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Robert Vilchez, Vice Chair
Dana G. Schrad, Secretary
Eric English
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COMMONWEALTH of VIRGINIA

Board of Juvenile Justice

MEETING MINUTES

April 20, 2022 - Human Resources Building, Bon Air Juvenile Correctional Center Campus

Board Members Present: Eric English, Tyren Frazier, William (Will) Johnson, Scott Kizner, Dana Schrad, and Robert (Tito) Vilchez

Board Members Absent: Anita James Price and Synethia White

Department of Juvenile Justice (Department) Staff Present: Ken Bailey, Robin Binford Weaver, Melinda Boone, Ken Davis, Michael Favale, Amy Floriano, Wendy Hoffman, Joyce Holmon, Linda McWilliams, Jamie Patten, Kristen Peterson, Charles Schmidt, Lara Todd, James Towey, Angela Valentine, and Carmen Williams

Guests: Marilyn Brown (Chesterfield Juvenile Justice Service), Justin Crostic (Chesterfield Juvenile Justice Service), Taylor Easley (disAbility Law Center of Virginia), Jered Grimes (Newport News Juvenile Services), Jason Houtz (Fairfax Juvenile Detention Center), Chris Mallory (Chesterfield Juvenile Justice Service), Sarah Meehan (disAbility Law Center of Virginia), Valerie Slater (RISE for Youth), and Carla White (Rappahannock Juvenile Detention Center)

CALL TO ORDER AND INTRODUCTIONS

Chairperson Tyren Frazier called the meeting to order at 9:31 a.m. Chairperson Frazier welcomed those present and asked for introductions.

CONSIDERATION OF THE SEPTEMBER 1, 2021, AND JANUARY 11, 2022, MINUTES

The minutes of the September 1, 2021, and January 11, 2022, Board meetings were provided for approval. On a motion duly made by Dana Schrad and seconded by Tito Vilchez, that the Board approve the minutes as presented, all Board members present declared "aye" and the motion carried.

PUBLIC COMMENT

Marilyn Brown, Director, Chesterfield Juvenile Justice Services

Ms. Brown spoke on behalf of the Virginia Juvenile Detention Association representing 24 detention centers. Ms. Brown thanked all involved, especially Ken Davis and Kristen Peterson, for the more than five years of collaborating and partnering on the regulation before the Board at today's meeting. Ms. Brown asked the Board to adopt the Regulation Governing Juvenile Secure Detention Centers and move the regulation forward. Ms. Brown is proud to put forward this product, and asked for the Board's support.

Jason Houtz, Superintendent, Fairfax Juvenile Detention Center

Mr. Houtz indicated the six year journey of work to bring the secure juvenile detention regulation to the Board today. Mr. Houtz said it is time to move forward with this regulation, but understood it might be a year before implementation, even if approved. Mr. Houtz appreciated the Board's consideration, and welcomed the opportunity to move the regulation to the final stage.

AGENDA ADJUSTMENTS

Chairperson Frazier adjusted the meeting agenda to allow the regulatory conversation to be heard first in case some members had to leave the meeting early. Director's Certification Actions and Legislative Updates were moved before the Director's Remarks on the published meeting agenda.

REGULATORY UPDATE

Ken Davis, Regulatory Affairs Coordinator, Department

The regulatory update is located in the Board's packet on page 38. Mr. Davis announced 6VAC35-210 Compulsory Minimum Training Standards for Direct Care Employees has completed the regulatory process and became effective on March 18, 2022, along with the associated guidance document.

CONSIDERATION OF 6VAC35-101 REGULATION GOVERNING JUVENILE SECURE DETENTION CENTERS TO THE FINAL STAGE OF THE REGULATORY PROCESS

Ken Davis, Regulatory Affairs Coordinator, Department

The revision of this regulation has been underway for six years with countless hours of hard work by the workgroup. The Department seeks the Board's approval on the final amendments and to move the regulation to the final stage of the regulatory process. This does not mean, if approved, the regulation becomes effective today, but it does mean it will move to the final stage of the regulatory process. There may be a lengthy period before it becomes effective.

