



*Status Report:*

---

*Study of Parole-Eligible  
Inmates*

*Study of Crimes Committed  
in the Presence of Children*

# *Study of Parole-Eligible Inmates*

---



## *Legislative Directive*

---

- ✦ **Determine the number of parole-eligible inmates who have already served, or within the next six years will serve, an amount of time in prison equal to or more than the amount of time for which they would have been sentenced according to the current sentencing guidelines system**
- ✦ **Examine the number and types of older offenders who may be eligible for geriatric release**
- ✦ **Report due September 1, 2009**

**- Chapter 781 of the 2009 Acts of Assembly**



# *Methodological Approach*

---

- ✦ **Identify parole-eligible inmates classified by the Department of Corrections as of December 31, 2008**
  - **3,815 out of 37,915 inmates were parole-eligible (excludes those who also had no-parole felonies)**
- ✦ **Score parole-eligible inmates on the current sentencing guidelines**
  - **Utilize electronic records, when available**
  - **Examine paper files when necessary**
- ✦ **Compare time-served in custody to the low, midpoint, and high recommendation of the current sentencing guidelines**
- ✦ **For geriatric inmates, update study from Fall 2008**



# Data Collection

Year Inmate Received	Number of Inmates	Source	Approach	Scoring
Prior to 1985	921	Paper files	Send staff to DOC headquarters to examine records	Score sentencing guidelines by hand
1985 and after	2,894	Automated Pre/Post-Sentence Investigation (PSI) report	Identify electronic PSI record	Score sentencing guidelines using electronic data If PSI indicates a juvenile record, paper files will be examined

**UPDATE:** The Parole Board has granted the Commission access to offender information that the Board has automated.



# *Access to Parole Board's Automated Offender Information*

---

- ✦ **The Parole Board's automated information appears to contain most of the data found in electronic PSIs**
- ✦ **It also appears to contain scanned images of offense and criminal history narratives**
- ✦ **The Parole Board has agreed to provide a copy of its database, which staff will match to the Commission's data electronically**



# *Access to Parole Board's Automated Offender Information*

---

- ✦ **Staff is hopeful that, instead of reviewing paper files and scoring sentencing guidelines by hand, most cases can be scored using electronic data**
- ✦ **When data is missing or a juvenile record is indicated, staff could review the Parole Board's scanned offense and criminal history narratives to accurately score the guidelines**



*Study of Crimes Committed in  
the Presence of Children*

---





# *Objectives of the Study*

---

- ✦ **To identify crimes witnessed by children**
- ✦ **To describe the nature of such crimes**
- ✦ **To examine sentencing outcomes and compare them to sentences in cases that do not involve child witnesses**



# *Identifying Cases*

---

- ✦ **The Commission contacted the leadership of the Commonwealth's Attorneys association and requested assistance in identifying cases for the study**
- ✦ **With agreement of the association leadership, a letter was sent to all elected Commonwealth's Attorneys, asking them to report cases meeting the Commission's criteria**
  - **Prosecutors need only report a few pieces of information to identify a case (the offender's name, birth date, court, and sentencing date)**
  - **Commission staff can then research each case and track it across criminal justice databases**



## *Identifying Cases*

---

- ✦ For convenience in reporting cases, the Commission placed an electronic version of the form on its website
- ✦ Prosecutors have been provided an access code to enter the form. Once complete, the prosecutor simply clicks on “submit this form” to send the information to the Commission electronically

<http://www.vcsc.virginia.gov/>



## *Cases Reported through June 2, 2009*

---

<b>Court</b>	<b>Cases Submitted</b>
<b>Albemarle Circuit Court</b>	<b>1</b>
<b>Fauquier Circuit Court</b>	<b>3</b>
<b>Frederick Circuit Court</b>	<b>1</b>
<b>Gloucester Circuit Court</b>	<b>2</b>
<b>Hopewell Circuit Court</b>	<b>1</b>
<b>Martinsville Circuit Court</b>	<b>11</b>
<b>Mecklenburg Circuit Court</b>	<b>2</b>
<b>Northumberland Circuit Court</b>	<b>6</b>
<b>Radford Circuit Court</b>	<b>2</b>
<b>Spotsylvania Circuit Court</b>	<b>1</b>
<b>Suffolk Circuit Court</b>	<b>17</b>
<b>TOTAL</b>	<b>47</b>



