



Geriatric Inmates in the State Responsible Confined Population FY2024

VADOC Research Unit

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Background

Older adults are the fastest-growing demographic in the prison population. By 2030, the population of people aged 50 and older is projected to account for one-third of all incarcerated people in the U.S., amounting to a staggering 4,400% increase over a fifty-year span.¹ Although 50-year-olds are usually not considered “elderly” or “geriatric” in the general population, unhealthy lifestyles and inadequate health care often accelerate the onset and progression of many chronic conditions associated with aging; thus, old age in prison typically commences at ages 50 or 55 years.² Older incarcerated individuals require a different level of care than do younger incarcerated individuals, because of increased comorbidity burden and physical and cognitive disabilities.³ Due to the growing number of geriatric confined inmates and increasing medical costs, reentry challenges of geriatric confined inmates are expected to increase the strain on state correctional budgets and present other unique challenges.

In Virginia, as shown in Chart A, the increase in the number of geriatric confined inmates has been dramatic. From FY1990 to FY2019, Virginia’s State Responsible (SR) Confined population age 50 and older increased nearly ten-fold from 822 to 8,029 and accounted for 22%

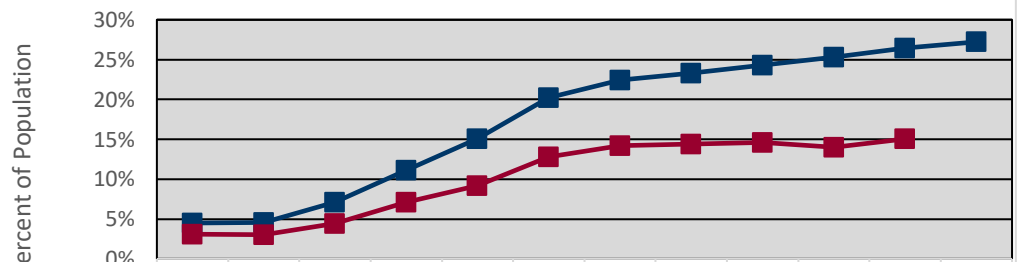
National Age Trends⁴

- The 65+ age group is estimated to increase by 42% from 2022 to 2050, increasing from 57.8 to 82.1 million.
- By 2050, the 65+ age group is projected to comprise 23% of the U.S. population.

Virginia Age Trends⁵

- Between 2020 and 2050, Virginia’s total population is projected to increase by 22%, reaching 10.5 million.
- By 2050, the 65+ age group is projected to comprise 18% of Virginia’s population.

Chart A - SR Inmates Aged 50+ FY1990 - FY2024



	FY90	FY95	FY00	FY06	FY10	FY15	FY19	FY20	FY21	FY22	FY23	FY24
SR Confined Aged 50+	822	1,328	2,240	4,133	5,697	7,607	8,029	7,627	7,324	7,322	6,968	7,265
SR Confined Aged 50+ %	4.5%	4.6%	7.1%	11.1%	15.1%	20.2%	22.4%	23.3%	24.3%	25.3%	26.5%	27.2%
SR NCC Aged 50+	266	273	389	927	1,104	1,575	1,687	1,422	1,300	1,214	1,432	
SR NCC Aged 50+ %	3.1%	3.0%	4.5%	7.1%	9.2%	12.8%	14.2%	14.4%	14.6%	14.0%	15.0%	

¹ [The High Costs of Low Risk: The Crisis of America’s Aging Prison Population](#). The Osborne Association. May 2018.

² Skarupski et al. [The Health of America’s Aging Prison Population](#). Epidemiologic Reviews, June 2018, 40(1). Johns Hopkins Bloomberg School of Public Health.

³ Skarupski et al. [The Health of America’s Aging Prison Population](#). Epidemiologic Reviews, June 2018, 40(1). Johns Hopkins Bloomberg School of Public Health.

