



# GENERAL ORDER

Loudoun County Sheriff's Office

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<b>Chapter:</b> Correctional Services	<b>Section:</b> 505.2	
<b>Subject:</b> Classification and Inmate Records	<b>Topic:</b> Time Computation	
<b>Accreditation:</b> 6VAC15-40-120		
	<b>Revised:</b> 09/22/2016	<b>Reaffirmed:</b>
<b>Enacted:</b> 04/16/2008	<b>Last Review:</b>	<b>Review:</b>

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## I. PURPOSE

The purpose of this General Order is to provide directives for computing release dates in accordance with the guidelines established by the Virginia Department of Corrections and the Loudoun County Circuit Court.

## II. POLICY

It shall be the policy of the Corrections/Court Services Division to compute accurate release dates and time credits for sentenced inmates according to the guidelines established by the Virginia Department of Corrections. The Records Supervisor shall be responsible for the accurate computation of release dates/information and the accurate and timely completion of the inmate's paperwork and time credits.

The Loudoun County Sheriff's Office has elected to calculate all "A" felony sentences at a Class Level II from the chart. In this Class Level, inmates are serving time at 91%.

It is the policy of the Corrections/Court Services Division to provide extensive, in depth training above and beyond this general order so that personnel calculating sentences are doing it properly.

## III. DEFINITIONS:

Case Number: A court generated docket number assigned to a specific offense.

General District Criminal Court begins with a C, followed by the year (yy), and followed by the number assigned in sequence (ex. C06-4321).

General District Traffic Court begins with a T, followed by the year (yy), and followed by the number assigned in sequence (ex. T06-1324).

Juvenile & Domestic Relations Court begins with a JA or JJ, followed by the number assigned in sequence (ex. JA001453-01-00).

Circuit Court is a number (ex. 14327).

Concurrent Sentences: Two or more terms of imprisonment, whereby all or part of each term is served simultaneously (at the same time) and the prisoner is entitled to discharge at the expiration of the longest term imposed.

### III. PROCEDURE

#### A. County Jail Sentence Time Computation

1. Inmate sentences are broken down in the following manner:
  - a. Hours
  - b. Days
  - c. Months
2. The Records Section will review the paperwork from the sentencing court. Staff will determine the method of time computation based on the above defined old law and new law sentences and the below listed indicators:
  - a. Misdemeanor or felony offense(s).
  - b. Offense date.
  - c. Length of sentence.
3. The county sentence will be calculated using the Loudoun County Sheriff's Office- Inmate Records Sentenced Time Calculation Sheet located on the G: drive in the Classification folder.
4. When the Sentence to be served has been established, Records Section staff members must review the Offender Management System and/or old committal folders to determine if the inmate is owed any past jail credits for that specific offense, case number and offense date.
5. The Sentenced Time Calculation Sheet will be used to document all information regarding an inmate's sentence, calculate their sentence and generate a final release date. The deputy calculating the sentence will initial to show that this has been completed.
  - a. The amount of days to serve will be automatically calculated based on the types of sentences received and input into the Sentenced Time Calculation Sheet.

- b. Record the amount of past jail credit days, if any, on the designated line.
  - 1) At times, it will be necessary to contact another out-of-state or in-state law enforcement agency to verify the time an inmate spent in their detention center awaiting transfer to Loudoun County.
  - 2) Written verification of this time credit must be requested from the applicable agency.
  - 3) This jail credit is only applicable if the inmate was being held on Loudoun County charges only.
6. The Sentenced Inmate Time Calculation sheet will automatically subtract the number of past jail credit days from the total amount of days to serve in order to arrive at the Total Days to Serve.
7. Subtract the total of any EGT days from the above balance.
8. Based on the balance of days left to serve, the worksheet will calculate the number of days from the most recent committal date to accurately compute the Adjusted Release Date.
  - a. When counting days, do not count the first day of committal.
9. Prior to finalizing the release date, a Records Supervisor will verify accuracy by re-calculating the sentence and jail credits and initial to show that this has been completed.
10. The inmate will receive a copy of the Sentenced Time Calculation Sheet and the original must be placed in the inmate record.
11. Record the inmate's release date on the Records Section monthly planner.
12. The inmate's release date will also be entered into the appropriate sections of the Offender Management System.
13. If sentenced to serve non-consecutive time, on the appropriate weekend, add the inmate's name as well as their release date and time to the Loudoun County Jail Committal/Release List.
14. If the inmate's release date is imminent, add the inmates name as well as their release date and time to the Loudoun County Jail Committal/ Release List.

