



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, January 10, 2019 (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 Nov. 8, 2018 ACRJA Board Bi-Monthly Business Meeting

Action Item

Informational

- 1) Administrative Reports
- a) Personnel Report – thru November 2018
 - b) Out of Compliance Report - October 2018
 - c) Census Report – October 2018
 - d) Work Force Report / VDOT Report / Litter Control Report – December 2018
- 2) Final Summary Minutes September 13, 2018 ACRJA Board Bi-Monthly Business Meeting
- 3) Letter from Robert Tracci to Attorney General Herring

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

IV. Matters from the ACRJA Attorney – Brendan Hefty

V. Matters from ACRJA Board Members

VI. Matters from Business Manager – Jeff Brill

- 1) November 2018 YTD Financials
- 2) FY20 Operating Budget

Informational

Informational

VII. Matter from Superintendent – Colonel Martin Kumer

- 1) VINE Status Update
- 2) Video Visitation Update
- 3) Website Update
- 4) Elimination of \$1/day fee
- 5) Holiday Time for Non-Exempt Security Personnel

Informational

Informational

Informational

Action Item

Action Item

VIII. New Business –

IX. Closed Session - If needed

Informational

X. Adjournment

Action Item

NEXT MEETING: March 14, 2019

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)
Kristin Clarens (Charlottesville)
Wes Bellamy (Charlottesville)
Michael Murphy (Charlottesville) – Vice Chair

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

Bi Monthly Board November 8, 2018

DRAFT

Summary Minutes of the Albemarle Charlottesville Regional Jail Authority Board Meeting November 8, 2018

Jail Board Members Present:

Mrs. Diantha McKeel
Mrs. Cyndra Van Clief
Sheriff James Brown
Mr. Mike Murphy
Ms. Kristin Clarens
Mr. Steve Carter
Mr. Doug Walker
Dr. Wes Bellamy
Sheriff David Hill
Ms. Chan Bryant (Proxy for Sheriff Harding)

Others Present:

Colonel Martin Kumer
Mrs. Gequetta Murray-Key
Mrs. Marce B. Anderson
Ms. Felicia Morris
Mr. Jeff Brill
Mr. Brendan Hefty
Ms. Danielle Powell

Jail Board Members Absent:

Mr. W. Lawton Tufts

The meeting was called to order at 12:30 p.m. by Mrs. McKeel. Ms. McKeel asked if the agenda was acceptable to everyone. Sheriff Brown made a motion to adopt the agenda. Mrs. Van Clief seconded the motion. The motion carried unanimously.

Bi Monthly Board November 8, 2018

Ms. McKeel had everyone introduce themselves to the newest member of the Jail Board Authority, Kristin Clarens. Ms. Clarens replaced Kathy Johnson Harris as the citizen representative in the Charlottesville jurisdiction.

Ms. McKeel presented Kathy Johnson Harris with a plaque and plant for her years of service on the Jail Board Authority. Mrs. Harris thanked the board for the opportunity to serve.

Ms. McKeel moved on to the consent agenda. Ms. McKeel advised that there were a few typographical errors in the September minutes. Ms. McKeel advised that she had already spoken with the Clerk, Mrs. Anderson, and those errors were being corrected. Mr. Walker made a motion to adopt the consent agenda as edited. Mr. Carter seconded the motion. The motion carried unanimously.

Ms. McKeel moved on to matters from the public.

Matters from the Public:

Nancy Rodland – Ms. Rodland supports reporting to ICE and would like the current policy to continue.

Madelin Chandler – Ms. Chandler would like the current policy of notifying ICE to remain. She urged the board not to change the policy.

Donna Shaunessey – Ms. Shaunessey would like the board to reconsider the current policy, and save the families.

Mark Heisey – Mr. Heisey would like the board to end its collaboration with ICE and change the current policy.

Ray Hogan – Mr. Hogan would like the board to keep the current policy of notifying ICE.

Andrea Negrete – Ms. Negrete stated that she would like the board to change its current policy of notifying ICE.

Bi Monthly Board November 8, 2018

Matthew Christensen – Mr. Christensen would like the board to change its current policy regarding ICE notification.

Ben Duernberg – Mr. Duernberg would like the board to change its current policy regarding ICE notification.

Eric Martin – Mr. Martin would like the jail board to change its policy regarding ICE notification.

Margaret Rubin – Ms. Rubin would like the board to reconsider its current policy of notifying ICE.

Dr. Bellamy stated the he would like the board to begin addressing all as “undocumented” instead of “illegals”. Mr. Carter stated that he believes it is a freedom of speech matter.

Matters from the ACRJAB Attorney, Brendan Hefty:

There were no matters from the attorney.

Matters from the Board:

There were no matters from the board.

Matters from Business Manager, Jeff Brill:

Mr. Brill advised that there are some savings that will be passed along to the jurisdictions. There were vacancy savings as well as health savings.

The FY18 net income of \$163,295 would be distributed as follows:

Charlottesville - \$85,730

Albemarle – \$65,971

Nelson - \$11,594

Bi Monthly Board November 8, 2018

Ms. McKeel asked about an operating contingency fund. Mr. Brill advised that we do not currently have a contingency fund. Ms. McKeel asked for volunteers for the budget committee. Mr. Murphy, Mr. Walker and Mr. Carter volunteered for the budget committee. Mrs. McKeel stated that the budget committee could come back with a possible recommendation for a contingency fund. Dr. Bellamy made a motion to return the funds to the localities. Mr. Carter seconded the motion. The motion carried unanimously.

Matters from Superintendent Martin Kumer:

Colonel Kumer advised the board that he is working with VINE and Tyler Technologies, our Jail Management System to ensure and confirm that the information is factual and reliable. Colonel Kumer advised that the VINE system is set up for victims, but anyone can sign up to be notified of an offenders release date.

Amy Sheets and Lynda O'Connell came forward to present information on behalf of VINE (Victim Information and Notification Everyday).

Please see below pgs. 7-23 for the VINE presentation information.

The question was asked "Do you track ICE sign ups?" Ms. Sheets advised that VINE does not track ICE sign ups or directly work with ICE in any way. She explained that this system is designed and focused on victims.

"Where does the funding come from for VINE?" Ms. Sheets advised that they are funded through grants from the state.

"What happens if VINE goes down?" Ms. Sheets advised that if there is a situation where the VINE system were to go down, they would notify victims via text, email or phone call, that there is a problem with the system, and they do not have accurate information regarding the offender and their current status. VINE would also take the individual jail offline at which point, the jail would need to notify victims of the release date for a particular offender. They would also have the ability to update manually, the release date of an offender.

Colonel Kumer was asked, "How long does a release take?" The average release takes 30 minutes to an hour.

Bi Monthly Board November 8, 2018

“Does VINE interact with the VA Judicial System?” Ms. Sheets advised that VINE does not interact with the VA Judicial System.

Colonel Kumer advised the board that there are concerns across the state, but it will be monitored continuously, and numerous reports will be run. This concluded the VINE presentation.

Colonel Kumer advised the board that we will have our website up and running December 1, 2018. The new site will be more informative and user friendly.

Ms. McKeel asked Mr. Murphy to take us into closed session. Mr. Murphy made a motion that the Authority Board convene in closed session pursuant to Virginia Code Section 2.2-3711(A)(1) for a personnel matter involving discussion of the annual evaluation of the Superintendent. Ms. Van Clief seconded the motion. The motion carried unanimously. The meeting went into closed session at 1:54 pm.

Mr. Murphy made a motion that the Authority Board and certify by roll call vote that in the closed session just concluded, nothing was discussed except the matter identified in the motion to convene in closed session and lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in that motion.

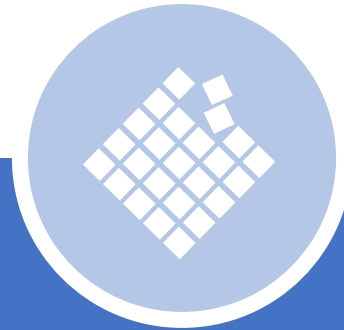
Roll call went as follows:

| | |
|---------------|-----|
| Mr. Carter | Aye |
| Sheriff Hill | Aye |
| Ms. Van Clief | Aye |
| Ms. McKeel | Aye |
| Mr. Walker | Aye |
| Dr. Bellamy | Aye |
| Sheriff Brown | Aye |
| Ms. Bryant | Aye |

The meeting returned to open session at 2:13pm. The meeting was adjourned at 2:14pm.

DRAFT

Virginia VINE: Victim Information and Notification Everyday



The Courier-Journal

METRO EDITION

52 PAGES

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A GANNETT NEWSPAPER

WEDNESDAY, DECEMBER 8, 1993

35 CENTS

Murder victim not told suspect was out on bail

By GARDINER HARRIS
Staff Writer

The first bullet was fatal, but the gunman squeezed the trigger on his 9 mm semiautomatic handgun six more times.

Mary Frances Byron slumped in her seat after work on Monday — dead on her 21st birthday.

"She probably never knew what hit her," Norm Mayer, chief of the St. Matthews Police Department, said yesterday.

She never even knew, a family member said in an interview, that the alleged gunman — Donovan Harris, who was already charged with kidnapping and raping her at gunpoint less than three weeks ago — had been released on bond from jail.

Harris was arrested Nov. 19, charged with holding Byron at gunpoint for more than three hours and forcing her to have sex with him. The arrest slip called Harris her former boyfriend. Harris had been stalking Byron for some time before the rape, Mayer said. Jefferson County police said they had no record of complaints of stalking.

Harris, 24, was charged with rape, kidnapping and sexual abuse. The gun was confiscated. His bond was set at \$26,000 and Circuit Judge William McNulty declined to reduce it.

Up to that point, said Helen Kinton, president of the Kentucky Domestic Violence Association, the system was working perfectly.

But then on Dec. 1, Harris' sister, Tonia Landherr, posted his bond. Harris got another gun. And now he's being held for Byron's murder.

No one told Byron, her family, the police



Donovan Harris was released on bond after being arrested on charges of assaulting Mary Byron, but she was never told. Now he is charged with her murder.

or even the prosecutors in the case that Harris was out of jail. She never knew she was in danger.

Assistant Commonwealth's Attorney John Balliet, who prepared the grand jury case last week, said "it was news to me" that bond had been posted for Donovan Harris.

"I was shocked to see Mary Byron's name as the person he shot," Balliet said. "It's so sad." Kinton said, "The system should flag domestic-violence perpetrators when they come in jail so they will be aware there's a corresponding victim out there who will know that the minute he gets out, her life is in danger."

Sherry Currens, executive director of the Kentucky Domestic Violence Association, has been pushing for notification laws for some time but has gotten only lukewarm support.

"The problem is the practicality of it," Currens said. Most domestic-violence perpetrators are held in local jails, so state officials have little control over them.

Still, Currens and Kinton think a new state law should require that victims be notified when their assailants make bond. Across Kentucky, just in the past two weeks, four women have been killed in domestic-violence cases.



"It clearly could be done and it needs to be done," Currens said.

When Byron left her job as a hairdresser at J.C. Penney in the Mall St. Matthews, Harris was waiting, police said.

As she warmed up her car in the cold night air about 8:45 p.m., Harris fired into the car, police said. The first shot shattered the driver's side window, and Byron's assailant moved in even closer. Bullets fired at close range crashed into her side, her shoulder and her neck.

Because the gun will be used as evidence in the case, police wouldn't say where he got it.

A security guard told police he heard gunshots and saw a man run away. Other witnesses saw a man running through a wooded area near the mall after the shooting.

One of Byron's co-workers walked out into the mall's employee parking lot moments after Byron. She told police that Byron was afraid of a man named "Donovan," Chief Mayer said. She didn't know the man's last name.

Hearing about the murder over radio traffic, detectives from the Jefferson County Police Department soon realized they knew the shooting victim, Mayer said. They came out to the scene of the shooting with Harris' arrest records, said Mayer and Col. Ronald Morris of the Jefferson County Police Department.

The file gave a home address of 10 Summerfield Place for Harris, and a Jefferson County police officer was sent to drive by his apart-

ment. The officer noticed Harris' car sitting outside the apartment and saw movement inside the apartment, said Officer Wendy Peters, spokeswoman for county police.

The SWAT team was called out about 11:30 p.m. Police stood outside the apartment for hours trying to get in touch with Harris. But none of their telephone calls or shouts were answered.

About 2 a.m. they began the slow process of entering the apartment by force. Officers fired small amounts of tear gas into the apartment, but still got no response. They could hear him coughing and moving around, but he never spoke, Peters said.

Harris was finally cornered in a back bedroom, where he fought officers off by hand. One of the officers may have suffered a broken knuckle and others sustained minor injuries, Peters said. Harris also was injured and taken to University of Louisville Hospital, where he was in fair condition last night.

Mary Frances Byron was a graduate of Assumption High School and a beautician for J.C. Penney Co.

Survivors include her parents, John III and Patricia Byron; and a sister, Becky Perry.

The funeral will be at 7:30 p.m. tomorrow at St. Edward Catholic Church, 9608 Sue Helen Drive, with burial at 10 a.m. Friday in St. Edward Cemetery. Visitation at the church is from 6:30 to 7:30 and 8:30 to 9 p.m. tomorrow.

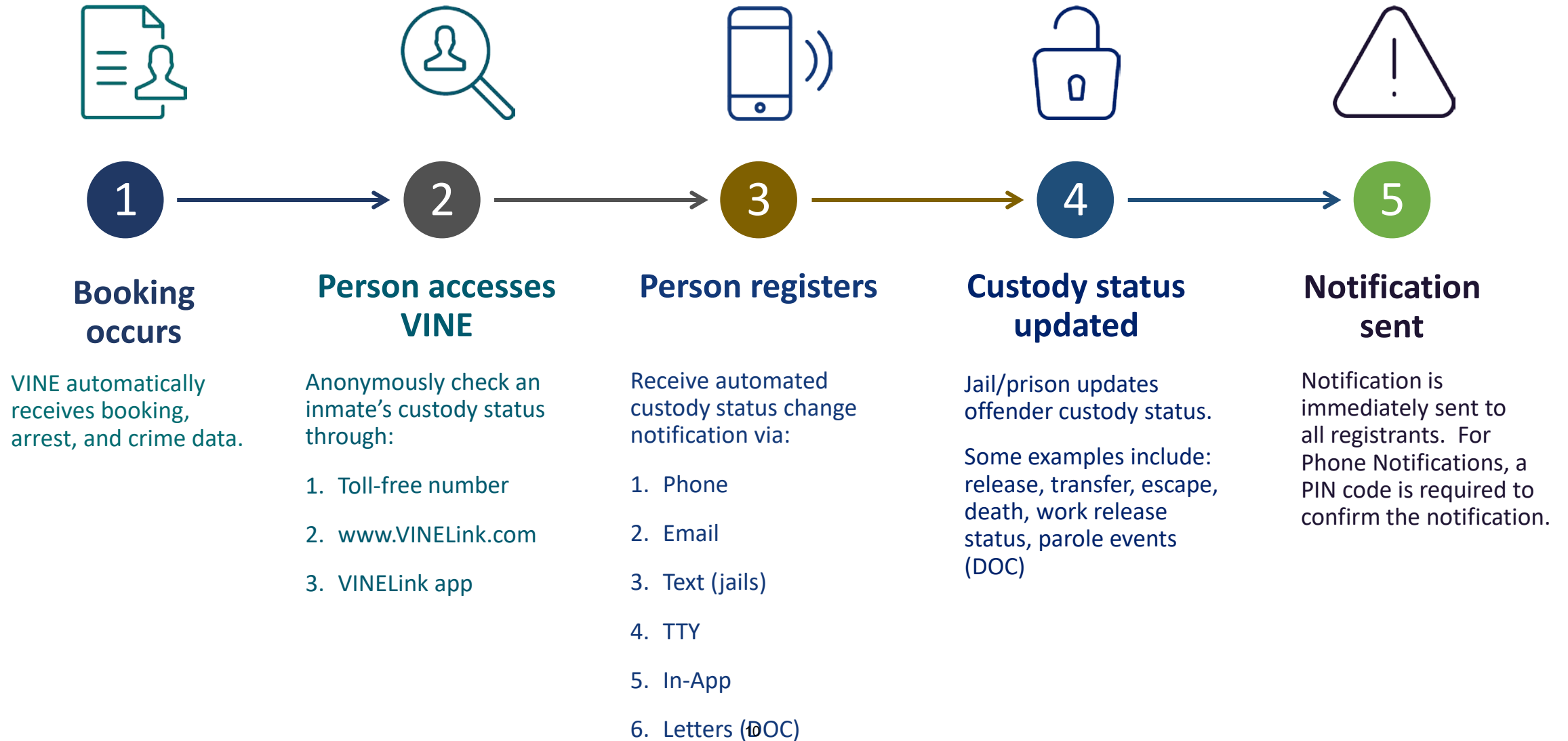
Highlands Funeral Home is handling arrangements.

The family suggests that memorial gifts go to Habitat for Humanity or Assumption High School.

