

Matters from the Public – Questions and Concerns March 2021

1. The ACRJ website states that prisoners get 5 free stamped envelopes a week at no cost. However, I have heard from other sources that inmates are paying for envelopes. Can you confirm that prisoners are allowed 5 stamped envelopes a week for free?
 - a. **Individuals who are indigent are provided the ability to mail 5 free letters per week. Individuals who have access to funds must pay for their own postage. However, during the pandemic we are not enforcing the rule that requires inmates who have funds to pay for their own postage.**
2. E-mail is technology free for everyone who is not incarcerated and objectively very cheap. Considering the poverty and low wages of the people incarcerated and their families, why are they charged \$.50 per e-mail? What is done with the money? I urge the board to remove the fees for email.
 - a. **The messaging system is provided by a third party vendor under our current contract. The system requires firewalls to prevent/deter inmates from communicating with individuals with whom they should not be communicating such as victims, witnesses or those who do not want to be contacted. The system also monitors their communication for safety and security reasons.**
 - b. **They messaging system also allows individuals to receive photos. The fees are part of the commission the jail receives under its canteen contract. Those funds are used to offset programming costs provided in the jail.**
 - c. **However, this system will no longer be used beginning the week of April 19th. It will be replaced with the video visitation system.**
3. It has been stated by inmates that they have been denied grievance forms. I find it disturbing that grievance forms might be denied an inmate for any reason as I worry this suppresses inmate concerns and seriously hinders accountability. I have looked over the information regarding complaint filing on the ACRJ website but it does not mention any reason why a grievance form could be withheld from an inmate. Is there any reason why they might be denied them?
 - a. **There are times when a grievance is denied. Housing decisions are not grievable. Decisions made by the court, the Department of Corrections or other outside entities are not grievable. They must be appealed through that organizations appeal process. Decisions made by the Institutional Classification Committee, responsible for trusty, home electronic incarceration and work release reviews are not grievable as they may be appealed to me directly. In addition, before an individual may file a grievance, they must exhaust all informal remedies first or be able to explain why these steps cannot be pursued, such as speaking directly to the staff member responsible for the concern. For example, if an individual has a concern over their meal they should first speak to the serving officer to resolve the issue. If the staff member does not address the concern to the individual's**

satisfaction then they are to ask to speak to a Shift Supervisor or wait until the supervisor performs a tour through their housing area that day. If the issue has not been resolved, they may send a request explaining their need for a grievance to allow staff another opportunity to resolve the issue. If they cannot, then a grievance is issued. It is possible that a grievance has been denied if the proper steps had not yet been followed and staff was not provided an opportunity to address the issue. The above grievance policy is dictated by the Virginia Department of Corrections.

- b. **However, this concern was addressed with the new Video Visitation Contract signed over the summer.**
 - c. **Beginning, the last week of April or the first week of May, 2021, inmates will have continuous and unfettered access to Grievances through the Inmate Video Visitation System in a digital format.**
4. At the previous jail board meeting there was a presentation about a potential rebuild of the old portion of the jail. I believe we are all aware that this portion of the jail is dilapidated and run down, with hazardous conditions that no one should be living in. However, despite these conditions, I do not see a rebuild as the only or best solution to these issues. Has the jail considered alternative options, such as working towards further reducing the jail population so that the old portion of the jail is not needed to house inmates?
- a. **Based on the population of the communities the jail serves, we will always need the space currently provided by the older section of the jail to accomplish our mission. A 2004 study determined the jail's population in 2019 would be almost 900. Due to the efforts of this Board, this community of citizens, the criminal justice community and the Jail's staff, our population is the lowest it's been since the mid 90's. as of today, there are 343 people in the physical custody of the jail 59 individuals are on our hope electronic program making it one of the largest HEI programs in the state by both percentage of population and raw number of people.**
5. I know a lot of work has been done in the past year to lower the jail population, and I would love to see that continue by using HEI at no or low cost releasing people that are pre-trial and by providing alternate programs that encourage rehabilitation rather than punishment.
- a. **We have every intent of continuing the HEI program beyond the pandemic and keeping those costs to the individuals at no cost or as low as possible. Someone's ability to pay the monitoring fees will NEVER be a bar to their participation in the program.**
 - b. **We had one of the most robust and holistic rehabilitation and re-entry programs in the state prior to the pandemic and will resume programs as soon as possible.**
 - c. **There will always be a need for a jail in a community. A jail in a community serves three basic functions; to secure individuals whose criminal behavior threatens the life and safety of those in the community, to hold accountable those community members whom have not responded to other forms of reprimand and to serve as**

