



Geriatric Offenders within the SR Confined Population

Table of Contents

Introduction	1	Release Types by Age Groups	6
Age at Sentencing (Confined)	2	Recidivism Among Older Offenders	6
Projected Age at Release	2	Re-entry Challenges	6
Age at Sentencing (Releases)	3	Offenders Eligible for Consideration for Geriatric Release	7
Age at Sentencing and Number of Prior Incarcerations	3	Expected Release Dates	7
Projected Length of Stay (Confined)	3	Offenders with Special Needs	7
Crime Type by Age Groups	4	Mental Health by Age Groups (Confined)	8
MSO by Age Groups (Confined)	4	Drug Use by Age Groups (Confined)	8
Deerfield Correctional Center	5	Medical Expense	9
MSO by Age Groups at Deerfield	5	Summary	9
		References	9

Introduction

Older adults are the fastest growing segment of the U.S. prison population. According to the U.S. Bureau of Justice Statistics, between 1999 and 2007, the number of people incarcerated aged 55 and older rose 76.9% (Sabol 2008).

In Virginia, the increase in the number of geriatric confined offenders has been dramatic. From 1990 to 2010, Virginia's State Responsible (SR) Confined population aged 50 and over increased six-fold from 822 to 5,709, accounting for 15% of the total SR Confined population. Similarly, older offenders have been an increasing percentage of New Court Commitments (NCC), increasing from 3% in FY1990 to 9% in FY2010.

This report examines Virginia Department of Corrections'

(VA DOC) SR Confined population at or above age 50. Although 50 year-olds are generally not considered "elderly" or "geriatric" in the general population, incarcerated individuals have been shown to age more rapidly than those who are not confined. This is partly due to psychological stressors of prison life. Another factor to consider, though, is the offender's mental and/or physical health prior to incarceration.

In the non-institutionalized U.S. population, one in four adults over the age of 65 has a chronic disease leading to major limitations in activity. Prisoners are considerably less healthy. Of prisoners 65 and older, 82% have a

chronic physical problem. (Sterns 2007).

Because of the growing num-

National Age Trends

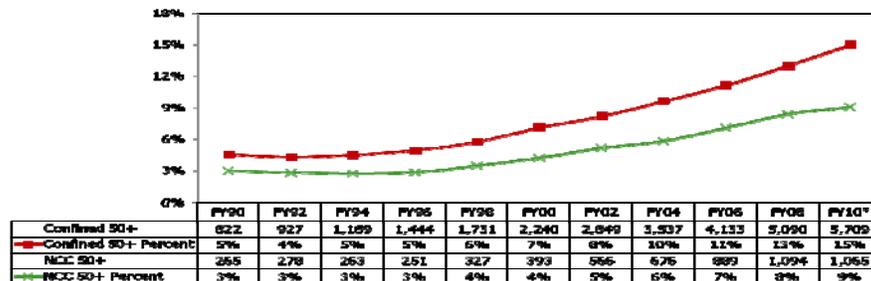
- From 1900 to 2000, the 65+ age group has grown from 4% to 12% of the U.S. population
- Since 2000, the 65+ group has remained around 12 to 13% of the U.S. population

Virginia Age Trends

- Between 2000 and 2030, Virginia's total population is projected to increase by 39%
- In Virginia, the 65+ age group is projected to increase by 133% between 2000 and 2030

Source: U.S. Census Bureau

ber of geriatric confined offenders, increasing medical costs, and the possibility of longer lifespans with improved medical care, geriatric confined offenders are expected to increase the strain on state correctional budgets and present other special challenges.



FY2010 SR Confined: Age at Sentencing

The typical “crime prone” years are between the ages of 16 and 24 (Diplock 2010). Therefore, one would not expect to see a growing older SR confined population unless many of those offenders were sentenced to long sentences at a young age. In other words, the offender may have grown old in the VA DOC. However, the percentage of older New Court Commitments (NCC) has also tripled since FY1990.

Confined offenders.

In FY2010, there were 32,067 SR Confined offenders under the age of 50. Of this group, 37% were sentenced during

Of the 5,196 SR Confined offenders between the ages of 50 and 64, less than 9% were sentenced during their crime prone years. Two-thirds (66%) were sentenced between the ages of 40 and 59.

Those offenders aged 65 and up were generally sentenced when they were older. A total of 67% were sentenced when they were 50 years -old or older, and 49% were sentenced when they were 60 years-old or older. Only 2% of the offenders in the 65 and older group are serving a sentence that began in their crime prone years.

