



CITY OF CHESAPEAKE COMMUNITY BASED CORRECTIONS PLAN

August 29, 2012



City of Chesapeake Community Based Corrections Plan

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EXECUTIVE SUMMARY

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OVERVIEW:

To accommodate offender population increases over the past several decades, the City of Chesapeake has added system capacity to its jail and taken measures to implement other non-confineable alternatives in trying to meet this escalating challenge.

Currently, the City of Chesapeake is, once again, facing a similar fate, having to accommodate an increasing number of offenders, as best illustrated in having to house an average daily population of 1,016 in a system that has a rated capacity of 543. Key indicators, population projections, and critical factors which typically drive bed space requirements show that this number is projected to increase over the next 10 years, resulting in capacity deficits of 910 beds by 2016 and 1,165 beds by 2021.

The focus of this Community Based Corrections Plan for the City of Chesapeake serves to outline the capacity needs within the overall criminal justice system, examine options to accommodate those needs, and develop an effective path forward.

SUMMARY OF FINDINGS:

The Commonwealth of Virginia Board of Corrections sets forth a set of guidelines, Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, which specify the contents of a *Community Based Corrections Plan*. Based on these guidelines, the gathering of statistical data, touring of existing facilities, and by conducting a series of interviews with key agency and program personnel, an in-depth understanding of the criminal justice system in Chesapeake was realized and served as a basis to develop the City of Chesapeake Community-Based Corrections Plan.

Analysis of the data and discussions with key personnel, who are responsible for the day-to-day operation of essential components in the criminal justice network, served to provide a historical backdrop of the operations, inter-agency relationships, and trends with the at-risk population, and helped identify areas where adjustments can help improve system processes and practices with the ultimate goal of addressing the increasing offender population.

Critical Issues:

Some critical issues that surfaced during the gathering of data and key staff discussions include:

- ❑ The population of the City of Chesapeake continues to rise; however, the rate of growth between 2000 and 2010 slowed as compared to what has been significant increases for the last 4 decades.
- ❑ The operation and service load flows in the Chesapeake criminal justice system have not changed significantly in the last several years.
- ❑ Arrests over the last five years were steadily increasing between 2006 and 2008; however, they have declined each year since then with 2010 levels just 4.6% above 2006.
- ❑ Criminal case filings for Group A (most serious offenses) have declined somewhat from their peak in 2007 and Group B (other criminal cases except traffic) have declined somewhat from their peak in 2008. Both are expected to resume growth as the City's population grows over time.
- ❑ Since 2007, the historical Monthly Average Daily Population (ADP) has remained between 939 and 1,139, with the majority of months having an ADP above 1,000. The ratio of male/female has remained fairly constant at 88% / 12%.

- ❑ All agencies/participants continue to have experienced, capable people involved in performing their respective duties. In addition to knowing and performing their roles well, they also communicate with the other (experienced) people they interact with, both within their own agencies and with other system components.
- ❑ All agencies would welcome additional staff to perform their responsibilities even better and more expeditiously. However, the bottom line is that they are getting the job done.
- ❑ The Judiciary is viewed as being relatively conservative, reflecting community values. While a wide range of sanctions, alternatives may be available, the Judges are going to utilize what they believe is appropriate for their community.
- ❑ In many ways, the Chesapeake Correctional Center is at the receiving end of the criminal justice process.
- ❑ Incorporation of selected technology and applications will help to better integrate agencies and expedite processes that are currently delayed due to antiquated equipment and associated processes.

Population Forecast:

In looking at the forecasted population model and projected bed space requirements, the current bed shortfall of 473 beds is projected to increase to 910 beds by 2016. Likewise, as population and bed space requirements are expected to continue increasing, this deficit is projected to be 1,165 by 2021. Key points include:

- ❑ Currently, the Jail has approximately 1,100 individuals held in a facility rated at 543 beds. Adding the required 10% factor to actual headcount, the facility should provide 1,200 beds, a shortfall of approximately 600+ beds.
- ❑ Gaining use of the temporary Proteus structures for minimum security housing (pre-release, work program, weekenders) would reduce the current shortfall by approximately 200 beds.
- ❑ By the year 2025, the current shortfall of 400 to 600 beds will rise to a shortfall of more than 800 to 1,000 beds.
- ❑ Putting the temporary facilities that are currently leased and available on-line will help to temporarily address some of the existing capacity shortfall.

Strategies for Reducing Projected Needs:

The bed development needs projection presented in Section 6 assumes that current practices will continue unchanged; however changes to the jurisdiction's resources and operations could have a positive impact on long term forecast requirements. By 2021, the total bed capacity requirement is expected to increase another 36%. The impact of this will be reflected across all criminal justice system components, generating additional budget costs to accommodate the increased service loads.

While diversion programs and alternatives to incarceration are not free – they require staff and associated program costs – each in-custody bed day saved is more expensive than the diversion or alternative programs used to reduce those. Therefore, additional efforts in this regard are well worth the effort, which could include:

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- ❑ Utilization of the Temporary (Proteus) Facilities;
- ❑ Reduction in use of Secure Bonds and Pretrial Supervision simultaneously;
- ❑ Increased use of Home Electronic Monitoring (HEM);
- ❑ Development of a Day Reporting Center;
- ❑ Boarding Special Needs Inmates at the Hampton Roads Regional Jail;
- ❑ Boarding at local State Prison Facilities with surplus capacity;
- ❑ Ensuring that State Responsible inmates are transferred as soon as possible;
- ❑ Case Management vigilance to ensure minor issues don't interrupt flow through the system;
- ❑ Mental Health diversion and treatment; and
- ❑ New, Permanent Community-Based Facilities

PLANNING REQUIREMENT: The City of Chesapeake needs to expand its in-custody bed capacity to meet the projected bed requirements as illustrated below.

Table 6-11
New Bed Development Requirement

Projected Bed Needs	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2026	2031
Total Bed Requirement	1,249	1,300	1,351	1,402	1,453	1,504	1,555	1,606	1,657	1,708	1,963	2,217
Current Rated Capacity	543	543	543	543	543	543	543	543	543	543	543	543
Total Bed Deficit	706	757	808	859	910	961	1,012	1,063	1,114	1,165	1,420	1,674

Source: AECOM; January, 2012

Simply looking at the total number of bed spaces required, the shortfall can be illustrated as follows:

Graphic 7-1 2021 Capacity Shortfall

	2008 Projection	Current Projection		
2021 Bedspace Requirement	1822	1708	-114	less
- Existing Rated Capacity	543	543		
projected shortfall	1279	1165		
Temporary A		74		
Temporary B		30		
Temporary C		90		
subtotal		194	rated vs. 266	
remaining shortfall		971		

Even using the 194 rated beds that could be potentially gained from use of the temporary (Proteus) facilities, the bed space shortfall will still be 971 beds. Longer range planning must also deal with the fact that at least a significant portion of the old existing jail beds – notably the 118 beds in the “Landing”, the original portion of the Jail constructed in 1961 – need to be replaced as well. This would raise the “ten year” planning requirement to approximately 1,100 beds, not counting the eventual replacement of the temporary facilities.

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Based upon some preliminary master planning work done in 2008, the existing Correctional Center facility could be expanded by approximately 600-700 beds on the existing site without relocating the existing Juvenile Detention Facility. Additionally, approximately 800 beds could be developed across Albemarle Drive on the existing Sheriff's Administration Building site, while still maintaining an underground physical connection to the Courthouse and the existing Correctional Center. The operational cost of having two major, separate physical facilities across the street from one another was not evaluated.

The City recognizes the need to house low-risk offenders in an environment that provides them with access community programs and resources. The Sheriff's Office City wants to expand its community custody operation through the development of 194 Community Custody and weekender beds. The Temporary (Proteus) facilities have already been constructed for this purpose. Review of the number of male plus female community based beds that are required [refer to Table 6-13 on page 6-7] show a current need of 268 community custody beds in 2012, growing to 370 beds in 2026. As demonstrated in the City's initiative with the temporary facilities, these are a priority – particularly in terms of freeing up more secure bed capacity in the main facility.

Remaining beds meet total needs have to reflect the security level distribution mandated by the Virginia Department of Corrections. There also need to be a phased implementation plan to develop additional bed capacity incrementally, with potential use of contracted beds with the State or Hampton Roads Regional Jail on an interim basis to help reduce the significant and problematic overcrowding that exists today. Any meaningful reduction in overcrowding is still some years away, given the length of time it will take to master plan, design, and construction permanent capacity expansion in the City of Chesapeake.

CONCLUSION:

Officially in the Commonwealth of Virginia, a correctional facility is overcrowded when in house headcount exceeds 125% of rated capacity. In December, 2011, the Chesapeake Correctional Center was at 204% of rated capacity. Clearly there is a problem.

The City of Chesapeake should seek use of the temporary facilities the City constructed for their intended community-based programs as soon as possible, and seek interim housing solutions for in-custody inmates to reduce overcrowding. A master plan to define the optimal longer range solution also needs to be initiated as soon as possible.

PROJECT BACKGROUND:

Recent population trends and other factors which are typically key factors in driving local jail populations have obligated the City of Chesapeake to address the need for an increase in the number of beds necessary to house its secure in-custody population. In accordance with Article 2 of the Commonwealth of Virginia's Administrative Code, all localities proposing new construction, renovation, or increase to capacity (available beds) are required to prepare and submit a Community-Based Corrections Plan for approval.

The Chesapeake Correctional Center is the only detention facility serving the jurisdiction and is currently rated at 543 beds. There are no lockups currently serving the City of Chesapeake. Initially built in 1961, the current facility in Chesapeake has been expanded and modified several times over the years adding needed capacity and increasing functionality incrementally. The Chesapeake Correctional Center houses local and state responsible inmates, as well as a limited number of Federal inmates pursuant to an indefinite Federal contract (of maximum of 50 beds).

As it exists today, the Chesapeake Correctional Center was constructed in four phases. The original 1961 structure contains 72 single occupancy cells (linear design). In 1987, 55 double occupancy cells and 5 single occupancy cells for segregation were added (linear design); however, there was no enhancement of support areas. The third phase referred to as "The Tower" was completed in 1994. This six story structure contains seven 40 bed housing units (podular design) and one 20 bed unit (linear), and houses the primary jail operations. The last phase of construction was completed in 1999, provided a separate wing for the female inmate population contains three, 30 bed open dormitory housing units.

In looking at U.S. Census figures, the City of Chesapeake has experienced double-digit population growth for the last 50 years, with an 11.6% increase between 2000 and 2010. The 2010 Census reported Chesapeake's population at 222,209, with the at-risk population (20-44) comprising approximately 34.5% of that figure. For 2020, a population of 272,381 is projected, rising to 308,736 by the year 2030.

As a short term solution to the overcrowding situation that has been prevalent over the last few years, the City contracted in 2008 for the construction of three temporary (non permanent construction) Community-Based facilities with a total design capacity of 194 beds. These units were to provide relief by relocating the lowest security level inmates to these facilities, thereby freeing up additional bed capacity for higher security inmates. However, these temporary units can only provide a interim stopgap and a more permanent solution is necessary for the longer term. Due to issues with the Virginia Department of Correction, these temporary beds have not yet been utilized.

This Community Based Corrections Plan outlines the number and type of beds necessary to safely house inmate populations through 2022. It includes base information on the agencies that impact Chesapeake's jail population and presents criminal justice data that contributed to the historically based forecast model. It also presents comment on how improvements to the system could potentially lessen future growth.

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SECTION 1: INTRODUCTION

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FUNDING PRIORITY REQUEST: As contained in the Commonwealth of Virginia Board of Corrections Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, these guidelines outline the contents of a *Community Based Corrections Plan* and provide a set of prescriptive tasks for its implementation. In accordance with Plan requirements, the City of Chesapeake is requesting that the Jail be expanded on the basis of overcrowding and that the request be given preference as a priority project [6VAC15-180 priority 3].

REPORT ORGANIZATION: To best convey the data compiled and information gathered for the Community Based Corrections Plan, this document is divided into sections as follows:

Executive Summary – This section provides a concise synopsis of the notable facts and findings assembled as part of the project scope.

- 1) Introduction – This section provides background information for the project and gives a preface of the overall report.
- 2) Chesapeake City Community Abstract & Population Profile – This section provides an overview of the City of Chesapeake and the recent changes to the overall population.
- 3) Criminal Justice System Trends – This section provides an analysis of criminal justice and offender population data.
- 4) Chesapeake Correctional Facility – This section provides a description of the physical aspects of the Chesapeake Correctional Center including housing, support space, and the functional components contained within. This section also discusses the program and services provided in the Chesapeake Correctional Center as well as the associated population data.
- 5) Community Criminal Justice Resources and Programs – This section describes the various agencies and programs that make up and support the Chesapeake criminal justice system. These agencies and programs directly and indirectly impact the processing of the offender population throughout the criminal justice system.
- 6) Jail Population Forecast – This section provides an in-depth explanation of the forecasting models that were tested and identified the one that was the best fit and ultimately chosen as the preferred model.
- 7) System Improvements & Strategies for Addressing Jail Forecast – This section provides an explanation of the options to address the population forecast by looking at alternatives to incarceration as well as physical modifications to the Chesapeake Correctional Center.

Appendices – The appendices contain support information that provides additional detail/documentation as follows:

- Appendix A: Chesapeake Correctional Center Site Plan & Images
- Appendix B: Community Based Corrections Plan Interview Schedule

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SECTION 1: INTRODUCTION

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ACKNOWLEDGEMENTS:

The project team would like to acknowledge the following individuals for their insight and contributions to the development of the City of Chesapeake Community-Based Corrections Plan:

James Shipley	Chesapeake Sheriff's Office
Michael Geiger	Chesapeake Sheriff's Office
William Bennett	Chesapeake Sheriff's Office
Kevin Kight	Chesapeake Sheriff's Office
Tim Breslin	Chesapeake Police Department
Paul Leccese	Chesapeake Police Department
Mike Lewis	Chesapeake Police Department
Ben Orasco	Chesapeake Police Department
Kerry Savage	1 st Judicial Circuit Court of Virginia, Drug Court
Courtney Stewart	1 st Judicial Circuit Court of Virginia, Drug Court
Tammy White	1 st Judicial Circuit Court of Virginia, Drug Court
Hon. David L. Williams	1 st Judicial District Court of Virginia
Debbie Ellington	1 st Judicial District Court of Virginia
Maury Brickhouse	Juvenile & Domestic Relations Court
Lori Cref	Juvenile & Domestic Relations Court
Waverly Jones, Jr.	1 st Judicial District, Region 8 Magistrate
Robin Powell	Chesapeake Commonwealth's Attorney
Kathy Ortiz	Chesapeake Public Defenders Office
Cynthia Michalski	Chesapeake Public Defenders Office
Anthony Carmichael	Southeastern VASAP
Cori Craver	Community Corrections Agency
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Special Thanks to:

Wilbur Hogge

Project Manager, City of Chesapeake

INTRODUCTION:

For many years, the City of Chesapeake and its surrounding communities have been a desirable location to live, learn, and grow businesses, as well as remaining a frequent destination for vacation and leisure activities. Based on the 2011 Statistical Profile by the Chesapeake Planning Department, the City of Chesapeake is the 11th largest city in the United States in land area. By population, it is the 85th largest.

As a result of the popularity of and attraction to Chesapeake, population has consistently grown at rates that are well above the national average, especially for similarly sized cities. In looking at U.S. Census figures, the City of Chesapeake has experienced double-digit population growth for the last 50 years, with each decade's increase between 20% and 33%. Most recently, this increase has not been as drastic, with an 11.6% increase occurring between 2000 and 2010. The 2010 Census reported Chesapeake's population at 222,209, with the at-risk population (20-44) comprising approximately 34.5% of that figure. For 2020, a population of 272,381 is projected, rising to 308,736 by the year 2030.

POPULATION PROFILE:

In looking at the demographic profile statistics below, Chesapeake is generally consistent (in terms of percentages) with that of the State of Virginia. In addition, examination of a demographic "snapshot" shows the median age and at-risk population very close to what is found throughout the state. When comparing the percentage of the population who are below the poverty level, Chesapeake (6.3%) is slightly better than what is taking place state wide (10.1%).

Looking forward for the next 10 years, Chesapeake is expected to grow at a rate that is similar to what was typically seen in the city during the decades preceding 2000, and double what is projected for the State. By comparison, Chesapeake is expected to grow by 23% by 2020, which is more than double of what is expected Statewide (11%) for that same period. Some of the factors related to this anticipated population surge in Chesapeake includes lower housing costs, more favorable climate, environment, job opportunities, and overall opportunities as compared to the areas and cities from where the largest number of people are migrating from.

The significance of the growth in residents in Chesapeake is how it will influence and impact the population of the Chesapeake Correctional Center. In addition to knowing the overall population increase (or decrease), is the more important sub-demographic the "at-risk" population, measured as those in the 20-44 range.

While the overall population for Chesapeake is expected to once again increase at a robust rate, the at-risk population is actually expected to moderately decline over the next 20 years. While in 2000, the 20-44 demographic makes up approximately 38% of the population, this age group is projected to decrease to 35% (2020) and 34% (2030). Generally, the population of Chesapeake, while growing, will also be aging. This "aging" results in a reduced at-risk population, and if other related factors remain constant, will help curtail the number of people most apt to commit crimes and enter into the criminal justice system.

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SECTION 2: CHESAPEAKE COMMUNITY ABSTRACT & POPULATION PROFILE

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Table 2-1
Demographic Profile - Chesapeake, VA Population Data

Demographic Profile	2010 Population	Median Age	At-Risk 20-44 yrs	Below Poverty	Square Miles	Persons per Sq Mile
City of Chesapeake	222,209	37	35%	6.3%	341	652
State of Virginia	8,001,024	38	35%	10.1%	39,490	203

Source: U.S. Census Bureau, 2010 Census.

General Population	Census			Projection	
	1990	2000	2010	2020	2030
City of Chesapeake	151,982	199,184	222,209	272,381	308,736
State of Virginia	6,189,317	7,078,515	8,001,024	8,917,396	9,825,019

Source: U.S. Census Bureau;

Projections by Virginia Employment Commission, Economic Information Services Division.

Growth Rates	1990-2000	2000-2010	2010-2020	2020-2030
City of Chesapeake	31%	12%	15%	13%
State of Virginia	14%	13%	11%	10%

Source: U.S. Census Bureau; and the Virginia Employment Commission, Economic Information Services Div.

