COMMONWEALTH OF VIRGINIA
BOARD OF CORRECTIONS

Regular Meeting March 20, 2013
Location ……..6900 Atmore Drive
Richmond, Virginia
Presiding……... Peter G. Decker, III, Chairman
Present……..Cynthia M. Alksne
Jonathan T. Blank
Felipe Q. Cabacoy
Linda D. Curtis
William E. Osborne
Reverend Anthony C. Paige
Carl R. Peed
Absent……...Kurt A. Boshart

1:00 p.m., Wednesday, March 20, 2013
6900 Atmore Drive, Richmond, Virginia 23225

The meeting was called to order. Chairman Decker welcomed attendees and thanked everyone for coming. Roll call was taken by Mrs. Woodhouse.

I. Board Chairman (Mr. Decker)

1) Board Motion to Approve November Board Minutes

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

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

Mrs. Alksne's vote was not considered as she was not present at the November meeting. Mr. Boshart was absent. There were no opposing votes, and the Chairman then voted his approval of the Motion. The Motion carried.

II. Correctional Services Committee Report/Policy & Regulations (Mr. Cabacoy)

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

Mr. Cabacoy presented the following jail certifications for consideration:

Unconditional Certification as a result of 100% compliance for Charlotte County Jail; Virginia Peninsula Regional Jail; Rockbridge Regional Jail to include male and female juveniles in accordance with §16.1-249 of the Code of Virginia; Bristol City Jail; Henry County Jail and Portsmouth City Jail;

DRAFT

Unconditional Certification for Greene County Lockup to include male and female juveniles in accordance with §16.1-249. G. of the Code of Virginia;

And Unconditional Certification for Pittsylvania County Jail and Dominion Services for All People.

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

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

2) **Compliance and Accreditation Certifications Section: State/Local/Regional/Community Facilities**

Mr. Cabacoy presented the following Motions for consideration:

a) **Board Motion to Approve Suspension of 2013 Unannounced Inspections**

Section 53.1-68 of the Code of Virginia authorizes the Board of Corrections to grant suspensions of annual Life, Health and Safety Inspections if full compliance with Standards is attained during the jail's Triennial Certification Audit. Since the Board's last meeting, six jails have achieved 100% compliance with Board Standards during their certification audits. They are as follows: Charlotte County Jail, Virginia Peninsula Regional Jail, Rockbridge Regional Jail, Bristol City Jail, Henry County Jail and Portsmouth City Jail.

Therefore, by ***MOTION*** duly made by Mr. Cabacoy and seconded by Mr. Osborne, the Board ***APPROVED*** the below by verbally responding in the affirmative (Alksne, Blank, Cabacoy, Curtis, Osborne, Paige, Peed).

"The Board of Corrections, in recognition of the outstanding achievement of 100% compliance with 6VAC15-40, *Minimum Standards for Jails and Lockups*, approves suspension of the 2013 annual inspections for the Charlotte County Jail, Virginia Peninsula Regional Jail, Rockbridge Regional Jail, Bristol City Jail, Henry County Jail and Portsmouth City Jail."

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

DRAFT

b) **Board Motion to Grant the Appeal As A One-Time Exception to the Finding of Non-Compliance for Standard 6VAC15-40-1100 (Annual Fire Safety Inspection) for Northern Neck Regional Jail**

During the February, 2013, unannounced inspection, it was determined the jail was not in compliance with the above-noted Standard. The jail had a fire safety inspection in September of 2011 and then not again until November of 2012, which was outside the 12-month period required by the Standard. The jail contends it made a good-faith effort to get the inspection performed, and documentation was presented that demonstrated that the jail made numerous and repeated attempts to schedule this inspection within term but were unable to complete this requirement. After discussion, it was recommended that the Board grant the appeal as a one-time exception to the finding of non-compliance for Standard 6VAC-15-40-1100; therefore,

By ***MOTION*** duly made by Mr. Cabacoy, seconded by Mr. Osborne and approved by verbally responding in the affirmative (Alksne, Blank, Cabacoy, Curtis, Osborne, Paige, Peed), the Board ***GRANTS A ONE-TIME EXCEPTION TO THE APPEAL*** on Standard 6VAC15-40-1100 (Fire Safety Inspection).

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

c) **Board Motion to Grant Request from Smithfield Police Department for Inspection to Determine if Holding Area at the Police Department Can Be Used As a Lockup**

Deputy Chief Alonzo Howell of the Smithfield Police Department has requested an inspection of the their jail holding facility to see if it can be certified as a lockup. If the request is granted, the Department will inspect the facility, and if it is determined that the area is suitable for use as a lockup and if the Town of Smithfield determines it wishes to have this area certified by the Board, Mr. Wilson will conduct a preliminary audit of the facility within 6 months, and a full audit with 6 months of the preliminary audit.

