



ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY

(SERVING ALBEMARLE, CHARLOTTESVILLE, NELSON)

160 Peregory Lane
Charlottesville, Virginia 22902

Phone: (434) 977-6981 Fax: (434) 951-1339

Web: <http://www.acrj.org>

Col. Martin Kumer, Superintendent (ext. 230)

Mrs. Marce B. Anderson, Clerk (ext. 229)

Board Business Meeting

Thursday, July 12, 2018 (12:30 – 2 p.m.)

Muster Room • Albemarle-Charlottesville Regional Jail, 160 Peregory Lane, Charlottesville, VA

AGENDA

(Action/Information)

I. ACRJ Board Meeting – Call to Order

Adopt Meeting Agenda

Action Item

II. Consent Agenda

For Approval:

- 1) Draft Summary Minutes May 8, 2018 ACRJA Board Bi-Monthly Business Meeting
- 2) Financial Reports – May 2018
- 3) Review of Bylaws (Attachment A)
- 4) Guidelines for Public Comment (Attachment B)

Action Item
Action Item
Action Item
Action Item

Informational

- 1) Administrative Reports
 - a) Personnel Report – thru June 2018
 - b) Out of Compliance Report – unavailable
 - c) Census Report – March 2018
 - d) Work Force Report / Litter Control Report – June 2018
- 2) Final Summary minutes of January 25, 2018 ACRJ Authority Board Bi-Monthly Business Meeting

III. Matters from the Public (Time Limits: 3 Minutes)

IV. Matters from the ACRJA Attorney

V. Matters from ACRJA Board Members

VI. Matters from Business Manager – Jeff Brill

VII. Matter from Superintendent – Colonel Martin Kumer

Informational

- 1) Information on Undocumented Inmates
 - Letter to Community Members (Attachment C)
 - ICE Pick Ups (Attachment D)
 - ICE Warrant and Detainer List (Attachment E)

VIII. New Business

IX. Closed Session

- 1) Evaluation of Superintendent

Action Item

X. Adjournment

Action Item

NEXT MEETING: September 13, 2018

Agenda Items for upcoming ACRJA Board Bi-Monthly Business Meetings:

Authority Board

Doug Walker (Albemarle)
Sheriff J.E. “Chip” Harding (Albemarle)
Cyndra Van Clief (Albemarle)
Diantha McKeel (Albemarle) - Chair

Sheriff James E. Brown, III (Charlottesville)
Kathy Johnson Harris (Charlottesville)
Wes Bellamy (Charlottesville)
Michael Murphy (Charlottesville) – Vice Chair

W. Lawton Tufts (Joint)
Sheriff David Hill (Nelson)
Stephen Carter (Nelson)

Bi Monthly Board May 10, 2018

DRAFT

**Summary Minutes of the
Albemarle Charlottesville Regional Jail Authority Board Meeting
May 10, 2018**

Jail Board Members Present:

Sheriff James Brown
Mrs. Cyndra Van Clief
Ms. Diantha McKeel
Sheriff David Hill
Mr. Mike Murphy
Mr. W. Lawton Tufts
Sheriff “Chip” Harding
Mr. Steve Carter

Jail Board Members Absent:

Dr. Wes Bellamy
Mr. Doug Walker
Mrs. Kathy Johnson Harris

Others Present:

Colonel Martin Kumer
Lt. Colonel Todd Rowland
Mrs. Marce Anderson
Mrs. Felicia Morris
Mr. Brendan Hefty
Mr. Jeff Brill
Captain William Thomas
Major Charles Trader
Mr. G. Murray-Key
Mr. Robert Barnabei

The meeting was called to order at 12:31 pm by Chairman Sheriff Brown. Sheriff Brown asked if the agenda was acceptable to everyone. Mrs. McKeel made a motion to adopt the agenda as presented. Mr. Carter seconded the motion. The motion carried unanimously. Sheriff Brown asked if everyone had an opportunity to review the items on the consent agenda. Mr. Murphy asked if the general

Bi Monthly Board May 10, 2018

practice is to have the minutes reflect the outcome of the meetings or should it reflect the tenor of the meetings. Mrs. Anderson advised that the minutes normally reflect the tenor of the meeting, not just the outcome. However, there were technical issues with the recording from the January 25th meeting, and a summary of the meeting minutes were presented. Mrs. McKeel stated that it is not a problem as long as everyone understands that they are summary minutes. Mrs. McKeel would like to look into alternative recording equipment for future meetings. Mr. Murphy stated that he does not have a problem with approval of the minutes if there is a note made that they are summary minutes. Sheriff Harding made a motion to approve the consent agenda. Mrs. McKeel seconded the motion. The motion carried unanimously.

Matters from the Public:

Donna, a Charlottesville Community Member, stated that she was present at a prior Jail Board Meeting regarding the jail's relationship with ICE. She stated that the ICE agent presented information that undocumented immigrant communities present a threat to Charlottesville. Donna felt this is a false claim, and undocumented immigrant communities are amongst the safest in Charlottesville.

Donna is a part of the Southerners on the ground "Black Mama Bail Out" campaign, for Mother's Day 2018. This campaign seeks to end all forms of pretrial detention. Donna wants to inform the board there are biases against many individuals in the community, particularly black women. Richard Preston, who was convicted of firing a gun within 1200 feet of a school, was able to rest in the comfort of his own home while many other individuals are made to remain in jail. Colonel Kumer advised the board that he would be in contact with this community member to work with her organization and individuals that match the campaigns criteria.

Matters from Brendan Hefty, ACRJA Attorney:

Mr. Hefty advised the board that the General Assembly will be reconvening May 14, 2018. The budget has not been approved yet, and Medicaid expansion is one of the items to be reviewed.

Matters from the ACRJA Board Members:

Sheriff Brown advised the board that elections need to be discussed for a new Chair and Vice Chair. Mrs. McKeel was nominated by Mrs. Van Clief to hold the office of Chair. Mr. Steve Carter seconded the nomination. Mrs. McKeel accepted the nomination, and the election of Mrs. McKeel as Chair carried unanimously. Mr. Mike Murphy was nominated by Mr. Tufts for the office of Vice Chair. Mrs. McKeel seconded the nomination. Mr. Murphy accepted the nomination and the election of Mr. Murphy as Vice Chair carried unanimously. Mrs. Anderson was nominated as the Clerk for the Jail Board Authority by Mr. Carter. Mrs. McKeel seconded the nomination. Mrs. Anderson accepted the nomination and the election of Mrs. Anderson as Clerk carried unanimously. Mrs. McKeel, Mr. Murphy and Mrs. Anderson will hold their positions until the end of 2019. Sheriff Brown asked Mrs. McKeel if she would like to Chair the remainder of the meeting. Mrs. McKeel declined and advised that she would wait until the July Meeting.

Sheriff Brown requested suggestions for guidelines/criteria for public comments. Sheriff Brown stated that he had some ideas for criteria. Mrs. McKeel suggested that members should send suggestions to Colonel Kumer and at a later date, she and Mr. Murphy could get together with Colonel Kumer and present something to the board. Mrs. McKeel advised that the board could still discuss possible ideas. Sheriff Brown stated that the board meeting is set for 90 minutes. If there are many items to discuss, we get close to that time with no matters from the public. We could possibly limit the number of speakers to 6 in order to ensure that we don't go over time. Mr. Murphy stated the purpose of offering public meetings is to ensure that as many individuals as possible from the public are allowed to speak. Mrs. McKeel stated that she would like anyone from the public to have the opportunity to speak. She stated that the amount of time allotted for each speaker may change depending on how many individuals sign up to speak. Mr. Carter stated that he would not be in favor of limiting the number of individuals that can speak. Sheriff Brown stated that his concern is that this meeting is scheduled during the day, and there are times that board members have to leave. Mr. Tufts suggested that the time limit remain at 3 minutes for individuals or groups. Mrs. McKeel suggested that if a group was interested in speaking, they could contact

Bi Monthly Board May 10, 2018

Colonel Kumer and be placed on the agenda and have 10 minutes to speak. Mrs. McKeel advised the board members to send their suggestions to Colonel Kumer and they will be reviewed.

