Average Daily Population (Monthly)

- ✓ Average Daily Population (ADP) is based on the average number of **BODIES** sitting in your jail and are captured from the following categories:
  - ➢ Payments (Total Days) Local
  - ➢ Payments (Total Days) State
  - ➢ Payments (Out of State)
  - ➢ Non-Payment (Federal)
  - ➢ Non-Payment (Ordinance)
  - ➢ Non-Payment (Military)
  - ➢ Contract (Out of State)
  - ➢ Private Transports
- ✓ The ADP is achieved by totaling the number of inmates in all above categories and dividing this total by the number of days in the month.
- ✓ Please note that Home Electronic Monitoring (HEM) inmates are not part of this category.
- ✓ **Reports**
  - ➢ LIDS Reports Menu, Reconciliation Reports, Option 6-Monthly Average Daily Population (ADP) Comparison
  - ➢ The ADP for past months may also be viewed from the Reconciliation Tools Menu, Option 2-Financial Count by Payment Category

Appeals

Reason Confined Code 23 (RC-23) – Sentenced, Awaiting Appeal
Inmate has been sentenced with no additional charges pending. They have chosen to appeal their conviction.

- ✓ **RC-23 Procedure:** Funding for this inmate is dependant upon the offense type & sentence length. The per diem will be $4 if the inmate is Local Responsible and $12 if the offender has been sentenced on a felony with more than 12 months to serve, making them State Responsible.
  - ➢ Confine offender with RC-23
  - ➢ If offender is currently confined as Reason Confined '10'- *Pre-trial* access Option 3 from the Commitment Maintenance Menu, 'Update Confinement' to change the reason confined from '10' to '23'.
  - ➢ Enter sentencing information
  - ➢ Enter a Disposition Code of 'AP' (Appeal). This will help to distinguish that this sentence is under appeal until heard by a higher court

Confined After Certification

- ✓ When a prisoner is confined in LIDS *AFTER* the monthly report is approved:
  - ➢ Print screen that indicates that an adjustment is required, **OR**
  - ➢ Record in a log that an adjustment is required so the adjustor may make the financial adjustment if you have not been given authority
  - ➢ Be sure the adjustment is entered.
  - ➢ If the adjustment indicated is not entered, a message will appear on the Possible Error Report that a financial adjustment is needed
  - ➢ Failure to enter a necessary adjustment for a late confinement will also create an increase in the Average Daily Population (ADP) as well as an underpayment

Court Ordered to Jail (State Inmate) - 82

Reason Confined Code Description 82 (RC-82) SR Inmate Court Ordered To Jail
Inmate is ordered to serve all or a portion of State Responsible (SR) sentence in a local or regional jail.

- ✓ <u>RC-82 Procedure:</u> Funding for this inmate is $12 per day.
    - ➢ Confine offender with RC-82. Inmate is treated as a State Responsible Inmate
    - ➢ If the inmate <u>completes the **total** court ordered sentence **in jail**</u>, release the inmate from LIDS with Release Reason Code 39-*Sentenced Served.*
    - ➢ If the inmate completes the portion of the sentence that was ordered to be served in jail and remaining sentence is to be served in DOC, call DOC for inmate intake.
    - ➢ If DOC does not intake prisoner that day, release prisoner from LIDS with Release Reason Code '23'-*Confinement Change Within Facility*, and re-book the inmate as Reason Confined Code '20'-*Serving Sentence.*
- ✓ Common reasons a judge may take this action:
    - ➢ The inmate's parent/spouse is in poor health
    - ➢ Other extenuating circumstance that requires the inmate to be near their home locality
- ✓ RC-82 is <u>not</u> a valid confinement code <u>for every SR inmate</u> held in your jail. It is only for inmates that have been convicted and are serving a sentence of more than 12 months (State Responsible) that have been ordered by the court to serve their sentence in a local or regional jail.
- ✓ RC-82 would **<u>not</u>** be used in the following scenarios:
    - ➢ <u>If the SR inmate is appealing the sentence</u>
        - o Use Reason Confined Code '23', *Appealing Sentence - NO charges Pending* **or** Reason Confined Code '53', *Awaiting Appeal - Pending Charges*
    - ➢ If the SR inmate is remaining confined in the jail because the <u>Sheriff or Superintendent requested to keep them</u>, use Reason Confined Code '70'- *DOC Held by Agreement- At the Request of Local Authority (SR Inmate)*
- ✓ **Reports**
    - ➢ Reports Menu, Routine Reports, Option 1-List by Reason Confined Code

Day Reporting Center

- ✓ If inmate is sentenced to suspended time awaiting release to a Day Reporting Center, use:
    - ➢ Reason Confined Code '20' -*Serving Sentence.* No disposition needed
    - ➢ Release Reason Code '58' -*Day Reporting Center*
- ✓ **Reports**
    - ➢ Reports Menu, Routine Reports, Option 1-List by Reason Confined Code
    - ➢ Reports Menu, Routine Reports, Option 2-List by Reason Released Code

Department of Corrections (DOC) Inmates

Reason Confined Code 35 (RC35) - Court Appearance to Serve as a Witness (DOC Inmates) Inmate is serving sentence at a DOC facility and transferred to a local or regional jail to appear in court as a witness. Once their witness duties have been complete they will be transferred back to DOC.

- ✓ **RC-35 Procedure:** Funding for this inmate is $12 per day, as the inmate is State Responsible
  - ➢ Confine offender with RC-35.
  - ➢ Provide the following offense/sentencing information
    - o **VCC = PRI9909S9** (Held as a Material Witness)
    - o Disposition Code = 'SE' State Sentence
    - o Disposition Date = Last date the prisoner was sentenced on a felony charge which made him/her State Responsible
      - If the prisoner was originally confined to jail after 12/1/1996 and released as a RR-33 DOC inmate, then you should be able to locate the prisoner's sentencing information in LIDS **OR**
      - If the sentencing information is not available , enter the disposition date as the date confined

Reason Confined Code 62 (RC62) - Court Appearance (DOC Inmate)-Has Other Charges Pending

- ✓ For these inmates follow the same procedure as above, in addition to recording pending charges.
- ✓ In many cases pending charges were as a result of inmate actions while in DOC custody and were serious enough to warrant official criminal charges in lieu of institutional disciplinary action.
- ✓ This inmate would be considered Local Responsible and paid accordingly.

Reason Confined Code 70 (RC70)- Held by Agreement
Inmate is State Responsible but either the inmate or the Sheriff/Superintendent has requested that the inmate remain at the jail instead of being transferred to a DOC facility. The jail must make a written request to DOC and receive approval for this inmate to serve their sentence at the jail. These inmates are oftentimes jail cadres/trustees.

- ✓ **RC-70 Procedure:** Funding for this inmate is $4 per day. Although the inmate may have a State Responsible sentence, by virtue of the Sheriff/Superintendent's request to keep them, they are agreeing to hold the offender as a Local Responsible inmate.
  - ➢ Prisoner is currently confined as Reason Confined Code '20' -*Serving Sentence*
  - ➢ Release the inmate from LIDS using Release Reason Code '23'- *Confinement Change within Facility*
  - ➢ Rebook the inmate in LIDS with RC-70-*Held at the Request of the Jail*
  - ➢ As of the date of the confinement change the payment status for this inmate will become 'HA' Jail Cadre-By Agreement or Request
- ✓ **Reports**
  - ➢ Reports Menu, Routine Reports, Option 1-List by Reason Confined Code

Detainers (NON-ICE)

- ✓ The purpose of any Non-ICE federal detainer is to require the jail to notify the detaining agency as soon as possible of an offender's release date, as well as any changes in the release date.
- ✓ This gives the detaining agency the opportunity to assume custody of the offender upon release.
- ✓ For further information on federal procedures see the <u>Federal/Out of State Inmates, Federal Overhead Recovery,</u> or <u>ICE</u> sections.
- ✓ **Reports**
  - ➢ Reports Menu, Routine Reports, Option 4-Housed in Another Jail

Detention Center (Secured Facility)

- ✓ If an inmate is sentenced and awaiting release to a Detention Center, use:
  - ➢ Reason Confined Code '48' -*Held for Detention Center Program* **and**
  - ➢ Release Reason Code '43'- *To Detention Center.*
- ✓ **Reports**
  - ➢ Reports Menu, Routine Reports, Option 1-List by Reason Confined Code
  - ➢ Reports Menu, Routine Reports, Option 2-List by Reason Released Code

Dispositions

LIDS disposition codes were created to provide a way for users to show updates to an offender's confinement or case status, such as an appeal, or a sentenced inmate with a court ordered release.

