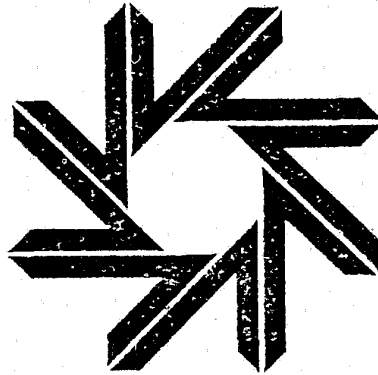


THE VIRGINIA STATE BOARD OF CORRECTIONS

1967 - 1977



Division of Administration

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Inquiries concerning this report may be directed to the Bureau of Research, Reporting and Evaluation.

Thomas R. Foster, Director
Bureau of Research, Reporting
and Evaluation

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ACQUISITIONS

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INTRODUCTION

This report was written at the request of the Director of the Department of Corrections. Its purpose is to document rules, regulations, standards and policies set by the State Board of Corrections over the last 10 years.

The primary source of information used in this report to identify Board activities was the minutes of the monthly meetings of the Board. These minutes summarize the 128 meetings (about 500 hours) of the Board which took place between 1967 and 1977. This report, in turn, is a partial summary of the more than 1,100 pages of minutes reviewed by the researcher. Thus, this report reflects the Board's actions to the extent that the Board minutes represent these actions. Therefore, other activities of the Board, or other circumstances surrounding these activities, must necessarily remain beyond the scope of the present report.

The report is divided into two major sections: rules, regulations and standards set by the Board, and other more general activities of the Board. Each of these two sections is sub-divided into three additional sections, which refer to rules and activities relating to adult services, jails, and youth or juvenile services. These sub-sections are then further divided according to sections of the Code of Virginia which authorize the particular Board activities under consideration.

After naming the section, the report briefly summarizes the content of the section, and goes on to present the rule, policy or activity and the date of the meeting of the Board at which the action was taken.

As previously stated, the original purpose of this report was to document rules, regulations, standards and policies promulgated by the Board. As the review of the minutes proceeded, it became apparent that the vast proportion of the Board's mandated responsibilities did not fall under this category. Rather than lose this information, it was decided to divide the report in the manner described above. Readers interested only in rules and regulations set by the Board may read only the first section of the report.

It must be mentioned that no guidelines were provided for distinguishing between rules and regulations on the one hand and other activities on the other. While in most cases the distinction was obvious, the final placement of each item in one section or another was solely at the discretion of the researcher. Moreover, this distinction is to some extent a superficial one. The fact that an item is included in the report is far more important than its placement in one or the other section.

Finally, when activities of the Board were mandated by one section of the Code but were necessarily included in both sections of the report, this fact is noted in both sections, with the page number corresponding to the other section in which the reference to the Code appears footnoted at the bottom

of the page.

Generally, activities in the second section of the report are organized in chronological order, beginning with the earliest date. Some of these activities occurred so often as to preclude the referencing of each occurrence separately. Salary ranges for certain positions, as one can imagine, have been repeatedly revised over the last 10 years, and to list each revision would be much too cumbersome. Thus, the text merely notes the approximate number of actions which have been taken by the Board in these areas.

Lastly, despite the desire to be as thorough as possible, certain types of Board activities are not included in the present report. Generally, these activities are ones which are of a routine nature. For example, at every one of its regular sessions, the Board has approved lists of sentence reductions for inmates. In an effort to be concise, this activity, and other activities of this nature, are not included in the present report. In addition, activities which occurred before June, 1974, (when the Board of Welfare and Institutions had responsibility for the Department of Welfare) and related strictly to welfare, are not included in the report.

All quotes included in the body of the report are taken from Laws of Virginia Relating to Corrections (1977). The wording of the titles of the subsections of the report, as well as the summaries of the content of the Code, is paraphrased. The reader is referred to the above-named document for the exact wording of the Code.

Title 53, Chapter 1.2, Sections 53-19.23 through 53-19.39 detail the structure, powers and duties of the Board of Corrections. These sections are not reproduced here, except as they may relate to specific activities cited. The interested reader is referred to these sections of the Code, or to A Summary of the Principal Powers, Duties and Responsibilities of the State Board of Corrections (Department of Corrections, 1974).

Finally, Appendix A to this report lists the names, offices and dates served of the 28 individuals who were members of the Board between 1967 and 1977. Appendix B presents the names of the rules and standards approved by the Board, as well as the date approved, the corresponding section of the Code, and the page number where reference to the set of rules is made in the report.

RULES, STANDARDS AND POLICIES OF THE
BOARD OF CORRECTIONS

Adult Services

Over the past 10 years, the Board has set rules and policies for adult institutions and inmates in seven separate areas, all of which fall under Title 53, Prisons and Other Methods of Corrections, of the Code of Virginia.

Rules for Penal Institutions (Chapter 2, Article 1, Section 53-23)

This section of the Code authorizes the Board to prescribe rules for the preservation of "...the property at, and the health of the convicts in, the Penitentiary, and all other penal institutions...".

Under this section, the Board, in January of 1967, approved a series of rules and regulations for the internal operation of the Penitentiary. These rules for inmates included such areas as contraband, visitation, mail, and sick call. In May of 1967, a similar set of rules and regulations for the internal operation of penal institutions other than the Penitentiary, was approved by the Board.

In addition, the Board, in May 1976, approved Adult Services Divisional Guidelines numbers 800 (now number 861) and 803 (now 891), relating, respectively, to inmate discipline and marriage ceremonies for inmates.

Rules For Admittance to Correctional Institutions
(Chapter 2, Article 2, Section 53-60)

The Board is authorized, by this section of the Code, to "...prescribe the time and conditions on which all persons other than the Governor and members of the General Assembly may enter... (correctional institutions)..."

In October 1968, the Board adopted a set of rules governing the admittance of former inmates to correctional institutions. Basically, these rules stated that Board approval would be granted for admittance of former inmates only for the purpose of "ministerial counseling". Further, the ex-inmate must be a regularly ordained minister and, if (s)he had been convicted of a felony, at least 10 years must have passed since the completion of the sentence.

Under this same section of the Code, the Board, in a special meeting in May of 1973, approved guidelines for public access to State Correctional facilities. The guidelines covered such areas as who may enter, how to arrange for viewing and what areas of the institutions would be viewed.

Sentence Reductions for Extraordinary Service (Chapter 8, Section 53-220)

This section of the Code authorizes the Board to allow credits on prisoners' sentences for extraordinary services rendered.

A policy regarding such sentence reductions was approved by the Board in April 1972. At that time, minimum and maximum reductions were approved for turning in a dangerous weapon, assistance in preventing escape or apprehending an escapee,

and assisting an employee or inmate under attack.

This policy was superceded by Adult Services Division Guideline Number 825 (now 810). This guideline, approved by the Board at their November 1975 meeting, detailed more succinctly the institutional, divisional and departmental procedures for requesting and granting such sentence reductions.

Payment and Tasking of Prisoners (Chapter 8, Sections 53-220.1 and 53-222)

These sections authorize the Board to establish a system for tasking prisoners and to provide for payment of bonuses and withholding for charges.

The 1970 General Assembly increased the limit for prisoners' per diem rates from 15 to 40 cents. In June 1970, the Board approved a raise in the per diem rate from 15 to 25 cents as well as increases in the amount held back, in the bonus range, and in the maximum payments.

This motion was later modified by the Board, in June 1976 so that 10 cents per day would be withheld from inmates' pay until \$25.00 had been accumulated. After this \$25 (which would be given to the inmate upon his release) had accumulated all other funds would be made available to the inmate.

Also under these sections, in January 1973, the Board approved an inmate group pay incentive plan. It was hoped that the plan, which was to be tried on a pilot basis at the Women's Farm and State Farm laundries, would help to increase motivation and productivity among the inmate-workers.

Work Release (Chapter 2, Article 2, Section 53-38)

The Board is authorized by this section of the Code to establish rules and regulations for work release programs.

This authorization was given to the Board by the 1968 General Assembly. In July 1969, the Board approved the first rules, regulations and guidelines pertaining to the work release program. These guidelines dealt with such issues as selection factors, determination of enrollment in the program, participation of women in the program and clothing and housing of inmates. In addition, a series of general rules and regulations for the administration of the program were approved.

Over the ensuing eight years, these guidelines were amended several times by the Board. The first of these amendments came in April of 1972, when the date for eligibility for assignment to the work release program was changed from 12 to 18 months prior to eligibility for parole.

In December of 1972, the Board approved an increase, from \$1.00 to \$2.00 per day, in the charges to inmates for administrative costs.

In March, 1973, the Board approved guidelines for eligibility for work release. At this time, inmates within two years of parole eligibility would be eligible for work release. These guidelines also dealt with escapees, parole violators, inmates in segregation and isolation, inmates who have lost

good conduct time credit and inmates previously turned down for work release. The following month, the Board approved the extension of these guidelines to inmates serving life sentences.

