



# Probation Violators within the SR Offender Populations

## Introduction

Offenders serving a probation obligation who do not adhere to the conditions of their probation can be revoked by the courts. These violators may be returned to supervision, sentenced to an alternative sanction such as a Detention or Diversion Center, receive a Local Responsible (LR) sentence (less than one year) or receive a State Responsible (SR) sentence (one year or more). Offenders who are convicted of a new crime are referred to as Condition 1 or New Crime Probation Violators. Offenders who fail to follow any of the other probation conditions (see list at right) are referred to as Technical

## Methodology

Since 2006, the Statistical Analysis & Forecast Unit has identified both Technical and New Crime Probation Violators in the SR New Court Commitments (NCC) and SR Confined Populations on an annual basis. First, the VADOC sentence history in the Virginia Corrections Information System (VirginiaCORIS) for three years of SR NCC is examined to identify those new commitments who have probation violation sentences listed. Violators with an accompanying conviction for another offense are labeled New Crime Violators. The remaining are tentatively labeled Technical Violators. This step identified 5,636 Probation Violators (3,638 New Crime; 1,998 Technical) in the FY2013 SR NCC. Offenders who were not on probation

Probation Violators.

Annually, the Virginia Department of Corrections (VADOC) is legislatively obligated (Item 379 of Chapter 1 of the 2014 Acts of Assembly) to produce a forecast of the SR Offender Populations, including a forecast of Technical Probation Violators. As these Technical Probation Violators have not been convicted of new crimes while on supervision, these offenders may be suitable for alternative sanctions in lieu of incarceration without ad-

versely impacting public safety. A more complete understanding of these Technical Probation Violators may also lead to more effective offender management strategies aimed at a reduction of probation violations. To address these issues, VADOC's Statistical Analysis & Forecast Unit developed a process to identify both Technical and New Crime Probation Violators in the various SR populations. This report summarizes VADOC's findings.

### Probation Violation Conditions

- *Condition 1: Convicted for a new offense*
- *Condition 2: Fail to report any arrest within 3 days to Probation and Parole (P&P) Officer*
- *Condition 3: Fail to maintain employment/report changes in employment*
- *Condition 4: Fail to report as instructed*
- *Condition 5: Fail to allow P&P Officer to visit home or place of employment*
- *Condition 6: Fail to follow instructions and be truthful and cooperative*
- *Condition 7: Use alcoholic beverages to excess*
- *Condition 8: Use, possess, distribute controlled substances or paraphernalia*
- *Condition 9: Use, own, possess, transport or carry firearm*
- *Condition 10: Change residence or leave Commonwealth of Virginia*
- *Condition 11: Abscond from supervision*
- *Special Conditions: related to the offender or offense may apply*

when they were sentenced as an SR NCC are labeled Non-Violators throughout this report.

Next, Virginia State Police (VSP) criminal histories for these Technical Violators are examined to identify any convictions for additional offenses that had not yet been recorded in VirginiaCORIS. In FY2013, this step identified 405 additional New Crime Violators, leaving 1,593 Technical Violators (1,998 minus 405).

Third, the Virginia Criminal Sentencing Commission (VCSC) Sentencing Revocation Report (SRR) data is analyzed to identify Condition 1 (New Crime) convictions for the remaining 1,593 Technical Violators. This step identified 662 additional New Crime Violators, leaving 931 Technical Violators in the FY2013 SR NCC.

Finally, VADOC runs the analyses on the previous three years of SR NCC to capture sentence and conviction information not previously in

## Methodology (continued)

the databases. This updated three years of data is sufficient to estimate the Probation Violators in the SR Confined Population because, on average, Probation Violators have entered and exited the SR Confined Population within this time. This step identified 15,019 Probation Violators in the FY2013 SR Confined Population (13,760 New Crime; 1,259 Technical).

FY2013 New Court Commitments (n=11,733)	New Crimes Identified		New Crime Violators		Technical Violators		Total Violators	
	number	% NCC	number	% NCC	number	% NCC	number	% NCC
Step 1 (DOC Data)	3,638	31%	3,638	31%	1,998	17%	5,636	48%
Step 2 (DOC + VSP Data)	405	35%	4,043	35%	1,593	14%	5,636	48%
Step 3 (DOC + VSP + SRR Data)	662	40%	4,705	40%	931	8%	5,636	48%

## Probation Violators in the SR New Court Commitments<sup>1</sup>

Since FY2002, Probation Violators have comprised approximately half of the SR NCC (46-52%). However, since peaking at 52% in FY2006, Probation Violators as a percentage of the SR NCC have declined to 47-48%. FY2007 saw the highest number of both total SR NCC (13,305) and Probation Violators (6,685). Since FY2007, these populations have declined by 12% and 16%, respectively.

New Crime Violators have comprised the bulk of the Probation Violators in the SR NCC (78-86%). Since FY2008, they have remained steady at 83-86% of the total Probation Violators. Improved efforts at identifying the New Crime Violators by VADOC, VSP and VCSC have played a significant role in achieving these results.<sup>2</sup> The changes in the New Crime vs. Technical Violation distribution has occurred in a period in which the total SR NCC has been declining.

### Demographics

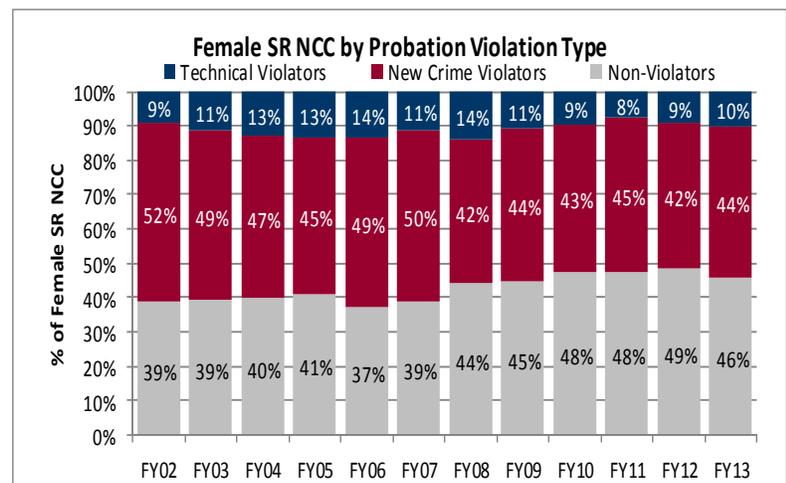
As males comprise the largest portion of the SR NCC (88-89%), it follows that the Probation Violator distribution for them would mirror the distribution of the total SR NCC. Among males, Probation Violators have comprised approximately half of the male SR NCC (45-50%). Since peaking at 50% of the male SR NCC in FY2006, Probation Violators have remained between 45% and 47%. As

Total SR NCC			Probation Violators						
number	% change	Total Violators		New Crime Violators			Technical Violators		
		number	% of NCC	number	% of NCC	% of Violators	number	% of NCC	% of Violators
FY2002	10,915	5,290	48%	4,555	42%	86%	735	7%	14%
FY2003	11,636	5,748	49%	4,827	41%	84%	921	8%	16%
FY2004	11,557	5,753	50%	4,650	40%	81%	1,103	10%	19%
FY2005	11,660	5,792	50%	4,512	39%	78%	1,280	11%	22%
FY2006	12,523	6,466	52%	5,201	42%	80%	1,265	10%	20%
FY2007	13,305	6,685	50%	5,423	41%	81%	1,262	9%	19%
FY2008	12,992	6,305	49%	5,275	41%	84%	1,030	8%	16%
FY2009	12,407	5,838	47%	4,936	40%	85%	902	7%	15%
FY2010	11,934	5,505	46%	4,722	40%	86%	783	7%	14%
FY2011	11,815	5,512	47%	4,721	40%	86%	791	7%	14%
FY2012	11,521	5,461	47%	4,603	40%	84%	858	7%	16%
FY2013	11,733	5,636	48%	4,705	40%	83%	931	8%	17%

it did with the total SR NCC, FY2007 saw the largest number of male SR NCC (11,745) and male Probation Violators (5,732). Since then, these populations have declined by 13% and 16%, respectively. New Crime Violators have comprised the bulk of the male Probation Violators (78-86%). Since FY2008, they have remained steady at 84-86% of the total Probation Violators. In FY2013, 53% of

Male NCC were Non-Violators, 39% were New Crime Violators and 8% were Technical Violators.

The breakdown for females is



<sup>1</sup>All FY2013 SR NCC and FY2013 SR Confined information updated through May 16, 2014

<sup>2</sup>With the implementation of Phase 1 (Sentence & Time Calculation) of VirginiaCORIS in March 2006, VADOC can more clearly identify Probation Violators and the reason for the violation. More complete sentence information is entered into VirginiaCORIS than in the legacy systems. Additionally, the Statistical Analysis & Forecast Unit has worked with both VSP and VCSC to improve our abilities to match information from disparate databases. Also, both VSP and VCSC have made efforts in recent years to ensure the completeness of the information in their databases.