Inmate Age at Sentence	Under 50 in FY2010		50 – 64 in FY2010		65+ in FY2010	
Under 18	755	2%	25	<1%	0	0%
18 – 24	11,236	35%	408	8%	10	2%
25 – 29	6,824	21%	391	8%	14	3%
30 – 34	4,903	15%	376	7%	32	6%
35 – 39	3,794	12%	412	8%	33	6%
40 – 44	3,079	10%	501	10%	36	7%
45 – 49	1,476	5%	1,047	20%	42	8%
50 – 54	0	0%	1,316	25%	45	9%
55 – 59	0	0%	588	11%	52	10%
60 – 64	0	0%	132	3%	94	18%
65+	0	0%	0	0%	155	30%
Total	32,067		5,196		513	

To determine whether the older SR Confined were offenders who were sentenced to long sentences during their crime prone years and then grew old at the VA DOC, the age at sentencing was examined by the age in FY2010 of the SR

their crime prone years (under the age of 25). Over half (56%) were sentenced between the ages of 18 and 29 and 83% were sentenced between the ages of 18 and 39.

Although 38.8% of the FY2010 SR Confined were under 25 years of age at their time of sentencing, 96.4% of those were still under age 50, 3.5% were between the ages of 50 and 64, and less than 1% (10) were 65 or older.

FY2010 SR Confined: Projected Age at Release

Examining the projected age at release is important to planning for the management and re-entry of older SR Confined offenders. The FY2010 SR confined were studied to determine their expected age at release by their age groups in FY2010.

A total of 2,701 SR offenders incarcerated in FY2010 are expected to be released between the ages of 60 and 74. Of these, 1,265 (47%) were under 50 years-old in FY2010. Another 1,244 (46%) of these offenders were between the ages of 50 and 64. The remaining 192 were at least 65 years-old.

In 2009, the average life expectancy in the United States was 78.2 years. For males, it was 75.7 years and for females it was 80.6 years (NCHS 3).

Some SR Confined offenders will still be incarcerated well into their seventies and eighties.

Among the SR Confined who are under the age of 50, 3% (711) will not be released before age 75. Among those who are between 50 and 64 years of age, 11% (426) will not be released before age 75.

Among those who are age 65 or older, 46% (162) will not be released before age 75.

Projected Age at Release	Under 50 in FY2010		50 – 64 in FY2010		65+ in FY2010	
Under 18	4	<1%	0	0%	0	0%
18 – 24	2,238	8%	0	0%	0	0%
25 – 29	4,512	16%	0	0%	0	0%
30 – 34	5,072	18%	0	0%	0	0%
35 – 39	4,415	15%	0	0%	0	0%
40 – 44	4,046	14%	0	0%	0	0%
45 – 49	3,905	13%	0	0%	0	0%
50 – 54	1,942	7%	1,153	29%	0	0%
55 – 59	867	3%	1,158	29%	0	0%
60 – 64	595	2%	708	18%	0	0%
65 – 74	670	2%	536	13%	192	54%
75 – 84	308	1%	198	5%	103	29%
85 – 94	155	<1%	93	2%	35	10%
95+	248	<1%	135	3%	24	7%

FY2010 SR Releases: Age at Sentencing

Inmate Age at Sentencing	Released Under 50		Released 50 - 64		Released 65+	
Under 18	87	<1%	0	0%	0	0%
18 - 24	3,193	28%	38	2%	0	0%
25 - 29	7,366	71%	71	1%	1	1%
30 - 34	1,823	16%	45	3%	3	3%
35 - 39	1,611	14%	62	4%	6	6%
40 - 44	1,477	13%	91	6%	2	2%
45 - 49	805	7%	385	25%	6	6%
50 - 54	0	0%	602	39%	7	7%
55 - 59	0	0%	249	16%	9	9%
60 - 64	0	0%	64	4%	26	25%
65+	0	0%	0	0%	43	42%
Total	11,362	87%	1,557	12%	103	<1%

Of the Commonwealth's SR Releases under 50 years-old, 92% were between the ages of 18 and 44 at the time of their sentencing. Nearly half (49%) were sentenced by age 29. Most older SR released offenders were not sentenced in their crime prone years.

Of the releases between the ages of 50 and 64, 79% were sentenced between the ages of 45 and 59. Over half (55%) were not sentenced until they were at least 50 years-old. Therefore, the vast majority of those released were not sentenced in their crime prone years.

The oldest of the FY2010 releases, those 65 and older, tended to be the oldest at the time of their sentencing. 67% were not sentenced until at least their 60th birthday. A total of 43 offenders released in FY2010 at age 65 or older were also sentenced at age 65 or older.

Age at Sentencing and Number of Prior Incarcerations

Some older offenders may have started their incarceration history during their crime prone years but did not spend their entire adulthood as an SR Confined offender. For instance, some may have been released and then returned either as a su-

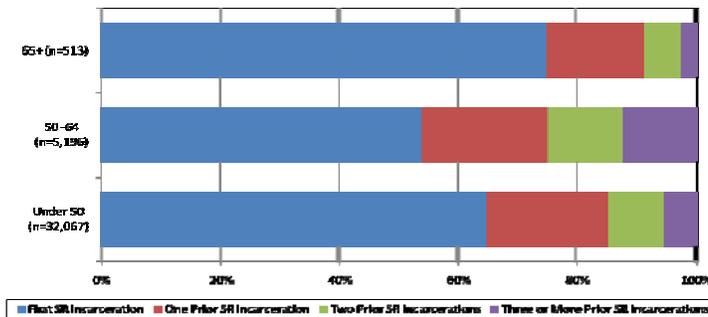
pervision violator or as a recidivist. To examine this hypothesis, FY2010 SR Confined offenders were studied by dividing them into their current age groups and their number of SR incarcerations.

