

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

REVISED DRAFT MEETING MINUTES

October 27, 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, Scott Reiner, and Victoria Cochran

WELCOME

Chairman Brian Moran called the meeting to order at 9:06 a.m.

CHAIRMAN REMARKS

Virginia has received national attention on the great work being done in juvenile justice transformation including the possibility of the National Governors Association hosting a juvenile justice reform summit in Virginia.

The Task Force is pleased to have the involvement of both the Senate Finance and House Appropriations Committees in the process. Both groups have toured the Bon Air Juvenile Correctional Center, as has the Task Force earlier this year.

Closing facilities is only part of the continued work of transformation. Equally important is making sure community-based services are in place to provide care. At today’s meeting, the Department of Juvenile Justice (Department) will outline the statewide continuum of services.

APPROVAL OF MINUTES

The minutes of the August 23, 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, the minutes were approved as presented.

PUBLIC COMMENT

Amy Woolard is the attorney and policy coordinator for the JustChildren Program and a member of the RISE Coalition. Ms. Woolard stated that her coalition remains in strong support of the closure of Virginia’s large, unsafe, ineffective, and costly “youth prisons” and in the reinvestment of savings from those closures into family and community-based alternatives to incarceration.

Ms. Woolard restated RISE for Youth's disagreement, especially considering the stark racial disparity that exists in the system, that the appropriate replacement for Beaumont and Bon Air are new 64- and 88-bed "youth prisons." Ms. Woolard urged the Task Force to read and consider a new report released by the Harvard Kennedy School and the National Institute of Justice titled "The Future of Youth Justice: A Community Based Alternative to the Youth Prison Model."

Ms. Woolard concluded her remarks by saying that her coalition endorses a juvenile justice system that only removes kids from their homes as a last resort and when secure confinement is needed. Facilities should be very small, close to home, and provide home-like settings.

There was no further public comment.

REGIONAL SERVICE COORDINATORS

Valerie Boykin, Deputy Director of Community Programs for the Department, presented on the Regional Service Coordinators. The PowerPoint presentation can be found on the Task Force's webpage at www.djj.virginia.gov/pages/about-djj/jcc-taskforce.htm.

The Department recently announced the awarding of two service coordinator contracts, one with AMIkids and the other with Evidence Based Associates, to assist the Department with building a statewide continuum of services for youth and families involved in the juvenile justice system. This is a major milestone in the Department's transformation efforts as the statewide continuum of evidence-based treatment services and community-based alternatives to placement in juvenile correctional centers (JCCs) will significantly broaden the array of services aimed at addressing critical needs throughout the Commonwealth.

Unfortunately, many youth involved in the juvenile justice system receive services based on where they live. The Department wants to debunk the myth of "justice by geography" and deliver baseline services across all regions for youth to readily access services based on need. Many of the services will be evidence-based or evidence-informed. Even with that in mind, there is a need to grow capacity in neighborhoods and communities based on individual needs for those particular youth and families. Each vendor will be expected to be a resource for youth and families to access services quickly through a one-stop shopping method.

The Regional Service Coordinators will conduct a service mapping to inventory the services available in the community and decide what services are needed in that area. A plan will be developed to phase in services. It is not anticipated that on January 1 all services will be in place. The Department will prioritize where the needs are and how to move forward with establishing and building capacity in those areas. This is a great opportunity to develop a strong provider network.

The base menu of required services in the Regional Service Coordinators' contract is not the end-all. There are areas the Department has identified that are missing or will need to grow capacity. One of the gaps identified was a lack of family-based resources, which is a true gap in the Commonwealth. Many youth come to the Department with family issues, and finding resources that adequately address those issues has been challenging.

The Department has several funding sources currently used to provide services for youth in the juvenile justice system. The most popular funding is transitional services, referred to as **294** services based on

the *Code of Virginia* section 16.1-294. These funds are for parole services, but through our reinvestment funds the Department envisions providing a broader array of services to other court-involved youth.

The Department will have conversations with the Department of Social Services (DSS), the Office of Children's Services, and the Department of Behavioral Health and Developmental Services, and others about accessing services without youth having contact with the juvenile justice system.