CRIME, CRIME RATES:

In general, crime rates have been on the decline since 2001 in both Virginia and in the United States. By looking at Crime Trends in Virginia, the Virginia Department of Criminal Justice Services reports that for the period 2001-2010:

- Violent crime trended downward in both Virginia and the U.S. during the last decade. From 2001 to 2010, violent crime rates decreased in Virginia by 27% and in the U.S. by 20%.
- Virginia's violent crime rate was consistently below the national rate every year during the last decade.
- In 2010, Virginia had the 6th lowest violent crime rate out of the 50 states (Virginia ranked 45th between Idaho and Utah).
- Virginia violent index crime rates by crime type trended as follows: murder/non-negligent manslaughter rate down by 11%, forcible rape decreased by 22%, robbery rate decreased by 30%, aggravated assault rate declined by 30%.
- The drug arrest rate in Virginia increased by 16% between 2001 and 2010.
- In 2010, 30 of the 50 states had a higher drug arrest rate than Virginia (Virginia ranked 31st between Idaho and North Carolina).

By comparison, the City of Chesapeake has seen a similar trend over the last decade, specifically,

- The violent crime index (number of crimes reported per 100,000 population) for the period declined by 15.8 %, with the rate decreasing from 465.6 to 392.0.
- The property crime index showed a slight decline from 3,479.0 to 3,374.3, which is a 3.0% reduction.
- The drug arrest rate also declined, with a rate of 636.0 in 2001 decreasing to a rate of 546.6 in 2010. This reduction represents a 14.1% decrease.

A detailed breakdown of information regarding arrest rates, types of offenses, and the relationship between arrests and the jail population for the last few years is contained in the following sections.

ADULT ARRESTS:

Calendar year arrest data for the City of Chesapeake was collected for the past five years as a requirement for the Community Based Corrections Plan [6VAC15-80-110 §G5a. (1)].

Table 3-1 provides adult historical arrest data for the past five years (CY2006 – CY 2010). This data is separated into two categories, or levels: Group A, which includes the most serious offenses, and Group B, which are less serious. Following the table depicting the actual number of offenses that occurred in each category is a bar chart which provides a simple illustration of the trends of the Group A and Group B offenses over the last 5 calendar years.

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SECTION 3: CRIMINAL JUSTICE SYSTEM TRENDS

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Table 3-1
Historical Adult Arrest Data – City of Chesapeake

Adult Arrests by Offense	CY 2006	CY 2007	CY 2008	CY 2009	CY 2010
Group A					
Murder	5	5	7	4	4
Manslaughter	0	0	0	0	1
Kidnapping	25	29	37	25	18
Sex Offenses, Forcible	36	26	22	23	21
Robbery	61	60	67	33	35
Aggravated Assault	163	164	149	112	101
Simple Assault/Intimidation	1,234	1,349	1,235	1,209	1,227
Arson	0	2	6	4	3
Extortion/Blackmail	0	0	0	2	2
Burglary	131	120	111	73	68
Larceny	625	772	767	917	981
Motor Vehicle Theft	34	16	19	8	24
Counterfeiting/Forgery	57	49	50	31	32
Fraud	110	96	87	82	107
Embezzlement	51	75	72	65	79
Stolen Property	42	32	41	21	30
Vandalism	23	33	27	31	54
Drug/Narcotic Offenses	1,429	1,480	1,244	925	1,011
Sex Offenses, Nonforcible	2	0	2	1	2
Pornography	0	1	3	2	1
Gambling	5	2	0	0	0
Prostitution	5	7	27	6	34
Bribery	2	1	0	0	0
Weapon Law Violations	115	123	128	101	91
Total Group A	4,155	4,442	4,101	3,675	3,926
Group B					
Bad Checks	80	116	150	95	23
Curfew/Littering/Vagrancy	0	1	4	5	43
Disorderly Conduct	74	71	59	50	43
Driving Under the Influence	588	672	875	758	736
Drunkenness	559	557	700	637	695
Family Offenses, Nonforcible	17	14	21	6	4
Liquor Law Violations	140	152	173	206	152
Peeping Tom	4	5	2	3	2
Runaway	0	0	0	0	0
Trespass of Real Property	237	224	260	300	306
Conspiracy	2	4	2	14	8
All other (except Traffic)	2,425	2,771	3,043	3,064	2,728
Total Group B	4,126	4,587	5,289	5,138	4,740
Grand Total Adult Arrests	8,281	9,029	9,390	8,813	8,666

Source: *Crime in Virginia* annual reports; Virginia State Police, Uniform Crime Reporting Section.

Both Group A and Group B arrests have seen a decline since reaching a peak a few years ago, with Group A's peak in 2007 and Group B's peak occurring in 2008. Since the peak, the total arrests for Group A (between 2007 and 2010) has declined by 11.6%, reaching a low of 3,675 arrests in 2009. Similarly, Group B has steadily declined since the 2009 peak of 5,289 arrests, decreasing by 2.9% (5,138 arrests) and 7.7% (4,740 arrests) for those two years.

Within Group A the most significant changes (in terms of actual number of arrests) occurred with drug/narcotic offenses which decreased by 469 from its peak in 2007. In looking at percentage decreases, kidnapping was down 51% from its peak in 2008, with a couple of other offenses (burglary, counterfeiting/forgery) also declining by almost half. Some Group A offenses did show an increase over the period (larceny, fraud, embezzlement, vandalism, and prostitution).

Group B are considered less severe offenses, and the largest increase was on bad check arrests declining by 85%. However, curfew/loitering/vagrancy increased significantly (by 43 arrests), although this offense does not contribute significantly to the overall totals. Table 3-2 provides a list of offenses contributing the most to arrests (sorted in descending order).

The chart below provides an illustration showing how the total number of adult arrests have decreased since reaching a peak in 2008 with Group B closely following the rate of decline for Total Offenses.

Chart 3-1
Aggregate Group A and Group B Offenses – City of Chesapeake

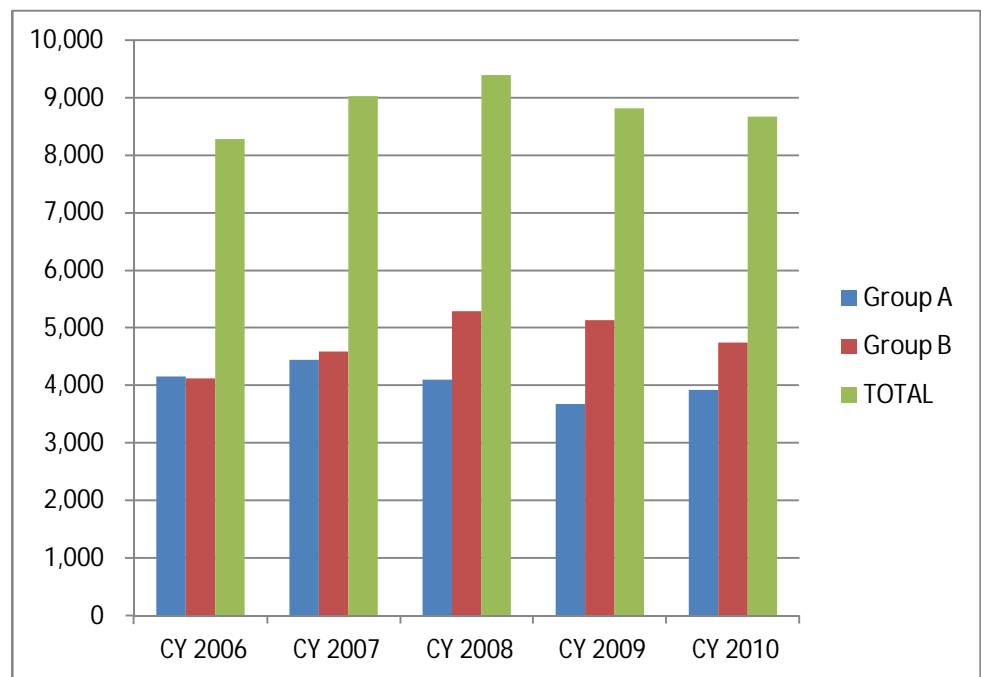


Table 3-2
Top 10 Offenses Contributing to Arrests – City of Chesapeake

Adult Arrests by Offense	CY 2006	CY 2007	CY 2008	CY 2009	CY 2010
All other (except Traffic)	29%	31%	32%	35%	31%
Simple Assault/Intimidation	15%	15%	13%	14%	14%
Drug/Narcotic Offenses	17%	16%	13%	10%	12%
Larceny	8%	9%	8%	10%	11%
Driving Under the Influence	7%	7%	9%	9%	8%
Drunkenness	7%	6%	7%	7%	8%
Trespass of Real Property	3%	2%	3%	3%	4%
Liquor Law Violations	2%	2%	2%	2%	2%
Fraud	1%	1%	1%	1%	1%
Aggravated Assault	2%	2%	2%	1%	1%

Source: *Crime in Virginia* annual reports; Virginia State Police, Uniform Crime Reporting Section.

Drug/narcotic offenses are among the top contributors to arrests, averaging over 16% of all arrests in the past five years. Simple assault/ intimidation are also among the top representing 15% of all arrests. Driving under the influence and drunkenness combined averaged 13% of all arrests. These specific substance abuse arrests (drug/narcotic offenses) can have a significant impact on the jail population in terms of recidivism, because of the lack of programming and services available to inmates. Also, as seen placements in the ASAP program have been increasing over the past three years which may be an indication that the program's successful intervention has helped divert a number of offenders from jail.

AVERAGE DAILY POPULATION: Compensation Board Average Daily Population [6VAC15-80-110 §G5a. (3)]

The Chesapeake City Jail houses local and state responsible inmates and a small number of Federal inmates. The Sheriff's Office has an indefinite Federal contract for up to fifty (50) beds. Between calendar year 2005 and 2007 the average daily population excluding federal inmates increased from 849 to 1,042. When the federal inmates were included, their increase was from 897 to 1,093.

[Note: For planning purposes and forecasting purposes, this report uses the term "ADP Base" to identify the inmate number the facility must hold, as opposed to other persons being held pursuant to a "boarding-in contract".]

As shown in Tables 3-3 and 3-4, the female non-federal population increased from 134 in 2007 to 110 in 2009 (approximately 18% decrease of the total population), and began increasing (to an ADP of 125) in 2011. Similarly, the males decreased from a peak in 2008 of 962 to 874 in 2010 (9% decrease of the total population), and have shown a slight decrease in 2011 to 910 ADP.

Table 3-3
Average Daily Population

Average Daily Population	CY 2007	CY 2008	CY 2009	CY 2010	CY 2011
ADP Base	1,022	1,069	1,005	973	1,013
Contract Boarded-In Population	51	29	45	49	29
Held for Other (Contract)	0	0	0	0	0
Federal Inmates	50	29	45	49	29
Total Inmate Population	1,073	1,099	1,050	1,021	1,043

Source: Commonwealth of Virginia Compensation Board.

Table 3-4
Average Daily Population by Gender

Average Daily Population	CY 2007	CY 2008	CY 2009	CY 2010	CY 2011	5yr Avg
Female	134	128	110	117	125	
% of Total	13%	12%	11%	12%	12%	12%
Male	907	962	915	874	910	
% of Total	87%	88%	89%	88%	88%	88%
Total Inmate Population	1,041	1,091	1,025	992	1,035	

Source: Commonwealth of Virginia Compensation Board.

Table 3-5
Average Daily Population by Gender and Legal Status

Average Daily Population	CY 2008	CY 2009	CY 2010	Average %	Jan-Dec CY 2011
Adult Males	955	906	869	89%	903
Adult Females	126	106	114	11%	122
Juveniles	0	0	0	0%	0
Total Inmate Population	1,081	1,012	983	100%	1,025
Unsentenced	626	532	537	55%	692
Sentenced	455	480	446	45%	333

Source: Commonwealth of Virginia Compensation Board; Tuesday Reports.

Note: Excludes Federal Inmates

In Table 3-5 above, the percent breakdown between males and females for the 2008-2010 period is 89% /11%. While not only representing the average breakdown for the period, it also has been the annual ADP breakout for each of the years noted. Similarly, the sentenced/unsentenced breakout has averaged 45% / 55%, with the sentenced population ranging from 42% to 47% for the 2008-2010 period.

The Violator Offense Categories Table 3-6 below provides the number of annual prisoner days by offense category for the five year period, 2006-2011. The table provides a breakdown of the population in terms of whether they are incarcerated in an ordinance, misdemeanor or felony category. [Note: by statute, State Responsible (SR) includes Felons with a sentence of one year or greater.] the table reveals that the percentage of ordinance inmates has increased annually over the five year period, with an 81% total increase for 2006-2011. For misdemeanors, the peak number was reached in 2007 (58,503) and has remained between 32,000 and 33,000 for the last three years. Felonies peaked in 2008 at 364,662 and have decreased by 7% since that time.

Table 3-6 Violator Offense Categories

Average Daily Population	CY 2006	CY 2007	CY 2008	CY 2009	CY 2010	CY 2011
Prisoner Days	353,694	412,174	409,767	388,649	369,136	383,362
Ordinance	6,315	9,524	8,296	9,752	10,488	11,457
Misdemeanor	35,146	58,503	36,809	32,966	31,956	32,890
Felony	312,233	344,147	364,662	345,931	326,692	339,015
ADP based on Prisoner Days	969	1,129	1,120	1,065	1,011	1,050
Ordinance	17	26	23	27	29	31
Misdemeanor	96	160	101	90	88	90
Felony	855	943	996	948	895	929

Source: Commonwealth of Virginia Compensation Board.

Note: (1) Excludes Federal Inmates; (2) Totals may differ due to rounding.

City of Chesapeake Community Based Corrections Plan

SECTION 3: CRIMINAL JUSTICE SYSTEM TRENDS

August 29, 2012

ANNUAL POPULATION FOR DETENTION CATEGORIES (Tuesday Reports):

Table 3-7 below presents annual summaries from 2009, 2010, and 2011. The Table illustrates that the percentage of Local Responsible (LR) inmates has increased slightly from 70% to 71% between 2009 and 2011.

Table 3-7
Tuesday Reports Population Data

Inmate Category	Calendar Year 2009			Calendar Year 2010			Calendar Year 2011		
	Average	% of Grand Total	% of ADP Base	Average	% of Grand Total	% of ADP Base	Average	% of Grand Total	% of ADP Base
Juveniles	0	0%	0%	0	0%	0%	0	0%	0%
Female Adults	106	10%	10%	114	11%	12%	122	12%	12%
Male Adults	906	86%	90%	869	84%	88%	903	86%	88%
Unsentenced Awaiting Trial	316	30%	31%	319	31%	32%	500	47%	49%
Unsentenced Awaiting Trial Ordinances Only	5	0%	1%	6	1%	1%	14	1%	1%
Awaiting Trial(Pending Felony) with Sent	182	17%	18%	188	18%	19%	157	15%	15%
Awaiting Trial(Pending Mis) with Sent	29	3%	3%	24	2%	2%	22	2%	2%
Awaiting Trial (Pending ORD) with Sent. ORD	0	0%	0%	0	0%	0%	0	0%	0%
All Misdemeanant. Sentences	44	4%	4%	45	4%	5%	12	1%	1%
All Ordinance Sentences	19	2%	2%	17	2%	2%	9	1%	1%
LR - Sent <= 2 Years	1	0%	0%	0	0%	0%	0	0%	0%
SR - Sent > 2 Years	5	0%	0%	2	0%	0%	0	0%	0%
SR Felon B Within 1st 30 Days of Sentencing	0	0%	0%	0	0%	0%	0	0%	0%
LR - Sent < 1 Year	70	7%	7%	74	7%	7%	12	1%	1%
SR - Sent => 1 Year	237	22%	23%	226	22%	23%	250	24%	24%
SR Felon A Within 1st 30 Days of Sentencing	43	4%	4%	41	4%	4%	43	4%	4%
LR - Sent = 12 Months	38	4%	4%	26	2%	3%	6	1%	1%
SR - Held by Agreement	23	2%	2%	16	2%	2%	2	0%	0%
SR - Jail Contract Bed	0	0%	0%	0	0%	0%	0	0%	0%
SR - JCB/Work Release	0	0%	0%	0	0%	0%	0	0%	0%
Fed. Inmates	45	4%	4%	50	5%	5%	30	3%	3%
Contract Inmates	0	0%	0%	0	0%	0%	0	0%	0%
Private Transport	0	0%	0%	0	0%	0%	0	0%	0%
Total Local Resp. Pop. (Female)	102	10%	10%	100	10%	10%	107	10%	10%
Total Local Resp. Pop. (Male)	637	60%	63%	611	59%	62%	631	60%	62%
Total Local Resp. Pop.	704	67%	70%	699	68%	71%	730	69%	71%
Total State Resp. Pop. (Female)	13	1%	1%	17	2%	2%	18	2%	2%
Total State Resp. Pop. (Male)	295	28%	29%	267	26%	27%	277	26%	27%
Total State Resp. Pop.	308	29%	30%	284	28%	29%	295	28%	29%
Grand Total - All Inmates	1,057	100%		1,032	100%		1,055	100%	
Total - ADP Base	1,012		100%	983		100%	1,025		100%

Source: Commonwealth of Virginia Compensation Board; former Tuesday Reports.

RELATIONSHIP OF TOTAL ANNUAL ARRESTS TO NEW COMMITMENTS:

The commitment number presents the number of arrested individuals who are not "booked and released" by magistrate order.

As shown in Table 3-8, the percent of persons arrested and subsequently committed to the custody of the Chesapeake Jail has increased in recent years. Between 2008 and 2010 arrests have decreased by 8% and commitments for offenders awaiting trial increased by 12%. As a result, the percent of arrests resulting in new commitments increased from 55% in 2009, to 57% in 2010. These figures suggest that the Magistrates, based on the information available at the time of arrest, are remanding a greater number of those arrested to the Jail than in the past.

Table 3-8
Relationship of Total Arrests to Commitments

	CY 2008	CY 2009	CY 2010	CY 2011
Total Arrests	9,390	8,813	8,666	n/a
Total Commitments Awaiting Trial	n/a	4,857	4,897	5,441
% Arrests Result in Commitment	n/a	55%	57%	n/a

Source: *Crime in Virginia* annual reports; Virginia State Police, Uniform Crime Reporting Section; and Chesapeake's Sheriff's Office.

COMPARISON OF CRIMINAL DEFENDANTS TO AWAITING TRIAL POPULATION:

A comparison of the total number of misdemeanor and felony defendants in the First Circuit Court against the total awaiting trial population was completed for the past three years. Between 2008 and 2010 the number of criminal defendants decreased from 3,210 to 3,033 (or -6%). The awaiting trial population in Chesapeake also decreased, from 602 in 2008 to 515 in 2010, representing a decrease of 14%. As both of these figures have declined during this period, the number of defendants awaiting trial population has averaged 18%. This suggests that the Courts have not been taking a more conservative position on pretrial incarceration. Table 3-9 presents the results of the three year comparison.

