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Michael N. Herring  
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COMMONWEALTH *of* VIRGINIA  
*Board of Juvenile Justice*

**MEETING MINUTES**

June 28, 2017

Main Street Centre  
600 East Main Street, 12<sup>th</sup> Floor, Conference Room South  
Richmond, Virginia 23219

**Board Members Present:** Heidi Abbott, Karen Cooper-Collins, David Hines, Robyn McDougale, Dana Schrad

**Board Members Absent:** Tyren Frazier, Michael Herring, Helivi Holland, Jennifer Woolard

**Department of Juvenile Justice (Department) Staff Present:** Ken Bailey, Jessica Berdichevsky (Attorney General's Office), Andrew "Andy" K. Block, Jr., Valerie Boykin, Katherine Farmer, Lisa Floyd, Daryl Francis, Wendy Hoffman, Lesley Hull, Teresa Moore, Kristen Peterson, Deron Phipps, Romilda Smith, Beth Stinnett, Emily Thomas, Angela Valentine

**Guests Present:** Erin Fowler (Governor's Fellow), Brian Fuller (York County), Alexa Gotchall (Governor's Fellow), Michelle Justiniano (York County), Sheri Newcomb (York County), Elizabeth Parker (Governor's Fellow), Lashawnda Singleton (Office of the Secretary of the Commonwealth), Kelsey Wilkinson (Governor's Fellow)

**CALL TO ORDER**

Chairperson Heidi Abbott called the meeting to order at 9:39 a.m.

**INTRODUCTIONS**

Chairperson Abbott welcomed all who were present and asked for introductions.

**APPROVAL of April 26, 2017, MINUTES**

The minutes of the April 26, 2017, Board meeting were provided for approval. On MOTION duly made by Robyn McDougale and seconded by Dana Schrad, the Board approved the minutes as presented. Motion carried.

**PUBLIC COMMENT PERIOD**

There was no public comment.

## **DIRECTOR'S CERTIFICATION ACTIONS**

Ken Bailey, Certification Manager, Department

Included in the Board packet are the individual audit reports and a summary of the Director's certification actions completed on May 31, 2017.

The following programs received 100% compliance on their audits: 8<sup>th</sup> District Court Service Unit, Northwestern Regional Juvenile Detention Center and Post-dispositional Program, and the Rappahannock Juvenile Detention Center and Post-dispositional Program.

The 7<sup>th</sup> District Court Service Unit had only one area of non-compliance in its audit, which was immediately corrected.

The 22<sup>nd</sup> District Court Service Unit had two areas of non-compliance in its audit due to documentation. Both of those issues were immediately corrected.

The Director certified the Foundations Group Home in Fairfax for three years with a status report in September to follow up on medication issues.

The audit for the Northern Virginia Juvenile Detention Home and Post-dispositional Program found ten areas of non-compliance. The certification team completed their follow up visit and Northern Virginia remained non-compliant regarding grievances and log books. The Director certified the program for one year with a monitoring report in September. Northern Virginia has been through several challenges in the past year with a change in administration and illness of administrative staff. A new director has been hired who has a strong background in operating facilities. The certification team is working closely with the new director on the auditing process and the issues found in the last audit.

Sheltercare of Northern Virginia had an excellent audit with one minor deficiency, which has been immediately corrected.

Included in the Board packet is a letter notifying the Department of the City of Charlottesville's Community Attention Group Home closure on June 30, 2017. This requires no action by the Board. The residents of this group home have been moved. The City of Charlottesville hopes to reuse the facility for community based programs.

Chairperson Abbott asked why it closed. Mr. Bailey responded that the closure was due to budgetary reasons.

Director Block further explained that the group home was being underutilized and the City decided to invest the money in detention alternatives and other interventions identified as needed in the community. Director Block believes a number of jurisdictions are experiencing underutilization of group homes. As programs move towards the risk responsivity principle, there is a realization that sometimes youth are put in the wrong place. Many of the group homes were established for lower risk youth, such as youth in the truancy system or in the foster care system. The Department is evaluating on a case-by-case basis whether to put youth in group homes.

The Department's Deputy Director for Community Services, Valerie Boykin, remarked that the data on group homes also does not support good outcomes for youth, particularly if low risk youth are put in congregate care situations where they learn things that are not pro-social in nature and that may keep them in the system longer, rather than pushing them back into the community.

Chairperson Abbott indicated that she has dealt with some youth in foster care who had trouble in public housing and are now in a supervised group home. Although they are considered higher risk youth, they are out of the neighborhood and doing better in a different environment. If group homes are closing, then that door of opportunity will be closed.

