

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

Regular MeetingNovember 16, 2011

Location6900 Atmore Drive, Richmond, Virginia

Presiding..... John Roberts, Chairman

PresentPeter Decker, III, Chairman, Board of Corrections
B. A. Washington, Member, Board of Corrections
William Osborne, Member, Board of Corrections
Felipe Cabacoy, Member, Board of Corrections
Cynthia Alksne, Member, Board of Corrections
Harold W. Clarke, Director, DOC
Alan Katz, Office of the Attorney General
Glenn Aylor, Central Virginia Regional Jail
Elton Blackstock, Blue Ridge Regional Jail Authority
Gabe Morgan, Sheriff, Newport News City Jail
Dave Hackworth, Chesapeake City Jail
David Simons, Hampton Roads Regional Jail
Keith Lockridge, Charlotte County Jail
Steve Draper, Sheriff, Martinsville City Jail
Daniel McEathron, Sheriff, Warren County Jail
Mike Jones, Moseley Architect
Robyn deSocio, Compensation Board
Kim Lipp, Architecture and Engineering, DOC
Jim Parks, Classification and Records, DOC
Brooks Ballard, Architecture and Engineering, DOC
Bill Wilson, Compliance and Accreditation, DOC
Donna Foster, Compliance and Accreditation, DOC

The meeting was called to order and attendees were welcomed.

I. Committee Chairman (John Roberts)

- Mr. Roberts welcomed the committee members. He then called for a motion to approve the October minutes. By **MOTION** duly made and seconded, the minutes were unanimously **APPROVED**. The Motion carried.

The committee voted not to meet on December 14, 2011 unless further discussion was needed to follow up on any issue raised during this meeting.

II. Meeting Summary

Harold Clarke reported the following:

- The governor requested 2, 4 & 6% reduction plans which the DOC has done and is now waiting to hear further information. At a 2% reduction, the DOC loses 1,000 beds. The Green Rock facility has lost the Pennsylvania contract which leaves a reduction of \$20.3 million to the DOC budget which is already \$34 million short. Mr. Clarke has gained the support of the federal government to provide staff development for two years within the administrative level and the majors and sergeants at the uniformed level.

Robyn deSocio reported the following:

- Not much has changed since the previous report she gave in October. The Compensation Board was asked to provide the governor with 2, 4 & 6% reductions for the budget plans. They do not know yet what the recommendations will entail. The governor's budget will be released on December 19th at which time the Compensation Board will release a summary illustrating impacts of the reductions for the local facilities. Also, they are preparing for the officers training that they provide annually. The training will be held December 8th and 9th. Sheriff Morgan asked if the governor would request that the \$7.4 million previous reduction be restored. Ms. deSocio answered that she would not be able to answer that question until after the governor's budget was released. Sheriff Morgan stressed that if the DOC loses 1,000 beds for each 2% reduction and the local facilities begin with a \$7.4 million deficit, the administrations will face a difficult future. He advised that the bed study then becomes a more significant issue. In addition to that issue, there has been discussion about taking fines from the localities as well. William Osborne discussed the returning Pennsylvania inmates and noted that this will free up 1,000 beds. Mr. Clarke reminded him that it also creates a \$20.3 million budget deficit. Elton Blackstock noted that the localities have suffered a 30% reduction in per diems which he calls underfunded and noted that additional cuts to the DOC budget is another manner in which to pass the costs along to the localities as opposed to the state paying for their inmates. He noted that this must be stressed to the legislators. Sheriff Morgan stated that he does not think that they care about that issue. Ms. deSocio was asked about the reaction from the legislators when the Compensation Board submitted their 2, 4 & 6% reduction plans. She answered that Comp. Board funds are almost exclusively salaries in support of sheriffs' offices and regional jails in addition to per diem funding. When asked to produce a plan with 2, 4 & 6% reductions, it includes the salary base. No longer are there programs or other expenses that can be reduced. Mr. Roberts advised that the localities have done the same in cutting anything that is not essential and are now left with only necessary budget expenses. Sheriff Morgan advised that there are days that he has insufficient

personnel to place an officer on each floor and fears that further reductions will come at the expense of personnel. He stated that when a judge finds that the state should provide additional personnel in a dangerous environment case, it has never gone any further to involve legislation. Several members agreed that the best way to stress the problems facing the localities was to discuss the issues with their elected representatives. Mr. Osborne stressed that he suggested direct discussions with the members of the General Assembly for any locality with concerns about the budget recommendations.

