

Heidi W. Abbott, Chair
Tamara Neo, Vice-Chair
Karen Cooper-Collins, Secretary
Anthony W. Bailey
William C. Boshier, Jr.
David R. Hines
Helvi L. Holland
Robyn Diehl McDougale
Kenneth W. Stolle



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COMMONWEALTH of VIRGINIA
Board of Juvenile Justice

BOARD MEETING

June 11, 2014

Department of Juvenile Justice
600 East Main Street
12th Floor Conference Room SOUTH
Richmond, VA 23219

Agenda

9:30 a.m. Board Meeting

- 1. CALL TO ORDER**
- 2. INTRODUCTIONS**
- 3. APPROVAL of April 9, 2014, MINUTES (Pages 3-52)**
- 4. PUBLIC COMMENT**
- 5. DIRECTOR'S CERTIFICATION ACTIONS (Pages 53-93)**
- 6. OTHER BUSINESS**
 - A. VJCCCA Plan Approvals**
 - B. Variance Request – Direct Care (Pages 94-98)**
 - C. Population Trends**
 - D. Juvenile Correctional Center Transformation**
 - E. Community Placement Programs**
- 7. DIRECTOR REMARKS AND BOARD COMMENTS**
- 8. NEXT MEETING - September 10, 2014, TBD**
- 9. EXECUTIVE SESSION (Closed)**
- 10. ADJOURNMENT**

GUIDELINES FOR PUBLIC COMMENT

1. The Board of Juvenile Justice is pleased to receive public comment at each of its regular meetings. In order to allow the Board sufficient time for its other business, the total time allotted to public comment will be limited to thirty (30) minutes at the beginning of the meeting with additional time allotted at the end of the meeting for individuals who have not had a chance to be heard. Speakers will be limited to 10 minutes each with shorter time frames provided at the Chairman's discretion to accommodate large numbers of speakers.
2. Those wishing to speak to the Board are strongly encouraged to contact Wendy Hoffman at 804-588-3903 three or more business days prior to the meeting. Persons not registered prior to the day of the Board meeting will speak after those who have pre-registered. Normally, speakers will be scheduled in the order that their requests are received. Where issues involving a variety of views are presented before the Board, the Board reserves the right to allocate the time available so as to insure that the Board hears from different points of view on any particular issue. Groups wishing to address a single subject are urged to designate a spokesperson. Speakers are urged to confine their comments to topics relevant to the Board's purview.
3. In order to make the limited time available most effective, speakers are urged to provide multiple written copies of their comments or other material amplifying their views. Please provide at least 15 written copies if you are able to do so.

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COMMONWEALTH *of* VIRGINIA
Board of Juvenile Justice

DRAFT MEETING MINUTES

April 9, 2014

Virginia Public Safety Training Center
7093 Broad Neck Road
Hanover, Virginia 23069

Board Members Present: Heidi Abbott, Bill Boshier, Karen Cooper-Collins, Helivi Holland, Robyn Diehl McDougale

Board Members Absent: Anthony Bailey, David Hines, Tamara Neo, Ken Stolle

DJJ Staff Present: Ken Bailey, Andy Block, Patrick Bridge, George Drewery, Daryl Francis, Wendy Hoffman, Jimmy Horn, Arthur Kaye, Jack Ledden, Joy Lugar, Chris Moon, Ashaki McNeil, Mark Murphy, Margaret O'Shea (Attorney General's Office), Deron Phipps, Ralph Thomas, Angela Valentine, Janet Van Cuyk, Barbara Wilson-Peterson

Guests Present: Victoria Cochran (Deputy Secretary of Public Safety and Homeland Security), Tracey Jenkins, Mike Sawyer, Jeree Thomas

CALL TO ORDER

Chairperson Heidi Abbott called the meeting to order at 9:43 a.m.

INTRODUCTIONS

Chairperson Abbott welcomed all that were present and introduced Patrick Bridge.

Patrick Bridge, Director of Training and Development for the Department of Juvenile Justice (the Department), provided a brief overview of the Virginia Public Safety Training Center (VPSTC). The VPSTC is a full-service training facility which offers newly-renovated classrooms, a gymnasium, conference space, outdoor training areas, and a newly constructed building being used exclusively by the Virginia State Police. The VPSTC is located at the site of the former Hanover Juvenile Correctional Center. In addition to the Department and the Virginia State Police, Commonwealth of Virginia partner agencies include the Departments of Corrections, Emergency Management, Fire Programs, Forensic Science, Health, and Military Affairs.

Chairperson Abbott asked for introductions from the Board, staff, and guests.

Chairperson Abbott introduced Victoria Cochran, Deputy Secretary of Public Safety and Homeland Security. Deputy Secretary Cochran conveyed to the Board that Governor McAuliffe has made a tremendous choice in appointing Andy Block, a former associate professor and director of the child advocacy clinic at the University of Virginia, to lead the Department for the next four years. Deputy Secretary Cochran noted that Director Block will advocate, support, and better the lives of the youth who are in the juvenile justice system in Virginia. Deputy Secretary Cochran welcomed Andy Block to the Department.

Director Block introduced himself as an advocate for youth in the juvenile justice system. He has spent time with them in jails, correctional facilities, juvenile detention centers, juvenile correctional centers, residential centers, and group homes. He has also spent time in the halls of government to protect their interest. He informed the group that his door is always open and encouraged discussions on what is and what is not working as the Department moves forward. The Director ended his comments by thanking the Board for their service and their willingness to partner as the Department forges a new path ahead.

APPROVAL of January 7, 2014, MINUTES

The minutes of the January 7, 2014, Board meeting were presented for approval. On MOTION duly made by Robyn Diehl McDougale and seconded by Helivi Holland to approve the minutes as presented. Motion carried.

PUBLIC COMMENT PERIOD

Jeree Thomas from JustChildren Program congratulated Andy Block on his appointment as Director of the Department.

CERTIFICATION ACTIONS

Ken Bailey, Certification Unit Manager for the Department, presented the Board with a summary of the certification actions taken by the Director.

Mr. Bailey provided the Board with information on the standards of compliance for regulatory requirements and the process the Certification Unit uses to randomly select files and documents to audit.

Deron Phipps and Janet Van Cuyk briefed the Board members on their authority pertaining to critical regulatory requirements, review of the Director's certification actions, and establishing guidelines.

Dr. Boshier asked to review the 1996 Joint Legislative Audit and Review Committee report on the juvenile system in Virginia.

OTHER BUSINESS

Regulatory Update

Barbara Peterson-Wilson, Regulatory and Legislative Coordinator for the Department, provided the Board with a regulatory update. A summary of the update was provided in the Board packet.

Request for Variance from 6VAC35-101-1070 (B) (3) and 6VAC35-101-1080 (B), (C), and (D)

Michael Sawyer, Executive Director for the Merrimac Center, addressed the Board to request a variance from 6VAC35-101-1070 (B) (3) and 6VAC35-101-1080 (B), (C), and (D) in regards to the use of the Cognitive Behavioral Therapy informed behavior management program. Mr. Sawyer's detailed report was provided in the Board packet.

On MOTION duly made by Helivi Holland and seconded by Robyn Diehl McDougale to approve the variance requests for Merrimac Center to 6VAC35-101-1070 (B) (3) and 6VAC35-101-1080 (B), (C), and (D) for a period of three years. Motion carried.

Education Program Overview

George Drewry, Principal for the Department at the Yvonne B. Miller High School, briefed the Board on the Education Program. The briefing slides are attached.

Employment Levels

Daryl Francis, the Department's Deputy Director for Administration and Finance, provided the Board with a presentation on the employment levels in the Juvenile Correctional Centers and Court Service Units. The briefing slides are attached.

EXECUTIVE SESSION

On a motion by Helivi Holland and seconded by Robyn Diehl McDougale, the Board agreed to reconvene in Executive Closed Session, pursuant to Section 2.2-3711 (A) (1) and (A) (7), for a discussion of certain personnel matters and to consult with legal counsel and obtain briefings by staff members, consultants, or attorneys pertaining to actual or probable litigation and any other specific legal matters requiring the provision of legal advice by counsel.

The Executive Closed Session was concluded. The members of the Board of Juvenile Justice present certified that, to the best of their knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive Meeting, and (2) only such public business matters as were identified in the motion convening the Executive Meeting were heard, discussed, or considered.

NEXT MEETING:

The next meeting of the Board of Juvenile Justice is June 11, 2014, at City Hall, Council Chambers in Chesapeake beginning at 9:00 a.m.

ADJOURNMENT:

The Chair adjourned the meeting at 2:22 p.m.

KNOWLEDGE AND

PROFESSIONALISM
RESPECT
INTEGRITY
DEDICATION
EFFECTIVE COMMUNICATIONS



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Juvenile Justice



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Overview of Presentation



- **Background on the Division of Education**
- **Education in Juvenile Correctional Centers**
- **Transition to the Community**
- **Division of Education: Moving Forward**

Background on the Division of Education

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DJJ Division of Education



House Bill 1291 and Senate Bill 678 (effective July 1, 2012):

- Reorganized multiple agencies, boards, and councils within the Executive Branch of state government.
- Abolished the Department of Correctional Education (DCE) and Board of Correctional Education.
- Merged DCE's adult academic and technical education requirements into the Department of Corrections and juvenile academic and technical education requirements into the Department of Juvenile Justice (DJJ).
- Established the DJJ Division of Education (DJJ DOE), supervised by a Superintendent who must meet the minimum standards for division superintendents set by the Virginia Board of Education.
- The *Code of Virginia* specifies that the DJJ Division of Education is considered a Local Education Agency (LEA).

The Importance of Education



The more actively committed or incarcerated juveniles participate in correctional and juvenile correctional education programs, the less likely they are to recidivate. (*Corrections Today*, 2014)

Education Recidivism Study



- In May 2013, DJJ completed a study examining the relationship between recidivism rates and juvenile educational attainment while in the juvenile correctional centers (JCCs).
- Data were collected from DJJ's electronic data collection system, DJJ DOE's existing records, and the Virginia Department of Education on 1,452 juveniles released from the JCCs in fiscal years 2009-2010.
- Analysis of recidivism rates and statistical models yielded the following findings:
 - Juveniles who earned high school diplomas while in JCCs were less likely to reoffend within one year. This relationship was especially true for juveniles who were 18 or older at the time of release.
 - Earning a General Education Development (GED) did not have a statistically significant relationship with rearrest or conviction.
 - Completing a career and technical education (CTE) course in a JCC was correlated to a lower likelihood of reoffending, regardless of age at the time of release.
- These analyses were **not** program evaluations, and the results do **not** indicate the effectiveness of the programs.

Source: *Recidivism Rates of Juvenile Correctional Center Educational Credential Earners and Career and Technical Education Class Completers*, Virginia Department of Juvenile Justice, May 2013.

Yvonne B. Miller High School



- **Effective August 26, 2013, the JCC schools reopened as a unified Yvonne B. Miller High School with campuses at Beaumont, Bon Air, and Culpeper JCCs. ***
- **The Yvonne B. Miller High School follows the Virginia Department of Education’s educational and graduation requirements.**
- **All administrators, academic teachers, and career and technical education (CTE) teachers must meet state certification and endorsement criteria.**

** Educational services are also provided through the Yvonne B. Miller High School at the Reception and Diagnostic Center.*

Division of Education Staff Reduction



- The total number of educational staff has reduced 37 percent since the merger
 - From 233 positions on July 1, 2012 (660 residents).
 - To 147 positions on July 25, 2013 (657 residents).
- The educational staff reduction was primarily a result of the closing of Hanover Juvenile Correctional Center (JCC) and a subsequent legislative budget cut mandating 25 additional educational staff positions be abolished.
- The current number of educational staff positions will be further reduced in the process of closing the Culpeper JCC.
- On March 31, 2014, the daily population in all the JCCs was 567.

Division of Education FTEs



Past FTEs		Current FTEs	
Central Office	17	Central Office	13
Youth School Staff	216	Youth School Staff	105
Student to Teacher Ratio for Oak Ridge	3:1	Student to Teacher Ratio for Oak Ridge	3:1
Student to Teacher Ratio for all others	4:1	Student to Teacher Ratio for all others	8:1
Total FTE's Used	233	Total FTE's Used	147

Phase 1: Closure of Hanover and Oak Ridge Relocation = 54 FTE's

Phase 2: Adjustment of Student to Teacher Ratio = 32 FTE's

Total FTE Reduction = 86 FTE's (37%)

Education in the Juvenile Correctional Centers



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Academic Programs



- **Middle School Programs**
- **High School Programs**
 - **High School Diplomas**
 - **Generalized Education Development (GED)**
- **Individual Student Alternative Education Plan (ISAEP)**
- **Special Education (SPED) Services**
- **Library Services**
- **Dual Enrollment**
- **College Classes**

Course Offerings for Middle School Students



- **English: Grades 6 - 8**
- **Mathematics: Grades 6 - 8**
- **Science: Science 6, Life Science, Physical Science**
- **History and Social Science: United States History to 1865, United States History 1865 to Present, Civics, Economics**
- **Health/Physical Education: Grades 6 - 8**
- **Exploratory Courses: Career Exploration and Developmental Reading**

Course Offerings for High School Students



- **English: Grades 9 - 12**
- **Mathematics: Algebra 1 and 2, Geometry**
- **Science: Earth Science, Biology 1 and 2**
- **History and Social Science: World History I and II, Virginia/United States History, Government**
- **Health/Physical Education: Grades 9 - 10**
- **Resource: English, Math, Social Studies, Science**

Academic and Career & Technical Education Electives



- Art
- Music
- Developmental Reading
- Personal Development
- Economics and Personal Finance
- Cadet Corps
- Barbering
- Beauty Salon Assistant
- Business Education *
- Career Pathways
- Commercial and Residential Cleaning
- Culinary Arts
- Advertising Design
- Marketing
- Technical Education

*Business Education is the only CTE Program available at all DJJ JCCs

Standards of Learning Pass Rate by Subject and School Years

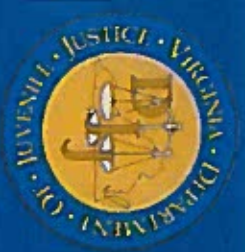


Below are the DJJ Division of Education and former Department of Correctional Education Standards of Learning (SOL) pass rates by subject and school years.

