



COMMONWEALTH of VIRGINIA

Kenneth G. Feng, **Chairman**
A V. Maddra, **Vice Chairman**
Richard A. Sparks, Jr., **Secretary**
Kim S. Downing
Jorge G. Lozano
Thomas A. Wilkins
Julia C. Winslett

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Board of Juvenile Justice

**Department of Juvenile Justice Board Room
Richmond, Virginia
Board of Juvenile Justice Meeting
April 9, 2003**

Present: Kim S. Downing
Kenneth Feng
Jorge Lozano
A. V. Maddra
Richard Sparks
Thomas Wilkins
Julia Winslett

I. CALL TO ORDER

The meeting was called to order at 10:15 a.m. by Chairman Feng. Mr. Feng introduced the new Board member – Mrs. Julia “Sonny” Winslett.

II. APPROVAL OF AGENDA

On MOTION duly made by Mr. Maddra, seconded by Mr. Sparks, the Board approved the Agenda for the April 9, 2003, meeting with the addition under Other Business of the Bon Air Easement, Frequency/Location of Board Meetings, and Scope of Agenda. Motion carried.

III. INTRODUCTIONS

No visitors to be introduced.

IV. APPROVAL OF MINUTES

On MOTION duly made by Mr. Maddra, seconded by Mr. Sparks, the Board approved the Minutes for the January 8, 2003, meeting. Motion carried.

V. COMMENTS OF PUBLIC

No comments were made.

VI. COMMITTEE REPORTS

A. Secure Services Committee

On MOTION duly made by Mr. Maddra, seconded by Mr. Lozano, to delay the certification of Blue Ridge Juvenile Detention Home to the July 2003 meeting with a status report on the use of mechanical restraints and have the Director Charlie Edwards present at the July meeting to answer any questions the Board may have for him. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Lozano, to certify the Lynchburg Regional Juvenile Detention Center for three years. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Lozano, to certify Piedmont Regional Juvenile Detention Center for three years. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Lozano, to continue the current certification status of the Reception and Diagnostic Center to July 2003 pending the receipt of a corrective action plan. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Lozano, to accept the easement request between the Department of Juvenile Justice and Verizon for the Bon Air site. Motion carried.

B. Non-Secure Services Committee

On MOTION duly made by Mr. Sparks, seconded by Ms. Downing, to certify the following programs for three years – the 18th, 19th, 25th District Court Service Units and the Youth Haven I. Motion carried.

On MOTION duly made by Mr. Sparks, seconded by Ms. Downing, to certify Bridge House for three years with a one-year status report due to the Board. Motion carried.

On MOTION duly made by Mr. Sparks, seconded by Ms. Downing, to certify the following programs for three years with letters of congratulations for 100% compliance – 5th and 6th District Court Service Units and the Charlottesville Family Operated Group Home Program. Motion carried.

On MOTION duly made by Mr. Sparks, seconded by Ms. Downing, to approve a request from Prince William Group Home for Boys to change the age range from 14-17 to 13-17. Motion carried.

VII. OTHER BUSINESS

A. American Bar Association Report Analysis Review

Mr. Maddra discussed his concern with the findings relating to the way lawyers were handling juvenile cases. He met with the judge of the 12th District Juvenile & Domestic Relations Court and was comforted by her observations.

Mr. Deron Phipps said that discussions had been held on how to proceed with some of the issues raised on the report. Mr. Jones said the report would not be sitting on a shelf but would result in legislative action and other methods to address the negative issues.

Discussions ensued on the antiquated lawyer's fee, the quality of representation in juvenile courts, overrepresentation and disparate treatment of minorities, increase of public offender offices, child/parents not being aware of rights, judges' responsibility to advise child, adultification of juvenile court system, and the role of parents.

Messrs. Jones and Howard will give a presentation on "disproportionate minority confinement" to the Board on dealing with some of these issues.

B. Legislative Update

Mr. Phipps summarized legislation enacted in the 2003 General Assembly Session. SB 1246 (Child Support) and HB 2518 (Hiring of CSU Personnel) were of major importance to the Department. The passage of HB 2518 was attributable to the interaction of Director Jones with the legislators.

Mr. Jones said that Messrs. Carignan and Phipps did a lot of hard work during the General Assembly. He gave them a public "attaboy!" Mr. Feng thanked them on behalf of the Board. Mr. Howard said that Mr. Lozano has been a major proponent of SB 1246, and Mr. Feng thanked Mr. Lozano.

C. "Replacement Intake Officers" - Policy Number 20-412

Discussion was held regarding video technology used, savings of time and money, increased efficiency of court service units and police, after-hours handling of intakes, use of JTS to help make informed, sound decisions, arrangements in Memoranda of Understanding contracts with the districts, etc.

On MOTION duly made by Mr. Sparks, seconded by Mr. Lozano, to adopt the policy on "Replacement Intake Officers" as presented under Virginia Code § 16.1-235.1. Motion carried.

D. "Employee Drug Screening" – Policy Number 05-005

Discussion was held regarding the changes to make the policy more accurate and relevant, the resource limitations facing the Department, and flexibility in language.

