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DIRECTOR

COMMONWEALTH of VIRGINIA

Department of Juvenile Justice
DEPARTMENT OF JUVENILE JUSTICE
Cedar Lodge Training Center
1701 Old Bon Air Road
Richmond, Virginia 23236

September 8, 2004

Present: Kim Downing Aida Pacheco Julia Winslett
Courtney Penn Patricia Puritz Richard Sparks
James Turpin

I. CALL TO ORDER

The meeting was called to order promptly at 10:00am by the Board Chairman, Richard Sparks.

II. APPROVAL OF AGENDA

On MOTION duly made by Mr. Turpin, seconded by Ms. Pacheco, the Amended agenda was approved. Motion carried.

III. INTRODUCTIONS

Guests included Alan Hulette, Superintendent for the Roanoke Valley Juvenile Detention Center; Larry Robinson, Director for the Newport News Juvenile Services Center and Peggy Howard, Deputy Director; Pat Cooper with Hampton/Newport News Less Secure Facility; JoAnne Smith of Merrimac; Anne Smith, Colonial Group Commission Director; Ron Wallace, Program Manager, Crossroad Community Group Home in Williamsburg. Julie Taylor, a student with VCU School of Social Work; Gene Rilee of Pollard and Bagby; and Chuck Mills, who serve as a board member on the Youth Industries Program.

IV. APPROVAL OF MINUTES

On MOTION duly made by Ms. Pacheco, seconded by Mr. Turpin, the minutes were approved for the June 9, 2004, Board meeting.

COMMENTS OF PUBLIC

A. Standards for Juvenile Residential Facilities

Mr. Carignan stated comments from the Prince William Commonwealth Attorney's office were submitted on this issue, and he will make these comments available to the Board. DJJ extended the public comment period on the residential standards to expire in November 2004. The public comment period expires two days after the November 10, 2004, Board meeting at which time all public comments will be assembled and a report will be prepared. It is anticipated that the regulations will be submitted for approval at the January meeting.

B. Public Participation Guidelines

No comments offered.

V. COMMITTEE REPORTS

A. Secure Services Committee

1. Certifications

On MOTION duly made by Mr. Turpin, seconded by Ms. Winslett, to unanimously recommend certification of Chesterfield Juvenile Detention Home for three years. Motion carried.

On MOTION duly made by Ms. Winslett, seconded by Mr. Penn to certify Shenandoah Valley Juvenile Center for three years and Certification unit to monitor corrective actions for the one mandatory standard and violations to the Board. Motion carried. Mr. Turpin, Ms. Puritz and Ms. Downing chose to abstain due to the pepper spray issue. Although the facility does not currently use pepper spray, it is philosophically accepting its use.

2. Other Issues

**See full text of Motion at Appendix A*

*On MOTION duly made by Mr. Turpin, seconded by Ms. Puritz for Roanoke Valley JDC Security Enhancement, not to exceed 50% of the total expenditure to reimburse the Roanoke County Detention Center.

On MOTION duly made by Mr. Turpin, seconded by Ms. Winslett to defer the Northern Virginia Detention Home Security Enhancement reimbursement request until the November 10, 2004 meeting. Motion carried.

B. Non-Secure Services Committee

1. Certifications

On MOTION duly made by Ms. Downing, seconded by Ms. Pacheco, to certify the 4th District, the 10th District, the 11th District, Centerville Group Home and the Community Attention Group Home for three years, with letters of congratulations for 100% compliance to the 4th and 10th district. Motion carried.

On MOTION duly made by Ms. Downing, seconded by Ms. Pacheco, to approve the request to reduce the approved capacity of Bridges Family Oriented Group Home from 12 to 10. Motion carried.

On MOTION duly made by Ms. Downing, seconded by Ms. Pacheco, to approve the modification of the certification certificate for Chaplin Youth Center to include pre-dispositional youth

On MOTION duly made by Ms. Downing, seconded by Ms. Pacheco to extend the current certification status of Prince William Group Home for Girls to January 2005 pending the program’s application for licensure by the Virginia Department of Social Services.

1. Other Issues

*
*See full
text of
Resolution at
Appendix B*

*A resolution for Crossroads Community Youth Home was read by Mr. Howard and seconded by Ms. Pacheco. A more extensive explanation was given by Joanne Smith. The Code of Virginia empowers the Board to approve construction reimbursement for group homes, but the 2004 Acts of Assembly, Chapter 4, item 443A, which supersedes the Code, prohibits the Board from approving or committing additional funds for construction.

Presently, DJJ’s review of the nearly completed Preliminary Planning Study raised no concerns and the Commission understands that the state will not pay more than an established per bed cap (currently \$37,222), with any balance in actual construction costs having to be paid by the Commission.

Mr. Turpin suggested looking at the complete moratorium issue at the next meeting.

On MOTION duly made by Ms. Downing, seconded by Ms. Pacheco that the following VJCCA Plans for the FY05-06 biennium be approved contingent upon receipt of the required certifications, affirmative support letters and resolution. Motion carried.

Bath Craig Highland Hopewell
Pittsylvania Powhatan Surry

On MOTION duly made by Ms. Downing, seconded by Ms. Pacheco, that the following FY05-FY06 VJCCCA plans be amended as approved. Motion carried.

Roanoke County/Salem Combined
Montgomery/Floyd

VI. OTHER BUSINESS

- A. In conjunction with the Research and Evaluation Division of the Department of Juvenile Justice, Chuck Mills presented an overview of the Youth Industries Program.

