

**COMMONWEALTH OF VIRGINIA
BOARD OF CORRECTIONS
JAIL REVIEW COMMITTEE MEETING**

Regular Meeting.....November, 2019

Location6900 Atmore Drive, Richmond, Virginia

Guest Attendees.....Brian Moran, Secretary of Public Safety
Ryant Washington, Deputy Secretary of Public Safety

Presiding.....William Dean, Chairman

Present.....John F. Anderson, Jr. Board of Corrections Member
Vernie W. Francis, Jr., Board of Corrections Member
Olivia J. Garland, Ph.D., Board of Corrections Member
Charles Jett, Board of Corrections Member
Heather Masters, MD, SFHM, FACP, Board of Corrections Member
Karen Nicely, LPC, Board of Corrections Member
Reverend Kevin L. Sykes, Board of Corrections Member
Bobby Vassar, Board of Corrections Member
Phillip Figura, Board Counsel, Office of the Attorney General
Steve Goff, Board of Corrections
Kemba Jennings, Board of Corrections
Tim Trent, Blue Ridge Regional Jail Authority
Joshua Salmon, Blue Ridge Regional Jail Authority
Theresa Simpson, Rappahannock Regional Jail
Brent Wright, Meherrin River Regional Jail
Brian Flaherty, Department of Corrections
Donna Foster, Department of Corrections

The meeting was called to order and Chairman Dean welcomed all attendees.

The October 10, 2019 minutes were brought before the Committee for approval.

Upon a *Motion* by Chairman Dean and duly seconded, the attending members voted unanimously to *Approve* the October 10, 2019 Jail Review Committee meeting minutes.

Public Comment

None

Presentation

None

Closed Session

The following was offered by Mr. Jett as a motion:

I *MOVE* that the Jail Review Committee begin *CLOSED* session pursuant to Virginia Code Section 2.2-3711(A)(16) to discuss or consider medical and mental health records; and pursuant to Virginia Code Section 2.2-3711(A)(8) to consult with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

Upon a *Motion* by Mr. Jett and duly seconded, the attending members voted unanimously to *Approve* the above recommendations.

Pursuant to Virginia Code Section 2.2-3712(F) I *MOVE* that the presence of the following individuals will reasonably aid this board in considering the subject of the closed session:

Names of the individuals to be included:

**Ryant Washington
Phillip Figura
Kemba Jennings
Steve Goff
Brian Flaherty
Donna Foster**

Upon a *Motion* by Mr. Jett and duly seconded, the attending members voted unanimously to *Approve* the above recommendations.

Reconvene Open Session

Upon the members' return to open session, Mr. Jett offered the following in the form of a motion:

I *MOVE* that the Jail Review Committee reconvene our open session having concluded a closed session to discuss or consider medical and mental health

records and to consult with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel. I *MOVE* that this committee and its individual members certify that during the closed session, the Jail Review Committee limited its discussion to matters lawfully exempt from the public meeting requirements and identified in the closed session motion. If a Member cannot so certify, I ask that they state the reason specifically on the record and that the recorder take role.

Upon a *Motion* by Mr. Jett and duly seconded, the attending members voted unanimously to *Approve* the above recommendations. All attending Board of Corrections' members *Certified* that the closed session discussion was limited to medical, mental health records and legally exempt matters.

Actions

I make the following recommendations in the form of a Motion by Chairman Dean:

Piedmont Regional Jail

The Jail Review Committee investigated the following cases by reviewing institutional, medical, and mental health records and other relevant evidence of the circumstances surrounding each death. The Jail Review Committee *FINDS* that the evidence presented in these cases *DID* reveal acts or omissions by the facility or any employee or agent thereof that may have directly or indirectly contributed to the inmate's death. The Jail Review Committee further *FINDS* that the investigation *DID* reveal evidence indicating that the facility was out of compliance with the regulations promulgated by the Board. ***NOW THEREFORE, I MOVE*** that the following cases be recommended to the Full Board for closure as a result of the following cases:

17-0022 – date of death 8/21/17

6VAC-15-40-1045 – Supervision of Inmates

6VAC-15-40-990 – Administrative Segregation

6VAC-15-40-440 – Medical Care Provided by Personnel Other Than a Physician

17-0007 date of death 11/18/17

6VAC-15-40-1045 – Supervision of Inmates

6VAC-15-40-370 – Receiving and Medical Screening of Inmates

Pursuant to 6 VAC 15-20-100 (B)(3), your facility is ***HEREBY*** issued a ***PROBATIONARY CERTIFICATION*** for a period of ***THREE YEARS*** from the date of this ***Order***. If your facility does not meet the requirements for certification at the conclusion of this period, the Board will issue a ***LETTER OF DECERTIFICATION***.

