

THE VIRGINIA BOARD OF CORRECTIONS

The Virginia Board of Corrections (Board) met on Wednesday, July 18, 2018 at the Department of Corrections (VADOC) Headquarters, 6900 Atmore Drive, Richmond, Virginia 23225.

SPECIAL GUESTS: Deputy Secretary of Public Safety and Homeland Security Jae K. Davenport
Davis Gammon, Fellow to the Deputy Secretary of Public Safety and Homeland Security

BOARD MEMBERS PRESENT: Bobby Vassar, Vice Chairman
John F. Anderson, Jr., Secretary
William T. Dean
The Honorable Vernie W. Francis
Olivia J. Garland, Ph.D.
The Honorable Charles Jett
Heather Masters, M.D., S.F.H.M., F.A.C.P.
Karen Nicely

BOARD JAIL REVIEW UNIT: Steven Goff, Investigative Analyst
Brian Sutherland, Policy Analyst

BOARD COUNSEL: Phillip Figura, Esq., Office of the Attorney General

BOARD MEMBERS ABSENT: Reverend Kevin L. Sykes

VADOC STAFF PRESENT: Erma Locust, Compliance Certification and Accreditation Unit
Bob Casey, Compliance Certification and Accreditation
Scott Richeson, Deputy Director of Reentry and Programs
Greg Carter, Communications Unit
Dawn Kriigel, Policy and Initiatives Unit
Lucinda Childs-White, Human Resources Unit
Tori Raiford, Chief of Restrictive Housing and Serious Mental Illness
Donna Foster, Administrative Support, Department of Corrections

GUESTS PRESENT: Dwayne Lockhart, SWVRJA-Abingdon
Tony Mullins, SWVRJA-Abingdon
Arnie Holmes, Essex County Sheriff's Office
Patrick Wilson, Richmond Times Dispatch
New Oliver, Virginia Mercury
Bruce Crusier, Mental Health America-Virginia
Bill Farrar, ACLU Virginia
Interfaith Action for Human Rights Members:
Rabbi Charles Feinberg, Executive Director
David Smith
Rhonda Peterson

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Laura May
Interfaith Action for Human Rights Members, cont.:
Gay Gardner
Mateo Gasparotto
Holly Traylor

CALL TO ORDER

Vice Chairman Vassar called the meeting to order at 1:12 p.m.

DETERMINATION OF QUORUM

Vice Chairman Vassar determined there was a quorum present.

WELCOME AND INTRODUCTIONS

Vice Chairman Vassar welcomed everyone in attendance. He asked all attendees to introduce themselves.

APPROVAL OF SEPTEMBER BOARD MINUTES

Vice Chairman Vassar presented the May 16, 2018 minutes for review and approval.

Upon a **MOTION** by Vice Chairman Vassar and duly seconded, the members voted unanimously to **APPROVE** the May 16, 2018 Board meeting minutes.

PUBLIC COMMENT PERIOD

Rabbi Feinberg described his group, Interfaith Action for Human Rights as people of faith for Virginia the District of Columbia and Maryland, a regional human rights group whose mission it is to end policies and practices that promote torture in our society with the major agenda of ending solitary confinement. They are asking the Board of Corrections to conduct an independent investigation into the use of restrictive housing as well as the use among those with mental illness and review how many people are being released to the community following being housed in restrictive housing.

Bill Farrar, ACLU-Virginia provided a report on solitary confinement conducted by his organization and repeated the request made by Rabbi Feinberg. The report he provided was insufficient to give to all attendees and is available on www.ACLUVA.org.

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PRESENTATIONS

Dawn Kriigel for Jim Bruce

Ms. Kriigel advised that Mr. Bruce has submitted fast track proposed changes to 6VAC15-40-77 Provision of Hygiene Items to the Secretary of Public Safety. The new language reads: "The facility shall provide a toothbrush and toothpaste or toothpowder to each inmate upon admission to the general population. Female hygiene items, as defined by the facility policy shall be provided to each female inmate without charge notwithstanding security considerations, shaving equipment including a mirror and haircuts shall be made available and the hygiene needs of all inmate shall be met". As a fast track action there is only one step involved in approval. This is considered non-controversial making it eligible for fast track.

LIAISON COMMITTEE UPDATE

Mr. Anderson provided an overview of the Funding and Budget Issues Report, Prison Population Report, the Jail Construction Update, Offender Management Services update as well as other business.

Mr. Anderson reported that Ms. deSocio reported that the budget has been approved since the May meeting. The Compensation Board released budgets on June 15, 2018. Some per diem increases were approved but the Compensation Board anticipates that their per diem payments will be less than the approved funding. The forecasting season will begin soon and they will again begin reviewing trends. These reviews will determine the per diem needs for this and the next fiscal years. A 2% across the board salary increase was approved effective 6/1/19 for constitutional officers, sheriff's deputies and state employees. Entry level deputies and sheriff's offices were approved for salary increases effective 2/1/19 that include revenue contingencies. They should know about the contingencies within the next couple of months. Approved funding also included preliminary staffing needs for Prince William/Manassas Regional Jail. Henry County Jail will not need staffing funding for some time.

Mr. Anderson reported that Mr. Casey reported that Chesapeake Correctional Center has reached substantial completion. The smoke test and walk-through of the final construction will be tomorrow. Piedmont Regional Jail is on schedule with final completion expected in mid-November 2018. Southside Regional Jail's security door upgrade/replacement is expected to reach completion at the end of this month. Northwestern Regional Adult Detention Center's Security control system upgrade/replacement has experienced delays due to the contractor out of Texas. It was originally expected to reach completion by the end of this month, but may be delayed until the end of the year. Prince William/Manassas Regional Jail's Phase II, 204-bed expansion, has an anticipated completion date of March 2020. Henry County Jails has completed 60% of the construction documentation. They received bids for the Value Management Analysis yesterday and an anticipated start date in June 2019 with completion expected in November 2021.

