



Advisory Committee on Juvenile Justice and Prevention

Tuckahoe Area Library
1901 Starling Dr
Henrico, VA 23229

AGENDA

January 25, 2022

- **Call to Order and Welcome**
- **Introductions**
- **Approval of Minutes (9/14/21 and 4/13/21)**
- **DCJS Updates**
 - **JJDPa Compliance**
 - **2022 Juvenile Justice Legislation**
- **Approval of Remote Participation Policy**
- **Approval of ACJJP Bylaws**
- **Presentation**

Joint Legislative Audit Review Commission Report on Virginia Juvenile Justice System. Drew Dickinson, Chief Legislative Analyst, Brittany Utz,

City of Roanoke Youth and Gang Violence Prevention Community Assessment. Joe Cobb City Councilman, Chair of the Roanoke City Gun Violence Taskforce

Virginia Department of Juvenile Justice, Screening Experiences and Strengths (SEAS): New Trauma Screening Tool. Jenna Easton, Community Programs Manager

- **Public Comment**
- **Adjournment**

COMMONWEALTH OF VIRGINIA

Bylaws of the Advisory Committee on Juvenile Justice and Prevention

ARTICLE I

Name

The name of this committee shall be the Advisory Committee on Juvenile Justice and Prevention.

ARTICLE II

Functions

The Advisory Committee on Juvenile Justice and Prevention (herein after referred to as the Advisory Committee or ACJJP) is an advisory committee defined as follows: An advisory board, commission or council serves as a formal liaison between the agency and the public, ensuring that the agency understands and responds to public concerns and that the activities of the agency are communicated to the public. Advisory boards provide advice and counsel to an executive branch agency.

The function of the ACJJP shall be to carry out the responsibilities assigned to it under Chapter 1 of Title 9.1 of the *Code of Virginia* (§ 9.1-111).

ARTICLE III

Members

Section 1.

Membership of the ACJJP is established by § 9.1-111 of the *Code of Virginia*.

Section 2.

- a. The Commissioner of Behavioral Health and Developmental Services; the Commissioner of Social Services; the Director of the Department of Juvenile Justice; the Superintendent of Public Instruction; and the Commissioner of Health may each designate a person to represent him or her on the ACJJP. Such designations shall be in writing to the Chair and the Director of the Department of Criminal Justice Services (DCJS) and shall continue in effect until rescinded in writing.
- b. Designees attending meetings of the Advisory Committee and its subcommittees, pursuant to "a" above shall have the same privileges as Committee members.

Section 3.

Members of the ACJJP, or any of its subcommittees, and members' designees, shall follow the Conflict of Interest Act in voting on any grant or contract which would have a direct financial impact on the agency or organization which they serve, or the office they hold by virtue of employment, appointment, or election, or which would have a direct financial impact upon the political subdivision in which they serve by virtue of employment, appointment, or election.

Section 4.

The staff of DCJS shall inform the Chair in any instance where a member is absent from three consecutive regularly scheduled meetings of the Committee. The Chair shall then call the absences to the attention of the member in writing and take whatever action he or she deems appropriate in the circumstances.

Section 5.

In order to meet the requirements in 28 CFR 31.103 of the federal regulations, three members of the ACJJP must also be members of the Criminal Justice Services Board (CJSB). Because the CJSB membership is diverse and contains a balanced representation of juvenile justice interests, DCJS uses that board as the supervisory board called for in 28 CFR 31.103. DCJS has approval of OJJDP to have any three crossover members, including our ex officio members, to meet that requirement.

ARTICLE IV

Officers

Section 1.

The ACJJP shall elect a Chair and Vice-Chair from among its members. A nominations subcommittee shall be formed prior to the election of officers. Such term of office shall be two years or to the conclusion of the elected individuals appointment, whichever is sooner. Officers may be re-elected.

Section 2.

In accordance with the federal Juvenile Justice and Delinquency Prevention Act, 42 U.S.C. § 5633, as amended, the Chair may not be a full-time employee of federal, state or local government.

Section 3.

In the absence of the Chair, the Vice-Chair shall preside at meetings and perform such additional duties as are required by the committee and necessitated by the absence of the Chair. In the event of the absence of both of these officers, the Chair shall appoint a Chair Pro Tempore and, if he or she does not, the quorum of members present at any meeting shall elect a Chair Pro Tempore to preside for that meeting.

Section 4.

Staff of DCJS shall be responsible for the recording and maintenance of minutes of the meetings of the ACJJ and any of its subcommittees. Minutes of meetings will be made available as required under the Virginia Freedom of Information Act.

ARTICLE V

Meetings

Section 1.

The ACJJP shall hold no fewer than two (2) regular meetings each calendar year. The Chair, either upon his or her own motion or upon written request of any five members of the Advisory Committee, in consultation with DCJS staff, will fix the meeting dates, times and locations.

Section 2.

Twelve members of the Advisory Committee, including voting and non-voting members, shall constitute a quorum to conduct business. Decisions may be made by the majority of those present and voting. The Chair shall determine that a quorum is present prior to the conduct of business at any meeting. In the absence of a quorum, the Chair will call the meeting to order, announce the absence of a quorum, and entertain a motion to adjourn, fix the time which to adjourn, recess, or take measures to obtain a quorum. Alternatively, the meeting may continue as long as no votes are taken.

Section 3.

At its regular or special meetings, the Advisory Committee shall first consider and act on any matters directly related to its mandated, statutory responsibilities which may be before it. Other issues, speakers, items of interest, whether brought forward by Advisory Committee members or staff, shall be considered only after the matters pertaining to the ACJJP's statutory mandates have been disposed of.

Section 4.

Whenever possible and practical, ACJJP meetings and such subcommittee meetings as may be necessary shall be scheduled for the same day, or on adjacent days, to save travel and lodging costs.

ARTICLE VI Subcommittees

Section 1.

Standing or ad hoc subcommittees may be established by the Chair as deemed necessary.

Section 2.

Each subcommittee when established shall elect its Chair from among its members. Only subcommittee members can vote on business or matters pertaining to the subcommittee.

Section 3.

Subcommittees shall make reports to the Advisory Committee in the form of an oral presentation to the ACJJP. Minutes of meetings will be made available to the ACJJP and public as required under the Virginia Freedom of Information Act.

ARTICLE VII Parliamentary Authority

The Rules contained in the most current edition of Robert's Rules of Order Newly Revised shall govern the Advisory Committee and its subcommittees in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special order the Advisory Committee may adopt, or the Virginia Freedom of Information Act. Rules of order may be temporarily suspended by a vote of two-thirds of the members present at any given meeting.

ARTICLE VIII Amendment of Bylaws

These bylaws may be amended at any regular meeting of the Advisory Committee by a two-thirds vote of the members present, provided that a quorum is present, provided that the

amendment has been submitted in writing at the previous regular meeting and that the amendment is not in conflict with any applicable state or federal laws or regulations.



VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES

Improving and promoting public safety in the Commonwealth

Advisory Committee on Juvenile Justice and Prevention Member Remote Participation in Meetings by Electronic Means

Policy Type: State – Advisory Committee on Juvenile Justice and Prevention

Responsible Office: Department of Criminal Justice Services

Initial Policy Approved: TBD

Policy Statement and Purpose

In accordance with the Virginia Freedom of Information Act (FOIA), Virginia Code § 2.2-3700, et. seq., the Advisory Committee on Juvenile Justice and Prevention (“the Committee”) has established a written policy allowing for and governing participation of its members in meetings by electronic communication means in the event of (a) a temporary or permanent disability or other medical condition, (b) a family member’s medical condition that requires the member to provide care for such family member, or (c) a personal matter.

This policy shall apply strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

Participation by a member from a remote location is authorized only when a quorum of the Committee is physically assembled at the primary meeting location and the voice of the remote participant is able to be heard by all persons at the primary meeting location. The fact of the disability or other medical condition that prevented physical attendance or the nature of the personal matter and the remote location from which the member participates will be recorded in the meeting minutes.

Individual participation from a remote location shall be approved unless such participation would violate this policy or FOIA. If such participation from a remote location would violate this policy or FOIA, such disapproval will be recorded in the minutes with specificity.

When individual remote participation is due to a personal matter, such participation is limited by law to two meetings of the Committee per member within one calendar year.

This policy applies to all subcommittees of the Committee.

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DRAFT

Who Should Know This Policy

All members of the Advisory Committee on Juvenile Justice and Prevention (“Committee members”) as a matter of normal course are responsible for knowing this policy and familiarizing themselves with its contents and provisions.

Definitions

Continued meeting

A meeting that is continued to address an emergency or to conclude the agenda of a meeting for which proper notice was given.

Electronic communication

The use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

Primary meeting location

Published location of the meeting of the Committee.

Quorum

A term used to describe the minimum number of members of the Committee that must be present at any of its meetings to make the proceedings of that meeting valid. For the Committee meetings, twelve members, including voting and nonvoting members, shall constitute a quorum, per Section 9.1-111 of the *Code of Virginia*.

Remote location

Refers to an alternative location for a Committee member other than the main location where the physical quorum is present. The remote location need not be open to the public and must have a physical address that is recorded in the Committee minutes.

Contacts

The Department of Criminal Justice Services (DCJS) officially interprets this policy. Please direct policy questions to the Committee liaison in DCJS.

Procedures

The Committee member needing to participate from a remote location must notify the Committee Chair, on or before the day of a meeting, that such member is unable to attend the meeting at the primary meeting location due to (i) a temporary or permanent disability or other medical condition; (ii) a family member's medical condition that requires the member to provide care for such family member; or (iii) a personal matter, identifying with specificity the nature of the personal matter.

The Committee Chair shall approve participation from a remote location unless such participation would violate this policy or FOIA. Disapproval of participation from a remote location shall be recorded in the minutes with the specific rationale for such disapproval. The minutes shall include the address of the remote location from which the Committee member participated along with the fact that the Committee member participated remotely due to a temporary or permanent disability or other medical condition or due to a personal matter along with the specific nature of the personal matter cited by the Committee member.

The Committee will arrange for the voice of the remote participant to be heard by all persons at the primary meeting location.

The Committee may conduct any meeting wherein the public business is discussed or transacted through electronic communication means, provided that (i) a quorum of the public body is physically assembled at one primary or central meeting location, (ii) notice of the meeting has been given at least three working days in advance of the date scheduled for the meeting, and (iii) members of the public are provided a substantially equivalent electronic communication means through which to observe or listen to the meeting.

If the Committee holds a meeting through electronic communication means, it shall also hold at least one meeting annually where members in attendance at the meeting are physically assembled at one location and where no members participate by electronic communication means.

Notice of any regular meeting shall be provided at least three working days in advance of the date scheduled for the meeting. Notice, reasonable under the circumstance, of special, emergency, or continued meetings held shall be given in unison with the notice provided to members of the public body conducting the meeting.

The notice shall include the date, time, place, and purpose for the meeting; shall identify the primary meeting location and any remote locations that are open to the public pursuant to subdivision public; shall include notice as to the electronic communication means by which members of the public may observe or listen to the meeting; and shall include a telephone number that may be used to notify the primary or central meeting location of any interruption in the telephonic or video broadcast of the meeting. Any

interruption in the telephonic or video broadcast of the meeting shall result in the suspension of action at the meeting until repairs are made and public access is restored.

A copy of the proposed agenda and agenda packets and, unless exempt, all materials that will be distributed to members of a public body for a meeting shall be made available for public inspection at the same time such documents are furnished to the members of the public body conducting the meeting.

Public access to the remote locations from which additional members of the public body participate through electronic communication means shall be encouraged but not required. However, if three or more members are gathered at the same remote location, then such remote location shall be open to the public.

If access to remote locations is afforded, (i) all persons attending the meeting at any of the remote locations shall be afforded the same opportunity to address the public body as persons attending at the primary or central location and (ii) a copy of the proposed agenda and agenda packets and, unless exempt, all materials that will be distributed to members of the public body for the meeting shall be made available for inspection by members of the public attending the meeting at any of the remote locations at the time of the meeting.

The Committee shall make available to the public at any meeting conducted in accordance with this subsection a public comment form prepared by the Virginia Freedom of Information Advisory Council in accordance with § 30-179.

Minutes of all meetings held by electronic communication means shall be recorded. Votes taken during any meeting conducted through electronic communication means shall be recorded by name in roll-call fashion and included in the minutes. For emergency meetings held by electronic communication means, the nature of the emergency shall be stated in the minutes.

The Committee shall make a written report of the following to the Virginia Freedom of Information Advisory Council by December 15 of each year:

- a. The total number of meetings held that year in which there was participation through electronic communication means;
- b. The dates and purposes of each such meeting;
- c. A copy of the agenda for each such meeting;
- d. The primary or central meeting location of each such meeting;
- e. The types of electronic communication means by which each meeting was held;
- f. If possible, the number of members of the public who observed or listened to each meeting through electronic communication means;
- g. The identity of the members of the public body recorded as present at each meeting, and whether each member was present at the primary or central meeting location or participated through electronic communication means;

- h. The identity of any members of the public body who were recorded as absent at each meeting and any members who were recorded as absent at a meeting but who monitored the meeting through electronic communication means;
- i. If members of the public were granted access to a remote location from which a member participated in a meeting through electronic communication means, the number of members of the public at each such remote location;
- j. A summary of any public comment received about the process of conducting a meeting through electronic communication means; and
- k. A written summary of the public body's experience conducting meetings through electronic communication means, including its logistical and technical experience.

Nothing in this section shall be construed to prohibit the use of interactive audio or video means to expand public participation.

Forms

There are no forms associated with this policy.

Related Documents

1. Virginia Code § 2.2-3700, et. seq.
2. Virginia Code § 9.1-111
3. Advisory Committee on Juvenile Justice and Prevention By-Laws
4. <https://www.dcjs.virginia.gov/about-dcjs/boards-committees/virginia-advisory-committee-juvenile-justice>

FAQs

There are no FAQs associated with this policy and procedures.