Matters from Jeff Brill, Business Manager:

Mr. Brill advised that there were 4 changes to the budget. Mr. Brill asked the board if they would like to hear the full budget again, or if they would like to hear a summary of the 4 changes and how it impacts the localities. The board requested a summary of the changes. One of the changes was the pay study line item. We conducted our own pay study and originally budgeted \$30,000. After meeting with the county, and to ensure our pay study parameters matched theirs, that amount increased to approximately \$60,000. There was a decrease in health insurance of \$171,000, the reserves decreased \$25,000 and the fiscal agent fee decreased as well. Mr. Brill asked Colonel Kumer to elaborate on the compression / pay study.

Colonel Kumer advised the board that we originally did a compression study on our own resulting in approximately \$30,000 needed to compensate those employees impacted by the study. Mr. Walker suggested that we do the study using the same criteria that Albemarle County used in order to get an apples to apples comparison. After doing so, the amount needed increased to \$65,000 impacting approximately 30 employees. Mrs. McKeel stated that it is very important that we take care of compression. Colonel Kumer stated that the starting salary for an officer is \$34,900, and we are one of the lowest starting salaries in the region. Mr. Murphy stated that the starting salary is something that we will need to address in the future. Mrs. McKeel suggested that someone from Albemarle County could come in the future and speak to the board about compression, and how we could possibly avoid these issues going forward.

Sheriff Brown asked for a motion to approve the budget as it stands with the ability to amend once a determination has been made by the state. Mrs. McKeel made the motion to approve the budget with the ability to amend once we have received further information from the state. Mr. Tufts seconded the motion. The motion carried unanimously.

Matters from Colonel Martin Kumer, Superintendent:

Colonel Kumer introduced Mr. Robert Barnabei, Chief of Inmate Services, to present on Women's Programming. Mr. Barnabei advised the board that a new Women's Program model was introduced in October, 2017. The new model was developed in order to target the following areas:

- Increase quality and quantity of women's programming
- Target their criminogenic needs
- Maximize the number of offenders served within their length of stay
- Coincide with treatment services that our community partners offer

The model being used is similar to a model being used for the men's programming that has been successful. The model will continue to treat women with Substance Abuse issues using the Matrix program and using evidence based programs such as:

- Anger management
- Financial literacy
- Parenting
- Education
- ESL
- Moral Recognition Therapy
- Family reunification

The model also includes:

- Case management
- Transitional services

A transition room was created for community partners to come to the jail in order to work with offenders transitioning back into the community. This includes everything from continuing their education, resumes, employment, treatment programs, etc. Mr. Barnabei proceeded to introduce his team.

Litter Control Update –

Colonel Kumer advised the board of the numerous emails he receives from members of the community expressing their appreciation for the crews picking up trash. We have picked up over 17.5 tons of trash since January, 2018. VDOT has asked for a 5th crew for litter control.

Therapeutic Court Docket –

Colonel Kumer stated that ACRJ is participating in the therapeutic court docket. It has had a significant impact and has been very successful. Mrs. McKeel advised Colonel Kumer that the county would like some additional data at the end of the year to determine future funding. Colonel Kumer stated that he would provide the data requested.

Video Visitation –

We have 1 vendor and are currently working out the logistics. There would be no cost to localities for this service. We are looking at a tablet system for the inmates. This has been highly successful in other facilities.

ICE –

Colonel Kumer provided a snapshot of data from May 9, 2018, listing individuals that ICE may be interested in speaking with, their charges, place of birth, and which jurisdiction their charges are from. Colonel Kumer advised that for the next meeting he would provide more detailed information.

Superintendent's Review –

Colonel Kumer advised the board that his annual review is scheduled for July and if any board members had any questions, or anything that should be included in his review, please email him.

There was no need for a closed session.

Sheriff Brown asked for a motion to adjourn. Mr. Tufts made a motion to adjourn. Mr. Carter seconded the motion. The motion carried unanimously.

The meeting adjourned at 1:43 pm.

DRAFT

**ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY
EXECUTIVE SUMMARY**

<p><u>AGENDA TITLE:</u> May 31, 2018 YTD audited Financial Report</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u> Matters from Business Manager</p> <p><u>STAFF CONTACTS:</u> Sup. & Mess: Kumer & Brill</p>	<p><u>AGENDA DATE:</u> <u>ITEM NUMBER:</u> July 12, 2018</p> <p><u>FORMAL AGENDA:</u> <u>ACTION:</u> <u>INFORMATION:</u></p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u> Yes <u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u> Yes</p>
---	---

Compensation and benefits is estimate to come in under budget (\$562,561) due to:

- Vacancy savings and various other benefits are estimated to come in under (\$256,784).
- Overtime is estimated to come in over \$75,000 due to shortage of staff and vacancy positions.
- Part-time wages is estimated to come in over \$67,750 due to medical staff part timers being used while vacancy in medical.
- Health Insurance is estimated to come in under \$323,797 due to vacancies and insurance surplus funds reimbursement from insurance savings.
- Workers compensation came in under \$22,030 because it was put out to bid in FY18 and proposals came in lower than budget.

Operating expense is estimated to come in over budget \$95,603 due to:

- R&M buildings is estimated to come in under budget \$13,750 due to less budgeted repairs.
- Maintenance contract buildings is estimated to come in under budget \$18,980 due to less than budgeted repairs.
- Data Processing is estimated to come in over budget \$8,100 due to the purchase of the women’s classification program that was purchased and unbudgeted.
- Gas Service is estimated to come in under \$25,000 due to the mild winter.
- Water and Sewer is estimated to come in over budget \$30,000 due to increased water usage and cost.
- Pharmaceutical Drugs is estimated to come in over \$68,300 due to the cost of medication and types of drugs that inmates require.
- Fire insurance is over \$15,482 due to which includes coverage from VML and isn’t provided by Va Risk anymore.
- Travel Subsistence is estimated to come in over \$7,800 due to the staff required at the hospital, which requires 24 hour service.
- Laundry and Janitorial is estimated to come in over \$9,800 due to increased washes and supplies needed.
- Linen supplies and Inmate uniforms are over \$7,000 and \$10,500 respectively due to the replacement of old sheets and uniforms that were in munch need.

- Security supplies are estimated to come in over \$6,600 due to the purchase of extra vest for roadside cleanup and programs.

Operating Capital is estimated to come in over \$133,446 due to:

- Machinery and equipment used being over \$92,280 due to HVAC contract and the Board approval to budget \$100,000 and use remaining FY 18 net income from vacancy savings to offset the remaining balance and \$10,593 due to emergency repair of cell door.
- Kitchen replacement is over \$20,779 due to an unbudgeted steamer and repairs on kitchen floor to meet state code.
- Furniture and Fixtures is over \$6,094 to the installation of the front desk and admin office counter tops.

Total expenditures are estimated to come in under (\$333,512).

Operating income is estimated to come in over budget \$39,993.

- Interest income is estimated to come in over budget \$35,998.
- Federal prisoner's revenue is estimated to come in over \$13,000.
- Women's program is a new account that was unbudgeted and is estimated to generate \$28,000 from the County of Albemarle for road cleanup. Overtime expense is over as well due to this program.
- Comp Board salaries is estimated to come in over \$62,780.
- State per diem is estimated to come in under \$80,000 based on population and current payments.
- SCAPP funds were not allocated to the SCAPP program in FY 18 and may double up in FY 19; therefore SCAPP is under budget \$18,000.

Net Income is estimated to come in over budget **\$373,505**.