⁴ Projected Population by Age Group and Sex for the United States, Main Series: 2022-2100. Source: U.S. Census Bureau, Population Division. Release Date: November 2023. <https://www.census.gov/newsroom/press-kits/2023/population-projections.html>

⁵ University of Virginia Weldon Cooper Center for Public Service. (2022). Virginia Population Projections. Retrieved from <https://coopercenter.org/virginia-population-projections>

of the SR Confined population.⁶ Following decreases in the total SR Confined population due to: 1) the COVID-19 pandemic; and 2) the implementation of Enhanced Earned Sentence Credits (EESC) effective July 1, 2022 that were applied retroactively, inmates aged 50 years old or older comprised more than one-quarter of the total SR population at the end of FY2024 (27%). Similarly, older inmates have been an increasing percentage of New Court Commitments (NCC), increasing from 3% in FY1990 to 14% in FY2019. During FY2023, older inmates comprised 15% of the SR NCC sentenced during that year.⁷

SR Confined Population at the End of FY2024⁸

The older SR Confined population would be expected to increase if many of those inmates received long sentences at a young age (e.g., inmates who have grown old while incarcerated). However, the percentage of older SR NCC has quintupled since FY1990, showing that more inmates are being sentenced at an older age. To determine whether the older SR Confined inmates were inmates who were sentenced to long sentences at a young age and then grew old while incarcerated, the age at sentencing was examined and compared to the SR Confined inmates’ age at the end of FY2024.

As shown in Table B, almost three-quarters of the total SR Confined population (73%) were under 50 years old at the end of FY2024, but only 28% of them had been sentenced under the age of 25 (i.e., during the crime-prone years). Eleven percent of those currently between the ages of 50 and 64 and 8% of those currently 65 years old or older had been sentenced under the age of 25. This is indicative of inmates being sentenced and starting their incarceration at older ages rather than being sentenced at younger ages and aging while incarcerated:

- 52% of the inmates currently under the age of 50 were sentenced when they were 30 years old or older.
- 56% of the inmates currently between the ages of 50 and 64 were sentenced when they were 45 years old or older.
- 55% of the inmates currently 65 years old or older were sentenced when they were 50 years old or older.

Table B - SR Confined Population by Current Age & Age at Sentencing - FY2024

Age at Sentencing	Current Age									Total
	Number	Under 50		50 to 64		65 and Older		Number	Total	
		% of Current Age Group	% of Age at Sentencing	% of Current Age Group	% of Age at Sentencing	% of Current Age Group	% of Age at Sentencing			
Under 18	242	1%	82%	42	1%	14%	11	1%	4%	295
18 - 24	5,197	27%	88%	590	10%	10%	101	7%	2%	5,888
25 - 29	3,854	20%	88%	412	7%	9%	112	8%	3%	4,378
30 - 34	3,770	19%	87%	486	8%	11%	84	6%	2%	4,340
35 - 39	3,199	16%	84%	493	8%	13%	104	7%	3%	3,796
40 - 44	2,167	11%	76%	584	10%	20%	106	8%	4%	2,857
45 - 49	993	5%	49%	915	16%	45%	106	8%	5%	2,014
50 - 54	n/a	n/a	n/a	1,251	21%	92%	104	7%	8%	1,355
55 - 59	n/a	n/a	n/a	802	14%	87%	124	9%	13%	926
60 - 64	n/a	n/a	n/a	293	5%	59%	200	14%	41%	493
65 & Over	n/a	n/a	n/a	n/a	n/a	n/a	345	25%	100%	345
Total	19,422		73%	5,868		22%	1,397		5%	26,687

NOTE: Percentages may not total to 100% due to rounding.

⁶ A State Responsible (SR) inmate is a person with one or more felony convictions who was sentenced to one year or more of incarceration. An SR inmate may be incarcerated in a VADOC facility or incarcerated in a local/regional jail. The SR Confined population is a snapshot of the SR inmates incarcerated on a specific date (in this report, June 30th of the year indicated except for FY24 which is for June 28, 2024). The SR New Court Commitments (NCC) are the number of inmates sentenced to a term of SR incarceration during the year indicated. SR NCC information for FY2024 is not yet available.

⁷ SR NCC information for FY2023 is the most recent complete fiscal year that is available; SR NCC information for FY2024 is not yet available.

⁸ All information for the SR Confined population at the end of FY2024 was preliminary as of June 28, 2024 and could change as additional information is received, verified, and entered into CORIS (VADOC’s offender management system).

Inmate Characteristics by Age Group

Black inmates comprised more than one-half (53%) and White inmates comprised 43% of the total SR Confined population at the end of FY2024, but Chart C shows there were differences by age group between these two race categories. Black inmates made up the majority of the population under the age of 50, while White inmates made up the majority of the population who were 65 years old or older.

