

COMMONWEALTH OF VIRGINIA
BOARD OF CORRECTIONS

Regular Meeting	September 18, 2013
Location	6900 Atmore Drive Richmond, Virginia
Presiding.....	Peter G. Decker, III, Chairman
Present.....	Felipe Q. Cabacoy Linda D. Curtis William E. Osborne Reverend Anthony C. Paige Carl R. Peed Cortland C. Putbrese
Absent	Kurt A. Boshart Ann Gardner

1:00 p.m., Wednesday, September 18, 2013
6900 Atmore Drive, Richmond, Virginia 23225

The meeting was called to order. The Chairman asked attendees in the room to introduce themselves. He then welcomed Mr. Cortland Putbrese, the newest member of the Board, who is an attorney in Richmond, and then welcomed Reverend Anthony Paige back to the Board.

Roll call was taken by Mrs. Woodhouse. Two members were absent as indicated above.

I. Board Chairman (Mr. Decker)

1) Board Motion to Approve August Board Minutes

The Chairman called for a Motion to approve the August Board Minutes.

By **MOTION** duly made and seconded, the August Board Minutes were **APPROVED** by verbally responding in the affirmative (Cabacoy, Curtis, Osborne, Peed).

Mrs. Gardner and Mr. Boshart were absent. The votes of Mr. Putbrese and Reverend Paige were not considered as they were not present at the August meeting.

There were no opposing votes. The Chairman voted his approval of the Motion. The Motion carried.

II. Public Comment

No members of the general public were present.

III. Liaison Committee (Mr. Osborne)

Ms. deSocio noted the new LIDS/CORIS system is still experiencing difficulties, that vendor resources have been reshuffled and patience was urged. She indicated there are 17 critical issues and that resolution of 6 or 7 will address a majority of the problems. She stated that the State Compensation Board has submitted its budget proposal for the 2015-16 biennium and anticipates a jails per diem shortfall somewhere in the neighborhood of \$9-10 million. She also discussed staffing for new jails opening in the next biennium.

Mr. Osborne reported the out-of-compliance number at 4,792 as of September 16. He noted that Nottoway Correctional Center has opened 128 temporary reception beds and River North is scheduled to open on October 7 and that the opening of beds at both locations will help with the out-of-compliance numbers.

Mr. Osborne noted that Ms. Ballard and Mr. Wilson had done walk-throughs at the new Richmond City Jail as well as Rappahannock, Shenandoah, Warren (RSW) facility. He noted the Board has received notice that the State Fire Marshal is increasing its rate per hour for required annual jail fire safety inspections, and the TB test shortage was discussed. There was also discussion about mental health issues in jails, and Mr. Chuck Hall, with a local Tidewater Community Services Board (CSB), spoke at length about the challenges his organization is facing regarding inmates with mental health issues. After hearing Mr. Hall's comments, it was suggested to at some point hear the issues from the other side.

There were no questions or comments. The Chairman thanked Mr. Osborne for his report. No Board action was required.

IV. Administration Committee Report

No Administration Committee meeting was held.

V. Correctional Services Committee Report/Policy & Regulations (Mr. Decker)

**1. Compliance and Accreditation - Certifications Section:
State/Local/Regional/Community Facilities**

Mr. Decker offered the following Committee recommendations for Board approval:

a-b) Unconditional Certification for Meherrin River Regional and Lebanon Community Corrections Center.

By *MOTION* duly made by Mr. Decker and seconded by Rev. Paige, the Board *APPROVED* the above recommendations by verbally responding in the affirmative (Cabacoy, Curtis, Osborne, Paige, Peed, Putbres).

There were no questions and there was no discussion. There were no opposing votes. Mrs. Gardner and Mr. Boshart were absent. The Chairman voted his approval of the Motion. The Motion carried.

c) **Board Motion to Approve One-Year Variance Request for Friends of Guest House, Inc. at Notabene Drive Location**

Friends of Guest House, Inc., is a private residential program in Alexandria. It received its first annual unannounced site monitoring visit on July 24, 2013. Since the Certification Analyst's last visit, the facility has acquired a second location at 612 Notabene Drive, Apartments 8 and 9, in Alexandria and was found to be out of compliance with Standard 6VAC15-70-70K, which requires that sleeping quarters shall have a minimum of 60 square feet of floor space per resident. There were three residents in each 126-square foot unit. After adjusting the number of residents per unit from three to two to accommodate the requirements of the Standard, the facility is requesting a one-year variance to the Standard to allow for the housing of three residents in those units as the residents are at the Notabene address only to sleep and are transported daily to the main residence to participate in groups, work or case management.

In light of the fact that residents spend very little time in the apartment and that a majority of their activities is spent at the main location and the fact that the Executive Director of the facility came and spoke to the Board to explain, the Board now finds the request reasonable and recommends the following:

By *MOTION* duly made by Mr. Decker and seconded by Mr. Osborne, the Board ***GRANTS A TEMPORARY, ONE-YEAR VARIANCE*** to Standard 6VAC15-70-70K to Friends of Guest House at the 612 Notabene Drive location by verbally responding in the affirmative (Cabacoy, Curtis, Osborne, Paige, Peed, Putbrese).

