

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

*Board of Juvenile Justice*

**Board of Juvenile Justice Meeting  
Cedar Lodge Training Facility  
1701 Old Bon Air Road  
Richmond, VA 23235**

**April 7, 2010**

**Board Members Present:** Barbara Myers, Heidi Abbott, Kahan Dhillon, Aida Pacheco and Justin Wilson

**DJJ Staff Present:** Sam Abed, Tim Howard, Steve Pullen, Ed Murray, Ken Bailey, Janet Van Cuyk, Deron Phipps, Vernon Harry, Regina Hurt, George Wakefield, John Coble, Marilyn Miller, Scott Reiner, Joy Lugar, Ed Holmes, Bruce Twyman, Tim Joost, Susan Heck, Marilyn DiPaolo, and Deborah Hayes.

**Others Present:** Bill Muse-OAG, Michelle Smith-Loudoun JDC, Kate Duval-JustChildren, Charles Keho-Richmond Juvenile Detention, Colleen French-New River Valley Detention, Diana Gadow-Richmond Detention, Wayne Williams-Richmond Detention, Sonya Weaver-Richmond Detention, Deborah Nelson-Social Work student and Liane Rozzell-FAVY.

**I. CALL TO ORDER**

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

**II. INTRODUCTIONS**

Chairperson Myers called for introductions of everyone present.

**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 January 12, 2010 MINUTES**

The minutes of the January 12, 2010 Board meeting were presented for approval. On MOTION duly made by Ms. Pacheco and seconded by Ms. Abbott, the minutes were approved as submitted. Motion carried.

**V. PUBLIC COMMENT**

Ms. Kate Duvall-JustChildren-spoke on the proposed Department of Juvenile Justice regulations governing juvenile correctional centers, secure detention centers, group homes and halfway houses. Ms. Duvall's written comments will be filed with the minutes of the Board of Juvenile Justice and will be made available upon request.

Mr. Abed advised that all of the public comments will be summarized; the Department will respond to the comments and the packet will be attached to the Board materials.

## VI. COMMITTEE REPORTS

### A. Secure Services Committee

#### 1. Certifications

On MOTION duly made by Mr. Wilson and seconded by Mr. Dhillon to certify Bon Air Juvenile Correctional Center for three years. Motion carried.

#### 2. Issues

**Fairfax Juvenile Detention Center:** On Saturday, February 6, the West and East Wing fencing collapsed due to severe winds and the accumulation of snow at the Fairfax Juvenile Detention Center rendering the courtyards a security risk and safety hazard. Residents are not permitted to use the courtyard until the fences have been removed and replaced. However, the appropriate level of recreation is maintained for residents using the gymnasium according to the regularly scheduled program. The process to remove and replace the fencing has begun and it is anticipated that process will be completed in 30-45 days. Mr. Dhillon stated these repairs should be completed post-haste as the residents should not be prohibited from recreation because of this.

On MOTION duly made by Mr. Wilson and seconded by Ms. Abbott to approve a variance for Fairfax Juvenile Detention Center to 6VAC35-140-530A until the completion of repairs no later than April 30, 2010. Motion carried.

**Loudoun County Juvenile Detention Center status report:** At the January 12, 2010 Board meeting, a status report on remaining areas of non-compliance for Loudoun Juvenile Detention Center was requested for the April Board of Juvenile Justice meeting. On February 23, a review was conducted to assess compliance. It was determined that one area was non compliant and one was not determinable. Inventories of educational, recreational and medical equipment were reviewed. Inventories were compliant for educational and medical equipment. There were no monthly inventories of the recreational equipment in accordance with the corrective action plan since the audit. Loudoun County JDC is requesting to revise their original corrective action plan to reduce the recreational equipment inventories to once every six months.

On MOTION duly made by Mr. Wilson, and seconded by Ms. Abbott, to approve the request by Loudoun Juvenile Detention Center to revise the corrective action plan to inventory recreational equipment every six months instead of monthly. Motion carried.

**New River Valley Juvenile Detention Home:** The Board of Juvenile Justice is requested to approve a variance from 6VAC35-140-600 (Control Center) of the Standards for Juvenile Residential Facilities pursuant to 6VAC35-20-92 (request for variances) of the Regulations Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs.

On MOTION duly made by Mr. Wilson and seconded by Mr. Dhillon, to approve a variance for New River Juvenile Detention Center to 6VAC35-61-600 based on

implementation of proposed procedures outlined in the variance request until January 2015. Motion carried.