## Probation Violators in the SR New Court Commitments *(continued)*

different than that for males. Among females, Probation Violators have comprised more than half of the female SR NCC (51-63%). Since peaking at 63% of the female SR NCC in FY2006, Probation Violators have declined each year, reaching 54% in FY2013. FY2006 saw the largest number of female SR NCC (1,638) and female Probation Violators (1,024). Since then, these populations have declined by 3% and 14%, respectively. Unlike the male populations, the New Crime Violator percentage for females has fluctuated (declining from 85% in FY2002 to 77% in FY2005 then increasing to 82% in FY2007; only to drop to 75% in FY2008). Since FY2008, the New Crime Violator percentage for females had increased to 86% by FY2011, only to decline to 81% by FY2013.

In FY2013, Probation Violators were, on average, the same age at the time of commitment as the Non-Violators in the SR NCC (34.7 years vs. 34.4 years). While one-quarter (25%) of the Non-Violators were under 25 years of age, only 17% of the Probation Violators were under that age. Larger proportions of Probation Violators than Non-Violators were in the 25-29, 30-39 and 40-49 year-old age groups (see table below). These differences switch in the 50 & Over age groups. Among the Probation

Violators, the Technical Violators are slightly older than the New Crime Violators (35.6 years vs. 34.5 years).

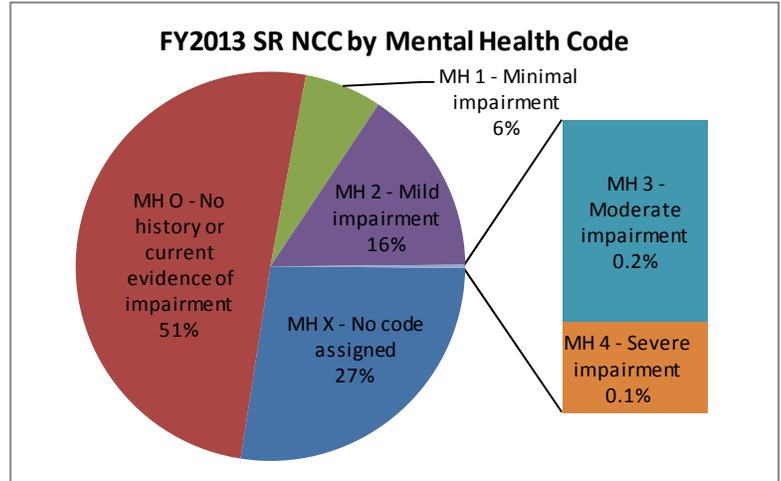
### Mental Health Information

In FY2013, twenty-two percent of the SR NCC showed some evidence of mental health impairment, with the vast majority of those (99%) showing evidence of minimal or mild impairment. A larger percentage of the New Crime Violators (25%) showed some evidence of mental health impairment than either the Technical Violators (20%) or the Non-Violators (21%).

Among the 2,606 FY2013 SR NCC with evidence of mental health impairment, 1,043 (40%) had a history of mental health treatment. Of the 1,223 Non-Violators with evidence of mental health impairment, 537 (44%) had a history of mental health treatment. This percentage dropped among both the New Crime Violators and Technical Violators. Almost 4 out of 10

(38%) of the New Crime Violators with evidence of mental health impairment had received treatment while only 28% of the Technical Violators had received mental health treatment.

Of the 2,606 FY2013 SR NCC with evidence of mental health impairment,



510 (20%) had a history of a mental health commitment. Fewer than one-quarter (265, 22%) of the Non-Violators had a prior mental health commitment. Again, this percentage dropped for the New Crime and Technical Violators. Of the 1,185 New Crime Violators with evidence of mental health impairment, only 213 (18%) had a prior mental health commitment. Of the 198 Technical Violators, only 32 (16%) had a prior mental health commitment.

### Alcohol Usage

Among the 5,130 FY2013 SR NCC who had alcohol usage information reported, 1,111 (22%) reported using alcohol heavily while another 22% (1,151) reported moderate use. Fewer than one-half (2,377) reported using alcohol only occasionally. The remaining ten percent reported using alcohol in the prior year, but the frequency of use was not reported.

Of the 2,028 New Crime Violators with alcohol usage information reported, almost one-half reported heavy use (24%) or moderate use (23%).

Of the 337 Technical Violators with alcohol usage information reported,

**FY2013 SR NCC by Probation Violator Type & Age at Commitment**

Age at Commitment	Total NCC		Non-Violators		New Crime Violators		Technical Violators	
	number	percent	number	percent	number	percent	number	percent
Under 25	2,460	21%	1,496	25%	820	17%	144	15%
25 - 29	2,170	18%	998	16%	997	21%	175	19%
30 - 34	1,984	17%	954	16%	864	18%	166	18%
35 - 39	1,466	12%	721	12%	627	13%	118	13%
40 - 44	1,248	11%	620	10%	509	11%	119	13%
45 - 49	1,064	9%	533	9%	422	9%	109	12%
50 - 54	744	6%	406	7%	274	6%	64	7%
55+	597	5%	220	4%	151	3%	24	3%
<b>Total</b>	<b>11,733</b>		<b>6,097</b>		<b>4,705</b>		<b>931</b>	
<b>Average Age</b>		<b>34.5</b>		<b>34.4</b>		<b>34.5</b>		<b>35.6</b>

# Probation Violators in the SR New Court Commitments *(continued)*

20% reported heavy use and 22% reported moderate use.

## Drug Usage

Among the 4,736 FY2013 SR NCC who had drug usage information reported, fewer than one-half (2,116, 45%) reported using drugs heavily while another 875 (18%) reported moderate use. Another 18% (857) reported using drugs only occasionally while 888 (19%) reported using drugs in the prior year, but the frequency of use was not reported.

Of the 2,026 New Crime Violators with drug usage information reported, fewer than one-half reported heavy use (46%) while another 18% reported moderate use.

Of the 319 Technical Violators with drug usage information reported, fewer than one-half reported heavy use (43%) while another one-quarter (25%) reported moderate use.

## Most Serious Offense<sup>3</sup>

In FY2013, fewer than one-third (30%) of the SR NCC had a Violent Most Serious Offense (MSO) for this term of incarceration while over two-thirds had a Property/Public Order or Drug MSO (46% and 24%, respectively). However, the MSO breakdown differed greatly between the Probation Violators and Non-Violators and between the New Crime Violators and Technical Violators.

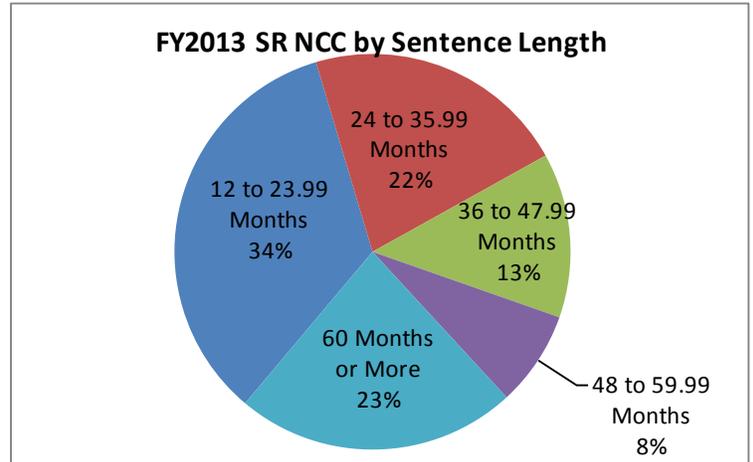
Among the Non-Violators, 35% of the offenders had a Violent MSO, Property/Public Order MSO (40%) while one-quarter (25%) had a Drug MSO. Probation Violators were markedly not as violent as the Non-Violators (Violent=25%; Property/Public Order=52%; Drugs=23%). Among the Probation Violators, a similar percentage of New Crime Violators had a Violent MSO compared to the Technical Violators (25% vs. 24%). A larger proportion of the New Crime Violators (54%) had a Proper-

ty/Public Order MSO than the Technical Violators (44%). A larger proportion of the Technical Violators (31%) had a Drug MSO than did the New Crime Violators (21%).

## Total Sentence

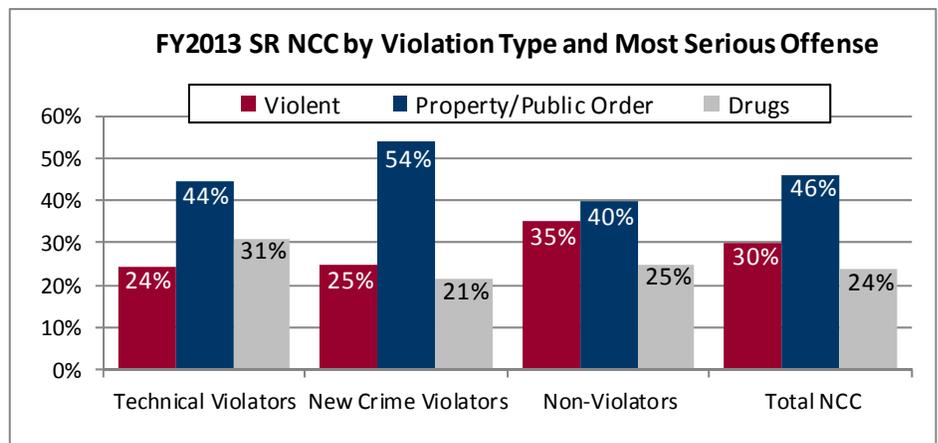
Total Sentence is the length of time imposed on an offender for all offenses for which he is convicted. This figure excludes any time suspended by the courts. For the FY2013 SR NCC, the average Total Sentence was just over four years (50.7 months). However, the median (middle) Total Sentence was just two and a half years (30.0 months), meaning half of the SR NCC had a Total Sentence below this figure.

