Heidi W. Abbott, Chair
David R. Hines, Vice Chair
Karen Cooper-Collins, Secretary
Tyren Frazier
Helivi L. Holland
Mary E. Langer
Robyn Diehl McDougle
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COMMONWEALTH *of* VIRGINIA

*Board of Juvenile Justice*

# DRAFT MEETING MINUTES

April 18, 2016

Main Street Centre
600 East Main Street, 12th Floor, Conference Room South
Richmond, Virginia 23219

**Board Members Present:** Tyren Frazier, David Hines, Helivi Holland, Mary Langer, Robyn McDougle

**Board Members Absent:** Heidi Abbott, Karen Cooper-Collins, Dana Schrad, Jennifer Woolard

**Department of Juvenile Justice (Department) Staff Present:** Ken Bailey, Jill Becker, Andrew "Andy" K. Block, Jr., Jessica Berdichevsky (Attorney General's Office), Lisa Floyd, Daryl Francis, Wendy Hoffman, Jack Ledden, Mark Murphy, Deron Phipps, Angela Valentine

**Guests Present:** Will Egen (Commission on Youth)

**CALL TO ORDER**
Vice Chair David Hines called the meeting to order at 9:41 a.m.

**INTRODUCTIONS**
Vice Chair Hines welcomed all that were present and asked for introductions.

**APPROVAL of January 11, 2016, MINUTES**
The minutes of the January 11, 2016, Board meeting were provided for approval. On MOTION duly made by Robyn McDougle and seconded by Helivi Holland to approve the minutes as presented. Motion carried.

**PUBLIC COMMENT PERIOD**
There was no public comment.

**DIRECTOR'S CERTIFICATION ACTIONS**
Ken Bailey, Certifications Manager, Department

Included in the Board packet are the individual reports and summary of the Director's certification actions completed on January 27, 2016. Mr. Bailey provided an overview of the certification actions.

Tidewater Youth Services Apartment Living Program received a conditional certification until July 2016. The Certification Team conducted the first phase of the audit which included a review of their policies, procedures, staff training, and physical environment. The Certification Team ensured everything was in place for the program to function and will return for a monitoring visit in six months.

The Barry Robinson Center Family Oriented Group Home Program is an assortment of group homes that provide services to one or two residents at a time and are under the supervision of the Family Oriented Group Home system. This program services short-term placements out of the Norfolk court area. This program always has 100% compliance and was certified for three years.

SPARC House is a group home in Lynchburg. The Certification Team found deficiencies in their audit; however, when they returned for a follow up visit, SPARC House corrected the deficiencies and was certified for three years.

Henrico Juvenile Detention Home was granted an extension of their certification due to continued non-compliance with critical regulatory requirements. The Certification Team performed two monitoring visits and found the facility corrected these deficiencies. They were certified for the remainder of their three years ending August 26, 2018.

**REGULATORY UPDATE**
Deron Phipps, Policy and Planning Director, Department

The Department has hired a new Regulatory Coordinator, Kristen Peterson, from the Department of Taxation. Kristen comes to the Department with many years of experience with the Administrative Process Act and will prove to be a great asset to the Department.

The Board's workload with regulatory actions is fairly light; however, this summer, the Department will begin a comprehensive overview of all residential regulations which will include the areas of juvenile correctional centers, detention centers, and group homes. The Department and Board are required to review residential regulations every five years. A separate workgroup will be created for each area with appropriate representation from the community and participation by Board members if available. The Department will provide the Board with progress reports.

**GENERAL ASSEMBLY UPDATE AND DIRECTOR'S COMMENTS**
Andy Block, Director, Department

Governor McAuliffe has submitted a budget package that includes tools to help the Department in its transformation efforts. The legislature will need to respond to the budget package on Wednesday. The current iteration of the budget has funding returned to the budget, as the Governor originally proposed, for the Department and the City of Chesapeake to construct a new, smaller facility (64 beds) in Chesapeake. There is also money in the second year of the budget for the Department to start planning the building of a second facility or renovation of an existing facility. The budget

language also requires the Secretary of Public Safety and Homeland Security to establish an interagency taskforce to include the Department, Department of Behavioral Health and Developmental Services, and Department of Corrections. Director Block will likely reach out to other stakeholders to participate including members of the Board. There is also an interim reporting requirement and a final reporting requirement associated with the interagency taskforce. Thirty days after the Department presents an interim report from the interagency taskforce, access to planning money will be available to start the Chesapeake construction process. Thirty days after the final interagency taskforce assignment, but no sooner than July 1, 2017, the Department can gain access to planning money for the second facility. Director Block will provide the Board with regular updates.

