



COMMONWEALTH of VIRGINIA

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

James S. Turpin, Chairman
Kim S. Downing, **Vice Chairman**
Courtney A. Penn, **Secretary**
Barbara J. Myers
Aida L. Pacheco
Patricia Puritz
Justin M. Wilson

Board of Juvenile Justice

DEPARTMENT OF JUVENILE JUSTICE
Board Meeting
Hanover Juvenile Correctional Center
7093 Broad Neck Road
Hanover, Virginia
January 10, 2007

Present: James Turpin Barbara Myers Aida Pacheco
 Justin Wilson

DJJ Staff Present: Scott Reiner, Ken Bailey, Vernon Harry, Michael Ito, Bruce Twyman, Ed Holmes, Martha Carroll, George Wakefield, Steve Pullen, Ed Murray, Barry Green, Deron Phipps, Sharon Havens, David Duval, Jeremiah Wesley, Carl Fleming, Ronnie Moore and Deborah Hayes.

I. CALL TO ORDER

The meeting was called to order at 10:00 am by Chairman Turpin. The Chairman introduced Sharon Havens, Superintendent of Hanover Juvenile Correctional Center.

Ms. Havens thanked everyone for coming and for the opportunity to host the Board. Ms. Havens introduced members of her administrative team: David Duval, Assistant for Administration and Operations; Captain Jeremiah Wesley, Chief of Security; Carl Fleming and Ronnie Moore, Counselor Supervisors. She said she hoped that the Board's schedule would permit them to walk through the school. She said Hanover JCC has a very fine school; the kids have a great opportunity to excel and many of them do.

II. APPROVAL OF AGENDA

On MOTION duly made by Ms. Pacheco, and seconded by Ms. Myers, to accept the agenda as presented. Motion carried.

III. INTRODUCTIONS

Mr. Turpin called for introductions of the guest. In attendance were: Andy Block, Charisa Smith and Abigail Turner representing the JustChildren Program.

IV. APPROVAL OF MINUTES for November 8, 2006

On MOTION duly made by Ms. Myers and seconded by Mr. Wilson, the minutes of the November 8, 2006 Board meeting were approved as presented. Motion carried.

V. PUBLIC COMMENT PERIOD

Mr. Turpin read the Board's revised position on the public comment period. No one pre-registered and no one was present for public comment.

VI. COMMITTEE REPORTS

A. Secure Services Committee

1. Certifications

On MOTION duly made by Mr. Wilson and seconded by Ms. Myers to certify Blue Ridge Juvenile Detention Center and Post Dispositional Detention Program for three years. Motion carried.

On MOTION duly made by Mr. Wilson and seconded by Ms. Myers to certify Roanoke Valley Juvenile Detention Center Pre- and Post-disposition Program for three years with a letter of congratulations for 100% compliance. Motion carried.

2. Certification Issues-Beaumont JCC (verbal)

Dr. Michael Ito, Superintendent—Beaumont JCC – Dr. Ito stated that a full certification review was conducted in November and the final results will be presented at the April Board meeting. Dr. Ito said he was very pleased in that Beaumont has progressed very well. He said there were seven deficiencies out of a possible 400 standards. Dr. Ito says he is waiting for the full report and anticipates a full three year certification.

Dr. Ito also shared that Beaumont JCC recently started a "Speakers Bureau" Program. A volunteer, Mr. Gene Rilee, has spent a number of years as a volunteer at Beaumont. Mr. Rilee was the initiator in naming the new dining hall after Mr. Henry Jordan, also a long time volunteer. Mr. Rilee and many of his community leaders want to come out to Beaumont regularly to provide some education and opportunities to teach the residents about opportunities in the workforce, real estate, stocks and finances. This program will begin with the Superintendent's Supper scheduled for the afternoon (Wednesday, April 10). Mr. Rilee's group will speak to residents who have their GEDs or signed up for high school. It is anticipated that the Speakers Bureau will emphasize opportunities for the residents to gain skills to be better prepared for the community both educationally and vocationally.

