Virginia Board of Corrections – Implementation Update

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Deputy Secretary of Public Safety & Homeland Security

June 20, 2017
<table>
<thead>
<tr>
<th>Date</th>
<th>Events</th>
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<tr>
<td>Oct. 2016</td>
<td>• Deeds Commission Legislative Recommendation</td>
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<td>• Authority to investigate jail deaths by appropriate entity such as BOC</td>
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<td>Dec. 2016</td>
<td>• Governor and Commission bills drafted</td>
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<td>• BOC membership, authority to review, develop policies and procedures</td>
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<td>• Governor’s Budget allocates $200,000 for 2 BOC investigators</td>
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<td>Jan. 2017</td>
<td>• Bills introduced to General Assembly by Bell, Deeds, and Cosgrove</td>
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<td>• All bills merged into Senator Deeds’ SB1063 - 1st amendment</td>
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SB1063 vetted by 2 committees – 2nd amendment
SB1063 passes Senate
SB1063 passes 3 House committees – 3rd and 4th amendments
SB1063 passes House
SB1063 Conference Committee - 5th amendment - passes both House and Senate

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

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
Office of the Secretary of Public Safety & Homeland Security

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