Male inmates comprised 93% of the total SR Confined population, but this percentage increased as age increased. Males accounted for:

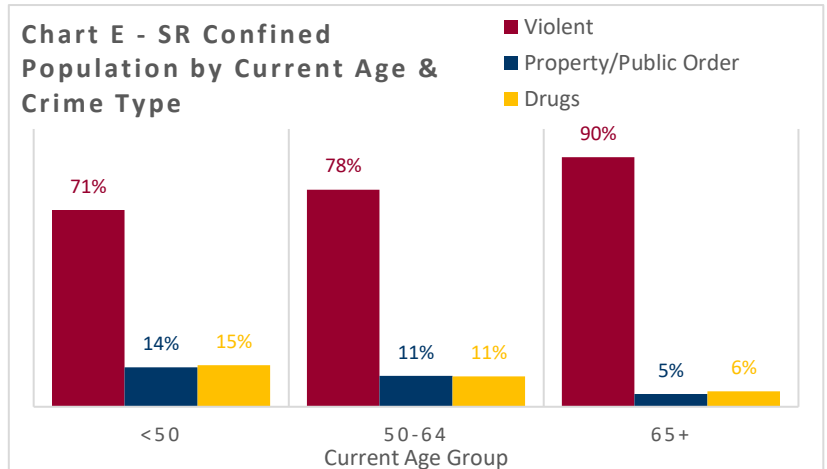
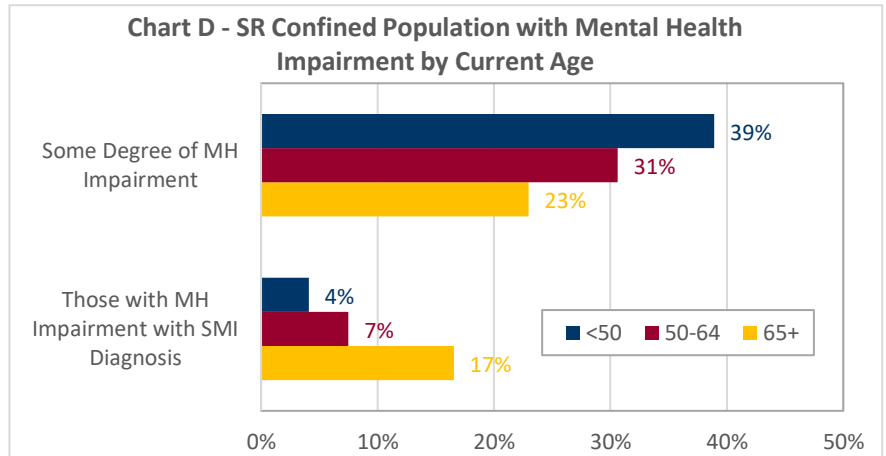
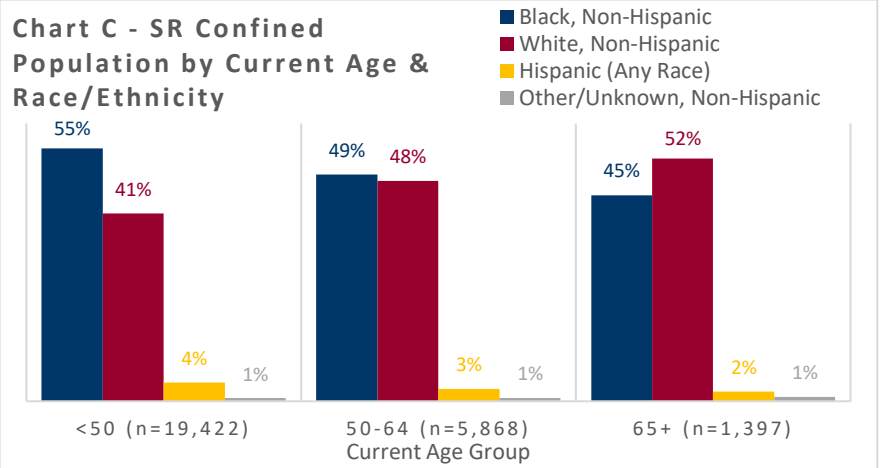
- 92% of those under 50 years old
- 94% of those between 50 and 64 years old
- 97% of those 65 years old or older

More than one-third of the total SR Confined population (36%) had some degree of mental health impairment,⁹ but this percentage decreased as age increased. Less than one-third of those in the 50–64-year-old age group and less than one-quarter of those in the 65+ age group had a mental health impairment. However, as shown in Chart D, larger proportions of the older age groups with a mental health impairment had a diagnosis of a serious mental illness (SMI).¹⁰

Offense Characteristics by Age Group¹¹

Of those inmates in the total SR Confined population with complete offense and sentence information recorded on June 28, 2024, almost three-quarters of the total SR Confined population (73%) had a Violent Most Serious Offense (MSO) for their current term of SR incarceration, there were stark differences between age groups. Larger percentages of the older age groups had a Violent MSO compared to the younger age group (see Chart E).