B. Non-Secure Services Committee

1. Certifications

- On Motion duly made by Ms. Myers and seconded by Mr. Wilson to certify Barry Robinson Family Oriented Group Home Program for three years. Motion carried.

2. Issues Impacting Certification

• Abraxas House Status Report

Mr. Bailey stated that the Board had requested a status report of the mandatory deficiencies. He said the audit staff went back to Abraxas and audited the deficiencies and found that Abraxas is in compliance in all areas. Abraxas was given a one year certification and will be audited later this year to review the standards again.

- **Sixteenth Court Service Unit**
Mr. Holmes stated that at the November meeting, the Board requested a status report of the Sixteenth District CSU be presented at the January meeting. At that time, the 16th CSU had twelve deficiencies. Currently they have three outstanding deficiencies and will be audited again in April. Ms. Carroll stated that of the eleven standards cited as out of compliance in the April 2006 audit, eight are now in compliance based on internal audits conducted by supervisory staff and Mr. Holmes. Three standards still require attention to be in full compliance: **160.A**-documentation was missing in several cases that social histories were filed in court in a timely manner; **320**-notification of child's movement to parents from one program to another within 24 hours; and **420**-contact with committed youth, parents or staff. Supervisory staff will continue to audit files, emphasizing these particular standards. Mr. Holmes will also continue assisting with the audits.

- **Southside Regional Group Home**
Mr. Bailey said a written status report will be given at the April meeting. He stated that the Certification Unit had concerns about documentation issues so staff went to the facility in mid-December and conducted an all day training session on documentation of files. All of the South Boston/ Halifax staff attended the training. A representative from the Commission attended the training as well to obtain additional information on the documentation required so they could provide more supervision in the operation of the program.

3. Other

- **Fairfax Less Secure Shelter-Needs Assessment**
On Motion duly made by Ms. Myers and seconded by Ms. Pacheco, the Board of Juvenile Justice approves the Needs Assessment for a 12-bed less secure shelter for the County of Fairfax, thereby authorizing the County of Fairfax to proceed to the planning study stage. Motion carried.

- **Request to Modify VJCCCA Plans**
 - a. On motion duly made by Ms. Myers, and seconded by Mr. Wilson, to approve the modifications of Franklin County VJCCCA Plan. Motion carried.

 - b. On Motion duly made by Ms. Myers, and seconded by Mr. Wilson, to approve the modification of Hopewell VJCCCA Plan. Motion carried.

 - c. On Motion duly made by Ms. Myers, and seconded by Mr. Wilson, to approve the modification of Hampton VJCCCA Plan. Motion carried.

VII. OTHER BUSINESS

A. REACH Update

Mr. Wakefield distributed a PowerPoint presentation on the REACH program. He stated that REACH is a behavioral management program devised to assist staff in managing behavior within the facilities. It is based on rewards and consequences of behavior developed by the Department of Juvenile Justice and the Department of Correctional Education (DCE) staff. The REACH program brings consistency in working with the juveniles. This program is reflective of what the agency is trying to do with its' strategic planning and it emphasizes what DJJ management have been trying to emphasize over the past year and half with all staff on how to interact with kids. This interaction with the

kids will be a teaching opportunity and a modeling of behavior. Physical interaction with a kid is the last resort. It is based on the premise that if staff communicate and develop a relationship with the residents, then there will be success. This program also reinforces a sense of community for the kids.

