



Thomas A. Wilkins, **Chairman**
Kenneth G. Feng, **Vice Chairman**
A. V. Maddra, **Secretary**
Jorge G. Lozano
Richard A. Sparks, Jr.
Alexander Vogel, Esq.
John A. Wasowicz, Esq.

COMMONWEALTH of VIRGINIA

P. O. Box 1110
Richmond, Virginia 23218-1110
(804) 371-0704

Board of Juvenile Justice

**700 Centre Building
Richmond, Virginia
Board of Juvenile Justice Meeting
October 24, 2001**

Present: Kenneth Feng Alex Vogel
 Jorge Lozano John Wasowicz
 A. V. Maddra Thomas Wilkins
 Richard Sparks

I. CALL TO ORDER

The meeting was called to order at 10:07 a.m. by Chairman Wilkins.

II. APPROVAL OF AGENDA

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, the Board approved the Agenda for the October 24, 2001, meeting. Motion carried.

III. INTRODUCTIONS

Mr. Wilkins welcomed Mr. Roger Wylie, a lawyer who represents five regional detention commissions.

Mr. Wilkins announced new members of the Board: Richard A. Sparks, Jr., and Alexander Vogel. He presented them with Commonwealth of Virginia pins. Each Board member welcomed the new members and gave brief introductions.

IV. APPROVAL OF MINUTES

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, the Board approved the Minutes for the September 12, 2001, meeting with the following corrections:

Mr. Feng cited Page VI, third paragraph and clarified his comments regarding training in the sixth sentence to state, "As it is his perception that training is a consistent deficiency in the certifications, he would like to know what are some of the obstacles to training. He would like to have some data to substantiate his perception. This request is not an attempt toward micro-management."

Mr. Wilkins said that in the fifth paragraph some action is required regarding having lunch provided. Mr. Wasowicz felt that the situation could be addressed as needed.

Mr. Wilkins noted that the seventh paragraph had an incorrect date for the Board Orientation and should state that the Orientation dates were October 22-23.

Also in the third paragraph, Mr. Wilkins asked that the fourth sentence be amended to state, "He said the Board could make recommendations to improve the system if it **were** deemed necessary, but he does not want to micro-manage."

Minutes were approved with the above corrections.

V. COMMENTS OF PUBLIC

No member of the public was present to speak.

VI. COMMITTEE REPORTS

A. Secure Services Committee

On MOTION duly made by Mr. Maddra, seconded by Mr. Vogel, to certify the Chesterfield Detention Home for three years. Due to conversion of one resident's room to an emergency exit, reduce the bed capacity from 33 to 32. Approve the variance to 6 VAC 35-140-530 until the completion of the construction project. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Vogel, to grant a Conditional Certification to Piedmont Regional Juvenile Detention Center that is valid for six months. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Vogel, to continue the current certification status of Northern Virginia Detention Home to May 2002. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Vogel, to approve a new capacity of 60 for W. W. Moore Detention Home. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Vogel, to amend the state's share of start-up funding for the Blue Ridge Juvenile Detention Home from \$62,454 to \$86,667, reflecting one month of the state's approved share of operation. The availability of funds for reimbursement as approved above is contingent on the appropriation of funds by the General Assembly. Motion carried.

B. Non-Secure Services Committee

On MOTION duly made by Mr. Feng, seconded by Mr. Sparks, to certify Community Attention Home for three years with a letter of congratulations for 100% compliance. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Sparks, to certify Harriet Tubman House for three years with a status report to the Board on compliance with the corrective action plan for the next three years, starting June 2002. The requirement for an annual status report was based upon the seven Life-Health-Safety issues and six issues regarding training. The Board wants to assure that this situation does not recur and to send a message of its concern. The Board also noted its disappointment that a representative of the House was not present at the meeting to be questioned as to the issues. A letter will be sent to state the Board's position. Motion carried.

C. VJCCCA Plan Amendments

On MOTION duly made by Mr. Feng, seconded by Mr. Sparks, to amend the Culpeper VJCCCA Plan as submitted. Motion carried.

VII. OTHER BUSINESS

A. Amendment of By-Laws

Mr. Don Carignan distributed an updated version of the Board By-Laws based on discussion at Orientation. He identified items for adoption by the Board.

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to adopt the By-Laws as amended. Motion carried.

