

FINAL/APPROVED
THE VIRGINIA BOARD OF CORRECTIONS

The Virginia Board of Corrections (Board) met on Wednesday, September 20, 2017 at the Department of Corrections (VADOC) Headquarters, 6900 Atmore Drive, Richmond, Virginia 23225.

MEMBERS PRESENT: Bobby Vassar, Vice Chairman
John F. Anderson, Jr., Secretary
William T. Dean
Sheriff Vernie Francis, Jr.
Olivia Garland, Ph.D.
Heather Masters, M.D., SFHM, FACP
Reverend Kevin L. Sykes

MEMBERS ABSENT: Phyllis Randall, Chairman

VADOC STAFF PRESENT: Erma Locust, Compliance Certification and Accreditation Unit
Teresa Harvey, Compliance, Certification and Accreditation Unit
Bob Casey, Compliance, Certification and Accreditation Unit
Tori Noles, Office of the Secretary of Public Safety
Paul Haymes, Special Investigations Unit
Jim Bruce, Policy and Initiatives Unit
Rebecca Hancock, Policy and Initiatives Unit
Donna P. Foster, Administrative Support-Board of Corrections

GUESTS PRESENT: Phillip Figura, Office of the Attorney General
Jamie Pham, Vectre Corporation
Katy Evans, Richmond Times Dispatch
Melissa Dismond, Member of the Public

CALL TO ORDER

Vice Chairman Vassar called the meeting to order at 12:06 p.m.

DETERMINATION OF QUORUM

Vice Chairman Vassar determined there was a quorum present.

WELCOME AND INTRODUCTIONS

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Vice Chairman Vassar welcomed everyone in attendance as well as Chairman Randall, who joined the meeting by conference call.

APPROVAL OF MAY BOARD MINUTES

Vice Chairman Vassar presented the July 19, 2017 minutes for review and approval.

Upon a ***MOTION*** by Vice-Chairman Vassar and duly seconded, the members voted unanimously to ***APPROVE*** the July 19, 2017 Board meeting minutes.

PUBLIC COMMENT PERIOD

Melissa Dismond addressed the Board with her concerns about Virginia Department of Corrections policy. Her concerns have been referred to the appropriate staff.

NOMINATING COMMITTEE REPORT

Reverend Sykes reported that there were no additional nominees and the committee recommends that those currently holding office remain in their respective positions. Phyllis Randall as Chairman, Bobby Vassar as Vice Chairman and John F. Anderson, Jr. as Secretary.

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

PRESENTATIONS

Jim Bruce

Mr. Bruce reviewed the new Board Policy, Death Report and Death Checklist with the attendees, noted recommended changes and the members voted unanimously to approve the Board Policy as amended.

Upon a ***MOTION*** by Vice Chairman Vassar and duly seconded, the members voted unanimously to ***APPROVE*** the Board Policy, Death Report and Death Checklist as amended.

Mr. Bruce reviewed the Board of Corrections By-Laws, with the attendees, noted recommended changes and the members voted to unanimously approve the By-Laws as amended.

Upon a ***MOTION*** by Ms. Garland and duly seconded, the members voted unanimously to ***APPROVE*** the By-Laws, as amended.

Phillip Figura

Mr. Figura discussed, at length, current Code of Virginia statutes as well as FOIA exemptions for closed session. He suggested that the Board of Corrections may wish to seek additional protections by the legislature with new legislation to protect offenders and potentially their families from open meeting requirements in accordance with current law.

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Currently documents are protected but speech is not and the open meeting requirements for public bodies may hinder discussion during death reviews

Mr. Figura also addressed retention of communications by Board members. Simultaneous communication between board members is considered a meeting, requiring minutes or a recording to be released to the public. He suggested that the reply all option is never utilized among Board member communication additionally suggesting that any broadcast communication be sent through the Board Administrative support staff.

HIPPA laws were discussed and Mr. Figura advised that he would delve into specifics of closed session as it relates to the HIPPA law and bring more information before the Board.

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 September Liaison Committee meeting.

Mr. Anderson reported that Mr. Casey reported the jail construction updates. Mr. Casey indicated that the Chesapeake facility has slightly surpassed the 50% mark on their construction project. Prince William/Manassas Regional Jail is expected to award the contract for their expansion project by next month.

Mr. Anderson reported that Jim Parks did not attend the meeting, but his staff provided out-of-compliance update. The current out-of-compliance total is 2,941, with 2,514 of those offenders being males and 427 being female.

ADMINISTRATION COMMITTEE UPDATE

No Administration Committee meeting was held.

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

Mr. Anderson reported for the Correctional Services Committee.

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

Unconditional certification as a result of 100% compliance for:

Albemarle/Charlottesville Regional Jail
Chesapeake Correctional Center
Mt. Vernon District Lockup

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Unconditional certification for:

Campbell County Adult Detention Center-BRRJA

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

Montgomery County Jail

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

The Board of Corrections, in recognition of the outstanding achievement of 100% compliance with standards, approves the suspension of the 2017 annual inspections for the Albemarle/Charlottesville Regional Jail, Chesapeake Correctional Center and Mount Vernon District Lockup.

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

The Board moves to initiate the final stage of the regulatory process to repeal and replace the existing 6 VAC 15-80 with 6 VAC 15-81 *Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities* in accordance with the Virginia Administrative Process Act.

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

CLOSED SESSION

None

ADDITIONAL ITEMS FOR DISCUSSION

None

FUTURE MEETING DATES

October 18, 2017
November 15, 2017

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ADJOURNMENT

There being no further business to discuss before the Board of Corrections, upon a *Motion* by Vice Chairman Vassar and duly seconded, the meeting was *Adjourned* by unanimous vote at 2:27 p.m.

APPROVED:

Phyllis J. Randall, Chairman

John F. Anderson, Jr., Secretary