Mr. Davis reviewed relevant changes to the regulation. Background information can be found in the Board packet. There were a few minor changes made by the Department after the proposed stage:

- The current draft removes the term *qualified mental health professional* (QMHP) and replaces it with *mental health clinician*. This was made because of a legislation change that broadened the definition of QMHP. The Department felt a different term was needed to ensure residents receive services they needed and the professionals providing those services are properly qualified. This was changed throughout the regulation: all areas that said *QMHP* now say *mental health clinician*.
- The definition of room restriction was updated to clarify that it does not include structured programming requirements e.g., during shift changes, showers, or resident movement. This definition does not apply to medical isolation.

Mr. Davis reviewed substantive recommendations.

- A change was made to section 80, where the workgroup added the use of the mechanical restraint chair by facility staff regardless of purpose or duration to the list of events that must be reported within 24 hours. The change conformed section 80 to section 1153 pertaining to the use of the mechanical restraint chair. This is not a new requirement but conforms this section to the rest of the regulation.

- The workgroup recommended several changes to section 560 (searches of residents) to better align with language previously approved in the juvenile correctional center regulation. Among the recommended changes was one to remove a requirement that pat down and full searches be conducted by a staff member of the same sex as the resident. The Prison Rape Elimination Act (PREA) prohibits cross-gender searches. If the regulation dictated that searches must be conducted by a staff member of the same sex, this may potentially create a conflict with the regulation should the juvenile detention center have a transgender resident, for example. The workgroup decided it was best to follow the PREA standards rather than try to insert the Department's own language. In addition, the workgroup added a requirement that a staff witness be present for full searches and for manual and instrumental searches of anal or vaginal areas which were not medical examinations. The Department believed these changes were in the best interest of the residents.
- The workgroup recommended amending subsection one of section 1100 to require the facility administrator or their designee to make daily personal contact with each resident placed in room restriction, including those placed in disciplinary room restriction. Previous language made an exception for residents in disciplinary room restriction. This was not the intent of the Department; it was an error. A correction is needed to ensure all residents are getting that contact on a daily basis.

Mr. Davis reviewed moderate impact changes.

- The face sheet delineates the resident's information included at the time of admission. The workgroup added gender identity and primary and preferred language to information needed at the time of admission.
- The workgroup recommended updating the smoking prohibition in section 460 to use the same language as the *Code of Virginia*. This provision now is almost identical to the similar provision approved by the Board in the juvenile correctional center regulation.
- The workgroup recommended updating the section on fundraising to require that resident consent to participate in fundraising efforts be made in writing.
- Section 1140 deals with the monitoring of residents placed in mechanical restraints. The workgroup recommended updating subsections A and B of section 1140 to provide an exception for residents who are being transported offsite. That brings the juvenile detention center regulation in alignment with language already approved in the juvenile correctional center regulation.

Mr. Davis reviewed low impact changes.

- Regarding the juvenile detention center's relationship with the Department, the workgroup added clarifying language that states the required timeframes for reporting information to the agency director are in business days.
- The workgroup added a requirement for staff to self-report any arrests or criminal charges to a facility administrator.
- The workgroup recommended deleting subsection A of section 430 that required male and female residents have separate sleeping rooms. Currently, all juvenile detention centers have single occupancy rooms, and there will not be an occasion to bunk youth together. Single occupancy rooms are based on requirements that are elsewhere in this section. Section 830 requires sleeping room

assignments made according to a written plan, taking into account a number of factors including a resident's individual characteristics and the results of the vulnerability assessment that the regulation requires. The workgroup determined those requirements would provide the necessary parameters for making room assignments, thus making subsection A unnecessary.

- Some clarifications and technical amendment changes were made throughout the regulation. The word "facility" was used in a number of places as a vague, nonspecific subject. For example, the provision might say "the facility" shall develop and implement written procedures. The workgroup recommended changing the language throughout the chapter to either the facility administrator, facility administrator designee, or facility staff, whichever was appropriate for that particular provision. The workgroup concluded that clarifying accountability in those provisions was needed.
- The workgroup recommended replacing the word "sanction" with "consequence" in various text in the regulation to better align with the terminology used in the juvenile detention centers.
- The other changes corrected Code and regulatory citations, aligned the text with the regulatory style manual, and made other stylistic improvements.