Of the 32,067 who were under the age of 50, 65% were serving their first SR incarceration, 20% had one prior incarceration, 9% had two prior incarcerations, and 6% had three or more prior incar-

cerations.

Just over half (54%) of the 5,196 confined offenders between the ages of 50 and 64 were serving their first SR incarceration. Of those who had recidivated or violated supervision, 21% had one prior incarceration, 13% had two, and another 13% had three or more.

Only 25% of those sentenced at the age of 65 or older have been incarcerated before. Of these, 16% had one prior incarceration, 6% had two, and only 3% had three or more. Therefore, 3 out of every 4 (75%) of the 513 confined offenders within the age 65 and older group were serving their first SR incarceration.



FY2010 SR Confined: Projected Length of Stay

On average, older offenders had longer projected lengths of stay. A higher percentage of the older offenders had life sentences.

The VA DOC calculates projected Length of Stay (LOS) for confined offenders. Projected LOS represents the total time it is expected that an offender will be incarcerated from the beginning of his incarceration until his projected release date.

Those with life, death, or three time loser sentences are excluded from the projected LOS calculations because it is unknown if and/or when

they will be released. The average projected LOS among FY2010 SR Confined offenders was 11.8 years.

group and 16.9 years for the 65 and older group.

	Under 50 (n=32,067)	50 - 64 (n=5,196)	65+ (n=513)
Average Projected Length of Stay* (years)	11.2	15.8	16.9
Median Projected Length of Stay* (years)	6.1	8.5	12.9
Death Sentences	11 (<1%)	0 (0%)	0 (0%)
Single or Multiple Life Sentences	1,353 (4%)	691 (13%)	117 (23%)
Life Sentences Eligible for Parole	680 (2%)	550 (11%)	101 (20%)
Life Sentences Not Eligible for Parole	673 (2%)	141 (3%)	16 (3%)
Three Time Loser Sentences	212 (<1%)	137 (3%)	8 (2%)

In the under 50 age group, the average projected LOS was 11.2 years. This compares to 15.8 years for the 50-64 age

Looking at the median (or middle value) can be helpful in determining whether there are extreme (outlying) expected LOS that are driving up the average LOS. While this appears to be true, especially for the younger groups, the median expected LOS for the 65 and older group is nearly 13 years. This compares

with 8.5 years for the 50-60 year-old group and 6.1 years for the under 50 group.

FY2010 SR Confined: Crime Type by Age Groups

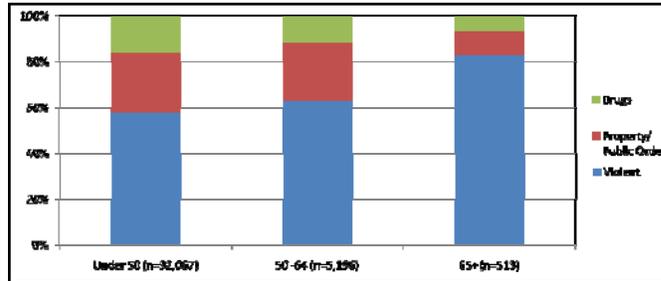
The type of crime for which an offender was sentenced greatly impacts how long he will be incarcerated. In general, violent offenders have longer periods of incarceration than property or drug offenders. Among the FY2010 New Court Commitments, the average sentence of a property or public order offender was 3.0 years, compared with 3.2 years for drug offenders and 8.3 years for violent offenders.

Of the SR Confined, just over one-quarter (26%) of both the "Under 50" group and the "50-64" group were incarcerated for property or public order crimes. In the 65 and older group, 11% fit into this category.

In the under age 50 group, 16% were incarcerated for a drug-related crime. This compares with 11% of the age 50-64

group and 7% of the 65 and over group.

A large majority (82%) of the age 65 and older confined offenders in FY2010 were incarcerated for a violent crime. Violent



crimes accounted for 62% of the 50-64 age group. A smaller percentage, 57%, of younger offenders (under age 50) were incarcerated for a violent crime.

The most common crime for older offenders was Rape/Sexual Assault, which accounted for 36% of the age 65 and

older age group.

The reason that older SR Confined offenders had relatively long sentences and projected LOS while having relatively fewer prior SR incarcerations is the nature of their committing offense. Older offenders were more likely to have committed violent offenses than younger offenders.