Jim Parks reported the following:

- The out-of-compliance rate is creeping up and now stands at about 4,465 rising at about 100/month.

Cynthia Alksne reported the following:

- An e-mail has been sent out asking for input for the bed survey that includes the items that have been agreed upon. The return deadline is in December. The additional information will be gathered during the triennial audits and Bill Wilson will report this information to the BOC at the end of the year. Some of the items include dorm size, number of urinals, showers, toilets, programs available providing time outside of the cells, a general overview of the facility, challenges of the facilities and input from the administration. If additional data needs to be collected, it needs to be added now. It will first be submitted to the Liaison Committee and go on to the Senate Finance Committee. It was suggested that direct vs. indirect supervision be included by attendees of the meeting. Mr. Wilson advised that a 60-day letter is sent out to advise the facility of a pending audit. He suggested that the facility provide information such as dormitory/cell and dayroom size. Ms. Alksne added that in discussion with the administration, the auditor may want to discuss issues facing the facility to include mental health issues and any recommendation or suggestions the administrators have for recommendations for the finance committee.

Sheriff Morgan asked if there were any plans to capture mental health data in LIDs. There is a snapshot added annually, but that only captures information inclusive of a single moment in time. He advised that this information should be maintained somewhere at the state level. Mr. Wilson stated that Dick Hickman is very interested in the number of mental health beds being maintained by the local facilities and added that the Sheriffs' Association and the Regional Jail Association should discuss the issue with Mr. Hickman. Ms. deSocio advised the this information is collected over the course of a month, not just one day. This information has been collected for the past three years or so and collection of data improves continuously. They are also collecting information regarding the methods in which the facilities maintain the data. She suggested that anyone interested look at that report and then decide if there is additional data that needs to be provided to Mr. Hickman. Ms. Alksne asked if

a picture of the mental health conditions could be pulled from the report Ms. deSocio discussed. Glenn Aylor noted that the mental health issues cause him concern because of a previous issue with mental health officials berating the jails for not providing the most expensive mental health drugs to inmates. The mental health report causes him concern because of the questionable nature of the purpose of the report. It has even been used to reinforce the theory that the jails are providing adequate replacement for mental health treatment for the mentally ill community. He advised extreme caution with the information and how it is provided. Ms. deSocio asked what was not being captured that they felt was more of a true picture of the mental health status among the local facilities. Mr. Aylor answered that the information regarding the services provided by the localities that is not compensated by the state, such as psychiatrists that the localities must provide. Ms. deSocio suggested that this information be included when the Compensation Board prepares their report.

Dave Simons stated that the General Assembly may not know that in some jurisdictions, the Community Services Board (CSB) would come into the facility and in others they do not. At one time, he could send people to Eastern State, their medications would be paid for, and they could medicate over objection. Now, they are staying in the jails. The jails must hire the psychiatrists and the psychiatric nurse(s) which is an \$800,000/year endeavor to provide mental health treatment, none of which is compensated by the state. They had been provided mental health care by the CSB until they go to jail and then the burden of care falls solely upon the jail. The school system got it right when they passed a law requiring the school system to follow a person in a special education program through a jail term. He recommended the same requirement to be made for the mentally ill to be tracked by the CSB. The money should follow the patient. If the General Assembly will not fund it, then the CSB should. Ms. deSocio suggested the creation of a committee that includes interested parties from each of the associations and include Dick Hickman and Victoria Cochran, State Coordinator, Mental Health and Criminal Justice Services, to consider expansion or modification of the survey to address other issues of concern. With the bed survey under consideration, this may be a really good time to do this.

John Roberts asked Dave Simons and Elton Blackstock to contact Ms. deSocio and name some people to a committee to further study some of the mental health issues facing the localities and some possible solutions.

Mr. Roberts again raised the issue of a December meeting. The attendees agreed not to meet and Mr. Roberts reminded the members that the next meeting will be held March 21, 2012. **This is a change! The March meeting has been rescheduled for March 14, 2012 due to a DOC conflict.**

Board of Corrections
Liaison Committee
November 16, 2011

By MOTION duly made by the Chairman of the Liaison Committee, John Roberts, and seconded by several members in attendance, and unanimously APPROVED, the meeting was adjourned.