



COMMONWEALTH of VIRGINIA

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

Board of Juvenile Justice

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Reception & Diagnostic Center and 700 Centre
Board of Juvenile Justice Meeting
February 7-9, 2000

February 7 - RDC: Orientation

Present: Kenneth G. Feng
Jorge Lozano
A. V. Maddra
Connie W. Seagle

The meeting was called to order at 1:12 PM.

Mr. Ed Murray, Deputy Director of Institutions, welcomed everyone to Reception and Diagnostic Center (RDC). He discussed how the wards are evaluated when they first arrive and explained that all committed youth come to RDC for evaluations - educational, physical, psychological - before a decision is made as to where to place that ward in the system. He introduced Mr. Bill Schoof, Superintendent of RDC and Mr. Walter McFarlane, Superintendent of Department of Correctional Education (DCE).

Mr. Schoof, Institution Superintendent, discussed the uniqueness of RDC among the eight DJJ institutions and pointed out that the filing system on ward records goes back to 1914. He then introduced the team at RDC - Jusolyn Bradshaw, DCE principal; Mark Lewis, Institution Assistant Superintendent; Capt. Tyler, Chief of Security; Lois Fairhill, Institution Assistant Superintendent; Lt. Tate; and Dr. Livia Jansen, BSU Psychology Supervisor. The team provided overviews of LEADER, assessments, and education. Afterwards, the Board went on a tour of RDC, Oak Ridge and Bon Air facilities.

Mr. Mark Lewis described the process of evaluation and placement. Needs of youth are assessed and a determination made regarding where they should be placed in the system to have those needs addressed and how long the nondeterminant commitments should be.

Lt. Tate discussed the LEADER program - its goals and intention. He discussed the routine that begins when a ward arrives at RDC and the philosophy regarding LEADER activities and requirements.

Mr. Lewis discussed orientation that is given to the wards - program issues, schedules, medical evaluations by Central Infirmary for the first 72 hours. Psychiatric and drug (substance abuse) evaluations are conducted. A counselor is assigned to protect the youth's rights.

Dr. Jansen said that BSU staff have seen an increase, over the years, of youth coming into the system with significant mental health needs. Number one priority for her staff is to provide crisis intervention, suicide prevention, etc., as needed. Comprehensive psychological examinations are conducted on each youth. Approximately 40-50% of the youths have a history of psychotropic medication use. Mr. Feng questioned what is considered a "mental health treatment need." Dr. Jansen explained that such needs would involve psychotropic medications and involvement of direct care staff and teachers. However, medications may not be involved, but therapy is indicated. She discussed other areas of psychoses that wards may have.

Miss Bradshaw gave a brief overview of educational program that has two major functions - standardized testing and evaluations. She explained what subject matter and additional offerings are available and noted that State and Federal guidelines are used in the school. She also emphasized that 42% of the ward population have been identified as needing special education.

Miss Fairhill explained Cottage Life Style. Staff who monitor the cottages on a day-to-day basis come in constant contact with the wards and are able to provide guidance in co-existing in large groups. This part of the ward's stay at RDC is where the staff can begin to get a picture of how that ward will react in the JCC to which he/she will be assigned. The officers strive to maintain a routine for the wards keeping each day the same, which is the beginning of establishing a structure for the wards.

Mr. Lewis said that if an officer sees that a ward has a particular problem; e.g., a speech impediment, they will refer the ward to an appropriate individual to address that problem. He further explained the staffing team meeting and how it is used to develop treatment needs for the ward. There are three types of treatment: Mandatory, Recommended, and Ancillary. Information on treatment needs, LOS, and placement are discussed with the ward after the team thoroughly evaluates all information. Mr. Lewis discussed the various placement facilities - JCCs and alternates. He further explained the process of court review of the ward's placement, LOS, etc. Graduation ceremonies are conducted when wards are ready to be placed.

