

Brian Moran, Chairman
Jeffrey Aaron
Andrew K. Block, Jr.
Kimberley C. Lipp
Janet S. Lung
Scott Reiner



COMMONWEALTH OF VIRGINIA

Task Force on Juvenile Correctional Centers

MEETING MINUTES

May 31, 2016

9:00 a.m.

Patrick Henry Building
1111 East Broad Street
Richmond, Virginia 23219

Task Force Members Present: Brian Moran, Andrew "Andy" K. Block, Jr., Jeffrey "Jeff" Aaron, Janet Lung, Kimberley Lipp, and Scott Reiner with Victoria Cochran (Deputy Secretary of Public Safety and Homeland Security)

Guests: The sign-in sheet for this meeting is attached to the end of the notes.

WELCOME

Chairman Moran called the meeting to order at 9:10 a.m.

Chairman Moran welcomed all in attendance and asked for introductions by the Task Force members.

APPROVAL OF MINUTES

The minutes of the May 13, 2016, Task Force on Juvenile Correctional Centers (Task Force) meeting were provided for approval. On MOTION duly made by Scott Reiner and seconded by Andy Block to approve the minutes as presented. Motion carried.

415 (C) (3) INPUT

Chairman Moran explained that the Budget Bill requires the Task Force to consider input from judges, attorneys for the Commonwealth, law enforcement, local government, private providers, and other stakeholders. Each invited participant will have ten minutes allotted to them to discuss their input and respond to Task Force questions. Thereafter, public comment will be received with speakers having approximately three minutes to talk. Chairman Moran reminded the group that the next meeting is scheduled for June 14, 2016, at 9:00 a.m., at the Patrick Henry Building.

Kelly Harris-Braxton, Executive Director, Virginia's First Cities (VFC)

The VFC is a state advocacy organization that represents fourteen of the oldest, historic cities in the Commonwealth that include Richmond, Norfolk, Petersburg, Hampton, Newport News, Portsmouth, Danville, Roanoke, Hopewell, Lynchburg, Winchester, Staunton, and Charlottesville.

The VFC members support the concept of juvenile justice transformation. The VFC applauds the Governor and the Department of Juvenile Justice (Department) for their advocacy to transform the system using best practices including community-based services and smaller, more humane facilities.

The VFC's major concern is the availability of reliable funding for community based services. VFC has long advocated for the needs of central cities including resources for juvenile justice services in the form of Virginia Juvenile Community Crime Control Act (VJCCCA) funding. This money is used to support a variety of diverse programming including mentoring, substance abuse support, electronic monitoring, parenting classes, and extended day school services. However, the funding has been drastically cut from a high of \$30 million in fiscal year (FY) 2000 to a low of \$10 million statewide currently which constitutes a 70% decline in state funding over that period of time. VFC recognizes that the Commonwealth's cities are the primary users of the state's juvenile justice services and have a vested interest in the success of the program offered.

Chairman Moran stated that closing the two juvenile correctional centers was contingent upon keeping the savings from those closings and reinvesting those savings into the community. This was a very important component of the transformation and we are committed to maintaining the savings in order to have adequate services in all communities through the Commonwealth.

James "Jim" Taylor, Virginia Association of Local Human Services Officials (VALHSO), Deputy County Administrator for Hanover County, Chairman of the Middle Peninsula Juvenile Detention Center (Merrimac)

VALHSO supports the transformation initiative of the Department to seek better outcomes for youth. The proposed facility at Chesapeake is much more likely to promote public safety and rehabilitate youth. The new facility will be designed for a smaller population with smaller units, modern technology, and dedicated treatment space. It is time to do business differently with more therapeutic environments.

Merrimac recently began participation in the Department's Community Placement Program (CPP) for lower risk or transitioning committed youth. The CPP has proven to be a cost-effective and efficient model, leading Merrimac to operate the first girls CPP in the state. As long as the state continues to fund these placements, the local juvenile secure detention centers are happy to accommodate. Local governments welcome stronger relationships with our state partners.

Timothy "Tim" Smith, President, Virginia Juvenile Detention Association (VJDA) and Executive Director, Shenandoah Valley Juvenile Detention Center

The VJDA supports the Department's initiatives. The VJDA believes that serving children in smaller, safer places produces better outcomes for the youth. Many of the youth can now be served in locally-operated CPPs. As the Executive Director of the Shenandoah Valley Juvenile Detention Center, Mr. Smith operates a CPP and believes this is the right direction for youth. However, not all youth should be served in local detention centers and not all detention centers are interested or capable of serving long-term kids, older kids (20 or 21 years of age), kids with serious offenses, or kids with certain special needs. The Department is responsible for and serves all those types of youth.