B. Length of Stay (LOS) Guidelines

Mr. Carignan distributed public comments on the guidelines that were not received in time to be included in the Board packet. He discussed the process to request public comments.

One substantive change to the document pertains to "early release" as an incentive program. He asked the Board to adopt that change and to consider some technical changes that are not substantive. The formation of a study group was discussed. Mr. Feng would like to see the Board have input regarding philosophical issues. Mr. Carignan said that he believed Dr. Shepherd and Adrienne Volenik would want to have the opportunity to address the Board and relate their concerns regarding LOS. After further discussion, Director Marsden and Mr. Carignan will determine how best to communicate with interested advocacy groups/people. They will report their progress at the next meeting.

On MOTION duly made by Mr. Vogel, seconded by Mr. Maddra, to adopt the LOS guidelines as presented. Motion carried.

C. Proposed Policy Revisions

Mr. Carignan discussed recommendations regarding policy changes that, in the opinion of the Department, include policies for which the Board only can give authority.

On MOTION duly made by Mr. Feng, seconded by Mr. Sparks, to adopt the policy for background investigation as written. Motion carried.

On MOTION duly made by Mr. Wasowicz, seconded by Mr. Vogel, to adopt the new policy governing drug screening of juveniles on probation and parole. Motion carried.

Mr. Carignan discussed four policies that the Department is recommending the Board rescind.

On MOTION duly made by Mr. Feng, seconded by Mr. Vogel, to rescind four policies identified by the Department. Motion carried.

D. Training Standards

Mr. Ken Bailey discussed training standards that have been cited as deficiencies in recent audits. He provided a matrix to identify the number of citations and the cited facility. He said it would require that he contact each facility to identify stumbling blocks for training that caused the facility to be non-compliant with training standards. Mr. Feng asked Mr. Bailey to speculate on reasons for non-compliance with training standards. Speculations: Staffing issues where programs have vacancies that cancel out sending staff to training on scheduled dates, supervision issues where the programs don't follow through with requiring standard hours of training, documentation issues in that records can't be produced to show training, and a few programs who just don't care. He asked for documentation to ascertain if lack of attention and commitment were responsible

for non-compliance. Mr. Bailey said he believes the new system of reporting certifications that he presented in Orientation will address Mr. Feng's concerns and information can be collected for documentation.

Ms. Gargasz pointed out that the majority of citations for non-compliance for training standards are not in the Department's facilities.

Mr. Feng said he appreciated the work Mr. Bailey has done. He said he looks forward to the new format.

Mr. Maddra asked about the performance evaluation forms. Ms. Gargasz said that the forms are state-mandated and the Department cannot "streamline." Mr. Howard said that measurable factors are used in the performance evaluations. Mr. Bailey said that the performance plan is only applicable to Department facilities. Detention and group homes, contract programs, community youth homes, etc., have their own process of evaluating people based on what is prescribed by the locality. After further discussion regarding performance evaluations, Mr. Feng said he would like to see all first-line supervisors have training and career development for their staff as measurements on evaluations. Mr. Lozano said he felt such practice would be a good management tool. Mr. Bailey said that the database would identify deficiencies as well as repeat deficiencies.

VIII. DIRECTOR'S COMMENTS

Mr. Marsden discussed the progress along the broad front of initiatives that has been made in the Department - reorganization of Community Programs, emphasis on treatment, improvements in the Information Technology, and data we collect. He said that it is the goal, the charge, the mission of the Department to keep our eye on the ball, which is translating all these good things we are doing in administration down to where they have an impact where staff are sitting in front of clients and trying to impact their lives. He said he is extraordinarily privileged to work with the people in the Department.

IX. COMMENTS OF BOARD

Mr. Wasowicz welcomed new Board Members, as did Mr. Lozano.

Mr. Sparks said he appreciated the Board Orientation and felt it was one of the best he had attended.

Mr. Maddra said that after the Orientation he felt he wanted to do more with transitioning ward from correctional centers back into the community. He would like the staff and Board to think of ways that we can do that better and work together to make that happen. Mr. Maddra recommended that the November 14 Board meeting be held at the Kenbridge Boot Camp and have a tour. The Board accepted the recommendation.