- ✓ A list of LIDS disposition codes are available on the Compensation Board website.
- ✓ Not every charge in LIDS requires a disposition.
- ✓ Some jail management systems require a disposition on every charge. Certain dispositions were created in LIDS specifically for the purpose of preventing an error occurring if a batch jail uploaded a confinement to LIDS with a disposition code not recognized.
- ✓ Certain disposition codes are also available for the purpose of communicating to LIDS that a charge should be disregarded as of a certain date.
  - ➢ <u>Example</u>
    - o 'SC' Sentence Complete Disposition and a Disposition Date are entered on the offense screen to tell LIDS when the offender will have finished serving their sentence on that particular offense.
    - o This disposition is used most often with combination misdemeanor/ordinance sentences.
  - ➢ Payment for charges coded with a disposition that instructs LIDS to disregard as of a certain date, will cease as of the disposition date. The charge itself will be disregarded as of the disposition date plus one. This will prevent an inmate from appearing completelychargeless.

Diversion Center (Unsecured Facility)

- ✓ If inmate is sentenced and awaiting release to a Diversion Center, use:
  - ➢ Reason Confined Code '76' *Diversion Center*
  - ➢ Disposition Code 'DV', Diversion Center (when applicable)
  - ➢ Reason Release Code '44' *To Diversion Center*
- ✓ **Reports**
  - ➢ Reports Menu, Routine Reports, Option 1-List by Reason Confined Code
  - ➢ Reports Menu, Routine Reports, Option 2-List by Reason Released Code

DNA

- ✓ Upon arrest for a violent felony, or conviction of any felony, as specified in 19.2-310.2 and 19.2-310.2:1, a jail is required to take a saliva or tissue sample for DNA analysis. If a sample has already been taken, no further sample is required. Inquire in LIDS or the DNA Tracking System to determine if a sample has been taken.
- ✓ Buccal kits for DNA samples may be procured through the Dept of Forensic Science.
- ✓ The jail is required to record the DNA sampling drawn date in LIDS.
- ✓ DNA should <u>not</u> be taken from juveniles, unless specifically instructed by the court.
- ✓ The Dept of Forensic Science is responsible for entering DNA information into the DNA Tracking System, located on the Compensation Board website.
- ✓ Only staff of the Dept of Forensic Science has authorization to enter data or make changes. Access for all other users is inquiry only.
- ✓ To acquire a DNA Tracking System logon contact or Anne Wilmoth with the Compensation Board.
- ✓ See the DNA Section of this <u>LIDS Users Guide</u> for more detailed information
- ✓ **Reports**
  - ➢ Inmates Requiring DNA sample

Documentation

The Compensation Board auditors require copies of source documents, including normal input data that supports the committal, be included in the inmate's file. Copies of the court record are good to have as support to clarify any confusing or missing court data that may have occurred in the original committal documentation. In cases where the court uses computerized committal documents (Disposition Notices, etc.), the documents should be signed by a court official, or automated signatures may be used where the Supreme Court has authorized the use of such signatures in lieu of the original.

- ✓ **The <u>Code of Virginia</u> § 53.1-116 requires a record be maintained of incarceration in LIDS after the court or magistrate has issued one of the following (Refer to <u>LIDS Audit Guide</u>):**
  - ➢ "Disposition Notice" Form # DC 356 11/95 PC, ordered the Sheriff to confine person to jail
  - ➢ "Commitment Order" Form # DC-352 2/95 PC
  - ➢ "Transportation Order" charges the sheriff with authority and responsibility of committing person
  - ➢ Department of Corrections Parole Board Warrant
  - ➢ Court Order that authorized Sheriff to take custody of a specified body, or

- US Marshal (Federal or Military) form that authorized Sheriff to take custody of a federal prisoner
- Court issued inmate transfer
- Continuance Order, Form DC 355 01/00
- Contempt of Court Order and Certificate of Conviction (<u>Code of Virginia,</u> § 18.2-456, §18.2-458, and §19.2-267)
- Parole Board Warrant/Probation Violation
- Juvenile Detention Order

✓ A standard arrest warrant or personal recognizance form, according to the Supreme Court of Virginia, **does not** carry the authority for a prisoner to be recorded to LIDS

✓ **The Committal Order and the Warrant <u>should agree</u>**
- **If they disagree**, contact the magistrate's office to resolve issue
- Follow the magistrate's directive on the commitment order since that provides the legal authority to commit the individual to jail
- Audit staff will verify the data found in LIDS to the commitment order when conducting on-site audits

Drug Treatment Program – Court Ordered (State Responsible Inmates)

Reason Confined Code 81-(RC-81) Addictions Corrections Treatment (ACT)
Inmate is sentenced to a state responsible sentence length, however, the court order specifically forbids transport to DOC until they have completed the specified treatment program.

✓ **RC-81 Procedure:** Funding for this inmate is $4 per day, as the inmate is considered Local Responsible while participating in treatment.
- Inmate should be confined as RC-81.
- If they violate the treatment program, they should be released in LIDS using Reason Release Code '23'- *Confinement Change w/in Facility* and re-booked as Reason Confined '20'-*Serving Sentence*
- Once rebooked as RC-20, funding will increase to the $12 State Responsible per diem.

✓ **Reports**
- Reports Menu, Routine Reports, Option 1-List by Reason Confined Code

Effective Sentence

An offender's effective sentence is the sentence given by the judge less any suspended time. An offender's effective sentence does <u>not</u> include any good time credits.

Expungements

✓ **Option #9 Expungement Tools,** from the LIDS Main Menu, provides a means to remove offense records from LIDS.

✓ The only authority to authorize the expungement of an inmate's record is a court order.

✓ When an offense is expunged, it is as if it never existed and must be removed from LIDS.

✓ To un-expunge an offense another court order is necessary.

✓ Only the certifier will have access to this option.

Extradition Warrant

A Warrant of Extradition (also sometimes called a fugitive warrant) is issued by a magistrate to require an individual be brought to court to answer the allegation that they have fled from charges in another state. This warrant is usually issued after a law enforcement officer or jail personnel has discovered through NCIC/VCIN that the individual has a warrant for their arrest in another state.

- ✓ **Procedure:**
  - ➢ If an inmate has been committed to jail as the result of an Extradition Warrant they should be confined in LIDS as Reason Confined Code '10' - *Pretrial, No Pending Charges.*
  - ➢ If the offender is currently serving sentence on a Virginia conviction, they will remain confined with the code appropriate to their current sentence.
  - ➢ VCC = **PRI9912S9** (Held on Out-of-State Felony Warrant)
  - ➢ VCC = **PRI9911S9** (Held on Out-of-State Misdemeanor Warrant)

Federal / Out of State Inmates

- ✓ If the Sheriff or Regional Jail Superintendent houses contract prisoners from other states, Reason Confined Code '78', or the Federal Government, Reason Confined Code '73', the following fields are required:
  - ➢ 'Housing Status' - Use to report the prisoner's Housing Unit Security Level by indicating:
    - o 'Min' (Minimum), 'Med' (Medium) or 'Max' (Maximum)
  - ➢ 'Facility Location' - Use to report the prisoner's Security Classification by indicating:
    - o 'Min' (Minimum), 'Med' (Medium) or 'Max' (Maximum)
  - ➢ 'Detainers' – Used to report other out of state/federal agencies or jurisdictions that have placed detainers on this inmate.
    - o For example: If an inmate is being held for the US Marshals but also has a detainer placed on them by ICE, the 'Detainer' field should be checked 'Y' and in one of the boxes marked 'Jail Number' the FIPS code for ICE-884 should be used.
  - ➢ 'Current Location' - Use to report the Prisoners Origin/Contract Agency by indicating:
    - o Other State, District of Columbia, or Federal Agency
    - o For example: If an inmate was held for the US Marshals, "US Marshals" should be entered in the 'Current Location' field.
- ✓ Jails are required to report this information to the Department of Corrections.
- ✓ **Reports**
  - ➢ Reports Menu, Routine Reports, Option 1-List by Reason Confined Code
  - ➢ Reports Menu, Financial Reports, Option 2-Monthly Billing, or Option 3-Monthly Billing-FED Only
  - ➢ Reports Menu, Archive Menu, Option 5-Out of State Contract Prisoners

Federal Overhead Recovery

The Compensation Board recovers from the locality or regional jail authority the state-funded costs associated with housing federal inmates, District of Columbia inmates, or contract inmates from other states. This includes grants, salaries, vehicles and construction costs.