**Richmond Juvenile Detention Center status report:** On January 12, 2010, the Board of Juvenile Justice requested that a status report be presented at the April 14, 2010 Board meeting on the three deficiencies noted in the status report from the December 125, 2009 monitoring visit. Another review was conducted on February 16, 2010. The findings during this review revealed that there are still three areas of noncompliance. One of these is a non-mandatory and two are mandatory. Charles Kehoe spoke on behalf of RJDC. He introduced the new superintendent, the interim superintendent and the registered nurse. Mr. Kehoe outlined actions taken to ensure that RJDC is compliant in every area. Mr. Wilson expressed concern that meds were administered to the wrong resident. Mr. Dhillon asked if RJDC were audited today, would this be a non-issue. Mr. Kehoe said it would no longer be an issue. He stated that Ms. Weaver and Mr. Williams have been auditing the files and ensuring that they are up to date. All meds will be documented whether prescribed or over-the-counter. Ms. Pacheco suggested another view in a month. She commended RJDC for the progress they have made. Mr. Bailey said Mark Lewis will conduct a pre-audit on April 19. He will request a status report at the June meeting based on the pre-audit. Mr. Wilson suggested making RJDC's certification probationary. When asked his opinion, Mr. Muse stated RDJC was certified for one year; the year is not up. The Board is obligated to know what is going on at the facilities; however, he wasn't sure if anything would be accomplished by not allowing the certification to end. Mr. Dhillon stated that if the pre-audit indicates that the medical records are in order then he has no problem with continuing the certification. Mr. Dhillon also said he anticipates that the intercom system will be in place by the end of the summer. Mr. Kehoe said the residents are supervised at all times and RJDC staff are very attuned to correcting all health care issues. Ms. Myers said the Board is very appreciative of the job RJDC is doing and will work with RJDC to make improvements. Mr. Bailey said the Certification Unit will focus on the three remaining areas of non-compliance and will report the findings to the board at the June 9<sup>th</sup> meeting.

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

### **1. Certifications**

On MOTION duly made by Ms. Abbott and seconded by Mr. Wilson to certify Crossroads Community Youth Home for three years. Motion carried.

Mr. Abed reminded the Board of the suicide that took place at Crossroads. He said the police are still investigating and once the investigation is over, the Certification Unit will conduct an audit to ensure no certification issues were involved. Board can take any action necessary at that time.

On MOTION duly made by Ms. Abbott and seconded by Mr. Dhillon to certify Fairfax Less Secure Shelter for three years and grant a variance to 6VAC35-51-960C. Motion carried.

On MOTION duly made by Ms. Abbott and seconded by Mr. Wilson to approve the Virginia Beach Crisis Intervention Home to operate a post-dispositional group home program for female residents. Motion carried.

## **2. VJCCCA Plans**

On MOTION duly made by Ms. Abbott and seconded by Mr. Dhillon to amend the combined FY09-10 VJCCCA plan for the City of Norfolk in accordance with the Request to Amend. Motion carried.

## **VII. NEW/OTHER BUSINESS**

### **A. PREA Update**

Regina Hurt distributed information depicting initiatives implemented by the Division of Institutions staff in response to PREA.

### **B. Legislative Update**

Mr. Phipps distributed a handout showing the juvenile justice bills that will be tracked over the summer.

### **C. Budget Update**

Mr. Pullen distributed and reviewed information on the amendments to HB30/SB30. He said anyone can call him if they have questions about the information on the handout.

## **VIII. Director's Comments**

- Ms. Pacheco gave an update on the Reentry to Work Project. She stated that the target date is July 1. They will start working with the youth six months before they are released. She requested that Banci Tewolde make a presentation to the Board at the June meeting. Mr. Phipps stated that Ms. Tewolde and Secretary Decker will attend the Judicial Liaison meeting on May 7. He suggested that Ms. Pacheco attend as representative to the Board. Mr. Abed stated he has shared the Reentry to Work concept with Ms. Tewolde and Secretary Decker and they are very interested. Ms. Pacheco thanked staff for their efforts on this project.
- Mr. Abed stated that DJJ is participating with VCU with Traumatic Brain Injury (TBI). Dr. Kruetzer has received the grant; staff has met with him and everyone is close to getting the project off the ground.
- Mr. Abed said he hopes that DJJ will have a new director by the next Board meeting; in the interim, he will continue to serve as acting director.
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## **IX. Board Comments**

- Ms. Myers said she is impressed with the quality and quantity of work performed by DJJ staff. She is aware of the effort by Certification staff in ensuring facilities meet their standards.
- Ms. Myers requested an update on the REACH program at the June Board meeting.

## **X. Board of Juvenile Justice Executive Closed Session:**

On MOTION duly made by Ms. Abbott 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, Mr. Dhillon, Mr. Wilson, Ms. Myers, and Ms. Pacheco.

**X. NEXT MEETING**

The next meeting will be held on Wednesday, June 9, 2010. Location to be determined.

**XI. ADJOURN**

Having no other business, and on MOTION duly made by Ms. Abbott and seconded by Mr. Dhillon, the meeting adjourned at 12:50 pm. Motion carried.

Respectfully submitted,

Deborah Canada Hayes  
DJJ Board Secretary