

James S. Turpin, Chairman
Courtney A. Penn, **Vice Chairman**
Justin M. Wilson, **Secretary**
Marjorie S. Arrington
Barbara J. Myers
Aida L. Pacheco
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COMMONWEALTH *of* VIRGINIA

Board of Juvenile Justice

Board Meeting
January 9, 2008
Cedar Lodge Training Facility
1701 Old Bon Air Road
Richmond, VA 23235

Board Members Present: James Turpin, Barbara Myers, Aida Pacheco, Courtney Penn
Patricia Puritz, Justin Wilson

Board Members Absent: Marjorie Arrington

DJJ Staff Present: Barry Green, Steve Pullen, Tim Howard, Ed Murray, Teresa Parish,
Kenneth Bailey, Becky Camache, Bruce Twyman, Janet Van Cuyk, Deron
Phipps, Eric Hopkins, William Davenport, George Wakefield, Sam Abed,
Debbie Jackson, Vernon Harry, John Coble, Kevin Sutton, Jerry Wicker,
Jeff Sherman, Viola Evans and Deborah Hayes.

I. CALL TO ORDER

The meeting was called to order at 10:00 am by Chairman Turpin.

II. INTRODUCTIONS

Mr. Turpin called for introductions of attendees prior to proceeding. In attendance were: Carol Selby-retired DJJ employee, Bill Muse-OAG, Janet Weaver, Gina Workman-Merrimac Center, James & Pamela Goodin-parents, Abigail Turner, Charisa Smith, Alison Crane, Casey Fitzmaurice, Erin Crowgrey-JustChildren and Liane Rozzell-parent.

III. APPROVAL OF AGENDA

On MOTION duly made by Ms. Puritz and seconded by Ms. Myers, the Board approved the agenda with the following change, change art presentation to presentation by Debbie Jackson, DJJ Training Director. Motion carried.

IV. APPROVAL OF NOVEMBER 24, 2007 MINUTES

On MOTION duly made by Ms. Myers and seconded by Mr. Wilson, the minutes of the November 14, 2007 Board meeting were approved as submitted. Motion carried.

V. PUBLIC COMMENT PERIOD

Ms. Liane Rozzell was present representing FAVY. She distributed handouts to the Board members regarding family engagement policies and practices. She stated that, at the November 14, 2007 Board meeting, Ms. Kaufman asked the Board to (1) review their policies and ensure that they provide for maximum family involvement in all DJJ facilities and (2) give consideration to having a board meeting at a time and place that will be more accessible to working families. Ms. Rozzell said she was happy to hear that the Board is making plans to have a meeting to allow more families to attend. Ms. Rozzell's written comments will be on file with the Board minutes in Central Office and are available upon request.

VI. COMMITTEE REPORTS

A. Secure Services Committee

Certifications

On MOTION duly made by Ms. Puritz and seconded by Ms. Myers to certify Merrimac Center and Post-Dispositional Program for three years; grant the waiver with a six month progress report on the results of the waiver policy. Motion carried.

B. Non-Secure Services Committee

1. Certifications

On MOTION duly made by Ms. Myers and seconded by Mr. Wilson to certify the 7th District Court Service for three years with a letter of congratulations for 100% compliance. Motion carried.

On MOTION duly made by Ms. Myers and seconded by Ms. Pacheco to certify the following programs for three years: 24th District Court Service Unit, 27th District Court Service Unit and the Chesapeake Boys' Group Home. Motion carried.

2. Issues

On MOTION duly made by Ms. Pacheco and seconded by Ms. Puritz to certify Centerville Group Home as a pre and post-dispositional program. Motion carried.

VI. OTHER BUSINESS

A. Access to Counsel

Chairman Turpin asked Mr. Abed and Mr. Muse to speak on this subject and give a proposal as to how this issue may be addressed. Mr. Abed stated that since the November 14, 2007 board meeting, the SOP has been reviewed to determine compliance. He said DJJ is in compliance. Mr. Abed has had conversations with Mr. Muse and Ms. Puritz and there are alternative viewpoints on things DJJ could be doing. There will be further conversations to work out the differences.

Chairman Turpin asked about a letter that was written to Abigail Turner regarding access to counsel. Mr. Green stated that this was a response to a November 9, 2007 letter written by Ms. Turner to the Board. Mr. Green felt that a response needed to be on record.