Presented to the
Advisory Committee on Juvenile Justice
and Prevention

City of Roanoke Gun Violence Prevention, Intervention and Response Community Framework

Tuesday, January 25, 2022



Welcome & Overview

Presenters:

**Joe Cobb, Member of
Roanoke City Council and
Chair, Gun Violence
Prevention Commission**

**Chris Roberts, Youth and
Gang Violence Prevention
Coordinator**



Historical Timeline

2019:

- February – Public Safety Briefing
- May – Formation of City Council Appointed Task Force to Reduce Gun Violence
- November – Recommendations of Task Force adopted by Council

2020:

- Task Force renamed Study Committee
- February – convenes community stakeholders
- July – reconvenes virtually with stakeholders to develop implementation strategies for TF recommendations
- November – action plans adopted by Council



Historical Timeline

2021:

- City Council creates standing, appointed nine-member Gun Violence Prevention Commission including budgeted line-item for program support
- April – Commission creates Grant Writing Team to research, write and apply for state and federal grants
- May – Commission announces process for city-wide mini grants in violence prevention and intervention
- June/July – City is awarded State Youth and Gang Violence Community Assessment and GVIP Grants
- Community Stakeholder Meetings ongoing

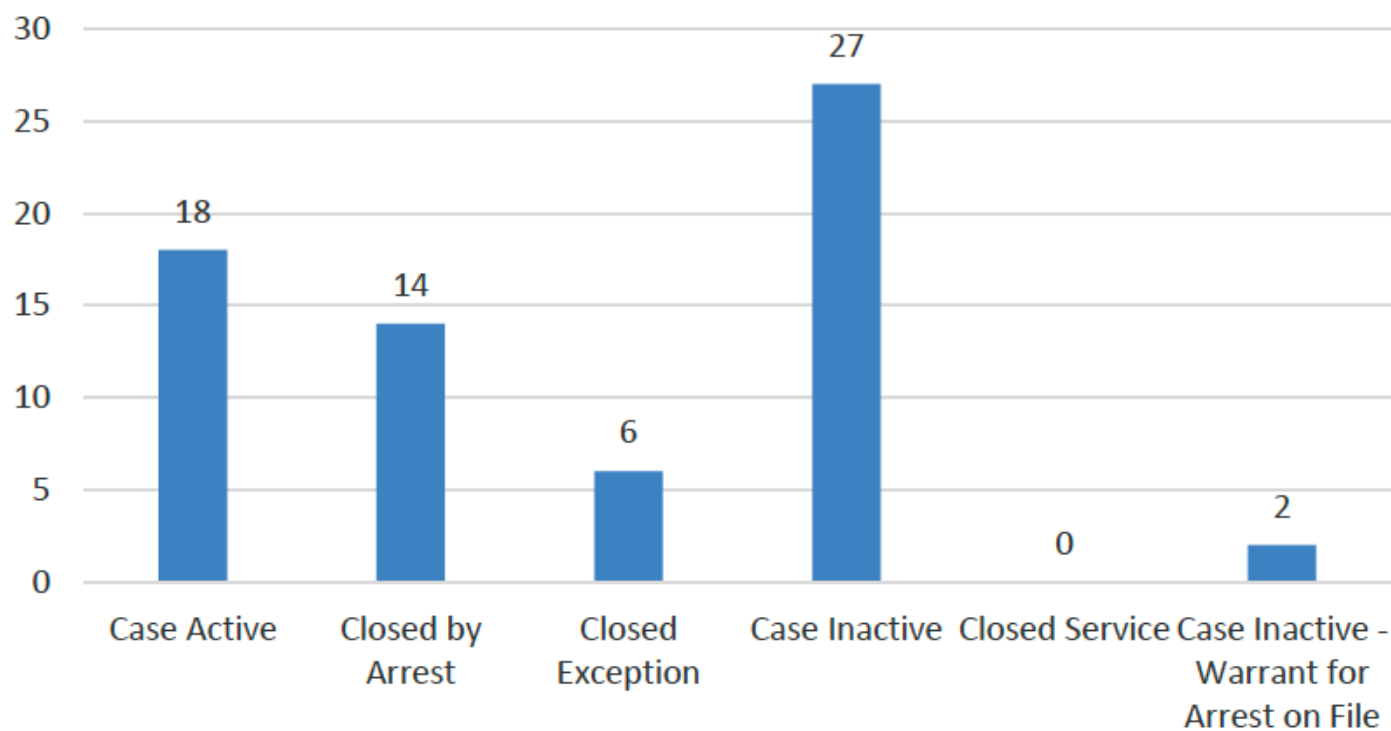


The Commitment of the Roanoke City Council and a City-Wide Gun Violence Prevention Framework

Roanoke Police Department – Data
Resources and Strategic Initiatives



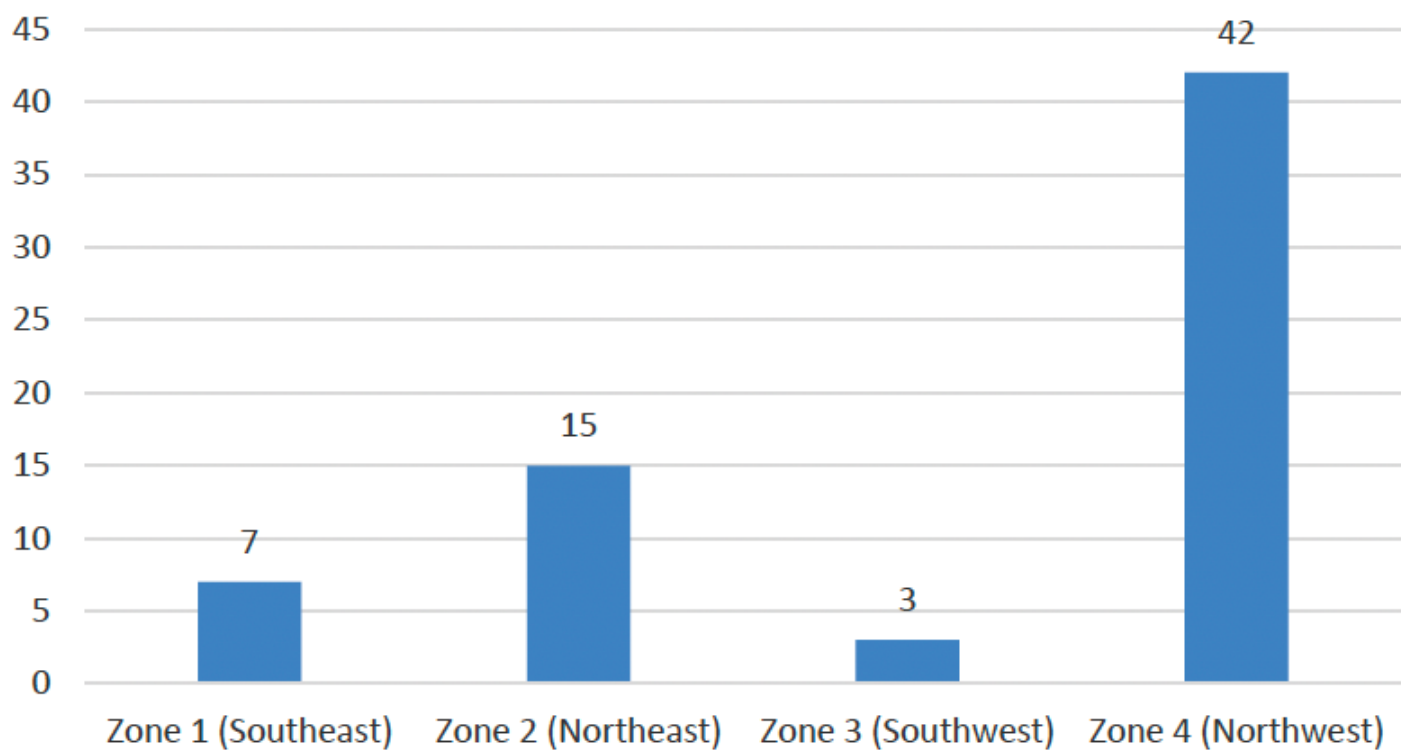
Aggravated Assaults or Homicides Where Victim
was Hit by Gunfire
Case Status
1/1/2021 - 12/31/2021



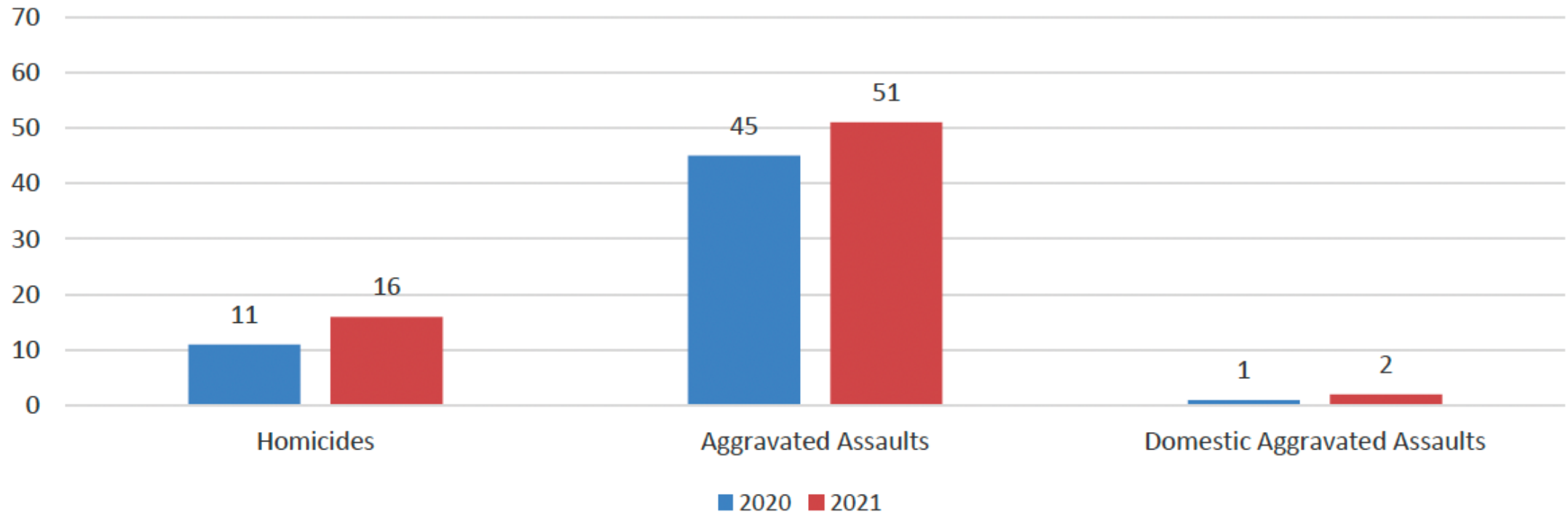
Gun Violence Victim Analysis (Homicides)					
1/1/2021 - 12/31/2021					
Age	White Male	White Female	Black Male	Black Female	TOTAL
0-5	0	0	0	0	0
6-10	0	0	1	0	1
11-15	0	0	0	0	0
16-18	0	1	1	0	2
19-21	1	1	0	0	2
22-25	0	0	0	0	0
26-29	0	0	3	0	3
30-35	1	0	0	0	1
36-39	0	0	0	0	0
40-45	0	0	3	0	3
46-49	0	0	1	1	2
50-55	0	0	1	0	1
56-59	0	0	0	0	0
TOTAL	2	2	10	1	15

Gun Violence Victim Analysis (Aggravated Assaults)					
1/1/2021 - 12/31/2021					
Age	White Male	White Female	Black Male	Black Female	TOTAL
0-5	0	0	0	0	0
6-10	0	0	0	0	0
11-15	0	0	0	1	1
16-18	2	0	10	0	12
19-21	0	0	5	0	5
22-25	1	1	10	2	14
26-29	1	0	2	2	5
30-35	2	0	4	3	9
36-39	0	0	6	1	7
40-45	1	0	3	1	5
46-49	0	0	2	0	2
50-55	2	0	0	0	2
56-59	0	0	0	0	0
TOTAL	9	1	42	10	62

Aggravated Assaults or Homicides Where Victim
Was Hit by Gunfire
Count by Zone
1/1/2021 - 12/31/2021



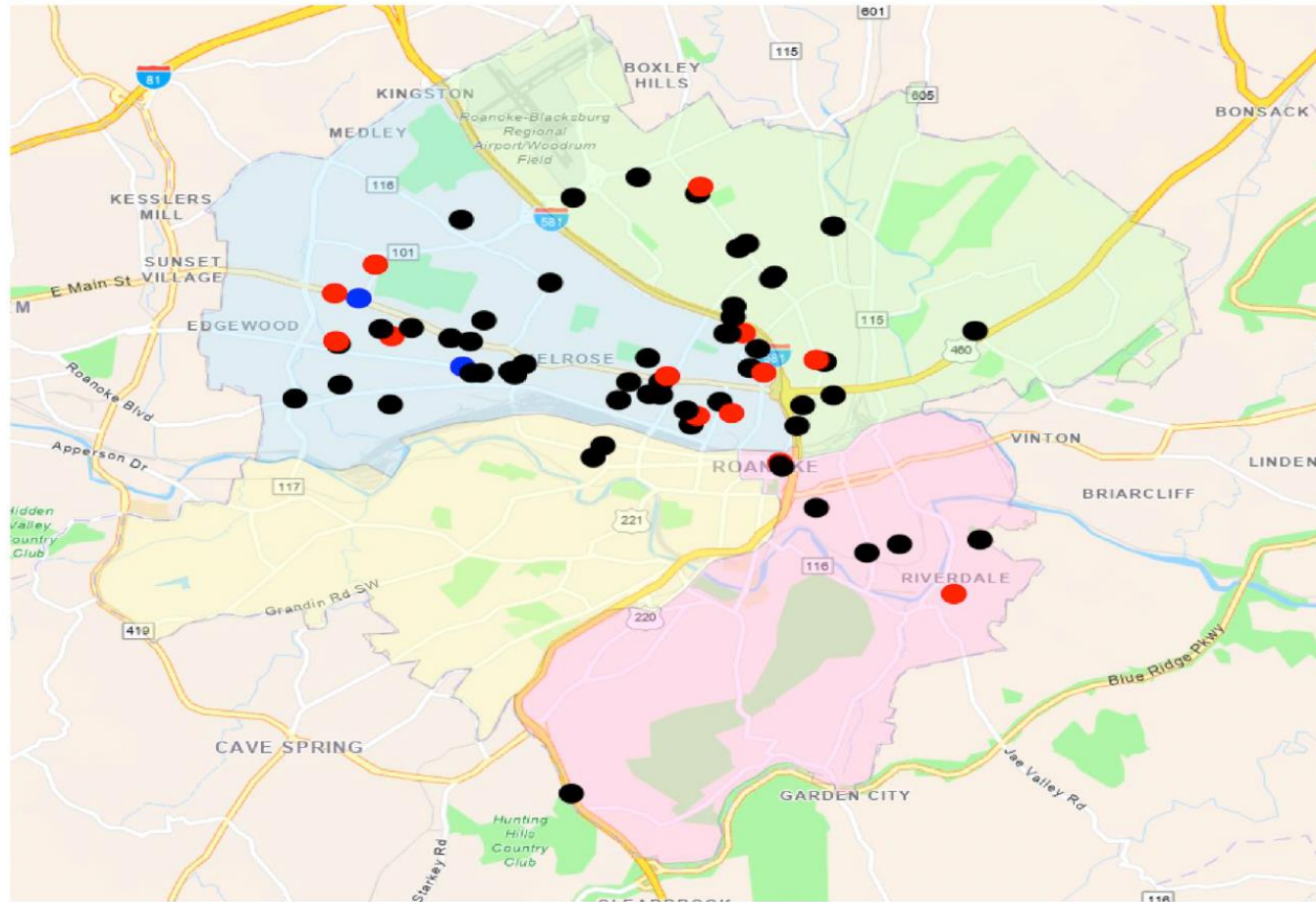
Number of Offenses Where Victim was Hit by Gunfire
2020 Compared to 2021
Date Range of January 1 - December 31





Roanoke Police Department

Gun Violence Incidents January 1 - December 31, 2021



● GSW & Homicide ● GSW ● Homicide

The Commitment of the Roanoke City Council and a City-Wide Gun Violence Prevention Framework

Community Engagement through the Gun
Violence Prevention Commission -
comprised of nine citizens, including a City
Council liaison, partnering with Community
Agencies

Star City Safe: Whole of Government
Response

Communicating the Ongoing Need for
Community-Based Collaboration



Our Purpose

- Gather, review and study the issue of gun violence within the City of Roanoke;
- Make recommendations to city council for potential actions that the city may take to reduce the epidemic of gun violence within our community and to make recommendations for enhancing existing resources and campaigns; and
- Aid the city in making and developing community partnerships to assist in the reduction of gun violence.



