



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

**700 Centre Building
Richmond, Virginia
Board of Juvenile Justice Meeting
September 12, 2001**

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

I. CALL TO ORDER

The meeting was called to order at 10:25 a.m. by Chairman Wilkins. All attendees at the meeting participated in reciting the Pledge of Allegiance and observed a moment of silence in honor of the victims of the terrorist attack on September 11 .

II. APPROVAL OF AGENDA

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, the Board approved the Agenda for the September 12, 2001, meeting. Motion carried.

Mr. Wilkins planned to introduce the two new Board members -Messrs. Alexander Vogel and Richard Sparks. However, neither gentleman was present.

III. APPROVAL OF MINUTES

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

IV. COMMENTS OF PUBLIC

No member of the public was present to speak. I

VI. COMMITTEE REPORTS

A. Secure Services Committee

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to certify the Newport News Detention Home for one year. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to certify the Shenandoah Valley Juvenile Detention Home for three years. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to certify New River Valley Detention Home for three years. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to grant a variance to 22VAC42-10-630 that exempts the Reception and Diagnostic Center from preparing an individualized service plan unless a youth's stay extends beyond 60 days after admission. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to approve the security enhancement project at the Richmond Juvenile Detention Home in accordance with Section 16.1-309.5 of the Code of Virginia. The total amount for this project is \$6,780, of which the State share is \$3,390. The availability of funds for reimbursement as approved above is contingent on the appropriations of funds by the General Assembly. It was determined that a letter will be sent to Ms. Nancy Ross, Director of the City of Richmond's Department of Juvenile Justice Services to stress the importance of notifying the Department and the Board before monies are expended for projects. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to amend the state's annual share of operating for the Blue Ridge Juvenile Detention Home in accordance with Section 16.1-322.1 of the Code of Virginia from \$749,448 to \$1,040,000. 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. Feng, seconded by Mr. Maddra, to certify Boys' Group Home for three years. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Lozano, to certify Centerville Group Home for three years. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, to certify the 11th District Court Service Unit for three years with a status report due March 2002 on providing detention face-to-face visits within five days. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Lozano, to certify Fairfax less Secure Shelter for three years with a status report on Life-HealthSafety issues by September 2002.

On MOTION duly made by Mr. Feng, seconded by Mr. Wasowicz, to certify New Kent Office on Youth for three years with a letter of congratulations for 100% compliance. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, to certify Prince William Group Home for Girls for three years. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Lozano, to certify Apartment Living Program (TRGHC) for three years and that a variance be granted for Interdepartmental Standard 22VAC42-10-740.D provided that the staff is absent no more than 30 minutes. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, to certify Westhaven Crisis Center for three years. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Lozano, to approve the installation of an automatic sprinkler system at Stanhope House, a pre-dispositional group home operated by the City of Norfolk in accordance with Section 16.1-309.5 of the Code of Virginia. The total projected amount for this project is \$99,680, of which the State share is \$49,840. The availability of funds for reimbursement as approved is contingent on the appropriation of funds by the General Assembly. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, to approve the amendment to the Fluvanna VJCCCA Plan. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, to approve the amendment to the Portsmouth VJCCCA Plan. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, to approve the amendment to the Russell, et al. VJCCCA Plan. Motion carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Wasowicz, to approve the amendment to the Suffolk VJCCCA Plan. Motion carried.

VII. OTHER BUSINESS

A. Utility Easement at Hanover JCC

Mr. Barry Green reminded the Board that verbal approval had been received for the right-of-way easement to the tower so that the power company can attach power to the tower. He said that Governor Gilmore encouraged cellular telephone development and that State facilities should allow tower installations where feasible. The Board had previously approved the installation of the tower. The lease of the easement is negotiated by DGS and the dollar amount goes to the General funds. DJJ will not get the \$14,000 per year, but will get some in-kind services - painting of the water tower. Mr. Green said that DJJ property is held in the name of the Board; therefore, the Board needs to give official approval to the easement. The Board members formally approved the easement.

B. Proposed Method for Determining Capital Reimbursement for Group Home and Less Secure Facility Construction

Ms. Marilyn Miller discussed the determination of capital reimbursement. No motions were required.

C. LOS Guidelines Draft

Mr. Don Carignan said that the current guidelines were adopted in 1998. He is updating the information, which will have no major changes except for the early release incentive. He requested that the Board schedule a period of public comment, receive those comments, and then adopt the revised guidelines at a later meeting.

Discussion was held regarding determinate/indeterminate offenses and serious offenders. The Code of Virginia gives the Director discretion to make release decisions that may vary from the guidelines, but there are other controls to govern the release of wards. Indeterminate commitment guidelines will be discussed with the Board at Orientation.

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, to permit Mr. Carignan to publish the revised recommendations for LOS. Motion carried.

D. Developing Standards Governing the Virginia Juvenile Justice Information System and Disclosures of Department Records and Information

Mr. Carignan requested that the Board read the information and take the opportunity to shape standards before they go out for public comment. No action is required of the Board at this time.

Mr. Green said that the standards would supplement and provide process to the Code of Virginia relating to confidentiality of juveniles' records.

E. Community Program Restructure

Mr. Tim Howard discussed the changes in regional operations to enhance efficiency, focus, and accountability. He distributed a new organizational chart along with a copy of the previous structure. The restructure did not result in any staff dismissals. Mr. Howard also discussed the implementation of the new workload system that has resulted in increased data. He explained that DJJ is moving to a level system of case management in that lower risk offenders will get less resources and high-risk offenders will get more focus. He discussed other aspects of getting other people out in the field to feel part of the operation and providing support to systems DJJ does not manage.