Table F on the next page shows that Rape/Sexual Assault and First Degree Murder were the most



⁹ Current mental health code of MH-X, MH-1, MH-2, MH-3, MH-4, CMH-1, CMH-2, CMH-3, CMH-4, MH-2S, MH-3S, or MH-4S. See DOP [730.2 Mental Health and Wellness Services: Screening, Assessment, and Classification](#) for descriptions of these mental health codes.

¹⁰ Current mental health code of MH-3, MH-4, CMH-3, CMH-4, MH-2S, MH-3S, or MH-4S. See DOP [730.2 Mental Health and Wellness Services: Screening, Assessment, and Classification](#) for descriptions of these mental health codes.

¹¹ All offense information was preliminary as of June 28, 2024 and could change as additional court orders are received, verified, and entered into CORIS (VADOC's offender management system).

prevalent MSOs for inmates in both the 50-64 year old age group and the 65+ age group, but they accounted for smaller proportions for inmates less than 50 years old. The most prevalent MSOs for the youngest age group were Felony Assault (16%), Robbery (15%), Drug Sales (12%), and Rape/Sexual Assault (11%).

Inmates with convictions for offenses considered violent under [§17.1-805](#) of the *Code of Virginia* are subject to sentence length enhancements on the Virginia Criminal Sentencing Commission’s sentencing guidelines. While more than three-quarters of the total SR Confined population (77%) had one or more convictions for violent offenses covered under §17.1-805, similar to the MSOs discussed above, much larger percentages of the older age groups had these convictions compared to the younger age group (see Chart G below).

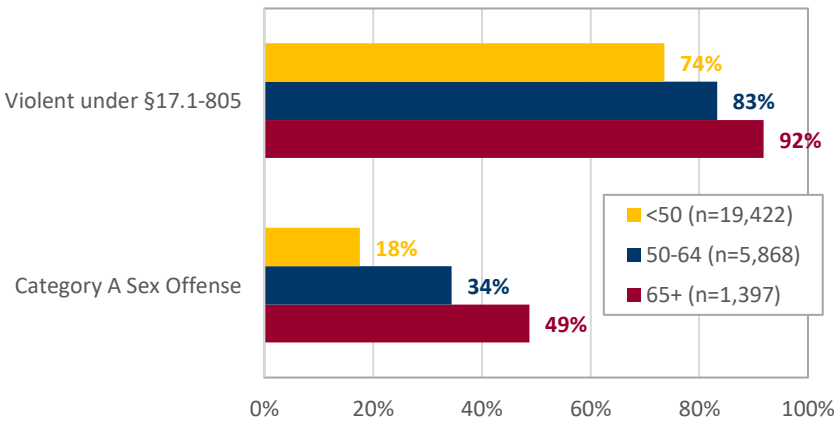
Additionally, inmates convicted of Category A sex offenses¹² receive the specialized STABLE-2007 Sex Offender Risk Assessment.¹³ Almost one-quarter of the total SR Confined population (23%) had one or more convictions for a Category A sex offense, but again, there were noticeable differences between the age groups. More than one-third of inmates in the 50–64-year-old age group (34%) and almost one-half of inmates 65 years old or older (49%) had such a conviction.

Table F - SR Confined Population by Most Serious Offense and Age Group*

Most Serious Offense	Current Age		
	<50	50-64	65+
Capital Murder	1%	3%	4%
First Degree Murder	8%	13%	21%
Second Degree Murder	4%	3%	4%
Manslaughter	3%	1%	1%
Abduction	6%	9%	14%
Rape/Sexual Assault	11%	22%	29%
Robbery	15%	11%	6%
Felony Assault	16%	9%	6%
Weapons	4%	1%	1%
Other Sex Offense	3%	4%	5%
Arson	0%	0%	0%
Burglary/B&E	5%	3%	2%
Larceny/Fraud	8%	6%	2%
Conspiracy	0%	0%	0%
DUI	1%	1%	0%
Habitual Offender	1%	0%	0%
Other Non-Violent	0%	0%	0%
Drug Sales	12%	9%	5%
Drug Possession	3%	2%	1%

*Percentages are for each age group with complete offense and sentence information recorded on June 28, 2024; percentages may not total to 100% due to rounding; all information was preliminary as of June 28, 2024 and could change as additional court orders are received, verified, and entered into CORIS (VADOC’s offender management system).

