

Heidi W. Abbott, Chairperson
Barbara J. Myers, Vice Chairperson
Tamara Neo, Secretary
Anthony W. Bailey
Kecia N. Brothers
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COMMONWEALTH
of
VIRGINIA

Board of Juvenile Justice

MINUTES
Board of Juvenile Justice Meeting
Cedar Lodge Training Room
1701 Old Bon Air Road
Richmond, Virginia

April 11, 2012

Board Members Present: Heidi Abbott, Anthony Bailey, Kecia Brothers, Barbara Myers, Tamara Neo, Kenneth Stolle, Justin Wilson

DJJ Staff Present: Mark Gooch, Ralph Thomas, Daryl Francis, Joy Lugar, Terri Stott, Andrea McMahon, Ken Bailey, Deron Phipps, Andrew Slater, Regina Hurt, Barbara Peterson, Robin Farmer, Janet Van Cuyk, John Coble, Ashaki McNeil, Angela Valentine, Brian Russell, Jimmy Horn, Bill Davenport, Jeffery Homan, Tammy Johnson, and Deborah Hayes.

Others Present: Lara Jacobs-Assistant Attorney General, Dan Sizemore, Charles Kehoe, Sandra Martin, Leroy Adkins, Anthony Adams, Jack Scott-RJDC; Lianne Rozzell, Almeta Harrington, Patricia Beck, Deborah Lassiter-Zervas, Kelly Young, Carolyn & Chad Shomo, Maryann Rozzell, Heather Gale, Rolda Nedd, Linda Kaufman, Connie Adkins-FAVY; Kate Duvall-JustChildren; Clare Gustanago-Equality VA; Lillie Kennedy-RIHD Youth; Sonja Hairston-Occupy the Hood RVA; Christine Garcia-Diocese of VA;; Eileen Grey; Robert Zullo-Times Dispatch; Steven Van Voorhees-Don't Throw Away the Key; Curtis Stevens-DCJS; Shunda Giles, Allen Jackson-Richmond City Attorney's Office; Mary & Pete Withers-VA Beach Detention Center; Byron Marshall, David Wall, Emmanuel Aderiran, Gregory Solomon, Tammy Hawley, Wayne Williams-Richmond City; Barry Green; Scott Facyson-Prince William Co. Detention Center; Sherese Gore-Capital News Service; Kelly Young, John De La Vergne-Fairfax Co. Support Group; and Jacqueline Edwards.

I. CALL TO ORDER

Chairperson Abbott called the meeting to order at 7:10 pm.

II. INTRODUCTIONS

Chairperson Abbott welcomed everyone and asked the individuals present to introduce themselves.

III. APPROVAL of January 10, 2012, MINUTES

The minutes of the January 10, 2012, Board meeting were presented for approval. On MOTION duly made by Sheriff Stolle and seconded by Mr. Wilson to approve the minutes as presented. Motion carried.

IV. PUBLIC COMMENT: Chairperson Abbott thanked everyone for coming and participating in the public comment period. She said their attendance is very much appreciated. She read the Guidelines for Public Comment for this meeting.

A number of individuals spoke during the public comment period. The comments focused on: education for the residents; advanced diplomas; expand education requirements; heating problems at one of the facilities; residents not receiving adequate recreation time; concern over conduct of staff at a facility; concern about delay of regulations related to sexual orientation; delay in background check clearance for volunteers and issue with volunteers having to repeat background checks; aggression management counseling and the provision of treatment services; emphasis on family engagement; more transitional residential programs for youth when they return to the community; and more resources needed in the community. A copy of Ms. Rozzell's comments will be added as a part of the April 11, 2012, minutes and will be available upon request.

Kate Duvall: stated that the bill was passed to consolidate DCE and DJJ. She has had conversations with those who will head up education. She is very impressed with the DCE staff. Ms. Duvall asked DCE to continue to seek diplomas for residents.

Mr. Wilson stated that he noticed that the public comment period is a mix of personal issues (which of course the Board will not deal with) as well as some policy questions which is under the purview of the Board. He asked DJJ staff to provide some feedback on the policy questions that have been raised during the comment period.

Relating to the staff issues at Beaumont JCC, Sheriff Stolle asked Ms. Rolda Nedd if she was at liberty to give the staff's name that she spoke with. She said she was reading a letter on behalf of another parent and she would ask her about the staff member. Mr. Thomas asked Ms. Nedd to have the parent contact him.

V. COMMITTEE REPORTS

A. Secure Services Committee: The Board discussed and agreed to amend the agenda to move the Richmond Juvenile Detention Center forward.