Most detention centers are built by correctional plans. The new therapeutic model needs more space for educational and therapeutic programs. Mr. Smith's detention center, which operates a therapeutic program, has spent \$1.5 of local money in the last five years to add additional space for these programs because it is impossible to retain qualified professional staff if the program is asking

them to work out of converted closets. Mr. Smith noted that double bunking is a terrible idea and it is not appropriate in a secure residential care facility.

Chairman Moran asked if Mr. Smith's locality or the region funded the additional space and asked about the capacity of the Shenandoah Valley Juvenile Detention Center.

Mr. Smith responded that the detention center is a commission-operated facility and it was the region's money that built the expansion for the therapeutic programs. The region, Mr. Smith noted, serves the City of Harrisonburg, Rockingham County, the City of Staunton, the City of Waynesboro, Augusta County, the City of Lexington, and Rockbridge County. Mr. Smith's facility has 58 beds.

A discussion ensued about the capacity of the state's 24 secure juvenile detention centers. Marilyn Brown, Superintendent of the Chesterfield County Juvenile Detention Center, stated that there are 1,425 beds across the state with the smallest facility being 20 beds and the largest facility in Fairfax with 121 beds.

RISE for YOUTH represented by Kate Duvall, attorney with Just Children, Legal Aid Justice Center, and Laura Goren, Commonwealth Institute for Fiscal Analysis

Kate Duvall detailed her experiences working with youth in the juvenile justice system and working with youth inside the Department's juvenile correctional centers.

RISE stands for Reinvest in Supportive Environments for Youth, and the members include 50 professional organizations and hundreds of individuals from both sides of the political realm. RISE believes that the status quo is unacceptable and the group is focused on the development of a true continuum. RISE applauds this Administration for making a significant investment in a continuum across the state.

Research and data have shown that an effective juvenile justice system focuses on kids who can be placed in community-based services and focuses on kids who need to be taken out of the community for their safety. For best results regarding kids who need to be removed from their community, RISE believes those settings should be small with a capacity of 25 beds or less. These settings should have a therapeutic, individualized approach with a focus on therapy and relationship-building programs over a command and control approach to supervision. These settings should be regionally located. The superintendents for these facilities should personally know all the residents, and the models and programs should be developed by individuals impacted by the system.

The Missouri Model, the transformation adopted in Missouri's juvenile justice system, is highly regarded as the best model for operating a secure facility. Ms. Duvall discussed her visit last year to a St. Louis facility. Ms. Duvall noted that the Missouri facilities were smaller, regionally based, and focused on positive youth development and a therapeutic approach. The St. Louis facility that Ms. Duvall visited looked and felt like a reform school as opposed to a prison. They had 10 person units that did all their activities together. The groups included serious offenders and one unit included kids that were convicted as adults. This type of model is working in Missouri with low recidivism rates, low escape rates, and no suicides. Additionally, in this facility the kids were able to see and remain connected with their families since the facility was regionally-based.

Ms. Duvall discussed the differences between Virginia's facilities compared to Missouri. She noted that size was the biggest difference with the largest facility in Missouri having 50 beds with most

others having no more than 30 beds. Virginia is much bigger. The structure is very different in Missouri; there are no cells, no razor wire, and no steel doors. The biggest difference between Virginia and Missouri is the staffing. Missouri does not employ juvenile correctional officers; they only have frontline staff with a total of 45 staff in that one facility in St. Louis. Almost all the staff is working directly with and know the young people. Facilities built for more than approximately 25 youth do not serve to support the best intervention strategies for rehabilitating youth.

Laura Goren, Commonwealth Institute for Fiscal Analysis

Ms. Goren stated that the Task Force should to consider the ongoing operating costs for type and size of facilities in its analysis. RISE looked at the Missouri costs compared to proxies in Virginia. An intensive treatment group home in Virginia would have an operating cost of \$500 per youth/per day. The group then adjusted for cost of living in Virginia and adjusted for cost based on different systems in Virginia and Missouri. The group figured that, in Missouri, the operating cost would be \$375 per youth/per day. The group then considered the Department's former halfway house models would have an operating cost of \$219 per youth/per day. By comparison, the operating costs for Virginia's proposed new facility would cost between \$500 and \$600 per youth/per day.