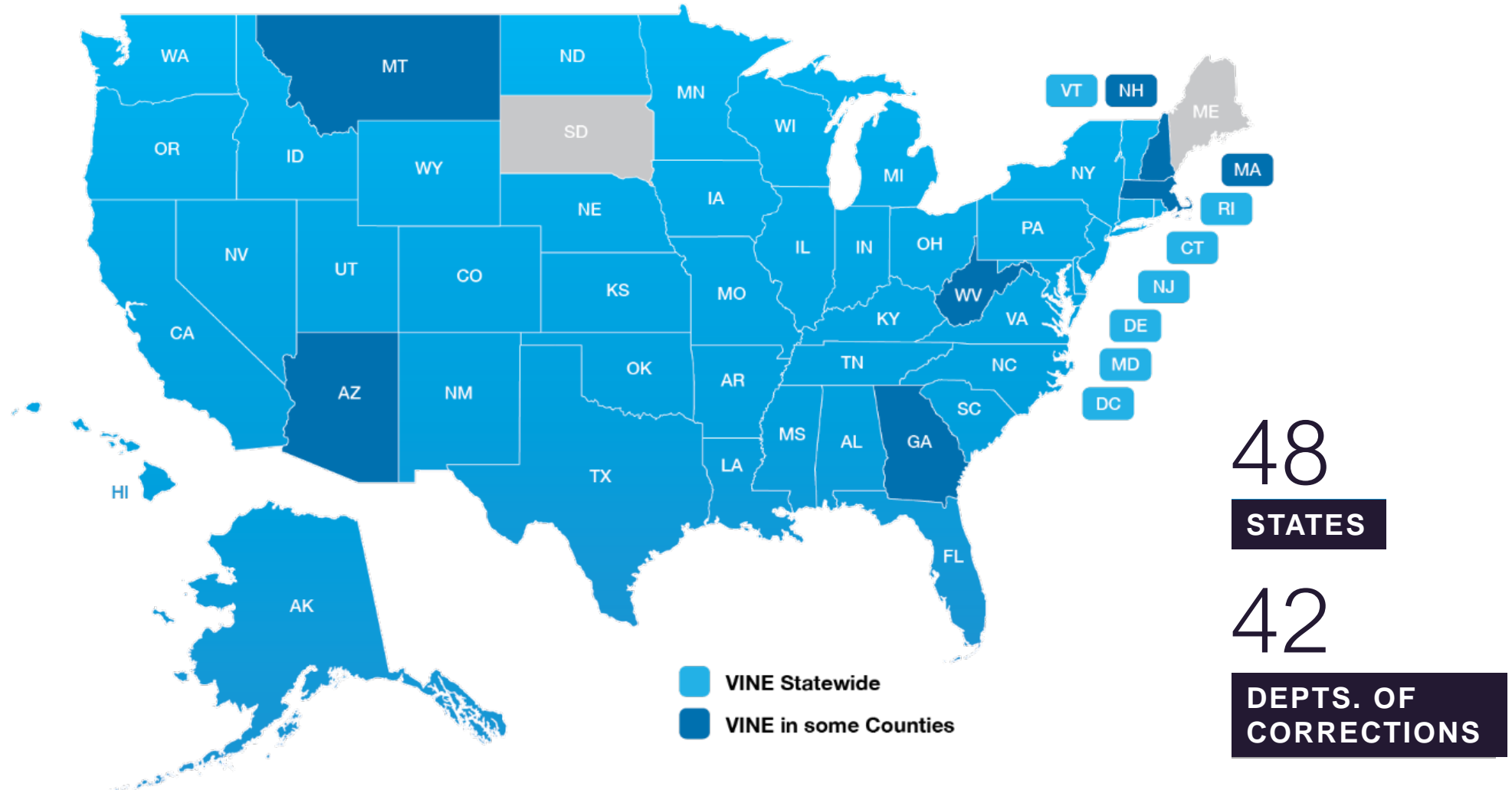


What is Virginia VINE?

Virginia VINE Workflow

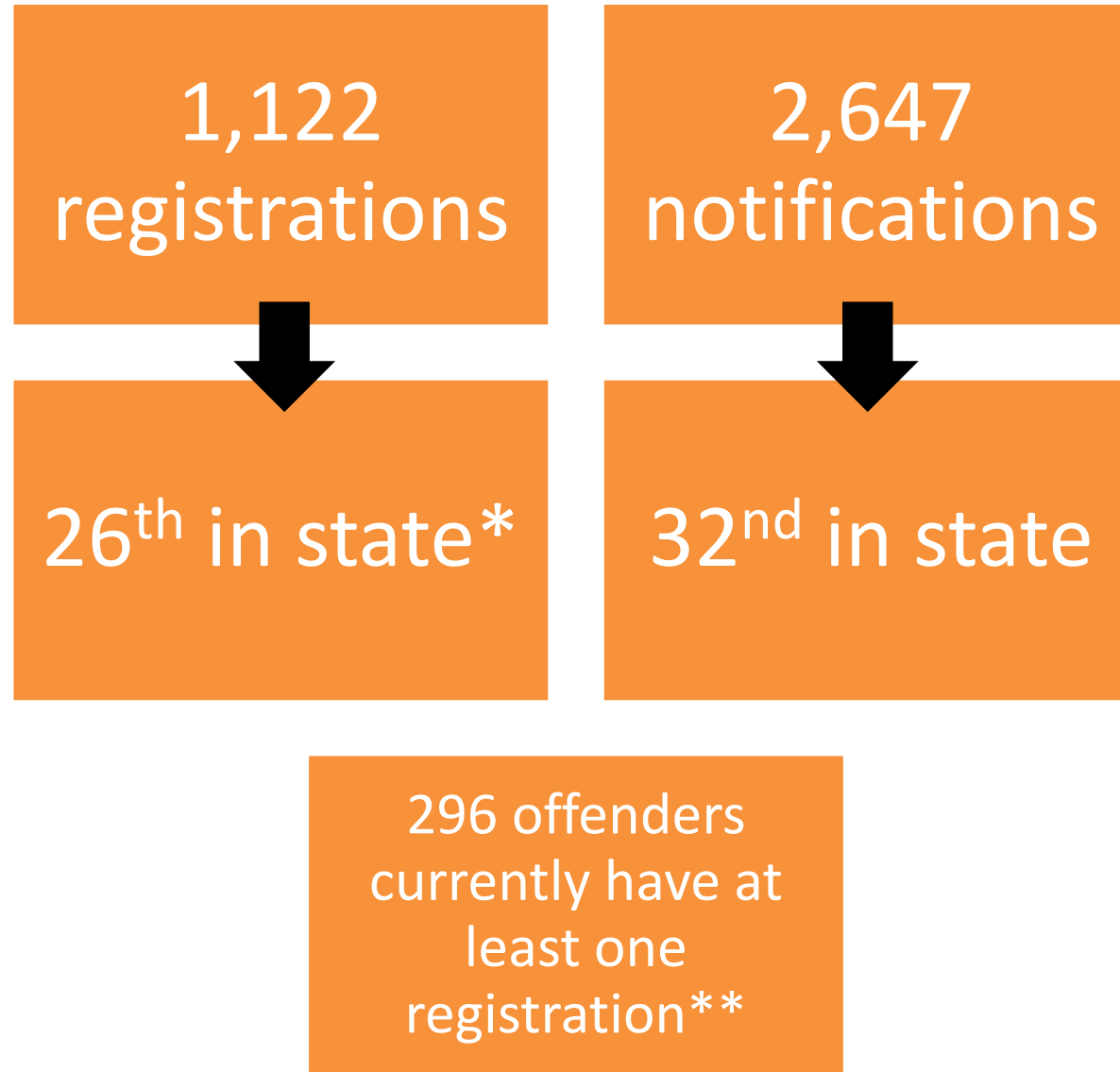


VINE Across the Nation



<http://dashboard.vineapps.com>

ACRJ by the numbers



*1/1/18-10/31/18

** as of 11/7/18



What are the benefits of Virginia VINE?

Beneficial Resource – Virginia VINE



Offender data available on VINELink

STEPHEN LEWIS CROCKETT III

Custody Record

Age 38

Gender Male

Race White



[HIDE PHOTO](#)

You are not signed up for notifications



RECORD DETAILS

[GET NOTIFIED](#)

Date of Birth Nov 14, 1979

Aliases STEPHEN LOUIS CROCKETT III

ID Number 9902921

Custody Status Date Sep 06, 2018 06:43 PM EDT

Custody Status In Custody

Custody Detail New River Valley Regional Jail

Book Date Sep 06, 2018 10:50 AM EDT

LOCATION

New River Valley Regional Jail

108 Baker Rd

Dublin, VA 24084

[\(540\) 643-2000](#)

REPORTING AGENCY

New River Valley Regional Jail

108 Baker Rd

Dublin, VA 24084

[\(540\) 643-2000](#)

Related Records

Stephen Lewis Crockett III

Agency Southwest Virginia Regional Jail Authority, Abingdon

[DETAILS](#)

Virginia Department of Corrections

Closed System

JAMES L DAVIS 4

You are not signed up for notifications

RECORD DETAILS

GET NOTIFIED

For more information, or to register to receive updates on this offender's custody status, crime victims can call the Virginia DOC Victim Services Unit at 1-800-560-4292. If you are not a crime victim, please refer to the Department of Corrections web site at www.vadoc.virginia.gov, or call 1-804-674-3000.

Virginia Statewide Sex Offender Registry

I'm searching for An Offender ▼

located in Virginia ▼

Whose Select ▼ is

The State you have selected provides the opportunity to search the Statewide Sex Offender Registry. If you wish to perform a Sex Offender Registry search please select [CONTINUE](#) and you will be directed to this feature.

Not Sure, Guide Me
guides victims and others
to resources in
their area.

Select one or more of the statements below to help us
guide you to helpful resources.

☐ I want to talk with someone

I have been harmed by...
Select, if applicable



My situation has impacted my...
Select, if applicable



I need help with...
Select, if applicable



Located In Virginia



NEXT

Locate local help and resources

Here is a list of resources located in "Albemarle County, Virginia" that may be able to help you with "Counseling"

Filter Results By County or Parish

Enter County or Parish Name

Albemarle County

☐ Include National Service Providers

FILTER

ALBEMARLE COUNTY VICTIM/WITNESS ASSISTANCE PROGRAM

1600 5th Street
Suite D
Charlottesville, VA 22902
Albemarle County

Phone (434) 987-5448
Website <http://www.albemarle.org/departments.asp?department=police&relpage=37...>

DETAILS

SEXUAL ASSAULT RESOURCE AGENCY

335 Greenbrier Drive
102
Charlottesville, VA 22901
Albemarle County

Phone (434) 295-7273
Website <http://www.saracville.org>

DETAILS

ALBEMARLE COUNTY VICTIM/WITNESS ASSISTANCE PROGRAM

1600 5th Street
Suite D
Charlottesville, VA 22902
Albemarle County

Phone (434) 987-5448

Website <http://www.albemarle.org/departments.asp?department=police&relpage=37...>

CONTACTS

ABOUT

CONTACT US

SERVICES OFFERED

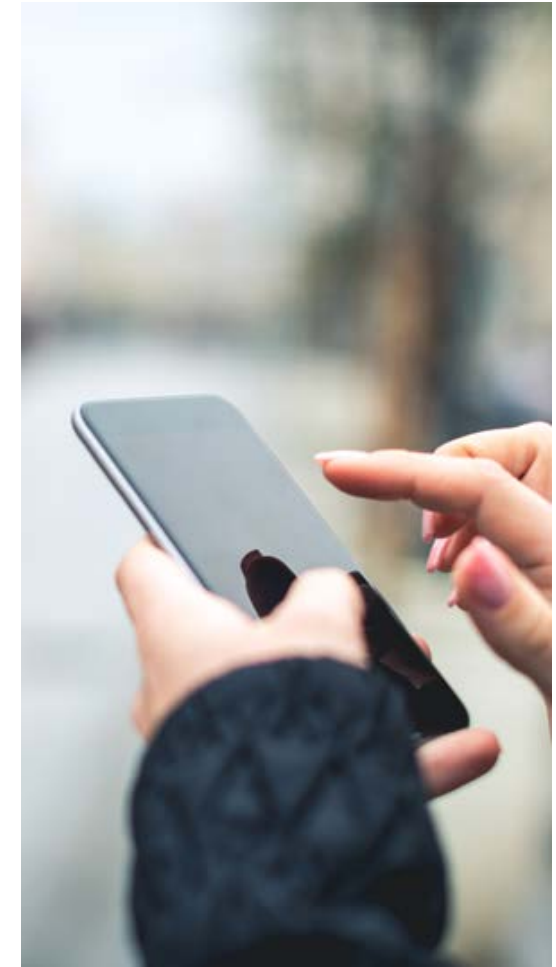
Victim Assistance
Crisis Support
Basic Needs
Healthcare (Physical)
Counseling
Legal Assistance
Financial Assistance
Children's Services
Information About Offender

LANGUAGES OFFERED

English

MISSION/DESCRIPTION

The Albemarle County Victim/Witness Assistance Program provides comprehensive information and direct services to victims of all types of crimes in accordance with the Virginia Crime Victim and Witness Rights Act and other applicable victims' rights laws.





VINE[®]

Free • Anonymous • 24/7

Information for Victims

Information for Service Providers

Information for Law Enforcement

Information for Advocates

Information for Law Enforcement

Law enforcement personnel are often among the first people victims of crime encounter. Providing them with information about VINE can be enormously helpful in their recovery or as part of their safety plan. VINE has developed materials specifically for law enforcement. To request free VA VINE materials for distribution in your jurisdiction, click [here](#).

But VINE is not only for victims of crime. Anyone can sign up to keep track of an offender, either for personal reasons or as part of an investigation. Registrations and notifications are confidential, and available 24 hours a day, 7 days a week.

VINE training is available throughout the year, as well as on request. In-service credit may be available for completion of the two-hour course. VINE training is available to law enforcement personnel to provide information on how law enforcement can use VA VINE to enhance public safety in the community and aid in investigations. For more information, or to request training, please contact VA VINE program manager Amy Sheets at 804-644-0616 or asheets@vcpionline.org.

Videos

Downloads

Additional Resources

FAQs

Register Now

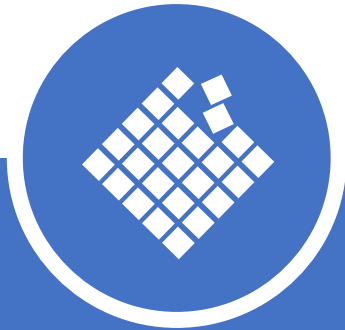
VAVINE.org

For more information, contact

Amy Sheets, VA VINE Program Manager

(804) 644-0616

asheets@vcpionline.org



CONSENT/AGENDA

PERSONNEL/NEW HIRES:

| | | |
|-------------------|---------------------|------------|
| Bukvic, Haris | Corrections Officer | 11/05/2018 |
| Houchens, Jamell | Corrections Officer | 11/05/2018 |
| Johnston, Bernard | Corrections Officer | 11/26/2018 |
| Taliaferro, Wayne | Corrections Officer | 11/26/2018 |

Lids Reconciliation (State Bonus Payment Breakdown) and Final Out of Compliance Figures

| | 1/4/2019 | 11/5/2018 | 9/9/2018 | 7/10/2018 |
|--|--------------|--------------|--------------|-------------|
| Total number of inmates the jail received a \$8.00 bonus payment from 10/1/18 through 10/31/18 | 147 | 118 | 120 | 109 |
| The number of inmates who have been released or transferred since 10/1/18 through 10/31/18 | -55 | -15 | -24 | -24 |
| The number of inmates participating in jail sponsored programs* | -34 | -40 | -33 | -33 |
| The number of inmates with less than 60 days until their scheduled release** | 0 | -9 | -11 | -7 |
| The number of inmates who are being held as courtesies for other jurisdictions. | 0 | 0 | 0 | 0 |
| Total number of state sentenced ACRJ inmates who are eligible for intake as of 10/31/18 | 58 (1) | 54 (1) | 52 (1) | 45 (1) |
| Percentage of State Responsible inmates compared to jail's total inmate population | 12.34 | 10.88 | 11.71 | 9.93 |

*These are state sentenced inmates who are not transferred to DOC because they are participating in jail sponsored

programs such as Work Release, Home Electronic Monitoring, McGuffey Arts, Culinary Arts and the Road Crew.

**The DOC will not accept inmates with less than 60 days to serve.

(1) This number represents 12.34% of the jail's population (470) as of 2:10 pm on Friday, January 4, 2018

(2) This number represents 10.88% of the jail's population (496) as of 3:58 pm on Sunday, Nov. 5 2018

(3) This number represents 11.71% of the jail's population (444) as of 7:10 am on Sunday, Sept. 9, 2018

(4) This number represents 9.93% of the jail's population (453) as of 7:10 am on Monday, July 10, 2018

The primary driver for the sharp increase in the State Responsible population is the closure of DOC facilities around the state. This greatly reduced the number of beds available for the intake of state responsible inmates from local jails. In addition there has been an ever increasing backlog of state responsible inmates in local jails all across the state. Last year the DOC instituted a policy to focus on receiving inmates with more than two years to serve as opposed to one year.

Albemarle Charlottesville Regional Jail
Census Report

| 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 |
| Total FY 17/18 | 21,153 | 27,044 | 5,636 | 713 | 1,487 | 56,033 |
| ADP | 172 | 220 | 46 | 6 | 12 | 456 |
| Percent | 37.75% | 48.26% | 10.06% | 1.27% | 2.65% | 100.00% |
| Local Share | 39.29% | 50.24% | 10.47% | N/A | N/A | 100.00% |

| 2018/2019 | COA | City | Nelson | Federal | Other | Total |
|-----------------------|---------------|---------------|---------------|----------------|--------------|---------------|
| July 2018 | 6,860 | 5,635 | 1,769 | 282 | 190 | 14,736 |
| August | 6,806 | 5,560 | 2,034 | 339 | 202 | 14,941 |
| September | 6,763 | 5,672 | 1,835 | 257 | 134 | 14,661 |
| October | 6,959 | 5,957 | 1,862 | 345 | 198 | 15,321 |
| Total FY 18/19 | 27,388 | 22,824 | 7,500 | 1,223 | 724 | 59,659 |
| ADP | 223 | 186 | 61 | 10 | 6 | 485 |
| Percent | 45.91% | 38.26% | 12.57% | 2.05% | 1.21% | 100.00% |
| Local Share | 47.46% | 39.55% | 13.00% | N/A | N/A | 100.00% |

| | | | | | | |
|----------------|--------------|----------------|--------------|--------------|---------------|--------------|
| FY 2017 | 21,153 | 27,044 | 5,636 | 713 | 1,487 | 56,033 |
| FY 2018 | 27,388 | 22,824 | 7,500 | 1,223 | 724 | 59,659 |
| Variance | 6,235 | (4,220) | 1,864 | 510 | (763) | 3,626 |
| Percent Change | 29.5% | -15.6% | 33.1% | 71.5% | -51.3% | 6.5% |

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 | 104 | 184 | 168 | 112 | 128 | | | 1304 |
| City Sheriff | 148 | 110.5 | 70.5 | | 100 | 147 | 166.5 | 129.5 | 132.5 | 141 | 95 | | 1240.5 |
| Department of Forestry | | | | 81.75 | | 149.75 | 208.25 | 246.75 | 259 | 105 | | | 1050.5 |
| ACRJ Road Crew | 47 | 52 | 68 | 39 | | | 18 | | 26 | | 43 | | 293 |
| Albemarle County Parks | 93 | 205.5 | 312 | 114 | 264 | 198 | 150 | 192 | 204 | 209 | 144 | | 2085.5 |
| ICWFP | 723 | 933 | 1223 | 1197.5 | 1456.5 | 1472.5 | 1530.5 | 1478 | 1149 | 1687 | 1148 | | 13998 |
| Albemarle County Transportation | | | | | | | | | | 175 | 84 | | 259 |
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| PROGRAM TOTALS | 1211 | 1373 | 1705.5 | 1584.25 | 1972.5 | 2071.25 | 2257.25 | 2214.25 | 1882.5 | 2445 | 1514 | | 20230.5 |
| DOLLAR CREDITS | \$8,779.75 | \$9,954.25 | \$12,364.88 | \$11,485.81 | \$14,300.63 | \$15,016.56 | \$16,365.06 | \$16,053.31 | \$13,648.13 | \$17,726.25 | \$10,976.50 | | \$146,671.13 |

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 | 508.25 | 97 | 107 | 101 | 133 | 62 | | 1827.5 |
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| PROGRAM TOTALS | 115.5 | 29 | 152.75 | 138.75 | 383.25 | 508.25 | 97 | 107 | 101 | 133 | 62 | | 1827.5 |
| DOLLAR CREDITS | \$837.38 | \$210.25 | \$1,107.44 | \$1,005.94 | \$2,778.56 | \$3,684.81 | \$703.25 | \$775.75 | \$732.25 | \$964.25 | \$449.50 | | \$13,249.38 |

Bi Monthly Board September 13, 2018

FINAL

Summary Minutes of the Albemarle Charlottesville Regional Jail Authority Board Meeting September 13, 2018

Jail Board Members Present:

Mrs. Diantha McKeel
Mrs. Cyndra Van Clief
Sheriff James Brown
Mr. Mike Murphy
Mr. W. Lawton Tufts
Sheriff “Chip” Harding
Mr. Steve Carter
Mr. Doug Walker
Mrs. Kathy Johnson Harris
Dr. Wes Bellamy
Deputy Jeremy Tabler - (Proxy for Sheriff David Hill)

Jail Board Members Absent:

Others Present:

Colonel Martin Kumer
Lt. Colonel Todd Rowland
Mrs. Gequetta Murray-Key
Mrs. Marce B. Anderson
Ms. Felicia Morris
Mr. Brendan Hefty
Mr. Robert Barnabei

The meeting was called to order at 12:00 p.m. by Mrs. McKeel. Ms. McKeel asked if the agenda was acceptable to everyone. Mr. Tufts made a motion to adopt

Bi Monthly Board September 13, 2018

the agenda as presented. Mr. Walker seconded the motion. The motion carried unanimously.