Subject	2010-2011	2011-2012	2012-2013*
Math	71%	50%	16%
English	83%	85%	48%
History	80%	64%	40%
Science	83%	77%	34%

*The 2012-2013 school year had 180 minute blocks for class time.

Academic Education Goal



The Yvonne B. Miller High School has continued to focus on offering overage, credit deficient students a credit recovery program that affords the students an opportunity to earn a high school diploma rather than a Generalized Education Development (GED).

As a result, for the second consecutive year, more committed juveniles have earned a high school diploma rather than a GED.

High School Diplomas and GEDs awarded by school years



The table below details the number of high school diplomas and GEDs issued by the DJJ Division of Education or former the Department of Correctional Education in the last three school years.

School Year	High School Diplomas	GEDs
2010-11	67	119
2011-12	85	64
2012-13	62	43

Special Education Update



- Approximately 40% of students are found eligible for special education services as a student with a disability.
- April 1, 2014 data:
 - 226 students with disabilities.
 - 8 students eligible for services under section 504 of the Rehabilitation Act.
- Teachers have been provided ongoing professional development and training opportunities.
- The Virginia Department of Education Special Education Audit – April 2013.
 - Minor concerns with regards to paperwork were corrected.
 - Several special education teachers were relocated due to population needs.
 - A one-year mandatory follow-up to the audit is currently underway .
- A Parent Resource Center has been created and is operational.

Special Education Update



IEP Online Management System

- DJJ Division of Education will be incorporating a web-based special education management system designed to enhance the Division of Education's ability to plan and implement the special education requirements.

Virginia Alternative Assessment Program (VAAP) Scoring Event

- DJJ Division of Education will be participating in a joint VAAP scoring event with Henrico County Public Schools (HCPS) the week of May 5-9, 2014. DJJ will host HCPS for this event at the Virginia Public Safety Training Center in Hanover County.

Southside Virginia Community College



Dual Enrollment

- Currently 47 students meet the placement examination requirements and are eligible to enroll as dual enrollment students with Southside Virginia Community College (SVCC).
- Students are eligible to receive high school and college credit for career and technical education (CTE) courses.

College Programs

- In order to address continuing education needs for post-secondary residents (approximately 25% of total JCC population), DJJ is working with SVCC to offer courses for eligible residents.
- Currently, DJJ can place up to 35 residents in college courses with SVCC. College instructors have been identified to deliver college courses to post-secondary students within the JCCs. Books and materials are funded with the Title I grants, and classes are expected to begin in May 2014.
- Educational Testing Services has recognized Yvonne B. Miller High School as a Scholastic Aptitude Test (SAT) testing center beginning in May 2014, for those students seeking entrance into a four-year college after release from DJJ.

Pathways



- During the 2013-14 school year, Pathways offered training and nationally recognized certifications in the following areas:
 - HAZWOPER
 - Lead Abatement
 - Personal Care Aide
 - Customer Service
 - Renovate, Repair, Paint
 - CPR/First Aid
 - Blood Pressure
 - Your Role in the Green Environment
- The program had 53 participants, 38 of whom earned a minimum of one certification. The most certifications earned by one participant was seven. A total of 105 certifications were awarded in December 2013.
- Pathways will provide technical skills training, mentoring, civic engagement training, and higher education preparation to an upcoming class at Beaumont JCC.
 - Two training tracks will be offered: Renovate, Repair and Paint/HAZWOPER and Lead/Asbestos Abatement.
 - Students who participate will have an opportunity to earn nationally recognized certifications.

Certified Training Programs (C-TECH)



- The DJJ Division of Education intends to offer a training program affording post-secondary students an opportunity to earn industry recognized credentials in seven different areas:
 - Telecommunication Technologies
 - Network Cabling Specialist - Copper
 - Network Cabling Specialist - Fiber Optic
 - Leviton Certified Installer
 - Voice Communication Professional
 - Smart Home Professional
 - Certified Broadband Professional
- Each credential will provide the juveniles documented skills to improve their probability of obtaining employment in a fast growing field upon release.

Additional Educational Opportunities



Russian Literature Course

- Since the 2011-2012 School Year, post-secondary students at Beaumont JCC have participated in a Russian literature class led by a Professor from the University of Virginia and his students.
- The semester long classes have enabled students to read and discuss books such as *War and Peace* and *Crime and Punishment*.

Virginia Commonwealth University (VCU) tutors

- VCU undergraduate students enrolled in the Youth in Corrections course must, as a course requirement, volunteer in the DJJ Division of Education school programs. The VCU students spend a minimum of 30 hours during the semester tutoring high school students at the campuses of the Yvonne B. Miller High School.

Transition to the Community



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Individualized Re-Entry Plan



Comprehensive Re-Entry Case Plan

- Individualized Based on Youth Assessment & Screening Instrument (YASI)
- Begins at Commitment
- Electronic Format
- Includes Parole Officer and JCC Counselor
- Contains Education and Treatment Components

Re-Enrollment Plan



- All students committed to the Department of Juvenile Justice are required by the Code of Virginia to have a Re-Enrollment Plan to ensure continuity in their educational services.
- If the student does not earn a high school diploma or GED during his/her commitment, the receiving school's Re-Enrollment Coordinator is notified 25 days prior to the student's pending release to begin the re-enrollment process.
- Eligible students shall re-enroll within two days of their release if their local school division is in session.

Mental Health Services Transition Plan (MHSTP) Pilot Program



- Partnership between the Richmond Court Services Unit, Richmond Behavioral Health Authority, and DJJ Division of Education
- Residents with diagnosed mental health needs who are released without a GED or high school diploma
 - MH Clinician
 - Education Coordinator
 - Parole Officer



Division of Education Moving Forward

Virginia Department of
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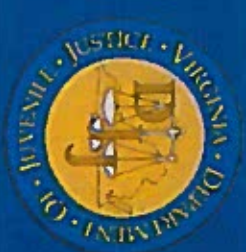
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Challenges



- **Tracking data to capture the provision of educational services and student success**
- **Increasing success on SOL tests**
- **GED preparation for a more rigorous computer based tests**
- **Changing staffing needs due to closures**
- **Expanding education services for residents segregated from the general population**

Challenges, cont'd



- Expanding vocational and CTE programs
- Expanding industry certifications
- Providing technology in schools
- Culture of schools
- Providing post secondary programs (in collaboration with the DJJ Division of Operations)

Next Steps



DJJ has created an Education Oversight Committee (EOC) to address already identified educational concerns as well as issues that may arise in the future. In order to collaborate effectively, the EOC is comprised of staff from a variety of DJJ units, primarily education, but also including operations, human resources, policy, technology, and finance. Current topics include:

- Year Round Calendar
- Database enhancement
- Daily School Schedule
- Teacher Training
 - Evaluation
- Standard Operating Procedures
 - Data Collection
 - Professional Learning Communities
- Grading Policy



Every child deserves a high-quality education, no matter what they look like, where they live, whether they are incarcerated or free. Researchers, policymakers, and practitioners must work to diligently to ensure every child is provided with a strong educational foundation.

Punishing Young Offenders Twice, Education Week (January, 2014).

Questions



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“He who opens a school door, closes a prison.”

Victor Hugo

**Employment Levels
In the
Juvenile Correctional Centers (JCCs)
and
Court Service Units (CSUs)**



**Virginia Department of
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Virginia Department of Juvenile Justice

Positions At The JCCs

Counting Culppeper

UNIT/STAFF SECTION	FUNDED	FILLED	VACANT
Beaumont Security	261	216	45
Bon Air Security	230	194	36
Culpeper Security	144	108	36
RDC Security	62	59	3
SECURITY TOTAL	697	577	120

82.7%
Fill Rate

Central Infirmary	8	7	1
Beaumont Medical	16	12	4
Bon Air Medical	21	12	9
Culpeper Medical	8	4	4
MEDICAL TOTAL	53	35	18

66.0%
Fill Rate

Beaumont BSU	22	18	4
Bon Air BSU	20	13	7
Culpeper BSU	10	6	4
RDC BSU	10	8	2
BSU TOTAL	62	45	17

72.5%
Fill Rate

Miller School at Beaumont	32	26	6
Miller School O. R. Program	16	15	1
Miller School at Bon Air	51	48	3
Miller School at Culpeper	22	17	5
Miller School at RDC	13	12	1
EDUCATION TOTAL	134	118	16

88.0%
Fill Rate

Not Counting Culppeper

UNIT/STAFF SECTION	FUNDED	FILLED	VACANT
Beaumont Security	261	216	45
Bon Air Security	230	194	36
RDC Security	62	59	3
SECURITY TOTAL	553	469	84

84.8%
Fill Rate

Central Infirmary	8	7	1
Beaumont Medical	16	12	4
Bon Air Medical	21	12	9
MEDICAL TOTAL	45	31	14

68.8%
Fill Rate

Beaumont BSU	22	18	4
Bon Air BSU	20	13	7
RDC BSU	10	8	2
BSU TOTAL	52	39	13

75.0%
Fill Rate

Miller School at Beaumont	32	26	6
Miller School O. R. Program	16	15	1
Miller School at Bon Air	51	48	3
Miller School at RDC	13	12	1
TOTAL EDUCATION	112	101	11

90.1%
Fill Rate

Data as of February 28, 2014



Virginia Department of Juvenile Justice

Security Positions

FACILITY	MAJ			CPT			LT			SGT			JCO			TOTAL					
	FUNDED	FILLED	VACANT	FUNDED	FILLED	VACANT	FUNDED	FILLED	VACANT	FUNDED	FILLED	VACANT	FUNDED	FILLED	VACANT	FILLED	VACANT				
BEJCC	1	1	0	5	5	0	8	6	2	16	16	0	231	188	43	261	216	45			
BAJCC	1	1	0	5	4	1	5	5	0	15	13	2	204	171	33	230	194	36			
CPJCC	0	0	0	1	1	0	5	5	0	14	11	3	124	91	33	144	108	36			
RDC	0	0	0	0	0	0	5	5	0	7	6	1	50	48	2	62	59	3			
TOTAL	2	2	0	11	10	1	23	21	2	52	46	6	609	498	111	697	577	120			
CADRE																	39	-39		39	-39
NEW TOTAL																	537	72	697	616	81

Data as of February 28, 2014



Virginia Department of Juvenile Justice

Security Position Facts

- Basic Skills Training is currently 8 weeks in length
- There are 6 Basic Skills Classes conducted during a given year
- JCOs are required to complete Basic Skills Training before providing direct care
- JCOs work 12-hour shifts
- JCOs are “drafted” for up to 4 additional hours to cover vacant positions
- The current required JCO to resident ratio is 1:10



Virginia Department of Juvenile Justice

Security Position Facts

- The Prison Rape Elimination Act (PREA) will change the required JCO to resident ratio to 1:8 in 2017
- The shortage of JCOs is NOT a budget issue (all JCO positions are fully funded)
- Mass recruiting is conducted to fill each Basic Skills Class
- Prior to hiring a JCO the candidate must complete a physical agility test, criminal background check, and Child Protective Services background check
- Beginning salary for a JCO is \$27,959 (Increases by 10% after 1 year)



Virginia Department of Juvenile Justice

Virginia Sickness and Disability Plan(VSDP)

The Virginia Sickness and Disability Plan(VSDP) provides state employees with income security when they cannot work because of a partial or total disability. The program includes sick, family and personal leave; short-term disability benefits; long-term disability benefits and a long-term care program. VSDP benefits cover non-work-related and work-related conditions.

The VSDP focuses on helping employees make a safe return to full duties following a disability. Return-to-work plans, such as job modifications or vocational/medical rehabilitation, may be developed in consultation with the employer and treating healthcare or medical professional to assist in the employee's recovery and return to a regular schedule.



