

James S. Turpin, Chairman
Courtney A. Penn, Vice Chairman
Barbara J. Myers, Secretary
Kecia N. Brothers
Aida L. Pacheco
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COMMONWEALTH
of
VIRGINIA

Board of Juvenile Justice

Board Meeting
Cedar Lodge Training Facility
1701 Old Bon Air Road
Richmond, VA 23235

January 14, 2009

Board Members Present: James Turpin, Kecia Brothers, Aida Pacheco, and Justin Wilson

DJJ Staff Present: Barry Green, Sam Abed, Tim Howard, Ed Murray, Steve Pullen, Kenneth Bailey, Janet Van Cuyk, Deron Phipps, Bruce Twyman, Regina Hurt, Vernon Harry, John Coble, Steve Peed, Beth Stinnett, Sharon Dabney, Resident R.G., Resident F.L., William Roux, Suzanne Lloyd, Judy Binsley, Sharon Havens, Robert Wilburn, Jim Nankervis, and Deborah Hayes.

I. CALL TO ORDER

The meeting was called to order at 10:00 by Chairman Turpin.

II. INTRODUCTIONS

Mr. Turpin called for introductions of attendees prior to proceeding. In addition to DJJ staff and Board members listed above, in attendance were: Bill Muse-OAG, Liane Rozzell-FAVY and Abigail Turner-JustChildren.

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF NOVEMBER 12, 2008, MINUTES

The minutes of the November 12, 2008 Board meeting were presented for approval. On MOTION duly made by Mr. Wilson and seconded by Ms. Pacheco, the minutes of the November 12, 2008 Board meeting were approved as submitted. Motion carried.

V. PUBLIC COMMENT PERIOD

Ms. Liane Rozzell, FAVY, distributed copies of her comments to the Board members. The two topics addressed were the budget crisis and family collaboration. Ms. Rozzell's written comments will be filed with the Board minutes and will be available upon request.

VI. COMMITTEE REPORTS

A. Secure Services Committee

Certifications

On MOTION duly made by Mr. Wilson and seconded by Ms. Pacheco to certify Fairfax Juvenile Detention Center and Fairfax Post-dispositional Program for three years. Motion carried.

On MOTION duly made by Mr. Wilson and seconded by Ms. Brothers to certify Lynchburg Regional Juvenile Detention Center and Post-disposition Program for three years. A status report is to be presented at the June 2009 meeting on compliance with mandatory standards and background checks. Motion carried.

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

Issues

Highlands Juvenile Detention Center: Per Mr. Bailey, Highlands is currently in compliance with all of their areas with the exception of one and that is the issue wherein employees were hired before the facility received the CPS report. It was Highlands' interpretation that this was part of the variance, they now understand that they must have the report prior to hiring. Mark Lewis is working with Highlands' administrators to get things in order and the Department will continue to monitor their progress every six months.

B. Non-Secure Services Committee

Certifications

On MOTION duly made by Ms. Pacheco and seconded by Mr. Wilson to certify 17-A Court Service Unit for three years. Motion carried.

On MOTION duly made by Ms. Pacheco and seconded by Ms. Brothers to certify the 18th District Court Service Unit for three years. Motion carried. Note that Mr. Wilson rescued himself from voting because he serves on the Alexandria City Council.

On MOTION duly made by Ms. Pacheco and seconded by Mr. Wilson to certify the 3rd District Court Service Unit for three years with a letter of congratulations for 100% compliance. Motion carried.

On MOTION duly made by Ms. Pacheco and seconded by Ms. Brothers to certify Susan Bundy Girls' Group Home for three years with a status report on compliance with the corrective action plan at the June 2009 board meeting. Motion carried.

3. Other VJCCCA Plans

On MOTION duly made by Ms. Pacheco and seconded by Ms. Brothers to amend the FY09-10 VJCCCA plan for the City of Alexandria in accordance with the Request to Amend. Motion carried. Mr. Wilson rescued himself because he is a member of the Alexandria City Council.

On MOTION duly made by Ms. Pacheco and seconded by Mr. Wilson to amend the FY09-10 VJCCA plan for Fluvanna County in accordance with the Request to Amend. Motion carried.

