

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

Regular Meeting.....July 17, 2019

Location6900 Atmore Drive, Richmond, Virginia

Presiding.....William Dean, Chairman

Present.....John F. Anderson, Jr. Board of Corrections Member
Vernie W. Francis, Jr., Board of Corrections Member
Heather Masters, MD, SFHM, FACP, Board of Corrections Member
Karen Nicely, LPC, 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
Frank Green, Richmond Times Dispatch
Sarah Berday-Sacks, JLARC
Emmanuel Fontenot, Department of Corrections
Donna Foster, Department of Corrections

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

The June 12, 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 June 12, 2019 Jail Review Committee meeting minutes.

Public Comment

None

Presentation

None

Closed Session

The following was offered by Mr. Anderson 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. Anderson 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:

**Phillip Figura
Donna Foster
Sarah Berday-Sacks
Kemba Jennings
Steve Goff**

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

Reconvene Open Session

Upon the members' return to open session, Mr. Anderson 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 note.

Upon a *Motion* by Mr. Anderson 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

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
18-0037	SWVRJA-Tazewell	4/12/18

Portsmouth City 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 action as a result of the following cases:

Case	Location	Date of Death
18-003	Portsmouth City Jail	1/18/18
18-0023	Portsmouth City Jail	8/21/17

Pursuant to 6 VAC 15-20-100 (B)(3), your facility is ***HEREBY*** issued a ***PROBATIONARY CERTIFICATION*** for a period of ***TWELVE MONTHS*** from the date of this ***Order***. Your facility has until its certification audit to come into compliance with the Board's Standards. If your facility does not meet the requirements for certification at the conclusion of this period, the Board will issue a ***LETTER OF DECERTIFICATION***.

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

Riverside 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 action as a result of the following cases:

Case	Location	Date of Death
17-0004	Riverside Regional Jail	10/31/17
17-0010	Riverside Regional Jail	11/30/17

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**. Your facility has until its certification audit to come into compliance with the Board's Standards. If your facility does not meet the requirements for certification at the conclusion of this period, the Board will issue a **LETTER OF DECERTIFICATION**.

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

Virginia Beach City 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 investigation revealed **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 action as a result of the following case:

Case	Location	Date of Death
18-001	Virginia Beach City Jail	1/8/18

Board of Corrections
Jail Review Committee
July 17, 2019

In consideration thereof, and in recognition of the significant and commendable actions taken by your agency to remediate the above violation, the Board **HEREBY** takes **NO FURTHER ACTION**.

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

General Discussion

None

Other Comments

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

DRAFT