Mr. Anderson reported that Jim Parks reported the out-of-compliance total was 3,502 with 3,200 being male and 302 being female. No additional beds for male offenders are anticipated, but Virginia Correctional

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Center for Women will add approximately 50 beds within the next month. These are all general population beds with access to medical and mental health treatment.

JAIL REVIEW COMMITTEE REPORT

Mr. Francis made the following in the form of a motion:

I move that the following cases were reviewed and revealed no evidence of any act of or by omission by the facility or any employee or agent thereof that may have directly or indirectly contributed to the inmate's death. The jails were in compliance with the regulations promulgated by the Board of Corrections and no deficiencies noted within the provisions of the Virginia Administrative Code.

Case	Location	Date of Death
17-0002	Piedmont Regional Jail	10/06/17
17-0003	Culpeper County Sheriff's Department	10/09/17
17-0008	Chesapeake City Sheriff's Office	11/21-17
17-0009	Newport News City Sheriff's Office	11/22/17
17-0011	Hampton Roads Regional Jail	12/1/17
17-0013	Hampton Roads Regional Jail	12/14/17
17-0014	Roanoke County Sheriff's Department	12/20/17
18-0002	Hampton Roads Regional Jail	1/17/18
18-0004	Rappahannock Regional Jail	1/22/18
18-0005	Northern Neck Regional Jail	1/22/18
18-0006	Southwest Virginia Regional Jail-Haysi	1/29/18
18-0012	Western Virginia Regional Jail	7/02/17
18-0017	Chesapeake City Sheriff's Department	7/23/17
18-0018	Hampton Roads Regional Jail	7/25/17
18-0020	Southwest Virginia Regional Jail-Abingdon	8/11/17
18-0024	Hampton Roads Regional Jail	8/22/18
18-0027	Meherrin River Regional Jail	9/02/17
18-0028	Roanoke City Sheriff's Department	9/09/17
18-0014	Fairfax County Jail	7/2/17
18-0029	SWVRJA-Abingdon	9/12/17
18-0032	SWVRJA-Abingdon	3/20/18
18-0038	Chesterfield County Jail	4/15/18
18-0040	Riverside Regional Jail	4/14/18

Upon a **Motion** by Jail Review Committee Chairman Francis and duly seconded, the attending members voted unanimously to **Approve** the above recommendations.

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

By recommendation of the Compliance, Certification and Accreditation Unit to approve as follows:

Unconditional certification as a result of 100% compliance for:

Central Virginia Regional Jail
Hampton Roads Regional Jail
Carroll County Lockup
Garfield Eastern District Station Lockup
Pamunkey Regional Jail

Unconditional certification for:

Southwest Virginia Regional Jail Authority - Abingdon

Unconditional Certification to include re-certification to hold male and female juveniles in accordance with §16.1-249.G of the Code of Virginia for:

Essex County Lockup

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

The Board of Corrections, in recognition of the outstanding achievement of 100% compliance with standards, approves the suspension of the 2018 annual inspections for the Central Virginia Regional Jail, Hampton Roads Regional Jail, Carroll County Lockup, Garfield Eastern District Station Lockup and Pamunkey Regional Jail.

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

GENERAL DISCUSSION

Vice Chairman Vassar asked the Board to approve standard license plates for Mr. Goff per the request of Deputy Secretary Davenport. She advised that the Board needed to vote to approve the plates as Mr. Goff is employed by the Board of Corrections. This is customary for Parole Examiners employed by the Parole Board and Investigators employed by the Virginia Department of Corrections

Vice Chairman Vassar offered the following in the form of a motion:

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I move that the Board Approve/Authorize Mr. Goff to operate a state vehicle with standard license plates.

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

Vice Chairman Vassar noted that Mr. Sutherland resigned from his position as Policy Analyst for the Board of Corrections. The General Assembly approved a full-time position in the 2017 session that the Board opted to divide into two part-time positions. A second full-time position was approved by the legislature during the 2018 session and the Board chose to apply the position toward a Policy Analyst. This position is still under review by the Office of the Secretary of Public Safety.

Vice Chairman Vassar advised that the Governor has set forth plans for the 2019 legislative session and legislation for consideration must be submitted in August. Mr. Figura advised that he would assist Mr. Goff with preparation of language for open session considerations.

Vice Chairman Vassar appointed a nominating committee during the July meeting to choose a nominee for Interim Board of Corrections Chairman. The nominating committee chose Mr. Vernie W. Francis.

Vice Chairman Vassar offered the following in the form of a motion:

I move that the Board Elect Mr. Francis as Interim Chairman of the Board of Corrections.

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

Vice Chairman Vassar offered the recommendations of the nominating committee for annual elections in September as follows:

The Honorable Vernie W. Francis, Jr for Chairman
Bobby Vassar for Vice Chairman
John H. Anderson, Jr. for Secretary

CLOSED SESSION

None

ADDITIONAL ITEMS FOR DISCUSSION

None

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FUTURE MEETING DATES

November 14, 2018

ADJOURNMENT

There being no further business to discuss before the Board of Corrections, upon a *Motion* by Chairman Randall and duly seconded, the meeting was *Adjourned* by unanimous vote of the attending members.

APPROVED:

The Honorable Vernie W. Francis, Jr., Chairman

John F. Anderson, Jr., Secretary

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