



# COMMONWEALTH of VIRGINIA

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Members  
Kenneth G. Feng  
John E. Harding  
Jorge G. Lozano  
A V. Maddra  
Connie W. Seago  
John A. Wasowicz, Esq.  
Thomas A. Wilkins

*Board of Juvenile Justice*

**Prince George County Courthouse  
Prince George, Virginia  
Board of Juvenile Justice Meeting  
June 13, 2001**

**Present:** Kenneth Feng  
Jorge Lozano  
A. V. Maddra  
John Wasowicz  
Thomas Wilkins

## **I. CALL TO ORDER**

The meeting was called to order at 10:30 a.m. by Chairman Wilkins.

## **II. APPROVAL OF AGENDA**

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, the Board approved the Agenda for the June 13, 2001, meeting. Motion carried.

Mr. Peed introduced Deputy Secretary Ron Jordan and Donna St. Jean of the Public Safety Secretariat. He also introduced Mr. Andrew Brown, Director of the Crater Juvenile Detention Home. Mr. Brown welcomed the Board and introduced members of the Commission - William Johnson, David Canada, Mary Jones, Marty Long, Peter Bine, Terry Lewis, and Denise Dickerson.

## **III. APPROVAL OF MINUTES**

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, the Board approved the Minutes for the May 9, 2001, meeting. Motion carried with one correction cited by Mr. Wilkins - Congressman Wolf's name is not spelled "Wolfe."

#### **IV. COMMENTS OF PUBLIC**

Ms. Jackie Green, Public Relations Coordinator, introduced Mr. John Chambliss from the Roanoke Valley Detention Center. Mr. Chambliss thanked the Board for its assistance in the past with block grant funding. He further discussed the planned expansion at that facility. He requested favorable consideration for funding as provided by the Commonwealth for per diem rates, notice of funding decisions as soon as possible, and that the Board visit his facility.

In reference to Mr. Chambliss' concerns and the budget stalemate, Mr. Jordan said the Secretariat is acutely aware of the problems the localities have with cash flow. He assured them a method is being researched to provide reimbursement as scheduled.

#### **VI. COMMITTEE REPORTS**

##### **A. Secure Services Committee**

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to deny the variance request to BJJ 560 by New River Valley Detention Home and continue the current certification status to July pending the receipt of a corrective action plan on BJJ 560. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to renew the variance request to BJJ 660 for the use of pepper spray by Shenandoah Valley Detention Home. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to amend guidelines for use of pepper spray to include that staff members be exposed to the pepper spray during training class. The Board discussed the potential risk of using spray and when it would be used. Motion carried. Mr. Wilkins requested that the new written standards be made available to the Board within 60 days for review and action.

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to continue the current certification status of Newport News Juvenile Detention Home to July pending the receipt of a corrective action plan. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to approve the request by Shenandoah Valley Juvenile Detention Home to increase proposed capacity of the new facility from 50 to 55 beds with no increase in proposed funding. Motion carried.

##### **B. Non-Secure Services Committee**

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, to certify Roanoke Sanctuary for three years. Motion carried

On MOTION duly made by Mr. Feng, seconded by Mr. Lozano, to certify Hampton/Newport News Less Secure Detention for three years with a letter of congratulations for 100% compliance. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Lozano, that the City of Virginia Beach's VJCCCA plan be amended as submitted. Ms. Gholston explained the "wrap-around" and "apartment living outreach" programs in response to Mr. Maddra's question. Mr. Howard said these programs emphasize keeping the child in the home and working with the whole family to do a more effective job with the child. Mr. Howard agreed to provide a glossary of terms to the Board to assist in understanding VJCCCA plans. The Board also discussed the movement of money between programs. Motion carried.

## **VII. OTHER BUSINESS**

### **A. Office on Youth Standards**

Ms. Susan Heck requested that the Board approve the proposed standard revisions and that the document be issued for public comment.

On MOTION duly made by Mr. Feng, seconded by Mr. Wasowicz, to approve the staff recommendation. Mr. Maddra questioned two revisions for Youth Services Citizen's Board as they leave out how old a person has to be to serve on the Board or who appoints the person. Ms. Banci Tewolde of the Attorney General's Office said that there is no requirement in the Code for age to be defined. Ms. Heck said that the Youth Board does focus on youth below the age of 18. The Board requested that the age limit be made clear in the revisions. Motion carried.

Mr. Wilkins requested that there be a follow-up on the public comments, which is very important.

### **B. Non-Residential Standards**

Mr. Don Carignan discussed the review of the standards and requested Board approval for publication and public comment.

