

**COMMONWEALTH OF VIRGINIA  
BOARD OF CORRECTIONS  
LIAISON COMMITTEE MINUTES**

Regular Meeting .. .....September 20, 2005

Location .....6900 Atmore Drive, Richmond, Virginia

Presiding Chairman..... Roy Cherry, Chairman, Liaison Committee, Board of Corrections

Present .....Clay Hester, Chairman, Board of Corrections  
Sterling Proffitt, Vice Chairman, Board of Corrections  
Jacqueline Fraser, Board of Corrections  
Bobby Mitchell, Board of Corrections  
Jimmy Burrell, Board of Corrections  
W. Alvin Hudson, Board of Corrections  
Jack Dewan, Virginia Association of Regional Jails  
Stuart Kitchen, Sheriff, Sussex County Jail  
B. J. Roberts, Hampton City Jail  
John Roberts, Newport News City Farm  
Tom Jones, Charlotte County Jail  
Sandra Thacker, Peumansend Creek Regional Jail  
Robyn deSocio, State Compensation Board  
Dave Hawkins, Architecture and Engineering, DOC  
Donna Lawrence, Compliance and Accreditation, DOC  
Bill Wilson, Compliance and Accreditation, DOC  
Donna Foster, Compliance and Accreditation, DOC

**I. July Minutes**

Jack Dewan asked for a correction to the July minutes on page 3 line 30, which reads “Jack Dewan stated that the Compensation Board has reduced revenues since approximately 1981.” But should have read “...since approximately 1991.”

Minutes from the September 20, 2005 meeting were motioned for approval, seconded and passed, correction noted.

**II. Minutes Summary**

- Dave Hawkins presented the construction updates on behalf of Bert Jones. A handout was provided (and is included in this package) detailing the state institutional construction status. St. Brides Phase I was due for completion on September 20, 2005 (this is a change). Move in date is October 1, 2005. Phase II

was delayed to allow the contractor to focus all attention toward completion of phase I. Upon completion, phase II will be initiated with the demolition of the old facility. Site work has begun at the Tazewell project in Pocahontas with deep dynamic compacting and surcharging, which is pounding the ground and backfilling with 18-20 feet of fill. Completion is scheduled for March 2007. The Pittsylvania facility has begun to place pre-cast cells. Completion of this project is scheduled for May 2007. The Deerfield expansion is ready for footings and foundations and is scheduled for completion in November 2006. Jimmy Burrell asked about the difference in the project costs of Tazewell versus Pittsylvania, which is approximately \$5 million. Mr. Hawkins stated that the town of Tazewell is funding the costs of some of the waste water work for the Tazewell facility and part of the additional cost for Pittsylvania is due to waste water construction costs. Also, the Pittsylvania site required some extensive land preparation prior to construction.

- Donna Lawrence introduced Bill Wilson, the new Local Accreditation Supervisor. He is in Ron Elliott's former position. Mr. Wilson has 20+ years experience in corrections and worked in West Virginia's corrections system in the same capacity as his current position.
- Mr. Wilson presented the population report. The jail inspection report was discussed, but it is not a provision for the Liaison committee. This information is provided to the Board of Corrections. Mr. Cherry advised that Ron Elliott used to provide construction updates for local jails. Mr. Wilson said there are four community based corrections plans currently being considered, Gloucester, Riverside Regional, Rappahannock and Loudoun. Gloucester and Riverside will be presented to the Board at a special meeting in October and the remaining two facilities should have any issues resolved shortly. The committee welcomed Mr. Wilson to the DOC.
- Robyn deSocio discussed the Federal Inmate Overhead Recovery Report. There was a meeting concerning this issue on July 21, 2005 which included several participants from local and regional jails. Several options were presented. An exposure draft was made available on August 24, 2005 on the Compensation Board's website ([www.scb.virginia.gov](http://www.scb.virginia.gov)). Comments from the local and regional jail representatives will be presented to the Compensation Board on September 21, 2005. Four options were presented. The first being the current methodology with some additional language such as grant funding, construction premiums and recovery of insurance premiums to name a few. The remaining options discussed were recovery at the state responsible per diem rate of \$14.00 per day, another was recovery at the billing rate plus a credit of the locally funded personnel costs and the final option (only applicable to regional jails) was a recovery of the percentage of the difference between operating revenues and operating costs, but the general consensus of the group was that the latter was not really a viable option.