Chairperson Frazier thanked the regulatory team, and noted the long regulatory process it has been to move the juvenile detention center regulation through to the final stage. This is part of the duty of the Board. Chairperson Frazier asked for questions from the Board.

The Board had a lengthy discussion on the difference between QMHP and mental health clinician. Mr. Davis introduced the Department's Behavioral Services Unit Director Robin Binford Weaver and asked her for clarification. She explained that the Department has used qualified mental health professional (QMHP) as a term in the past. The Virginia Department of Health Professions legislatively co-opted QMPH. QMPH is used for individuals that do not provide the level of clinical services the Department would expect working with its youth. QMHP is someone who could not practice independently or provide clinical services. They may work with youth, but not in a clinical sense.

QMHP has no licensure requirements and mental health clinicians do.

It is not just about changing the definition, but making the definition more flexible. The QMHP by legislation denotes a level of practice that is not in keeping with providing a level of services that requires licensure or level of education.

The Department required a level of education for QMHPs before the General Assembly began using the term. Now, however, the Commonwealth uses QMHP differently from how the Department had defined it, making the term unworkable for this regulation. Changing to the term *mental health clinician* in the regulation allows the Department to define requirements. By law, the educational requirements for QMHPs are broad, such that a QMHP cannot necessarily be considered a clinician, although a clinician always can be considered a QMHP.

Deputy Director of Residential Services Joyce Holmon provided a personal example. She herself is a QMHP by the fact she earned a bachelor's degree, worked in the mental health system for five years, and received supervision by a licensed person. Based on that, North Carolina considered Deputy Director Holmon a QMHP. She had enough supervision and worked with the mental health youth long enough to qualify. Deputy Director Holmon is not trained in any mental health field, does not have a master's degree, does not have to be licensed, and is not eligible for a license. Deputy Director Holmon cannot be called a clinician.

Board Member Kizner noted that he is a licensed school psychologist and has a Ph.D. He asked whether he would qualify to be a clinician? Is there a minimum academic credential? Dr. Binford Weaver answered that the Department is envisioning someone with at least a master's degree. The Department would not expect someone with a high school diploma to provide clinical services. When the Department talks about a clinician, it is someone with an advanced degree (which the Department defines as at least a master's degree).

Board Member Schrad noted that she has observed in the field the difficulty of finding qualified mental health clinicians. Is the Department facing this struggle as well? Dr. Binford Weaver said the Department does have its challenges and frequently competes with other state and private agencies.

Board Member Kizner asked for clarification on gender-specific examinations; are male staff able to perform a vaginal inspection/cavity search of a female resident based on the change of not having to be the same gender. Mr. Davis responded that cavity searches must be done by a medical professional. The change having to do with sex versus gender was for pat down and visual searches only, not cavity searches. An example would be for contraband high-level searches. PREA prohibits cross-gender searches, which means if a juvenile detention center received a transgender resident, and the regulation required the person doing the search to be of the same biological sex, the regulation would conflict with PREA. In order to avoid the conflict, the Department determined that it was best to let PREA govern and searches follow the PREA guidance and not allow cross-gender searches.

Board Member Kizner asked if a female resident objected to a male staff member doing the pat down, would the facility get a female staff member to help, if possible. Mr. Davis replied because of the prohibition of cross-gender searches, if the resident is female and identifies as female then they would be searched by a female staff member. This takes biological sex out of the equation and is thus not in conflict with PREA on cross-gender searches. The female resident who identifies as female would be searched by a female staff member.

On motion duly made by Dana Schrad and seconded by Will Johnson, the Board of Juvenile Justice approved the proposed amendments to the Regulation Governing Juvenile Secure Detention Centers (6VAC35-101), including any additional amendments adopted at the April 20, 2022 Board meeting, and grants the Department of Juvenile Justice permission to advance the regulation to the Final Stage of the standard regulatory process. All Board members present declared "aye" and the motion carried.