Prevention Strategies

Little Blue Truck Video: community-based video project bringing children's book to video for teaching and promoting kindness, in partnership with Roanoke City Public Schools (completed in 2020)

Connecting in the Star City: social-emotional violence prevention curriculum being offered in partnership with Family Service of Roanoke Valley and multiple after school programs reaching 80 youth



Prevention Strategies

Reading Program at Lincoln Terrace

Elementary School: 50-100 community volunteers teamed with 2nd-3rd graders to improve reading skills and increase educational growth

Parent Support Educational Video Project

(to launch in 2022)

Bridging the Community Gap Annual

Holiday Event to remember persons who have died from gun violence and commit to stopping violence in the community



Prevention Strategies

Creation and Implementation of Youth and Gang Violence Prevention Team

(Coordinator and two Outreach Workers) with daily community outreach with youth and families to address and break the cycle of gang violence; African American Cultural Studies Course at William Fleming High School and Self-Mastery Class at Noel C. Taylor; creation of Violence Interrupter Team called Mind Movers

Completion of Youth and Gang Violence Community Assessment

Comprehensive Gun Violence Reduction Marketing Campaign



Youth and Gang Violence Community Assessment

- Roanoke - one of seven localities in Virginia to receive funding
- Was conducted In November/December 2021
- Elite Business Strategies was selected as the consultant to guide assessment process
- Focus: hearing the voices of youth and families on realities and assessing the impact of violence and how we can prevent and intervene to reduce violence



ELITE BUSINESS S T R A T E G I E S

Roanoke Youth and Gang Violence Community Assessment



Gun Violence Prevention Commission
Noel C. Taylor Municipal Building
215 Church Avenue, SW, Room 364
Roanoke, Virginia 24011
540.853.2333

Prepared by:
Elite Business Strategies, LLC
1702 Todds Lane, Suite 370
Hampton, Virginia 23666
(844) 635-4831

Our Team



**Princess
Ousley**
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Manager



Sharon Moore
Assessment Team



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Assessment Team



Greg McClain
Assessment Team

Jefrado Granger
Assessment Team

Community Assessment Timeline

October 29, 2021: Stakeholder Meeting

Data Collection and Research

November 1 – 6, 2021: Scheduled Meetings/ Interviews with Community Leaders

November 7 – 13, 2021: Scheduled Meetings/Interviews with Youth Services Providers and other Stakeholders

November 8-10, 2021: Survey Dissemination

November 22 – December 1, 2021: Survey Responses Compilation and Analysis

December 15, 2021: Assessment Report Draft

December 30, 2021: Final Assessment Report

Methods of Dissemination

SoGo Survey Platform

- ❖ Surveys generated available in multiple languages
- ❖ Compatible with tablets, phones other devices
- ❖ Surveys specific to target audience

Schedule Meetings/Interviews/Outreach

- ❖ Conducted directly with school personnel, City Departments, and Youth Services Providers
- ❖ Questionnaires that capture data, community perspectives (especially youth), and recommendations
- ❖ Scheduled existing community and school events and meetings
- ❖ Community outreach with faith leaders, small business owners, etc.

Summary of Findings

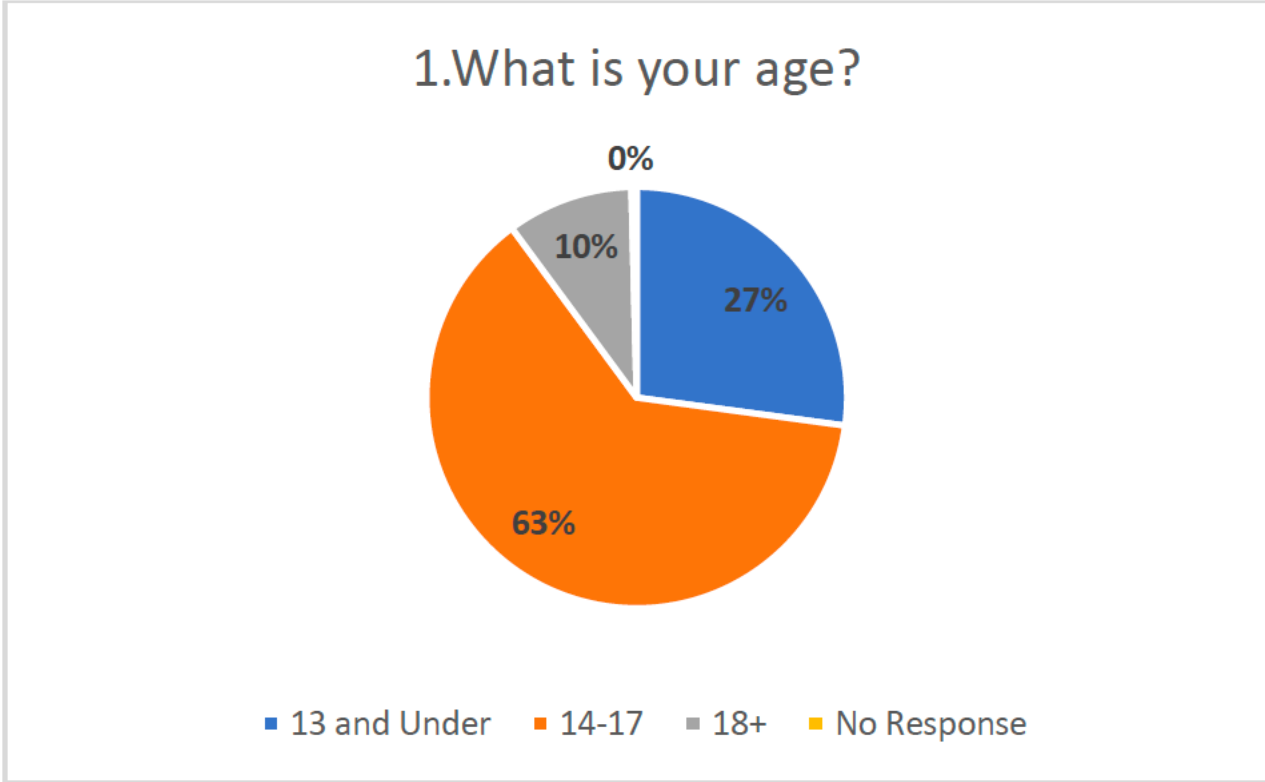
SoGo Survey Platform

- ❖ 964 Surveys were completed:
 - ❖ Student and Youth Survey - 259
 - ❖ Community Leader Survey – 114
 - ❖ Community Resident Survey – 528
 - ❖ Youth Serving Agency Survey – 63

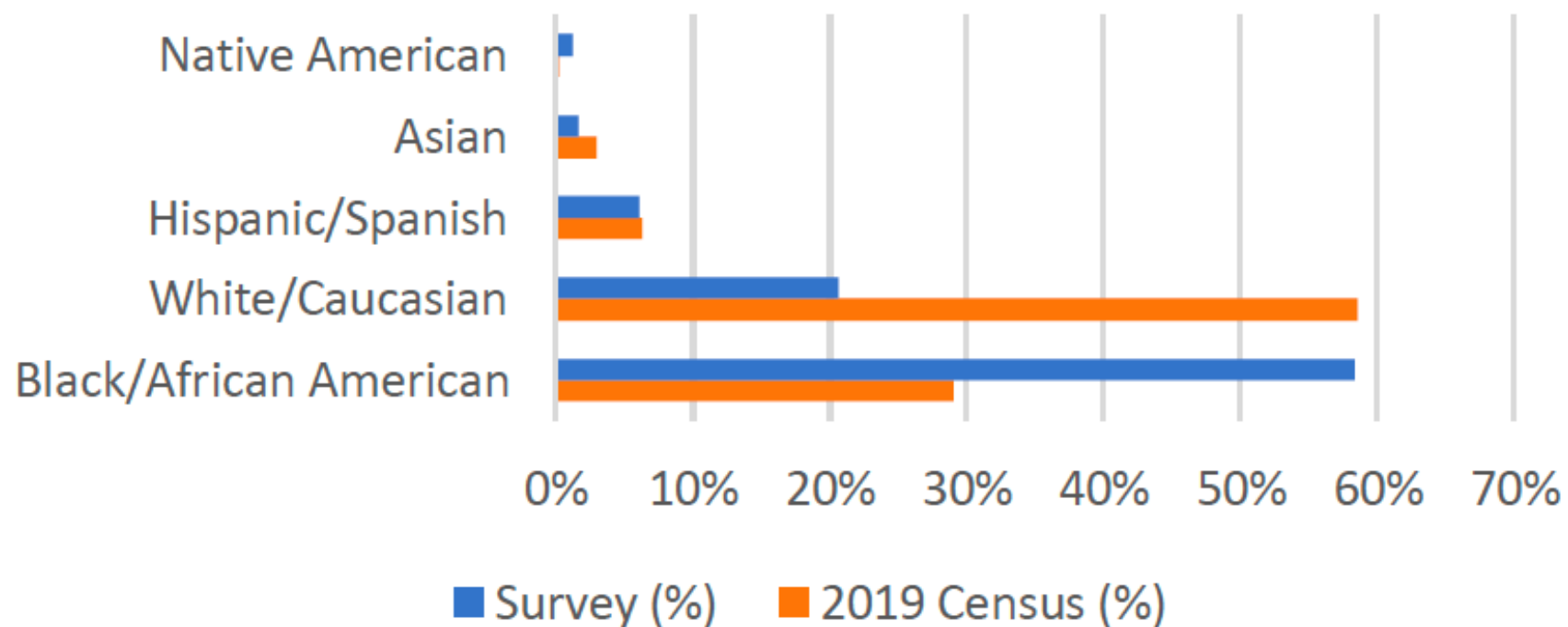
Schedule Meetings/Interviews/Outreach

- ❖ 40 interviews were completed with Youth Serving Agency representatives and community members

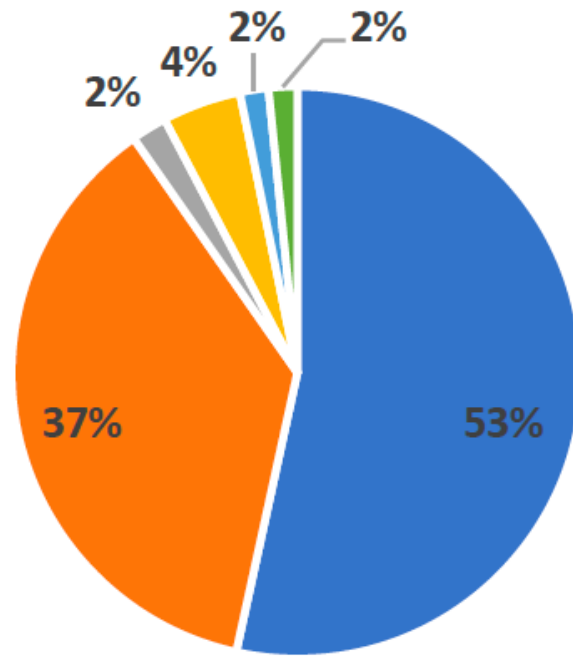
Youth and Student Survey



58. What race/ethnicity do you consider yourself to be?

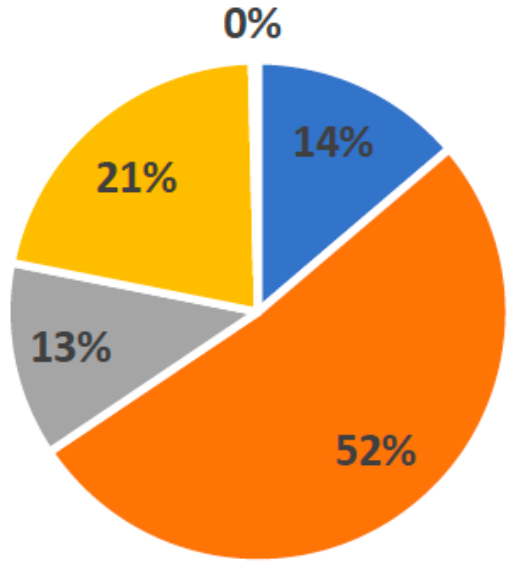


57. Please provide your gender



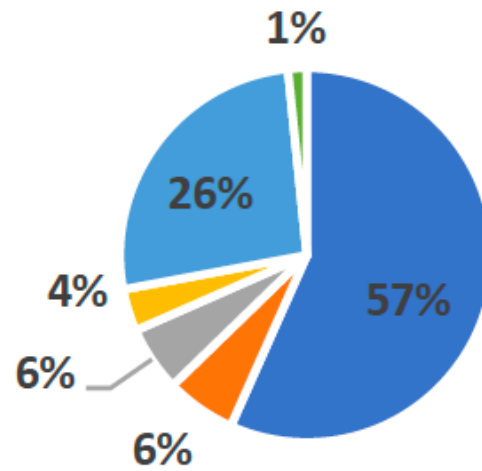
- Male
- Female
- Transgender
- Non-Binary
- Prefer not to say
- No Response