In the FY2013 SR NCC, the New Crime Violators had a shorter average Total Sentence than the Non-Violators (50.7 vs. 54.3 months), and the Technical Violators had a much shorter average Total Sentence (27.5 months) than both the New Crime Violators and the Non-Violators. The median Total Sentences for both the New Crime Violators and the Non-



Violators were below the averages for each, indicating outliers (offenders with extremely long Total Sentences) are influencing the averages. However, the median for the New Crime Violators was longer than the median for the Non-Violators (35.0 vs. 28.1 months). As for the Technical Violators, the median Total Sentence was much shorter (21.6 months), meaning half of the Technical Violators are being sentenced to less than two years.

These differences in Total Sentence are much more noticeable when looking at the Probation Violators by MSO. New Crime Violators with a Violent MSO have an average Total Sentence that is more than three and a half years longer than the average for the Technical Violators (77.0 vs. 31.8 months).



<sup>3</sup>Most Serious Offense (MSO) for this term of SR incarceration (based on VADOC Statistical Analysis & Forecast Unit offense hierarchy). For Probation Violators, this may or may not be the MSO for which the offender was on probation. Currently, specific offense information is not linked to specific periods of community supervision for all offenders. As this information fills in, it will be possible to identify the MSO for which an offender is being supervised.

## Probation Violators in the SR New Court Commitments *(continued)*

FY2013 SR NCC Average Sentence Length By Violation Type and Most Serious Offense				
	Technical Violators	New Crime Violators	Non- Violators	Total NCC
<b>Violent</b>				
Mean	31.8	77.0	90.8	82.4
Median	24.0	42.0	48.0	43.0
<b>Property/Public Order</b>				
Mean	26.3	42.2	33.4	37.0
Median	22.0	32.0	24.0	25.0
<b>Drugs</b>				
Mean	25.5	42.3	37.2	37.9
Median	18.0	30.0	25.0	25.0
<b>Overall</b>				
Mean	27.5	50.7	54.3	50.7
Median	21.6	35.0	28.1	30.0

However, their average is more than one full year shorter than the average Total Sentence for the Non-Violators with a Violent MSO (77.0 vs. 90.8 months). While much shorter than the average Total Sentences, the medians follow a similar pattern for these groups. The median Total Sentence for the Technical Violators with a Violent MSO is 24.0 months, meaning half of this group has a sentence at or below this length.

Among the FY2013 SR NCC with a Property/Public Order MSO, the New Crime Violators have a longer average Total Sentence (42.2 months) than both the Non-Violators (33.4 months) and the Technical Violators (26.3 months). Among the offenders with a Drug MSO, the New Crime Violators have a longer average Total Sentence (42.3 months) than the Non-Violators (37.2 months) and the Technical Violators (25.5 months).

### Expected SR Length of Stay

Expected SR Length of Stay (SRLOS) is a measure of how long an offender will be State Responsible and occupy an SR bed (either in a VADOC facility or a local/regional jail). This measure is the difference between an offender's New Commitment Date (final date of sentencing) and Expected Good Time Release Date (based on

Total Sentence and good time earning rate). It excludes any Local Responsible time the offender spent in jail prior to sentencing. As SRLOS measures how long an offender will be SR, the Statistical Analysis & Forecast Unit uses SRLOS in its forecast simulation model.

The FY2013 SR NCC had an average Expected SRLOS of 37.9 months and a median of 19.7 months, meaning half of these offenders will be released in just over one and a half years after becoming SR. Almost six in ten (57%) of the SR NCC are expected to be released within two years since becoming SR, meaning many of these offenders will be released before they can be brought into a VADOC facility and may not receive needed re-entry programming and services.

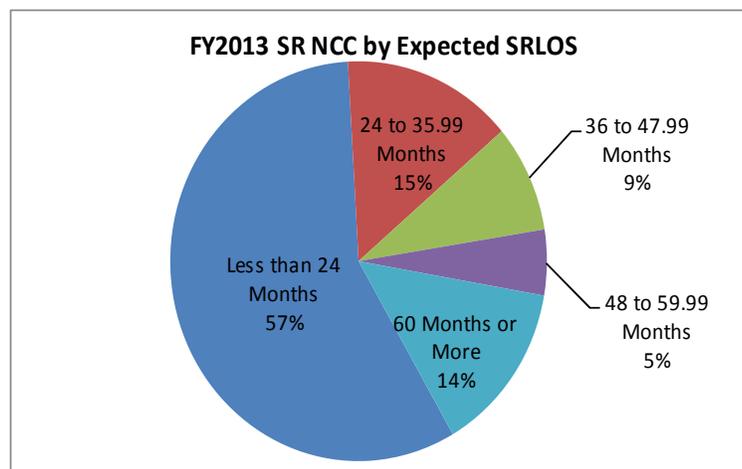
The New Crime Violators had a shorter average Expected SRLOS than the Non-Violators (37.1 vs. 41.3 months), and the Technical Violators had a much shorter average Expected SRLOS (19.2 months) than both the New Crime Violators and the Non-Violators. The median for both the New Crime Violators and the Non-Violators were below the averages for each, indicating outliers are influencing the averages. The median for the New Crime Violators was longer than the median for the Non-Violators (22.1 vs. 19.7 months). As for the

Technical Violators, the median Expected SRLOS was much shorter (13.6 months), meaning half of the Technical Violators are expected to be released in just over one year.

These differences in Expected SRLOS are much more noticeable when looking at the Probation Violators by MSO. New Crime Violators with a Violent MSO have an average Expected SRLOS that is more than two and a half times longer than the average for the Technical Violators (59.6 vs. 22.9 months), but their average is almost one year shorter than the average Expected SRLOS for the Non-Violators with a Violent MSO (59.6 vs. 71.5 months). While much shorter than the average Expected SRLOS, the medians follow a similar pattern for these groups. The median Total Sentence for the Technical Violators with a Violent MSO is just over one year (15.1 months), meaning half of this group is expected to be released within this timeframe after becoming SR.

Among the FY2013 SR NCC with a Property/Public Order MSO, the New Crime Violators have a longer average Expected SRLOS (29.6 months) than both the Non-Violators (23.4 months) and the Technical Violators (18.0 months). Among the offenders with a Drug MSO, the New Crime Violators have a longer average Expected SRLOS (30.5 months) than

the Non-Violators (27.9 months) and the Technical Violators (17.8 months). Again, while shorter than the averages, the median Expected SRLOS for these groups follows a similar pattern. The median for the Technical



## Probation Violators in the SR New Court Commitments *(continued)*

FY2013 SR NCC Average Expected SRLOS By Violation Type and Most Serious Offense				
	Technical Violators	New Crime Violators	Non- Violators	Total NCC
<b>Violent</b>				
Mean	22.9	59.6	71.5	64.4
Median	15.1	29.3	35.3	30.5
<b>Property/Public Order</b>				
Mean	18.0	29.6	23.4	25.9
Median	13.8	20.7	14.7	16.9
<b>Drugs</b>				
Mean	17.8	30.5	27.9	27.9
Median	12.9	19.3	19.3	18.3
<b>Overall</b>				
Mean	19.2	37.1	41.3	37.9
Median	13.6	22.1	19.7	19.7

SR incarceration, with almost another quarter (24%) serving their second term. However, the differences in incarceration history between the Probation Violators and the Non-Violators are quite stark. Over two-thirds (68%) of the Non-Violators had not served a prior term of SR incarceration while thirty-six percent of both the New Crime Violators and the Technical Violators had not served a prior term of SR incarceration. Only sixteen percent of the Non-Violators had served one prior

term of SR incarceration, but one-third of the New Crime Violators (33%) and almost one-third of the Technical Violators (32%) had served one prior term. The percentages of New Crime Violators and Technical Violators who had served two prior terms of SR incarceration (16% and 17%, respectively) were double the percentage for the Non-Violators (8%). The percentages of New Crime Violators and Technical Violators who had served three prior and four or more prior terms of SR incarceration were larger than the percentages for the Non-Violators.

Violators with a Property/Public Order MSO is just over one year (13.8 months). Those Technical Violators with a Drug MSO also have a median Expected SRLOS of just over one year (12.9 months).