Virginia Department of Juvenile Justice

Virginia Sickness and Disability Plan(VSDP)

VSDP Impact on the JCCs

UNIT	NUMBER of EMPLOYEES
JCO	37
Teachers	8
BSU	1
Medical	3
Total	49

Data as of February 28, 2014



Virginia Department of Juvenile Justice

Positions At The JCCs

Not Counting Culpeper & Cadre Unit

UNIT/STAFF SECTION	FUNDED	FILLED	OUT VSDP	AVAILABLE
Security Total	553	469	37	432
Medical Total	45	31	3	28
BSU Total	52	39	1	38
Total Education	112	101	8	93

78.1% Available Fill Rate

62.2% Available Fill Rate

73.0% Available Fill Rate

83.0% Available Fill Rate

Data as of February 28, 2014



Virginia Department of Juvenile Justice

Over-Time Usage Costs

	EDUCATION	½ Way Houses	CSUs	JCCs	ADMIN	Agency Total
July 2013	\$833	\$1,178	\$2,457	\$127,439	\$513	\$132,420
August 2013	\$1,085	\$1,914	\$3,216	\$245,614	\$627	\$252,456
September 2013	\$1,525	\$1,914	\$4,498	\$417,235	\$627	\$425,799
October 2013	\$1,977	\$1,956	\$6,882	\$563,318	\$831	\$574,964
November 2013	\$2,680	\$1,956	\$10,444	\$848,969	\$831	\$864,880
December 2013	\$3,129	\$1,956	\$11,599	\$1,005,360	\$1,247	\$1,023,291
January 2014	\$4,000	\$2,014	\$13,140	\$1,149,344	\$1,486	\$1,169,984
February 2014	\$4,264	\$2,014	\$14,009	\$1,283,434	\$1,486	\$1,305,207

Data as of February 28, 2014



Virginia Department of Juvenile Justice

JCO Recruiting and Retention Data

- Number of JCOs Hired = 135
- Number of JCOs who Retired or Resigned = 102
- Number of JCOs who were Terminated = 26
- Net Gain/Loss = +7

Period Covered July 1, 2013 – February 28, 2014



Virginia Department of Juvenile Justice

Positions within the Court Service Units

UNIT/STAFF SECTION	FUNDED	FILLED	VACANT	UNIT/STAFF SECTION	FUNDED	FILLED	VACANT
CSU 1 Chesapeake	30	28	2	CSU 18 Alexandria	22	20	2
CSU 2 Virginia Beach	39	28	11	CSU 20L Loudoun	13	12	1
CSU 2A Accomac	10	9	1	CSU 20W Warrenton	7	6	1
CSU 3 Portsmouth	23	22	1	CSU 21 Martinsville	18	18	0
CSU 4 Norfolk	59	50	9	CSU 22 Rocky Mount	23	20	3
CSU 5 Suffolk	18	18	0	CSU 23 Salem	10	10	0
CSU 6 Hopewell	17	14	3	CSU 23A Roanoke	19.50	15.50	4
CSU 7 Newport News	40	35	5	CSU 24 Lynchburg	25	24	1
CSU 8 Hampton	27	25	2	CSU 25 Staunton	20	20	0
CSU 9 Williamsburg	22.50	21.50	1	CSU 26 Winchester	20	18	2
CSU 10 Appomattox	19	18.50	0.50	CSU 27 Pulaski	23	21	2
CSU 11 Petersburg	20	17	3	CSU 28 Abingdon	16	15	1
CSU 12 Chesterfield	30	29	1	CSU 29 Pearisburg	22.50	20.50	2
CSU 13 Richmond	45	35	10	CSU 30 Gate City	17	17	0
CSU 14 Henrico	36	30	6	CSU 31 Manassas	40.75	38.75	2
CSU 15 Fredericksburg	41	41	2	CSU TOTAL	800.25	722.25	80
CSU 16 Charlottesville	27	25.50	1.50				

90%
Fill Rate

Data as of February 28, 2014



Virginia Department of Juvenile Justice

Probation Officers within the Court Service Units

PROBATION STAFF IN THE COURT SERVICE UNITS	FUNDED	FILLED	VACANT
CSU 1 Chesapeake	21	20	1
CSU 2 Virginia Beach	28	21	7
CSU 2A Accomack	6	5	1
CSU 3 Portsmouth	16	15	1
CSU 4 Norfolk	47	40	7
CSU 5 Suffolk	13	13	0
CSU 6 Hopewell	11	8	3
CSU 7 Newport News	31	26	5
CSU 8 Hampton	20	17	3
CSU 9 Williamsburg	15.00	15.00	0
CSU 10 Appomattox	12.50	12.00	0.50
CSU 11 Petersburg	13	10	3
CSU 12 Chesterfield	22	21	1
CSU 13 Richmond	34	26	8
CSU 14 Henrico	28	25	3
CSU 15 Fredericksburg	32	30	2
CSU 16 Charlottesville	20	19.00	1.00

PROBATION STAFF IN THE COURT SERVICE UNITS	FUNDED	FILLED	VACANT
CSU 18 Alexandria	16	14	2
CSU 20L Loudoun	10	9	1
CSU 20W Warrenton	5	5	0
CSU 21 Martinsville	13	13	0
CSU 22 Rocky Mount	16	13	3
CSU 23 Salem	7	7	0
CSU 23A Roanoke	14.50	10.50	4
CSU 24 Lynchburg	19	18	1
CSU 25 Staunton	13	13	0
CSU 26 Winchester	14	12	2
CSU 27 Pulaski	17	15	2
CSU 28 Abingdon	11	10	1
CSU 29 Pearisburg	14.00	13.00	1
CSU 30 Gate City	12	12	0
CSU 31 Manassas	32.75	30.75	2
P.O. TOTAL	583.75	518.25	65.50

88.7%
 Fill Rate

Data as of February 28, 2014



Virginia Department of Juvenile Justice

Probation Officer Facts

- Probation Officers are responsible for intake, probation and parole
- The number of Probation Officer positions required is based on a work load formula developed by the National Council On Crime and Delinquency (NCCD) in 2001
- NCCD is currently conducting another study to determine if the formula should be adjusted
- Prior to hiring a Probation Officer the candidate must complete a criminal background check and Child Protective Services background check
- The salary range for a Probation Officer is \$34,958 to \$62,870



Virginia Department of Juvenile Justice

Questions?

SUMMARY OF DIRECTOR'S CERTIFICATION ACTIONS

May 14, 2014

Certified the 1st District Court Service Unit for three years.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

Certified the 9th CSU for one year with a monitoring report in six months.

Pursuant to 6VAC35-20-100C.3, if the certification audit finds the program or facility in less than 100% compliance with all critical regulatory requirements or less than 90% on all noncritical regulatory requirements or both, and a subsequent status report, completed prior to the certification action, finds 100% compliance on all critical regulatory requirements and 90% or greater compliance on all noncritical regulatory requirements, the program or facility shall be certified for a specified period of time, up to three years.

Certified the 12th District Court Service Unit for three years.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

Certified the 20-W CSU for one year with a monitoring report in six months.

Pursuant to 6VAC35-20-100C.3, if the certification audit finds the program or facility in less than 100% compliance with all critical regulatory requirements or less than 90% on all noncritical regulatory requirements or both, and a subsequent status report, completed prior to the certification action, finds 100% compliance on all critical regulatory requirements and 90% or greater compliance on all noncritical regulatory requirements, the program or facility shall be certified for a specified period of time, up to three years.

Certified the 30th District Court Service Unit for three years.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

Certified Crater Juvenile Detention Center for three years.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

Certified Northwestern Regional Juvenile Detention Center and Post-dispositional Program for three years with a monitoring report in six months.

Pursuant to 6VAC35-20-100C.2, if the certification audit finds the program or facility in less than 100% compliance with all regulatory requirements and a subsequent status report, completed prior to the certification action, finds 100% compliance on all regulatory requirements, the director or designee shall certify the facility for a specific period of time, up to three years.

Certified Northern Virginia Juvenile Detention Home and Post-dispositional Detention program for three years.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for

SUMMARY OF DIRECTOR'S CERTIFICATION ACTIONS

three years.

Certified Rappahannock Juvenile Detention Center and Post-dispositional Detention Program of three years.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Chesapeake (1st) District Court Service Unit
301 Albemarle Drive
Chesapeake, Virginia 23320
(757) 382-8190
maury.brickhouse@djj.virginia.gov

AUDIT DATES:

November 12-13, 2013

CERTIFICATION ANALYST:

Mark Ivey Lewis

CURRENT TERM OF CERTIFICATION:

April 14, 2011 – April 13, 2014

REGULATIONS AUDITED:

6AC35-150 Regulations for Nonresidential Services Available to Juvenile and Domestic Relations District Courts

PREVIOUS AUDIT FINDINGS – January 18, 2011:

100% Compliance Rating

CURRENT AUDIT FINDINGS – November 13, 2013:

100% Compliance Rating

DEPARTMENT CERTIFICATION ACTION May 14, 2014: Certified the 1st District Court Service Unit for three years.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Clarice Booker, Team Leader
Sean Milner, Central Office
Gina Burton, Chesapeake (1st) Court Service Unit
Christina Thrift, Portsmouth (3rd) Court Service Unit
Theresa McBride, Norfolk (4th) Court Service Unit

POPULATION SERVED:

The 1st District Court Service Unit serves Chesapeake area (353 square miles).

PROGRAMS AND SERVICES PROVIDED:

The 1st District Court Service Unit provides mandated services including:

- Intake
- Probation supervision
- Direct care and parole supervision

The Unit interacts with the community in obtaining such services as:

- Group Home Program
- Post-Dispositional Detention Program
- In-Home Service Providers

1st District Court Service Unit (Chesapeake)

- Substance Abuse Counseling
- Individual and Family Therapy
- Challenge Outreach (Outreach Detention)
- The Violation Intervention Program
- Anger Replacement Therapy
- Sex Offender Treatment Provider
- Shoplifting Groups
- The Juvenile Conference Committee Program
- The Community Service Program
- Smoking Cessation Groups
- The Pendleton Project
- The Fire Setter's Program
- Community Mental health

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

9th District Court Service Unit (Williamsburg)
4093 Ironbound Road, Suite D
Williamsburg, Virginia, 23188
(757) 564-2460
Michael Shietle, Director
Michael.Shietle@djj.virginia.gov

AUDIT DATES:

February 10-11, 2014

CERTIFICATION ANALYST:

Sean D. Milner, Team Leader

CURRENT TERM OF CERTIFICATION:

April 14, 2011 – April 13, 2014

REGULATIONS AUDITED:

6AC35-150 Regulations for Nonresidential Services Available to Juvenile and Domestic Relations District Courts

PREVIOUS AUDIT FINDINGS January 13,2011:

93.5% Compliance Rating

*There are two repeat deficiencies from previous audit.

6VAC35-150-300 (A). Predispositionally placed juvenile.

6VAC35-150-300 (B). Predispositionally placed juvenile.

6VAC35-150-320 Transfer of youth

CURRENT AUDIT FINDINGS – February 11, 2014:

87.3% Compliance Rating

Number of Deficiencies: Eight

***6VAC35-150-300 (A). Predispositionally placed juvenile.**

***6VAC35-150-300 (B). Predispositionally placed juvenile.**

6VAC35-150-336 (A). Social histories.

6VAC35-150-350 (A). Supervision plans for juveniles.

6VAC35-150-350 (B). Supervision plans for juveniles.

6VAC35-150-400. Notice of release from supervision

6VAC35-150-410 (A). Commitment information.

6VAC35-150-415. Supervision of juvenile in direct care.

DEPARTMENT CERTIFICATION ACTION May 14, 2014: Certified the 9th CSU for one year with a monitoring report in six months.

Pursuant to 6VAC35-20-100C.3, if the certification audit finds the program or facility in less than 100% compliance with all critical regulatory requirements or less than 90% on all noncritical regulatory requirements or both, and a subsequent status report, completed prior to the certification action, finds 100% compliance on all critical regulatory requirements and 90% or greater compliance on all noncritical regulatory requirements, the program or facility shall be certified for a specified period of time, up to three years.

TEAM MEMBERS:

Sean D. Milner, Team Leader
Clarice Booker, Certification Unit
Deborah Hayes, Certification Unit
Thomas Gery, 2A CSU
Sheila Palmer, Certification Unit

POPULATION SERVED:

The 9th District Court Service Unit serves eleven jurisdictions which includes the two cities of Poquoson and Williamsburg and nine counties of Charles City, Gloucester, King and Queen, King William, Matthews, Middlesex, New Kent, James City, and York.

PROGRAMS AND SERVICES PROVIDED:

The 9th District Court Service Unit provides mandated services including:

- Intake
- Probation supervision
- Parole supervision
- Pre-dispositional investigations
- Video Intake site for the Department of Juvenile Justice

The Colonial Group Home Commission and Community Corrections provide:

- Outreach detention
- Electronic monitoring
- Community work
- Treatment groups
- Group home placements
- Alcohol diversion
- Law-related education

**CORRECTIVE ACTION PLAN
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

FACILITY/PROGRAM: 9TH District Court Service Unit/Williamsburg

SUBMITTED BY: Michael J. Scheittle, Director

CERTIFICATION AUDIT DATES: February 10-11, 2014

CERTIFICATION ANALYST: Sean D. Milner, Team Leader

Under Planned Corrective Action indicate; 1) The cause of the identified area of non-compliance. 2) The effect on the program. 3) Action that has been taken/will be taken to correct the regulation cited. 4) Action that will be taken to ensure that the problem does not recur.

6VAC35-150-300 (A). Predispositionally placed juvenile.

