

Virginia Department of Corrections

State Responsible Confined Offender Profile Parole Eligibility & Geriatric Release Eligibility FY2011 and Beyond



Research & Forecast Unit
April 2012
www.vadoc.virginia.gov

Virginia Department of Corrections
State Responsible Offender Profile (FY2007 – FY2011)
Parole Eligibility, Geriatric Release Eligibility & Parole Violators

With the abolition of parole and the implementation of Truth-In-Sentencing (TIS) for felonies committed on or after January 1, 1995, offenders with Parole Eligible (PE) sentences have declined as a portion of the total State Responsible (SR) Offender Population (16% at the end of FY2011). As a result, the number of offenders on parole in the community has declined. Parolees who violate the conditions of their parole may have their parole revoked by the Virginia Parole Board (VPB) and be returned to incarceration. The number of SR Parole Violators re-incarcerated each year has also declined during this time frame (from 478 in FY2007 to 141 in FY2011). Under TIS, the VPB also acquired the following duties: 1) the discretion to conditionally release offenders who meet certain offense, age and length-of-stay criteria; and 2) jurisdiction over TIS offenders who are released to Post-Release Supervision in the community unless the sentencing judge specifically retains jurisdiction.

The first section of this report contains five-year trend information of the SR PE Offender Population, relative to the entire SR Offender Population. Furthermore, it distinguishes between those offenders with PE sentences who are past their Discretionary Parole Eligibility Dates (DPED) and those offenders with PE sentences who have not served long enough to be considered for release to Discretionary Parole. The second section contains five-year trend information of the SR Parole Violators. The third section details the Geriatric Release Eligibility of the entire SR Offender Population from FY2007 – FY2011.

For this report, the following terms and definitions are used:

Age – for the SR Confined Population, an offender’s age on June 30th of the year indicated; for SR Parole Violators, an offender’s age at the time of his revocation

Discretionary Parole Eligibility Date – date a PE offender will be eligible for consideration for release to Discretionary Parole by the VPB

Geriatric Release Eligibility Date – date an offender will be eligible for consideration for Conditional Geriatric Release by the VPB; based on when the offender will satisfy the age and length-of-stay criteria as defined in §53.1-40.01 of the *Code of Virginia* (no capital offenses and the offender is at least 60 years old and has served at least 10 years OR no capital offenses and the offender is at least 65 years old and has served at least 5 years); Conditional Geriatric Release consideration is available to both PE and TIS offenders who meet the criteria and apply for release

Most Serious Offense – an offender’s committing most serious offense for his current term of incarceration

Parole Eligible – an offender has one or more sentences that make him eligible for consideration for Discretionary Parole by the VPB; a sub-group of these offenders is:

Those Already Parole Eligible – those PE offenders who have already passed their Discretionary Parole Eligibility Dates

SR Parole Violator – parolees who had their parole revoked by the VPB and had more than 24 months of good time or time left to serve imposed, or had an SR term of incarceration imposed for a new TIS offense

Violent by §17.1-805 – indicates an offender has a conviction in his VADOC sentence history that is considered violent according to §17.1-805 of the *Code of Virginia*

For additional information, contact the VADOC Research & Forecast Unit at 804-674-3268 or tama.celi@vadoc.virginia.gov.

State Responsible Population Trends (FY2007 - FY2011)

Offender Type	June 30, 2007		June 30, 2008		June 30, 2009		June 30, 2010		June 30, 2011	
	No.	% of Total SR								
Not Parole Eligible	29,786	79%	30,759	80%	30,958	81%	30,971	82%	31,466	84%
Parole Eligible on/before end of Fiscal Year	4,799	13%	4,719	12%	4,367	11%	4,309	11%	3,836	10%
Parole Eligible after end of Fiscal Year	3,317	9%	3,143	8%	2,797	7%	2,496	7%	2,201	6%
Total SR Confined Population	37,902		38,621		38,122		37,776		37,503	

SR Confined Offenders Past Their Discretionary Parole Eligibility Date¹:

Current Most Serious Offense	June 30, 2007		June 30, 2008		June 30, 2009		June 30, 2010		June 30, 2011	
	No.	% of PE								
Capital Murder	99	2%	98	2%	98	2%	120	3%	107	3%
First Degree Homicide	1,200	25%	1,196	25%	1,165	27%	1,164	27%	1,113	29%
Second Degree Homicide	98	2%	87	2%	80	2%	70	2%	61	2%
Manslaughter	27	<1%	25	<1%	24	<1%	17	<1%	19	<1%
Abduction	700	15%	678	14%	639	15%	692	16%	604	16%
Rape/Sexual Assault	848	18%	852	18%	821	19%	764	18%	708	18%
Robbery	844	18%	815	17%	720	16%	685	16%	591	15%
Assault	357	7%	343	7%	328	8%	294	7%	248	6%
Weapons	2	<1%	5	<1%	4	<1%	8	<1%	6	<1%
Arson	21	<1%	13	<1%	11	<1%	12	<1%	10	<1%
Burglary/B&E	240	5%	228	5%	186	4%	191	4%	157	4%
Larceny/Fraud	154	3%	163	3%	125	3%	130	3%	101	3%
Conspiracy	4	<1%	4	<1%	3	<1%	3	<1%	4	<1%
Sex Offense	5	<1%	4	<1%	5	<1%	5	<1%	8	<1%
DUI	6	<1%	4	<1%	0	0%	2	<1%	0	0%
Habitual Offender	0	0%	0	0%	0	0%	0	0%	2	<1%
Other Property	13	<1%	11	<1%	8	<1%	5	<1%	3	<1%
Drug Sales	111	2%	124	3%	95	2%	88	2%	62	2%
Drug Possession	53	1%	51	1%	45	1%	52	1%	29	<1%
Not Reported	17	<1%	18	<1%	10	<1%	7	<1%	3	<1%
Total	4,799		4,719		4,367		4,309		3,836	
Violent by §17.1-805										
Yes	4,348	91%	4,273	91%	4,020	92%	3,943	92%	3,582	93%
No	451	9%	446	9%	347	8%	366	8%	254	7%
Age Group										
Under 25	80	2%	108	2%	93	2%	94	2%	93	2%
25 - 34	557	12%	441	9%	281	6%	187	4%	104	3%
35 - 44	1,858	39%	1,738	37%	1,578	36%	1,466	34%	1,223	32%
45 - 54	1,577	33%	1,634	35%	1,578	36%	1,631	38%	1,471	38%
55 - 64	586	12%	633	13%	655	15%	727	17%	740	19%
65+	141	3%	165	3%	182	4%	204	5%	205	5%
Average Age	44.7		45.3		46.3		47.0		48.0	

¹These figures do not represent the entire SR Confined Population that was sentenced under the Parole system. These confined offenders are only the subset of that population who had already reached their eligibility date to be heard by the VPB.

SR Confined Offenders with Parole Eligible Sentences²:

Current Most Serious Offense	June 30, 2007		June 30, 2008		June 30, 2009		June 30, 2010		June 30, 2011	
	No.	% of PE	No.	% of PE	No.	% of PE	No.	% of PE	No.	% of PE
Capital Murder	203	3%	201	3%	200	3%	224	3%	203	3%
First Degree Homicide	1,407	17%	1,368	17%	1,314	18%	1,302	19%	1,241	21%
Second Degree Homicide	142	2%	131	2%	121	2%	108	2%	105	2%
Manslaughter	71	<1%	68	<1%	62	<1%	52	<1%	50	<1%
Abduction	965	12%	926	12%	875	12%	925	14%	800	13%
Rape/Sexual Assault	1,273	16%	1,227	16%	1,143	16%	1,051	15%	980	16%
Robbery	1,459	18%	1,429	18%	1,296	18%	1,217	18%	1,101	18%
Assault	852	10%	809	10%	731	10%	636	9%	537	9%
Weapons	21	<1%	26	<1%	25	<1%	25	<1%	14	<1%
Arson	34	<1%	25	<1%	22	<1%	23	<1%	19	<1%
Burglary/B&E	612	8%	606	8%	521	7%	480	7%	419	7%
Larceny/Fraud	555	7%	527	7%	439	6%	387	6%	290	5%
Conspiracy	8	<1%	8	<1%	6	<1%	5	<1%	5	<1%
Sex Offense	13	<1%	12	<1%	14	<1%	14	<1%	18	<1%
DUI	23	<1%	22	<1%	18	<1%	18	<1%	12	<1%
Habitual Offender	10	<1%	8	<1%	6	<1%	8	<1%	5	<1%
Other Property	31	<1%	32	<1%	22	<1%	15	<1%	9	<1%
Drug Sales	250	3%	246	3%	201	3%	182	3%	140	2%
Drug Possession	159	2%	165	2%	137	2%	126	2%	86	1%
Not Reported	28	<1%	26	<1%	11	<1%	7	<1%	3	<1%
Total	8,116		7,862		7,164	0	6,805		6,037	
Violent by §17.1-805										
Yes	7,001	86%	6,808	87%	6,297	88%	6,020	88%	5,474	91%
No	1,115	14%	1,054	13%	867	12%	785	12%	563	9%
Age Group										
Under 25	264	3%	308	4%	262	4%	202	3%	157	3%
25 - 34	1,473	18%	1,236	16%	955	13%	735	11%	513	8%
35 - 44	3,169	39%	2,969	38%	2,651	37%	2,439	36%	2,096	35%
45 - 54	2,288	28%	2,352	30%	2,265	32%	2,289	34%	2,109	35%
55 - 64	749	9%	795	10%	818	11%	895	13%	921	15%
65+	173	2%	202	3%	213	3%	245	4%	241	4%
Average Age	42.4		43.0		43.8		44.9		45.8	
Discretionary Parole Eligibility Date										
Before FY2006	3,731	46%	3,382	43%	2,978	42%	2,862	42%	2,595	43%
FY2006	466	6%	382	5%	300	4%	257	4%	227	4%
FY2007	602	7%	399	5%	315	4%	252	4%	180	3%
FY2008	648	8%	556	7%	340	5%	238	3%	168	3%
FY2009	488	6%	622	8%	434	6%	282	4%	223	4%
FY2010	369	5%	470	6%	555	8%	418	6%	257	4%
FY2011	303	4%	350	4%	397	6%	512	8%	363	6%
FY2012	220	3%	260	3%	302	4%	342	5%	350	6%
FY2013	172	2%	207	3%	228	3%	251	4%	256	4%
FY2014	149	2%	157	2%	169	2%	194	3%	207	3%
FY2015	122	2%	141	2%	154	2%	169	2%	167	3%
After FY2015	846	10%	936	12%	992	14%	1,028	15%	1,043	17%
Date Not Yet Reported	0	0%	0	0%	0	0%	0	0%	0	0%

²These figures do not represent the entire SR Confined Population that was sentenced under the Parole system. Some of these confined offenders have already reached their eligibility date to be heard by the VPB; others will be eligible to be heard by the VPB at a future date.

SR Parole Violators

Most Serious Offense	FY2007		FY2008		FY2009		FY2010		FY2011	
	No.	%								
Capital Murder	1	<1%	0	0%	2	<1%	0	0%	0	0%
First Degree Homicide	12	3%	8	2%	10	4%	6	5%	4	3%
Second Degree Homicide	9	2%	4	1%	2	<1%	3	2%	5	4%
Manslaughter	4	<1%	4	1%	2	<1%	1	<1%	1	<1%
Abduction	31	6%	24	7%	17	6%	14	11%	9	6%
Rape/Sexual Assault	58	12%	44	12%	49	17%	15	12%	21	15%
Robbery	120	25%	73	20%	57	20%	40	31%	35	25%
Assault	69	14%	49	13%	35	12%	17	13%	22	16%
Weapons	0	0%	0	0%	0	0%	0	0%	0	0%
Arson	2	<1%	1	<1%	0	0%	1	<1%	0	0%
Burglary/B&E	62	13%	66	18%	42	15%	12	9%	19	14%
Larceny/Fraud	47	10%	43	12%	37	13%	11	8%	15	11%
Conspiracy	0	0%	0	0%	0	0%	0	0%	0	0%
Sex Offense	0	0%	0	0%	0	0%	1	<1%	1	<1%
DUI	0	0%	0	0%	0	0%	0	0%	0	0%
Habitual Offender	0	0%	0	0%	0	0%	0	0%	0	0%
Other Property	1	<1%	1	<1%	0	0%	1	<1%	0	0%
Drug Sales	49	10%	36	10%	22	8%	5	4%	5	4%
Drug Possession	13	3%	13	4%	6	2%	3	2%	3	2%
Not Reported	0	0%	0	0%	0	0%	0	0%	0	0%
Total	478		366		281		130		140	
Violent by §17.1-805										
Yes	354	74%	261	71%	206	73%	116	89%	113	81%
No	124	26%	105	29%	75	27%	14	11%	27	19%
Age Group										
Under 25	3	<1%	1	<1%	2	<1%	1	<1%	0	0%
25 - 34	104	22%	40	11%	38	14%	16	12%	6	4%
35 - 44	220	46%	177	48%	123	44%	59	45%	73	52%
45 - 54	125	26%	116	32%	88	31%	42	32%	44	31%
55 - 64	24	5%	31	8%	24	9%	10	8%	15	11%
65+	2	<1%	1	<1%	6	2%	2	2%	2	1%
Average Age	41.2		43.3		43.4		43.4		44.5	
Violation Type										
New Crime	322	67%	231	63%	184	65%	112	86%	120	86%
Technical	156	33%	135	37%	97	35%	18	14%	20	14%
Time Imposed (months)										
Mean	95.1		94.2		94.8		96.9		110.3	
Median	57.5		69.6		61.4		76.4		72.9	