Mr. Murphy made a motion that the Authority Board convene in closed session pursuant to Virginia Code Section 2.2-3711 (A)(1) for discussion of the annual evaluation of the Superintendent. Mr. Walker seconded the motion.

Roll Call was as follows:

Sheriff Harding – Aye

Sheriff Brown – Aye

Mr. Tufts – Aye

Mr. Walker – Aye

Mrs. McKeel – Aye

Mr. Murphy – Aye

Mrs. Van Clief – Aye

Mr. Tabler – Aye

Mr. Carter – Aye

The motion carried and the board went into closed session.

Mr. Murphy made a motion that the Authority Board return to open session and certify by roll call vote that in the closed session that just concluded, nothing was discussed except the matter identified in the motion to convene in closed session and lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. Mr. Walker seconded the motion. The motion carried unanimously.

Mr. Murphy made a motion that the board authorized a 5% salary increase for Superintendent Kumer, bringing his salary to \$115,000 annually. Mr. Walker seconded the motion. The motion carried unanimously.

Dr. Bellamy made a motion to adopt the minutes of the July 12, 2018 meeting. Mr. Tufts seconded the motion. Dr. Bellamy abstained from the vote due to not being present at the July meeting. The motion carried.

Bi Monthly Board September 13, 2018

Dr. Bellamy made a motion to adopt the minutes of the August 23, 2018 work session. Mr. Tufts seconded the motion. The motion carried unanimously.

Ms. McKeel advised that based on the number of people signed up to speak, she was going directly into “matters from the public”. Mr. Brill would present information on the financial audit at the next meeting.

Matters from the Public:

Michael Del Rosso:

I am the chairman of the Charlottesville Republican Committee, and I'm very concerned that the Nation's classes of political people that are elected to enforce law, seem to selectively ignore it. This is a nation built on consent and the rule of law. For better or for worse, federal legislation has a detainer notification system, where even without a warrant, they can detain certain illegal aliens, generally for very serious crimes. What's proposed here is to not detain anyone a minute longer than they're supposed to be in this facility. We just want you to notify the federal agencies for a matter of sheer public safety, and to get them off the street. These are illegal aliens. They had no business to be here to begin with. I'm a first-generation American. It took my mother four years of legal process to get into this country. Of the seven law enforcement officials involved in this panel, six of them Thomas Cullen, the U.S. attorney, Robert Tracci from Albemarle, Daniel Rutherford, the Nelson County attorney and Sheriffs Chip Harding, James Brown and David Hill are all in favor of continuing ICE notification. The Charlottesville attorney, Joe Platania, who is, I understand, is not for it, he actually wrote in his letter to this board, he says, “as a threshold matter, the enforcement of federal immigration law falls well outside the purview of state prosecutors in the Commonwealth of Virginia” In other words, federal law is privacy. And so, I'd ask us to all obey the laws, not just our local ones, and to not just take it on our hands as a board to start going in defiance of what the U.S. Congress by the consent of both parties in this nation consented to, which is that we actually keep

Bi Monthly Board September 13, 2018

ourselves safe and address illegal aliens, especially those convicted of or wanted for felonies, and we keep the city streets safe. Thank you so much.

Nancy Redland:

My name is Nancy Redland. First, thank you for your service on the ACRJ board. I'm a new resident of the City of Charlottesville, the jurisdiction served by ACRJ. Having worked in Green County for the past 24 years, most of my Green County neighbors frequently traveled to Albemarle and Charlottesville to work, shop, attend school, and enjoy various social activities. Therefore, we all have a vested interest in the decisions made by the board on which you sit.

I understand that you and your fellow board members are being pressured by well-organized groups to stop cooperating with ICE regarding the release of illegal immigrants, who have been charged guilty of lawful crimes, into our community. Above all, you need to remember that you represent the interests of the citizens of Central Virginia, not people and groups from other places who have ulterior motives. Please do not allow your vote to be challenged and manipulated at the expense of good people of surrounding counties. Green, Nelson, Albemarle, and beyond, all of whom have entrusted their safety and other best interests to you on their behalf. Do what is in the best interest of the people in our community. Vote for ACRJ's continued cooperation with ICE. Thank you.

Lynn Simpson:

Lynn Simpson from Nelson County. I am not a public speaker, but I have 2 words, please, please do this.

George Urban:

George Urban, resident of Albemarle County, and chairman of the Albemarle County Republican Committee. I want to give voice today to some people who

Bi Monthly Board September 13, 2018

may not be here who didn't feel comfortable stepping up to voice their opinions, or are a part of the marginalized communities that we're talking about being affected so deeply today.

I think particularly for a largely unelected board, most participants are appointed, we need significantly more public input and public awareness about the issue that's being voted upon today. That's not to accuse you of not being forthcoming with it, but as I speak to neighbors, friends, and others in the community, I've found people are not aware of this. When they're educated about it, they are alarmed and dismayed to learn that we may be the first jail in Virginia to stop cooperation with federal authorities. This is a critical public safety issue.

No matter what you decide today, public awareness is only going to increase. And it may take until the next election, but the elected officials who are part of this board, and those of you who are appointed by elected officials, those will be held accountable by the voters. I understand this is an emotional issue. I understand that this can be a tough decision for you all to make with competing values tugging in different directions. But public safety must be a paramount issue. Without that, we're no longer a community that is able to function properly. I ask you the next time that a DWI third offender, who was one of the folks who was taken by ICE last year, in that situation, do you want to be complicit in releasing them into the community and risk that they're going to kill a family driving in their car?

Gregory Quinn:

I want to say to all you all, God loves each and every one of you, and I love you. But that doesn't mean that we're not a nation of laws. I have personal standing in this issue. I'm a stonemason, and I am having to compete with people here illegally, who run businesses, who compete against me for less price. I love those individuals. One of my best friends is from El Salvador. He might not claim me, but he's my best friend. And I want to know why, if I have to have a contractor's

Bi Monthly Board September 13, 2018

license, a driver's license, or various and sundry other legal things to operate my business, pay my quarterly taxes. Why are there people out there who are illegal immigrants working and competing against me, who are not here legally, who compete against me personally? I love those people. I'm not a hater. I love these people. But if they're not legal, they need to go home and go through the process to be legal. And I'm the taxpayer. You represent me. You don't represent illegal immigrants. Now that is with love, I say that with love. Thank you.

Sarah Hay:

Sarah Hay. I'm from Green County. And I really want you really to notify ICE. and that's all I have to say.

Diane Johnson:

I'm Diane Johnson. I live in Albemarle County. I'm not a paid professional activist. I am representative of this community. Please continue notifying ICE. This is about public safety. We rely on you to keep our families safe. We want to be able to go about our daily business safely, and without fear. Imagine a child playing in Moore's Creek, and finding pieces of a dead body. This horrific scene in our community was the work of four MS-13 gang members living and working here illegally. Their victim, also illegal, was a member of a rival gang. The sociopaths who committed this savage murder entered this country illegally to carry on the drug trade and poison our children. Do you really want to return these monsters into our community to inflict further harm on our families?

There is something worse than being separated from your family by distance. And that is being separated by death. Two days before Christmas in 2014, six year old Corey Long was killed by an illegal alien who was driving illegally with a suspended license. Corey can never return to her family. The families of deported jail detainees can always follow their loved ones back to the mother country. I am sure that Corey's mother would move a long distance to be with her daughter again. Tragically, she doesn't have that option.

Bi Monthly Board September 13, 2018

I spoke to many people who feel as I do, but they were afraid to come here and speak. They were intimidated. They were afraid of being targeted and harassed. And yes, they were accused of being called a racist. Our community lives under a reign of terror. We have brawls in the city council meetings, we have riots outside county school board meetings, and we have blood in our streets. I am sorry that some of you are under this intent and ugly pressure. But we are asking you to stand up to it. Please continue the ICE notifications. It is the right thing to do for everyone, and it will keep our community safe. Thank you.

Audrey Welburn:

My name is Audrey Welburn. I live in Albemarle County. We've lived here for 48 years. So, we have been very involved in the community as our kids were growing up. We have grandchildren that live in this county. So, we have been very involved citizens for a very long time.

My husband and I, who is with me here today, firmly believe that ICE should be notified any time a person who is in our country illegally. ICE may be the only organization that knows and has any background to this person who's in our country illegally, any outstanding warrants, or any reason why that person should not be allowed to be released into the community. It's a safety issue. Our grandchildren are out and about. They go to school here, as well. And I worry about their safety as well, and also just all of the kids of Albemarle County. We ask this board to continue to notify ICE when there is somebody in this country illegally. And we feel like it's your first obligation to look after the citizens of Albemarle and Charlottesville. Being a resident of this area for such a long time, we've seen a big transition in our area. And I am really just heartened in not a good way as to what's happened in our community in the last year or two. I've always been proud to be from this area. I still am. But I am concerned about the safety and just for our day-to-day lives here if the board should decide not to

Bi Monthly Board September 13, 2018

continue this. And like other people have said, I've talked to so many people who were also concerned, but are not comfortable speaking out, and are concerned about their safety to speak out. So, thank you very much for this opportunity.

David Karon:

Hi. I'm David Karon. I am a volunteer team leader with Corey Stewart for Senate. I'm a small business owner in Charlottesville. I am a father to three daughters. This issue is really concerning to us because if we don't notify ICE when these folks are going to be coming back into our community, it just leaves the door open for many other things. And I know that you all don't want to be complicit if something were to happen. My business is located in Belmont, not very far away from where the murder happened that the woman previously had mentioned. And it was a very tragic thing, no doubt about it. And if something like that happens again, it would just be awful. And I've been throughout the state talking to people all over about it and they're very concerned. And I appreciate your time. Thank you.

Helen Marmoreno:

My name is Helen Marmoreno. I came here today to voice my concerns about this board voting to change the current policy regarding notification to ICE when illegal immigrants are about to be released from jail. I am at a loss to understand why this policy is up for a vote again because eight months ago it was voted to keep the policy in place and that was a good decision. Our lives and well-being are in your hands today if you vote again and should vote to continue the present policy of notification to ICE. Only ICE can determine the past criminality of each illegal immigrant about to be released back into the community. You do not know the past history of each illegal immigrant. But you will be responsible for the future acts of violence if you change policy today and allow their release back into our community.

It's illegal to enter this country by skirting the legal process. It's a federal crime that

Bi Monthly Board September 13, 2018

illegal immigrants have already committed. Do you really believe it's okay to

release an illegal immigrant back into the same community, where they can continue to harm others? Do you know what other crimes they may have committed unbeknownst to the local jail authorities? Do not look upon changing the laws that already give us additional protection from those who may harm us, disobey laws, and endanger our lives.

The votes you take today should be based on how it will further protect us, the citizens, the people you represent. Protect us with a sound policy. This is not about protecting illegal immigrants with more ways they can slip through the cracks and harm others. It's about protecting the people who abide by the law. This is where ICE comes in to help protect us, the law-abiding citizen. Let them do their job.

They don't make the law, they enforce the laws written. If you love our country, this great United States of America, you must respect its laws and uphold laws that keep us citizens safe. Thank you.

Donnie Long:

Thank you. Sorry for the illegible handwriting. My name is Donnie Long. I'm a 20 year resident of Albemarle County, a 35-year resident of Virginia. I am solidly, solidly behind the current policy of ICE being notified when a suspected illegal immigrant is about to be released. As ICE's reasons for existence is the enforcement of federal law regarding immigration issues and the investigation of criminal and terrorist activity by foreigners present in the U.S., I feel as a matter of public safety - simply public safety - the Albemarle-Charlottesville Jail should continue the policy of notifying ICE of the date and approximate time when a suspected illegal immigrant is expected to be released.

ICE is designed to protect all communities from those showing a disregard for the law of the United States. And we and you, as members of the jail board, should be doing everything possible to facilitate their efforts to keep us safe, and to keep

Bi Monthly Board September 13, 2018

those who are illegal among us from having any, any opportunity to walk out the jail doors and into obscurity.

One last comment before I leave. I don't see the American flag in this room. If this is a room for the public to gather, I would think the flag of the United States would be here. And I don't understand why, before you all left, we didn't begin this meeting with the Pledge of Allegiance. Thank you.

Vera Mason:

I'm Vera Mason from Charlottesville. I would just like to say that I'm in favor of ICE being notified when dangerous criminals are being released. Thank you.

Dennis Mason:

My name is Dennis Mason, and I live in Charlottesville. This is a public safety issue. You read in newspapers daily about lots of crimes committed by illegals, and there doesn't seem to be any recourse. There are legal ways to come into this country. You don't have to be illegal. My wife went through the process 50 years ago. And we are proud to be American. Thank you.

John Miskoff:

Ladies and gentlemen of the board, my name is John Miska. I live here in Albemarle County. This is my home. I am the son, on one side of my family, of immigrants. My mother came to this country as a babe in arms. On the other side of the family, I had friends both on the boats, and on the shore welcoming me. Ancestors of mine mistakenly sold Manhattan Island for \$24 in glass beads. I question you all today, and I say this. Who are you here to represent? Are you here to represent us as Americans, as citizens of this country? Or are you here to represent those who have flaunted our laws, who have come here illegally,

Bi Monthly Board September 13, 2018

illegitimately? Now, yes, I'm sorry that they've come from some hell hole of a country. I'm sorry that they have problems there. But for the most part, a lot of them have passed five U.S. consulates. Some nine different embassies on their way from Central America, to the southern border to illegally come to this country. And I say that we must protect Americans. We must protect our borders. We must protect our citizens. And a failure today to notify ICE of those people who have flaunted our laws and come here illegally, is a failure to protect us as citizens. It is a failure on your part as our representatives here to protect us citizens. I thank you for the time.

Deena Sharuk:

Good afternoon. My name is Deena Sharuk. I'm a staff attorney at the Legal Aid Justice Center, a lecturer for the University of Virginia School of Law, and I'm a constituent of Albemarle. Despite many efforts by certain elected officials and residents to cloud the purpose of today's vote, it's important that we're clear about why we're all here today. Today's vote is not about politics. Today's vote is about our values.

So, let's clear up some of the misconceptions and misinformation spread with the intention of clouding those values. Let's talk about the voluntariness of this policy as we discuss the jail already complies with mandated notification to ICE of foreign-born or noncitizen inmates through the jail management system. We already do that. That's not up for debate. We're discussing the voluntary policy of honoring ICE detainer requests to call ICE prior to the release of an inmate. This is a 100% voluntary policy. Congress has not legislated any affirmative duty for the jail to make these notifications of release date and time. If it wanted to do so, it could. It hasn't. Since Congress has not legislated any affirmative duty to additional ICE notifications, it has been left to the discretion of the jails. Any attorney who suggests otherwise is either incompetent, or they are lying to you. So, let's be clear about what our community is asking for. And don't forget those

Bi Monthly Board September 13, 2018

2,300 signatures you have of residents of these communities who want you to stop this policy. Our community is asking ... we're simply asking that you require a criminal warrant before facilitating arrests by ICE. That's not a radical request.

You demand warrants of other jurisdictions. You demand warrants of other law enforcement agencies. You demand warrants of the FBI. Not only can ICE get these warrants, it has. We hope that the end of this meeting, you will vote to stop facilitating warrantless arrests. At the end of the day, our community is here. Our community is watching. The electorate is watching. And history is watching. Thank you.

Priscilla Mendehal:

I'm Priscilla Mendenhall and I'm ceding my time to Ed Garlotta.

Ed Garlotta:

My name is Ed Garlotta. I'm a Marine Corps veteran and member of [Spanish 00:30:23]. I was also born to an undocumented mother, and grew up in a largely undocumented community. They are hardworking, family-oriented people that just want to be given a fair opportunity to live. I joined the Marines to serve my country and stand up for others. I continue to do that today by supporting the immigrant community, regardless of status. Every person should receive due process and equal protection under the law. But our system has a terrible double standard for this community. I'm going to read two brief statements of people that wanted to be here, but didn't feel safe.