a deterrent to the rest of the community that there are repercussions for our actions.

6. As the jail population, along with staff and community members get vaccinated from COVID, social distancing and quarantine cells will not be as imperative, and more people could be housed in the newer portion of the jail while still avoiding overcrowding. This would allow the older portion of the jail to be used for increased community programming, education, expanded visitation, or even just for storage. The money allocated towards the rebuild could instead be used to create an improved outdoor recreation area so inmates have increased access to fresh air and nature, which has been scientifically shown to improve mental health. I would encourage the board to consider any alternative to a rebuild, and solicit community opinions along with the opinions of those who will be most affected, the inmates. Many of the inmates that I have spoken to about this do not wish to see the jail rebuilt, as they have concerns that this would lead to increased restrictions along with a potential for the jail to expand. I hope to see this issue give considerable thought before moving ahead
 - a. **The newest section of the jail built in 2000 only has 240 beds but it was only designed for 120. Even with our current population being at an almost 25 year low we still could not properly place the entire jail population in the old section of the jail. Even if we used all 240 beds which would be extremely tight for 4 individuals in one small room, we still could not place everyone in the new side.**
 - b. **Our staff, visitors and inmates have made it known that they wish to see the changes we are attempting to make. There is no intent to expand the jail's capacity. We will be seeking input from all stakeholders, inmates, families, citizens, staff, etc. in order to ensure we provide the best environment possible given available resources to ensure we are able to conduct our mission.**
 - c. **It is important to note that the Jail Board's direction regarding the renovation is not to expand the footprint of the jail or increase the number of beds. The renovation will likely decrease the availability of beds to increase the number of bathrooms per individual in addition to increasing classroom and recreational space.**
 - d. **The renovation is designed to improve the environment for inmates and staff as well as the overall quality and efficiency of the operating systems. We will also be focusing on inmate and staff safety. The portion being renovated is almost 50 years old and needs attention in almost every aspect.**
 - e. **With, the renovation and the addition of more programming space, enhanced access to showers and toilets as well as additional privacy for inmates, the jail's bed space will actually be reduced from its current rated capacity. Therefore not only will the renovation NOT increase the overall size or capacity of the jail, it will actually decrease.**
7. I wanted to comment the jail board on following through on improving the hygiene kits provided to inmates along with giving inmates 3 rags to clean rather than just 1. However, I

have still been hearing that there is no soap or toilet paper in the gym bathrooms. Why has this not been addressed, and will these items be provided soon?

