

James S. Turpin, Chairman
Barbara J. Myers, Secretary
Heidi W. Abbott
Kecia N. Brothers
Kahan S. Dhillon, Jr.
Aida L. Pacheco
Justin M. Wilson



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COMMONWEALTH
of
VIRGINIA

Board of Juvenile Justice

**Board of Juvenile Justice Meeting
Richmond Juvenile Detention Center
1700 Oliver Hill Way
Richmond, VA**

September 9, 2009

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

DJJ Staff Present: Barry Green, Sam Abed, Tim Howard, Ed Murray, Steve Pullen, Ken Bailey, Janet Van Cuyk, Deron Phipps, Vernon Harry, Regina Hurt, Marilyn Miller, George Wakefield, John Coble, Joy Lugar, Tim Joost, Steve Peed, Ed Holmes, Stephanie Garrison, Jeff Sherman, Major K. Washington, Officer Roslyn Jefferson, Resident C, Bruce Twyman, and Deborah Hayes.

I. CALL TO ORDER

Chairman Turpin called the meeting to order at 10:10 am.

II. INTRODUCTIONS

Mr. Turpin introduced Charles "Chuck" Kehoe, the newly hired superintendent of Richmond Juvenile Detention Center. Mr. Kehoe recognized Chris Beschler-Richmond Deputy Chief Administrative Office and Doris Moseley-Richmond Deputy of Justice Services. These individuals gave a formal welcome from the City of Richmond to the board members and guests. In addition to DJJ staff and Board members listed above, additional staff and guests in attendance were: Bill Muse-OAG, Sandra Martin-RJDC, Marshall Marks-Principal, RCPS, Walter Ridley, Barbara Hart-Ridley Consultant Group, Melissa Goemann-UR Law School and Lianne Rozzell-FAVY.

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF JUNE 10, 2009 MINUTES

The minutes of the June 10, 2009 Board meeting were presented for approval. On MOTION duly made by Ms. Myers and seconded by Ms. Brothers, the minutes of the June 10, 2009 meeting were approved as submitted. Motion carried.

V. PUBLIC COMMENT

No public comment.

VI. COMMITTEE REPORTS

A. Secure Services Committee

Certifications

On MOTION duly made by Ms. Myers and seconded by Ms. Abbott as amended to certify Henrico Juvenile Detention Home for three years with a follow-up report at the November 18 board meeting on the overcrowding issues. Mr. Bailey will monitor the facility. Motion carried.

On MOTION duly made by Ms. Myers and seconded by Mr. Wilson, to certify Newport News Detention Home and Post-Dispositional Detention Program for three years. Motion carried.

Lynchburg Regional Juvenile Detention Center has corrected all but one deficiency that was cited during the September 15-16, 2008 audit. Correction on that one deficiency could not be determined due to the facility not having hired any new employees since the January 14, 2009 board meeting. The facility has worked hard to correct its deficiencies by developing and revising orientation and training forms and retraining staff. The administration is pleased with the accomplishments since the audit and hopes to continue making positive changes to the facility and the program. There was no action required by the Board of Juvenile Justice at this time.

Issues

Richmond Juvenile Detention Center: Due to the hiring of a new superintendent on August 1, 2009 and time limits, it was not possible to complete a written update on the status on the corrective action plan for the September board meeting.

Mr. Kehoe provided a PowerPoint presentation. The presentation contained a welcome from RJDC to the Board of Juvenile Justice and the Department of Juvenile Justice. Mr. Kehoe shared information on the partnerships with RJDC and thanked everyone for their assistance. He also shared RJDC's plan of action updates and noted that all but nine of the standards that RJDC's had been found in non-compliance during the March 2009 audit. A written report will submitted at the November 2009 meeting.

Ms. Pacheco stated she is pleased with the progress RJDC has made. Ms. Myers' asked what are the ramifications for not certifying. Mr. Bailey stated that he would be comfortable with extending the probationary status until January 2010. Ms. Abbott questioned the monitoring system to ensure that the non-compliance issues will be probably addressed.

On MOTION duly made by Ms. Brothers and seconded by Mr. Dhillon to extend the Richmond Juvenile Detention Center until the November 18 board meeting. Ms. Pacheco abstained. Motion carried.

B. Non-Secure Services Committee

1. Certifications

On MOTION duly made by Ms. Brothers and seconded by Ms. Myers to certify District 2-A Court Service Unit for three years. Motion carried.

On MOTION duly made by Ms. Brothers and seconded by Ms. Abbott to certify Aurora House for three years. Motion carried.

On MOTION duly made by Ms. Brothers and seconded by Ms. Abbott to certify Bridge House for three years. The Certification Unit will monitor implementation of corrective action plan and report in September 2010 if deficiencies have not been corrected. Motion carried.

On MOTION duly made by Ms. Brothers and seconded by Ms. Abbott to certify Loudoun Youth Shelter for three years. The Certification Unit will monitor implementation of corrective action plan and report in September 2010 if deficiencies have not been corrected. Motion carried.

On MOTION duly made by Ms. Brothers and seconded by Ms. Myers to certify Opportunity House for three years. The Certification Unit will monitor implementation of corrective action plan and report in September 2010 if deficiencies have not been corrected. Motion carried.

