

ELEVENTH JUDICIAL CIRCUIT

Commonwealth of Virginia

Joseph M. Teeefey, Jr., Judge
Judge's Chambers
One Courthouse Avenue
Petersburg, Virginia 23803
804-733-2423
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CITY OF PETERSBURG
COUNTY OF AMELIA
COUNTY OF DINWIDDIE
COUNTY OF NOTTOWAY
COUNTY OF POWHATAN

May 25, 2023

P.S.T. Costin,
Nottoway County Administrator
P.O. Box 92
Nottoway, Virginia 23955

Re: Nottoway Courthouse Conditions.

Dear Mr. Costin:

I bring to your attention recent events that have caused me to formally place Nottoway County on notice that the Courthouse facilities are out of compliance with reasonable and acceptable standards for public operation. This year, the Circuit and District Courthouses were at various and extended times without heat during cold ambient temperatures, without air conditioning during warm ambient temperatures, and without water. Both the Circuit Courthouse and District Courthouse have experienced an inmate escape from custody within the past three years. These problems have disrupted the normal operation of the court system and caused trials to be cancelled. This does not only inconvenience the judges, clerks, jurors, litigants, and witnesses, but it also poses serious security problems for the sheriff's department and other Commonwealth of Virginia agencies charged with the responsibility of incarcerated adult and juvenile inmates along with adult mental health patients appearing for hearings. Importantly, justice is being delayed or denied.

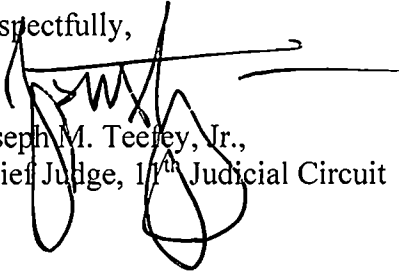
I have attached a list of defects that I have observed with an untrained eye through casual observation. I recommend that a full security audit of the facilities be performed by the Virginia State Police through a program available upon request to the Supreme Court of Virginia Office of the Executive Secretary. Additionally, an audit for compliance with the Americans with Disabilities Act is advisable. Finally, a trained building inspector and/or architect should do a complete inspection of the facilities. These audits and inspections will provide a comprehensive evaluation of the facilities needing repair, replacement or maintenance. The facility defects are extensive and render the courthouse unsafe, insecure, and out of repair. The corrective measures will be complex and beyond the simple measures undertaken by the county in recent times. This chronic neglect of the facilities by the county over decades has resulted in the accumulation of these defects notwithstanding the county receiving funds through collection of costs by the courts for courthouse maintenance, courthouse improvement, and courthouse security.

You are aware that the governing body of Nottoway County, "shall provide courthouses with suitable space and facilities to accommodate the various courts and officials thereof serving the county." Va. Code Section 15.2-1638. You are also aware that the governing qualities or standards for such courthouse facilities are described further in Va. Code Section 15.2-1643. You will find merely from my incomplete list of defects that the Nottoway Courthouse facilities are out of repair, unsafe, and insecure. "When it appears to the circuit court for any county ... that the court facilities of such county are insecure, out of repair, or otherwise pose a danger to the health, welfare and safety of court employees or the public, the court shall enter an order, in the name and on behalf of the Commonwealth against the supervisors of the county to show cause why a mandamus should not issue, commanding them to cause the court facilities of such county to be made secure, or put in good repair, or rendered otherwise safe." Va. Code Section 15.2-1643. I have not entered such Order; instead, I have placed the governing body on notice by this letter that corrective action or replacement is necessary to avoid this eventuality.

I have surveyed the courthouses in the 6th, 10th and 11th Judicial Circuits comprising nineteen counties and one city. Nottoway Courthouse is the worst maintained, most insecure and most unsafe courthouse in southside Virginia. The continuation of these conditions will no longer be tolerated by the Circuit Court.

I look forward to a mutually satisfactory resolution to this problem. You may, of course, contact me for further discussion.

Respectfully,



Joseph M. Teeley, Jr.,
Chief Judge, 11th Judicial Circuit

Circuit Courtroom Substandard Conditions:

1. entrance is not handicapped accessible
2. handicapped entrance intersects with inmate movement
3. handicapped passage through well of the court cannot accommodate a wheelchair
4. handicapped persons are unable to enter and leave during court proceedings
5. no handicapped parking near court and no signage for remote handicapped parking
6. no ability for handicapped person to serve on a jury
7. poor acoustics for all participants, especially hearing impaired
8. exterior wood rot and peeling paint
9. heat and air conditioner inoperable
10. no location for jury assembly separate from public
11. no entrance or exit for jury except through public
12. no secure parking for judge
13. judge entrance and exit through public areas including intersection with inmates
14. clerk must enter and exit through public, outside space
15. no secure area for on and off loading of inmates
16. holding cells have only one door to pass through to outside, public space
17. inmates have exit door access when walking from holding area to courtroom
18. courtroom has inadequate audio and visual equipment to display digital evidence
19. single door entry to judge's chambers
20. worn and water stained carpets
21. courtroom size is inadequate to allow public to observe jury selection
22. courtroom size is inadequate for basic criminal bench dockets and term day.
23. Courthouse complex grounds have uneven, out of repair walkways
24. Court vestibule is too small for security screening equipment and sheriff's staff
25. Bathrooms and entire space is not regularly cleaned
26. Toilets fail to flush due to low water pressure

Circuit Court Clerk's Office Substandard Conditions:

1. Inadequate workspace to accommodate number of compensation board authorized positions
2. No security features separating clerks from public
3. No secure space for case files and archives separate from public
4. Clerk's workspace is not separate from public which compromises sensitive documents
5. Computer server is not in airconditioned space and accessible to the public
6. Electrical and networking wires are exposed
7. Electrical outlets are broken
8. Flooring is uneven and worn
9. Entire space is not in compliance for handicapped persons
10. No security at public entrance
11. Three public entrances are security issues and impossible for staff to monitor
12. Staff and public bathrooms are not handicapped accessible, worn, and not cleaned.
13. Doors are not solid or secure
14. Records room is not fireproof and has no fire suppression

15. Insufficient electrical outlets
16. No space for staff breakroom
17. Inconsistent heat and air conditioning
18. No secure area to store evidence
19. Water damage has caused plaster to peel and mold

Combined District Court Substandard Conditions:

1. No secure area for unloading and loading inmates
2. Out of compliance juvenile holding cell
3. No elevator from holding cells into courtroom
4. Public passage to juvenile courtroom passes inmate holding area
5. All bathrooms have worn flooring and fixtures, inadequate lighting, and are not cleaned regularly
6. No handicapped bathrooms
7. No handicapped parking near building and inadequate signage to remote handicapped parking
8. Poor fire detection and suppression features
9. Worn, water stained carpet, exterior peeling paint
10. Inconsistent heat and air conditioning
11. Old, out of repair windows and doors leak air into clerk's work space
12. File storage is too small
13. Door lock into clerk's workspace is broken
14. Multiple roof leak locations
15. Black mold in multiple places within the building
16. Inadequate work space for clerks
17. Inadequate audio and visual within courtrooms
18. Clerks must enter and exit through public space
19. Clerk's office does not have security at entrance
20. Judge parking is not secure, near public parking, and near inmate loading area
21. Courtroom seating is insufficient for current dockets