

**COMMONWEALTH OF VIRGINIA
BOARD OF CORRECTIONS
LIAISON COMMITTEE MINUTES**

Regular Meeting.....March 20, 2013

Location.....6900 Atmore Drive, Richmond, Virginia

Presiding.....David Simons, Hampton Roads Regional Jail, Committee Chairman

Present.....Peter Decker, III, Chairman, Board of Corrections
Cynthia Alksne, Board of Corrections
Jonathan Blank, Board of Corrections
Felipe Cabacoy, Board of Corrections
Linda Curtis, Member, Board of Corrections
William Osborne, Member, Board of Corrections
Rev. Anthony Paige, Member, Board of Corrections
Carl Peed, Member, Board of Corrections
David Kidwell, Arlington County Adult Detention Center
Tim Trent, Blue Ridge Regional Jail Authority
Sheriff Tom Jones, Charlotte County
David Hackworth, Chesapeake Correctional Center
Sheriff Steve Draper, Martinsville City
John Roberts, Director of Newport News Adult Corrections (Retired)
Sheriff Gabe Morgan, Newport News City Jail
Ron Elliott, Peumansend Creek Regional Jail
Walter Minton, Riverside Regional Jail
Chris Smith, Western Tidewater Regional Jail
Robyn deSocio, State Compensation Board
Dick Hall-Sizemore, Department of Planning and Budget
Hubbs/Baker, Representatives from the City of Chesapeake
Bill Hefty, Consultant
Jim Parks, Classification and Records, DOC
Brooks Ballard, Local Facilities, DOC
Bill Wilson, Local Facilities, DOC
Barbara Woodhouse, Chief Deputy Director's Office

The meeting was called to order and attendees in the room identified themselves for the record. Mr. Simons welcomed all attendees.

I. Committee Chairman (David Simons)

Mr. Simons called for a Motion to approve the November minutes. By **MOTION** duly made and seconded, the minutes were unanimously **APPROVED**.

II. Prison/Local Jail Population Report and Jail Construction Update – Mr. Bill Wilson

Mr. Wilson reported the prison population to be 30,123, and the jail population to be 28,686. They are 6,685 inmates over rated capacity. The out-of-compliance number was 4,589 as of March 18, 2013. That number is down, and Mr. Parks went on to explain that during the week of March 4 through 8, there was a push to bring in state-responsible inmates. Recently, Red Onion and Wallens Ridge were added as reception centers, which opened some beds, and there are open seg beds at Greenville Correctional Center, which may be ongoing to may be a one-time thing. During that week, the Department was able to bring in 320 inmates, and the out-of-compliance numbers went down 400 from the previous week as a result.

Mr. Wilson went on to note that the General Assembly has provided funding for the Department to open River North Correctional Center in Grayson County. That facility has 1,000 beds and will open by October 1, 2013.

Sheriff Morgan asked Mr. Parks if there would be money to go back to contract beds. Mr. Parks indicated that is always a possibility but Ms. deSocio would be better able to address the question.

Mr. Wilson indicated the new Board jail standards will go into effect July 1. The Board will be revising the TB shot within seven days of admittance Standard to address “frequent flyers.” This proposed revision will go before the Board today to change the Standard to read something to the effect of “...within the last year or if the offender has ever tested positive...” Also before the Board today will be a new PREA Standard. The PREA Standard will have to go through the APA process; the TB Standard revision will not.

Mr. Wilson reported the RSW Regional Jail is underway and 40 percent complete, and the Richmond City Jail (1,032 beds) is 50-percent-or-more complete.

Mr. Simons reported that the Hampton Roads Regional Jail recently underwent its PREA audit. The facility was told it is totally compliant and passed the audit. He added they have good policies in place and are willing to share as does Western Tidewater Regional Jail. Ron Elliott indicated the same for his facility, Peumansend Creek Regional Jail.

Mr. Wilson concluded his report, and there were no other questions or comments.

III. Funding and Budget Issues – Ms. Robyn deSocio, State Compensation Board

Ms. deSocio indicated she had some minor changes to the Minutes, which will be addressed. A revised version will be sent to committee members.

As a result of this year’s General Assembly Session, Ms. deSocio reported:

The Comp Board will experience no reductions as a result of its 4% agency reduction strategies submitted late last year.

Additional funding was received to restore previous reductions to the Career Development Program for the Master Deputy/Master Jail Officer programs (Constitutional Officer and Deputy programs).

The 2010 language suspending Career Development Program participation for all Constitutional Officers and Deputy programs was lifted, allowing for additional participation within existing funding for each. There is no additional money for these programs. Additional officers already approved for 2013 will remain.

As a result of General Assembly action, the 2% salary increase effective August 1 has been increased to 3% for all Comp Board-funded employees with the exception of Assistant Commonwealth's Attorneys.

Additional information regarding upcoming 2014 budgets will be forthcoming.