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- B. Time Computation For Inmates Serving Old Law Sentences and New Law Sentences together – County Jail Sentence
1. At no time will New Law and an Old Law sentences be combined to become one state sentence. These sentences must be calculated with separate release dates that run consecutively. The inmate must serve the New Law sentence first (no parole). The inmate must serve the Old Law sentence last (discretionary and mandatory parole eligibility).
  2. The same procedures outlined in Section A, #'s 2 through 14 will be used to calculate the separate release dates.
- C. State Sentence Paperwork and Time Credit Computation
1. An inmate's paperwork must be forwarded to the Department of Corrections for computation of a release date if the inmate has been:
    - a. Convicted of a crime(s) that occurred prior to December 31, 1994 ("old law") with any combination of misdemeanor and/or felony sentences totaling more than twelve (12) months.
    - b. Convicted of felony crime(s) that occurred after January 1, 1995 ("A" felony) with a total sentence of one year or more.
    - c. Convicted of a combination of felony crimes that occurred after January 1, 1995 with a total sentence of twelve (12) months plus one day or more.
  2. A Certified Credit for Time Spent in Jail Form must be filled out completely and accurately by a member of the Records Section staff. The information to be provided on this form includes the inmate's name, DOC number (if known), date of birth, social security number, race, sex, offense date, charge, court date, jurisdiction and court, sentence, jail credit information, exemplary good time, signature of preparer and date.
    - a. Once the Certified Credit for Time Spent in Jail Form is completed and all sentencing orders pertaining to the inmate's convictions are formally entered into record by the court clerk, all paperwork will be faxed to the Department of Corrections' Court and Legal Services Section.
    - b. Once the Department of Corrections' Court and Legal Services Section calculates a release date, the inmate will receive an official update sheet that is generated by the Department of Corrections. The update sheet will reflect all court and sentencing information, class

level, discretionary and mandatory release dates, good time release dates, etc.

- c. The Records Supervisor will access and print any new legal updates through CORIS on a weekly basis. The inmate will be provided a copy and the original will be retained in the inmate record.
  - 1) The release date will be recorded on the appropriate date of the Records Section monthly planner.
  - 2) The release date will also be recorded in the appropriate section of the Offender Management System.

D. Exemplary Good Time (EGT)

- 1. Exemplary Good Time is awarded to inmates who are considered state responsible but who have not passed their custody release date (CRD) or to inmates who are serving Local (Non-DOC) sentences only. (Once a state identification number has been issued, Judicial Good Time is awarded).
- 2. Exemplary Good Time may be requested and/or awarded to county inmates or state responsible inmates at a rate of up to five (5) days per month for every thirty (30) days of work performed while on the Adult Detention Center's Work Force Program or Inmate Trusty Program if one of the following applies:
  - a. The inmate's crime was a felony with a sentence equal to or greater than one (1) year and committed prior to January 1, 1995.
  - b. The inmate has been convicted of misdemeanor crimes with a sentence totaling twelve (12) months or less or twelve (12) months plus one (1) day or more.
- 3. Exemplary Good Time may be awarded to state responsible inmates at a rate of five (5) days per month for every thirty (30) days of work performed while on the Adult Detention Center's Work Force Program or Inmate Trusty Program if both of the following apply:
  - a. The inmate's crime was a felony and committed after January 1, 1995.
  - b. The inmate has not yet been assigned a CRD.
- 4. EGT can be recorded on either the Certified Credit for Time Spent in Jail Form or the EGT/Class Level Evaluation Sheet for Inmates in Local Jails Form.

- a. The Certified Credit for Time Spent in Jail Form is used if the EGT was earned prior to an inmate's sentencing and prior to the submission of jail credits and court orders to the Department of Corrections.
- b. An amended Certified Credit for Time Spent in Jail Form is used if the EGT was earned after an inmate's sentencing and after the submission of jail credits and court orders to the Department of Corrections, but before the Custody Release Date. This form will be corrected and forwarded to the Department of Corrections.

