

NEW RIVER VALLEY REGIONAL JAIL AUTHORITY
February 13, 2015
Held at the New River Valley Regional Jail

A. CALL TO ORDER:

The meeting of the New River Valley Regional Jail Authority was called to order at 10:00 a.m. by Chairman Shannon Zeman with thirteen (13) members and five (5) alternate present.

MEMBERS PRESENT:	Bland County:	Sheriff Thompson; Mr. Workman
	Giles County:	Mr. Chidester; Sheriff Millirons
	Wythe County:	Sheriff Dunagan; Mr. Reeves
	Radford City:	Mr. Young
	Grayson County:	Sheriff Vaughan; Mr. Sweet
	Floyd County:	Sheriff Zeman; Mr. Turman
	Pulaski County:	Sheriff Davis
	Carroll County:	Mr. Jackson

ALTERNATES PRESENT:	Carroll County:	Ms. Cannon; Ch. Deputy Bourne
	Floyd County:	Mr. Allen
	Giles County:	Mr. Martin
	Pulaski County:	Mr. McCready

STAFF & GUESTS PRESENT:	Superintendent Gerald McPeak
	Lt. Col. Tom Lawson
	Jim Cornwell—Sands, Anderson, Marks & Miller
	Robert Lyons—NRVRJ Maintenance Dept.

B. ROLL CALL:

In Sheriff Gardner's absence, Superintendent McPeak called the roll and reported a quorum present.

C. APPROVAL OF JANUARY 2015 MINUTES:

The Minutes from the January 2015 meeting were distributed to the Board. Chairman Zeman asked if there were any additions or corrections to the Minutes.

Motion: Mr. Reeves moved that the January 2015 Minutes be approved as presented. Mr. Workman seconded the motion.

Action: The motion passed unanimously.

D. OLD BUSINESS:

None.

E. COMMITTEE REPORTS:

Personnel Committee:

Mr. McCready said that the Personnel Committee had met today and discussed a number of issues. The only thing they had to report was that the next academy will begin on February 23, 2015.

Operations Committee:

The Operations Committee did not meet today.

Finance Committee:

The Finance Committee did meet today. Ms. Cannon reviewed copies of the Financial Report for July 2014-January 2015 with the Authority members.

Motion: On behalf of the Finance Committee, Ms. Cannon recommended the Financial Report for approval.

Action: Following roll call, the motion passed unanimously.

Ms. Cannon said that the Finance Committee discussed a few minor repairs which are occurring to the solar energy system. She also said that she would be meeting with jail staff in the coming weeks to do some of the preliminary work on the upcoming budget. We are still waiting on the staff health insurance rates and once we have those we will have a better understanding of where our budget process is for next year. She said that Budget planning session dates should be announced at the March Authority meeting.

The only other item discussed was our hospital contract with Carilion. Ms. Cannon asked Mr. Cornwell to address the on-going negotiations.

Mr. Cornwell gave an update on the jail's contract negotiation with Carilion NRVMC. He began by giving some of the newer Authority members some background information. In the past we had been taking our inmates to Lewis Gale in Pulaski. There was a substantial disagreement that arose between them and the Authority over payment for medical care of inmates. This resulted in Lewis Gale suing the Authority for several hundreds of thousands of dollars which we eventually settled for 25¢ on the dollar. Because of that, we went out to area hospitals with RFP's (Request for Proposals) for inmate medical services. We agreed on a contract with Carilion NRV Medical Center in which we pay 15% for inmate medical care for pre-existing and 100% for any medical care for conditions that arose during incarceration. The contract was for an initial term of 2 years with a 2 year renewal. We renewed for those additional 2 years. Now that the contract has expired, we have sent our RFP's to area hospitals again. Carilion was the only hospital to

respond. We have been in negotiation with them in an effort to keep the jail's medical expenses in line with what we have now and to get as long a term as possible. Some of the new people we are dealing with at the hospital do not have a good handle on the contract so they have issues on a long term contract. What Mr. Cornwell reviewed with the Finance Committee is a renewal of the current contract for 1 year with a little bit of contractual language changed on use of restraints. The jail will have the final say on whether restraints can be removed. But the 15% pre-existing and 100% if it occurs during incarceration portion will remain the same. Carilion has the right to look at it at the end of the year but unless they choose to get out of the deal it will continue on for an additional 4 years (a full 5 year term). If it renews for the additional 4 years it will bump pre-existing up from 15% to 20%. This will be across the Carilion system. So if an inmate has to be transferred from Radford to Roanoke or Richmond, this contract would still apply. He asked the Superintendent if he had anything to add. The Superintendent gave the Authority an understanding of the cost and savings we have received due to the contract. From FY 13-14, we paid Carilion \$267,287 for treatment there. Over the life of the contract from when it began in 2011, we have paid them \$805,887 and from our calculations without the contract we could have paid them over \$4.5 million more. It was asked if we have ever had any issues with staff or service. The Superintendent said the only issue we have ever had arose out of the restraints on an inmate. We had a doctor that wanted us to remove the restraints because he felt that it hindered his treatment of the inmate. There was a little debate between the doctor and the officer. They came to a mutual agreement with the inmate being treated and returned to the jail.