60. In what quadrant of the City of Roanoke do you currently live?



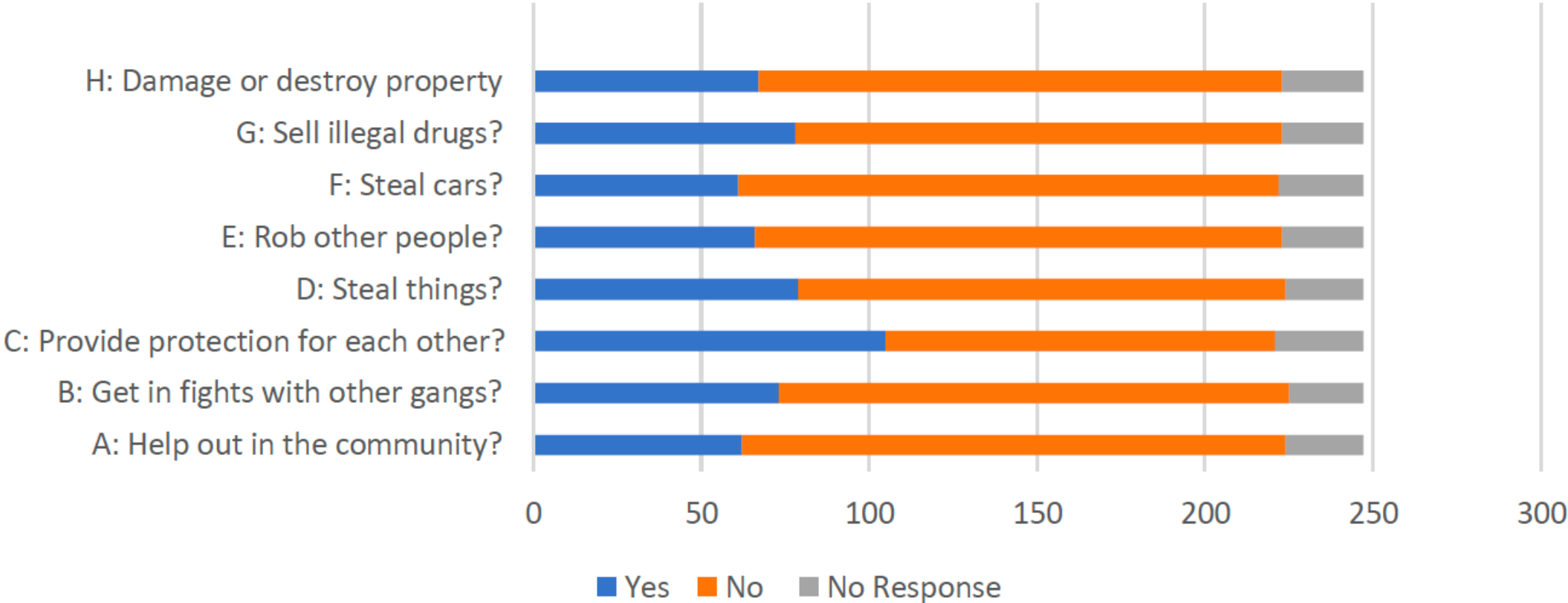
■ North East (NE) ■ North West (NW) ■ South East (SE)
■ South West (SW) ■ No Response

28. How often have gangs been involved in fights, attacks, or violence at your school in the past 6 months?

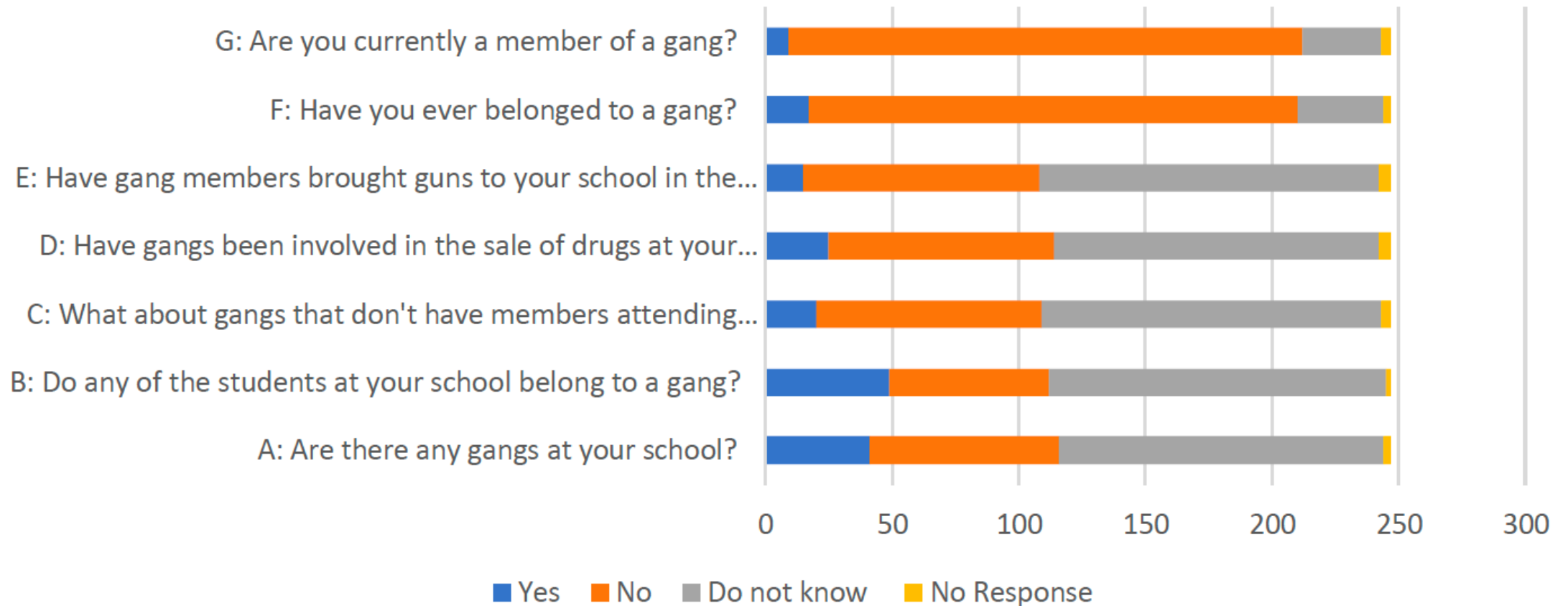


- Never
- Once or twice a month
- Once or twice a week
- Almost every day
- Do not know
- No Response

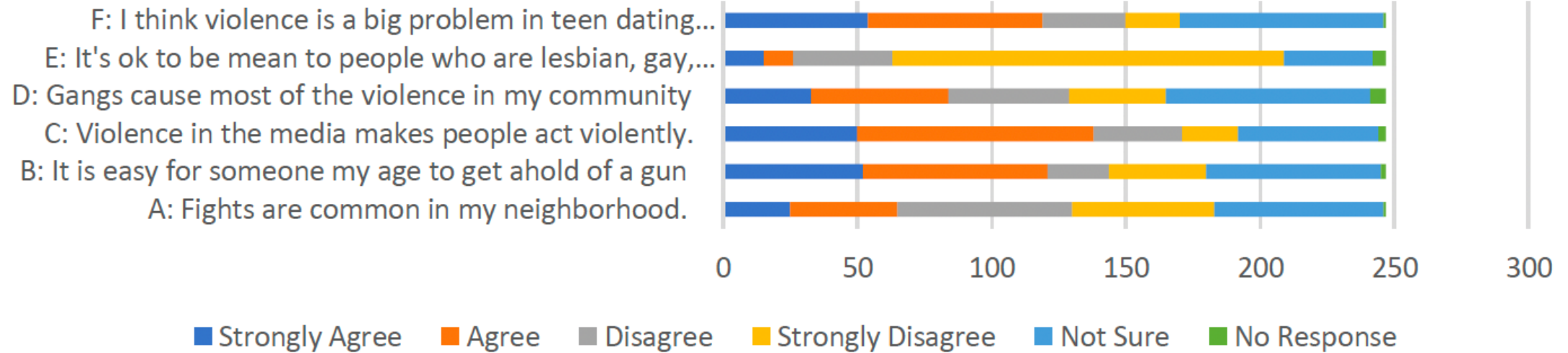
30. Do the gangs around your school do any of the following things?



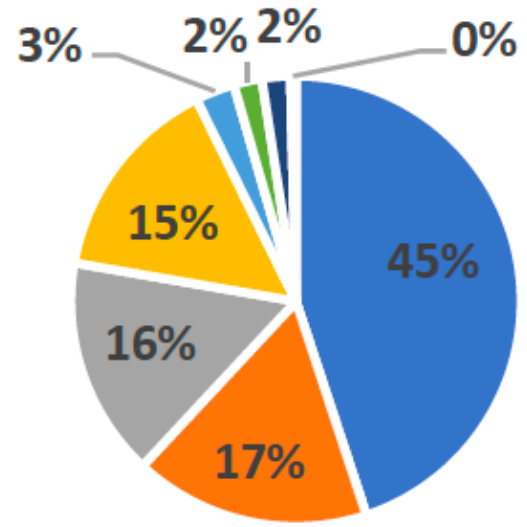
31. A few questions about gangs in school



11. For each statement please select your thoughts on whether you; Strongly Agree, Agree, are Not Sure, Disagree, or Strongly Disagree.:

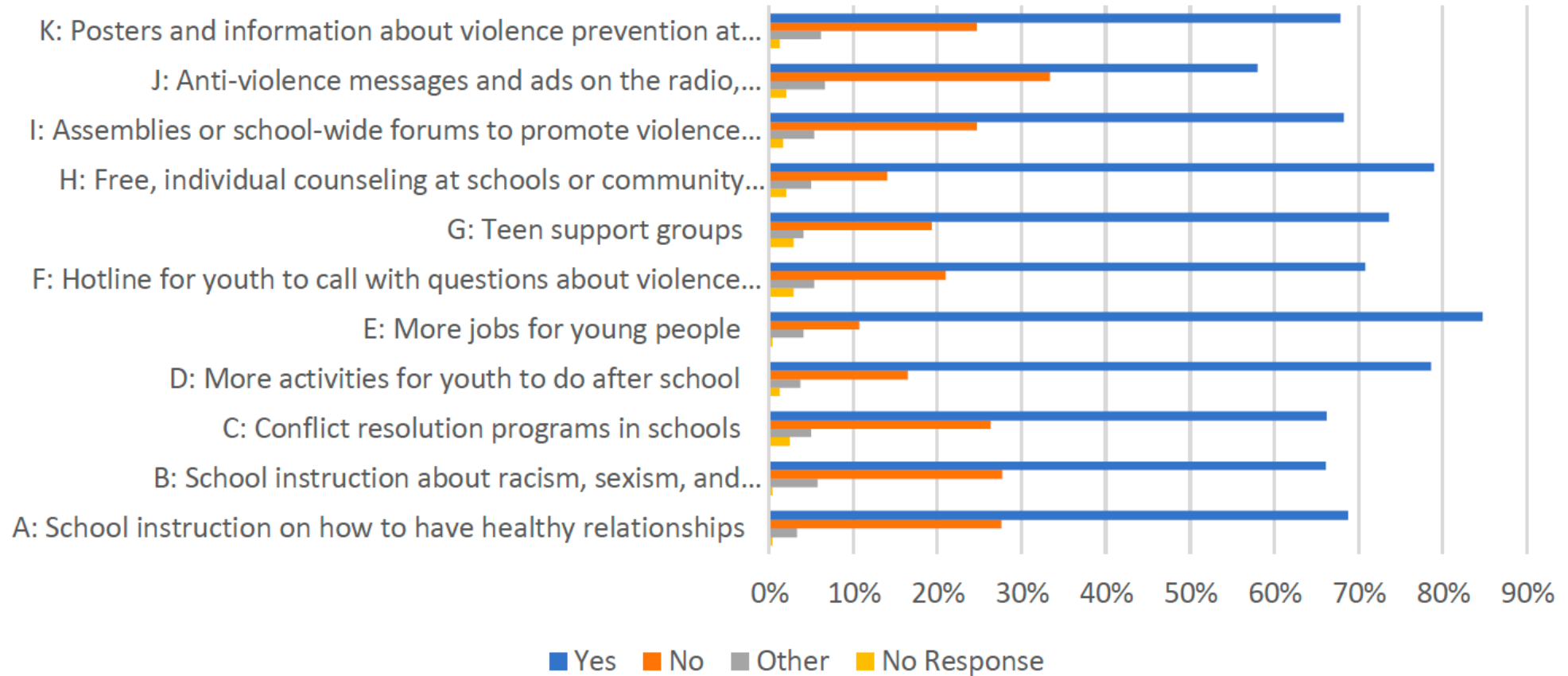


12*.If I were in a violent situation, or approached by a gang I would tell...

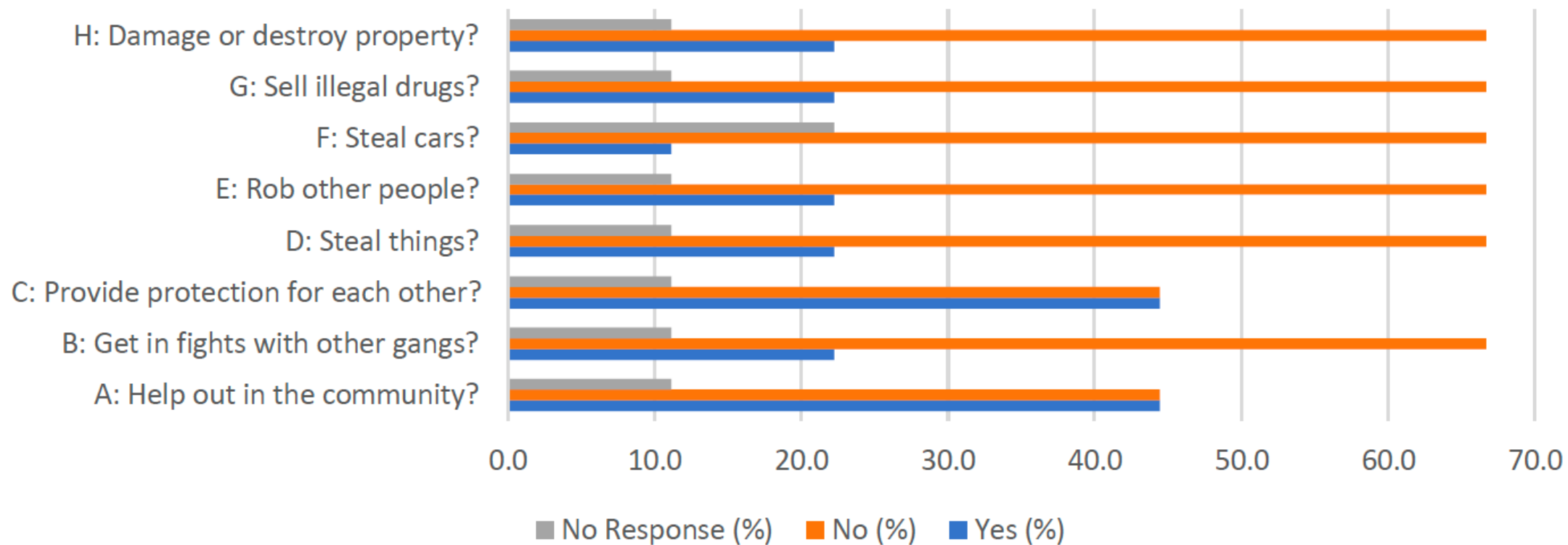


- Parent
- Friend
- Police
- No One
- Counselor
- Teacher
- Sibling
- No Response