2. Issues

Chesapeake Boys' Home: On MOTION duly made by Ms. Brothers and seconded by Ms. Myers to (1) approve the relocation of Chesapeake Boys' Home to 2293 Lynnhaven Avenue and change the name of the program to Lynnhaven Boys' Home; and (2) grant a variance to 6VAC35-51-480 and approve the capacity of 12 residents. Motion carried.

VII. NEW/OTHER BUSINESS

A. Art Presentation

Resident C stated he was asked to present the artwork on behalf of Resident W.

B. Policy Review

On MOTION duly made by Ms. Brothers and seconded by Ms. Myers to take the recommended action on the following Board policies as of September 9, 2009 as submitted by the Department's Policy and Review Committee:

- 20-106 Discipline Plan (amend)
- 20-004 Communication of Serious incidents (amend)
- 03-002 Program Investigations by the Department (rescind)
- 17-001 Summary of Youth's Rights (amend)
- 17-002 Major Rule Violations: Reports, Investigation, Due Process Hearing, Appeal, and Review (rescind)
- 17-003 Due Process in Transfer to More Restrictive Program or Facility (amend)
- 18-004 Firearms, Stun Guns, and Other Weapons (amend)
- 20-202 Library Services (rescind)
- 20-208 Juvenile Industries (rescind)
- 20-311 Post-Dispositional Facilities (rescind)
- 13-004 Food Preparation and Service of Meals (rescind)
- 19-002 Classification of Committed youth (amend)
- 20-001 Treatment Programs and Services (amend)
- 20-002 Electronic Monitoring (amend)
- 20-003 Sex Offender Treatment (rescind)
- 20-004 Committees to Guide Sex Offender Treatment Programs (rescind)
- 20-005 Alcohol and Drug Screening of Youth (rescind)

- 20-207 Counseling Wards (rescind)
Motion carried.

C. Regulatory Update

Ms. Van Cuyk distributed the regulatory update to the Board members and stated that no board action is required at this time.

- 6VAC35-30 Regulations for State Reimbursement of Local Juvenile Residential Facility Costs: submitted on February 6, 2009 and is in the Governor's Office for his approval.
- 6VAC35-60 Minimum Standards for Virginia Delinquency Prevention and Youth Development Act Grant Programs: submitted on February 2, 2009 and is in the Governor's Office for his approval.
- 6VAC35-150 Standards for Nonresidential Services available to Juvenile and Domestic Relations District Courts: submitted on February 5, 2009 and is pending publication in the *Virginia Register* on July 6, 2009 for a 60-day public comment period.
- 6VAC35-41 Regulation Governing Juvenile Group Homes and Halfway Houses; 6VAC35-71 Regulation Governing Juvenile Correctional Centers; and 6VAC35-101: NOIRAs submitted on February 26, 2009. Public comment period closed on Friday, June 12. No comments have been received thus far.

D. Hampton Workforce Investment Activities

E. Board Elections

On MOTION duly made by Ms. Pacheco and seconded by Mr. Dhillon to elect Ms. Myers as Board of Juvenile Justice chairperson. Motion carried.

On MOTION duly made by Mr. Dhillon and seconded by Ms. Abbott to elect Ms. Brothers as Board of Juvenile Justice vice-chairperson. Motion carried.

On MOTION duly made by Ms. Abbott and seconded by Ms. Brothers to elect Mr. Dhillon as Board of Juvenile Justice secretary. Motion carried.

VIII. Director's Comments

Mr. Green stated the following:

- Though there are no final decisions, he anticipates that there will be additional cuts;
- A presentation was made to the joint money subcommittees citing that prison/jail populations are decreasing, JCC population has increased since January but it has decreased over the last 15 years;
- The Department is monitoring trends on intake—Mr. Howard stated that Community Programs has lost 71 probation positions over the last five years;
- Mr. Green said detention population is also down and there have not been any significant increases in felony level or violence numbers;
- H1N1 (swine flu) has been found in residents at Bon Air JCC. Chesterfield Health Department is working with BAJCC and have segregated those residents with symptoms, the facility will return to normal operations on June 11. He said the symptoms were very mild.

IX. Board Comments

Mr. Turpin read the resolutions for Mr. Penn and Ms. Puritz. Ms. Puritz is resigning from the Board, and Mr. Penn will not renew his term, which ends June 30, 2009. He thanked Mr. Penn for his service. Mr. Penn said this has been a great six years, and he wishes the Board

the best. He said the Board and the Department have great leadership and he knows they will continue to do well.

Executive Closed Session:

On MOTION duly made by Mr. Turpin and seconded by Mr. Wilson that the Board reconvene in Executive Closed Session, pursuant to Section 2.2-3711 (A), for discussion of personnel matters and for consultation with legal counsel and briefings by staff members, consultants or attorneys, pertaining to actual 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 their return to the regular meeting from Executive Closed Session, the Board members were polled as follows: Do you individually certify that to the best of your 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 Closed Meeting were heard, discussed, or considered. Board members polled and certified were Ms. Abbott, Ms. Brothers, Mr. Dhillon, Mr. Wilson, Ms. Myers, Ms. Pacheco and Mr. Turpin.

X. NEXT MEETING

The next board meeting will be held on Wednesday, November 18, 2009; location TBD.

XI. ADJOURN

Having no other business, and on MOTION duly made by Ms. Myers and seconded by Ms. Brothers, the meeting adjourned at 12:20 pm. Motion carried.

Respectfully submitted,

Deborah Canada Hayes
DJJ Board Secretary