This higher rate of violent behavior among older individual could partly be attributed to the mental health conditions that tend to afflict people over 65, such as Alzheimer's Disease and other forms of dementia. Alzheimer's Disease, for instance, can impair one's judgment and cause an individual to become more aggressive or even violent (Alzheimer's Association).

Note: See Page 8 of this report for more information on the mental health of geriatric offenders.

FY 2010 SR Confined: Most Serious Offense by Age Groups

For research purposes, the VA DOC has created a hierarchy of offenses based on their seriousness. The Most Serious Offenses (MSOs) are ordered in the chart below, with the most serious, capital murder, at the top. Each offender is placed into only one category, regardless of the varied crimes he may have committed. For instance, a drug trafficker who rapes and murders someone would only be counted in one of the murder categories.

Of the SR confined population in FY2010, 2,746 offenders aged 18-29 were incarcerated with the MSO of robbery. This represents 24% of the 18-29 age group. This percentage decreases with each older age group. For instance, 15% of those offenders in their 30s were serving time for robbery, 12% in their 40s, 10% between the ages of 50 and 54, 9% from 55 to 59 years-old, 8% between the ages of 60 and 64, and just 4% of the

65 or older age group.

Other crimes, though, have trends that run opposite to the robbery trend. A larger percentage of older offenders had the MSO of rape or sexual assault than did

confined offenders of other age groups. Also, more older offenders had the MSO of first degree murder than their younger counterparts.

	18-29	30-39	40-49	50-54	55-59	60-64	65+	Total
Capital Murder	58 <1%	163 1%	142 2%	63 2%	27 2%	15 2%	12 2%	480 1%
First Degree Murder	475 4%	850 8%	682 7%	266 9%	222 14%	117 16%	102 20%	2,714 7%
Second Degree Murder	734 7%	770 7%	165 7%	53 7%	71 1%	77 3%	70 4%	785 2%
Manslaughter	187 2%	118 1%	88 <1%	26 <1%	17 1%	11 2%	10 2%	457 1%
Abduction	569 5%	728 7%	757 8%	276 9%	158 10%	50 7%	38 7%	2,576 7%
Rape/Sexual Assault	655 6%	913 8%	1,292 14%	423 14%	275 18%	172 24%	185 36%	3,915 10%
Robbery	2,746 24%	1,700 15%	1,147 12%	306 10%	143 9%	56 8%	19 4%	6,117 16%
Assault	1,495 13%	1,294 12%	869 9%	262 9%	115 8%	55 8%	26 5%	4,116 11%
Weapons	432 4%	172 2%	136 1%	23 <1%	23 2%	10 1%	9 2%	805 2%
Arson	66 <1%	46 <1%	40 <1%	20 <1%	7 <1%	2 <1%	2 <1%	183 <1%
Burglary/B&E	1,113 10%	910 8%	766 8%	196 7%	90 6%	22 3%	7 1%	3,104 8%
Larceny/fraud	1,774 11%	1,574 14%	1,554 16%	459 16%	177 17%	50 7%	73 5%	5,061 13%
Conspiracy	5 <1%	7 <1%	4 <1%	0 0%	0 0%	0 0%	0 0%	16 <1%
Sex Offense	46 <1%	61 <1%	86 <1%	35 1%	21 1%	13 2%	7 1%	269 <1%
DUI	56 <1%	147 1%	155 2%	65 2%	33 2%	8 1%	6 1%	470 1%
Habitual Offender	0 0%	99 <1%	191 2%	63 2%	76 2%	11 2%	3 <1%	393 1%
Other Non-Violent	139 1%	109 1%	76 <1%	21 <1%	6 <1%	5 <1%	6 1%	362 1%
Drug Sales	1,016 9%	1,069 10%	639 7%	185 6%	89 6%	50 7%	17 3%	3,065 8%
Drug Possession	791 7%	958 9%	630 7%	166 6%	71 5%	34 5%	18 4%	2,668 7%
Not Yet Reported	36 <1%	56 <1%	61 <1%	31 1%	17 1%	16 2%	3 <1%	220 <1%
Total	11,313 30%	11,274 30%	9,480 25%	2,939 8%	1,538 4%	719 2%	513 1%	37,776

Deerfield Correctional Center

Located about 20 miles east of the City of Emporia, Virginia, Deerfield Correctional Center is dedicated to housing male offenders with special needs. Deerfield Correctional Center has seen its Average Daily Population (ADP) more than doubled since it opened in 1994. When it opened, Deerfield housed 497 offenders. In December 2010, Deerfield housed 1,072 offenders.

Deerfield's Assisted Living Unit (ALU) is growing as well. Currently, the ALU is using 57 beds. This total has increased by 17 beds since 2009.

Many of those incarcerated at Deerfield have physical disabilities or other medical issues. A total of 60 offenders are either wheelchair dependent or require wheelchairs for distance. Of the six

housing units at Deerfield, four are equipped with a nurses' station.