Recommendations: None

**Albemarle-Charlottesville Regional Jail
Detailed Expenses and Revenues
March 31, 2018**

	G	H	Q	R	S	U	V	W	X
1	OBJECT DESCRIPTION:	FY 2018 Budget	Mar	APRIL	MAY	YTD	Percent of Budget =92.0%	June 2018 Extrapolation	Variance
2	Total Combined Oper. Exp.:								
3	Total Combined Compensation:								
4	Salaries - regular	8,141,946	662,233	661,804	654,714	7,220,162	88.68%	7,885,162	(256,784)
6	Overtime wages	85,000	11,158	10,597	17,344	156,819	184.49%	160,000	75,000
8	Overtime - Reimbursable	7,000	0	0	3,566	9,409	134.41%	9,409	2,409
9	Part-time wages	216,088	23,424	26,493	35,043	258,838	119.78%	283,838	67,750
10	PT/wages - board member	2,100	0	0	0	900	42.86%	2,100	0
11	Accrued annual leave		0	0	0	-	#DIV/0!		0
12	FICA	646,428	51,291	51,514	53,925	569,762	88.14%	626,402	(20,026)
13	VRS @ 11.54%	939,581	73,964	74,234	74,021	804,976	85.67%	882,640	(56,941)
14	VLDP- disability	3,000	409	409	411	4,084	136.13%	4,484	1,484
15	Life Part Time	500	0	0	0	-	0.00%	0	(500)
16	VRS Hybrid	6,000	1,132	1,132	1,134	11,732	195.53%	12,832	6,832
17	Health insurance Fy 15 = \$7,7	1,583,148	115,204	115,204	115,980	1,144,351	72.28%	1,259,351	(323,797)
18	Dental insurance \$214 to \$238	40,000	2,920	2,920	2,940	31,960	79.90%	34,960	(5,040)
19	HSA contribution	40,000	0	7,176	0	16,184	40.46%	20,000	(20,000)
20	VRS group life 1.00% eff 7/1/06	106,659	8,525	8,553	8,532	92,707	86.92%	101,207	(5,452)
21	Group life - part-time	500	0	0	0	-	0.00%	0	(500)
22	Line of Duty	25,500	0	0	0	25,534	100.13%	25,534	34
23	Unemployment insurance	10,000	0	0	0	2,288	22.88%	5,000	(5,000)
24	Workers' compensation	118,000	0	0	0	95,970	81.33%	95,970	(22,030)
26	Subtotal Comp. & Benefits	\$11,971,450	950,260	960,036	967,610	10,445,676	87.25%	\$11,408,889	(\$562,561)
27			950,260	960,036	967,610	10,445,676			
28	Total Combined Operating Expenditures:								
29	Professional Services	7,000	55	132	174	6,423	91.76%	7,000	0
30	Contract services other	8,700	662	662	662	10,718	123.20%	11,000	2,300
31	Health services	394,650	6,747	16,760	9,464	368,676	93.42%	394,650	0
35	Prof services - legal	32,200	2,679	2,679	2,679	26,792	83.20%	32,200	0
37	Prof services - audit	11,250	0	0	0	10,925	97.11%	10,925	(325)
41	R&M - buildings	63,750	885	3,632	2,016	45,526	71.41%	50,000	(13,750)
42	R&M - vehicles	3,000	865	0	0	2,219	73.97%	3,000	0
43	Maint contract - equip	83,980	4,799	6,233	7,975	57,352	68.29%	65,000	(18,980)
44	Maint contract - buildings	15,935	2,476	360	7,059	17,684	110.98%	18,500	2,565
45	Printing & Binding	4,050	0	0	0	-	0.00%	0	(4,050)
46	Advertising	3,000	0	0	0	3,108	103.60%	5,000	2,000
48	Tuition assistance	3,000	0	0	0	-	0.00%	0	(3,000)
49	Employee physicals	2,000	315	315	510	4,151	207.55%	5,000	3,000
50	Other purchased services	2,000	331	302	313	3,246	162.30%	3,500	1,500
51	Contract - Disposal	22,520	1,828	402	3,977	23,857	105.94%	26,000	3,480
52	Contract - fiscal agent	152,425	0	38,106	0	152,424	100.00%	152,425	0
53	Data processing	46,900	14,898	1,607	1,843	52,235	111.38%	55,000	8,100
54	Electrical service	220,000	15,435	14,816	15,309	179,187	81.45%	215,000	(5,000)
55	Gas service	100,000	9,137	7,610	7,638	62,765	62.77%	75,000	(25,000)
56	Water & sewer	280,000	23,658	27,757	26,892	257,494	91.96%	310,000	30,000
57	Postal services	8,200	212	200	161	3,324	40.54%	5,000	(3,200)
58	Telecommunications	53,600	4,217	2,970	4,836	39,385	73.48%	50,000	(3,600)
59	Fire insurance	24,500	0	0	0	39,982	163.19%	39,982	15,482
62	Automotive insurance	6,500	0	0	0	4,773	73.43%	4,773	(1,727)
63	Lease Equipment	18,192	1,115	2,588	1,240	13,731	75.48%	15,000	(3,192)
64	Software Licensing		0	0	0	-			0
65	Travel - education	46,090	1,329	341	13,676	33,100	71.82%	40,000	(6,090)
66	Training - Academy	75,000	206	1,155	797	77,945	103.93%	78,500	3,500
68	Travel - subsistence	1,000	373	202	617	8,311	831.10%	8,800	7,800
69	Staff Support / Miscellaneous	750	0	0	0	222	29.60%	500	(250)
70	Sams Club vending wellness		123	0	245	368	#DIV/0!	368	368
71	Donations		126	117	516	831	#DIV/0!	831	831

**Albemarle-Charlottesville Regional Jail
Detailed Expenses and Revenues
March 31, 2018**

	G	H	Q	R	S	U	V	W	X
1	OBJECT DESCRIPTION:	FY 2018 Budget	Mar	APRIL	MAY	YTD	Percent of Budget =92.0%	June 2018 Extrapolation	Variance
72	Human Resource Exp	3,000	0	0	828	2,352	78.40%	3,000	0
73	Inclement Weather Expense	2,000	0	0	876	876	43.80%	876	(1,124)
74	Wellness Fund Sams Club	2,000	123	0	245	1,538	76.90%	2,000	0
75	Wellness Fund Expense	2,000	0	0	107	1,855	92.75%	2,000	0
76	Inmate Fund Expense	4,500	1,589	871	466	9,315	207.00%	9,500	5,000
77	Dues & memberships	14,319	1,008	362	3,523	13,798	96.36%	14,319	0
78	Office supplies	41,250	2,512	751	2,046	44,594	108.11%	45,000	3,750
79	Food supplies	715,000	51,526	59,003	78,805	648,784	90.74%	715,000	0
80	ACRJ Employees	80,000	1,431	23,914	1,659	73,644	92.06%	80,000	0
81	BRDC food supplies	25,000	8,494	(11,361)	5,504	28,932	115.73%	25,000	0
82	SWVC	4,000	530	376	558	4,043	101.08%	4,300	300
83	Meals for meetings	4,000	362	726	345	5,422	135.55%	6,000	2,000
84	Medical Disposal					-	#DIV/0!		0
85	Pharmaceutical Drugs	381,700	46,269	44,358	785	376,218	98.56%	450,000	68,300
86	Laundry & janitorial supplies	60,200	10,797	6,757	5,431	65,384	108.61%	70,000	9,800
87	Kitchen & Maint. Cleaners	46,800	4,367	4,501	969	38,433	82.12%	46,800	0
88	Linen supplies	13,000	6,772	2,632	90	19,084	146.80%	20,000	7,000
89	Uniforms - inmate	16,500	4,355	920	3,092	26,418	160.11%	27,000	10,500
90	R&M supplies	62,255	5,065	(225)	7,907	46,507	74.70%	50,000	(12,255)
92	Vehicle & equip fuel & supplies	15,800	1,729	1,762	947	15,484	98.00%	16,800	1,000
93	Vehicle & equip supplies	11,000	2,835	2,120	14	12,029	109.35%	13,500	2,500
94	Security supplies	14,400	1,482	887	2,188	20,839	144.72%	21,000	6,600
95	Uniforms & apparel	36,800	933	2,597	2,610	35,916	97.60%	36,800	0
96	Books & subscriptions	3,600	0	0	0	192	5.33%	1,000	(2,600)
97	Inmate Education	20,580	(133)	1,307	71	6,412	31.16%	10,000	(10,580)
98	Other operating supplies	2,500	0	0	0	-	0.00%	500	(2,000)
99	Copy supplies	1,500	0	0	0	369	24.60%	500	(1,000)
100	Fund Balance ACRJ operating						#DIV/0!		0
103	Subtotal Operating Exp.	\$3,273,896	\$244,517	\$271,204	\$227,665	3,005,192	91.79%	\$3,369,499	\$95,603
104									
105	Total Combined Operating Capital:								
106	Machinery & equip		0	7,950	0	10,451	#DIV/0!	10,451	10,451
107	Machinery & Equipment Replace	100,000	-	-	-	147,796	147.80%	192,280	92,280
108	Kitchen Equipment - Replacement		0	0	0	13,694	#DIV/0!	20,779	20,779
109	Furniture & fixtures - new		0	0	0	6,094	#DIV/0!	6,094	6,094
110	F&F - replacement		0	0	0	1,670	#DIV/0!	1,670	1,670
111	Communications equip		0	0	7,085	7,085	#DIV/0!	0	0
112	Comm equip - replacement		0	0	0	-	#DIV/0!		0
113	Motor vehicles		0	0	0	-	#DIV/0!		0
114	Parking Paving		0	0	0	-	#DIV/0!		0
115	ADP Equipment		0	0	0	2,172	#DIV/0!	2,172	2,172
116	ADP Equipment - Rep		0	0	0	-	#DIV/0!		0
117	Software Upgrade	0	0	0	0	-	#DIV/0!		0
121	Subtotal Operating Capital	\$100,000	\$0	7,950	7,085	188,962	188.96%	233,446	133,446
122									
123	Subtotal Expenditures	\$15,345,346	\$1,194,777	1,239,190	1,202,360	13,639,830	88.89%	15,011,834	(333,512)

