

## **Minutes - Rockingham/Harrisonburg Community Criminal Justice Board (CCJB)**

County Administration Center, Fire & Rescue Classroom  
September 21, 2015 - 4:00p.m.

### **Board members present –**

Marsha Garst – Commonwealth Attorney  
April Wolverton for Chaz Evans-Haywood – Clerk of Circuit Court,  
Sheriff Bryan Hutcheson – Rockingham County and City of Harrisonburg  
Pablo Cuevas – Rockingham County Board of Supervisor  
Kai Degner – City of Harrisonburg Council Member  
Joseph Paxton – County Administrator  
Kurt Hodgen – City Manager  
Louis Nagy – Defense Attorney  
Don Driver - Department of Social Services  
Lacy Whitmore – Community Services Board  
Dr. Carol Fenn – Rockingham County School Superintendent  
Dr. Scott Kizner – Harrisonburg City School Superintendent  
Monica Martin – Chief Magistrate  
Dan Claytor for Chief Stephen Monticelli – Harrisonburg Police Department  
Chief Lee Shifflett – James Madison University Public Safety

### **Judges present (abstain from the vote) –**

Judge Bruce D. Albertson – Circuit Court  
Judge John Stanley Hart, Jr. – General District Court  
Judge David O'Donnell – Juvenile & Domestic Relations

### **Staff present –**

Ann Marie Freeman, Director Court Services Unit  
Tamela Gray, Administration Executive Assistant/Record Keeper  
Judge John Paul, Chairman of the Task Force on Alternative Programming  
Ruth Stoltzfus Jost, Member of the Task Force on Alternative Programming

Chairman Cuevas opened the meeting at 4:00 p.m. and thanked the Board members for their attendance. He also thanked the public for their interest in issues the Community Criminal Justice Board (CCJB) addresses.

Chairman Cuevas gave the Invocation.

On motion by Councilman Degner, seconded by Sheriff Hutcheson, the February 23, 2015 minutes were approved, with one correction: Mr. Maclin's name was misspelled, as there is no "k" in his last name. The motion passed unanimously.

Chairman Cuevas announced that public comments would be accepted at the end of the agenda. He asked that the remarks be limited to three minutes.

Mr. Paxton reviewed an excerpt (Section 7, Summary and Recommendations) from the Rockingham-Harrisonburg Regional Jail Community Based Corrections Plan. He noted that the Community Based Corrections Plan was adopted by the Board of Supervisors and City Council and it was suggested that the CCJB regularly review the plan and focus on included recommendations. Mr. Paxton indicated the recommendations outlined in the plan will be reviewed at each meeting to provide an update on them.

Mr. Paxton indicated CCJB meeting materials will be posted on a website that can be accessed through the County website. He noted individuals wanting a copy of the materials could provide their email address to the Record Keeper after the meeting.

Mr. Paxton reviewed items approved since the February 23, 2015 CCJB meeting:

- The Board of Supervisors and City Council approved the Community Based Corrections Plan in November 2014.
- Funding for an additional Pre-Trial Services (evaluator) position was included in the FY 2015-2016 budget. The position, to address the number of people awaiting trial and in jail because pre-trial information is not available for the District Court to make a bonding decision, has been filled and the employee will start work in early October.
- At the Board's request, the City and County issued a Request for Proposal for day reporting services. This item is on the agenda to discuss awarding a contract to Gemeinschaft Home, the only organization that submitted a proposal.

Establish a new Jail Planning Coordinator position to work exclusively on improving data systems, gathering data and informing decision making and Generate valid and reliable planning data. Mr. Paxton reported a data analyst position was approved to be effective January 1, 2016, but hiring was delayed from July 1 to January to determine the scope of the position. Since data system issues need to be addressed, the person hired for this position will assist the workgroup in preparing an RFP for the system. The jail anticipates a James Madison University undergraduate class will assist in developing data and a report on part of the jail operations during the fall semester.

Projected increased jail crowding should be addressed by implementing an aggressive community based strategy and expanding existing jail capacity. On December 8, 2014, the CCJB recommended building a satellite facility to address the immediate need for additional space at the jail. Since that time, the City and County entered into an agreement with Middle River Regional Jail (MRRJ). Mr. Paxton reported the additional capacity allowed Rockingham County Regional Jail (RCRJ) staff to adjust the inmate placements in order to add a mental health pod to provide additional mental health services in the jail. The County and City collaborated with the Community Services Board (CSB) to increase the number of hours a mental health professional is at the jail each week. MRRJ and RCJ staffs are working with the

Valley and Harrisonburg-Rockingham CSBs to review the overall program to ensure consistency in working with persons with mental health service needs.

