

THE VIRGINIA BOARD OF CORRECTIONS

The Virginia Board of Corrections (Board) met on Wednesday, May 17, 2017 at the Department of Corrections (VADOC) Headquarters, 6900 Atmore Drive, Richmond, Virginia 23225.

MEMBERS PRESENT: Bobby Vassar, Vice Chairman
John F. Anderson, Jr., Secretary
Colin P. O'Dawe
Reverend Dr. Yvonne Jones Bibbs
Reverend Kevin L. Sykes

MEMBERS ABSENT: Phyllis Randall, Chairman
Ann Gardner

VADOC STAFF PRESENT: Donna Lawrence, Compliance Certification and Accreditation Unit
Erma Locust, Compliance Certification and Accreditation Unit
Tawana Ferguson, Compliance Certification and Accreditation Unit
Wayne Solomon, Compliance Certification and Accreditation Unit
Bob Casey, Compliance, Certification and Accreditation Unit
James Bruce, Policy and Initiatives Unit
Rebecca Hancock, Policy and Initiatives Unit
Donna P. Foster, Administrative Support-Board of Corrections

GUESTS PRESENT: Phillip Figura, Office of the Attorney General
Jimmy Wimer, Rockingham-Harrisonburg Sheriff's Office
Steven Shortell, Rockingham-Harrisonburg Sheriff's Office
Sheriff Lane Perry, Henry County Jail
Steve Eanes, Henry County Jail
Alonzo Howell, Smithfield Town Lockup
Cary Gill, Moseley Architects
Mike Jones, Moseley Architects
Taylor Muniz, Moseley Architect
Laura Hopkins, Martinsville City Jail
Brooks Ballard, Retired, Department of Corrections
Jonathan Walters, Vectre Corporation
Sarah Kleiner, Richmond Times Dispatch
Tina Parsons, Member of the Public
Andrea Kertley, Member of The Public

CALL TO ORDER

Vice-Chairman Vassar called the meeting to order at 12:00 p.m.

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DETERMINATION OF QUORUM

Vice-Chairman Vassar determined there was a quorum present.

WELCOME AND INTRODUCTIONS

Vice-Chairman Vassar welcomed everyone in attendance.

DEPUTY SECRETARY VICTORIA COCHRAN

Deputy Secretary of Public Safety Victoria Cochran joined the meeting by conference call asking that all attendees introduce themselves. Deputy Secretary Cochran noted that she would like to address the attendees about the new legislation passed by the General Assembly regarding powers and duties of the Board of Corrections. The duties will include review of deaths in local facilities. She thanked the sitting members of the Board, the public for their supports and the members of law enforcement for all that they do.

She continued, adding that, as a result of the work done by the Deed's Commission, the Criminal Justice sub-committee, the concerns in the Executive Branch of Government and the circumstances surrounding the Jaymycheal Mitchell case, attentions have been focused upon who, if anybody should be responsible for reviewing deaths in local facilities. Simultaneously, the governor's office and the legislature, not necessarily in concurrence with each other, concluded that the State Board of Corrections was a good fit for that work. The bill evolved to identify nine specific types of experience and representations of individuals to be appointed as members of the Board and provided specific language to be used for the reviews of deaths in jails. These reviews are designed to assist local facilities in providing services to meet standards. The nine Board positions are intended to focus on all the work provided by this Board. These positions include someone with experience as a sheriff, warden, superintendent, administrator or manager of a state or local facility; someone with public health agency experience in the area of behavioral health; someone with experience in mental health in a jail facility in a compliance capacity; a licensed physician; someone with experience in vocational and educational programs in correctional facilities; someone with financial management and experience in an audit investigations capacity; a citizen representing community interests and two individuals experienced in criminal or civil death investigations. Deputy Secretary Cochran added that individuals currently serving as members of the State Board of Corrections who meet the listed criteria are encouraged to apply for membership to the reconstituted Board by applying through the Secretary of the Commonwealth's website.