Mr. Maddra read the following into the Minutes:

Plaque:

"Presented to John E. Harding on October 22, 2001, by the Board of Juvenile Justice in recognition of his dedication and years of service to the Department of Juvenile Justice on behalf of the youth of the Commonwealth of Virginia."

Board members discussed having the Commonwealth of Virginia seal placed on the plaque. Staff will determine cost and if it can be done. Mr. Marsden will deliver the plaque and resolution to Mr. Harding.

Resolution dated October 22, 2001:

WHEREAS, John E Harding has served the people of the commonwealth of Virginia with distinction and dedication as a member of the Board of Juvenile Justice, and

WHEREAS, John E. Harding has served the members of the Board of Juvenile Justice in the capacity of Chairman of the Board and Chairman of the Secure Services Committee, and

WHEREAS, John E Harding has played a key role in implementing policy to reflect program enhancements and the changes to Virginia's juvenile statutes designed to protect the public, holding juveniles accountable for their actions, and affording those juveniles the opportunity for reform; now, therefore, be it

RESOLVED that the State Board of Juvenile Justice hereby recognizes John E. Harding for his vision, leadership, and effectiveness in participating in Virginia's juvenile justice system as a member of this Board in determining and exercising its statutory roles and responsibilities. Signed Thomas A. Wilkins, Chairman, The Board of Juvenile Justice, Commonwealth of Virginia"

Mr. Feng made a proposal that in lieu of a plaque that a more special memento is given to future retired Board members -something unique with the seal of the Commonwealth. He questioned if a Department of Juvenile Justice badge could be encased in clear acrylic with the name and dates of services on an engraved plate. Mr. Maddra questioned the legality of the proposal. Mr. Muse said that putting the seal on an item requires the approval of the Secretary of the Commonwealth. Mr. Maddra would like to have a price for a memento of this type. Mr. Feng did not think cost would be a consideration. Mr. Green said that there is a limit on certain types of purchases. Ms. Gargas and Mr. Green will present information regarding such a purchase at the next Board meeting.

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, that the Board write a letter to the Governor on Board stationery requesting the appointment of Mr. Marsden as Director of DJJ; not "Acting" Director. In the letter should be an emphasis on continuity and express the Board's confidence in Mr. Marsden and his role in such continuity for the Department. The letter should be sent as soon as possible with a copy to the Secretary of Public Safety. After further discussion, Mr. Wilkins said he would draft the letter and anticipated getting it to the Governor by Friday, October 26. Motion carried.

Mr. Vogel expressed his appreciation for the Board Orientation and those involved in organizing the event.

Mr. Marsden discussed his recent visit to the Crater facility and introduced Mark Lewis who gave an update on the situation at Crater. Quality staff has been hired, areas of

concern have been addressed, and a status report will be submitted at the November Board meeting.

Mr. Marsden and the Board thanked Ms. Gargasz and Ms. Rollston for their work on the Board Orientation and other services rendered. Ms. Gargasz expressed appreciation to Ms. Debbie Anchors of the Research and Evaluation Unit for her valuable assistance in preparing the presentations for the Orientation. Mr. Howard expressed appreciation to Ms. Regina Johnson for her help. Ms. Gargasz said it was indeed a group effort.

X. EXECUTIVE SESSION

It was determined that there was no need to hold an Executive Session.

XI. LUNCH

During lunch Mr. Clarence McGill gave a presentation on the successful programs of the Youth Industries initiative that he administers. Board members expressed interest in the programs designed to help transition youth back into the community with skills that would allow them to find employment. Mr. Feng questioned the heavy emphasis on "blue collar" skills as opposed to "white collar." Mr. McGill explained how the Department of Correctional Education provides training based upon the available instructors and equipment. He also explained how logistics in getting the work to the youth rather than the youth to the workplace determined what the youth could do. Board members expressed their willingness to help Mr. McGill in his efforts.

XII. ADJOURN

On MOTION duly made by Mr. Maddra, seconded by Mr. Vogel, to adjourn the meeting at 12:20 PM. Motion carried.

XIII. TOURS OF RECEPTION & DIAGNOSTIC CENTER, BON AIR JCC, AND OAKRIDGE JCC

Mr. Marsden accompanied Board Members Vogel and Wasowicz on tours of the above-named facilities.

Respectfully submitted,

/s/ Patricia F. Rollston

Patricia F. Rollston