Table 3-9
Comparison of Criminal Defendants to Awaiting Trial Population

	CY 2008	CY 2009	CY 2010
Total Criminal Defendants	3,210	2,929	3,033
Total ADP Awaiting Trial	602	523	515
% Defendants Result in Commitment	19%	18%	17%

Source: Supreme Court of Virginia, CAIS-CMS, Caseload Statistical System, 2012; and Chesapeake Sheriff's Office.

Notes: (1) Criminal Defendants include Felony and Misdemeanor.

FACILITY DESCRIPTION AND UTILIZATION

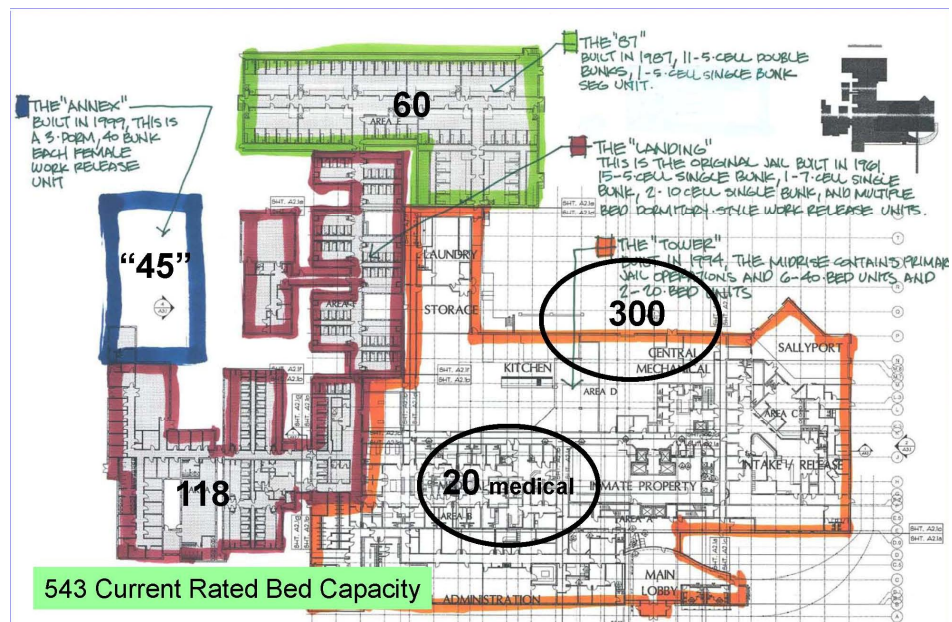
Jail History:

Located at 400 Albemarle Drive, the Chesapeake Correctional Center is centrally located within the Chesapeake Municipal Complex. The original structure opened in 1961 and has been since expanded several times in response to changes in the needs and increases in population to be incarcerated.

As it exists today, the Chesapeake Correctional Center was constructed in four phases. The original 1961 structure contains 72 single occupancy cells (linear design). In 1978, the original Work Release Facility was added, as well as the program areas for the "gym area". In 1987, 55 double occupancy cells and 5 single occupancy cells for segregation were added (linear design); however, there was no enhancement of support areas. The third phase referred to as "The Tower" was completed in 1996. This six story structure contains seven 40 bed housing units (podular design) and one 20 bed unit (linear), and houses the primary jail operations. The last phase of construction was completed in 1999, provided a separate wing for the female inmate population contains three, 30 bed open dormitory housing units.

A graphic illustration of the distribution of current capacities by area is shown below.

Graphic 4-1 Facility Capacity by Zone



Existing Correctional Center:

After completion of the 1996 addition, the amount of space, physical configuration, and critical adjacencies provided were adequate to serve the 543-bed rated capacity. As the number of inmates housed has climbed to and exceeded 1,000 inmates, almost all areas of the jail have been adversely effected. With the exception of the Entry Areas, there are no other components that are really adequate for the current service loads of more than 1,000 inmates.

The assessed overall rating has the facility rated above what is considered "Deficient". Since the overall rating summary is marginal, the basic implication for long-term reuse is that a number of areas will require significant upgrading and renovation work to come up to current performance demands, much less possible increased service loads.

The Tower portion of the Jail is in relatively good condition. Some improvements to the HVAC system were made in 2011. On its own, the Tower portion would be considered adequate in most other aspects, with the exception that it is now 16 years old and will need overall renovation work in the not distant future. The two older portions of the Jail, the Landing and the 87, are in significantly poorer physical condition. These two portions would likely be independently rated as deficient. In the calculation of the overall rating, the Landing and the 87 areas are pulling the Tower area down to a lower overall facility rating.

In the long term, more renovation work will be required in the Landing and the 87 areas of the facility if they are to continue in their present use, or if those areas are revised in terms of long term utilization. Consideration should also be given to the cost benefit of maintaining those areas, versus demolition and reuse of their site area for more efficient facility use.

Addition of Temporary Space:

Facing capacity shortfalls, the City of Chesapeake developed three temporary Community-Based facilities adjacent to the existing Chesapeake Correctional Center. The City contracted for the construction of five dormitory units contained within three structures (non-permanent construction), with the following intended capacities and purpose:

Housing Unit Designation	Drawing Labels	VADOC Review Assumptions	Sheriff's Planned Occupancy	Planned Use
Building A North	46	46	44	Work Force
Building A South	46	46	30	Work Force
Building B	46	46	30	Weekenders
Building C West	72	72	48	Re-Entry Program
Building C East	56	56	42	Re-Entry Program
	266	266	194	

The new, temporary community-based facilities were to provide relief to the jail by relocating the lowest security level inmates presently housed in the Chesapeake Correctional Center to more appropriate community-based housing, thus freeing up additional bed capacity in the higher security main Correctional Center. As of July 2012, however, the units remained unoccupied due to issues with the Virginia Department of Corrections (VDOC) in terms of standards compliance.

FUNCTIONAL COMPONENTS:

Housing:

The Chesapeake Correctional Center is currently rated at 543 beds. Under current conditions 482 of the rated capacity are used for general population inmates and 61 beds are used as special purpose housing as follows:

- Unit 4A, 20 single cells, houses the very highest custody and segregation inmates.

City of Chesapeake Community Based Corrections Plan

SECTION 4: CHESAPEAKE CORRECTIONAL CENTER

August 29, 2012

- MHU, the medical housing unit, consists of 4 negative air cells, 12 single person patient rooms and a four person ward (total 20 beds).
- Unit P, five single cells used for disciplinary isolation or protective custody.
- MP1 – MP4, four single cell that have 15 single cells that are used for short term classification holding.
- Unit DD, same utilization as MP1 – MP4.

Tables 4-1 and 4-2 below provides the housing unit breakdown on a for each defined general population and special purpose housing areas.

Table 4-1
Housing Unit Design Capacity – General Population

Housing Units	Rated Capacity (per unit)	No. of Units	Total Inmate Capacity	Actual Headcount (12/22/11)	Housing Design Configuration
2A	40	1	40	58	2 Levels, Podular Direct, 20 2-person cells
2B - 2D	40	3	120	287	2 Levels, Podular Direct, 10 4-person cells
4B - 4D	40	3	120	270	2 Levels, Podular Direct, 10 Alcove Dorms
A - K	5	11	55	58	5 Single Cell + Day Area perpendicular Corridor
L - W ¹	5	11	55	180	5 Single Cell + Day Area parallel with Corridor
X - Y	10	2	20	36	10 Single Cell + Day Area perpendicular Corridor
AA - CC	5	3	15	6	5 Single Cell + Day Area perpendicular Corridor
W/R	12	1	12	0	Dormitory with Day Area perpendicular Corridor
W/F	0	1	0	0	Assorted Rooms Off Corridor
FEM A-C	15	3	45	129	15-Bed Open Dormitory
Total	NA	39	482	1,024	In-House Population

Source: Chesapeake Sheriff's Office; AECOM

Notes: 1. Excludes Housing Unit P; 2. W/R and W/F - Work Force and Work Release Housing; 3. FEM A-C - Female Housing Units.

Table 4-2
Housing Unit Design Capacity – Special Purpose

Housing Units	Rated Capacity (per unit)	No. of Units	Total Inmate Capacity	Actual Headcount (12/22/11)	Housing Design Configuration
4A	20	1	20	18	2 Levels, Podular Direct, 6 + 14 single cells
DD	1	1	1	0	1 Single Cell with perpendicular Corridor
P	5	1	5	5	5 Single Cell + Day Area perpendicular Corridor
MHU	20	1	20	19	4 Isolation Cells with Vestibules; 12 Individual Medical Cells; 1 4-Bed Medical Ward
MP1	5	1	5	0	5 Single Cell with perpendicular Corridor
MP2	7	1	7	2	7 Single Cell with perpendicular Corridor
MP3	1	1	1	0	1 Single Cell with perpendicular Corridor
MP4	2	1	2	0	2 Single Cell with perpendicular Corridor
Total	NA	8	61	44	In-House Population

Source: Chesapeake Sheriff's Office; AECOM

Notes: 1. MHU - Medical Housing Unit; 2. Cells MP1, MP2, MP3 and MP4 are used for short term (hours) classification holding.

The State Board of Corrections also requires the calculation of the square footage available per general population offender in each cell, dormitory and dayroom. The housing units listed in Tables 4-1 were measured and the square footage calculated. Table 4-3 presents the results. Housing unit 2A, which consists of 20, 2-person cells has a capacity for 40 inmates. On the day the headcount was taken there were a total of 66 inmates in 2A. The cell sizes in this housing unit are 92 SF allocating 56 SF of cell space per offender $(92 \times 40) \div 66$ currently housed in housing unit 2A. The dayroom space in this housing unit measures 2,440 SF, thus allocating a total of 37 SF of dayroom space per offender in housing unit 2A.

Table 4-3
Square Footage per General Population Offender

Housing Unit(s)	Rated Capacity (per unit)	Number of Units	Total Capacity	Actual Headcount (12/22/11)	Housing Unit Sizes (SF)		SF per Offender (based on head count)	
					Cell	Dayroom	Cell	Dayroom
2A	40	1	40	58	92	2,440	63	42
2B, 2C, 2D	40	3	120	287	189	2,440	20	26
4B, 4C, 4D	40	3	120	270	189	2,440	28	27
A through K	5	11	55	58	31	170	31	32
L through W ¹	5	11	55	180	64	436	20	27
X through Y	10	2	20	36	33	395	18	22
AA, BB, CC	5	3	15	6	34	196	34	39
DD	1	1	1	0	34	0	34	0
W/R ²	12	1	12	0	1,183		0 headcount	
W/F	0	15	0	0	106	0	0 headcount	0
FEM A-C ²	15	3	45	129	2,049		48	

Source: Chesapeake Sheriff's Office; AECOM

Notes: 1. Excludes Housing Unit P; 2. Dormitories - SF areas include housing and dayroom space.

Per Virginia standards [6VAC15-80-350 § B] all double cells must contain a minimum of "70 square feet of space for the first inmate and 45 square feet of space for each additional inmate".

Administrative, Operating, and Inmate Program Space:

The Administrative component provides for facility management functions. The Operating areas provide spaces needed to run the facility, and the Program component provides space to accommodate delivery of program services (e.g. GED classes, Substance Abuse Counseling and the like) to prisoners. The following contains a brief description of each of the areas and their current departmental gross square feet area occupied (DGSF).

(a) Entry Area [5,546 DGSF]

The Entry Area provides the main pedestrian entrance for pedestrian into the facility (staff and visitors). The existing entry area is adequate in size and allows for people to wait for security screening without obstructing pedestrian circulation through the space. There is a second entrance for staff and visitors to the Landing (the original jail). The fact that there are two entrances is confusing to visitors. Those who enter at the main entrance are directed to the other entrance if visiting inmates in the Landing or the 1987 addition.

(b) Jail Administration [1,902 DGSF]

The Jail's Administrative Area is adjacent to the main entry area. While not generous in terms of size or amenities, no major complaints have been expressed about the Administration Area, although additional capacity expansion will require additional administrative space.

(c) Sheriff's Office Executive Administration [1,671 DGSF]

The Sheriff's Office executive administration space is located across the street in the Sheriff's Administration Building. This proximity reduces the total amount of space required in the Jail, since Training and meeting activities can also be scheduled in the Sheriff's Administration Building.

(d) Staff Services/ Training Area [4,108 DGSF]

This area provides staff locker/toilet, wellness center, armory classroom, and training area functions. The existing male and female staff locker rooms are located on the ground floor level off the main entry area. The staff classroom is used for training and staff meetings. The Training Room can be subdivided into two different work spaces. This room serves fairly well in terms of training and general meeting space. The locker/toilet area is at maximum capacity in regards to locker space at the current time. Moreover, it consists of half-height lockers, when full height lockers would be much more useful. The staff dining area is located off the main kitchen. It is of sufficient size, but doesn't offer a suitable eating environment for the deputies. There are no windows and has poor light quality. The equipment in adjacent space produces a lot of ambient noise. Approximately a third of the staff uses the space and it is only open during breakfast and lunch.

(e) Intake/ Transfer/ Release [15,491 DGSF – includes Vehicular Sally Port]

The Intake/ transfer/ release area provides for the receiving and processing of arrestees. Functions performed within this area include initial medical screening, preliminary classification, and storage of inmate property during the period of incarceration. It also provides the area to process individuals being released, including return of property. This area is too small for the current population and there is no room for growth. There are six holding cells in the facility.

The Sally Port area is able to move inmates to and from the building in various vehicle sizes (four squad cars or one small bus). This may have been adequate for the design capacity of the facility; however, it is not large enough for the higher volume of traffic related to a much greater inmate population. For transferring inmates to the Circuit and General District Courts across Albemarle Drive, there is an underground connecting tunnel that is accessed by elevator. The tunnel brings the inmates directly below the court house and significantly reduces the amount of vehicular transportation.

(f) Program Services [3,179 DGSF: 2,119 - floor 2; 1,964 – floor 4]

These areas provide space to accommodate delivery of program services (e.g. GED classes, Substance Abuse Counseling, Library, Law Library and the like) to prisoners.

Ideally, some of this area should be located close to inmate housing areas, with the "delivery spaces" being supported from central service location. Provisions at this location are not adequate as they do not account for alternate uses and flexibility (for example, there is no available space for the re-entry program, which is an intended focus). Much of the space has been adapted and re-utilized for other administrative functions that do not have any room to grow or expand.

(g) Visiting [5,685: 2,684 – floor 1; 1,473 – floor 2; 1,528 – floor 4]

Visitation areas are located in four different portions of the jail. With the exception of the Work Release Annex, all visiting is non contact. For male and female inmate family visitors on the ground floor, there is a side entrance at south west side of the building. The lobby for this area has public toilets/waiting area and a reception desk. There are 15 visiting booth; two are small rooms closed off with a door for additional privacy, and others are in an open room with dividers. Provisions at this location are adequate.

The visiting areas in the tower are divided into two sets of four with visiting booths on the various housing floors. One of the booths in each set is closed off in a small room for privacy. To gain access into the visiting area in the Tower one has to go through the Main Entry. The visiting rooms in this area are not sufficient due to overcrowding in this portion of the jail. Also, there are two booths for non-contact visiting in the Health Services area.

(h) Health Services [8,335 DGSF: 876 Medical Admin; 1,391 Clinic and Dental; 6,068 Infirmary]

Chesapeake's health service facilities consist of an out-patient medical clinic, inpatient infirmary and dental clinic. The medical area is located on the ground floor level. The infirmary is adequate in its facilities; however the size barely handles the number of inmates due to overcrowding. Sick call occurs twice daily at the housing units. The dental services area has a single chair. The existing inpatient infirmary area provides a total of 20 beds, 16 of which are single occupancy rooms in addition to one 4-bed room. The inpatient infirmary is used for both medical and acute mental health patients.

(i) Food Prep Area [9,321 DGSF]

The food service area provides for the receipt of food supplies and the preparation, distribution, and clean-up for three meals per day for prisoners and one meal per shift for staff. Given the current inmate population, the current cook-chill food service operation needs to run 10+ hours a day 7 days a week to keep up which eliminates any time for maintenance. The traditional advantage for cook-chill – a 5 day a week cooking operation – can't be achieved due to a lack of raw product and prepared food storage capacity.

(j) Laundry Area [1,856 DGSF]

This component provides clean clothing, sheets, and towels for prisoners. Provisions at this location are adequate; however, there is no redundancy or ability to adjust to increased operations without expansion.

(k) Canteen [852 DGSF]

Canteen services are provided to the facility by a contracted vendor.

(l) Warehouse Area [1,251 DGSF]

This component provides general storage of consumable and durable materials storage for facility operation. The storage area is significantly undersized, which does not permit effective bulk purchasing. Some materials have to be stored in other undesirable locations.

(m) Support Services Area [505 DGSF]

This component provides space for facility maintenance and cleaning. There are not adequate materials storage or shop/work areas provided at the facility. Janitor's Closets are located throughout the building for cleaning materials storage space near points of use.

(n) Central Plant [4,035 DGSF]

Dedicated area is provided for the necessary mechanical equipment including boilers, domestic hot water heaters and fan rooms. There are no chillers on site, since a common central Thermal Storage Plant on the government campus provides that utility. That plant is at capacity now, and would need to be expanded if there is a major addition to the existing Jail.

(o) Magistrate Area [2,544 DGSF]

For the design service load of this facility, the three interview booths, administration, and support space was adequate. Based on current service loads, more space is required.

JAIL-BASED INMATE PROGRAMS & SERVICES:

Medical, Dental, and Mental Health Services:

Medical and dental services are provided by contract. In 2007/2008 the medical, dental and mental health services had a budget of \$3.5 million. On April 15, 2008 a new five year contract was awarded to CONMED Inc. with an option to renew for an additional term. The contract requires adherence to National Commission on Corrections Health Care Standards (NCCCHC).

Medical

Medical services are offered to all inmates with a co-payment charge. A nurse or physician visit costs \$10 and prescription fees are \$5. There is no cost for follow up visits. There is also no cost for initial and annual physical examinations, and emergency medical services. Services are provided through a total staff of 20.2 FTEs. Sick call screening is provided twice daily at each housing unit. The facility operates a step down infirmary that has 20 beds, of which 16 are single and one room is designed for multi-occupancy. Infirmary capacity is not adequate, especially as the facility's overcrowding does not permit general housing units to be assigned for sheltered medical housing. Additionally, the infirmary houses acute mental health inmates.