**Albemarle-Charlottesville Regional Jail
Detailed Expenses and Revenues
March 31, 2018**

	G	H	Q	R	S	U	V	W	X
1	OBJECT DESCRIPTION:	FY 2018 Budget	Mar	APRIL	MAY	YTD	Percent of Budget =92.0%	June 2018 Extrapolation	Variance
124	Operating Revenues:								
125	Interest	10,002	7,545	6,392	4,060	42,330	423.22%	46,000	35,998
126	Sale surplus vehicles					-	#DIV/0!		0
127	Sale salvage					-	#DIV/0!		0
128	Cellular Tower Lease	47,000	2,420	2,420	2,420	45,841	97.53%	48,261	1,261
129	Regional Jail Service Fees	7,000		4,840	0	13,454	192.20%	13,454	6,454
130	Other jurisdictions					-	#DIV/0!		0
131	Charlottesville	4,591,150	382,596	382,596	382,596	4,208,556	91.67%	4,591,150	0
132	Albemarle	3,541,819	295,152	295,152	295,152	3,246,672	91.67%	3,541,819	0
133	Federal prisoners 50.63	125,000	15,138	19,475	14,609	126,670	101.34%	138,000	13,000
134	Nelson County	618,746	51,562	51,562	51,562	567,182	91.67%	618,746	0
135	Telephone system	213,000	146	166	177	214,380	100.65%	215,000	2,000
136	Dollar a day Inmate Charge	85,000	4,724	6,878		60,654	71.36%	73,000	(12,000)
137	Misc. Inmate reimbursements					-	#DIV/0!		0
138	Workers' comp. reimb.					-	#DIV/0!		0
139	Work release insurance					-	#DIV/0!		0
140	Womens program		3,532	2,689		13,399	#DIV/0!	28,000	28,000
141	Work release	96,000	8,169	8,879		79,383	82.69%	96,000	0
142	Vdot	168,000	14,262	17,581		132,996	79.16%	168,000	0
143	Electronic Monitoring-other	12,000	1,196	1,776		11,554	96.28%	13,000	1,000
144	Subscription Revenues	4,000	255	318	184	2,304	57.60%	3,000	(1,000)
145	Region Ten	25,000		12,500		25,000	100.00%	25,000	0
146	Miscellaneous -misc jail revenue	2,500	15	32	55	3,721	148.84%	4,000	1,500
147	Wkend & Work Force Reim-misc	12,000	1,552	1,448		8,265	68.88%	12,000	0
151	Wellness Fund Sams	2,000				-	0.00%	0	(2,000)
152	Wellness Fund Other Rev	2,000				-	0.00%	2,000	0
153	Inmate Fund Revenue	2,500	603		2,566	7,450	298.00%	7,500	5,000
154	Shrd Svc: BRJDC Food & Mgmt.-misc	68,000	9,000	16,919		59,334	87.26%	68,000	0
155	Insurance Recoveries					-			0
156	Medical Copayment-misc	10,000	418	161	1,061	6,177	61.77%	8,000	(2,000)
157	Training Fees Recovered-misc	4,000			190	2,917	72.93%	3,000	(1,000)
158	Prior year recovery					-			0
159	Comp Board - salaries	4,719,629	397,575	405,171	400,000	4,382,409	92.85%	4,782,409	62,780
163	State per diem	960,000		70,695	131,759	644,519	67.14%	880,000	(80,000)
167	SSA/SSI Recovery	1,000				-	0.00%	0	(1,000)
168	Justice Reinvestment					-	#DIV/0!		0
169	SCAPP Funds	18,000				-	0.00%	0	(18,000)
174	Subtotal Operating Revenues	\$15,345,346	\$1,195,860	\$1,307,650	\$1,286,391	13,905,167	90.61%	15,385,339	39,993
175									
176		\$0	1,083	68,460	84,031	265,337		373,505	373,505

CONSENT/AGENDA

PERSONNEL/NEW HIRES:

Cabell Perrot	Corrections Officer	06/11/2018
Jerry Hubbard	Corrections Officer	06/11/2018

Albemarle Charlottesville Regional Jail
Census Report

2016/2017	COA	City	Nelson	Federal	Other	Total
July 2016	5,933	6,795	780	186	273	13,967
August	6,274	6,821	828	217	323	14,463
September	6,195	6,742	919	219	229	14,304
October	6,451	6,894	926	334	223	14,828
November	6,111	6,544	960	335	153	14,103
December	5,896	6,701	895	333	130	13,955
January-17	5,944	7,189	851	269	141	14,394
February	5,665	6,438	751	203	142	13,199
March	5,973	7,274	1,102	147	254	14,750
Total FY 16/17	54,442	61,398	8,012	2,243	1,868	127,963
ADP	199	224	29	8	7	467
Percent	42.55%	47.98%	6.26%	1.75%	1.46%	100.00%
Local Share	43.96%	49.57%	6.47%	N/A	N/A	100.00%

2017/2018	COA	City	Nelson	Federal	Other	Total
July 2017	5,354	7,053	1,335	186	440	14,368
August	5,051	6,227	1,406	129	363	13,176
September	5,117	6,585	1,344	152	326	13,524
October	5,631	7,179	1,551	246	358	14,965
November	5,759	6,613	1,331	222	331	14,256
December	5,700	6,241	1,167	281	308	13,697
January-18	5,766	6,067	1,211	288	352	13,684
February	5,750	5,550	1,350	299	223	13,172
March	6,874	6,072	1,511	370	253	15,080
Total FY 17/18	51,002	57,587	12,206	2,173	2,954	125,922
ADP	186	210	45	8	11	460
Percent	40.50%	45.73%	9.69%	1.73%	2.35%	100.00%
Local Share	42.22%	47.67%	10.10%	N/A	N/A	100.00%