The Governor's budget package also gave the Department authority to reinvest operational savings in the development of alternative placements to juvenile correctional centers. This will help the Department to invest the savings into community based or diversion programs.

The Director will provide the Board with a final summary once the legislature acts on Wednesday.

The Office of Juvenile Justice and Delinquency Prevention Reentry grant that the Department received last year has provided funding to the Department to enact transportation services across the Commonwealth for the resident's families to visit the Department's facilities. Currently, the transportation services will be focused in urban hubs; however, the Department will build out to make sure wherever families are located they have access to the services.

In an effort to create statewide continuum of services and alternatives to juvenile correctional centers, the Department issued a request for proposal earlier this year for regional care coordinators. These coordinators would have the responsibility to sub-contract with other organizations to set up an array of services available for our youth across the Commonwealth. The Department has received six responses to the request for proposal.

Staff from the Department's tenth Community Treatment Model unit is presently in training. Once they complete training, the Department will have 120 residents enrolled in the Community Treatment Model. Director Block encouraged Board members who have not visited the Bon Air or Beaumont campuses to set up a tour and see the units first hand.

As of April 15, 2016, the Department had twenty female residents in its facilities. The girls that are in the Department's care have complicated needs. The Department has issued a request for proposal to help the girls with alternative therapeutic placements. The Department received a strong response and has begun the evaluation process. The Department is also partnering with Merrimac Juvenile Detention Center in Williamsburg to establish the first female Community Placement Program.

The Director and the Board congratulated Mary Langer who was appointed by the General Assembly during this past session as a sitting Juvenile and Domestic Relations Judge for the City of Richmond. Mary has been a long time senior prosecutor and the lead prosecutor in the juvenile court so this is great news for the city. This is Board Member Langer's last meeting and the group thanked her for her brief and significant service to the Board.

**BOARD COMMENTS**

There were no Board comments.

**NEXT MEETING**

The next meeting is scheduled for June 15, 2016, at the Main Street Centre, 600 East Main Street in Richmond.

**ADJOURNMENT**

Vice Chair Hines adjourned the meeting at 10:00 p.m.

# DEPARTMENT OF JUVENILE JUSTICE
# REGULATORY UPDATE

**April 18, 2016**

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**CURRENT ACTIONS:**

**6VAC35-160** **Regulations Governing Juvenile Record Information and the Virginia Juvenile Justice Information System**

Stage: NOIRA (Standard Regulatory Process).

Status: This regulation became effective on August 16, 2004. This action involves a comprehensive review of the regulatory requirements. The NOIRA was published in the Virginia Register on December 14, 2015. The public comment period closed on January 29, 2016. No public comments were received during the comment period.

Next Step:
✓ At the next Board meeting, the Department will request the Board to authorize the submission of proposed language for Executive Branch review and public comment.

**6VAC35-170** **Minimum Standards for Research Involving Human Subjects or Records of the Department of Juvenile Justice**

Stage: Proposed (Standard Regulatory Process).

Status: This regulation became effective on February 1, 2005. This action involves a comprehensive review of the regulatory requirements. At the NOIRA stage, no public comments were submitted. The proposed language was published in the Virginia Register of Regulations on December 28, 2015. The public comment period ended on February 28, 2016. No public comments were received during the comment period.

Next Step:
✓ At the next Board meeting, the Department will request the Board to authorize submission of final language for Executive Branch review and public comment.

**FUTURE WORKPLAN:**

The Department will conduct a comprehensive review of the residential regulatory requirements for (1) juvenile correctional centers; (2) secure juvenile detention centers; and (3) group homes regulated by the Board of Juvenile Justice. Workgroups will begin to meet in the Summer of 2016.