Dental

Dental services are offered to all inmates with inmates charged a co-payment of \$10 per visit and a prescription fee of \$5. There is no cost for the intake dental screening. There is a single chair. The dentist provides an on-site dental program for emergency, routine and preventive care. The contract allocates a total of 0.6 FTEs for a dentist and dental assistant.

Mental Health

The medical services contract increases the allocation for mental health staff to a total of 3 FTEs which is an increase from the 1.2 FTEs of the previous contract. The mental health program is limited to medication prescription and delivery and court ordered evaluations. There is no psychotherapy counseling. The step-down infirmary is used to house acute mental health patients.

The Community Services Board (CSB) provides some limited support to the jail. For example, if an inmate is on suicide watch and the medical staff decides the individual needs more help, such as in a local mental health facility, CSB staff will be called in to do a more thorough evaluation of the individual. The CSB is in the process of applying for a planning grant to evaluate the feasibility of providing extensive mental health and other services to the jail.

An August, 2010 survey compiled by the State Compensation Board found that the Chesapeake City Jail had a total of 295 inmates (30% of the ADP base at that time) with some form of mental illness. This number included 58 inmates with Schizophrenia, Schizoaffective Disorder or Delusional Disorder; 184 with Bipolar Disorder; and 53 with Anxiety Disorder. Many of the remaining inmates also require special handling. Unfortunately jails have become and will continue to house significant numbers of mentally ill inmates. The Chesapeake City Jail does not currently have housing that responds to the needs of this population.

Education Programs:

The Chesapeake City Jail provides the following inmate education programs: ABE, GED; Special Education, and Individualized Study Programs. Instructors from the Adult Education Division of the Chesapeake School system provide the classes. In addition, educational video programs are broadcast daily via housing unit televisions.

The ABE program provides adult basic education. The GED program provides preparation and testing to include computer training. Eligible inmates may request that they be allowed to participate in the educational programs by writing to the Classification staff. Eligible inmates must meet the following criteria: Sentenced inmates must have a minimum of thirty (30) days to serve; or non-sentenced inmates must have completed their first arraignment hearing with a chance of not being released within thirty (30) days; and must meet all other criteria as may be set. Special management inmates may require separate educational programs.

The Special Education Program operates at no expense to the Chesapeake Sheriff's Department. The program is funded through the State and managed by the Chesapeake Public Schools. The Sheriff's Office and the Chesapeake Public Schools maintain an interagency agreement regarding special education services of eligible inmates. A combination of classroom instruction and individual tutoring are used to assist inmates in achieving their educational goals.

Social Services and Counseling:

The Chesapeake City Jail does not provide social service and counseling programs. Programs are limited to Alcoholics Anonymous and religious service programs provided by community volunteers. The Community Service Board with the assistance of the Chesapeake Sheriff's Office has applied for a planning grant to evaluate the feasibility of providing mental health, substance, anger management programs, etc. to the jail population.

Alcoholic Anonymous

Meetings are held twice a week, and meetings are conducted for both male and female inmates.

Religious Programs

Religious programs, such as bible study and services are offered by volunteer organizations that come into the jail. Participation for the inmates is voluntary. The group sessions and services take place in the pods and blocks.

In-House Work Assignments:

Inmates are assigned to various in-house and outside programs. In accordance with state statutes, inmate workers who are serving misdemeanor sentences get an extra day off their sentence for every work day, while workers serving felony sentences can have their sentences reduced by as many as 4.5 days for each 30 days served. These are performed by male and female inmates. There are a total of 70 male and 15 female work assignments including kitchen, laundry, barber and canteen among a few for a total of 85 inmate in-house work assignments. Table 4-4 lists all the in-house work assignments by gender.

Table 4-4
In-House Inmate Work Assignments

Chesapeake Jail	Gender	No. of Inmate Assignments
Kitchen	Male	48
Barbers	Male	4
Hallway Trustys	Male	16
Medical	Male	1
Booking	Male	1
Total Male		70
Kitchen	Female	2
Laundry	Female	7
Individual Housing Unit Trusty	Female	6
Total Female		15
Total		85

Source: Chesapeake City Jail; January 2012

Between January 2011 and January 2012 the Sheriff's Office estimated that a total of 527 total man days of sentence reduction were earned by these individuals.

Off-Site Work Programs:

The numbers of inmates who currently can participate in Off-Site Work Programs (work crews and work release) are limited by the current overcrowding situation. By local policy, inmates who take part in off-site programs must be housed apart and kept separate from general population inmates. Under present housing capacity conditions a little more than 100+ inmates can participate in off-site programs; a number that is significantly less than the approximately 200 inmates that could be considered suitable for off-site work programs.

Work Force/Work Crew Program

The Inmate Work Force Program consists of twelve work crews with a variety of work assignments including: Public Works; Storm Water; Outside Trustee; Police Academy; City Garage; and Parks and Recreation. These programs help pay for fines and restitution. In 2008, inmates spent more than 130,000 man hours with the work valued at over \$1,500,000. In calendar year 2009 the total number of man hours spent on these various work assignments reached over 120,000 earning an estimated amount of almost \$2.0M (as the value of the work performed). Room and board is not collected from these inmates while on the Work Force program. The amounts have decreased slightly in the last two years.

Table 4-5 provides historical details by work assignment on the total number of man-hours spent and dollars saved.

Table 4-5
Off-Site Inmate Work Assignments

Chesapeake Jail	Man Hours	Value of Work (\$ Saved)
CY 2008	130,939	\$ 1,538,493
CY 2009	121,243	\$ 1,986,859
CY 2010	102,402	\$ 1,678,369
CY 2011 (Jan - Nov)	89,633	\$ 1,477,657

Source: Chesapeake City Jail

¹ Includes: Storm Water Crew ; Public Works; Bridge Crew; South Norfolk, and other assignments within the City.

Jail Work Release

The Work Release Program allows individuals sentenced to jail to continue gainful employment and meet legal obligation at the same time. Offenders participate in the Work Release program only through a court order from the sentencing judge. The Work Release Counselors perform a thorough background check of the individuals and then make a recommendation to the Judge. Requirements include having a job, paying court fines and costs, paying child support, no violent charges and no lengthy sentence to serve. The Sheriff's Office provides transportation to and from the job site. Additionally, Work Release Counselors make regular unannounced job site inspections. Offenders participating in this program are able to pay taxes, support themselves and their families, and develop good work habits. Offenders must pay for their room and board while on the program.

Table 4-6 provides the work release program historical data through February 2009 when the program ended.

Table 4-6
Work Release Program Historical Data

Calendar Year	Annual Participation	Wages Earned	State & Local Taxes	Room & Board	Fines & Court Fees
2007	NA	\$ 1,000,000	\$ 158,000	\$ 153,000	\$ 56,000
2008	83	\$ 805,339	\$ 124,675	\$ 132,675	\$ 60,966
2009	44	\$ 65,184	\$ 6,771	\$ 14,455	\$ 5,337

Source: Chesapeake City Jail

The Work Release Program was ended in February 2009.

The Sheriff's Office started a modified Work Release Program in the beginning of 2012.

JAIL-BASED ALTERNATIVES:

Home Electronic Monitoring

The Home Electronic Monitoring (HEM) is designed to let offenders finish their sentence while still being monitored. The offenders are monitored through Global Positioning Systems (GPS) technology. Through this technology the inmate's location is tracked 24 hours a day. While on the program these offenders have blood alcohol tests and also must provide urinalysis on a random basis. Inmates have an ankle bracelet on them 24 hours a day as well as carry a GPS box with them when they are outside their house.

Most inmates on HEM are nonviolent offenders and usually have gone through other rehabilitative programs before being placed on the program. HEM can also be used to monitor pretrial inmates.

Tables 4-7 and 4-8 provide program information for calendar years 2008, 2009, 2010 and 2011 (thru November).

Table 4-7
HEM Program Historical Data

Calendar Year	Annual Participation	Program Cost (Sent / Pre)	Program Earnings	Contribution to DCSE ¹
2008	67	\$15 / \$10	\$ 8,501	\$ 26,771
2009 ²	80	\$15 / \$15	\$ (4,267)	\$ 22,035
2010	37	\$15 / \$15	\$ 3,830	\$ 3,440
2011 ³	33	\$15 / \$15	\$ 9,111	\$ 5,246

Source: Chesapeake City Jail

¹ Department of Child Support Enforcement

² Loss due to the fees being waived for inmates with serious medical conditions.

³ January through November.

Table 4-8
HEM Program Historical Jail Days Saved

Calendar Year	Jail Days Saved
2008	8,382
2009	13,384
2010	5,544
2011 ¹	3,052

Source: Chesapeake City Jail

¹ January through November.

The inmates that participate in the HEM program do not receive any good time while on the program. Inmates have to do their time day for day. However, they receive the good time they accrued during the time they were incarcerated.

As of 2011, the cost to participate in the program was \$15 which was the same for sentenced and pretrial offenders. Annual participation increased from 67 in 2008, to 80 in 2009, but has declined by more than half since that time. Since the loss in 2009, the program has earned money.

Weekender Program

The Weekender Program allows court approved offenders to serve their sentence in the Correctional Center on weekends. The Sheriff's Office runs two separate weekender programs, identified as the "boarded-in" program and the "Saturday/Sunday" weekender program. Both are "court ordered" programs.

Boarded-in inmates generally serve their time from Friday evening through Sunday evening. The second program, the Saturday/Sunday program is a work crew program that does not include overnight incarceration.

Table 4-9 provides weekender program information for calendar years 2008 through 2011.

Table 4-9
Weekender Programs Historical Data

Chesapeake Jail	"Boarded" Weekender	Saturday / Sunday	Weekenders Total
2008	55	50	105
2009	58	58	116
2010	60	63	123
2011	66	55	121

Source: Chesapeake City Jail

Notes: Counts for average number of participants.

The Weekender programs have increased steadily in participation over the past three years with the last two years almost equal. Overall, the "boarded" weekender ADP population (those who need a bed) has averaged 5%-7% of the overall population between 2008 and 2011.

INTRODUCTION:

This section includes an overview of the existing criminal justice resources and programs in the City of Chesapeake including law enforcement, courts, court-related agencies, and non-confinement alternatives and programs.

For each of the areas in the system, the following set of information is provided: a brief description of the agency/program's function; a table (or tables) that includes the most recent data available; a narrative which summarizes and interprets the data in each of the tables including trends, changes, and notable variations; and a brief synopsis of the discussion with the department director (or ranking representative) that includes current operations including staffing, trends observed, and any pending procedures or policies that may affect the operations and/or community who are direct recipients of the services provided by the agency.

CHESAPEAKE POLICE DEPARTMENT:

Agency/Program Function: The Chesapeake Police Department is the jurisdiction's primary arresting agency. Regarding process, all arrestees are taken to the Magistrate where they are evaluated on whether to prosecute and whether there exists a flight risk. Any interviewing of arrestees takes place at the jail.

The Chesapeake Police force includes Headquarters and the 1st precinct and four additional precincts. The 5th precinct opened in November of 2010 to provide residents with a visible presence and permanent home in one of the city's busiest areas.

Data & Statistics: Historical staffing figures for the Chesapeake Police Department for the years 2007 – 2011 are included in Table 5-1 as follows:

Table 5-1
Law Enforcement Staff (Authorized) - Chesapeake Police Department

Chesapeake PD	CY 2007	CY 2008	CY 2009	CY 2010	CY 2011	5 yr. % Change
Sworn Officers	370	391	391	383	383	3.5%
Non-Sworn Officers	142	135	135	135	137	-3.5%
Animal Control	22	22	22	22	24	9.1%
Total Staff	534	548	548	540	544	1.9%

Source: *Crime in Virginia* reports compiled by the Virginia State Police, Uniform Crime Reporting Section; and Chesapeake Police Department. (Data as of October 31st of the reported year.)

Trends and Analysis: Between 2007 and 2011 the Police Department had a staffing decrease of less than 2%. Figures provided by the Department show that the majority of the staffing decreases were in the number of civilian staff. From 2007 to 2011, the number of civilian staff decreased from 142 to 137 (-3.5%), while sworn staff increased from 370 to 383 (+3.5%).

Interview Findings: Discussion with the representatives from the Police Department yielded the following:

- Crime has been going down over the last few years. In particular, Part I crimes are down 6%. However, DUI is up;
- At-risk population (18-35) still remains the most significant age group of offenders;

- Authorized staffing has remained constant and is not anticipated to increase for at least 2-3 years. Any increase in staffing at that point will be to increase patrol officers, followed by investigative staff as the arresting officers make the lion share of arrests;
- Staffing for the Chesapeake PD is below the national average (1.7/1000 – Chesapeake vs. 2.5-2.8/1000 nationally);
- The opening of the newest precinct (Nov 2010) was done without adding staff to the police force;
- As a result of hiring freeze, the utilization of technology and upgrading what is in use has been important in addressing crime/crimes rates:
 - Wearable cameras;
 - License plate readers;
 - Laptops in patrol cars;
 - Citizens On-line Police Reporting System (C.O.P.R.S.)
 - CrimeMapping.com
 - On-line staffing training (40 hrs every 2 years)
- As a result of an increase in gang activity, overall violence, and guns, a gang unit was begun this year. Likewise, the Sheriff's Office has dedicated a gang investigator to this effort;
- A Special Focus/Emergent Needs Group has been created (10 officers, 1 sergeant) to concentrate efforts on the most pressing issue/areas(s) where the problems are and helps support precinct officers;
- Currently making use of grant monies available (e.g. gun abatement – 3 year grant);
- To alleviate existing physical space pressures, a new Dispatch Emergency Operations Center is in the planning and design stage (approximately 3 years out) and will be located on the same site as the new Animal Control facility (set to open March 2012);
- The Police Academy currently serves the City of Chesapeake's police force as well as the Sheriff's Office. The Academy's range (adjacent to the Academy) is a state of the art facility.

COURTS/COURTS-RELATED

AGENCIES

CIRCUIT COURT:

Agency/Program Function: The Circuit Court has jurisdiction over felony criminal cases, misdemeanor offenses that were originally charged in Circuit Court, and/or appealed from the District Courts. The Circuit Court also has jurisdiction over juveniles age 14 and older who are charged with felonies and whose cases have been transferred, certified, or appealed from District Court. The 1st Judicial Circuit Court of Virginia serves the City of Chesapeake and is one of the 31 judicial circuits within the Commonwealth. The 1st Judicial Circuit Court currently has five authorized judges, two of which are dedicated to hear drug offense cases (see Drug Court below).

A circuit court judge is elected for an eight-year term by a majority vote of both houses of the General Assembly.

Data & Statistics: The Community Based Corrections Plan has a requirement to analyze and present five years of historical data [6VAC15-80-110 §G5a. (2)]. The following sub-sections present a series of tables followed by the results.

City of Chesapeake Community Based Corrections Plan

SECTION 5: CRIMINAL JUSTICE RESOURCES AND PROGRAMS

August 29, 2012

Table 5-2
Criminal Case Status – First Circuit Court

Docket Report	Calendar Year 2007		Calendar Year 2008		Calendar Year 2009		Calendar Year 2010		Calendar Year 2011	
Cases Commenced										
Chesapeake	7,354	%	6,931	%	6,038	%	6,248	%	5,782	%
Felony 1 & 2	53	1%	28	0%	33	1%	37	1%	33	1%
Other Felony	4,776	65%	4,657	67%	3,838	64%	4,100	66%	3,559	62%
Misdemeanor	2,525	34%	2,246	32%	2,167	36%	2,111	34%	2,190	38%
Cases Concluded										
Chesapeake	6,516	%	7,065	%	6,792	%	5,553	%	5,890	%
Felony 1 & 2	42	1%	39	1%	52	1%	27	0%	33	1%
Other Felony	4,027	62%	4,784	68%	4,687	69%	3,617	65%	3,919	67%
Misdemeanor	2,447	38%	2,242	32%	2,053	30%	1,909	34%	1,938	33%
Clearance Rate	89%		102%		112%		89%		102%	
Cases Pending										
Chesapeake	4,838	%	4,647	%	3,797	%	4,492	%	4,385	%
All Felony	3,389	70%	3,256	70%	2,455	65%	2,948	66%	2,590	59%
Misdemeanor	1,449	30%	1,391	30%	1,342	35%	1,544	34%	1,795	41%

Source: Virginia Circuit Court Caseload Reporting System.

Table 5-3
Age of Concluded Cases – First Circuit Court

Docket Report	Calendar Year 2006				Calendar Year 2007				Calendar Year 2008			
Age of Cases Tried / Adjudicated												
	Felony 1 & 2	Other Felony	Misde- meanor	Total	Felony 1 & 2	Other Felony	Misde- meanor	Total	Felony 1 & 2	Other Felony	Misde- meanor	Total
00-60 Days	10	948	1,338	2,296	6	892	1,344	2,242	7	993	1,140	2,130
61-90 Days	6	553	357	916	6	435	385	826	3	575	371	949
91-120 Days	5	628	249	882	8	551	247	806	5	693	209	907
121-150 Days	0	341	124	465	1	432	127	560	2	470	150	622
151-180 Days	2	340	42	384	5	348	73	426	1	467	110	578
181-270 Days	7	545	137	689	8	745	129	882	6	824	117	947
271-365 Days	6	415	33	454	3	326	51	380	9	360	51	420
365+ Days	6	312	100	418	5	298	91	394	6	412	94	512
Total	42	4,082	2,380	6,504	42	4,027	2,447	6,516	39	4,784	2,242	7,065

Docket Report	Calendar Year 2009				Calendar Year 2010				Calendar Year 2011			
Age of Cases Tried / Adjudicated												
	Felony 1 & 2	Other Felony	Misde- meanor	Total	Felony 1 & 2	Other Felony	Misde- meanor	Total	Felony 1 & 2	Other Felony	Misde- meanor	Total
00-60 Days	6	1,070	1,256	2,332	3	909	1,131	2,043	4	811	961	1,776
61-90 Days	6	559	235	800	0	483	263	746	4	516	390	910
91-120 Days	6	806	142	954	3	673	178	854	2	565	235	802
121-150 Days	5	408	97	510	2	377	89	468	1	472	94	567
151-180 Days	1	408	81	490	3	336	57	396	1	361	56	418
181-270 Days	5	622	115	742	5	471	98	574	10	596	93	699
271-365 Days	7	382	42	431	9	169	28	206	4	307	35	346
365+ Days	16	432	85	533	2	199	65	266	7	291	74	372
Total	52	4,687	2,053	6,792	27	3,617	1,909	5,553	33	3,919	1,938	5,890

Source: Virginia Circuit Court Caseload Reporting System.

