) with options in between depending on the location and initial size of the facility. These estimates include the design/site acquisition funds noted in Recommendation 6.

Recommendation 8: Providing a Substance Abuse Counselor for the PRC

The Board of Supervisors should authorize one additional staff person for the PRC to serve as a Substance Abuse Counselor. The FY1982 cost of this position will be \$23,832, including fringe benefits. When the PRC has been expanded, the Board should approve the following positions to increase the capabilities and services provided in the PRC:

-- One half-time psychologist, to provide mental health services

-- One finance clerk, to support a restitution program.

When additional beds are available, the Sheriff should also work with the Courts to increase the use of the PRC as a Restitution Center, a Halfway-In House for probation and parole violators, and a Pre-Trial Release Program.

Recommendation 9: Attorney General's Opinion on Percentage Bail Deposit

The Board of Supervisors should request the County Attorney to obtain from the Attorney General an opinion as to whether the release of defendants pretrial through percentage bail deposit is permissible under present Virginia law, using rules of court, or whether a legislative change must be sought.

Recommendation 10: Application for a Community Diversion Incentive Grant

The County should immediately revise and resubmit its grant application to the State Department of Corrections for funding of a Community Diversion Program in Fairfax County. The County should also express to the DOC and the General Assembly its belief that the program should be modified to provide pre-sentencing options to the judges instead of post-sentence options.

Recommendation 11: Weekender Program

One 3/4 time position should be authorized and placed under the supervision of the Director of the PRC for the purpose of developing a Weekender Program as a non-residential alternative to short-term incarceration. The cost of this position is estimated to be \$16,500.



Recommendation 12: Providing a Prescriptive Sentencing Program for the Circuit Court

The Board of Supervisors should authorize FY1982 funding up to \$36,000 to provide for prescriptive sentencing services for the Circuit Court. The County Executive should consult with the Circuit Court and Offender Aid and Restoration to determine staffing and funding; the Circuit Court will determine appropriate procedures.

Recommendation 13: Expanding the Crossroads Facility

The Board of Supervisors should authorize FY1982 funding for the expansion of the Crossroads Residential Drug Treatment Facility, and should authorize an additional position to staff the facility. The Services Board estimates that the cost of purchasing, installing, and equipping a trailer to house ten additional clients would be \$26,128, and the cost of providing staff and supplies for one year would be \$26,849. The Services Board should immediately initiate an application for a Special Exception to permit a trailer to be placed on the site of the Crossroads facility.

Recommendation 14: County Contribution to ARI Budget

In their annual budget preparations the County Executive and Board of Supervisors should consider seriously the fact that Alcoholic Rehabilitation, Inc. (ARI) of Arlington offers significant and cost-effective services to the County for alcoholism treatment and rehabilitation, and that it would be difficult to duplicate these services within Fairfax County.

Recommendation 15: Continuing Exploration of Alternative Programs

The Criminal Justice Advisory Board or some other similar group should be formally tasked by the County Executive with the review of current programs serving as alternatives to incarceration and the active search for and exploration of

new programs. The Task Force received several proposals for programs upon which it took no action, not because these programs had no merit but because they would not significantly address the problem of overcrowding. CJAB (or other group) should review these proposals again to determine whether they should be implemented to serve other purposes. Those programs where implementation has been recommended should be evaluated by the group after a year of operation. An annual report of its finding should be presented to the County Executive prior to preparation of the annual budget.

Recommendation 16: Facilitating the Placement of Prisoners in Other Jails

The Board of Supervisors should request the legislative delegation to take action to ensure that the Director of the Department of Corrections exercise the discretion made available to him in the Code of Virginia, Section 53-19.17, which authorizes him to transfer inmates from one jail to any other jail, as well as to State correctional institutions. By exercise of this discretion, the Director could relieve the overcrowding of some jails in the State by removing prisoners to other under-utilized jails.

Recommendation 17: Weekend Court

The Board of Supervisors should request the General District Court to explore the possibility of holding court on the weekends for the purpose of bringing newly arrested persons before a judge to expedite the release of those whom the Court can release.

Recommendation 18: Funding for Clerical Personnel in the Courts

The Board of Supervisors should request the legislative delegation to take action to resist any attempt by the General Assembly to limit the ability of local jurisdictions to supplement the salaries of the employees of the Clerks of Circuit



Courts. The Task Force has observed that the passage of such legislation covering General District Court personnel has already reduced the General District Court's ability to attract and retain competent employees. Every effort should be made to rescind that legislation (Section 16.1-69.45) as well as to prevent adoption of similar legislation affecting the Circuit Court.