CONSIDERATION OF RESCISSION OF THREE OBSOLETE BOARD POLICIES

Kristen Peterson, Regulatory and Policy Coordinator, Department

The Board is requested to approve the rescission of three Board policies. The Board is accustomed to rescinding procedures, but this is probably its first foray into policies. Under section 66-10 of the *Code of Virginia*, the Board has a number of statutory duties as well as authorities. Those duties include:

- To establish and monitor policies for the programs and facilities for which the Department is responsible under this law;
- To ensure the development of a long-range youth services policy; and
- To monitor the activities of the Department and its effectiveness in implementing the policies developed by the Board.

The Department currently has 38 policies that have not been reviewed in a few years. The Department will endeavor to bring before the Board three or four policies each meeting for the Board's consideration to either rescind, amend, or retain. Many of these policies duplicate existing law or regulations, and some are

just obsolete. Department staff should not have to consult a number of sources to carry out their duties effectively. The point is to streamline the process.

Board policies are different from regulations. The Administrative Process Act (Act) defines a regulation as any statement of general application, having the force of law, affecting the rights or conduct of any person, adopted by an agency in accordance with the authority conferred on it by applicable basic laws. The Act is silent when it comes to policies and has no definition of the term. It is the Department's understanding that policies are not subject to the Act. While regulations have the force of effective law, policies do not.

02-006 Applications for Federal Funds: Under the statute that existed at the time Board policy was adopted, the Board had the power and the duty to review and comment on all applications by the Department for federal funds. The policy that was adopted in accordance with that statute required the Department to inform the Board of all initial applications of federal funds including grants and established timeframes for providing notification and information to the Board. In 2012, the General Assembly repealed legislation that gave the Board the authority to review and comment on these applications of federal funds. That repeal took place ten years ago, and the Department believed as the result of that appeal of legislation that there is no longer a need for this policy. The Board no longer has authority pursuant to that statute.

18-005 Chemical Agents: Staff are prohibited from using chemical agents in facilities regulated by the Board. Under the Board's purview are three types of residential facilities: juvenile detention centers, juvenile correctional centers, and group homes, each with corresponding regulations. A provision in each of those regulations prohibits staff from using chemical agents for purposes of behavior management or institutional security. The language in the regulation is sufficient to adopt the intent of the policy, and thus the Department recommended the rescission of this Board policy.

20-301 Employment of Residents in Community Residential Facilities: The Department shall assist residents in community residential facilities operated by the Department to find and maintain employment. In addition, when residents are released from commitment, the Department will help them find and maintain employment. This provision specifically targeted community residential facilities. That language has historically been interpreted, with respect to this policy, for halfway houses, which the Department used to operate. The Department has not operated halfway houses since 2014. This policy currently has no application, and thus the Department recommended rescission.

These three policies do not fall within the realm or purview of the Act. If the Board decides to accept the Department's recommendation and approve the rescission of these policies, the rescission will take effect immediately.

Board Member Schrad asked whether it had been the case that the now-repealed *Code of Virginia* section giving the Board power to review and comment on all federal grant applications had never given the Board the final approval on the application, but only that the Board was able to review and comment. Ms. Peterson said that was correct. Board Member Schrad asked if it was still a decision for the Department Director whether to apply for funds. Ms. Peterson answered yes. Board Member Schrad said she would be uncomfortable if the Board was not provided information on what grant applications the Department made, especially federal and private foundation grants that often have a certain objective. Particularly, if the application is with an organization or private foundation whose objectives are contrary to that of the Department. Board Member Schrad would like to be kept aware of those applications.

Board Member Johnson asked what was behind the legislative change for the General Assembly to remove the restriction authority.

Ms. Peterson responded the Board is part-time and these types of decisions need to be made by the agency. It is not practical always to consult the Board before proceeding with pursuing these types of grants. This legislative change would put that responsibility and duty back in the hands of the agency.

Board Member Johnson noted there are a lot of federal grants with response timeframes, such as two weeks or 30 days to submit an application or lose the opportunity to participate. For instance, the pandemic funds and resources were opened for applications to receive federal relief. Board Member Johnson can see how, if there was a requirement for the agency to come to the Board for approval to submit a grant application, that it might cost the agency the opportunity to receive resources and provide additional funds to cover such things as bringing mental health clinicians in to help with the emergency associated with the pandemic. Board Member Johnson can see the need for flexibility, but would also like to be made aware of the application. This could be done after the fact and in a report format.