A. In accordance with approved procedures, a representative of the CSU shall make contact, either face-to-face or via videoconferencing, with each juvenile placed in predispositional detention, jail, or shelter care pursuant to § 16.1-248.1 of the Code of Virginia, within five days of the placement. A representative of the CSU shall make contact with the juvenile at least once every ten days thereafter either face-to-face or by telephone or videoconferencing. All such contacts shall include direct communication between the CSU staff and the juvenile.

Audit Finding:

1. One of 12 case files reviewed did not document contacts within five days of placement.
2. Six of nine case files reviewed did not document contacts with the juvenile at least once every ten days thereafter.

Program Response

Cause:

The missed contacts occurred between June 2012 and May 2013. For CY 2013, the court service unit underwent a major transition in staffing. The director position remained vacant for three months; the acting director oversaw district wide operation as well as departmental responsibilities and continued probation and parole supervisory duties. Vacancies for a probation supervisor and two senior probation officers were filled. A probation officer position in the Gloucester Office remained vacant for 8 months leaving just one full time probation officer; this office serves three jurisdictions. The Yorktown Office had two probation officers; one officer was reassigned part time to assist the Gloucester Office. The only probation officer position in the Williamsburg CSU office remained vacant 7 months. The parole officer, assigned to the Williamsburg Office is responsible for almost all of the parole supervision cases across the district. Probation Supervisor, Joe Jackson, [promoted in April] continued with the bulk of the probation case services. The two officers assigned to the New Kent and King William Office also assisted at Gloucester and Williamsburg.

The 9th CSU has 10 FTE probation officer positions; 3 of these positions are full time intake officers serving jurisdictions having high volumes of domestic and delinquent intakes. Vacancies left a core group of 5 probation officers to provide casework services and court coverage.

Annual and sick leave further exacerbated the situation. At the Yorktown CSU, the probation supervisor was out on VSDP for March 2013, and the Office Services Assistant was out on VSDP from January to mid April 2013. A significant number of the missed contacts did involve cases handled by the Yorktown Office.

Effect on Program:

Minimal Impact, probation and parole officers have multiple contacts with parents and juveniles. In addition, there are multiple court hearings in which the juvenile is physically present in Court.

Planned Corrective Action:

The "five day face-to-face" contact is a critical standard requiring full compliance. Contact is imperative when the juvenile has no prior history with the court service unit.

Effective immediately, probation supervisors will report to the CSU Director, each Monday morning, the name of each predisposition admission requiring contact pursuant to 6VAC35-150-300 (A), and the plan for ensuring that the contacts are made. Each Friday, the probation supervisor will submit written confirmation that the required contacts were made, as well as the name of any new predisposition placed juvenile. Bi-weekly, probation officers will be tasked with the specific responsibility to ensure that all predisposition contacts are completed on a weekly basis. This action plan will require a more in-depth review, by all, of the BADGE Community Insight Report: "Detention Visit Contact Due Dates for Open Pre-Detention Admissions." Any missed contact will be fully documented as to the reason(s) and also reported to the Regional Program Manager.

Completion Date:

Effective Immediately and On-going.

Person Responsible:

CSU Director and Probation Supervisors

Current Status on April 17, 2014: COMPLIANT

Interviewed CSU Director. CSU Director presented documentation used to track visits and described the new procedure outline in the corrective action plan. Seven juveniles were detained between February 11, 2014, and April 17, 2014. All applicable cases reviewed were seen in accordance with approved procedures.

6VAC35-150-300 (B). Predispositionally placed juvenile.

B. The case of each pre-dispositionally placed juvenile shall be reviewed at least every ten days in accordance with approved procedures to determine whether there has been a material change sufficient to warrant recommending a change in placement.

Audit Finding:

Nine of ten case files reviewed did not document that a review was conducted at least every ten days in accordance with approved procedures to determine whether there has been a material change sufficient to warrant recommending a change in placement.

Program Response

Cause:

The present approved procedure was clearly set forth in the Corrective Action Plan submitted in response to the January 2011 Certification Audit. Since then, there has been no departmental guidance or change notice. Compliance determination can be based on a review of case records or other documentation. Each week, the CSU Director reviews the BADGE Community Insight Report: "Detention Visit Contact Due Dates for Open Pre-Detention Admissions." Each pre-detention admission is reviewed as to length of stay, and contact visits. Since the report is printed and reviewed weekly, any concerns/problems regarding length of stay, contact visits, court process/delays and case concerns are addressed with the appropriate probation

supervisor. Since September 2010, *other documentation* has been maintained on the 9th CSU X-drive. The audit team was provided three years of weekly documentation.

Effect on Program:

There was minimal Impact. In addition to the present approved procedure, the probation officers are having their ten day contacts, either face-to-face, by telephone or videoconferencing to assess case dynamics and the juvenile behavior to determine if the juvenile can be released on a less restrictive option. The three judges, with a high level of consistency, also set review hearings for a formal determination as to whether there are "material changes that would warrant a change in placement."

Planned Corrective Action:

It is important for the CSU Director to review, weekly, all juveniles in detention for the reason stated above. The 9th District serves 11 jurisdictions; each locality detention budgets range from as little as \$9,500 to \$400,000. The localities also have the expectation that all detention placements are being closely monitored, by the CSU, as to length of stay and appropriateness of placement.

The present approved procedure will be maintained, but will be enhanced to require the probation supervisor to review each predisposition placed juvenile as to the appropriateness of placement. All detention reviews, by a probation supervisor, will be entered into the BADGE Case Narrative.

Completion Date:

Effective Immediately and On-going.

Person Responsible:

CSU Director and Probation Supervisors

Current Status on April 17, 2014: COMPLIANT

The CSU Director presented documentation used to track visits and described the new procedure outlined in the corrective action plan. All applicable case files reviewed showed that each pre-dispositionally placed juvenile were reviewed at least every ten days in accordance with approved procedures.

6VAC35-150-336 (A). Social histories.

A. A social history shall be prepared in accordance with approved procedures (i) when ordered by the court, (ii) for each juvenile placed on probation supervision with the unit, (iii) for each juvenile committed to the Department, (iv) for each juvenile placed in a postdispositional detention program for more than 30 days pursuant to § 16.1-284.1 of the Code of Virginia, or (v) upon written request from another unit when accompanied by a court order. Social history reports shall include the following information:

1. Identifying and demographic information on the juvenile;
2. Current offense and prior court involvement;
3. Social, medical, psychological, and educational information about the juvenile;
4. Information about the family; and
5. Dispositional recommendations, if permitted by the court.

Audit Finding:

In one or more instances social histories were not prepared in accordance with approved procedures.

1. Twelve of 15 social histories reviewed did not clearly reference response to court intervention.
 2. Two of 15 social histories reviewed did not clearly reference detention history.
 3. Eleven of 15 social histories reviewed did not document association with pro-social individuals and association with peers involved in delinquent or negative behaviors.
 4. One of 15 social histories reviewed did not document the juvenile's belief regarding aggression as a conflict resolution strategy.
 5. Two of 15 social histories reviewed were missing the juvenile's skills in understanding the consequences of actions; ability to effectively set goals, solve problems, and control behavior and impulses.
 6. Three of 15 social histories reviewed did not describe the juveniles' use of alcohol and drugs and the impact of use.
 7. Two of 15 social histories reviewed were missing information on school activities.
 8. Two of 15 social histories reviewed did not describe how the families handle conflict.
 9. Two of 15 social histories reviewed did not identify criminal history of others in the household.
 10. Four of 15 social histories reviewed did not identify substance abuse and mental health issues of others living in the household.
 11. One of 15 social histories reviewed did not assess juveniles' strength or protective factors and the family's strengths or protective factors.
 12. Two of 15 social histories reviewed did not identify area's needing intervention.
 13. In two of 15 social histories reviewed there was no documentation of approval by the supervisor.
-

Program Response

Cause:

April 2012, the 9th CSU's Social History Template was revised to incorporate all information pursuant to DJJ Policy 9230 and the Youth Assessment Instrument (YASI). A simple reading of the 15 social histories audited revealed that the areas enumerated in DJJ Policy 9230 were more than adequately addressed. In fact, actual wording and phrases set forth in the applicable standard were mimicked within the social history narratives. (A separate report, "Certification Audit Concerns-A Detail Analysis" contains the exact paragraphs extracted from the social histories. This document was supplied to the Certification Manager.)

Effect on Program:

None, the social histories were very comprehensive reports.

Planned Corrective Action:

The 9th CSU Social History Template is being revised to fully capture all specific wording as enumerated in DJJ Policy 9230 - III. Procedures: A 1, thru 17. Two of 15 social histories reviewed had no documentation of approval of the report by the supervisor. The reports were signed by the probation officer OBO for the supervisor. *While this practice is a rarity*, it will cease immediately. Staff training will be completed as to the proper procedural requirements.

Completion Date:

Effective immediately, all social histories will be reviewed and signed by a probation supervisor or a senior probation officer. Action will be clearly documented in the BADGE Case narrative.

Person Responsible:

Probation Supervisor and Senior Probation Officer

Current Status on April 17, 2014: COMPLIANT

The CSU Director produced a template of the new social history format developed in response to the audit findings. The new social history template, when completed, would address all of the discrepancies identified in the February audit. Five new probation cases were open between February 11, 2014, and April 17, 2014. Four of those cases were physically available on site. Four physical cases reviewed. All case files reviewed demonstrated that social histories were prepared in accordance with approved procedures.

6VAC35-150-350 (A). Supervision plans for juveniles.

A. To provide for the public safety and address the needs of a juvenile and that juvenile's family, a juvenile shall be supervised according to a written individual supervision plan, developed in accordance with approved procedures and timeframes, that describes the range and nature of field and office contact with the juvenile, with the parents or guardians of the juvenile, and with other agencies or providers providing treatment or services.

Audit Finding:

Supervision plans were not developed in accordance with approved procedures.

1. Three of 13 case files reviewed supervision plans were not developed within 45 days following dispositions.
 2. Two of ten case files reviewed were missing selected risk factors.
 3. Eight of ten case files reviewed were missing the assessment of the juvenile and family's motivation for change.
 4. One of ten case files reviewed did not list specific time frames for action steps that did not exceed the projected duration of probation.
 5. Five of ten case files reviewed did not state the frequency of contacts with supervision plan participants, including external agencies.
-

Program Response

Cause:

In two cases, the juveniles were detained shortly after being placed on probation. They remained in detention until disposition. One juvenile was placed in the Merrimac Secure Post Disposition Program, and the other juvenile was committed to DJJ. Regarding the third case, the juvenile was placed on probation on May 7, 2013. Extensive work was done developing a YASI-based Probation Supervision Case Plan. The juvenile left Virginia on August 16, 2013, to attend a military school in Florida. The court released this juvenile from probation supervision on August 26, 2013.

Regarding the above findings [2 through 5], two of the ten cases identified as missing this information had the completed information entered in BADGE; however, the cover sheet was not printed and placed in the juvenile's case file. The other (8) eight cases were near to being

9th District Court Service Unit (Williamsburg)

released from supervision during the transition to the *YASI-based Probation Supervision Case Plan* and were closed with the previous supervision plan template used by this Court Service Unit. *Also, six of these juveniles were successfully released; their cases were closed prior to this certification audit.*

Effect on Program:

None. The traditional pre-YASI Service Plans were completed, the juveniles received the required intervention service, and six juveniles were successfully released from probation.

Planned Corrective Action:

The 9th Court Service Unit has now completed the transition to all YASI-based Probation Supervision Case Plans incorporating risk factors, juvenile and family's motivation for change, time frames for action steps/projected duration of probation, and frequency of contacts with supervision plan participants, including external agencies.

Completion Date:

Completed and will be on-going for new probation supervision cases.

Person Responsible:

Probation Supervisors

Current Status on April 17, 2014: COMPLIANT

Interviewed CSU Director concerning YASI supervision case plans. Director implemented the use of the YASI case management plan immediately following the certification audit in February. All case files reviewed demonstrated that supervision plans were developed in accordance with approved procedures.

6VAC35-150-350 (B). Supervision plans for juveniles.

B. In accordance with approved procedures, each written individual supervision plan shall be reviewed (i) with the juvenile and the juvenile's family, and (ii) by a supervisor from both a treatment and a case management perspective to confirm the appropriateness of the plan.

Audit Finding:

1. In four of 19 case files reviewed the supervision plan was not reviewed with the juvenile and the juvenile's family at least once every 90 days.
 2. In seven of 19 case files reviewed there was not a review once every 90 days by a supervisor from both a treatment and a case management perspective to confirm the appropriateness of the plan.
-

Program Response

Cause:

Regarding the four cases noted in finding 1. *First Case* – Parole supervision case, juvenile over eighteen, committed as Serious Offender, now being supervised by Adult Probation and Parole. Per DJJ Policy 9338 IV D, the review and update of the Comprehensive Re-Entry Case Plan is not required.

Second Case – Review of supervision plan with juvenile and family was exceeded by 4 days.

Nine other supervision plan reviews were completed monthly.

Third Case – Juvenile detained shortly after being placed on probation and was committed to DJJ.

Fourth Case – Juvenile moved out of state, and ICJ Request Completed; however, court released the juvenile from probation supervision.