AMIkids is based in Tampa, Florida. They formerly operated two-day treatment programs in the Hampton Roads area and a residential program in Hampton Roads where youth lived on a boat in the harbor and learned marine skills. Currently, AMIkids operates a wilderness program for DSS youth in the western part of the state.

Evidence Based Associates (EBA) is based in Arlington, VA, and Washington DC. They have a proven history of providing evidence-based research, technical assistance, and training. EBA recently completed a report for the Department on its reentry services and helped craft our reentry reform.

TASK FORCE DISCUSSION

Mr. Scott Reiner asked if all Department community-based services and contracting will now flow through one of the service coordination hubs.

Ms. Boykin stated that the majority of the Department's services will flow through the Regional Service Coordinators; however, there might be a limited number of services that work independently. For example, the Department awarded a contract in February for an independent living apartment program in Virginia Beach. This is a stand-alone contract and will not flow through the new Regional Service Coordinators.

Mr. Reiner stated that a big source of funding is the Virginia Juvenile Community Crime Control Act (VJCCCA). Mr. Reiner asked if the Department has a vision of how VJCCCA services and the Regional Service Coordinators might interact. Mr. Reiner acknowledged that VJCCCA and Children's Services Act (CSA) funding work closely together in many places, and efforts in one will support the other.

Director Andy Block responded that localities are keenly concerned with what happens to VJCCCA funds and how the Department will network the Regional Service Coordinators. The Department does not have all the answers at this point, but the local and state levels are interested in not duplicating efforts and making sure resources are used more efficiently.

Dr. Jeffrey Aaron talked about outcome measurement being absolutely critical. Ms. Boykin agreed and said that ensuring fidelity is maintained with the Regional Service Coordinators is vital.

STATEWIDE CONTINUUM

Andy Block, Director of the Department and Task Force member, continued the PowerPoint presentation and discussed the statewide continuum.

Most of the reinvestments have been used to expand the Community Placement Program (CPPs) and provide alternative placements for young people. The funding for the CPPs has come from the initial savings from facility downsizing.

The funding for the CPPs intertwines with the Regional Service Coordinators. The savings from the population decline and closing units at Beaumont JCC will be used to support the initial contract of the Regional Service Coordinators.

The Department is still on track to close Beaumont JCC on June 30, 2017, which will free up additional funds for the continuum of services. The development of the full continuum is probably a one or two year process given the lack of services in some communities and the complexity of services in others. At a recent meeting of the Department's Commonwealth's Attorneys Liaison Committee, a prosecutor from a Southside jurisdiction stated that most youth she sees have substance abuse issues; however, there are no substance abuse services for youth in her jurisdiction. There is "bread and butter" programming in place, but the Department needs to address bringing on more complicated services such as family therapy and multi-systemic therapy.

The language authorizing the Task Force requires the members to consider population trends. The population in the JCCs has declined significantly due to decreasing admissions, length of stay changes, and the development of alternative placements. As of October 27, the number of residents in the JCCs is 245, and the youth in alternative placements has increased from 67 to 91. This is a positive trend, and the population forecast shows a continuation of this decline.

As the Department sees fewer youth, the proportion of youth committing more serious offenses is increasing, which is how the system is supposed to work. The Department does not want misdemeanants in the JCCs. The youth entering the Department's care are more complicated both in terms of the seriousness of the committing offense and a host of other issues they bring with them.

The General Assembly asked the Task Force to look at existing group home capacity. Group homes funded through VJCCA funds are privately owned and operated group homes. Locally operated group homes are occupied by youth from the delinquency system, Children In Need of Services (CHINS), and DSS.

Providers believe that room and space are available in many group homes. The concern is not mixing the levels of youth. If the group home consists of youth who are DSS youth or truancy violators, it might not be smart to put juveniles who might otherwise be in a JCC in that group home. This will be an ongoing issue that the Department will work with localities and the Regional Service Coordinators to figure out as they decide where youth can be placed and develop capacity.

The Department received an additional year of funding for the reentry grant to help restart halfway houses. These could be operated by the Department or contracted like the Apartment Living Program. One of the major concerns for the Department in having older youth is potentially releasing them to homelessness. Having step-down placements and ways to integrate youth back into the community will be critical.

