

Community organizes against growth of Middle River Regional Jail

Ashlyn Campbell | The Breeze
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Matthew Young | The Breeze

Residents in the Shenandoah Valley are voicing opposition to a proposed expansion of Middle River Regional Jail (MRRJ) in hopes of lowering the number of incarcerated people in the area.

The expansion was presented by MRRJ superintendent Jeffery Newton to Harrisonburg City Council on Jan. 26 and has been in deliberation in the counties the jail serves since January. MRRJ accepts individuals from Staunton, Waynesboro, Harrisonburg, Augusta, Highland and Rockingham, according to the [Middle River website](#).

Community members have taken to Facebook groups to voice their opinions on potential issues with the expansion. Gabriel Curry, a member of the Facebook group “Communities Against Middle River Jail Expansion,” said he opposes the expansion because of the alternatives to incarceration that are available.

“What we’re doing in the areas is really criminalizing poverty, mental illness and addiction,” Curry said. “This has been going on for years — no one’s really addressed it.”

Curry said that expanding the jail would create more space without addressing the root causes of crime or incarceration. Curry said he’s followed developments concerning MRRJ because many of his family members and friends have spent time in the jail. As he said “It’s crucial to provide adequate funding and staffing to places to keep people out of jail in the first place.”

At the Jan. 26 meeting, Newton said the jail exceeded capacity by approximately 200% at the end of 2020.

The original capacity for Middle River was 396, with the original building able to house roughly 600 because the “core functions” of the jail like the kitchen were built to house 150% capacity. At the end of 2020, Newton said the jail population was 806, with a needs assessment estimating roughly 1,000 offenders by 2024.

The proposed expansion includes adding 352 new beds, new medical and laundry areas for inmates, expansion of a current maintenance building and other renovations within the jail. Newton said the expansion was taking into account reforms that have been put into place, including one that’s been proposed in the Virginia legislature that would allow inmates to earn more time off their sentence for good behavior.

“We’re gonna need some pretty radical criminal justice reform to really get our way out of needing a solution to our population issues,” Newton said in the meeting. “Even with [an upcoming reform], we’re still looking at 1,000 offenders in a facility designed for 396.”

Councilmember Chris Jones said during a Feb. 9 City Council meeting that he’d be content with no one from Harrisonburg ending up incarcerated. Instead, he said he’d rather see the city exert its efforts on rehabilitation and attempts to lower its crime rate.

"I'm OK if we had no one in jail ... from Harrisonburg, in fact, more than OK with that — that's a goal," Jones said. "My prayer's that we don't incarcerate anybody."

At this meeting, Jones said multiple times that "we are overreacting" when it comes to nonviolent offenders. He urged Newton to increase rehabilitation programming to break the cycle of nonviolent offenders re-entering the facility.

"You've got a couple hundred people each month coming in and out of jail," Jones said. "That's not OK, and that's where I feel like some of that pressure should go back on the community."

Hannah Wittmer, another member of "Communities Against Middle River Jail Expansion," said the expansion of Middle River was "bad public policy" and not where the community should be heading.

"It has given me just a lot of indignation that ... this is not a high crime area, and yet our incarceration rates are double the national average," Wittmer said. "This painting of a picture of our only choice is to expand ... That's not true."

For the six areas that feed into the jail, only Harrisonburg, Augusta and Staunton publish data to the number of crimes in a given year. Harrisonburg has a crime rate of roughly 90 per 1,000, Augusta has a crime rate of about 16 per 1,000 and Staunton had a crime rate of approximately 59 per 1,000.

According to the [U.S Census Bureau](#) and the data from the [Feb. 2 MRRJ meeting agenda](#), out of the six areas MRRJ serves, four of them have incarceration rates almost double the national average of 2.26 per 1,000.

In addition to those housed in MRRJ, Harrisonburg and Rockingham also utilize Rockingham-Harrisonburg Regional Jail. That facility has a 2.11 per 1,000 incarceration rate, according to a [presentation](#) from Frank Sottaceti, the community criminal justice planner for Harrisonburg, at City Council earlier this month.

Anna Cubbage, a resident of Augusta county, said she first saw the proposed expansion while working with the Valley Justice Coalition and is invested in advocating against the expansion. Her fiancé was incarcerated for marijuana charges at Middle River last year before being moved to Rockingham-Harrisonburg Regional Jail. Cubbage said the proposed expansion is "grossly irresponsible."