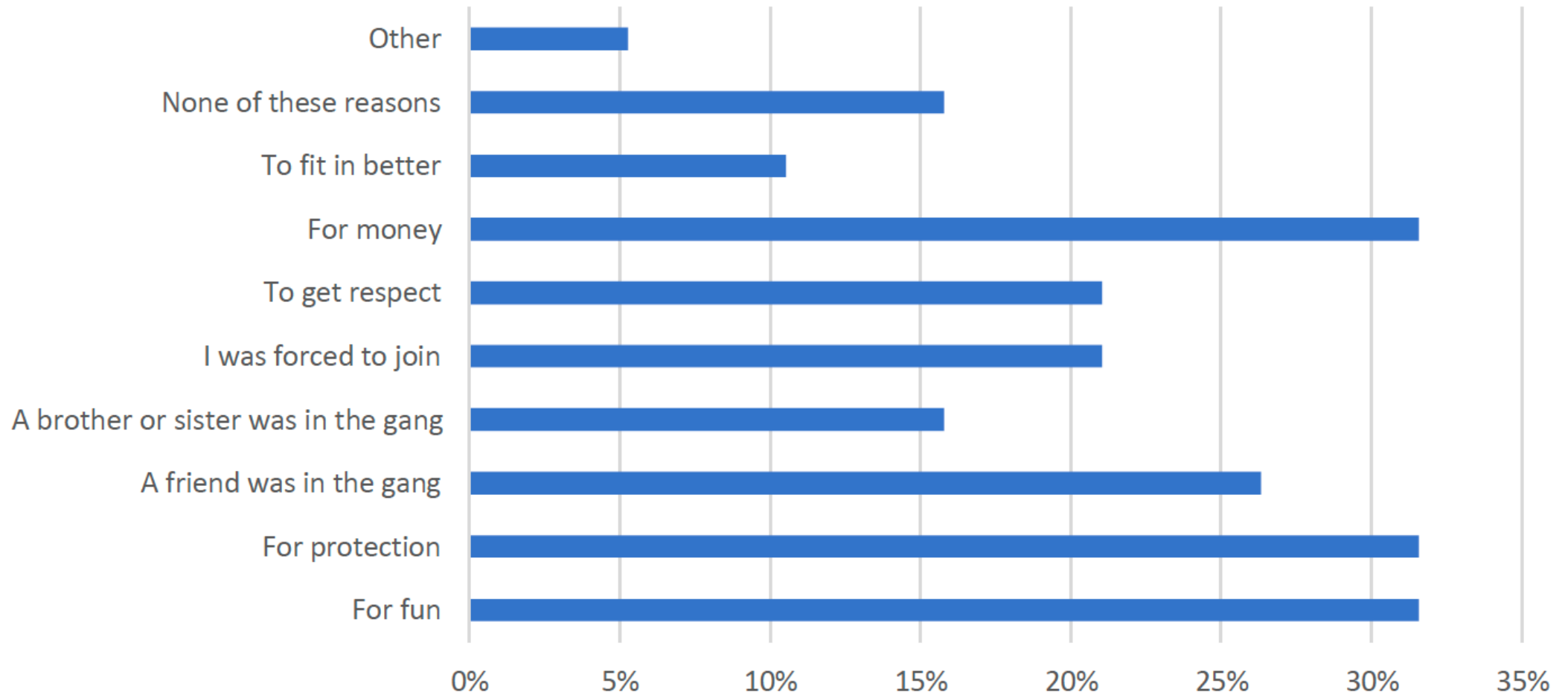
13. I think that the best way to prevent violence and gang activity among young people is to offer...



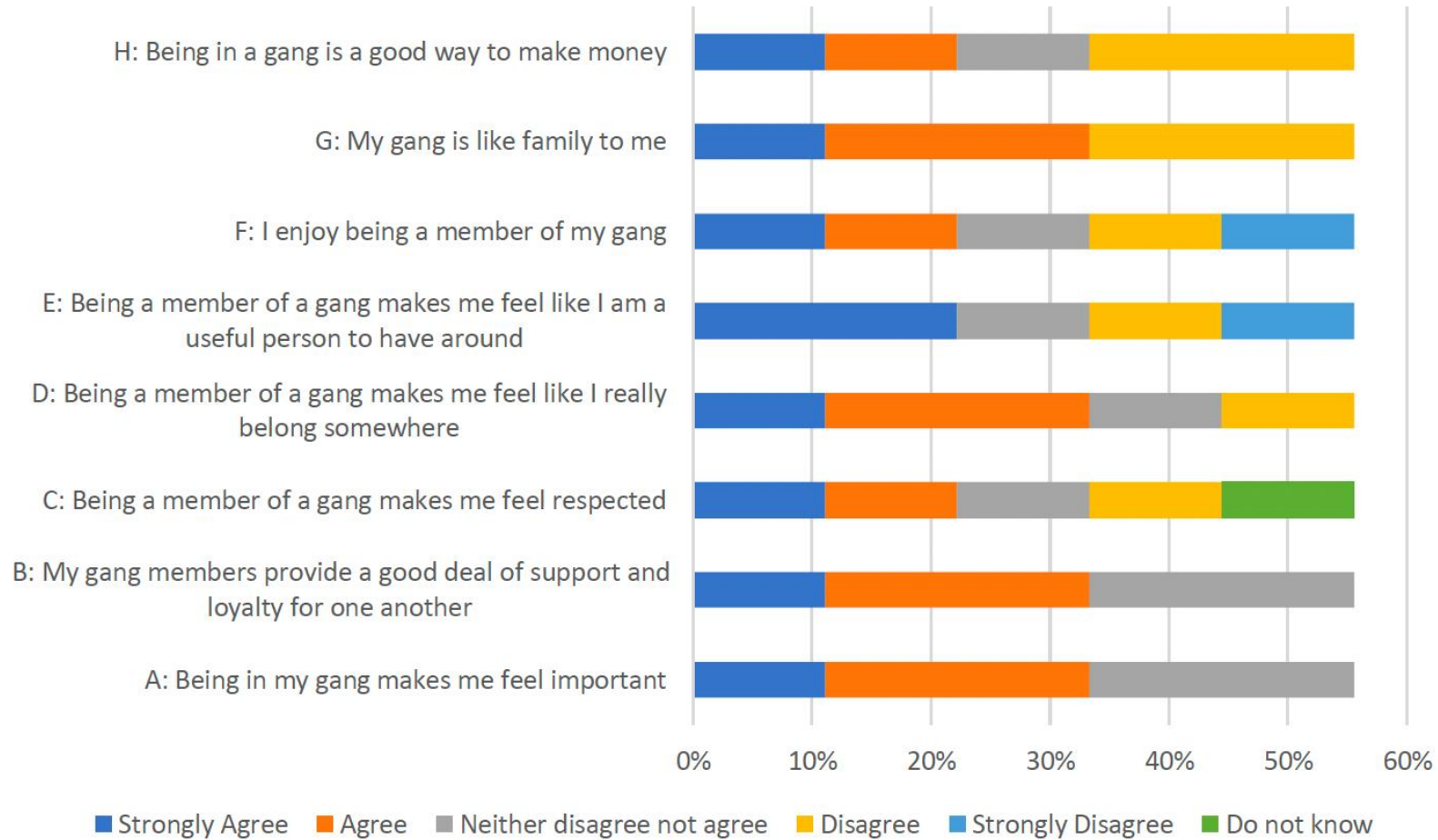
32. Does your gang do the following?



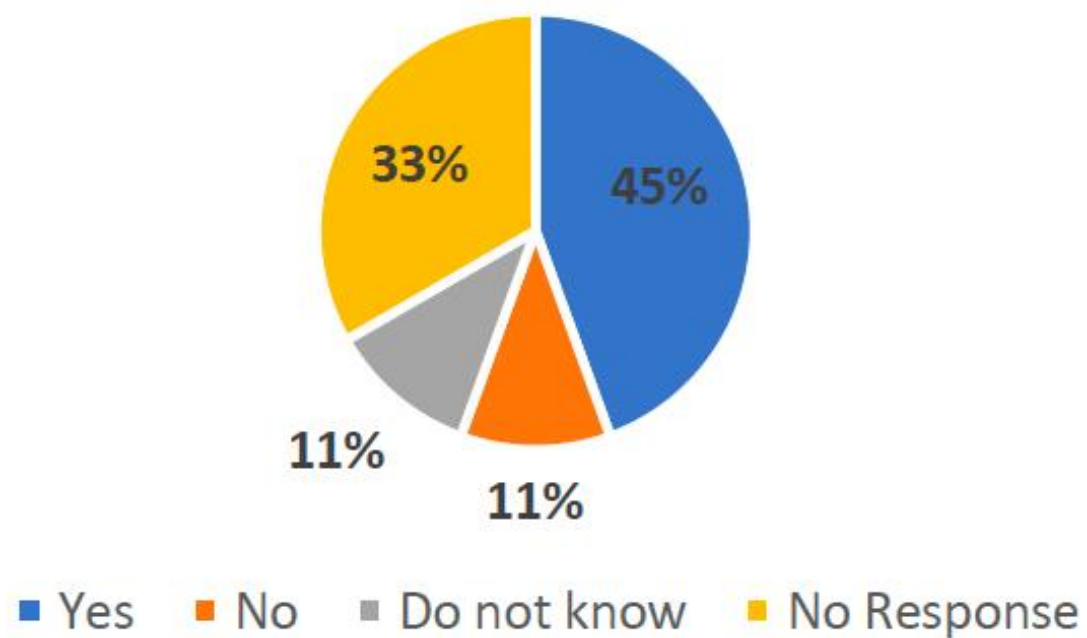
37. Why did you join a gang? Mark all that apply.



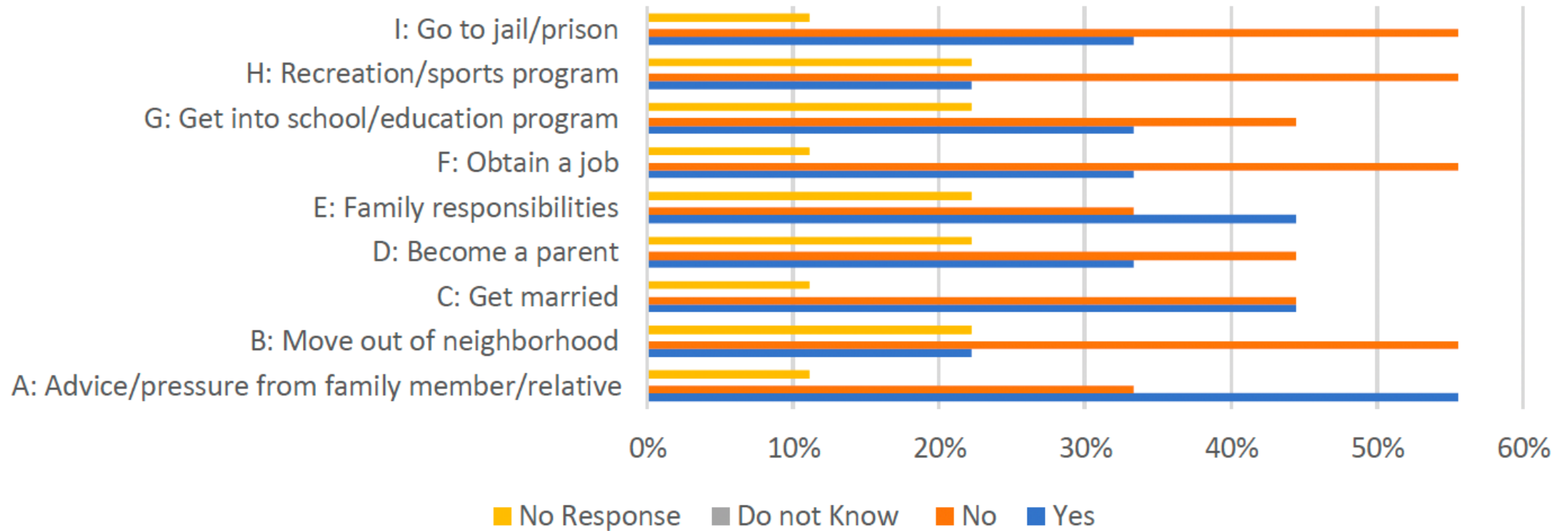
42. How much do you agree or disagree with the following statements?



43. Do you think you will ever leave the gang?



44. If you would leave the gang, which of the following are reasons likely to get you out of a gang? Identify all that apply.



Intervention Strategies

Mentoring Program in collaboration with community partners (ongoing)

Conflict Resolution Training for Community Volunteers and Credible Messengers in partnership with Better Agreements, first co-hort of 20 to launch in early 2022

Trauma Basics Training for community residents and families (two held in 2021; quarterly sessions for 2022)

Access to Trauma Counseling and Mental Health Support in collaboration with community partners (launching in 2022)



Intervention Strategies

Youth and Young Adult Employment Opportunities with community partners

Creation and implementation of youth and young adult quarterly roundtables to assess local impact of prevention and intervention efforts

Star City Safe Initiative (includes a whole of government approach through city departments including Parks and Recreation after school and athletic programs, Library extended hours for youth support and outreach)



Intervention Strategies

Launch of Mini-grant program with \$65,000 awarded to seventeen non-profit organizations for gun violence prevention and intervention programs (Summer 2021)

Mini-grants will be available again in 2022-2024



Response Strategies

RESET (Rapid Engagement of Support in the Event of Trauma) Team who have responded with 37 community visits to homes and neighborhoods impacted by gun violence and accompanying trauma

Continued rapid response supportive services and family assistance for persons experiencing effects of gun violence (ongoing)

Support of FEDUP (Families Experiencing Deliverance Using Prayer) expected completion of non-profit status to better assist families with immediate and long-term support after acts of gun violence



Funding the Strategies

Local City Budget

Youth and Gang Violence Community
Assessment Grant

Gun Violence Intervention Program Grant

Local ARPA Funds as Prioritized by City
Council Appointed Citizens Panel in
collaboration with City Violence Prevention
Framework

ARPA from Attorney General's Office



THANK YOU





Virginia's Juvenile Justice System

Presentation to the Virginia Advisory Committee on
Juvenile Justice and Prevention

Study resolution

- Review Virginia's juvenile justice system, including:
 - juvenile justice processes
 - racial and regional disparities
 - Department of Juvenile Justice's (DJJ) oversight and recent reforms
 - rehabilitative and educational services at state correctional center and local / regional juvenile detention centers
 - future facility needs

Commission resolution (November 2020)

Primary research activities

- Analyzed data on youth needs, services, recidivism
- Conducted four surveys
- Interviewed key stakeholders in Virginia and nationally
 - staff at DJJ, other state agencies, juvenile detention centers
 - probation officers and supervisors
 - judges, commonwealth's attorneys, defense attorneys
 - advocates for youth and families
 - national experts and U.S. Department of Justice
- Reviewed existing research and other states' approaches