There is a great deal of capacity in local detention centers, which is good and bad. Juvenile Detention Centers (JDCs) in the western part of the state have capacity because so few youth come into their systems; however, that is not capacity the Department necessarily wants to take advantage of if the goal is to keep young people closer to home.

The CPPs contract with local detention centers by pre-purchasing beds and services. The Department does have contracts with detention centers with regard to detention reentry; however, it is not a pre-pay program.

There has been discussion of sending all court-involved youth to a local detention facility instead of building a new JCC. JDCs are locally operated and are not obligated to accept youth from the Department. Many JDCs are reluctant to keep the most serious offenders for a long period of time. A number of the youth in the JCCs are proportionally serious offenders, determinate commitments, or youth with blended sentences who have active or suspended adult time. Those youth are not necessarily wanted by local detention centers. The Department continues to believe the best way to move forward is by strategically opening CPPs and detention reentry.

As of this meeting, the Department only has ten girls in direct care. The Department moved five of them to a new CPP in Merrimac that only accepts girls. It does not serve the female residents well to be on a campus of adolescent boys. This creates programming and equity of service delivery problems and is not a long term solution. The Department is looking into setting up CPPs with different contract arrangements so the detention centers will accept girls on a longer-term basis.

The Task Force has been asked to look at the Department's properties.

The Hanover JCC was closed in 2013 and converted to the Virginia Public Safety Training Center (VPSTC) which is used by state and local governments for training purposes. The VPSTC has 1700 acres.

Natural Bridge JCC was a much loved facility that was a minimum security placement with a wilderness program in Lexington. It continues to be in state surplus.

Oak Ridge and the Reception and Diagnostic Center closed on June 30. Both sites are effectively part of the Bon Air campus, but are not currently utilized due to a number of design issues.

The Joint Juvenile Justice Center in Chesapeake is moving ahead. The submission of the Task Force interim report in August triggered the Department having access to planning and construction funds.

The Task Force is supposed to make a recommendation regarding a second facility option. That report is not due until next year, and the Department will not have access to funds until its completion.

The Chesapeake facility should be operational in 2019. The Bon Air campus has aging infrastructure with buildings from the 1950s to 1990s. Bon Air JCC will require a lot of investment to maintain the campus before moving ahead with the design as discussed in the Task Force's interim report. Currently, the possibilities for a second JCC include VPSTC, renovating Bon Air JCC, or doing something on the Beaumont campus.

Dr. Aaron asked about the Bon Air campus and allowing for the possibility of razing the buildings, using existing structures, or starting from scratch. Director Block said all are subject to discussion and consideration.

Mr. Reiner remarked that the assumption in looking at the Bon Air property is that the existing core facility where youth reside would be replaced. Director Block said that renovation would not get the Department the program space needed for trauma responsive care. Total new construction would

require the campus to be replaced. Mr. Reiner followed up by saying that the more you leave of the old construction, the more danger there is to revert back to old ways of programming and operation.

Director Block went on to note that the percentages of juveniles sent to the Department with determinate sentences, serious offender commitments, and adult sentences are increasing. The gross numbers are not changing. This matters because these youth stay longer and take up more bed space than a youth who is in the Department's care for a year or less. Prosecutorial practices and sentencing patterns make a difference. 150 youth who are sentenced to six months do not need as much bed space as 150 youth sentenced to three years.

Mr. Reiner asked if the changing percentages, along with the new length of stay guidelines, had time to factor into the Department's current forecast. Director Block confirmed that the changing percentages are part of the current forecast. The numbers are still going down, and the average daily population projections include some length of stay numbers; however, more data should be seen in that area in the next few years.

Dr. Aaron asked if the Department had the same flexibility with the placement of youth with either a determinate sentence or a blended sentence. Can you put these youth in the community or less secure settings? The Director noted that the Department has the ability to put them in CPPs.

Director Block went on to say that the Department is working more to share information with prosecutors and respond to their concerns to ensure they understand what the Department is trying to do in the transformation.

Dr. Aaron remarked that the Department has only so much influence over who enters the juvenile justice system; but are there factors that lead to more young people coming from one area than another? Is there a way to consider that in the process, to study it, and potentially influence it?

