

# THE VIRGINIA BOARD OF LOCAL AND REGIONAL JAILS

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The Virginia Board of Local and Regional Jails (Board) met on Wednesday, September 16, 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  
The Honorable Charles Jett  
Heather Masters, M.D., S.F.H.M., F.A.C.P.  
Karen Nicely, LPC  
Joanne Peña  
Reverend Kevin L. Sykes

**BOARD COUNSEL:** Phillip Figura, Office of the Attorney General

**ATTENDEES:** Emmanuel Fontenot, Virginia Department of Corrections  
Tawana Ferguson, Virginia Department of Corrections  
Bob Casey, Virginia Department of Corrections  
Steve Goff, Virginia Department of Corrections  
Jeffery Newton, Middle River Regional Jail

## **BOARD ATTENDANCE ROLL CALL:**

<b>John F. Anderson, Jr.</b>	<b>Yay</b>
<b>Vernie, W. Francis, Jr.</b>	<b>Yay</b>
<b>Dr. Olivia Garland</b>	<b>Yay</b>
<b>Charles Jett</b>	<b>Yay</b>
<b>Dr. Heather Masters</b>	<b>Yay</b>
<b>Karen Nicely</b>	<b>Yay</b>
<b>Joanne Peña</b>	<b>Yay (connection problems)</b>
<b>Reverend Kevin Sykes</b>	<b>Yay</b>
<b>Bobby Vassar</b>	<b>Yay</b>

9 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 Mr. Anderson and Seconded by Mr. Jett

**BOARD ROLL CALL VOTE:**

<b>John F. Anderson, Jr.</b>	<b>Yay</b>
<b>Vernie, W. Francis, Jr.</b>	<b>Yay</b>
<b>Dr. Olivia Garland</b>	<b>Yay</b>
<b>Charles Jett</b>	<b>Yay</b>
<b>Dr. Heather Masters</b>	<b>Yay</b>
<b>Karen Nicely</b>	<b>Yay</b>
<b>Reverend Kevin Sykes</b>	<b>Yay</b>
<b>Bobby Vassar</b>	<b>Yay</b>
<b>Joanne Peña</b>	<b>Dropped off call, later confirmed approval</b>

8 Votes in **FAVOR** of the **MOTION**, one **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 August 19<sup>th</sup>, 2020 minutes.

I MOVE that the Board APPROVE the August 19<sup>th</sup>, 2020 meeting minutes

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

**ROLL CALL VOTE:**

<b>John F. Anderson, Jr.</b>	<b>Yay</b>
<b>Vernie, W. Francis, Jr.</b>	<b>Yay</b>
<b>Dr. Olivia Garland</b>	<b>Yay</b>
<b>Charles Jett</b>	<b>Yay</b>
<b>Dr. Heather Masters</b>	<b>Yay</b>
<b>Karen Nicely</b>	<b>Yay</b>
<b>Reverend Kevin Sykes</b>	<b>Yay</b>
<b>Bobby Vassar</b>	<b>Yay</b>
<b>Joanne Peña</b>	<b>Yay</b>

9 Votes in **FAVOR** of the **MOTION – MOTION CARRIES**

**NOMINATING COMMITTEE**

Chairman Francis appointed John F. Anderson, Jr. as Chairman of the Nominating Committee and appointed Reverend Kevin L. Sykes and Dr. Olivia Garland as committee members. Mr. Anderson Advised that no members offered to volunteer for the Chairman, Vice-Chairman or Secretary duties, therefore, the nominating committee recommended re-election of the current officers as follows:

- Vernie W. Francis, Jr – Chairman
- Bobby N. Vassar – Vice Chairman
- John F. Anderson, Jr. – Secretary

Motion read by made by Dr. Garland and Seconded by Ms. Peña.

**BOARD ROLL CALL VOTE:**

<b>John F. Anderson, Jr.</b>	<b>Yay</b>
<b>Vernie, W. Francis, Jr.</b>	<b>Yay</b>
<b>Dr. Olivia Garland</b>	<b>Yay</b>
<b>Charles Jett</b>	<b>Yay</b>
<b>Dr. Heather Masters</b>	<b>Yay</b>
<b>Karen Nicely</b>	<b>Yay</b>
<b>Joanne Peña</b>	<b>Yay</b>
<b>Reverend Kevin Sykes</b>	<b>Yay</b>
<b>Bobby Vassar</b>	<b>Yay</b>

9 Votes in **FAVOR** of the **MOTION– MOTION CARRIES**

## **STEVE GOFF UPDATE**

Mr. Goff updated the current status of jail death reviews as follows:

During the calendar year of 2020, there have been a total of 30 deaths from 2020 and 1 from 2019, 4 more than during 2019. He is currently reviewing:

- 26 deaths listed as natural causes;
- 5 suicides;
- 31 open reviews;
- 18 awaiting Medical Examiner reports;
- 9 have been approved for closing by the Jail Review Committee and are recommended to go to the full Board;
- 25 additional investigations have been completed and are awaiting review by the Jail Review Committee;
- Since inception of the Jail Review Committee, there have been a total of 155 deaths, 124 investigations have been completed and 31 are in progress.