New guidelines were approved by the Board in March 1974 and April 1975. Finally, in February 1976, the Board approved Adult Services Guideline number 824 which most nearly resembled the current guideline (number 833). However, the February guideline was amended in July, October, and December 1976. The July and December amendments were concerned with provisions in case of strikes¹, while the October amendment authorized inmates within 18 months of parole eligibility as being eligible for work release (the February guidelines had set this date back to 12 months).

Lastly, in July 1976 the Board approved regulations pertaining to programs in which the federal government participates.

Medical Research (Chapter 2, Article 2, Section 53-57.1)²

This section authorizes the Board to prescribe regulations for medical research programs using prisoners.

In September 1967, the Board approved a payment schedule for inmates participating in research programs. Also, the

¹ The February guidelines stated that in the event of a strike, the inmate would not report for work. These amendments allowed the inmate to choose whether or not to cross a picket line, while reserving the Department's right to protect inmates in case of possible violence. A bill designed to rescind this latter policy was passed by the 1978 General Assembly, but was not signed into law by the Governor.

² Activities of the Board authorized by this section of the Code appear in the latter part of this report (see page 19).

limitation of \$5.00 per day on the amount an inmate can earn was suspended.

Some nine years later, in April 1976, the Board voted to rescind the current guideline regarding research, so that no practical authority to the Department for then-current projects existed, although the statutory authority remained.

Furloughs (Chapter 2, Article 2, Section 53-37.1)

This section specifically empowers the Director of the Department to permit furloughs of up to three days for inmates to visit their homes or families. In addition, this section of the Code authorizes the Department to "promulgate rules and regulations" for furloughs.

Both sets of guidelines which were approved by the Board were Adult Services Divisional Guidelines. In June 1975, the Board approved Divisional Guideline number 813 (now number 841), pertaining to general furloughs.

The next year, in February 1976, the Board approved Divisional Guideline number 805 (now number 892), which set rules for inmates' attendance at funerals of family members.

Again, this section of the Code empowers the Director, and not the Board, to set the rules and regulations for furloughs.

Jails

Five sections of the Code are relevant in this section; all five come under Title 53.

Minimum Standards for Jails (Chapter 6, Article 1, Section 53-133)

The Board is authorized, under this section, to prescribe minimum standards for the construction and equipment of local jails and jail farms. The Code also authorizes the Board to set minimum requirements for the care and treatment of prisoners in local jails.

Under this section, the Board approved, in September of 1970, guidelines for minimum standards in the design and construction of jails. These guidelines pointed out general and special requirements for the areas of security, administration and jail equipment.

In 1975 (February), the Board approved a set of rules and regulations for the administration of local jails and lockups. These covered such areas as housing, visitation, mail and medical care, as well as records, reporting and operations for local jails, and operations, building and equipment for local lockups.

Finally, in November, 1977, the Board approved a draft copy of the proposed standards for the planning, design and construction of new jail facilities, and proposed standards for the jailing of juveniles.³

³ As a result of a public hearing conducted on February 14, 1978, the Board instructed the Department to refine the construction standards and return them to the Board at their April meeting. At this same time, the proposed standards for the jailing of juveniles were adopted by the Board.

In addition to setting these rules, the Board must also approve any deviations from them. In August, 1971, the Board approved proposed deviations from its 1970 construction guidelines for the Arlington county jail. Similarly, in 1975 (February), the Board approved Fairfax county jail's proposed deviations from the guidelines.

Prohibiting Confinement in Substandard Institutions
(Chapter 6, Article 1, Section 53-134)

This section authorizes the Board to prohibit the confinement of prisoners in jails which do not comply with the Board's minimum standards.

The first Board action taken under this section of the Code (in the past 10 years) came in February 1967, when the Board issued an order prohibiting the confinement of prisoners in the Stafford county jail. Conditions at the jail had been discussed with Stafford County officials in November of 1966. Inspections in January and February of 1967 revealed that unsatisfactory conditions in the jail still existed, including unsanitary conditions and the confinement of juveniles in the jail.

The next action of the Board under this section came in August of 1972. As the result of an executive session of the Board at this time, the Board ordered the removal of inmates from the Virginia Beach city jail. The order was based on the results of an investigations which produced 17 separate violations, including beatings of inmates by other inmates sanctioned by certain jailers, gambling on the

jail premises, and violations of visitation rules.

The above order was, however, made effective as of September 21, 1972. During the intervening 30 days, the Department was to supervise and inspect operations at the jail, and provide intensive training for jail staff. A report would be made to the Board after this 30 day period, at which time the Board would consider rescinding the order.

After the above-mentioned report was presented, the Board, at its September 1972 meeting, suspended its order closing the jail until November, at which time another report would be made. At this November meeting, the Board rescinded its order closing the Virginia Beach jail.

In that same year, a similar set of circumstances surrounded the "closing" of the Patrick county jail. In its September 1972 meeting, the Board ordered the closing of the jail no sooner than 30 days from that meeting. The purpose of the delay was to allow the Board to confer with the Patrick County Circuit Court Judge. The order was then rescinded by the Board at the October meeting.

Finally, in July of 1977, the Board issued an order prohibiting the confinement of prisoners in the Pittsylvania county jail. On July 22, 1977, the Board met to conduct a hearing on the status of the jail⁴.

⁴ Title 53, Chapter 1.2, Section 53-19.36 of the Code of Virginia empowers the Board to conduct hearings, subpoena witnesses, and take testimony under oath.

After hearing testimony, the Board issued the order, designating the Danville city jail as the place of confinement for those prisoners who would otherwise be confined in the Pittsylvania county jail.

Physical Examinations of Prisoners Transferred
from Local Jails to the Bureau of Correctional
Field Units (Chapter 4, Section 53-104)

This section authorizes the Board to set the fee to be paid to the examining physician when a prisoner is transferred from jail to a field unit.

Under this section, the Board adopted in October 1971 a regulation that all inmates receive physical examinations before being transferred to institutions without permanent medical facilities. The examining physician, according to the regulation, would receive the same fee as he would for any other jail visit.

Contracts for Use of Local Jail Farms by State
(Chapter 7, Section 53-205)⁵

This section authorizes the Board to enter into contracts with local jail farms for compensation for State prisoners confined in such jail farms.

In June of 1970 the Board approved per diem rates for compensation by the State for Danville, Newport News, Martinsville and Norfolk cities.

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This section of the Code was repealed by an act of the General Assembly in 1972.

Employment of Medical, Treatment or Classification
Personnel by Local Jails (Chapter 6, Article 2,
Section 53-184)⁶

This section empowers the Board to approve the hiring of physicians, or other medical, treatment or classification personnel, for local jails, and to set the amount of compensation for physicians and other approved personnel.

In February of 1974 the Board approved minimal standards for the employment of paramedics in local jails. These include recommendations for number of positions (based on jail capacity), salaries and qualifications for paramedics.

Later in that same year (September) the Board also approved similar guidelines for treatment personnel in local jails.

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Activities of the Board authorized by this section of the Code appear in the latter part of this report (see page 21).

Youth (Juvenile) Services

Five separate sections of the Code are relevant for Board activities relating to juvenile services.

Positions, Salaries and Minimum Standards for Residential Care Facilities for Delinquent Youth (Title 16.1, Chapter 11, Article 13, Section 16.1-311) (formerly Chapter 8, Article 4, Section 16.1-199)

This section authorizes the Board to prescribe positions and fix salaries for personnel required to operate detention homes, group homes, and other residential care facilities. Additionally, the Board may set minimum standards for construction and equipment of such facilities, and for the feeding, clothing, medical attention and care of children detained in such facilities.

In their September 1968 meeting, the Board certified nine detention homes as meeting the then-current minimum standards of the Board. The Board again addressed the detention homes in September 1974, when it passed minimum personnel standards for such homes. These included standards for staff, personnel practices and salary ranges. The Board later amended these standards in December of 1976.

Several other measures also taken with regard to detention homes should be mentioned. In their January 1973 meeting, the Board adopted a resolution calling for increased educational

⁷ Activities of the Board authorized by this section of the Code appear in the latter part of this report (see page 23).

standards for detention homes. Also, in February of 1976, the Board approved personnel standards for group homes and for secure detention homes. Finally, in August of 1977, the Board approved recommended certification procedures for secure detention homes.

Under this section of the Code, the Board has passed rules and regulations pertaining to other types of institutions as well. In October of 1977, for example, the Board approved minimum standards for learning centers, covering such areas as administration, facilities, personnel and programs and services. In their August, 1970 meeting, the Board approved standards for the operation of juvenile probation houses.

Most recently, the Board approved, under authority of this section of the Code, standards for the community care administrative system, which would apply to any new commission that entered the system. It was agreed, however, that all personnel would remain as they were until a personnel turnover took place, at which time the standards would apply to the new employee. These standards were approved at the December, 1977 meeting of the Board.

Community Group Homes and Other Residential
Facilities for Juveniles in Direct State Care
(Title 53, Chapter 18, Section 53-331)

The Board is authorized, by this section of the Code to establish and maintain a system of residential care facilities for the temporary placement of juveniles in direct State care. Also, the Board may employ necessary staff personnel and adopt rules and regulations for such facilities.