Table 5-4
Age of Concluded Cases (% of Total) – First Circuit Court

Percent of Total	CY 2006	CY 2007	CY 2008	CY 2009	CY 2010	CY 2011
Total Felony						
120 days	52%	47%	47%	52%	57%	48%
180 days	69%	66%	66%	69%	77%	69%
365 days	92%	93%	91%	91%	94%	92%
Misdemeanor						
60 days	56%	55%	51%	61%	59%	50%
120 days	82%	81%	77%	80%	82%	82%
180 days	89%	89%	88%	88%	90%	90%

Source: Virginia Circuit Court Caseload Reporting System;

Calculations by AECOM, August 2012.

Trends and Analysis: The following narrative describes the findings from the data contained in the tables above:

Cases Commenced, Closed and Pending

Table 5-2 provides calendar year criminal case data for felony and misdemeanor criminal cases commenced, concluded and pending in the First Circuit Court.

The number of criminal cases commenced (filed) in the First Circuit Court decreased from a peak of 7,354 in 2007 to 5,782 in 2011 – a reduction of 21%. On average, the total number of criminal cases decreased by approximately 393 per year. On average, only about 1% were Felony 1 or 2 cases, with the majority or about 65% being other felony cases. Only an average of 35% are misdemeanor cases.

The number of cases concluded (closed) decreased by 16.6% from the peak of 7,065 in 2008 to 5,890 in 2011. Clearance rate is the ratio (expressed as a percentage) of commenced cases to the number of cases adjudicated and finally disposed of in a specific time period. For the five year time span the clearance rate averaged 99%; with an improved clearance rate of 102% in 2011.

The number of Pending cases is a performance measure that indicates a courts responsiveness to demand for services. Within the Circuit Court, pending cases decreased 9.3% from 4,838 in 2007 to 4,385 in 2011. These numbers suggest that while the court is able to keep up with the current criminal case flow, pending case numbers have come down since 2007. When case pending numbers are high in proportion to annual clearance rate levels, courts are unable to process current cases in a timely manner; since much of the court's efforts must be expended toward "older" cases.

Age of Concluded Cases

The age of concluded cases reflects the amount of time it takes to dispose of a criminal case, and records the amount of time elapsed between the date of the defendant's arrest and the date the charges were adjudicated by the Circuit Court.

Virginia has the following Voluntary Cases Processing Time Guidelines: 90% of all felony cases should be adjudicated or otherwise concluded within 120 days from the date of arrest; 98% within 180 days; and 100% within one year. For misdemeanors 90% of cases should be concluded within 60 days and 100% within 90 days.

During calendar year 2011, 48% of the Circuit's felony cases reached termination within 120 days of their initiation; 69% were disposed of within 180 days; and 92% were concluded within 365 days. These figures are well below the Commonwealth's Judicial Council guidelines previously mentioned. The trend in the percentage of cases reaching termination within 120 days has varied over the past five years. In 2007, 47% of all felony cases reached termination within 120 days. This figure remained the same in 2008, and grew to 52% in 2009, reaching 57% in 2010. In 2011, this dropped down to 48%. A similar trend can be seen in cases concluded within 180 days increasing 66% for 2007 and 2008, increasing to 69% in 2009, and moving to 77% in 2010. In 2011, this dropped back of 69%.

Interview Findings: The discussion with the representatives from the Circuit Court yielded the following:

- Circuit Court arraignments are conducted 5 days a week (Court operating days);
- The majority of arraignments are conducted by video;
- On occasion, the Commonwealth Attorney and Judges collaborate to expedite bond hearings;
- A court date is set at arraignment if council is retained. This date is set within 2 weeks. The Public Defender has a representative at the arraignment, if needed;
- The Circuit Court attempts to abide by the Virginia Supreme Court guidelines, where felonies are to be tried within 120 days from arrest, and 98% must be tried within 180 days from arrest;
- In 2008, State labs were delaying the ability to process cases. This has improved significantly since that time. Change in state statute also affected this – the defense is now able to call in an analyst for independent evaluation;
- Preliminary motion hearings (not preliminary hearings) are conducted in Circuit Court. Preliminary hearings are conducted in District Court;
- Jury trials have been reduced significantly over the years. It is estimated that a very low percentage (~2%) go to jury trial. Civil trials have declined while criminal trials have slightly increased;
- After a guilty verdict is handed down, a sentencing date is set. Given the limited probation staffing resources, pre-sentencing reports could be expedited if probation staffing resources were increased. This change would enable judges to set earlier sentencing hearings, as currently judges look to set hearing days out 100 days for sentencing. This could impact beds days at the jail for those who are affected (could go directly to a State facility);
- Most sentences are a year or less (excluding probation violation). Probation violators tend to go into the State penitentiary system;
- Chesapeake was a pilot for the implementation of the case management (retention) system;
- The implementation of a WiFi system would significantly improve case processing time as lawyers and clerks must often leave the courtroom to access information and retrieve data;

GENERAL DISTRICT COURT:

Agency/Program Function: The General District Court has jurisdiction in cases involving misdemeanors (minor criminal cases), violation of City ordinances, minor civil suits, preliminary hearings of felony cases, traffic violations, and small claims up to \$25,000. [Note Previously, this was \$15,000.] It also conducts preliminary hearings in felony cases. The preliminary hearings in felony cases are held in order to establish whether enough evidence exists to hold the individual for a grand jury. There are no jury trials in District Court. The judge, rather than a jury, will hear the evidence and render a verdict. The 1st Judicial District Court of Virginia serves the City of Chesapeake and is one of 131 district courts in the Commonwealth of Virginia.

Data & Statistics: Historical caseload statistics for the General District Court for the years 2007 – 2011 are included in Table 5-5 as follows:

Table 5-5
Chesapeake General District Court Caseload Statistics

New Cases	CY 2007	CY 2008	CY 2009	CY 2010	CY 2011
CRIMINAL					
Misdemeanors	7,729	8,267	7,849	7,577	6,751
Felonies	2,857	2,858	2,520	2,796	3,061
Capias/SC	746	548	632	590	557
TOTAL	11,332	11,673	11,001	10,963	10,369
TRAFFIC					
Infractions	57,610	45,441	32,689	36,754	36,584
Misdemeanors	10,011	9,798	9,032	9,357	9,434
Felonies	241	246	209	230	220
Capias/SC	1,186	1,018	1,003	860	747
TOTAL	69,048	56,503	42,933	47,201	46,985
CIVIL					
CW, Det, U.D.	26,222	23,088	29,140	24,413	33,698
Garnishments	5,954	5,682	5,766	5,971	6,198
Mot for Judgement	420	421	527	289	392
TOTAL	32,596	29,191	35,433	30,673	40,288
TOTAL Gen Dist Court	112,976	97,367	89,367	88,837	97,642
Source: Supreme Court of Virginia, District Courts CAIS-CMS System					

Trends and Analysis: After peaking at 11,673 in CY2008, the number of new criminal cases has been declining since that time, reaching a low of 10,369 in 2011. This 11 % reduction for the period represents a 3.7% annual reduction for the CY2008-2011 period. Regarding traffic cases, a much more significant decline took place. With the exception of CY2009, the number of cases declined each of the years between CY2007 and CY2011, with an overall reduction of 22,063 cases (-32%). Since the low of 6,580 cases in 2009, the number of cases has increased by 898 cases to 7,478, which translates into an increase of 14% over the most recent two year period. By contrast, civil cases have been oscillating since CY2007, with reductions in the even years (2008, 2010) and increases in the odd years (2009, 2011). Overall, 7,692 civil cases were added during the 5 year period, which represented a 24% increase.

Interview Findings: The discussion with the representatives from the General District Court yielded the following:

- In terms of impact on the Correctional Center, their primary involvement is in terms of arraignment on felony charges, where charges are read, counsel arranged or appointed, and a court appearance date set.
- Arraignments are conducted via video appearance from the Jail.
- Judicial assignments are rotated on a monthly basis.
- For non-felony offenses, either on State or City Code, a range of sanctions are utilized; there are no sentencing guidelines in District Court.
- The District Court believes projected growth in the City of Chesapeake will drive future caseloads up from where they are now.

JUVENILE & DOMESTIC RELATIONS COURT:

Agency/Program Function: The purpose of the Juvenile and Domestic Relations Court as specified in the Virginia Code §16.1-227 is:

- To divert from or within the juvenile justice system, to the extent possible, consistent with the protection of the public safety, those children who can be cared for or treated through alternative programs;
- To provide judicial procedures through which the provisions of this law are executed and enforced and in which the parties are assured a fair hearing and their constitutional and other rights are recognized and enforced;
- To separate a child from such child's parents, guardian, or legal custodian or other person standing in loco parentis only when the child's welfare is endangered or it is in the interest of public safety and then only after consideration of alternatives to out-of-home placement which afford effective protection to the child, his family, and the community; and
- To protect the community against those acts of its citizens, both juveniles and adults, which are harmful to others and to reduce the incidence of delinquent behavior and to hold offenders accountable for their behavior.

Trends and Analysis: After declining for CY2007 thru 2009, the number of domestic cases is now on the rise. Since the low of 6,580 cases in 2009, the number of cases has increased by 898 cases to 7,478, which translates into an increase of 14% over the most recent two year period. By contrast, juvenile cases have been on the decline since CY2007. During that 5 year period, the number of cases have decreased by 1,771 from 9,010 to 7,239. This 20% reduction over the period equated to an average annual reduction of 443 cases.

Data & Statistics: Historical caseload statistics for the Juvenile and Domestic Relations Court for the years 2007 – 2011 are included in Table 5-6 as follows:

Table 5-6
Chesapeake Juvenile and Domestic Relations Caseload Statistics

New Cases	CY 2007	CY 2008	CY 2009	CY 2010	CY 2011
DOMESTIC					
Capias	636	549	446	517	609
Civil Support	2,223	2,137	2,073	2,251	2,457
Criminal Support	4	9	5	3	3
Felonies	379	370	308	294	403
Misdemeanors	1,594	1,499	1,455	1,487	1,415
Other	0	0	3	65	32
Remand Support	449	337	358	363	363
Show Cause	1,446	1,519	1,458	1,492	1,724
Spousal Abuse	526	526	474	505	472
TOTAL	7,257	6,946	6,580	6,977	7,478
JUVENILE					
Abuse and Neglect	65	41	52	45	39
Capias	2	0	2	0	0
Child at Risk	0	0	0	0	3
Custody/Visitation	3,176	3,230	3,447	3,469	3,537
Delinq Felony	604	558	495	581	528
Delinq Misdemeanor	2,038	1,678	1,685	1,245	1,062
Emancipation	4	3	2	0	1
Entrustment Agree	0	0	0	2	0
Foster Care Review	85	86	58	76	53
Init FC Review	30	36	18	45	26
Juvenile Support	6	9	4	6	3
Paternity	38	70	86	103	83
Permanency Planning	45	36	26	28	48
Relief of Custody	3	8	6	6	7
Remand Custody	553	476	455	374	436
Remand Visitation	525	461	434	315	395
Show Cause	60	69	83	70	47
Status	453	435	367	233	186
TPR	44	47	21	14	34
Traffic	1,279	1,113	708	751	751
TOTAL	9,010	8,356	7,949	7,363	7,239
Source: Supreme Court of Virginia, District Courts CAIS-CMS System					

Although the Juvenile and Domestic Relations Courts' caseload does not significantly impact the overall Chesapeake Jail population, there may be a correlation between juvenile offenders and the likelihood of them becoming offenders in the adult system.

Interview Findings: The discussion with the representatives from the Juvenile and Domestic Relations Court yielded the following:

- All Judges deal with all matters.
- They were approved for 4th Judgeship several years ago; yet to be filled.
- All actions in JDR Court are subject to specific time requirements.
- The City of Chesapeake cares for their youth, and the extent of resources allocated to this purpose demonstrates that.

- About 50% of those youth charged as adults are transferred to the Jail versus the Juvenile Detention Center.
- Detention is based upon initial assessment.
- A large range of sanctions are used in dealing with youth offenses.
- Some concern expressed about future trends as the area grows and becomes more urbanized, particularly in terms of increasing gang activity.

DRUG COURT:

Agency/Program Function: The Chesapeake Drug Court includes specialized dockets within the existing structure of Virginia's court system that are given the responsibility for cases involving non-violent adult and juvenile felony drug possession charges. Drug Courts combine intensive supervision, drug testing and treatment, and regular court appearances as an alternative to traditional sentencing. The Drug Court is part of the Chesapeake Circuit Court and serves defendants who are on probation for non-violent felonies.

The Chesapeake Adult Drug Court Program began in 2005 and, of the five judges within the 1st Judicial Circuit Court, has two dedicated to hearing drug offense cases. The core partners are the Commonwealth Attorney's Office, Chesapeake Circuit Court, the Public Defender's Office, Community Services Board (CSB), Probation and Parole, Baby Steps, Inc., and the State Department of Rehabilitative Services. The core partners provide staff members that use a portion of their time for the drug court program. For example, the CSB provides the drug court program with a case manager who has been authorized to spend 20% of her time on drug court participants.

The program provides treatment and rehabilitation to adult drug offenders through partnerships with the above-referenced agencies and integrated service delivery of close monitoring, treatment and rehabilitation. The community benefits through a reduction in recidivism and decreased costs to the taxpayers for drug abusing offenders.

The Chesapeake Drug Court program is an unfunded program. Federal funding for the program ended in May 2008. The program relies on donations that are used to purchase items that directly benefit the participants. Therefore, this program operates entirely on existing resources.

Data & Statistics: Case figures for the Drug Court for the years 2009 – 2011 are included in Table 5-7 showing program activity statistics for the past three years as follows:

Table 5-7
Chesapeake Drug Court

Chesapeake	FY 2009	FY 2010	FY 2011
Drug Court Program			
Referrals	59	67	81
New Admissions	5	7	8
Active Participants	8	11	10
Graduates	2	2	6
Terminations	2	2	1

Source: Chesapeake Drug Court.

Trends and Analysis: Referrals to the program have increased steadily during the 2009-2011 period with a 14% increase in 2010 and a 21% increase in 2011. The number of active participants in the program has been averaging 10 over the last three years. While there is an increase in new admissions over the last 3 years, the program's success also has yielded an increase in the number of graduates.

Interview Findings: The discussion with the representatives from the Drug Court yielded the following:

- The Community Services Board (CSB) oversees the Drug Court in order to provide "wrap around" services;
- Majority of those in Drug Court are first time offenders;
- The success rate (not having a re-arrest within 1 year) is 80%;
- In order to get into the Drug Court program, the defendant must plead guilty. As a result, there is no plea bargaining and they are adjudicated once the plea is taken.
- The treatment program duration is 18 months;
- Weekly meetings with a probation officer is required. A meeting with the supervisor is also required once per week;
- Most Drug Court violators are remanded to the State prison system;
- It was suggested that expansion of the Drug Court would get offenders referred in a more timely manner which could alleviate bed space and allow offenders to return to society and maintain or regain employment, thus contributing to the tax rolls;
- Currently, the Day Center is working with the Crisis Intervention Team (CIT) to enhance community involvement.

MAGISTRATE OFFICE:

Agency/Program Function: Magistrates are part of the Court System and are judicial officers of the Commonwealth of Virginia. The Magistrate serving the City of Chesapeake has legal jurisdiction over all of the municipalities within Region 8, but typically does not write warrants outside of Chesapeake. This reorganization and regionalization, which took place in 2008, provides flexibility and capability in time of crisis for the magistrate to process defendants in other neighboring locations. Any hearings taking place outside of Chesapeake will be conducted by video.

Magistrates are state employees under the Executive Secretary of the Commonwealth of Virginia. A total of ten (10) magistrates, which includes the Chief Magistrate, provide 24/7 coverage and are located in office space adjacent to the jail.

Magistrates are expected to provide an independent and unbiased review of complaints brought to the office by law enforcement officers and citizens. Magistrates are trained to perform such duties as issuing search warrants, arrest warrants, summonses, subpoenas, and setting bail.

Magistrates take complaints for those who wish to file criminal charges on persons alleged to have committed criminal offenses. All arrestees are presented to the Magistrate. The Magistrate is specially trained to make independent and unbiased reviews of facts presented on sworn complaints in order to determine whether or not to issue arrest warrants, search warrants, summonses, and certain types of civil processes. The magistrates are able to "pull" a criminal history background check prior to issuing their ruling. The criminal history is used as part of the bail hearing to help determine whether or not that offender should be held.

Data & Statistics: Total Criminal processes for the years 2008-2011 was provided by the Magistrate's Office as follows:

Table 5-8
Chesapeake Magistrate – Criminal Processes

Criminal Processes	FY 2008	FY 2009	FY 2010	FY 2011
Warrants Issued	11,555	11,061	11,123	11,123
Bonds Issued	16,272	15,460	15,658	16,022
Other Processes	3,009	3,131	3,058	3,006
TOTAL PROCESSES	30,836	29,652	29,839	30,151
Source: Chesapeake Magistrate				

Trends and Analysis: The total processes have remained very steady over the past 4 years with variances of no more than 4% from the previous year. The breakout within the Criminal Processes for 2008-2011 reflects individual trends similar to what is happening at the aggregate level: warrants issued and bonds issued peaked in 2008, hit their low point in 2009, and remained within 5% of the 2008 level. Other processes peaked in 2009 at 3,131 and remained within 4% for the 4 year period.

Interview Findings: The discussion with the Chief Magistrate yielded the following:

- The Magistrate processes approximately 30,000 appearances per year, with a staff of 10 magistrates handling this caseload;
- Each of the 10 staff in the Region 8 Magistrate's Office are authorized magistrates. Currently, the magistrate is approved for 2 additional positions, but are unfilled. There are no support or administrative staff located in this office.
- Criminal processes leading up to 2008 were steadily increasing; however since that time, they have remained relatively steady;
- Technology has not significantly impacted the Magistrate's ability to operate and process their caseload. All technology upgrades to the system are introduced from Richmond and are implemented across the Commonwealth.
- Given the heavy workload experienced by the magistrates, burnout and retention is an issue for retaining staff for the long term.
- In most states, magistrates are sitting judges and hear misdemeanor cases. For Chesapeake, non-jailable offenses could be presented to the magistrate, and taken off the docket. This would dispose of approximately 1,000 cases/month (20% - 25% of the overall +/-30,000 processes). These misdemeanors, which carry fines and/or limited jail time, would include offenses such as domestic assault, traffic, shoplifting, trespassing, etc.

COMMONWEALTH ATTORNEY:

Agency/Program Function: The Commonwealth Attorney Office in the City of Chesapeake prosecutes all felony, DUI, and other misdemeanor cases in the General District, Juvenile, and Domestic Relations District and Circuit Courts. Each individual Commonwealth Attorney's Office establishes their policy on whether or not to plea bargain DUI cases.