- Mr. Cherry asked that she pause for a moment for questions or comments. Regarding the latter option, Mr. Dewan expressed his aversion to the fourth option to which Ms. deSocio stated that the option was considered less than a favorable one. Mr. Cherry stated that the general opinion of the representative group was that the \$14/day option was most beneficial to all jurisdictions with the exception of three jails with exemptions. Mr. Cherry asked if the Compensation Board would want input from the Liaison Committee regarding the preference of the options available. Ms. deSocio welcomed input. The \$14/day option results in a recovery of \$7.7 million without any exceptions. The current methodology, using 2003 figures, would result in \$9.8 million including the exempt facilities. Mr. Cherry asked if the committee would like to take a stand in favor of the \$14/day option. Mr. Dewan spoke out in support of this option. Mr. Proffitt discussed his stand on the issue. His former jail (Central Virginia Regional Jail) is one of the three exempt jails. He would prefer the \$14/day option and leave the three exempt jails as exempt. The consensus was that the committee would take a stand in favor of the \$14/day option and remain silent on the exemption issue. Mr. Hester asked for a clarification of the terminology labeling a jail as "exempt". Mr. Proffitt explained that the General Assembly determined that Alexandria Detention Center could become exempt from recovery costs because the federal capitol reimbursement exceeded the state capitol reimbursement. Language was left in place to permit any jail to remain exempt if the federal investment exceeded the state investment. Central Virginia Regional Jail was the second Virginia jail to opt into exempt status, followed by Northern Neck Regional Jail. The federal authorities paid for half of any capitol program, with local money making up the remaining half. Mr. Proffitt stated that the localities investment in Central Virginia Regional Jail consisted of millions of dollars and they were acting in good faith according to the law in becoming exempt. His current interpretation is that the law is being modified to undermine the exemption status of the aforementioned jails. Ms. deSocio stated that the \$14/day option with exemptions reflects a recovery of \$3.1 million less than with the exemptions in place. The \$14/day option reflects \$4.5 and an additional \$3.1 million for the exempt facilities for a total of \$7.7 million.
- Mr. Dewan made a motion for the Liaison Committee to take an official stance on the \$14/day option and remain silent on the issue of exemptions. Motion was seconded and approved. Mr. Proffitt chose to stand.
- Stuart Kitchen remarked that he felt it unfair to penalize the three jails with exempt status by removing the exemptions. Ms. deSocio stated that the General Assembly had discussed the removal of the exemption for numerous past sessions and it has held firm thus far. Mr. Kitchen asked who had the authority to remove exempt status and she said it would require language in the Appropriations Act.

- Ms. deSocio continued her report from the Compensation Board stating that the Compensation Board, along with other state agencies, sent their decision packages to the Department of Planning and Budget the previous week. These become the amendments for the upcoming biennium. Funding requests include new jail construction, expansions and staffing for fiscal year 2007 and 2008 as well as for five new facilities; Eastern Shore Regional Jail, expansion for Northwestern Regional Jail (formerly Clark, Fauquier, Frederick, Winchester Regional Jail) in 2007 and three more for 2008. She discussed a potential shortfall of \$4 Million which is yet to be determined by the General Assembly, but upon closer study that figure appears to stand at approximately \$350,000. The Compensation Board is projecting that they will ask for increased funding based upon forecasting of approximately \$4.8 million for fiscal year '07 and approximately \$7.5 million for fiscal year '08. They have included a request for 28 emergency correctional officer positions in overcrowded jail facilities at over 100% above capacity at a cost of \$1.7 million over the course of the next biennium. Also, they have requested funding for some public safety equipment for items such as live scan finger print equipment, as well as mug-shot equipment and software and PC and printer costs totaling \$4.1 million. Some funding has been requested for 1/1500 positions for sheriff's offices and some administrative amendments, but this will basically sum up the appropriations requests concerning jails from the Compensation Board.
- B. J. Roberts discussed the devastation caused by hurricane Katrina. He would like to know if there is an agreement in existence or if an agreement could be devised regarding the evacuation and placement of inmates in the event of a disaster. Mr. Proffitt stated that a policy was in place at one time, but he was unsure where that policy stands at this point. He stated that another jail can accept inmates from another jail if all parties are in agreement. Mr. Dewan stated that prior planning has been made by individual jails. Mr. Roberts requested that a policy be developed to address the issue of assisting local facilities with evacuation and placement of jail inmates. Mr. Kitchen asked by motion that a report be provided by the DOC at the next Liaison Committee meeting regarding a policy to assist local facilities in the event of a disaster, it was seconded and approved.
- Mr. Cherry thanked the Chairman of the Board of Corrections for the opportunity for the Liaison Committee to meet with the DOC and members of the Board of Corrections.

By motion duly made by the Chairman of the Liaison Committee, Roy Cherry and seconded by several members in attendance, the meeting adjourned.