# THE VIRGINIA BOARD OF CORRECTIONS

The Virginia Board of Corrections (Board) met on Wednesday, August 20, 2014 at the Department of Corrections (VADOC) Headquarters office, 6900 Atmore Drive, Richmond, Virginia 23225.

**MEMBERS PRESENT:**
Carl R. Peed
Ann Gardner
Reverend Anthony C. Paige
John F. Anderson, Jr.
Reverend Dr. Yvonne Jones Bibbs
Phyllis J. Randall
Bobby N. Vassar

**MEMBERS ABSENT:**
Cortland C. Putbrese

**VADOC STAFF PRESENT:**
A. David Robinson, Chief of Corrections Operations
Dreana L. Gilliam, Board Support
Bill Wilson, Local Facilities Unit
Brooks Ballard, Local Facilities Unit
Jim Bruce, Policy & Initiatives Unit
Erma Locust, Ombudsman Services Manager
Emmanuel W. Fontenot, Certification Analyst
Dawn Kriigel, Policy & Initiatives Unit
Myles Busching, Policy & Initiatives Unit

**GUESTS PRESENT:**
Richard C. Vorhis, Senior Assistant Attorney General
Stephen Clear, Superintendent, Southwest Virginia Regional Jails
Mark Swecker, Architect, Tompson & Litton
Michael Price, IT Manager, Southwest Virginia Regional Jails

## CALL TO ORDER

Mr. Peed called the meeting to order at 1:00 p.m.

## DETERMINATION OF QUORUM

Mr. Peed determined there was a quorum present.

## NOMINATION COMMITTEE REPORT

Mr. Vassar advised that the committee met and proposed the following slate for adoption;

Chairman – Carl Peed
Vice-Chair – Phyllis Randall
Secretary – John Anderson

Upon a motion by Mr. Vassar and duly seconded the members unanimously agreed that the nominations be closed on the submitted names. The members voting **"AYE"** were Ms. Randall, Mr. Paige, Ms. Gardner, Mr. Anderson, Ms. Bibbs, Mr. Peed, and Mr. Vassar.

**WELCOME AND INTRODUCTIONS**

Mr. Peed asked everyone to introduce themselves.

**CORRECTIONAL SERVICES COMMITTEE UPDATE/Policy & Regulations**
**LOCAL FACILITIES SECTION – STAFFING/FUNDING AND UNANNOUNCED INSPECTIONS:**

**LIAISON COMMITTEE UPDATE**

Ms. Gilliam provided a summary of the Funding and Budget Issues report presented by Robyn deSocio, Executive Secretary, Compensation Board. The topics of discussion included but were not limited to the following updates since the Committee's last meeting: 1) revenue shortfalls, 2) budget reduction plans for FY15 and FY16, 3) Lids/CORIS update, and 4) preparation for the next cycle of forecasting. Ms. deSocio will continue to monitor funding and budgetary activities and will keep the members updated.

Mr. Wilson provided the out-of-compliance and July and August capacity totals. He advised the members that the capacity totals include special purpose, segregation and medical/mental health beds.

Mr. Vassar inquired as to whether the capacity total included out-of-compliance totals. Mr. Robinson advised the out-of-compliance/state responsible totals were over and above the total. Mr. Robinson explained that capacity total is the number of beds and total is the number of inmates. Currently there are approximately 800 empty beds. Mr. Robinson advised the members that 800 beds include restrictive housing, mental health, sex offender and other specialty beds. Because of inmate movement on a daily basis there must be some flexibility to make placements as necessary. Mr. Robinson advised the members that DOC operates 24-25% over capacity. Mr. Robinson reported that when the facilities were originally designed an additional 20 beds was added to accommodate facility needs.

Ms. Bibbs arrived at 1:10pm and Mr. Peed asked that she introduce herself to those in attendance.

Ms. Randall inquired as to whether mental health beds at Marion Correctional Treatment Center are included in the overall totals. Mr. Robinson advised inmates have to be committed by the courts and Marion generally operates at full capacity. He further stated, inmates housed at Marion are those considered as the most severely ill however, if able to function at a higher level they are move to one of two DOC step-down levels at other facilities and another inmate is moved into the empty bed. A snapshot of daily operations will always reflect empty beds due to inmate movement. Ms. Randall requested a report reflecting a breakdown of how many beds are considered mental health beds be made available at the next meeting. Mr. Robinson agreed to have the report available.

Mr. Peed advised Richard Vorhis, Senior Assistant Attorney General that the members of the Liaison Committee continued a previous discussion regarding the FCC issues and ALCU correspondence received regarding detainers. Mr. Vassar advised that a letter had been sent to the Attorney General. Mr. Vorhis indicated that he was aware of the correspondence received from the ACLU and was aware that a letter was in the works but had not been received as of yet.

Ms. Randall suggested developing "talking points" in the event the media contact a member. She expressed the need to appear as a unified front if contacted. Mr. Vassar advised the By-Laws address and instruct members to refer all inquiries to the Board Chairman.

**CORRECTIONAL SERVICES/POLICY & REGULATIONS COMMITTEE**

The Board of Corrections, in recognition of the outstanding achievement of 100% compliance with Standards, approves unconditional certification for Montgomery County Jail and Chesapeake Correctional Center, both to include male and female juvenile in accordance with §16.1-249 of the Code of Virginia;

Additionally, unconditional certification as a result of 100% compliance for Fluvanna County Lockup to include male and female juveniles in accordance with §16.1-249.G of the Code of Virginia, and unconditional certification for Eastern Shore Regional Jail.