Chart G - SR Confined Population with Specified Convictions by Current Age



More than one-half of the total SR Confined Population (55%) had either a ‘High’ or ‘Medium’ Risk of General Recidivism on their most recent COMPAS Risk/Needs assessment,¹⁴ but there were drastic differences between the age groups. General Recidivism risk levels decreased noticeably as age increased. Sixty-three percent of inmates less than 50 years of age had a

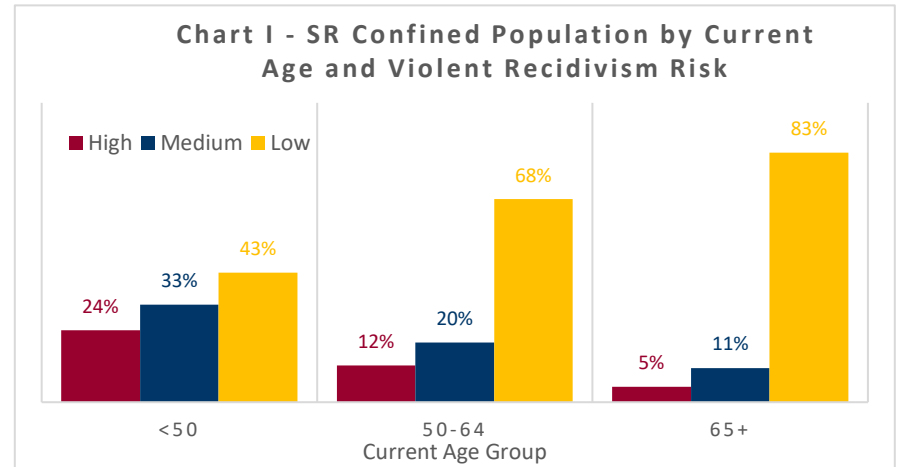
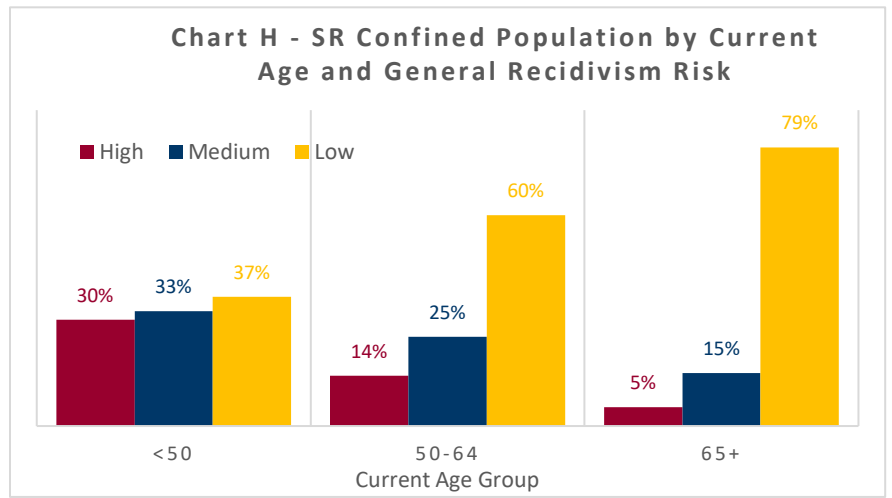
¹² Category A Sex Offenses are any sex offense that involves an identifiable child or non-consenting adult victim and includes (but is not limited to) all contact offenses (rape, sexual assault, object penetration, unlawful intercourse with a minor, manufacture/creation of child pornography), exhibitionism, voyeurism, sex with animals, and sex with dead bodies.

¹³ Brankley, A. E., Babchishin, K. M., & Hanson, R. K. (2021). *STABLE-2007 Demonstrates Predictive and Incremental Validity in Assessing Risk-Relevant Propensities for Sexual Offending: A Meta-Analysis*. *Sexual Abuse*, 33(1), 34-62.

¹⁴ Correctional Offender Management Profiling for Alternative Sanction (COMPAS) is risk and need assessment instrument used to inform decisions regarding the placement, supervision and case management of offenders; for additional information, refer to: <https://www.equivant.com/wp-content/uploads/Practitioners-Guide-to-COMPAS-Core-040419.pdf>

'High' or 'Medium' risk level, but this figure was 39% for those in the 50–64-year-old age group and 20% for those in the 65+ age group.