In order to recover the costs associated with housing these inmates, the Compensation Board uses a cost-recovery methodology based on the average daily population (ADP) of federal and out-of-state prisoners. On a jail by jail basis, the Compensation Board multiplies the jail's current inmate days for this population by the proportion of the jail's per inmate day costs provided by the Commonwealth (as noted in the most recent Jail Cost Report) or, if the jail is not included in the most recent Jail Cost Report, the statewide average of per inmate day funds provided by the Commonwealth.

Federal Overhead Recovery is calculated in LIDS each month and automatically deducted from the subsequent quarterly per diem payment. The Jail Certification Summary screen will indicate the amount to be recovered. If the recovery amount exceeds the per diem payment amount, the jail must submit payment to the Compensation Board for the difference. In addition, the Compensation Board is required to withhold per diem payments for any facility that houses federal/out of state inmates in excess of the number of beds contracted for with the Department of Corrections, (JCB's) unless the DOC Director certifies to the chairman of the Compensation Board that the:

- ✓ Beds used for federal inmates are not needed for state or local inmates;
- ✓ Operational capacity of the jail was built under contract with the federal government;
- ✓ Jail received a federal grant for a portion of capital costs; or
- ✓ Jail has applied for participation in the DOC Contract Bed Program and has a sufficient number of beds needed by the DOC at that facility in any given fiscal year.

Federal Overhead Recovery does not apply to local or regional jails where the cumulative federal share of capital costs exceeds the Commonwealth's cumulative capital contribution.

Fiscal Year

- ✓ **Fiscal Year** = 4 charter data field
  - ➢ **2011** = July 1, 2010 – June 30, 2011
  - ➢ **2012** = July 1, 2011 through June 30, 2012

- ✓ **Quarters**   **Reimbursed**

  - ➢ 1st Quarter = March, April, May   July

  - ➢ 2nd Quarter = June, July, August   October

  - ➢ 3rd Quarter = September, October, November   January

  - ➢ 4th Quarter = December, January, February   April

Funeral

- ✓ If an inmate, still in the custody of the jail, is escorted by a deputy to attend a funeral, the inmate **should not** be released from LIDS.
- ✓ If a Court Order releases an inmate from the jail's custody to attend a funeral, the inmate **should** be released from LIDS using Reason Release Code '25' – *To Furlough*. Regardless of whether the release is overnight or only for the day, the inmate is unsupervised and therefore not considered to be in the custody of the jail.

Governors Warrant

If an individual refuses to sign a waiver of extradition the state demanding their return may send a request to the Governor of Virginia, via the Secretary of the Commonwealth, to release the individual to that state's custody. If the Governor agrees, he will then issue a Governor's Warrant, ordering the fugitive's arrest and delivery to the demanding state.

- ✓ If an inmate is being held on a Governors Warrant use Reason Confined Code '74' -*Held for Out of State Authority (Payable, Held On State Warrant*
- ✓ VCC= PRI9912S9 (Felony out of state Warrant) **or**
- ✓ VCC= PRI9911S9 (Misdemeanor out of state Warrant)
- ✓ **Reports**
  - ➢ Reports Menu, Routine Reports, Option 1-List by Reason Confined Code

Holding for Locality

- ✓ The 'Holding for Loc' (Holding for Other Locality) field provides a means to identify inmates being held for other jurisdictions.
- ✓ LIDS will default the 'Holding for LOC' to your jail number.
  - ➢ If the offender is NOT your prisoner, update "Holding for LOC" to reflect the FIPS code of the jurisdiction for which they are being held.
- ✓ Regional Jails **must** input the FIPS code of the locality for which the inmate is being held. This identifies the locality to be billed.
- ✓ **Reports**
  - ➢ Reports Menu, Routine Reports, Option 4-Housed in Another Jail

Home Electronic Monitoring (HEM) and Supervised Work Program

Reason Confined Code 80- Home Electronic Monitoring (HEM) and Reason Confined Code 85-Home Electronic Monitoring (HEM) w/ Supervised Work Program The Home Electronic Monitoring Program (HEM) is an alternative to incarceration. Offenders may be placed into HEM by court order or by the sheriff/superintendent. This population may be payable or non-payable. These offenders are recorded in LIDS as Reason Confined '80' -*Home Electronic Monitoring Alternative Program* or Reason Confined '85'-*Home Electronic Monitoring w/ Supervised Work Program.*

- ✓ Requirements to Receive Payment
  - ➢ The alternative program must be approved by Department of Corrections (DOC) or Dept. of Criminal Justice Service (DCJS).

- ➢ Offender must be fully sentenced. If the sheriff/superintendent chooses to place an un-sentenced prisoner in HEM the prisoner will be captured in LIDS as non-reimbursable.
- ✓ State Responsible (SR) inmates may participate in HEM upon approval from DOC.
- ✓ **RC-80 or 85 Procedure:** Funding for an inmate meeting the above criteria is $4 per day. Payment for this inmate will begin once the offender has been fully sentenced and the Compensation Board receives notification from DOC or DCJS that an alternative monitoring program for the jail has been approved.
  - ➢ Once placed into an approved alternative program, release the offender in LIDS using one of the following Reason Release Codes, whichever is most appropriate:
    - o '47' *Diverted to Supervised Work Experience Program*
    - o '41' *Serving Sentence-Work Release*, to be used when an offender comes off of Work Release and is placed in the HEM program.
    - o '55' *Diverted to Electronic Surveillance Program*
  - ➢ Re-book the inmate in LIDS on the same day he/she was released using one of the following Reason Confined Codes:
    - o RC-80
    - o RC-85
  - ➢ When a prisoner <u>completes</u> the alternative program release them in LIDS with Reason Release Code '59' -*Released from Alternative Program*
  - ➢ If an offender violates the alternative program and is returned to jail:
    - o Release them in LIDS using Release Reason Code '23'-*Confinement Change w/in Facility OR Violated Program*
    - o Re-book them in LIDS on the same day using Reason Confined Code:
      - o '20', *Serving Sentence* <u>OR</u>
      - o '50', *Serving Sentence, Has pending charges*
- ✓ **Reports**
  - ➢ Reports Menu, Routine Reports, Option 1-List by Reason Confined Code

Illegal Alien Procedure, Warrant of Arrest

If an inmate is arrested on an Illegal Alien state warrant pursuant to § 19.2-81.6, the warrant gives Immigrations & Customs Enforcement (ICE) 72 hours from the date and time the warrant was issued to pick up the offender, or enter into a contract with the jail to hold him/her as their inmate. An Illegal Alien Warrant serves the same basic function as an ICE detainer.
- ✓ **Procedure:**
  - ➢ Book offender into LIDS with Reason Confined Code '10' -*Pre-Trial*.
  - ➢ If inmate is released via court order within 72 hours, use Release Reason Code '18' - *Court Order.*
  - ➢ If inmate is released to the custody of ICE, use Reason Release Code '51'- *To Federal Authority.*
  - ➢ If the inmate remains committed to jail after the 72 hours, use Release Reason Code '23' – *Confinement Change Within Facility* **then**
  - ➢ Recommit using Reason Confined Code '73' - *Held for Federal Authority/District of Columbia.*
  - ➢ The date an inmate is confined with RC-73, federal overhead recovery will begin.
  - ➢ For additional information on Illegal Alien/Federal Detainer procedures see the July 2010 edition of the LIDS Gazette.