In this presentation

Background

Attorney representation for youth

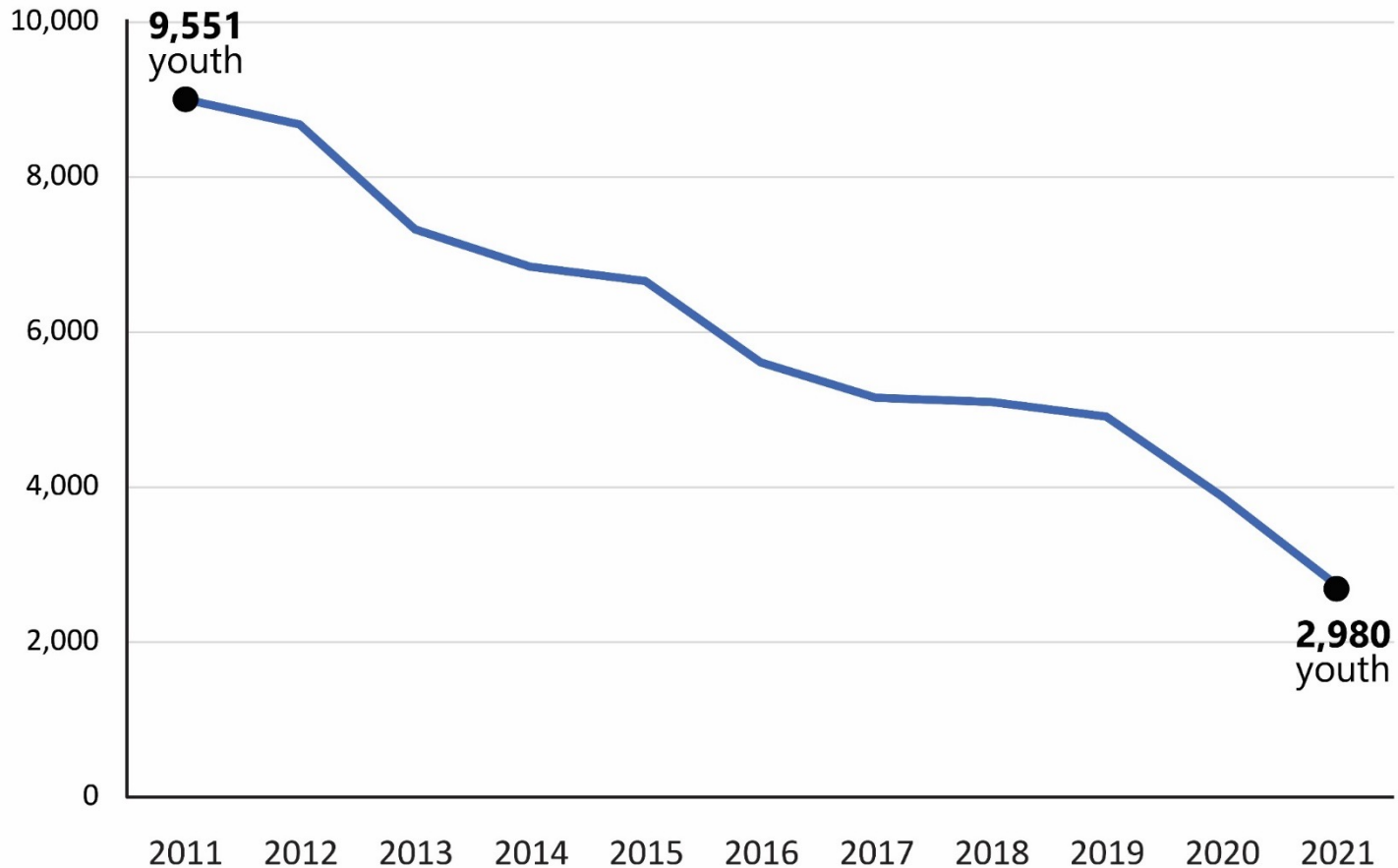
Racial and regional disparities

Probation

Juvenile detention center programs

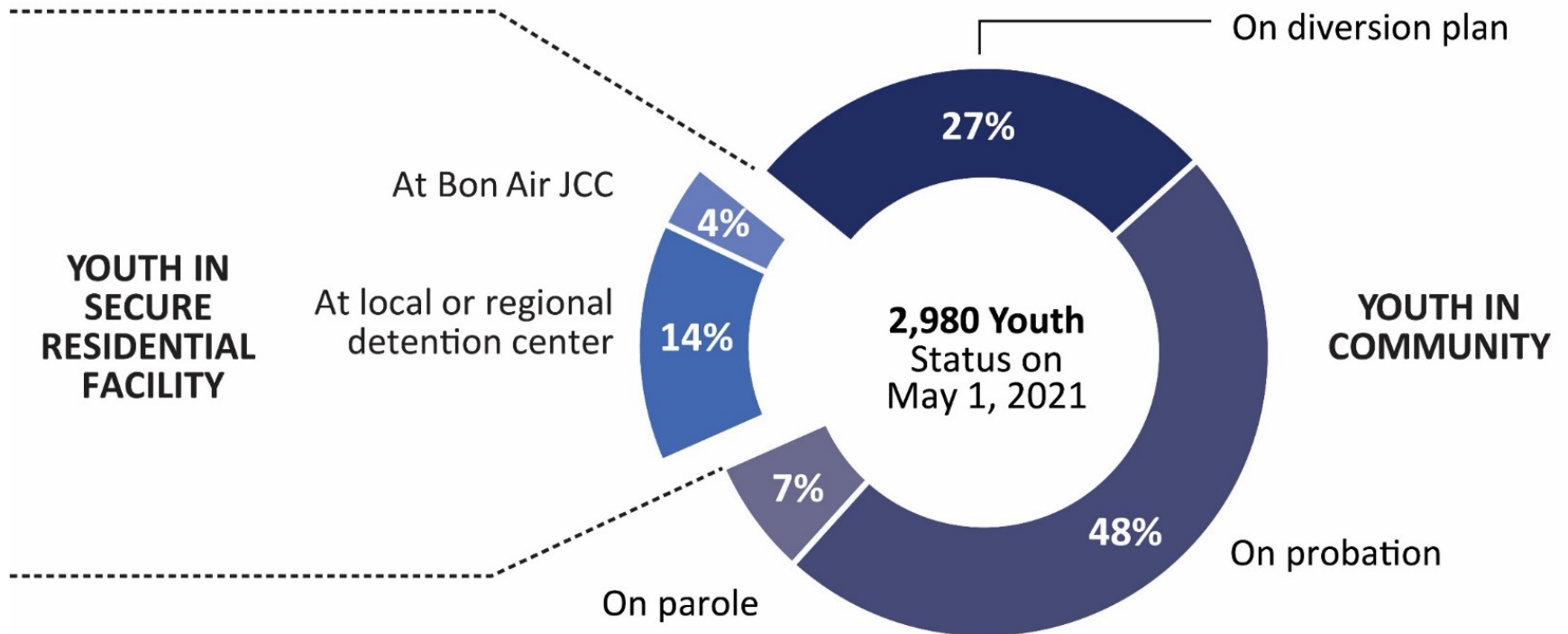
Rehabilitative programs for youth in DJJ custody

Number of youth in Virginia's system has steadily declined, similar to national trends

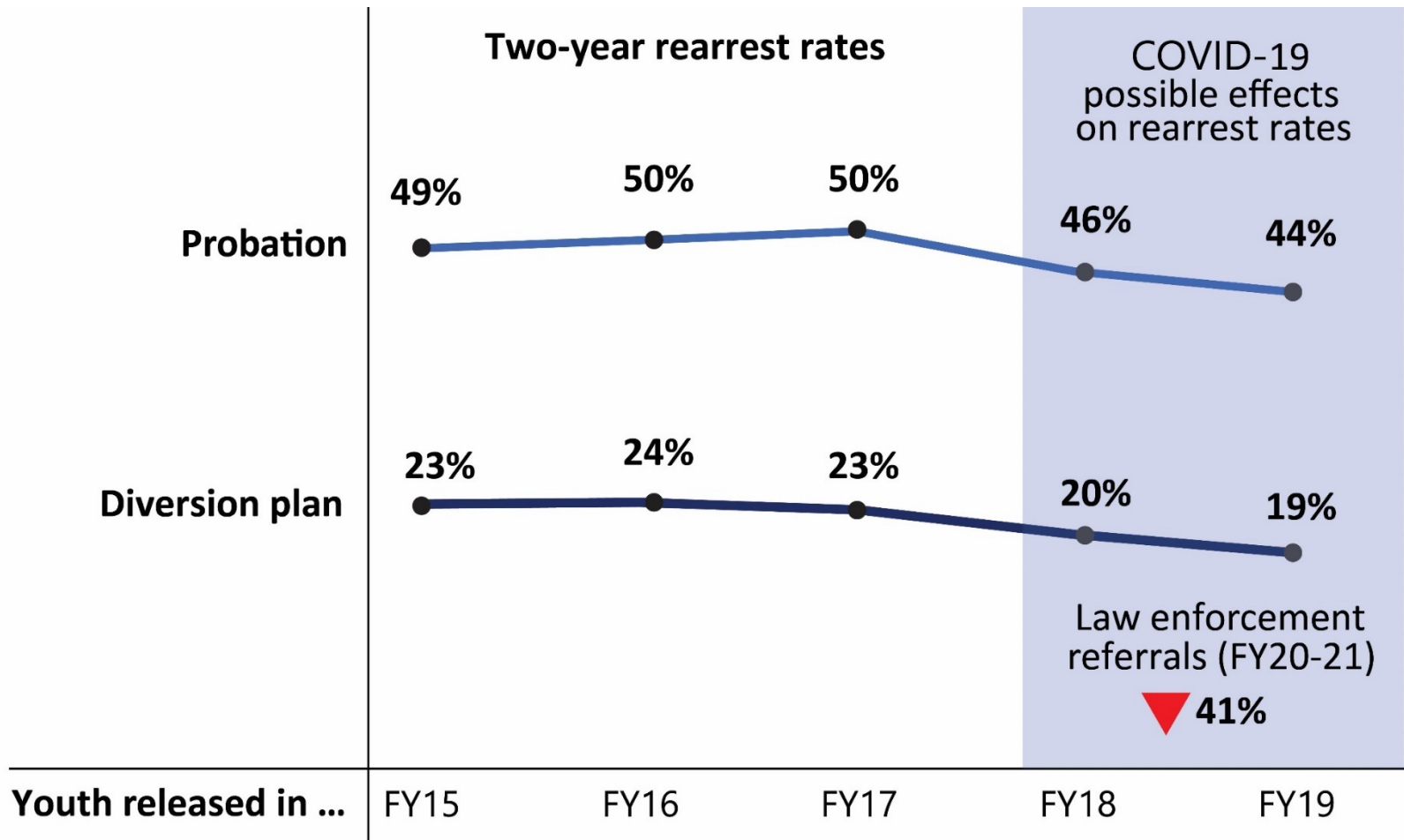


Note: Number of youth as of May 1 each year.

Most youth in Virginia's juvenile justice system are on diversion plans or probation (May 2021)

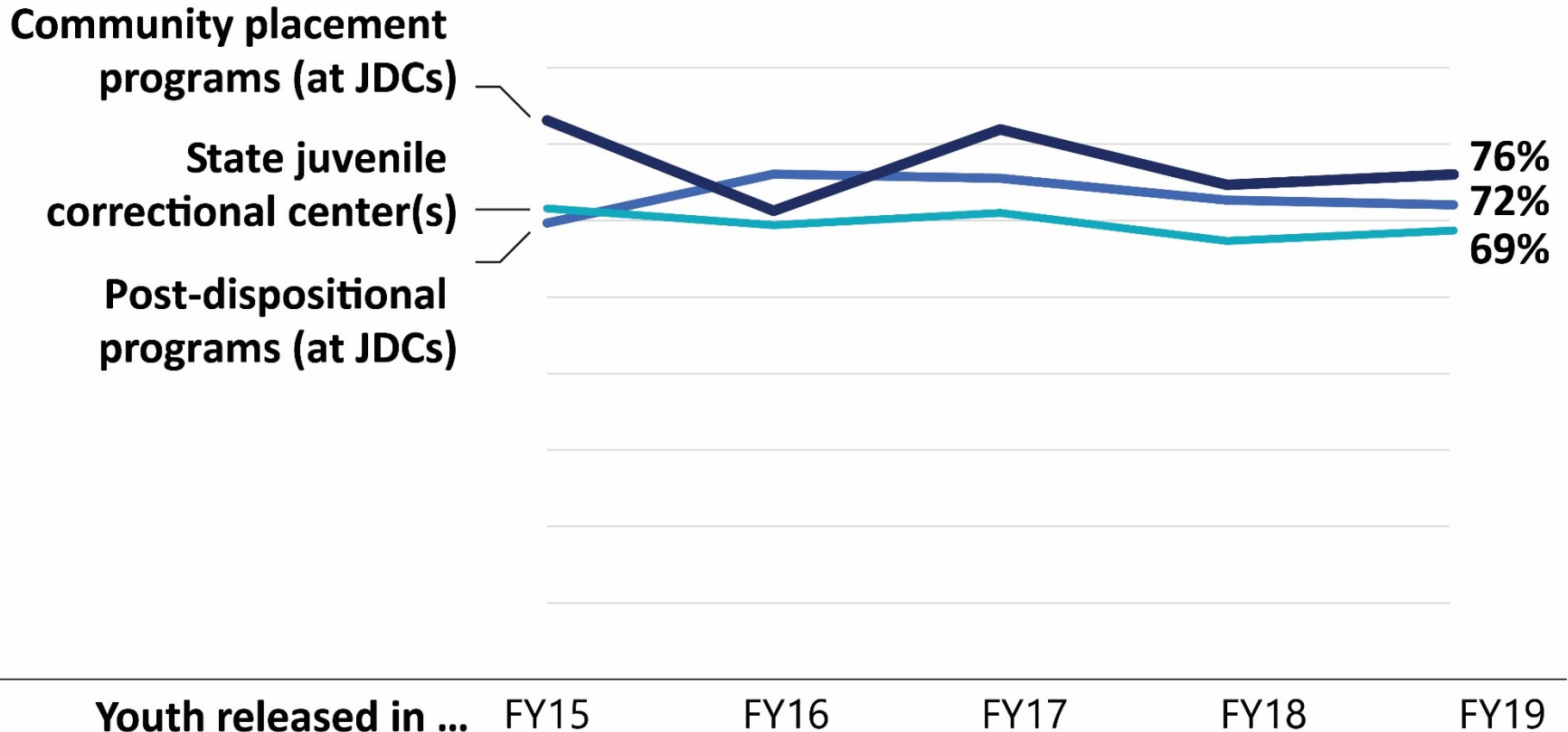


Recidivism of youth on diversion and probation is declining, but pandemic prevents full assessment



Recidivism among higher risk youth is challenging to affect and has remained high

Two-year rearrest rates



JDCs = Juvenile detention centers

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Youth have many of the same due process rights and constitutional protections as adults

- State law requires courts to ensure youth receive a fair hearing and that their rights are recognized and enforced
- Youth are less likely than adults to
 - understand legal proceedings
 - advocate for their own best interests
 - fully consider long-term consequences
- Juvenile cases can be especially complex, requiring knowledge about juvenile and adult law and proceedings

Youth entitled to qualified and competent attorney representation

- To adequately represent youth, attorneys need specialized knowledge
 - juvenile law
 - adult criminal law
 - adolescent brain development
 - community resources and juvenile justice interventions
- Depending on family resources and availability of attorneys, youth are represented by private attorneys, court-appointed attorneys, or public defenders

Not all youth receive adequate legal representation, especially when attorney is court-appointed

- Concerns about inadequate representation were consistently raised in interviews by judges and attorneys
 - Lack adequate knowledge to represent youth
 - Spend insufficient time on cases
- “We have plenty of attorneys—we have enough attorneys to get us by. What we don’t have are quality attorneys.” - *J&DR judge*
- “They consistently misadvise [youth and parents] on the law.” - *public defense attorney*

State maximum fee does not adequately compensate court-appointed attorneys and is less than other states

- In Virginia, court-appointed attorneys for juveniles generally receive a maximum of \$120 per case
 - Compensates for less than 2 hours of work using \$90 hourly rate established by the Supreme Court of Virginia
 - Attorneys should spend 5 to 23 hours on a juvenile case to provide competent representation*
- Virginia's \$120 maximum fee cap is the lowest in nation and substantially less than the median cap of \$1,850

*Not including murder cases or cases transferred to circuit court.