Mr. Walter McFarlane explained the educational aspect of a ward's life. He discussed the enormous strides in correctional education attained over the past few years and distributed background information for his department. DCE is the only executive branch agency in the U.S. that is designated for teaching adults and youth. Other states have asked to study this system. He said that the average ward is reading about four grade levels below average and that approximately 80% of the wards are classified as drop-outs or perpetual truants. Mr. McFarlane discussed the innovative advancements that have been made since 1994 in DCE. He also discussed the JROTC program at Hanover and its outstanding record. Availability of

scholarships and post-secondary education was discussed along with the impact of a college education on the recidivism rate. Mr. McFarlane said that the LEADER program has helped tremendously with discipline in the classrooms as has security practices for the classrooms. Mr. McFarlane discussed the GED program and how DCE helps in the transitioning process for wards.

The meeting was adjourned at 1:10 PM.

February 8 - RDC: Orientation

Present: Kenneth G. Feng
Jorge Lozano
A. V. Maddra
Connie W. Seagle
Thomas Wilkins
John E. Harding

The meeting was called to order at 8:40 AM.

Ms. Seagle turned the meeting over to Mr. Peed who welcomed everyone on behalf of the Secretary of Public Safety Aronhalt.

William Muse, Assistant Attorney General, discussed the Statutory Authority, Regulations, and Freedom of Information Act (FOIA) as related to Board meetings, records, exemptions, etc. Mr. Muse stated that requests for information should be directed to the custodian of the records - Mr. Peed. Draft documents and e-mail were discussed. Votes cannot be taken telephonically. Fees may be charged for supplying information requested under FOIA. Meeting requirements were outlined. He explained how to use the Code of Virginia to find information and discussed the duties/powers of the Board.

Don Carignan, Policy Manager, discussed current Regulations (administrative law) and Policies. This presentation related to the policy-making function of the Board and historical information. He advised the Board of standards/regulations needing revisions. He discussed the Administrative Process Act (APA) and the Virginia Administrative Code (VAC). He further discussed guidelines, which are not regulations, that can be adopted by the Board. He presented all Board policies that are currently in effect. Mr. Carignan explained that the Department has three concerns: (1) Areas to explore of Board vs. Director responsibility; (2) Clarify what kinds of policy statements are necessary; and (3) Clarify which direction to take to provide guidance on handling procedures. Review is needed as there are references to Youth & Family Services and policies that are no longer needed as they are covered by other entities; i.e., State policy. The Index to the Directives Manual has the updated dates to reflect if a policy has been reviewed by the Board. Those items needing review should be flagged and brought to the next Board meeting. Kelly Gargas, Director's Special Assistant, discussed the strategic plan, mission, vision, guiding principles, and organizational structure for DJJ. The mission statement was discussed, and the subject will be addressed at the Board meeting on February 9.

Barry Green, Deputy Director of Finance & Administration, provided a list of staff in his area; a Juvenile Correctional Center Information sheet; and the 1999 Appropriation Act, Block Grant Construction Formula, and Background on State Funding for Local Detention documents. He also discussed the budget provisions and rules as well as construction costs, grant funds, and calculations necessary to arrive at costs.

Sallye Anthony, Accounting Manager, explained the travel reimbursement form and procedure.

Carmen Bria, LEADER Program Supervisor, reviewed the history of LEADER and explained the mechanics of the program and the benefits to the facilities as well as to the wards. He also showed the award-winning LEADER videotape and distributed materials on the program. Tim Howard, Deputy Director of Community Programs, presented an overview of his division that included a description of each functional area, identification of current priorities, and discussion of initiatives that are planned for the next year and a half. The Regional Administrators - Becky Camache of Region I, Thad Aubry of Region II and Ed Holmes of Region III - each gave a briefing on their responsibilities, scope of services provided, and unique aspects of their respective regions. Angela Valentine, Community Programs Manager, discussed the diverse programs available and the support, technical assistance, guidance and consultation provided to court service units, the Regional Administrators, and others. Scott Reiner, Court Services Specialist, discussed risk assessment classification and probation and parole initiatives. Susan Gholston, VJCCCA Coordinator, discussed the procedures for VJCCCA funding, and Board members were urged to attend the VJCCCA Conference to be held later in the year. Don Carignan, Bill Muse, and Dr. Dennis Waite, BSU Chief Psychologist, discussed the guidelines under the statutes for Length-of-Stay (LOS). The ramifications of how LOS affects the wards was outlined and explained. The importance of these guidelines was stressed. They will be reviewed further by the Deputy and Chief Deputy Director and will be presented to the Board again for revision and/or approval.