Aid to Localities reductions for FY14 total were originally budgeted at \$45 million; however, these funds have been restored and no Aid to Localities reductions will occur in FY14.

The Comp Board's November budget proposal included funding for Richmond City Jail for FY14. Richmond City will receive additional funding for 15 positions to support staffing based on an opening date of February 1, 2014.

Additional inmate per diem funding of \$6.3 million is included in the Governor's Budget. An additional funding amount of \$1.3 million has become necessary for FY13 based on actual per diem costs through February, 2013. The drop in federal inmates and the increase in local-responsible inmates has resulted in the greater need for per diem funds. Such funds have not been provided. Year-end balances from other programs will be used to cover the \$1.3 million. A funding problem in the current year is not anticipated.

Fourth quarter payments are on schedule awaiting conclusion of the Veto Session.

The \$7.3 million in funding needed for per diems for FY14 has not been addressed. Additional per diem funding in FY14 has been appropriated based on the anticipated cost of providing a partial exemption from the federal overhead recovery policy for jail beds constructed in Western Tidewater and Piedmont Regional Jails using federal or local dollars for which the Comp Board has not provided staffing support.

There is a partial exemption from the federal inmate cost recovery methodology for Riverside Regional Jail beginning with the first quarterly per diem payment in FY14 for federal inmates assigned by the Bureau of Prisons to a home electronic monitoring

program that are not housed within the Riverside Regional Jail. Federal inmates assigned to Home Electronic Monitoring are exempt from the federal overhead recovery policy.

The Comp Board is directed to work with DMAS and DSS to report by November 1, 2013, on the number of local-responsible inmates hospitalized off site, the costs of such hospitalization and the number of offenders eligible under current Medicaid rules for enrollment for such hospitalization.

There will be a reduction in General Fund support in FY14 for the payment of jail per diems due to the opening of River North Correctional Center, and the anticipated reduction of state inmates housed in local and regional jails. The proposed opening date had been January 1, 2014, but the Legislature changed it to October 1, 2013.

Budget and Funding

The Governor's Budget approved an increase in premiums for the VARISK liability insurance program from \$2.9 million paid for premiums in FY13 to \$6.3 million due for premiums in FY14. The cost of paying liability insurance premiums by the Compensation Board is recovered from reimbursements to localities. Language allowing for the recovery of VARISK and VRS Retiree Health Care Credit premiums paid on behalf of Constitutional Officers and their staff was modified to allow the recovery to occur in more than one month if premiums exceed the July reimbursable amount. Additionally, House Bill 1554 was passed, which increases the liability maximum from \$1 million to \$1.5 million for Sheriffs and Sheriffs' Deputies under the plan and will result in further premium increase amounts for FY14 of approximately \$255,000, which is an increase of 6% over the portion of the \$6.3 million premium amount attributed to Sheriffs. This increase in the liability maximum and related premium does not apply to regional jails. Final premium amounts to be recovered should be available by May 1.

During comments, Sheriff Morgan noted the significant impact the Health Care Act is going to have on jails. Mr. Hall-Sizemore stated that Virginia has a very strict Medicaid eligibility process, and if the inmate is not old or disabled, they would not get Medicaid. Pregnant inmates would. Also, if an inmate who is inpatient in the hospital and then in the local jail, Medicaid would pay. Medicaid would not pay for regular medical care. The Department of Social Services is responsible for enrolling patients in Medicare. Sheriff Morgan suggested that Health Care Reform could be an item for discussion at future conferences or training sessions.

Ms. deSocio provided an update on the LIDS/CORIS changeover. She indicated that system training begins tomorrow through the third week in April. The last day for LIDS entry is 4/17, and the Comp Board will spend a week doing data conversion. The new LIDS/CORIS system will be functional on April 24. She also indicated the LIDS Conference is scheduled for the second week of June for all LIDS techs and

backups. This will be an opportunity to catch up on required training and to address questions.

And, estimated budgets were sent out on March 8. The Comp Board draft allocation will be presented on March 27 with public hearing on April 11, and the final budget on April 24. It will be out by May 1.

Sheriff Morgan asked if there will be a way for tracking mental health in LIDS/CORIS. Ms. deSocio stated this will not be available at the start but could be considered in the future.

Ms. deSocio completed her report. There were no further questions. Mr. Simons thanked her for her report.

IV. Mr. Jim Parks – Offender Management Services Update

Mr. Parks mentioned just one other item, which regards PREA and keeping state-sentenced inmates separate who are under 18. The Department has a PREA pod at Sussex I to house any such inmates and will bring the inmate in but only if they are state responsible.

V. Other Comments (Mr. Simons)

Mr. Simons thanked the Department for help in getting a high-risk inmate removed from the jail and brought in. A spirited roundtable discussion on mental health issues affecting jails and regional jails was held.

With that, there were no further comments. Mr. Simons noted the next meeting will be held on May 15, 2013, at 9:30.

There being nothing further, by **MOTION** duly made and seconded, the meeting was adjourned.