Data & Statistics: The current 2011 staffing for the Commonwealth Attorney is noted as follows:

Table 5-9
Commonwealth Attorney Staffing

Attorneys	# POS FY10	Total POS Need	# Add. POS Need	# Whole POS Need	% of Need	New POS Alloc
Chesapeake	20.96	23	2.03	2	9.69%	2
Statewide	678.32	736	58.07	58	8.56%	53

Source: Compensation Board, Commonwealth of Virginia.

Trends and Analysis: For Fiscal Year (FY) 2011 the Chesapeake Commonwealth Attorney's Office is staffed with 43 persons, 24 of whom are attorneys assigned to the office. In addition, there are 5 vacant positions, (2 attorneys and 3 administrative). Two additional attorney positions have been allocated for the upcoming year.

The Commonwealth Attorney's office is cognizant of the fact that the criminal case processing times within its jurisdiction are below the Commonwealth's Judicial Council guidelines. [Note: this issue is more fully discussed in the Circuit Court section of this report.] However, the Commonwealth Attorney noted that the 1st Circuit is ranked 9th out of 31 jurisdictions for meeting the guidelines. Across the Commonwealth, jurisdictions ranged from 18.8% to 97.7% compliance, with the 1st Circuit above the state average of 43.2%

The Commonwealth Attorney believes that the employment of the two additional attorney positions will provide some improvement in the ability to maintain quality case management and prosecutorial services..

Interview Findings: The discussion with the Commonwealth Attorney yielded the following:

- Staffing standards created by the State Compensation Board are generally based on the number of projected felonies. Currently there are 5 vacant positions based on State and City budget cuts, as the State Compensation Board has allocated 26 positions with funding for 21;
- DUI arrests are higher than ever before;
- Mental illness is increasing as is an increase in prescription abuse;
- Cases will continue to trend upward generally across the Commonwealth. This is directly related to the number of law enforcement officers. The number of officers have most recently increased and as a result, the number of arrests have risen.
- More offenders have been placed on home electronic monitoring (HEM) than were initially recommended for the program operated by the Sheriff;
- A successful weekend program allow those offenders with current jobs to serve their sentence/repay debt, but keep their employment, and subsequently

help avoid the snowball effect of additional and more serious participation in the criminal justice system;

- There has been a significant increase in crimes against the elderly as they are ill equipped to deal with this - more elderly have some type of dementia. With the increase in the number of elderly, there is the potential for more victims, who are most recently affected by violent crimes and have fraud committed against them;
- To assist processing and avoid attorneys from having to take breaks, would be the addition of WiFi to courtrooms and also giving attorneys internet access;
- The use of improved video court connection may allow jury trials to conclude more quickly as is currently the case. Use of current technology (e.g. equipment in current video box) has hampered the time it takes to conduct jury trials;
- There is an increase in the number of jury trials with regard to drug distribution cases;
- Electronic record keeping will help with case processing. The Commonwealth Attorney purchased laser fiche equipment but does not have resources/budget to finish the project;
- The Norfolk Circuit Court Clerk is a pilot for paperless court processing; and
- The current standard for felony grand larceny is \$200. If that threshold is increased to \$500, it will eliminate the need for the Police department to obtain the warrant (store owners can get warrants for misdemeanors and would be able to get them for cases up to \$500). This would be more efficient and less burdensome on the Police department. Note that the change in amount for felony grand larceny can only be changed by the General Assembly, where it has consistently failed to pass.

PUBLIC DEFENDER:

Agency/Program Function: The Chesapeake Public Defender's Office commenced operations in 2005. Current staffing includes 13 attorneys, investigators, a sentencing advocate and other support staff. A significant number of cases are outsourced to area attorneys.

The Chesapeake Public Defender Office is an independent state agency that specializes in representing people charged with criminal offenses who can't afford a lawyer. The Public Defender Office receives cases only by appointment from the court. It handles cases in Juvenile and Domestic Relations District Court, General District Court, and Circuit Court for the City of Chesapeake. It also handles appeals in the Virginia Court of Appeals and the Virginia Supreme Court. Public defenders represent both juveniles in delinquency cases and adults on all criminal offenses that could lead to jail time.

Data & Statistics: Historical adult caseload figures for the Public Defender's Office for the years 2008 – 2011 are included in Table 5-10 as follows:

Table 5-10
Public Defender Historical Adult Caseloads

Chesapeake	Fiscal Year 2008		Fiscal Year 2009		Fiscal Year 2010		Fiscal Year 2011	
Adult Cases								
Total	3,649	%	4,689	%	4,180	%	3,925	%
Capital	0	0%	0	0%	0	0%	0	0%
Felony	1,630	45%	1,437	31%	1,304	31%	1,348	34%
Misdemeanor	1,942	53%	3,065	65%	2,673	64%	2,382	61%
Appeal	77	2%	187	4%	203	5%	195	5%

Source: Indigent Defense Commission, *Annual Reports*; and Chesapeake Public Defender's Office.

Fiscal Year runs July 1 through June 30.

Trends and Analysis: While the number of cases has been on the decline since the peak in 2009, the majority of the Public Defender's office workload has been on misdemeanor cases with the percentage remaining steady between 61% and 65%. Appeals over the last 4 years have stayed constant, at 5% or less. There have been no capital cases in the last 4 years and only 2 since 2005.

Interview Findings: The discussion with the representatives from the Public Defender's Office yielded the following:

- The Public Defender noted that a shortage of community resources for offenders with substance abuse and mental health issues limits opportunities for alternative sentencing and perpetuates a "revolving door" situation with this difficult population.
- While originally staffed at 11.5 attorneys in 2005, the addition of 1.5 attorneys in 2006-07 has not been enough to keep up with added caseload. The ratio for the Chesapeake Public Defender's office is about average compared to other PD offices in the Commonwealth. Caseload study in 2006-07 indicated that this office should have 2 more attorneys based on the projected caseload and prior to taking on traffic cases. However, PD staffing is based on population of area served;
- The Public Defender's Office does not believe that its current workload results in delays in case processing time; rather, it agrees with the Commonwealth Attorney's Office that the length of time it takes for Pre-Sentence Reports to be completed by State Probation is the primary cause for delay. Like the Commonwealth Attorney's Office, it believes the situation is much improved, as the time lag between trial and sentencing has been cut.
- Delays in receiving lab test results have impacted case time, but with the State statute allowing independent lab analysis to be obtained, has alleviated this obstruction.
- Case assignments are done when the representing PD in the courtroom is assigned a case. Generally cases are assigned based on attorneys' calendars, ad less based on experience of attorney with type of client/case;
- All funding for the Public Defender's office is through the State (Indigent Defense Commission). There is no local funding to support this operation;
- In 2006-07, caseload increased primarily due to the Public Defender taking on traffic offense cases;

- There is a statewide reduction in cases projected for FY2012, primarily due to the general reduction in police force activity. These numbers are expected to increase as police staff are added;
- As of February 1, 2012, there are 2,009 active cases in the Public Defender's office;

NON-CONFINEMENT ALTERNATIVES - COMMUNITY SERVICES BOARD:

The Chesapeake Community Services Board (CCSB) is an agency of the City of Chesapeake with the mission of optimizing the quality of life by providing exceptional services to the citizens of Chesapeake whose lives are affected by mental illness, mental retardation, substance abuse or developmental difficulties. The program is supported by local, state and federal tax dollars and by third party consumer fees.

The CCSB budget does not include funds specifically earmarked for jail services; however, agency staff seeks to support the jail as much as resources permit. A CCSB staff person provides 10-12 hours a week identifying "mental health" inmates who potentially can be placed elsewhere. In addition, it is not unusual for the agency to receive requests from the on-duty magistrate for assistance evaluating an individual brought in by a police officer.

The CCSB in cooperation with the Sheriff's Department and Police Department is applying to the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance for a \$50,000 grant, with a \$12,500, in-kind match to come from the Community Services Board. This grant will provide for planning and technical assistance to address public safety concerns regarding citizens with mental illness issues involved in the criminal justice system.

CCSB staff noted that misdemeanants with a mental illness on average spend eight months in jail. Often these individuals are waiting for transfer to the state facility for restoration to competency and the lack of beds in these institutions is a major problem.

ALCOHOL SAFETY ACTION PROGRAM (ASAP):

Agency/Program Function: The Southeastern Virginia Alcohol Safety Action Program serves the counties of Isle of Wight and Southampton, the cities of Chesapeake, Franklin, Portsmouth and Suffolk, and the town of Smithfield. Their office is located in Portsmouth and includes 8 full time staff and 15 part time instruction staff (who do not provide treatment services). Established more than 40 years ago, the focus of the program is to improve highway safety by decreasing the incident of driving under the influence of alcohol and other drugs.

The ASAP program is a private, not-for-profit organization.

ASAP programs offer four major categories of services: education, treatment, other intervention (traffic), and substance testing. Within those categories, there are several program/services provided such as:

- Education: alcohol education, drug education, intensive alcohol education, relapse prevention, and young offender (when available);

- Treatment: outpatient substance abuse treatment, intensive outpatient substance abuse treatment, and inpatient substance abuse treatment (service provider referred);
- Other intervention (Traffic): ignition interlock (Draeger, Smart Start, National, ISOV), suspended operator license intervention, driver improvement class, traffic safety class, and victim impact panel (MADD);
- Substance Testing: alcohol breathalyzer (on sight), and drug tests (approved for authorized locations);

Data & Statistics: Historical referral figures for the Southeastern ASAP program for the years 2008 – 2010 are included in Table 5-9 as follows:

Table 5-11 Southeastern Virginia ASAP

Referral Category	CY 2008	CY 2009	CY 2010
VASAP	1,571	1,718	1,655
Habitual Offender	198	235	196
Young Offender	27	42	46
Pre / Re-enrollments	294	314	179
Driver Improvement	531	546	494
SOLI	318	365	361
Ignition Interlock	26	26	44
Drug Offender	331	383	251
Other	12	73	726
TOTAL	3,308	3,702	3,952
Source: Commonwealth of Virginia Southeastern VA ASAP			

Trends and Analysis: The City of Chesapeake is the largest contributor of offenders among all the jurisdictions within the Southeastern Virginia ASAP. In calendar year 2011 the courts in Chesapeake referred a total of 1,208 offenders to the program (or 46% of all referrals). The community with the second most In 2006 the total number of referrals from Chesapeake dropped to 537 (or 43% of the total), and in 2007 a total of 500 individuals from Chesapeake were referred to the program (43% of the total program referrals).

Interview Findings: The discussion with a representatives from the Southeastern Virginia ASAP program yielded the following:

- ASAP receives their referrals from two sources: Court (General District, Traffic) and DMV;
- Participants cannot come into program voluntarily - a referral is required;
- Most of those who participate in the program, successfully complete it;
- Once referred, participants are required to pay a fee (generally \$250 - \$350) to enroll in the program; All training is classroom-based;
- In the Referrals Report for Southeastern VASAP for CY 2011, Chesapeake accounted for the largest number of referrals 1,208 (36%);
- A typical month includes 100-130 participants. In addition, the program also serves those with suspended operator licenses and conducts driver improvement courses;
- Case managers conduct a classification assessment which includes a blood alcohol concentration (BAC) test, review of case/family medical history, and arrest/criminal history (e.g. how many DUI's, arrests, etc.);

- The Judge sets the time for program participation (6 months to 3 years);
- Recently, the General Assembly has been looking to make ignition interlock mandatory for anyone found guilty of DUI. Judge can decide how long this device stays on the vehicle, which could be 6 months or more;
- When attending regular meetings, program participants can be tested. If they are suspected, they will be required to take a breathalyzer and could be sanctioned as a result of a positive reading;
- Those who do not come back to the program after 18 months following graduation are considered as completing the program successfully;
- Data to determine the number of court dispositions that receive ASAP referrals was not available;

COMMUNITY CORRECTIONS:

Agency/Program Function: The Community Corrections Agency (CCA) commenced in 1983 as the Community Diversion Incentive (CDI) Agency with the City of Chesapeake named as the Administrator and Fiscal Agent. Since 1995, CCA has been administered by the Chesapeake Sheriff's Office; however, effective July 1, 2008, the agency was reorganized under the administration of the Department of Human Services, a City department within the locality.

With the exception of facilities use, maintenance, and housekeeping (all provided by the City of Chesapeake), 100% of the administrative and operational costs to implement and manage services must be provided through grant funding. Note that the agency does collect fees for probation supervision (approximately \$20,000 annually).

The agency's two components are Pretrial Services; and Local Community-based Probation Services.

Data & Statistics: Pretrial Services Historical pretrial services figures for the years 2009 – 2012 are included in Table 5-12 as follows:

Table 5-12
Pretrial Services Historical Data

Pretrial Services	FY 2009	FY 2010	FY 2011	FY 2012 ¹
Annual Program Screenings				
Misdemeanor	61	325	177	138
Felony	294	878	590	600
Total Program Screenings	355	1,203	767	738
Annual Program Placements				
Misdemeanor	120	114	100	90
Felony	239	266	243	248
Total Program Placements	359	380	343	338
Average Daily Caseload				
Misdemeanor	24	19	19	19
Felony	88	83	79	90
Total Average Daily Caseload	112	102	98	109

Source: Chesapeake Community Corrections Agency.

¹ Annualized based on 6 months of data (7/11 to 12/11)

Table 5-13
Annual Length of Supervision

Pretrial Services	FY 2009	FY 2010	FY2011	FY 2012 ¹
Annual Length of Supervision				
Misdemeanor	73	62	71	79
Felony	134	114	119	133

Source: Chesapeake Community Corrections Agency.

¹ Annualized based on 6 months of data (July 2011-December 2011)

Trends and Analysis: Pretrial Services This CCA component provides judges with information to assist the court in making the best bond/release decisions for arrestees financially unable to make bail while awaiting trial. If released to the Agency, defendants are supervised in the community to ensure compliance with the conditions of release ordered by the court and monitored until the court return date to ensure the appearance. Optional services are determined by the court and may include house arrest, electronic monitoring and/or random drug testing.

Over the past few years, the agency has seen changes in staff that initially negatively impacted operations. Two investigators working in the jail were reassigned to the main office to enable them to supervise cases. As a result, no cases were investigated for much of FY2008 and FY2009. Since early 2009 the program has been able to resume their investigation process at the jail. Table 5-12 provides annual investigations, program placements and average daily caseload for misdemeanants and felons over the past four years.

Table 5-13 shows the average length of supervision for those misdemeanants and felons supervised. During this 4 year period, the number of cases dropped in FY 2010, but has been rising steadily since that time. Based on Jul-December data, it is expected that FY2012 will reach its 2009 levels. Also, the target average length of supervision is 71 days for misdemeanants and 125 days for felons.

Investigations

In FY2009 CCA performed a total of 355 investigations. In FY2011 that number more than doubled to the total 767 screenings. However, placements declined from 359 in FY2009 to 343 in FY2011. Based on six months of data, FY2012 is projected to end the year at approximately 338, close to the 2011 level. The impact on the jail of an additional 338 inmates placed on the program could be as high as an average daily population of 20 (calculated as 338 times 22 days (average length of stay) divided by 365 to estimate a daily count).

Placements and Caseloads

Placements have been declining since a peak of 380 in FY2010 and is projected to decrease to 338 for FY2012. The downward trend in placements is due in part to the lack of investigations and subsequently, a lack of recommendations. The average daily caseload has ranged from a high of 112 in FY2009 to a low of 98 in FY2011. Based on the six months of data, caseloads are expected to increase again going forward.

Length of Supervision

In FY2009 the average length of supervision for misdemeanors and felons was 73 and 134 days respectively. By FY2010 the average length of supervision for misdemeanors was reduced by 11 days to 62, and by 20 days for felons reaching 114 days. However, in 2011, this decline had been reversed, the average length of supervision increasing to 71 (misdemeanors) and 119 (felonies). For the first nine months of FY2012 the average length of supervision had increased further and projects to be 79 and 133 days respectively.

First Judicial Circuit Court Pretrial Service Practices

Judges in the First Judicial Circuit and District almost always require the posting of a secure bond in addition to supervision by Pretrial Services, a practice that appears contrary to the intent of the pretrial service program. In fact, the "Pretrial Services Guide" states that individuals who otherwise meet the specified criteria should not remain in jail solely due to their inability to meet the requirements of a secured bond.

Between FY2009 and FY2012 the court accepted the agency's recommendation for supervised release with no secure bond in just 33 of 291 misdemeanor situations (11%). In felony charge situations, the agency's recommendation for supervised release with no secure bond was accepted in 97 of 1,478 instances (7%). The Sheriff's Office staff working with CCA attempted to quantify the impact of this practice in Chesapeake. It is estimated that 20% of arrestees, who have a secure bond as a precursor to supervised release cannot raise the secure bond and, therefore, remain in jail until the conclusion of the case.

Table 5-14 shows Pretrial Supervision requirements when the judge had access to a Pretrial Service recommendation at the time of bond hearing. This condition of release often slows the release process.

Table 5-14
Release Requirements with Pretrial Services Recommendation

Pretrial Services	FY 2009	FY 2010	FY 2011	FY 2012 ¹
Misdemeanor Charge				
Supervision Release w/ PR Bond	44	84	109	54
Accepted by the Court	9	13	7	4
Rejected by the Court	35	71	102	50
Felony Charge				
Supervision Release w/ PR Bond	166	490	484	338
Accepted by the Court	8	24	27	38
Rejected by the Court	158	466	457	300

Source: Chesapeake Community Corrections Agency.

¹ Annualized based on 6 months of data (July 2011-December 2011)

Table 5-15 shows Pretrial Services requirements when there was no Pretrial Service recommendation at the time of bond hearing. The Table shows in the majority of cases, for both misdemeanor and felony charges, the court accepts the recommendation of the Pretrial Services staff to not allow for supervision.

Table 5-15
Release Requirements with no Pretrial Services Recommendation

Pretrial Services	FY 2009	FY 2010	FY2011	FY 2012 ¹
Misdemeanor Charge				
Accepted by the Court	8	42	7	6
Rejected by the Court	2	8	8	8
Felony Charge				
Accepted by the Court	52	151	14	52
Rejected by the Court	6	26	15	14

Source: Chesapeake Community Corrections Agency.

¹ Annualized based on 6 months of data (July 2011-December 2011)

Data & Statistics: Probation Historical probation services figures for the years 2009 – 2012 are included in Table 5-16 as follows:

Table 5-16
Local Probation Historical Data

Community Corrections	FY 2009	FY 2010	FY2011	FY 2012 ¹
Annual Program Placements				
Misdemeanor	623	682	598	568
Felony	19	21	26	12
Total Program Placements	642	703	624	580
Average Daily Caseload				
Misdemeanor	244	244	199	195
Felony	14	11	14	13
Total Average Daily Caseload	258	255	213	208

Source: Chesapeake Community Corrections Agency.