Board Member Schrad agreed, and explained that her objective is to be better informed not to interfere. Board Member Schrad believed it is important the Board know the kinds of grant funds applied for by the agency.

Some Board members noted the reference to private funding, and Ms. Peterson said the overall objective of this provision is to target federal funds; however, the policy covers all sources from which the Department might seek funding.

Board Member Kizner worked for a school board for 22 years, and often the school board chair and the superintendent would be required to sign off on the grants. Would the agency director be responsible for approval of the federal grant and not the Board? Ms. Peterson answered that that is correct.

Board Member Schrad would like to be kept informed by the agency on grants applied for that may have a mission statement and could affect not only the programs conducted by the Department, but also the philosophy behind those programs.

Director Floriano said what she is hearing from this Board discussion is that it may be more efficient to amend the policy in order to make sure that process is complied with and the Department is meeting the goals of the Board. Rather than rescind the policy, the Department might need to amend the language to ensure notification to the Board of any grants in a timely fashion.

Chairperson Frazier recognized that this might be a large amount of notifications and asked the Department to provide a grant summary.

Board Member Kizner asked how many federal grants the Department is speaking of on an annual basis. Deputy Director for Administration and Finance Jamie Patten answered that it depends; regarding the federal grants the Department applies for, it would be five or fewer a year but grants from all sources of federal funding would be different. The Department does receive federal funding for other programs such as education, and during the COVID-19 years it has been more. Board Member Kizner asked if these were competitive grants or is the Department receiving grant funds, regardless. Deputy Director Patten responded that both are correct. Education grants are often formula-based; formulas applied in each school district, including the Department, all receive a set amount based on the formula, and the Department does not have any option but to apply for that amount. Some grants are competitive. In applying for a grant that has a certain purpose, the Department decides what to do with this money, and the grant recipients are chosen from the application process.

Director Floriano summarized that the Board seemed more concerned with grants the Department applies for with a specific purpose that may have “strings attached,” but not as concerned with grant funding related to education. Director Floriano suggested the Board would like to be informed on the grants with strings attached that may have a mission statement, and what the Department intends to do with that grant money. Board Member Schrad believed a summary report at Board meetings is sufficient.

Ms. Peterson advised the Board that agency staff could revise the motion for this policy at this meeting or bring this policy back to the Board at the next meeting to approve the amendment. The Board was amenable to have this on the agenda for the next meeting.

On motion duly made by Eric English and seconded by Dana Schrad, the Board of Juvenile Justice approved the rescission of Board Policy 18-005 (Chemical Agents), as proposed at the April 20, 2022, meeting, to take effect immediately. All Board members present declared “aye” and the motion carried.

On motion duly made by Tyren Frazier and seconded by Will Johnson, the Board of Juvenile Justice approved the rescission of Board Policy 20-301 (Employment of Residents in Community Residential Facilities), as proposed at the April 20, 2022, meeting, to take effect immediately. All Board members present declared “aye” and the motion carried.

DIRECTOR’S CERTIFICATION ACTIONS

Ken Bailey, Certification Manager, Department

Mr. Bailey directed the Board to the packet, which contained the individual audit reports and a summary of the Director’s certification actions completed for March 15, 2022.

The audit for the Virginia Beach Crisis Intervention Home was excellent and received a 100% compliance. It was an improvement compared to their audit in 2017 that had found a number of deficiencies. Given COVID-19 and having to close down for a period of time, the facility did a great job when it reopened, and maintained compliance with the regulations. The Virginia Beach Crisis Intervention Home was certified until May 12 2024, and was provided with a letter of congratulations for 100% compliance.

The audit for the Bon Air Juvenile Correctional Center found two deficiencies regarding documentation in the area of medical exams and medication. Mr. Bailey noted that his Certification Unit had an extensive team reviewing Bon Air due to the size, and they are proud of their excellent response from Bon Air. The facility was certified until April 12, 2024.

Blue Ridge Juvenile Detention Center and Post-dispositional Program is located outside of Charlottesville and serves the 16th District Court Service Unit. This facility has a new superintendent, and this was their first audit. Blue Ridge Juvenile Detention Center and Post-dispositional Program received 100% compliance and was certified until February 11, 2025. This was significant in that it was their third consecutive 100% compliance rating.