F. Class Level Change

1. A class level change affects the rate at which an inmate earns good time. All local responsible inmates serving an "A" felony sentence will have their release date calculated at a Class Level II. An inmate serving a county sentence may request a class level change for exemplary behavior. This behavior includes the following indicators:
  - a. Successful participation in a work program (Inmate Trusty, Work Force or Work Release) for five- (5) months or weekly mental health group attendance or G.E.D. classes for seven (7) months.
  - b. Excellent jail adjustment, meaning that the inmate maintains an infraction-free record during the full rating period.
  - c. Able to get along well with others (i.e. inmates, civilian staff, deputies, volunteers) and demonstrates the ability to follow rules and regulations.
2. The inmate must file a written request to the Records Section for this class level change. Staff will evaluate the request to ensure all criteria have been met.
  - a. To maintain the updated class level change, an inmate must continue to fulfill the established criteria.
  - b. If voluntarily or otherwise removed from a work program or weekly class, the class level change will be rescinded.
3. If the inmate meets the listed criteria and has an "A" felony sentence that will be served in the county jail, the Records Section will compute the inmate's new release date using Attachment C as a guide. Class Level I will be used to re-calculate the inmate's release date. A copy of the new release date will be provided to the inmate.

4. If the inmate is serving a misdemeanor sentence only, an enhanced class level change cannot be effected. The inmate is already earning the maximum amount of time possible.
5. Through a disciplinary hearing, Adult Detention Center officials may request a class level change due to poor behavior or disciplinary infractions.
  - a. For major In-House offenses and convictions, discipline may include a loss of good time (a specified amount of days) or a class level change. An inmate's class level may be reduced to a Class Level 3 or Class Level 4.
  - b. The directions in 4 and 6 above will be used to effect the appropriate class level change.

G. Good Time Credits

1. There are two instances in which good time credits will not be awarded to inmates serving a sentence within the county system.
2. If an inmate has been placed in jail on a civil contempt conviction under Virginia Code 20-115 or 16.1-278.16, the inmate will not receive any good time on their sentence. There will be no reduction in an inmate's length of time to serve in jail.
3. If an inmate is placed on house arrest, no good time will be awarded for the time an inmate actually spends at home on the Electronic Incarceration Program.
  - a. If the inmate is serving a county sentence, the Records Section is responsible for re-calculating the inmate's release date once the inmate is placed on house arrest.
  - b. If the inmate is serving a state sentence, the Records Section is responsible for notifying the Department of Corrections of this program participation on the Certified Credit for Time Spent in Jail Form (Attachment D) and mailing/faxing the completed form. The Department of Corrections will adjust the inmate's release date.

IV. DOC STANDARD #

6VAC15-40-120: Classification

- A. Written policy, procedure and practice shall ensure the following:

1. Classification of inmates as to level of housing assignment and participation in correctional programs;
  2. Separate living quarters for males, females and juveniles;
  3. Inmates are not segregated by race, color, creed or national origin;
  4. Security permitting, equal access to all programs and activities, through separate scheduling, or other utilization of combined programs under supervision; and
  5. Any exception to the above to be documented in writing.
- B. If the facility is using objective classification, then the following shall be followed:
1. Classification is conducted upon intake and prior to final housing assignment;
  2. Classification determines the custody level and housing assignment;
  3. Classification is conducted through prisoner interviews and the use of data collection instruments or forms, which are maintained on file;
  4. Classification instruments enable objective evaluation and/or scoring of:
    - a. Current offenses
    - b. Prior convictions
    - c. History of assaultive behavior
    - d. Escape history
    - e. Prior institutional adjustment
    - f. Court status and pending charges
    - g. Mental health or medical treatment history or needs
    - h. Identified stability factors
  5. The classification system includes administrative review of decisions; periodic reclassification and override procedures, that are documented and maintained on file;
  6. The classification system addresses both the potential security risk posed and treatment needs of the inmate;
  7. Male, female and juvenile inmates are housed separately;
  8. Inmates are not segregated by race, color, creed or national origin.

Compliance Documentation:

- Review written policy and procedures
- Review classification documents
- Review eligibility requirements for Work Force (see §53.1-128 – §53.1-131 of the Code of Virginia) and trusty program participants
- Observation of housing units



- Review any exceptions to the above
- Interview staff/inmates

A sound classification system can improve the overall operations of the facility by reducing incidents, identifying both housing and program needs for inmates and increase utilization of staff in units where security is most needed. Male and female inmates must have separate and distinct living quarters, which provide for sight and sound separation to the extent possible for privacy, maintain individual integrity and ensure facility order and security. However, both sexes shall have equal access to facility program space and opportunities. With appropriate security consideration, mutual program activities are permissible. Juvenile housing is mandated and must be in Compliance with §16.1-249 of the Code of Virginia.

This General Order becomes effective September 23, 2016, and rescinds all previous rules and regulations pertaining to the subject.