

Dr. Barbara J. Myers, Chairperson
Heidi W. Abbott, Vice Chairperson
Kahan S. Dhillon, Jr., Secretary
Kecia N. Brothers
Aida L. Pacheco
Kenneth W. Stolle
Justin M. Wilson



Post Office Box 1110
Richmond, VA 23218-1110
(804) 371-0704

COMMONWEALTH
of
VIRGINIA

Board of Juvenile Justice

MINUTES
Board of Juvenile Justice Meeting
700 East Franklin Street, 4th Floor
Richmond, Virginia

April 13, 2011

Board Members Present: Barbara Myers, Heidi Abbott, Kahan Dhillon, Aida Pacheco
Justin Wilson

DJJ Staff Present: Helivi Holland, Mark Gooch, Steve Pullen, Ralph Thomas, Janet Van Cuyk, Ken Bailey, Ed Holmes, Marilyn Miller, Joy Lugar, Peggy Parris, Angela Valentine, Deron Phipps, Robin Farmer, Bob Auton, and Deborah Hayes

Others Present: Lara Jacobs-Assistant AG; Danette Poole-DCR; Kelly McClary-DCR; Glen Telfer-Draper Arden Assoc—DCR; Colleen French, Bekki Hughes-New River Juvenile Detention Home; Bob Birmingham, Dennis Fee-Fairfax County CSU; Alisha Burnett-Fairfax County CSU; Joe Yount-Northwestern Juvenile Detention; Tim Smith-SVJC/VCJD; Jeff Homan, Carla White, Douglas Jones-Rappahannock Juvenile Detention Center; Crystal Shin, Kate Duvall, Angela Cisif-JustChildren; Lianne Rozzell-FAVY.

I. CALL TO ORDER

Chairperson Myers called the meeting to order at 9:45 am.

II. INTRODUCTIONS

Chairperson Myers welcomed everyone and asked the individuals present to introduce themselves. New and promoted employees were introduced: Ralph Thomas-Deputy Director of Operations; Robin Farmer-Public Information Officer; James Horn-Gang Prevention Specialist; Regina Hurt-Re-entry Manager; and Peggy Parrish-

IV. APPROVAL of April 13, 2011 MINUTES

The minutes of the April 13, 2011 Board meeting were presented for approval. On MOTION duly made by Mr. Wilson and seconded by Ms. Abbott, the minutes were approved as submitted. Motion carried.

V. PUBLIC COMMENT

Kate Duvall-JustChildren spoke in support of this year's VA state budget language mandates that the Department of Juvenile Justice study and produce a report on the future of juvenile correctional centers in the Commonwealth. Ms. Duvall stated that JustChildren would welcome the opportunity to work with the Department in this endeavor. Additional comments

by Ms. Duvall are attached to the April 13, 2011, minutes and will be made available upon request.

Llane Rozzell-FAVY addressed the matter on the budget mandate that the Department of Juvenile Justice study and produce a report on the future of juvenile correctional centers in the Commonwealth. She offered the expertise of FAVY as families and youth who have experienced juvenile correctional centers and the re-entry process. She also commented on the visitation policies at DJJ facilities. Ms. Rozzell's comments will be a part of the April 13, 2011, minutes and will be made available upon request.

Director commented that she is pleased to report what the Department is doing as it relate to two studies. Steve Pullen is tasked with organizing the budget mandate study on the future of juvenile correctional centers. Representatives from eleven groups were invited to participate on this committee. Mr. Pullen stated that a meeting was held on April 11, 2011, and the next meeting is scheduled for April 25, 2011. The other study is on the VJCCCA. Scott Reiner will head-up this committee. Both committees will have representatives from advocacy groups. Mr. Dhillon commended the Department and staff on the position they are taking in response to these studies.

Director Holland state one of the Department's goals is family engagement. She is appreciative of the accolades for the Department's efforts.

VI. COMMITTEE REPORTS

A. Secure Services Committee

1. Certifications

On MOTION duly made by Mr. Wilson and seconded by Ms. Pacheco to certify the following juvenile detention centers and post-dispositional detention programs for three years: Merrimac Center and Northwester Regional Juvenile Detention Center. Motion carried.

Rappahannock Juvenile Detention Center): Audit findings of March 9, 2011, noted that there were four incidents of medications not being administered as prescribed. Staff failed to document when residents were off-site and unable to receive medication. Corrective action plan is that staff will document all instances in which medication is not given as prescribed and report such occurrences to the medical authority for review.

On MOTION duly made by Mr. Wilson and seconded by Ms. Pacheco to certify the Rappahannock Juvenile Detention Center for three years with a follow-up report at the September 2011 meeting. Motion carried.

2. Issues

Richmond Juvenile Detention Center: Mr. Bailey provided an updated verbal report on the status of the Richmond Juvenile Detention Center. He stated that the Center is moving forward on repairing the intercom system. The contractor has been hired and has 90 days to complete the repairs.