The only Board action relevant under this section took place in October of 1969, when the Board approved a program guide (including operational policies and procedures) for youth halfway houses.

Social Services for Juvenile and Domestic Relations
District Courts (Title 16.1, Chapter 11, Article
2, Section 16.1-233)⁸ (formerly Chapter 8, Article
5, Section 16.1-203)⁸

This section authorizes the Board to establish minimum standards for court service staffs and to set regulations pertaining to their appointment and functioning.

In a special meeting in June of 1973, the Board approved guidelines which delineated responsibility between probation departments and welfare departments. In that same meeting, the Board also approved standards for court services, which included standards for training, space allocation and certification and job specifications. These were approved with several minor amendments suggested by Board members. An

⁸ Activities of the Board authorized by this section of the Code appear in the latter part of this report (see page 24).

updated version of these standards was approved by the Board at their August 1976 meeting.

Finally, in January 1977 the Board approved two sets of standards for transfer of individuals in locally administered juvenile and domestic relations court service units to state-administered court service units, and for transfer of locally administered juvenile and domestic relations courts from local to state administration.

Special Placement of Juveniles by Courts and Rules for Such Placements (Title 16.1, Chapter 11, Article 9, Sections 16.1-279 and 16.1-287) (formerly Chapter 8, Article 3, Sections 16.1-178 and 16.1-181.1)

These sections, in part, authorize the Board to approve private facilities for court placement of juveniles, and to set policies and procedures for such placements.

Under this section, the Board, in July 1976, approved guidelines and procedures for court supervised special placements.

Travel Expenses for Judges and Officers of Regional Juvenile and Domestic Relations Courts (Title 16.1, Chapter 8, Article 2, Section 16.1-143.4) ⁹

This section of the Code dealt with State reimbursement of travel expenses incurred by judges, probation officers or other officers of regional and domestic relations courts.

Under this section of the Code, the Board approved a

⁹ This section of the Code was repealed by an act of the General Assembly in 1972.

set of rules and regulations for travel expenses
of judges, probation and other officers of the juvenile
and domestic relations courts (May, 1968).

General (Miscellaneous) Rules and Regulations
(Title 53, Chapter 1.2, Section 53-19.34)

This general section of the Code authorizes the Board to make rules and regulations "...to carry out the true purpose and intent of this title."

Two policies set by the Board, which are not authorized by other more specific sections of the Code, are relevant here. First, in May 1970, the Board approved changes in policies for rental charges for employees of the Department who live at institutions, and charges for meals for all employees who work at institutions.

In a special meeting in October 1973 the Board under this section, adopted a policy authorizing the Director of the Department to implement court order policy changes, when such changes are to be "immediately implemented".

ADDITIONAL ACTIVITIES OF THE BOARD

Adult Services

Additional activities of the Board relating to Adult Services are authorized under two sections of the Code, both of which are under Title 53.

Establishment and Naming of Correctional Institutions
(Chapter 3, Article 1, Section 53-76.1)

This section authorizes the Board to designate the names of all correctional institutions.

In March 1972, the Board approved replacing the numerical designations of the 31 field units with names. For example, Unit number 1 was renamed the Pulaski Correctional Unit.

In July 1974, the Board approved a name change for St. Brides, designating it as the St. Brides Correctional Center. Later, in October of that same year, the Board approved the "correctional center" concept for all institutions, and they were renamed accordingly.

In their March 1976 meeting, the Board approved the name of "Staunton Correctional Center" for the Department's newly acquired facility.

Finally, in September 1976, the Board approved the renaming of the Mecklenburg Correctional Unit to the Baskerville Correctional Unit. This was done in an attempt to avoid

confusion between the "Mecklenburg Correctional Unit" and the new "Mecklenburg Correctional Center".

Medical Research (Chapter 2, Article 2, Section 53-57.1)¹⁰

As mentioned previously, this section authorizes the Board to set regulations for and approve medical research projects using prisoners. Over the past 10 years, several projects were approved by the Board. Most of these were conducted at the Penitentiary, and were carried out between 1969 and 1976, when, as previously noted, the Board rescinded Guideline number 900.

¹⁰ Rules and regulations, set by the Board and authorized by this section of the Code appear in the first part of this report (see page 5).

Jails

Four separate types of Board activities relate to jails. All of these sections of the Code are part of Title 53.

State Reimbursement of Localities for Construction of Jails (Chapter 6, Article 1, Section 53-133.1)

This section of the Code authorizes the State to reimburse any city or county for one-half of the cost for construction, renovation or enlargement of a jail, if said construction or enlargement is approved by the Board.

In the 10 year period under study, the Board approved 18 requests for new jails or expansion of old jail facilities. In 1968, the Board approved an addition to the Roanoke city jail, and new jails for Petersburg and Norton. In 1969, the Board approved new jails for Appomattox, Henry, and James City counties, and Williamsburg city. In 1970, enlargement of the Chesterfield county jail was approved. In 1971, new jails for Danville and Arlington county were approved, as was an addition to the Tazewell county jail. In 1972, the Board approved a regional jail, to be located in Wise county. A new jail for Pittsylvania County was approved in 1973. In 1974, the Board approved a new jail for Fairfax county, as well as the renovation of the Northampton county jail and the enlargement of the Mecklenburg County and Chesapeake jails. In June of 1975, the Board approved renovations for the Westmoreland county jail. In

1976, the Board approved a joint jail facility for Salem, and Craig and Roanoke counties, with the provision that if the voters did not approve this, the city of Salem would be reimbursed for the construction of its own facility. Also in 1976, the Board approved an addition to the Greenville county jail.

Finally, in 1977, the Board approved reimbursement for construction of a new jail for Lancaster county, and an addition to the York county jail.

Consolidated Jails and Jail Farms (Chapter 6, Article 1, Section 53-147)

This section authorizes two or more counties and cities, with the approval of the Board, to operate consolidated jails or jail farms.

Two such agreements were approved by the Board: one for King George and Spotsylvania Counties and Fredericksburg, approved in 1967, and another for King and Queen, King William, Mathews and Middlesex counties (approved in 1969). Both were requests to operate consolidated jail facilities.

Employment of Medical, Treatment or Classification Personnel by Local Jails (Chapter 6, Article 2, Section 53-184)11

As previously mentioned, this section of the Code authorizes the Board to approve positions, and salaries for those positions, for local jails. (Before 1970, the responsibility for approving the amount of compensation for doctors employed

11 Rules and Regulations, set by the Board and authorized by this section of the Code appear in the first part of this report (see page 11).

by local jails was with the State Compensation Board. The 1970 session of the General Assembly shifted this responsibility to the Board of Welfare and Institutions.) Under this section, the Board, between 1967 and 1977, approved some 175 requests for positions and compensation increases. Most of these were for jail physicians, and involved both approval of the use of physicians and increasing their compensation rates. In addition, the Board approved positions and revised salaries for records clerks, paramedics, and other treatment personnel. Also under this section, the Board approved special treatment programs at local jails, such as the psychiatric service program at Richmond city jail, which the Board approved in March 1973.

Reimbursement for Costs of Operating Local and Regional Jails and Jail Farms (Chapter 6, Article 2, Section 53-179, and Chapter 7.1, Section 53-206.11)

These sections of the Code authorizes the Board to approve rates of reimbursement for cities and counties operating local and regional jails.

Under these sections, the Board approved increases in reimbursement rates for the Danville Jail Farm (August 1974) and the Chesapeake city jail (June 1975).

Youth (Juvenile) Services

Seven sections of the Code are relevant here, several of which have been previously mentioned.

Positions, Salaries, Reimbursement, and Minimum Standards for Residential Care Facilities for Delinquent Youth (Title 16.1, Chapter 11, Article 13, Sections 16.1-311 and 16.1-313) (formerly Chapter 8, Article 4, Sections 16.1-199 and 16.1-201)¹²

As previously discussed, the Board is authorized by this section of the Code to prescribe positions and fix salaries for personnel required to operate detention homes and other youth residential care facilities, and to set minimum standards for the construction and equipment of such facilities. Section 16.1-313 further authorizes reimbursement by the State for construction, equipment and maintenance costs, as well as salaries of personnel, employed in such homes.

Under these two sections, the Board approved, between 1967 and 1977, approximately 45 separate requests for approval of construction or renovation of detention homes, group homes, community youth homes and probation houses. Similarly, the Board approved some 30 requests for increases in salaries (or deviations from established salary ranges) and for establishment of new positions for these several types of facilities.

¹² Rules and regulations, set by the Board and authorized by this section of the Code appear in the first part of this report (see page 12).

Cost of Maintenance of Children in Other Cities' or Counties' Homes (Title 16.1, Chapter 11, Article 13, Section 16.1-314) (formerly Chapter 8, Article 4, Section 16.1-202)

The Board is authorized by this section of the Code to set per diem rates for reimbursement of local detention homes which are detaining children from other localities.

Over the last 10 years, the Board has approved 22 requests for changes in the per diem rates charged by 12 different detention homes. The most frequent number of changes (6) involved the Richmond City Detention Home. In October 1968, a rate of \$4.73 per day was approved by the Board. In February 1975, a rate of \$12.59 per day was approved. Interestingly, Richmond City was the only detention home whose rates were ever reduced: once in 1968 (October) and once in 1970 (November).