> **§ 19.2-81.6. Authority of law-enforcement officers to arrest illegal aliens. Effective 7/1/04.**
> All law-enforcement officers enumerated in § 19.2-81 shall have the authority to enforce immigration laws of the United States, pursuant to the provisions of this section. Any law-enforcement officer enumerated in § 19.2-81 may, in the course of acting upon reasonable suspicion that an individual has committed or is committing a crime, arrest the individual without a warrant upon receiving confirmation from the Bureau of Immigration and Customs Enforcement of the United States Department of Homeland Security that the individual (i) is an alien illegally present in the United States, and (ii) has previously been convicted of a felony in the United States and deported or left the United States after such conviction. Upon receiving such confirmation, the officer shall take the individual forthwith before a magistrate or other issuing authority and proceed pursuant to § 19.2-82.
> (2004, cc. 360, 412.)

Immigration & Customs Enforcement (ICE) Detainers

      If a jail receives a detainer on an inmate from Immigration & Customs Enforcement (ICE) they are required to hold him for 48 hours to allow ICE time to take custody of that inmate. Additionally, the jail is required to notify ICE as soon possible of an offender's release date, as they may be held in jail on other pending or sentenced charges.

- ✓ The following procedure is for offenders held <u>solely</u> on an ICE detainer on which there is <u>**no**</u> Alien Number, and for which ICE <u>**will not**</u> be billed:
  - ➢ Inmate should be confined as Reason Confined '10'-*Pre-Trial*
  - ➢ **VCC = ARR9988S9** (Authority to arrest illegal aliens)
  - ➢ After 48 hours the jail must either release the inmate or ICE must take responsibility for him by picking him up or entering into an agreement with the jail to hold him as their inmate.
  - ➢ If the inmate is released into the custody of ICE use Reason Release Code '51'-*To Federal Authority.*
  - ➢ If the inmate remains committed to jail after the 48 hours, use Release Reason Code '23' – *Confinement Change Within Facility* **then**
  - ➢ Recommit using Reason Confined Code '73' - *Held for Federal Authority/District of Columbia.*
  - ➢ The date an inmate is confined with RC-73, federal overhead recovery will begin.
- ✓ The following procedure is for offenders held <u>solely</u> on an ICE detainer, on which there **is** an Alien number, or for which ICE <u>**will**</u> be billed:
  - ➢ Inmate should be confined with Reason Confined Code '73'- *Held for Federal AuthorityDistrict of Columbia*
  - ➢ **VCC = ARR9988S9** (Authority to arrest illegal aliens)
- ✓ Inmates with an ICE detainer who are also being held on state/local charges should be confined with the Reason Confined Code appropriate to their charges.
- ✓ The first 48 hours of an inmate's confinement held solely on an ICE detainer should only be payable by the Compensation Board if these hours are not billable to ICE. A jail should not be receiving payment from the Compensation Board and then additionally from ICE for those first 48 hours of confinement held solely on an ICE detainer.
- ✓ If an inmate is booked in as RC-73 under the assumption that ICE will pay for the confinement, and ICE then refuses to pay, you may update the confinement in LIDS to be RC-10 for the first 48 hours.
- ✓ For additional information on Illegal Alien/Federal Detainer procedures see the July 2010 edition of the LIDS Gazette.

Jail Contract Bed (JCB) and Jail Contract Work Release (JCW) Programs

The Jail Contract Bed (JCB) and Jail Contract Bed Work Release (JCW) programs were a way for the Department of Corrections (DOC) to relieve overcrowding in state prison facilities by allowing a certain number of State Responsible inmates, no more than 500, to remain in permanent beds in local/regional jails. In exchange for housing these SR inmates the jails would receive a higher per diem for each inmate in the JCB/JCW program. The JCB/JCW program was discontinued as a result of 2010 General Assembly action.

Juveniles Sentenced as an Adult

- ✓ If a juvenile offender is committed to jail and sentenced as an adult, refer to the following:
- ✓ **Procedure:**
  - ➢ Commit the juvenile in LIDS as Reason Confined Code '39' -*Juvenile Sentenced as an Adult.*
  - ➢ If the inmate is sentenced and the court order reads "Indeterminate Youthful Offender," enter '0700' in the Sentence Length Years category within the Offense Information screen. Otherwise enter the determinate sentence as usual.
  - ➢ If the juvenile inmate is released to the Department of Juvenile Justice, release in LIDS using Reason Release Code '30'- *To Serve at Department of Juvenile Justice.*
  - ➢ If the inmate was commanded to serve their sentence in an adult facility, once they turn eighteen, update the reason confined to be one of the following:
    - o Reason Confine Code '20'-*Serving Sentence*
    - o Reason Confine Code '50'-*Serving Sentence w/Pending Charges.*
- ✓ Penalty Modifiers
  - ➢ When the juvenile court sentences an adult who has committed, before the age of eighteen, a felony, the sentence may not exceed that of a Class 1 misdemeanor.(§16.1-284)
  - ➢ To allow these sentences to be entered in LIDS a penalty modifier of "J" was developed. Only offenses sentenced under this statute will have this modifier.
- ✓ **Reports**
  - ➢ Reports Menu, Routine Reports, Option 1-List by Reason Confined Code

Juvenile Court

- ✓ Required field if a Juvenile Reason Confined Code is used to confine a prisoner
  - ➢ '1' – Juvenile & Domestic Relations Court
  - ➢ '2' – General District Court
  - ➢ '3' – Circuit Court
- ✓ A juvenile detention order (court petition), carries the authority to bring a juvenile currently incarcerated in a juvenile detention center, who is now 18, to jail.

LIDS-ICE Request Tracking System

Code of Virginia § 53.1-218, enacted by the 2008 General Assembly, states that upon commitment of any offender to jail it is the duty of the sheriff/superintendent to inquire as to whether the offender is a citizen of the United States. If an offender states that they are not a U.S. Citizen they must be asked (i) was the offender born in another country, and (ii) can the offender claim citizenship to a country other than the U.S. An Illegal Alien Query (IAQ) must be made for any offender who answers affirmatively to both questions, or for whom the answer to one or both questions is unknown. In an IAQ, an inmate's name and any other identifiers are submitted to ICE through VCIN in an attempt to determine an inmate's alien status. § 53.1-218 also requires that the record of the IAQ and its response be logged in the LIDS-ICE tracking system.

- ✓ **Procedure:**
  - ➤ If an inmate who states they are not a U.S. citizen also states that they were born outside of the U.S. or are a citizen of another country, run an IAQ to ICE through VCIN. If your jail has Livescan the IAQ will be run automatically when the offender is fingerprinted.
  - ➤ Access the LIDS-ICE Tracking System and log that the IAQ has been submitted.
  - ➤ Once the response has been received from ICE through VCIN, re-enter the LIDS-ICE Tracking System and log the results of the query.
- ✓ Failure to run necessary IAQ's, **or** to track them in the LIDS-ICE tracking system may result in a significant audit finding.
- ✓ A helpful list of FAQ's regarding this subject may be found in the April 2011 LIDS Gazette.
- ✓ The LIDS-ICE Tracking System is accessed through the Compensation Board website under 'Restricted Access'. Instructions may be viewed or printed from the login page. Users create their own login id and password.
- ✓ If the jail of original intake has run the IAQ, the "transferred to" jail does not have to run the IAQ if **all of the following criteria** are met: (Sept 2011 LIDS Gazette)
  - ➤ The inmate's confinement is contiguous, with no release between confinements.
  - ➤ No more than 45 days has elapsed since the last IAQ was run.
  - ➤ A copy of the IAQ and its response is forwarded to the "transferred to" jail and filed there in the inmate's folder. If the original jail fails to forward the IAQ response, the 'transferred to" jail may search the LIDS-ICE Tracking System for the IAQ record entered by the jail from which the IAQ was run, print the record and file in the inmate's folder.

Local Hospital

Reason Confined Code 37 (RC-37) - Held in a Local Emergency Center/Hospital Inmate is sent for medical treatment to a local emergency medical and/or hospital while in the custody of the jail. This does <u>not</u> include inmates sent to a mental health facility, such as Central State Hospital, etc.