With the added medical needs of its con-



Deerfield Correctional Center

finer offenders, Deerfield is more expensive to operate than other medium security dormitories. The FY2010 per capita expense at Deerfield was \$29,600, while most other Medium Security Dormitories (MSD) average \$18,000 per capita.

Only 39 offenders at Deerfield (4%) are under the age of 40. More than half of Deerfield's population is between the ages of 40 and 54. Another 24% of Deerfield's offenders are 60 years-old or older.

FY2010 SR Confined at Deerfield CC: Most Serious Offense by Age Groups

This chart shows the Most Serious Offense (MSO) of each Deerfield offender in FY2010 by his age group.

The most common MSO among the Deerfield population was Rape/Sexual Assault, accounting for 26% of all Deerfield offenders. Only seven in this group were under 40 years-old. Robbery is the second-most common MSO, accounting for 144 offenders (14%) of the Deerfield population. Third was abduction at 110 offenders (10% of the Deerfield population).

Rape/Sexual Assault was the most prevalent MSO at Deerfield in FY2010 for nearly every age group. The only exception was the youngest age group (18-29 years-old), which, with 11 offenders, was also the

	18 - 29		30 - 39		40 - 49		50 - 54		55 - 59		60 - 64		65+		Total	
Capital Murder	0	0%	0	0%	0	0%	1	<1%	0	0%	0	0%	4	3%	5	<1%
First Degree Murder	1	9%	2	7%	21	7%	23	9%	15	8%	10	9%	25	18%	97	9%
Second Degree Murder	0	0%	0	0%	6	2%	5	2%	3	2%	7	6%	11	8%	32	3%
Manslaughter	0	0%	0	0%	6	2%	1	<1%	3	2%	2	2%	5	4%	17	2%
Abduction	0	0%	0	0%	37	12%	36	14%	25	13%	5	4%	7	5%	110	10%
Rape/Sexual Assault	0	0%	7	25%	77	25%	54	21%	47	24%	33	29%	55	39%	273	26%
Robbery	4	36%	3	11%	57	18%	38	15%	26	13%	12	11%	4	3%	144	14%
Assault	2	18%	3	11%	30	10%	21	8%	20	10%	10	9%	10	7%	96	9%
Weapons	3	27%	1	4%	2	<1%	3	1%	2	1%	4	4%	4	3%	19	2%
Arson	0	0%	1	4%	0	0%	4	2%	3	2%	0	0%	2	1%	10	<1%
Burglary/B&E	0	0%	3	11%	26	8%	20	8%	12	6%	5	4%	1	<1%	67	6%
Larceny/Fraud	0	0%	4	14%	18	6%	27	11%	22	11%	6	5%	3	2%	80	8%
Sex Offense	0	0%	0	0%	0	0%	2	<1%	3	2%	1	<1%	0	0%	6	<1%
DUI	0	0%	0	0%	0	0%	4	2%	2	1%	0	0%	0	0%	6	<1%
Habitual Offender	0	0%	0	0%	0	0%	1	<1%	0	0%	2	2%	0	0%	3	<1%
Other Non-Violent	0	0%	0	0%	0	0%	1	<1%	1	<1%	0	0%	3	2%	5	<1%
Drug Sales	0	0%	3	11%	12	4%	10	4%	9	5%	9	8%	3	2%	46	4%
Drug Possession	1	9%	1	4%	16	5%	7	3%	4	2%	7	6%	4	3%	10	4%
Not Yet Reported	0	0%	0	0%	1	<1%	0	0%	1	<1%	0	0%	0	0%	2	<1%
Total	11	1%	28	3%	309	29%	258	24%	198	19%	113	11%	141	13%	1,058	

smallest group at Deerfield. This age group had no offenders with the MSO of Rape/Sexual Assault, but it did have four offenders with the MSO of robbery (the

most common offense among younger VA DOC offenders).

FY2010 Release Types by Age Groups

Since January 1, 1995, Virginia has been a Truth-In-Sentencing (TIS) state. SR Confined offenders that were convicted of crimes committed on or after that date are not eligible for parole. They must complete at least 85% of their sentence prior to release.

Offenders who committed their offenses prior to January 1, 1995, may be parole eligible depending on the offense and how much time they have served. Typically, parole eligible confined offenders were given much longer sentences than TIS

offenders because it was anticipated that these offenders could get paroled in the future.

the 65 and older group were released to parole, compared to 12% of the 50 to 64 year-olds and 8% of those under age 50.

Release Type	Under 50 Years Old		50 – 64 Years Old		65+ Years Old		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TIS Direct Discharge	10,342	91%	1,319	82%	68	56%	11,729	89%
Mandatory Parole	547	5%	131	8%	15	12%	693	5%
Discretionary Parole	287	3%	77	5%	13	11%	377	3%
Other Release Types	216	2%	73	5%	25	21%	314	2%
Death	30	<1%	43	3%	18	15%	91	<1%
By Court Order	63	<1%	10	<1%	0	0%	73	<1%
Other	123	1%	20	1%	7	6%	150	1%
Total Releases	11,392	87%	1,600	12%	121	<1%	13,113	

While 91% of the under 50 age group received a direct discharge, only 82% of the 50-64 year-olds and 56% of 65 and older group were released as a direct discharge.

