

Recommendations: State Oversight of Local and Regional Jails

RECOMMENDATION 1

State staff who inspect jails should summarize jail audit and inspection results and report this information annually to the Board of Corrections. The report should include (i) the frequency of violations of each jail standard as determined during inspections and audits; (ii) recommendations for training or other activities that would improve jail compliance with commonly violated standards; and (iii) any recommendations for changes to standards. (Chapter 3)

RECOMMENDATION 2

The General Assembly may wish to consider amending § 53.1-5.5 of the Code of Virginia to require the Board of Corrections to annually develop and make publically available a report summarizing death review results, notable trends across death reviews, and potential policy changes that would help reduce the number of inmates that die in jail custody. (Chapter 3)

RECOMMENDATION 3

The Board of Corrections (BOC) should work with the Virginia Freedom of Information Advisory Council to examine whether and how the Virginia Freedom of Information Act should be amended to clarify or expand the circumstances in which the BOC may conduct closed meetings to consider jail death review cases. (Chapter 3)

RECOMMENDATION 4

The Board of Corrections should reduce its backlog of open death reviews through a combination of (i) employing at least one full time investigator; (ii) temporarily adding another investigator until the backlog is reduced; and (iii) improving the efficiency of its investigators through training, process improvements, or job reassignment. (Chapter 3)

RECOMMENDATION 5

The Board of Corrections should develop written guidance listing the minimum information required in death investigation reports. (Chapter 3)

RECOMMENDATION 6

The Board of Corrections should ensure that at least one of its staff receive training on the medical conditions, treatment protocols, and medications most commonly necessary to understand when reviewing jail inmate deaths. (Chapter 3)

RECOMMENDATION 7

The Board of Corrections should require jail death investigators to transmit the investigation report to board members on a designated date before the meeting for which the case is scheduled and give members the opportunity to request additional information from the investigators before the meeting. (Chapter 3)

RECOMMENDATION 8

The General Assembly may wish to consider including language in the Appropriation Act transferring current Department of Corrections jail inspection staff positions—and the funding to employ them—to the Board of Corrections. (Chapter 4)

RECOMMENDATION 9

The General Assembly may wish to consider amending § 53.1 of the Code of Virginia to grant the Board of Corrections authority to hire a director of state jail oversight to manage its jail inspections and jail inmate death reviews as part of a cohesive state jail oversight program. (Chapter 4)

RECOMMENDATION 10

The General Assembly may wish to consider including language and adequate funding in the Appropriation Act to fund a director of state jail oversight position reporting to the Board of Corrections. (Chapter 4)

RECOMMENDATION 11

The Department of Corrections (DOC) and Board of Corrections (BOC) should develop and agree to a memorandum of understanding clarifying the administrative support that DOC will provide to BOC for the state's jail oversight program. (Chapter 4)

RECOMMENDATION 12

The General Assembly may wish to consider amending § 53.1 of the Code of Virginia, and other sections as necessary, to rename the Board of Corrections to more accurately reflect its primary responsibilities for oversight of local and regional jails. (Chapter 4)