Social Services for Juvenile and Domestic Relations District Courts (Title 16.1, Chapter 11, Article 2, Section 16.1-233) (formerly Chapter 8, Article 5, Section 16.1-203)

This section, as has been previously discussed, authorizes the Board to establish minimum standards for court services staffs, and to set rules for their appointment and functioning. Under this section, the Board approved about 15 separate requests for new positions and new job specifications for employees of the various district courts. In addition, under this section, the Board approved the

acceptance of various local probation departments into the State-operated system.

Salaries for Probation Officers and Other Court Services Staff (Title 16.1, Chapter 11, Article 2, Section 16.1-238) (formerly Chapter 8, Article 5, Section 16.1-206)

The Board may fix minimum standards for the compensation of probation officers and other court service staff. This section also provides for reimbursement for the salaries of such staff.

Under this section, the Board revised salary ranges for staff members of juvenile and domestic relations courts in 1967 (March), 1970 (January), 1972 (October), 1975 (June) and 1976 (June).

In addition, the Board approved increases in salaries for probation officers specifically in October 1970 and February 1972.

Reimbursement Rates for State Wards Detained in Local Detention Homes (Title 53, Chapter 18, Section 53-326)

This section authorizes the Board to set schedules of per diem reimbursement rates to localities, for the maintenance of State wards in local detention homes.

New allowances for reimbursement were approved by the Board eight times in the last 10 years. New per diem rates were approved in 1967 (March) 1968 (October) 1970 (April and again in November), 1973 (February), 1974 (February), 1975 (March), and 1976 (February).

Child-Care Institutions Operated by Board
(Title 53, Chapter 18, Section 53-330)

Authority is given to the Board to "...establish staff and maintain institutions for the rehabilitation, training and confinement of children...". This section also empowers the Board to give appropriate titles to youth institutions.

In March of 1973, the Board rescinded its policy permitting the use of corporal punishment in disciplining children committed to its care.

Under the latter part of this section, the Board, in May 1969, approved a change in name from the Study Home for Boys to Pinecrest Center. In 1973 (February), the Board approved a change in the designation of Group Homes to Community Youth Homes. At the same time, the Board changed the names of the Norfolk Boys' Unit, Richmond Girls' Unit, and Richmond Boys' Unit to Hampton Place, Ladies Mile Manor, and Exodus House, respectively.

In July 1974, the Board approved the "learning center" concept as a part of a "learning environment" approach to dealing with the children in its care. The re-naming of the youth institutions was approved, establishing the Beaumont, Barrett, Bon Air, Hanover, Pinecrest, Natural Bridge and Appalachian Learning Centers.

Finally, in 1974, the Board approved the re-naming of the Roanoke Community Youth Home to Discovery House, and the renaming of the Staunton Community Youth Home to Abraxas House.

APPENDIX A

Members of the Board:
1967 - 1977

Between 1967 and 1977, 28 individuals were appointed to serve on the Board. The following is a list of those people and the dates they served (current Board members are indicated by an asterisk):

Name	Office Held	Dates ¹
Phillip Allen	member	8/71-6/74
Victor Ashe	member secretary chairman	8/68-7/71 8/71-6/72 7/72-3/74 ²
*Reverend John Baden	member vice-chairman	7/74-7/76 8/76-present
*Fred Bateman	member	7/76-present
Harvey Cohen	member vice-chairman	8/71-6/72 7/72-6/74
*Doris DeHart	member acting chairman vice-chairman chairman	7/72-6/74 3/74-6/74 7/74-7/76 8/76-present
William Dudley	member	7/74-3/76
*Walther Fidler	chairman member	7/74-7/76 8/76-present
S.S. Flythe	member	8/68-6/71
Mary Fray	vice-chairman	1/67-6/70
Senator Elmon Gray	member	6/68-12/73
Dr. E. Gregory	chairman	1/67-6/71
R. Franklin Hough	member vice-chairman	8/71-6/73 7/73-6/74

Name	Office Held	Dates
L.H. Irby	member	1/67-6/70
Ashton Jones	member	1/67-6/71
*William Kanto	member	7/74-present
*William Leach	member	7/74-present
*Bernard Levin	member	7/74-present
Janet Mays	member secretary	9/70-6/72 7/72-6/74
Claudette McDaniel	member	7/74-6/76
Cynthia Newman	member	12/73-6/74
*Sydney Parker	member	7/76-present
Clarence Penn	member	9/70-6/74
*Reverend Grady W. Powell	secretary	7/74-present
J. Powell Royall	member	7/72-6/74
H. Selwyn Smith	member	4/76-6/76 ³
Dr. Robert Trice	secretary vice-chairman	1/67-7/71 8/71-6/72
Senator J. H. Wheeler	member chairman	1/67-7/71 8/71-6/72

¹ Since the period under consideration here is 1967-1977, all dates begin as of 1/67.

² Mr. Ashe passed away on March 9, 1974.

³ Mr. Smith left the Board to become the Secretary of Public Safety.

APPENDIX B

Summary of Rules, Regulations and
Standards Approved by the Board

<u>Date</u>	<u>Title</u>	<u>Section of Code</u>	<u>Page</u> ¹
<u>ADULT SERVICES</u>			
January, 1967	Rules and Regulations for the Internal Operation of the Penitentiary	53-23	1
May, 1967	Rules and Regulations for the Internal Operation of Penal Institutions	53-23	1
October, 1968	Rules Governing Admittance of Former Inmates to Virginia Correctional Institutions	53-60	2
July, 1969	Guidelines and Rules and Regulations Pertaining to Work Release (amended in April, 1972, December, 1972, March, 1974, and April, 1975)	53-38	4
May, 1973	Guidelines for Public Access to State Correctional Facilities	53-60	2
June, 1975	Adult Services Guideline No. 841 - General Furloughs	53-37.1	6
November, 1975	Adult Services Guideline No. 810- Sentence Reductions	53-220	3
February, 1976	Adult Services Guideline No. 833 - Work Release (amended in July, 1976, October, 1976, and December, 1976)	53-38	5
February, 1976	Adult Services Guideline No. 892 - Inmate Attendance at Funerals	53-37.1	6
May, 1976	Adult Services Guideline No. 861 - Inmate Discipline	53-23	1
May, 1976	Adult Services Guideline No. 891 - Marriage Ceremonies for Inmates	53-23	1

<u>Date</u>	<u>Title</u>	<u>Section of Code</u>	<u>Page</u>
<u>JAILS</u>			
September, 1970	Guide for Minimum Standards in the Design and Construction of Jail Facilities	53-133	7
February, 1974	Minimal Standards for Employment of Paramedics	53-184	11
September, 1974	Guidelines for Treatment Personnel in Local Jails	53-184	11
February, 1975	Rules and Regulations for the Administration of Local Jails and Lockups	53-133	7
November, 1977	Standards for the Planning, Design, and Construction of New or Expanded Jail Facilities (Draft)	53-133	7
November, 1977	Standards for the Jailing of Juveniles (Draft Copy)	53-133	7
<u>YOUTH (JUVENILE) SERVICES</u>			
May, 1968	Rules and Regulations on Traveling Expenses of Judges, Probation Officers and Other Officers of Regional Juvenile and Domestic Relations Courts	16.1-143.4	15
October, 1969	Program Guide for Halfway Houses for Juveniles	53-331	14
August, 1970	Standards for the Operation of Juvenile Probation Houses	16.1-311	13
June, 1973	Standards for Court Services (amended August, 1976)	16.1-233	14
June, 1973	Guidelines Regarding Delineation of Responsibility Between Probation and Welfare Departments	16.1-233	14
September, 1974	Personnel Standards for Juvenile Detention Homes (amended in December, 1976)	16.1-311	12

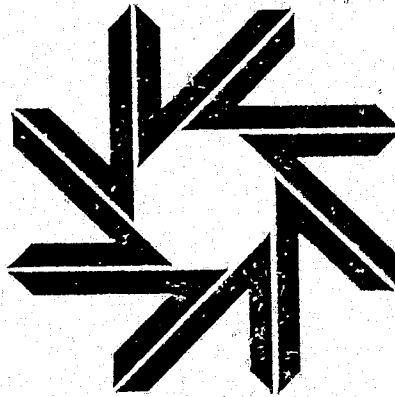
<u>Date</u>	<u>Title</u>	<u>Section of Code</u>	<u>Page</u>
<u>YOUTH (JUVENILE) SERVICES (CONTINUED)</u>			
February, 1976	Personnel Standards for Group Homes	16.1-311	13
February, 1976	Minimum Standards for Secure Detention Homes	16.1-311	13
July, 1976	Guidelines and Procedures Relating to Court Supervised Special Placements	16.1-279 16.1-287	15
January, 1977	Standards for the Transfer of an Individual Employee from a Locally Administered Juvenile and Domestic Relations Court Service Unit to a State Administered Juvenile and Domestic Relations Court Service Unit	16.1-233	15
January, 1977	Standards for the Transfer of Locally Administered Juvenile and Domestic Relations Courts from Local to State Administration	16.1-233	15
August, 1977	Certification Procedures for Secure Detention Homes	16.1-311	13
October, 1977	Minimum Standards for Learning Centers	16.1-311	13
December, 1977	Standards for Community Residential Care Administrative System	16.1-311	13

1

Refers to the page number of this report where reference to the item may be found.