- ✓ If prisoner is released to a Local Emergency Medical and/or Hospital and does NOT stay more than <u>one</u> night **DO NOT release inmate in LIDS.**
- ✓ **RC-37 Procedure:** Funding will continue at the same rate at which the jail was paid for this inmate prior to being sent to the hospital. If the inmate was State Responsible (SR) prior to being sent for treatment the jail will continue to be

paid the SR per diem of $12. If they were Local Responsible (LR) prior to being sent for treatment the jail will continue to be paid the LR per diem of $4.

> Release from LIDS using Reason Release Code '45'-*To Emergency Medical Hospital*
> Rebook using Reason Confined '37'-*Held in a Local Emergency Center/Hospital.*
> LIDS users are required to record the name of the local hospital.
> **If released from a Local Emergency Medical and/or Hospital back to jail:**
>   o Release in LIDS with Release Reason Code '23'- *Confinement Change w/in Facility.*
>   o Rebook with confinement code that applies (pre-trial, sentenced, pending charges).
> **If released from a Local Emergency Medical and/or Hospital to the community:**
>   o Release prisoner from LIDS using a release reason code that applies (see LIDS Users Guide)

✓ **Reminder:** If you use Release Reason Codes 23 or 45, as mentioned above, and are an on-line jail, it will save time by re-booking the inmate in LIDS using Option 'F' - Re-Commit No New Charges from the Commitment Maintenance Menu.

✓ **Reports**
> Reports Menu, Routine Reports, Option 1-List by Reason Confined Code

Local Responsible Inmate

A Local Responsible Inmate (LR) is any person arrested on a state warrant and incarcerated in a local correctional facility, as defined by § 53.1-1, Code of Virginia, prior to trial; or (b) any person convicted of a misdemeanor offense and sentenced to a term in a local correctional facility; or (c) any person convicted of a felony offense after January 1, 1995 and given an effective sentence of (i) twelve months or less or (ii) less than one year or (d) any person convicted of a felony offense prior to January 1, 1995 and given an effective sentence of less than two years.

✓ **Reports**
> Reports Menu, Financial Reports, Option 8-Payment Status

Misdemeanor/Ordinance Combination Sentences

The Compensation Board pays per diems for committals to jail for those inmates arrested on state warrants. A misdemeanor charge is issued on a state warrant and therefore any inmate confined on a misdemeanor offense would be considered Local Responsible (LR), and the confinement payable. An ordinance charge is issued on a local warrant and therefore a confinement based solely on ordinance charge/s would be considered non-payable.

Due to the potential for a change in payment status, confinements with a combination of misdemeanor/ordinance charges are an important population to reconcile. Up until and including the day an offender finishes serving sentence on all misdemeanor offenses, the confinement is payable. Once all misdemeanor time has been served and only ordinance time remains, the confinement becomes non-payable.

The order of sentencing determines what steps need to be taken in LIDS for an offender with these combination sentences. If the **ordinance** is **sentenced first, and** is **not sentenced concurrent** with the misdemeanor, the entire confinement will be payable. If the **misdemeanor** is **sentenced first** the below procedure should be followed.

✓ **Procedure:**
  ➢ To avoid overpayment one of the following steps must be taken in LIDS
    o When entering sentencing information for a misdemeanor offense, enter Disposition Code of 'SC'-Sentence Complete and Disposition Date the date upon which the offender will have completed the misdemeanor sentence. Disposition dates occurring in future months may be entered. **OR**
    o Before monthly per diems are certified, release the inmate in LIDS with Reason Release Code 23-Change in Confinement w/in Facility, as of the date the misdemeanor sentence has been served. Reconfine in LIDS with the appropriate Reason Confine Code and <u>only</u> the ordinance charge/s.
  ➢ If any overpayments are found the inmate must be released in LIDS with Reason Release 23-Change in Confinement w/in Facility, reconfined with <u>only</u> the ordinance charge/s, and an adjustment posted in LIDS.

Offender Re-entry Program

On April 1, 2002, the Department of Corrections (DOC) developed a program to initiate pre-release partnerships with local jails to provide re-entry transition services to offenders.
  ➢ Pre-release transition services are being provided to offenders from 45 - 90 days prior to their release and continued through their first 45 days following release.
  ➢ Selected offenders leave DOC and return to local jails to participate in this program.
  ➢ DOC will then swap an inmate with the jail that is State Responsible and intake that inmate into DOC.
✓ **During Phase I of the program**, offenders will participate in daily workshops for a period of 45 days. These sessions will include classes such as Life Skills, Cognitive Thinking, Employability Skills, Substance Abuse, Anger Management, Money Management and Domestic Violence
✓ **During Phase II of the program**, offenders identified by the DOC Classification Unit as being suitable for work release will participate in a 45-day work release program, and will also participate in twice-weekly programming.
✓ **During Phase III of the program**, offenders are released from the local jail after having served their sentence and will transition back into the community. Offenders will be provided support and assistance during this phase, and will also participate in twice-weekly programming.
✓ **Procedure:**
  ➢ Funding for this inmate is $12 per day, as the inmate is still SR.
  ➢ Jail should confine inmate using Reason Confined Code '90', *DOC Transition Re-Entry Program*
  ➢ Once the offender completes Phase I and is released on Work Release release them from LIDS with Release Reason Code '23'- *Confinement Change w/in Facility.*
  ➢ Re-book the offender in LIDS with one of the following:
    o Reason Confined Code '26'- *Work Release*
    o Reason Confined Code '28'- *Jail Contract Bed Work Release*
      ▪ Although the Jail Contract Bed program has been discontinued, coding the offender as a RC-28 will cause no harm and provides a way for the jail to distinguish SR work release inmates from LR work release inmates if they so desire.

Ordinance Violations

Many, but not all, cities and counties have adopted local ordinances which parallel Code of Virginia statutes. It is important that ordinances are recorded accurately in LIDS, as recording an ordinance incorrectly may create an erroneous payment status and/or an audit finding.

- ✓ **Procedure:**
  - ➢ As most ordinance codes are non-specific, the preferred method of reporting an ordinance violation is to use the state misdemeanor Virginia Crime Code (VCC) that mimics the ordinance and replace the 'M' with an 'O' to indicate the ordinance violation.
  - ➢ **EXAMPLE: DWI5413M1—record as DWI5413O1**.
  - ➢ Offense Type should be recorded in LIDS as 'O'.
  - ➢ When an individual is confined on a local ordinance and there is no misdemeanor statute that mirrors it, use one of the 'ORD' VCC's listed on the VCC page of the Compensation Board website. However, if an 'ORD' VCC is used when the 'M' to 'O' substitution could've been used, this will constitute an audit finding.
    - o <u>Example:</u> An offender is arrested on a first offense simple assault ordinance. The ordinance code for assault, **ORD9961S9** gives no indication as to the type of assault perpetrated. However, the misdemeanor VCC, **ASL1358M1** makes it clear that assault type was **first offense, simple assault against family member.** In this instance the **ASL1358M1 should be recorded as ASL1358O1,** to allow for a specific description while also denoting the offense as an ordinance.
  - ➢ LIDS will also allow 'S' to 'O' substitution. An 'S' placed in the 8ᵗʰ character of a VCC signifies that the penalty is undetermined.

- ✓ **Misdemeanor Charge Reduced to Ordinance Violation**
  - ➢ The court may reduce a misdemeanor charge to an ordinance violation at any step in the legal process.
  - ➢ If this occurs, be sure to maintain all court documentation.
  - ➢ **Procedure:**
    - o Release offender in LIDS with Reason Release Code '23'-*Confinement Change w/in Facility* effective the date of the court decision.
    - o Reconfine as an ordinance violator, Offense Type 'O', the same day, with the appropriate Reason Confined Code, and a VCC that mirrors the state statute, using 'M' to 'O' substitution.
  - ➢ **Reports**
    - o Reports Menu, Financial Reports, Option 8-Payment Status
    - o Reconciliation Tools Menu, Option 2-Financial Count by Payment Category, Place a 'Y' beside the Ordinance Payment Category to view all ordinance violators.