Tidewater Youth Services Apartment Living Program is a truly independent living program to which youth 17 ½ to 21 years of age coming out of direct care or on parole are admitted. The youth live in a real apartment situation, with staff in another apartment to supervise them. The youth manage their own food, have jobs, in some cases attend community college, and are taught independent living skills. The audit for the Tidewater Youth Services Apartment Living Program found 100% compliance, and was certified through January 20, 2025.

Board Member English noted that the certifications are for three years and asked if that was consistent. Mr. Bailey answered the certification timeframe is up to a maximum of three years, but could be six months or one to two years.

Board Member Johnson asked whether the Certification Unit would return in a shorter period of time to re-audit the program if there was an audit finding. Mr. Bailey answered that when a program is out of compliance, the Certification Unit, before the report is presented to the Director, will return to review findings and check if the facility had brought themselves into compliance. A good example was Bon Air, who had two deficiencies on their audit. The Certification Unit went back in three months to review those audit deficiencies and observed that they had followed through on their corrective action plan. Mr. Bailey does not present anything to the Director until the Certification Unit looks at it for a second time, and the Director will let them know if it needs a third look.

2022 LEGISLATIVE UPDATE

James Towey, Legislation and Regulatory Affairs Manager, Department

This year was a busy session of the General Assembly. The Department's legislative team tracked introduced legislation involving criminal justice and particularly juvenile justice. The team started off tracking 659 bills, and put them into different tracks based on the impact the bills would have on the juvenile justice system or the Department. There were 40 bills followed closely because of their potential for significant impact on the juvenile justice system. Mr. Towey provided an overview of the six bills that had a direct impact to the Department. A legislative manual will be published and provide a full review of the tracked bills. The Board will be given a copy.

Boot Camps (HB 228 / SB 546)



- DJJ has not had a state-contracted boot camp program since 2003.
- Eliminates all references to juvenile boot camps in the Code.
- Removes DJJ's authority to establish or contract for the establishment of boot camps.
- Eliminates boot camps as a dispositional alternative for juveniles.
- Relieves the Board of the duty to prescribe standards for the development, implementation, and operation of boot camps.

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The Board will not be seeing mention of juvenile boot camps. The agency does not do periodic reviews for regulations that do not exist.

Secretariat (HB 1197)



- Directs the Secretary of Public Safety and Homeland Security and the Secretary of Health and Human Resources to convene a work group to determine the feasibility and benefits of transferring responsibility for DJJ from the SPSHS to the SHHR.
- Vetoed by Governor.
- Previously passed the Senate 32-7 and the House 64-35.
- House and Senate can override veto by 2/3 vote of both chambers.

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This bill was vetoed by the Governor last week. The General Assembly returned for the reconvened session on April 27, and it is yet to be determined if they will have enough votes to override the veto or whether the veto will stand. If the veto stands, the study will not convene.

Isolated Confinement (SB 108)



- Directs DOC to convene a work group to study the use of "restorative housing" within state correctional facilities and juvenile correctional centers, including the length of time each inmate is kept in restorative housing and the purposes for which inmates are placed.
- Confidential interviews with at least 25 currently incarcerated persons who are currently or within the past year been placed in restorative housing and confidential interviews with existing staff.
- Recommendations on how to safely reduce or end the use of restorative housing that lasts longer than 14 days and criteria to be considered when a determination is made that it should last longer than 14 days.
- The work group shall include at least 3 representatives from DJJ.

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This bill was mostly applicable to Department of Corrections (DOC).

Security Cameras (HB 1332)



- Class 1 misdemeanor for any person to intentionally cover, remove, damage, render inoperable, or otherwise obscure a security camera installed in a correctional center, including a juvenile correctional center, without the permission of the sheriff, jail superintendent, warden, or Director of DOC or DJJ.
- Class 6 felony for any person to do so with the intent of inhibiting or preventing an image of the commission of a felony.

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This was generated by a situation in the Virginia Beach jail where an inmate put tissue or toilet paper over a security camera, and then a beating ensued. This affects juvenile correctional centers, as well.