"My brother served a short sentence in jail. His hearing was at 9:00 AM, and I went to pick him up, and they told me they still had not received the documents to release him. I was waiting for several hours without being told anything until after 4:00 PM, when they told me that he was already in immigration custody, and had been taken away. He is the father of two children, 10 and 8 years old, who are

Bi Monthly Board September 13, 2018

suffering for their father. It is unfair that, after having served his sentence, that immigration took him away."

Another community member wrote: "I believe that police should not call ICE after

a person has served their time in jail. The damage is actually done to their children. In my case, my son was two years old when his father was deported. The child did not sleep well at night, and was up for hours, thinking his father would come home. He cries when he watches movies, especially the movie Finding Nemo. Especially during the scene in which baby Nemo's parents are captured and taken away by fishermen. One time, I asked why he cried when he watched this movie, he innocently replied, 'Mommy, that's how I am, alone without my papa because they took him away.'"

Our federal immigration system is broken. And the way we treat immigrants has lost its values and decency. This board can't fix federal laws, but it can fix this unjust policy. ICE notifications aren't about public safety. They're about enforcing unjust federal immigration laws.

Close of Public Comment:

Mrs. McKeel ended the public comment portion of the meeting. Mrs. McKeel advised if anyone had written comments to give them to Mrs. Anderson. Mrs. McKeel also advised that there is an American Flag located in the back of the room. She stated that the Pledge of Allegiance was a good point to make.

New Business:

Mr. Carter had previously requested discussion regarding Nelson County Jail Board Authority representation. Mr. Hefty advised that the issue of member jurisdiction representation on this board is a matter that is governed by the service agreement, which is a document that was approved by all three member jurisdictions. Any change to the current makeup would have to be approved by all

Bi Monthly Board September 13, 2018

three member jurisdictions individually. It is not a question for this board.

Mrs. McKeel moved on to the topic of voluntary ICE Notification discussion.

Mrs. McKeel went on to advise that it is important for the community to understand that there is no one on this board that does not view public safety in our community paramount. We all view public safety to be critical. Colonel

Kumer began speaking about the VINE notification system, which stands for Victim Information Notification Everyday. It is a free service available to anyone in the public. It was originally established in 1994 to notify victims of crimes, when their offender was in a transfer from one institution to another or when they are about to be released, or up for parole, so they make an informed decision. Since that time, family members and friends can also sign up for the service to keep track of where their loved ones are, or when they are going to be released. It is free, and open to the public. You can sign up for as many people as you and you are notified by email, phone, or text. As updates are made to that person's file with release dates or locations you are automatically notified. We are now working more closely recently with VINE to ensure the information that they are receiving from us is accurate, up to date, and timely. It updates every 15 minutes. Sheriff Harding advised that he spoke with the Commonwealth's Attorney's administrative assistant, and she advised that she uses VINE all the time. She talked about the inaccuracies of VINE. Colonel Kumer stated that the information is not as accurate as he would like, however, he has been in contact with the techs and some senior people at VINE and Appriss who run the database for the state of Virginia and the Country. They have assured me that they have put in a work order to ensure that the mapping from VINE to our jail management system are communicating properly. They reassured me that if we work together they can identify the pathway and they can pull accurate information that they can guarantee to be accurate. Mr. Tracci stated that this solution has evaded this board for weeks and months, and from a process standpoint, if this solution were

Bi Monthly Board September 13, 2018

available, I respectfully ask this board, and you Madam Chair, why hadn't it been proposed a long time ago. I spoke with the administrative chief of staff in my office. She indicates that the VINE system is notoriously unreliable, that people often not notified until after someone is released. I think if this were the solution we had available, it should have been proposed a long time ago. I just heard someone speak about how easy it is. That is not correct. I also heard someone

speak to how easy it would be for federal immigration authorities to access information. I do not see federal immigration in this room. I think it is necessary and respectful and absolutely essential to have this public safety issue given the public's consideration our community expects and demands. Mrs. McKeel stated that it is new information that we have discovered, and that is why we are sharing it with everyone. Mr. Walker stated that he had heard some conversations since he became aware of the system. Understanding from a timing standpoint how the information is acquired, when the information is introduced into the jail management system, and how that relates to the timing of the individual being released from the system. It is on average about 30 minutes that it may take for information and paperwork to be processed? Colonel Kumer advised that was accurate. Mr. Walker confirmed that in many cases, that is the same time frame to complete the paperwork before a phone call would be made to ICE or anyone else because of the calculation that has to occur. Mr. Walker further confirmed that when the jail management system is updated, there is an automatic update every 15 minutes on the quarter hour and that the information is available to the general public. Anyone can identify any individual that is in custody at this facility and when that individual is released from this facility, there is automatic notification through the VINE links system lets them know that they are being released. A voluntary phone call; assuming that it happens at the same time every time, it may save 15 minutes. You can argue whether that is reasonable or unreasonable. In addition, it takes the jail an hour or so to actually out process

Bi Monthly Board September 13, 2018

an individual after the calculation has been completed. This could give ICE officials an opportunity to get as much as a 15 minute advance for the voluntary notification, or a family member, or anybody else. Everything is predicated on the information being accurate. I accept that this may be unknown or questionable. A lot of this conversation has been around the timing of the notification, and I am not sure how consistent that is. We do know that VINE updates every quarter hour.

We know there is a process for updating the jail management system with information for release. We also know that when an individual is released from the jail they are no longer in the jail's custody. Colonel Kumer advised that the information given by Mr. Walker was correct. Mr. Carter stated that more information is certainly helpful, but giving the 48 hour notification of someone's release date is certainly more affirmative information. I don't see why we shouldn't do that. Mrs. McKeel asked if we were giving 48 hours notice. Colonel Kumer advised that we can give more notice than that. We call when the calculation is made. It could be a year or hours. It depends on when the calculation is made. Dr. Bellamy confirmed that this is the current policy. Mrs. McKeel stated that's the issue. It is not always 48 hours. It can sometimes be very quick. Mr. Carter advised that he thought we were giving notice 48 hours ahead of someone's release day. Colonel Kumer advised that we give as much notice as we possibly can. They like at least 48 but if someone goes to court and they are given a bond or 5 days which they have already served we give as much notice as we can. Mr. Carter said there is a subset of individuals who are released pursuant to what has

Bi Monthly Board September 13, 2018

been characterized as a spontaneous release. Colonel Kumer confirmed. It could be time served, or not guilty. Dr. Bellamy asked how often that occurs. Colonel Kumer stated that he couldn't say exactly, but in general, the majority of our releases tend to be spontaneous rather than scheduled. Colonel Kumer stated that 50-60% of our population is pending at any one time. Their cases can be resolved at any time. Many people sit here pretrial. When they go to court, they have banked a lot of time. If you have been here 4 months and you received a 3 month sentence, you are leaving today, or if you go to court and you get bonded out. That is a significant amount of our releases, people being released on bond. It is actually a misnomer to think that most people have these long scheduled releases ahead of time. The vast majority are released spontaneously. Mrs. McKeel advised that one of the problems the authority is having is that we are a regional jail and we have 3 Commonwealth's Attorneys that don't agree on this situation. It seems like the most efficient way and the best guarantee is to have the Commonwealth's Attorney or someone from his office to make the call to ICE to understand so they can be appraised pretty quickly. We have here the letter from Joe in the city and he says "I would also like to note that every prosecutor in the Charlottesville office has the ability to reach out to ICE and request assistance in cases where we feel removal is in the best interest of the victim and the community. We have done that in the past and we will continue to do so if that promotes and furthers public safety." Mrs. McKeel told Mr. Carter that his

Bi Monthly Board September 13, 2018

Commonwealth's attorney stated that "they get notified routinely and they work with ICE routinely; we have an open door, we call them all the time." We have the City's Commonwealth's Attorney who feels comfortable calling ICE and your Commonwealth's attorney as well. Mr. Carter stated that his Commonwealth's Attorney is on record stating that he wants the policy continued. Mrs. McKeel asked how this board felt about that. Mr. Carter stated that they have voted 3 or 4 times. Mrs. McKeel stated that they have not voted on it 3 or 4 times, but we have voted on it. Mrs. McKeel stated that her concern is that we have Commonwealth's Attorneys that don't necessarily even agree about this. That makes our job a lot tougher. Sheriff Harding asked if the VINE notification would be faster than it is now by phone. Colonel Kumer advised that it would be 15 minutes slower. Sheriff Harding stated if ICE was interested in 44 people in the 550, they would immediately get a text message or a phone call, any time the release date went in, or any time there was a change in release date. Basically, we would be reaffirming what we are currently doing. We are just doing it through a process versus a phone call. Colonel Kumer advised that was correct. Sheriff Harding stated that he would like to have a chance to talk to the immigration officers. Let them look at it and say, is there a down side to this. Because, the way you are explaining it, I don't see a downside. It's just a different way of notification. Mrs. McKeel stated that it's more consistent. It is a process that is established, and because it is electronic, it's a guarantee. Mrs. Van Clief asked why we wouldn't just do what

Bi Monthly Board September 13, 2018

everyone else is doing, and go to ICE and say; What do you want? How can we help? That's what I want the other jurisdictions to do if it's the Albemarle County Police, and there is a chase into the City of Charlottesville. I don't want Charlottesville to say, don't take their phone call, don't listen to them, or did you check your text? It's community safety, it's our country's laws. It's our responsibility to the community. ICE, how can we help you? I would like for ICE to say, how can we help you? We are a jail board that oversee a lot of correctional officers. I want them to be supported and reciprocity for everyone to work together for the common good. Mrs. McKeel stated that we have had ICE here. They have been at the table twice. I am interested in everybody knowing what their job is, and being willing to do their job, being responsible for their job and getting a consistent process in place so our community feels comfortable that we are providing safety for them. Mrs. Harris stated, we voted. We had a work session. Many came and spoke on the topic. I have been on this board for a while and I have never had so many nice emails, threatening emails, uncomfortable emails. I read all of them. I am wondering do we vote until we make this group happy? Or do we let what we have voted from the understanding we have, stand? I think at some point, as the Sheriff said, we need to take it to Congress. We need to take it to our law enforcement. How much more do we need to know to make a decision? Mrs. McKeel stated that the discussion in January, March, and May was about new information. Based on what we are talking about today, there was new information, which is why we are having it again today. Mrs. McKeel asked how long it is going to take to address the issues with the VINE system. Colonel Kumer advised that in order for their system to speak to our system, they need to know where that release date is. When we switched over to New World Systems

Bi Monthly Board September 13, 2018

back in December, that confused their system. We are now in connection with them and their IT teams are in connection with ours. This will address some of the concerns that Mr. Tracci is speaking about. My recommendation to the board would be, until that is fixed, if they decide to go that way, we don't until it has been tested and verified to be accurate. They have assured me that this is something they can do. I do not know how long this will take but stated that it would be a priority. Sheriff Harding made a motion that we continue the current practice as is, as you move forward in perfecting the VINE system. Dr. Bellamy stated that we have had to discuss this topic for some time because there has not only been new information, but this is a topic that is nuanced and layered in several different facets. Because we haven't had the information, it is something that we have had to continuously discuss. We are hearing from different populations, who we may not have heard from about how this issue pertains to them in ways in which we haven't had that engagement. Before Sheriff Harding presents his motion, I would like to present or request of the board listening to something for a few moments. I spoke with Sheriff Brown this morning as well as other members of this board about a potential solution. This is a very passionate topic on both sides. A lot of people feel a lot of different ways. I think there is a way in which we can try to find a compromise of sorts. Our current practice and policy is for us to notify ICE. I would like to request that we can notify them with 4 specific exceptions; public intoxication, driving with a suspended license, loitering, civil matters revolving around child support would also be grounds for non-notification. Here are the reasons why; when we look at suspension of driver's license, there are a variety of reasons why people are pulled over. We have heard from several people saying that they are not able to get their license many different reasons. You are then pulled over and subjected to being put in jail for simply trying to get to work. That is something we can look at and provide leniency. There are several

Bi Monthly Board September 13, 2018

different instances where people will go to the extreme, in which there have been murders and so forth. But driving on a suspended license is one in which I think we can provide some grace. Public intoxication; I don't think that is something in which someone should be sent to ICE because we literally see that happen all the time with individuals who are not illegal immigrants. These consequences in which we may be imputing on these individuals who may be here illegally, as some have described them is a lot different. I am asking grace in that regard. Loitering; that is another one in which we see that happens with young folks and older folks. It happens all the time. Child support is a civil issue. If we detain an individual and they are incarcerated for child support and sent to the custody of ICE and then sent to their country, the mother who is here illegal or not, will never receive the benefit. Those are the 4 that I would like for us to have feedback on. I think it is a healthy compromise. I have spoken with Superintendent Kumer and he said it is doable. Mrs. McKeel stated that certainly someone who is in trouble because of a lack of paying child support would not normally be considered a danger to our community. Mrs. McKeel asked Dr. Bellamy if with the charges he detailed, was he referring to first offences. Dr. Bellamy confirmed. Colonel Kumer advised that in the conversation with Dr. Bellamy, he asked if it was logistically feasible, and the answer is yes. What we would do is put something in the individuals file that if they are convicted of these offences, do not call. To be clear, we would still be putting the information into VINE regardless. So they would still be notified. But everyone else, we would continue to pick up the phone and actually make the phone call to ICE. Mr. Carter stated that he appreciated Dr. Bellamy's efforts at a compromise but he does not agree. Mr. Carter stated that if there is an individual in the country illegally, they committed a crime, and now we are going to release them back to continue potentially to work illegally. Their employer is committing a crime. Every employer is required to report whether or not that individual they

Bi Monthly Board September 13, 2018

have employed is legally here and able to be employed. We are still aiding and abetting violating the law. Mrs. Harris stated that we go to court for things that we do. The judge says ok Mrs. Harris, you did it, and you better not do it again. If you do, this is what is going to happen. It is on record that I did it. I don't think it needs to be swept under the rug and then I go out and do something worse. I have a problem with us putting extra work on the jail. I have a problem with us deciding ourselves what is a bad or good crime. ICE is not picking every person that comes through the jail. If it was 100 people that have been taken in 2 months from this jail, I would be the first one saying stop it. Mr. Murphy stated that it is difficult for both the board and the community to constrain themselves to just the issue of: what is jail policy, versus whatever people's thoughts are about immigration. I encourage us to really focus on that. Notification does occur lawfully as a matter of policy at the point of entry and as a part of intake. People are released from this jail every day with crimes that are misdemeanors and felonies. They have served the time that was determined appropriate by the judiciary. That is true based on their offense and their history, regardless of their immigration status. Public safety issues are continually raised by people, and public safety is undermined when people are removed from communities and families all the same, regardless of their immigration status. We have a system that can be monitored by the public and law enforcement agencies and updated every 15 minutes. Maybe it's not where it needs to be, and we need to know more before policy changes. But it seems like the methodology of how information is communicated to ICE is not relevant to me, whether it is a phone call or electronic. People want to talk about the relative danger of the person released. As someone who knows a lot about assessment, I was not convinced in any way in either presentation by ICE that they have a validated assessment or that they apply it consistently. It is clear that it is not about criminogenic risk or public safety. It is

Bi Monthly Board September 13, 2018

strictly about they are here illegally and whether they have time to get here and bed space to put them in. I don't think that is in the purview of the jail. I would remind people that this is a regulated body and many of you probably come from work that has regulations. I have worked at a log of organizations and city and board and commissions do that. This is voluntary notification. It is not law. It is not regulation. It isn't even guidance. People say that we should wait and vote in somebody who will change the immigration policy. Well I would say vote in somebody who is going to make it a mandate rather than just a voluntary request. I appreciate Dr. Bellamy's compromise. I have some concerns with it not being far reaching enough. At the very least, if it became a motion, you should consider a friendly amendment about suspended license. Because suspended license means to me that I was able to get one. Undocumented people cannot. And also, all the people in the jail that are here for unauthorized us, or driving without a motor vehicle license. I think we have identified the wrong code section. Dr. Bellamy stated that he would happily accept Mr. Murphy's friendly amendment. Mr. Walker stated that he wanted to acknowledge that he has a very keen interest in finding a process and a system that works effectively, reliably, consistently with respect to the court for whatever policy we end up with. I think that may rest in the VINE links, understanding right now that we do not have confidence that it is functioning appropriately. I appreciate the compromise from Dr. Bellamy. My concern with it is that it puts the jail in a position of making choices about particular individuals being released, and what they are in here for. My view may be more in the purview of law enforcement rather than corrections. But I do appreciate the interest in trying to find a compromise. I would also love to find a compromise. It is concerning that as a jail board and with our Commonwealth's Attorneys that we are so divided on this issue. I would very much like to continue to pursue improvements to the VINE links system, where there is notification in

Bi Monthly Board September 13, 2018

every case of the release dates of individuals. In some cases, it is far in advance because there aren't any changes. In other cases, it is much closer because there are changes. I think that we have determined that when it's working correctly, we are talking about a matter of minutes. The nature of this issue with individuals who have served their time and are released from this facility into the community allow then, that our role in the criminal justice system to collaborate more responsibly to others in the criminal just system in terms of federal law in the case of Ice as far as immigration status and others who may have an interest in these individuals. Dr. Bellamy stated that when we think about the fact that many of us are open to finding a compromise of some sort. Another reason why this conversation continues is because I don't think all of us want the policy to simply go on as is. We see that this creates a variety of different issues for a population of our community. We want to try to figure out how we can find some kind of solution or happy medium that is not cut and dry for many of us. It's just not something we should use a blanket policy one way or another. The decisions we make have consequences on people's lives. Trauma from a mental health perspective, a flawed criminal justice system which we know we already have. Those are real issues that have effects on people. This is something we have to get right. That is another reason why I believe it is a conversation that must continue. Mrs. McKeel advised that our Commonwealth's Attorneys are empowered to make a phone call to ICE. We have Commonwealth's Attorneys that are in court and they can help us with this. I prefer that the website provides an electronic option that is much more reliable. Sheriff Harding made a motion that we move forward on perfecting the VINE notification system while continuing our current practice until such time ICE agrees that the VINE system provides them with the timely data they need as effectively as our current system of making phone calls. Mr. Walker stated that his concern is that when we delegate to ICE the ability to decide

Bi Monthly Board September 13, 2018

whether it's satisfactory to them rather than holding ourselves and this board in a position where we think that it is satisfactory to us. That is the only part that I have issue with. Mr. Carter asked if we are simply asking for ICE's input on whether or not this system is going to be effective. Dr. Bellamy asked Sheriff Harding if he would be open to entertaining any of the items he brought up previously. Sheriff Harding stated that everything is going into the VINE system, so they would be notified anyway on all of those offenses. Colonel Kumer clarified that all offenses would be put into the VINE system. So it would still incorporate notification for even those charges. Sheriff Harding asked how much time would be needed on the VINE system. Colonel Kumer stated November, but worst case, he would be able to make an update at that point. Mr. Murphy stated that he had a point of further clarification for the discussion. If the question at hand is about the level of confidence from board members in VINE, then I don't understand what this motion does different than tabling the issue until you know what VINE has done, and Dr. Bellamy has a motion that is about certain crimes. If you had confidence in the VINE system, I think that it's an up and down matter about whether you make phone calls versus whether there is electronic notification. I don't see the reason to call a question on this matter because it is the same as saying as soon as we know whether the software system is sufficient in our view, then we will call the vote. Mr. Tufts stated that he has a proposed motion that he brought today that he thinks would be relevant. If we were to table the issue, to confirm whether VINE links is reliable enough and consult with officers. I would like to pass the motion around potentially for the next meeting. Mrs. Van Clief asked if Sheriff Harding would rescind or withdraw his motion. Sheriff Harding withdrew his motion. Mrs. Van Clief made a motion to adjourn. Dr. Bellamy seconded the motion. The meeting adjourned at 2:03 pm.