Regarding the seven cases noted in finding 2. In five cases, the supervisory reviews exceeded the 90 day requirement. There were 9 overdue supervisory reviews. Two cases involved juveniles committed to DJJ; one juvenile had a 60 day court review and the other juvenile was committed by the Circuit Court without a social history report. These events altered the timeframes for transitioning into direct care and to JCC placements and *may have* contributed to an overdue supervisory review. Staff vacancies may have also been contributing factor. The overdue reviews were by a few days.

Effect on Program:

Minimal Impact. Supervisory reviews are monitored monthly via the BADGE – Community Insight Report - “*Supervisory Review/Supervision Plan Review/Family Progress Report*” as to overdue and pending reviews. The reports are printed monthly; overall, this CSU has a high rate of compliance.

Planned Corrective Action:

1. Supervision plan reviews for probation supervision cases will now be completed monthly.
2. Supervision plan reviews for parole cases will now be completed at a 60 day interval.
3. Supervisory review for probation and parole cases will now be complete at a 60 day interval.
4. CSU will also explore the feasibility of creating a master listing to track reviews.

Completion Date:

New requirements will be implemented April 1, 2014, and then on-going.

Person Responsible:

Probation Officers and Supervisors

Current Status on April 17, 2014: COMPLIANT

Cases opened after February 11, 2014, and before April 17, 2014, were reviewed. All cases reviewed were open less than 90 days. All cases reviewed were being managed in accordance with the corrective action plan.

6VAC35-150-400. Notice of release from supervision.

Notice of release from supervision shall be given in writing to the individual under the supervision of a CSU and to the parents or guardians of juveniles. Such notification shall be appropriately documented in the case record in accordance with approved procedures.

Audit Finding:

Notices of release from supervision were not documented in accordance with approved procedures.

1. In two of four case files reviewed there was no documentation that the supervisor’s approval was obtained prior to presenting the recommendation to the court.

2. In one of four case files reviewed, the probation evaluation in the DJJ electronic data collection system was not completed.
-

Program Response

Cause:

Audit finding 1. – One juvenile was placed on probation on May 7, 2013, and released from probation at the August 26, 2013, court review hearing; the juvenile entered a military school in Florida. The other juvenile was placed on probation April 25, 2013. On June 16, 2013, she was released from the Merrimac Secure Detention Post D. Program on her 18th birthday. She moved to Maryland and an ICJ Request was completed. Because of Maryland's supervision requirements, the juvenile was released from probation supervision on October 22, 2013.

Audit finding 2. – One probation evaluation was not entered into the DJJ electronic data collection system. The 9th CSU has a high rate of compliance with this standard. This can be verified through the BADGE Community Insight Report Module - "Probation Discharge Evaluation."

Effect on Program:

None. A full range of intervention services were provided.

Planned Corrective Action:

The 9th CSU already closely adheres to notice of release from supervision procedures. Prior to release, the case is reviewed with the probation supervisor. A release letter, summarizing the juvenile adjustment and compliance, is submitted to the court along with a release order for the judge to sign. The release letter is also signed by the probation supervisor. Copies are also provided to the commonwealth attorney.

The Notice of Release from Supervision Procedures pursuant to 6VAC35-150-400 will be reviewed with all probation and parole officers to ensure a clearer understanding that all recommended releases must first be reviewed and approved by the supervisor, regardless of the case dynamics.

Completion Date:

Effective Immediately and On-going

Person Responsible:

Probation Supervisors

Current Status on April 17, 2014: UNDETERMINABLE BASED ON LACK OF REVIEWABLE MATERIAL

Interviewed CSU Director prior to review. CSU Director was able to thoroughly explain updated procedures and planned corrective action. No cases applicable as all cases reviewed were released from supervision directly from Court.

6VAC35-150-410 (A). Commitment information.

A. When a juvenile is committed to the Department, the juvenile may not be transported to the Reception and Diagnostic Center (RDC) until (i) the items and

information required by the Code of Virginia and approved procedures have been received by RDC and (ii) the case is accepted by RDC.

Audit Finding:

In one or more instances the commitment information was not provided in accordance with approved procedures.

1. In one of four case files reviewed there was no documentation of medical or behavioral alerts in the commitment cover letter.
2. In one of four case files reviewed there was no documentation of current medications in the commitment cover letter.
3. In two of four case files reviewed there was no documentation of the name(s) of any co-defendants in the commitment cover letter.
4. In three of four case files reviewed there was no documentation of the victim(s) of the committing charges in the commitment cover letter.
5. In one of four case files reviewed there were no school re-enrollment form(s) in the case file.
6. In one of four case files reviewed there was missing information required by the Sex Offender Information checklist.
7. In one of four case files reviewed there was not a copy of the order requiring registration if the juvenile is ordered by the court to register on the Sex Offender and Crimes against Minors Registry.

Program Response

Cause:

One case involved no documentation of current medications in the commitment cover letter. However, the cover letter did include, "*Kevin has no history of documented mental health diagnosis and is not taking any psychotropic medications. Based on Merrimac Detention Center's behavioral reports, there is no reason to believe that Kevin is at risk of self-harm.*" Kevin was not on any other medications; this should have been noted in the commitment cover letter.

In three cases, there was no documentation in the commitment cover letter, regarding the name(s) of any co-defendants, and the victim(s) of the committing charges. *This is a major omission regarding commitment letters completed by the 9th CSU.* These reporting requirements are clearly mandated pursuant to DJJ Policy 9332, and 6VAC35-150-410 (A). The 9th CSU utilizes a Commitment Cover Letter Checklist; these requirements were never added.

In one of four cases reviewed, there was no school re-enrollment form completed. The family residence is within the State of Maryland. The juvenile was in a residential placement for two years undergoing sex offender treatment and he was not in a public school setting. *Previous public school enrollment information was not readily available.* The juvenile was brought back to Virginia, convicted in York County Circuit Court and committed to DJJ. RDC was advised that the school re-enrollment form could not be completed; this should have been noted in the commitment cover letter.

In one of four case files reviewed there was missing information required by the Sex Offender Information checklist. *The Sex Offender Information Checklist was not completed.* However, extensive documentation was included in the Commitment Package which covered in detail the

basic categories A, B and C and Procedure V: A and B as set forth in DJJ Policy 9435. RDC did not email any further request for such information.

Audit Finding 7 - A copy of the December 20, 2012 York County Circuit Order requiring James "to register on the Sex Offender and Crimes against Minor Registry", was in the case file folder. The order was also included in the commitment packet. This requirement was also noted in the BADGE Direct Care Module.

Effect on Program:

Fortunately, there has been none. However, the potential effect could be quite serious, especially in regards to safety and security at RDC and the JCCs.

Planned Corrective Action:

Immediate training will be provided to all probation and parole staff. A recently completed *Commitment Cover Letter* included all the required information. The Commitment Cover Letter Checklist has now been amended and will also be included with the commitment packet as further confirmation that all requirements per 6VAC35-150-410 (A) have been addressed. There will also be greater supervisory oversight of all commitment documentation.

Completion Date:

Effective Immediately and On-going.

Person Responsible:

CSU Director and Probation and Parole Supervisors

Current Status on April 17, 2014: COMPLIANT

Two juveniles were committed between February 11, 2014 and April 17, 2014. Two of two cases reviewed showed that the commitment information was provided in accordance with approved procedures.

6VAC35-150-415. Supervision of juvenile in direct care.

For a juvenile placed in direct care, the probation or parole officer shall, in accordance with approved procedures, do the following:

1. Develop and implement a family involvement plan.
2. Develop a parole supervision plan.
 - a. For a juvenile indeterminately committed to the Department pursuant to subsection A (14) of § [16.1-278.8](#) and § [16.1-272](#) of the Code of Virginia, CSU staff shall complete a parole supervision plan in accordance with approved procedure.
 - b. For a juvenile determinately committed to the Department pursuant to subdivision A (17) of § [16.1-278.8](#) or §§ [16.1-285.1](#) or [16.1-272](#) of the Code of Virginia, a parole supervision plan shall be prepared for all serious offender judicial review hearings as required by law and in accordance with approved procedures.
3. Send a report on the family's progress toward planned goals of the family involvement plan to the facility at which the juvenile is housed.

Audit Finding:

Supervision and family involvement plans were not developed and implemented in accordance with approved procedures.

1. Four of five case files reviewed did not have supervision plans.
 2. Four of five case files reviewed did not have family involvement plans.
 3. In one of five case files reviewed a report on the family's progress toward planned goals of the family involvement plan was not sent to the facility at which the juvenile was housed.
-

Program Response

Cause:

Regarding the four cases noted in Audit Findings 1 and 2.

For the four cases identified "*as not having documentation of a supervision plan or family involvement plan.*" All CSU case files did contain the YASI Comprehensive Re-Entry Case Plan (CRCP). Furthermore, the CSU components of the CRCP cover sheets were completed. *One juvenile was committed to a determinate sentence age 21. Per DJJ-Police 9338, a review and update of the CRCP is required.*

There still appears to be much ambiguity in regards to the completion of the CRCP for juveniles in direct care. 6VAC35-150-415 continues to reference "supervision plan" and indicates that the parole officer is required to complete the plan. As defined in DJJ Policy 9338, the "Comprehensive Re-Entry Case Plan" replaces the "Individual Supervision Plan" and the "Family Domain" of the YASI application replaces the "Family Involvement Plan" required by the Regulation Governing Nonresident Services (6VAC35-150).

The Comprehensive Re-Entry Case Plan is now initiated by the Treatment Team at the Juvenile Correctional Center (JCC) in accordance with JCC SOP-443. Per the CRCP Process (June 2012), "The Juvenile Correctional Center obtains the appropriate signatures for page 3 of the CRCP cover sheet and signatures for the completed CRCP."

The actual compliance issue here was the absence of any signed CRCP signature pages within the CSU case files. There is no definitive system in place between the Juvenile Correctional Center and Court Service Unit to ensure that the signature page is disseminated after signatures are obtained. *Until recently, the signature page was not even forwarded to this CSU.*

Regarding Audit Finding - 3

"A report on the family's progress toward planned goals of the family involvement plan was not sent to the facility." The juvenile has no parental involvement or designated legal custodian. The CSU is working with York County DSS. Upon release, the juvenile will be placed in the custody of social services. For this reason, no report was sent to the facility.

Effect on Program:

Moderate - Despite the confusion over the YASI Comprehensive Re-Entry Case Plan, juveniles continue to be transitioned back to the community with an array of community "294" funded" services.

Planned Corrective Action:

1. Training will be held for parole officers on the YASI-based Comprehensive Re-Entry Case Plan with a focus on (1) time frames for completion of the signature page, and (2) better coordination between CSU and JCC staff.
2. CSU will develop a letter template to request a copy of the signed signature page. This letter will be sent to the JCC counselor following the initial JCC Treatment Team Meeting.

Completion Date:

May 1, 2014, and On-going

Person Responsible:

CSU Probation Supervisors

Current Status on April 17, 2014: COMPLIANT

Two juveniles were committed between February 11, 2014 and April 17, 2014. Two of two cases reviewed demonstrated that the process for developing supervision and family involvement plans were in accordance with approved procedures.

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

12th District Court Service Unit (Chesterfield)
7000 Lucy Corr Boulevard
Chesterfield, VA. 23832
(804) 748-1372
James Nankervis, Director
James.Nankervis@djj.virginia.gov

AUDIT DATES:

January 21-22, 2014

CERTIFICATION ANALYST:

Sean Milner

CURRENT TERM OF CERTIFICATION:

May 19, 2011-May 18, 2014

REGULATIONS AUDITED:

6VAC35-150 Regulations for Nonresidential Services Available to Juvenile and Domestic Relations District Courts

PREVIOUS AUDIT FINDINGS February 9, 2011:

98.2% Compliance Rating
6VAC35-150-300.B Detention Reviews
6VAC35-150-350.G Supervision Plans

CURRENT AUDIT FINDINGS – January 21-22, 2014:

100% Compliance Rating

DEPARTMENT CERTIFICATION ACTION May 14, 2014: Certified the 12th District Court Service Unit for three years.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Sean Milner Team Leader
Clarice Booker, Central Office
Deborah Hayes, Central Office
Lewis Wright, 14th CSU Henrico
Earl Conklin, 17-A CSU Arlington

POPULATION SERVED:

The 12th District Court Service Unit serves Chesterfield County and the city of Colonial Heights.

PROGRAMS AND SERVICES PROVIDED:

The 12th District Court Service Unit provides mandated services including:

- Intake
- Probation supervision
- Direct care and parole supervision
- Investigative reports

12th District Court Service Unit (Chesterfield)

The Unit interacts with the community in obtaining such services as:

- Community referrals:
 - Mental health support:
 - Substance abuse services, evaluations and general counseling;
 - FAPT: To access CSA funds for services and possible placement of youth;
 - Chesterfield Adolescent Reporting Center: youth on supervision are referred there as a sanction for probation violations.
-

**CERTIFICATION AUDIT REPORT
TO THE
BOARD OF JUVENILE JUSTICE**

PROGRAM AUDITED:

20-W District Court Service Unit (Warrenton)
9 Court Street
Warrenton, VA 20186
(540) 422-8050
Kenneth E. Smith, CSU Director
Kenneth.smith @djj.virginia.gov

AUDIT DATES:

December 9, 2013

CERTIFICATION ANALYST:

Clarice T. Booker

CURRENT TERM OF CERTIFICATION:

May 19, 2011 – May18, 2014

REGULATIONS AUDITED:

6VAC35-150 Regulations for Nonresidential Services Available To Juvenile And Domestic Relations District Courts

PREVIOUS AUDIT FINDINGS - February 24, 2011

93.45% Compliance Rating

Number of Deficiencies: Four

6VAC35-150-300.A Pre-dispositionally Placed Youth
6VAC35-150-300.B Pre-dispositionally Placed Youth
6VAC35-150-350.A Supervision Plans
6VAC35-150-380 Violation of Probation or Parole

CURRENT AUDIT FINDINGS – December 9, 2013:

94.34% Compliance Rating
No deficiencies from previous audit.