Missouri focused on youth specialists rather than the Virginia traditional staffing model. Ms. Goren suggested that Virginia take a hard look at the Missouri operating costs and research what it would cost to run the Missouri Model in Virginia.

Mr. Scott Reiner indicated that part of the planning for this endeavor is obviously capital design. RISE advocates for small facilities of 30 beds whereas the Chesapeake facility is looking at 64 beds. He asked whether it is RISE's opinion that through a combination of physical plant design and operational practice, the facility could essentially be running two small facilities under one roof and maintain the advantage of the small approach.

Ms. Duvall indicated that it is a bigger question than just size; it is the size and structure. RISE is comfortable at the 25 bed limit which allows staff to directly work with the young people. RISE has concerns that as the facilities get bigger; they become more prison like and start to operate like a prison down the road.

Mr. Reiner stated that one of the efforts in this initiative is to make sure it is informed by evidence. RISE has a set number of beds they are comfortable with, but is there any empirical evidence that one approach is better than the other approach.

Ms. Duvall stated that she has not seen any evidence, but encouraged the Task Force members to visit Missouri and to read the Missouri report produced by the Annie E. Casey Foundation.

Andy Block stated that it is more expensive to operate a facility with fewer children, particularly given the service and educational need demographics of the Commonwealth's committed population. Andy Block also indicated that Missouri personnel are providing training to the Department's staff who work in the facilities with the intent that all Department employees who work with youth engage in transforming therapeutic relationships. Andy Block also stated that there were many factors that went into the number of beds proposed for the Chesapeake facility. The work of the Task Force is to try and figure the best way forward to balance all these factors to get the best outcomes for the kids with the resources available.

Dr. Aaron said that the Annie E. Casey Foundation's report referred to by Ms. Duvall has a heavy emphasis on cost saved over the long term because of decreased recidivism and shorter lengths of stay. This is probably a useful comparison report.

Nancy Parr, Past Chairperson of the Commonwealth's Attorney's Services Council and Commonwealth's Attorney for the City of Chesapeake

Ms. Parr noted that she is presenting in dual roles today. First she is speaking on behalf of the Commonwealth's Attorney's Services Council (Council). Second, she is speaking as the attorney for the Commonwealth for the City of Chesapeake.

Ms. Parr on behalf of the Council:

The Council operates on a consensus decision-making model; if there is no consensus, there is no position from the Council. If there is not a consensus, this does not mean that the Board does not have a stake or an interest in the issue, just that there was not agreement regarding a position on the matter. The Board is meeting on June 8th and will discuss Department transformation and the proposed construction in Chesapeake and construction or renovation of a second facility at that meeting. All elected Commonwealth's Attorneys are concerned with the issues raised at the earlier Task Force meeting that include public safety, safe facilities, safer communities, and more successful youth who hopefully will not be seen in the adult criminal justice system. For Commonwealth's Attorneys, a placement in the Department is a last resort and is different for every jurisdiction based on resources, such as the availability of diversion programs. Sometimes, the Department may be the only placement available to that Commonwealth's Attorney to best serve the interests of public safety in the community.

Ms. Parr as a Commonwealth's Attorney from the City of Chesapeake:

A reduction in the number of beds in the Department's juvenile correctional centers equals a reduced number of juveniles being sent there; however, that reduction does not necessarily equal a reduction in crime or offenses committed. One concern is that, if there are fewer beds available, fewer juveniles will be able to be sent to the juvenile correctional centers. Ms. Parr would like to see a reduction in offenses. Ms. Parr and the Chief of Police in Chesapeake could decide to reduce arrests by just not arresting juveniles for certain offenses; however, that does not mean citizens are safer. This is a concern for Ms. Parr, who stated she is not an expert in juvenile justice reform, but has faith what is being planned for the juvenile justice system as a whole is a good thing. Ms. Parr noted appreciation that the savings from the closing of facilities will be reinvested into community services because, if juveniles are staying in the communities and leaving the Department early due to shorter lengths of stay, comprehensive local resources will be needed to maintain public safety. Ms. Parr is excited on the prospect of a new facility in her locality and believes that, if families can visit on a regular basis, there will be better outcomes for the juvenile and their families.

Chairman Moran noted his appreciation for Ms. Parr's comments and the lengthy discussions the Council had on the length of stay for indeterminately committed youth issue last year. Chairman Moran asked if Chesapeake has seen a reduction in crime. Ms. Parr answered that Chesapeake has seen a decrease in crime generally, but an increase in serious juvenile crimes. In Chesapeake, the Commonwealth's Attorney office has tried many of juveniles as adults due to the nature of their crimes.