Deputy Secretary Cochran advised that, in a year in which the budget was difficult, a Virginia Department of Corrections investigator position was funded to provide support to and be an agent of the Board in assisting with these matters and provide report writing as well as legwork for the death reviews. Originally, two positions were requested but only one was funded.

Deputy Secretary Cochran concluded by noting that she had really wanted to attend the meeting in person, but was unable due to other commitments. Upon asking if there were any questions, Mr. Bobby Vassar advised that the sitting members would gladly offer any assistance for the transition of the reconstituted Board in any way that they were able and asked if the current Board should adjust the meeting schedule, noting that the next meeting is scheduled for July 19, 2017. Deputy Secretary Cochran suggested that they hoped to have the new Board in place

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by July 1, 2017, but that may be unlikely and unless they are told otherwise to plan to have the July meeting to conduct business as usual.

APPROVAL OF MARCH BOARD MINUTES

Vice-Chairman Vassar presented the March 15, 2017 minutes for review and approval.

Upon a **MOTION** by Vice-Chairman Vassar and duly seconded, the members voted unanimously to **APPROVE** the March 15, 2017 Board meeting minutes.

NOMINATING COMMITTEE

The Nominating Committee, Colin O'Dawe, Reverend Kevin Sykes and John Anderson, Jr. recommended re-election of the current officials. Phyllis Randall will remain Chairman, Bobby Vassar will remain vice-chairman and John Anderson, Jr. will remain the elected official of the current Board of Correction.

PUBLIC COMMENT PERIOD

Tina Parsons and Andrea Kertley addressed the Board about some new procedures in the Department of Corrections affecting mail, undergarments and jumpsuits. Their concerns will be forwarded to corrections officials for response.

PRESENTATIONS

Jim Bruce advised that the Governor has approved the proposed revision of the Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities. The proposed standards will be published in the May 29, 2017 Virginia Register with a 60-day comment period to follow.

LIAISON COMMITTEE UPDATE

Mr. Anderson provided an overview of the Funding and Budget Issues Report, Prison Population Report, the Jail Construction Update, Offender Management Services Update as well as other business.

Mr. Anderson reported that Mr. Casey reported the jail construction updates. Mr. Casey indicated that the Chesapeake facility is currently under construction with an expected completion of early 2018. One of the temporary buildings has been dismantled with the remaining buildings expected to be dismantled prior to opening the new facility. Funding for the Pamunkey Regional Jail project is currently processing.

Mr. Anderson reported that Jim Parks reported that Offender Management Services has the out-of-compliance at 3,218, of which 2,761 are male and 457 are females. Mr. Parks remarked that this is one of the lowest male population rates and one of the highest female population rates that he has seen. The Powhatan Correctional Center will soon open 81 infirmary beds.

Mr. Anderson reported that Ms. deSocio attended the meeting and reported that the General Assembly approved the salary decompression for jail staff. The data has been sent to jail administrators for review and verification. Also, Peumansend Creek Regional Jail is now closed and funds have been redistributed.

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ADMINISTRATION COMMITTEE UPDATE

No Administration Committee meeting was held.

CORRECTIONAL SERVICES COMMITTEE UPDATE/Policy & Regulations

LOCAL FACILITIES SECTION – STAFFING/FUNDING AND UNANNOUNCED INSPECTIONS:

Mr. O'Dawe offered the following Committee recommendations for Board approval:

I make the following recommendations in the form of a *Motion*:

Unconditional certification as a result of 100% compliance for:

**Meherrin River Regional Jail – Alberta
Virginia Beach Correctional Center
Blackstone Lockup
Meherrin River Regional Jail – Mecklenburg**

Upon a *Motion* by Mr. O'Dawe and duly seconded, the members voted unanimously to *Approve* the above recommendation.