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The facility shall provide written updates on measures taken to come into compliance with the Board's regulations at least quarterly inspections during the probationary period.

Pursuant to Virginia Code § 53.1-68, the Virginia Department of Corrections Compliance and Accreditation Unit is hereby directed to conduct quarterly random unannounced focused inspections during the probationary certification period Focusing on the following areas:

- Conducting rounds in all areas;
- Administrative segregation decisions;
- Policies and capacities;
- Medical pathways at intake and at the point of re-entry;
- Access to medical care and triage protocols;
- Protocols for the notification of law enforcement agencies;
- Investigation of crimes committed in the jail;
- Continuity of care at re-entry.

Pursuant to Virginia Code § 53.1-69, facility populations are limited to 600 and must be compliance with this order within 90 day of notification

Hampton City Correctional Center under the Supervision of the Hampton Sheriff's Office

The Jail Review Committee investigated the following case by reviewing institutional, medical, and mental health records and other relevant evidence of the circumstances surrounding each death. The Jail Review Committee **FINDS** that the evidence presented in this case **DID** reveal acts or omissions by the facility or any employee or agent thereof that may have directly or indirectly contributed to the inmate's death. The Jail Review Committee further **FINDS** that the investigation **DID** reveal evidence indicating that the facility was out of compliance with the regulations promulgated by the Board. **NOW THEREFORE, I MOVE** that the following case be recommended to the Full Board for action as a result of the following case:

18-0035 - date of death 4/10/18

6VAC-15-40-1045 – Supervision of Inmates

Pursuant to Virginia Code § 53.1-68, the Virginia Department of Corrections Compliance and Accreditation Unit is hereby directed to conduct random unannounced focused inspections for supervision of inmates for a period of one year. Probationary Certification is not recommended at this time

Hampton Roads Regional Jail

The Jail Review Committee investigated the following case by reviewing institutional, medical, and mental health records and other relevant evidence of the circumstances surrounding each death. The Jail Review Committee **FINDS** that the evidence presented in this case **DID** reveal acts or omissions by the facility or any employee or agent thereof that

may have directly or indirectly contributed to the inmate's death. The Jail Review Committee further **FINDS** that the investigation **DID** reveal evidence indicating that the facility was out of compliance with the regulations promulgated by the Board. **NOW THEREFORE, I MOVE** that the following case be recommended to the Full Board for action as a result of the following case:

18-0043 - date of death 4/26/18

6VAC-15-40-360 – Twenty-Four Hour Emergency Medical and Mental Health Care

6VAC-15-40-400 – Management of Pharmaceuticals

6VAC-15-40-1045 – Supervision of Inmates

Pursuant to 6 VAC 15-20-100 (B)(3), your facility is **HEREBY** issued a **PROBATIONARY CERTIFICATION** for a period of **TWO YEARS** from the date of this **Order**. If your facility does not meet the requirements for certification at the conclusion of this period, the Board will issue a **LETTER OF DECERTIFICATION**. **PROBATIONARY CERTIFICATION** is subject to a **ONE YEAR REDUCTION** if the following conditions are met without exception as verified by focused inspections at 6 month intervals by Compliance, Certification and Accreditation staff:

- Access to Medical Care;
- Access to Pharmaceuticals;
- Responses to noncompliance regarding medication as well as escalation protocols for inmates who refuse to accept medication;
- Supervision of rounds, specifically to installation of new technology as indication by the jail;
- Compliance with physician orders regarding dietary restrictions for inmates.

The Jail Review Committee investigated the following case by reviewing institutional, medical, and mental health records and other relevant evidence of the circumstances surrounding the death. The Jail Review Committee **FINDS** that the evidence presented in these cases did not reveal any act or omission by the facility or any employee or agent thereof that may have directly or indirectly contributed to the inmate's death. The Jail Review Committee further **FINDS** that the investigation **DID NOT** reveal any evidence indicating that the facility was out of compliance with the regulations promulgated by the Board. **NOW THEREFORE, I MOVE** that the following case be recommended to the Full Board for closure.

Case	Location	Date of Death
18-0039	Hampton Roads Regional Jail	4/15/18
18-0058	Hampton Roads Regional Jail	10/7/18

Upon a **Motion** by Chairman Dean and duly seconded, the attending members voted unanimously to **Approve** the above recommendations.

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General Discussion

None

Other Comments

There being nothing further, the meeting was *Adjourned*.