

Dr. Barbara J. Myers, Chairperson
Heidi W. Abbott, Vice Chairperson
Kahan S. Dhillon, Jr., Secretary
Kecia N. Brothers
Aida L. Pacheco
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COMMONWEALTH
of
VIRGINIA

Board of Juvenile Justice

MINUTES
Board of Juvenile Justice Meeting
700 East Franklin Street, 4th Floor
Richmond, Virginia

November 10, 2010

Board Members Present: Barbara Myers, Heidi Abbott, Ken Stolle, Justin Wilson,
Kahan Dhillon, Kecia Brothers

DJJ Staff Present: Helivi Holland, Sam Abed, Mark Gooch, Steve Pullen, Janet Van Cuyk, Ken Bailey, Ed Holmes, Marilyn Miller, Joy Lugar, Mark Lewis, Angela Valentine, Deron Phipps, Kathryn Dickerson, Tim Joost, George Wakefield, John Coble, and Deborah Hayes

Others Present: Bill Muse-OAG, Charles Kehoe, Diane Gadow-Richmond JDC, Nicole Dooley-Legal Aid Justice Center, Lianne Rozzell-FAVY.

I. CALL TO ORDER

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

II. INTRODUCTIONS

Chairperson Myers welcomed everyone and asked the individuals present to introduce themselves.

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 September 8, 2010 MINUTES

The minutes of the September 8, 2010 Board meeting were presented for approval. On MOTION duly made by Ms. Abbott and seconded by Mr. Stolle, the minutes were approved as submitted. Motion carried.

V. PUBLIC COMMENT

No public comment.

VI. COMMITTEE REPORTS

A. Secure Services Committee

1. Certifications

On MOTION duly made by Mr. Wilson and seconded by Ms. Abbott to certify Oak Ridge Juvenile Correctional Center for three years. Motion carried.

Richmond Juvenile Detention Center (RJDC): Ms. Gadow spoke on behalf of RJDC. She advised the Board that two of the three of the maintenance issues have been fixed. The one outstanding issue is the intercom system. RJDC management staff will meet with Richmond City facility manager, will submit the Request for Proposal (RFP), will award the contract within 90 days of the RFP closing and anticipate repairs to the intercom system to be completed by 2012.

Mr. Dhillon said he acknowledged the work of Ms. Gadow and Mr. Kehoe. In his opinion, they have been very proactive. Mr. Kehoe thanked Mr. Dhillon and said he is happy that RJDC and the Board of Juvenile Justice can work collaboratively with one another.

Mr. Stolle asked about the alternatives for the broken intercom system. Ms. Gadow said they always have staff on the units in case something happens. Counselors are in place when the youth are in their rooms. Mr. Stolle said the certification should reflect that staff will be on hand and discussed the appropriateness of the finding of noncompliance. Mr. Bailey said having the intercom system is not a requirement; the deficiency is the failure to have it repaired and there is another regulatory requirement for juveniles in locked rooms to have the ability to communicate with staff. RJDC was built under the previous design specifications which did not require an intercom system. However, they must comply with the Board standard which requires the facility to repair defective equipment. Mr. Stolle asked if the Board can make a motion to not require repair of the intercom system. Ms. Myers said the Board can insert a variance in the motion. After consultation with Mr. Kehoe, Ms. Gadow, and Mr. Bailey, it was determined that the finding of noncompliance would remain.

On MOTION duly made by Mr. Wilson and seconded by Mr. Dhillon to certify Richmond Juvenile Detention Center and the Post-Dispositional Detention Program, with a capacity of eight male residents, for three years provided Richmond Juvenile Detention Center continues to take steps to rectify the situation with the intercom system. Motion carried.

B. Non-Secure Services Committee

1. Certifications

Fourth District Court Service Unit: On MOTION duly made by Ms. Brothers and seconded by Mr. Wilson to certify the Fourth District CSU for three years with a letter of congratulations for 100% compliance. Motion carried.

Tenth District Court Service Unit: On MOTION duly made by Ms. Brothers and seconded by Mr. Wilson to certify the Tenth District CSU for three years. Motion carried.

Fourteenth District Court Service Unit: On MOTION duly made by Ms. Brothers and seconded by Mr. Wilson to certify the Fourteenth District CSU for three years. Motion carried.

Twenty-first District Court Service Unit: On MOTION duly made by Ms. Brothers and seconded by Mr. Wilson to certify the Twenty-first CSU for three years. Motion carried.

Twenty-second District Court Service Unit: On MOTION duly made by Ms. Brothers and seconded by Ms. Abbott to certify the Twenty-second CSU for three years with a letter of congratulations for 100% compliance. Motion carried.

Twenty-third District Court Service Unit: On MOTION duly made by Ms. Brothers and seconded by Ms. Abbott to certify the Twenty-third CSU for three years with a letter of congratulations for 100% compliance. Motion carried.

