

THE VIRGINIA BOARD OF LOCAL AND REGIONAL JAILS

The Virginia Board of Local and Regional Jails (Board) met on Wednesday, November 18, 2020 by **TELECONFERENCE** to Discuss General Business of the Board

BOARD MEMBERS PRESENT: The Honorable Vernie W. Francis, Jr., Chairman
Bobby Vassar, Vice Chairman
John F. Anderson, Jr., Secretary
Olivia Garland, PhD
Heather Masters, M.D., S.F.H.M., F.A.C.P.
Karen Nicely, LPC
Joanne Peña

BOARD MEMBERS ABSENT: The Honorable Charles Jett
Reverend Kevin L. Sykes

BOARD COUNSEL: Phillip Figura, Office of the Attorney General

ATTENDEES: Steve Goff, Virginia Department of Corrections
Tawana Ferguson, Virginia Department of Corrections
Bob Casey, Virginia Department of Corrections
Audrey Michael, Department of Corrections
Bill Wilson, Liaison Committee Member
Bruce Crusier, Mental Health America-Virginia

BOARD ATTENDANCE ROLL CALL:

John F. Anderson, Jr.	Yay
Vernie, W. Francis, Jr.	Yay
Dr. Olivia Garland	Yay
Dr. Heather Masters	Yay
Karen Nicely	Yay
Joanne Peña	Yay
Bobby Vassar	Yay

7 Board members in attendance – **Quorum Present**

MOTION TO CONVENE

As you know, the Governor declared a state of emergency in effect from March 12, 2020 and is ongoing because of the potential spread of COVID-19, a communicable disease of public health threat and the anticipated effects of that spread. Given this threat, the Board cannot assemble in person because of the need for social distancing for a prolonged period of time. The work of the Board*

As you may know, Governor Northam amended the state budget to include the use of electronic meetings in HB30 (Chapter 1289) Section 4-0.01 It provides that this Board may conduct a public electronic meeting during a state of emergency if: “(i) the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location; [and] (ii) the purpose of the meeting is to discuss or transact the business statutorily required.” The law requires that this Board “shall make available a recording or transcript of the meeting on its website ...and... Distribute minutes of a meeting.”

The purpose of the meeting is to take action on Board Certifications and Construction Projects as mandated by law. In light of this, I’ll entertain a *MOTION* with respect to this Emergency Electronic Meeting.

Motion read by made by Dr. Masters and Seconded by Dr. Garland.

BOARD ROLL CALL VOTE:

John F. Anderson, Jr.	Yay
Vernie, W. Francis, Jr.	Yay
Dr. Olivia Garland	Yay
Dr. Heather Masters	Yay
Karen Nicely	Yay
Joanne Peña	Yay
Bobby Vassar	Yay

7 Votes in **FAVOR** of the **MOTION**, two **ABSENT** – **MOTION CARRIES**

That motion being carried unanimously among attendees we can begin this Electronic Meeting.

Chairman Francis asked for a motion to approve the September 16th, 2020 minutes.

I **MOVE** that the Board **APPROVE** the September 16th, 2020 meeting minutes

Motion made by Mr. Vassar, seconded by Dr. Masters.

ROLL CALL VOTE:

John F. Anderson, Jr.	Yay
Vernie, W. Francis, Jr.	Yay
Dr. Olivia Garland	Yay
Dr. Heather Masters	Yay
Karen Nicely	Yay
Joanne Peña	Yay
Bobby Vassar	Yay

7 Votes in **FAVOR** of the **MOTION**, two **ABSENT** – **MOTION CARRIES**

BOARD CALENDAR

The Board calendar will resume the 2020 schedule with the Jail Review Committee and full Board meetings being scheduled for alternating months.

PUBLIC COMMENT

Bruce Crusier, Mental Health America-Virginia commented that he would like to see the Behavioral Health Standards posted on the Board of Local and Regional Jails website.

Added for public information – the BOLRJ website is currently under construction and there is no accessible space for this information at this time. It will be provided upon request. Please contact Donna Foster to request this information. It is expected to be offered for public comment and review on the Virginia Register in the near future.

BEHAVIORAL HEALTH STANDARDS

Dr. Olivia Garland – There are a total of 43 Board standards at this time, 11 of which directly or indirectly pertain to behavioral health. A committee of mental health professionals, sheriffs, jail administrators, and other stakeholders met to review, updated standards over several months in 2019. Fifteen standards were created and presented to the Board for review and comment. The Board made recommendations and determined that 14 standards would be recommended to replace the 11 former standards. Of the 15 that were reviewed, Standard #12 was eliminated as redundant, having been addressed in other recommended standards. The current recommended standards have been renumbered appropriately.

I MOVE that the Board APPROVE the Behavioral Health Standards as amended

Motion read by made by Mr. Vassar and Seconded by Dr. Masters.