## **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:**

Albemarle-Charlottesville Regional Jail  
Mount Vernon District Lockup

**Unconditional certification for:**

Fluvanna County Lockup

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

Montgomery County Jail  
Chesapeake Correctional Center  
Virginia Beach Lockup #3

**Motion by Mr. Vassar and duly seconded by Mr. Anderson.**

**ROLL CALL VOTE:**

<b>John F. Anderson, Jr.</b>	<b>Yay</b>
<b>Vernie, W. Francis, Jr.</b>	<b>Yay</b>
<b>Dr. Olivia Garland</b>	<b>Yay</b>
<b>Charles Jett</b>	<b>Yay</b>
<b>Dr. Heather Masters</b>	<b>Yay</b>
<b>Karen Nicely</b>	<b>Yay</b>
<b>Joanne Peña</b>	<b>Yay</b>
<b>Reverend Kevin Sykes</b>	<b>Yay</b>
<b>Bobby Vassar</b>	<b>Yay</b>

9 Votes in **FAVOR** of the **MOTION – 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 Albemarle-Charlottesville Regional Jail and Mount Vernon District Lockup.**

**Motion by Mr. Jett and duly seconded by Dr. Garland.**

**ROLL CALL VOTE:**

<b>John F. Anderson, Jr.</b>	<b>Yay</b>
<b>Vernie, W. Francis, Jr.</b>	<b>Yay</b>
<b>Dr. Olivia Garland</b>	<b>Yay</b>
<b>Charles Jett</b>	<b>Yay</b>
<b>Dr. Heather Masters</b>	<b>Yay</b>
<b>Karen Nicely</b>	<b>Yay</b>
<b>Joanne Peña</b>	<b>Yay</b>
<b>Reverend Kevin Sykes</b>	<b>Yay</b>
<b>Bobby Vassar</b>	<b>Yay</b>

9 Votes in **FAVOR** of the **MOTION – MOTION CARRIES**

MIDDLE RIVER REGIONAL JAIL

BOARD ACTION REQUIRED

Proposed Board Motion to Approve/Disapprove to allow the Community Based Corrections Plan.

**The Board of Local and Regional Jails approves the Community Based Corrections plan for the Middle River Regional Jail in support of their need for a project to construct a new 400-bed expansion and renovation of their jail facility.**

**Motion by Mr. Jett and duly seconded by Mr. Vassar.**

**ROLL CALL VOTE:**

<b>John F. Anderson, Jr.</b>	<b>Yay</b>
<b>Vernie, W. Francis, Jr.</b>	<b>Yay</b>
<b>Dr. Olivia Garland</b>	<b>Yay</b>
<b>Charles Jett</b>	<b>Yay</b>
<b>Dr. Heather Masters</b>	<b>Yay</b>
<b>Karen Nicely</b>	<b>Yay</b>
<b>Joanne Peña</b>	<b>Yay</b>
<b>Reverend Kevin Sykes</b>	<b>Yay</b>
<b>Bobby Vassar</b>	<b>Yay</b>

9 Votes in **FAVOR** of the **MOTION – MOTION CARRIES**

Proposed Board Motion to approve the 400-bed expansion and renovation of the Middle River Regional Jail

**The Board of Local and Regional Jails *APPROVES* the request from the Middle River Regional Jail Authority for State funding for construction reimbursement for a new 400-bed expansion and renovation of the Middle River Regional Jail. This approval recognizes a total eligible cost of \$96,501,722 of which up to 25% or \$24,125,430 would be the State reimbursement. Such reimbursement is subject to the availability of funds and compliance with Board Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, 2018 and Sections 53.1-80 through 82 of the Code of Virginia.**

**Motion by Mr. Vassar and duly seconded by Mr. Anderson.**

**ROLL CALL VOTE:**

<b>John F. Anderson, Jr.</b>	<b>Yay</b>
<b>Vernie, W. Francis, Jr.</b>	<b>Yay</b>
<b>Dr. Olivia Garland</b>	<b>Yay</b>
<b>Charles Jett</b>	<b>Yay</b>
<b>Dr. Heather Masters</b>	<b>Yay</b>
<b>Karen Nicely</b>	<b>Yay</b>
<b>Joanne Peña</b>	<b>Yay</b>
<b>Reverend Kevin Sykes</b>	<b>Yay</b>
<b>Bobby Vassar</b>	<b>Yay</b>

9 Votes in **FAVOR** of the **MOTION – MOTION CARRIES**

**ADDITIONAL ITEMS FOR DISCUSSION**

Chairman Francis advised that the position of Policy Analyst for the Board had been filled by Audrey Michael. She holds a Bachelor’s degree in business as well as a Master’s degree in business administration. She was previously employed by The Virginia Department of Transportation. She also served as a Deputy Sheriff for the Henrico County Sheriff’s Department. The Board welcomes her to her new position

Dr. Garland will be sending the Behavioral Health Standards as well as a cross walk for the next meeting. Mr. Vassar advised that he prefers the Google Meets format to the Verizon Meeting format.

Mr. Anderson offered the following in the form of a motion:

**I MOVE that the meeting be adjourned.**

**ROLL CALL VOTE:**

<b>John F. Anderson, Jr.</b>	<b>Yay</b>
<b>Vernie, W. Francis, Jr.</b>	<b>Yay</b>
<b>Dr. Olivia Garland</b>	<b>Yay</b>
<b>Charles Jett</b>	<b>Yay</b>
<b>Dr. Heather Masters</b>	<b>Yay</b>
<b>Karen Nicely</b>	<b>Yay</b>
<b>Joanne Peña</b>	<b>Yay</b>
<b>Reverend Kevin Sykes</b>	<b>Yay</b>
<b>Bobby Vassar</b>	<b>Yay</b>

9 Votes in **FAVOR** of the **MOTION – MOTION CARRIES**

**Adjourned**