### Prior SR Incarcerations<sup>4</sup>

Over half (53%) of the FY2013 SR NCC were serving their first term of

FY2013 SR NCC by Probation Violator Type & Prior SR Incarcerations

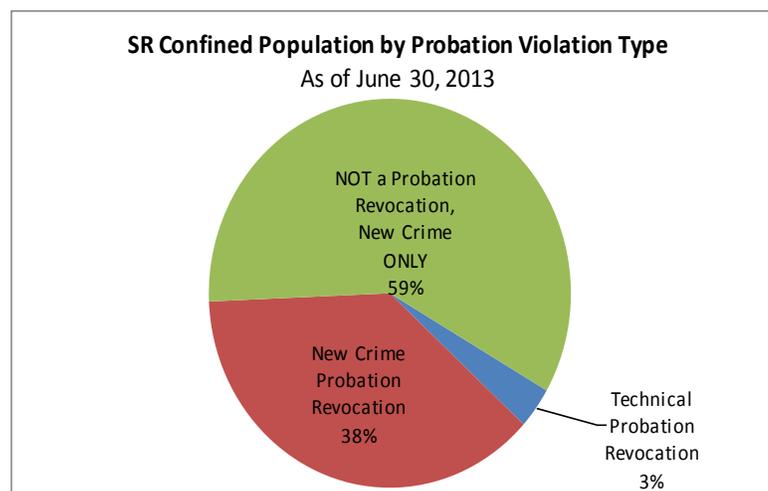
	Total NCC		Non-Violators		New Crime Violators		Technical Violators	
	number	percent	number	percent	number	percent	number	percent
Zero Prior	6,185	53%	4,156	68%	1,691	36%	338	36%
One Prior	2,839	24%	982	16%	1,557	33%	300	32%
Two Prior	1,387	12%	495	8%	731	16%	161	17%
Three Prior	699	6%	255	4%	366	8%	78	8%
Four or More Prior	623	5%	209	3%	360	8%	54	6%
<b>Total</b>	<b>11,733</b>		<b>6,097</b>		<b>4,705</b>		<b>931</b>	

## Probation Violators in the SR Confined Population<sup>5</sup>

On June 30, 2013, there were 36,647 offenders in the SR Confined Population. Of those, 15,019 (41%) were identified as Probation Violators in the Statistical Analysis & Forecast Unit's analysis of the SR NCC. Of these Probation Violators, 13,760 were New Crime Violators; the remaining 1,259 were Technical Violators.

### Demographics

Similar to the SR NCC, males comprise the largest percentage (93%) of the SR Confined Population. While this is true among all three groups, females make up a larger proportion of the Technical



Violators (12%) than they do of the other groups (8% of New Crime Violators; 7% of Non-Violators). Probation Violators were about one year younger, on average, than the Non-Violators in the SR Confined Population (37.6 years vs. 38.5 years), but there were noticeable differences between age groups (see table on next page). Twenty-nine percent of the Non-Violators were under 30 years of age, compared to

<sup>4</sup>For this analysis, prior terms of SR incarcerations means an offender has multiple TermId numbers in VirginiaCORIS; each TermId prior to the one the offender is currently serving is counted as a prior incarceration; this is not to be considered the number of total number of times an offender has been incarcerated because offenders released to parole can be released and returned to incarceration on the same TermId multiple times.

<sup>5</sup>Offenders serving an SR term of incarceration on June 30, 2013 as identified in VirginiaCORIS by the VADOC Statistical Analysis & Forecast Unit; all data updated through May 16, 2014

# Probation Violators in the SR Confined Population *(continued)*

25% of the New Crime Violators and 29% of the Technical Violators. Over one-quarter (28%) of the Non-Violators were between the ages of 30 and 39, but about one-third of the New Crime Violators and Technical Violators were in this age group (34% and 31%, respectively). Under one-quarter (22%) of the Non-Violators were in the 40-49 age group, but over one-quarter of the New Crime Violators and Technical Violators were in this age group (26% each). The higher average age for the Non-Violators may be explained by the 50 & Over age group. This age group comprises 21% of the Non-Violators, yet only 14% of the New Crime Violators and Technical Violators.

## Mental Health Information

In FY2013, 21% of the SR Confined Population showed some evidence of mental impairment. Of these, the vast majority (95%) showed evidence of minimal or mild impairment. This percentage was similar across all three groups: New Crime Violators, 23%; Technical Violators, 22%; Non-Violators, 20%.

Among the 7,628 offenders in the FY2013 SR Confined Population with evidence of mental impairment, 2,370 (31%) had a history of having received mental health treatment. Of the 4,219 Non-Violators with evidence of mental impairment, 1,268 (30%) had a history

**SR Confined Population by Probation Violator Type & Age at Commitment**

Age on June 30, 2013	Total SR Confined		Non-Violators		New Crime Violators		Technical Violators	
	number	percent	number	percent	number	percent	number	percent
Under 30	10,027	27%	6,174	29%	3,490	25%	363	29%
30 to 39	11,206	31%	6,066	28%	4,745	34%	395	31%
40 to 49	8,705	24%	4,833	22%	3,550	26%	322	26%
50 & Over	6,709	18%	4,555	21%	1,975	14%	179	14%
<b>Total</b>	<b>36,647</b>		<b>21,628</b>		<b>13,760</b>		<b>1,259</b>	
<b>Average Age</b>	<b>38.1</b>		<b>38.5</b>		<b>37.6</b>		<b>37.1</b>	

of having received mental health treatment. Of the 3,135 New Crime Violators with evidence of mental impairment, 1,014 (32%) had a history of having received mental health treatment. This percentage was the same for the Technical Violators.

Of the 7,628 FY2013 SR Confined Population with evidence of mental impairment, 1,233 (16%) had a history of a prior mental health commitment (15% for the Non-Violators; 18% for the New Crime Violators; 16% for the Technical Violators).

## Alcohol Usage

Among the 30,115 FY2013 SR Confined Population who had alcohol usage information reported, 4,045 (13%) of these offenders reported they had not used alcohol during the year prior to their incarceration while 26,070 (87%) reported they had used alcohol. Almost 3 out of 10 (7,458, 29%) of these 26,070 offenders reported using alcohol heavily while

another 5,613 (22%) reported moderate use. Thirty-nine percent (3,658) reported using alcohol occasionally. The remaining eleven percent reported using alcohol in

the prior year, but the frequency of use was not reported.

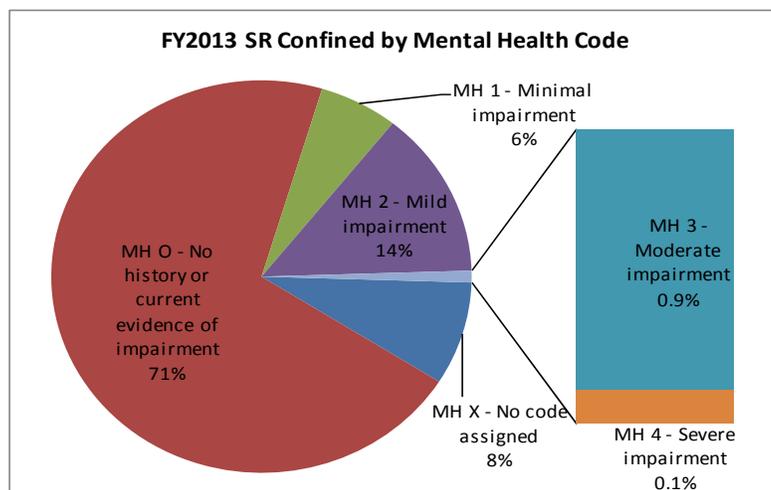
Of the 11,761 New Crime Violators with alcohol usage information reported, 1,284 (11%) reported they had not used alcohol during the year prior to their incarceration while 10,477 (89%) reported they had. Among those 10,477 offenders, more than one-half reported heavy use (30%) or moderate use (22%).

Of the 960 Technical Violators with alcohol usage information reported, ten percent (94) reported they had not used alcohol during the year prior to their incarceration while 866 (90%) reported they had. Among those 866 offenders, more than one-half reported either heavy use (30%) or moderate use (22%).

## Drug Usage

Among the 29,498 FY2013 SR Confined Population who had drug usage information reported, 4,891 (17%) of these offenders reported they had not used drugs during the year prior to their incarceration while 24,607 (83%) reported they had used drugs. More than one-third (8,309) of these 24,607 offenders reported using drugs heavily while another 2,810 (11%) reported moderate use. Another 11% (2,762) reported using drugs only occasionally. Almost four of 10 offenders (9,025, 37%) reported using drugs in the year prior to their incarceration, but the frequency of use was not reported.

Of the 11,720 New Crime Violators with drug usage information re-



## Probation Violators in the SR Confined Population *(continued)*

ported, 1,201 (10%) reported they had not used drugs during the year prior to their incarceration while 10,519 (90%) reported they had. Among those 10,519 offenders, almost 4 out of 10 (39%) reported heavy use while another 12% reported moderate use.

Of the 943 Technical Violators with drug usage information reported, 97 (10%) reported they had not used drugs during the year prior to their incarceration while 846 (90%) reported they had. Among those 846 offenders, almost 4 out of 10 (39%) reported heavy use while another 15% reported moderate use.