Number of Deficiencies: Three

6VAC35-150-140 (A) Records management
6VAC35-150-336 (B) Social Histories
6VAC35-150-350 (B) Supervision plans for juveniles

DEPARTMENT CERTIFICATION ACTION May 14, 2014: Certified the 20-W CSU for one year with a monitoring report in six months.

Pursuant to 6VAC35-20-100C.3, if the certification audit finds the program or facility in less than 100% compliance with all critical regulatory requirements or less than 90% on all noncritical regulatory requirements or both, and a subsequent status report, completed prior to the certification action, finds 100% compliance on all critical regulatory requirements and 90% or greater compliance on all noncritical regulatory requirements, the program or facility shall be certified for a specified period of time, up to three years.

20-W District Court Service Unit (Warrenton)

TEAM MEMBERS:

Clarice T. Booker, Team Leader
Deborah Hayes, Central Office
Mark Lewis, Central Office
Sean Milner, Central Office
Shelia Palmer, Central Office
Lorraine Peck, Fairfax (19th) Court Service Unit
Paul Reaves, Central Office

POPULATION SERVED:

The 20-W Court Service Unit serves the counties of Fauquier and Rappahannock.

PROGRAMS AND SERVICES PROVIDED:

The 20-W District Court Service Unit provides mandated services including:

- Intake
- Probation supervision
- Direct care and parole supervision
- Investigative reports

The Unit interacts with the community in obtaining such services as:

- Intensive supervision
- In-home counseling
- Mentoring
- Life skills
- Electronic monitoring
- Sex offender treatment and evaluation
- Substance abuse services

**CORRECTIVE ACTION PLAN
TO THE
BOARD OF JUVENILE JUSTICE**

FACILITY/PROGRAM: 20th District Court Service Unit (Warrenton)
SUBMITTED BY: Kenneth Smith, CSU Director
CERTIFICATION AUDIT DATES: December 12, 2013
CERTIFICATION ANALYST: Clarice T. Booker

Under Planned Corrective Action indicate; 1) The cause of the identified area of non-compliance. 2) The effect on the program. 3) Action that has been taken/will be taken to correct the standard cited. 4) Action that will be taken to ensure that the problem does not recur.

6VAC35-150-140.A Records management

Case records shall be indexed and kept up to date and uniformly in content and arrangement in accordance with approved procedures.

Audit Finding:

The DJJ electronic database-generated "juvenile identification (JTS) number" and the juvenile's middle initial were missing from the label on the file in 15 out of 15 case records reviewed.

Program Response

Cause:

The 20W CSU was using the face sheet in each case file to meet this standard. The name and date of birth for each case file has been on the label but the DJJ number was not included on the label.

Effect on Program:

The DJJ number for the juvenile file was not readily accessible without opening the file to view the face sheet.

Planned Corrective Action:

The senior secretary creates each new file and then gives the probation supervisor the file for review and assignment. The secretary has been instructed to create a label with the last name, first name, middle initial, and DJJ number for each file created. The probation supervisor will review each label to ensure the DJJ number is included in the file label.

Completion Date:

12/13/13

(Each newly file created since the audit on 12/12/13 includes the DJJ number in addition to the last name, first name, and middle initial.)

Person Responsible:

Mary Lynn Pitts, Probation Supervisor

Current Status on April 17, 2014: Compliant

A review of ten applicable files demonstrated compliance with proper indexing.

6VAC35-150-336.B Social Histories

An existing social history that is less than 12 months old may be used provided an addendum is prepared updating all changed information. A new social history shall be prepared as required in subsection A of this section or when ordered by the court if the existing social history is more than 12 months old.

Audit Finding:

One out of five applicable case records was missing the required addendum in accordance with approved procedures. The post-dispositional social history was not completed within 45 days in two out of five applicable case records reviewed.

Program Response

Cause:

In the one case in which the addendum was missing, a social history was prepared within the

past six months. The probation officer provided updated information in the commitment packet letter which was not sufficient to meet the standards. An addendum should have been prepared prior to sending the packet.

In two out of five applicable case records the post-dispositional social history was not completed within 45 days.

Effect on Program:

The updated information was not readily accessible in social history format. A person reading the file would not have the benefit of the updated information without reading the commitment packet letter. The post-dispositional social history was not completed in accordance with DJJ standards.

Planned Corrective Action:

The probation supervisor will instruct the probation officer to prepare an addendum to the social history prior to submitting a commitment packet to the supervisor for review and prior to sending the packet to RDC. In cases when a closed case is reopened or a juvenile is continued on probation and the social history is twelve months old, the probation officer will be instructed by the supervisor to prepare an addendum to the social history in the file. The request will be documented by the probation supervisor in the running record to ensure compliance. All probation officers will be receiving a copy of the Corrective Action Plan to review the requirements and the probation supervisor will review the information with staff in the next staff meeting.

The probation supervisor assigns the case to the probation officer and documents in the running narrative the due date for the social history and case plan. The probation supervisor keeps a separate calendar of due dates for social histories and case plans. When submitted for review, the probation supervisor documents the completion of the social history (YASI) and case plan in the running narrative indicating the 45 day compliance. In cases where the social history and case plan have not been completed within the 45 days, the narrative will indicate the reason for the lack of compliance.

Completion Date:

December 13, 2013

Person Responsible:

Mary Lynn Pitts, Probation Supervisor

Current Status on April 17, 2014: Non-compliant

The post-dispositional social history was not completed within 45 days in two out of five applicable case records reviewed. There were no applicable files in the random selection that required an addendum.

VAC35-150-350.B Supervision plans for juveniles

In accordance with approved procedures, each written individual supervision plan shall be reviewed (i) with the juvenile and the juvenile's family, and (ii) by a supervisor from both a treatment and a case management perspective to confirm the appropriateness of the plan.

Audit Finding:

The supervision plan was not reviewed within 90 days with the juvenile and/or parent in five out of 13 applicable case records reviewed. The supervision plan was not reviewed by the supervisor within 90 days in five out of 13 applicable case records reviewed. There was no documentation that a revised supervision plan was reviewed by the supervisor in accordance with approved procedures in one out of six applicable case records reviewed.

Program Response

Cause:

The Community Insights Report was not being utilized weekly as a tool to keep the supervisor and probation staff apprised of due dates for case reviews. The Probation Supervisor prints the list of upcoming case reviews weekly and circulates to the staff as a reminder of case reviews. The review of the case plan with the juvenile and the family should have been done within each 90 days and reviewed by the probation supervisor from a case management and treatment perspective but wasn't documented as such.

Effect on Program:

The files reviewed were not in compliance with DJJ standards.

Planned Corrective Action:

The 20W CSU is currently complying with this standard. The Community Insights Report is printed weekly to keep the Supervisor and staff apprised of due dates for review of cases. The probation supervisor reviews the file from a case management and treatment perspective and documents as such within the 90 day review period. The supervisor's narrative routinely provides the next review date with a notation that the file and case plan should be submitted immediately if any changes are made in the plan. The probation staff will be receiving a copy of the Corrective Action Plan to review the requirements of this standard but in most cases, this is done routinely in the unit.

Completion Date:

December 13, 2013

Person Responsible:

Mary Lynn Pitts, Probation Supervisor

Current Status on April 17, 2014: Compliant

In the six applicable case files reviewed compliance with the requirements of the regulation was demonstrated.

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

30th District Court Service Unit (Gate City)
122 Municipal Avenue
Gate City, VA 24251
(276) 386-9561
Mark Thompson, Director
Mark.thompson@djj.virginia.gov

AUDIT DATES:

January 14-15, 2014

CERTIFICATION ANALYST:

Clarice T. Booker

CURRENT TERM OF CERTIFICATION:

June 18, 2011 – June 17, 2014

REGULATIONS AUDITED:

6VAC35-150 Regulations for Nonresidential Services Available To Juvenile And Domestic Relations District Courts

PREVIOUS AUDIT FINDINGS – March 29, 2011:

100% Compliance Rating

CURRENT AUDIT FINDINGS – January 15, 2014:

100% Compliance Rating

DEPARTMENT CERTIFICATION ACTION May 14, 2014: Certified the 30th District Court Service Unit for three years.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Clarice T. Booker, Team Leader
Shelia Palmer, Central Office
Darcy Janson, Abingdon (28th) Court Service Unit

POPULATION SERVED:

The 30th District Court Service Unit serves the City of Norton and counties of Lee, Scott and Wise.

PROGRAMS AND SERVICES PROVIDED:

The 30th District Court Service Unit provides mandated services including:

- Intake
- Probation supervision
- Direct care and parole supervision
- Investigative reports

30th District Court Service Unit (Gate City)

The Unit interacts with the community in obtaining such services as:

- Juvenile Drug Court
 - Outreach Detention/Electronic Monitoring
 - Community Service
 - Intensive Supervision
-

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Crater Juvenile Detention Center
Address: 6102 County Drive
Disputanta, VA 23842
Telephone: (804) 861-0644
Jack M. Scott, Executive Director
JScott@cyc.state.va.us

AUDIT DATES:

December 2-3, 2013

CERTIFICATION ANALYST:

Paul Reaves, Jr

CURRENT TERM OF CERTIFICATION:

May 9, 2011- May 8, 2014

REGULATIONS AUDITED:

6VAC35-101 Regulation Governing Juvenile Secure Detention Centers

PREVIOUS AUDIT FINDINGS February 1, 2011:

100% Compliance Rating

CURRENT AUDIT FINDINGS – December 3, 2013:

100% Compliance Rating

DEPARTMENT CERTIFICATION ACTION May 14, 2014: Certified Crater Juvenile Detention Center for three years.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Paul Reaves (Team Leader)
Clarice Booker, Central Office
Mark Lewis, Central Office
Shelia Palmer, Central Office
Lloyd Jackson, Central Office
Marc Booker, Central Office
Garvey Dobbins, Beaumont JCC
Deborah Hayes, Central Office
Spring Johnson, Piedmont JDC

POPULATION SERVED:

The Crater Secure Detention Home provides services for the Cities of Petersburg, Hopewell, and Emporia, and the counties of Prince George, Sussex, Surry and Dinwiddie.

PROGRAMS AND SERVICES PROVIDED:

The Crater Secure Detention Home provides the following:

Crater Juvenile Detention Center

- Secure detention services for juveniles and outreach services.
 - Educational services which are available Monday-Friday, from 8:30 a.m. to 3:00 p.m., with four (4) teachers assigned to the educational program.
 - Recreation, both indoor and outdoor, is an integral part of the daily schedule.
 - Large muscle group activities are offered twice daily.
 - Special guest/visitors and speakers are an active part of the program, i.e. bible study groups and presentations from the community.
 - Crisis counseling is also available as needed through the District 19 Community Services Board. These services include intensive one-on-one counseling, substance abuse counseling, and family counseling. Two (2) mental health clinicians are assigned to the facility in addition to a contractual psychiatrist.
 - Parents and guardians visit the youth on Sundays from 12:30 p.m. - 1:30 p.m. Special visitations are on an as needed basis.
-

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Northwestern Regional Juvenile Detention Center
145 Fort Collier Road
Winchester, VA 22603
(540) 722-6174
Erin K. Maloney, Superintendent
maloneye@frederick.k12.va.us

AUDIT DATES:

November 18-20, 2013

CERTIFICATION ANALYST:

Clarice T. Booker

CURRENT TERM OF CERTIFICATION:

April 14, 2011 – April 13, 2014

REGULATIONS AUDITED:

6VAC35-101 Regulation Governing Juvenile Secure Detention Centers

PREVIOUS AUDIT FINDINGS January 5, 2011:

99.4% Compliance Rating
6VAC35-51-310.A Orientation
6VAC35-51-1050.K (Mandatory) Evacuation drills

CURRENT AUDIT FINDINGS – November 20, 2013:

98.48% Compliance Rating
No repeat deficiencies from last audit.
6VAC35-51-780.E Structured Program of Care
6VAC35-51-800.E (Mandatory) Medical Examinations and Treatment
6VAC35-51-810.E (Mandatory) Medication
6VAC35-51-810.F (Mandatory) Medication
6VAC35-51-810.G (Mandatory) Medication
6VAC35-51-810.H Medication

DEPARTMENT CERTIFICATION ACTION May 14, 2014: Certified Northwestern Regional Juvenile Detention Center and Post-dispositional program for three years with a monitoring report in six months.

Pursuant to 6VAC35-20-100C.2, if the certification audit finds the program or facility in less than 100% compliance with all regulatory requirements and a subsequent status report, completed prior to the certification action, finds 100% compliance on all regulatory requirements, the director or designee shall certify the facility for a specific period of time, up to three years.

