

THE VIRGINIA BOARD OF CORRECTIONS

The Virginia Board of Corrections (Board) met on Wednesday, July 15, 2015 at the Department of Corrections (VADOC) Headquarters, 6900 Atmore Drive, Richmond, Virginia 23225.

MEMBERS PRESENT: Carl R. Peed, Chairman
John F. Anderson, Jr.
Colin P. O'Dawe
Reverend Anthony C. Paige
Phyllis Randall
Reverend Kevin L. Sykes
Bobby N. Vassar

MEMBERS ABSENT: Reverend Dr. Yvonne Jones Bibbs
Ann Gardner

VADOC STAFF PRESENT: Donna Lawrence, Manager, Compliance and Accreditation Unit
Beverly Hill-Murray, Supervisor, Compliance and Accreditation Unit
Donna P. Foster, Board of Corrections Support
Bob Casey, Local Facilities Unit
James Bruce, Manager, Policy and Initiatives Unit

GUESTS PRESENT: Richard Vorhis, Assistant Attorney General
Charles Qualiato, Board Counsel, Office of the Attorney General
Brooks Ballard, Volunteer, Retired VADOC
Major Amanda Lambert, Prince William Adult Detention Center
Jamie Pham, Vectre Corporation
Frederick Cobbin, Guest of Reverend Anthony Paige

CALL TO ORDER

Chairman Peed called the meeting to order at 1:29 p.m.

DETERMINATION OF QUORUM

Chairman Peed determined there was a quorum present.

WELCOME AND INTRODUCTIONS

Chairman Peed welcomed everyone and asked the attendees to introduce themselves. Chairman Peed notified the attendees that Reverend Dr. Yvonne Jones Bibbs and Ann Gardner, members of the Board, were unable to attend the July meeting.

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APPROVAL OF MAY BOARD MINUTES

Chairman Peed presented the May minutes for review and approval.

Phyllis Randall suggested that the inmate name in the May minutes should be replaced with the word “inmate” and all members agreed to the revision.

Upon a *Motion* by Chairman Peed and duly seconded, the members voted unanimously to *Approve* the May Board meeting minutes as corrected.

PUBLIC COMMENT PERIOD

No public comment made.

PRESENTATIONS

Jim Bruce, Policy and Initiatives Unit, presented the Virginia Department of Corrections nudity operating procedure to the Board. This operating procedure became effective on April 1, 2015, no publications containing nudity will be allowed to enter a VADOC facility beginning July 1, 2015 and all existing items containing nudity shall be removed by October 1, 2015, at which time items containing nudity shall be considered and treated as contraband.

LIAISON COMMITTEE UPDATE

Mr. Anderson provided a summary of the July 15, 2015 Liaison Committee meeting in Ms. Gardner’s absence. He reported the jail construction standards, local facility construction and expansions, as well as discussion of other business.

Mr. Anderson reported that the May Liaison Committee minutes were approved as amended to remove the name of the inmate who was discussed in that meeting with the word “inmate”.

Mr. Anderson reported that Robyn deSocio did not attend the July meeting.

Mr. Anderson reported that Bob Casey reported the following construction updates expected in 2015:

- Central Virginia Regional Jail-50% completed as of June 3rd;
- Prince William-Manassas Regional Jail is expected to begin construction in April of 2017;
- Southwest Virginia Regional Jail Authority is still processing their reimbursement package for submittal;
- Richmond City Justice Center is still processing their reimbursement package for submittal;
- RSW Regional Jail reimbursement payment has been approved by the Treasury;
- Rockbridge Regional Jail- multiple modification request, he anticipates presenting to the Board of Corrections in the September meeting if additional information is received;
- Martinsville City Jail is requesting an integrated security control system upgrade, as well as emergency power and he anticipates presenting to the Board of Corrections in the September meeting if additional information is received;
- Southampton County Jail is requesting a replacement kitchen and dining hall building and he anticipates presenting to the Board of Corrections in the September meeting if additional information is received.

Mr. Anderson reported that Jim Parks did not attend the July meeting.

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Mr. Anderson reported that there was a lengthy discussion concerning the use of force continuum and that the VABOC requested comparison copies of the use of force policies from the Department of Criminal Justice Services, the VABOC (Virginia Board of Corrections) use of force policy and the American Correctional Association (ACA) use of force policy.

ADMINISTRATION COMMITTEE UPDATE

No Administration Committee meeting was held.

CORRECTIONAL SERVICES COMMITTEE UPDATE/Policy & Regulations

LOCAL FACILITIES SECTION – STAFFING/FUNDING AND UNANNOUNCED INSPECTIONS:

Ms. Randall offered the following Committee recommendations for Board approval:

Further consideration of a variance request by Gemeinschaft Home to accept a financial review for the years ending on June 30, 2013 and June 30, 2014 in place of a financial audit as required by standard 6VAC15-50E: if the review meets the guidelines as have previous audits, if a representative from the firm performing the review and audit attend the September meeting to discuss the distinction between review versus audit and the attendance by Gary Wagner, VADOC, Regional Manager, Western Regional Office to advise of his directive given to Gemeinschaft Home.