The Director said that the Department is working on a structured decision-making tool for disposition that will use data and research. It will focus on the youth's risk level, and the recommendation will be based on historical research of what most likely will work for youth in that risk level. African American residents are close to 25% of the student population statewide and close to 70% of the committed population. Those numbers are not all on the Department; there are a host of other contributing factors including policing and judicial and prosecutorial practices. The Department will use this structured decision-making tool to ensure the same recommendation is made for the same risk level youth based on research and to remove bias from the decision.

Director Block noted that the Department is organizing a large conference on racial and ethnic disparities in the juvenile justice system scheduled for the spring of 2017. Pursuant to the Department's own data, African American youth are twice as likely to get committed for the same offense as white youth. Part of the Department's goal is putting the right tools in place and having the right structure and system that will help.

Mr. Reiner asked what the process is going forward regarding site number two, in terms of answering questions and narrowing down options. Clearly, there are cost concerns, zoning processes, and political issues. Director Block stated that the Department will continue sharing information with legislators, local governments, and the Task Force to help with their recommendations.

Mr. Reiner responded that the options that allow for reuse of the existing two facilities would be very low on his priority list. Mr. Reiner believes there is a danger in leaving them standing. He would not like to see reform, replace, and revert in three years.

Dr. Aaron asked what other options should be considered.

Director Block indicated that the Department is certainly open to different options. All the options discussed in the presentation have their strengths and weaknesses. Many of the options depend on the legislature and the projected budget.

Ms. Janet Lung voiced her concern with the vulnerability of transition age youth aging into adulthood and homelessness. Transition age youth, even if they are not in the juvenile justice system, are vulnerable to homelessness, mental health and substance abuse problems, and unemployment. Ms. Lung's concern is with the step-down programs for the youth who are released at 18 years of age and not having them fall through the cracks.

Director Block noted that as the continuum of services develops, programs will be put in place for multiple uses to help transition youth into independence. The Department of Behavioral Health and Developmental Services received a grant to address the mental health needs of that population and the Department is excited to partner with them.

Ms. Kimberley Lipp pointed out that local detention centers seem to have excess capacity and asked what problem that could solve.

Director Block indicated that the Department believes the best way to take advantage of the excess capacity in local detention centers is through the CPP and detention reentry. Many of the local detention centers are built in the same manner as the Department's facilities and are not intended for long term stays with regard to availability of programming and the amount of usable outdoor space. Director Block said that even if the Department took over operations of a local detention center, there is the local politics to consider. Director Block believes it makes more sense to contract with local detention centers, purchase beds, and use the Department's resources to improve and create more programming.

Ms. Lipp said that she agreed; however, she would like to see if there was a way to bolster the local detention centers to make them a better fit.

Director Block said that depending on the resources available for reinvestment, there might be a way to incentivize programs at the detention facility. There is also discussion about bringing the Missouri Youth Services Institute personnel to train staff in local CPPs to correspond with the same approach used in the Department's facilities (community treatment model).

Mr. Reiner asked how integrated the CPP residents are with the regular detention residents.

Director Block noted that the CPP residents are in their own unit. They have their own case manager and own programming depending on where they are in school. A number of the CPP residents have graduated from high school, so the Department funds online community college classes for them. Mostly the CPP residents are served as an independent group.

Dr. Aaron raised concerns about the idea of utilizing local detention centers because with their short-term focus programming is sometimes limited or absent, the effectiveness is limited by the environment, and depending on visiting schedules, closer proximity to home may or may not lead to additional family time.

The Chief Deputy Director for the Department, Angela Valentine, noted that local detention facilities do look like JCCs the way they are structured and built. The CPP units do not look much different than a unit at Bon Air JCC and do not have a lot of treatment space. One of the reasons the CPPs have the space for programming is because the local detention centers are underutilized. If the local detention centers were fully utilized, the CPPs would not have treatment, educational, or programming spaces conducive to rehabilitation.

Director Block said that as the Department stands up more non-secure services and options, there might be a need for CPP beds to decline. The mix of placements and services will change over time, such as the length and kinds of services required. The Department will continue to monitor and evaluate.

Chairman Moran adjourned the meeting at 10:32 a.m.