Ken Bailey, Certification Unit Manager, gave a little history of the certification process. Certification is mandated by Code "to monitor the activities of the Department and its effectiveness in implementing the standards and goals of the Board." He discussed the measurements and standards that are used to determine if a program and/or facility is meeting those measurements and standards. There was further discussion regarding rewarding or holding to accountability those programs and facilities for their adherence to standards. He stated that he is striving for consistency in auditing and reporting when the certification process is revised and discussed the audit and reporting process.

The Board requested information on the Department's new website, which is accessible at: www.dii.state.va.us <<http://www.djj.state.va.us>

The meeting was adjourned at 6:30 PM.

February 9 - 700 Center Building Board Meeting

Present: Kenneth G. Feng
John E. Harding
Jorge Lozano
A. V. Maddra
Connie W. Seagle
John A. Wasowicz
Thomas Wilkins

I. CALL TO ORDER

The meeting was called to order by Connie Seagle, Chairperson, at 10:10 AM..

II. APPROVAL OF AGENDA

On MOTION duly made by Mr. Maddra, seconded by Mr. Harding, the Board approved the Agenda with the revisions in the order of business and addition of the Mission Statement item. Motion carried.

III. APPROVAL OF MINUTES

On MOTION duly made by Mr. Feng, seconded by Mr. Harding, the Board approved the Minutes for the January 5, 2000, meeting.

IV. COMMENTS OF PUBLIC

There were no comments.

V. COMMITTEE REPORTS

A. Secure Services Committee

On MOTION duly made by Mr. Harding, seconded by Mr. Feng, to certify Fairfax Juvenile Detention home for three years with the approval of a temporary variance to 6 VAC 35 140-550 that is valid for one year. Motion carried.

On MOTION duly made by Mr. Harding, seconded by Mr. Feng, to continue the current certification of the Lynchburg Detention Home to April 2000 pending a status report on the completion of items listed in the corrective action plan and to change the name of the Lynchburg Juvenile Detention Home to Lynchburg Regional Juvenile Detention Center. Motion carried.

On MOTION duly made by Mr. Harding, seconded by Mr. Feng, to amend the Board's January 5, 2000, motion approving the Crater Youth Care Commission Detention Center Planning Study to adjust the recommended state reimbursement

for construction/renovation based upon its revised per bed reimbursement cap as adopted at its November 1999 meeting. The newly approved amount is \$3,756,267. This amends the January 200 motion which approved \$3,486,871 in state reimbursement for construction of 48 additional beds, plus renovation of 22 existing beds. The availability of funds for reimbursement as approved above is contingent on the appropriation of funds by the General Assembly. Motion carried.

B. Non-Secure Services Committee

On MOTION duly made by Mr. Wasowicz, seconded by Mr. Maddra, to continue current certification status of the 3^d District Court Service Unit to April 2000 pending the completion of an audit. Motion carried.

VI. OTHER BUSINESS

A. Beaumont Update

Mr. Marsden reported that he and the Director were setting up an Institutions Direction Committee to look at reclassifying all the institutions, not just Beaumont. It is felt that security needs are extremely important in order to overlay treatment for the youth in DJJ's care and enable them to feel safe in their environment. This concept would ensure that wards within similar age and offender groups would be housed together and receive the treatment programs. A report will be given to the Board at the next meeting on the results of the Committee's work. The Committee will look into the system as a whole, not just as individual juvenile correctional centers. The analysis will include an in-depth review of the administration and management of each facility along with the classification system. Further discussion was held regarding past problems, such as overcrowding, which involved how the population was dispersed. As of February 9, the population at Beaumont had been reduced to 340 by sending wards to other less crowded facilities and slowing the classification process at RDC. Beaumont's Life-Health-Safety issues were also discussed.