### Most Serious Offense

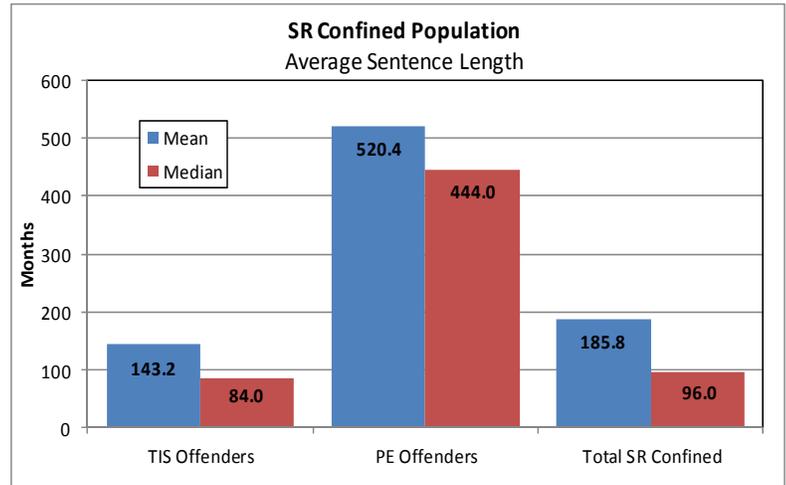
Overall, a larger proportion of the SR Confined Population had a Violent MSO compared to the SR NCC discussed previously (59% vs. 30%). Additionally, there were marked differences between the groups when looking at the MSO distribution. Among the Non-Violators, 69% had a Violent MSO while those with a Property/Public Order or Drug MSO made up only 17% and 14% of the Non-Violators, respectively. While offenders with a Violent MSO comprised the largest group of the New Crime Violators (45%), they were closely followed by those offenders with a Property/Public Order MSO (40%). However, offenders

with a Property/Public Order MSO made up the largest group among the Technical Violators (44%), with fewer than one-third (31%) having a Violent MSO and one-quarter (25%) having a Drug MSO.

### Total Sentence

When analyzing and reporting on the Total Sentence information of the SR Confined Population, one must account for the structure under which offenders were sentenced. Offenders convicted of felonies committed prior to January 1, 1995 are eligible for discretionary parole consideration by the Virginia Parole Board (VPB); these offenders are referred to as Parole Eligible (PE). Parole was abolished for felonies committed on/after January 1, 1995. Offenders convicted of these offenses are referred to as Truth-In-Sentencing (TIS) offenders who must serve at least 85% of their Total Sentence. Historically, PE offenders were sentenced to very long

Sentence (depending on their prior history). TIS offenders, on the other hand, are sentenced to a shorter total period of incarceration but must serve a larger percentage of that sentence (at least 85%). The June 30, 2013 SR Confined Population was composed of 31,566



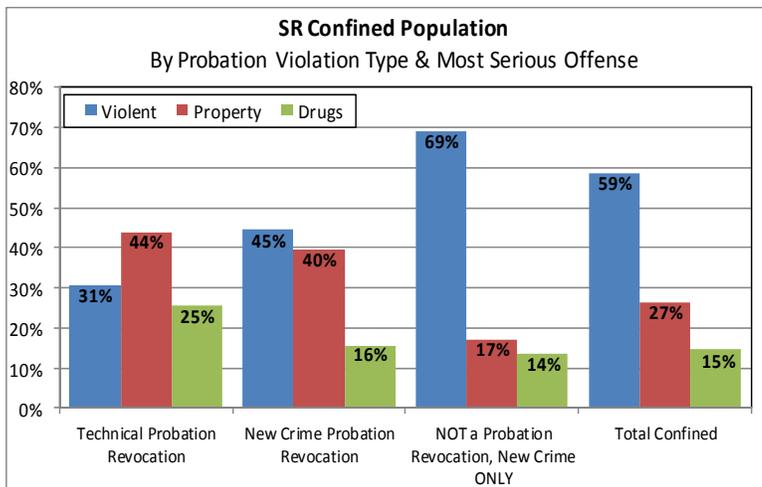
(86%) TIS offenders and 5,081 (14%) PE offenders. Failing to distinguish between these two distinct populations would greatly skew the results of any analysis.

### TIS Offenders

The 31,566 TIS offenders had an average Total Sentence of 143.2 months (11.9 years) with a median of 84.0 months (7 years). Fifty-nine percent (18,702) of these offenders were Non-Violators. The remaining 12,866 were split between New Crime Violators (11,644; 37%) and Technical Violators (1,220; 4%).

terms of incarceration, with these offenders becoming eligible for discretionary parole consideration after serving 25%, 33%, 50% or 75% of their Total

Among the TIS offenders in the SR Confined Population, the New Crime Violators had a shorter average Total Sentence than the Non-Violators (115.4 vs. 166.7 months). Also, the Technical Violators had a much shorter average Total Sentence (54.9 months) than both the New Crime Violators and the Non-Violators. The median Total Sentence for both the New Crime Violators and the Non-Violators were below the averages for each, indicating outliers with long Total Sentences are influencing the averages. The



## Probation Violators in the SR Confined Population *(continued)*

median for the New Crime Violators was shorter than the median for the Non-Violators (72.0 vs. 96.9 months). As for the Technical Violators, the median Total Sentence was much shorter (36.0 months), meaning half of these Technical Violators were sentenced to less than three years of incarceration.

These differences in Total Sentence were much more noticeable when looking at the Probation Violators by MSO. New Crime Violators with a Violent MSO had an average Total Sentence that was more than nine years longer than the average for the Technical Violators (186.4 vs. 77.8 months), but their average was more than three years shorter than the average Total Sentence for the Non-Violators with a Violent MSO (186.4 vs. 224.2 months). While much shorter than the average Total Sentences, the medians followed a similar pattern for these groups. The median Total Sentence for the Technical Violators with a Violent MSO was 48 months, meaning half of this group had a sentence at or below four years.

Among the TIS offenders with a Property/Public Order MSO, the New Crime Violators had a longer average Total Sentence (69.0 months) than both the Non-Violators (65.5 months) and the Technical Violators (42.9 months). Among the offenders with a Drug MSO, the New Crime Violators had a longer average Total Sentence (75.6 months) than the Non-Violators (72.3 months) and the Technical Violators (50.6 months). Again, while shorter than the averages, the median Total Sentences for these groups follow a similar pattern. The median for the Technical Violators with a Property/Public Order or Drug MSO is thirty-six months, meaning half of these offenders had a sentence of three years or less.

### PE Offenders

PE offenders receive much longer sentences than TIS offenders. The 5,081 PE offenders had an average Total Sentence of 520.4 months (43.4

TIS Offender Average Sentence Length (months) By Violation Type and Most Serious Offense				
	Technical Violators	New Crime Violators	Non-Violators	Total TIS
<b>Violent</b>				
<i>n</i> =	357	4,587	12,176	17,120
Mean	77.8	186.4	224.2	210.9
Median	48.0	126.0	156.0	144.0
<b>Property/Public Order</b>				
<i>n</i> =	545	5,006	3,627	9,178
Mean	42.9	69.0	65.6	66.1
Median	36.0	54.0	45.9	48.0
<b>Drugs</b>				
<i>n</i> =	318	2,051	2,899	5,268
Mean	50.6	75.6	72.3	72.3
Median	36.0	60.0	54.0	54.0
<b>Overall</b>				
<i>n</i> =	1,220	11,644	18,702	31,566
Mean	54.9	115.4	166.7	143.2
Median	36.0	72.0	96.9	84.0

years) with a median of 444.0 months (37.0 years). Fifty-eight percent (2,926) of these offenders were Non-Violators. The remaining 2,155 were split between New Crime Violators (2,116; 42%) and Technical Violators (39; <1%).

When comparing Probation Violators to the Non-Violators among the PE offenders in the SR Confined Population, the New Crime Violators had a shorter average Total Sentence than the Non-Violators (408.8 vs. 654.4 months), and the Technical Violators had a much shorter average Total Sentence (194.2 months) than both the New Crime Violators and the Non-Violators. The median Total Sentence for both the New Crime Violators and the Non-Violators were below the averages for each, indicating that outliers with long total sentences are influencing the averages. The median for the New Crime Violators was shorter than the median for the Non-Violators

(348.0 vs. 588.0 months). As for the Technical Violators, the median Total Sentence was much shorter (162.0 months).

These differences in Total Sentence were much more noticeable when looking at the Probation Violators by MSO. New Crime Violators with a Violent MSO had an average Total Sentence that was more than twenty-one years longer than the average for the Technical Violators (453.1 vs. 197.4 months), but their average was almost nineteen years shorter than the average Total Sentence for the Non-Violators with a Violent MSO (453.1 vs. 677.1 months). The medians followed a similar pattern for these groups.

