

Final/Approved for December 14, 2016
THE VIRGINIA BOARD OF CORRECTIONS

The Virginia Board of Corrections (Board) met on Wednesday, December 14, 2016 at the Department of Corrections (VADOC) Headquarters, 6900 Atmore Drive, Richmond, Virginia 23225.

MEMBERS PRESENT: Bobby Vassar, Vice Chairman
John F. Anderson, Jr., Secretary
Reverend Dr. Yvonne Jones Bibbs
Ann Gardner
Reverend Kevin L. Sykes

MEMBERS ABSENT: Phyllis Randall, Chairman (Attendance by Phone)
Colin P. O'Dawe

VADOC STAFF PRESENT: Donna Lawrence, Compliance Certification and Accreditation Unit
Bob Casey, Compliance, Certification and Accreditation Unit
James Bruce, Policy and Initiatives Unit
Donna P. Foster, Administrative Support-Board of Corrections

GUESTS PRESENT: Dick Hall-Sizemore, Department of Planning and Budget
Jamie Pham, Vectre Corporation

OTHER: Phillip Figura, Office of the Attorney General (Attendance by Phone)

CALL TO ORDER

Vice Chairman Vassar called the meeting to order at 12:27 p.m.

DETERMINATION OF QUORUM

Vice Chairman Vassar determined there was a physical quorum present.

WELCOME AND INTRODUCTIONS

Vice Chairman Vassar welcomed everyone in attendance.

MOMENT OF SILENCE

Vice Chairman Vassar asked all attendees to have a moment of silence in memory of Beverly Hill-Murray in remembrance of the tremendous amount of support she provided for this Board.

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APPROVAL OF OCTOBER BOARD MINUTES

Vice Chairman Vassar presented the October minutes for review and approval.

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

PUBLIC COMMENT PERIOD

No public comment made.

PRESENTATIONS

There were no presentations.

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 did not attend the meeting and advised that the Compensation Board sent a budget request package for consideration for the upcoming budget bill to be presented to the General Assembly on December 16, 2016. Funding items requested related to jails include funding for the staffing for Chesapeake City Jail's expansion, opening late fiscal year 2018 (FY18) for \$709,000 at an annual cost of \$2.5 million; funding for up to 69 emergency correctional officers for jail overcrowding at \$2.2 million annually and funding for offices/jails still awaiting participation in the Master Deputy/Master Jail Officer program at \$2.2 million annually. It was not necessary at this time based on current inmate population forecasts and out-of-compliance inmate populations in the jail to seek additional funding for quarterly per diem payments for the current year or for FY18. She stated that they will continue to monitor and reevaluate as needed, funding needs for per diem payments this year as we proceed into the legislative session.

Mr. Anderson reported that Mr. Casey advised that there was nothing new to report.

Mr. Anderson reported that Mr. Parks reported that there are currently 4,245 out-of-compliance inmates which is down about 300 since the last meeting. The Culpeper facility for women is still on hold due to funding issues by the legislature with no tentative opening date yet. A new reception center was opened recently at Nottoway Correctional Center, which is why the out-of-compliance numbers are down somewhat.

ADMINISTRATION COMMITTEE UPDATE

No Administration Committee meeting was held.

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

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Ms. Gardner reported that the November Correctional Services Committee was brief and only required approval of the October Minutes.

ADDITIONAL ITEMS FOR DISCUSSION

Mr. Vassar mentioned a newspaper article that had been brought to his attention prior to the meeting. The article was published following the November meeting which failed to reach quorum and was canceled and rescheduled for December 14th. Mr. Vassar noted that the reporter who wrote the article referred to Board member discussions that were a reflection of idle chat pending the determination of a failure to reach quorum, therefore not a matter of public record, nor during an official meeting. This was not clearly noted in the article.

Donna Lawrence reported that the Department of Justice will be investigating two deaths at the Hampton Roads Regional Jail. One death involves a young male with mental health issues who was court ordered to be admitted to Eastern State Hospital. The first court order was reportedly not received by the hospital and the second court order was placed in a drawer and the young male was never admitted. The other death involved a gentleman who died at the facility and his belongings were given to his family. The family found a grievance in the pocket of his belongings, written by the deceased stating that he needed to be seen by the medical department after blacking out two times. The response written on the grievance indicated that he did not need to be seen and the man died within days.

Mr. Figura reported that there is pending legislation proposed by Delegate Rob Bell involving the Board of Corrections' Powers and Duties. Several months ago, the Board members had discussed a meeting held with Delegate Bell, Chairman Randall, Donna Lawrence and others concerning the Board investigating jail deaths. During that meeting, the members were in agreement that they did not wish to have the responsibility of jail death investigation and reported this decision to Delegate Bell by letter. Mr. Figura noted that as a citizen board, meeting six times per year, this board is certainly not set up nor equipped to investigate deaths. He added that there may be a budget attached to this legislation to provide for a staff of two or three full time employees to address this matter on behalf of the Board. This legislation is subject to numerous changes before final determination is made. Mr. Vassar questioned the position of the Board in the event that they certified a facility as 100% compliant by the Board of Corrections and which was then investigated by the same body. He expressed concern about being the body that determines standards as well as the same body that investigates deaths.

Reverend Bibbs expressed her desire to visit some jails in 2017. Mr. Anderson noted the difficulties of conducting a meeting at a jail. It was suggested that jail visits could occur the afternoon prior to the meeting, when members who travel and stay the night have arrived in the area. Pastor Sykes asked what their purpose would be in visiting jails. Vice Chairman Vassar suggested that they visit as observers touring a facility only, not as if they are conducting standards reviews.

Ms. Lawrence advised that she had just received notification of the death of Gene Johnson, former, Director, Virginia Department of Corrections.

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PENDING FUTURE MEETING DATES

March 15, 2017
May 17, 2017
July 19, 2017
September 20, 2017
October 18, 2017
November 15, 2017

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 at 1:04 p.m.

APPROVED:

Phyllis J. Randall, Chairman

John F. Anderson, Jr., Secretary