Among the age 65 and older releases, 15% died in DOC custody, compared to 3% of the 50-64 age group released and less than 1% of releases under age 50.

Since parole was abolished more than 15 years ago, it is not surprising that 23% of

in DOC custody, compared to 3% of the 50-64 age group released and less than 1% of releases under age 50.

Recidivism Among Older Offenders

The VA DOC measures offender recidivism by its reincarceration rate. In general, fewer older offenders were reincarcerated in FY2010 than younger offenders.

Of the 12,361 offenders released in FY2007, a total of 3,229 (26%) were reincarcerated within 3 years. There were 1,171 offenders released in FY2007 who were 50 years-old or older. Only 212 (18%) of these releases recidivated within three years. This rate is 9% lower than the overall 3-year recidivism rate for FY2005 releases.

Lower re-incarceration rates of older

offenders, however, cannot be interpreted as lower risk. First, the higher risk offenders may not be released on parole, geriatric release, or other discretionary release methods. Second, higher risk offenders may have received longer sentences to begin with. As previously mentioned, when compared with other age groups, a larger percentage of older offenders are incarcerated for more serious crimes such as first degree murder, rape, and sexual assault. Third, because of the age of the

offenders at release, health issues may interfere with their criminal activity. An offender's frailty, however, does not indicate that he is rehabilitated.

Within three years after release in FY2007:

- **26% of all offenders were reincarcerated**
- **18% of all offenders 50 years-old or older were reincarcerated**

Re-entry Challenges

Throughout incarceration, the goal of the VA DOC is to prepare each offender for a successful release and return to a productive life in society. The VA DOC strives to provide a seamless transition from incarceration to the community. Successful re-entry is vital to promoting public safety.

Older offenders pose specific challenges to successful re-entry. Today there is an increasing number of medically and mentally disabled offenders returning to the community. Also, there are a shrinking number of Assisted Living Facility (ALF) beds and an inadequate number of Medicaid nursing home beds. There is also a

lack of specialized housing for violent offenders and sex offenders.

Offenders Eligible for Consideration for Geriatric Release

The Conditional Geriatric Release Clause (§53.1-40.01) allows certain offenders who were not convicted of a Class 1 felony to apply for early release. To be eligible for geriatric release, an offender must meet one of the following two criteria: be at least 60 years-old and served at least 10 years, or be at least 65 years-old and served at least

	2004		2006		2008		2010	
60 to 64	191	50%	232	51%	295	51%	330	51%
65+	194	50%	222	49%	283	49%	323	49%
Total Eligible	385		454		578		653	

5 years.

Between 2003 and 2010, there has been a 93% increase in the number of offenders

eligible for geriatric release (339 to 653). Only 129 of the 653 eligible offenders applied for geriatric release in CY2010, and only 9 of those 129 were granted early release. The majority of released geriatric offenders were released after completing their sentence, not through a special release mechanism like geriatric release.

Expected Release Dates

Offenders who are parole eligible will be heard by the Parole Board regularly once they reach the parole eligibility date (Column 1). However, offenders who have not reached their parole eligibility date (Column 2) or are not parole eligible (Column 3) will not be heard by the Parole Board unless they apply for geriatric release.

In FY2011, there were 499 offenders who were parole eligible as well as eligible for geriatric release consideration. A total of 86 offenders became eligible for geriatric release consideration in FY2011 and would become parole eligible at a future date. An additional 223 offenders were eligible for geriatric release consideration, but will never be eligible for parole. Therefore, of the 808 geriatric eligible offenders in FY2011, 38% will not be heard by the Parole Board unless they apply for geriatric release.

As truth-in-sentencing continues to mature, the number of geriatric eligible offenders who are not otherwise eligible for parole will increase from 223 in FY2011 to 579 in FY2015. Nearly 11% of the FY2010 SR Confined offenders who were not parole eligible will become eligible for geriatric release consideration prior to their release.

Geriatric Release Eligibility Date	1 Currently Parole Eligible		2 Parole Eligible in the Future		3 Not Parole Eligible	
	Cumulative Number	% of Total SR	Cumulative Number	% of Total SR	Cumulative Number	% of Total SR
Through FY2010	431	1%	71	<1%	164	<1%
FY2011	499	1%	86	<1%	223	<1%
FY2012	572	2%	111	<1%	310	<1%
FY2013	651	2%	129	<1%	394	1%
FY2014	733	2%	150	<1%	510	1%
FY2015	835	2%	167	<1%	579	2%
After FY2015	2,610	7%	1,105	3%	3,271	9%
Scheduled to Be Released Prior to Geriatric Eligibility	1,626	4%	1,339	4%	27,495	73%
Not Eligible for Geriatric Release	73	<1%	52	<1%	204	<1%

Offenders with Special Needs

VA DOC is legislatively obligated to meet offenders' special needs under the Eighth Amendment of the U.S. Constitution, the Americans with Disabilities Act (ADA) and the Civil Rights of Institutionalized Persons Act (CRIPA).