2. Issues

Richmond Juvenile Detention Home (RJDC): Mr. Bailey provided, and in response to questions from the Board, the following information regarding RJDC. In January 2012, the Board reviewed a report about deficiencies. The Board placed RJDC on probation at the January 12, 2012, meeting. RJDC received a three-year certification in 2010. RJDC was placed on probation in 2009. There were many areas of non-compliance at that time. There were no additional violations detected until December 2011. RJDC was instructed to submit a corrective action plan which they did.

As of March 29, 2012, RJDC had corrected all of the violations reported to the Board in January. The only outstanding allegation from the December review is the issue of forgery of training records. This is being handled by the Richmond Commonwealth's Attorney's Office. There are no updates on the review by the Commonwealth's Attorney's Office.

The three options for RJDC were presented to the Board: (1) continue the probation status until the June 13, 2012, meeting and follow up with monitoring visits in the meantime. There would be no substantial difference in oversight and DJJ would provide the Board with a report on any continuing issues; (2) continue the probation status until September 2012 with a review of all mandatory

standards. There are approximately 60 mandatory standards which deal with medication, training, physical plant, fire drills, etc; and (3) certify the RJDC until January 2013 and have the Certification Unit conduct a full audit this fall. The Certification Unit will review all 400 standards and compliance at that time.

On April 9, 2012, there were new allegations brought forward by the NAACP. The Certification Unit staff visited RJDC on April 10-11, 2012, and found additional concerns at the facility. Some were new, some not. Allegations that a resident kicked a cell door open was founded. There have been problems with the computer system that operates the detention center. The computer crashed and they had to install a new computer system. The system was down for 75 minutes. This happened a second time due to a faulty network hub. There was another issue with the computer system on April 3—it was down for 15-20 minutes. The system failed again on April 10 for 15 minutes. There is concern about the reliability of the system.

In response to the question about the number of residents in the facility, Mr. Bailey responded that there are currently 34 residents and there is sufficient space throughout the state to house them.

Sheriff Stolle stated he is uncomfortable continuing certification for RJDC in light of the allegations.

Mr. Charles Kehoe—Director of Justice Services and Mr. Byron Marshall—Richmond City's Chief Administrative Officer were asked to elaborate on the situation at RJDC. Mr. Kehoe advised that RJDC has not conducted an investigation into alleged forged training records, but referred that to the Commonwealth's Attorney. He advised that no one has been terminated as a result of the ongoing allegations; however they have changed the entire management structure. The new superintendent is expected to start in the next 4-5 weeks. Training records are kept in one central location and you must pass a camera now to get to the records. RJDC staff is reviewing all personnel records since placement on probation three years ago; ensuring that records are complete.

RJDC has corrected all of the issues found by the audit; a consultant was hired to be another set of eyes and they receive a progress report weekly; \$2 million was added to the budget for maintenance of the facility. Mr. Wilson asked about the thoughts of DJJ's interim director—Mr. Gooch. Mr. Gooch stated that there has been no indication that there was an immediate life, health, or safety issue that would warrant him to summarily suspend RJDC certification.

On behalf of RJDC, Mr. Marshall asked for additional time, at least until the September 2012, Board meeting, to allow time to complete staff changes and address all outstanding issues. Sheriff Stolle requested clarification on whether the Board is mandated to decertify the facility if the forgery allegations are substantiated.

Ms. Brothers moved to amend the previous motion made by Ms. Neo: On MOTION duly made by Ms. Brothers to continue the Richmond Juvenile Detention Center's probation status until January 2013; the full audit to be completed by January 2013; every training record to be completed and verified by June 13, 2012; a written corrective action plan on training documentation to be completed

by June 13, 2012, an internal investigation to be provided by the City of Richmond by June 13, 2012, and computer issues resolved by June 13, 2012. Motion carried. Mr. Stolle voted NO.

1. **Certifications**

- **Piedmont Juvenile Detention Center:** Piedmont JDC had one deficiency relating to emergency drills. This deficiency has been corrected. On MOTION duly made by Mr. Wilson and seconded by Mr. Bailey to certify the Piedmont Juvenile Detention Center for three years. Motion carried.
- **Prince William Juvenile Detention Center:** Prince William JDC had six deficiencies; two mandatory. Follow-up review revealed one area out of compliance. On MOTION duly made by Mr. Wilson and seconded by Ms. Myers to continue the current certification status of Prince William JDC to June 13, 2012, pending demonstration of compliance with 6VAC35-51-310.A
- **Reception and Diagnostic Center:** RDC had three deficiencies; two mandatory. None of the violations were repeats. Follow up review showed 100% compliance with regulations. On MOTION duly made by Mr. Wilson and seconded by Mr. Bailey to certify the Reception and Diagnostic Center for three years. Motion carried. Mr. Wilson asked staff to remember that this is a DJJ facility and must be held to the same standards as all other facilities.
- **VA Beach Juvenile Detention Center and Post-dispositional Program:** VA Beach JDC had one deficiency. A resident's medication ran out. The records were reviewed again, and the VA Beach JDC has demonstrated compliance. On MOTION duly made by Mr. Wilson and seconded by Ms. Neo to certify the VA Beach Juvenile Detention Center and Post-dispositional Program for three years. Motion carried.