FINAL



**OFFICE OF THE COMMONWEALTH'S ATTORNEY
COUNTY OF ALBEMARLE**

**ROBERT N. TRACCI
COMMONWEALTH'S ATTORNEY
410 E. HIGH STREET, CHARLOTTESVILLE, VA 22902**

The Honorable Mark Herring
Attorney General
Commonwealth of Virginia
202 N 9th St.
Richmond, VA 23219

December 17, 2018

**Re: Potential January 10, 2018 ACRJ Board Vote to End Pre-Release Notification of
Criminal Noncitizens Subject to Federal Immigration Detainer**

Dear Attorney General Herring:

As you may know, for nearly a year the Albemarle-Charlottesville Regional Jail Authority Board ("ACRJ Board" or "Jail Board") has been considering whether to become the first jail in the Commonwealth of Virginia to stop notifying immigration authorities before the release of criminal noncitizens subject to federal immigration detainer. Pre-release notification policy has been longstanding, nonpartisan, and observed without controversy in prior administrations, including all eight years of the Obama Administration when noncitizen deportations reached historically high levels. I write to request your views on a matter bearing on the public safety of Virginia residents.

All law enforcement officers serving on the ACRJ Board have previously expressed support for re-release notification. Current law enforcement personnel on the Jail Board include

410 EAST HIGH STREET, CHARLOTTESVILLE, VIRGINIA 22902

Albemarle County Sheriff Chip Harding, Charlottesville Sheriff James Brown, and Nelson County Sheriff David Hill. Nelson County Commonwealth's Attorney Daniel Rutherford, and Roanoke-based U.S. Attorney Thomas Cullen have also expressed support for maintaining current notification policy. Additional Jail Board members include Charlottesville City Councilor Dr. Wes Bellamy, Interim Charlottesville City Manager Mike Murphy, Albemarle Supervisor and Jail Board Chair Diantha McKeel, Assistant Albemarle County Executive Doug Walker, Nelson County Executive Steven Carter, and private citizens Cyndra Van Clief, W. Lawton Tufts, and Kristen Clarens.

An immigration detainer is an administrative warrant that is issued pursuant to federal law and accompanying regulations upon a showing of probable cause that a statutorily-prescribed deportable offense has been committed. Detainers may issue for serious criminal offenses unknown to state and local law enforcement personnel. Because immigration authorities do not have a physical presence in Virginia jails, pre-release notice ensures that "detained" criminal noncitizens are prioritized for immigration review pursuant to federal law. Terminating pre-release notification for detained individuals may result in their release into Virginia communities, raise public safety concerns, and frustrate implementation of a duly-enacted field of law the Constitution and Supreme Court clearly reserve to federal authority. After being asked to provide my views by the Jail Board, I have provided my views and conveyed information pertaining to the felony offenses for which federal detainers for ACRJ inmates have issued. (See September 12, 2018 letter attached to this correspondence.)

It is important to emphasize that ACRJ does *not* hold criminal noncitizens beyond their release dates for Virginia criminal charges, even if requested to do so by federal immigration authorities. However, like every other jurisdiction in the Commonwealth, ACRJ *does* notify federal immigration authorities before the release of criminal noncitizens to whom lawful immigration detainers have been issued. While most noncitizens do not commit violent felony offenses, the overwhelming majority of noncitizens subject to federal immigration detainer in ACRJ custody are booked for felony offenses. (See accompanying data, as well as *Public Safety Imperative: Regional Jail Debates Cooperation with ICE*, The Crozet Gazette, December 6, 2018; available at: <https://www.crozetgazette.com/2018/12/06/public-safety-imperative-regional-jail-debates-cooperation-with-ice/>).

On January 25, 2017, the Jail Board voted 7-3 to maintain this longstanding pre-release notification policy. By September 13, 2018, the ACRJ Board prepared to re-vote on this policy. However, a vote was postponed when Board members proposed terminating pre-release notification in favor of a passive, third party, software program known as VINELink. When concerns about the reliability of this private software program were identified, Board members agreed to further explore the viability of this alternative while acknowledging its current technical deficiencies, inaccuracies, and limitations.

Upon learning of the Jail Board's proposal to terminate pre-release notification and require federal law enforcement to rely upon VINELink to determine the release dates of federally-detained noncitizens, ICE Field Director Russell Hott expressed strong concern to

members of the Jail Board. In a letter dated October 29, 2018, Director Hott wrote: "Abandoning ACRJ's current policy on this important public safety matter and instead relying on a third-party system—a system that is designed for another purpose and may be susceptible to inadvertent or unforeseen errors . . . would be, for all intents and purposes, a vote to end release notifications." (See October 29, 2018 letter, attached to this letter.)

Opponents of pre-release notification have made clear their intention to limit the implementation of federal immigration laws. Charlottesville City Councilor and Jail Board member Dr. Wes Bellamy recently stated: "Believe you me, we are trying our hardest to stop ICE, but we're in a jail board that doesn't consist just of us." (See accompanying *Crozet Gazette* article.) Moreover, notwithstanding unambiguous opposition from federal law enforcement, the Jail Board is currently evaluating whether VINELink is a suitable alternative to longstanding pre-release notification. According to Albemarle County Executive and Jail Board member Doug Walker, requiring federal authorities to rely upon VINELink may be a viable alternative locally and throughout the Commonwealth. (See attached *Crozet Gazette* article.)

Given the public safety implications of this issue, I respectfully request your views concerning the viability and feasibility of VINELink as a substitute to pre-release notification observed by ACRJ and jails throughout the Commonwealth of Virginia.

Specifically:

- Has your office been consulted or undertaken any independent review to determine whether VINELink is a suitable alternative to longstanding, pre-release notification to federal authorities?
- Could ending pre-release notification and requiring immigration authorities to rely upon a private, third party software program whose own limitations are emphasized in its software licensing agreement increase the likelihood that criminal noncitizens subject to detainer could avoid federal immigration review?
- Could ending pre-release notification with no clearly-established alternative impede, frustrate, or obstruct enforcement of duly-enacted federal law?
- Could this affront the spirit of the Supremacy Clause of the U.S. Constitution?
- Could ending pre-release notification have any adverse public safety consequences?
- Should the views of federal law enforcement agencies be taken into consideration by state and local officials?
- If Virginia's state and local jails notify other states before the release of inmates facing charges in other states, why is it appropriate for Virginia's state and local jails to deny similar comity to federal law enforcement?

December 17, 2018

- Is it appropriate for local officials to determine which federal laws should be accorded deference, or for state and local officials to selectively determine whether to provide notice to federal law enforcement pursuant to valid administrative warrant is appropriate?
- Might a decision to end pre-release notification produce precedent in other fields of law reserved to federal authority, *i.e.* federal firearms, narcotics, or other federal laws or regulations?

While a formal Advisory Opinion is not sought, your views concerning the viability of VINELink as a substitute for longstanding pre-release notification policy will help provide the ACRJ Board with essential data to make an informed decision on this important public safety matter.

Finally, some of those seeking to end longstanding pre-release notification policy have accused federal immigration authorities of engaging in “terroristic” violations of human rights conventions and international treaties including the Convention Against Torture. Demonizing law enforcement personnel – be they federal, state, or local – undermines respect for the law and those who risk their lives to uphold it. We can be a welcoming community and Commonwealth while defending our laws and those who enforce them. It is my hope your office will help affirm this important recognition as our community continues to debate these questions.

Very Respectfully,



Robert N. Tracci
Commonwealth's Attorney

CC: Albemarle-Charlottesville Regional Jail Board
Martin Kumer, Superintendent, Albemarle-Charlottesville Regional Jail
Chip Harding, Albemarle County Sheriff
Diantha McKeel, Albemarle Board of Supervisors
Doug Walker, Albemarle Assistant County Executive Cyndra Van Clief, Citizen
Dr. Wes Bellamy, Charlottesville City Council
James Brown, Charlottesville City Sheriff
Mike Murphy, Charlottesville Interim City Manager
Kathy Harris, Citizen
W. Lawton Tufts, Citizen
David Hill, Nelson County Sheriff
Steven Carter, Nelson County Executive
Joseph Platania, Charlottesville Commonwealth's Attorney

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

| | |
|---|---|
| <p><u>AGENDA TITLE:</u> November 30, 2018 YTD audited Financial Report</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u> Matters from Business Manager</p> <p><u>STAFF CONTACTS:</u> Superintendent: Kumer & Brill</p> | <p><u>AGENDA DATE:</u> <u>ITEM NUMBER:</u> January 10, 2018</p> <p><u>FORMAL AGENDA:</u> <u>ACTION:</u> <u>INFORMATION:</u></p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u> No <u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u> Yes</p> |
|---|---|

Compensation and benefits is estimate to come in under budget (\$264,186) due to:

- Wages is estimated to come in under budget (\$155,263) due to the number of vacancies.
- Overtime Wages is estimated to come in over \$92,610 mostly due to hours related to a hospitalized inmate.
- Health insurance is estimated to come in under \$54,268.

Operating expense is estimated to come in on target at this time.

Capital expense is estimate to come in on target

Total expenditures are estimated to come in under budget (\$264,438).

Operating income is estimated to come in over budget \$71,594.

- Interest income is estimated to come in over \$30,000.
- Pharmaceutical is estimate to come in over \$40,000 due to unbudgeted state reimbursement.

Net Income is estimated to come in **\$336,032** over budget.

Recommendations: None

**Albemarle-Charlottesville Regional Jail
Detailed Expenses and Revenues
June 30, 2018**

| | G | H | K | L | M | U | V | W | X |
|----|---|---------------------|----------------|----------------|----------------|------------------|-----------------------------------|----------------------------|--------------------|
| | | | | | | | Percent of Budget =41.7% | | |
| 1 | OBJECT DESCRIPTION: | FY 2019 Budget | Sept | Oct | Nov | YTD | | June 2019 Extrapolation | Variance |
| 2 | Total Combined Oper. Exp.: | | | | | | | | |
| 3 | Total Combined Compensation: | | | | | | | | |
| 4 | Salaries - regular | 8,284,342 | 648,287 | 661,211 | 688,619 | 3,299,079 | 39.82% | 8,129,079 | (155,263) |
| 6 | Overtime wages | 137,000 | 29,386 | 22,252 | 15,379 | 103,610 | 75.63% | 229,610 | 92,610 |
| 8 | Overtime - Reimbursable | 7,000 | 237 | 4,100 | 1,499 | 10,926 | 156.09% | 10,000 | 3,000 |
| 9 | Part-time wages | 319,528 | 32,083 | 36,666 | 19,458 | 150,242 | 47.02% | 304,242 | (15,286) |
| 10 | PT/wages - board member | 2,100 | - | 0 | 0 | - | 0.00% | 2,100 | 0 |
| 11 | Shift Differential | 50,000 | 4,490 | 4,489 | 4,368 | 21,477 | 42.95% | 52,277 | 2,277 |
| 12 | Accrued annual leave | | - | 0 | 0 | - | #DIV/0! | 0 | 0 |
| 13 | FICA | 673,037 | 52,860 | 53,884 | 53,803 | 266,657 | 39.62% | 644,657 | (28,380) |
| 14 | VRS @ 10.94% | 899,777 | 69,173 | 70,177 | 69,751 | 345,415 | 38.39% | 828,415 | (71,362) |
| 15 | VLDP- disability | 3,600 | 326 | 380 | 426 | 1,855 | 51.53% | 4,837 | 1,237 |
| 16 | Life Part Time | 500 | - | 0 | 0 | - | 0.00% | 0 | (500) |
| 17 | VRS Hybrid | 12,000 | 957 | 1,081 | 1,160 | 5,277 | 43.98% | 12,977 | 977 |
| 18 | Health insurance 8,280 | 1,334,480 | 102,028 | 105,938 | 105,662 | 538,212 | 40.33% | 1,280,212 | (54,268) |
| 19 | Dental insurance \$250 | 40,000 | 2,860 | 2,920 | 2,920 | 14,251 | 35.63% | 34,551 | (5,449) |
| 20 | HSA contribution | 40,000 | 0 | 7,728 | 0 | 7,728 | 19.32% | 40,000 | 0 |
| 21 | VRS group life 1.31% | 109,180 | 8,398 | 8,532 | 8,492 | 41,992 | 38.46% | 101,492 | (7,688) |
| 22 | Group life - part-time | 500 | 0 | 0 | 0 | - | 0.00% | 500 | 0 |
| 23 | Line of Duty | 26,265 | 0 | 0 | 0 | 28,427 | 108.23% | 28,427 | 2,162 |
| 24 | Unemployment insurance | 10,000 | - | 0 | 0 | - | 0.00% | 10,000 | 0 |
| 25 | Workers' compensation | 123,900 | - | 0 | 0 | 95,647 | 77.20% | 95,647 | (28,253) |
| 27 | Subtotal Comp. & Benefits | \$12,073,209 | 951,085 | 979,358 | 971,537 | 4,930,795 | 40.84% | \$11,809,023 | (\$264,186) |
| 28 | | | 951,085 | 979,378 | 971,557 | 4,930,835 | | | |
| 29 | Total Combined Operating Expenditures: | | | | | | | | |
| 30 | Professional Services | 13,760 | 115 | 404 | 4,226 | 5,380 | 39.10% | 13,760 | 0 |
| 31 | Contract services other | 34,000 | 662 | 0 | 0 | 1,324 | 3.89% | 34,000 | 0 |
| 32 | Health services | 573,700 | 13,094 | 110,265 | 12,268 | 144,656 | 25.21% | 573,700 | 0 |
| 36 | Prof services - legal | 33,000 | 2,679 | 2,679 | 2,679 | 10,716 | 32.47% | 33,000 | 0 |
| 38 | Prof services - audit | 11,500 | - | 0 | 0 | - | 0.00% | 11,500 | 0 |
| 42 | R&M - buildings | 63,750 | 1,586 | 6,652 | 0 | 10,739 | 16.85% | 63,750 | 0 |
| 43 | R&M - vehicles | 3,000 | 0 | 0 | 155 | 155 | 5.17% | 3,000 | 0 |
| 44 | Maint contract - equip | 75,980 | 12,259 | 4,211 | 4,945 | 23,575 | 31.03% | 75,980 | 0 |
| 45 | Maint contract - buildings | 15,935 | 1,335 | 498 | 360 | 2,553 | 16.02% | 15,935 | 0 |
| 46 | Printing & Binding | 3,700 | - | 0 | 2,839 | 2,839 | 76.73% | 3,700 | 0 |
| 47 | Advertising | 4,000 | 30 | 349 | 450 | 1,070 | 26.75% | 4,000 | 0 |
| 49 | Tuition assistance | 2,000 | 0 | 0 | 0 | - | 0.00% | 2,000 | 0 |
| 50 | Employee physicals | 4,500 | 788 | 1,475 | 315 | 2,578 | 57.29% | 4,500 | 0 |
| 51 | Other purchased services | 1,000 | 10 | 0 | 490 | 984 | 98.40% | 1,000 | 0 |
| 52 | Contract - Disposal | 24,520 | 750 | 1,062 | 4,213 | 11,830 | 48.25% | 24,520 | 0 |
| 53 | Contract - fiscal agent | 156,029 | - | 39,007 | 0 | 78,014 | 50.00% | 156,029 | 0 |
| 54 | Data processing | 56,400 | 5,087 | 8,282 | 1,519 | 33,399 | 59.22% | 56,400 | 0 |
| 55 | Electrical service | 220,000 | 18,905 | 42,547 | 0 | 81,321 | 36.96% | 220,000 | 0 |
| 56 | Gas service | 100,000 | 3,237 | 3,740 | 3,453 | 10,430 | 10.43% | 100,000 | 0 |
| 57 | Water & sewer | 290,000 | 33,567 | 28,867 | 31,085 | 120,096 | 41.41% | 290,000 | 0 |
| 58 | Postal services | 5,700 | 461 | 85 | 121 | 899 | 15.77% | 5,700 | 0 |
| 59 | Telecommunications | 42,600 | (164) | 6,532 | 1,669 | 13,763 | 32.31% | 42,600 | 0 |
| 60 | Fire insurance | 41,000 | 0 | 0 | 0 | 42,944 | 104.74% | 42,944 | 1,944 |
| 63 | Automotive insurance | 6,500 | - | 0 | 0 | 5,382 | 82.80% | 5,382 | (1,118) |
| 64 | Lease Equipment | 16,443 | 1,120 | 2,597 | 283 | 5,619 | 34.17% | 16,443 | 0 |
| 65 | Software Licensing | | 0 | 0 | 0 | - | | 0 | 0 |
| 66 | Travel - education | 45,975 | 4,554 | 4,200 | 3,639 | 13,784 | 29.98% | 45,975 | 0 |
| 67 | Training - Academy | 75,000 | 509 | 1,018 | 1,217 | 71,159 | 94.88% | 75,000 | 0 |
| 69 | Travel - subsistence | 4,500 | 1,008 | 1,407 | 472 | 3,270 | 72.67% | 4,500 | 0 |
| 70 | Staff Support / Miscellaneous | 750 | - | 0 | 0 | - | 0.00% | 750 | 0 |
| 71 | Sams Club vending wellness | | - | 0 | 0 | - | #DIV/0! | 0 | 0 |