Overlap Confinements

- ✓ To prevent overlap confinements, do not release a prisoner from LIDS if they are transported to another jurisdiction (e.g., Court) for the day.
- ✓ Likewise, the jurisdiction picking up the prisoner for the day (court, medical appointment) should not attempt to book the prisoner into LIDS.
- ✓ The only time an inmate should be booked out of a jail and into another jail is if the inmate stays over night.
- ✓ Prompt attention to overlaps is imperative due to loss of revenue in one facility and overpayment in another facility. **This is an audit issue**.
- ✓ If you attempt to enter a confinement and an overlap is found in LIDS, contact the LIDS Technician of the jail creating the overlap.
- ✓ Jail staff members should be cross-trained so that if the LIDS Technician is out of the office there is another staff member available to release the inmate. The absence of the LIDS Technician is not an excuse for failure to release an inmate timely.

Payment/Non-Payment Categories

- ✓ **Payments (Out of State) = $4 per diem:** Held for out of state authority that **HAS** been arrested on a Virginia State warrant.
  - ➢ Offenders in this category are coded as a Reason Confine Code '74'.

- ✓ **Payments Alternative (HEM) = $4 per diem:** Offenders placed by the Sheriff or Superintendent in home/electronic incarceration programs.
  - ➢ Program must be approved by DOC or DCJS
  - ➢ Offenders must be Local Responsible (unless approval has been received from DOC) **and** Fully Sentenced
  - ➢ Offenders in this category are coded as a Reason Confine Code '80'.

- ✓ **Payments Alternative (HEM/Supervised Work Program) = $4 per Diem:** Offenders placed by the Sheriff or Superintendent
  - ➢ Program must be approved by DOC or DCJS
  - ➢ Offenders must be Local Responsible (unless approval has been received from DOC) **and** Fully Sentenced
  - ➢ Offenders in this category are coded as a Reason Confine Code '85'

- ✓ **Payments – State Responsible = $12 per diem:**
  - ➢ All charges have been adjudicated.
  - ➢ Offender has been sentenced to a State Responsible sentence length (more than 12 months) on a felony or combination felony/misdemeanors.
  - ➢ Offenders in this category are coded as a Reason Confine Code: Adult Sentenced-No Charges Pending (20, 23, 26, 29, 35, 36, 39, 42, 48, 76,90).

- ✓ **Non-payment (Federal) = $0 per diem:** Offenders in this category are held for Federal Authority **OR** District of Columbia
  - ➢ Offenders in this category are coded as a Reason Confine code '73'.
  - ➢ A daily recovery amount will also be taken for each offender in this category. The recovery amount for each jail may be found in the most recent Jail Cost Report.

- ✓ **Non-payment (Ordinance) = $0 per Diem:** Offenders in this category are arrested on a local or town warrant (pink).

- ➢ This includes all offenders serving sentence on an ordinance violation (Offense Type 'O').
- ➢ Offenders in this category may be coded as Reason Confine Code '10'-*Pre-trial* or '20'-*Serving Sentence*
- ➢ If an offender has non-ordinance pending charges, or is currently serving sentence on a misdemeanor prior to serving the ordinance sentence, they will not be reflected in this category.

- ✓ **Non-payment (Military) = $0 per Diem:** Offenders in this category are held for military authority and are <u>NOT</u> arrested on a state warrant.
  - ➢ Offenders in this category are coded as a Reason Confined code '75'
  - ➢ There is <u>no</u> overhead recovery for this population.

- ✓ **Non-payment (HEM) = $0 per Diem:** Offenders in this category are either un-sentenced inmates, or the jail's HEM program has not been approved.
  - ➢ Offenders in this category are coded either Reason Confined Code '80' or '85'.
- ✓ **Non-payment (Contract -Out of State) = $0 per Diem:** Offenders in this category are out of state contract inmates who have <u>**NOT**</u> been arrested on a Virginia State warrant. The Sheriff/Jail Authority has entered into a contract agreement with another state to hold their prisoner.
  - ➢ Offenders in this category are coded as a Reason Confined Code '78'
  - ➢ Offenders in this category are recovered for in the same manner as Federal/District of Columbia inmates.

- ✓ **Non-payment (Private Transport) = $0 per Diem:** Offenders in this category are held for out of state courtesy holds and/or overnight transports.
  - ➢ These inmates have <u>**NOT**</u> been arrested on a Virginia State warrant.
  - ➢ Offenders in this category are coded as a Reason Confined Code '79'.
  - ➢ There is <u>no</u> overhead recovery for this population.

Postponed Sentence

Reason Confined Code 14 (RC-14)– Convicted But Not Yet Sentenced/Post Trial
Inmate has been found guilty of an offense but the judge has chosen to postpone execution of a sentence

- ✓ **RC-14 Procedure:** Funding for this inmate is $4 per day, with the inmate considered Local Responsible, even if the charge/s are felonious. The determination of whether or not an inmate is State Responsible is not made until sentencing.
  - ➢ Confine offender with RC-14.
  - ➢ If offender is currently confined as Reason Confined '10' *Pre-trial* be sure to choose Option 3 from the Commitment Maintenance Menu, 'Update Confinement' to change the reason confined from '10' to '14'.
  - ➢ If this inmate is appealing their conviction enter a Disposition Code of 'AP' (Appeal).

Prisoner Days

- ✓ LIDS computes per diem payments based on the data as reflected at month end
- ✓ <u>Local Days Count Rule</u> – **do not** count commit date, but **do** count release date.
  - ➢ Example: A Local Responsible inmate is committed on the 1ˢᵗ of the month and released on the 20ᵗʰ. The jail <u>would not</u> be paid for holding the inmate on the 1ˢᵗ, but <u>would</u> be paid for the 20ᵗʰ.
- ✓ <u>State Day Count Rule</u>- **do** count commit date, but **don't** count release date.
  - ➢ <u>Example</u>: A State Responsible inmate is committed on the 1ˢᵗ of the month and released on the 20ᵗʰ. The jail <u>would</u> be paid for holding the inmate on the 1ˢᵗ, but <u>not</u> the 20ᵗʰ.
- ✓ **<u>Confinements that equal less than 1 Day</u>**
- ✓ Confinements in LIDS less than 1 day are reflected as 1 day.
  - ➢ <u>Example</u>: 3 hours = 1 day for payment purposes
  - ➢ If you would like a record of the actual number of confinement hours, you may make note in the comment field of the confinement screen.
  - ➢ Current language does not stipulate a limit on time of confinement that is payable.

Probation / Parole Violations

- ✓ **Inmate confined to jail for a parole or probation violation & released by Parole Board/Court (probation) back into the community:**
  - ✓ Confine using Reason Confined code '11'-Awaiting <u>Parole</u> Revocation hearing, using **VCC= PAR4838S9** <u>OR</u>
  - ➢ Reason Confined Code '12'-Awaiting <u>Probation</u> Revocation Hearing, using the appropriate probation violation VCC
    - ➢ **VCC= PRB4850F9** (Probation-Felony)
    - ➢ **VCC= PRB4851M8** (Probation-Misdemeanor)
    - ➢ **VCC=PRB4839S9** (Probation-Technical or Unknown)
  - ➢ Enter a disposition code of:
    - ✓ PD-Parole Dismissed
    - ✓ PR-Probation Dismissed
  - ➢ Release using appropriate release reason code to release inmate back into the community
- ✓ **Inmate confined to jail for a parole or probation violation & the Parole Board/Court (probation) deems inmate to serve part or all of the remaining sentence in jail.**
  - ➢ Confine using Reason Confined Code '11'-Awaiting <u>Parole Revocation Hearing, OR</u>
  - ➢ Reason confined code '12'-Awaiting <u>Probation</u> Revocation Hearing , <u>using the appropriate parole/probation violation VCC as listed above.</u>
  - ➢ Release using Release Reason Code '23'.
  - ➢ If the offender has no new charges re-confine using Reason Confined Code '20'-*Serving Sentence.*
  - ➢ If inmate has new/pending charges, re-confine using Reason Confined Code '50'-*Serving Sentence with Pending Charges* and the appropriate VCC's.
  - ➢ If you are able to obtain original charges and offense dates for which this individual is on probation/parole, be sure to record all charges and dates, etc. However, it is more likely you will only have the parole/probation violation data. Enter that as one charge with the appropriate date and go from there. We do not want additional charges entered with "original" offense dates that cannot be supported.