- a. **Staff has been providing toilet paper in the gym. When I asked staff to investigate after the board meeting, there was ample toilet paper in the gym. However, there was no soap. Staff has since installed a wall mounted liquid soap dispenser in the gym.**
8. I have read the article published about this jail by C-ville Weekly in January, and its description of unsanitary, frankly Dickensian conditions inside the jail. This article was extremely disturbing and has raised some questions that I would like the board to answer. The ACRJ website states “this department has managed to save taxpayers thousands of dollars without sacrificing taste or nutrition” yet multiple statements from prisoners describe not only cold, “disgusting” food, but actual mold in the food. Why is there such a difference in the story being told?
 - a. **The savings generated came from our ability to join the contract available to Albemarle County schools for their lunch program. Most of the meals we serve our inmates are the same as those served to Albemarle County school students. It is more cost effective to buy in larger bulk than individually on our own. In addition, we began purchasing overstocked food items made by manufacturers or restaurants. If the restaurant does not fulfill their preordered amount, the rest of the food is made available for purchase to the public the same day.**
 - b. **Without specific information, it is impossible to investigate this claim. However, our food service team takes pride in the food we serve to our individuals. If an individual raises a concern regarding their food to one of our staff, their situation is corrected within minutes. Of the over 1000 meals we provide a day, there are times when a tray may be cold, a carton of milk may have spoiled or an apple may have gone bad etc. This is never intentional and no different than any school lunch my children receive or that I have received in a restaurant. The receiving individual makes it known to the serving officer, the officer calls the kitchen and a replacement tray or item is sent immediately. I hear these calls from officers to the kitchen over the radio and I then hear the resolution that their tray is on the way in a few moments. The important piece of this process is that the individual must make their concern known. If they don’t our staff will not know it needs to be addressed. As stated above this process works once we are made aware.**
9. Is there black mold and mildew in the vents and how has it been addressed in the two months since this article came out?
 - a. **We ensure that individuals are provided cleaning materials that are effective in killing and removing mold. If there are areas that need special attention, they are to let staff know so we can provide the additional resources necessary to clean those areas.**

- b. We are in the process of our annual, deep cleaning and repainting of the housing areas. This will address any existing mold concerns. Each and every housing area is emptied, power washed and painted.**

- 10. The letters from the jail allege that “all inmates in lockdown blocks share one shower...the green cleaning rags are washed with dirty mop heads...you have to eat, sleep, and work in the same clothes all day.
 - a. In segregation units there is one shower per 6 individuals. The showers are available from early morning to late evening allowing ample time to provide 6 separate showers. In other housing areas, there may be 14 people to 1 shower. Again, these showers are open and available throughout the entire day and evening allowing enough time for 14 showers even if each person takes a 1 hour shower.**

- 11. How many people per shower are there? If inmates are responsible for keeping the shower clean, why were they not provided adequate supplies of washcloths and soap, almost a year into a pandemic?
 - a. Individuals are provided the proper cleaning materials that are recommended by the CDC to properly clean their housing areas. Individuals are provided their own washcloths and soap.**

- 12. Are there any updates in how often hygiene items, including cleaning products, clean laundry, and fingernail clippers are provided as stated would happen in the Q&A doc on the ACRJ website?
 - a. Cleaning products and materials are handed out each morning. Fingernail clippers are on an as needed basis or every 30 days. We cannot allow individuals to keep their own fingernail clippers due to the safety and security needs of the facility. Laundry is done weekly, for linens, personals and uniforms.**

- 13. There have been statements that correctional officers have been moving people into cells that have not been cleaned after the previous occupant left. Is this true?
 - a. Depending upon the location of the cell, a trusty may be assigned to clean the area or the individuals going into the cell is required to clean it. If the cell has not been cleaned and the individual makes it known that it needs cleaning, they are afforded cleaning materials to do so.**

- 14. Who is responsible for cleaning and preparing empty cells for new occupants, and is there a standardized process for doing this? If inmates are responsible for keeping the entire jail clean, what specific products and tools are they given to make sure that the environment is sanitary?
 - a. They are provided gloves, proper footwear depending upon the job assignment and the necessary cleaning supplies. If they have run out or need a replacement, they communicate that need to the supervising staff member who is responsible for ensuring they have it.**

- 15. I have been made aware that there have been problems where people have asked for grievance forms and have been denied or encouraged not to fill one out.