The Board agrees and requests Mr. Wilson to perform a preliminary audit of the facility; therefore, by ***MOTION*** duly made by Mr. Cabacoy and seconded by Mrs. Alksne:

"The Board of Corrections requests Department of Corrections staff to conduct an initial investigation to determine if the holding area at the Smithfield Police Department can be used as a lockup and, if the Town of Smithfield wishes to have it certified as such, that the Department of Corrections will conduct a preliminary audit within 6 months, and a triennial audit within one year."

DRAFT

The Motion was ***APPROVED*** by verbally responding in the affirmative (Alksne, Blank, Cabacoy, Curtis, Osborne, Paige, Peed). Mr. Boshart was absent. There were no opposing votes, and the Chairman then voted his approval of the Motion. The Motion carried.

3) **Policy & Regulations**

a) **Revised Board Policies for Review/Discussion**

Though housekeeping in nature, Mr. Blank requested the Board members to review the Board policies included in the March mailing in preparation for action during the May meeting.

b) **Board Motion to Approve Final Amendments to 6VAC15-26 (*Regulations for Human Subject Research)* and Move to Submit Final Regulation for Public Comment in Accordance with the *Administrative Process Act***

The final draft of amendments to 6VAC15-26 was presented for review. These regulations apply to any individual, group or agency conducting research using human participants within the Virginia Department of Corrections including any facility, program or organization owned, operated, funded or licensed by the Department. Following today's review and if approved, the proposed regulatory amendments will be submitted for public comment in accordance with the Administrative Process Act.

Mr. Blank asked Mr. Bruce some general questions regarding the Regulations. Mr. Bruce responded that this is the final step in the regulatory process that has taken several years. Additional safeguards have been added. Public comment will again be solicited; previously the public comments received were not relevant, and Mr. Bruce does not anticipate any issues at this point.

Therefore, by ***MOTION*** duly made by Mr. Cabacoy, seconded by Mrs. Alksne and approved by verbally responding in the affirmative (Alksne, Blank, Cabacoy, Curtis, Osborne, Paige, Peed):

"The Board has reviewed and accepts the final amendments to 6VAC15-26, *Regulations for Human Subject Research*, and moves to submit the final regulation for public comment in accordance with the *Virginia Administrative Process Act*."

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

DRAFT

c) **Board Motion to Approve Amendments to 6VAC15-40-370, Part 5, (Tuberculosis Skin Test) of the *Minimum Operational and Supervision Standards for Local and Regional Jails and Lockups* and Move to Submit Regulation for Public Comment in Accordance with the *Administrative Process Act***

A minor change is needed to 6VAC15-40, *Minimum Operational and Supervision Standards for Local and Regional Jails and Lockups*. This change will be submitted as an "Exempt Action – Final" in accordance with §2.2-4002.C. of the Code of Virginia.

Section 6VAC15-40-370 Part 5 currently requires: "All inmates shall receive a tuberculosis (TB) skin test within seven days of admission to the facility." It was noted that some offenders are arrested multiple times and held in multiple jurisdictions during the course of a year and according to the current Standard, they must receive a TB skin test within seven days of admission to each facility. In order to save jurisdictions the expense of testing as the Standard currently requires and if it can be proven that the offender has had a TB skin test within the past 12 months or has tested positive to the TB skin test at any time in the past and another test would not be required, it is suggested to revise the Standard 6VAC15-40-370 Part 5 to read as follows:

"All inmates shall receive a tuberculosis (TB) skin test within seven days of admission to the facility *unless it can be documented that the inmate has received a TB skin test within the past 12 months or has tested positive to the TB skin test at any time in the past. In such cases, the facility's physician shall determine what actions, if any, are necessary to safeguard against the spread of the disease."*

Mr. Blank enquired asked if that 12-month period verbiage was solicited from a health care provider or was an arbitrary number. Mr. Bruce responded that this is per health care guidelines and is the same as current Departmental procedure. Mr. Wilson added this language will aid local facilities by eliminating the extra medical expenses associated with multiple facilities having to do a TB skin test on the same inmate within a short period of time. There being no other questions,

By ***MOTION*** duly made by Mr. Cabacoy, seconded by Mrs. Alksne and approved by verbally responding in the affirmative (Alksne, Blank, Cabacoy, Curtis, Osborne, Paige, Peed):

"The Board has reviewed and accepts the amendments to 6VAC15-40, *Minimum Operational and Supervision Standards for Local and Regional Jails and Lockups*, and moves to submit the regulation for public comment in accordance with the *Virginia Administrative Process Act*."