Recommendation 19: Classification and Salary Review for Clerk's Office Personnel

The Board of Supervisors should authorize restudy of the classification and salary schedules of administrative clerical staff of the Clerk of the Circuit Court, to ensure that the salaries of these employees are commensurate with those of other County employees whose work is of comparable complexity and responsibility. When this reclassification has been completed, the Board should authorize funds to supplement the salaries of those employees at the recommended levels.

Recommendation 20: Enlarging the ADC

The Board of Supervisors should immediately authorize FY1982 funding in the amount of \$762,000 so that planning and design of a new secure wing to be added to the ADC can proceed as soon as possible. A wing of 200 beds is recommended, or a wing of 100 beds expandable to 200 beds at a later date. The Board should plan to proceed with construction of the wing and should determine how that construction is to be funded. The Department of Public Works estimates that the total construction cost of a 200-bed wing will be \$10,405,000 including design costs. The cost of a 100-bed wing expandable to 200 beds at a later time is estimated at \$8,615,000.

Recommendation 21: Developing a Correctional Camp

The Board of Supervisors should pursue the development of a Fairfax County Correctional Camp to house approximately 50 sentenced offenders, later expandable to 100.

Recommendation 22: Bond Referendum Option

If the Board of Supervisors decides to have a 1981 bond referendum on ADC and PRC expansion, it should hold a public hearing on the referendum no later than May 18, 1981 and should reach a decision on the Bond Referendum Package by June 1, 1981 in order that the public can be informed about the issue. Also, if the Board decides on this course of action, it should appoint a Citizen's Task Force to serve as an informational group exclusively for these issues. The group should include members of the present Alternatives Task Force and others who are knowledgeable about the issue. It should begin its work as early as possible in June and receive support from all criminal justice agencies and assistance from the Office of Public Affairs. The Board of Supervisors should authorize funding in the amount of \$30,000 for the preparation of materials such as a slide presentation, brochures, posters, et cetera, for the use of the Citizen's Task Force in educating the public about the need for more detention space, and for postage to disseminate information.

This cost includes the following estimates:

Slide Show on the ADC	\$ 500.00
Printing	10,500.00
Addressing	2,000.00
Postage	<u>17,000.00</u>
TOTAL	\$30,000.00

Recommendation 23: Ongoing Citizen Education in Criminal Justice

The County Executive should direct the Criminal Justice Advisory Board (CJAB) or some other similar group to develop and oversee an ongoing program of education for County citizens concerning the criminal justice system and problems and issues connected with it.

- (a) CJAB (or other group) should work with the Offices of Research and Statistics and of Public Affairs to develop a plan for public education concerning criminal justice

and to prepare printed materials or other media resources for disseminating information about the criminal justice system.

- (b) CJAB (or other group) should work with representatives of the Fairfax County School System to assist them in developing curriculum materials for students of various ages and in identifying knowledgeable persons who would be willing to visit the schools to speak about criminal justice issues.
- (c) CJAB (or other group) should be requested to return to the County Executive by February 1, 1982, with a plan for the ongoing education of citizens on criminal justice issues, including an estimate of costs that will be incurred in FY1983 for preparation of educational materials, to be included in the FY1983 budget.

Table 1 summarizes the FY1982 fiscal impacts of the non-construction recommendations of the Task Force. Implementation of these recommendations would require a funding total of \$246,304.

Table 2 summarizes the construction costs of recommendations for construction of additional detention space. Implementation of these recommendations would require FY1982 funding of \$3,339,000. Total construction estimates range from \$17,284,000 to \$21,825,000, depending on the location and initial size of the facilities. Estimates for the staffing and operating costs of all construction projects when completed are presented in appendices to the full report.