All SR Confined offenders, regardless of age, are assessed for physical and mental health problems and accommodated accordingly.

Proportionately, older offenders have more special needs relating to physical or mental health than younger offenders.

Problems with mobility, medical conditions, hearing, vision and diet create special housing and care struggles. In addition, these offenders may be vulnerable and need protection from victimization by younger and/or healthier offenders. Physical and mental health limitations also create chal-

lenges for providing programming and treatment. Moreover, the VA DOC provides programming that helps these offenders have a seamless transition upon release.

FY2010 SR Confined: Mental Health by Age Groups

With the aging of the U.S. population, researchers are finding that mental health problems are on the rise. According to the U.S. Surgeon General, nearly 20% of the American public

at or above age 55 experiences mental disorders that are not part of normal aging (U.S. Department of Health and Human Services). This increasing trend in the prevalence of mental illness is not absent from Virginia's SR Confined geriatric offenders.

In Virginia, confined offenders are la-

	Under 50		50-64		65+		Total
	Number	%	Number	%	Number	%	
No Evidence of Mental Impairment (at any time and at any level)	15,435	75.8	2,726	72.9%	276	71.7%	18,438
Mental Impairment (at any time and at any level)	4,938	24.2%	1,013	27.1%	109	28.3%	6,061
Total	20,373	100.0%	3,739	100.0%	385	100.0%	24,499

FY2010 with a mental impairment (past or present), 1,013 were between the ages of 50 and 64. This accounts for 27.1% of that age group. Of the age 65 and older group, 109 offenders (28.3%)

beled as "mentally impaired" if the offender has a documented history of mental health treatment within the past two years. This does not include alcohol or substance abuse treatment alone or treatment simply for the purpose of evaluation.

Of the 6,061 SR Confined offenders in

are mentally impaired.

Mental impairment was more prevalent among older offenders. Only 24.2% of all SR Confined offenders under age 50 had a mental impairment, which increases to 27.1% of the age 50-64 group, and increases again to 28.3% of the age 65 and older group.

FY2010 SR Confined: Substance Abuse by Age Groups

As previously noted, it is widely recognized that confined offenders tend to age more rapidly than those who are incarcerated. This is generally due to the risky lifestyles they adopted prior to being incarcerated. Two such risky lifestyles are drug abuse and alcohol abuse.

Some offenders are eligible to participate in a VA DOC initiative called Therapeutic Community (TC). This is an intensive substance abuse treatment program in which offenders live together to form a supportive environment. Offenders who are eligible for TC are categorized in this

report in either "Known Drug Use" or "Known Heavy Alcohol Use."

In FY2010, there were 15,239 SR Confined offenders under 50 years-old who are known to have used drugs. This represents over half (52.2%) of the population under age 50. This rate is slightly higher than that of the 50-64 age group,

which includes 3,458 known drug users (47.9% of that age group). Of those offenders at or above age 65, only 233 (17.3%) are known to have used drugs.

users under age 50 was high (52.2%), the rate appears to sharply decrease as an offender ages. Known drug users represent 47.9% of the 50 to 64 age group and 17.3% of the 65 or older age group.

	Under 50		50-64		65+	
	Number	%	Number	%	Number	%
Known Drug Use*	15,239	52.2%	3,458	47.9%	233	17.3%
Known Heavy Alcohol Use*	6,063	20.8%	1,442	20.0%	169	12.5%
No Known Drug Use	13,971	47.8%	3,758	52.1%	1,116	82.7%
No Known Alcohol Use	23,147	79.2%	5,774	80.0%	1,180	87.5%
Total	58,420		14,432		2,698	

* The categories "Known Drug Use" and "Known Heavy Alcohol Use" include those eligible for Therapeutic Community.

In FY2010, there were a total of 7,674 offenders known to have heavily used alcohol. Of the under age 50 group, 6,063 (20.8%) fit into this category, compared with 1,442 in the 50-64 age group (20.0%), and 169 in the 65 and older age group (12.5%).

Although the percentage of known drug

The rate of heavy alcohol use by age group also appears to decrease as an offender ages, but at a much slighter rate. Known heavy alcohol users represented 20.8% of the under 50 age group, 20.0% of the 50 to 64 age group, and 12.5% of the group at or above age 65.

Medical Expense

Over the past five fiscal years, Virginia's SR confined offenders have become increasingly expensive due to their increasing medical costs. On average, an offender in FY2010 costs nearly \$1,200 more in medical expenses than it did in FY2006. The VA DOC devoted an additional 3% of its operating expenditures in FY2010 to medical costs of confined offenders than it did in FY2006.