FY 2017	54,442	61,398	8,012	2,243	1,868	127,963
FY 2018	51,002	57,587	12,206	2,173	2,954	125,922
Variance	(3,440)	(3,811)	4,194	(70)	1,086	(2,041)
Percent Change	-6.3%	-6.2%	52.3%	-3.1%	58.1%	-1.6%

ICWFP STATS 2018

Departments	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Hours
County Sheriff	200	72	32	152	152								608
City Sheriff	148	110.5	70.5		100								429
Department of Forestry				81.75									81.75
ACRJ Road Crew	47	52	68	39									206
Albemarle County Parks	93	205.5	312	114	264								988.5
ICWFP	723	933	1223	1197.5	1456.5								5533
PROGRAM TOTALS	1211	1373	1705.5	1584.25	1972.5								7846.25
DOLLAR CREDITS	\$8,779.75	\$9,954.25	\$12,364.88	\$11,485.81	\$14,300.63								\$56,885.31

LITTER CREW STATS 2018

Departments	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Hours
COUNTY LITTER CREW	115.5	29	152.75	138.75	383.25								819.25
PROGRAM TOTALS	115.5	29	152.75	138.75	383.25								819.25
DOLLAR CREDITS	\$837.38	\$210.25	\$1,107.44	\$1,005.94	\$2,778.56								\$5,939.56

LITTER CREW STATS 2018

Departments	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Hours
VDOT Litter Crew			179.5	192	166								537.5
PROGRAM TOTALS			179.5	192	166								537.5
DOLLAR CREDITS			\$1,301.38	\$1,392.00	\$1,203.50								\$3,896.88

Bi Monthly Board Meeting January 25, 2018

FINAL

**Summary Minutes of the
Albemarle Charlottesville Regional Jail Authority Board Meeting
January 25, 2018**

Jail Board Members Present:

Sheriff James Brown
Mrs. Cyndra Van Clief
Mr. Doug Walker
Mrs. Kathy Johnson Harris
Ms. Diantha McKeel
Dr. Wes Bellamy
Mr. Mike Murphy
Mr. W. Lawton Tufts
Sheriff “Chip” Harding
Mr. Steve Carter
Sheriff David Hill

Jail Board Members Absent:

Others Present:

Colonel Martin Kumer
Felicia Morris
Robert Barnabei
Sgt. Travis Seiler
Major Charles Trader
Roger Wiley
Russell Hott
George Ward
Joe Flamini
Diane Weber
Kimberly Emery
David Baluarte
Grace Paine

Lt. Colonel Todd Rowland
Marce Anderson
G. Murray-Key
Mr. Jeff Brill
Capt. Aaron Carver
Danielle Powell
Patrick Divver
Carresa Cuttrell
Helen Flamini
Angela Ciolfi
Deena Sharuk
Rev. Dr. Susan Minerian
Gene Locke

Bi Monthly Board Meeting January 25, 2018

Jamie Price
Katrina Turner
Andrea Negrete
Frank Sullivan
Cynthia Neff
Tanishka Cruz

Kristin Clarens
Samantha Perez
Carly Margolis
Seth Wispelmey
Mark Heisly
Dave Chapman

The meeting was called to order at 12:38 pm by Chairman Sheriff Brown. Sheriff Brown asked if the agenda was acceptable to everyone. Dr. Bellamy made a motion to adopt the agenda as presented. Ms. McKeel seconded the motion. The motion carried unanimously.

Sheriff Brown asked if there were any corrections that needed to be made to the draft minutes or the consent agenda. Ms. McKeel made a motion to adopt the consent agenda. Mrs. Johnson Harris seconded the motion. The motion carried unanimously.

Sheriff Brown asked the board to review the documents in the packet containing Colonel Kumer's recommendation, and attachment A and B. Colonel Kumer's recommendation was a policy of deference to each member agencies duly elected Commonwealth Attorney. However, if the Board requires more time and or information, he does not recommend a moratorium on the notification process in the interim. All three Commonwealth Attorneys were consulted regarding their preference as to whether or not this facility notifies ICE of an individual's scheduled release date. Each one made their preference known and will or has already put those preferences in writing to the Board. Commonwealth Attorney Tracci and Rutherford are both in favor of blanket notification, which means there would be no change to the current policy of notifying ICE prior to release. Commonwealth Attorney Platania would be in favor of notification of ICE in the cases of felonies and violent crimes, and unsure about misdemeanors such as DUI. This policy will establish a notification procedure based on each Commonwealth Attorney's predilection. Jurisdiction refers to the criminal jurisdiction and not the residential jurisdiction. Jail staff will apply that preference as a blanket policy and will only deviate from that policy if directed by the Commonwealth Attorney who

Bi Monthly Board Meeting January 25, 2018

has criminal jurisdiction over that individual. This will allow for a case by case review if they choose to exercise that option.

Matters from the Public:

Sheriff Brown asked for matters from the public.

Angela Ciolfi stated that there are some undisputed facts regarding ICE pickups, such as the fact that compliance is voluntary. Why would we choose to assist ICE in violating people's rights? If our justice system deemed an individual worthy of a bond, why should ICE be able to override that decision? When detained, they have to fight their deportation. We have local law enforcement, and ICE should be held to the same standard as local law enforcement.

Susan Minagian stated that she is part of a growing network of individuals helping to protect immigrants. The immigrant population in this area has doubled in the past 10 years; however, crime rates are lower. Some see it is just 50 people per year, no big deal. However, those 50 people per year equate to 50 families being pushed into poverty. Protection of families is most important.

Jamie Price questioned what would happen to the many students who are native Spanish speaking, if their parents are deported.

Community member – stated that there was an individual who was arrested for driving without a license and was picked up by ICE. Families are in constant fear that their family members are not coming home. All these individuals want is a better future for their children and family.

Kristen Clarens spoke regarding who is going to be responsible for children whose parents are detained. There is a possibility of long term psychological impact. How are these families going to stay afloat?

Grace Paine stated that she handles low income domestic abuse survivors. Many of whom are undocumented. Some clients want to seek child support, but they are

Bi Monthly Board Meeting January 25, 2018

concerned about deportation. Some could be subject to spite warrants and fabricated criminal allegations.

David Baluarte spoke of a family of 5. The father had a court appearance and was detained by ICE. The youngest is having a hard time living without his father. But thankfully the father is back in the home. Mr. Baluarte believes that this is an issue of faith and conscience. Changing this policy is an opportunity to speak to values.

Jim Hensley stated that notification is prompted by an ICE detainer. There is no renewal by the judicial system or magistrate. There needs to be a certain standard by 3rd party review. Why would we proceed on an ICE detainer, without an independent review?

Diane Webber stated that she has lived in the county for the last 24 years and believes that illegal aliens should comply with the ICE requests. She does not want the board to be influenced by certain groups. She advised the board to consider the safety of the community.

Tanishka Cruz advised that ICE wants to create a fear of gangs. Should ICE be notified when an individual is granted bail? Why doesn't ICE share the information they have on this individual that triggered an ICE detainer with local law enforcement?

Katrina Turner stated that she is from El Paso, TX and that all undocumented individuals want is to live a better life, as we all do.

Matters from ACRJA Board Members:

Ms. McKeel advised that she would like to hear from the representatives from ICE.

Mr. Russell Hott, Field Office Director came forward to speak. Mr. Hott stated that his agency has been vilified as fearmongering. He stated that they risk their lives for public safety. Mr. Hott advised they ICE has convicted on 52 DUI's; 3 hit and runs; 8 drug offences; 1 abduction; 1 malicious wounding; 5 sex offences;

Bi Monthly Board Meeting January 25, 2018

26 assault and batteries; 0 homicides; 2 protective order violations; 1 breaking and entering; 3 larcenies; 3 weapons offenses.

Discussion began between the ICE representative and the board.

