



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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Norfolk Community Services Board Board of Juvenile Justice Meeting June 14, 2000

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

I. CALL TO ORDER

The meeting was called to order at 10:20 AM by Chair Connie Seagle.

II. APPROVAL OF AGENDA

On MOTION duly made by Mr. Wilkins, seconded by Mr. Harding, the Board approved the Agenda.

III. APPROVAL OF MINUTES

On MOTION duly made by Mr. Feng, seconded by Mr. Wilkins, the Board approved the Minutes for the May 10, 2000, meeting with corrections.

Mr. Maddra noted that on Page V in the paragraph regarding his comment that he would get information on available grant money to hire police officers. He said that he recommended that the directors call Chesterfield and talk with them about the program if the directors were interested in the nuts and bolts of how the program worked.

IV. INTRODUCTION OF CSU DIRECTORS

Mr. Peed introduced Kevin Moran of the Norfolk CSU, who was the host for the meeting, and Mr. Ed Holmes, Eastern District Regional Administrator. Mr. Holmes then introduced some of his staff from Region III and the Court Service Unit Directors, who gave brief descriptions of their operations:

Paul Reaves, Regional Manager; David Piercy, Regional Manager; Doug Newsome, Substance Abuse Counselor; Bill Ford, Director of Hampton Place Halfway House; Kevin Moran, CSU #4; Maury Brickhouse, CSU #1; Bruce Bright, CSU #Z; Bill Weaver, CSU #2A; David Lively, CSU #3; Bill Harrell, CSU #5; John Weigel, CSU #6; Aderon Gibbs for Walter Dean, CSU #7; Shauna Epps for James Thomas, CSU #8; Tom Gooding, CSU #9; Frances Brown, CSU #10; and Charles Chitwood, CSU #12. Several directors provided handouts describing their activities.

Dr. George Pratt, Director of the Community Services Board welcomed everyone and gave a brief description of his operation.

Mr. Peed also introduced Ms. Banci Tewolde, Office of the Attorney General, who represented Bill Muse at the meeting.

V. COMMENTS OF PUBLIC

There were no comments.

VI. COMMITTEE REPORTS

A. Secure Services Committee

On MOTION duly made by Mr. Harding, seconded by Mr. Maddra, to certify Barrett Juvenile Correctional Center for three years. MOTION carried.

Mr. Peed introduced Superintendent Sharon Havens. Mr. Feng expressed a desire to have superintendents present at future Board meetings to give a briefing. He also recognized Ms. Havens and her award-winning operation.

On MOTION duly made by Mr. Harding, seconded by Mr. Maddra, to grant a conditional certification to Beaumont Juvenile Correctional Center that is valid for six months and approve a variance to 140-540. MOTION carried.

Mr. Maddra spoke to the Board on his May 12th visit to Beaumont and expressed his pleasure with what he saw and heard that day. He mentioned staffing, the cafeteria, and the LEADER program as problem areas then added that staffing is a problem everywhere. Mr. Harding expressed his concerns and felt approval was premature. He also mentioned overcrowding at other facilities resulting from

reducing the population of Beaumont. He felt that the proposed code changes (resulting from the recent General Assembly) might lower the total population. Mr. Feng discussed what he considered fundamental problems with basic building blocks. He questioned the training provided. Mr. Murray outlined the steps taken to address staffing difficulties due to countrywide high turnover rates. An additional trainer has been sent to Beaumont to conduct in-service training in the prescribed timeframe. He also mentioned the plans to restructure supervision of the campus. Mr. Peed introduced Kathryn Dickerson, Superintendent of Beaumont, who briefly described her initiatives - open lines of communication, documentation, sanitation, inspection, setting goals and objectives, increase staff morale, employee recognition program, teamwork, etc. Mrs. Seagle commented that she felt encouraged by what she has heard; however, she wanted to be sure that Beaumont is ready for the full audit. She did not want to continue Beaumont in a probationary status. She expects 100% compliance with LHS issues. Mr. Peed advised that he felt the LHS standards need to be reviewed to be in line with ACA standards. The MOTION carried with four in favor and one against.