Chairman Turpin then asked Abigail Turner to speak on her December 19, 2007, letter to the Board regarding access to counsel. Ms. Turner outlined some of the

issues contained in her letter and advised that JustChildren will be happy to participate in the ongoing discussion to resolve these issues. Ms. Turner's letter will be on file with the Board minutes in Central Office and are available upon request.

Chairman Turpin asked that a workgroup be established staffed by Mr. Abed, Mr. Muse as outside counsel from the AG's office, and Ms. Puritz as representative for the Board. The workgroup will determine if a policy on access to counsel is needed. Chairman Turpin asked for a report on the progress of this workgroup at the April meeting.

B. Training Update

Chairman Turpin introduced Debbie Jackson and thanked her for hosting the Board. Ms. Jackson said Cedar Lodge is the primary training facility and there is a satellite facility located in Hanover County at the former Barrett JCC. All JCO training is conducted at Barrett. Ms. Jackson distributed a handout outlining the mission, focus, partnerships and initiatives of the training unit and how it aligns with the Department's mission, goals and strategic plan. Ms. Jackson asked the training staff to introduce themselves.

Mr. Green stated that the Training Unit does a great job and has been very instrumental in providing technical skills training as well as getting the message out about the purpose of DJJ and focusing on the Department's mission. He thanked them for the great job they are doing.

C. Policy Review

Ms. Van Cuyk reviewed the policies to be rescinded. On MOTION duly made by Mr. Wilson and seconded by Mr. Penn to rescind the following board policies effective January 9, 2008, as they have been incorporated in the Virginia Administrative Code, are covered in the Virginia Code, or have been deemed unnecessary:

- 03-005 Academic and Vocational Accreditation
- 03-007.01 Reporting theft and Fraud to Internal Affairs
- 07-002 Needs Evaluation
- 07-003 Demonstration Program
- 07-004 Statewide Plan for Residential Care Facilities
- 08-003 Review of Juvenile Records in Halfway Houses
- 08-006 Accountability for File Entries

Motion carried.

On MOTION duly made by Mr. Wilson and seconded by Mr. Penn to adopt the proposed amendments to the following Board policies to be effective January 9, 2008, as submitted by the Department's Policy Review Committee:

- 02-024 Collaboration with Colleges and Universities
- 03-007 Internal Audit Function

Motion carried.

The policies listed below were previously tabled for further review. Action will be deferred on these policies until the other regulations have been acted on:

- 20-208 Juvenile Industries
- 20-311 Post Dispositional Facilities

- 13-004 Food Preparation and Service of Meals
- 20-106 Discipline Plan
- 02-004 Communication of Serious Incidents
- 03-002 Program Investigations by the Department

The following State Board policies are before the Board for their second reading. Each policy is accompanied with the Department's recommendations for the Board's consideration. The Department recommends action be taken on these policies at the April 9, 2008 Board meeting. Mr. Wilson asked that 12-001.1 Health Services Advisory Committee be added to the health care policies to be tabled for consideration as one health policy.

On MOTION duly made by Ms. Myers and seconded by Mr. Penn to accept the amendment by Mr. Wilson and move the five policies forward for the third reading at the April meeting.

- 04-001 Fixed Assets
- 04-006 Juvenile's Financial Transaction
- 04-007 Use of Personal Vehicles
- 04-008 Budget Procedures
- 04-009 Assignment of State Vehicles to Individuals
- 12-001.1 Health Services Advisory Committee (moved to health care policies and tabled)

Motion carried.

On MOTION duly made by Chairman Turpin and second by Ms. Puritz, that all the policies in Group IV, with the addition of 12.001.1 Health Services Advisory Committee, be tabled and considered as one health policy. Motion carried.

- 12-001 Health Care Policies
- 12-001.9 Health Screening Intrasystem Transfers
- 12-001.10 Physicals: Annually and Prior to Release from Learning Centers
- 12-001.11 Treatment Plans for Special Health Care Needs of Youth in Direct Care

Motion carried.

On MOTION duly made by Ms. Puritz and seconded by Mr. Wilson to move the following policies forward for the second reading at the April meeting:

- 04-010 Donations
- 04-111 Fees for Psychological Services
- 05-005 Employee Drug Screening
- 05-009 Code of Ethics and Code of Conduct
- 07-001 Research on Delinquency and on Programs and Records of the Department
- 07-005 Telecommunications Access
- 08-008 Identifying Information for Master File

Language Assistance Services Policy #17-001.1

Ms. Van Cuyk again provided background information on this policy to the Board. On MOTION duly made by Ms. Puritz and seconded by Ms. Myers to adopt the new Language Assistance Services Policy #17-001.1 to be effective January 9, 2008, as submitted by the Department's Policy Review Committee. Motion carried.