B. Non-Secure Services Committee

1. Certifications

Foundations: Dennis Fee and Alisa Burnett spoke on behalf of Foundations. The facility had three non-mandatory and three mandatory deficiencies. All but one

deficiency has been corrected. On MOTION duly made by Ms. Abbott and seconded by Mr. Wilson to certify Foundations for three years. Motion carried.

On MOTION duly made by Ms. Abbott and seconded by Mr. Dhillon to certify the following programs for three years with letters of congratulations for 100% compliance: **First District Court Service Unit, Second District Court Service Unit, Thirteenth District Court Service Unit, 28th District Court Service Unit and Sheltercare of Northern Virginia.** Motion carried.

On MOTION duly made by Ms. Abbott and seconded by Ms. Pacheco to certify the following programs for three years: **Seventh District Court Service Unit, Eighth District Court Service Unit, Ninth District Court Service Unit, Twenty-fourth District Court Service Unit, Anchor House (status update due at the June meeting), and Lynnhaven Boys' Home.** Motion carried.

On MOTION duly made by Ms. Abbott and seconded by Mr. Wilson to certify **Chaplin West** for one year with a new audit of all standards. Motion carried.

Hampton Place: Edward Holmes was asked to give an update on the status of Hampton Place. Mr. Holmes stated that as of March 31, there were still five deficiencies unresolved. Thirteen other deficiencies, however, have been resolved. Emergency Services signed off on the evacuation plan. In February, staff was trained in medication procedures; all physical plant issues have been addressed. In the wake of David Jones' retirement, Mr. Holmes will manage the facility until an interim superintendent is hired.

Director Holland stated that she and the chief deputy director visited Hampton Place. On behalf of the Department, she is asking the Board to allow the Department to correct all deficiencies. She is requiring divisions to conduct self-audits so they can stay abreast of any possible issues. The landlord is making and has made improvements to the physical plant. There are more repairs needed. Director Holland said we do not expect to have any additional deficiencies at the November meeting. Mr. Bailey said the Department has really responded to these deficiencies.

On MOTION duly made by Ms. Abbott and seconded by Ms. Pacheco to extend the current certification of Hampton Place until the June 2011 Board meeting with a status report on how they are addressing the existing deficiencies. Motion carried.

2. Issues

Loudoun County Youth Shelter: At the September 2009 Board meeting, Loudoun Youth Shelter was certified for three years with a status report due in September 2010 if deficiencies had not be corrected. Reviews were conducted at the facility on November 9, 2009 and July 21, 2010. At the November 2010 Board meeting the matter was continued with a status report due in January 2011. A review was conducted at the facility on November 19, 2010. All the previously cited standards are now in compliance.

3.

New River Valley Juvenile Detention Center—Needs Assessment: Colleen French presented an overview of the facility's needs assessment. Ms. French requested the Board of Juvenile Justice support their request to complete a planning study to address issues as submitted in the needs assessment. The Board approves the Needs Assessment for the New river Valley Juvenile Detention Home to replace

the 24-bed facility and authorizes the New River Valley Juvenile Detention Center to proceed to the planning study stage.

4.

License Amendments for Detention Centers Participating in Detention Re-entry:

Marilyn Miller shared the following information on the Certification Amendments for Detention Centers Participating in Detention Re-Entry. The Department is involved in numerous initiatives relative to re-entry, one of which involves partnering with local juvenile detention centers to provide secure housing for those juveniles transitioning from state custody to their home communities in the last 30-90 days of their commitment to DJJ. In order to provide this service to DJJ's older juveniles who represent the majority of our youth transitioning from state care. On MOTION duly made by Ms. Abbott and seconded by Ms. Pacheco, the age ranges on the certificates of the following facilities are amended accordingly: Merrimac Center- ages 7-19; Norfolk – ages 12-20; and Virginia Beach Detention Center – ages 10-20. Motion carried.

5. VJCCCA Plans

On MOTION duly made by Ms. Abbott and seconded by Mr. Wilson to amend the FY 2011-2012 VJCCCA plan for the City of Norfolk in accordance with the request to amend. Motion carried.

VII. OTHER BUSINESS

- A. Department of Conservation and Recreation Property Transfer:** Danette Poole, Kelly McClary and Glen Telfer were present to speak on this request. The Department of Juvenile Justice previously conveyed to the Department of Conservation and Recreation 1,564 acres from Beaumont JCC in 2003 to create and administrate the new Powhatan State Park. With the construction plans for Powhatan State Park well underway, DCR needs an additional .52 acre to facilitate a safe entry/exit way (compliant with Virginia Department of Transportation (VDOT) requirements) for the new park off of existing State Route 617 (Old River Trail). Ms. Poole explained the design of the park and addressed the need for the entrance. Mr. Wilson asked about the Board's responsibility. Ms. Jacobs responded that the land considered deeded to the Board, it is under the Board's name. Director Holland stated that the Department is in agreement with this request. Ms. Poole invited the Department and Board to be a part of the ground breaking ceremony. On MOTION duly made by Mr. Dhillon and seconded by Mr. Wilson that the Board of Juvenile Justice agree to convey an additional 0.52 acre of real property from Beaumont Juvenile Justice Correctional Center to the permanent custody of the Department of Conservation and Recreation for the new Powhatan State Park. Motion carried.
- B. On Campus Housing for Staff and Lease Agreements:** Director Holland stated that the Department wanted to notify the Board of the need to make changes to the lease agreements and to advise the Board of its role. She stated that issues have been resolved relating to housing for staff and that Mr. Harry is present to address any questions the Board might have. The Board of Juvenile Justice (the "Board") is requested to review the proposed amendments to the Board's By-laws and propose any additional changes for final consideration and adoption at the Board's January 11, 2011 meeting.
- C. Amendments to the Board of Juvenile Justice By-laws:** Ms. Van Cuyk reviewed the recommended changes to the Board's by-laws. The proposed amendments