On MOTION duly made by Mr. Harding, seconded by Mr. Maddra, that the Board of Juvenile Justice, in accordance with Part V, § 5.2.13, and part VII, § 7,1.C of the Department of Juvenile Justice's Regulations for State Reimbursement of Local Juvenile Residential Facility Constructions Costs (VR690-15-001), approve a cost overrun in the amount of \$37,024, of which the State Share is \$18,512 for the security system upgrade project at the Henrico County Juvenile Detention Home. The availability of funds for reimbursement as approved above is contingent on the appropriation of funds by the General Assembly. MOTION carried.

On MOTION duly made by Mr. Harding, seconded by Mr. Maddra, to approve the renewal of variances to CORE Standard 5.97 and BJJ Standard VAC 35-140-660 permitting the use of pepper spray by the Shenandoah Valley Juvenile Detention Home. This renewal is effective until July 12, 2000, at which time they can request renewal pending follow-up information regarding training for use. Mr. Maddra felt training was very important and should include exposure (not a direct "hit") to the spray in order to understand fully the effects on a person. MOTION carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Wilkins, to approve the City of Newport News' Juvenile Detention Center's Revised Planning Study in accordance with the following: (1) the facility shall have 70,887 total gross square feet, and a design rated capacity of 110 beds. The maximum that the Staff shall provide funding for is 66,000 total square feet (600 square feet per bed of capacity). (2) The locality's anticipated construction costs total \$13,865,381. The total project cost for the State-approved 66,000 square feet in the amount of \$12,909,492. The State share, based upon the approved 66,000 square feet and the funding formula, is \$5,904,094 for 110 new beds. (3) Furniture and equipment for 110 new beds, maximum State share is \$330,000. (4) Personnel and operations in

the amount of \$5,832,465 of which the State share is \$2,860,000 and includes 109.31 full-time and part-time staff. (5) Start-up costs in the amount of \$243,019 which is the State's share; (6) With an anticipated opening date of April 2002, the personnel and operating expenses will become available at that time for three months of fiscal year 2002 and all of the fiscal year 2003. It is to be understood by this Board and the City of Newport News that this project may be brought back before the Board for consideration of 50% State reimbursement pending establishment of the process for the Governor approving "plans and specifications" pursuant to Chapter 935 (Senate Bill 66) of the 2000 General Assembly. The availability of funds for reimbursement as approved above is contingent on the appropriation of funds by the General Assembly. MOTION carried.

On MOTION duly made by Mr. Wilkins, seconded by Mr. Harding, to approve the City of Virginia Beach's Juvenile Detention Facility's Revised Planning Study in accordance with following: (1) The facility shall be 53,196 total gross square feet, and a design rated capacity of 90 beds. (2) The locality's anticipated construction costs in the amount of \$12,330,674 of which the State share, based upon the funding formula, is \$5,408,550 for 90 new beds. ($\$59,500 \times \text{location factor of } 1.01 = \$60,095 \text{ per bed of rated capacity; } \$60,095 \times 90 = \$5,408,550.$) (3) Furniture and equipment for 90 new beds, maximum State share is \$270,000. (4) Personnel and operations in the amount of \$4,211,523 of which the State share is \$2,105,762 and includes 80 equivalent full-time staff. (5) Start-up costs in the amount of \$175,480 which is the State's share; (6) With an anticipated opening date of March 2003, the personnel and operation expense will become available at that time for four months of fiscal year 2003 and all of fiscal year 2004. It is to be understood by this Board and the City of Virginia that this project may be brought back before the Board for consideration of 50% State reimbursement pending establishment of the process for the Governor approving "plans and specifications" pursuant to Chapter 935 (Senate Bill 66) of the 2000 General Assembly. 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. Lozano, to approve the Needs Assessment for an 18-bed pre/post-dispositional group home for the Colonial Group Home Commission (comprised of the Counties of York, Gloucester, James City, and the City of Williamsburg) and authorize this Commission to proceed to the development of a planning study for the Board's review and approval. MOTION carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Lozano, to certify the 5th District Court Service Unit for three years. MOTION carried.