Among the PE offenders with a Property/Public Order MSO, the Non-Violators had a longer average Total Sentence (323.9 months) than both the New Crime Violators (303.9 months) and the Technical Violators (151.5 months). Among the offenders with a Drug MSO, the Non-Violators had a longer average Total Sentence (418.1 months) than the

PE Offender Average Sentence Length (months) By Violation Type and Most Serious Offense				
	Technical Violators	New Crime Violators	Non-Violators	Total PE
<b>Violent</b>				
<i>n</i> =	29	1,560	2,798	4,387
Mean	197.4	453.1	677.1	568.3
Median	168.0	384.2	600.0	492.0
<b>Property/Public Order</b>				
<i>n</i> =	7	452	78	537
Mean	151.5	303.9	323.9	305.6
Median	141.6	242.0	199.0	253.3
<b>Drugs</b>				
<i>n</i> =	3	104	50	157
Mean	220.7	264.5	418.1	312.9
Median	156.0	227.3	411.0	252.0
<b>Overall</b>				
<i>n</i> =	39	2,116	2,926	5,081
Mean	194.2	408.8	654.4	520.4
Median	162.0	348.0	588.0	444.0

# Probation Violators in the SR Confined Population *(continued)*

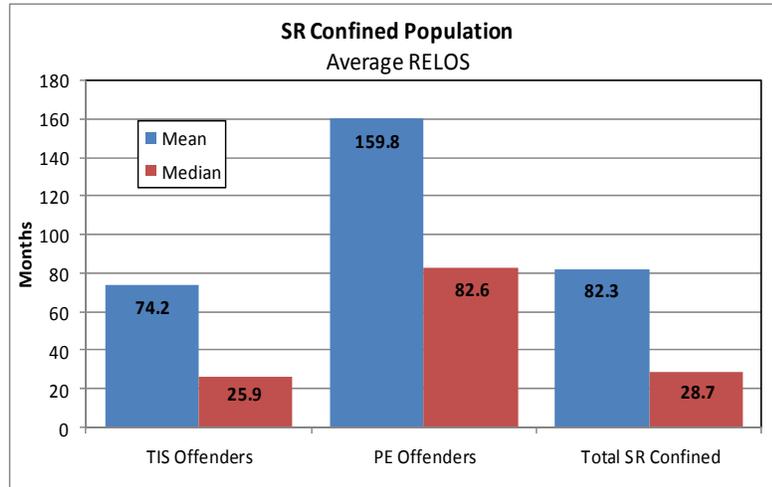
New Crime Violators (264.5 months) and the Technical Violators (220.7 months).

## Remaining Expected Length of Stay

Remaining Expected Length of Stay (RELOS) is a measure of how much longer a currently confined offender will be State Responsible and occupy an SR bed (either in a VADOC facility or a local/regional jail). This measure is the difference between the “cut date” of the SR Confined Population (June 30, 2013 in this analysis) and an offender’s Expected Release Date, based on Total Sentence and good time earning rate (Good Time Release Date for TIS offenders and Mandatory Parole Release Date for PE offenders). As RELOS measures how much longer an offender will be SR, the Statistical Analysis & Forecast Unit uses RELOS in its forecast simulation model. As with the Total Sentence analysis of the SR Confined Population, the RELOS for TIS offenders and PE offenders must be looked at separately.

### TIS Offenders

The 31,566 TIS offenders had an average RELOS of 74.2 months (6.2 years) with a median of 25.9 months (2.2 years), meaning half of these offenders were expected to be released within that timeframe. When comparing Probation Violators to the Non-Violators among the TIS offenders in the SR Confined Population, the New Crime Violators had a shorter average RELOS than the Non-Violators (57.1 vs. 88.9 months), and the Technical Violators had a much shorter average RELOS (19.4 months) than both the New Crime Violators and the Non-Violators. The median RELOS for both the New Crime Violators and the Non-Violators were below the averages for each, indicating outliers with long RELOS are influencing the averages. The median for the New Crime Violators was shorter than the median for the Non-Violators (21.7 vs. 32.1



months). As for the Technical Violators, the median RELOS was much shorter (9.3 months), meaning half of these Technical Violators are expected to be released in under one year.

These differences in RELOS are much more noticeable when looking at the Probation Violators by MSO. New Crime Violators with a Violent MSO had an average RELOS that was more than six years longer than the average for the Technical Violators (103.9 vs. 30.6 months), but their average is more than one and a

half years shorter than the average RELOS for the Non-Violators with a Violent MSO (103.9 vs. 123.0 months). While much shorter than the average RELOS, the medians follow a similar

pattern for these groups. The median RELOS for the Technical Violators with a Violent MSO is just under one year (11.1 months), meaning half of this group was expected to be released within that timeframe.

Among the TIS offenders with a Property/Public Order MSO, the New Crime Violators and Non-Violators had similar average RELOS (26.3 and 26.9 months, respectively) which are much longer than the average for the Technical Violators (14.2 months). Among the offenders with a Drug MSO, again the New Crime Violators and Non-Violators had similar average RELOS (30.8 and 30.4 months, respectively) which are much longer than the average for the Technical Violators (16.3 months). While shorter than the averages, the median RELOS for these groups follows a similar pattern. The median for the Technical Violators with a Property/Public Order or Drug MSO is less than nine months, meaning half of these offenders were expected to be released in that time.

### PE Offenders

PE offenders receive much longer sentences than TIS offenders. However, as RELOS represents how much longer these offenders will be incarcerated until their Expected Release Date (Mandatory

TIS Offender Average RELOS (months) By Violation Type and Most Serious Offense				
	Technical Violators	New Crime Violators	Non-Violators	Total TIS
<b>Violent</b>				
n=	357	4,587	12,176	17,120
Mean	30.6	103.9	123.0	115.9
Median	11.1	45.9	58.7	53.1
<b>Property/Public Order</b>				
n=	545	5,006	3,627	9,178
Mean	14.2	26.3	26.9	25.8
Median	8.9	15.0	11.5	13.0
<b>Drugs</b>				
n=	318	2,051	2,899	5,268
Mean	16.3	30.8	30.4	29.7
Median	8.7	16.5	15.5	15.3
<b>Overall</b>				
n=	1,220	11,644	18,702	31,566
Mean	19.4	57.1	88.7	74.2
Median	9.3	21.7	32.1	25.9

## Probation Violators in the SR Confined Population *(continued)*

Parole Release Date), the RELOS values for the PE offenders are much shorter than their Total Sentence. The 5,081 PE offenders had an average RELOS of 159.8 months (13.3 years) with a median of 82.6 months (6.9 years).

When comparing Probation Violators to the Non-Violators among the PE offenders in the SR Confined Population, the New Crime Violators had a shorter average RELOS than the Non-Violators (129.5 vs. 194.7 months), and the Technical Violators had a much shorter average RELOS (24.3 months) than both the New Crime Violators and the Non-Violators. The median RELOS for both the New Crime Violators and the Non-Violators were below the averages for each, indicating outliers with long RELOS are influencing the averages. The median for the New Crime Violators was shorter than the median for the Non-Violators (64.8 vs. 110.5 months). As for the Technical Violators, the median RELOS was much shorter (18.5 months), meaning half of these Technical Violators were expected to be released within one and a half years.

These differences in RELOS are much more noticeable for the Probation Violators by MSO. New Crime Violators with a Violent MSO have an average RELOS that is almost eleven years longer than the average for the Technical Violators (153.4 vs. 22.6 months), but their average is almost four years shorter than the average RELOS for the Non-Violators with a Vio-

PE Offender Average RELOS (months) By Violation Type and Most Serious Offense				
	Technical Violators	New Crime Violators	Non-Violators	Total PE
<b>Violent</b>				
<i>n</i> =	29	1,560	2,798	4,387
Mean	22.6	153.4	199.9	177.4
Median	13.7	85.3	114.8	99.5
<b>Property/Public Order</b>				
<i>n</i> =	7	452	78	537
Mean	35.3	70.4	94.9	73.3
Median	35.3	37.8	44.7	38.0
<b>Drugs</b>				
<i>n</i> =	3	104	50	157
Mean	30.3	56.6	146.1	88.4
Median	25.9	43.6	71.7	50.0
<b>Overall</b>				
<i>n</i> =	39	2,116	2,926	5,081
Mean	24.3	129.5	194.7	159.8
Median	18.5	64.8	110.5	82.6

lent MSO (153.4 vs. 199.9 months). While much shorter than the average RELOS, the medians follow a similar pattern for these groups.

Among the PE offenders with a Property/Public Order MSO, the Non-Violators have a longer average RELOS (94.9 months) than the New Crime Violators (70.4 months) and much longer than the Technical Violators (35.3 months). Among the offenders with a Drug MSO, the Non-Violators have a much longer average RELOS (146.1 months) than the New Crime Violators (56.6 months) and the Technical Violators (30.3 months). Again, while shorter than the averages, the median RELOS for these groups fol-

low a similar pattern.

### Prior SR Incarcerations

Sixty percent of the SR Confined offenders were serving their first term of SR incarceration, with almost another quarter (22%) serving their second term. However, like the SR NCC, the differences in incarceration history between the Probation Violators and the Non-Violators are quite stark. More than three-quarters (77%) of the Non-Violators had not served a prior term of SR incarceration while thirty-eight percent of the New Crime Violators and thirty-seven percent of the Technical Violators had not served a prior term of SR incarceration. Only thirteen percent of the Non-Violators had served one prior term of SR incarceration, but over one-third of the New Crime Violators and the Technical Violators (34% each) had served one prior term. The percentages of New Crime Violators and Technical Violators who had served two prior terms of SR incarceration (16% and 15%, respectively) were triple the percentage for the Non-Violators (5%). The percentages of New Crime Violators and Technical Violators who had served three prior and four or more prior terms of SR incarceration were larger than the percentages for the Non-Violators.