The training process started in October and will run through April 2007. It is expected that 1,600 people will be trained to include DJJ and DCE staff. All levels of DJJ and DCE staff will be trained. Additional training will be conducted to give the community more information on what's being done with the kids in the juvenile correctional centers. The residents within the correctional centers will also be trained. DJJ will begin implementing the REACH program after that point. The rollout training will include the Phoenix curriculum which is a cognitive program purchased by DJJ. It consists of life skills and has some treatment components that DJJ's Behavioral Services Unit is currently reviewing. The skills portion of the Phoenix curriculum has been implemented in several facilities already. The orientation phase of the REACH program, which will take place at the Reception and Diagnostic Center, uses the Phoenix curriculum which basically is "why am I here?" and "what do I need to do to get ready for treatment?" DJJ is also combining the implementation of REACH with a return to the unit management concept. A curriculum for unit management training is being developed by the training unit. REACH will be implemented unit by unit. DJJ's Evaluation Unit will look at this program and evaluate the implementation and success of the program. The Evaluation Unit is also look at the impact on behavior and whether or not it has made a difference. The Evaluation Unit will look at the residents' behavior as well as staff's behavior. Ms. Myers asked if the Board will be allowed to participate in the training. Mr. Green suggested a one day or a half day of training. He said after the training is completed for the institutional staff, regional sessions will be conducted for the community (they will not implement this program, however, they need to know what's happening), it is possible for the Board to participate at that time. Mr. Green asked the Board members to let DJJ know if they are interested in attending training and it will be arranged.

B. Governor's Proposed Budget Action

Mr. Pullen distributed copies of the Governor's budget bill as introduced. He referred the Board to page two and three of the document. Recommended operating budget amendments include: (1) continue day reporting centers; (2) increase federal appropriation to reflect funding to support juveniles' food cost; (3) provide funding for compensation package for juvenile justice correctional staff; (4) provide funds for Culpeper and Hanover Juvenile Correctional Center staffing; and (5) provide funding to contract operation of transitional housing spaces. The Chairman asked if there was anything the Board could do to help this process along. Mr. Green said the Board could certainly contact their legislators and let them know that they support the Governor's budget bill.

Mr. Pullen also brought to the Board's attention the website for VA Performs to allow them to view the objectives and performance measures.

Mr. Pullen distributed and highlighted information contained in the 2006 Data Resource Guide. He said the Data Resource Guide will be mailed to each member of the General Assembly, all juvenile and domestic relations district court judges, district attorneys, commonwealth's attorneys and DJJ staff. DJJ received a grant from the Department of Criminal Justice Services to produce this document.

VIII. DIRECTOR'S COMMENTS

Director Green shared with the Board members that through the Department of Social Services, Bon Air Juvenile Correctional Center staff adopted a family who was affected by the flooding in Battery Park. At Bon Air's annual Service Award Luncheon, the family was present to receive their gifts. The gifts included a monetary donation of \$210, a \$75.00 gift card for food, a gift card for furniture along with more than 75 wrapped gifts worth over \$1,500. Deputy Secretary Clyde Cristman was the keynote speaker and requested a press release of the event which he sent to Michael Marks of the *Richmond Times Dispatch* for publication in the newspaper.

Another matter that DJJ dealt with recently was the issue between the local Board of Education providing education at the detention facility and the New River Valley Detention Center in Christiansburg. The teachers walked out of the detention center and they did not have school for a period of time. The new legislation states that if the DJJ Board is not meeting when a critical issue arises, then the Director has the obligation to pull certification if the issue is not resolved. Mark Lewis and Marilyn Miller spent time in Christiansburg working to resolve the problem. Director Green also went down to Christiansburg with an executive staff member from the State Department of Education and met with the school superintendent and members of the detention commission. The Education staff worked very hard to resolve the problem and the teachers went back to teaching a day before the imposed deadline.