Process Only

- ✓ Inmates for whom there is no committal order, who only enter the jail for processing purposes.
- ✓ **These inmates should not be confined in LIDS.**
- ✓ Process-Only Types:
  - ➢ Front End Process Only
    - ➢ Inmates that enter the jail for finger prints or pre-trial paperwork
  - ➢ Back End Process Only:
    - ✓ Inmates that are brought to the jail after final adjudication, but are not being committed to jail, their only purpose in returning to jail is to finalize paperwork.
- ✓ Batch jails should enter these inmates into their jail management system with a disposition of 'PO' so that these records will be skipped during the batch uploads to LIDS.

Rated Capacity (DOC)

- ✓ A housing number assigned to each jail based on the Virginia Board of Corrections Square Feet Standards to physical plan housing space.

Social Security Numbers

- ✓ Sources for verifying inmate Social Security Number (SSN) by name, date of birth & sex:
  - ➢ Social Security Administration (SSA)
  - ➢ Department of Motor Vehicles (DMV)
  - ➢ Search through Livescan
  - ➢ Search through VCIN
    - o Search using the CCRE (also known as the SID) or FBI number.
- ✓ LIDS was designed to assign an inmate a generated SSN if unknown at the time of booking or if the inmate refuses to provide his/her SSN.
  - ➢ Preferred procedure is for the generated SSN to be used as the SSN for each subsequent confinement, including Weekenders, to assist in tracking an inmate.
- ✓ If the SSN is unknown enter nine 9's in the SSN field in LIDS to receive a generated SSN.
  - ➢ The first digit will be #9
  - ➢ The next three represent the facility's Jail Number (e.g., 760)
  - ➢ The remaining five digits will be a series of sequence numbers based on the number of times a SSN has been generated in your facility.
  - ➢ Record the generated SSN in the inmate file
- ✓ If a SSN is generated be sure to update the SSN in LIDS **and** in your jail management system once the actual SSN has been confirmed.
  - ➢ If the SSN is not updated in both places, this will cause batch jails to have duplicate confinements.
- ✓ A SSN may be updated in LIDS from the Commitment Maintenance Menu, Option 'D'-Update SSN.

Special Sentences (Sentenced Codes)

- ✓ The following special sentence codes should be entered in the Sentence Length data field in LIDS.
- ✓ **Special Sentence Codes**
    - ➢ '0500' = Adult - Indeterminate Sentence
    - ➢ '0600' = Life Sentence
    - ➢ '0700' = Indeterminate Youthful Offender
    - ➢ '0800' = Two or More Life Sentences
    - ➢ '0900' =Death Sentence
- ✓ Example: An inmate is sentenced to one life sentence plus 20 years. The sentence length entered in LIDS should be 0620.

State Responsible Inmate

A State Responsible (SR) inmate is any offender convicted of one or more felony offenses and (a) the sum of consecutive offenses for felonies committed on or after January 1, 1995, (*Offense Type 'A'),* is *(i)* more than twelve months or (ii) one year or more, or (b) the sum of consecutive effective sentences for felonies, committed before January 1 1995 (Offense Type 'B') is more than two years.

- ✓ **Reports**
    - ➢ Reports Menu, Financial Reports, Option 8-Payment Status

Transferred to Another Jail

Reason Confined Code 35- Transferred to another Jail
Inmate is sent to another jail facility. This only applies to inmates being released to another jail overnight. If the inmate is transferred for the day only, no release is required.
- ✓ This screen requires entry of the Jail Number to which the inmate is being transferred.

Transportation Order, Court Ordered

When a DOC inmate is transferred back to a local/regional jail to appear in court, and then returned to DOC, provide the following sentencing information:
- ✓ **VCC Code = Prisoners - for use by LIDS only**
- ✓ Disposition Code = 'SE' *State Sentence*
- ✓ Disposition Date
    - ➢ Since this information is often not available for DOC inmates, input the Date Confined.

Treatment Programs (Other)

 If an inmate is sentenced to suspended time upon completion of certain programs and the programs are not considered Diversion, Detention Programs, Boot Camp or Day Reporting, use the following in LIDS, if applicable:
- ✓ Reason Confined Code '20' -*Serving Sentence*
- ✓ Disposition Code 'DT'-*Deferred Treatment* and date it was ordered to satisfy the charge
- ✓ Reason Release Code:
  - ➢ '36' *State Hospital* (State operated hospital such as Central State Mental Hospital)
  - ➢ '42' *To Comprehensive Community Corrections Act Program*
  - ➢ '45' *To Emergency Medical and/or Hospital (Local Hospital)*
  - ➢ '48' *To Treatment Facility*
  - ➢ '57' *To Pre-release Program*

Reason Confined Code 43-(RC-43) Held for External Treatment Program
Used when a jail receives a court order to hold inmate until bed space is available at an out-of-facility treatment program (ie: Crossroads, Phoenix House, Salvation Army, etc.)

- ✓ **RC-43 Procedure:** Funding for this inmate is $4 per day, as the inmate is considered Local Responsible while awaiting transfer.
  - ➢ Confine offender with RC-43
  - ➢ Once the offender is transferred to the designated treatment center, release in LIDS with Reason Release Code 48 – *To Treatment Facility*
  - ➢ If inmate is **released from external treatment program back to jail**, reconfine in LIDS using applicable confinement code.
- ✓ **Reports**
  - ➢ Reports Menu, Routine Reports, Option 1-List by Reason Confined Code

Virginia Crime Codes (VCC)

 The Virginia Criminal Sentencing Commission (VCSC) are the administrators of the Virginia Crime Codes (VCC). Virginia Crime Codes may be accessed from the website of the VCSC, www.vcsc.virginia.gov, including a downloadable manual which includes all expired VCC's. VCC's may also be accessed from the 'LIDS' page of the Compensation Board website,
http://www.scb.virginia.gov/LIDSinformation/vccsearch.cfm

VCC's with an asterisk at the end of the sentence length (example: ASL1312M1 shows sentence length 0-12M*) is an indication that the offense has a mandatory minimum. Mandatory minimums are published in the VCSC's version of the VCC's.

§ 19.2-390.01.

If any criminal warrant, indictment, information, presentment, petition, summons, charging document issued by a magistrate, or dispositional document from a criminal trial, involves a jailable offense, it shall include the Virginia Crime code references for the particular offense or offenses covered. When Virginia Crime Codes are provided on charging and dispositional documents, the Virginia Crime Codes shall be recorded and stored for adult offenders in: criminal history computer systems maintained by the State Police; court case management computer systems maintained by the Supreme Court of Virginia; probation and parole case management computer systems maintained by the Department of Corrections and the Virginia Parole Board; pretrial and community-based probation case management computer systems maintained by the Department of Criminal Justice Services; and jail management computer systems maintained by the State Compensation Board. The Department of Juvenile Justice shall record and store Virginia Crime Codes for particular offenses related to juveniles in case management computer systems. Virginia Crime Codes shall only be used to facilitate administration and research, and shall not have any legal standing as they relate to a particular offense or offenses.

✓ Jails are required to input Virginia Crime Codes (VCC) when recording Offense information.
✓ VCC's are updated on the Compensation Board website each July.
✓ Please be sure to download the VCC database from the Compensation Board website to your jail management system at least annually. This will ensure that your jms is equipped with all of the latest and updated VCC's.

Violent Sexual Predator for Annual Court Appearance

Reason Confined Code 38 (RC-38)-Violent Sexual Predator for Annual Court Appearance
The Virginia Center for Behavioral Rehabilitation is a facility operated by the Department of Mental Health. Individuals confined therein are held on a civil commitment order issued by the circuit court of the jurisdiction. Once they have been civilly committed to the Department of Mental Health and placed in the program, the Virginia Department of Corrections (DOC) has no further authority over these inmates, and the inmates are no longer serving any felony sentence. The statute that allows the courts to commit these individuals to the program requires that the circuit court that committed the individual review the commitment status each year on the anniversary of the original commitment. The circuit courts issue a transportation order and the local sheriff deputies transport inmates for this annual review. The inmates are generally only required to be held in the jail for a few days.