The Governor visited Beaumont JCC last month and presented a \$676,000 grant from the Department of Labor for the Program.

- B. **TOPS (Transitional Opportunity Program)** was presented by Gene Rilee. Mr. Rilee explained that the late Mr. Henry Jordan was the originator of TOPS.

TOPS is currently trying to utilize a vacant cottage at Beaumont as a halfway house for young men who will be leaving Beaumont in a relatively short period of time. He proposed naming one of these facilities after Mr. Jordan. They have received a federal grant and would like to teach eligible youth how to function in society and be useful citizens.

- C. Revisions to Guidelines for Transporting Juveniles in Detention was reviewed by Don Carignan, who advised the Board that they do have the authority to issue these Guidelines under Virginia Code.

Mr. Carignan explained that many of these standards are historical guidelines that have been in effect for many years. For state-operated programs, DJJ will prohibit the use of private vehicles. Local programs will refer to the local policies of the commission or locality operating the detention home.

On MOTION duly made by Ms. Winslett, seconded by Ms. Pacheco, to accept these guidelines. Motion carried.

- D. Policies Relating to Planning for Juvenile Justice Programs was introduced by Mr. Carignan. The Virginia Code gives the Board of Juvenile Justice the power and the duty “1. To develop and establish programmatic and fiscal policies governing the operation of programs and facilities for which the Department is responsible under this law. 2. To ensure the development and implementation of a long-range youth service policy.”

In conjunction with this proposal, the Director of DJJ is inviting the Board to enter into a process with Department staff to draft a long-range “youth services policy” that will address both residential and non-residential programs, articulate the broad principles that will guide Virginia’s juvenile justice system over the next five to ten years, and commit to specific priorities.

It was recommended that the Board RESCIND policy 07-004, inasmuch as the more comprehensive long-term youth services policy will include all the elements identified in it. The goal is to submit to the Board draft recommendations for this policy required by Virginia Code by June 2005.

The Board decided to delay on rescinding this policy until the long-range youth services policy is adopted.

E. *Policies that Duplicate Statutes or Regulations was explained as an on-going review of existing policies that Department staff have identified that re-state requirements included in statutes or regulations issued by the Board. To eliminate duplication where it exists, staff recommend that the policies identified in the hand-out be rescinded.

**See full text of Motion at Appendix C*

On MOTION duly made by Ms. Pacheco, seconded by Mr. Penn to RESCIND these policies. Motion carried.

F. *Standards for the Interdepartmental Regulation for Children's Residential Facilities was discussed by Mr. Carignan. During the June 9th Board meeting, the members approved publishing the proposed *Standards for the Interdepartmental Regulation of Children's Residential Facilities* for public comment. Board members at that time indicated that they wanted to offer comments about the proposed draft, and staff prepared the memo here submitted for approval.

**See full text of Memorandum at Appendix D*

Mr. Turpin commented that the Board should have something in the docket for the record.

On a MOTION duly made by Mr. Turpin, seconded by Ms. Winslett to accept this document and send it to the interdepartmental agency. Motion carried.

G. Hampton/Newport News Less Secure facility came under discussion at the last DJJ Board meeting regarding the certification of this facility. As requested by the at the last meeting, Larry Robinson, the Director of the Department of Juvenile Services for the City of Newport News was present to give a status report on the facility. He stated that presently this facility is in compliance and has corrected the 17 citations in question.

VII. DIRECTOR'S COMMENTS

House Bill 1209 was signed by the Governor last week in Newport News at Delegate Bacote's office. This event was also publicized, as was the Governor's visit to Beaumont.

Last month, Director Jones was asked, through the American Correctional Association, to testify before Congress with a group of individuals on the criminalization of mental health. NBC Dateline visited the Merrimac facility to interview youth and their families in the area of this same subject matter.

Director Jones also referred to the most recent floods in Richmond that caused the temporary evacuation of the Richmond Detention Home; 54 youths were evacuated and placed in surrounding facilities.

Currently DJJ is working on a utilization report to be submitted to the General Assembly by October 1, 2004.

DJJ is working on the gang issue through an initiative headed by Marilyn DiPaolo, who is one of the Regional Operations Managers. Ms. DiPaolo is also working on a comprehensive plan for the Department to be presented to the Governor's office.

VIII. BOARD COMMENTS

Ms. Pacheco thanked Mr. Jones for serving as guest speaker at the completion of this year's Richmond Summer Youth Program held at the Landmark Theater last month.

Mr. Turpin commented on Director Jones' public service announcement regarding re-entry and mentoring that is being played by radio stations across Virginia. The next public service announcement is scheduled to be presented by Secretary John Marshall.

The next Board meeting will be held at DJJ's central office on November 10, 2004.

IX. ELECTION OF OFFICERS

On MOTION duly made by Mr. Turpin, seconded by Ms. Pacheco, to keep the same officers the Board has to serve a second term. Motion Carried.

X. JUDICIAL LIAISON REPRESENTATIVE

On MOTION duly made by Mr. Turpin, seconded by Ms. Winslett, that this position as representative from the Board be held jointly by Ms. Pacheco and Ms. Puritz.

XI. ADJOURN

On MOTION duly made by Ms. Downing and seconded by Mr. Turpin, the meeting was adjourned at 1:30pm.

Respectfully submitted,

Barbara A. Jones