Virginia Parole Board Grant Rates by Crime Type (FY2007 - FY2011)

	FY2007		FY2008		FY2009		FY2010		FY2011	
Total Hearings	4,659		4,928		4,597		4,263		3,813	
Overall Grant Rate	5%		4%		9%		7%		5%	
DOC Crime Type	# Granted	Grant Rate								
Violent	99	3%	110	3%	191	5%	160	4%	111	3%
Property/Public Order	99	17%	67	12%	153	31%	123	30%	51	16%
Drugs	38	18%	34	17%	59	30%	35	28%	33	29%
Not Reported	2	25%	6	35%	3	20%	0	0%	0	0%

SR Offenders with Parole Eligible Sentences Released from Incarceration

By Release Type

Release Type	FY2007			FY2008			FY2009			FY2010			FY2011		
	Num.	% of PE ⁵	% of SR ⁶	Num.	% of PE ⁵	% of SR ⁶	Num.	% of PE ⁵	% of SR ⁶	Num.	% of PE ⁵	% of SR ⁶	Num.	% of PE ⁵	% of SR ⁶
Mandatory Parole	1,164	64%	9%	1,071	64%	8%	891	54%	7%	693	44%	5%	532	35%	4%
Discretionary Parole	256	14%	2%	220	13%	2%	358	22%	3%	377	24%	3%	521	35%	4%
Direct Discharge ³	336	18%	3%	333	20%	3%	338	21%	3%	435	28%	3%	406	27%	3%
Death	36	2%	<1%	38	2%	<1%	39	2%	<1%	30	2%	<1%	37	2%	<1%
Other Release Type ⁴	29	2%	<1%	21	1%	<1%	11	<1%	<1%	24	2%	<1%	6	<1%	<1%
Total PE Offenders Released	1,821		14%	1,683		13%	1,637		13%	1,559		12%	1,502		12%
Total SR Releases		12,571			12,960			12,995			13,113			12,380	

³If a PE offender declines to be released to Mandatory Parole, he remains incarcerated until his Good Time Release Date when he will be Discharged; these offenders may or may not have a Probation or Post-Release Supervision obligation to satisfy in the community

