

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



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

COMMONWEALTH
of
VIRGINIA

Board of Juvenile Justice

**Board of Juvenile Justice Meeting
Cedar Lodge Training Facility
1701 Old Bon Air Road
Richmond, VA 23235**

January 12, 2010

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

DJJ Staff Present: Barry Green, Sam Abed, Tim Howard, Steve Pullen, Ken Bailey, Janet Van Cuyk, Deron Phipps, Vernon Harry, Regina Hurt, George Wakefield, John Coble, Joy Lugar, Ed Holmes, Michael Ito, Bruce Twyman, Charlotte Harper, Tim Joost, Lynette Greenfield, Susan Heck, Steve Peed, Yvonne Crenshaw, Brenda Jackson, Robin Barwick, Samuel Morgan, Stephen Cotton, Guillermo Novo, Sergeant Lance, Lieutenant Young, Captain Hodges, Resident DW and Deborah Hayes.

Others Present: Bill Muse-OAG, Michelle Smith-Loudoun JDC, Kate Duval-JustChildren, Crissy Gilbert, Thomas Pristow, Jackie Conley-Smith, Joseph Jackson-Norfolk DH, Liane Rozzell-FAVY.

I. CALL TO ORDER

Acting Chair Dhillon called the meeting to order at 10:10 am.

II. INTRODUCTIONS

Acting Chair Dhillon called for introductions of everyone present.

Acting Chair Dhillon asked Yvonne Crenshaw, DJJ's Training Manager, to welcome the guests to Cedar Lodge Training Center. Ms. Crenshaw welcomed everyone to the training center and stated that this is the headquarters for training. She said there is a new building that should be completed very soon and offered to give a tour to those present. Ms. Crenshaw stated that they train 2500 to 3000 individuals per year. They train employees from the institutions and community side as well as employees from other agencies. Ms. Crenshaw said the training staff is experienced, serious and very passionate about what they do and feel very comfortable in being able to provide the kind of training that support the mission and the strategic goals of DJJ.

III. APPROVAL OF AGENDA

On MOTION duly made by Mr. Wilson, and seconded by Ms. Abbott, the Board approved the agenda as presented. Motion carried.

IV. APPROVAL OF November 18, 2009 MINUTES

The minutes of the November 18, 2009 Board meeting were presented for approval. On MOTION duly made by Ms. Pacheco and seconded by Ms. Abbott, the minutes were approved as submitted. Motion carried.

V. PUBLIC COMMENT

No one was present to speak during the public comment period.

VI. COMMITTEE REPORTS

A. Secure Services Committee

1. Certifications

On MOTION duly made by Mr. Wilson and seconded by Ms. Abbott to certify Beaumont Juvenile Correctional Center for three years. Motion carried.

On MOTION duly made by Mr. Wilson and seconded by Ms. Pacheco to certify Blue Ridge Juvenile Detention Center and Post-Dispositional Detention Program for three years with a letter of congratulations for 100% compliance. Motion carried.

On MOTION duly made by Mr. Wilson and seconded by Ms. Abbott to certify Roanoke Juvenile Detention Center for three years. Motion carried.

2. Issues

Loudoun County Juvenile Detention Center status report: At the June 2009 Board meeting, Loudoun County Juvenile Detention Center and Post-Dispositional Program was certified for three years with a status report on compliance with the implementation of the corrective action plan due at the January 13, 2010 meeting. On November 10, 2009, a review was conducted to assess compliance with the 13 areas cited as non-compliance during the previous audit. During the current review, four areas (including one mandatory) remained in non-compliance. One area could not be determined. Six applicable confinements were reviewed and the facility was compliant. Michelle Smith reassured the Board that Loudon is doing everything to ensure that their compliance is up to date. There were no further comments from the Board.

Norfolk Juvenile Detention Home status report: At the June 2009 Board meeting, Norfolk Juvenile Detention Home was certified until January 13, 2010 with a status report on compliance with the implementation of the corrective action plan. On November 12, 2009, a review was conducted to assess compliance. There were 18 areas of non-compliance noted in the previous audit. All but one area has been corrected. During the review it was noted that there are two full time assistant superintendents, Jacqueline Conley-Smith and Tommie Clarke. Joseph Jackson continues to serve as the interim superintendent. Based on the corrective action taken by the facility, it is recommended that Norfolk Juvenile Detention Home and Positional Detention Program be certified for an additional two years.

On MOTION duly made by Mr. Wilson and seconded by Ms. Abbott to certify Norfolk Juvenile Detention Home and Post-Dispositional Detention Program an additional two years. Motion carried.

Richmond Juvenile Detention Home status report: On November 17, 2009, the Board of Juvenile Justice awarded Richmond Detention Center (RJDC) a one year certification. The Board also requested that a status report be presented at the

January 13, 2010 meeting to address the nine deficiencies noted in the status report from the August 20, 2009 monitoring visit. The findings during the December 15, 2009 review revealed that there are now only three areas of non-compliance. Richmond Juvenile Detention Center has made significant improvements since the last visit on August 20, 2009. RJDC administration is pleased with their continuous accomplishments during the short period of time, but acknowledges that there continues to be much to do at the facility. The one year certification continues.

B. Non-Secure Services Committee

1. Certifications

On MOTION duly made by Ms. Abbott and seconded by Ms. Pacheco to certify Barry Robinson Family Oriented Group Home program for three years with a letter of congratulations for 100% compliance. Motion carried.

2. VJCCCA Plans

On MOTION duly made by Ms. Abbott and seconded by Ms. Pacheco to amend the combined FY09-10 VJCCCA plan for Montgomery and Floyd Counties in accordance with the Request to Amend. Motion carried.

