



# OFFICE OF THE SECRETARY OF PUBLIC SAFETY & HOMELAND SECURITY

## Virginia Board of Corrections – Implementation Update

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June 20, 2017



# OFFICE OF THE SECRETARY OF PUBLIC SAFETY & HOMELAND SECURITY

Oct. 2016

- Deeds Commission Legislative Recommendation
- Authority to investigate jail deaths by appropriate entity such as BOC

Dec. 2016

- Governor and Commission bills drafted
- BOC membership, authority to review, develop policies and procedures
- Governor's Budget allocates \$200,000 for 2 BOC investigators

Jan. 2017

- Bills introduced to General Assembly by Bell, Deeds, and Cosgrove
- All bills merged into Senator Deeds' SB1063 - 1st amendment



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Feb. 2017

- SB1063 vetted by 2 committees – 2<sup>nd</sup> amendment
- SB1063 passes Senate
- SB1063 passes 3 House committees – 3<sup>rd</sup> and 4<sup>th</sup> amendments
- SB1063 passes House
- SB1063 Conference Committee - 5<sup>th</sup> amendment - passes both House and Senate

Mar. – Apr.  
2017

- SB1063 sent to Governor McAuliffe (after 6 versions)
- VSA additional concerns raised
- \$100,000 for 1 BOC investigator



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## FULL TEXT

[01/06/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102162D pdf](#)

[01/13/17 Senate: Committee substitute printed 17104123D-S1 pdf | impact statement](#)

[02/01/17 Senate: Committee substitute printed 17104924D-S2 pdf | impact statement](#)

[02/20/17 House: Committee substitute printed 17105653D-H1 pdf](#)

[02/22/17 House: Floor substitute printed 17105745D-H2 \(Jones\) pdf](#)

[02/25/17 Senate: Conference substitute printed 17105884D-S3 pdf](#)

[03/07/17 Senate: Bill text as passed Senate and House \(SB1063ER\) pdf | impact statement](#)

[03/24/17 Governor: Acts of Assembly Chapter text \(CHAP0759\) pdf](#)

## AMENDMENTS

[Conference amendments](#)

## HISTORY

[01/06/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102162D](#)

[01/06/17 Senate: Referred to Committee on Rehabilitation and Social Services](#)

[01/13/17 Senate: Committee substitute printed 17104123D-S1](#)

[01/13/17 Senate: Reported from Rehabilitation and Social Services with substitute \(15-Y 0-N\)](#)

[01/13/17 Senate: Rereferred to Finance](#)

[01/16/17 Senate: Incorporates SB942 \(Cosgrove\)](#)

[02/01/17 Senate: Reported from Finance with substitute \(16-Y 0-N\)](#)

[02/01/17 Senate: Committee substitute printed 17104924D-S2](#)

[02/02/17 Senate: Incorporates SB942 \(Cosgrove\)](#)

[02/02/17 Senate: Constitutional reading dispensed \(40-Y 0-N\)](#)

[02/03/17 Senate: Read second time](#)

[02/03/17 Senate: Read second time](#)

[02/03/17 Senate: Committee substitute rejected 17104123D-S1](#)

[02/03/17 Senate: Reading of substitute waived](#)

[02/03/17 Senate: Committee substitute agreed to 17104924D-S2](#)

[02/03/17 Senate: Engrossed by Senate - committee substitute SB1063S2](#)

[02/03/17 Senate: Constitutional reading dispensed \(40-Y 0-N\)](#)

[02/03/17 Senate: Passed Senate \(40-Y 0-N\)](#)

[02/08/17 House: Placed on Calendar](#)

[02/08/17 House: Read first time](#)

[02/08/17 House: Referred to Committee on Militia, Police and Public Safety](#)

[02/10/17 House: Reported from Militia, Police and Public Safety \(21-Y 0-N\)](#)

[02/20/17 House: Committee substitute printed 17105653D-H1](#)

[02/21/17 House: Read second time](#)

[02/22/17 House: Floor substitute printed 17105745D-H2 \(Jones\)](#)

[02/22/17 House: Read third time](#)

[02/22/17 House: Committee substitute rejected 17105653D-H1](#)

[02/22/17 House: Substitute by Delegate Jones agreed to 17105745D-H2](#)

[02/22/17 House: Engrossed by House - floor substitute SB1063H2](#)

[02/22/17 House: Passed House with substitute \(99-Y 0-N\)](#)

[02/22/17 House: VOTE: PASSAGE \(99-Y 0-N\)](#)

[02/23/17 Senate: House substitute rejected by Senate \(0-Y 40-N\)](#)

[02/23/17 House: Passed House with substitute](#)

[02/23/17 House: House requested conference committee](#)

[02/23/17 Senate: Senate acceded to request \(39-Y 0-N\)](#)

[02/23/17 Senate: Conferees appointed by Senate](#)

[02/23/17 Senate: Senators: Deeds, Hanger, Wexton](#)

[02/23/17 House: Conferees appointed by House](#)

[02/23/17 House: Delegates: Bell, R.B., Jones, Torian](#)

[02/25/17 Conference: Amended by conference committee](#)

[02/25/17 Senate: Conference substitute printed 17105884D-S3](#)

[02/25/17 House: Conference report agreed to by House \(90-Y 0-N\)](#)

[02/25/17 House: VOTE: ADOPTION \(90-Y 0-N\)](#)

[02/25/17 Senate: Conference report agreed to by Senate \(40-Y 0-N\)](#)

[03/07/17 Senate: Enrolled](#)

[03/07/17 Senate: Bill text as passed Senate and House \(SB1063ER\)](#)

[03/07/17 House: Signed by Speaker](#)

[03/10/17 Senate: Signed by President](#)

[03/13/17 Senate: Enrolled Bill Communicated to Governor on 3/13/17](#)

[03/13/17 Governor: Governor's Action Deadline Midnight, March 27, 2017](#)

[03/24/17 Governor: Approved by Governor-Chapter 759 \(effective 7/1/17\)](#)

[03/24/17 Governor: Acts of Assembly Chapter text \(CHAP0759\)](#)



# OFFICE OF THE SECRETARY OF PUBLIC SAFETY & HOMELAND SECURITY

## Final Bill

- BOC member qualifications
- BOC authority to review any death of inmate
- BOC to develop policies and procedures for death reviews
- BOC tools incl. hearing, subpoena, oaths, testimony, etc.
- DOC staffing assistance if needed
- BOC can issue orders for compliance
- BOC to maintain confidentiality of records during review
- OSIG assistance, if requested, limited to other entities
- BOC reports and recommendations to Gov'r, Speaker and Senate President pro tempore

## VSA Concerns

- Investigations vs. reviews
- Interference with criminal investigations
- Compliance with standards (in addition to regulations)
- Identification of act or omission by facility or employee
- Confidentiality of records
- Not OSIG responsibility
- Is review civil or criminal investigation?

= Administrative

## Moving Forward

- Reviews, not investigations
- BOC policies and procedures
  - Cannot interfere w/criminal investigations
  - Require compliance w/standards
- Similar language as OSIG §
- BOC appointments
  - VSA suggestions
  - VARJ suggestions
- Hiring of 1 FTE
- Notice of policies and procedures to jails before implementation and before death reviews occur



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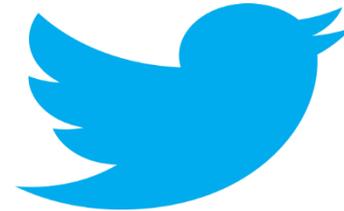
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