Mr. Cornwell said that in regards to the restraint language in the contract, if the hospital wants to remove the restraints for medical necessity; the hospital will contact the jail and speak with whoever is running the jail that day for permission to remove them. This will remove the officer from the equation but the jail will still have the final say.

Motion: On behalf of the Finance Committee, Ms. Cannon recommended the Authority give permission to the Superintendent to execute the contract with Carilion.

Action: Following roll call, the motion passed unanimously.

Design/Construction Committee:

The Design/Construction Committee did not meet.

F. SUPERINTENDENT'S REPORT:

Superintendent McPeak reviewed his report in detail. On his report the state responsible total was 312 but we sent 10 out to DOC today bringing the number down to 302.

In employee activity, we had 6 new hires (officers) and 1 resignation. Our next academy begins on Feb. 23rd and we will have 14 officers attending.

The Superintendent said that he felt like we need to develop a Social Media Policy for here at the jail. Everyone knows that's a very hot topic these days and we currently do not have one. He said that we will probably be working with Phyllis Kaatz to develop one. He also said that he has

been speaking with some other Superintendents around the state to gather ideas. He hopes to bring a policy before the board for approval within the next couple of months. Sheriff Vaughan said that his department has recently developed a Social Media Policy and he would send a copy to the Superintendent.

On January 19th we had an inmate to commit suicide. The inmate had been here for a few weeks and was being housed in intake dormitory when he became very agitated. The Superintendent said that he wasn't out of control but staff felt that he needed to be removed from the open dormitory for his safety and the safety of others. The inmate was moved from the dormitory to our intake/booking department so that he could calm down and collect his thoughts. Staff asked him prior to moving him if he intended on hurting himself. He reported no that he was trying to get his family to bring some of his medication to the jail and they were hesitant to do so.

The booking department requires 3 rounds/checks per hour and all of the rounds were documented correctly. The inmate made no mention to staff that he planned to hurt himself. Later on that morning an officer checked on him. Twenty-one minutes after that check, the officer heard a noise and went to investigate. He found that the inmate had hung himself. The jail immediately activated emergency procedures and began CPR which they continued for 40 minutes. EMS arrived in about 8 minutes but our staff continued their CPR efforts. Despite their efforts, EMS personnel (in conjunction with the doctor at the hospital) pronounced him dead before he left here. The inmate left no suicide note and from all we knew there was no intention on his part to commit suicide. Virginia State Police was called in and is currently in control of the investigation. We have not received any results at this time.

The question was asked as to what he used to hang himself. The Superintendent answered a sheet. Because he wasn't on any restrictions, when we moved the inmate we took his mattress and his linens with him. We didn't feel like there was any need to restrict those from him. When this facility was built, each of the booking cells had a commode installed with a privacy screen around it. The screen is on a 2 inch metal bar with some expanded metal that gives privacy to anyone using the commode. The inmate tied the sheet around it, twisted it really tight and then just sat down. He could have reversed this if he wanted to it wasn't like he was suspended and couldn't get himself back up. All he had to do was stand up. The Superintendent said he found out later on that the inmate had sent his fiancé a letter saying that he intended on committing suicide. She never made us aware of that. We called the State Police and told them that the letter did exist but the Superintendent isn't aware if they retrieved it or not. The Superintendent said it had a heavy impact on the staff. This happened over a Holiday. Both he and Major Stallard were called in and they met with the staff involved. Some of the staff that performed CPR and assisted with the situation were newer, young officers that had never seen anything like that. Both he and the Major are staying in close contact with those officers involved to make sure they don't need any further assistance.

Sheriff Zeman commended the staff for their efforts and making sure that procedures were followed as well. The Superintendent said that the EMS Personnel also commented our staff did an outstanding job in their attempt to save him.

Superintendent McPeak said that he had received notice that our 3 year audit and inspection will be done on April 14, 15 and 16th. DOC will be here doing a lengthy inspection of every aspect of our operation. He said that crews have been spending extra time on the building doing additional cleaning and painting. He added that we still need to replace some ceiling tiles but it

would require a lift to do so. Officer Jerrel Dobbins' crew has not been out at the jurisdictions as much lately in part to the weather and also helping with some of these projects. We hope to be finished by the end of March.