- a. **We receive grievances daily from all corners of the facility.**
16. I understand grievance forms to be important because they empower people who are imprisoned and possibly mistreated to formally document their experiences.
- a. **I completely agree.**
17. The letter writers describe intimidation and disrespect from staff to inmates, and that inmate's fear retaliation from staff for speaking out. In this case, grievance forms are an essential protection.
- a. **If the letter writer can provide me with more information, I can have this claim thoroughly investigated. That being said, there are times when a grievance is denied. Housing decisions are not grievable. Decisions made by the court, the Department of Corrections or other outside entities are not grievable. They must be appealed through that organizations appeal process. Decisions made by the Institutional Classification Committee, responsible for trusty, home electronic incarceration and work release reviews are not grievable as they may be appealed to me directly. In addition, before an individual may file a grievance, they must exhaust all informal remedies first or be able to explain why these steps cannot be pursued, such as speaking directly to the staff member responsible for the concern. For example, if an individual has a concern over their meal they should first speak to the serving officer to resolve the issue. If the staff member does not address the concern to the individual's satisfaction then they are to ask to speak to a Shift Supervisor or wait until the supervisor performs a tour through their housing area that day. If the issue has not been resolved, they may send a request explaining their need for a grievance to allow staff another opportunity to resolve the issue. If they cannot, then a grievance is issued. It is possible that a grievance has been denied if the proper steps had not yet been followed and staff was not provided an opportunity to address the issue. The above grievance policy is dictated ty the Virginia Department of Corrections.**
18. It says on the ACRJ website that "you can ask for a Citizen Complaint form and one will be given to you. ANYONE may ask for a citizen complaint/compliment form and shall be given one". The website also states that "ACRJ will thoroughly and expeditiously investigate all complaints from the public, staff, and inmates against ACRJ employees who are alleged to have violated criminal law." And that "all complaints are considered serious."
- a. **Citizen Complaints are only available to non-incarcerated individuals since they have a separate internal process.**
19. I would like to urge the board to make it clear to all staff that every inmate has the right to a grievance form if they are requested and that there will be consequences for denying a request for a grievance form.
- a. **If a legitimate grievance request is denied by staff, they will be held accountable. As stated above, when the forms are made available on the tablets, individuals will no longer depend on staff to provide them.**
20. I want to express disappointment and disgust at the fact that I have to ask these questions of you. I would like to remind you that not everyone incarcerated in this jail has been

convicted of a crime and may not even be guilty. I don't think any person, guilty or not is disposable or deserves to be treated in the way they allegedly are in this jail.

- a. **My staff and I completely agree. My staff and I often have the opportunity to interact with individuals and their families who were previously incarcerated. Almost always they shake our hand and let us know how they appreciate what we were able to do for them and their experience in other facilities was not as positive. Occasionally they let me know about a negative experience and or ways to improve our services or the need for more services. I take the time to listen then meet with my staff to make those changes and add more services to meet the needs of those in our care.**

21. In the article published in the C-ville Weekly in January, one of the letters shown states that the writer is afraid for people in the jail because they have witnessed "malpractice and negligence of the correctional officers and the medical staff of this jail"

- a. **Without any information beyond the claims themselves, it is impossible to investigate any of these claims. If the necessary information is provided, they will be thoroughly investigated.**

22. Ms. Entzminger reports "multiple letter writers accused the jail's medical team of not taking pre-existing ailments seriously, failing to provide people with the treatments they need."

- a. **Beyond the obvious moral and legal responsibility we have to ensure our individuals receive the care they need, we have a financial incentive to do so. The sooner a health condition is treated, the less likely it will become exacerbated and require more costly methods of treatment. Our goal is to quickly evaluate each individuals physical and mental health needs. Once they are identified, a care plan is established and implemented through coordination with our own team and outside providers.**

23. A letter writer described being ignored by nurses for a few days when he developed severe COVID symptoms.

- a. **Without an individual's name, it is impractical to fully investigate the claim.**

24. Another wrote, "I am diabetic, it took me 10 months to convince them that I am a diabetic in need of diabetic meds + insulin."