**THE VIRGINIA STATE
BOARD OF CORRECTIONS**

1967 - 1977



Division of Administration

of Research, Reporting and Evaluation

Report #7731

April, 1978

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ACKNOWLEDGMENTS

This report was researched and written by Stan Orchowsky, Research Analyst, Bureau of Research, Reporting and Evaluation.

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Inquiries concerning this report may be directed to the Bureau of Research, Reporting and Evaluation.

Thomas R. Foster, Director
Bureau of Research, Reporting
and Evaluation

NCJRS

FEB 15 1980

ACQUISITIONS

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INTRODUCTION

This report was written at the request of the Director of the Department of Corrections. Its purpose is to document rules, regulations, standards and policies set by the State Board of Corrections over the last 10 years.

The primary source of information used in this report to identify Board activities was the minutes of the monthly meetings of the Board. These minutes summarize the 128 meetings (about 500 hours) of the Board which took place between 1967 and 1977. This report, in turn, is a partial summary of the more than 1,100 pages of minutes reviewed by the researcher. Thus, this report reflects the Board's actions to the extent that the Board minutes represent these actions. Therefore, other activities of the Board, or other circumstances surrounding these activities, must necessarily remain beyond the scope of the present report.

The report is divided into two major sections: rules, regulations and standards set by the Board, and other more general activities of the Board. Each of these two sections is sub-divided into three additional sections, which refer to rules and activities relating to adult services, jails, and youth or juvenile services. These sub-sections are then further divided according to sections of the Code of Virginia which authorize the particular Board activities under consideration.

After naming the section, the report briefly summarizes the content of the section, and goes on to present the rule, policy or activity and the date of the meeting of the Board at which the action was taken.

As previously stated, the original purpose of this report was to document rules, regulations, standards and policies promulgated by the Board. As the review of the minutes proceeded, it became apparent that the vast proportion of the Board's mandated responsibilities did not fall under this category. Rather than lose this information, it was decided to divide the report in the manner described above. Readers interested only in rules and regulations set by the Board may read only the first section of the report.

It must be mentioned that no guidelines were provided for distinguishing between rules and regulations on the one hand and other activities on the other. While in most cases the distinction was obvious, the final placement of each item in one section or another was solely at the discretion of the researcher. Moreover, this distinction is to some extent a superficial one. The fact that an item is included in the report is far more important than its placement in one or the other section.

Finally, when activities of the Board were mandated by one section of the Code but were necessarily included in both sections of the report, this fact is noted in both sections, with the page number corresponding to the other section in which the reference to the Code appears footnoted at the bottom

of the page.

Generally, activities in the second section of the report are organized in chronological order, beginning with the earliest date. Some of these activities occurred so often as to preclude the referencing of each occurrence separately. Salary ranges for certain positions, as one can imagine, have been repeatedly revised over the last 10 years, and to list each revision would be much too cumbersome. Thus, the text merely notes the approximate number of actions which have been taken by the Board in these areas.

Lastly, despite the desire to be as thorough as possible, certain types of Board activities are not included in the present report. Generally, these activities are ones which are of a routine nature. For example, at every one of its regular sessions, the Board has approved lists of sentence reductions for inmates. In an effort to be concise, this activity, and other activities of this nature, are not included in the present report. In addition, activities which occurred before June, 1974, (when the Board of Welfare and Institutions had responsibility for the Department of Welfare) and related strictly to welfare, are not included in the report.

All quotes included in the body of the report are taken from Laws of Virginia Relating to Corrections (1977). The wording of the titles of the subsections of the report, as well as the summaries of the content of the Code, is paraphrased. The reader is referred to the above-named document for the exact wording of the Code.

Title 53, Chapter 1.2, Sections 53-19.23 through 53-19.39 detail the structure, powers and duties of the Board of Corrections. These sections are not reproduced here, except as they may relate to specific activities cited. The interested reader is referred to these sections of the Code, or to A Summary of the Principal Powers, Duties and Responsibilities of the State Board of Corrections (Department of Corrections, 1974).

Finally, Appendix A to this report lists the names, offices and dates served of the 28 individuals who were members of the Board between 1967 and 1977. Appendix B presents the names of the rules and standards approved by the Board, as well as the date approved, the corresponding section of the Code, and the page number where reference to the set of rules is made in the report.

RULES, STANDARDS AND POLICIES OF THE
BOARD OF CORRECTIONS

Adult Services

Over the past 10 years, the Board has set rules and policies for adult institutions and inmates in seven separate areas, all of which fall under Title 53, Prisons and Other Methods of Corrections, of the Code of Virginia.

Rules for Penal Institutions (Chapter 2, Article 1, Section 53-23)

This section of the Code authorizes the Board to prescribe rules for the preservation of "...the property at, and the health of the convicts in, the Penitentiary, and all other penal institutions...".

Under this section, the Board, in January of 1967, approved a series of rules and regulations for the internal operation of the Penitentiary. These rules for inmates included such areas as contraband, visitation, mail, and sick call. In May of 1967, a similar set of rules and regulations for the internal operation of penal institutions other than the Penitentiary, was approved by the Board.

In addition, the Board, in May 1976, approved Adult Services Divisional Guidelines numbers 800 (now number 861) and 803 (now 891), relating, respectively, to inmate discipline and marriage ceremonies for inmates.

Rules For Admittance to Correctional Institutions
(Chapter 2, Article 2, Section 53-60)

The Board is authorized, by this section of the Code, to "...prescribe the time and conditions on which all persons other than the Governor and members of the General Assembly may enter... (correctional institutions)..."

In October 1968, the Board adopted a set of rules governing the admittance of former inmates to correctional institutions. Basically, these rules stated that Board approval would be granted for admittance of former inmates only for the purpose of "ministerial counseling". Further, the ex-inmate must be a regularly ordained minister and, if (s)he had been convicted of a felony, at least 10 years must have passed since the completion of the sentence.

Under this same section of the Code, the Board, in a special meeting in May of 1973, approved guidelines for public access to State Correctional facilities. The guidelines covered such areas as who may enter, how to arrange for viewing and what areas of the institutions would be viewed.

Sentence Reductions for Extraordinary Service (Chapter 8, Section 53-220)

This section of the Code authorizes the Board to allow credits on prisoners' sentences for extraordinary services rendered.

A policy regarding such sentence reductions was approved by the Board in April 1972. At that time, minimum and maximum reductions were approved for turning in a dangerous weapon, assistance in preventing escape or apprehending an escapee,

and assisting an employee or inmate under attack.

This policy was superceded by Adult Services Division Guideline Number 825 (now 810). This guideline, approved by the Board at their November 1975 meeting, detailed more succinctly the institutional, divisional and departmental procedures for requesting and granting such sentence reductions.

Payment and Tasking of Prisoners (Chapter 8, Sections 53-220.1 and 53-222)

These sections authorize the Board to establish a system for tasking prisoners and to provide for payment of bonuses and withholding for charges.

The 1970 General Assembly increased the limit for prisoners' per diem rates from 15 to 40 cents. In June 1970, the Board approved a raise in the per diem rate from 15 to 25 cents as well as increases in the amount held back, in the bonus range, and in the maximum payments.

This motion was later modified by the Board, in June 1976 so that 10 cents per day would be withheld from inmates' pay until \$25.00 had been accumulated. After this \$25 (which would be given to the inmate upon his release) had accumulated all other funds would be made available to the inmate.

Also under these sections, in January 1973, the Board approved an inmate group pay incentive plan. It was hoped that the plan, which was to be tried on a pilot basis at the Women's Farm and State Farm laundries, would help to increase motivation and productivity among the inmate-workers.

Work Release (Chapter 2, Article 2, Section 53-38)

The Board is authorized by this section of the Code to establish rules and regulations for work release programs.

This authorization was given to the Board by the 1968 General Assembly. In July 1969, the Board approved the first rules, regulations and guidelines pertaining to the work release program. These guidelines dealt with such issues as selection factors, determination of enrollment in the program, participation of women in the program and clothing and housing of inmates. In addition, a series of general rules and regulations for the administration of the program were approved.

Over the ensuing eight years, these guidelines were amended several times by the Board. The first of these amendments came in April of 1972, when the date for eligibility for assignment to the work release program was changed from 12 to 18 months prior to eligibility for parole.

In December of 1972, the Board approved an increase, from \$1.00 to \$2.00 per day, in the charges to inmates for administrative costs.

In March, 1973, the Board approved guidelines for eligibility for work release. At this time, inmates within two years of parole eligibility would be eligible for work release. These guidelines also dealt with escapees, parole violators, inmates in segregation and isolation, inmates who have lost

good conduct time credit and inmates previously turned down for work release. The following month, the Board approved the extension of these guidelines to inmates serving life sentences.