The Director addressed the issue of the age of the population in the JCCs. He estimated that it would take a year to transition the system so that 12-year-olds are not in with 19-year-olds; a 65-pound ward is not in with a 270-pound ward. Objective criteria, along with a commonsense approach, will be used at all eight facilities to dilute problems.

B. Mission Statement

The Board discussed the advantage of having a mission statement in line with that of the Department and adopted a new mission statement that reads, "The Mission of the Department of Juvenile Justice is to protect the public through a balanced approach of comprehensive services that prevent and reduce juvenile delinquency

through partnerships with families, schools, communities, law enforcement and other agencies, while providing the opportunity for delinquent youth to develop into responsible and productive citizens."

On MOTION duly made by Ms. Seagle, seconded by Mr. Harding, to adopt the revised mission statement. Motion carried.

C. Board Elections

Elections were held for the positions of Vice-Chair and Secretary. Ms. Seagle advised the Board that it may be desirable to change the By-laws so that elections may be conducted in September rather than in June.

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, to elect Mr. Wilkins as Vice-Chair. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Wilkins, to elect Mr. Maddra as Secretary. Motion carried.

D. Certification Process

Ken Bailey informed the Board that the draft of the certification plan will be reviewed by the new administration. The plan will be presented at the next Board meeting. The language used in the plan was discussed regarding classification standards. The Board wants to send a clear message that standards are to be met. Mr. Bailey assured the Board can select the language to be used.

E. Certification Regulations

Don Carignan presented a packet of information relating to compliance with Life-Health-Safety (LHS) standards. This information will be published for public comment. Also, he presented a draft of policy and a summary of standards to more clearly identify LHS standards. He discussed the move toward having policies, standards, and regulations "in sync" with one another. After the Agency administrative staff has had the opportunity to ensure this process has been completed, the matter will be brought back to the Board.

F. Length of Stay Guidelines

Don Carignan explained that these guidelines will be brought to the Board at a later date after the Director and Chief Deputy Director have had time to study them.

G. Reimbursable Project Costs (Crater Issues)

The Board requested that the Crater representatives return to the next meeting with updated figures.

H. Board Calendar

Ms. Seagle advised the Board that the meeting will be held in Abingdon in October. The rest of the calendar will be established as the Board decides which facilities will be visited.

The Board discussed the desirability of visiting facilities to foster good morale and let the employees in the field to know that the Board is interested in what they are doing and in their programs. Future visits may be to the northern part of the state in May or April and to the eastern region in the summer.

I. Committee Assignments

Mr. Harding will Chair the Secure Services Committee. Messrs. Maddra and Wilkins will serve on that Committee.

Mr. Wasowicz will Chair the Non-Secure Services Committee. Messrs. Feng and Lozano will serve on that Committee.

VII. PUBLIC COMMENTS

Ms. Seagle allowed comments at this time. Persons speaking to Board regarding volunteers and spiritual concerns for wards in the JCCs were:

Rev. J. Fletcher Lowe, Jr., Executive Director, Virginia Interfaith Center for Public Policy (petition);
Rev. James F. McDonald, General Minister, Virginia Council of Churches; Rev. Jay Biber, Pastor, St. John Neumann Catholic Church, Powhatan (letter); and
Dr. Kathleen Kenny, Associate Director of Office of Justice and Peace, Catholic Diocese of Richmond.

The Board discussed availability of religious programs in the facilities and the use of volunteers. The issue of separation of church and state was also discussed. Mr. Peed will review related policies and procedures and made changes as needed. Mr. Howard will advise the petitioners of DJJ's "Operation Turnaround" program.

Ms. Priscilla Budieri, Virginia Poverty Law Center, spoke on Life-Health-Safety standards violations cited in Beaumont's audit. She read from the audit a reference to use of abusive language, which is considered a violation of LHS standards. She called for an end to use of humiliating, degrading, or abusive language.

VIII. DIRECTOR'S COMMENTS

Mr. Peed reported on his testimony before the General Assembly. He shared his vision and thoughts as presented to the General Assembly.