DJJ's Strategic Plan Rollout was held on December 15, 2006 at the Virginia State Police Headquarters. Attendees included superintendents, court service unit directors, DJJ management staff and Department of Correctional Education (DCE) staff. The focus is on what we do in the long term—how does everything we do relate to the success of the juvenile and keep the juvenile from coming back into the system. There were several presentations from DJJ staff as well as DCE staff. Mr. Green said that everyone is very positive about the strategic plan and is getting on board with what the agency is trying to do. The plan is to use available tools, (not necessarily adding new programs, though there will be some), making it more measurable and realizing some results. Some of the measures for success are that there is a stable residence, for older kids-stable employment, for kids who return to school-that they stay in school. To achieve these goals requires that DJJ work closely the social services, community services board, Department of Health, etc. The strategic plan consists of five goals, three of which are the ultimate success of kids' measurement and the other two supports this and must be performed in order for the kids to do okay and in order for the Department to be able to operate so that the kids will be okay. Mr. Green said materials will be forwarded to the Board members and he encourages everyone to continue stressing the plan.

Mr. Green stated that he and Institutions division staff met with Fran Bolin, Executive Director of Assisting Families of Inmates (AFOI). AFOI is a faith-based organization that provides bus service to transport families to visit their incarcerated family members around the state on Saturdays. They currently serve approximately ten prisons. Beginning in February and March, AFOI will start transporting families to Beaumont and Culpeper Juvenile Correctional Center. The bus leaves from Richmond. He stated that notification would be going out very soon to notify everyone about this.

Mr. Green said he attended a day of the detention superintendents' meeting which was held in Virginia Beach. A presentation on a possible avian flu pandemic was made. The procedures presented were generic and could be adapted to any of the detention homes should a pandemic event occur. An excellent notebook containing information was also distributed.

Mr. Green said recently JLARC conducted a study on group homes licensure. He said there have been several public issues surrounding group homes that are licensed by the Department of Mental Health, Department of Social Services, and by the Department of Education for kids with special education needs. The Boards also certify or in effect, license to operate a number of group homes. DJJ did not have those issues. Generally, the group homes certified by the DJJ Board are operated by localities and are not for kids with serious mental health or learning disabilities and needed services are purchased separately; they are not part of the group home. The issues that came up are not issues relating to DJJ, however because the Board certifies group homes, DJJ has had to be involved in the process and attend the meetings. Mr. Green asked Ken Bailey to provide additional information.

Mr. Bailey said one of the positive things that came out of the study was the fact that JLARC recommended that the emergency regulations which were sent to the Governor's office by the end of September and were not acted upon must be approved and implemented immediately. The emergency regulations were signed and became effective December 28, 2006. JLARC was critical of the interdepartmental process in that the standards were not strong enough to effectively regulate some for-profit group homes. The qualifications of the administrative and program staff were not strong enough to ensure that good and effective service was being provided to the clients. The new emergency regulations strengthen those qualifications. Certification will audit the programs based on the new standards. Mr. Bailey does not anticipate any impact on the facilities certified by the Board as they are operated by governmental agencies. He said the report was not critical of DJJ in any manner. The emergency regulations are effective for one year. During that time, there will be a revision of the entire interdepartmental standards. Once this process is complete, the regulations will go out for public comment.

Mr. Green said the JLARC study was not just of group homes, but an actual Comprehensive Services Act (CSA) review. All of the group homes operated by the other three agencies are licensed by those agencies' boards and their primary source of funding is CSA monies. The JLARC report is available on line.

C. Public Comment Period

a. Proposed Regulations Governing Juvenile Work Release Programs (6 VAC 35-190)

The Chairman said this updates an earlier emergency regulation presented regarding Natural Bridge. He asked for comments. Mr. Andrew Block said he first wanted to say how inspiring it is to hear all the great things DJJ is doing and the fact that the Department is willing to hold itself accountable based on recidivism rates, which is a very hard and ambitious thing to do. He said the regulations that are currently being considered are an important part of what DJJ is trying to do to bring those numbers down. The comments that they make are in the spirit of trying to help DJJ help the kids to do this. Mr. Block introduced Abigail Turner who is a new attorney with the JustChildren organization. Ms. Turner's comments are attached to the minutes.

b. Proposed Regulations Governing Mental Health Services Transition Plans for Incarcerated Juveniles (6 VAC 35-180)

Charissa Smith was present to speak on the mental health services transition plan. Ms. Smith is an advocate with JustChildren and works specifically with juvenile reentry issues. Ms. Smith's comments are attached to the minutes.