VII. NEW/OTHER BUSINESS

A. Resolution for Robert Edward Shepherd, Jr.

Mr. Turpin talked about the untimely death of Mr. Shepherd and his contribution to the juvenile community. On MOTION duly made by Mr. Turpin and seconded by Ms. Brothers to accept the resolution as presented. The resolution will be framed and presented to Mr. Shepherd's family.

B. Art Presentation

Sharon Havens, Superintendent, Hanover JCC, thanked the Board for the opportunity to join them. She introduced Ms. Lloyd—art teacher and Judy Binsley—secretary. Ms. Lloyd introduced the residents. Each resident described in detail the process they used to complete their art work and presented the art to the Board. Ms. Lloyd stated that other art works by these and other residents will be displayed at the Expressions Annual Arts & Crafts Exhibits and Sale scheduled to begin February 2.

C. JDAI Presentation

Beth Stinnett, State JDAI Coordinator, distributed handouts to the Board members. She gave an overview of the JDAI national initiative, the strategies and model of JDAI and why we are involved. She discussed the specific strategies that have been put in place in the localities as well as what our success has been in this initiative. The information distributed by Ms. Stinnett will be on file with the Board minutes and will be made available upon request.

D Policy Review

On MOTION duly made by Mr. Turpin and seconded by Ms. Brothers, to adopt following amended Board policies as of January 14, 2009, as submitted by the Department's Policy and Review Committee:

- 12-001 Health Care Service
- 12-002 Health Authority and Responsibility
- 12-003 Health Screenings and Evaluations
- 12-004 Access to Health Care Services
- 12-005 Right to Refuse Treatment
- 12-006 Special Health Care Needs
- 12-007 Emergency Health Care Services
- 12-008 Health Care Records
- 12-009 Statistical and Environmental Reporting

Motion carried.

On MOTION duly made Mr. Turpin and seconded by Ms. Brothers to rescind the following Board policies effective January 14, 2009 as submitted by the Department's Police and Review Committee. These policies have been incorporated in the Virginia Administrative Code, are covered in the Virginia Code, or have been deemed unnecessary:

- 12-001 Health Care Policies
- 12-001.1 Health Services Advisory Committee

- 12-001.6 Confidentiality of Health Information for Committed Youth
- 12-001.8 Health Evaluations for Newly Committed Youth
- 12-001.9 Health Screening Intrasystem Transfers
- 12-001.10 Physicals: Annually & Prior to Release from Learning Centers
- 12-001.11 Treatment Plans for Special Health Care Needs of Youth in Direct Care
- 12-001.12 Committed Juveniles' Access to Health Records
- 12-001.13 Emergency Medical Services
- 12-001.14 Immunization of Youth in Direct Care
- 12-001.15 Pharmaceuticals & Administering of Medication
- 12-001.17 Family Planning, Obstetrical, Gynecological, and Health Education Services
- 12-001.18 Medical Management of Alcohol & Drug Abuse
- 12-001.19 Statistical and Environmental Report for Juvenile Residential Facilities
- 12-001.20 Notification of Parent, Guardian, or Responsible Agency
- 12-001.21 Emergency and Health Care Training in Residential Facilities
- 12-001.24 Prostheses and Orthodontic Devices
- 12-002 Health Care Authority and Responsibility
- 12-003 Communicable Diseases and HIV

Motion carried.

On MOTION duly made by Mr. Turpin and seconded by Mr. Wilson to approve the following Board policies for a third review and action at the April 8, 2009 meeting as submitted by the Department's Policy Review Committee:

- 20-312 Placement in Group or Foster Home
- 20-313 Regional Office Staff to Inform Residential Facility Staff of Standards
- 20-314 Transfer of Juveniles Between Community Facilities
- 20-315 Placement and Removal of Juveniles in Substitute Home Setting
- 20-501 Release to Parole
- 20-504 Termination of Probation
- 20-505 Court Service Unit's Closing Report of Juveniles Under Supervision
- 20-506 Violation of Probation or Parole
- 20-507 Court Service Unit's Reporting of Delinquent Activity of Juveniles Under Supervision
- 20-516 Urine Drug Screening of Juveniles on Probation or Parole
- 9020 Balance Approach to Juvenile Justice
- 9021 Risk Based Approach to Community Supervision & Treatment
- Long Range Youth Services Policy

Policy 20-301, Youth Employment, was carried over.