Ms. McKeel wanted to get more information about the warrant that is not signed off on by a judge. Mr. Hott advised that it is recognized by the judicial system and is a valid document. Mr. Wiley stated that he is skeptical about its constitutionality. Mr. Murphy asked if all jails provide this information. Mr. Hott advised that they do receive notification from most Law Enforcement Agencies. Dr. Bellamy asked Mr. Hott why there needs to be an additional notification when they are notified upon fingerprinting. Mr. Hott advised that they are not asking for the notification for fearmongering, but if they are not notified, they will pursue that individual in the community if necessary. Mr. Walked asked how many ICE officers are in this region. Mr. Hott declined to answer. Colonel Kumer made a point of clarification regarding his statement at the previous meeting about ICE not having the manpower to pick up detainees. Colonel Kumer advised that ICE did want the individual, but they would not be able to make it here in time to be able to pick them up.

Commonwealth Attorney's Mr. Tracci and Mr. Rutherford came forward to speak on their position regarding ICE notification. Mr. Tracci stated that there is an obligation to adhere to the law. Mr. Tracci stated that there are 3 things that are looked at regarding a detainer.

1. Deportability
2. Risk of flight
3. Threat of public safety

Mr. Tracci stated that 4 detainees per month, speaks to the difficulty of the process. Mr. Tracci stated that it is a difficult job under difficult circumstances, and they are owed appreciation.

Mr. Rutherford agrees with Mr. Tracci and further stated that if the courtesy is not an undue burden, we should work with one another. Mr. Rutherford advised that the citizens of Nelson support the decision to notify.

Bi Monthly Board Meeting January 25, 2018

Mr. Murphy stated that ICE implies a Crime Matrix, and he could get behind that if the ICE agent stated that. However, the agent stated it is on a case by case basis, and the individual assessment by the agent.

Ms. McKeel stated that as a representative for Albemarle County, she is comfortable with the current policy. Mrs. Van Clief doesn't feel as though the Commonwealth Attorneys should have any additional power. It is the board's job to make a decision on this matter. Mr. Walker believes that it does involve the opinion of the Commonwealth Attorneys. Mr. Carter does not believe a decision can be made without all of the information. Ms. McKeel asked for Colonel Kumer's recommendation. Colonel Kumer advised that he is for straight notification across the board. We don't know what this individual may have done in their country of origin, and we don't have all of the information. He cannot insert his personal opinion into the safety of these localities.

After more discussion, Sheriff Harding made a motion to continue to notify ICE 48 hours prior to scheduled release, or as soon as possible prior to release. The motion was seconded by Mrs. Van Clief. Prior to voting, there was discussion, and Dr. Bellamy made a substitute motion in favor of differentiation for Charlottesville to comply with the front end notification of ICE with fingerprinting, but no additional notification 48 hours prior to release with respect to the Commonwealth Attorney's decision whether or not to notify. Mrs. Van Clief felt the motion was inappropriate and there should be 1 consistent policy. Mr. Murphy made an amendment to the policy that ICE would be notified on all felonies and DUI's. Differentiation would occur for misdemeanors. Dr. Bellamy revised his motion stating that ICE would be notified 48 hours prior to release in all felonies and DUI charges. Each locality would seek the advice of their Commonwealth Attorney regarding all other misdemeanors. Mr. Tufts seconded the motion.

Bi Monthly Board Meeting January 25, 2018

Roll call was as follows:

Mr. Carter -	NO
Sheriff Hill-	NO
Mrs. Van Clief-	NO
Mrs. Johnson Harris-	NO
Mr. Murphy -	AYE
Mr. Walker-	AYE
Mr. Tufts-	AYE
Ms. McKeel-	NO
Dr. Bellamy-	AYE
Sheriff Harding-	NO
Sheriff Brown-	Only votes in the event of a tie

With a vote of 6 No's and 4 Aye's, the motion did not carry.

Sheriff Brown asked for roll call on the initial motion made by Sheriff Harding to maintain the current policy of notifying ICE 48 hours prior to release.

Roll call was as follows:

Mr. Carter-	AYE
Sheriff Hill-	AYE
Ms. Van Clief-	AYE
Mrs. Johnson Harris-	AYE
Mr. Murphy-	NO
Mr. Walker-	AYE
Mr. Tufts-	NO
Ms. McKeel-	AYE
Dr. Bellamy-	NO
Sheriff Harding-	AYE
Sheriff Brown-	Only votes in the event of a tie

The motion carried by majority with a vote of 7 Aye's and 3 No's.

Bi Monthly Board Meeting January 25, 2018

The meeting adjourned at 3:28 pm.

FINAL

ALBEMARLE-CHARLOTESVILLE REGIONAL JAIL AUTHORITY

BYLAWS

ARTICLE I – THE BOARD

1.1 Description. The Albemarle-Charlottesville Regional Jail Authority (the “Authority”) was created by an Agreement dated November 15, 1995, by and between the County of Albemarle and the City of Charlottesville, to which the Authority itself also became a party (the “Service Agreement”). The County of Nelson became a member jurisdiction and party to the Service Agreement in [add date].

1.2 Membership. The powers of the Authority shall be exercised by a board as set forth in the Agreement.

ARTICLE II – OFFICERS

2.1 Chairman. The board of the Authority shall select a chair from among its membership. The chair shall preside at all meetings of the Authority, shall appoint from time to time such committees as he or she may deem appropriate, and shall have such other powers or duties as may be prescribed in these bylaws or by resolution of the Authority.

2.2 Vice chair. The board shall also elect a vice chair from among its membership. The vice chair shall preside at all meetings when the chair is not in attendance, shall become chair if the chair dies or resigns, and shall have any other powers or duties prescribed in these bylaws. The chair and the vice chair shall be representatives of different member jurisdictions, unless no member is willing to serve to make adherence to this rule possible.

2.3 Clerk. The board shall appoint a clerk, who may be an employee of the Authority or of any of any member jurisdiction, to keep the minutes of meetings and serve as custodian of other records of Authority actions.

2.4 Terms. Following the initial election of offices, officers shall be elected at the first regular meeting in each calendar year. Officers shall serve for a term of ~~two years~~ one year, or until their successors are elected.

ARTICLE III – MEETINGS

3.1 Quorum. ~~A majority of the members appointed to the Authority shall constitute a quorum for the transacting of business. Except for those matters for which the Service Agreement requires a majority of all members, action may be taken on any matter by a majority of those present and voting. A majority of the members of the Board shall constitute a quorum for the transaction of its business. An affirmative vote of a majority of the full membership of the~~

Formatted: Right

Board shall be required to adopt the Annual Budget, to amend the per diem charges, or approve the creation of any Obligation or any other contract obligating the Authority for longer than one year. All other decisions of the Board may be made by affirmative vote of a majority of the members present and voting.

3.2 Meetings. The usual order of business at a regular meeting shall be as follows:

- (Ia) Call to order.
- (IIb) Consent Agenda.
- (IIIe) Matters from the Public ~~Other unfinished business.~~
- (IVd) Matters from ACRJA Attorney ~~Other new business.~~
- (Ve) Matters from ACRJA Board Members ~~Public comment.~~
- (VI) Matters from ACRJ Business Manager
- (VII) Matters from ACRJ Superintendent
- (VIII) New Business
- (IX) Closed Session (if needed)
- (X) Adjournment

3.3 Minutes. The clerk shall prepare summary minutes of each meeting, which shall be mailed or delivered to each member before the next regular meeting. The board shall approve the minutes of each meeting at a subsequent meeting. The chairman (or in the chairman’s absence, the vice chairman) shall sign the minutes as approved.

3.4 Procedure. Meetings shall be conducted generally in accordance with Robert’s Rules of Order (short form for small parliamentary bodies).