New guidelines were approved by the Board in March 1974 and April 1975. Finally, in February 1976, the Board approved Adult Services Guideline number 824 which most nearly resembled the current guideline (number 833). However, the February guideline was amended in July, October, and December 1976. The July and December amendments were concerned with provisions in case of strikes¹, while the October amendment authorized inmates within 18 months of parole eligibility as being eligible for work release (the February guidelines had set this date back to 12 months).

Lastly, in July 1976 the Board approved regulations pertaining to programs in which the federal government participates.

Medical Research (Chapter 2, Article 2, Section 53-57.1)²

This section authorizes the Board to prescribe regulations for medical research programs using prisoners.

In September 1967, the Board approved a payment schedule for inmates participating in research programs. Also, the

¹ The February guidelines stated that in the event of a strike, the inmate would not report for work. These amendments allowed the inmate to choose whether or not to cross a picket line, while reserving the Department's right to protect inmates in case of possible violence. A bill designed to rescind this latter policy was passed by the 1978 General Assembly, but was not signed into law by the Governor.

² Activities of the Board authorized by this section of the Code appear in the latter part of this report (see page 19).

limitation of \$5.00 per day on the amount an inmate can earn was suspended.

Some nine years later, in April 1976, the Board voted to rescind the current guideline regarding research, so that no practical authority to the Department for then-current projects existed, although the statutory authority remained.

Furloughs (Chapter 2, Article 2, Section 53-37.1)

This section specifically empowers the Director of the Department to permit furloughs of up to three days for inmates to visit their homes or families. In addition, this section of the Code authorizes the Department to "promulgate rules and regulations" for furloughs.

Both sets of guidelines which were approved by the Board were Adult Services Divisional Guidelines. In June 1975, the Board approved Divisional Guideline number 813 (now number 841), pertaining to general furloughs.

The next year, in February 1976, the Board approved Divisional Guideline number 805 (now number 892), which set rules for inmates' attendance at funerals of family members.

Again, this section of the Code empowers the Director, and not the Board, to set the rules and regulations for furloughs.

Jails

Five sections of the Code are relevant in this section; all five come under Title 53.

Minimum Standards for Jails (Chapter 6, Article 1, Section 53-133)

The Board is authorized, under this section, to prescribe minimum standards for the construction and equipment of local jails and jail farms. The Code also authorizes the Board to set minimum requirements for the care and treatment of prisoners in local jails.

Under this section, the Board approved, in September of 1970, guidelines for minimum standards in the design and construction of jails. These guidelines pointed out general and special requirements for the areas of security, administration and jail equipment.

In 1975 (February), the Board approved a set of rules and regulations for the administration of local jails and lockups. These covered such areas as housing, visitation, mail and medical care, as well as records, reporting and operations for local jails, and operations, building and equipment for local lockups.

Finally, in November, 1977, the Board approved a draft copy of the proposed standards for the planning, design and construction of new jail facilities, and proposed standards for the jailing of juveniles.³

³ As a result of a public hearing conducted on February 14, 1978, the Board instructed the Department to refine the construction standards and return them to the Board at their April meeting. At this same time, the proposed standards for the jailing of juveniles were adopted by the Board.

In addition to setting these rules, the Board must also approve any deviations from them. In August, 1971, the Board approved proposed deviations from its 1970 construction guidelines for the Arlington county jail. Similarly, in 1975 (February), the Board approved Fairfax county jail's proposed deviations from the guidelines.

Prohibiting Confinement in Substandard Institutions
(Chapter 6, Article 1, Section 53-134)

This section authorizes the Board to prohibit the confinement of prisoners in jails which do not comply with the Board's minimum standards.

The first Board action taken under this section of the Code (in the past 10 years) came in February 1967, when the Board issued an order prohibiting the confinement of prisoners in the Stafford county jail. Conditions at the jail had been discussed with Stafford County officials in November of 1966. Inspections in January and February of 1967 revealed that unsatisfactory conditions in the jail still existed, including unsanitary conditions and the confinement of juveniles in the jail.

The next action of the Board under this section came in August of 1972. As the result of an executive session of the Board at this time, the Board ordered the removal of inmates from the Virginia Beach city jail. The order was based on the results of an investigations which produced 17 separate violations, including beatings of inmates by other inmates sanctioned by certain jailers, gambling on the

jail premises, and violations of visitation rules.

The above order was, however, made effective as of September 21, 1972. During the intervening 30 days, the Department was to supervise and inspect operations at the jail, and provide intensive training for jail staff. A report would be made to the Board after this 30 day period, at which time the Board would consider rescinding the order.

After the above-mentioned report was presented, the Board, at its September 1972 meeting, suspended its order closing the jail until November, at which time another report would be made. At this November meeting, the Board rescinded its order closing the Virginia Beach jail.

In that same year, a similar set of circumstances surrounded the "closing" of the Patrick county jail. In its September 1972 meeting, the Board ordered the closing of the jail no sooner than 30 days from that meeting. The purpose of the delay was to allow the Board to confer with the Patrick County Circuit Court Judge. The order was then rescinded by the Board at the October meeting.

Finally, in July of 1977, the Board issued an order prohibiting the confinement of prisoners in the Pittsylvania county jail. On July 22, 1977, the Board met to conduct a hearing on the status of the jail⁴.

⁴ Title 53, Chapter 1.2, Section 53-19.36 of the Code of Virginia empowers the Board to conduct hearings, subpoena witnesses, and take testimony under oath.

After hearing testimony, the Board issued the order, designating the Danville city jail as the place of confinement for those prisoners who would otherwise be confined in the Pittsylvania county jail.

Physical Examinations of Prisoners Transferred
from Local Jails to the Bureau of Correctional
Field Units (Chapter 4, Section 53-104)

This section authorizes the Board to set the fee to be paid to the examining physician when a prisoner is transferred from jail to a field unit.

Under this section, the Board adopted in October 1971 a regulation that all inmates receive physical examinations before being transferred to institutions without permanent medical facilities. The examining physician, according to the regulation, would receive the same fee as he would for any other jail visit.

Contracts for Use of Local Jail Farms by State
(Chapter 7, Section 53-205)⁵

This section authorizes the Board to enter into contracts with local jail farms for compensation for State prisoners confined in such jail farms.

In June of 1970 the Board approved per diem rates for compensation by the State for Danville, Newport News, Martinsville and Norfolk cities.

5

This section of the Code was repealed by an act of the General Assembly in 1972.

Employment of Medical, Treatment or Classification
Personnel by Local Jails (Chapter 6, Article 2,
Section 53-184)⁶

This section empowers the Board to approve the hiring of physicians, or other medical, treatment or classification personnel, for local jails, and to set the amount of compensation for physicians and other approved personnel.

In February of 1974 the Board approved minimal standards for the employment of paramedics in local jails. These include recommendations for number of positions (based on jail capacity), salaries and qualifications for paramedics.

Later in that same year (September) the Board also approved similar guidelines for treatment personnel in local jails.

6

Activities of the Board authorized by this section of the Code appear in the latter part of this report (see page 21).

Youth (Juvenile) Services

Five separate sections of the Code are relevant for Board activities relating to juvenile services.

Positions, Salaries and Minimum Standards for Residential Care Facilities for Delinquent Youth (Title 16.1, Chapter 11, Article 13, Section 16.1-311) (formerly Chapter 8, Article 4, Section 16.1-199)⁷

This section authorizes the Board to prescribe positions and fix salaries for personnel required to operate detention homes, group homes, and other residential care facilities. Additionally, the Board may set minimum standards for construction and equipment of such facilities, and for the feeding, clothing, medical attention and care of children detained in such facilities.

In their September 1968 meeting, the Board certified nine detention homes as meeting the then-current minimum standards of the Board. The Board again addressed the detention homes in September 1974, when it passed minimum personnel standards for such homes. These included standards for staff, personnel practices and salary ranges. The Board later amended these standards in December of 1976.

Several other measures also taken with regard to detention homes should be mentioned. In their January 1973 meeting, the Board adopted a resolution calling for increased educational

⁷ Activities of the Board authorized by this section of the Code appear in the latter part of this report (see page 23).

standards for detention homes. Also, in February of 1976, the Board approved personnel standards for group homes and for secure detention homes. Finally, in August of 1977, the Board approved recommended certification procedures for secure detention homes.

Under this section of the Code, the Board has passed rules and regulations pertaining to other types of institutions as well. In October of 1977, for example, the Board approved minimum standards for learning centers, covering such areas as administration, facilities, personnel and programs and services. In their August, 1970 meeting, the Board approved standards for the operation of juvenile probation houses.

Most recently, the Board approved, under authority of this section of the Code, standards for the community care administrative system, which would apply to any new commission that entered the system. It was agreed, however, that all personnel would remain as they were until a personnel turnover took place, at which time the standards would apply to the new employee. These standards were approved at the December, 1977 meeting of the Board.

Community Group Homes and Other Residential
Facilities for Juveniles in Direct State Care
(Title 53, Chapter 18, Section 53-331)

The Board is authorized, by this section of the Code to establish and maintain a system of residential care facilities for the temporary placement of juveniles in direct State care. Also, the Board may employ necessary staff personnel and adopt rules and regulations for such facilities.