would serve to streamline Board meetings by removing the requirement for standing committees, and facilitate an annual review by including specific reference to the statutory authorities. On MOTION duly made by Mr. Wilson and seconded by Ms. Abbott to approve the amendments to the Board of Juvenile Justice By-laws to be effective April 13, 2011. Motion carried.

D. Legislative Update: Mr. Phipps distributed copies of 2011 legislation that was enacted during the 2011 General Assembly session relating to the juvenile justice system.

E. Certification Regulations 6VAC35-20: The Certification Regulation sets forth the process by which the Department and the Board monitor compliance with the regulatory provisions applicable to residential facilities, CSUs, and non-residential programs and services in VA's juvenile justice system. It was last reviewed in 2003. Since that time, through discussions with the Office of the Attorney General, it was determined that the appropriate authority for issuing certificates lies with the Department, with oversight by the Board, for programs and facilities found in non-compliance with applicable regulatory requirements. The Department convened a work group, which included a representative from all categories of regulated programs and facilities, that conducted a line-by-line, comprehensive review of the regulation. Accordingly, the Department recommends the Board take action as to whether to submit the proposed Certification Regulation for publication in the *Virginia Register* and a 60-day public comment period.

On MOTION duly made by Mr. Dhillon and seconded by Ms. Abbott to authorize the Department of Juvenile Justice to submit the draft of the proposed regulation for the Regulation Governing the Monitoring, Approval and Certification of Juvenile Justice Programs (the "Certification Regulation"), 6VAC35-20, for publication in the *Virginia Register* and a 60-day public comment period as amended. Motion carried.

VIII. Director's Comments

Director Holland shared the following information:

- Director Holland asked Ms. Valentine to give highlights on the Second Chance Grant. Ms. Valentine stated that VA is one of a few states receiving re-entry grant. The purpose of the grant is to look at systemic matters to allow a mode of re-entry. The Department is partnering with Tidewater Youth Services Commission (TYSC) who will provide services. TYSC will provide case management services, intensive supervision and the youth assessment and services instrument. The Department received final approval for the grant in January. Services started April 1, 2011; staff have been hired and services will be provided in VA Beach and Chesapeake. The OJJDP grant is slated for three years and the Department has been assured that there will be no deductions in the first full year of the grant.
- In the matter of the shut-down of the federal government, the Department of Criminal Justice Services administrator sent notice that the Department would not be affected because monies were already earmarked.
- The Department is working on two initiatives: re-entry and gang. Directed Board to view DJJ's website for an update on agency's goals and strategic plan.
- Badges for Baseball is complete and a closing ceremony was held. The mentees were joined by their mentors, family members and counselors.
- The Department is establishing a relationship with DMV. DMV has a mobile unit that has gone to Beaumont JCC to get IDs for residents prior to release.

- The annual art show held in February was a great success. The pictures and cutting boards were all sold. Director received a call from a delegate stating how great this activity was.
- Met with the director of Social Services (DSS). She has received assurance from DSS that they will work with DJJ when youth are released.
- The Department of Education invited the director, along with three other state representatives, to attend a conference in Louisiana.
- PREA comments have been submitted to CJCA. Ms. Van Cuyk and Mr. Harry coordinated this process along with assistance from the director.
- The Department is moving ahead in services and programs and is moving physically to 600 E Main Street. This move is slated to take place the first of August.
- April is Volunteer Appreciation month. All facilities will have activities to thank the volunteers for their work and efforts to make a difference in our residents' lives.

IX. Board Comments

- The Board is requesting an update on re-entry at the next board meeting.
- There was research presented at a conference in Montreal on female offenders; information from VA was included in the research.
- Board is requesting notification of retirements and new hires.
- Ms. Abbott will not be in attendance at the June board meeting.
- Ms. Pacheco stated they are working to expand and establish One-Stops in facilities and detention homes. Contact her if there are any questions. She is interested in educating citizens on what Board is doing for re-entry.
- Ms. Pacheco requested the status of Beaumont's request for resources; they are needed to move forward.

XI. NEXT MEETING

The next meeting will be held on Wednesday, June 8, 2011 at the Department of Juvenile Justice Central Office.

XI. ADJOURN

Having no other business, the meeting adjourned at 1:30 pm without objection.

Respectfully submitted,

Deborah Canada Hayes
DJJ Board Secretary