The Chairman thanked both Ms. Turner and Ms. Smith for the conciseness of their comments. He reminded the group that these regulations are up for public comment which runs through January 29. Mr. Phipps said after that time, they will compile all of the comments for both the mental health and work release regulations. By law, DJJ is required to respond to the comments as to whether or not the comments will be incorporated into the regulations or provide a rationale for why they won't be incorporated into the next draft of the regulations. This draft will be presented to the Board for their consideration at the next meeting and the Board will then vote as to whether or not they want to amend the regulations or if the regulations are to remain in the current state.

D. Review of DJJ Policies

On MOTION duly made the Chairman Turpin, and seconded by Ms. Myers, to rescind the following Board policies as of January 10, 2007, as they have been incorporated in the Virginia Administrative Code, are covered in the Virginia Code, or have been deemed unnecessary: 19-001, 20-007, 20-201, 13-002, 13-005, 17-005, 15-001, 20-102, 20-104, 20-305, 14-004, 16-002, 04-011, 19-003, 10-004, 02-018 and 20-006. Motion carried.

The following policies were taken out of the MOTION but will be discussed in more detail at the next meeting: 12-001.7, 05-007, 17-004 and 12-001.6. Motion carried. In reference to 12.001.6-Confidentiality of Health Information for Committed Youth, Mr. Green stated that DJJ needs to move forward with the procedure on mental health records because that procedure would be a reissue of an existing one which makes reference to health records. He said he would not want to issue it for something that would be in conflict with an existing policy. He asked the Board to take action on the policy now rather than delay for another two-three months, until the next Board meeting.

After discussion, the Chairman proposed the following new 12-001.6 that would replace or revise the policy adopted October 1, 1996: *The Department shall maintain the confidentiality of all medical, mental health and treatment records of juveniles who have been committed to the State in accordance with all applicable federal and state laws and regulations and in such a manner as to maximize the success of therapies and assure appropriate case management and maintain a safe living and treatment environment in all Department of Juvenile Justice facilities.* Mr. Phipps distributed a copy of the proposed policy as submitted. Discussion followed. On MOTION duly made by Ms. Pacheco, and seconded by Ms. Myers, the policy was changed to read: *the Department shall maintain the confidentiality and custody of all medical, mental health and treatment records of juveniles who have been committed to the State in accordance with all applicable federal and state laws and regulations and in such a manner as to maximize the success of therapies and assure appropriate case management and maintain a safe living and treatment environment in all Department of Juvenile Justice facilities.* Motion carried. Policy 12-001.6 will be taken out of the block for the next meeting. The Board will begin reviewing policies 12-001.7, 05-007 and 17-004.

The Chairman asked Mr. Phipps to distribute the next packet of policies which will be discussed and voted on at the next meeting. He asked that DJJ include at least a summary of the policies in the Board packet.

E. State Board Don Carignan Juvenile Justice Award Proposal

Mr. Green asked the Board to review the proposal again and send comments to Deborah Hayes. The Chairman asked staff to be ready to present a preliminary

discussion on how it will be implemented and a timeline. Ms. Myers asked that the guidelines be e-mailed to the Board members again.

IX. BOARD COMMENTS

The Chairman thanked Bruce Twyman, Public Information Officer, for making his work on the DJJ newsletter *Partnership*. He asked that the newsletter be included in the Board packets.

X. NEXT MEETING

The next meeting will be held at Central Office in Richmond on Wednesday, April 11, 2007.

XI. ADJOURN & TOUR

Having no other business, the meeting adjourned at 12:10 p.m.

Respectfully submitted,

Deborah Canada Hayes
DJJ Board Secretary