On MOTION duly made by Mr. Feng, seconded by Mr. Maddra, to approve the following Virginia Juvenile Community Crime Control Act plans for the FY 2000-2002 Biennium: (Region 1) Bedford County/City; Bland; Buena Vista, Allegheny, Bath, Botetourt, Clifton Forge, Covington, Craig, Lexington, Rockbridge; Campbell; Franklin County; Giles; Grayson, Carroll, Galax; Highland; Martinsville, Henry, Patrick; Nelson; Pittsylvania; Pulaski; Radford; Roanoke City; Roanoke County; Salem; Waynesboro, Staunton, Augusta; Wythe. (Region 2) Alexandria; Arlington; Clarke, Frederick, Winchester; Culpeper; Falls Church; Fauquier; Fredericksburg; Goochland; Hanover County; Loudoun; Orange; Page; Shenandoah; Spotsylvania; Stafford; Warren. (Region 3) Brunswick; Chesterfield; Franklin; Hampton; Hopewell; Petersburg; Portsmouth; Southampton; Surry; Sussex; Virginia Beach.

Mr. Lozano questioned the percentage of the plan involved in higher level educational or trade instruction. Mr. Howard advised that more detailed descriptions will be shared with the Committee at the next Board meeting, which will include educational percentages. Mr. Lozano discussed labor shortages and said that the Board should consider tracks of education for those kids in social, psychological, or other basic skills that will help them develop their infrastructural personality and think about investing more in other types of education for higher level or trade so that they will become more competent after they leave. The forecast is that the labor shortages are going to be in effect for the next 4-6 years as the economy is really good. He wanted the Board and Department to create innovative ideas and contact different private and trade organizations to work with the kids and raise additional funds. He discussed being more proactive in creating profit centers like Natural Bridge JCC's Camp New Hope. He further discussed electronic communication and its impact on the future. MOTION carried.

VII. OTHER BUSINESS

A. Ad Hoc Policy Committee

Mr. Don Carignan gave a brief overview of the history of the Board, the Department, and the working relationships. The purpose of the committee was to make clearer the special responsibilities of this Board as provided for in law and where its authority is best focused.

As requested by Mr. Wilkins, Ms. Tewolde read from the Code the duties and responsibility of the Board - Section 66-6-10: Power and Duties of the Board.

On MOTION duly made by Mr. Maddra, seconded by Mr. Feng, to approve Resolution #1 - effective upon the director's issuing a directive superseding one of the enumerated Board policies, that Board policy shall be rescinded.

Mr. Wilkins felt that matters for Board approval should be brought forward once for information/discussion and then a second time for voting. Mrs. Seagle advised that the Ad Hoc Committee was established to do the necessary review and avoid using the Board's time. The committee reviewed everything that was recommended for rescission to make sure state law covered the item and felt comfortable in presenting the resolutions to the Board.

Mr. Wilkins said he was speaking to future items. He asked the Board to consider his suggestion. Mr. Feng said he also would like more "heads up" on items being voted on.

Mr. Feng said he was concerned with the block of issues that would be rescinded and the impact on future Board members. Mr. Wilkins questioned who has been issuing policies as enumerated under Resolution #1. Mr. Carignan said the Board issued these policies. Mr. Peed discussed that the policies parallel federal and state law and that the federal government and state legislature established our policies for the Department. The Board doesn't need to be involved in state legislative initiatives when the Director can simply state, "pursuant to VA State Code."

Mr. Feng requested that the Board's attorney state for the record or in a memorandum that the paper is in fact a word-for-word match in order to include every element that is in the current policy. Mr. Green said that personnel issues are under the purview of the State Controller and the Department is to follow the higher authority. Mr. Feng was concerned with the staff interpreting policies and procedures and wanted to make sure everything is covered. Mr. Maddra requested that Mr. Muse look at the paper to see if there are any problems. Mr. Feng wanted to see the Director's directives before issuance.

Mr. Feng reiterated his concern that the Board is relinquishing control by going this route. Mr. Lozano felt this situation was indicative of growing pains for the agency. He stressed the importance of good communication between the Department and the Board. Mr. Wilkins said he was not in favor of micromanaging, but was in favor of each issue receiving a full airing before moving to next step.