✓ **RC-38 Procedure:** Funding for this inmate is $4 per day, as they are considered Local Responsible.
  ➢ Confine inmate with Reason Confined Code '38' - *Violent Sexual Predator for Annual Court Appearance*
  ➢ **VCC = PRI9917S9 - Temporary Hold**
  ➢ Offense Date equals Committal Date.
  ➢ If released by court order to community, use Reason Release Code '18' - *Released by Court Order*
  ➢ If released back to a state mental facility use Reason Release Code '36' -*To State Hospital.*

Warrant

- ✓ The <u>Committal Order</u> and the <u>Warrant should agree</u>
  - ➢ If they disagree, contact the magistrate's office to resolve the issue.
  - ➢ Follow the magistrate's directive on the commitment order since that provides the legal authority to commit the individual to jail
  - ➢ Audit staff will verify the data found in LIDS to the commitment order, not the warrant, when conducting on-site audits
- ✓ <u>Three (3) different Warrants</u>:
  - ➢ Warrant - Local Ordinance
    - o If an offender is arrested on a Local Warrant and or City/County Ordinance, the Type of Offense should be 'O'. Reimbursement for local warrants is $0
  - ➢ Warrants - Misdemeanor
    - o If an offender is arrested on a State Warrant and the offense is a Misdemeanor, the Type of Offense should be 'M'. Reimbursement for total days is $4 per day
  - ➢ Warrants - Felony
    - o If an offender is arrested on a State Warrant and the offense is a Felony, the Type of Offense should be an '<u>A</u>' or '<u>B</u>'. Reimbursement for total days is $4 per day

Weekender/Non-Consecutive Days

- ✓ Payment for Weekender/Non-Consecutive Days is intended for prisoners that have been convicted and sentenced to <u>confinement in jail</u> and the court has imposed his/her time to be served on weekends or non-consecutives days
- ✓ **Procedure:**
  - ➢ Funding for this offender is $4 per diem, as they are considered Local Responsible.
  - ➢ Prisoners are booked in LIDS for each confinement period (Weekend/Non Consecutive Days).
  - ➢ If the prisoner is assigned a <u>generated Social Security Number (SSN)</u> in LIDS, use this generated SSN (e.g., 900199999) each time he/she is booked into jail to serve weekend/non-consecutive days.
  - ➢ <u>If offender is currently confined when sentenced to weekends</u>:
    - o Release in LIDS with Reason Release Code '23'-*Confinement Change w/in Facility.*
    - o Re-book with Reason Confined Code '29'- *Weekender/Non-Consecutive Days* **OR**
    - o Re-book with Reason Confined Code '59'-*Weekender/Non-Consecutive Days-Has Pending Charges.*
    - o Release offender with Reason Released '40'-*Serving Sentence Non-Consecutive Days.*
  - ➢ <u>If offender is not currently confined when sentenced</u>:
    - o Book offender into LIDS with Reason Confined '29'-*Weekender/Non-Consecutive Days* **OR**
    - o Book offender into LIDS with Reason Confined '59'-*Weekender/Non-Consecutive Days-Has Pending Charges.*
    - o Release offender with Reason Released '40'-*Serving Sentence Non-Consecutive Days.*
  - ➢ Once offender has finished serving <u>all weekends/non-consecutive days</u>, release with Reason Release Code '39'-*Sentence Served.*

- If at any time an offender decides to finish serving their time straight, weekender status is revoked, or they receive pending charges for which they have not been given bail/bond confine with one of the following:
  - Reason Confined Code '20'-*Serving Sentence*
  - Reason Confined Code '50'-Serving Sentence-*Has Pending Charges*

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§ 53.1-131.1. Provision for sentencing of person to nonconsecutive days in jail; payment to defray costs; penalty.

Any court having jurisdiction for the trial of a person charged with a misdemeanor or traffic offense or charged with any offense under Chapter 5 (§ 20-61 et seq.) of Title 20 may, if the defendant is convicted and sentenced to confinement in jail, impose the time to be served on weekends or nonconsecutive days to permit the convicted defendant to retain gainful employment. A person sentenced pursuant to this section shall pay an amount to defray the cost of his keep, which amount shall be the actual cost of incarceration but shall not exceed that amount charged to the Compensation Board for purposes of reimbursement as provided in the general appropriation act. Such amount shall be collected by the sheriff, if he is responsible for operating a jail, or by the regional jail superintendent, and remitted by the sheriff to the treasurer of the appropriate county or city, or by the regional jail superintendent to the regional jail board or authority, solely for the purposes of defraying the costs of such weekend or nonconsecutive incarceration. The funds collected pursuant to this section shall not be used for purposes other than those provided for in this section. The assessment provided for herein shall be in addition to any other fees prescribed by law. If the defendant willfully fails to report at times specified by the court, the sentence imposed pursuant to this section shall be revoked and a straight jail sentence imposed.

If an offender who has been sentenced to nonconsecutive days by the court is in violation of the rules of the jail pursuant to § 53.1-117, the sheriff or jail administrator may require the offender to serve out a portion or the entirety of the remainder of his sentence in consecutive days. Upon revoking the offender's ability to serve his sentence on nonconsecutive days, the sheriff or jail administrator shall notify in writing the court that sentenced the offender and indicate the specific violations that led to the decision.

The time served by a person sentenced for violation of state law in a local jail, regional jail, or local jail farm pursuant to this section shall be included in the count of prisoner days reported by the Department for the purpose of apportioning state funds to local correctional facilities for operating costs in accordance with § 53.1-84.

Work Release

Reason Confined Code 26 (RC-26) – Work Release An offender may be sentenced to work release by the court, or the sheriff/superintendent. Work Release offenders are released during the day to an approved employer and return to jail at night for confinement.

- ✓ **RC-26 Procedure:** Funding for all Local Responsible inmates in this category would be $4 per day. State Responsible inmates approved by DOC for work release will be paid at the SR per diem of $12.
  - Confine offender in LIDS with one of the following:
    - Reason Confine Code '26'-*Work Release* **OR**
    - Reason Confine Code '56'- *Work Release-Pending Charges*
  - Once offender has completed their sentence release with Reason Release '39'-*Sentence Served.*
  - If an offender violates the work release program:
    - Release the prisoner in LIDS by using Release Reason Code '23' *Confinement change Within facility or Violated Program*, **then**
    - Re-book the inmate in LIDS on the same day he/she violated the Alternative Program by using Reason Confined Code:
      - '20', *Serving Sentence*, **OR**
      - '50', *Serving Sentence, Pending charges*

- ✓ To place a State Responsible (SR) offender on work release the Sheriff/Superintendent must receive approval from the Department of Corrections (DOC).
- ✓ § 53.1-131, which addresses Work Release may be found in the Relevant Virginia Codes section of the LIDS Users Guide.

Writ Procedure, Federal Inmates Committed to Jail

If a jail receives a Federal inmate booked into jail on a writ from either the General District Court or Circuit Court (which acts as a committal order and/or state warrant) to testify as a witness, use the following procedure.

- ✓ **Procedure:**
  - ➢ If the inmate is not being held in jail on a state charge, confine in LIDS with Reason Confined Code '13' - *Held as a material witness (non-DOC) Not serving time on other charges.*
  - ➢ Held for locality should be the jail's jurisdiction code (i.e., 520) and **VCC= PRI9909S9(**Held as a Material Witness).
  - ➢ When the court releases the inmate (after he/she serves as a witness), it is suggested that the Federal Authority be contacted immediately to pick up the inmate.
  - ➢ Once the federal agency has taken the offender into custody use Release Reason Code '51' - *To Federal Authority.*
  - ➢ If Federal Authority does NOT pick up the inmate the day the court releases him/her and the inmate stays the night in jail, release the inmate using Release Reason Code '23' - *Confinement Change Within Facility* and recommit the inmate using Reason Confined Code '73' - *Held for Federal Authority* with a Holding for Locality code of '888' - Unspecified FIPS Code.

(Updated 7/10/2012)