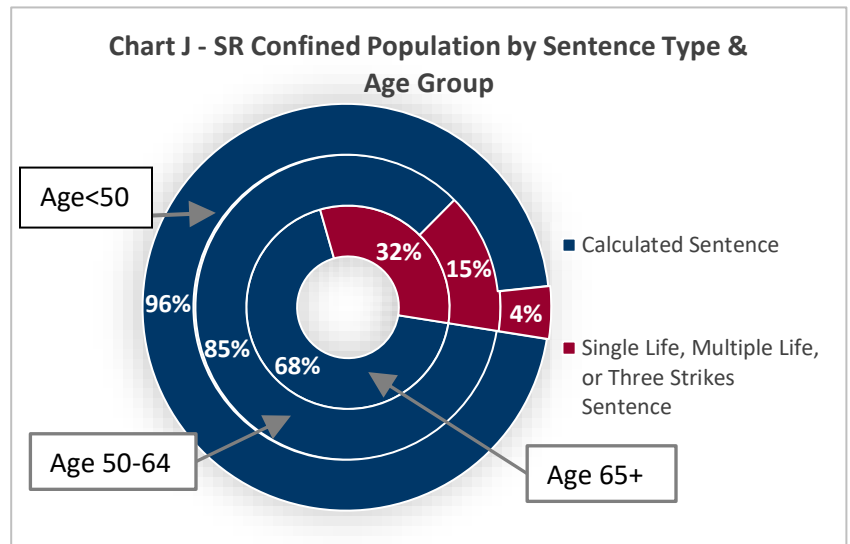
Almost one-half of the total SR Confined population (49%) had either a 'High' or 'Medium' Risk of Violent Recidivism on their most recent COMPAS Risk/Needs assessment, but as shown in Chart I, there were also drastic differences between the age groups. Violent Recidivism risk levels also decreased noticeably as age increased. More than one-half of inmates less than 50 years of age had a 'High' or 'Medium' risk level, but this figure decreased to 32% for those in the 50–64-year-old age group and 16% for those in the 65+ age group.



Sentence & Length of Stay by Age Group

As shown in Chart J, most inmates in the total SR Confined population (92%) had a calculated sentence imposed for their current term of SR incarceration, but 8% of the population were serving a Single Life, Multiple Life, or a Three Strikes Sentence. As with the offense information discussed in the previous section, the percentage of inmates serving a Single Life, Multiple Life, or Three Strikes Sentence increases as age increases, with almost one-third of the inmates in the 65+ age group (32%) serving such a sentence.

Inmates with a calculated sentence imposed were serving an average total imposed sentence (for all offenses for their current term of SR incarceration) of 18.7 years (median=10.5). But again, there were differences between the age groups with older inmates having longer total imposed sentences than younger inmates. Inmates in the 65+ age group had an average total sentence that was more than twice as long as the average total sentence for those in the <50-year-old age group. Table K on the next page also shows similar patterns in the time inmates have already served¹⁵ and in the amount of time the inmates were expected to



¹⁵ Time Already Served is the number of years from the start of an inmate's current term of SR incarceration (including any pre-sentence jail credits) until June 29, 2024.

remain incarcerated.¹⁶ Older inmates had, on average, already served more than twice as long as younger inmates, and older inmates were, on average, expected to remain incarcerated longer than younger inmates.

SR Incarceration History

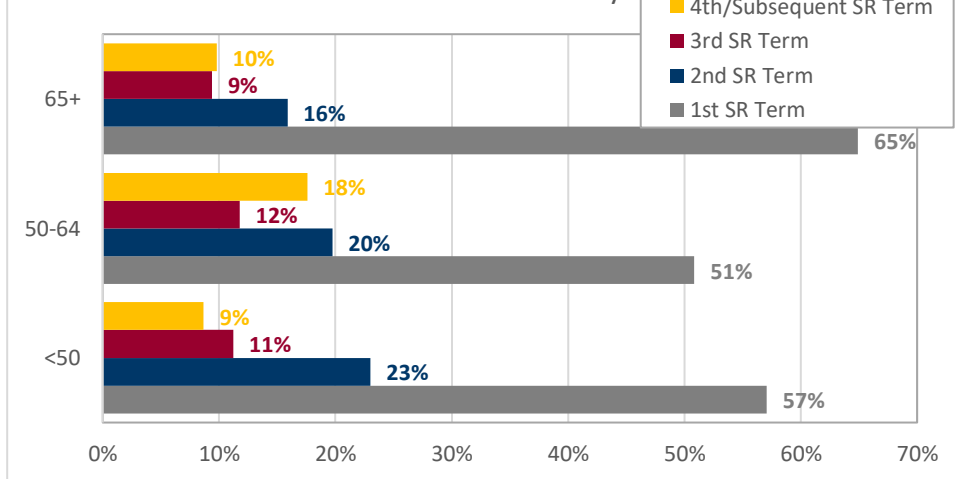
More than one-half of the total SR Confined population (56%) was serving their first term of SR incarceration, but as shown in Chart L, there were differences between the age groups, most notably:

- 65% those in the 65+ age group were serving their first term of SR incarceration.
- The percentage serving their second term of SR incarceration decreased as age increased.
- 18% of inmates in the 50–64-year-old age group were serving a fourth or subsequent term of SR incarceration.

Table K - SR Confined Population: Sentence & Length of Stay by Current Age

	Current Age Group		
	<50	50-64	65+
Total Imposed Sentence (years)			
Mean	15.7	26.6	33.8
Median	9.8	17.8	22.0
Time Already Served (years)			
Mean	6.0	11.4	14.7
Median	3.6	7.2	10.4
Remaining Expected Length of Stay (years)			
Mean	7.4	10.1	11.9
Median	2.5	3.8	6.0

Chart L - SR Confined Population by Age Group and SR Incarceration History



Eligibility for Discretionary Parole and/or Geriatric Release

The *Code of Virginia* provides two early release mechanisms for inmates. First, [§53.1-151](#) establishes the criteria for discretionary parole eligibility for inmates with convictions for felonies committed prior to January 1, 1995. Second, [§53.1-40.01](#) establishes the offense, age, and length of stay criteria for geriatric release consideration. Both early release mechanisms fall under the purview of the [Virginia Parole Board](#) who review inmates meeting the eligibility criteria and determine their suitability for early release.

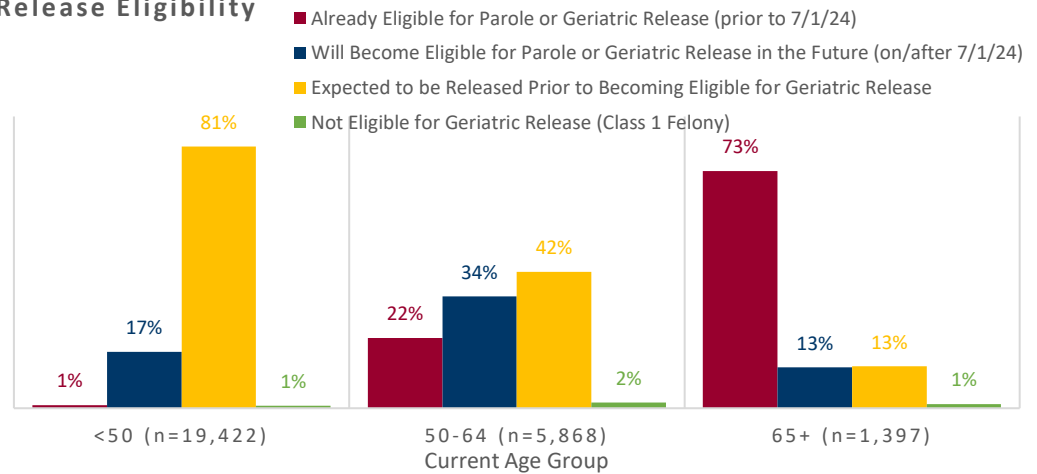
More than two-thirds of the total SR Confined population at the end of FY2024 (69%) were expected to be released prior to meeting the age and length of stay eligibility criteria for geriatric release consideration. But 9% had already met the eligibility criteria for either discretionary parole consideration or geriatric release consideration, and another 21% will meet one or both eligibility criteria at some point in the future. As with the other characteristics examined in this report, Chart M on the next page shows there were differences between the age groups. Eighty-one percent of inmates less than 50 years old were expected to be released prior to meeting the geriatric release eligibility criteria. And almost three-quarters of inmates who were 65 years old or older (73%) had already met the criteria for discretionary parole consideration, geriatric release consideration, or both. Unlike the younger age group and the older age group, no single category predominated among the 50–64-year-old age group:

- 42% were expected to be released prior to becoming eligible for geriatric release consideration.

¹⁶ Remaining Expected Length of Stay is the number of years from June 29, 2024 until an inmate’s current expected Good Time Release Date.

- 34% will become eligible for discretionary parole consideration, geriatric release consideration, or both at some point in the future.
- 22% already were eligible for discretionary parole consideration, geriatric release consideration, or both.