3.5. Remote Participation. If a quorum is physically present to conduct a meeting of the Authority’s board of directors or one of its committees, other members may attend and participate in such meeting from a remote location by telephone or other audio or video means, provided such attendance complies with the provisions of the Virginia Freedom of Information Act, as amended from time to time. A member wishing to attend in this manner shall advise the clerk of the board a reasonable time before start of the meeting, so that the necessary equipment can be put in place.

Formatted: Left

3.6. Annual Performance Review of the Superintendent. Prior to July 1 each year, the Authority board of directors shall conduct a review of the performance of the ACRJ Superintendent. Such review shall include the consideration of progress or completion of specific goals established for the Superintendent by the Authority for the review period, overall performance of the Superintendent and jail operations during the review period and identification of goals for the next review period. The annual performance review shall serve as the basis for providing any merit-based salary adjustment.

Formatted: Underline

Formatted: Right

Formatted: Centered

Formatted: Right

ARTICLE IV – FINANCIAL

Formatted: Left

4.1 Fiscal Agent and Treasurer. The Authority may employ a qualified person to act as its treasurer and financial manager. Alternatively, the Authority may contract with either of the member jurisdictions to serve as fiscal agent, in which case the city treasurer or county director of finance (as the case may be) shall serve as treasurer of the Authority.

4.2 Fiscal Year. The fiscal year of the Authority shall begin each year on July 1 and shall end on June 30 of the following year.

4.3 Budget. As required by the Agreement, the board shall adopt an annual operating budget for each fiscal year and establish per diem charges based on such budget, which shall be submitted to the governing bodies of the member jurisdictions on a schedule that will permit the jurisdictions' own budgets to be based on those per diem charges.

4.4 Audit. The Authority shall obtain an independent audit of its finances to be made each year, to reflect the full revenues and expenditures of the Authority. If one of the member jurisdictions serves as the Authority's fiscal agent, the independent auditor for that jurisdiction may perform the Authority's annual audit.

4.5 Procurement. If one of the member jurisdictions is serving as the Authority's fiscal agent, the Authority shall adhere to that jurisdiction's established procurement and purchasing regulations and procedures, with the regional jail superintendent exercising the same purchasing and contracting authority as a department head in that jurisdiction, and the board of the Authority exercising the powers of the board of supervisors or city council. ~~If no~~ If no jurisdiction serves as fiscal agent, the Authority shall comply with the Virginia Public Procurement Act for all purchases, and may adopt an informal small purchase procedure for all purchases up to the limits permitted by that ~~Act-Act~~.

ARTICLE V – AMENDMENTS

Formatted: Left

5.1 Amendments. These bylaws may be amended in any manner consistent with the Agreement, by a majority vote of all members of the board.

These bylaws were adopted by the Board on January 18, 1996, and amended September 11, 2014.

Formatted: Right

Formatted: Centered

July 4, 2018

|

|

Attested:

Clerk

Attachment A ◀

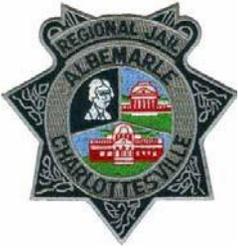
Formatted: Right

|

July 4, 2018 ◀

Formatted: Right

Formatted: Centered



Colonel Martin Kumer
Superintendent

ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL
160 Peregory Lane
Charlottesville, VA 22902

Phone: (434) 977-6981 Fax: (434) 977-0468
www.actj.org

GUIDELINES FOR PUBLIC COMMENT

- When called to the speaker's podium, state your name.
 - Address comments directly to the Board as a whole.
 - Give written statements and other supporting material to the Clerk.
 - If you present with a group or organization, you may ask others present to raise their hands and be recognized.
 - All speakers are allotted 3 minutes to speak.
 - If you exceed your allotted time, you will be asked to end your comments.
 - If a speaker does not use all allocated time, the unused time may not be shared with another speaker.
 - Speakers are permitted one opportunity to comment during the public comment period per meeting.
 - Back-and-forth debate is prohibited.
 - Do not speak from your seat or out of turn.
 - Persons in the audience are encouraged to raise their hands to indicate their support or opposition to speakers at the podium or any item during the meeting.
 - Please refrain from applause and other forms of approval or disapproval, as a courtesy to each speaker.
 - Signs are permitted in the meeting room so long as they are not attached to any stick or pole and do not obstruct the view of persons attending the meeting.
- If a board member wants a public comment addressed, it should be directed to the Superintendent for addition to the new business section to be addressed or slated for a future agenda item to allow time for research.

To Concerned Citizen,

Thank you for bringing forward your concerns regarding the procedure of the Albemarle Charlottesville Regional Jail (ACRJ) staff to notify federal ICE agents in advance of the release of incarcerated individuals whom are undocumented. As you may know, ACRJ is required to notify ICE of undocumented individuals upon entry into the facility but is not required to either notify ICE upon the release of individuals or hold them beyond the time of release, both actions requested by ICE. The practice of ICE notification is not new, having been in place for years. The ACRJ staff is currently polling all jails in Virginia to determine if they follow this practice. To date, over half have responded back affirming they do participate in the voluntary notification procedure. To date, no jail has indicated they do not call. The ACRJ staff will continue polling the remaining jails and report this information to the Authority Board once it is completed.

During 2017, the ACRJ Authority Board voted to decline ICE's request to hold individuals beyond their scheduled release and in January 2018 voted to continue with the ICE notification procedure. Accordingly, ICE must be present at the time of release in order to take custody.

The ACRJ Authority represents the citizens of Charlottesville, Albemarle County and Nelson County, with a blend of elected, appointed and citizen representation on the authority board from these localities. We feel comfortable in stating that the ACRJ Board Authority representatives do not believe that undocumented immigrants pose an inherent danger to this community. The ACRJ Authority Board and ACRJ staff are empathetic to both the residents of our community and to these affected individuals and their families. However, important decisions regarding incarcerated individuals have to be made and the application of policies and procedures must be consistent. We are sure members of the community would agree there are individuals who have committed specific crimes that should not be released back into our community. It would not be reasonable or realistic to form a community consensus on specifically what crimes those would be. (A few examples: domestic violence?, driving under the influence?, possession or distribution of illegal drugs?) Additionally, it would be impossible for the ACRJ staff to develop objective criteria that could be applied consistently to each individual when making the decision to comply with ICE's request for notification of release. Doing so would require the jail staff to pick who is then subject to the ICE notification and who is not, based on a subjective list of convictions.

It is important to note that two of the three jurisdictional Commonwealth's Attorneys rejected the idea that they could make the determination on behalf of their locality. Therefore, the choice really becomes one of notification in every case or no notification at all in order to apply the policy in a fair and evenhanded manner.

An even larger concern is that neither the jail staff nor the Commonwealth's Attorneys have access to enough information or selective criteria regarding each individual's history and background to determine if they pose a risk to the community. Simply put, we do not know what we do not know regarding each individual with an immigration detainer. While the argument can be made that all citizens who are released from this jail go back to this

community without applying any criteria, the jail staff is legally required to release these inmates at the conclusion of their sentence. In immigration detainer cases, the individuals have been personally screened by a criminal justice agency and it has been determined that they need to be detained until their case can be administered by a Federal Immigration Court. The ACRJ staff and Authority have a responsibility for the safety of the community upon the release of inmates with immigration detainers.

The ACRJ Authority's decision to continue the current policy, while not unanimous, was made after thoughtful and deliberate discussions, including recommendations from ACRJ staff and Albemarle and Nelson County's Commonwealth Attorneys. It should be acknowledged that, while the Charlottesville Commonwealth's Attorney was unable to attend the meeting, his position that his office would participate in providing selective notification, was conveyed to the Authority. Ultimately, the Authority determined that all three localities needed to operate under the same ACRJ policy based on the current regional configuration of the ACRJ.