There were no questions and there was no discussion. There were no opposing votes. Mrs. Gardner and Mr. Boshart were absent. The Chairman voted his approval of the Motion. The Motion carried.

2. **Local Facilities Section – Staffing/Funding and Unannounced Inspections: Local/Regional/Community Facilities**

a) **Proposed Board Motion to Deny/Grant Appeal by Rappahannock County Jail for Standard 6VAC15-40-560; Meals Prepared, Delivered and Served under Direct Supervision of Staff**

Since being tabled in August, the facility has withdrawn its appeal and submitted a corrective Plan of Action for the Standard. No Board action is required.

b) **Board Motion to Grant Appeal by Newport News City Jail to Standard 6VAC15-40-1100: Annual Fire Safety Inspection**

On August 28, 2013, Local Facilities Manager Wayne Solomon conducted an unannounced annual Life, Health, Safety Inspection of the Newport News City Jail. During the inspection, it was determined that the jail was out of compliance with three Standards but is appealing only the finding on 6VAC15-40-1100.

The jail had a fire inspection in June of 2012. The next inspection was conducted on July 11, 2013. This exceeded the 12-month allowable period.

The jail had an inspection of its fire suppression system on May 30, 2013, and a Fire Marshal inspection was scheduled for June 12, 2014. However, the person who conducted the fire suppression system inspection in May resigned and did not forward a report to the jail. The jail contacted the first suppression system company, and they sent someone to inspect the system but not until June 14, 2013. The Fire Marshal decided to withhold his inspection until after the fire suppression system was inspected. The fire suppression system was inspected on June 14, 2013 but the fire suppression company did not forward its report until July 11, 2013, at which time the Fire Marshal conducted his inspection with no violations noted. This exceeded the timeframe for inspection by 11 days.

Due to circumstances beyond its control and its good-faith effort to comply, it was recommended that the Board grant the appeal; therefore,

By *MOTION* duly made by Mr. Decker and seconded by Mrs. Curtis, the Board ***GRANTS THE APPEAL*** to Standard 6VAC15-40-1100 for Newport News City Jail by verbally responding in the affirmative (Cabacoy, Curtis, Osborne, Paige, Peed, Putbrese).

There were no questions and there was no discussion. There were no opposing votes. Mrs. Gardner and Mr. Boshart were absent. The Chairman voted his approval of the Motion. The Motion carried.

3. **Policy & Regulations**

There were no Policy & Regulations items to be discussed.

VI. **Closed Session**

No Closed Session was held.

VII. **Other Business (Mr. Clarke)**

The Director addressed the Board. He spoke about his presentation to Senate Finance addressing the Department's deficit and geriatric inmates. He noted Deerfield houses most of the Department's geriatric inmates and the cost to do so is ever increasing. He noted that of the Department's \$160 million medical budget, geriatrics consumes a large portion. Geriatrics are 17 percent of the Department's population who consume 46 percent of the Department's medical budget.

He noted the Department had received the Star Award from the Southern Legislative Conference for its step-down program at Wallens Ridge and Red Onion and that several

states are looking at Virginia's program. He gave a brief synopsis of the recent incident at Greensville, which is still under investigation. He noted the Department is excited about the opening of River North. With the opening, the Department anticipates taking 500 state-responsible inmates out of local jails and providing relief to other facilities. Mr. Putbrese asked about the Board's policy regarding commenting on items in the news. It was explained that the appropriate response is to refer the question to the Chairman or the Director of the Department.

After some other general comments by the Director and questions from the Board, the Director's comments were concluded. Mrs. Woodhouse noted a housekeeping item for review and discussion being the proposed Board meeting dates for 2014. A copy of the proposed schedule was handed out and will be voted on at the November Board meeting.

VIII. Board Member Comment (Mr. Decker)

Board members made general comments.

IX. Future Meeting Plans (provided for informational purposes)

The November 13, 2013, meetings are scheduled as follows:

Liaison Committee – 9:30 a.m., Board Room, 6900 Atmore Drive, Richmond, Virginia;
Correctional Services/Policy & Regulations Committee – 10:30 a.m., Board Room, 6900 Atmore Drive, Richmond, Virginia;
Board Meeting – 1:30 p.m., Board Room, 6900 Atmore Drive, Richmond, Virginia.

X. Adjournment

There being nothing further, by **MOTION** duly made by Mr. Osborne, seconded by Mr. Cabacoy and **APPROVED** by verbally responding in the affirmative (Cabacoy, Curtis, Osborne, Paige, Peed, Putbrese), the meeting was adjourned.

There were no questions and there was no further discussion. There were no opposing votes. Mrs. Gardner and Mr. Boshart were absent. The Chairman then voted his approval of the Motion. The Motion carried.

(Signature copy on file)

PETER G. DECKER, III, CHAIRMAN

LINDA D. CURTIS, SECRETARY