Upon a *Motion* by Ms. Randall and duly seconded, the members voted unanimously to *Table* the above recommendations until the September 16, 2015 meeting.

Unconditional Certification as a result of **100%** compliance for **Central Virginia Regional Jail, Wythe County Lockup and Garfield Eastern District Station Lockup.**

Upon a *Motion* by Ms. Randall and duly seconded, the members voted unanimously to *Approve* the above recommendations.

Also, Unconditional Certification for **Southwest Virginia Regional Jail Authority (Haysi) and Dominion Services for All People.**

Upon a *Motion* by Ms. Randall and duly seconded, the members voted unanimously to *Approve* the above recommendations.

Also, Unconditional Certification for **Essex County Lockup and Richmond City Justice Center both to include male and female juveniles in accordance with §16.1-249.G.**

Upon a *Motion* by Ms. Randall and duly seconded, the members voted unanimously to *Approve* the above recommendations.

Additionally, Unconditional Certification for **Patrick County Jail** was *Delayed.*

Upon a *Motion* by Ms. Randall and duly seconded the members voted unanimously to *Delay* without prejudice certification of Patrick County Jail in light of the number and seriousness of non-compliance relative to Life Health and Safety standards and to provide the facility an opportunity to be in compliance with this standard once the 12 month cycles for reviews have occurred and been confirmed.

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PIEDMONT REGIONAL JAIL

The Board of Corrections grants a modification of Standard 6VAC15-80-160, Minor Renovation Project, of the Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, 1994, to allow the Piedmont Regional Jail to proceed with its renovation by submitting this project as a Minor Renovation Project. This approval of modification shall not be construed as a future variance to Board Standard 6VAC15-80-160 for this facility or as a current or future variance for any other facility.

Upon a ***Motion*** by Ms. Randall and duly seconded, the members voted unanimously to ***Approve*** the above recommendations.

The Board of Corrections grants a waiver of Standard 6VAC15-80-211, Value Management Analysis, of the Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, 1994, to allow the Piedmont Regional Jail to proceed with its renovation without performing a Value Management Analysis. 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.

Upon a ***Motion*** by Ms. Randall and duly seconded, the members voted unanimously to ***Approve*** the above recommendations.

The Board of Corrections approves the Piedmont Regional Jail Authority's request for state funding for the addition of a new intake area. This approval recognizes a total eligible cost of \$4,278,928, of which up to 50% or \$2,139,464 would be eligible for state reimbursement. Such reimbursement is subject to the 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 Ms. Randall and duly seconded, the members voted unanimously to ***Approve*** the above recommendations.

The Board of Corrections, in recognition of the outstanding achievement of 100% compliance with Standards, approves the suspension of the 2015 Annual Inspection for the Hampton Roads Regional Jail, Middle Peninsula Regional Security Center, Southampton County Jail and Annex, Central Virginia Regional Jail, Wythe County Lockup and Garfield Eastern District Station Lockup.

Upon a ***Motion*** by Ms. Randall and duly seconded, the members voted unanimously to ***Approve*** the above recommendations.

The Board of Corrections approves the new Board of Corrections Policy 20-4, Prohibition on Possession of Obscene Materials by Incarcerated Offenders, was presented for review at the May 2015 Board meeting.

Upon a ***Motion*** by Ms. Randall and duly seconded, the members voted unanimously to ***Approve*** the above recommendation.

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DIRECTOR'S UPDATE

Mr. Clarke was not available to attend the July 15, 2015 Board of Corrections meeting and did not appoint a designee.

ADDITIONAL ITEMS FOR DISCUSSION

Mr. Peed advised the members of the Board that under state statute, the Board is required to vote one time per calendar year for committee assignments. Mr. Vassar has agreed to serve as the nominating committee chairman. He has asked that members contact him by email for nomination suggestions. Mr. Peed added that he is not interested in serving a second term as chairman of the Board for personal reasons.

Rev. Paige extended thanks to Tanya Chapman, Deputy Secretary of Public Safety, for helping the VABOC members to understand the status of things. He stated that she seemed to be open-minded about the future possibilities. He feels it is imperative that this group continue to speak up about this issue about the Board's authority, not just because they want to be important, but because you don't want to leave the agency out there monitoring itself. If something comes up, absolute authority becomes a real problem and you don't really appreciate that until you are a victim of it. He thinks it would be good for everyone, including employees, to try to always maintain a balance of power.

Ms. Randall requested a listing of all the powers and duties of the Board. Mr. Bruce agreed to provide this information.

FUTURE MEETING DATES

September 16, 2015
October 21, 2015
November 18, 2015

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 2:18 p.m.

APPROVED:

Carl R. Peed, Chairman

John F. Anderson, Jr., Secretary