Because this matter was considered and acted on in January and no new substantive information directly relevant to this policy has been presented, there has been no compelling reason to place this matter on agenda for another vote. It is certainly within the purview of individual Authority board member to request further consideration at a meeting. It should be noted that the ACRJ Superintendent will be presenting to the Authority at its meeting on Thursday, July 12th specific information regarding the status of undocumented individuals that have been housed as inmates in the ACRJ facility and have been subject to an ICE detainer, triggering the voluntary call to ICE. That information, once finalized and released as part of the ACRJ Authority meeting packet, will be available to the public.

In closing, our obligation to fulfill our role as a criminal justice agency impacts families in our community and we try to minimize those impacts in a responsible and informed manner.

We would be more than happy to sit down and discuss any questions you may have.

Respectfully submitted,

Colonel Martin Kumer, Superintendent
Albemarle Charlottesville Regional Jail

Diantha McKeel, Chair
Albemarle Charlottesville Regional Jail Board Authority

J

list of Individuals from July 1, 2017 - June 27, 2018 whom ICE filed Detainers, requested voluntary notification of their release from custody AND took physical custody of the Individual from this facility.

	Co untry of Origin	Cha rge	Bonded	Convicted	Rel ease dat e	ICE Pick- up
1	M exico	Probation Violation Felony	Yes		10/ 10/ 2017	Yes
2	Unknown	Drive W/ License Rev oked M isdem eanor		Guilty misdme anor	11/ 17/ 2017	Yes
3	M exico	Profane Swearing Int oxicat ion	Yes	*	8/ 11/ 2017	Yes
4	M exico	Unauthorized Use of Veh, Driving W out Uc, DUI Misdemeanor	No	Drving W/O (Fined), DUI (Fined} Misdemeanor	6/22/2018	Yes
5	Mexico	Driving without License Misdemeanor	No	Guilty	8/17/2017	Yes
6	El Salvador	Malicious Wounding X3, Abdu ction Felony	No	Mal Wounding X2 (Nolle Prosequi) Malicious Wounding, Abduction (Guilty) Felony	7/14/2017	Yes
7	Mexico	DUI, Law Enforcement Command Disregard and Endang er, Poss Controlled Sub, Drive W out Lie (Felony/Misdemanor	No	Poss Con Sub, Drive W/O (Nolle Prosequi) LEO Disregard, DUI (Guilty} Misdemeanor	11/2/2017	Yes
8	Honduras	Fail t to Appear x2, Forgery, Contempt Of Court Misdemeanor	No	Failt to Appear X2, Contempt of Court (Guilty) Misdemeanor	10/26/2017	Yes
9	Mexico	Assault and Batt ery, B & E, Destru ct ion of Property, Phone obstruct/Tamper Felony/Misdemeanor	Yes	*	8/11/2017	Yes
10	M exico	DUI Misdemeanor	Yes	*	6/19/2017	Yes
11	Honduras	Carnal Knowledge of Child bet ween 13 and 15 Years of age Felony	No	Guilty	6/29/2017	Yes
12	Unknown	DUI Misdemeanor	No	Guilty	4/19/2018	Yes
13	Mexico	DWI 3rd Offense, Driving after Forfeiture of Lie Misdemeanor	Yes	*	10/ 23/ 2017	Yes

List of Individuals from July 1, 2017 • June 27, 2018 whom ICE filed Detainers, requested voluntary notification of their release from custody AND took physical custody of the individual from this facility.

	Country of Origin	Charge	Bonded	Convicted	Release date	ICE Pick-up
14	Mexico	DUI Misdemeanor	No	Mandatory Length	7/18/2017	Yes
15	Mexico	Public Records Forgery x5, DWI 3rd Off, Driving after Forfeiture of Lie, Drive Lie Suspended, False Identity to LEO, Contempt of Court, Profane Swearing public Intox, No Virginia Operators License , Felony/Misdemeanor	No	Public Records Forg x2 (Nolle Pross) Public Rec Forg x3 (Dismissed) DWI 3rd Off, Contempt, False Identity LEO (Guilty) No Virginia Op, Drive After Forfeit Lie (Nolle Prosequi) Profane Swearing/ Int ox (Fined) Drive Susp {Dismissed}	1/22/2018	Yes
16	El Salvador	Burglary, Monument Intentional Damage, Stalking, Trespass,	No	B & E (Guilty) Stalking (Susp Sentence) Monument Intentional Damage, Trespass (Nolle Prosequi)	3/1/2018	Yes
17		DWI 1st Off Misdemeanor	No	Mandatory Length	6/11/2018	Yes
18		Domestic Assault, Strangulation Resulting in wounding or bodily injury Misdemeanor	No	Domestic Assault (Guilty) Strangulation (Nolle Prosequi)	6/11/2018	Yes

List of Individuals from July 1, 2017 - June 27, 2018 whom ICE filed Detainers, request ed voluntary notification of their rele ase from custo dy AND took physical custody of the Individual fr om this facility.

	Country of Origin	Charge	Bonded	Convicted	Release elate	ICE Pick-up
20	Mexico	Mali cious Woundin g Felony	No	Dismissed	10/19/ 2017	Yes
21	Mexico	Fail to Appe ar , Reckle ss Driving, Dr ive without License, Accident not repor ted Misdemeanor	No	Fail to Appear, Reck Driving, Accident Not Reported (Gu il t y) Drive W/0 Lie (Susp Sentence)	2/1 9/ 2018	Yes
22	Honduras	Domestic Assault, Contempt of Court Misdemeanor	No	Contempt (Guilty) Dome stic Assault (Susp Sentence)	12/11/2017	Yes
23	Mexico	Strangulation , Simple Assault Misdemeanor	No	Strangulation (Guilty) Simple Assault { Nolle Prosequi)	7/7/2017	Yes
24	Me xico	DWI, Probation Violati on, Hit & Run fail to Report, Non Compliance with VASAP Felony/Misdemeanor	No	Hit & Run Fail to Report, DWI, ProbViol (Guilty) VASAP Non Compliance (Fined)	6/16/2017	Yes
25	Mexico	Publi c Swearing or Int oxicat ion Local Ordinance violation	Yes	*	8/11/2017	Yes
* ICE took physical custody of the individual befo re t heir criminal charges were heard in a local court .						

list of Individuals whom ICE filed Detainers but this facility has no record of the Individual being taken into custody by ICE

	Country of Origin	Charge	Release	ICE	KIE	Lifted / Cancelled
			Date	Warrant	Detainer	Detainers
1	El Salvador	Strangulation, Domestic Assault	5/21/2018	Yes	Yes	No
2	Honduras	Hit & Run , DWI 2nd Off , DWI refusal of breath test	5/6/2018	Yes	Yes	No
3	Mexico	Drive License Revoked	2/5/2018	Yes	Yes	Yes
4	Guatemala	DUI	11/3/2017	Yes	Yes	Yes
5	Honduras	Fail to Appear	6/8/2017	Yes	Yes	No
6	Honduras	Fail to Pay Child Support	10/10/2017	Yes	Yes	No
7	Mexico	DUI, Refusal of Breath test, Drive after forfeiture of License	08/22/17	Yes	Yes	No
8	Mexico	Robbery	9/11/2017	Yes	Yes	No
9	Mexico	Fail to Appear	12/20/2017	Yes	Yes	No
10	Mexico	DWI 1st	10/15/2017	Yes	Yes	No
11	Mexico	DUI, Driving without License, Reckless driving	2/11/2018	Yes	Yes	No
12	Honduras	Revoked/Suspended License	8/19/2017	Yes	Yes	No
13	Mexico	Driving without License	11/16/2017	Yes	Yes	No
14	Honduras	Violate Protective Order	8/4/2017	Yes	Yes	No
15	Mexico	DWI 1st, Drive without License	9/17/2017	Yes	Yes	No
16	Unknown	Kidnapping by Parents	2/23/2018	Yes	Yes	No
17	Honduras	Hit & Run	05/27/17	Yes	Yes	No
18	Mexico	Assault & battery	9/26/2017	Yes	Yes	No
19	Mexico	Assault & battery, Strangulation	7/17/2017	Yes	Yes	No