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COMMONWEALTH
of
VIRGINIA

Board of Juvenile Justice

Board of Juvenile Justice Meeting
700 East Franklin Street
Central Office Board Room
Richmond, Virginia 23219

June 9, 2010

Board Members Present: Barbara Myers, Heidi Abbott, Kahan Dhillon, Aida Pacheco and Justin Wilson

DJJ Staff Present: Helivi Holland, Sam Abed, Steve Pullen, Deron Phipps, Janet Van Cuyk, Regina Hurt, Susan Heck, Ed Holmes, Scott Reiner, Ken Bailey, Marilyn Miller, Vernon Harry, Angela Valentine, Steve Peed, and Deborah Hayes

Others Present: Bill Muse-OAG, Marion Murphy, Jason Mootz, George R. Corbin-Fairfax County Juvenile Detention, Charles Kehoe, Diana Gadow, Wayne Williams, Sonya Weaver-Richmond Detention, Mark Earley, Jr.-DCE, Bradley Thomas-Governor's Fellow, Banci Tewolde-Governor's Office, Liane Rozzell-FAVY, Kate Duval, Christina Leaton, Aditi Goel, and Mark Rabideau-JustChildren,

I. CALL TO ORDER

Chairperson Myers called the meeting to order at 10:10 am.

II. INTRODUCTIONS

Chairperson Myers called for introductions of everyone present.

III. APPROVAL OF AGENDA

On MOTION duly made by Mr. Wilson, and seconded by Ms. Abbott, the Board approved the agenda as presented. Motion carried.

IV. APPROVAL of April 7, 2010 MINUTES

The minutes of the April 7, 2010 Board meeting were presented for approval. On MOTION duly made by Ms. Pacheco and seconded by Mr. Wilson, the minutes were approved as submitted. Motion carried.

V. PUBLIC COMMENT

There were no presentations during the Public Comment period.

VI. COMMITTEE REPORTS

A. Secure Services Committee

1. Certifications

On MOTION duly made by Mr. Wilson and seconded by Mr. Dhillon to certify New River Valley Juvenile Detention Center and Post-Disposition Program for three years. Motion carried.

On MOTION duly made by Mr. Wilson and seconded by Ms. Abbott to certify Shenandoah Valley Juvenile Detention Center for three years. Motion carried.

2. Issues

Fairfax Juvenile Detention Center: George Corbin spoke on behalf of the Fairfax Juvenile Detention Center. He reminded the Board that on Saturday, February 6, the West and East Wing fencing collapsed due to severe winds and the accumulation of snow at the Fairfax Juvenile Detention Center rendering the courtyards a security risk and safety hazard. He attended today's meeting to advise the Board that the fences have been repaired and the residents are now able to go outside for recreation. Mr. Corbin assured the Board and DJJ staff that this would not happen again.

Richmond Juvenile Detention Center status report: On April 7, 2010, the Board of Juvenile Justice requested that a status report be presented at the June 2010 Board meeting on the three deficiencies noted in the status report from the February 16, 2010 monitoring visit. Mr. Kehoe spoke on behalf of RJDC and distributed a handout. Along with the update, Mr. Kehoe said he was following up on phone conversations he had with the Board members regarding a reoccurrence of a missed medication administration. He said this was an error on RJDC part; RJDC contacted the physician who advised staff that there were no medical issues related to missing the medication. Mr. Kehoe thanked Mr. Dhillon for his assistance establishing an automated method to track medication calls. Ms. Pacheco asked if this system would help to streamline the problems in administering medication. Ms. Abbott asked if this would create a conflict if two people needed medication. Mr. Dhillon said once the medication is administered, then a message can be sent to all stating that medications were administered. Ms. Weaver said when 2 pm pops up as an alert on e-mail; it prompts the staff to check everyone who should receive medication at that time. Mr. Bailey said not all programs have issues with manual ways of administering medication. He said if a program has a problem, then they will be directed to someone who can assist them in improving their process. Ms. Miller stated that the VA Council on Juvenile Detention uses round robin discussions to discuss detention issues. She will ask for this issue to be discussed at a future meeting. Mr. Kehoe invited Mr. Dhillon to speak to the VA Council on Juvenile Detention as a DJJ board member and a technology expert. Finally, Mr. Kehoe said RJDC is expecting a proposal and scope of work for repairing and replacing the intercom system.

