

COMMONWEALTH OF VIRGINIA
BOARD OF LOCAL AND REGIONAL JAILS
AGENDA
6900 Atmore Drive, Richmond, Virginia 23225

March 16, 2022, 12:00 p.m.
6900 Atmore Drive, 3rd Floor, Main Board Room

1. Call to Order
2. Determination of Quorum
3. Approval of January 11, 2022 Meeting Minutes
 - a. **Motion** - I move that the Board Approve/Disapprove the January 11, 2022 meeting minutes
4. Public Comment Period*
5. Presentations
 - a. Board Architect Update on Current Projects – Gerald Olson
6. Jail Review Committee Report (*read by a JRC member*)
 - a. **Motion to Close Cases where No Violations were found:**
 - i. 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 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 cases be recommended to the Full Board for closure:
 1. 20-0025
 2. 20-0032
 - b. **Motion to Close Cases where Violations were properly addressed:**
 - i. 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 investigation revealed evidence indicating that the facility was out of compliance with Board regulations; however, the Jail Review Committee further finds that corrective actions taken by the jail appropriately addressed the Committee's concern. NOW THEREFORE, I MOVE that the following cases be recommended to the Full Board for closure.
 1. 20-0029
 2. 20-0030

7. Compliance, Certification and Accreditation

a. Tawana Ferguson - Certifications Report Presentation

- i. Handout - *Certification Report of the State Board of Local and Regional Jails Compliance Audits*

b. **Motion** - I make the following recommendation in the form of a Motion:

Unconditional certification as a result of 100% compliance with Board standards for the following facilities:

- i. Virginia Peninsula Regional Jail
- ii. Portsmouth City Jail
- iii. Greene County Lockup
- iv. RSW Regional Jail
- v. Culpeper County Jail
- vi. Rockbridge Regional Jail
- vii. Henrico County Jail East
- viii. Henrico County Jail West
- ix. Pamunkey Regional Jail (ACA Re-Accreditation)
- x. Western Virginia Regional Jail (ACA Re-Accreditation)
- xi. Chesapeake Correctional Center (ACA Accreditation)
- xii. Roanoke City Jail (ACA Re-Accreditation)
- xiii. Roanoke County Jail (ACA Re-Accreditation)

c. **Motion** - In recognition of the outstanding achievements of 100% compliance with Board standards, I make the following recommendation in the form of a Motion: Suspension of the 2022 annual inspections for the following facilities:

- i. Virginia Peninsula Regional Jail (100% Compliance)
- ii. Portsmouth City Jail (100% Compliance)
- iii. Greene County Lockup (100% Compliance)
- iv. RSW Regional Jail (100% Compliance)
- v. Culpeper County Jail (100% Compliance)
- vi. Rockbridge Regional Jail (100% Compliance)

d. **Motion** - I make the following recommendations in the form of a Motion:

Unconditional certification as a result of 100% to include re-certification to hold male and female juveniles in accordance with §16.1-249.G of the Code of Virginia for the following facilities:

- i. Greene County Lockup
- ii. Rockbridge Regional Jail

8. Executive Director Report-Ryan McCord

a. Stakeholder Workgroup Update

- i. Screening
- ii. Assessments, Education, Nutrition, Counseling

- b. Policy Analyst Position
- c. Compliance update
 - i. Riverside
 - ii. Hampton Roads
- d. Regulatory update –
 - i. 6VAC 15-11 - Proposed changes to the Board’s Public Participation Guidelines – Fast track regulations
 - 1. The proposed regulatory action seeks to amend 6 VAC 15-11-10 (“Purpose”) and 6 VAC 15-11-20 (“Definitions”) of the Board’s public participation guidelines to replace the agency name “Department of Corrections” with “Board of Local and Regionals Jails.”
 - 2. In addition, the action would change 6 VAC 15-11-50 (“Public Comment”) of the guidelines to direct the Board, when considering regulatory actions, to afford interested parties an opportunity to be accompanied and represented by counsel or other representatives. This change is mandated by Chapter 795 of the 2012 Acts of Assembly.
 - 3. **Motion** – I move that the Board approve the proposed changes to Section 6VAC 15-11 as outlined in the PPG handout and as summarized above and in so doing, approve their submission through the Fast Track rulemaking process in accordance with Article 2 of the Administrative Process Act.
 - ii. Repeal of Regulations for Human Subject Research, 6VAC 15-26, and repeal of 6VAC 15-45 Regulations for Private Management and Operation of Prison Facilities (53.1-266) – as they are no longer under the purview of the Board.
 - 1. OAG letter
 - 2. **Motion** – I move that the Board find regulations 6VAC 15-26 and 6VAC 15-45 to be outside the statutory authority of this Board and in so doing, to approve their repeal in accordance with Article 2 of the Administrative Process Act.
 - iii. Approval to repeal/delete the selection of policy/guidance documents
 - 1. Summary Handout will be provided at meeting time
 - 2. **Motion** – due to the number of relevant documents for consideration, the motion will be completed following discussion.

iv. Currently working on the following:

1. 6VAC 15-20 - Regulations Governing Certification and Inspection
2. 6VAC 15-40 - Minimum Standards for Jails and Lockups
3. Don't forget the successes though! Clean up has already begun and two unnecessary regulations have been repealed.
4. The Board's only remaining regulation, 6VAC 15-81, will be opened for periodic review in July.

9. Additional Items for Discussion/Board Member Comment

10. Adjournment