

**COMMONWEALTH OF VIRGINIA
BOARD OF CORRECTIONS
LIAISON COMMITTEE MINUTES**

Regular Meeting.....August 20, 2014

Location.....6900 Atmore Drive, Richmond, Virginia

Presiding.....John Roberts, Acting Committee Chairman

Present..... Carl Peed, Member, Board of Corrections
John F. Anderson, Board of Corrections
Phyllis J. Randall, Board of Corrections
Bobby N. Vassar, Board of Corrections
Robyn deSocio, State Compensation Board
Tim Trent, Blue Ridge Regional Jail
Bill Wilson, Local Facilities Unit, Department of Corrections
Brooks Ballard, Local Facilities Unit, Department of Corrections
Jim Bruce, Policy Unit, Department of Corrections
Jim Parks, Offender Management Services Unit, Department of Corrections
David Kidwell, Arlington County Sheriff’s Office
Matt Marsteller, Blue Ridge Regional Jail

The meeting was called to order at 9:31 a.m. and attendees in the room identified themselves for the record. Mr. Robert’s welcomed all attendees.

I. Committee Chairman (Mr. John Roberts at the request of Chairman Simons)

Mr. Roberts advised the members that at the request of Chairman Simons he would chair the meeting in his absence.

Mr. Roberts called for a Motion to approve the July Minutes. Mr. Trent identified two corrections on page 3, paragraph 2 and 3 of the draft minutes. Ms. Gilliam will make the necessary corrections to the minutes.

Upon a ***MOTION*** by Mr. Trent and duly seconded, the July 16 minutes were unanimously ***APPROVED*** as corrected.

II. Funding and Budget Issues (Ms. Robyn deSocio, State Compensation Board)

Ms. deSocio provided an update of events that have occurred since the July meeting. On Friday, August 15, Governor McAuliffe announced that Virginia is facing a larger shortfall in the current two-year state budget than officials had projected earlier in the summer. As a result, state agencies will be asked to submit budget reduction plans.

What portions of funding will be affected is not known at this time and the administration has not outlined specific cuts.

Per diem funding needs for FY15 will be determined after the annual inmate forecasting process has been completed this fall, and the Compensation Board expects to receive a finalized report by October 2014.

Ms. deSocio provided an update on the LIDS-CORIS transition. The Compensation Board continues to evaluate and review forecasting data to ensure the information is correct. They continue reaching out to some of the jails for further review of inmate data. Ms. deSocio advised the members that the data is critical and heavily used for forecasting and the jails are working diligently to ensure the data is accurate and up to date. Performing the necessary reviews will make certain that going forward accurate data is maintained in the system. A change request has been submitted to the vendor to ensure inmate data is updated in each affected month when adjustments are made at a later date, instead of only updating inmate data in the month the adjustment is entered, to ensure proper accounting for inmates and of average daily inmate populations.

Ms. deSocio received and responded to questions regarding annual reports and the impact the budget reduction plans may have. Following a comprehensive discussion, there being no further comments or questions, Ms. deSocio concluded her report.

III. **Prison/Local Jail Population Report and Jail Construction Update – Mr. Bill Wilson**

Mr. Wilson provided the Prison/Jail Population Report and a jail construction update. Mr. Wilson reported that he visited Southwest Virginia with Ms. Ballard to complete its 50% inspection on their three facilities. Ms. Ballard indicated with Board approval today, that the count would be 542.

Mr. Wilson reported as of July 7, the total was 30,377, capacity was 31,381 and the out-of-compliance number was 4,953. He reported the out-of-compliance number is 4,967 as of today, August 20, 2014. Mr. Wilson advised the members that total capacity information includes special purpose, segregation and medical/mental health beds. Mr. Parks reported that there not been many changes overall, however, the out-of-compliance numbers have fluctuated some over the past two months. However, the out-of-compliance numbers are generally 4,700 – 5,000.

Mr. Wilson advised the members that he would recommend the Board to begin enforcing the Restraint Standard effective January 1, 2015. Ms. Randall inquired as to whether guidelines have been determined regarding self-reporting or medical testing. Mr. Wilson advised currently inmate self-reporting is being utilized until further notice.

Ms. Randall requested the definition and clarification of how the out-of-compliance numbers are determined. Mr. Wilson advised out-of-compliance inmates are housed in local and regional jails awaiting a bed at an Institution, which begins on the 61st day after DOC has received the sentencing court order of a state responsible offender. It ends when the offender is brought into a DOC facility. Anything over a year is a state responsible inmate. Anything under 12 months is local/regional responsible.

Mr. Wilson responded to Ms. deSocio's request for an update on Chesapeake and Hampton Roads. Mr. Wilson advised Mr. Simon's absence from the meeting today was to participate in the vote to accept Chesapeake as a regional jail. Mr. Wilson advised that a Request for Proposal (RFP) was in the works but was not sure if it had been posted as of yet. Mr. Wilson reported Hampton Roads Regional Jail is currently only completing security upgrades; at this point, no expansion is in the works although they have been granted permission to do so.

Other Business

Mr. Trent led the discussion regarding Immigration and Customs Enforcement (US Department of Homeland Security (ICE). All sheriffs received correspondence from the American Civil Liberties Union (ACLU) asking that they not honor ICE detainer requirements. Mr. Trent indicated that he has spoken with his legal counsel and has been advised otherwise. In addition to the sheriffs, the ACLU also contacted all media outlets as well. Some states have chosen not to honor the ICE detainer. Following a comprehensive discussion regarding the ICE detainer a requirement, obtaining an opinion from the Attorney General it was determined that Mr. Wilson would research and provide an update at a future meeting.

Mr. Parks reported there have not been many changes. Have noticed female out-of-compliance numbers have reflected an increase over the past couple of months. Mr. Parks advised that taking over the juvenile facility in Culpeper January should relieve any issues.

Ms. Ballard had nothing to report at this time.

Mr. Roberts inquired as to whether there is an update regarding the Federal Communications Commission (FCC) issue discussed the last time the Committee met. Mr. Wilson stated that Mr. Clarke had the vendor reduce the cost of phone calls. Mr. Trent advised the members that four representatives attended the recent FCC meeting. It is strongly believed that the commission will be eliminated. Virginia commissions are at or below what the FCC is recommended. Many feel the commissions are the cause of hidden fees resulting in higher costs for the families of inmates. If the inter-state and intra-state commissions are eliminated the localities will be required to pick up the fees. Mr. Trent previously reported these fees could be as much as \$13million.

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Ms. Randall inquired as to whether the Board would meet during special session of the General Assembly scheduled for next month. Mr. Wilson advised the September 17 meeting would be held as planned.

Other Comments

There being nothing further, by *MOTION* duly made and seconded, the meeting was adjourned.