¹ Annualized based on 6 months of data (July 2011-December 2011)

Trends and Analysis: Local Probation The purpose of the community corrections component, or local probation, is to provide alternatives to sentencing for all courts. In lieu of jail, eligible offenders may be required to:

- Perform meaningful community service work; pay court ordered restitution and/or court costs;
- Participate in treatment for substance abuse, domestic violence counseling;
- Pursue education and/or employment while under agency supervision; submit to random unannounced drug screens; and
- Attend certain group meetings and demonstrate a positive and productive behavior.

Those not in full compliance with the program are returned to court for appropriate disposition and imposition of suspended jail sentence. As is shown in Table 5-16, placements into the program have decreased over the past three years for misdemeanor offenders, after increasing from 623 in FY2009 to 682 in FY2010. Since the peak, misdemeanor placements are down 17%. In contrast, felony placements have increased from 19 in FY2009 to 26 in FY2011, but are projected to drop to 12 (based on the Jul-Dec 2011 data) for FY2012.

The average daily caseload has decreased following the decrease in the overall number of placements of misdemeanor and felony offenders in the program. In FY2009 and 2010 the misdemeanor caseload was 244 which dropped to 199 in FY2011 and is projected to decrease further to 195 by the end of FY2012. Felony caseloads have remained constant during the period, averaging 13 between 2009 and 2011. It is projected that the caseload number for 2012 will be 13.

Interview Findings: The discussion with a representative from the Division of Community Corrections program yielded the following:

- Community Corrections Agency (CCA) is 100% grant funded;
- CCA began as Community Diversion Incentive Program and has been in existence for 20-25 years;
- Changes in practice have brought down the overall caseload and placement figures;
- On the pre-trial services side of the operation, CCA has the staff and resources to do more than is currently being done;
- Often, offenders end up in the jail because of the bond (and unable to make bond). It is believed that the judges do not feel confident that the offender will appear in court following the arrest (without securing them with the bond). Generally, ties to community, substance abuse history, employment status, and prior history of failure to appear determine whether arrestees will appear in court. This is a beneficial change;
- Once arrested, and bond is set, within 24-48 hours, the arrestee is arraigned. If bond is not paid, an attorney must be contacted for a bond hearing (bond hearings previously were conducted Mondays and Wednesdays at 2:00pm; since June 1, 2012, they are being conducted Monday through Friday at 10:00am);
- It is possible to have investigation done at arraignment; however, for the last 10-12 years it has been done at the bond hearing;
- For bond hearing (felony or DUI or domestic assault), Commonwealth Attorney and Public Defender are present;
- It was discussed that pre-trial should be an alternative to posting bond which could help alleviate space at the jail;
- Pre-trial arrestees do not pay a supervision fee since they are not adjudicated;
- CCA investigators are present in the courthouse and are notified by the court clerks the individuals that are going to come under CCA supervision;
- Regarding probation, CCA mostly handles misdemeanors, not felonies, which is opposite of what happens on the pre-trial side;
- State probation/parole handles those who have committed felonies out of Circuit Court (State system);
- The average daily caseload for State probation (felons) is 2,400 and for Chesapeake CCA it is 300 (misdemeanors);
- Currently the video arraignment does not affect CCA (staff are present at the courthouse). This capability is not necessary at this time and adding video-arraignment equipment would have to be budgeted;
- State probation makes use of the AnyTrax system for low issue cases. CCA uses AnyTrax for pre-trial cases (which have been turned over by the Sheriff);

STATE PROBATION:

Agency/Program Function: The City of Chesapeake is served by State Probation and Parole District 31. State Probation works closely with the Chesapeake Community Service Board and private vendors in the area of substance abuse treatment. State Probation handles those felons with suspended sentences to incarceration; and offenders placed on probation, parole, post-release supervision, or conditional pardon. As part of the management process, the District 31 staff conducts substance abuse screening and assessments, case supervision, surveillance, home visits, urinalysis, investigations, arrest record checks, and provides referrals to or direct provision of treatment services.

Probation District 31 utilizes the services of the Southampton Detention Center, Chesterfield Women's Diversion and Detention Center, the Stafford Diversion Center, and the White Post Diversion Center. The office has 38 full time positions. For a number of years there have been vacancies in the office, including vacancies in the investigator's section which is responsible for preparing Pre-Sentence Reports. In essence, even if there were no vacancies, the District 31's staffing has not kept pace with caseloads, at least in terms of the level of supervision that State Probation would want to provide.

Data & Statistics: Historical State Probation Services figures (District 31) for the years 2008 – 2011 are included in Table 5-17 as follows:

Table 5-17
State Probation and Parole Historical Data

Program	CY 2008	CY 2009	CY 2010	CY 2011
Probation	2,290	2,062	1,960	2,102
Parole	175	99	97	85
Post Release	N/R	31	30	23
Total Supervised	2,465	2,192	2,087	2,210

Trends and Analysis: Since 2008, the District's total caseload has decreased by 10%, decreasing from 2,465 in CY2008 to 2,210 in CY2011. The three program elements which make up that total have also decreased at various levels: probation decreased 8%, parole down 51%, and post release down 26%.

Interview Findings: The discussion with representatives from the Chesapeake Probation and Parole yielded the following:

- City of Chesapeake Judges frequently use blended sentences – a combination of bond and supervision. A relatively high number of pre-sentence individuals are placed on probation supervision.
- Parole caseload continues to go down, since it is only applicable now to individuals sentenced prior to 1995.
- The relatively new Behavioral Correctional Program established by the Commonwealth for therapeutic communities operated by Virginia DOC is a very important and viable initiative for alternative placement.
- The Compass Risk Assessment tool is used throughout the system, and provides evidence-based assessments.

- Individuals that pose the most difficult supervision are designated sex offenders, high risk/ mental health individuals, and those with violent criminal records.
- AnyTrax is used to monitor low risk offenders.
- State Probation officers do not make any arrests, those are all handled by local law enforcement.
- The Reentry focus of the current Governor should provide some beneficial impacts on the overall system.

INTRODUCTION:

The key to understanding jail population is recognizing that a jail's average daily population (ADP) is a factor of the number of persons admitted to the jail (ADM) and how long they stay in the jail (ALOS). The number of admissions is primarily a law enforcement issue (arrest factors). Length of stay is primarily a judicial issue, but is also impacted by the speed at which state sentenced inmates are transferred from the custody of the Sheriff to a Department of Corrections.

In accordance with historical method forecasting, monthly jail data from July 1997 to December 2011 (or 174 data points) was used to project the future inmate population. As required by the Board of Corrections, a minimum of ten years worth of data was used and the ADP numbers used did not include either contract or Federal inmates.

Table 7-1 provides historic ADP by month and calendar year since 1998.

Table 6-1
Historical Monthly Average Daily Population

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
January	501	500	573	554	632	607	744	746	877	959	995	1,105	950	953
February	489	510	562	564	632	608	713	723	886	986	1,005	1,083	968	995
March	470	481	550	556	614	613	722	749	865	989	1,005	1,031	988	991
April	467	477	536	557	657	649	735	778	884	994	1,019	1,024	1,004	962
May	454	473	562	573	660	672	764	818	901	1,020	1,021	1,013	1,016	955
June	478	490	566	597	622	677	747	832	911	1,072	1,065	1,011	976	979
July	483	494	540	600	627	681	768	864	933	1,049	1,104	990	987	990
August	472	497	523	582	644	717	757	897	994	1,034	1,118	987	976	1,010
September	479	512	536	619	652	758	784	898	965	1,048	1,115	962	971	1,036
October	502	544	548	640	641	745	759	898	976	1,044	1,130	962	955	1,086
November	527	532	554	629	608	767	770	908	970	1,056	1,139	940	940	1,096
December	499	541	558	639	612	753	738	882	965	1,016	1,118	952	939	1,109
Average	485	504	551	592	633	687	750	833	927	1,022	1,069	1,005	973	1,013

Source: Commonwealth of Virginia Compensation Board: January 2012.

The results of the forecast were summarized annually through 2021 and in five year increments through 2031. A brief explanation of each model is provided below.

FORECAST MODELS:

Three mathematical forecast models were run and tested for statistical validity: Auto Regressive Integrated Moving Average (ARIMA), and two Exponential Smoothing models. The ARIMA model was selected on the basis of its high R-square value (adjusted R-square), low BIC¹ and RMSE². Inmate population projections are based on historic trends, with the assumption that current policy will continue. Policy decisions (e.g. bail, sentencing and arrest policies, and state ready transports) can significantly impact jail population.

Model A – Holt (Exponential Smoothing)

Holt Exponential Smoothing uses recursive equations to obtain smoothed values for model components. Non-seasonal "level" and "trend" data is linearly trended. The Holt forecast extrapolates statistical estimates at the end of the data. The 7-2 shows smoothing weights for Model A.

¹ The Bayesian Information Criterion (BIC) is an approximate measure of the projecting performance to expect from the model. It rewards goodness of fit, as measured by the mean square errors. The model that minimizes the BIC is likely to provide the best projecting performance.

² Root mean square error (RMSE) is a measure of goodness of fit and is calculated by taking the square root of the average of the squared errors. RMSE is scaled dependent and used to compare projections of a given series across different models. The smaller the value, the more accurate is the projection.

Table 6-2
Model A Smoothing Weights

Component	Smoothing Weight	Final Value
Level	1.0000	1,109.0
Trend	0.0049	2.894

The indexes listed under the final value column represent the numbers actually used to create the forecasts. Since input data was on a monthly basis, output ADP was also on a monthly basis. Standard diagnostics include an adjusted R-square value of 0.99, a BIC of 25.04, and a RMSE of 24.31. The Durbin-Watson statistic was 1.96.

Model B – Winters (Exponential Smoothing)

The Winters Exponential Smoothing model is similar to the Holt models but with an added seasonal component. The model also used a total of 174 monthly data points and when fitted to the data recognized a linear and seasonality. Tables 7-3 and 7-4 provide the Model's Smoothing Weights and Seasonal Indexes.

Table 6-3
Model B Smoothing Weights

Component	Smoothing Weight	Final Value
Level	0.9880	1,112.0
Trend	0.0048	2.876
Seasonal	0.9999	

Table 6-4
Model B Seasonal Indexes

Seasonal Indexes			
Jan - Mar	1.001	1.002	0.997
Apr - Jun	0.999	1.001	1.001
Jul - Sep	1.002	0.999	0.995
Oct - Dec	1.003	1.003	0.997

Standard diagnostics for Model B provided an adjusted R-square value of 0.99, a BIC of 25.21 and a RMSE of 24.11. This model also fit the historical data well and the resulting forecasts are similar to the outcome from Model A.

Model C – ARIMA

ARIMA (Autoregressive Integrated Moving Averages) is a Time Series Analysis method. This method was applied to the historical ADP to predict future values. The time series fitted had a total of 174 monthly data points. The selected model used two parameters. The standard deviation, which measures how spread the data is, was 214.8. Model C yielded an adjusted R-square value of 0.99 and a BIC of 22.15 lower than the statistics reported for Models A and B. Table 7-5 provides the parameters and coefficients for Model C.

Table 6-5
Model C Coefficients

Parameter	Coefficient	St. Error
B[12]	0.7841	0.0450

Model Summary

All of the three models considered were developed using known modeling techniques. All models fit the historical data well, as seen in Table 7-6 which illustrates the historical annual ADP and each of the models fit of the historical data. In 2010 the City's estimated ADP was 973 for which all models estimated the ADP within 2 and 3. In 2011 the actual ADP was 1,013 and again models A and B estimated an ADP of 1002 (difference of 11) and model C estimated and ADP of 1,000 (difference of 13).

Table 6-6
Forecast Models Historical Fits

CY	Historical ADP	Fitted		
		Model A- HOLT	Model B- WINTERS	Model C- ARIMA
1998	485	484	483	492
1999	504	502	502	503
2000	551	551	551	552
2001	592	588	588	588
2002	633	638	638	639
2003	687	678	678	678
2004	750	754	754	756
2005	833	823	823	824
2006	927	923	923	925
2007	1,022	1,021	1,021	1,023
2008	1,069	1,064	1,064	1,066
2009	1,005	1,022	1,022	1,025
2010	973	976	976	975
2011	1,013	1,002	1,002	1,000

Source: AECOM; January 2012.

Table 6-7 provides a summary of the forecast results starting with the year 2012 through 2031. The forecast outcome for 2021 varies from a low of 1,441 from Model A to a high of 1,552 from Model C. In 2031 the forecast results vary from 1,787 to 2,016 from Models B and C. The Table provides the results for each of the models in annual increments through the year 2021 and five-year increments through 2031. The bolded results are indicative that Model C is the City's preferred planning model.

Table 6-7
Projected Average Daily Population Model Results

Projected ADP	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2026	2031
Model A-HOLT	1,128	1,163	1,197	1,232	1,267	1,302	1,336	1,371	1,406	1,441	1,614	1,788
Model B-WINTERS	1,131	1,166	1,200	1,235	1,269	1,304	1,338	1,373	1,407	1,442	1,614	1,787
Model C-ARIMA	1,135	1,182	1,228	1,274	1,321	1,367	1,413	1,460	1,506	1,552	1,784	2,016

Source: AECOM; January 2012.

Statistical indicators were reviewed within each of the Model's methodology description. A summary of the R-square, Durbin Watson, BIC and RMSE for each of Models A, B and C is provided in Table 7-8.

Table 6-8
Summary of Models Standard Diagnostics

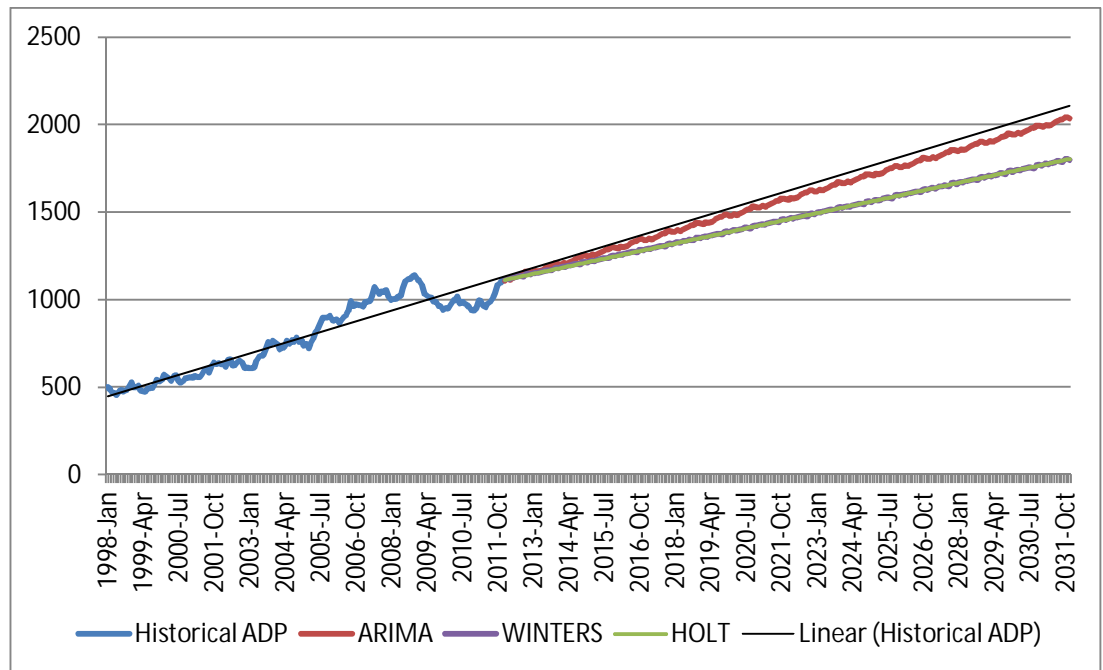
Statistics	Adjusted R-square	Durbin Watson	BIC	RMSE
Model A-HOLT	0.99	1.96	25.04	24.31
Model B-WINTERS	0.99	1.94	25.21	24.11
Model C-ARIMA	0.99	1.93	22.15	21.82

Source: AECOM; January 2012.

As seen above, the R-squares are 0.99 for all models. The Durbin Watson indicators ranged between 1.93 and 1.96. The lowest BIC (22.15) was provided by Model C as was the lowest RMSE (21.82). Clearly, all models rank very close; however Model C is expected to provide the most accurate results.

A graphic representation of the in-custody population projections for all three models utilized are presented in Chart 6-1..

Chart 6-1
Modeling Graph



INMATE FORECAST:

An analysis of each of the model's fit and statistical indicators resulted in the selection of Model C as the forecast model for Chesapeake. This Model yielded the highest adjusted R-square value, and the lowest BIC and RMSE values when comparing models A, B and C. For the year 2021 the model forecasts an average daily population of 1,552. By the year 2026 the number increases to 1,685 and for 2031 the forecast number is 1,891. [Note: that forecasts, by their nature, have a degree of uncertainty and the further out into the future the forecast goes, the higher the margin of error.] Table 6-9 presents the selected forecast model used to estimate future bed requirements.

Table 6-9
Selected Forecast Model

Model C - ARIMA	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2026	2031
Forecast	1,135	1,182	1,228	1,274	1,321	1,367	1,413	1,460	1,506	1,552	1,784	2,016

Source: AECOM; January, 2012

BED SPACE REQUIREMENT:

The mathematical forecast number does not take into consideration a facility's special management needs. The Board of Corrections requires that "there shall be a minimum of one special purpose cell (isolation, medical or segregation) for each 10 secure beds for which the facility is designed"³. The 2021 bed space requirement for City of Chesapeake is 1,708 beds which is arrived at by adding 151 special purpose beds to the 1,552 bed forecast number. The bed need requirement increases to 1,963 by 2026 and 2,217 by 2031. Table 8-1 provides projected bed requirements in annual increments though 2021 and five-year increments through 2031.

Table 6-10
Bed Space Requirement

Projected Bed Needs	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2026	2031
AECOM Forecast	1,135	1,182	1,228	1,274	1,321	1,367	1,413	1,460	1,506	1,552	1,784	2,016
Special Purpose Beds ¹	114	118	123	127	132	137	141	146	151	155	178	202
Total Bed Requirement (includes weekends)	1,249	1,300	1,351	1,402	1,453	1,504	1,555	1,606	1,657	1,708	1,963	2,217

Source: AECOM; January, 2012

¹ 10%

³ 6VAC15-80-480

BED DEVELOPMENT NEEDS: Chesapeake has a total of 543 rated bed capacity; therefore, to meet the year 2021 forecast requirement of 1,708 beds the City will need to develop 1,165 beds. Similarly to meet the 2031 year bed requirement of 2,217 a total of 1,674 beds will need to be developed. Table 8-2 provides a summary of the new beds development requirement through 2031.