Unconditional certification as a result of 100% Compliance to include male and female juveniles in accordance with §16.1-249.G of the Code of Virginia for:

Floyd County Lockup

Upon a *Motion* by Mr. O'Dawe and duly seconded, the members voted unanimously to *Approve* the above recommendation.

Captain Steven Shortell appeared before the Board by request to detail corrections to Rockingham-Harrisonburg Regional Jail's policies and procedures that reflect corrections to the deficiencies from their September 12-14, 2017 audit.

Deputy Chief Alonzo Howell appeared before the Board by request to detail corrections to Smithfield Town Lockup's policies and procedures that reflect corrections to the deficiencies from their December 8, 2016 audit.

Unconditional certification for:

**Chesterfield County Jail
Southampton County Jail and Annex
Rockingham-Harrisonburg Regional Jail**

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Smithfield Town Lockup

Upon a *Motion* by Mr. O'Dawe and duly seconded, the members voted unanimously to *Approve* the above recommendation.

Removal of certification to hold Male and Female Juveniles in accordance with §16.1-249 Code of Virginia by request for:

Chesapeake Correctional Center

BOARD ACTION REQUIRED

- Proposed Board Motion to Grant Suspensions of the 2017 Annual Inspection for the Western Tidewater Regional Jail, Northern Neck Regional Jail, Highland County Lockup, Alleghany Regional Jail and Page County Jail.

The Board of Corrections, in recognition of the outstanding achievement of 100% compliance with standards, approves the suspension of the 2017 annual inspections for the Meherrin River Regional Jail-Alberta, Virginia Beach Correctional Center, Blackstone Lockup and Meherrin River Regional Jail-Mecklenburg.

Upon a *Motion* by Mr. O'Dawe and duly seconded, the members voted unanimously to *Approve* the above recommendations.

MARTINSVILLE CITY JAIL

The Board of Corrections approves the City of Martinsville's request for state funding for the addition of emergency power and the installation of a new gas line at their facility. This is a modification of the prior project approval for Martinsville dated September 16, 2015. This approval recognizes a total eligible cost of \$104,598 of which up to 25% or \$26,150 would be eligible for state reimbursement. Such reimbursement is subject to availability of funds and compliance with Board Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, 1994 and Sections 53.1-80 through 82 of the Code of Virginia.

Upon a *Motion* by Mr. O'Dawe and duly seconded, the members voted unanimously to *Approve* the above recommendations.

HENRY COUNTY-NEW JAIL FACILITY

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The Board of Corrections approves the Community Based Corrections Plan for Henry County in support of their need to construct a new 400-bed jail facility.

Upon a *Motion* by Mr. O'Dawe and duly seconded, the members voted unanimously to *Approve* the above recommendations.

The Board of Corrections approves the request from Henry County for state jail funding for construction reimbursement for a new 400 bed Henry County Jail. This approval recognizes a total eligible cost of \$75,039,512 of which up to 25% or \$18,759,878 would be eligible for state reimbursement. Such reimbursement is subject to availability of funds and compliance with Board Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, 1994 and Sections 53.1-80 through 82 of the Code of Virginia.

Upon a *Motion* by Mr. O'Dawe and duly seconded, the members voted unanimously to *Approve* the above recommendations.

CLOSED SESSION

None

ADDITIONAL ITEMS FOR DISCUSSION

Vice-Chairman Vassar thanked the members of the Board of Corrections noting that this could possibly be their final meeting together.

FUTURE MEETING DATES

July 19, 2017
September 20, 2017
October 18, 2017
November 15, 2017

ADJOURNMENT

There being no further business to discuss before the Board of Corrections, upon a *Motion* by Vice-Chairman Vassar and duly seconded, the meeting was *Adjourned* by unanimous vote at 12:52 p.m.

FINAL/APPROVED for May 17, 2017

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APPROVED:

Signature on File

Phyllis J. Randall, Chairman

John F. Anderson, Jr., Secretary