**Albemarle-Charlottesville Regional Jail
Detailed Expenses and Revenues
June 30, 2018**

| | G | H | K | L | M | U | V | W | X |
|-----|--|---------------------|------------------|------------------|------------------|------------------|-----------------------------------|----------------------------|------------------|
| 1 | OBJECT DESCRIPTION: | FY 2019 Budget | Sept | Oct | Nov | YTD | Percent of Budget =41.7% | June 2019 Extrapolation | Variance |
| 72 | Donations | | 0 | 0 | 0 | 68 | #DIV/0! | 68 | 68 |
| 73 | Human Resource Exp | 4,000 | 701 | 0 | 227 | 928 | 23.20% | 4,000 | 0 |
| 74 | Inclement Weather Expense | 1,000 | 0 | 0 | 0 | - | 0.00% | 1,000 | 0 |
| 75 | Wellness Fund Sams Club | 2,000 | 320 | 0 | 183 | 726 | 36.30% | 2,000 | 0 |
| 76 | Wellness Fund Expense | 2,000 | 0 | 0 | 910 | 910 | 45.50% | 2,000 | 0 |
| 77 | Inmate Fund Expense | 4,500 | 1,188 | 2,115 | 3,923 | 9,774 | 217.20% | 4,500 | 0 |
| 78 | Dues & memberships | 15,943 | 326 | 208 | 1,191 | 2,749 | 17.24% | 15,943 | 0 |
| 79 | Office supplies | 47,750 | 3,041 | 2,806 | 3,319 | 13,206 | 27.66% | 47,750 | 0 |
| 80 | Food supplies | 689,500 | 56,147 | 41,231 | 88,801 | 272,002 | 39.45% | 689,500 | 0 |
| 81 | ACRJ Employees | 79,000 | 20,720 | 10,523 | 19,801 | 53,356 | 67.54% | 79,000 | 0 |
| 82 | BRDC food supplies | 26,000 | 0 | 4,605 | 0 | 6,352 | 24.43% | 26,000 | 0 |
| 83 | SWVC | 4,000 | 314 | 367 | 439 | 1,120 | 28.00% | 4,000 | 0 |
| 84 | Meals for meetings | 6,400 | 530 | 740 | 748 | 2,361 | 36.89% | 6,400 | 0 |
| 85 | Medical Disposal | | | | | - | #DIV/0! | 0 | 0 |
| 86 | Pharmaceutical Drugs | 380,000 | 1,470 | 73,162 | 40,019 | 144,452 | 38.01% | 380,000 | 0 |
| 87 | Laundry & janitorial supplies | 61,400 | - | 6,733 | 2,755 | 18,665 | 30.40% | 61,400 | 0 |
| 88 | Kitchen & Maint. Cleaners | 32,800 | 4,191 | 0 | 8,815 | 20,700 | 63.11% | 32,800 | 0 |
| 89 | Linen supplies | 15,000 | - | 0 | 1,291 | 3,400 | 22.67% | 15,000 | 0 |
| 90 | Uniforms - inmate | 23,000 | 2,502 | 0 | 5,672 | 8,174 | 35.54% | 23,000 | 0 |
| 91 | R&M supplies | 62,049 | 4,889 | 5,388 | 2,544 | 19,670 | 31.70% | 62,049 | 0 |
| 93 | Vehicle & equip fuel & supplies | 16,300 | 3,148 | 3,930 | 1,341 | 10,375 | 63.65% | 16,300 | 0 |
| 94 | Vehicle & equip supplies | 13,300 | 2,565 | 837 | 1,201 | 5,771 | 43.39% | 13,300 | 0 |
| 95 | Security supplies | 25,210 | 1,633 | 2,547 | 2,761 | 9,217 | 36.56% | 25,210 | 0 |
| 96 | Uniforms & apparel | 41,200 | 2,188 | 8,592 | 2,792 | 18,886 | 45.84% | 41,200 | 0 |
| 97 | Books & subscriptions | 3,600 | - | 0 | 0 | 180 | 5.00% | 3,600 | 0 |
| 98 | Inmate Education | 27,865 | 1,134 | 63 | 627 | 2,231 | 8.01% | 27,865 | 0 |
| 99 | Other operating supplies | 1,000 | - | 0 | 0 | - | 0.00% | 1,000 | 0 |
| 100 | Copy supplies | 1,500 | 574 | 0 | 0 | 574 | 38.27% | 1,500 | 0 |
| 101 | Fund Balance ACRJ operating | | | | | | #DIV/0! | 0 | 0 |
| 104 | Subtotal Operating Exp. | \$3,511,559 | 209,173 | 429,724 | 265,758 | 1,324,326 | 37.71% | \$3,512,453 | \$894 |
| 105 | | | | | | | | | |
| 106 | Total Combined Operating Capital: | | | | | | | | |
| 107 | Machinery & equip | | 0 | 0 | 0 | - | #DIV/0! | 0 | 0 |
| 108 | Machinery & Equipment Replace | 110,000 | - | - | - | - | 0.00% | 110,000 | 0 |
| 109 | Kitchen Equipment - Replacement | | - | 0 | 0 | - | #DIV/0! | 0 | 0 |
| 110 | Furniture & fixtures - new | 21,150 | - | 0 | 1,253 | 1,253 | 5.92% | 21,150 | 0 |
| 111 | F&F - replacement | 18,046 | - | 0 | 0 | - | 0.00% | 18,046 | 0 |
| 112 | Communications equip | | - | 0 | 0 | - | #DIV/0! | 0 | 0 |
| 113 | Comm equip - replacement | | - | 0 | 0 | - | #DIV/0! | 0 | 0 |
| 114 | Motor vehicles | 25,000 | 23,854 | 0 | 0 | 23,854 | 95.42% | 23,854 | (1,146) |
| 115 | Parking Paving | | - | 0 | 0 | - | #DIV/0! | 0 | 0 |
| 116 | ADP Equipment | | 0 | 0 | 0 | - | #DIV/0! | 0 | 0 |
| 117 | ADP Equipment - Rep | | 0 | 0 | 0 | - | #DIV/0! | 0 | 0 |
| 118 | Software Upgrade | 0 | - | 0 | 0 | - | #DIV/0! | 0 | 0 |
| 122 | Subtotal Operating Capital | \$174,196 | 23,854 | 0 | 1,253 | 25,107 | 14.41% | 173,050 | (1,146) |
| 123 | | | | | | | | | |
| 124 | Subtotal Expenditures | \$15,758,964 | 1,184,112 | 1,409,082 | 1,238,548 | 6,280,228 | 39.85% | 15,494,526 | (264,438) |

**Albemarle-Charlottesville Regional Jail
Detailed Expenses and Revenues
June 30, 2018**

| | G | H | K | L | M | U | V | W | X |
|-----|--|---------------------|------------------|--------------------|--------------------|------------------|-----------------------------------|----------------------------|----------------|
| 1 | OBJECT DESCRIPTION: | FY 2019 Budget | Sept | Oct | Nov | YTD | Percent of Budget =41.7% | June 2019 Extrapolation | Variance |
| 125 | Operating Revenues: | | | | | | | | |
| 126 | Interest | 20,000 | 10,646 | | 2,276 | 33,213 | 166.07% | 50,000 | 30,000 |
| 127 | Sale surplus vehicles | | | | | - | #DIV/0! | 0 | 0 |
| 128 | Sale salvage | | | | | - | #DIV/0! | 0 | 0 |
| 129 | Cellular Tower Lease | 48,000 | 2,420 | 25,320 | 2,493 | 42,003 | 87.51% | 48,000 | 0 |
| 130 | Regional Jail Service Fees | 10,000 | 1,103 | 1,215 | 675 | 2,993 | 29.93% | 10,000 | 0 |
| 131 | Other jurisdictions | | | | | - | #DIV/0! | | 0 |
| 132 | Charlottesville | 4,657,784 | 388,149 | 388,148 | 388,148 | 1,940,743 | 41.67% | 4,657,784 | 0 |
| 133 | Albemarle | 3,705,178 | 308,765 | 308,765 | 308,765 | 1,543,825 | 41.67% | 3,705,178 | 0 |
| 134 | Federal prisoners 50.63 | 130,000 | 13,197 | 19,444 | | 64,297 | 49.46% | 130,000 | 0 |
| 135 | Nelson County | 632,372 | 52,698 | 52,698 | 52,698 | 263,490 | 41.67% | 632,372 | 0 |
| 136 | Telephone system | 214,000 | 285 | 182 | 421 | 125,375 | 58.59% | 214,000 | 0 |
| 137 | Dollar a day Inmate Charge | 85,000 | 6,653 | 6,045 | 5,993 | 24,643 | 28.99% | 85,000 | 0 |
| 138 | Misc. Inmate reimbursements | | | | | - | #DIV/0! | 0 | 0 |
| 139 | Workers' comp. reimb. | | | | | - | #DIV/0! | 0 | 0 |
| 140 | Work release insurance | | | | | - | #DIV/0! | 0 | 0 |
| 141 | Womens program | 37,000 | 1,867 | | | 6,333 | 17.12% | 37,000 | 0 |
| 142 | Work release | 110,000 | 7,995 | 10,608 | | 37,596 | 34.18% | 110,000 | 0 |
| 143 | Vdot | 168,000 | 16,694 | 13,748 | 19,592 | 67,751 | 40.33% | 168,000 | 0 |
| 144 | Electronic Monitoring-other | 10,000 | | | | 1,789 | 17.89% | 10,000 | 0 |
| 145 | Subscription Revenues | 3,000 | 305 | 236 | 215 | 756 | 25.20% | 3,000 | 0 |
| 146 | Region Ten | 25,000 | | | | - | 0.00% | 25,000 | 0 |
| 147 | Miscellaneous -misc jail revenues | 2,500 | 30 | 31 | 72 | 133 | 5.32% | 2,500 | 0 |
| 148 | Wkend & Work Force Reim-misc | 12,000 | | 1,936 | | 5,145 | 42.88% | 12,000 | 0 |
| 152 | Wellness Fund Sams | 2,000 | | | | - | 0.00% | 2,000 | 0 |
| 153 | Wellness Fund Other Rev | 2,000 | | | | - | 0.00% | 2,000 | 0 |
| 154 | Inmate Fund Revenue | 2,500 | 2,281 | | 4,555 | 7,415 | 296.60% | 10,000 | 7,500 |
| 155 | Shrd Svc: BRJDC Food & Mgmt.-misc | 68,000 | 14,566 | | | 14,566 | 21.42% | 68,000 | 0 |
| 156 | Insurance Recoveries | | | | | - | | 0 | 0 |
| 157 | Medical Copayment-misc | 10,000 | 630 | 442 | 941 | 2,882 | 28.82% | 6,000 | (4,000) |
| 158 | Training Fees Recovered-misc | 4,000 | 190 | | 505 | 695 | 17.38% | 2,000 | (2,000) |
| 159 | Prior year recovery | | | | 30 | 124 | | 94 | 94 |
| 160 | Comp Board - salaries | 4,819,629 | 393,421 | 453,178 | 400,000 | 1,989,965 | 41.29% | 4,819,629 | 0 |
| 161 | Pharmaceutical reimb | | 6,111 | | | 16,807 | #DIV/0! | 40,000 | 40,000 |
| 162 | Comp Board - office State ATL Reductions | | | | | - | | 0 | 0 |
| 163 | Jail Auto | | | | | - | | 0 | 0 |
| 164 | State per diem | 960,000 | | 153,483 | | 153,483 | 15.99% | 960,000 | 0 |
| 168 | SSA/SSI Recovery | 1,000 | | 200 | | 800 | 80.00% | 1,000 | 0 |
| 169 | Justice Reinvestment | | | | | - | #DIV/0! | 0 | 0 |
| 170 | SCAPP Funds | 20,000 | | | | - | 0.00% | 20,000 | 0 |
| 175 | Subtotal Operating Revenues | \$15,758,963 | 1,228,006 | \$1,435,679 | \$1,187,379 | 6,346,822 | 40.27% | 15,830,557 | 71,594 |
| 176 | | | | | | | | | |
| 177 | | (\$1) | 43,894 | 26,597 | (51,169) | 66,594 | | 336,031 | 336,032 |

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

| | |
|--|---|
| <p><u>AGENDA TITLE:</u> FY 19/20 Detailed Budget Detailed Debt Service Budget Combined Operations, reserve, debt 5 Year Average Fund Balances Spreadsheet</p> <p><u>SUBJECT/PROPOSAL/REQUEST:</u></p> <p><u>STAFF CONTACTS:</u> Col. & Mess: Kumer, Brill,</p> | <p><u>AGENDA DATE:</u> <u>ITEM NUMBER:</u> January 10, 2019</p> <p><u>FORMAL AGENDA:</u> <u>ACTION:</u> <u>INFORMATION:</u> Yes</p> <p><u>CONSENT AGENDA:</u> <u>ACTION:</u> <u>INFORMATION:</u></p> <p><u>ATTACHMENTS:</u> Yes</p> |
|--|---|

BACKGROUND:

ACRJ preliminary budget of \$16,251,148 reflects an operational increase of 3.0% or \$492,184 in FY 20 versus FY 19.

1. **Wages and Compensation Benefits** budget of \$12,402,959 reflects a 2.7% or \$329,750 increase due to:

- a. Salaries budget is \$8,725,823 which increased 4.5% or \$391,481 due to:
 - The increase includes a 3% which consist of a 2.3% market and .7% pay for performance or \$256,218 wage increase. ACRJ follows the County of Albemarle's yearly wage increase policies.
 - The increase also includes a gap pay increase of \$153,000. Under FLSA, law enforcement and firefighters are allowed an overtime exemption for hours worked from 160 – 171 (the GAP) in an established 28 day cycle. Virginia Law makes an exception for law enforcement to be paid overtime during the GAP but the General Assembly did not include Jail officers from that exception. Therefore, Jail officers can be paid straight time during the GAP. Since 2009, the jail had interpreted this as not having to pay any wage for this period of time worked. After meeting with Albemarle County HR and the Jail Board's attorneys' we have corrected this interpretation by paying straight time for the GAP. Prior to this security staff were adjusted down to 160 hours in a 28 day cycle if at all feasible. This is similar to Albemarle County PD officers except they receive an overtime rate for the GAP hours due to the Virginia exception to FLSA.
 - The increase also includes a Holiday pay of \$160,000. In the past holidays have been accrued and officers have as many as 1 to 5 weeks on the books and the goal is to remove the accruals from the books and have the officer take then time off within the week or get paid.
 - Vacancy savings is being calculated at 1.4% or (\$121,000).
 - Two part time positions, mental health providers, have been converted into one full time Mental Health Nurse Practitioner. Although there is an increase of \$120,000 to full wages and benefits, there is a net savings of \$70,000 due to the conversion. If approved, full time positions will increase by 1 to 161 from FY 19's total of 160.
- b. Over time reflects an increase of 5.5% or \$8,000 due to history and projects. By paying the GAP pay at the straight time rate as opposed to overtime for hours between 160-171 (when overtime is needed and approved) and increasing the scheduled hours worked by security staff from 160 – 168 in a 28 day cycle, we have increased the number of hours at straight time rate an officer will work. Those extra hours at the lower straight time rate will reduce the overtime budget significantly. The additional funds for the GAP pay are calculated in the salary portion of the budget. Although we are increasing the overtime budget it is reduced in comparison to what was spent in FY 18. Salary budget by \$153,000.
- c. Part Time wages decreased \$127,584 or 66.5% due to the reduction of two part time positions in medical moved to one full time position.
- d. Line of duty reflects an increase of \$13,735 or 34% percent based on projections from insurance provider.

2. **Operating cost** budget of \$3,689,561 reflects and estimated increase of 4.8% or \$178,002 due to the following:
- Data processing reflects an increase of \$5,500 due to contracts was due to wireless headsets to phones and upgraded Northpoint contract.
 - Health Services decreased \$82,500 or 16.8% due to past year actuals. Our medical staff was able to recoup a significant amount of billing credits from Anthem for services that were pre-existing in the 1st qtr of FY 19. The 1st quarter's large bills initially lead us to believe the following quarters would also be significantly higher than previous quarters. However, we are now confident we are back in line with previous years actuals.
 - Water and Sewer reflects a \$35,000 or 10.8% increase due to water cost and usage.
 - Lease equipment is decreasing \$13,543 due to new capital lease for equipment.
 - Inmate expense account is increasing \$5,500 likewise the inmate revenue account is increase \$7,500 to offset it.
 - Pharmaceutical drugs in increasing \$156,900 or 29.2% based on history Medical believes inmates are sicker and there seems to be more emergencies surgeries and HIV medical cost is rising everyday due to the sickness of the population. Also state reimbursement of \$80,000 is estimate in the Revenues.
 - Food Supplies is increasing \$50,500 or 6.8% due to cost of food increases and cost history.
 - Inmate uniforms and linen supplies are increasing \$5,000 and \$6,000 respectively due a population increase from previous FY 18 in addition to a significant replenishment of supplies that were purchased during the last population increase to meet that need. Those linens and uniforms are reaching their life expectancy.

3. **Operating capital** budget of \$158,628 reflects an estimated decrease of 9.8% or \$15,568.

The capital budget includes the following items: washer/dryer, kitchen equipment, medial carts and vehicle.

4. **Revenues** budget of \$16,251,148 increased by 3.0% or \$492,185 in FY 20 versus FY19 due to:

- Interest income is expected to bring in \$40,000 more in revenue.
- Dollar a Day has an estimated decrease of \$85,000 by eliminating the \$1 a day fee. The fee is currently deducted from the inmate's canteen fund account. That fund receives money from friends and family of the inmate, not the inmate themselves. This fund is also used by the inmate to purchase commissary items, phone time and reimburse the jail for medical co-pays. Most family and friends are reluctant to place money on the inmate's account since they do not want the money to be used for the \$1 a day fee. We currently only collect approximately 50% of what is owed primarily for this reason. Therefore, I believe that if this fee is eliminated, individuals will be more inclined to put money on the inmate's account. The inmate will then be able to purchase more commissary, phone time and meet their medical co-pay obligations. The jail earns a commission from both the commissary and the phone system. The loss of revenue may be offset by higher commission fees and co-pay revenues although this figure is unknown. In addition this is probably one of the most significant and common complaints from both the public and the inmate population regarding the payment of the \$1 a day.
- Education Reimbursement of \$80,000 is a new account to recognize education director reimbursement from the Inmate account.
- Compensation Board has been increased by \$150,000; however, it is too early to know what the Compensation Board will fund. The Compensation Board funding number will not be available until late April.
- The State per diem numbers do not show an increase because FY 19 is estimated to come in under budget and population is staying relatively steady right now.
- Education reimbursement of \$80,000 is a new account that recognizes revenue to be received for a Director of educations from Canteen.
- Pharmaceutical reimbursement is a new account and is estimated to receive \$80,000 for state held prisoners from DOC.
- Telephone revenue is estimate to increase due to contract renewal efforts. The prior contract had a significant increase due to taking the money upfront for the contract period.
- The primary increase in revenues comes from the localities.