B. **Non-Secure Services Committee:**

1. **Certifications**

- **Sixth District CSU (Hopewell):** Hopewell CSU had one deficiency. This was the same standard from a previous audit. On MOTION duly made by Ms. Neo and seconded by Mr. Wilson to certify the 6th District CSU for three years with a status report in April 2013. Motion carried.
- **19th District CSU (Fairfax):** On MOTION duly made by Ms. Neo and seconded by Mr. Bailey to certify the 19th District Court Service Unit for three years with a letter of congratulations for 100% compliance. Motion carried.
- **25th District CSU (Staunton):** On MOTION duly made by Ms. Neo and seconded by Mr. Bailey to certify the 25th District VCSU for three years with a letter of congratulations for 100% compliance. Motion carried.
- **31st District CSU (Manassas):** The 31st CSU had two deficiencies; one was a repeat. A follow-up visit demonstrated compliance. On MOTION duly made by Ms. Neo and seconded by Ms. Myers to certify the 31st CSU for three years with a status report in April 2013. Motion carried

VI. **OTHER BUSINESS**

- A. Regulatory Update & Proposed Residential Regulations:** Ms. Van Cuyk reviewed the five regulatory updates with the Board.

Sheriff Stolle asked for a clear and concise meaning of the language in the certification regulations—with an opinion from the Attorney General's Office if necessary—to determine if decertification is mandated if facility staff commit fraud. Ms. Van Cuyk

advised that the regulations are currently being revised and this process should take approximately 18 months.

VII. DIRECTOR'S COMMENTS:

Interim Director Gooch introduced Daryl Francis as the new deputy director of Administration and Finance. He is new to DJJ since the last Board meeting. Mr. Francis is a retired colonel from the military and DJJ is extremely excited to have him on board.

VIII. BOARD COMMENTS

Chairperson Abbott read a resolution from the Board for former director Helivi Lue Holland.

WHEREAS, Helivi Lue Holland, was appointed as Director of the Virginia Department of Juvenile Justice by Governor Robert F. McDonnell on May 3, 2010 and completed her tenure with the Department of Juvenile Justice on March 10, 2012; and

WHEREAS, Helivi Lue Holland, received her Bachelor in Science degree from Virginia Tech University and her Juris Doctorate from the College of William and Mary's Marshall-Wythe School of Law; and

WHEREAS, Helivi Lue Holland, has served her community as a member of numerous professional and civic affiliations, including The Children's Center, Suffolk Education Foundation, Suffolk Chapter of Red Cross and the Genieve Shelter for battered women and children; and

WHEREAS, Helivi Lue Holland, in her duties as Director of the Virginia Department of Juvenile Justice, played a key role as a supporter of the mission, goals and objectives of Governor McDonnell, including his initiative of promoting a comprehensive re-entry transition strategy for juvenile offenders while committed to a juvenile correctional center and continuing upon their release; and

WHEREAS, Helivi Lue Holland, has served the people of the Commonwealth of Virginia with distinction and dedication in her capacity as Director of the Virginia Department of Juvenile Justice as she worked tirelessly and with great enthusiasm in promoting and identifying methods of improving communication, sharing information, and collaborating between state and local agencies; and

WHEREAS, Helivi Lue Holland, demonstrated her consummate professionalism through her work and service as director of the Virginia Department of Juvenile Justice; now, therefore, be it

RESOLVED that the State Board of Juvenile Justice hereby extends its appreciation to Helivi Lue Holland; and, be it

FURTHER RESOLVED, that the State Board of Juvenile Justice hereby recognizes Helivi Lue Holland for her leadership and effectiveness in serving Virginia's juvenile justice system with distinction and dedication.

On MOTION duly made by Sheriff Stolle and seconded by Ms. Myers to accept the Resolution as presented. Motion carried.

IX. NEXT MEETING

The next meeting will be held on Wednesday, June 13, 2012, at the Shenandoah Valley Juvenile Detention Center in Staunton, VA.

X. ADJOURN

Having no other business, the meeting adjourned at 10:07 pm without objection.

Respectfully submitted,

Deborah Canada Hayes
DJJ Board Secretary