Table 6-11
New Bed Development Requirement

Projected Bed Needs	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2026	2031
Total Bed Requirement	1,249	1,300	1,351	1,402	1,453	1,504	1,555	1,606	1,657	1,708	1,963	2,217
Current Rated Capacity	543	543	543	543	543	543	543	543	543	543	543	543
Total Bed Deficit	706	757	808	859	910	961	1,012	1,063	1,114	1,165	1,420	1,674

Source: AECOM; January, 2012

BED NEEDS BY CUSTODY: The Board of Corrections breaks down custody levels for its secure population in terms of maximum, medium and minimum security inmates. Unless justification is provided by historical data and information, the Board presumes that secure housing shall be 20% maximum, 40% medium and 40% minimum. The Chesapeake Sheriff's Office determined that its inmate population presents somewhat lower percentages of maximum and medium custody inmates and a higher percentage of minimum custody inmates. The Sheriff's jail classification and management staff has determined that the inmate custody break down for the Chesapeake City Jail is 15.0% maximum, 30% medium and 55% minimum. As of March 14, 2012, that breakout is 28% maximum, 39% medium, and 33% minimum.

The number of inmates who currently are in community custody is limited by lack of proper housing, as these inmates - for security reasons - need to be housed apart and kept separate from general population inmates. In fact, under present overcrowding conditions a little more than 100+ inmates can participate in off-site programs; a number that is far less than the approximately 200 inmates who are currently considered good candidates for off-site work. Projecting to the year 2021, up to 325 persons might be involved in off-site work activities and weekend detention. For the years 2026 and 2031 in excess of 370 and 416 respectively might be involved in off-site work activities and weekend detention.

Chesapeake is committed to housing inmates in the least costly setting as required by their classification and the need to insure their continued safe confinement. The primary planning factor is the safety and security of inmates, staff and the general public. Concomitantly, Chesapeake is cognizant of the needs of inmate special needs as well as advantages of providing appropriate and cost efficient housing for those inmates who can participate in off-site work crews and community custody programming.

Table 6-12 that follows, projects secure, community custody and special purpose housing bed needs for the years 2012, 2021, 2026, and 2031. The projection assumes current security percentages will continue.

Table 6-12
Projected Beds by Security Levels of Housing

Security Levels	2012	2021	2026	2031
TOTAL BED NEED	1,344	1,628	1,854	2,080
Forecast Beds	1,222	1,480	1,685	1,891
Maximum Secure	143	173	197	221
Medium Secure	286	346	394	442
Minimum Secure	524	635	723	811
Community Custody	269	325	370	416
Special Purpose Beds	122	148	169	189

Source: AECOM; January, 2012

As shown above the number of maximum security inmates for the year 2021 is 173 and is projected to increase to 197 by 2026 and 221 by 2031. The 2021 projection for medium security inmates is 346 expected to increase to 394 and 442 by the years 2026 and 2031. The minimum security inmate category has the largest need with a year 2021 projection for 635 beds increasing to over 800 by the year 2031. The need for community custody beds is projected at 325 by the year 2021 increasing to 370 by 2026 and 416 by 2031. The need for special purpose beds is the same as those numbers presented in Table 8-1.

Table 6-13 provides the security levels of housing breakdowns by gender.

Table 6-13
Security Levels of Housing by Gender

Projected Bed Needs	2012	2021	2026	2031
TOTAL BED NEED	1,344	1,628	1,854	2,080
Males (88%)	1,182	1,433	1,631	1,830
Maximum Secure	134	163	185	208
Medium Secure	240	291	331	372
Minimum Secure	464	562	640	718
Community Custody	236	286	326	366
Special Purpose	108	130	148	166
Females (12%)	161	195	222	250
Maximum Secure	9	10	12	13
Medium Secure	46	55	63	71
Minimum Secure	60	73	83	93
Community Custody	32	39	44	50
Special Purpose	15	18	20	23

Source: AECOM; January, 2012

[Note: Totals may not add up to Table 6-13 due to rounding.]

Housing Configuration

Virginia's Minimum Standards [6VAC15-80-340] require that maximum security be housed in single cells. Medium security inmate can be housed in either single, double or four-person cell; however at least 50% shall be in single cells. Minimum security inmates may be housed in dormitories. The Standards [6VAC15-80-480] also require the development of special purpose beds. For facilities greater than 250, the standards require that 90% of special purpose beds be constructed as maximum security cells (or single cells).

Table 6-14 provides a breakdown of the 2018 projected bed need (1,822) by security level and housing design, including secure housing, community custody, and special purpose beds. The table shows that for the year 2018, there is a need for 504 single cells, 194 double or four-person cells beds, and approximately 1,124 dormitory beds.

Table 6-14
Projected Beds by Housing Security Design – Year 2021, Total Beds 1,628

Projected Bed Need	Single Cells	Double / Four-person Cells	Dormitories	Total Beds
Maximum Secure	173	-	-	173
Medium Secure	173	173	-	346
Minimum Secure	-	-	635	635
Community Custody	-	-	325	325
Special Purpose Beds	-	-	-	-
Maximum Custody ¹	104	-	-	104
Other	-	-	44	44
TOTAL BEDS BY TYPE	450	173	1,004	1,628

Source: AECOM; January, 2012

¹ Special Purpose single cells is based on 10% of the secure housing projection (per 6VAC15-80-480)

The Issue of Mental Health Housing

A 2010 survey compiled by the State Compensation Board found that the Chesapeake City Jail had a total of 295 inmates with a mental illness. This number included 58 inmates with Schizophrenia, Schizoaffective Disorder or Delusional Disorder and 184 with Bipolar Disorder. Many of the remaining mental health inmates also require special handling. Unfortunately jails have become and will continue to house significant numbers of mentally ill inmates.

In addition to requiring comprehensive mental health services, these individuals require an appropriate housing situation. The Chesapeake City Jail does not currently have housing that responds to the needs of this population. As the above numbers show the facility currently requires upwards of 200 properly designed mental health beds. Extending this number to the year 2021, the need would be for 394 mental health beds. While a small portion of these beds would be covered under the special purpose beds category, the majority of the beds would be specifically in units operated and staffed for this special needs population. In 2026 the need would increase to approximately 449 and by the year 2031 the need would be for approximately 504 mental health beds.

BASIC FINDINGS:

The current Community-Based Corrections Plan effort is a follow-up to an earlier effort in 2008 for the City of Chesapeake that was never issued. All criminal justice system participants (including the Courts, Court-related Agencies, Community Corrections, Law Enforcement, Sheriff) were interviewed, data collected at that time; all participants interviewed, data collected again and updated in the current effort. Some basic findings are:

- The operation and service load flows in the Chesapeake criminal justice system have not changed significantly in the last several years.
- All agencies/participants continue to have experienced, capable people involved in performing their respective duties. In addition to knowing and performing their roles, they also communicate with the other (experienced) people they interact with, both within their own agencies and with other system components.
- All agencies would welcome additional staff to perform their responsibilities even better and more expeditiously. However, the bottom line is that they are getting the job done.
- The Judiciary is viewed as being relatively conservative, reflecting community values. While a wide range of sanctions, alternatives may be available, the Judges are going to utilize what they believe is appropriate for their community.
- In many ways, the Chesapeake Correctional Center is at the receiving end of the criminal justice process.
- Currently, the Jail has approximately 1,100 individuals held in a facility rated at 543 beds. Adding the required 10% factor to actual headcount, the facility should provide 1,200 beds, a shortfall of approximately 600+ beds.
- Gaining use of the temporary Proteus structures for minimum security housing (pre-release, work program, weekenders) would reduce the current shortfall by approximately 200 beds.
- By the year 2025, the current shortfall of 400 to 600 beds will rise to a shortfall of more than 800 to 1,000 beds.

STRATEGIES FOR REDUCING PROJECTED NEEDS:

The bed development needs projection presented in Section 6 assumes that current practices will continue unchanged; however changes to the jurisdiction's resources and operations could have a positive impact on long term forecast requirements. By 2021, the total bed capacity requirement is expected to increase another 36%. The impact of this will be reflected across all criminal justice system components, generating additional budget costs to accommodate the increased service loads.

While diversion programs and alternatives to incarceration are not free – they require staff and associated program costs – each in-custody bed day saved is more expensive than the diversion or alternative programs used to reduce those. Therefore, additional efforts in this regard are well worth the effort.

Utilize the Temporary (Proteus) Facilities

While there are issues with the Virginia Department of Correction, gaining use of these temporary facilities will significantly reduce the total bed space required by other means for at least 10 years. Moreover, they will provide a better environment for the intended pre-release, work force, and weekend programs that what is available within the Correctional Center today.

Reduce Secure Bonds for Pretrial Supervision

The current judicial practice of requiring a defendant to post a secure bond as a precursor to being released to Pretrial Services supervision results in higher jail populations. Pretrial Services noted that a number of these individuals would not be in jail but for the fact that they cannot procure the secure bond requirement.

Increase Use of Home Electronic Monitoring

Home Electronic Monitoring is not widely used in Virginia, but jurisdictions elsewhere have found this an essential and effective alternative to incarceration while maintaining viable appearance rates. This program should be reinforced and gradually expanded, demonstrating its viability to reduce jail overcrowding.

Day Reporting Center

Consideration should be given to diversion to a Day Reporting program (with testing as required) to provide another means to make individuals responsible for their actions while their cases are pending with the Courts. This is a potential use for one of the existing Temporary (Proteus) Structures.

Boarding Out: Hampton Roads Regional Jail (HRRJ)

The Hampton Roads Regional Jail is considering expansion to accommodate its member jurisdictions (the Cities of Hampton, Newport News, Norfolk, and Portsmouth) projected needs. Currently, they are housing approximately 300 federal inmates as "boarders" and is an exemplary facility.

HRRJ is not the "main jail" for its member jurisdictions, but rather provides for housing special needs individuals (high security, females, medical/mental health, and overflow) from those cities. Without needing to join the Regional Jail, the City of Chesapeake could explore boarding some of its in-custody and special needs inmates at HRRJ.

Note that boarding out would not reduce current staffing at the existing Correctional Center, and it would incur additional cost/inmate day at the boarding facility. However, it would help reduce the current significant overcrowding at the facility, and the problems associates with that.

State-Ready Transfer

The City needs to continue to have the Virginia Department of Corrections take state responsible inmates into their system as expeditiously as possible. In mid-June 2012 there were more than 230 individuals in the Correctional Center that had passed the time in which they should have been transferred to the Virginia Department of Corrections.

Boarding Out: State Beds

It may be possible to contract with the Virginia Department of Corrections for bed space for City responsible inmates in local state correctional facilities that have surplus capacity. It seems convoluted that the State has surplus beds, yet is not taking "state-ready" inmates in a timely manner. Virginia DOC has funding issues.

Case Management Vigilance

While the system appears to be operating relatively smoothly, diligence is required to review all cases, service loads regularly to ensure that minor issues are hindering movement of individuals through the system. Other jurisdictions have found that regular meetings of the key criminal justice system agencies can identify problem areas, provide agreement on system improvements, and help resolve issues with individual cases stuck in the system.

Mental Health Diversion

As cited on page 6-8, there are approximately 300 individuals today that should be in housing designed for mental health inmates. It is estimated that more than 40 of these individuals should be receiving full-time mental health services that can't be provided within the Correctional Center.

A recommendation is that the City of Chesapeake explore the necessary community resources and processes that would be required to increase mental health diversion to treatment milieus as early in the process as possible.

New Permanent Community-Based Buildings

The siting of the Temporary Structures was advantageous. Since they are re-locatable, it may be beneficial to relocate one or more of these structures and replace them with similar permanent building construction.

PLANNING REQUIREMENT:

The City of Chesapeake needs to expand its capacity to meet the projected bed requirement presented in Table 6-13, repeated here for reference.

Table 6-13 Security Levels of Housing by Gender

Projected Bed Needs	2012	2021	2026	2031
TOTAL BED NEED	1,344	1,628	1,854	2,080
Males (88%)	1,182	1,433	1,631	1,830
Maximum Secure	134	163	185	208
Medium Secure	240	291	331	372
Minimum Secure	464	562	640	718
Community Custody	236	286	326	366
Special Purpose	108	130	148	166
Females (12%)	161	195	222	250
Maximum Secure	9	10	12	13
Medium Secure	46	55	63	71
Minimum Secure	60	73	83	93
Community Custody	32	39	44	50
Special Purpose	15	18	20	23

Source: AECOM; January, 2012

[Note: Totals may not add up to Table 6-13 due to rounding.]

Simply looking at the total number of bed spaces required, the shortfall can be illustrated as follows:

Graphic 7-1 2021 Capacity Shortfall

	2008 Projection	Current Projection		
2021 Bedspace Requirement	1822	1708	-114	less
- Existing Rated Capacity	543	543		
projected shortfall	1279	1165		
Temporary A		74		
Temporary B		30		
Temporary C		90		
subtotal		194	rated vs. 266	
remaining shortfall		971		

Even using the 194 rated beds that could be potentially gained from use (or replacement) of the temporary facilities, the bed space shortfall will still be 971 beds.

Longer range planning must also deal with the fact that at least a significant portion of the old existing jail beds – notably the 118 beds in the “Landing”, the original portion of the Jail constructed in 1961 – need to be replaced as well. This would raise the “ten year” planning requirement to approximately 1,100 beds, not counting the eventual replacement of the temporary facilities.

Based upon some preliminary master planning work done in 2008, the existing Correctional Center facility could be expanded by approximately 600-700 beds on the existing site without relocating the existing Juvenile Detention Facility. Additionally, approximately 800 beds could be developed across Albemarle Drive on the existing Sheriff’s Administration Building site, while still maintaining an underground physical connection to the Courthouse and the existing Correctional Center. The operational cost of having two major, separate physical facilities across the street from one another was not evaluated.

The City recognizes the need to house low-risk offenders in an environment that provides them with access community programs and resources. The Sheriff’s Office City wants to expand its community custody operation through the development of 194 Community Custody and weekender beds. The Temporary (Proteus) facilities have already been constructed for this purpose. Review of the number of male plus female community based beds that are required [refer to Table 6-13 on page 6-7] show a current need of 268 community custody beds in 2012, growing to 370 beds in 2026. As demonstrated in the City’s initiative with the temporary facilities, these are a priority – particularly in terms of freeing up more secure bed capacity in the main facility.

Remaining beds meet total needs have to reflect the security level distribution mandated by the Virginia Department of Corrections. There also need to be a phased implementation plan to develop additional bed capacity incrementally, with potential use of contracted beds with the State or Hampton Roads Regional Jail on an interim basis to help reduce the significant and problematic overcrowding that exists today. Any meaningful reduction in overcrowding is still some years away, given the length of time it will take to master plan, design, and construction permanent capacity expansion in the City of Chesapeake.

City of Chesapeake Community Based Corrections Plan

SECTION 7: STRATEGIES FOR ADDRESSING NEEDS

August 29, 2012

CONCLUSIONS:

Officially in the Commonwealth of Virginia, a correctional facility is overcrowded when in house headcount exceeds 125% of rated capacity. In December, 2011, the Chesapeake Correctional Center was at 204% of rated capacity. Clearly there is a problem.

The City of Chesapeake should seek use of the temporary facilities the City constructed for their intended community-based programs as soon as possible, and seek interim housing solutions for in-custody inmates to reduce overcrowding. A master plan to define the optimal longer range solution also needs to be initiated as soon as possible.

City of Chesapeake Community Based Corrections Plan

APPENDIX A: CHESAPEAKE CORRECTIONAL CENTER SITE PHOTO & IMAGES

August 29, 2012

SITE PHOTO



City of Chesapeake Community Based Corrections Plan

APPENDIX B: INTERVIEW SCHEDULE

August 29, 2012

INTERVIEW SCHEDULE

Date	Time	Location	Agency	Agency Representative(s)	Consultant Team Representative(s)
24-Jan-12	9:00 AM	Chesapeake Police Department 304 Albemarle Dr., Chesapeake	Chesapeake Police Department	Tim Breslin Paul Leccese Mike Lewis Ben Orasko	J. Alan Buck Raymond Soya
24-Jan-12	10:30 AM	Chesapeake Correctional Center 400 Albemarle Dr., Chesapeake	Magistrate	Waverly Jones, Jr.	J. Alan Buck Raymond Soya
25-Jan-12	9:00 AM	505 Washington St., Portsmouth	Southern VA Alcohol Safety Action Program (ASAP)	Anthony Carmichael	J. Alan Buck Raymond Soya
25-Jan-12	10:30 AM	General District and Circuit Court Building 307 Albemarle Dr., Chesapeake	Commonwealth's Attorney Office	Robin Powell	J. Alan Buck Raymond Soya
25-Jan-12	1:30 PM	524 Albemarle Dr., Chesapeake	Public Defender's Office	Cynthia Michalski Kathy Ortiz	J. Alan Buck Raymond Soya
25-Jan-12	3:00 PM	1202 20th St., Chesapeake	Community Corrections Agency	Cori Craver	J. Alan Buck Raymond Soya
26-Jan-12	10:30 AM	General District and Circuit Court Building 307 Albemarle Dr., Chesapeake	Circuit Court and Drug Court	Kerry Savage Courtney Stewart Tammy White	J. Alan Buck Raymond Soya
3-Feb-12	3:00 PM	Juvenile & Domestic Relations District Court 301 Albemarle Dr., Chesapeake	Juvenile & Domestic Relations	Lori Creff Maury Brickhouse	J. Alan Buck
13-Feb-12	9:00 AM	808 Live Oak Dr., Chesapeake	Virginia State Probation and Parole	Michell Sorey	J. Alan Buck
13-Feb-12	2:30 PM	General District and Circuit Court Building 307 Albemarle Dr., Chesapeake	District Court	David Williams Debbie Ellington	J. Alan Buck
7-Mar-12	9:00 AM	Chesapeake Sheriff's Office 401 Albemarle Dr., Chesapeake	Chesapeake Sheriff's Office	Michael Geiger William Bennett Kevin Kight	J. Alan Buck
19-Apr-12	9:00 AM	Chesapeake Municipal Center 306 Cedar Dr., Chesapeake	Chesapeake Sheriff's Office	Mary Ann Saunders Jan Proctor Ron Hallman	J. Alan Buck