	Medical Cost Per Capita	% of Total DOC Operating Expenditures
FY2006	\$3,637	11.9%
FY2007	\$4,059	12.9%
FY2008	\$4,393	12.9%
FY2009	\$4,322	13.2%
FY2010	\$4,827	14.9%

Most medical expenditure data is not available by age. However, the off-site portion, which is almost 23% of total medical expenditures for the VA DOC, is

available by age group.

The average offender under the age of 50 has annual off-site medical costs of roughly \$900. The average offender aged 50 and up has annual off-site medical costs of about \$3,742.

Off-site Medical Expenditures by Age Group – FY2010*

Age Group	Total Combined Expense**	Average Number of Members***	Average Expense per Offender within Age Group
Under 18	\$0	13	\$0.00
18 – 24	\$1,495,703	4,037	\$370.50
25 – 29	\$3,731,391	5,652	\$660.19
30 – 34	\$3,607,425	5,459	\$660.82
35 – 39	\$3,635,561	4,505	\$807.01
40 – 44	\$5,555,491	4,487	\$1,238.13
45 – 49	\$7,307,690	3,992	\$1,830.58
Total Under 50	\$25,333,261	28,145	\$900.10
50 – 54	\$7,359,765	2,500	\$2,943.91
55 – 59	\$6,099,762	1,329	\$4,589.74
60 – 64	\$3,165,939	614	\$5,156.25
65+	\$3,873,469	440	\$8,803.34
Total 50 and Older	\$16,625,466	4,443	\$3,742.00
Combined	\$45,832,196	33,028	\$2,460.04

*The data in this chart represents the time of May 2009-April 2010.

**These costs are for off-site expenses only, excluding the costs of drugs and dental.

***A member is an offender shown as enrolled in Anthem Insurance during the specified period.

Summary

Older adults in the U.S. today represent a rapidly growing segment of the nation's population. For VA DOC facilities, this trend holds true. From 1990 to 2010, Virginia's SR Confined population aged 50 and over increased six-fold from 822 to 5,709 people.

Older offenders are often less healthy than their younger counterparts. This is evidenced through the VA DOC's increasing trend of medical expenses over the past five years. Physical and mental health limitations also present challenges for providing effective programming and treatment for this group.

The majority of older SR Confined offenders are not serving sentences that were rendered during their crime prone years.

Of the releases between the ages of 50 and 64, 79% were sentenced between the ages of 45 and 59. Over half (55%) were not sentenced until they were at least 50 years-old. Therefore, the vast majority of those released were not sentenced in their crime prone years. Of those released who were 65 or older, 67% were not sentenced until at least their 60th birthday.

Older offenders are proportionately more violent. On average, older offenders have longer projected lengths of stay. A higher

percentage of the older offenders have life sentences.

A larger percentage of older offenders have the MSO of rape or sexual assault or first degree murder than do confined offenders

of other age groups.

Deerfield Correctional Center, a facility that houses male offenders with special needs is seeing its average daily population grow.

More offenders applied for geriatric release in FY2010 than in previous years, but few received it. Many are eligible to apply, but few do and even fewer receive it.

References

- "Alzheimer's Disease." Alzheimer's Association, October 2011. http://www.alz.org/living_with_alzheimers_behaviors.asp.
- Chiu, Tina. VERA Institute of Justice. "It's About Time: Aging Prisoners, Increasing Costs, and Geriatric Release." April 2010.
- Diplock, Jordan and Darryl Plecas. "Revisiting Age and Crime." The Journal of Criminal Justice Research. Volume 1, Number 2, 2010.
- National Center for Health Statistics (NCHS). Health, United States, 2010: With Special Feature on Death and Dying. Hyattsville, MD. 2011.
- Sabol, W.J. and H.C. West. 2008. *Estimated number of inmates held in state or federal prisons, or local jails*. Washington D.C.: Bureau of Justice Statistics, National Prisoner Statistics Data Series (NPS-1a).
- Sterns, Anthony et al. The Growing Wave of Older Prisoners: A National Survey of Older Prisoner Health, Mental Health and Programming. American Correctional Association, 2007.
- United States Census Bureau. "Interim Projections of the Population by Selected Age Groups for the United States and States: April 1, 2000 to July 1, 2030." 2004.
- United States Department of Health and Human Services. "Mental Health: A Report of the Surgeon General." 1999.

VIRGINIA DEPARTMENT OF CORRECTIONS

RESEARCH & FORECASTING

Tama S. Celi, PhD
Warren G. McGehee, MPA
John E. Turner, MPP
Alexander P. Miller, MPP

Phone: 804-674-3268 ext. 1256
E-mail: Tama.Celi@vadoc.virginia.gov

Public Safety First.

www.vadoc.virginia.gov/about/facts