D. Status of Regulations/Legislative Update

Mr. Phipps distributed a handout depicting a brief review of several juvenile justice related bills prefiled for the 2008 General Assembly session as of January 8, 2008. He reviewed the bills and discussed how they affect the Department. He pointed out the bills which are being patroned by Delegate David Marsden. Chairman Turpin stated that Delegate Marsden is a former DJJ director and would like to come to a Board meeting to make a presentation. He said Delegate Marsden might be available for the April 2008 meeting.

E. Length of Stay (LOS) Guidelines

Ms. Van Cuyk distributed the handout of the draft proposed Length of Stay Guidelines for public comment. Ms. Van Cuyk stated that a Committee, which consisted of members from each of the department's divisions and a Board member, reviewed the guidelines line by line. The Department requests permission from the Board to submit, for publication in the Virginia Register, the draft of the proposed *Guidelines for Determining the Length of Stay of Juveniles Indeterminately Committed to the Department of Juvenile Justice* for the purpose of initiating a public comment period. The Department further requests that the Board provide a public hearing on the Guidelines at the April 9, 2008 Board meeting and that notice of the public hearing be included with the publication of the draft of the proposed LOS guidelines.

At the April 9, 2008 Board meeting, the Department will also provide a summary of all public comments submitted during the 60-day public comment period for consideration by the Board. Any questions regarding the proposed guidelines may be directed to Ms. Van Cuyk via e-mail. Notice of the public hearing will be filed with the VA Juvenile Justice Coalition, Regulatory Town Hall, the Department's website and notices will be placed at all juvenile facilities.

Mr. Turpin asked that the public hearing be held on the night of April 8 to increase participation from interested and parent groups. He said that additional public comment will be received as part of the regular Board meeting on April 9.

On MOTION duly made by Ms. Pacheco and seconded by Ms. Myers to grant permission for the Department to submit for publication in the Virginia Register, the draft of the proposed *Guidelines for Determining the Length of Stay of Juveniles Indeterminately Committed to the Department of Juvenile Justice* for the purpose of initiating a 60-day public comment period. The motion also included a request for a public hearing on the Guidelines on April 8, 2008 with additional comments to be taken at the April 9, 2008 Board meeting and that notice of the public hearing be included with the publication of the draft of the proposed LOS guidelines. Motion carried.

F. Budget Update

Mr. Pullen distributed a copy of the budget bill outlining the budget reductions taken by the Department.

G. Approval of 2008 Calendar

On MOTION duly made by Ms. Puritz and seconded by Ms. Myers, the Board will meet on the following dates and locations in 2008: April 8-9 – DJJ Board Room;

June 11-Natural Bridge; September 10-location to be determined; November 12—location to be determined. Motion carried.

Chairman Turpin asked that people pay attention to the board materials' due dates in order to get the necessary information to the board secretary for inclusion in the Board packets.

VIII. Director's Comments

Mr. Green advised the Board of the retirement of Carol Selby. Mr. Selby has 37 years of service and retired December 31, 2007. Mr. Green stated that Mr. Selby was invited to the board meeting because the many of the audit reports that are read are written by Mr. Selby. Mr. Selby will be working with the American Correctional Association wherein he will be auditing other states. Mr. Green thanked Mr. Selby for what he has done for the Department and wished him well in his retirement.

The data resource guide (DRG) has been completed. Mr. Green said there is a lot of excellent information contained within the guide. He pointed out that in a two year period the recidivism rate has decreased by eight percentage points. He said the DRG has been mailed out to the legislature and it will be available on line. He encouraged everyone to review it and ask questions about what we do. Chairman Turpin reiterated that the DRG is a very valuable and useful publication as did Ms. Puritz.

Also, Bruce Bright (Virginia Beach CSU director) and Jim Woolf (deputy director) are retiring as well. He advised that Ms. Olymphina Perkins is the new director for the Virginia Beach CSU.

IX. BOARD COMMENTS

There were no additional comments from the Board.

X. NEXT MEETING

The next meeting will be held in Richmond on Wednesday, April 9, 2008—location to be determined.

XI. ADJOURN

On MOTION duly made by Ms. Myers and seconded by Ms. Pacheco, and having no other business, the meeting adjourned at 11:50 am. Motion carried.

Respectfully submitted,

Deborah Canada Hayes
DJJ Board Secretary