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

DRAFT

d) **Board Motion to Approve Submittal of Notice of Intended Regulatory Action (NOIRA) for 6VAC15-40 (*Minimum Operational and Supervision Standards for Local and Regional Jails and Lockups*) to Add New Section to Ensure Compliance with Part 115 of Title 28 of the *Code of Federal Regulations*, *Prison Rape Elimination Act National Standards***

Part 115 of Title 28 of the ***Code of Federal Regulations***, ***Prison Rape Elimination Act National Standards***, requires jails and lockups to comply with these standards as documented through audits conducted by Department of Justice accredited auditors.

Section(s) will be added to 6VAC15-40, *Minimum Operational and Supervision Standards for Local and Regional Jails and Lockups*, as follows:

"The facility shall be in compliance with PREA standards as established by the Department of Justice. The first certification shall be whenever scheduled by the Department of Justice within the 3-year rotational period from August 2013 through August 2016. All subsequent audits will be conducted within 36 months of the previous audit.

Compliance documentation will include certification of compliance from a Department of Justice accredited auditor."

By ***MOTION*** duly made by Mr. Cabacoy, seconded by Mrs. Alksne and approved by verbally responding in the affirmative (Alksne, Blank, Cabacoy, Curtis, Osborne, Paige, Peed):

"The Board has reviewed and accepts the amendments to 6VAC15-40, *Minimum Operational and Supervision Standards for Local and Regional Jails and Lockups*, and moves to submit a Notice of Intended Regulatory Action in accordance with the *Virginia Administrative Process Act*."

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

e) **2013 Jail Bed Capacity Report Due to General Assembly October 1**

It was agreed that Mr. Wilson will compile the report for this year. He will check with facilities for any changes since last year as opposed to sending out a spreadsheet to be completed and submitted by the facilities as has been done in the past.

DRAFT

f) **Board Motion to Grant Waiver Request From the Construction Requirements of the *Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities* (1994) for the Use of Three Temporary Structures Adjacent to the Chesapeake City Jail to House Community-Custody Inmates**

Chesapeake City Jail constructed three temporary structures to ease overcrowding at its jail; however, they did not receive the prior approval of the Board of Corrections to erect these facilities.

In March of 2011, Chesapeake presented waiver requests for Standards 1.4, 2.1.B.1. and 2.1.B.2. to the Board, which was after three temporary structures had already been constructed. A representative from the Office of the Attorney General at that time advised that COV §53.1.82.1 prohibited the Board from acting in any manner and advised that the Board was powerless to grant the requested waivers or approve the already-constructed facilities. This official guidance was in support of identical language in both the 2006 and 2010 Appropriations Act: "no city, county, town or regional jail shall authorize construction, remodeling, renovation or rehabilitation of any facility to house any inmate in secure custody which results in increased jail capacity without the prior approval of the Board of Corrections." The City was advised it could utilize the temporary structures for any purpose except housing inmates in secure custody as doing so would violate the prohibition as outlined in the Appropriations Acts.

Since 2010 when the Board first became aware of the situation and up until today, the City has been trying to come up with a solution that would allow the use of these temporary structures. Finally, language was proposed during the 2013 General Assembly Session that if approved would grant the Board the authority to entertain waiver requests of certain construction requirements of the standards for a limited period of time with the understanding that a permanent facility would be built to replace the temporary structures. This legislation was approved by the Governor effective March 16, 2013.

The language reads: "*That the Board of Corrections may provide a waiver from the construction requirements of the "Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities" to the City of Chesapeake involving the City's use of one or more of the current temporary structures for housing community custody inmates. Such waiver shall be for a time period not to exceed five years. If construction of a permanent facility, enlargement of an existing facility, or approval of an alternative housing agreement is not completed at the time of the expiration of the waiver, the Board of Corrections may grant a one-year extension no more than twice. If such extensions are granted, the city shall lose 25 percent of eligible reimbursement for each year of extension. In no event shall any temporary structure be utilized for more than seven years. Such temporary structure shall comply with all the applicable provisions of the Virginia Uniform Statewide Building Code and the Virginia Statewide Fire Prevention Code for the designated use and occupancy. Such waiver shall not relieve the City of the requirement for submission and Board approval of a community-based corrections plan and a planning study. As a condition of the waiver, the City shall provide the*