VIII. DIRECTOR'S COMMENTS

Mr. Dave Marsden confirmed that the Secretary of Public Safety informed him that he will lead the department upon Mr. Peed's departure. He praised the work of Mr. Peed and cited the article in the Virginian-Pilot acknowledging Mr. Peed's accomplishments. Mr. Marsden said he is honored to serve in this capacity and will continue the course Mr. Peed set for the department.

Mr. Marsden updated the Board on Beaumont JCC and informed them that certification of that facility is currently being conducted. The population numbers are under control at Beaumont. Changes have been made regarding ward placements, sex offenders, and the more difficult wards. Mr. Marsden said he is confident about the ability to control the behavior of the wards in the facility.

Mr. Marsden said that a training institute for on-going development and training of staff is being implemented, and a DCJS grant may be used to finance this training. Hopefully, DCJS funding will enable detention facilities to obtain necessary training, which previously has been difficult.

Mr. Marsden requested that Mr. Steve Pullen discuss the APA audit. Mr. Pullen said there were three major areas cited by APA. (1) Collection of parental support checks by RDC. (2) Equipment listings on FAACS. (3) Leases. DJJ is on target with action plans. Mr. Feng raised the question of parents paying for their children during incarceration. Mr. Pullen said that he was unable to give statistics on how much money could be collected from parents. The amount may be negligible, but DJJ is allowed to have that money.

IX. COMMENTS OF BOARD

Mr. Maddra cited old business pertaining to the pepper spray guidelines. As new guidelines were issued to include the concern of the Board as directed at the last meeting, no action was necessary. He also cited the Office on Youth standards regarding who

appoints the youth to an advisory group and age of the youth. Mr. Carignan said that the Code of Virginia gives the local citizens' board the authority to make appointments.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to order a plaque or certificate of recognition for Mr. Harding for his service on the Board. Motion carried.

Mr. Feng requested more information regarding certification deficiencies resulting from required training not being documented properly. Mr. Bailey will prepare a schedule of all standards that require some degree of training and ascertain how often these standards were mentioned for the past two years for each audit report.

Mr. Feng requested information on the cause and effect of identifying a problem - time, training, dollars, and the facility. He requested information within the next two to three months on ensuring that training is required in job evaluations; performance criteria, and job elements for first-line supervisors. Mr. Wilkins said he was concerned about the depths the Board might be treading into the bowels of the department. He said the Board could make recommendations to improve the system if it was deemed necessary, but he does not want to micro-manage. Mr. Feng said he wanted to ensure that people were being held accountable for training of people below them. As he feels training is a consistent deficiency in the certifications, he would like to know what some obstacles to training have been. (Due to a machine malfunction, the taped minutes of the meeting did not record. Mr. Feng will be asked to clarify his comments.)

Mr. Gasaway will brief the Board at Orientation on DJJ's automation capabilities.

Mr. Wasowicz discussed having lunch provided for the Board so that deliberations would not be curtailed due to time limitations. He discussed recognizing Mr. Harding for his service on the Board and was informed that former Board members were usually invited to attend a meeting where they would be appropriately recognized. He recommended that a congratulatory letter from the Board be sent to Mr. Carl Peed. He also asked about population statistics, and Mr. Pullen provided the Board with the latest information.

All Board members congratulated Acting Director David Marsden and said they were looking forward to working with him.

The Board Orientation for new and old members will be held October 22-24 in Richmond. The October 10 Board meeting was rescheduled to October 24.

X. EXECUTIVE SESSION

It was determined that there was no need to hold an Executive Session.

XI. ELECTIONS

On MOTION duly made by Mr. Wasowicz, seconded by Mr. Wilkins, to defer the election until the Board is a united body of seven members sitting for the Commonwealth

of Virginia as a representative body making elections. After a discussion the vote resulted in two in favor, two not in favor, and one abstention. Motion did not carry.

Nominations for Chairman were Messrs. Maddra and Wilkins.

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, to close the nominations. Motion carried.

Mr. Wilkins was elected Chairman.

Nominations for Vice Chairman were Messrs. Feng, Maddra, and Lozano. Mr. Lozano declined the nomination.

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to close the nominations. Motion carried.

Mr. Feng was elected Vice Chairman.

Nominations for Secretary were Messrs. Maddra and Wasowicz. Mr. Wasowicz declined.

On MOTION duly made by Mr. Lozano, seconded by Mr. Feng, to close the nominations. Motion carried.

Mr. Maddra was elected Secretary.

XII. ADJOURN

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to adjourn the meeting at 1:19 PM. Motion carried.

Respectfully submitted,

/s/ Patricia F. Rollston

Patricia F. Rollston

AMENDMENT TO BOARD MINUTES
September 12, 2001

At the Board Meeting of October 24, 2001, the following corrections were made to the Minutes of the September 12, 2001, meeting held at Central Office:

Mr. Feng cited Page VI, third paragraph and clarified his comments regarding training in the sixth sentence to state, "**As it is his perception that training is a consistent deficiency in the certifications, he would like to know what are some of the obstacles to training. He would like to have some data to substantiate his perception. This request is not an attempt toward micro-management.**"

Mr. Wilkins said that in the fifth paragraph some action is required regarding having lunch provided. Mr. Wasowicz felt that the situation could be addressed as needed.

Mr. Wilkins noted that the seventh paragraph had an incorrect date for the Board Orientation and **should state that the Orientation dates were October 22-23.**

Also in the third paragraph, Mr. Wilkins asked that the fourth sentence be amended to state, "**He said the Board could make recommendations to improve the system if it were deemed necessary, but he does not want to micro-manage.**"

/s/ Patricia F. Rollston