The only Board action relevant under this section took place in October of 1969, when the Board approved a program guide (including operational policies and procedures) for youth halfway houses.

Social Services for Juvenile and Domestic Relations
District Courts (Title 16.1, Chapter 11, Article 2, Section 16.1-233) (formerly Chapter 8, Article 5, Section 16.1-203)⁸

This section authorizes the Board to establish minimum standards for court service staffs and to set regulations pertaining to their appointment and functioning.

In a special meeting in June of 1973, the Board approved guidelines which delineated responsibility between probation departments and welfare departments. In that same meeting, the Board also approved standards for court services, which included standards for training, space allocation and certification and job specifications. These were approved with several minor amendments suggested by Board members. An

⁸ Activities of the Board authorized by this section of the Code appear in the latter part of this report (see page 24).

updated version of these standards was approved by the Board at their August 1976 meeting.

Finally, in January 1977 the Board approved two sets of standards for transfer of individuals in locally administered juvenile and domestic relations court service units to state-administered court service units, and for transfer of locally administered juvenile and domestic relations courts from local to state administration.

Special Placement of Juveniles by Courts and Rules for Such Placements (Title 16.1, Chapter 11, Article 9, Sections 16.1-279 and 16.1-287) (formerly Chapter 8, Article 3, Sections 16.1-178 and 16.1-181.1)

These sections, in part, authorize the Board to approve private facilities for court placement of juveniles, and to set policies and procedures for such placements.

Under this section, the Board, in July 1976, approved guidelines and procedures for court supervised special placements.

Travel Expenses for Judges and Officers of Regional Juvenile and Domestic Relations Courts (Title 16.1, Chapter 8, Article 2, Section 16.1-143.4) ⁹

This section of the Code dealt with State reimbursement of travel expenses incurred by judges, probation officers or other officers of regional and domestic relations courts.

Under this section of the Code, the Board approved a

⁹ This section of the Code was repealed by an act of the General Assembly in 1972.

set of rules and regulations for travel expenses
of judges, probation and other officers of the juvenile
and domestic relations courts (May, 1968).

General (Miscellaneous) Rules and Regulations
(Title 53, Chapter 1.2, Section 53-19.34)

This general section of the Code authorizes the Board to make rules and regulations "...to carry out the true purpose and intent of this title."

Two policies set by the Board, which are not authorized by other more specific sections of the Code, are relevant here. First, in May 1970, the Board approved changes in policies for rental charges for employees of the Department who live at institutions, and charges for meals for all employees who work at institutions.

In a special meeting in October 1973 the Board under this section, adopted a policy authorizing the Director of the Department to implement court order policy changes, when such changes are to be "immediately implemented".

ADDITIONAL ACTIVITIES OF THE BOARD

Adult Services

Additional activities of the Board relating to Adult Services are authorized under two sections of the Code, both of which are under Title 53.

Establishment and Naming of Correctional Institutions
(Chapter 3, Article 1, Section 53-76.1)

This section authorizes the Board to designate the names of all correctional institutions.

In March 1972, the Board approved replacing the numerical designations of the 31 field units with names. For example, Unit number 1 was renamed the Pulaski Correctional Unit.

In July 1974, the Board approved a name change for St. Brides, designating it as the St. Brides Correctional Center. Later, in October of that same year, the Board approved the "correctional center" concept for all institutions, and they were renamed accordingly.

In their March 1976 meeting, the Board approved the name of "Staunton Correctional Center" for the Department's newly acquired facility.

Finally, in September 1976, the Board approved the renaming of the Mecklenburg Correctional Unit to the Baskerville Correctional Unit. This was done in an attempt to avoid

confusion between the "Mecklenburg Correctional Unit" and the new "Mecklenburg Correctional Center".

Medical Research (Chapter 2, Article 2, Section 53-57.1)¹⁰

As mentioned previously, this section authorizes the Board to set regulations for and approve medical research projects using prisoners. Over the past 10 years, several projects were approved by the Board. Most of these were conducted at the Penitentiary, and were carried out between 1969 and 1976, when, as previously noted, the Board rescinded Guideline number 900.

10

Rules and regulations, set by the Board and authorized by this section of the Code appear in the first part of this report (see page 5).

Jails

Four separate types of Board activities relate to jails. All of these sections of the Code are part of Title 53.

State Reimbursement of Localities for Construction of Jails (Chapter 6, Article 1, Section 53-133.1)

This section of the Code authorizes the State to reimburse any city or county for one-half of the cost for construction, renovation or enlargement of a jail, if said construction or enlargement is approved by the Board.

In the 10 year period under study, the Board approved 18 requests for new jails or expansion of old jail facilities. In 1968, the Board approved an addition to the Roanoke city jail, and new jails for Petersburg and Norton. In 1969, the Board approved new jails for Appomattox, Henry, and James City counties, and Williamsburg city. In 1970, enlargement of the Chesterfield county jail was approved. In 1971, new jails for Danville and Arlington county were approved, as was an addition to the Tazewell county jail. In 1972, the Board approved a regional jail, to be located in Wise county. A new jail for Pittsylvania County was approved in 1973. In 1974, the Board approved a new jail for Fairfax county, as well as the renovation of the Northampton county jail and the enlargement of the Mecklenburg County and Chesapeake jails. In June of 1975, the Board approved renovations for the Westmoreland county jail. In

1976, the Board approved a joint jail facility for Salem, and Craig and Roanoke counties, with the provision that if the voters did not approve this, the city of Salem would be reimbursed for the construction of its own facility. Also in 1976, the Board approved an addition to the Greenville county jail.

Finally, in 1977, the Board approved reimbursement for construction of a new jail for Lancaster county, and an addition to the York county jail.

Consolidated Jails and Jail Farms (Chapter 6, Article 1, Section 53-147)

This section authorizes two or more counties and cities, with the approval of the Board, to operate consolidated jails or jail farms.

Two such agreements were approved by the Board: one for King George and Spotsylvania Counties and Fredericksburg, approved in 1967, and another for King and Queen, King William, Mathews and Middlesex counties (approved in 1969). Both were requests to operate consolidated jail facilities.

Employment of Medical, Treatment or Classification Personnel by Local Jails (Chapter 6, Article 2, Section 53-184)11

As previously mentioned, this section of the Code authorizes the Board to approve positions, and salaries for those positions, for local jails. (Before 1970, the responsibility for approving the amount of compensation for doctors employed

11 Rules and Regulations, set by the Board and authorized by this section of the Code appear in the first part of this report (see page 11).

by local jails was with the State Compensation Board. The 1970 session of the General Assembly shifted this responsibility to the Board of Welfare and Institutions.) Under this section, the Board, between 1967 and 1977, approved some 175 requests for positions and compensation increases. Most of these were for jail physicians, and involved both approval of the use of physicians and increasing their compensation rates. In addition, the Board approved positions and revised salaries for records clerks, paramedics, and other treatment personnel. Also under this section, the Board approved special treatment programs at local jails, such as the psychiatric service program at Richmond city jail, which the Board approved in March 1973.

Reimbursement for Costs of Operating Local and Regional Jails and Jail Farms (Chapter 6, Article 2, Section 53-179, and Chapter 7.1, Section 53-206.11)

These sections of the Code authorizes the Board to approve rates of reimbursement for cities and counties operating local and regional jails.

Under these sections, the Board approved increases in reimbursement rates for the Danville Jail Farm (August 1974) and the Chesapeake city jail (June 1975).

Youth (Juvenile) Services

Seven sections of the Code are relevant here, several of which have been previously mentioned.

Positions, Salaries, Reimbursement, and Minimum Standards for Residential Care Facilities for Delinquent Youth (Title 16.1, Chapter 11, Article 13, Sections 16.1-311 and 16.1-313) (formerly Chapter 8, Article 4, Sections 16.1-199 and 16.1-201)¹²

As previously discussed, the Board is authorized by this section of the Code to prescribe positions and fix salaries for personnel required to operate detention homes and other youth residential care facilities, and to set minimum standards for the construction and equipment of such facilities. Section 16.1-313 further authorizes reimbursement by the State for construction, equipment and maintenance costs, as well as salaries of personnel, employed in such homes.

Under these two sections, the Board approved, between 1967 and 1977, approximately 45 separate requests for approval of construction or renovation of detention homes, group homes, community youth homes and probation houses. Similarly, the Board approved some 30 requests for increases in salaries (or deviations from established salary ranges) and for establishment of new positions for these several types of facilities.

¹² Rules and regulations, set by the Board and authorized by this section of the Code appear in the first part of this report (see page 12).

Cost of Maintenance of Children in Other Cities' or Counties' Homes (Title 16.1, Chapter 11, Article 13, Section 16.1-314) (formerly Chapter 8, Article 4, Section 16.1-202)

The Board is authorized by this section of the Code to set per diem rates for reimbursement of local detention homes which are detaining children from other localities.