B. Non-Secure Services Committee

1. Certifications

On MOTION duly made by Ms. Abbott and seconded by Mr. Wilson to certify Shenandoah Valley Juvenile Shelter and Assessment Center for three years with a letter of congratulations for 100% compliance. Motion carried.

On MOTION duly made by Ms. Abbott and seconded by Ms. Pacheco to certify Westhaven Boys' Home for one year and a status report from the Westhaven Boys' Home director at the September Board meeting. Motion carried.

On MOTION duly made by Ms. Abbott and seconded by Mr. Dhillon to approve the occupancy of the new facility constructed for Fairfax Less Secure Shelter contingent upon compliance with all required standards assessed during the final certification inspection and a final inspection report presented at the September Board meeting. Motion carried.

2. VJCCCA Plans

Mr. Reiner submitted the VJCCCA summary plans to the Board. He stated that the plans have been prepared and reviewed. Some localities submitted plans for one year; two counties have requested that they be allowed to continue their programs until September, at which time they will provide an update to the Board.

The following programs submitted VJCCCA Plans with a balanced budget for FY2011 only. These plans have been reviewed by staff and are recommended for approval by the Board for FY2011: Charlottesville, Albemarle, Chesterfield, Frederick, Clarke, Winchester*, Fredericksburg, Hanover, Lexington, Buena Vista, Covington, Alleghany, Rockbridge, Manassas, Manassas Park, Prince William, Spotsylvania, Virginia Beach, Chesapeake, Suffolk, Portsmouth, Isle of Wight, Southampton, Franklin City, Warren*, Westmoreland, Essex, Richmond County, Lancaster, and Northumberland. Programs marked with an asterisk* have yet to submit all of the required supporting documentation and it is requested that these Plans be given provisional approval by the Board which will become final once those documents are received.

On MOTION duly made by Ms. Abbott and seconded by Mr. Dhillon to approve in final or provisional form, the VJCCCA Plans listed above for the 2011 fiscal year. Motion carried.

Accomack and Northampton counties (Combined Plan) requested in accordance with VJCCCA policy to extend their current plan through the first quarter of FY 2011 while completing work on the plan for the FY2011-2012 biennium. The jurisdictions have properly made their request and understand the funding limitations for FY2011; it is recommended that these requests be approved.

On MOTION duly made by Ms. Abbott and seconded by Mr. Dhillon to approve the request to carry over the FY2011 VJCCCA programs for the Accomack/Northampton combined plan until the next meeting of the Board of Juvenile Justice. Motion carried.

The following programs submitted VJCCCA Plans for FY2011 and FY2012 with balanced budgets for both years. These plans have been reviewed by staff and are recommended for approval by the Board: Alexandria, Amelia, Amherst, Arlington, Bedford County/City, Bath, Bland, Botetourt, Campbell, Caroline, Charlotte, Appomattox, Buckingham, Cumberland, Lunenburg, Prince Edward, Colonial Heights, Culpeper, Danville, Dinwiddie, Emporia, Brunswick, Greensville, Sussex, Fairfax County/City, Falls Church, Fauquier, Fluvanna, Franklin County, Giles, Goochland, Grayson, Carroll, Galax, Greene*, Halifax, Hampton, Harrisonburg, Rockingham, Henrico, Highland, Hopewell, King George, King William, King and Queen, Middlesex, New Kent, Charles City, Loudoun, Louisa, Lynchburg*, Madison*, Martinsville, Henry, Patrick, Mecklenburg, Montgomery, Floyd, Nelson, Newport

News, Norfolk, Nottoway, Orange, Page, Petersburg, Pittsylvania, Powhatan, Prince George, Pulaski, Radford, Rappahannock, Richmond City*, Roanoke County, Salem, Roanoke City, Shenandoah, Stafford, Surry, Washington, Bristol, Smyth, Lee Scott, Wise, Tazewell, Russell, Buchanan, Dickinson, Norton, Waynesboro, Augusta, Staunton, Wythe*, York, James City, Gloucester, Williamsburg, Matthews and Poquoson. Programs marked with an asterisk* have yet to submit all of the required supporting documentation and it is requested that these Plans be given provisional approval by the Board which will become final once those documents are received.