- 1) Develop a DJJ system that enhances public safety through well-reasoned policy choices and strategies for both the treatment and prevention of juvenile delinquency.
- 2) Formulate policy and funding recommendations based on reliable and valid data, independent analysis, and sound evaluation.
- 3) Develop a system that obtains input from all our stakeholders. (All the people who have spoken are stakeholders and share in our responsibility.)
- 4) Encourage open debate on issues. (We will do that as the Board conducts meetings throughout the Commonwealth.)
- 5) Be effective in reducing juvenile crime, be responsive to our stakeholders, encourage inter-agency collaboration and have the confidence and support of the public and judiciary.

Mr. Peed said that in trying to look at where we want to go, we have to look at where we are today and/or where we've been. The organization is in transition. In order to understand some of the problems DJJ is facing, the Director shared the following data about the wards to help the Board understand who our juvenile population really is:

- 392 of our youth are 18 years of age.
- Average age is 15.8 years.
- Majority of the children in custody are in the 16-17 year old age group. (There are some aged 12, 13 and 14.)
- 220 misdemeanants.
- 79 people in our custody have misdemeanors only.
- 141 youth have had a felony within the past 12 months or prior felonies. • Over 100 felons in our system.
- Of that population 50% are six years below their educational level. • 40% need special education.
- 15% of that population live with both biological parents.
- 12-16% of the males have been physically abused.
- 19-30% of the females have been physically abused.
- 5% of the males have been sexually abused.
- 25% of the females have been sexually abused.
- 30% of those 1300 kids in our custody had incarcerated parents. (8% of those had a mother incarcerated.)
- 11-16% of the girls in our custody are parents themselves.

- 15-21 % of the boys are parents. (We will provide parenting skills programs to help break the cycle of sexual and physical abuse that could potentially occur with these parents.)
- 13% of the population has some level of mental retardation.
- Almost one-third of the males have a history of being on psychotropic medication.
- Almost one-half of the females have a history of being on psychotropic medication.
- 42% of the children in our custody have medical needs.
- 58% of our population have used marijuana.
- 50% have used alcohol.
- 18% have used cocaine.
- 33% have serious substance abuse needs.
- 64% need some type of substance abuse treatment.

Mr. Peed advised the Board that the Inspector General, William T. Bonacum will begin on February 10.

IX. COMMENTS OF BOARD

Mr. Wilkins wanted a copy of the Director's information. He encouraged the consideration of holding a press conference to outline plans and introduce the IG and Board members. Mr. Peed introduced Kelly Gargas, Special Assistant to the Director and Jackie Green, Public Relations Coordinator, to the Board and described the ways they could help the Board.

Mr. Feng expressed his delight with the data collection. He felt it was a great start in setting a baseline against which to measure success in the future.

Ms. Seagle asked for Board's permission to set up guidelines to ensure an orderly and less disruptive meeting. These guidelines would be directed toward the media. She will work with Jackie Green to include new policies in the Media Kit. Also guidelines are to be established for the Public Comment section of the meetings.

On MOTION duly made by Mr. Maddra, seconded by Mr. Wilkins, to compliment the Director, his staff, and the Board for working as a team to fix the things that need to be fixed and do the things that need to be done.. Motion carried.

Mr. Feng requested a briefing on the religious issues raised by the speakers. Depending on the agenda, this item will be included on next month's Board agenda.

X. EXECUTIVE SESSION

It was not necessary to hold an Executive Session.

XI. ADJOURN

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to adjourn the meeting at 11: 50 AM. Motion carried.

Respectfully submitted,

/s/ Patricia F. Rollston

Patricia F. Rollston



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AMENDMENT TO BOARD MINUTES February 7-9, 2000

At the Board Meeting of March 8, 2000, the Board approved the adoption of the minutes pending the following amendments:

Page III - The meeting was adjourned at **3:10 PM**.

Page VIII - In the second paragraph, the seventh line should read "This amends the January **2000** motion which approved \$3,486,871 in state reimbursement for construction of 48 additional beds, plus renovation of 22 existing beds."

Page IX - B. Mission Statement. Second paragraph should read "On **MOTION** duly made by **Mr. Wilkins**, seconded by Mr. Harding, to adopt the revised mission statement."

Respectfully submitted,

Patricia F. Rollston