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, that the draft revisions to the *Standards for Nonresidential Services Available to Juvenile and Domestic Relations District Courts* submitted by the Department be issued as a "proposed regulation" pursuant to the Administrative Process Act, and that the Board provide the opportunity for public comment at one of its regularly scheduled meetings during the public comment period provided for in that Act at a date and time to be determined by the Executive Committee in consultation with Department staff. Motion carried.

### **C. Psychological Fee Schedule**

Mr. Steve Pullen discussed a handout setting forth a revised fee schedule that provides for new testing methods. Dr. Waite contacted insurance companies and

private providers to arrive at these fees, which is an update from 1994. He requested that the Board approve the proposed fee schedule and make it effective July 1 .

On MOTION made by Mr. Feng, seconded by Mr. Maddra, that the Board approve the revised fee schedule for psychological testing. Motion carried.

#### **D. Detention Study**

Mr. Pullen distributed and reviewed the detention study. He informed the Board that this DCJS funded study will be placed on DJJ's website. There were discussions regarding obtaining feedback, reasons why youth are being sent to detention, aggregate data for sex, basis for numbers, and why Virginia's rates are almost double the national average. Mr. Pullen discussed the "pattern of trouble" - October, March, and April. LOS in detention homes will be looked at further to see if a determination can be made for stays longer than 51 days.

### **VIII. DIRECTOR'S COMMENTS**

Ms. Green presented a plaque from the Special Olympics of Virginia to Director Peed for his service on that organization's behalf for 2001. The Department's goal was \$5,000 and \$5,463 was raised. This year is the first time DJJ has participated. Mr. Peed recognized the Deputy Directors and Ms. Green for their support and work. Mr. Wilkins congratulated the Department.

Mr. Peed said the detention study was a great one and would be given broad distribution. The study provides a lot of information that will be helpful in making decisions.

He reported that the population is now 1,150 and that capacity is 1,243. Admissions have continued their downward trend since last June, which is also true of detention admissions. He said that recidivism rates are down and that juvenile crime is down in Virginia as well as across the country.

### **IX. COMMENTS OF BOARD**

Messrs. Maddra, Feng, Lozano, and Wilkins thanked Mr. Brown for hosting the meeting and inviting the Board to Crater.

Mr. Wasowicz commended Messrs. Peed, Pullen, and Howard for the detention study presentation. He discussed the projected curve that had been used and said that current numbers suggest a trend that our capacity will exceed actual number of youths in facilities. With this further reduction, he feels more resources should be put in VJCCCA to expand detention home rather than facilities and shift resources. Mr. Howard said that a number of activities are based on the information in the study and will be used to develop a risk instrument to use at Intake to put highest risk offenders in detention. Increased focus will be placed on a level system of case management in parole and probation -graduated sanctions and incentives. He said that 20% of crime control dollars is spent on detention outreach and electronic monitoring. Mr. Wasowicz also discussed

post-disposition. He felt that taking kids out of a situation and then putting them back in that same situation will keep them at risk at disproportionate level. He felt a community safety net is key. He felt that CHINS (Children In Need of Services) together with FAPT (Family Assessment Planning Team) will help kids and families to reduce recidivism.

The Board decided that the next meeting will be held at the Central Office on July 25.

Dr. Wilkins thanked Ms. Green and wished her well at her last meeting. Messrs. Maddra and Feng also expressed appreciation. Dr. Wilkins discussed 103`d Founder's Day at Hanover JCC, which he attended. He also reminded the Board that elections would be held at the July meeting. Dr. Wilkins requested that Ms. Tewolde advise Ms. Kelly Gargasz regarding election procedures and when the Chair can vote.

Mr. Maddra reminded Mr. Andrew Brown to send a copy of the consultant's report to the Board for discussion at the July meeting. Mr. Brown is to send the report to Ms. Gargasz.

## **X. EXECUTIVE SESSION**

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, that the Board reconvene in Executive Closed Session, pursuant to Section 2.1-344 (A), (1) and (7), for discussion of personnel matters and for consultation with legal counsel and briefings by staff members, consultants or attorneys, pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by counsel, and for matters involving security otherwise exempt under the Freedom of Information Act.

Upon conclusion of the Executive Session, Board members individually 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. The following Board members verbally so certified: Messrs Feng, Lozano, Maddra, Wasowicz, and Wilkins.

## **XI. ADJOURN**

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to adjourn the meeting at 12:43 PM. Motion carried.

Respectfully submitted,

*/s/ Patricia F. Rollston*

Patricia F. Rollston