DRAFT

Board of Corrections with an annual update on the progress of a permanent facility, enlargement of an existing facility, or plan for implementation of alternative housing on July 1 of each year. The City of Chesapeake shall not be eligible for the construction funding reimbursement for the temporary housing structures authorized pursuant to §§ 53.1-5, 53.1-80, 53.1-81, and 53.1-82. Priority for the use of any temporary structure for use by the City of Chesapeake shall be given to housing local-responsible offenders assigned to a work-release program, local-responsible offenders within 60 days of release and assigned to a re-entry program, and local-responsible offenders who are required to serve their sentences on weekends."

In 2012, Chesapeake submitted a Community-Based Corrections Plan and Planning Study to move forward with construction of a 200-bed permanent facility. At that time, it requested a temporary waiver of the construction requirements of the *Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities* (1994) in order to be able to utilize the three temporary structures until completion of its permanent facility. Neither the Community-Based Corrections Plan nor Planning Study could be considered by the Board without a Code change. Now that the Code has been changed, the Board can entertain the waiver request.

During the Committee meeting, much discussion was held and representatives from the City and the jail were in attendance to answer questions and resolve issues. Concerns were thoroughly vetted and it was the Committee's recommendation to grant the request. Therefore,

By ***MOTION*** duly made by Mrs Alksne, seconded by Mrs. Curtis and approved by verbally responding in the affirmative (Alksne, Blank, Cabacoy, Curtis, Paige, Peed):

"The Board of Corrections grants a waiver of the construction standards in the *Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities* (1994) to allow the City of Chesapeake to operate three temporary facilities for a time period not to exceed five years. This waiver is contingent on compliance with the requirements set forth in the 2013 legislation related to this project. Additionally, this waiver is contingent on no safety or security issues found as a result of the State Police investigation and on the use of the facilities for community-custody inmates only. This approval of waiver shall not be construed as a future variance to Board Standard 6VAC15-80-211 for this facility or as a current or future variance for any other facility."

There were no questions and there was no discussion. There was one opposing vote (Osborne). Mr. Boshart was absent. The Chairman then voted his approval of the Motion. The Motion carried.

DRAFT

g) **Discussion Regarding Decertification of Rubicon, Inc. - Decertification Options as Outlined in 6VAC15-20-120 of the *Administrative Process Act***

Ms. Gardner indicated that when the Board decertified Rubicon because it had not met the Standards, the Board had not provided clarity as to what needed to be done to become re-certified. It was the hope of staff to communicate this clarification today to Rubicon Executive Director Lawrence Everett. Unfortunately, Mr. Everett was unable to attend today's meeting.

During the discussion, there was confusion as to why this was being brought up again as the Board believed it had made its expectations clear to Mr. Everett last November when the facility was decertified. The conversation may have been clear but there was no documentation to back up those expectations. It was discovered that a letter had been sent to the facility by Ms. Hill-Murray, a copy of which was passed out during the Board meeting, which mentioned why the facility had been decertified but did not set out any expectations for compliance.

As a result, by ***MOTION*** duly made by Mr. Blank, seconded by Mr. Peed and approved by verbally responding in the affirmative (Alksne, Blank, Cabacoy, Curtis, Osborne, Paige, Peed):

"Rubicon remains decertified, and the Board is exercising its option to request an audit of all Board Standards to be completed of the facility with a report to the Board at its May meeting."

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

There were no other questions or comments. The Chairman thanked Mr. Cabacoy for his report.

III. Public Comment

There were no members of the general public present requesting to address the Board.

IV. Liaison Committee (Mr. Osborne)

Mr. Osborne stated that Board Members present at the meeting were Decker, Cabacoy, Curtis, Osborne, Paige, Peed, Blank, and Alksne; Department staff and representatives from Sheriffs' Departments and Regional Jails were also in attendance.

Mr. Wilson reported the prison population as 30,123, and the jail population as 28,686 with 6,685 over the rated capacity. He indicated the out-of-compliance number was 4,589 as of March 18, 2013. Having received funding from the General Assembly, the Department's River North facility (1,000 beds) is scheduled to open on October 1, 2013. In addition, two action items being presented to the Board today are revisions to the TB Standard and the new PREA Standard. Superintendent David Simons indicated the Hampton Roads

DRAFT

Regional Jail had gone through its first PREA audit and it turned out very well. He indicated if any other facilities are interested, he has good policies that he is willing to share as did Major Ron Elliott with Peumansend Creek.