5. **Locality's share** which includes **operating/debt/reserves** is as follows:

The County of Albemarle's draft budget is \$4,198,490, an increase of 5.5% or \$219,217. The City of Charlottesville's draft budget is \$4,862,697, a decrease of 1.8% or (\$89,926). Nelson County's draft budget is \$725,445, an increase of 9.5% or \$63,185.

6. **Census** - The five year averages for FY 20 is as follows:

County of Albemarle 42.68% an increase of 1.5%

City of Charlottesville 49.76 % a decrease of 2.0%

Nelson County 7.56% an increase of .5%

7. **Note:** ACRJ had budgeted a operating contingency fund; however, after further discussions ACRJ budget committee ask to retain net income at year end to put into this operating contingency fund to offset any future net income shortages.

Recommendations:

The staff recommends an FY 19 operating budget of \$16,251,148, debt service budget of \$578,831 and operating reserve of \$104,282 for a grand total of \$16,934,261.

**Albemarle-Charlottesville Regional Jail Operating Budget
FY 2020**

| | G | N | O | P | Q | R | S | T |
|----|---|-------------------|-------------------|-------------------|--------------------------|-------------------|-----------|----------------------|
| | OBJECT DESCRIPTION: | FY 17 Actuals | FY 18 Actual | FY 19 Budget | FY 19 YTD November | FY 20 Budget | Variance | Percent of Change |
| 2 | Total Combined Operating Expenditure | | | | | | | |
| 3 | Total Combined Compensation: | | | | | | | |
| 4 | Salaries - regular 2.7% wage plus night | 7,715,124 | 7,872,675 | 8,334,342 | 3,299,078 | 8,725,823 | 391,481 | 4.5% |
| 5 | Overtime wages | 127,782 | 165,195 | 137,000 | 103,609 | 145,000 | 8,000 | 5.5% |
| 6 | Overtime - Reimbursable | 8,955 | 10,531 | 7,000 | 10,927 | 7,000 | - | 0.0% |
| 7 | Part-time wages | 291,302 | 285,460 | 319,528 | 150,241 | 191,944 | (127,584) | -66.5% |
| 8 | PT/wages - board member | 1,600 | 1,700 | 2,100 | 21,475 | 2,100 | - | 0.0% |
| 9 | Accrued annual leave | | (33,586) | | | | - | #DIV/0! |
| 10 | FICA 7.65% (no change) | 601,480 | 620,542 | 673,037 | 266,660 | 693,837 | 20,800 | 3.0% |
| 11 | VRS @ 10.94 in FY 19 | 861,283 | 877,679 | 899,777 | 345,418 | 940,605 | 40,828 | 4.3% |
| 12 | Life Part Time | | | 500 | | 500 | - | 0.0% |
| 13 | VRS Hybrid | 8,076 | 12,867 | 12,000 | 5,278 | 14,000 | 2,000 | 14.3% |
| 14 | Hlth. insur 161 emp \$8,541 fy 20 | 1,419,575 | 1,257,227 | 1,334,480 | 538,211 | 1,335,101 | 621 | 0.0% |
| 15 | Dental insurance \$240 160 emp | 34,984 | 34,820 | 40,000 | 14,251 | 38,640 | (1,360) | -3.5% |
| 16 | VRS group life 1.31% | 98,689 | 101,095 | 109,180 | 41,994 | 114,308 | 5,128 | 4.5% |
| 17 | HSA plan | 15,732 | 16,184 | 40,000 | 7,728 | 40,000 | - | 0.0% |
| 18 | Long Term Disb | 3,071 | 4,495 | 3,600 | 1,895 | 3,600 | - | 0.0% |
| 19 | Group life - part-time | 70 | - | 500 | | 500 | - | 0.0% |
| 20 | Line of Duty Expense | 23,460 | 25,534 | 26,265 | 28,427 | 40,000 | 13,735 | 34.3% |
| 21 | Unemployment insurance | | 2,288 | 10,000 | | 5,000 | (5,000) | -100.0% |
| 22 | Workers' compensation | 112,899 | 95,970 | 123,900 | 95,647 | 105,000 | (18,900) | -18.0% |
| 23 | | | | | | | - | |
| 25 | Subtotal Compensation & Benefits | 11,324,082 | 11,350,676 | 12,073,209 | 4,930,839 | 12,402,959 | 329,750 | 2.7% |
| 27 | Total Combined Operating Expenditures: | | | | | | | |
| 28 | Professional Services | 12,585 | 6,772 | 13,760 | 5,379 | 7,450 | (6,310) | -84.7% |
| 29 | Contract Services Other | 3,310 | 12,041 | 34,000 | 1,358 | 30,000 | (4,000) | -13.3% |
| 30 | Human Resource Expense | 449 | 2,360 | 4,000 | 927 | 4,000 | - | 0.0% |
| 31 | Health services | 447,914 | 407,872 | 573,700 | 144,656 | 491,200 | (82,500) | -16.8% |
| 32 | Prof services - legal | 31,521 | 32,151 | 33,000 | 10,717 | 33,600 | 600 | 1.8% |
| 33 | Prof services - audit | 10,710 | 10,925 | 11,500 | | 12,000 | 500 | 4.2% |
| 34 | justice Reinvestment | | | | | | - | #DIV/0! |
| 35 | R&M - buildings | 49,648 | 55,125 | 63,750 | 12,466 | 63,702 | (48) | -0.1% |
| 36 | R&M - vehicles | 2,444 | 2,218 | 3,000 | 155 | 3,000 | - | 0.0% |
| 37 | Maint contract - equip | 50,990 | 60,001 | 75,980 | 21,848 | 63,280 | (12,700) | -20.1% |
| 38 | Maint contract - buildings | 25,494 | 21,247 | 15,935 | 2,553 | 20,860 | 4,925 | 23.6% |
| 39 | Printing & Binding | 180 | 90 | 3,700 | 2,839 | 3,500 | (200) | -5.7% |
| 40 | Advertising | 5,177 | 3,677 | 4,000 | 1,071 | 5,000 | 1,000 | 20.0% |
| 42 | Other purchased services | 829 | 3,538 | 1,000 | 494 | 3,500 | 2,500 | 71.4% |
| 43 | Contract - Disposal | 21,324 | 24,065 | 24,520 | 11,831 | 28,000 | 3,480 | 12.4% |
| 44 | Contract - fiscal agent | 147,381 | 152,424 | 156,029 | 78,015 | 160,902 | 4,873 | 3.0% |
| 45 | Data processing | 36,877 | 52,624 | 56,400 | 33,399 | 61,900 | 5,500 | 8.9% |
| 46 | Electrical service | 220,957 | 215,934 | 220,000 | 81,322 | 220,000 | - | 0.0% |
| 47 | Gas service | 81,088 | 74,992 | 100,000 | 10,430 | 80,000 | (20,000) | -25.0% |
| 48 | Water & sewer | 288,028 | 324,847 | 290,000 | 120,096 | 310,000 | 20,000 | 6.5% |
| 49 | Postal services | 4,595 | 3,907 | 5,700 | 1,390 | 6,530 | 830 | 12.7% |
| 50 | Telecommunications | 46,568 | 45,877 | 42,600 | 13,763 | 47,160 | 4,560 | 9.7% |
| 51 | Fire insurance/Va Risk Ins/Liability | 23,904 | 39,982 | 41,000 | 42,944 | 42,000 | 1,000 | 2.4% |
| 52 | Automotive insurance | 5,739 | 4,773 | 6,500 | 5,382 | 6,800 | 300 | 4.4% |
| 53 | Lease Equipment | 15,837 | 14,936 | 16,443 | 5,618 | 17,900 | 1,457 | 8.1% |
| 55 | Travel - education | 61,281 | 39,163 | 45,975 | 13,784 | 49,905 | 3,930 | 7.9% |
| 56 | Training - Academy | 73,108 | 79,119 | 75,000 | 71,159 | 79,000 | 4,000 | 5.1% |
| 58 | Travel - subsistence | 6,771 | 9,363 | 4,500 | 3,270 | 5,000 | 500 | 10.0% |
| 59 | Inclement Weather Expense | 675 | 876 | 1,000 | | 1,000 | - | 0.0% |

**Albemarle-Charlottesville Regional Jail Operating Budget
FY 2020**

| | G | N | O | P | Q | R | S | T |
|-----|--|-------------------|-------------------|-------------------|--------------------------|-------------------|-----------------|----------------------|
| 1 | OBJECT DESCRIPTION: | FY 17 Actuals | FY 18 Actual | FY 19 Budget | FY 19 YTD November | FY 20 Budget | Variance | Percent of Change |
| 60 | Staff Support / Miscellaneous | 902 | 222 | 750 | | 750 | - | 0.0% |
| 61 | Donations | | 915 | | 68 | | - | #DIV/0! |
| 62 | Sams Club Wellness | 1,429 | 2,073 | 2,000 | 726 | 2,000 | - | 0.0% |
| 63 | Wellness Expense Account | 4,309 | 1,856 | 2,000 | 910 | 2,000 | - | 0.0% |
| 64 | Inmate Expense Account | 5,454 | 14,236 | 4,500 | 9,774 | 10,000 | 5,500 | 55.0% |
| 65 | Dues & memberships | 12,279 | 14,113 | 15,943 | 2,746 | 17,382 | 1,439 | 8.3% |
| 66 | Office supplies | 50,028 | 56,567 | 47,750 | 13,204 | 52,161 | 4,411 | 8.5% |
| 67 | Food supplies | 682,736 | 791,625 | 689,500 | 272,002 | 740,000 | 50,500 | 6.8% |
| 68 | Food employees ACRJ | 78,584 | 82,640 | 79,000 | 53,357 | 83,000 | 4,000 | 4.8% |
| 69 | Food supplies BRDC | 24,042 | 35,775 | 26,000 | 6,352 | 36,000 | 10,000 | 27.8% |
| 70 | SVWC | 3,864 | 4,863 | 4,000 | 1,120 | 5,000 | 1,000 | 20.0% |
| 71 | Meals for meetings | 6,615 | 6,076 | 6,400 | 2,359 | 7,000 | 600 | 8.6% |
| 72 | Medical disposal | 459 | | | | | - | #DIV/0! |
| 73 | Pharmaceutical Drugs | 352,271 | 516,264 | 380,000 | 144,452 | 536,900 | 156,900 | 29.2% |
| 74 | Laundry & janitorial supplies | 63,326 | 68,531 | 61,400 | 18,666 | 61,400 | - | 0.0% |
| 75 | Tuition assistance | 597 | - | 2,000 | | 1,000 | (1,000) | -100.0% |
| 76 | Employee physicals | 5,033 | 4,613 | 4,500 | 2,578 | 4,800 | 300 | 6.3% |
| 77 | Kitchen & Maint. Cleaners | 32,917 | 42,134 | 32,800 | 20,701 | 34,000 | 1,200 | 3.5% |
| 78 | Linen supplies | 24,276 | 22,334 | 15,000 | 3,400 | 21,000 | 6,000 | 28.6% |
| 79 | Uniforms - inmate | 35,576 | 26,688 | 23,000 | 8,174 | 28,000 | 5,000 | 17.9% |
| 80 | R&M supplies | 58,692 | 56,279 | 62,049 | 19,671 | 62,429 | 380 | 0.6% |
| 82 | Vehicle & equip fuel & supplies | 17,422 | 20,518 | 16,300 | 9,686 | 21,300 | 5,000 | 23.5% |
| 83 | Vehicle & equip supplies | 13,016 | 14,122 | 13,300 | 4,595 | 14,000 | 700 | 5.0% |
| 84 | Security supplies | 35,651 | 29,223 | 25,210 | 9,363 | 27,500 | 2,290 | 8.3% |
| 85 | Uniforms & apparel | 77,760 | 36,829 | 41,200 | 18,885 | 41,200 | - | 0.0% |
| 86 | Books & subscriptions | 3,100 | 192 | 3,600 | 180 | 2,300 | (1,300) | -56.5% |
| 87 | Inmate Education | 16,396 | 9,275 | 27,865 | 2,231 | 18,750 | (9,115) | -48.6% |
| 88 | Other operating supplies | 241 | 500 | 1,000 | 574 | 1,000 | - | 0.0% |
| 89 | Copy supplies | | 369 | 1,500 | 1,253 | 1,500 | - | 0.0% |
| 91 | Fund Balance ACRJ capital radios | | | | | | - | #DIV/0! |
| 92 | Work Release Insurance | 15,650 | | | | | - | #DIV/0! |
| 93 | Subtotal Operating Expenditures | 3,298,009 | 3,559,731 | 3,511,559 | 1,323,893 | 3,689,561 | 178,002 | 4.8% |
| 94 | | | | | | | - | |
| 95 | Total Combined Operating Capital: | | | | | | | |
| 96 | Machinery & equip | | 11,801 | | | | - | #DIV/0! |
| 97 | M & E Repl | 91,184 | 192,280 | 110,000 | | 20,000 | (90,000) | -450.0% |
| 98 | Kitchen Equip - Repl | 24,122 | 20,779 | | | 83,628 | 83,628 | 100.0% |
| 99 | Furniture & fixtures - new | | 6,094 | 21,150 | | 10,000 | (11,150) | -111.5% |
| 100 | F&F - replacement | 29,953 | 1,670 | 18,046 | | 15,000 | (3,046) | -20.3% |
| 101 | Communications equip | 1,071 | | | | | - | #DIV/0! |
| 102 | Paving | 33,087 | | | | | - | #DIV/0! |
| 103 | Motor vehicles | | | 25,000 | 23,854 | 30,000 | 5,000 | 16.7% |
| 106 | ADP Equipment | 2,294 | 2,172 | | | | - | #DIV/0! |
| 107 | ADP Equipment - Rep (PC's) | | | | | | - | #DIV/0! |
| 108 | Software Upgrade | 4,853 | 11,991 | | | | - | #DIV/0! |
| 112 | Subtotal Operating Capital | 186,564 | 246,787 | 174,196 | 23,854 | 158,628 | (15,568) | -9.8% |
| 113 | | | | | | | - | |
| 114 | Subtotal Expenditures | 14,808,655 | 15,157,194 | 15,758,964 | 6,278,586 | 16,251,148 | 492,184 | 3.0% |

**Albemarle-Charlottesville Regional Jail Operating Budget
FY 2020**

| | G | N | O | P | Q | R | S | T |
|-----|--|-------------------|-------------------|-------------------|--------------------------|-------------------|----------------|----------------------|
| 1 | OBJECT DESCRIPTION: | FY 17 Actuals | FY 18 Actual | FY 19 Budget | FY 19 YTD November | FY 20 Budget | Variance | Percent of Change |
| 115 | Operating Revenues: | | | | | | | |
| 116 | Interest | 23,375 | 56,544 | 20,000 | 30,937 | 60,000 | 40,000 | 66.7% |
| 117 | Sale surplus vehicles | | | | | | - | #DIV/0! |
| 118 | Sale salvage | | | | | | - | #DIV/0! |
| 119 | Cellular Tower Lease | 40,183 | 50,682 | 48,000 | 42,004 | 50,000 | 2,000 | 4.0% |
| 120 | Regional Jail Service Fees | 16,181 | 13,453 | 10,000 | 2,993 | 14,000 | 4,000 | 28.6% |
| 121 | Other jurisdictions | | | | | | - | #DIV/0! |
| 122 | Charlottesville | 4,426,120 | 4,591,150 | 4,657,784 | 1,940,743 | 4,529,911 | (127,873) | -2.8% |
| 123 | Albemarle | 3,343,378 | 3,541,819 | 3,705,178 | 1,543,824 | 3,885,382 | 180,204 | 4.6% |
| 124 | Federal prisoners 50.63 | 135,728 | 153,054 | 130,000 | 64,298 | 140,000 | 10,000 | 7.1% |
| 125 | Nelson County | 593,793 | 618,746 | 632,372 | 263,488 | 688,226 | 55,854 | 8.1% |
| 126 | Telephone system | 214,473 | 214,774 | 214,000 | 125,375 | 300,000 | 86,000 | 28.7% |
| 127 | Dollar a day Inmate Charge | 87,278 | 74,333 | 85,000 | 24,642 | | (85,000) | #DIV/0! |
| 128 | Womens program | | 19,305 | 37,000 | 6,334 | 20,000 | (17,000) | -85.0% |
| 129 | Vdot | 163,928 | 168,430 | 168,000 | 67,751 | 185,000 | 17,000 | 9.2% |
| 130 | Work Release Insurance | 15,560 | | | | | - | #DIV/0! |
| 131 | Work release | 120,959 | 90,290 | 110,000 | 37,596 | 115,000 | 5,000 | 4.3% |
| 132 | Electronic Monitoring-other | 8,208 | 12,742 | 10,000 | 1,789 | 10,000 | - | 0.0% |
| 133 | Subscription revenue | 3,091 | 3,013 | 3,000 | 757 | 2,000 | (1,000) | -50.0% |
| 134 | Miscellaneous -misc | 6,053 | 3,762 | 2,500 | 133 | 2,000 | (500) | -25.0% |
| 135 | Region Ten | 18,587 | 25,000 | 25,000 | | 25,000 | - | 0.0% |
| 136 | Wkend/Workforce/canteen Reim-misc | 10,374 | 10,217 | 12,000 | 5,145 | 12,000 | - | 0.0% |
| 137 | Sams Club Wellness reimbursement (of | 1,000 | - | 2,000 | | 2,000 | - | 0.0% |
| 138 | Wellness reimbursement Fund (offset ex | 4,201 | - | 2,000 | | 2,000 | - | 0.0% |
| 139 | Inmate Reimbursement Fund (offset exp | 4,579 | 9,692 | 2,500 | 7,415 | 10,000 | 7,500 | 75.0% |
| 140 | Canteen Education reimb | | | | | 80,000 | 80,000 | 100.0% |
| 141 | Shrd Svc: BRJDC Food & Mgmt.-misc | 66,625 | 65,465 | 68,000 | 14,566 | 68,000 | - | 0.0% |
| 142 | Insurance Recoveries | | | | | | - | #DIV/0! |
| 143 | Medical Copayment-misc | 12,466 | 7,846 | 10,000 | 2,882 | 10,000 | - | 0.0% |
| 144 | Training Fees Recovered-misc | 6,478 | 5,113 | 4,000 | 695 | 5,000 | 1,000 | 20.0% |
| 145 | Pharmaceutical reimb | | 25,380 | | 16,807 | 80,000 | 80,000 | 100.0% |
| 146 | Comp Board - salaries | 4,549,312 | 4,765,500 | 4,819,629 | 1,136,788 | 4,969,629 | 150,000 | 3.0% |
| 150 | State per diem | 910,708 | 871,971 | 960,000 | 153,483 | 960,000 | - | 0.0% |
| 155 | SSA/SSI Recovery | 1,600 | - | 1,000 | 800 | 1,000 | - | 0.0% |
| 156 | SCAPP Funds | 24,417 | - | 20,000 | | 25,000 | 5,000 | 20.0% |
| 157 | prior year recovery | | | | 124 | | - | #DIV/0! |
| 158 | Building Alterations from Fund Balance | | | | | | - | #DIV/0! |
| 159 | Justice Reinvestment | | | | | | - | #DIV/0! |
| 160 | Reduction In Aid to Localities | | | | | | - | #DIV/0! |
| 161 | Subtotal Operating Revenues | 14,808,655 | 15,398,281 | 15,758,963 | 5,491,369 | 16,251,148 | 492,185 | 3.0% |
| 162 | | \$0 | \$241,087 | (\$1) | (\$787,217) | \$0 | \$1 | |