Chart M - SR Confined Population by Current Age & Early Release Eligibility



Inmate Medical Costs

Annual per capita inmate medical costs increased in 14 of the last 15 years. Following a 33% increase in FY2021 due to the COVID-19 pandemic, inmate medical costs increased 3% in FY2022 and 5% in FY2023, reaching \$11,383 per inmate that year. Inmate medical costs comprised 17.4% of total VADOC operating expenditures in FY2023 (see Table N).¹⁷

VADOC had almost \$58 million in off-site inmate medical costs during FY2024.¹⁸ At the end of FY2024, inmates in the 50+ age group comprised 29% of the VADOC Facility population, but they accounted for 56% of off-site medical costs.

Table N - VADOC Inmate Medical Costs (FY09-FY23)

Year	Medical Cost per Capita	Percent of Total DOC Operating Expenditures
FY09	\$4,322	13.2%
FY10	\$4,827	14.9%
FY11	\$4,870	14.7%
FY12	\$5,195	15.0%
FY13	\$5,463	14.6%
FY14	\$5,120	13.6%
FY15	\$5,749	14.9%
FY16	\$6,420	16.0%
FY17	\$6,554	15.7%
FY18	\$7,226	16.7%
FY19	\$7,605	17.1%
FY20	\$7,941	16.6%
FY21	\$10,550	18.1%
FY22	\$10,824	17.1%
FY23	\$11,383	17.4%

Table O - VADOC Inmate Off-Site Medical Costs by Age Group

Age Group	% of VADOC Facility Population	Off-Site Medical Costs	
		Total Cost	% of Off-Site Medical Costs
Under 30	15%	\$3,005,087	5%
30-39	30%	\$10,513,572	18%
40-49	26%	\$11,967,312	21%
Sub-Total Under 50yo	71%	\$25,485,971	44%
50-59	17%	\$13,152,982	23%
60-69	9%	\$13,189,787	23%
70+	2%	\$6,040,601	10%
Sub-Total 50+	29%	\$32,383,370	56%
Grand Total	100%	\$57,869,341	100%

¹⁷ VADOC Fiscal Year Management Summary Reports: <https://vadoc.virginia.gov/general-public/reports-and-publications/>

¹⁸ VADOC Health Services Unit, July 19, 2024.

Main Takeaways

- The total SR Confined population is growing older, with inmates 50 years old or older increasing from 5% of the population at the end of FY1990 to 27% by the end of FY2024.
- Newly sentenced inmates are also older; the proportion of SR NCC 50 years old or older has increased from 3% in FY1990 to 15% of the total SR NCC in FY2023.
- Characteristics of Older Inmates:
 - Male (94% of the 50-64 age group; 97% of the 65+ age group)
 - Predominantly White (52% of those in the 65+ age group)
 - Larger proportions of the older age groups with a mental health impairment had a diagnosis of a serious mental illness (SMI).
 - Both General Recidivism Risk and Violent Recidivism Risk levels decreased noticeably as age increased.
 - Larger proportions of the older age groups had Violent offenses:
 - 50–64-year-old age group:
 - 78% had a Violent MSO
 - 83% had a conviction for a Violent offense under §17.1-805
 - 34% had a conviction for a Category A Sex Offense
 - 65+ age group:
 - 90% had a Violent MSO
 - 92% had a conviction for a Violent offense under §17.1-805
 - 49% had a conviction for a Category A Sex Offense
 - Almost one-third of the inmates in the 65+ age group (32%) were serving one or more life sentences.
 - On average, older inmates received longer total imposed sentences, have already served more time, and are expected to be incarcerated longer than younger inmates.
 - 65% those in the 65+ age group were serving their first term of SR incarceration.
 - 18% of inmates in the 50–64-year-old age group were serving a fourth or subsequent term of SR incarceration.
- Almost two-thirds of those in the 50–64-year-old age group (66%) had either already met the criteria for discretionary parole or geriatric release consideration (22%) or will meet those criteria in the future (34%).
- 86% of those in the 65+ age group had had either already met the criteria for discretionary parole or geriatric release consideration (73%) or will meet those criteria in the future (13%).
- Inmate medical costs comprised 17.4% of total VADOC operating expenditures in FY2023.
- Inmates 50 years old or older comprised 29% of the VADOC Facility population, but they accounted for 56% of off-site medical costs.

Virginia Department of Corrections
Research Unit
research@vadoc.virginia.gov
Dr. Tama Celi
Warren McGehee