Motion carried.

E. Status of Regulations

On MOTION duly made by Mr. Turpin and seconded by Ms. Pacheco, to authorize the Department of Juvenile Justice to submit the Notices of Intended Regulatory Action (NOIRA) for initiation of the regulatory process and publication in the Virginia Register for the following regulations: (1) Establishment of **Regulations Governing Juvenile Correctional Centers (VAC25-71)**, (2)

Establishment of **Regulations Governing Juvenile Detention Facilities (VAC34-101)**, (3) Establishment of **Regulations Governing Juvenile Group Homes and Halfway Houses (6VAC35-41)**. Motion carried.

On MOTION duly made by Mr. Turpin and seconded by Ms. Pacheco, to authorize the Department of Juvenile Justice to submit the draft of the Proposed Regulation for the **Regulations for State Reimbursement of Local Juvenile Residential Facility Costs (6VAC35-30)** for publication in the Virginia Register and public comment. Motion carried.

F. Legislative Update

Mr. Phipps distributed a handout and summarized for the Board the bills that the Department is tracking.

G. Budget Update

Mr. Pullen distributed a copy of the Governor's 2008-10 budget reduction plan.

H. Approval of 2009 Calendar

On MOTION duly made by Mr. Wilson and seconded by Ms. Pacheco to adopt the proposed board meeting dates as submitted. Motion carried.

VIII. Director's Comments

Mr. Green introduced Jim Nankervis. Mr. Nankervis is the new Chesterfield Court Service Unit director.

Mr. Green advised that he and Bruce Twyman met with the *Daily Press* Electoral Board on December 13 in Newport News. The Department will do an opt-ed piece for the paper in response to a negative article written by the *Daily Press*. Mr. Green stated that he feels that we have established a relationship with the paper and they will contact DJJ before printing articles. The *Daily Press* asked the Department to send them positive cases about the juveniles.

Mr. Green advised that the Expressions Arts and Crafts Show and Sale will be held February 2-6 at the General Assembly Building.

IX. Board Comments

Ms. Pacheco thanked the Department for the wonderful work we do. She said she realizes difficult decisions that had to be made in light of the budget reduction but she applauds the Department for their efforts and hard work. Ms. Pacheco said she appreciates the strong commitment the Department has to its' employees and residents. Ms. Pacheco also commended Bruce on another good newsletter.

Executive Closed Session:

On MOTION duly made by Mr. Turpin and seconded by Mr. Wilson that the Board reconvene in Executive Closed Session, pursuant to Section 2.2-3711 (A), for discussion of personnel matters and for consultation with legal counsel and briefings by staff members, consultants or attorneys, pertaining to actual probable litigation, or other specific legal matters requiring the provision of legal advice by counsel, and for matters involving security otherwise exempt under the Freedom of Information Act.

Upon their return to the regular meeting from Executive Closed Session, the Board members were polled as follows: Do you individually certify that to the best of your

knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive Meeting, and (2) only such public business matters as were identified in the motion convening the Executive Closed Meeting were heard, discussed, or considered. Board members polled and certified were Ms. Brothers, Ms. Pacheco, Mr. Wilson and Mr. Turpin.

IX. NEXT MEETING

A public hearing will be held on Tuesday, April 7, from 7-9 pm and the board meeting will be held on Wednesday, April 8, 2009. The public hearing and the meeting will be held in the second floor conference room of the 700 Centre, 700 East Franklin Street, Richmond, Virginia.

XI. ADJOURN

Having no other business, and on MOTION duly made by Mr. Wilson and seconded by Ms. Pacheco, the meeting adjourned at 12:30 pm. Motion carried.

Respectfully submitted,

Deborah Canada Hayes
DJJ Board Secretary