

**COMMONWEALTH OF VIRGINIA
BOARD OF LOCAL AND REGIONAL JAILS
MEETING MINUTES**

APPROVED 01/18/2023

REGULAR MEETING..... November 16, 2022, 12:00 PM

LOCATION.....6900 Atmore Drive, Richmond, Virginia

PRESIDING.....Vernie Francis, Chairman

BOARD MEMBERS PRESENT: The Honorable Vernie Francis, Chairman
 The Honorable Charles Jett, Vice Chairman
 Cleopatra Booker, PsyD, Secretary
 Michael Carrera
 Tiffany Jenkins
 Amanda Trent
 Roland Sherrod, CPA
 Christopher Strom

BOARD MEMBER(S) ABSENT: Dr. Anita Maybach

EXECUTIVE DIRECTOR: Ryan C. McCord

BOARD STAFF PRESENT: Tawana Ferguson, Regulatory Compliance Supervisor
 Alison Lautz, Jail Death Investigator
 Gerald Olson, Architect
 Colleen Maxwell, Policy Analyst

GUESTS PRESENT: Stacie Sessoms, Office of the Attorney General, Board
 Counsel (remotely)
 Sonny Daniels, Assistant Secretary of Public Safety &
 Homeland Security
 Captain Joshua Fahy, Chesterfield County Sheriff’s Office
 Lt. Colonel Charles Armstrong, Riverside Regional Jail

CALL TO ORDER

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

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DETERMINATION OF QUORUM

Chairman Francis determined there was a quorum present.

APPROVAL OF SEPTEMBER BOARD MINUTES

By motion of Mr. Carrera and seconded by Mr. Strom, the minutes of the September 21, 2022 meeting were approved.

PUBLIC COMMENT

No one present to offer comments.

PRESENTATIONS

No Presentations.

LIAISON COMMITTEE REPORT

No report.

JAIL REVIEW COMMITTEE REPORT

Mr. Sherrod read the motion below as follows:

The Jail Review Committee investigated the following cases by reviewing institutional, medical, and mental health records and other relevant evidence of the circumstances surrounding each death. The Jail Review Committee finds that investigation did not reveal any evidence indicating that the facility was out of compliance with the regulations promulgated by the Board. NOW THEREFORE, I MOVE that the following cases be recommended to the Full Board for closure:

Cases	
20-0004	21-0020
20-0007	21-0025
20-0023	21-0035
21-0041	22-0009
22-0006	22-0027
21-0002	21-0016
21-0057	21-0052

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21-0006	21-0003
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Upon a *Motion* by Mr. Sherrod and duly seconded, the attending members voted unanimously to *Approve* the above recommendations.

Mr. Sherrod as a motion offered the following:

The Jail Review Committee investigated the following cases by reviewing institutional, medical, and mental health records and other relevant evidence of the circumstances surrounding each death. The Jail Review Committee finds that the investigation did reveal evidence indicating that the facility was out of compliance with the regulations promulgated by the Board. However, the Jail Review Committee finds that the corrective actions taken by the jail appropriately addresses the substance of the violation such that no further measures are necessary. NOW THEREFORE, I MOVE that the following cases be recommended to the Full Board for closure:

Case: 20-0040

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

EXECUTIVE DIRECTOR REPORT

Ryan McCord provided the following information for the Board:

- a. Annual Reports Submissions – the annual report of jail death reviews, audits, and inspections will be submitted on December 1, 2022. It will be sent out to Board members for review prior to submission.
- b. Legislative Proposals – no updates on which proposals made it through but he will have more to share by next meeting.
- c. SB 581 Fee Study Group Update – Mr. McCord shared that the SB 581 Workgroup report is due December 1, 2022. He gave an update on the workgroup’s limited progress. Dr. Booker recommended an outside agency conducting the work due to the complexity of data. She added that it should be supported by funding attached to the SB that would likely be carried over to the 2023 session.
- d. Update on Personnel Vacancies – still two vacancies. Inspector position had to be reposted and closes on November 22, 2022. Mr. McCord will be conducting second interviews with two of the finalists for the Executive Secretary position. He hopes that both positions will be filled by the end of December.