Mr. Maddra amended his MOTION to recommend that the Board adopt the packet as written with the caveat of our legal advisor reviewing it and giving it the blessing of the Attorney General's Office that we aren't in conflict anywhere or creating problems with these changes. Mr. Feng seconded.

Mr. Feng requested the last sentence of the last paragraph of the paper be deleted. He felt the Intake Officer was allowed a lot more flexibility than was mentioned previously. Mr. Howard felt this item was consistent with what the Department is trying to do in terms of vision and mission when talking about the balanced approach, accountability, competency, skill, and public protection. He did not

recommend removal. Mr. Marsden also voiced support of the item as is. After further discussion, the MOTION carried.

B. Certification Process

On MOTION duly made by Mr. Maddra, seconded by Mr. Wilkins, to defer this item until the July Board meeting. MOTION carried.

C. Post-disposition Update

On MOTION duly made by Mr. Maddra, seconded by Mr. Wilkins, to defer this item until the July Board meeting. MOTION carried.

VIII. DIRECTOR'S COMMENTS

Mr. Peed said that the General Assembly passed a requirement that the State . cut \$91 million of revenue. The Department has the potential of a \$3 million budget reduction over the next two years. More information will be available on this matter at the July Board meeting; however, Mr. Peed noted that the reduction will be shared among the eight Secretariats, and we will be given guidance on how much and how to handle the reduction.

Mrs. Jackie Green advised the Board that Barrett and Hanover Juvenile Correctional Centers have been designated and recognized as historical sites after a yearlong process. There will be roadside markers on Rt. 301. Celebrations were held in commemoration.

IX. COMMENTS OF BOARD

Mrs. Seagle thanked the Board and said that her two years as Chair had been rewarding.

A. Board Elections

New officers were elected: Chair - Thomas Wilkins; Vice-Chair - Kenneth G. Feng; and Secretary - A. V. Maddra.

Mrs. Seagle recommended that the by-laws [Article 5. Officers. § 5.01.] be amended to have Board elections held in July (first month of fiscal year 2001).

On MOTION duly made by Mr. Wilkins, seconded by Mr. Maddra, to change the by-laws to reflect that Board elections will be held the first month of the fiscal year rather than the last meeting of the fiscal year, beginning 2001. MOTION carried.

B. Board Meetings

Discussion was held regarding holding Board meetings every other month or every six weeks. Mr. Maddra suggested a compromise because he felt monthly meetings were best. Mr. Wilkins suggested a review at the end of the calendar year to determine justification. Ms. Tewolde advised the Board that pursuant to the Code the Chair has authority to call a meeting as necessary at any time. There must be four meetings a year. Mrs. Seagle said that if there is not enough business to hold a meeting, the Chair can dispense with that particular month's meeting. Mr. Lozano was in favor of using electronic methods to communicate. Ms. Tewolde advised that meetings must be held in an open venue.

On MOTION duly made by Mr. Maddra, seconded by Mr. Lozano, to hold Board meetings on a monthly basis. MOTION carried.

Mr. Wilkins expressed his appreciation for Mrs. Seagle's service to the Board. He said he would appreciate her wise counsel and looks forward to working together. He also looks forward to working with Mr. Peed.

X. EXECUTIVE SESSION

It was not necessary to hold an Executive Session.

XI. ADJOURN & TOUR

On MOTION duly made by Mr. Maddra, seconded by Mr. Lozano, to adjourn the formal meeting at 12:55 PM. MOTION carried.

Respectfully submitted,

/s/ Patricia F. Rollston

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AMENDMENT TO BOARD MINUTES June 14, 2000

At the Board Meeting of July 12, 2000, the Board approved the adoption of the minutes pending the following amendments:

Page II, VI. Committee Reports, A. Secure Services Committee, second paragraph should read, "**Mr. Feng recognized Ms. Havens on her award-winning substance abuse treatment program and expressed a desire for her to present in a future Board meeting of that program.**"

Page VII, second paragraph, third line beginning with "Mr. Green" should read "**Mr. Green said that personnel issues are under the purview of Department of Personnel and the Department is to follow the higher authority.**"

Respectfully submitted,

/s/ Patricia F. Rollston

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