Chairman Moran noted that there had been a concern among Commonwealth's Attorneys about the new length of stay guidelines. He had heard that some attorneys for the Commonwealth might be avoiding the new length of stay system by transferring juveniles to the adult system. Ms. Parr indicated that some Commonwealth's Attorneys stated last summer, when the issue was being deliberated by the Board of Juvenile Justice, that they would avoid the juvenile justice system and transfer them to the adult system. However, not all juveniles in circuit court receive adult sentences. Often, the circuit court judiciary will sentence the juveniles to a juvenile commitment. Andy Block added that the Department modified its length of stay guidelines based on data analysis; the longer a juvenile stays in the system, the higher likelihood the juvenile is to reoffend. The length of stay guidelines were changed to improve public safety outcomes. Andy Block noted that he understands this is a new process and it will involve earning everyone's faith and confidence. Chairman Moran followed up by saying the length of stay before the change was costly and it was failing the youth. Ms. Parr indicated that one positive on the length of stay was that the Director of the Department can override the decision to release a juvenile and the length of stay for a juvenile sex offender was automatically overridden and required to complete treatment with a specific Director's review for release.

Colonel Kelvin L. Wright, Chief of Police, City of Chesapeake

The City of Chesapeake Police Department works closely with the Chesapeake Juvenile Detention Center and the Commonwealth Attorney's office with regards to the juveniles. Chief Wright believes it is a good idea to have a co-located juvenile correctional center and detention facility in Chesapeake.

The collaboration between the City of Chesapeake and the Department is a good thing with taxpayers being the ultimate winners because of the fiscal savings and the benefit to the children and their families from the mutual support and resources. The City of Chesapeake Police Department reaches out to the community by having its police officers mentor the juveniles in the system; they try to help juveniles see their lives differently and to help them stay out of trouble. In Chesapeake, faith-based and other groups work with juveniles in order to achieve better outcomes for the youth.

Dr. Wanda Barnard-Bailey, Deputy City Manager, City of Chesapeake

Dr. Barnard-Bailey stated that children need necessary and appropriate services to lead productive lives. The City of Chesapeake appreciates the partnership with the state and believes this new facility (funding will support a commitment of 11 acres in Chesapeake) will meet the needs of Chesapeake. Andy Block spoke at the last meeting about "Reduce, Reform and Replace" (the fundamental goals of the Department's transformation efforts) which are tenants to reducing incarceration.

Dr. Barnard-Bailey discussed the City of Chesapeake's juvenile detention center's current capacity of 100 beds, which was built before the Virginia Beach Juvenile Detention Center. Thus, youth requiring secure detention are no longer housed in the Chesapeake facility. The City of Chesapeake was one of the first partners in the CPP. Dr. Barnard-Bailey believes that it is the community's responsibility to embrace commitment to public safety.

Chairman Moran and Andy Block both indicated that it has been a positive collaboration with the City of Chesapeake. It is a unique opportunity to benefit not just Chesapeake but also the children and families in that region.

Ms. Kimberley Lipp wanted to clarify that the proposed new juvenile correctional center in Chesapeake will serve youth who are not able to be served in the community. Andy Block noted that, yes, there are some youth because of length of stay, age, and seriousness of offense that cannot be served in a local juvenile detention center and that this new facility will serve that population.

PUBLIC COMMENT

Chairman Moran asked for public comment.

Judy Clarke, Virginia Center for Restorative Justice

Ms. Clarke discussed her work and success with the Virginia Center for Restorative Justice.

Donna Sayegh, Citizen, Master's Degree

Ms. Sayegh discussed a question that was posed to her by Jeree Thomas from RISE for YOUTH on "if you had \$90 million to spend on juvenile justice, how would you spend it?"

Dr. Mary Anne Stone, Virginia CURE and a retired employee of the Department of Correctional Education (former principal of the girls' school at Bon Air Juvenile Correctional Center)

Dr. Stone is delighted that the Department is using a more therapeutic approach to juvenile justice. Dr. Stone discussed her time as principal of the girls' school at Bon Air Juvenile Correctional Center and emphasized the need for the system to pay attention to the mental health needs of its youth.

Amy Woolard, Voices for Virginia's Children

Ms. Woolard discussed the need for transparency and inclusion particularly in the Commonwealth's secure facilities. Ms. Woolard was encouraged by the planned Town Hall events, requested that families and system-involved youth be included in the discussions and decision-making process, and asked the Task Force to make the draft report available for public comment before it becomes final.