**SR Confined Population by Probation Violator Type & Prior SR Incarcerations**

	Total SR Confined		Non-Violators		New Crime Violators		Technical Violators	
	number	percent	number	percent	number	percent	number	percent
Zero Prior	22,285	60%	16,617	77%	5,197	38%	471	37%
One Prior	8,010	22%	2,898	13%	4,690	34%	422	34%
Two Prior	3,506	10%	1,181	5%	2,133	16%	192	15%
Three Prior	1,641	4%	553	3%	986	7%	102	8%
Four or More Prior	1,205	3%	379	2%	754	5%	72	6%
<b>Total</b>	<b>36,647</b>		<b>21,628</b>		<b>13,760</b>		<b>1,259</b>	

## Probation Violators by Committing Court<sup>6</sup>

Policymakers and stakeholders have expressed an interest in learning which jurisdictions have the most Probation Violations. The Statistical Analysis & Forecast Unit analyzed this information and developed the two maps on the following page which allow for comparison between committing courts. The first map shows the Probation Violation Rate per 10,000 people in the population, and the second map shows the Technical Probation Violation Rate per 10,000 population.<sup>7</sup>

### Probation Violation Rate

In FY2013, Virginia had a statewide Probation Violation rate of 7.04 per 10,000 people in the population. The average locality had an average rate of 8.88 per 10,000 with a median rate of 7.39. The rates ranged from 0.00 for the city of Galax to 36.65 for the city of Fredericksburg. While the median is the midpoint where 50% of the localities had rates below this value and 50% above, more than one-third of the localities (49 of 134, 37%) had Probation Violation rates above the statewide average, led by eight localities with a rate of 22.00 per 10,000 or higher.<sup>8</sup> These localities were: Fredericksburg, 36.65; Tazewell, 31.72; Bristol, 31.40; Martinsville, 28.22; Danville, 26.01; Brunswick, 24.66; Southampton, 23.16; and Colonial Heights, 22.97.

Probation Violations were reported from localities throughout Virginia. Most localities (85 of 134, 63%) had Probation Violation rates below the statewide average; however, there were localities with rates above the statewide average in every area of the state. These localities were concentrated in two areas: the area of Southside Virginia from Brunswick County (24.66) moving east to Tidewater (Portsmouth, 19.99 and

Norfolk, 13.71) and far Southwest Virginia. With the exception of the counties of Bland (8.79), Scott (7.77), Smyth (8.07) and Washington (7.47), every other locality in Southwest Virginia had a Probation Violation rate above the statewide average (ranging from 9.25 in Wise County to 31.72 in Tazewell County). Other localities with a Probation Violation Rate well above (more than one standard deviation above) the average include: Portsmouth, 19.99; Greenville/Emporia, 19.26; Russell, 16.61; Chesapeake, 16.34; and Grayson, 16.09.

### Technical Probation Violation Rate

In FY2013, Virginia had a statewide Technical Probation Violation rate of 1.16 per 10,000 people population. The average locality had an average rate of 1.60 per 10,000 with a median rate of 0.85. The rates ranged from 0.00 (31 localities) to 13.21 for the city of Colonial Heights. While the median is the midpoint where 50% of the localities had rates below this value and 50% above, almost one-third of the localities (42 of 134, 31%) had

Technical Probation Violation rates above the average, led by seven localities with a rate of 6.14 per 10,000 or higher.<sup>7</sup> These localities were: Colonial Heights, 13.21; Fredericksburg, 11.12; Greenville/Emporia, 9.36; Brunswick, 7.46; Danville, 6.97; Wythe, 6.84; and Hopewell, 6.64.

As the second map on the next page shows, Technical Probation Violations were reported from localities throughout Virginia. Most localities (92 of 134, 69%) had Technical Probation Violation rates below the average. However, there were localities with rates above the average in every area of the state. These localities were concentrated in two areas: the area of Southside Virginia including Brunswick (7.46), Greenville/Emporia (9.36) and Southampton (4.31) and the portion of far Southwest Virginia including Tazewell (4.88), Bland (2.93), Buchanan (3.32), Giles (3.97), Pulaski (4.87), Wythe (6.84) and Grayson (3.22). The labels on the maps correspond to the numbers in the table below.

Top Ten Localities				
Probation Violation Rate per 10,000 Population		Technical Probation Violation Rate per 10,000 Population		
1	Fredericksburg	36.65	1 Colonial Heights	13.21
2	Tazewell	31.72	2 Fredericksburg	11.12
3	Bristol	31.40	3 Greenville/Emporia	9.36
4	Martinsville	28.22	4 Brunswick	7.46
5	Danville	26.01	5 Danville	6.97
6	Brunswick	24.66	6 Wythe	6.84
7	Southampton	23.16	7 Hopewell	6.64
8	Colonial Heights	22.97	8 Sussex	5.79
9	Wythe	21.21	9 Westmoreland	5.73
10	Pulaski	20.93	10 Tazewell	4.88

<sup>6</sup>While offenders may be sentenced by courts in multiple jurisdictions for multiple offenses, the Statistical Analysis & Forecast Unit assigns each offender to the court that sentenced the offender for his most serious offense (MSO). Several independent cities in Virginia share a circuit court with a neighboring locality (i.e. City of Emporia with Greenville County, City of Harrisonburg with Rockingham County). For the display purposes of the maps in this report, these cities are assigned the value of the locality with which they share a circuit court.

<sup>7</sup>Probation Violation Rate = (Number of SR NCC Probation Violations in a locality / Locality Population) x 10,000

Technical Probation Violation Rate = (Number of SR NCC Technical Probation Violations in a locality / Locality Population) x 10,000

Population figures are from U.S. Census Bureau - Table 1. Annual Estimates of the Resident Population for Counties of Virginia: April 1, 2010 to July 1, 2011 (CO-EST2011-01-51)

<sup>8</sup>Any rate above this value is more than two standard deviations above the average and is statistically significant.

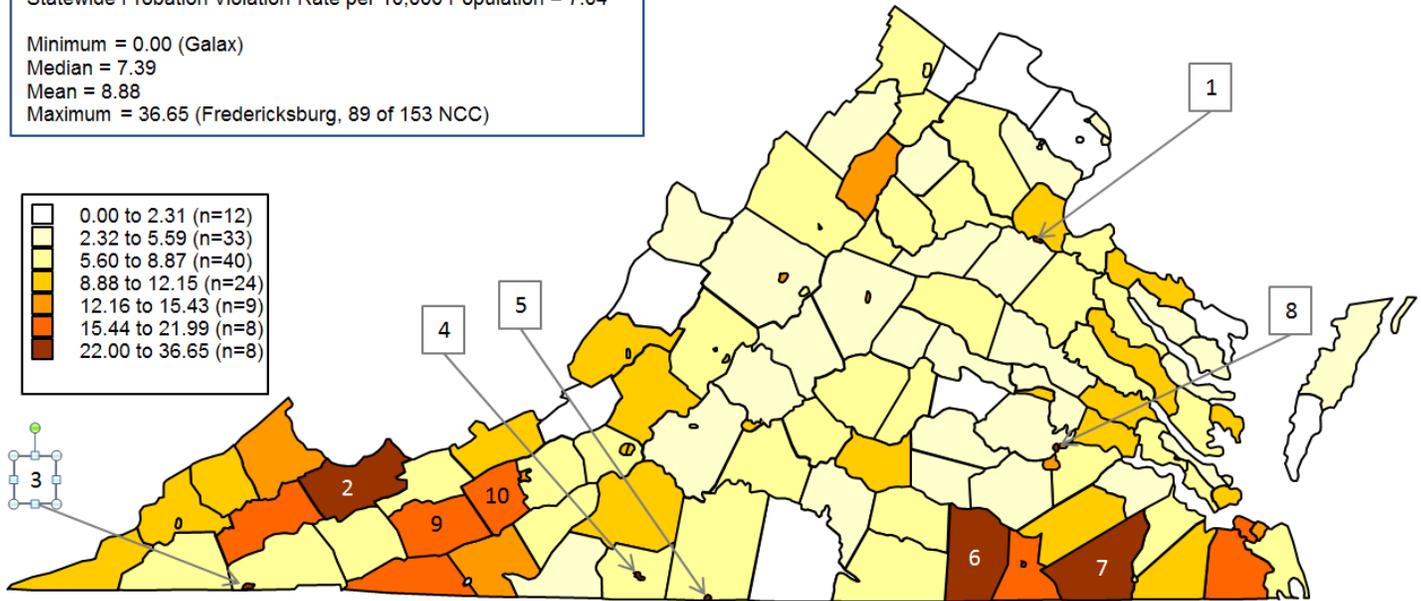
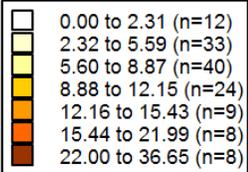
NOTE: Rate per population normalizes the data for population which allows for the comparison of different jurisdictions regardless of size.