On MOTION duly made by Ms. Abbott and seconded by Mr. Wilson to amend the FY09-10 VJCCCA plan for the City of Lynchburg in accordance with the Request to Amend. Motion carried.

On MOTION duly made by Ms. Abbott and seconded by Ms. Pacheco to amend the FY09-10 VJCCCA plan for the City of Petersburg in accordance with the Request to Amend. Motion carried.

VII. NEW/OTHER BUSINESS

A. Art Presentation

Lieutenant Young introduced DW, a resident at Bon Air JCC. Resident DW said he appreciated the opportunity to be at the Board meeting to present his art work. He gave a very detailed description of his painting. Resident DW thanked his Ad Design teacher, Mr. Davis, for inspiring him to reach his potential in art and to take a more serious approach. He said he also appreciates the REACH program and how it has created incentives to help him and others to stay out of trouble. Resident DW said the time he has spent at Bon Air JCC has influenced him to strive to be the graduate he chose to draw.

B. Request Authorization for Advancement of the Proposed Regulation for State Reimbursement of Local Juvenile Residential Facility Costs (6VAC35-30), as amended, to the Final State of the Regulatory Process.

The Department recommends the Board (1) to adopt the changes to the regulation recommended by the Department in section VI and (2) to authorize the submission of the proposed Regulation for State Reimbursement of Local Juvenile Residential Facility Costs (6VAC35-30), as amended, for advancement to the final stage of the regulatory process.

On MOTION duly made by Mr. Wilson and seconded by Ms. Abbott that the Board of Juvenile Justice approve the submission of the Regulation for the State

Reimbursement of Local Juvenile Residential Facility Costs (6VAC35-30) for advancement to the final stage of the regulatory process. Motion carried.

E. Regulatory Update

In addition to the regulations noted above, Ms. Van Cuyk summarized the following regulations:

(1) 6VAC35-20: Regulations Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs. This regulation is currently undergoing a comprehensive review by a multi-disciplinary committee

(2) 6VAC35-30: Regulations for State Reimbursement of Local Juvenile Residential Facility Costs. The proposed regulation was published in the *Virginia Register* on September 14, 2009. The public comment period closed on November 13, 2009. No comments received thus far.

(3) 6VAC35-60: Minimum Standards for Virginia Delinquency Prevention and Youth Development Act Grant Programs. The regulation is currently undergoing Executive Branch review.

(4) 6VAC35-150: Standards for Nonresidential Services Available to Juvenile and Domestic Relations District Courts: The regulation is currently undergoing Executive Branch review.

(5) 6VAC35-41: Regulation Governing Juvenile Group Homes and Halfway Houses, 6VAC35-71: Regulation Governing Juvenile Correctional Centers; and 6VAC35-101: Regulation Governing Juvenile Secure Detention Centers. All three of these regulations are undergoing Executive Branch review.

VIII. Director's Comments

- The director stated that Governor Kaine introduced the proposed budget on December 18. As anticipated, there are several budget cuts. There are reductions in the Community Services Boards, mental health and educational aid to name a few.
- Director Green addressed the PREA Report. He clarified that this report does not include local detention. Culpeper has the largest number of reported sexual abuse. He stated that DJJ has an obligation to ensure all residents are safe. Allegations of sexual abuse are thoroughly investigated by the Inspector General and sometimes VA State Police are brought in.
- Mr. Wilson asked if DJJ can conduct a survey. Director Green said DJJ is looking at this possibility.
- Mr. Wilson said he grieves for any potential victims and for the staff who do their jobs well and yet will be negatively affected by this report. He said DJJ will need to be more creative about what we do and how to identify these issues. He asked what is the difference between what Congress and the states (DJJ) are doing. Ms. Van Cuyk said she has compared PREA regulations to DJJ's regulations and there is not very much on PREA's list that's not already being done at DJJ.
- Ms. Pacheco said she feels confident that overall staff are dedicated to their work. She asked what can managers do to boost morale and address this matter with the perpetrators. Director Green stated that a letter was sent to all DJJ employees. Mr. Coble said the superintendents and facilities staff will formulate a plan to address this issue and present it on January 28.
- Director Green reviewed a presentation on DJJ's ongoing efforts to maintain a safe environment for our residents. The PREA Report, this presentation, the Director's comments and news articles/editorials will be filed with the Board minutes and made available upon request.

IX. Board Comments

- Ms. Pacheco stated that the proposal has been submitted to DCJS for the pilot and accepted to the second phase.
- On MOTION duly made by Mr. Dhillon and seconded by Ms. Pacheco ed that the Board request the director and DJJ to research the matter of current prison rape prevention measures in the Virginia Juvenile Justice system and report to the Board at its' next meeting with recommendations of possible advancements and/or enhancements to current policies and procedures. Motion carried.
- On MOTION duly made by Mr. Dhillon and second by Ms. Pacheco that the Department would prepare a letter to Governor Kaine expressing the Board's appreciation for his work, and a letter to Governor-elect McDonnell and Secretary of Public Safety Marla Decker to welcome them and let them know that the Board looks forward working with them. Motion carried.

X. NEXT MEETING/Public Hearing

It was noted that the dates April 13-14, 2010 for the public hearing and board meeting respectively, were incorrect. The correct dates are April 6-7, 2010. Location of the public hearing and board meeting to be determined.

XI. ADJOURN

Having no other business, and on MOTION duly made by Mr. Wilson and seconded by Ms. Abbott, the meeting adjourned at 12:15 pm. Motion carried.

Respectfully submitted,

Deborah Canada Hayes
DJJ Board Secretary