"It's personal to a degree because my loved one is directly affected by it, but even before he had been incarcerated, this is something that I've kind of always been passionate about," Cubbage said. "The injustice is clear, it's blatant, it's at a point where it's so in our face, and not very many people are doing anything to change it."

Wittmer said it would be a "mistake" to build a larger jail without researching how to reduce the jail population through something like the [Vera Institute](#), a national nonprofit research and policy organization, to figure out how to lower jail populations. Wittmer highlighted the disparities in incarceration and crime rates in the area and the disproportionate number of Black individuals that make up the jail's population.

"Why not pay experts with a proven track record in helping other communities reduce their jail population safely?" Wittmer said. "That's just a very common sense next step beyond just saying 'No' to the jail expansion."

According to data received through a [Freedom of Information Act \(FOIA\)](#) request led by the members of the Facebook group, approximately 22% of the jail's population is Black as of Jan. 24. Approximately 6% of the population of the area the jail serves is Black, according to information from the [U.S. Census Bureau's Quick Facts](#), which is a 16 percentage point disparity.

"If you build a bigger jail without addressing the reasons for that disparity, you're guaranteed that you're going to fill this bigger jail disproportionately with Black people and people of color," Wittmer said.

Curry said he was surprised more people don't fill out FOIA requests concerning data for Middle River. He said if the jail made it easy to access its data, community members would be able to see that things like poverty and addiction impact levels of crime and incarceration.

"If it's difficult for the public to get information about the socioeconomic makeup of the inmates, then it's more difficult to push back against something like jail expansion," Curry said.

Cubbage, who grew up in the area, said she's seen the impact of substance abuse that follows incarceration. She said oftentimes, the punishment for minor charges is more focused on "being punitive" than trying to help the individual in need.

“These people that are in jail, I went to school with them, they’re our neighbors or family members,” Cabbage said. “These aren’t just imaginative numbers to most of us. It might be that way to the jail board, but again, these are our friends.”

Part of the proposed expansion is an increase to MRRJ’s investment into mental health facilities within the jail.

“We just need to create capacity to create and dedicate space so the mental health staff can better serve that population,” Newton told Harrisonburg City Council.

Curry, Wittmer and Cabbage said the mental health proposal was a tactic to manipulate the public to agree to the expansion.

“It’s wordplay for them to try to get what they want,” Cabbage said. “It’s all just lip service and a way for them to try to get the community on board under the guise of being compassionate.”

At the Jan. 26 City Council meeting, Newton said the expansion takes into account community-based programs like community service. He said MRRJ needs a creative solution to be able to respond to reforms while taking care of individuals in its custody.

“Much of the additional space that we’re gonna add is designed to create capacity to deliver programming ... to create reentry programming and put people back to work,” Newton told City Council. “We can not continue to operate at 200% capacity and serve appropriately the citizens of our community.”

Curry said many people who are incarcerated for nonviolent offenses end up on a cycle of incarceration and probation that keeps them “tied to the system.” He said the expansion didn’t “add up” and that there are other ways to lower overcrowding in jails.

“Even with what they’re proposing to do, it still won’t satisfy the needs,” Curry said.

Newton told Harrisonburg City Council on Jan. 26 that he enjoyed having conversations about issues surrounding the criminal justice system and taking on those challenges.

“The only way we solve the problems is to engage in heartfelt discussion about the reality of the criminal justice system and [its] failures,” Newton said at the meeting.

Curry pointed to many areas that have tried to tackle overcrowding at jails with alternatives to incarceration. On the Communities Against MRRJ Facebook page, Curry has posted about areas in North Carolina and Illinois that have lowered their jail and prison populations through alternative means. Curry said initiatives like issuing citations instead of arresting people for minor crimes and having judges and lawyers in the criminal justice system resolve cases in a more timely manner would decrease overcrowding.

Curry also said the focus on mental health services was vital to impacting levels of incarceration in the area.

“It’s like a justice reform puzzle,” Curry said. “If you solve one thing without solving the other ... you end up with the same problems.”

Cubbage, Wittmer and Curry said they wanted their local governments to vote against the expansion as a first step. Curry said it’s important for people to reach out to their local officials and make their voices heard.

“This is going to be a long process to actually stop jail expansion and actually win meaningful changes,” Wittmer said. “So, having as many people part of that conversation and part of that movement is a great thing.”

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