

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

Regular MeetingMay 20, 2009
Location6900 Atmore Drive, Richmond, Virginia
Presiding.....Jimmy Burrell, Vice Chairman, Board of Corrections
Present Sterling Proffitt, Chairman, Board of Corrections

- Jacqueline Fraser, Member, Board of Corrections
- B. A. Washington, Member, Board of Corrections
- Bobby Mitchell, Member, Board of Corrections
- Chris Smith, Hampton Roads Regional Jail
- Roy Cherry, Superintendent, Hampton Roads Regional Jail
- Bruce Conover, Superintendent, Northwestern Regional Jail
- Steve Draper, Sheriff, Martinsville City Jail
- Elton Blackstock, Superintendent, Blue Ridge Regional Jail Authority
- Tim Trent, Blue Ridge Regional Jail Authority
- Tom Jones, Sheriff, Charlotte County
- Sandra Thacker, Superintendent, Peumansend Creek Regional Jail
- Robyn deSocio, Executive Secretary, Compensation Board
- Gary Bass, Classification and Records, DOC
- Bill Wilson, Supervisor, Compliance and Accreditation, DOC
- Donna Foster, Executive Secretary, Compliance and Accreditation, DOC

The meeting was called to order and attendees were welcomed. No roll was called.

I. Committee Chairman (Mr. Burrell chaired in Mr. Roberts' absence)

- Mr. Burrell called for a motion to approve the March minutes. By MOTION duly made and seconded, the minutes were unanimously APPROVED by the attending committee members.

Robyn deSocio reported the following:

- The LEOS retirement was approved for regional jails. The December governor's budget had a 7% reduction proposed for sheriff's and jails totaling \$29 million from operations expenses. During the General Assembly session, funding was restored for about \$5 million with general fund money and approximately \$23.3 million restored with federal stimulus funds, Byrne/Justice Assistance Grant (JAG). Essentially, there were no reductions taken. Each

locality was designated specific amounts from this funding. Virginia's allocation of the stimulus money was around \$39 million, \$15 million of which goes directly to local governments. Each locality had the ability to seek those funds directly. \$24.2 million of the stimulus money was the allocation to the Commonwealth, approximately 35% of that money was required to be dispersed to local government. Because the General Assembly designated \$23.3 million to localities, the Comp Board required a waiver from the localities as an agreement that the Comp Board would distribute the funds. The \$23.3 million federal money (about 5% of the sheriffs' and regional jails operational budgets). A waiver form was sent out to sheriffs and regional jails in April. Localities that do not want funds distributed by the Compensation Board will have approximately a 5% reduction due to the stimulus funds being taken directly and the stimulus funds must be tracked and reported by each locality that chooses to do so. The breakdown of the allocation of these funds is available on the Compensation Board website. The Federal government has a quarterly reporting requirement, as well as certain criteria requirements, primarily being that it must be used to save jobs. The Compensation Board has inquired if they can provide a central tracking statewide and if that is not an option, they will provide information to localities to assist in the reporting requirement. As is common with federal funding, the Comp. Board expects a delay in actual receipt of the funds and they expect an approximately 3 month delay in reimbursements. The federal assistance is for FY10 (fiscal year 2010) and the revenues have not reflected the anticipated amounts to date, so they are expected to be even lower in FY11 and beyond.

Local responsible populations have been reduced, resulting in reduced payments in FY09 and a surplus going into FY10. Forecasts will be adjusted and the Compensation Board should have those numbers by September.

Fiscal 2010 Jail openings that have received funding approval are phase II of the Rappahannock Regional Jail and Riverside Regional Jail, the first phase of an expansion at Blue Ridge Regional Jail, a Loudoun County Jail Expansion and a New River Valley Regional Jail Expansion, all of which are scheduled to open in FY10.

The Federal Overhead Recovery changed the language somewhat affecting the methodology. The recovery rate has been based upon the "per inmate day salary costs provided by the Commonwealth" and now reads "per inmate day costs provided by the Commonwealth". This allows for office expenses in reimbursements. This added an additional \$256,000 in savings for the Commonwealth. Also, a capitol piece was added to reflect capitol projects. Some options are being reviewed to moderate these changes, such as changing the way it is report in the jail costs report. A language amendment would be requested if the review does not reflect flexibility in the reporting options.

A task force has been formed to review alternatives for non-violent offenders and a meeting is scheduled for later this month (May) as well as a legislative sub-committee has been formed to review jail construction issues and non-violent offenders alternatives sentencing.

At the end of the General Assembly session, no positions were cut, which is extraordinary news because it was not anticipated to end as such. Mr. Proffitt added that he was in agreement with this statement and fully expected jail construction funding to be changed, however methodology changes should be expected in the future.

Bill Wilson reported the following:

- The out-of-compliance rates were 2,578 on May 18, 2009 and have remained fairly steady for the past few months. Gary Bass added that he does not expect any significant changes due to openings or closings of facilities. Western Virginia Regional Jail is now open and has made improvements that are of note, such as recycling rain water from the roof to flush toilets, utilization of laundry rinse water for washing subsequent load of laundry and have overhead HVAC and plumbing. Mr. Wilson recommends visiting the facility if possible to view the innovative technologies utilized. Mr. Proffitt added that he thinks they will be the first jail in the US to be LEED (Leadership in Energy and Environmental Design) certified. New River Regional Jail has reached about 50% completion in their construction and Patrick County will be breaking ground on a new facility in June. Blue Ridge Regional Jail Authority broke ground on their Amherst facility in May. Mr. Wilson has met with members of the legislature and has been advised that the process for requesting funding for construction progress will change significantly. In the past, the community based corrections plan required completion of “alternatives to sentencing” to reduce jail populations, which was funded by the state if implemented. DCJS has received funding to implement this plan and will be reviewing potential utilization of alternative sentencing. Also, if a jail claimed the potential for home electronic monitoring, pre-trial services or probation in the community based corrections plan, they will be asked to approximate the inmate population percentile that can be reduced. The population forecast should reflect this reduction in housing requirements. If 25% of the population can use the alternative sentencing methods, forecasts should reflect 20% less housing requirements for 10 year forecasting.

Funding was revoked for Gloucester and Culpeper due to problems with language. The language attached to the HEM program was defeated in the GA with another bill. This is likely to be revisited in the next session and funding for the program considered as the costs to the Commonwealth are considered significantly less. Previously, inmates were ineligible for good time when

serving home electronic time. This is expected to be addressed in the future session, as well as staffing requirements for tracking.

Ms. deSocio stated that the Compensation Board has a standard covering HEM, but it has never been acknowledged or funded.

Mr. Wilson notified the committee that the DOC has some HEM equipment that is available. Please notify him if you can utilize this equipment and he'll put you in contact with Walt Pulliam (or his replacement).

NOTE: The remainder of the recording was deleted and the following synopsis is abbreviated and may be missing some commentary.

Gary Bass reported the following:

- There are about 15 jail re-entry programs at various jail locations. Input was solicited from sheriffs/jail administrators regarding continuation of the programs which revealed overwhelming support for maintaining the program and hopefully, eventual expansion. He plans to meet with administrators individually to seek increases in participation.

II. Meeting Summary

By MOTION duly made by the acting Chairman of the Liaison Committee, Mr. Burrell, and seconded by several members in attendance, the meeting adjourned.