Over the last 10 years, the Board has approved 22 requests for changes in the per diem rates charged by 12 different detention homes. The most frequent number of changes (6) involved the Richmond City Detention Home. In October 1968, a rate of \$4.73 per day was approved by the Board. In February 1975, a rate of \$12.59 per day was approved. Interestingly, Richmond City was the only detention home whose rates were ever reduced: once in 1968 (October) and once in 1970 (November).

Social Services for Juvenile and Domestic Relations District Courts (Title 16.1, Chapter 11, Article 2, Section 16.1-233) (formerly Chapter 8, Article 5, Section 16.1-203)

This section, as has been previously discussed, authorizes the Board to establish minimum standards for court services staffs, and to set rules for their appointment and functioning. Under this section, the Board approved about 15 separate requests for new positions and new job specifications for employees of the various district courts. In addition, under this section, the Board approved the

acceptance of various local probation departments into the State-operated system.

Salaries for Probation Officers and Other Court Services Staff (Title 16.1, Chapter 11, Article 2, Section 16.1-238) (formerly Chapter 8, Article 5, Section 16.1-206)

The Board may fix minimum standards for the compensation of probation officers and other court service staff. This section also provides for reimbursement for the salaries of such staff.

Under this section, the Board revised salary ranges for staff members of juvenile and domestic relations courts in 1967 (March), 1970 (January), 1972 (October), 1975 (June) and 1976 (June).

In addition, the Board approved increases in salaries for probation officers specifically in October 1970 and February 1972.

Reimbursement Rates for State Wards Detained in Local Detention Homes (Title 53, Chapter 18, Section 53-326)

This section authorizes the Board to set schedules of per diem reimbursement rates to localities, for the maintenance of State wards in local detention homes.

New allowances for reimbursement were approved by the Board eight times in the last 10 years. New per diem rates were approved in 1967 (March) 1968 (October) 1970 (April and again in November), 1973 (February), 1974 (February), 1975 (March), and 1976 (February).

Child-Care Institutions Operated by Board
(Title 53, Chapter 18, Section 53-330)

Authority is given to the Board to "...establish staff and maintain institutions for the rehabilitation, training and confinement of children...". This section also empowers the Board to give appropriate titles to youth institutions.

In March of 1973, the Board rescinded its policy permitting the use of corporal punishment in disciplining children committed to its care.

Under the latter part of this section, the Board, in May 1969, approved a change in name from the Study Home for Boys to Pinecrest Center. In 1973 (February), the Board approved a change in the designation of Group Homes to Community Youth Homes. At the same time, the Board changed the names of the Norfolk Boys' Unit, Richmond Girls' Unit, and Richmond Boys' Unit to Hampton Place, Ladies Mile Manor, and Exodus House, respectively.

In July 1974, the Board approved the "learning center" concept as a part of a "learning environment" approach to dealing with the children in its care. The re-naming of the youth institutions was approved, establishing the Beaumont, Barrett, Bon Air, Hanover, Pinecrest, Natural Bridge and Appalachian Learning Centers.

Finally, in 1974, the Board approved the re-naming of the Roanoke Community Youth Home to Discovery House, and the renaming of the Staunton Community Youth Home to Abraxas House.

APPENDIX A

Members of the Board:
1967 - 1977

Between 1967 and 1977, 28 individuals were appointed to serve on the Board. The following is a list of those people and the dates they served (current Board members are indicated by an asterisk):

Name	Office Held	Dates ¹
Phillip Allen	member	8/71-6/74
Victor Ashe	member secretary chairman	8/68-7/71 8/71-6/72 7/72-3/74 ²
*Reverend John Baden	member vice-chairman	7/74-7/76 8/76-present
*Fred Bateman	member	7/76-present
Harvey Cohen	member vice-chairman	8/71-6/72 7/72-6/74
*Doris DeHart	member acting chairman vice-chairman chairman	7/72-6/74 3/74-6/74 7/74-7/76 8/76-present
William Dudley	member	7/74-3/76
*Walther Fidler	chairman member	7/74-7/76 8/76-present
S.S. Flythe	member	8/68-6/71
Mary Fray	vice-chairman	1/67-6/70
Senator Elmon Gray	member	6/68-12/73
Dr. E. Gregory	chairman	1/67-6/71
R. Franklin Hough	member vice-chairman	8/71-6/73 7/73-6/74

Name	Office Held	Dates
L.H. Irby	member	1/67-6/70
Ashton Jones	member	1/67-6/71
*William Kanto	member	7/74-present
*William Leach	member	7/74-present
*Bernard Levin	member	7/74-present
Janet Mays	member secretary	9/70-6/72 7/72-6/74
Claudette McDaniel	member	7/74-6/76
Cynthia Newman	member	12/73-6/74
*Sydney Parker	member	7/76-present
Clarence Penn	member	9/70-6/74
*Reverend Grady W. Powell	secretary	7/74-present
J. Powell Royall	member	7/72-6/74
H. Selwyn Smith	member	4/76-6/76 ³
Dr. Robert Trice	secretary vice-chairman	1/67-7/71 8/71-6/72
Senator J. H. Wheeler	member chairman	1/67-7/71 8/71-6/72

1

Since the period under consideration here is 1967-1977, all dates begin as of 1/67.

2

Mr. Ashe passed away on March 9, 1974.

3

Mr. Smith left the Board to become the Secretary of Public Safety.

APPENDIX B

Summary of Rules, Regulations and
Standards Approved by the Board

<u>Date</u>	<u>Title</u>	<u>Section of Code</u>	<u>Page</u> ¹
<u>ADULT SERVICES</u>			
January, 1967	Rules and Regulations for the Internal Operation of the Penitentiary	53-23	1
May, 1967	Rules and Regulations for the Internal Operation of Penal Institutions	53-23	1
October, 1968	Rules Governing Admittance of Former Inmates to Virginia Correctional Institutions	53-60	2
July, 1969	Guidelines and Rules and Regulations Pertaining to Work Release (amended in April, 1972, December, 1972, March, 1974, and April, 1975)	53-38	4
May, 1973	Guidelines for Public Access to State Correctional Facilities	53-60	2
June, 1975	Adult Services Guideline No. 841 - General Furloughs	53-37.1	6
November, 1975	Adult Services Guideline No. 810- Sentence Reductions	53-220	3
February, 1976	Adult Services Guideline No. 833 - Work Release (amended in July, 1976, October, 1976, and December, 1976)	53-38	5
February, 1976	Adult Services Guideline No. 892 - Inmate Attendance at Funerals	53-37.1	6
May, 1976	Adult Services Guideline No. 861 - Inmate Discipline	53-23	1
May, 1976	Adult Services Guideline No. 891 - Marriage Ceremonies for Inmates	53-23	1

<u>Date</u>	<u>Title</u>	<u>Section of Code</u>	<u>Page</u>
<u>JAILS</u>			
September, 1970	Guide for Minimum Standards in the Design and Construction of Jail Facilities	53-133	7
February, 1974	Minimal Standards for Employment of Paramedics	53-184	11
September, 1974	Guidelines for Treatment Personnel in Local Jails	53-184	11
February, 1975	Rules and Regulations for the Administration of Local Jails and Lockups	53-133	7
November, 1977	Standards for the Planning, Design, and Construction of New or Expanded Jail Facilities (Draft)	53-133	7
November, 1977	Standards for the Jailing of Juveniles (Draft Copy)	53-133	7
<u>YOUTH (JUVENILE) SERVICES</u>			
May, 1968	Rules and Regulations on Traveling Expenses of Judges, Probation Officers and Other Officers of Regional Juvenile and Domestic Relations Courts	16.1-143.4	15
October, 1969	Program Guide for Halfway Houses for Juveniles	53-331	14
August, 1970	Standards for the Operation of Juvenile Probation Houses	16.1-311	13
June, 1973	Standards for Court Services (amended August, 1976)	16.1-233	14
June, 1973	Guidelines Regarding Delineation of Responsibility Between Probation and Welfare Departments	16.1-233	14
September, 1974	Personnel Standards for Juvenile Detention Homes (amended in December, 1976)	16.1-311	12

<u>Date</u>	<u>Title</u>	<u>Section of Code</u>	<u>Page</u>
<u>YOUTH (JUVENILE) SERVICES (CONTINUED)</u>			
February, 1976	Personnel Standards for Group Homes	16.1-311	13
February, 1976	Minimum Standards for Secure Detention Homes	16.1-311	13
July, 1976	Guidelines and Procedures Relating to Court Supervised Special Placements	16.1-279 16.1-287	15
January, 1977	Standards for the Transfer of an Individual Employee from a Locally Administered Juvenile and Domestic Relations Court Service Unit to a State Administered Juvenile and Domestic Relations Court Service Unit	16.1-233	15
January, 1977	Standards for the Transfer of Locally Administered Juvenile and Domestic Relations Courts from Local to State Administration	16.1-233	15
August, 1977	Certification Procedures for Secure Detention Homes	16.1-311	13
October, 1977	Minimum Standards for Learning Centers	16.1-311	13
December, 1977	Standards for Community Residential Care Administrative System	16.1-311	13

1

Refers to the page number of this report where reference to the item may be found.

END