

James S. Turpin, Chairman
Courtney A. Penn, Vice Chairman
Barbara J. Myers, Secretary
Kecia N. Brothers
Aida L. Pacheco
Patricia Puritz
Justin M. Wilson



Post Office Box 1110
Richmond, VA 23218-1110
(804) 371-0704

COMMONWEALTH
of
VIRGINIA

Board of Juvenile Justice

**Board of Juvenile Justice Meeting
Chesterfield Detention Home
9600 Krause Road
Chesterfield, VA**

June 10, 2009

Board Members Present: James Turpin, Kecia Brothers, Barbara Myers, Courtney Penn and Justin Wilson

DJJ Staff Present: Barry Green, Sam Abed, Tim Howard, Ed Murray, Steve Pullen, Kenneth Bailey, Janet Van Cuyk, Deron Phipps, Vernon Harry, Regina Hurt, Marilyn Miller, George Wakefield, John Coble, Joy Lugar, Tim Joost, Steve Peed, Bruce Twyman, Letta Jones and Deborah Hayes.

I. CALL TO ORDER

Chairman Turpin called the meeting to order at 10:18 am.

II. INTRODUCTIONS

Mr. Turpin called for introductions of attendees prior to proceeding. In addition to DJJ staff and Board members listed above, additional staff and guests in attendance were: Doris Moseley, Sandra Martin, Chris Beschler-Richmond City Detention, Joe Campbell, William May-Chesterfield Detention, Frances Brown-11th CSU, John Weigel-6th CSU, Alan Hullette-Roanoke Valley JDC/VCJD, Michelle Smith-Loudoun JDC, Joseph Jackson, Jackie Smith-Norfolk Detention, Heidi Abbott-BJJ member, Michael O'Neill, Ernest Thomas-NBJCC, Resident DB, Kate Duvall, Corinne Kizner, Derrick Johnson, and Jeree Harris-JustChildren.

III. APPROVAL OF AGENDA

On MOTION duly made by Mr. Wilson and seconded by Ms. Myers, the Board approved the agenda. Motion carried.

IV. APPROVAL OF APRIL 8, 2009 MINUTES

The minutes of the April 8, 2009 Board meeting were presented for approval. On MOTION duly made by Ms. Brothers and seconded by Ms. Myers, the minutes of the April 8, 2009 meeting were approved as submitted. Motion carried.

V. PUBLIC COMMENT

Kate Duvall-JustChildren, was present to speak on behalf of JustChildren. She thanked the Board for considering JustChildren's opposition to some of the policies that will be acted upon today.

VI. COMMITTEE REPORTS

A. Secure Services Committee

Certifications

On MOTION duly made by Mr. Wilson and seconded by Ms. Brothers to certify Loudoun County Juvenile Detention Center for three years, with a status report on compliance with the implementation of the corrective action plan at the January 13, 2010 meeting. Motion carried.

On MOTION duly made by Mr. Wilson, and seconded by Mr. Penn to certify Norfolk Juvenile Detention Center until January 13, 2010, with a status report on compliance with the implementation of the corrective action plan and the hiring of full time administrators. Motion carried.

On MOTION duly made by Mr. Wilson, and seconded by Ms. Brothers to place Richmond Juvenile Detention Center on a probationary status until the September 9, 2009 board meeting with a status report on implementation of the corrective action plan. Motion carried.

Issues

On MOTION duly made by Mr. Wilson and seconded by Mr. Penn, to continue the current certification status of Newport News Detention Center to September 9, 2009 to allow additional time for the resolution of some audit issues and the preparation of the final audit report. Motion carried.

B. Non-Secure Services Committee

1. Certifications

On MOTION duly made by Ms. Myers and seconded by Mr. Wilson to certify the 5th District Court Service Unit, for three years. Motion carried.

On MOTION duly made by Ms. Myers and seconded by Mr. Wilson to certify the 26th District Court Service Unit for three years with a letter of congratulations for 100% compliance. Motion carried.

On MOTION duly made by Ms. Myers and seconded by Mr. Penn to certify Chaplin Youth Center for three years with a status report on the implementation of the corrective action plan at the June 2010 board meeting. Motion carried.

On MOTION duly made by Ms. Myers and seconded by Ms. Brothers to certify Discovery House for three years. Motion carried.

On MOTION duly made by Ms. Myers and seconded by Mr. Wilson to certify the Shenandoah Valley Juvenile Shelter and Assessment Center for one year with a variance to 6VAC35-51-960. Motion carried.

On MOTION duly made by Ms. Myers and seconded by Ms. Brothers to certify Virginia Beach Crisis Intervention Home for three years. Motion carried.

2. Issues

Susan Bundy Group Home Status Report: Susan Bundy Girls home has corrected all but one deficiency that was cited during the July 23-24, 2008 audit. Correction on

that one deficiency could not be determined due to the facility not having hired any new employees since the January 14, 2009 Board meeting. The facility has worked hard to correct deficiencies by developing and revising case file forms, medication administration records and orientation and training forms. The administration is pleased with their accomplishments since the audit and hopes to continue making positive changes to the facility and programs. No action is required of the Board at this time.

3. Other VJCCCA Plans

On MOTION duly made by Ms. Myers and seconded by Mr. Wilson to amend the FY 09-10 VJCCCA plans for Prince William County, Culpeper County, Wythe County and Halifax County in accordance with the Request to Amend. Motion carried.

On MOTION duly made by Ms. Myers and seconded by Ms. Brothers to approve the FY 2010 VJCCCA plan for the City of Roanoke. Motion Carried. Mr. Penn abstained.