DPYDA (SB 485)



- Delinquency Prevention and Youth Development Act (§§ 66-26 through 66-35).
- DJJ to make grants to counties and cities to promote efficiency and economy in delivery of youth services and to provide support to localities seeking to respond to juvenile delinquency.
- The Board to adopt policies governing applications for grants and standards for the operation of programs developed and implemented under the grants.

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The Department started funding this in 1979.

DPYDA (cont'd) (SB 485)



- A locality participating in a program funded by a grant must be represented by a youth services citizen board.
- The youth services citizen board shall participate with community representatives in the formation of a comprehensive plan for the development, coordination and evaluation of the youth services program and shall make recommendations to the governing authority on the plan and its implementation.

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DPYDA (cont'd) (SB 485)



- The DPYDA was last funded in FY 2001.
- SB 485 adds that DJJ shall establish a list of best practices program models that are likely to qualify for grants.
- Changes the composition of youth services citizen boards.
- Permits the boards to establish a youth advisory team.
- Budget Item 426 provides for \$3.4 million for DPYDA grants.

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There were some offices on youth in the Commonwealth that were implementing this act through funding provided by the Department. Although there was a lack of funding, there were still some offices on youth that continued under the Virginia Juvenile Community Crime Control Act (VJCCCA), and a few opted to be locally operated and did not need state funding.

The second bullet on the above slide ensured localities provided information about best practices for delinquency prevention programs to put them in the best position to seek grants. At present, there is no money for this program. If the budget is approved, DPYDA can be restarted.

Board Member Johnson asked if the funding for this item is before the budget conferees. Mr. Towey responded that was correct. The budget item was put forth by the bill patron, Senator McClellan, whom Mr. Towey believed to be a conferee for the budget. At present, the House and Senate conferees are meeting and in negotiations. Board Member Johnson asked if both the House and Senate versions of the budget included the \$3.4 million. Mr. Towey responded no, just the Senate version.

**Records / Coordinated Services
(HB 733 / SB 316)**



- Requires DJJ to develop and biennially update a model MOU regarding the sharing of information between agencies in order to provide coordinated services for children receiving services from multiple agencies.
- DBHDS, DSS, CSUs, and various affiliated local agencies.

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During the last two sessions, the General Assembly made amendments to the *Code of Virginia* to try to enhance the sharing of information among service agencies providing services to the same youth. If “Johnny” is receiving services from the Department of Social Services and the Department, then this allows for sharing of information. The Department provides the model memorandum of understanding (MOU), approved by the Office of the Attorney General, for localities to use. This is a continued effort to enhance information sharing for youth receiving coordinated services from all four agencies.

Board Member Schrad asked if it included local law enforcement agencies. Mr. Towey responded that it does not include local law enforcement, just the Department of Social Services, Department of Behavioral Health and Developmental Services, and local court service units.

In conclusion, Mr. Towey said that this is the time of year when the agency develops legislation proposals to be submitted to the Secretary of Public Safety and Homeland Security for consideration in August. The agency’s legislative team begins researching various legislative concepts. If the Board has any legislation ideas for the upcoming session, please contact Mr. Towey (james.towey@djj.virginia.gov).

DIRECTOR’S COMMENTS

Amy M. Floriano, Director, Department

Director Floriano had an opportunity to speak to the Board individually before the meeting to talk about the work ahead and the agency’s goals. Director Floriano is looking forward to working with the Board, and her team, which has helped her to assimilate from one career to another.

BOARD COMMENTS

Chairperson Frazier welcomed Director Floriano, and said the Board is definitely looking forward to hearing more about the ideas to help the most vulnerable youth across the state.

Chairperson Frazier asked that, if any Board member would like a tour of Bon Air Juvenile Correction Center, they should please contact Wendy Hoffman. Chairperson Frazier asked that any tour include an opportunity to see things happening in the facility and have conversations with the residents.

NEXT MEETING

The next Board meeting is June 29, 2022, at 9:30 a.m. at the Virginia Public Safety Training Center.

ADJOURNMENT

Chairperson Frazier adjourned the meeting at 10:50 a.m.