As far as jail construction, it was reported the RSW (Rappahannock/Shenandoah/Warren) Regional Jail is underway and 40% complete, and the Richmond City Jail is approximately 50% complete.

Ms. Robyn deSocio reviewed several budget items from this past Session of the General Assembly:

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

DRAFT

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.

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.

An update was provided on the LIDS/CORIS changeover. It was 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. The LIDS Conference is scheduled for the second week of June for all LIDS techs and backups.

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.

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

DRAFT

V. Administration Committee

No meeting was held but there was one administrative action item.

1) Board Motion to Delegate Board Authority to the Director of the Department of Corrections to Determine and Implement Conservation of Certain Agricultural Acreage

The Department is seeking to conserve some of its agricultural acreage in order to preserve its use in the long term. Governor McDonnell has a goal to conserve 400,000 acres of land by the end of his Administration, and the Department would like to contribute a total of 4,125 acres toward that effort as follows:

Bland Correctional Center – 780 acres; Greensville Correctional Center – 428 acres; James River Correctional Center – 570 acres; Powhatan Correctional Center – 844 acres; Southampton Correctional Center – 1,157 acres and Yarden Farms – 346 acres.

After discussion with the Office of the Attorney General, the Department requests authorization from the Board of Corrections for the Director to sign an Open Space Declaration to conserve approximately 4,125 acres of land to aid in the Governor's goal of land conservation. The following Board Motion was proferred:

"The Board of Corrections hereby delegate its authority provided by § 53.1-18 of the Code of Virginia to the Director of the Department of Corrections to determine and implement the details necessary to execute the appropriate declaration or declarations to conserve the lands identified totaling approximately 4,125 acres at six locations. Further, the Board of Corrections authorizes the Director to accept on its behalf any authority conferred upon it by the Secretary of Natural Resources, which may be necessary to accomplish this conservation effort."

The ***MOTION,*** duly made by Mrs. Curtis and seconded by Mrs. Alksne, was ***APPROVED*** by verbally responding in the affirmative (Alksne, Blank, Cabacoy, Curtis, Osborne, Paige, Peed).

Mr. Boshart was absent. There were no opposing votes, and the Chairman then voted his approval of the Motion. The Motion carried.

VI. Other Business (Ms. Gardner)

Director Clarke sent his regrets for not attending. Ms. Gardner handed out copies of the 2013 legislation summary and went on to explain several of the line items. Also included in the document were the Senate and House Bills regarding Chesapeake.

As promised, the Department's newsletter, *Around Corrections*, was shared with the Board. The Department will include the Board on its distribution to receive the newsletter electronically.

DRAFT

Ms. Gardner indicated the new recidivism numbers are out, and Virginia has the second lowest rate in the country at 23.4%. She noted that River North Correctional Center will open on October 1. The opening had been slated for January 1, 2014, but the General Assembly backed the date up to October. She reported the step-down program at Wallens Ridge and Red Onion is going very well and over the past year, 200-plus inmates have been removed from segregation. They are not being moved to other facilities but are being stepped down to general population at those two facilities. Ms. Gardner will bring numbers to the next Board meeting. She closed by stating the Department has just completed an informational video for the Secretary of Public Safety on the step-down program, which will be shared with the Board in the future.

After hearing the report, Reverend Paige indicated we must all strive to highlight the good things; that you can influence public policy if the public can see the progress and that anything the Department can send to the Board, the Board can then use it to become a mouthpiece for the Department to the public. Ms. Gardner updated the Board on a recent outreach event wherein the Department had invited outside groups to visit and tour and dine at the Department's Almost Home Café and to then share in a presentation on the Department's re-entry program. And, a copy of the current Departmental organization chart was given to each Board member for their information.

The Board thanked Ms. Gardner for her report.

VII. Board Member Comment (Mr. Decker)

General comments were made by the members. Mrs. Alksne indicated she may not be at the next meeting, and her appointment is up in June and she is not seeking reappointment. She stated she has enjoyed her time on the Board and feels that that time has added value to the process. She closed by voicing her hope that the Board can in the future focus on mental health issues affecting jails. Mr. Peed echoed her sentiments regarding mental health issues affecting Sheriffs and Superintendents across the state with the hope of getting legislators involved in the issue.

VIII. Future Meeting Plans (provided for informational purposes)

There being nothing further, it was noted the **May 15, 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.

IX. Adjournment

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

DRAFT

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

PETER G. DECKER, III, CHAIRMAN

KURT A. BOSHART, SECRETARY

DRAFT