VII. NEW/OTHER BUSINESS

A. Art Presentation

Natural Bridge JCC's Acting Superintendent, Michael O'Neill introduced Resident DB. He said Resident DB is an outstanding artist and is currently working on his high school diploma. Resident DB stated that he has been painting since he was three years old. He just looks at an object and draws it. This painting was taken from a magazine. Mr. Green said he was impressed with the honor guard at NBJCC's of whom Resident DB is the leader. He said he had the opportunity to view some more of DB's paintings and encouraged Resident DB to take classes to further his artistic abilities.

B. Policy Review

On MOTION duly made by Mr. Turpin and seconded by Ms. Brothers to adopt the following amended Board policy as of June 10, 2009 as submitted by the Department's Policy and Review Committee:

- 20-301 Youth Employment

Motion carried.

On MOTION duly made by Mr. Turpin and seconded by Ms. Myers, to rescind the following Board policies as of June 10, 2009, as submitted by the Department's Policy and Review Committee. These policies have been incorporated in the Virginia Administrative Code, are covered in the Virginia Code, or have been deemed unnecessary:

- 13-006 Sanitation and Safety
- 13-008 Inventory, Records and Reports
- 13-009 Equipment Maintenance
- 14-001 Sanitation Standards
- 14-002 Sanitation and Safety Inspections
- 14-003 Clothing and Bedding Supplies
- 14-005 Pests and Vermin
- 14-006 Communication of Chemical Hazard

Motion carried.

On MOTION duly made by Mr. Turpin and seconded by Mr. Penn to approve the following Board policies for a third review and action at the September 9, 2009 Board meeting as submitted by the Department's Policy Review Committee:

- 20-106 Discipline Plane (amend)
- 20-004 Communication of Serious incidents (amend)
- 03-002 Program Investigations by the Department (rescind)
- 17-001 Summary of Youth's Rights (amend)
- 17-002 Major Rule Violations: Reports, Investigation, Due Process Hearing, Appeal, and Review (rescind)
- 17-003 Due Process in Transfer to More Restrictive Program or Facility (amend)
- 18-004 Firearms, Stun Guns, and Other Weapons (amend)
- 20-202 Library Services (rescind)
- 20-208 Juvenile Industries (rescind)
- 20-311 Post-Dispositional Facilities (rescind)
- 13-004 Food Preparation and Service of Meals (rescind)
- 19-002 Classification of Committed youth (amend)
- 20-002 Electronic Monitoring (amend)
- 20-003 Sex Offender Treatment (rescind)
- 20-004 Committees to Guide Sex Offender Treatment Programs (rescind)
- 20-005 Alcohol and Drug Screening of Youth (rescind)
- 20-207 Counseling Wards (rescind)

Motion carried.

On MOTION duly made by Mr. Turpin and seconded by Mr. Penn to amend the recommended changes and to approve the following Board policy, as amended, for a third review and action at the September 9, 2009 Board meeting as submitted by the Department's Policy Review Committee:

- 20-001 Treatment Programs and Services (amend)

Motion carried.

C. Regulatory Update

Ms. Van Cuyk distributed the regulatory update to the Board members and stated that no board action is required at this time.

- 6VAC35-30 Regulations for State reimbursement of Local Juvenile Residential Facility Costs: submitted on February 6, 2009 and is in the Governor's Office for his approval.
- 6VAC35-60 Minimum Standards for Virginia Delinquency Prevention and Youth Development Act Grant Programs: submitted on February 2, 2009 and is in the Governor's Office for his approval.
- 6VAC35-150 Standards for Nonresidential Services available to Juvenile and Domestic Relations District Courts: submitted on February 5, 2009 and is pending publication in the *Virginia Register* on July 6, 2009 for a 60-day public comment period.
- 6VAC35-41 Regulation Governing Juvenile Group Homes and Halfway Houses; 6VAC35-71 Regulation Governing Juvenile Correctional Centers; and 6VAC35-101: NOIRA, submitted on February 26, 2009. Open for public comment, which closes on Friday, June 12. No comments have been received thus far.

VIII. Director's Comments

Mr. Green stated the following:

- Though there are no final decisions, he anticipates that there will be additional cuts;

- A presentation was made to the joint money subcommittees citing that prison/jail populations are decreasing, jcc population has increased since January but it has decreased over the last 15 years;
- the Department is monitoring trends on intake—Mr. Howard stated that Community Programs has lost 71 probation positions over the last five years;
- Mr. Green said detention population is also down and there have not been any significant increases in felony level or violence numbers;
- H1N1 (swine flu) has been found in residents at Bon Air JCC. Chesterfield Health Department is working with BAJCC and have segregated those residents with symptoms, the facility will return to normal operations on June 11. He said the symptoms were very mild.

IX. Board Comments

Mr. Turpin advised that Ms. Puritz is resigning from the Board and Mr. Penn will not renew his term, which ends June 30, 2009. He thanked Mr. Penn for his service. Mr. Penn said this has been a great six years and he wishes the Board the best. He said the Board and the Department have great leadership and he knows they will continue to do well.

Executive Closed Session:

On MOTION duly made by Mr. Turpin 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. Brothers, Mr. Wilson, Ms. Myers and Mr. Turpin.

X. NEXT MEETING

The next board meeting will be held on Wednesday, September 9, 2009 at the Richmond Detention Center in Richmond, VA.

XI. ADJOURN

Having no other business, and on MOTION duly made by Ms. Myers and seconded by Mr. Wilson, the meeting adjourned at 11:53 am. Motion carried.

Respectfully submitted,

Deborah Canada Hayes
DJJ Board Secretary