Training requirements for court-appointed attorneys do not reflect the complexity of juvenile cases

- Attorneys must complete 12 hours of continuing legal education to qualify for the court-appointed list—only 4 hours are specific to representing juveniles
 - Less than one hour of training devoted to intake process and detention hearings
- Virginia Indigent Defense Commission staff reported that time allocated in current training is not sufficient to cover complexity of material

Recommendations

The General Assembly may wish to consider

- increasing the maximum compensation for court-appointed attorneys in juvenile delinquency cases;
- directing the VIDC to develop a plan to strengthen training requirements for court-appointed counsel in juvenile delinquency cases; and
- strengthening training requirements for certification of court-appointed attorneys in juvenile delinquency cases.

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State law requires fair and appropriate treatment of youth in juvenile justice system

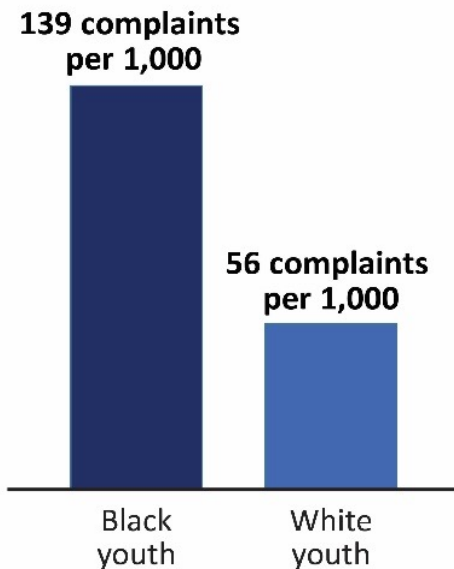
- Generally, youth who commit similar offenses should be treated similarly, though some variation is inevitable
- Disparities in the treatment of youth could occur at several key decision points, including
 - Whether to refer alleged offense to the juvenile justice system (e.g., law enforcement, schools, citizens)
 - Whether to petition youth (CSU staff)
 - Whether to find the youth delinquent (judges)
 - Whether to commit youth to DJJ custody (judges)

Black youth ~2.5 times more likely than white youth to be referred to juvenile justice system

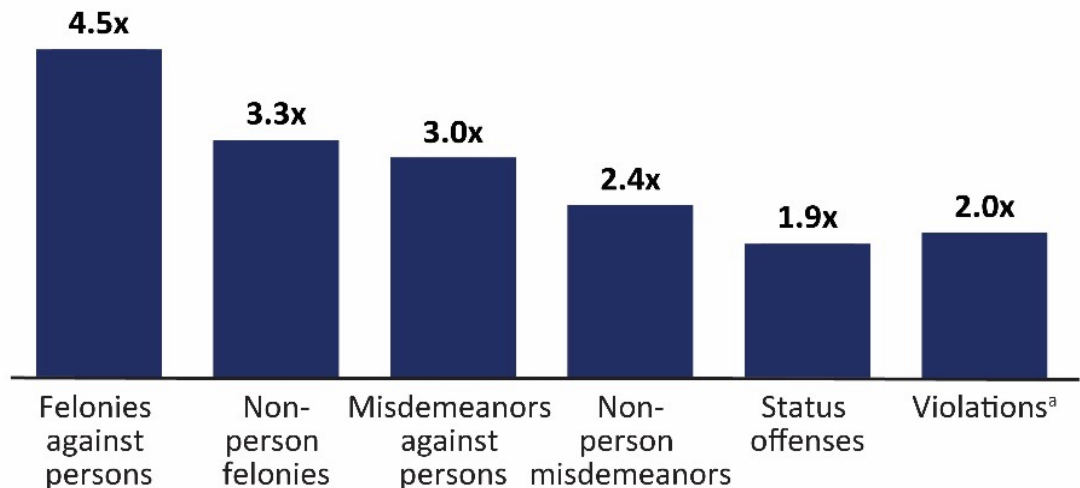
- Black youth were referred to juvenile justice system at higher rate (FY11–FY20)
 - 139 complaints per 1,000 Black youth
 - 56 complaints per 1,000 white youth
- Higher likelihood of Black youth being referred holds true for all types of offenses (e.g., felonies, misdemeanors, status offenses)
- Similar to national patterns

Black youth ~2.5 times more likely than white youth to be referred to juvenile justice system

On average from FY11-20 for **all types of offenses**, there were...

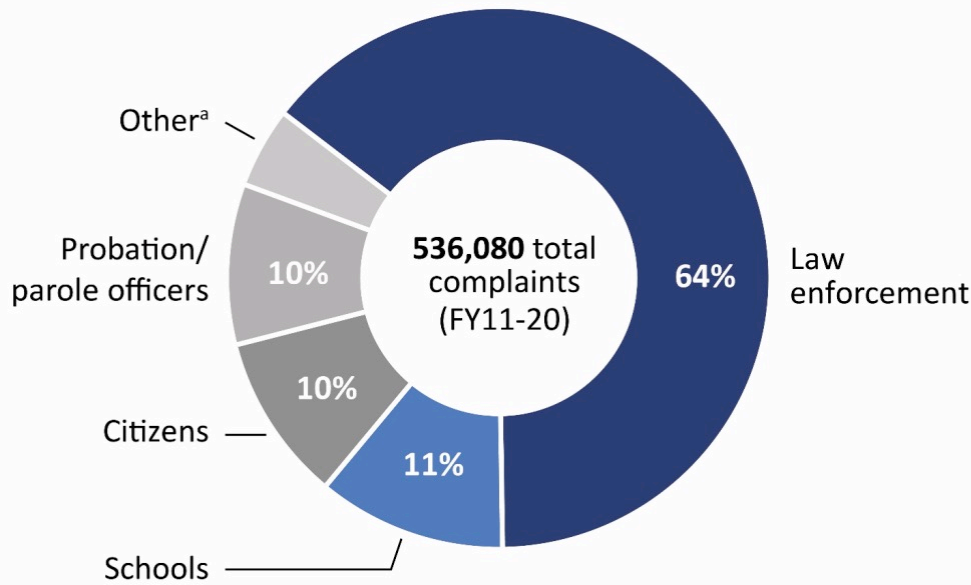


Black youth were more likely than white youth to be referred to the juvenile justice system across all types of offenses...



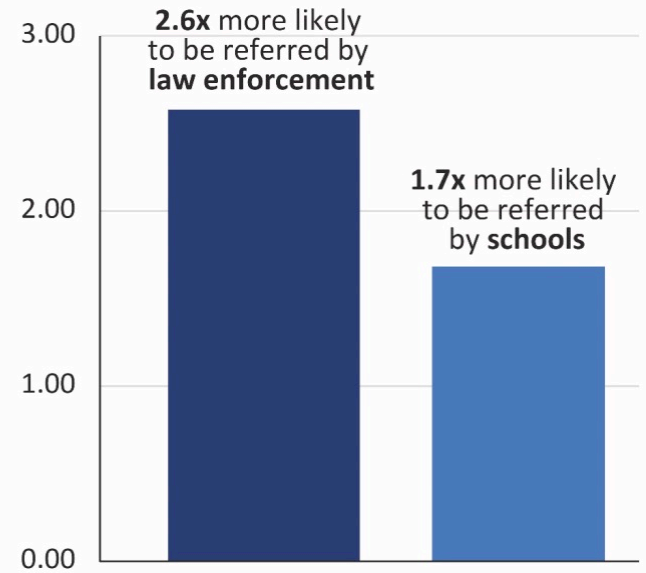
Referrals from law enforcement contribute most to overall disproportionality

Proportion of complaints referred to juvenile justice system



Disproportionality in referrals to juvenile justice system

From FY11-20, Black youth were...



Reasons for disproportionate referrals are complex, but additional training and review would likely help

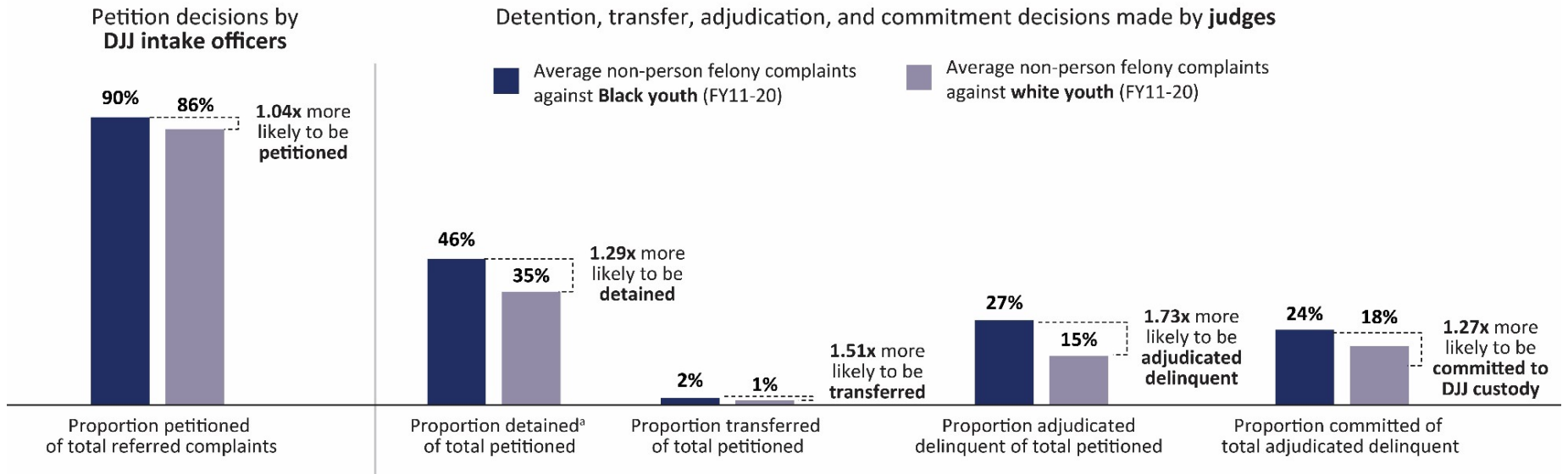
- Recent statutory changes in training requirements will address topics related to disproportionate enforcement
 - Implicit bias and cultural competency training now required for law enforcement officers
 - Training not specific to working with juveniles, but could be
 - Similar to recent changes in other states (e.g., NV, UT, NJ)
- \$1 million federal grant awarded to DJJ in November to review disproportionalities in referrals and identify opportunities to mitigate disparate treatment of youth

Within juvenile justice system, disparities also exist, but are less substantial than in referrals

- Black and white youth are generally equally likely to be charged (“petitioned”) by CSU staff
- Black youth are somewhat more likely to be detained, adjudicated delinquent, or committed by judges
- Quality of representation could play a role in disparities
 - Available data indicates that Black youth more likely to be represented by court-appointed attorneys
- Other states starting to make implicit bias and cultural competency training available to judges and attorneys

CSU = Court service unit

Disparities between Black youth and white youth for non-person felony offenses (FY11-20)



Note: Initial detention decision is made by DJJ intake officer at the court service unit, but this decision is then reassessed by a judge within 72 hours of the initial detainment to determine whether youth should continue to be held in secure detention until the youth's adjudicatory hearing.

Recommendations

The General Assembly may wish to consider requiring DCJS to amend law enforcement training standards to address implicit bias, cultural diversity, and protective responses specifically when interacting with juveniles.

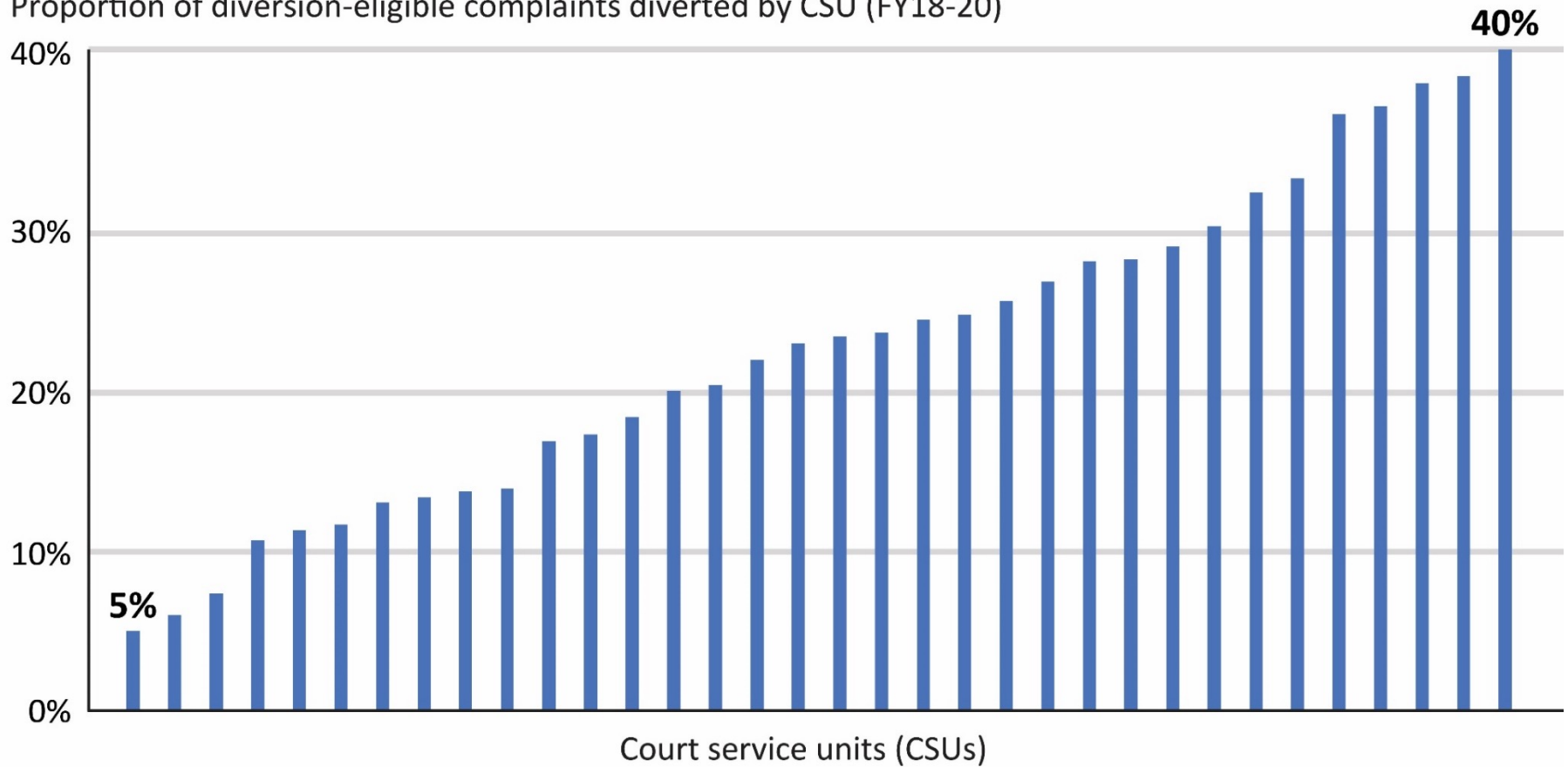
DCJS should collect and regularly report data on disparities by offense type; region, CSU, or locality; and decision point in the system.