The Department's Statewide Program Manager Beth Stinnett responded that there are 18 publicly funded group homes in addition to private group homes in Virginia. As group homes are being used less for lower risk populations, it seems there is more capacity than need overall.

Deputy Director Boykin said that although youth seem to improve when taken out of their neighborhood, reintegrating them back into the community where they encounter the same influences they had before they left can present challenges. The Department is exploring the use of multi-systemic therapeutic foster care, and preliminary data on the program is showing good results for at-risk youth. Virginia does not have the capacity for multi-systemic programs currently, but is looking at new models/services to build into its continuum of services.

## **VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT (VJCCCA) PLAN APPROVAL**

Beth Stinnett, Statewide Program Manager, Department

The Department has been administering the VJCCCA program since 2006. It provides funding through a formula grant to all 133 localities across the state that amounts to \$10 million, and with local contributions about \$26 million. VJCCCA supports 350 programs and serves 15,000 youth every year. Typically, the Department comes before the Board every two years to ask for plan approval based on the two-year biennium. However, there are some VJCCCA plans not included in the two-year biennium request, and the localities have made substantial changes to their plans. The Department has five motions to address these areas.

### VJCCCA Plan Approval – Motion 1

Last year, the Department recommended that the Board approve the VJCCCA plans of nine localities for one year of the two-year biennium. This approval would allow the Department to continue working with the localities on improvements to their plans. The localities have low-risk youth in high end programs instead of using the risk principle and risk assessments to drive the programming. In addition, the localities failed to meet required benchmarks for a successful completion rate. All nine localities have submitted corrective action plans and program evaluations and have worked actively with Department staff to change their target population and improve their success rate. The Department is recommending that the nine programs that were approved last year for only one year now be approved for the second year of the biennium through June 30, 2018.

Chairperson Abbott asked if the localities were not targeting the correct population.

Ms. Stinnett responded that most of the localities have intensive supervision programs or group homes on their plan but have made adjustments to their target population and the length of stay. The localities have written new program manuals and communicated with local court service units about the types of referrals appropriate for their programs.

On MOTION duly made by Robyn McDougle and seconded by David Hines, the Board of Juvenile Justice approved the VJCCCA plans for Arlington, Falls Church, Frederick, Manassas, Martinsville, Rockingham, Warren, Washington, and York for the 2018 fiscal year. Motion carried.

The second motion (mistakenly labeled Motion 3 in the Board packet) outlines two jurisdictions that want to restructure their plans. Jurisdictions may combine plans. Virginia has 89 combined VJCCCA plans and designates a single fiscal agent to administer the plan. Arlington County and Falls Church have maintained independent plans previously, but beginning this fiscal year want to combine efforts. Both have agreed and identified Arlington County as the fiscal agent for their plan. Likewise, Bland County and Wythe County have agreed to combine plans and have identified Wythe County as the fiscal agent.

On MOTION duly made by Karen Cooper-Collins and seconded by Robyn McDougle, the Board of Juvenile Justice approved the consolidation of the Falls Church and Arlington VJCCCA plans and the identification of Arlington as fiscal agent beginning in the 2018 fiscal year. Motion carried.

On MOTION duly made by Karen Cooper-Collins and seconded by David Hines, the Board of Juvenile Justice approved the consolidation of the Bland County and Wythe County VJCCCA plans and the identification of Wythe as fiscal agent beginning in the 2018 fiscal year. Motion carried.

The fourth motion (mistakenly labeled Motion 5 in the Board packet) is a request for Arlington County to reduce their Maintenance of Effort to match the state allocation in their VJCCCA plan for group homes. This would allow for a decreased local contribution.

The Board asked what is Maintenance of Effort.

Ms. Stinnett responded that at the inception of VJCCCA in 2006, several localities were contributing money toward juvenile justice programming, particularly group homes. It was established that the locality needed to maintain the same level of contributions financially so they would not supplant local money with state money.

On MOTION duly made by Robyn McDougle and seconded by Dana Schrad, the Board of Juvenile Justice approved the reduction of the required Maintenance of Effort for Arlington County to match the state allocation beginning in FY 2018. Motion carried.

In the final motion, four localities made significant adjustments to their two-year VJCCCA plans that have been approved through June 30, 2018.

1. Campbell County started a new program for pro-social skill development using funds reallocated from an underutilized parenting program.