On MOTION duly made by Mr. Sparks, seconded by Mr. Maddra, to adopt the revised policy 05-005 on "Employee Drug Screening" with the correction of the second paragraph to read "In addition, to promote the safety of staff and youth in Department programs and to enhance security in Department facilities, the Department shall develop urine drug screening procedures for staff, volunteers, and contract personnel who have direct contact with probationers, wards, and parolees." Motion carried.

E. Certification Regulations (6 VAC 35-20)

Mr. Carignan presented the regulations and how they relate to the Board's options. The regulations have been through the public comment process and are ready for the Board to issue as final regulations.

Discussion was held on "mandatory standards" vs. "Life-Health-Safety standards," "Life-Health-Safety violations," notification of facilities of standards to be upheld, unified/consistent evaluation/reporting by Certification Unit, listing of mandatory standards that must be in compliance 100% of the time, and Board's prerogative to amend certification recommendation by Certification Unit.

On MOTION duly made by Ms. Winslett, seconded by Mr. Maddra, to adopt the final version of the Regulations Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs (6 VAC 35-20) to be effective September 1, 2003, with the amendment to section 6 VAC 35-20-93. Waivers. B. The waiver shall be in effect only until such time as the Board may act on the variance request at the next scheduled Board meeting. Motion carried.

F. Regulations for State Reimbursement of Local Juvenile Residential Facility Costs (6 VAC 35-30)

Mr. Carignan presented the regulations, which are now ready to be posted for public comment. After that period, the regulations will be brought back to the Board for action.

On MOTION duly made by Mr. Wilkins, seconded by Mr. Sparks, to authorize the submission of the Regulations for State Reimbursement of Local Juvenile Residential Facility Costs (6 VAC 35-30) for executive branch review and ultimate publication as a proposed regulation with a formal period of public comment to follow. Motion carried.

G. Classification Instrument

Ms. Greenfield made a presentation regarding the ward classification system.

Board members expressed appreciation for the presentation and were happy that DJJ was in the forefront of this area.

H. Board Member Attendance/Frequency and Location of Board Meetings

Mr. Wilkins expressed his deep concern that Board members be present at all Board meetings as scheduled. He stressed "concern, commitment, and contribution." He believes that use of the team concept is necessary for success. Mr. Maddra expressed total agreement with Mr. Wilkins and encouraged Board members to take his words seriously. Messrs. Feng and Maddra expressed feelings of "disconnectedness" in not having more frequent Board meetings. Discussion was held regarding the proper number of meetings. Mr. Maddra cited the number of responsibilities the Board has.

Mr. Jones said the desire to meet more frequently was appreciated. He reminded everyone that the reduction of meetings was budget-driven. Also, the General Assembly suggested very strongly that each agency Board reduce the number of meetings due to the fiscal costs

involved. Board members discussed foregoing per diem payments for the added meetings, but did wish to be reimbursed for mileage.

On MOTION duly made by Mr. Sparks, seconded by Ms. Winslett, to set Board meetings to be held every other month (six times a year) – January, March, May, July, September, November beginning January 2004. In addition, meetings will be added for June 11 and September 10, 2003. Motion carried.

I. Website Presentation

Ms. Gargasz gave an update on the status of the Department's website, which is intended to be a comprehensive user-friendly website.

J. Television Exposure for DJJ

Ms. Gargasz presented videos of TV stories on Youth Industries and the Culpeper Juvenile Correctional Center. She said the videos are being edited further for broad use to publicize the Department.

VIII. DIRECTOR'S COMMENTS

Director Jones discussed the impact of the General Assembly Session on the Department, especially the budget reductions. He discussed the difficulty of operating the Culpeper facility because it is not being fully funded. He said he volunteered the Cedar Lodge facilities as a site to hold the Secretary's Retreat and it will provide an opportunity to showcase our wards – Honor Guard, Drill Team, culinary school (lunch), and arts/crafts exhibit. He said he has visited almost all the court service units and other facilities. These visits afford him the opportunity to meet with employees, answer questions, and maintain positive outcomes. He discussed the strategic planning that is on-going to refocus everyone on the core items of the Department.

Mr. Wilkins offered to help with funding contacts in Washington, D. C. Mr. Jones apologized on behalf of DJJ to Mr. Wilkins as no one knew Mr. Wilkins had been in the hospital. Everyone was very glad to see him back.

Mr. Jones said that April is Child Abuse Prevention Month.

IX. COMMENTS OF BOARD

Mr. Maddra said that the Data Resource Guide was a wonderful tool and encouraged everyone to review it. He also complimented the Director on the futuristic vision for Culpeper, the newest and possibly best facility that can serve a vital purpose in the state.

Mr. Lozano said he was delighted to see the use of technology. He reiterated his idea of getting private sponsorship for the facilities that would result in additional funding.

Mr. Sparks welcomed Ms. Winslett to the Board.

Ms. Winslett said she was very excited about learning the process and being on the Board.

Mr. Feng said he would be starting a new position next week. He encouraged Mr. Jones to feel free to tell the Board what can and cannot be done.

X. EXECUTIVE SESSION

An Executive Session was not called.

XII. ADJOURN

On MOTION duly made by Mr. Maddra, seconded by Mr. Sparks, to adjourn the meeting at 2:50 PM. Motion carried.

Respectfully submitted,

Patricia F. Rollston