Twenty-seventh District Court Service Unit: On MOTION duly made by Ms. Brothers and seconded by Ms. Abbott to certify the Twenty-seventh CSU for three years. Motion carried.

2. Issues

Abraxas House: During the April 2010 audit there were five mandatory deficiencies and five non-mandatory deficiencies. At the September 8, 2010, BJJ Board Meeting, Abraxas House was certified for three years with a status report to be presented at the November meeting regarding compliance with the corrective action plan. Abraxas House is now in compliance and all corrective action plans have been implemented. Mr. Bailey advised the Board that a new procedure has been put in place wherein Certification Unit staff will go to all audit sites to ensure they continue to be in compliance with all mandatory and non-mandatory standards.

3. VJCCCA Plans

On MOTION duly made by Ms. Brothers and seconded by Mr. Wilson to amend the FY 2011-2012 VJCCCA plan for the City of Alexandria in accordance with the Request to Amend. Motion carried.

On MOTION duly made by Ms. Brothers and seconded by Mr. Wilson to amend the FY 2011-2012 VJCCCA plan for Wythe County in accordance with the Request to Amend. Motion carried.

VII. OTHER BUSINESS

A. Proposed Amendments to the Board of Juvenile Justice Bylaws

The Board of Juvenile Justice (the "Board") is requested to review the proposed amendments to the Board's By-laws and propose any additional changes for final consideration and adoption at the Board's January 11, 2011 meeting.

Background

The Board's By-laws were adopted by the Board on November 13, 2002 and have not been amended since that time. Section 7.02 of the By-laws allows amendments to the Board at any regular or special meeting by a majority vote provided the proposed amendments were included in the notice of the meeting.

Board members requested a review of the By-laws, with primary consideration for review and amendment of Article 4 relating to committees of the Board. At the September 8, 2010 Board meeting, the Board made recommendations regarding amendments to the By-laws and agreed to review proposed amendments at the November 10, 2010 meeting, anticipating final approval at the January 11, 2011 meeting.

A summary of the proposed changes recommended by the Department was provided. Ms. Van Cuyk summarized the current by-laws and changes. No issues were raised with the proposed changes. It was agreed that they would be presented for final consideration and adoption at the Board's January 11, 2011 meeting.

Mr. Wilson said he is concerned about the Board's pre-full Board meeting committee meetings. Ms. Brothers said she shares Mr. Wilson's concerns and feels that the comments in the full Board meeting are redundant. Mr. Stolle stated that the burden is on the Board to ensure that nothing is done with which they are not comfortable. Mr. Stolle also questioned the need to approve the agenda.

After extensive discussion, it was agreed that the Board will no longer approve the agenda, the subcommittee meetings will be eliminated and the full Board meeting will start at 9:30 a.m.

VIII. Director's Comments

Director Holland shared the following information:

- Mark Gooch, Linda Jackson-Shaw, Ed Holmes and Director Holland visited the court service units in Southwest VA November 1-2, 2010.
- The pilot for Badges for Baseball kick-off was held on Tuesday, November 9 at Hanover JCC. There were 19 law enforcement mentors present. This program will run for 12 weeks—with mentor and mentee meeting once a week. The program will use baseball skills to apply to everyday life.
- On October 20, 2010, Director Holland attended the PREA workshop "Measuring Sexual Violence in Juvenile Facilities" sponsored by the Bureau of Justice Statistics. The workshop was held in Washington, DC. States that made the list in the original PREA report were invited to attend at no cost. Virginia's concerns mirror those of other state as it relates to sexual assaults in juvenile facilities.
- On November 22, Director Holland will represent CJCA at a symposium focusing on shackling pregnant females.
- The Judicial Liaison Committee meeting was held on November 5. There are four new judges on the committee and the director looks forward to working with them.
- JDAI held its annual fall conference October 1-3 in Williamsburg. The conference was well attended by DJJ staff and the director gave remarks at the awards luncheon on Thursday.
- The "Good Neighbors" receptions were held on September 27 (Hanover JCC) and November 4 (Beaumont JCC). Legislators, Board of Supervisors staff, Chief of Police and sheriffs have attended. The next receptions are scheduled for November 16 (Bon Air JCC) and one is being planned for Culpeper JCC. Members of the Board of Juvenile Justice are encouraged to attend.
- Mr. Gooch congratulated Mr. Stolle on receiving 100% compliance for the certification audit on the VA Beach Jail.

IX. Board Comments

XI. NEXT MEETING

The next meeting will be held on Wednesday, January 11, 2011 at the Cedar Lodge Training Center.

XI. ADJOURN

Having no other business, the meeting adjourned at 11:30 am without objection. During the post-adjournment lunch period, the Board had an informal discussion on the certification actions available to them pursuant to 6VAC35-20-100 and the Department recommendations for changes related thereto.

Respectfully submitted,

Deborah Canada Hayes
DJJ Board Secretary