

Attach p. 4 from May minutes
COMMONWEALTH OF VIRGINIA
BOARD OF CORRECTIONS
LIAISON COMMITTEE MINUTES

Regular MeetingJuly 21, 2010

Location6900 Atmore Drive, Richmond, Virginia

Presiding..... Elton Blackstock, Guest Chairman

PresentJimmy Burrell, Member, Board of Corrections
B. A. Washington, Member, Board of Corrections
Cynthia Alksne, Member, Board of Corrections
Roy Cherry, Hampton Roads Regional Jail
Eugene Taylor, Hampton Roads Regional Jail
Bruce Conover, Northwestern Regional Adult Detention Center
Steve Draper, Sheriff, Martinsville City Jail
Jeff Frazier, Superintendent, Northern Neck Regional Jail
Ron Elliott, Deputy Superintendent, Peumansend Creek Regional Jail
Keith Lockridge, Charlotte County Jail
Robyn deSocio, Compensation Board
G. Anthony Ford, Academy for Staff Development, DOC
Gary Bass, Classification and Records, DOC
Kim Lipp, Architecture and Engineering, DOC
Brooks Ballard, Architecture and Engineering, DOC
Jef Sevenker, Compliance and Accreditation, DOC
Donna Foster, Compliance and Accreditation, DOC

The meeting was called to order and attendees were welcomed.

I. Committee Chairman (Elton Blackstock, Guest Chairman)

- Mr. Blackstock called for a motion to approve the May minutes. Mr. Burrell asked for a change to p. 4, paragraph 3, sentence 3, “Mr. Burrell suggested that the state review the incarceration criteria saying that many people are incarcerated who should not be considered lawbreakers or dangerous to public safety.” He asked to strike “lawbreakers”. Correction made and p. 4 attached in this package.
By MOTION duly made and seconded, the minutes were unanimously APPROVED with amendments by the attending committee members.

II. Meeting Summary

Robyn deSocio reported the following:

- There have been some budget changes since the March meeting from the veto session affecting the retirement rate reimbursements, group insurance rate reimbursements and reductions from the vacancy freeze conversions for across the board reductions. Governor McDonnell submitted an amendment that allowed for the use of the savings from the retirement rate changes to be used to offset the former vacancy freeze and associated funding. The final impacts reflect just under a 4% reduction in operating budgets, staff and expenses for fiscal year 2011 (FY11) for sheriff's offices and regional jails. The board allocated those reductions by reducing hourly wage funds and office expense funds where possible. Regarding issues affecting staffing, offices were given the option to redistribute that amount in the month of May, if they had a preferred allocation. An issue arose about positions that were being eliminated with the reductions and the Compensation Board was asked by most associations to reconsider keeping those positions in the budget even though they were unfunded, to which the Compensation Board agreed. Budgets were provided to all localities by June 1st. Reimbursements begin in August with payments in arrears under the new budget.

The changes in the per diem rates go into effect with the payment of the first quarter payments. The rate will reflect the inmate populations beginning in March because payments are based on inmate populations from March, April and May. When the veto session ended, there was a \$2 million reduction, in addition to the reductions in rates. Ms. deSocio stated that she anticipates somewhat of a shortfall toward the end of FY11. Forecasting will begin in the next couple of months giving the Compensation Board a better picture of what to expect regarding funding by October 1st.

There was not much funding approved for new facilities in the new fiscal year. There were some funds approved for an expansion at Rappahannock Regional Jail, also some funding for Patrick County and Loudoun County. They will continue to go through the summer budget development process for any amendments that would be submitted for the next fiscal year. Facility openings in FY12 will be addressed in the upcoming budget cycle. Mr. Burrell asked for clarification on the \$2 million reduction to which Ms. deSocio answered that the conferees chose to cut an additional \$2 million from the top of the budget which may or may not create a shortfall in the fourth quarter. The forecasts will determine reimbursements. Mr. Cherry asked what the reduction rate totaled in percentages. Ms. deSocio estimated it at about a third, but said that this number could change based upon the composition of inmates in the jails (state responsible vs. local and/or federal inmate composition). B. A. Washington

asked if there was such a thing as a priority facility. Ms. deSocio said that the way that the reduction is taken is described in the Appropriations Act, which calls for a prorating of funds for all facilities.

Kim Lipp reported the following:

- The Grayson facility is progressing well. Final completion will likely be in August due to snow delays, but the facility still has not been funded to open for intake. She passed around photographs depicting the “dark sky friendly lighting” that was promoted by the locality. She had pictures of the kitchen and comparative pictures of the two different types of cell construction (panelized and modular). Ms. Alksne asked about the cost comparison, to which Ms. Lipp answered there was very little difference once each system was completed. The plan is to have 6 people onsite to exercise systems. They had an employee flush all the toilets in the facility and it took 8 hours to complete.

Jef Sevenker reported the following:

As of July 12th, there were 3,434 males and 72 females, totaling 3,506 out-of-compliance inmates. Patrick County is about 50% complete. Blue Ridge Regional’s Amherst facility is about 25% complete.

Loudoun County Jail is still delayed due to construction delays and to a greater degree a reluctance to comply with staffing funding by the locality, but Brooks Ballard is of the understanding that the locality has agreed to staff the facility at this point.

The operational standards have been at the governor’s office for 57 days in the second phase of 3 required phases of the administrative process. Following approval by the governor’s office, the standards will go the registrar’s office for public comment to be returned to the previous cycle which includes the AG’s office, DPB, the Secretary of Public Safety and the governor.

The Norfolk Police Department has assumed booking duties for the Norfolk City Jail effective July 1st. The Compliance and Accreditation Unit will perform a certification audit at the booking area to certify it as a lockup.

Gary Bass reported the following:

The DOC begins each budget year with a little more than a \$20 million deficit. The DOC is not fully funded for gas, electric, all utilities, medical costs, etc. This deficit is reduced by holding position vacancies open, so the DOC administration understands the difficulty in handling the lack of funding.

The recent out-of-compliance maximum reached 4,404. The current out-of-compliance number is 3,471. This was accomplished by opening St. Brides and renting beds out at Green Rock State Prison. Five hundred JCB beds were lost to funding changes, although 181 are still utilized. There are 290 inmates on work release. He noted that some jurisdictions are using the HEM (home electronic monitoring) program more. The DOC cannot approve HEM requests as they must be assigned to the jails system for that program. He is still trying to intake problem cases from the jails at request.

- Ms. Alksne asked if there were any questions about the capacity report (being prepared for the Board of Corrections at the request of the General Assembly) saying that some people were having problems with the staffing columns. It can be reported by unit or by the facility as a whole. She welcomed input on changes that would make completing the report easier. Mr. Blackstock stated that suggestions made during a superintendents' meeting the prior week recommended a clarification could be reassessed in the event that facilities reported in differing capacities, such as the unit staffing vs. the facility as a whole. Ms. Alksne asked for his help in figuring out what was needed to follow through with that reassessment. Mr. Blackstock agreed.

By MOTION duly made by the guest Chairman of the Liaison Committee, Elton Blackstock, and seconded by several members in attendance, and unanimously APPROVED, the meeting was adjourned.