Table 1  
FISCAL YEAR 1982 BUDGET IMPACTS OF NONCONSTRUCTION RECOMMENDATIONS  
OF THE ALTERNATIVES TASK FORCE

<u>Recommendation</u>	<u>Explanation</u>	<u>Cost Items</u>	<u>FY1982 Budget Impact*</u>	<u>Comment</u>
1. 24-Hour Staffing for the Pre-Release Center (PRC)	Confinement staff from the Adult Detention Center (ADC) would not be available to provide nighttime supervision of inmates in a separate PRC.	4 Residential Counselors	\$ 86,972	Needed as soon as the PRC is removed from ADC. Sheriff's estimate of costs. These recommended staff positions are in addition to the positions previously recommended by the County Executive for FY1982.
2. Substance Abuse Counselor for PRC	Would permit inmates with substance abuse problems to be evaluated and treated while on work release.	1 Substance Abuse Counselor	23,832	Sheriff's estimate of costs.
3. Weekender Program	Develop a program for persons with short sentences to spend all day Saturday and Sunday on County work projects but sleep at home.	3/4 Work-Release Counselor	16,500	Sheriff's estimate of costs.
4. Prescriptive Sentencing Program for Circuit Court	County Executive would contract with Offender Aid and Restoration (OAR) to provide program for offenders referred to it by Circuit Court.	1 Counselor 1/2 Administrative Assistant Operating Costs	36,000	OAR's estimate of program costs.
5. Expansion of Crossroads Residential Drug Treatment Facility	Fairfax-Falls Church Community Services Board would purchase and equip a trailer to house 10 persons in re-entry phase of program thus freeing 10 beds for new clients.	1 Trailer, with equipment 1 Counselor Supplies and Equipment	53,000	Services Board estimate of costs. A special exception to the zoning ordinance would have to be approved by the Board of Supervisors after a public hearing.
6. Funding Citizen's Task Force	If a bond referendum is required, a Citizen's Task Force should be formed to disseminate information about the bond referendum to the public. It will need funding to produce educational materials.	Slide Presentation Printing Addressing Postage	30,000	Estimate prepared by the Office of Public Affairs.
TOTAL			\$246,304	

\*All cost estimates associated with recommended staff positions include salary and fringe benefits for these positions. The costs also assume that the positions will be filled for the entire fiscal year. The levels of persons needed to fill the positions are agency estimates based on comparable positions currently filled within the agency. The recommended staff positions have not been classified by the Office of Personnel.



Table 2

**CONSTRUCTION COSTS OF ALTERNATIVES TASK FORCE'S RECOMMENDATIONS FOR  
CONSTRUCTION OF ADDITIONAL DETENTION SPACE<sup>a</sup>**

<u>Recommendation</u>	<u>Cells Added</u>	<u>FY1982 Budget</u>	<u>Total Construction Amount/ Other Funding</u>	<u>Comment</u>
1. Renovation of Existing Spaces in the Adult Detention Center (ADC) <sup>b</sup>	36 Secure Cells 43 Receiving Cells	\$1,642,000		Design in underway. Construction funding of \$1,202,000 is included in the <u>Advertised Fiscal Plan, FY1982</u> . \$440,000 is requested in the consideration package.
2. Refurbish Old Jail for Temporary Location of the Pre-Release Center (PRC)	30 Temporary Work Release Cells	\$ 75,000		This amount estimated by the Facilities Management Division. Some labor would be provided by inmates.
3. Remodel Former PRC Area to Secure Cells <sup>b</sup>	30 Secure Cells	\$ 360,000		To be undertaken as soon as the PRC can be removed to temporary location in old jail.
4. Design Funds for a New ADC Wing of 200 Beds		\$ 762,000 <sup>c</sup>		\$392,000 is included in the <u>Advertised Fiscal Plan, FY1982</u> . \$370,000 would have to be added.
5. Construction of New Wing on ADC <sup>b</sup>	200 Secure Cells or 100 Secure Cells, Expandable to 200		\$10,405,000 or \$ 8,615,000	These costs of construction include the design cost of \$762,000.
6. Land Acquisition for a Commercial Site for a New PRC or Design Funds for a PRC on a County Site		\$ 500,000 <sup>c</sup>		The Task Force has recommended that the PRC be located on County property, but if no County site is available, a commercial site should be purchased and is needed before design can begin. If a County site is available, these funds will serve as design funds for the new facility.
7. Construction of a New PRC <sup>b</sup>	100 Work-Release Spaces or 60 Spaces Expandable to 100		\$ 4,934,000 to \$ 6,815,000	Estimated cost using old jail is \$4,934,000 for 100-bed facility if feasible; \$5,870,000 for a 60-bed facility on a commercial site, or \$6,815,000 for a 100-bed facility on a commercial site, including costs of design and land acquisition.
8. Construction of a Correctional Camp	100 Medium Secure Beds or 50 Beds Expandable to 100		\$ 4,605,000 or \$ 3,735,000	Design funds of \$309,000 to \$381,000 would be needed in FY1983; construction funds would be needed in FY1984. Estimate does not include costs of site purchase or lease.
	<b>TOTAL</b>	<b>\$3,339,000</b>	<b>\$17,284,000 to \$21,825,000</b>	

<sup>a</sup> All cost estimates have been prepared by the Department of Public Works, Office of Project Management, except item 2 on preparing the old jail for a temporary location of the work-release facility.

<sup>b</sup> See appendices to the full report for staffing and operating cost estimates.

<sup>c</sup> Design or land acquisition cost estimates are also included in the total construction estimates.

**END**