On MOTION duly made by Ms. Abbott and seconded by Mr. Dhillon to approve in final or provisional form, the VJCCCA Plans listed above for the 2011 and 2012 fiscal years. Motion carried.

VII. NEW/OTHER BUSINESS

A. Prisoner Re-entry (SPS)

Ms. Banci Tewolde, Prisoner Re-entry Coordinator- Office of the Secretary of Public Safety brought greetings from Secretary Decker. Ms. Tewolde said the Governor has tasked her with developing a re-entry plan for adults and juveniles. The Governor signed Executive Order 11 on May 11, 2010. She said the Governor wants to embrace and make re-entry a comprehensive program. Ms. Tewolde said they are also seeking expert assistance from the federal government who will focus on DJJ. DCJS is hosting the “Blueprints for Change: Criminal Justice Policy Issues in Virginia” on Monday, July 19. DJJ staff has been invited to participate in the sessions on Gangs and Juvenile Re-entry and Aftercare. She stated that DJJ’s strategic plan addressing re-entry is due by September 1. She said she looks forward to coming to another Board meeting. Ms. Pacheco said she is glad that the Governor has put re-entry has a priority and she looks forward to working with the Secretary of Public Safety on a systematic approach. Ms. Tewolde said the Governor’s Re-entry Taskforce would focus on housing, employment and education. Ms. Myers said perhaps Ms. Tewolde will be available to present on re-entry at the September meeting. Mr. Dhillon asked about the composition of the Re-entry Taskforce. Ms. Tewolde will send him the list.

B. REACH Report

Ms. Regina Hurt and Ms. Jessica Turfboer distributed a handout and gave verbal updates on the REACH (Responsibility, Empowerment, Achievement, Change and Hope) Program. REACH is a behavior management program, which (1) teaches residents to be responsible for their own actions; (2) helps residents to manage their own behaviors through socially appropriate ways; and (3) rewards are based on appropriate behavior. The presentation will be filed with the minutes at Central Office and made available upon request.

C. Proposed Regulations Governing Residential Facilities

Ms. Janet Van Cuyk shared the following information. The State Board is requested to and DJJ recommends : (1) Adoption of the recommended changes to the proposed residential regulations: (i) juvenile correctional centers (6VAC35-71); (ii) secure juvenile detention centers (6VAC35-101); and (iii) juvenile group homes (6VAC35-41); and (2) Authorization for the submission of the proposed residential regulations, as amended, for advancement to the final stage of the regulatory process.

Ms. Van Cuyk shared a brief history of the residential regulations. The Department of Juvenile Justice (DJJ) has had several iterations of regulations governing the residential facilities regulated by the Board. Earlier DJJ had five separate regulations governing secure detention homes, post-dispositional confinement in secure detention, pre- and post-dispositional group homes, and juvenile correctional centers. At present, residential facilities regulated by the Board are governed by two separate regulations: (1) the Standards for Juvenile Residential Facilities (6VAC35-140) and (2) the Standards for the Interim Regulation of Children's Residential Facilities (6VAC35-51). The "CORE" regulations, which have been in effect since 1981, applied to the facilities in conjunction with the Standards for the Interdepartmental Regulation of Children's Residential Facilities.

The Standards for Juvenile Residential Facilities (6VAC35-140) was most recently amended by the Board in May 2005 and consists of the Board's regulations for all facilities it regulates. This regulation establishes the minimum standards for residential facilities in the Commonwealth's juvenile justice system and covers program operations, health care, personnel, facility safety, and physical environment. The regulation contains additional provisions for secure custody facilities, boot camps, work camps, juvenile industries, and independent living programs.