2. The detention home in Charlottesville has closed. Charlottesville is removing the closed detention home from their plan and reallocating funds to community based alternatives.
3. Lynchburg built a new group home and will no longer be using Sparc House and Opportunity House. They are adding this new development to their plan.
4. Norfolk has added a new category of pro-social skills development to their VJCCA plan.

On MOTION duly made by Karen Cooper-Collins and seconded by David Hines, the Board of Juvenile Justice approved the VJCCA plan changes for the Campbell, Charlottesville, Lynchburg, and Norfolk VJCCA plans for the 2018 fiscal year. Motion carried.

#### **VIRGINIA JUVENILE DETENTION ASSOCIATION (VJDA) VARIANCE REQUEST TO 6VAC35-101-200**

Kristen Peterson, Regulatory and Policy Coordinator, Department

At the November 14, 2016, Board meeting, the VJDA requested an extension to its variance request to the regulatory requirement in 6VAC35-101-200 that currently mandates that all detention center part-time and relief care staff receive 40 hours of training annually. VJDA submitted this request due to logistical challenges and concerns with coordinating part-time and direct care staff to fulfill the training requirements. At the November 14, 2016, meeting, the Board requested the Department conduct a 50-state study to determine the training requirements for juvenile detention centers in other states. The Department has completed that study, which can be found in the Board packet. Prior to completion of the study, the VJDA submitted a letter requesting that the variance request be withdrawn. The study is now intended for informational purposes.

Ms. Peterson directed the Board's attention to page 75 of the Board packet, which provides a summary of the findings. 31 out of 50 states have annual training requirements of 40 hours or more. Only three states make a distinction between part-time and full-time staff and in those states they allow 20 hours of training for their part-time staff. The vast majority of states require at least 40 hours of training each year.

The Board accepted the variance as withdrawn.

#### **DIRECTOR'S COMMENTS**

Andy Block, Director, Department

Graduation ceremonies took place this week (June 26) at Bon Air Juvenile Correctional Center. The Yvonne B. Miller High School graduation was held on Monday and celebrated the 27 students who earned their standard diplomas. One student received an advanced diploma, which was a first for youth in the facility. On Tuesday, June 27, the Department held a graduation ceremony for youth who received GED/Penn Foster diplomas. Today is a graduation program for youth in the Department's post-secondary program who completed college classes or certification programs.

The Department has now fully consolidated the Bon Air Juvenile Correctional Center. Beaumont Juvenile Correctional Center officially closed on June 9. The Department has a skeleton crew onsite performing closeout functions such as inventory and disposal of excess furniture. On September 9, the

closeout process will be completed and the facility will be state property surplus. The Department's Future Planning Group recommended a year to fully close the facility in order to systematically close down and give Beaumont employees an opportunity to find job placements within the Department. The day the Department announced Beaumont's closure, the facility had 374 employees. Between early retirement, other job opportunities, and placements, only five employees from Beaumont are facing lay-offs. The task was not without its challenges. The Department had to hold vacant positions open at Bon Air for Beaumont placements, which made Bon Air understaffed.

The Department is fully consolidated, which allows full-time positions to be offered again without worry about placements from Beaumont. The sizes of the Department's recruiting classes are starting to increase in a significant way since jobs are not temporary. The Department has created a Cadre Unit, which is a floating group of staff who can fill vacant positions and step in when employees are out on disability or training. The Department's goal is to build the Cadre Unit to a maximum of 40 people. The Department will continue to monitor and keep Bon Air fully staffed.

The consolidation was a difficult process with new staff and new residents, all trying to jockey for position. The Department's staffing levels are at the highest they have ever been due to the consolidation and every unit has converted to the community treatment model, which is a huge accomplishment.

The Department has been undergoing transformation long enough to see positive early returns on recidivism rates. Between the ends of Fiscal Year 2015 and Fiscal Year 2016, the Department's six-month re-arrest rate dropped by almost 50%. It is the biggest drop the Department has experienced in a long time.

Director Block recognized Board members Karen Cooper-Collins and Heidi Abbott whose terms on the Board have come to an end. Director Block presented a certificate of appreciation to Karen Cooper-Collins for her service to the Board. Director Block presented a resolution to Heidi Abbott signed by the Governor for her service as chair to the Board for the past four years. Director Block also gave her a quilt from the Beaumont Quilting program.

#### **BOARD COMMENTS**

The Board thanked Karen Cooper-Collins and Heidi Abbott for their service.

#### **NEXT MEETING**

The next Board meeting is scheduled for September 13, 2017, at the Main Street Centre, 600 East Main Street, Richmond.

#### **ADJOURNMENT**

Chairperson Abbott adjourned the meeting at 10:41 a.m.