

FINAL/Approved
THE VIRGINIA BOARD OF CORRECTIONS

The Virginia Board of Corrections (Board) met on Wednesday, September 19, 2018 at the Department of Corrections (VADOC) Headquarters, 6900 Atmore Drive, Richmond, Virginia 23225.

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

BOARD JAIL REVIEW UNIT: Steven Goff, Investigative Analyst

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

BOARD MEMBERS ABSENT: The Honorable Charles Jett

VADOC STAFF PRESENT: Emmanuel Fontenot, Compliance, Certification and Accreditation Unit
Erma Locust, Compliance Certification and Accreditation Unit
Bob Casey, Compliance Certification and Accreditation
James Bruce, Policy and Initiatives Unit
Rebecca Hancock, Policy and Initiatives Unit
Gabriella Pino-Moreno, Policy and Initiatives Unit
Donna Foster, Administrative Support, Department of Corrections

GUESTS PRESENT: Sheriff Gabe Morgan, Newport News City Jail
Cindy Depoy, Prince William/Manassas Regional Jail
Mandy Lambert, Prince William/Manassas Regional Jail
Frank Green, Richmond Times Dispatch
Ned Oliver, Virginia Mercury
Bruce Crusier, Mental Health America-Virginia
Nicole Tortoriello, ACLU Virginia
Mark Dix, Member of Public
Suzanne Oliver, Member of Public
Connie Oliver, Member of Public

CALL TO ORDER

Chairman Francis called the meeting to order at 12:28 p.m.

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DETERMINATION OF QUORUM

Chairman Francis determined there was a quorum present.

WELCOME AND INTRODUCTIONS

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

APPROVAL OF SEPTEMBER BOARD MINUTES

Vice Chairman Vassar presented the July 18, 2018 minutes for review and approval.
Chairman Francis

Upon a ***MOTION*** by Chairman Francis and duly seconded, the members voted unanimously to ***APPROVE*** the July 18, 2018 Board meeting minutes.

PUBLIC COMMENT PERIOD

None

NOMINATING COMMITTEE

Mr. Anderson reported on the findings of the nominating committee:

I move that the Board of Corrections Approve the report of the Nominating Committee as follows:

Mr. Francis for Chairman
Mr. Vassar for Vice Chairman
Myself, Mr. Anderson for Secretary

Upon a ***MOTION*** by Mr. Anderson and duly seconded, the members voted unanimously to ***APPROVE*** the recommendations of the Nominating Committee.

PRESENTATIONS

Jim Bruce

Mr. Bruce reported that the regulatory action of the feminine hygiene bill is in process. Delegate Kaye Kory, the sponsor of the bill clarified her intent of the inclusion of sanitary napkins and tampons being offered to female inmates free of charge and she requested that the work ‘reasonable’ be removed from the standard to be amended as follows:

“The facility shall provide soap, a toothbrush, and toothpaste or toothpowder to each inmate upon admission to the general population. Feminine hygiene items, including sanitary napkins and tampons, (as defined by

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facility policy) shall be provided upon reasonable request to each female inmate assigned to the general population without charge. Notwithstanding security considerations, shaving equipment, including a mirror, and haircuts shall be made available, and the hygiene needs of all inmates shall be met.”

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 Tim Trent served as chairman of the Liaison Committee meeting.

Mr. Anderson reported that Jim Bruce reported a similar presentation as detailed previously in this meeting.

Mr. Anderson reported that Ms. deSocio reported that the inmate forecast process is almost complete. The official forecast will support the Compensation Board’s determination of whether they are sufficiently funded for per diem payments. The Compensation Board staff is working with the Virginia Department of Corrections (VADOC) on a data exchange program with the Department of Medical Assistance Services (DMAS) and will participate in meetings with the local facilities in an attempt to ensure support for providing the jails information necessary to go forward. The budget development process for the upcoming release of the Governor’s budget in December is under way. We are currently in the mid-cycle of the two-year budget process, typically focused on amendments. New funding is not likely for programs or initiative. Current focus is on existing program needs, per diems, new jail expansions and staffing. Two new auditors have been hired who will address a variety of issues. The Compensation Board has requested monthly summaries from jails to allow them to identify jails in need of assistance.

Mr. Anderson reported that Mr. Casey reported that Chesapeake Correctional Center is complete and undergoing a normal shakedown period. Piedmont Regional Jail is nearing completion with substantial completion expected around December 2018. Southside Regional Jail’s security door upgrade/replacement has reached completion, which was delayed due to problems with the keys breaking off in the locks, which has been corrected. Prince William/Manassas Regional Jail’s Phase II, 204-bed expansion, has begun to take shape with the assembly of precast walls and cells. Completion is expected around March, 2020. Henry County Jail’s Value Management Analysis has been completed. The A/E is reviewing for potential cost reduction. The final report will be available the first week of October. Construction begins in June, 2019 with completion expected around November 2021.

Mr. Anderson reported that Jim Parks reported the out-of-compliance total was 3,399 with 3,139 being male and 160 being female. There are no bed changes expected in the foreseeable future with things remaining fairly stable. During the hurricane warning, the population of Indian Creek Correctional Center was transferred to Greenville Correctional Center in anticipation of potential flooding.

JAIL REVIEW COMMITTEE REPORT

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Mr. Dean 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 |
|-------------|------------------------------|----------------------|
| 18-0013 | Newport News City Jail | 7/2/17 |
| 18-0010 | Richmond City Justice Center | 10/23/17 |
| 18-0011 | Henrico County Jail | 12/18/17 |
| 18-0047 | Page County Jail | 6/2/18 |

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

**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:

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

Unconditional certification as a result of 100% compliance for:

Franklin County Jail

Unconditional Certification as a result of 100% compliance to include re-certification to hold male and female juveniles in accordance with §16.1-249.G of the Code of Virginia for:

**Martinsville City Jail/Annex
Newport News City Jail**

Unconditional certification for:

Wythe County Lockup

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

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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 Franklin County Jail, Martinsville City Jail/Annex and Newport News City Jail.

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

GENERAL DISCUSSION

Chairman Francis advised that the Policy Analyst position received 300 applicants and Chairman Francis will update as he is notified of further action. Mr. Fontenot notified the attendees that the applicants had been narrowed to 30 at this time.

CLOSED SESSION

None

ADDITIONAL ITEMS FOR DISCUSSION

None

FUTURE MEETING DATES

Tuesday, January 8, 2019 if approved

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:

Signature on File

The Honorable Vernie W. Francis, Jr., Chairman

John F. Anderson, Jr., Secretary