TEAM MEMBERS:

Clarice Booker, Team Leader
Marc Booker, Central Office
Lloyd Jackson, Central Office
Mark Lewis, Central Office
Shelia Palmer, Central Office
Letta Porter, Richmond Juvenile Detention Home

POPULATION SERVED:

Northwestern Regional Juvenile Detention Center is a secure custody facility operated by the Northwestern Regional Juvenile Detention Center Commission. The members of the Commission include the city of Winchester, and the counties of Clarke, Frederick, Page, Shenandoah and Warren. The city of Winchester acts as the facility's fiscal agent. The facility serves a pre-dispositional population of 32 male and female residents ages 10 through 17. There is also a post-dispositional detention program for 13 male and female residents, ages 14 through 17, included in the rated capacity.

PROGRAMS AND SERVICES PROVIDED:

In addition to all mandated services Northwestern Regional Juvenile Detention Center interacts with the community in obtaining such services as:

- Mental health assessments
- On-site education through the Frederick County Public School System, including GED and art programs
- Narcotics Anonymous/Alcohol Anonymous groups
- Local religious-based organizations provide youth the opportunity for religious services

**CORRECTIVE ACTION PLAN
TO THE
BOARD OF JUVENILE JUSTICE**

FACILITY/PROGRAM: Northwestern Regional Juvenile Detention Center

SUBMITTED BY: Erin Maloney, Superintendent

CERTIFICATION AUDIT DATES: November 18-20, 2013

CERTIFICATION ANALYST: Clarice T. Booker

Under Planned Corrective Action indicate; 1) The cause of the identified area of non-compliance. 2) The effect on the program. 3) Action that has been taken/will be taken to correct the standard cited. 4) Action that will be taken to ensure that the problem does not recur.

6VAC35-51-780.E Structured Program of Care

The identity of the individual making each entry in the daily communication log shall be recorded.

Audit Finding:

The identification of the individual making entries in logbooks was missing in 33 incidences out of 45 dates reviewed.

Program Response

Cause:

Lack of quality control measures. The majority of the incidences identified were end of shift summaries. Staff initialed the entry before and after, but failed to initial next to the summary.

Effect on Program:

No adverse effects on the program or the residents. However, it could cause potential liability in the event of a lawsuit by not being able to identify the staff member making the entries.

Planned Corrective Action:

NRJDC will emphasize documentation training for new hires and monthly training for staff development. Appropriate documentation is addressed during the first 30 days of employment and is a topic for our monthly training as a refresher for veteran staff. Identifying each entry, to include end of shift summaries, by placing their initials and/or badge number has been added to the documentation curriculum for new staff and the refresher course (documentation curriculum has been attached for review). The shift supervisors will be responsible for providing the initial and monthly training.

The responsibility for reviewing each log book once it has been completed and before it is stored will be on the overnight shift. They will review each entry and flag any entry that staff has failed to initial as a quality control measure. The staff will be directed to correct their oversight immediately.

Completion Date:

December 2, 2013 and on-going

Person Responsible:

Erin Maloney, Superintendent

Current Status on April 22, 2014: Compliant

Log books were reviewed for three dates for each of four pods and were fully compliant.

6VAC35-51-800.E (Mandatory) Medical Examinations and Treatment

Each physical examination report shall include:

1. Information necessary to determine the health and immunization needs of the resident, including:
 - a. Immunizations administered at the time of the exam;
 - b. Vision exam;
 - c. Hearing exam;
 - d. General physical condition, including documentation of apparent freedom from communicable disease including tuberculosis;
 - e. Allergies, chronic conditions, and handicaps, if any;
 - f. Nutritional requirements, including special diets, if any;
 - g. Restrictions on physical activities, if any; and
 - h. Recommendations for further treatment, immunizations, and other examinations indicated;
2. Date of the physical examination; and

3. **Signature of a licensed physician, the physician's designee, or an official of a local health department.**

Audit Finding:

There was no documentation of a vision exam or of apparent freedom from tuberculosis in one out of 16 physical examination reports reviewed.

Program Response

Cause:

Dr. Jordan Crovatin (facility physician) failed to place a check in the free from communicable disease box and failed to document the resident's vision.

Effect on Program:

No adverse effects on the program or the residents. However, potential liability exists as a result of not providing documented health care in accordance with the standard.

Planned Corrective Action:

The Superintendent met with Dr. Crovatin to explain the importance of being attentive to detail when completing the assessments. He will be thoroughly reviewing each assessment prior to signing off on the file.

The Superintendent or designee will be meeting weekly with the NRJDC medical and mental health personnel to review all MARS and assessments to ensure proper documentation. Staff and/or the facility physician will be directed to correct any errors immediately. NRJDC medical personnel has worked in consultation with the Superintendent to create a medical file review form (attached for review) that will be completed during the weekly staffing and kept in the file for quality assurance and accountability purposes.

Completion Date:

December 2, 2013 and on-going

Person Responsible:

Dr. Jordan Crovatin, facility physician and NRJDC medical personnel

Current Status on April 22, 2014: Compliant

Seven applicable medical files were reviewed and were fully compliant.

6VAC35-51-810.E (Mandatory) Medication

Medication prescribed by a person authorized by law shall be administered as prescribed.

Audit Finding:

Medication was not administered as prescribed in three out of six medical records reviewed as the resident was out of medication.

Program Response

Cause:

In all three instances, NRJDC medical personnel notified and documented attempts to secure the medication from the legal guardian prior to running out. In one of the cases the prescribing physician would not authorize a refill until their client came in for a medication management appointment and would not discontinue the medication. In the other two instances, the legal guardians failed to provide NRJDC with the medications in a timely manner.

Effect on Program:

No adverse effects on the program or the residents. However, potential liability exists as a result of not providing medication as prescribed in accordance with the standard.

Planned Corrective Action:

NRJDC medical personnel has worked in consultation with the facility physician to enhance procedures and related protocols for residents whose medication supply is running low after documented attempts to secure refills from the legal guardians. The protocols include (1) obtaining a prescription from the NRJDC physician to provide continuity of medications for non-controlled substances until the refill is brought in or a follow-up appointment with the prescribing physician can be obtained (2) the issuance of a "Medication Stop Order" by the NRJDC physician and the subsequent issuance of a "Medication Re-Start Order" when deemed medically appropriate by the physician.

A medication error/adverse reaction report (attached for review) was created to document medication errors to include when a resident runs out of a medication. The form is included with the CAP for review. It captures the data necessary to appropriately document missed doses, medication errors and if there will be any adverse reaction to include actions taken by staff.

Completion Date:

December 2, 2013 and on-going

Person Responsible:

Dr. Jordan Crovatin, facility physician and NRJDC medical personnel

Current Status on April 22, 2014: Compliant

Four applicable medical records were reviewed and were compliant.

6VAC35-51-810.F (Mandatory) Medication

A medication administration record shall be maintained of all medicines received by each resident and shall include:

1. **Date the medication was prescribed;**
2. **Drug name;**
3. **Schedule for administration;**
4. **Strength;**
5. **Route;**
6. **Identity of the individual who administered the medication; and**
7. **Dates the medication was discontinued or changed.**

Audit Finding:

There was no documentation of the date the medication was prescribed on the medication administration record in two out of six medical records reviewed and the route was missing from a medication administration in one out of six medical records reviewed.

Program Response

Cause:

A trained medication aide staff member failed to document the date prescribed and the route. The mistake was missed by the medical personnel who are responsible for reviewing the documents for accuracy.

Effect on Program:

No adverse effects on the program or the residents. However, potential liability exists as a result of not providing the required data on an MAR in accordance with the standard.

Planned Corrective Action:

The required information for an MAR has been added to the medication aide refresher course completed by the NRJDC nurse yearly (document attached for review). She attached a completed MAR as a reference for staff.

The Superintendent or designee will be meeting weekly with the NRJDC medical and mental health personnel to review all MARS and assessments to ensure proper documentation. Staff and/or the facility physician will be directed to correct any errors immediately. NRJDC medical personnel has worked in consultation with the Superintendent to create a medical file review form that will be completed during the weekly staffing and kept in the file for quality assurance and accountability purposes.

Completion Date:

December 2, 2013 and on-going

Person Responsible:

Dr. Jordan Crovatin, facility physician, NRJDC medical personnel and all trained medication aide personnel

Current Status on April 22, 2014: Compliant

Four applicable medical records were reviewed and were compliant.

6VAC35-51-810.G (Mandatory) Medication

In the event of a medication error or an adverse drug reaction, first aid shall be administered if indicated. Staff shall promptly contact a poison control center, pharmacist, nurse, or physician and shall take actions as directed. If the situation is not addressed in standing orders, the attending physician shall be notified as soon as possible and the actions taken by staff shall be documented.

Audit Finding:

There was no documentation of staff action in three out of three applicable medical records reviewed.

Program Response

Cause:

NRJDC medical personnel did not have the physician's directives documented when the residents ran out of the medication.

Effect on Program:

No adverse effects on the program or the residents. However, potential liability exists as a result of improper documentation in accordance with the standard.

Planned Corrective Action:

A medication error/adverse reaction report was created to document medication errors to include when a resident runs out of a medication. The form is included with the CAP for review. It captures the data necessary to appropriately document missed doses, medication errors and if there will be any adverse reaction to include actions taken by staff.

All staff will be promptly trained on the new form and will be refreshed on the procedure every year with the mandatory medication aide refresher course provided by the NRJDC nurse.

Completion Date:

December 2, 2013 and on-going

Person Responsible:

Dr. Jordan Crovatin, facility physician and NRJDC medical personnel

Current Status on April 22, 2014: Compliant

One applicable medical record was reviewed and was compliant.

6VAC35-51-810.H Medication

Medication refusals shall be documented including action taken by staff.

Audit Finding:

There was no documentation of action taken by staff in two out of three applicable medical records reviewed.

Program Response

Cause:

NRJDC staff forgot to check the box that they referred the refusal to the nurse.

Effect on Program:

No adverse effects on the program or the residents. However, potential liability exists as a result of not providing medication as prescribed in accordance with the standard.

Planned Corrective Action:

NRJDC medical personnel have worked in consultation with the Superintendent to create a new medication refusal form (attached for review) to include referral to the nurse, medical personnel

Northwestern Regional Juvenile Detention Center

actions and name/directions from the prescribing physician, facility physician or pharmacist if the medication is refused for three consecutive days. Also, the resident will sign acknowledging that they understand why the medication has been prescribed and potential adverse reactions if the medication is not taken.

The Superintendent or designee will be meeting weekly with the NRJDC medical and mental health personnel to review all medical files to ensure proper documentation. Staff and/or the facility physician will be directed to correct any errors immediately. NRJDC medical personnel have worked in consultation with the Superintendent to create a medical file review form that will be completed during the weekly staffing and kept in the file for quality assurance and accountability purposes.

Completion Date:

December 2, 2013 and on-going

Person Responsible:

Dr. Jordan Crovatin, facility physician and NRJDC medical personnel

Current Status on April 22, 2014: Compliant

No medication refusals were identified in 10 randomly selected medical records. Administration and medical staff interviewed reported no medication refusals during the status review period. Corrective action plan was implemented as stated.

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Northern Virginia Juvenile Detention Home
200 South Whiting Street
Alexandria, VA 22304
(703) 751-3700
Krystal R. Kimrey, Executive Director
kkimrey@jdcnv.org

AUDIT DATES:

March 26-27, 2014

CERTIFICATION ANALYST:

Clarice T. Booker

CURRENT TERM OF CERTIFICATION:

May 15, 2011 – May 14, 2014

REGULATIONS AUDITED:

6VAC35-101 Regulation Governing Juvenile Secure Detention Centers

PREVIOUS AUDIT FINDINGS - January 26, 2011:

99.7% Compliance Rating
6VAC35-51-810.E (Mandatory) – Medication administration

CURRENT AUDIT FINDINGS – March 27, 2014:

100% Compliance Rating

DEPARTMENT CERTIFICATION ACTION May 14, 2014: Certified Northern Virginia Juvenile Detention Home and Post-dispositional Detention program for three years.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Clarice Booker, Team Leader
Marc Booker, Central Office
Monica Brown, Rappahannock Juvenile Detention Home
Deborah Hayes, Central Office
Lloyd Jackson, Central Office
Shelia Palmer, Central Office
Paul Reaves, Central Office

POPULATION SERVED:

Northern Virginia Juvenile Detention Home is a secure custody facility operated by the Juvenile Detention Commission for Northern Virginia. The members of the Commission include the cities of Alexandria and Falls Church and the county of Arlington. By written agreement the facility provides 10 secure and 10 staff secure beds for the Office of Refugee Resettlement Division of Children Services (ORR/DCS). The facility serves a pre-dispositional population of 70 male and female residents ages 10 through 17. There is also a post-dispositional detention program for 10 male and female residents, ages 14 through 17, included in the rated capacity. The 20 beds guaranteed and funded by ORR/DCS are also included in the rated capacity.