We had an incident last Friday evening. A Magistrate working here had an unintentional discharge of his Glock semi-automatic pistol in the Magistrate's office. The Magistrate does have a permit to carry concealed. The mechanism that he has installed on his pistol is an after-market device. You clip the pistol to your belt. It is a metal clip and there is no way to keep anything out of the trigger guard. It also has an after-market safety applied to it. It is a cross-bolt safety that goes behind the trigger. Because of that mechanism, he does not carry the weapon ready to fire. The Magistrate came into the office. He then worked the slide action on the pistol which chambered a round. When he laid it down on the desk, it discharged into the wall between the Magistrate's office and the HEM office. The HEM office was unoccupied at the time and the round did not exit the wall. The Magistrate does not recall depressing the trigger and thought it might have been a malfunction on the weapon's part. Major Stallard (a Glock Armorer) took it apart and completely examined it. He found all of the internal safeties and mechanism to be functioning as they should. He said the only way that weapon will fire is if the trigger is depressed and it appears to be working properly.

The Superintendent said that the Magistrate has made a full report to his supervisors and the director in Richmond. Sheriff Millirons asked why he was carrying a pistol into the jail. The Superintendent said the law allows it as long as he isn't going into the secure part of the facility. If he had gone into the secure part such as booking or the officer's dining room, he would have to secure his weapon in a lock box prior to entering. But because the Magistrate's Office is not a secure part of the facility, it's no different than a police officer coming in due to his concealed permit and the law allows Magistrates to carry. He added that both he and Major Stallard have known the Magistrate Mr. Wright for many years. He's never known to him to be reckless with a firearm and he had to qualify to carry that weapon. Mr. Wright had been working in Wythe County and just recently transferred to the jail. It was a very unfortunate turn of events, but there was minimal damage to the facility and nobody got hurt. Major Stallard added that the rounds that were loaded in the weapon were very similar to frangible rounds so they don't have much penetration. Chairman Zeman asked if the Magistrate's office had a policy on their employees in regards to carrying a weapon. The Major said not that he was aware of. Sheriff Millirons asked if we could inquire. The Superintendent said that he would check with Magistrate's Supervisor Jill and said that he needed to follow-up on the investigation with her any way. Chairman Zeman added that he hoped that the Magistrate's Office could learn something from this and possibly put some measures into place that could prevent this in the future.

Major Stallard said that he had one more thing. In regards to the last in custody death that occurred here at the jail, we did receive the final report back. The medical examiner did rule in that situation as we suspected that it was asphyxiation by toilet tissue.

Sheriff Millirons asked if our officers were doing ok with the suicides. The Superintendent said that they were. He added that the one he had the most concern for was a veteran officer actually a Booking Sergeant and former Pulaski County Sheriff's Office employee. That officer reported to the Superintendent what was so devastating to him was that according to the rescue squad, they did eventually get a faint heartbeat back. That had everyone thinking that they had saved this guy's life and then he after that he took a downward turn. They had worked so hard to see their efforts for nothing. The Superintendent said that he has talked to that officer several times

since and he seems to be doing ok. But we will continue to monitor and we have offered him additional counseling if needed.

Mr. McCready said there is a group in the New River Valley. They will send in a Critical Incident Team that will help firefighters and law enforcement officers that go through the challenge of dealing with things like this. The people that the officers would be talking with are all public safety personnel that have been trained in critical incidents. Sheriff Davis added that Mr. Vernon Landreth's team out of Wytheville will also come to you and do onsite counseling. Sheriff Dunagan said that their Chaplain heads that group that Sheriff Davis is speaking of. There was discussion of various times that different jurisdictions have used their services in past years. The Superintendent is familiar with Mr. Landreth and will contact him. He said that would be a huge disservice to the staff if we don't support them when things like this happen.

Mr. Cornwell recognized Mr. McCready for performing CPR along with the Lt. Governor at a VaCorp meeting in Richmond recently.

Mr. Chidester asked if we need to consider a policy regarding firearms and their control here at the jail. The Superintendent said that he didn't think it would be a bad idea and he was waiting to see how the Magistrate's office handles it. In response to that, he thinks we need to develop something as well. He knew that the Magistrates have the ability and can carry but to his knowledge this Magistrate is the only one that does. Chairman Zeman said that at the next meeting we will have all of our information and then refer it to the Operations Committee for them to review.

G. NEW BUSINESS:

Chairman Zeman said that the Authority has received a letter from the Wythe County Administrator's Office in re-appointing Mr. Tim Reeves and Mr. Cellell Dalton as representatives for another year.

H. CITIZEN'S COMMENTS:

I. OTHER BUSINESS OR INFORMATIONAL ITEMS:

J. ADJOURNMENT:

Chairman Zeman asked if there was a motion from the floor to adjourn.

Motion: Mr. McCready made the motion to adjourn the meeting.
Mr. Workman seconded the motion.

Action: The motion passed unanimously.

There being no further business to come before the Board, Chairman Zeman adjourned the meeting at 10:40 am.

Secretary, Sheriff Gardner