Roy Bryant, NAACP

Mr. Bryant discussed many issues dealing with race, crime, and families, meeting accessibility for elderly, and the need to really think about the necessity and implications for building another correctional facility.

Lynetta Thompson, Richmond NAACP

Ms. Thompson spoke of her opposition to the construction of any new juvenile correctional centers and her advocacy for the Commonwealth's Classrooms not Courtrooms initiative (to invest resources for early intervention to avoid subsequent delinquency). Ms. Thompson indicated that if money is spent on prisons, the focus will be on prisons. If the money is spent on diversion programs, that will be the focus. Thus, money should be spent on diversion programs and not prisons. Ms. Thompson advocated for more community-based programs before a case goes to court. Ms. Thompsons asked the Task Force to look at alternative, community programs and to include in the discussions and decision-making process people who look like the people being locked up.

TASK FORCE DISCUSSION

Chairman Moran noted that the \$90 million referred to during the meeting is for the current two large, correction-modeled juvenile correctional facilities to be replaced by smaller, safer, and more therapeutic environments.

Andy Block stated that the goal of transformation is to serve juveniles more effectively in their communities by creating appropriately-sized juvenile correctional centers. The proposed facility in Chesapeake would be 70% smaller than the facilities we have today. The difference in the operational costs will be reinvested back into the community.

Andy Block acknowledged that the Department's transformation plan involves an investment in treatment and creating a true continuum of services, so these services can be available in all jurisdictions at equal levels. Andy Block noted that the Department wants to keep the youth in the community and out of the courts, but, for those youth who go deeper in the system, smaller facilities, closer to their communities is the right direction.

Chairman Moran stated that another issue the Task Force is seeking to address is how to better continue to foster relationships with the youth and their families. Andy Block noted that the Department has a new transportation program in place that transports families from across the state to see their loved ones who reside at Bon Air or Beaumont Juvenile Correctional Centers. In fact, the program started the previous week, and one mom was able to visit her son for the first time in two years (who previously was unable due to lack of transportation ability).

Dr. Aaron recommended the Task Force read the Missouri Model report by the Annie E. Casey Foundation. Chairman Moran noted that it will be made available to all members.

Ms. Janet Lung stated that these new, smaller facilities will only be for the youth who penetrate community alternatives. The Task Force should discuss how the savings will be infused into the communities.

Mr. Reiner stated that a clear solution does not reside entirely with the justice system. It resides in the community, schools, and families. The solution is not just the Department but cross systems as well. There are models that work and the Task Force should work to replicate them.

Chairman Moran adjourned the meeting at 10:47 a.m.

SIGN-IN SHEET

Task Force on Juvenile Correctional Centers

May 31, 2016

Please Print

1. Kate Duvall
2. Kimberley Lipp
3. Donna Sayegh
4. Sam Taylor
5. Mary Anne Stone mary.anne.stone@verizon.net
6. SCOTT REINTER
7. DEPUTY ROBERT D. HESS
8. Nancy Parr
9. Michelle Cowling
10. Beth Blount Blount
11. Dawn S. Barber
12. Marilyn Brown
13. 
14. Jeffrey Aaron
15. Will Egen

SIGN-IN SHEET

Task Force on Juvenile Correctional Centers

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16. ANDY BLOCK
17. DERON Phipps
18. JANet VAN Cuyk
19. Kelvin Wright
20. Wanda Barnard-Bailey
21. Jeff Gore
22. Stan Tretick
23. Angela Valentine
24. Jack Ledden
25. Daryl Francis
26. Becky Bowers-Lunier
27. Rob Jones
28. Liane Rozzell
29. Jeree Thomas
30. Laura Goren

Kristen
Peterson

Ken
Davis

SIGN-IN SHEET

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31. Amy Woolard
32. Janet Lutz
33. Brian Moran
34. Victoria Cochran
35. Tom Wicks
36. Jim Taylor
37. David Reynolds
38. Janet Areson
39. Michael Martz
40. Leah Mills, Virginia Commissioner on Youth
41. Michael Farly Elk Hill
42. Dick Hickman OFC
43. Kelly Harris Brax
44. Alison Smith
45. Jim Reginal
46. Liz Ryan
47. Lynetta Thompson
48. Lillie A. Esker



SIGN IN

Charles Schmidt

Judy Clarke

Tempest Boone

ROY Roy Bryant

Travis Fain, Daily Press