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- e. Schedule of 2023 Meetings – with the additional, upcoming work in policy and regulatory activity, the Policy and Regulations Committee will need to be restarted. Discussion of when that committee would meet followed. The consensus was that they would meet the first Wednesday of each month and following full Board meetings. Mr. McCord shared that he would draft a schedule and send it to Chairman Francis for approval.

BY-LAWS REVISION

The members discussed proposed revisions and made recommendations for additional changes to the Board’s By-Laws. The By-Laws will be on the agenda for the first Wednesday in January and then shared with the full Board at the January Board meeting.

CERTIFICATIONS REPORT

Tawana Ferguson - Certifications Report Presentation

1. Dr. Booker offered the following in the form of a motion:

Unconditional certification as a result of 100% compliance with Board standards for the following facilities:

- 1. Smithfield Lockup
- 2. Virginia Beach Lockup #2

Upon a *Motion* by Dr. Booker and second by Sheriff Jett, the attending members voted unanimously to *Approve* the above recommendations.

2. Dr. Booker offered the following in the form of a motion:

In recognition of the outstanding achievements of 100% compliance with Board standards, I recommend suspension of the 2022 annual inspections for the following facilities:

- 1. Smithfield Lockup
- 2. Virginia Beach Lockup #2
- 3. Surry County Lockup

Upon a *Motion* by Dr. Booker and second by Mr. Carrera, the attending members voted unanimously to *Approve* the above recommendations.

3. Dr. Booker offered the following in the form of a motion:

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

- Virginia Beach Lockup #2

Upon a *Motion* by Dr. Booker and a second by Mr. Carrera, the attending members voted unanimously to *Approve* the above recommendations.

4. Dr. Booker offered the following in the form of a motion:

Unconditional certification for the following facility:

- Norfolk City Jail

5. Ms. Ferguson provided Status Updates for the following facilities:

- a. Rappahannock Regional Jail
- b. Henry County Jail
- c. Louisa County Lockup
- d. Blackstone Lockup
- e. Galax Lockup
- f. Appomattox Lockup
- g. Piedmont Regional Jail

CLOSED SESSION

1. Proposed Motion to include Specific Non-Members to Join in Closed Session:

Dr. Booker offered the following as a motion: Before we enter into closed session, pursuant to Virginia Code Section 2.2-3712(F) I *MOVE* to include the following nonmembers as necessary to our consideration of the subject of the closed session:

- a) Ryan McCord
- b) Alison Lautz
- c) Tawana Ferguson
- d) Colleen Maxwell
- e) Sonny Daniels
- f) Stacie Sessoms, OAG, Board Counsel (remotely)

Upon a *Motion* by Dr. Booker and a second by Mr. Carrera, the attending members voted unanimously to *Approve* the above recommendation.

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2. Proposed Motion to enter Closed Session

Dr. Booker offered the following as a motion: I MOVE that the Board of Local and Regional Jails begin CLOSED session pursuant to Virginia Code Section 2.2-3711(A) (8) to consult with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

Upon a *Motion* by Dr. Booker and a second by Mr. Carrera, the attending members voted unanimously to *Approve* the above recommendation.

Enter Closed Session

a. Proposed Motion to Enter Open Session (turn microphones on)

Dr. Booker offered the following as a motion: I *MOVE* that the Board of Local and Regional Jails reconvene our open session having concluded a closed session consult with legal counsel on specific legal matters requiring legal advice. I *MOVE* that this Board and its individual members certify that during the closed session, the Board limited its discussion to matters lawfully exempt from the public meeting requirements and identified in the closed session motion. If a Member cannot so certify, I ask that they state the reason specifically on the record and that the recorder take role.

Upon a *Motion* by Dr. Booker and a second by Sheriff Jett, the attending members voted unanimously to *Approve* the above recommendation.

All members certified.

There being no further business to discuss before the Board of Local and Regional Jails, upon a *Motion* by Dr. Booker and duly seconded, the meeting was *adjourned*.