Mr. Wilson thanked all staff and advocates for their part in revising the residential regulations.

On MOTION duly made by Mr. Dhillon and seconded by Mr. Wilson, that the Board of Juvenile Justice (1) adopt the changes recommended since the proposed stage to and (2) authorize the advancement to the final stage of the Administrative Process Act's standard regulatory process for the following proposed regulations as amended: (1) 6VAC35-71, the Regulation Governing Juvenile Correctional Centers; (2) 6VAC35-101, the Regulation Governing Secure Juvenile Detention Centers; and (3) 6VAC35-41, the Regulation Governing Juvenile Group Homes and Halfway Houses. Motion carried.

VIII. Director's Comments

Director Helivi Holland said she was happy to be here; she is very appreciative of the great staff support and is hopeful that the Board will continue to support the Department. She said it is good to know what happens to the youth once they are in the care of DJJ.

Director Holland advised the Board of the upcoming Statewide Leadership Meeting and Re-entry Workshop scheduled for June 23-24 at the Omni Hotel in Richmond. Board members will receive an e-mail, which will allow them to register for the Workshop. The morning session will deal with DJJ; in the afternoon, partner agencies will come (Mental Health, DCJS, Social Services, DCE, etc.)

IX. Board Comments

Ms. Myers shared the following: Statement of the Chair of the State Board of Juvenile Justice Commending the Service of Deputy Director Edward W. Murray & Deputy Director Tim Howard upon their retirement from state service:

As Chair of the State Board of Juvenile Justice, I would like to take this opportunity to formally recognize Edward W. Murray and Tim Howard for their leadership and effectiveness in serving Virginia's juvenile justice system with distinction and dedication.

Mr. Murray dedicated his life to public service, with over forty-three years in serving the citizens of the Commonwealth. Mr. Murray began his criminal justice career in 1967 as a Children's Supervisor at the Norfolk Detention Home. In 1973, Mr. Murray became the Assistant Warden at the State Penitentiary and served as Warden of both Staunton and Deep Meadow Correctional Centers. In 1982, Mr. Murray was appointed Deputy Director for Youth Services and served in the capacity until 1985 when he became the Deputy Director for Adult Services. In 1986, Mr. Murray was appointed the Director of the Department of Corrections and served that capacity for eight years. Mr. Murray joined the Department of Juvenile Justice as the Regional Administrator for the Eastern Region in 1994 and subsequently transferred to the position of Chief of Operations for Institutions. Mr. Murray was appointed Deputy for Institutions in July 1995 where he served until his retirement in May 2010.

Tim Howard, a native of Ohio, has over thirty years in serving citizens of the Commonwealth and Ohio. Mr. Howard began his career 1976 in corrections as a Rehabilitation Counselor for youth involved in the juvenile justice system, and, in 1988, became a Parole Release Planner for adult offenders. In 1984, Mr. Howard was appointed Deputy Director for Probation and Community Services for the Cuyahoga County Juvenile Court in Cleveland, Ohio. In 1997, Mr. Howard was appointed the Regional Administrator for the Ohio Department of Youth Services and in 1998, was appointed Assistant Deputy Director for the Division of Parole, Courts and Community Services for the Ohio Department of Youth Services. In 1999, Mr. Howard was appointed Deputy Director for Community Programs for the Virginia Department of Juvenile Justice for which he served until his retirement in May 2010.

It is evident that Mr. Murray and Mr Howard are devoted juvenile justice professionals with both having a profound impact on the lives of children and youth throughout Virginia.

As such, I want to take the opportunity to extend my thanks and sincere appreciation to Mr. Murray and Mr. Howard for their efforts and excellent service to the citizens of the Commonwealth, and wish them well as they embark on the next phases of their careers.

Thank you.

X. NEXT MEETING

The next meeting will be held on Wednesday, September 8, 2010. Location to be determined.

XI. ADJOURN

Having no other business, the meeting adjourned at 12:15 pm. Motion carried.

Respectfully submitted,

Deborah Canada Hayes
DJJ Board Secretary