ACRJ - 5 Year average report

Operating Budget
FY 20 Budget

| Operating Budget | | | | | | | | | | | A | B | C | |
|------------------|-------------------|---------|---------|---------|---------|---------|------------|---------|--------|----------|-----------|-----------|-----------|-------------|
| FY 20 Budget | Inmate Population | | | | | | 5 Year Ave | | | | P & L | FY 20 | FY 19 | Incr/(Decr) |
| | FY | | | | | | | | | | Cost | Locality | Budget | over FY 19 |
| | 2014 | 2015 | 2016 | 2017 | 2018 | Total | Ave | FY 20% | FY 19% | % change | | Revenue | | Variance |
| Albemarle | 57,008 | 70,684 | 69,816 | 71,644 | 71,162 | 340,314 | 68,063 | 42.68% | 41.19% | 1.5% | 9,103,519 | 3,885,382 | 3,705,178 | 180,204 |
| Charlottesville | 76,979 | 80,483 | 82,518 | 81,638 | 75,172 | 396,790 | 79,358 | 49.76% | 51.78% | -2.0% | 9,103,519 | 4,529,911 | 4,657,784 | (127,873) |
| Nelson | 11,961 | 9,791 | 9,649 | 11,804 | 17,036 | 60,241 | 12,048 | 7.56% | 7.03% | 0.5% | 9,103,519 | 688,226 | 632,372 | 55,854 |
| | 145,948 | 160,958 | 161,983 | 165,086 | 163,370 | 797,345 | 159,469 | 100.00% | 100.0% | 0.0% | | 9,103,519 | 8,995,334 | 108,185 |

- A 5 Year Average Revenue
- B FY 20 Locality Cost
- C Increase/decrease over FY 19

**ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL
DEBT SERVICE ALLOCATION BUDGET**

Fiscal Year Ended June 30, 2020

| | | |
|--|----------------|------------------|
| <u>2017/2018 Debt Service Requirement Due From Localities:</u> | | <u>\$578,831</u> |
| <u>Section 5.1 (c): Allocation Percentage:</u> | | |
| Debt Service Component: Housing | 30.00% | \$173,649 |
| Additional Payment for Debt Service: Support | 70.00% | \$405,182 |
| | <u>100.00%</u> | <u>\$578,831</u> |
| Section 5.1 (a)(3) Debt Service Component: Housing | | |
| Albemarle | 42.68% | \$74,114 |
| Nelson | 7.56% | \$13,128 |
| Charlottesville | <u>49.76%</u> | <u>\$86,408</u> |
| | <u>100.00%</u> | <u>\$173,649</u> |
| Section 5.1 (b) Additional Payment for Debt Service: Support | | |
| Albemarle | 48.00% | \$194,487 |
| Section 2.7 (c): Nelson | 4.00% | \$16,207 |
| Charlottesville | <u>48.00%</u> | <u>\$194,487</u> |
| | <u>100.00%</u> | <u>\$405,182</u> |
| <u>Allocation by Locality:</u> | | |
| Albemarle | 46.40% | \$268,601 |
| Nelson | 5.07% | \$29,335 |
| Charlottesville | <u>48.53%</u> | <u>\$280,895</u> |
| | <u>100.00%</u> | <u>\$578,831</u> |

Combined Budgeted Categories
ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL PROPOSED
OPERATING, OPERATING RESERVE, AND DEBT SERVICE BUDGET SUMMARY
FISCAL YEAR ENDING JUNE 30, 2020

Final 2019 Budget

| Total Budget FY 18/19 | Proposed Fiscal Year Ended June 30, 2020 | | | | | | \$ Inc Over % Inc Over | |
|---------------------------------|--|--------------|--------------|--------------|----------|--|--------------------------|------------|
| | Projected | Operating | T Oper + ORF | Debt Service | | | | |
| | Operating | Debt Reserve | Subtotal | Housing | Programs | | Opr+ORF+DS | Prior Year |

Contribution by Member Jurisdictions:

| | | | | | | | Total Budget | FY 19/20 Usage | FY 20 Change | | 5 Year Ave Usage |
|-----------------|--------------------|--------------------|------------------|--------------------|------------------|------------------|--------------------|-------------------|-------------------|--------|---------------------|
| Albemarle | \$3,979,273 | \$3,885,382 | 44,507 | \$3,929,889 | \$74,114 | \$194,487 | \$4,198,490 | 42.68% | \$219,217 | 5.51% | 42.68% |
| Nelson | \$662,260 | \$688,226 | 7,884 | \$696,110 | 13,128 | \$16,207 | \$725,445 | 7.56% | \$63,185 | 9.54% | 7.56% |
| Charlottesville | \$4,952,623 | \$4,529,911 | 51,891 | \$4,581,802 | 86,408 | \$194,487 | \$4,862,697 | 49.76% | (\$89,926) | -1.82% | 49.76% |
| | \$9,594,156 | \$9,103,519 | \$104,282 | \$9,207,801 | \$173,649 | \$405,182 | \$9,786,632 | 100.00% | \$192,476 | 2.01% | 100.00% |

Inc

104,282

check

192,476

Albemarle fiscal Agent
160,902.00

Cash Accounts

| Funds | 4000 | 4001 | 4002 | 4003 | Total Cash |
|-------------------------|----------------|----------------|---------------|-------------------|--------------|
| | Operating | Construction | Debt | Operation Reserve | |
| | Unrestricted | Unrestricted | Unrestricted | Restricted | |
| As of 6/30/15 | (\$546,033.00) | \$793,207.35 | \$446,817.02 | \$2,939,439.32 | 3,633,430.69 |
| As of 6/30/16 | \$763,612.00 | \$1,013,207.00 | \$455,869.00 | \$2,939,439.32 | 5,172,127.32 |
| As of 6/30/17 | \$1,145,299.00 | \$786,784.00 | (\$18,843.00) | \$2,987,208.00 | 4,900,448.00 |
| As of 12/10/18 | \$1,203,608.00 | \$786,784.00 | \$274,212.00 | \$3,145,948.00 | 5,410,552.00 |
| | | | | | |
| Infrastructure + Radios | | 285,500.00 | | | |
| | | \$501,284.00 | | | |

Surplus Account Bal **2,264,604.00**

| | |
|------------------|-------------------------|
| 16,251,148 | Operating Budget |
| 20% | Coverage % |
| 3,250,230 | Coverage required |

***FY 17 Board approved Radio infrastruaction to be paid out of capital

November 2015 Board meeting

Estimate \$188,000 25 frequencies

January Board meeting 25 radios approved. \$97,500

(104,281.59) Reserve shortfall

ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY

EXECUTIVE SUMMARY

| | | |
|---|---|--------------------------------|
| <u>AGENDA TITLE:</u> VINE Link Status Update | <u>AGENDA DATE:</u> January 10, 2019 | <u>ITEM NUMBER:</u> |
| <u>SUBJECT/PROPOSAL/REQUEST:</u> | <u>FORMAL AGENDA:</u> | |
| <u>STAFF CONTACTS:</u> Martin Kumer, Superintendent | <u>ACTION:</u> | <u>INFORMATION:</u> Yes |
| | <u>CONSENT AGENDA:</u> | |
| | <u>ACTION:</u> | <u>INFORMATION:</u> |
| | <u>ATTACHMENTS:</u> | |
| | <u>REVIEWED BY:</u> <u>Martin Kumer,</u> <u>Superintendent</u> | |

BACKGROUND:

This is an update to the requested Virginia Information Notification Everyday, VINE LINK, systems enhancements. We have asked Appriss Incorporated, the company who operates VINE LINK, to ensure the system is receiving the correct data from this facility's Jail Management System, including but not limited to release dates and offenders' names.

We have also requested that the VINE LINK system notifies by email, text or phone anyone who specifically requests to be notified of an offenders status and release date immediately once the release date is calculated and again 72 hours prior to the offenders scheduled release. This last request will ensure that the public who have requested notification will be notified in advance of an offender's release as opposed to the current practice of notification immediately after the offender has been released.

As of Thursday, January 3, 2019 and according to Karen Williams, System Integration Analyst at Appriss, the enhancements are **expected to be online in early February**. Appriss had stated early in this project that it may take up to 90 days. They are on schedule with that time frame.

Once the system is online we will begin a rigorous testing phase with partner agencies to ensure the system is functioning accurately and as expected.

If the testing phase is completed by the next Jail Board meeting on March 14, 2019, a final report and recommendation will be made at that time.

RECOMMENDATION:

Information Only

ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY

EXECUTIVE SUMMARY

| | | |
|--|---|----------------------------|
| <u>AGENDA TITLE:</u> Elimination of the “Dollar a Day” fee | <u>AGENDA DATE:</u> January 10, 2019 | <u>ITEM NUMBER:</u> |
| <u>SUBJECT/PROPOSAL/REQUEST:</u> | <u>FORMAL AGENDA:</u> | |
| <u>STAFF CONTACTS:</u> Martin Kumer, Superintendent | <u>ACTION:</u> Yes | <u>INFORMATION:</u> |
| | <u>CONSENT AGENDA:</u> | |
| | <u>ACTION:</u> | <u>INFORMATION:</u> |
| | <u>ATTACHMENTS:</u> | |
| | <u>REVIEWED BY:</u> <u>Martin Kumer,</u> <u>Superintendent</u> | |

BACKGROUND:

Since the General Assembly passed Code of Virginia 53.1-131.3 (complete code section below) and it became effective July 1, 2004 most jails in the Commonwealth of Virginia have charged the fee which can range from one to three dollars per day for everyday an offender is incarcerated.

This facility currently charges the lowest rate of one dollar per day. The fee is intended to defray the cost of the offender’s incarceration. The fee is collected from the inmate’s canteen account. The canteen account is used by the offender during their incarceration to pay for their phone usage, purchase commissary items, pay medical co-pays and reimburse the jail for lost or damaged jail property during their confinement. The funds in the account are derived from family and friends of the inmate, local churches or other community entities that provide resources to the offender.

If the offender is released and has not paid their accumulated dollar a day fee their debt remains on their jail canteen account. This facility, although some do, does not attempt to collect the debt once the inmate is released. However, if the offender returns to custody, they will still be responsible for the previous debt in addition to the fee for their current incarceration.

This facility does not charge work release this fee since they are already charged a room and board fee that is deducted from their private employer pay checks. This facility also does not charge or inmate work force since they are providing daily labor and are not otherwise financially compensated. This was approved by the board in FY-19.

This facility currently collects approximately \$72,000 or 50% of the potential money owed under this program. Some of the reasons for the low collection rate are families and friends choose not to send money to the offender since it will be consumed by this fee and the inmate will not receive any tangible benefit from their money. Some families and friends who want to provide resources for the offender have reported they don’t have the assets to pay for both the fee and provide money for their offenders’ commissary and phone usage. However, there are individuals who pay for both the

fee and ensure the offenders has available funds for other services.

JUSTIFICATION FOR ELIMINATION OF THE FEE:

The intent of the fee was for the offender themselves to defray the cost of their confinement and reduce the financial burden to the local taxpayer.

It is misleading to assume the fee is paid for by the offender since non-work release inmates have no means of income beyond donations to their canteen account from individuals in our community. Inmates are not allowed to maintain their Social Security income when they are incarcerated and it is rare an offender receives funds from a retirement plan or other direct source of income. In essence, the fee is a financial burden to our local community since the funds from which the fee is collected comes from the community and not the offender.

Since the offender is not actually paying the fee and the funds are being collected from community members who choose to deposit funds on the offenders' account, the law as intended is not achieving its envisioned purpose. The offender is not being held accountable for their cost of incarceration and the community is still shouldering the financial burden.

In addition, collecting the fee is an encumbrance to our accounting staff who spend 20 hours per month manipulating the canteen account software to process this fee. Also, inmates attempt to avoid paying the fee by having the community deposit money on another offenders' account and then assuming that offenders' identity to purchase canteen and phone time. Although staff are vigilant and are aware of this practice it is labor intensive to prevent, detect and correct it.

With regard to the elimination of an annual \$72,000 source of source, the Jail by collecting the fee is reducing the funds available for use by the offender to purchase canteen, pay for phone usage, pay medical co-pays and reimburse the jail for damaged property. If the fee is eliminated, based on my conversations with members of the community, they will be more inclined to deposit money on an offenders' account since the offender will receive a tangible service as opposed to paying the fee. Inmates will therefore have more money to spend on phone usage and canteen services. Since the jail earns a commission on the phone and canteen purchases the facility can recoup some of the lost revenue in terms of increased commission revenues. In addition, we will be able to collect more co-pays for medical services and recoup more of the cost of damaged jail property. Although, this will not entirely defray the lost revenue, it will significantly offset it.

The current FY-20 budget proposal has already taken into account the loss of this revenue source so the board can see the financial impact to the localities. Since we have seen a significant increase in canteen commission revenues due to a new contract, we were able to use those funds under the Code of Virginia to reimburse the localities for the salary of the Director of Education. This amount more than offsets the cost of the loss of the fee revenue. Although this offset is not contingent upon approval of the elimination of the fee. It is an example of how increased commissary sales and commission positively impacts the localities financial burden. It is the intent that these commissions will increase if the fee is eliminated.

§ 53.1-131.3

Payment of costs associated with prisoners' keep

Any sheriff or jail superintendent may establish a program to charge inmates a reasonable fee, not to exceed \$ 3 per day, to defray the costs associated with the prisoners' keep. The Board shall develop a model plan and adopt regulations for such program, and shall provide assistance, if requested, to the sheriff or jail superintendent in the implementation of such program. Such funds shall be retained in the locality where the funds were collected and shall be used for general jail purposes; however, in the event the jail is a regional jail, funds collected from any such fee shall be retained by the regional jail. Any person jailed for an offense they are later acquitted for shall be refunded any such fees paid during their incarceration.

RECOMMENDATION:

Approve

ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY

EXECUTIVE SUMMARY

| | | |
|--|---|----------------------------|
| <u>AGENDA TITLE:</u> Holiday Time for non-exempt Security Personnel | <u>AGENDA DATE:</u> January 10, 2019 | <u>ITEM NUMBER:</u> |
| <u>SUBJECT/PROPOSAL/REQUEST:</u> | <u>FORMAL AGENDA:</u> | |
| <u>STAFF CONTACTS:</u> Martin Kumer, Superintendent Felicia Morris, Director of Human Resources Jeff Brill, Business Manager | <u>ACTION:</u> Yes | <u>INFORMATION:</u> |
| | <u>CONSENT AGENDA:</u> | |
| | <u>ACTION:</u> | <u>INFORMATION:</u> |
| | <u>ATTACHMENTS:</u> | |
| | <u>REVIEWED BY:</u> <u>Martin Kumer,</u> <u>Superintendent</u> | |

BACKGROUND:

This is a proposal to pay non-exempt security team personnel for their unused holiday time in the pay period for which it was earned. All other facility employees are able to use their holiday time within the time period it is earned.

These officers currently accumulate between 88 – 104 hours of holiday time (11-13 days) per year per Albemarle County Holiday Calender. The security teams work a rotating 12 hour shift and are considered essential personnel who are required to work holidays unless otherwise scheduled off due to vacation or a normally scheduled day off.

As of November 1, 2018, there was a total of 5,400 accrued holiday hours for these 72 individuals or an average of 75 holiday hours per employee. Since that time this specific department has earned an additional 3,744 hours of holiday time or 52 hours per team member due to the Thanksgiving, Christmas and New Year's holidays.

JUSTIFICATION FOR ACTION:

Due to the nature of their work, staffing levels and the fact their department is considered essential it is not logistically possible to ensure they are able to effectively use all of their earned holiday AND vacation time on an annual basis. Therefore, their holiday time continues to accrue. For accounting reasons this accrued time is reported as a financial liability but does not have an adverse negative impact to the FY budget.

The request comes at this time because the facility is transitioning with Albemarle County to a new upgraded time keeping system (our current version is also with the County). Albemarle County has asked us and other agencies that use the county as their fiscal agent to coordinate their pay practices with the county's to alleviate discrepancies between to the entities. Although it is not

required it will significantly reduce the cost of the new time tracking system by keeping the software development costs down. Other changes to coincide with the county did not require additional funding.

There will be some cost avoidance by paying staff now for their unused holiday time at their current rate of pay as opposed to paying them out when they leave employment at a likely higher rate of pay.

The cost of implementing this action is included in the draft FY-20 budget so the board can see the impact it will have on the jurisdictions. The estimated cost is approximately \$154,000. However, that cost assumes paying all 72 of these team members for all accrued holiday time in a fiscal year. However, staff will be allowed to use holiday time during the month it is earned and will only be paid out if they are unable to use the time. Therefore, we do not expect to use the entire amount of money allocated.

RECOMMENDATION:

Approve