Upon a motion by Mr. Peed and duly seconded, the members voted unanimously to approve the above recommendations. The members voting **"AYE"** were Ms. Randall, Mr. Anderson, Ms. Bibbs, Mr. Peed, Mr. Paige, Ms. Gardner, and Mr. Vassar.

**ADMINISTRATION COMMITTEE UPDATE**

No Administration Committee meeting was held.

**DIRECTOR'S UPDATE**

Mr. Robinson provided the Director's report in his absence.

Mr. Robinson advised the members that the Director was currently in Utah being honored by the ACA with the E.R. Cass Award.

Mr. Robinson led the discussion regarding the current revenue shortfalls. He reported that the Governor advised state employees that $34.5 million must be found to address revenue shortfalls in FY15 and $53.6 million in FY16. Mr. Robinson reported that DOC was not advised as to the level of cuts; however, they are currently awaiting further information as to how the impact will affect the agency. Director Clarke has advised that everyone will need to tighten the belt and look closely at all expenditures. There being no further comments or questions, Mr. Robinson advised other that budgetary issues, DOC is doing well and concluded the Director's Report.

**ADDITIONAL ITEMS FOR DISCUSSION**

Ms. Randall inquired as to whether it was possible to have Scott Richeson attend the next meeting and present a report regarding the Re-entry programs offered by DOC. The report should include an overview of each of the programs offered (are they evidence based? If yes, can numbers be provided?, which facilities are they offered in?)

Ms. Randall also requested additional information regarding recidivism numbers and the matrix used to determine the current rate. Mr. Robinson advised that he would have Dr. Tama Celi and Scott Richeson attend the next Board meeting to provide clarification and insight. Reverend Paige indicated this is his second term and he would greatly appreciate documentation identifying the re-entry programs available. Mr. Vassar asked if board regulations addressed re-entry. Mr. Bruce advised that the previous regulations that addressed re-entry were repealed.

Mr. Peed requested the history/timeline of events regarding the change in responsibility. Mr. Paige advised the members that the change in authority was the result of the members of the Board requesting to review the budget prior to approval.

Mr. Vassar led the discussion regarding member status on committee assignments and participation/member attendance. Mr. Vassar advised that one of the By-Laws addresses attendance, participation/non-participation. He expressed concern that the Chairman should look into membership to determine the status and take the appropriate action as necessary. Mr. Peed agreed and advised the members that he would look into the issues. Ms. Gilliam advised the members that she would email a listing of the Committees, their responsibilities for their review.

Mr. Robinson advised the members, that this is Ms. Gilliam's last meeting.

Mr. Peed advised the members that he would like to invite the Chairman of the Parole Board to the next meeting. Ms. Gilliam reported that the members of the Parole Board have discussed attending a Board of Corrections meeting and plan to attend.

Mr. Paige requested Board member training. Mr. Vassar requested clarification of Board authority according to the statutes. Mr. Vassar was advised 53.1-5 is the correct Code section.

Mr. Peed polled the members on their thoughts regarding adjusting meeting times. Mr. Wilson provided a historical overview of why the current times were implemented. Ms. Ballard advised that public meeting times must be published and cannot be changed without providing proper notice; the length of a meeting may fluctuate depending on the agenda but the times must be firm. Mr. Peed requested a training session (12 p.m. – 1 p.m.) at the next meeting. Mr. Bruce will provide a summary of the change in authority and review the current regulations.

Ms. Randall asked Mr. Robinson whom she should contact for Board Support. Mr. Robinson advised that contact information would be provided by Monday of next week.

Mr. Peed advised the current members that historically past members of the Board (Decker, Curtis, Boshart, Cabacoy, and Osborne) were presented plaques to thank them for their service. Following a discussion, it was determined that efforts would be made to honor the previous members at a future meeting.

Mr. Anderson led the discussion regarding presentation of Committee reports. Staff has been presenting the reports however; it makes sense that the Chairman of the Committee should make the presentation. Mr. Vassar indicated that the Board must follow the By-Laws or change them in accordance to Board responsibilities. Mr. Paige advised the members that the previous method was very refreshing, keeps the Chairperson engaged and the Board has a duty to execute their responsibilities. Staff provides summaries and recommendations and goes above and beyond to provide assistance. Mr. Paige recommended maintaining the current processes until further notice.

Mr. Peed thanked Ms. Gilliam for her service. He reported that the DOC staff has been wonderful. Mr. Peed stated there is great experience on the Board and conversations identify that responsibilities will be taken seriously.

**FUTURE MEETING DATES**

September 17, 2014
November 19, 2014

**ADJOURNMENT**

There being no further business to discuss before the Board of Corrections, upon a motion by Chairman Peed and duly seconded, the meeting was adjourned by unanimous vote at 2:07pm. The members voting **"AYE"** were Ms. Randall, Mr. Anderson, Ms. Bibbs, Mr. Peed, Mr. Paige, Ms. Gardner, and Mr. Vassar.

APPROVED:

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Carl R. Peed, Chairman

COPY TESTE:

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John F. Anderson, Jr., Secretary