# Probation Violators by Committing Court *(continued)*

## FY2013 SR NCC by Probation Violation Rate per 10,000 Population

Statewide Probation Violation Rate per 10,000 Population = 7.04

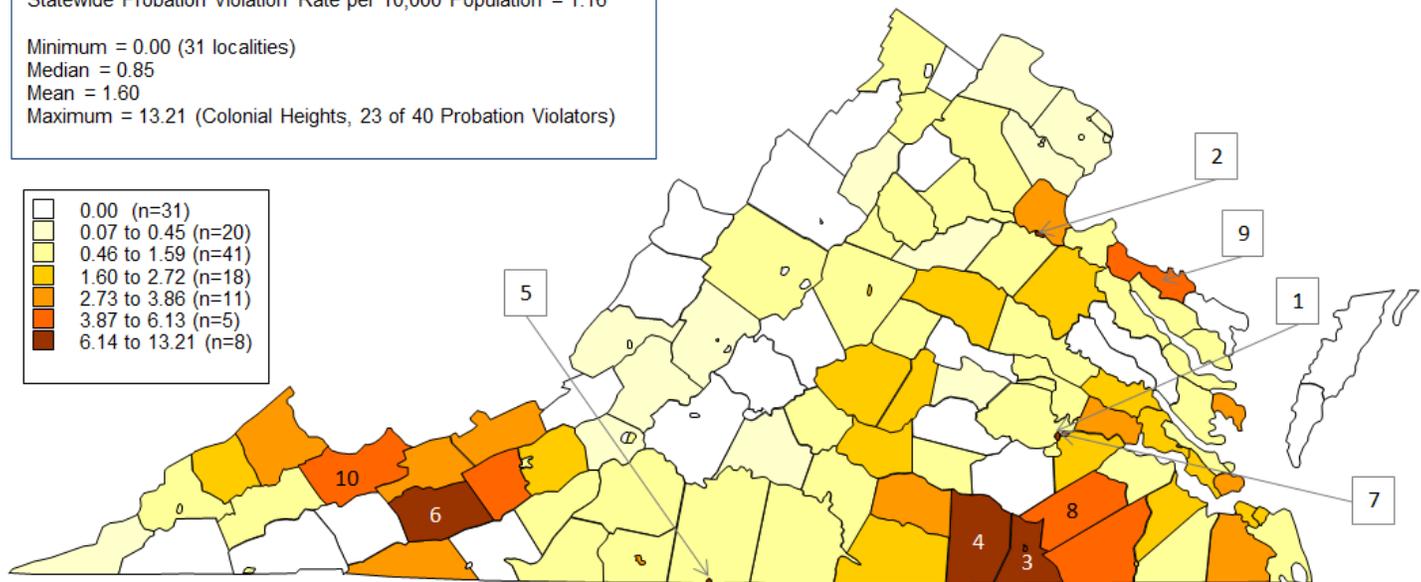
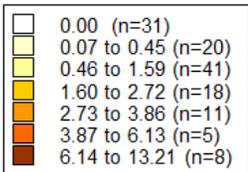
Minimum = 0.00 (Galax)  
 Median = 7.39  
 Mean = 8.88  
 Maximum = 36.65 (Fredericksburg, 89 of 153 NCC)



## FY2013 SR NCC by Technical Probation Violation Rate per 10,000 Population

Statewide Probation Violation Rate per 10,000 Population = 1.16

Minimum = 0.00 (31 localities)  
 Median = 0.85  
 Mean = 1.60  
 Maximum = 13.21 (Colonial Heights, 23 of 40 Probation Violators)



Labels for localities defined in table on Page 12 of this report

## Summary & Conclusions

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This report focuses on those Probation Violators who were sentenced to a term of SR incarceration. Probation Violators who had their probation continued or were sentenced to a Local Responsible (LR) term of incarceration were excluded. According to the VCSC SRR database, 32% of violation cases receive an SR sentence.

Almost one-half of the FY2013 SR NCC were Probation Violators. Forty percent of the SR NCC were New Crime Violators, and 8% were Technical Violators. One-quarter of the New Crime Violators had a Violent MSO for that term of incarceration. The remaining three-quarters had a Property/Public Order MSO (54%) or Drug MSO (21%). Twenty-four percent of the Technical Violators had a Violent MSO for that term of incarceration, 44% had a Property/Public Order MSO, and 31% had a Drug MSO.

Probation Violators comprised one-half of the SR NCC over most of the study period. Even though the proportion of Probation Violators has remained relatively stable, the breakdown between New Crime Violators and Technical Violators has changed over time. New Crime Violators have increased from 78% of total Violators in FY2005 to 83% in FY2013. Conversely, Technical Violators have declined from 22% to 17%. Some of this decline in Technical Violators may be due to expanded efforts at identifying Probation Violators and violation reasons on the part of VADOC, VSP and VCSC. However, some of this decline may be attributable to changes in sentencing practices on the part of the courts or offender behavior.

Males comprised the majority of the SR NCC (88-89%). Probation Violators have comprised approximately half of the male SR NCC. Among females, Probation Violators have comprised more than half of the female SR NCC (52-63%).

On average, Probation Violators

were approximately the same age as the Non-Violators (34.7 years vs. 34.4 years). Among the Violators, the Technical Violators were slightly older than the New Crime Violators (35.6 years vs. 34.5 years).

A larger percentage of the New Crime Violators (25%) showed some evidence of mental health impairment than either the Technical Violators (20%) or the Non-Violators (21%).

Fewer than one-half of the New Crime Violators with alcohol usage information recorded reported they had used alcohol in the year prior to their incarceration. Almost one-half of those offenders reported they had used alcohol heavily or moderately. More than one-third of the Technical Violators reported they had used alcohol in the prior year, and under one-half of those reported heavy use or moderate use. Fewer than one-half of the New Crime Violators reported they had used drugs in the year prior to their incarceration. Of those, almost two-thirds reported heavy or moderate use. More than one-third of the Technical Violators reported they had used drugs in the year prior to their incarceration. Of those, more than two-thirds reported heavy or moderate use.

Probation Violators were less violent than the Non-Violators (25% vs. 30%). One-quarter of the New Crime Violators and one-quarter of the Technical Violators had a Violent MSO. A larger proportion of the Technical Violators had a Drug MSO than did the New Crime Violators. New Crime Violators had a shorter average Total Sentence than the Non-Violators, and the Technical Violators had a much shorter average Total Sentence than both the New Crime Violators and the Non-Violators. New Crime Violators with a Violent

MSO had an average Total Sentence that was much longer than the average for the Technical Violators, but their average was more than one year shorter than the average Total Sentence for the Non-Violators with a Violent MSO. The median Total Sentence for the Technical Violators with a Violent MSO was just twenty-four months, meaning that half of this group had a sentence at or below this length.

The FY2013 SR NCC had an average Expected SR Length of Stay (SRLOS) of 37.9 months and a median of 19.7 months, meaning half of these offenders will be released in just over one and a half years after becoming SR. Almost six out of ten of the SR NCC are expected to be released within two years of becoming SR, meaning that many of these offenders will be released before they can be brought into a VADOC facility and may not receive re-entry programming and services. New Crime Violators had a shorter average Expected SRLOS than the Non-Violators, and the Technical Violators had a much shorter average Expected SRLOS than both the New Crime Violators and the Non-Violators. New Crime Violators with a Violent MSO had an average Expected SRLOS that was much longer than the average for the Technical Violators with a Violent MSO. Their average was much shorter than the average Expected SRLOS for the Non-Violators with a Violent MSO.

Over two-thirds of the Non-Violators had not served a prior term of SR incarceration while 36% of both the New Crime Violators and the Technical Violators had not served a prior term of SR incarceration. Only 16% percent of the Non-Violators had served one prior term of SR incarceration, but one-third of the New Crime Violators and almost one-third of the Technical Violators had served one prior term.

As the maps on Page 13 show, Pro-

## Summary & Conclusions *(continued)*

bation Violators are sentenced by courts throughout the Commonwealth. Most localities have a Probation Violation Rate below the statewide average. Although there are localities with higher than average rates in every region of the state, the highest concentrations are in Southside Virginia and far Southwest Virginia. Likewise, Technical Probation Violations were reported from localities throughout Virginia. Most localities had Technical Probation Violation rates below the statewide average (31 localities had zero Technical Probation Violators reported). However, there were localities with rates above the statewide average in every area of the state. Again, these localities were concentrated in Southside Virginia and far Southwest Virginia.

When comparing Probation Violators to the Non-Violators among the TIS offenders in the SR Confined Population, the New Crime Violators had a

much shorter mean Remaining Expected Length of Stay (RELOS) than the Non-Violators, and the Technical Violators had a much shorter mean RELOS than both the New Crime Violators and the Non-Violators. As for the Technical Violators, the median RELOS was much shorter (9.3 months), meaning that half of these Technical Violators were expected to be released in under one year. New Crime Violators with a Violent MSO had a mean RELOS that was much longer than the mean for the Technical Violators, but their mean was much shorter than the mean RELOS for the Non-Violators with a Violent MSO. The median RELOS for the Technical Violators with a Violent MSO was just under one year, meaning that half of this group was expected to be released within that time frame.

According to the VCSC SRR data, nearly one third of the FY2013 Probation Violators received an SR sentence. This may be at least partially due to the criminal history of the offenders (24% of the Technical Violators and 25% of the New Crime Violators are serving terms for violent offenses). Violators without violent offenses could have received an SR sentence based on the extensive nature of their criminal history, prior terms of SR incarceration, their behavior while on community supervision or other factors. Still, compared to Non-Violators, the Violators have relatively shorter sentences. Technical Violators in particular have an average expected SRLOS of one-and-a-half years so many will serve their entire SR term of incarceration in a local jail and not receive re-entry programming services offered in VADOC facilities.

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