⁴Includes Release by Court Order, Pardon/Commutation and other release types

⁵Percent of PE Releases

⁶Percent of Total SR Releases

Geriatric Release Eligibility of SR Confined Offenders who are already Parole Eligible:	June 30, 2007		June 30, 2008		June 30, 2009		June 30, 2010		June 30, 2011	
	No.	%								
Before FY2006	231	<1%	213	<1%	191	<1%	185	<1%	159	<1%
FY2006	43	<1%	41	<1%	38	<1%	37	<1%	33	<1%
FY2007	52	<1%	52	<1%	50	<1%	48	<1%	46	<1%
FY2008	54	<1%	52	<1%	52	<1%	47	<1%	34	<1%
FY2009	61	<1%	62	<1%	54	<1%	51	<1%	50	<1%
FY2010	66	<1%	68	<1%	65	<1%	63	<1%	57	<1%
FY2011	73	<1%	74	<1%	69	<1%	68	<1%	62	<1%
FY2012	80	<1%	79	<1%	73	<1%	73	<1%	71	<1%
FY2013	83	<1%	85	<1%	82	<1%	79	<1%	72	<1%
FY2014	80	<1%	83	<1%	81	<1%	82	<1%	76	<1%
FY2015	108	<1%	108	<1%	103	<1%	102	<1%	96	<1%
After FY2015	1,942	5%	2,007	5%	1,873	5%	1,775	5%	1,705	5%
Scheduled to be Released Prior to Geriatric Eligibility	1,877	5%	1,744	5%	1,589	4%	1,626	4%	1,336	4%
Not Eligible for Geriatric Release	49	<1%	51	<1%	47	<1%	73	<1%	39	<1%

Geriatric Release Eligibility Dates of SR Confined Offenders who will be Parole Eligible in the future:	June 30, 2007		June 30, 2008		June 30, 2009		June 30, 2010		June 30, 2011	
	No.	%								
Before FY2006	29	<1%	22	<1%	18	<1%	17	<1%	10	<1%
FY2006	6	<1%	5	<1%	4	<1%	3	<1%	2	<1%
FY2007	14	<1%	14	<1%	12	<1%	10	<1%	7	<1%
FY2008	17	<1%	14	<1%	8	<1%	9	<1%	10	<1%
FY2009	18	<1%	16	<1%	13	<1%	13	<1%	11	<1%
FY2010	20	<1%	21	<1%	19	<1%	19	<1%	16	<1%
FY2011	18	<1%	16	<1%	14	<1%	15	<1%	12	<1%
FY2012	31	<1%	29	<1%	29	<1%	25	<1%	24	<1%
FY2013	25	<1%	21	<1%	17	<1%	18	<1%	17	<1%
FY2014	33	<1%	27	<1%	23	<1%	21	<1%	26	<1%
FY2015	28	<1%	28	<1%	20	<1%	17	<1%	21	<1%
After FY2015	1,398	4%	1,262	3%	1,102	3%	938	2%	888	2%
Scheduled to be Released Prior to Geriatric Eligibility	1,649	4%	1,637	4%	1,492	4%	1,339	4%	1,135	3%
Not Eligible for Geriatric Release	31	<1%	31	<1%	26	<1%	52	<1%	22	<1%

Geriatric Release Eligibility of SR Confined Offenders who are NOT Parole Eligible:	June 30, 2007		June 30, 2008		June 30, 2009		June 30, 2010		June 30, 2011	
	No.	%								
Before FY2006	45	<1%	40	<1%	35	<1%	31	<1%	28	<1%
FY2006	20	<1%	14	<1%	13	<1%	12	<1%	10	<1%
FY2007	29	<1%	23	<1%	19	<1%	15	<1%	13	<1%
FY2008	49	<1%	44	<1%	37	<1%	30	<1%	25	<1%
FY2009	52	<1%	50	<1%	41	<1%	30	<1%	28	<1%
FY2010	54	<1%	52	<1%	51	<1%	46	<1%	39	<1%
FY2011	67	<1%	67	<1%	63	<1%	59	<1%	53	<1%
FY2012	82	<1%	88	<1%	88	<1%	87	<1%	82	<1%
FY2013	60	<1%	68	<1%	85	<1%	84	<1%	83	<1%
FY2014	95	<1%	98	<1%	109	<1%	116	<1%	124	<1%
FY2015	72	<1%	68	<1%	70	<1%	69	<1%	106	<1%
After FY2015	2,828	7%	2,944	8%	2,984	8%	2,692	7%	3,052	8%
Scheduled to be Released Prior to Geriatric Eligibility	26,133	69%	27,007	70%	27,144	71%	27,496	73%	27,615	74%
Not Eligible for Geriatric Release	200	<1%	196	<1%	219	<1%	204	<1%	208	<1%

% is Percent of Total State Responsible Confined Population