ROLL CALL VOTE:

John F. Anderson, Jr.	Yay
Vernie, W. Francis, Jr.	Yay
Dr. Olivia Garland	Yay
Dr. Heather Masters	Yay
Karen Nicely	Yay
Joanne Peña	Yay
Bobby Vassar	Yay

7 Votes in **FAVOR** of the **MOTION**, two **ABSENT** – **MOTION CARRIES**

AUDREY MICHAEL UPDATE

The Board of Local and Regional Jail Annual Jail Death Report has been submitted to the Deputy Secretary of Public Health, Jacqueline Katuin. She has recommended some changes and, once completed will be returned to her for approval to proceed to the Governor's office. This report is due on December 1, 2020.

**CORRECTIONAL SERVICES COMMITTEE UPDATE/Policy & Regulations
LOCAL FACILITIES SECTION – STAFFING/FUNDING AND UNANNOUNCED
INSPECTIONS:**

Compliance, Certification and Accreditation - Certifications Report:
Local/Regional/Community Facilities

BOARD ACTION REQUIRED

I make the following recommendations in the form of a Motion:

Unconditional certification as a result of 100% for:

BRRJA-Bedford Adult Detention Center
Sussex County Jail

Unconditional certification for:

Lancaster County Jail

Motion by Mr. Vassar and duly seconded by Dr. Garland.

ROLL CALL VOTE:

John F. Anderson, Jr.	Yay
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Vernie, W. Francis, Jr.	Yay
Dr. Olivia Garland	Yay
Dr. Heather Masters	Yay
Karen Nicely	Yay
Joanne Peña	Yay
Bobby Vassar	Yay

7 Votes in **FAVOR** of the **MOTION**, two **ABSENT** – **MOTION CARRIES**

BOARD ACTION REQUIRED

Jail inspections recommended suspensions.

I MOVE the Board of Local and Regional Jails, in recognition of the outstanding achievement of 100% compliance with standards, APPROVES the suspension of the 2020 annual inspection for the Blue Ridge Regional Jail Authority-Bedford Adult Detention Center and Sussex County Jail.

Motion by Mr. Vassar and duly seconded by Dr. Garland.

ROLL CALL VOTE:

John F. Anderson, Jr.	Yay
Vernie, W. Francis, Jr.	Yay
Dr. Olivia Garland	Yay
Dr. Heather Masters	Yay
Karen Nicely	Yay
Joanne Peña	Yay
Bobby Vassar	Yay

7 Votes in **FAVOR** of the **MOTION**, two **ABSENT** – **MOTION CARRIES**

JAIL REVIEW COMMITTEE REPORT

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 further 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 as a result of the following cases:

Case	Location	Date of Death
19-0001	SWVRJA-Abingdon	1/12/19
19-0003	Danville City Jail	1/19/19
19-0004	Virginia Beach Correctional Center	1/30/19
19-0005	Richmond City Justice Center	2/12/19
19-0007	Virginia Beach Correctional Center	3/4/19
19-0008	Piedmont Regional Jail	3/19/19
19-0009	SWVRJA-Abingdon	3/26/19
19-0012	Western Tidewater Regional Jail	4/16/19
19-0014	Henrico County Jail-West	4/26/19
19-0016	Danville City Jail	5/10/19
19-0020	RSW Regional Jail	7/17/19
19-0010	Portsmouth City Jail	4/12/19
19-0011	Northwestern Regional Jail	4/15/19
18-0051	Bristol City Jail	7/3/18

Motion made by Dr. Garland and duly seconded by Mr. Vassar.

ROLL CALL VOTE:

John F. Anderson, Jr.	Yay
Vernie, W. Francis, Jr.	Yay
Dr. Olivia Garland	Yay
Dr. Heather Masters	Yay
Karen Nicely	Yay
Joanne Peña	Yay
Bobby Vassar	Yay

7 Votes in **FAVOR** of the **MOTION**, two **ABSENT** – **MOTION CARRIES**

ADDITIONAL ITEMS FOR DISCUSSION

Chairman Francis recognized Ms. Peña and her workgroup who are addressing the requirements set forth in HB1284, thanking them for their efforts. More on this topic will be offered during the January BOLRJ meeting.

Chairman Francis advised that the position of Executive Director for the Board of Local and Regional Jails has been advertised and updates will be forthcoming.

Mr. Vassar offered the following in the form of a motion, duly seconded by Dr. Garland:

I MOVE that the meeting be adjourned.

ROLL CALL VOTE:

John F. Anderson, Jr.	Yay
Vernie, W. Francis, Jr.	Yay
Dr. Olivia Garland	Yay
Dr. Heather Masters	Yay
Karen Nicely	Yay
Joanne Peña	Yay
Bobby Vassar	Yay

7 Votes in **FAVOR** of the **MOTION**, two **ABSENT** – **MOTION CARRIES**

Adjourned