- a. **From a laymen's point of view, I would find it difficult that an individual who is insulin dependent would be able to survive without insulin for 10 months. We have no record of someone experiencing a significant life threatening medical episode due to a lack of insulin for a 10 month period. However, without the individuals name, we are unable to fully investigate this claim. As a matter of fact, our medical team takes pride in the numerous times they have been able to diagnose someone with diabetes who otherwise has gone undiagnosed though their lives. Most of the individuals we receive have not, or do not receive routine medical care. The initial physicals we provide are the first they have received in years or decades. We are therefore in a position to diagnose potentially life threatening ailments that otherwise would have gone untreated. Just over the last year, we have diagnosed cancers, heart related issues, diabetes, and severe**

mental illness. These individuals are sent to UVA or Martha Jefferson Hospital for cancer treatment, heart surgeries, etc. This is care they may not have received if not for our staff taking the health of our individuals personally and not just professionally. A significant number of our individuals who become incarcerated and are pregnant often receive prenatal care for the time thank to our staff's due diligence.

25. Does the jail provide inmates any recourse if they feel that the medical team who evaluated their condition has not made an appropriate medical decision?
- a. **Individuals who feel they have not received proper medical care can file and Inmate Grievance. If they are not satisfied with the response to their Grievance, they can file a 1983 form; Prisoner Complaint Violations of Civil Rights. Our medical staff also has access to the individual's prior primary care physician in the community and they often consult with them regarding our individual's treatment. Our medical team also has access and frequently consults with UVA Health Systems staff to determine the best care. Many of our individuals still maintain their previously scheduled appointments and care plans with their PCP's. We provide that access through TeleHealth or onsite visits to the PCP's office in the community.**
26. Is there any kind of record of denial of medical treatment?
- a. **When an individual presents medical concerns to our medical staff, they are evaluated and a course of treatment is documented to include whether or not any course of treatment is necessary.**
27. Ms. Entzminger also reported and the inmate quote also suggests that people in the jail are afraid of retaliation if they report the issues.
- a. **I can certainly understand why an individual may assume based on this environment they may experience reprisal for raising concerns about employees, policies and procedures or their treatment. However, as an institution, our staff does receive concerns and processes them accordingly. Sometimes the concern is due to a lack of information and then, once the individual is made fully aware of the policy or law concerning their complaint, they are satisfied. Sometimes the concern they raise can result in the facility changing its policy or procedures. When it involves an employee, we conduct a thorough investigation and if the complaint is founded the employee is disciplined and or their employment is terminated. Jail staff views these concerns as constructive criticism that helps us to improve our services to the individuals in our care. This has been our view during my administration. To my recollection, we have not received any legitimate complaints regarding staff retaliation from current or former inmates. Again, I realize there may be reluctance on the part of an individual to raise a retaliation complaint while they are incarcerated but I believe once they are released, they would feel more confident to bring a complaint at that time. However, again to my knowledge we have not received any such complaints.**

- b. Once the tablets are up and running, inmates will be able to communicate directly with me or any member of my staff they trust discreetly and privately. WE hope this will alleviate their concerns regarding retaliation.**
- 28. There seems to be a level of animus towards the prisoners on behalf of at least some of the guards, based on the report that they are banging on doors all night, or making spiteful jokes about COVID. Is there more that the jail could be doing to help people feel safe coming forward to report issues?
 - a. I am happy to meet with the citizens who raised the issues or the inmates themselves if they would choose to determine based on their experience what we can do to improve the process.**
 - b. Our doors weigh several hundred pounds and are almost 50 years old. Almost all require them to be shut with force so the locking mechanisms engage properly. This is not intentional by any means. These door issues will be addressed with the renovation.**
- 29. Do the inmates have the opportunity to submit complaints anonymously and if not, could a system like that be created?
 - a. They do, and many often use that process to make their concerns known. They send sealed letters to me either through the internal mail system or through the Postal Service address to me specifically. My staff does not open these letters.**