PROGRAMS AND SERVICES PROVIDED:

In addition to all mandated services Northern Virginia Juvenile Detention Center interacts with the community in obtaining such services as:

- Psycho-educational groups through the Alexandria Community Service Board
 - Counseling and crisis intervention by mental health staff through local jurisdictions
 - On-site education through the Alexandria Public School System
 - Local religious-based organizations provide youth the opportunity for spiritual guidance as well as religious services
-

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Rappahannock Juvenile Detention Center
275 Wyche Road
Stafford, VA 22554
(540) 658-1691
Carla White, Superintendent
cwhite@rjdc-va.com

AUDIT DATES:

November 4-5, 2013

CERTIFICATION ANALYST:

Clarice T. Booker

CURRENT TERM OF CERTIFICATION:

April 12, 2011 – April 11, 2014

REGULATIONS AUDITED:

6VAC35-101 Regulation Governing Juvenile Secure Detention Centers

PREVIOUS AUDIT FINDINGS December 9, 2010:

98.22% Compliance Rating
6VAC35-51-310.A Orientation
6VAC35-51-800.C Screening assessment for tuberculosis
6VAC35-51-800.D (Mandatory) Annual physical examination
6VAC35-51-810.D (Mandatory) Over-the-counter Medication administration
6VAC35-51-810.E (Mandatory) Medication administration
6VAC35-51-810.G (Mandatory) Medication errors
6VAC35-51-1050.K (Mandatory) Evacuation drills

CURRENT AUDIT FINDINGS – November 5, 2013:

100% Compliance Rating

DEPARTMENT CERTIFICATION ACTION May 14, 2014: Certified Rappahannock Juvenile Detention Center and Post-dispositional Detention Program of three years.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Clarice Booker, Team Leader
Marc Booker, Central Office
Justin Crostic, Chesterfield Juvenile Detention Home
Lloyd Jackson, Central Office
Brittani Jessup, Richmond Juvenile Detention Home
Mark Lewis, Central Office
Paul Reaves, Central Office

POPULATION SERVED:

Rappahannock Juvenile Detention Center is a secure custody facility operated by the

Rappahannock Juvenile Detention Center

Rappahannock Juvenile Detention Commission. The members of the Commission include the city of Fredericksburg, the counties of King George, Louisa, Madison, Orange, Spotsylvania and Stafford. The facility serves a pre-dispositional population of 80 male and female residents ages eight through 17. There is also a post-dispositional detention program for 10 male and female residents ages 14 through 17 included in the rated capacity.

PROGRAMS AND SERVICES PROVIDED:

In addition to all mandated services Rappahannock Juvenile Detention Center interacts with the community in obtaining such services as:

- Mental health assessments and therapeutic services to juveniles and families who participate in the Post Dispositional Program through the Rappahannock Area Community Services Board
 - Legal guidance as needed through the Office of the Public Defender
 - On-site education through the Spotsylvania Public School System
 - Reading enrichment through the Rappahannock Regional Library, which provides books, audiotapes, and movies (A librarian visits bi-weekly to work with youth to encourage reading.)
 - Groups to discuss sex and its consequences through the Fredericksburg Area HIV and Aids Support Services
 - Groups to discuss healthy relationships through the Rappahannock Council on Domestic Violence
 - Local religious-based organizations provide youth the opportunity for spiritual guidance as well as religious services
-



COMMONWEALTH OF VIRGINIA

Andrew K. Block, Jr.
Director

Department of Juvenile Justice

June 11, 2014

MEMORANDUM

TO: The Board of Juvenile Justice

FROM: The Department of Juvenile Justice

SUBJECT: Variance Request – Definition of Direct Care Staff, 6VAC35-71-820 (E)
Request to Initiate a Notice of Intended Regulatory Action

I. Action Requested:

The Department of Juvenile Justice (DJJ) respectfully requests the Board of Juvenile Justice to:

1. In order to provide more effective and flexible programming in our juvenile correctional centers (JCC's) grant a variance, pursuant to 6VAC35-20-92 (Variance request) of the Regulation Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs and Facilities, to the requirements of 6VAC35-71-820 (E) (Staff supervision of residents) of the Regulation Governing Juvenile Correctional Centers relating to the active supervision requirement for residents in DJJ's juvenile correctional centers (JCCs); and
2. Authorize the submission of a Notice of Intended Regulatory Action to begin the standard regulatory process amend 6VAC35-71-820 (E) (Staff supervision of residents) to amend the regulation to mirror the exception provided for in the variance.

The proposed variance would amend the requirement that residents be "actively" supervised at all times by direct care staff (staff responsible for the care of residents, implementation of the behavior management program, and maintaining facility security) to allow the active supervision to also or alternatively be performed by staff who meet the requirements for "direct supervision" of residents (receive appropriate training and able to work with residents outside the presence of direct care staff).

In the Juvenile Correctional Centers (JCCs) only security series staff (e.g., juvenile correctional officers and sergeants) in the JCCs meets the definitional requirements for "direct care staff." Accordingly, all residents, regardless of what other adults they are working with, must be actively supervised by security series staff at all times (active supervision has been operationalized to mean that direct care staff must have sight and sound supervision at a minimum of every 15 minutes).

DJJ has been actively reviewing the provision of services in the JCCs specifically in response to many operational issues discussed in April Board meeting. DJJ is seeking to ensure that the JCCs implement evidence-based, best practices that are the most effective in improving the outcomes for the youth we serve. The JCCs have struggled with cross-discipline communication, compartmentalization of departmental and sub-departmental duties and responsibilities, and retaining high-quality employees. In light of these challenges, DJJ is developing and implementing a model that will enhance youth and staff engagement and productivity - "the community model." This model, which allows for more flexible and strategic use of JCC staff, has been successful in safely transforming juvenile justice agencies in other states and will improve service delivery in the JCCs.

In the community model, security series staff will have more meaningful engagement with residents and non-security series staff (e.g., teachers, rehabilitation counselors, and therapists) will be afforded the opportunity to meet with residents without the active supervision of security series staff. DJJ would implement training requirements and controls to ensure the safety of both the residents and the non-security series staff who actively supervise residents. The proposed variance would enable implementation of the community model in the JCCs.

It is requested that this variance remain in effect until such time as the Regulation Governing Juvenile Correctional Centers (6VAC35-71) is amended or for five years, whichever occurs first.

It is further requested that the Board of Juvenile Justice approve the submission of a Notice of Intended Regulatory Action Authorize the submission of a Notice of Intended Regulatory Action to begin the standard regulatory process amend 6VAC35-71-820 (E) (Staff supervision of residents) of the Regulation Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs and Facilities to amend the regulation to mirror the exception provided for in the proposed variance.

II. Background:

The Board of Juvenile Justice's Regulation Governing Juvenile Correctional Centers defines "direct care staff" as a person whose primary responsibilities are caring for residents, implementing the behavior management program, and maintaining the security of the facility (6VAC35-71-10). Direct care staff are responsible for "actively supervising residents at all times." Consequently, residents must be under active supervision of individuals who are responsible for maintaining the security of the facility which, in the JCCs are the security series staff.

The applicable regulations are:

6VAC35-71-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

... "Direct care" means the time during which a resident who is committed to the department pursuant to § [16.1-272](#) or [16.1-285.1](#), or subsection A 14 or 17 of § [16.1-278.8](#) of the Code of Virginia is under the supervision of staff in a juvenile correctional center operated by or under contract with the department.

"Direct care staff" means the staff whose primary job responsibilities are for (i) maintaining the safety, care, and well-being of residents; (ii) implementing the structured program of care and the behavior management program; and (iii) maintaining the security of the facility.

"Direct supervision" means the act of working with residents who are not in the presence of direct care staff. Staff members who provide direct supervision are responsible for maintaining the safety, care, and well-being of the residents in addition to providing services or performing the primary responsibilities of that position. ...

6VAC35-71-160. Required initial training.

... B. Direct care staff and **employees responsible for the direct supervision of residents** shall, before that employee is responsible for the direct supervision of a resident, complete at least 120 hours of training which shall include training in the following areas:

1. Emergency preparedness and response;
2. First aid and cardiopulmonary resuscitation, unless the individual is currently certified, with certification required as applicable to their duties;
3. The facility's behavior management program;
4. The residents' rules of conduct and the rationale for the rules;
5. The facility's behavior interventions, with restraint training required as applicable to their duties;
6. Child abuse and neglect;
7. Mandatory reporting;
8. Maintaining appropriate professional relationships;
9. Appropriate interaction among staff and residents;
10. Suicide prevention;
11. Residents' rights, including but not limited to the prohibited actions provided for in [6VAC35-71-550](#) (prohibited actions);
12. Standard precautions;
13. Recognition of signs and symptoms and knowledge of actions required in medical emergencies;
14. Adolescent development;
15. Procedures applicable to the employees' position and consistent with their work profiles; and
16. Other topics as required by the department and any applicable state or federal statutes or regulations.

6VAC35-71-170. Retraining.

A. Each employee shall complete retraining that is specific to the individual's occupational class and the position's job description, and addresses any professional development needs.

1. Direct care staff and **employees who provide direct supervision** of the residents shall complete 40 hours of training annually, inclusive of the requirements of this section.
2. Administrative and managerial staff shall receive at least 40 hours of training annually.
3. Clerical and support staff shall receive at least 16 hours of training annually.
4. Contractors shall receive retraining as required to perform their position responsibilities in the correctional environment.

B. All staff shall complete an annual training refresher on the facility's emergency preparedness and response plan and procedures.

C. All direct care staff and employees who provide direct supervision of the residents shall complete annual retraining in the following areas:

1. Suicide prevention;
2. Maintaining appropriate professional relationships;
3. Appropriate interaction among staff and residents;
4. Child abuse and neglect;
5. Mandatory reporting;
6. Resident rights, including but not limited to the prohibited actions provided for in [6VAC35-71-550](#) (prohibited actions);
7. Standard precautions;
8. Behavior management techniques; and
9. Other topics as required by the department and any applicable state or federal statutes or regulations.

6VAC35-71-820. Staff supervision of residents.

... E. There shall be at least one trained direct care staff on duty and actively supervising residents at all times that one or more residents are present. ...

These regulatory requirements became effective on January 1, 2014.

III. **Proposed Variance:**

The effect of the variance would allow staff responsible for the direct supervision of residents to be responsible for “actively supervising residents.”

6VAC35-71-820. Staff supervision of residents.

... E. There shall be at least one trained direct care staff on duty and one direct care staff or one staff responsible for the direct supervision of residents actively supervising residents at all times that one or more residents are present.

IV. **Rationale:**

DJJ has operationalized the definition of direct care staff to mean security series staff (e.g., juvenile correctional officers or sergeants). The requirements relating to staff supervision of residents prohibit residents from being alone with non-security series staff (e.g., teachers, rehabilitation counselors, and therapists), absent the “active supervision” of a security series staff. As such, non-security series staff cannot be alone with residents unless they are periodically observed through the sight and sound supervision of a security series staff.

DJJ is moving forward with implementing a community model in the JCCs. This model involves all individuals involved in the care of residents sharing supervision and intervention responsibilities. Security

series staff would be encouraged to engage with the residents in a more meaningful and therapeutic manner, and the line between security series staff and other JCC personnel will not be as defined. As such, in the community model, non-security series staff will be afforded the opportunity to meet with residents without the active supervision of security series staff.

It is important to note that prior moving forward with this change, DJJ will implement rigorous training requirements and controls to ensure the safety of both the residents and the non-security series staff. The controls would include training on safety and security prior to being alone with residents outside of the active supervision of security series staff, ensuring the staff have the ability to immediately communicate with security series staff (e.g., two way radio), and having the non-security series staff check in with security series staff before and after meeting with any residents under the variance, if granted.

V. Outcome Requested:

DJJ respectfully requests that a Variance be granted for implementation at Bon Air JCC, Beaumont JCC, and the Reception and Diagnostic Center. The variance would be for staff meeting the criteria to be responsible for the direct supervision of residents also have the ability to actively supervise residents as provided for in 6VAC35-71-820 (E) relating to the supervision of residents.

Under this exemption, non-security series staff, including, but not limited to, rehabilitation counselors, teachers, and Behavioral Services Unit staff, will have the ability to be alone with residents outside of the active supervision of a security series staff (e.g., juvenile correctional officer or sergeant) under the following circumstances:

1. The staff completes the 120 hours of training required by 6VAC35-71-160 (required initial training) and the retraining requirements provided for in 6VAC35-71-170 (retraining);
2. The staff completes DJJ's approved training for non-security staff on safety and security including, but not limited to, training on the supervision and control of residents, verbal de-escalation techniques, age-appropriate defensive tactics, and crisis intervention prior to being alone with residents outside of the active supervision of security series staff;
3. During any period where the resident is not actively supervised by direct care staff, the non-security series staff have the ability to immediately communicate with security series staff (e.g., two way radio); and
4. The non-security series staff will check in with security series staff before and after meeting with any residents.

It is further requested that the Board of Juvenile Justice approve the submission of a Notice of Intended Regulatory Action Authorize the submission of a Notice of Intended Regulatory Action to begin the standard regulatory process amend 6VAC35-71-820 (E) (Staff supervision of residents) of the Regulation Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs and Facilities to amend the regulation to mirror the exception provided for in the proposed variance.

VI. Duration of Variance:

DJJ requests the variance to be granted and to remain in effect until 6VAC35-71 is amended or for five years, whichever occurs first.