DJJ should

- publish a report of the findings from its grant award and changes in disproportionality of school referrals
- assess the effectiveness of its Standardized Disposition Matrix statewide and refine the tool, as appropriate.

Separately from race, youth in different regions treated differently for similar offenses

Proportion of diversion-eligible complaints diverted by CSU (FY18-20)



Several factors appear to contribute to inconsistent treatment of youth across regions

- Variation in community-based services available to intake officers and judges
 - e.g., shelter care programs, substance abuse programs
- Variation in CSU policies (e.g., policies on diversion)
- Variation in judicial preferences and awareness of disposition options

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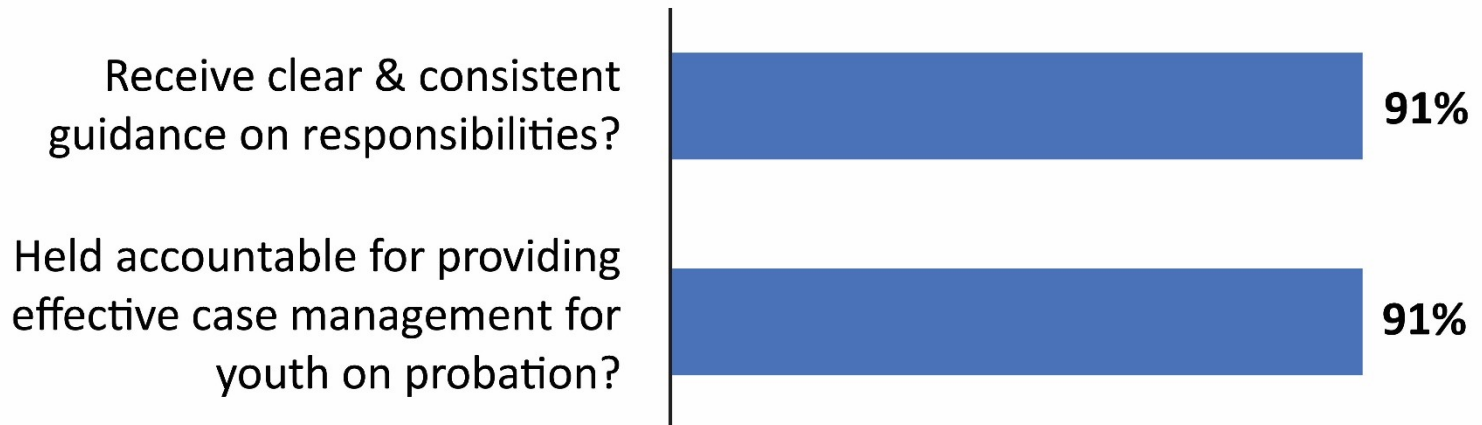
Probation

Juvenile detention center programs

Rehabilitative programs for youth in DJJ custody

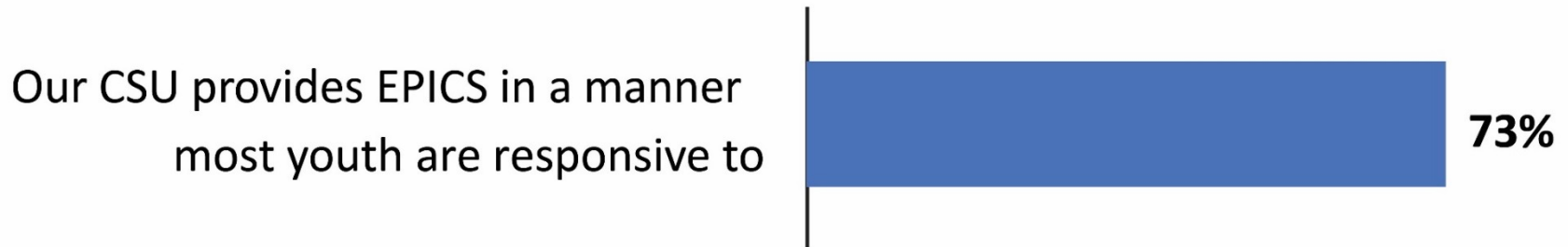
DJJ uses EPICS, which addresses risk factors and provides probation officers clear guidance

- DJJ uses the nationally recognized case management model (EPICS) for youth on probation
- Probation officers reported receiving good guidance and being held accountable for effective case management



Not all youth respond to EPICS as implemented

- Responsivity of youth is key to the effectiveness of EPICS



- Youth responsivity could likely be improved through
 - Additional coaching on the full range of EPICS tools
 - Additional training on implicit bias and cultural competency
 - Additional training on motivational interviewing

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Juvenile detention centers provide secure confinement to youth, mostly on short-term basis

- 24 locally or regionally operated juvenile detention centers in Virginia
 - All provide confinement for youth awaiting hearings
 - Most (21) also provide longer-term rehabilitative programs for youth adjudicated delinquent
- In FY20, 70 percent of youth were released within 30 days of initial placement in detention centers
- All youth in juvenile detention centers receive educational programming

DJJ uses standardized approach to ensure JDCs meet statutory and regulatory requirements

- DJJ conducts on-site certification audits during a two-to five-day period at least once every three years
 - Audits cover 353 compliance areas, such as health and safety, security, residents' rights, and physical environment
 - Includes reviews of case files and staffing records, observations, and interviews with staff and residents
- Most recent cycle found JDCs generally in compliance
 - Majority of non-compliance issues related to documentation
- Non-compliance resolved within 4 months on average

Virginia JDCs appear ill-equipped to provide effective rehabilitative programming

- 68% of youth released from JDC rehabilitative programs are reconvicted within two years
- Majority of JDCs lack evidence-based programs to reduce recidivism
- Minimum training requirements for JDC staff working with high-risk youth appear insufficient
 - JDC staff: 40 hours initial training
 - Juvenile correctional center staff: 120 hours initial training
- JDC training requirements lower than national standards

Recommendations

The General Assembly may wish to consider

- specifying that if a JDC provides post-dispositional rehabilitative programming, the center shall use evidence-based programs to the maximum extent practicable
- directing the Board of Juvenile Justice to promulgate specific training requirements for front-line JDC staff supporting youth in rehabilitative programs
- authorizing DJJ to conduct quality assurance reviews of JDCs' rehabilitative programs and provide technical assistance

Opportunities exist to improve availability of educational programming at JDCs

- JDC adherence to traditional school year (180 days) misses opportunity to provide structured educational programming in summer
- At least 18 other states provide at least 200 days of education for youth in detention centers
- Recommendation for VDOE to develop a plan for an extended school year to provide structured summer educational programming

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Youth committed to DJJ generally placed either at Bon Air JCC or at a juvenile detention center

- Youth may be committed by judges to DJJ custody for secure confinement and rehabilitative programming
- 220 youth committed to DJJ custody as of May 2021
- Youth in DJJ custody generally placed either at
 - Bon Air Juvenile Correctional Center
 - Community Placement Programs (CPPs) at juvenile detention centers
- 94 percent had committed at least one felony offense

CTM is an improvement over prior model, but DJJ is facing implementation challenges

- DJJ developed the CTM based on model used in Missouri
 - Develop positive relationships with staff in a therapeutic environment, in contrast with adult correctional model
 - Effectiveness of CTM has not been rigorously evaluated
- CTM implementation relies heavily on residential specialists (RS)
 - not receiving adequate or timely training needed for multi-faceted role
 - ≈35% of RS positions vacant and 27% turnover

DJJ's rehabilitative program has some, but not all, elements necessary for effectiveness

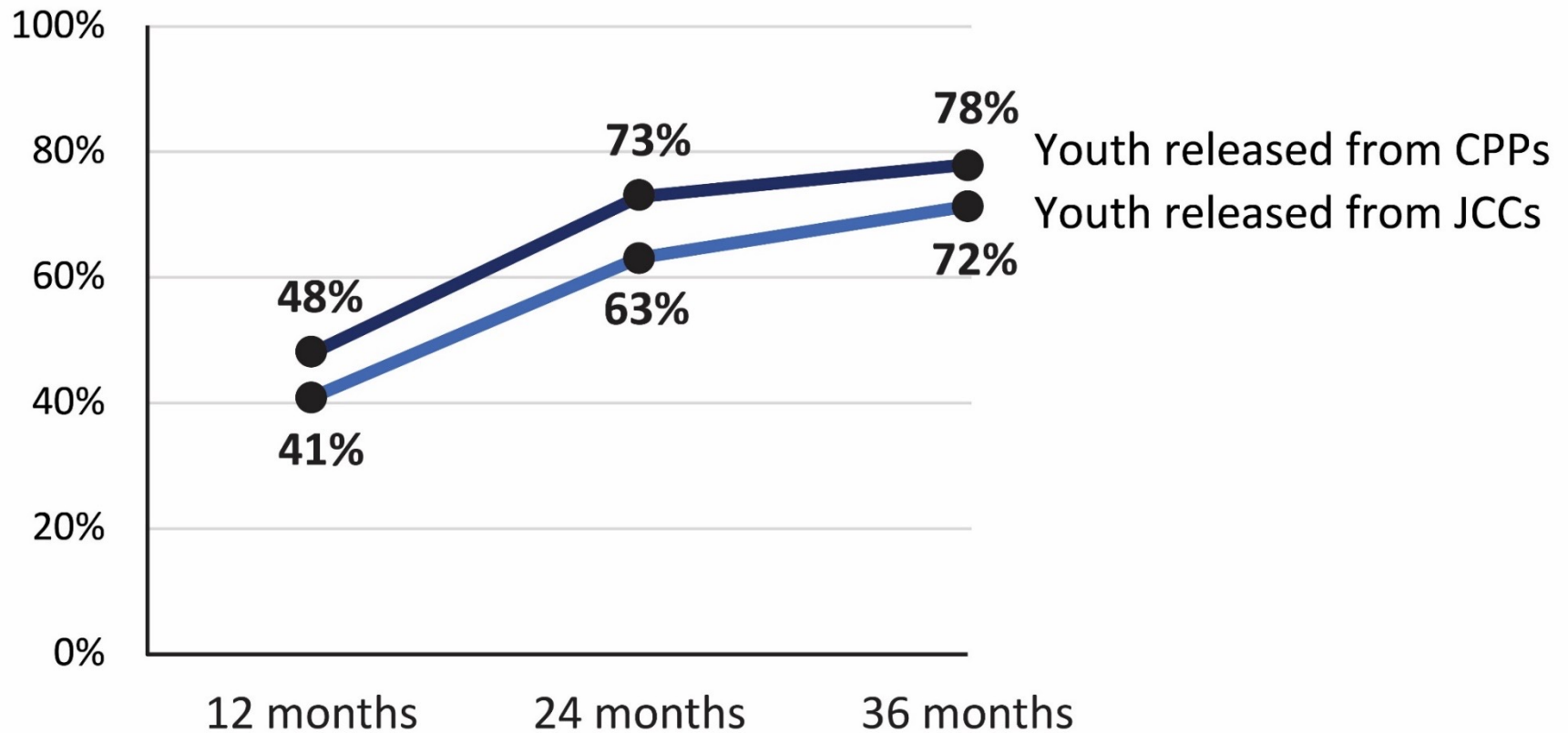
- DJJ uses a nationally recognized tool to assess youth when taken into custody
- Treatment progress and completion is not adequately considered when deciding length of stay
- Two primary treatment programs appear unlikely to reduce re-offending, based on best available research
 - About 70% of youth completing primary programs are reconvicted within three years
- DJJ collects recidivism data but does not integrate it with treatment data to evaluate and improve services

As part of recent reforms, DJJ has increasingly placed youth committed to its custody in JDCs

- DJJ contracts with nine juvenile detention centers to provide secure treatment programs (CPPs) for some youth committed to its custody
- Goals of CPPs are to
 - reduce use of juvenile correctional centers
 - locate youth closer to home, consistent with public safety
- CPPs have helped some youth committed to DJJ stay closer to home, but recidivism outcomes are worse
 - Concerning because youth in CPPs are generally assessed to be lower risk of reoffending than those at Bon Air JCC

Youth released from CPPs reconvicted at higher rate than youth from JCCs (FY15-FY19 releases)

Reconviction rates



CPPs = Community placement programs; JCCs = Juvenile correctional center(s)

DJJ started evaluating CPPs in 2018, which appears useful and should continue

- DJJ established a quality assurance unit in 2018 to oversee CPP programming
 - Reviews appear to identify problems and needed improvements
 - Identified problems include poor implementation of rehabilitative programs
- Recently, DJJ has taken steps to address CPP problems
 - Established CPP performance measures
 - Established short-term contracts with several JDCs
 - Ended one contract with JDC unable to meet requirements

Re-entry efforts are improving, but lack of step-downs and felony records are hindrances

- Educational and vocational opportunities appear to be helping improve career readiness for youth at Bon Air JCC
- Family engagement—a critical component of successful re-entry—has improved in recent years
- Youth released from DJJ custody have limited access to step-down opportunities, including housing and other beneficial programming

Records of felony equivalent offenses likely hinder successful re-entry for some youth

- Currently, records of felony equivalent offenses of youth adjudicated delinquent in J&DR court cannot be sealed or expunged
 - Can make it challenging for individuals to obtain employment, higher education, or housing
- State law now more lenient for adults than youth
 - Certain felony offenses will be eligible for sealing
- All nearby states allow at least some juvenile felony equivalent records to be expunged or sealed

J&DR = Juvenile and Domestic Relations

Recommendations

DJJ should develop and implement a plan to improve its re-entry programming, including expansion of step-down opportunities.

General Assembly may wish to consider establishing a process to allow certain less serious, non-violent felony equivalent offenses for youth adjudicated delinquent in juvenile and domestic relations district court to be eventually expunged.

JLARC staff for this presentation

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