Investigate ways to reduce intake. In addition to the Pre-Trial Services (evaluator) position and day reporting services, the County, City, CSB and Sentara RMH are establishing a crisis intake unit at the medical center to assist individuals with mental health issues that do not need to be incarcerated. They will be evaluated at the medical center to determine an appropriate placement.

Investigate pretrial confinement policies, procedures and administrative practices. Additional research is necessary to support the judge in decision making related to the establishment of bond. At the District Court level, an additional pre-trial evaluator position was added to assist in the process.

Increase current pretrial and local probation staff levels. Pre-trial and local probation staffing levels are being increased. The State has the primary responsibility to provide funding for the positions but have not done so. The City and County will address this, as funding is available.

Expand home electronic monitoring and GPS monitoring as pre- and post- trial supervision options. An update is on the agenda to be provided by the Court Services Director.

Investigate/implement an Adult Drug Court program. An Adult Drug Court program is being investigated. Mr. Paxton noted the District Court Judges were unable to attend the CCJB meeting because they are attending a meeting in Norfolk regarding driving under the influence (DUI) and drug courts.

Investigate/Implement a Day Reporting program. As noted earlier, awarding a Day Reporting Program will be addressed later in the meeting.

Expand and strengthen re-entry services for incarcerated offenders. Sheriff Hutcheson offered the Re-entry Council an opportunity for community members to meet with inmates as they leave the jail to assist them with housing, employment and other needs necessary for a successfully re-entry into the community. He noted the Re-Entry Council has not yet developed a program to assist with that and there is not enough room within the jail for such a program but the Sheriff is trying to schedule programs when possible.

Provide expanded Mental Health and Substance Abuse services within the jail. Mental health services were addressed earlier. CSB staff will provide an update on local efforts to enhance the services for the jail and community.

Configuration of Jail Capacity: The agreement with Middle River Regional Jail addressed the overcrowding issue. Mr. Paxton asked the CCJB to recommend that the City Council and Board of Supervisors officially notify the Local Facilities Section of the Virginia Department of Corrections that they wish to withdraw the funding request submitted December 22, 2014, for a jail construction project. The Department of Corrections should be informed those funds may be

reallocated elsewhere since the City and County are now members of the Middle River Regional Jail.

On motion by Councilman Degner, seconded by Mr. Hodgen, the Board requested that the City Council and Board of Supervisors officially notify the Virginia Department of Corrections that they wish to withdraw the funding request submitted December 22, 2014 for a jail construction project, and inform the Department of Corrections that those funds can be reallocated elsewhere. The motion passed unanimously.

Mr. Paxton advised there is an ethics advisory committee opinion that does not allow judges to participate in votes or official discussions on matters of the CCJB. The judges attend the CCJB meeting to receive input but abstain from voting.

Mr. Paxton advised that an RFP was issued on August 7, 2015 for day reporting services. An unsolicited proposal was received from Gemeinschaft Home, but in accordance with state law, an RFP was issued to determine if other organizations were interested in providing the service. No other proposals were received. The Gemeinschaft Home proposal has been reviewed, and staff recommends that the CCJB support forwarding the proposal to the City Council and Board of Supervisors for approval and funding. If approved, the Judges, Commonwealth's Attorney, Sheriff, Police and others will evaluate situations and can refer people to the day reporting program.

Gemeinschaft Home Executive Director Sharon Glick and Program Director Richi Yowell attended. Mr. Yowell explained that Gemeinschaft has been in communication with several CCJB Board members regarding specific aspects of the program. Gemeinschaft has conducted a residential program under a Department of Corrections Contract since 1985. They have the necessary staff and facility for a day reporting center, as well as the ability to provide flexible options, an aftercare program, follow-up, and additional support. The day reporting program was originally proposed to serve primarily pre-trial males, but there has been discussion regarding including the female jail population and providing post-trial opportunities. The 90-day program can be court ordered, sanctioned, or case plan driven. The program is not an extension of probation but provides therapeutic intervention, case planning, referral services, chaplain services and a variety of other needs for people in an attempt to reduce recidivism, increase the substance abuse treatment success rate and prevent relapses. Gemeinschaft will work closely with pre-trial and the courts to accommodate each individual case.

Mr. Yowell indicated Gemeinschaft's first goal is to stabilize the individual. Gemeinschaft has eight to ten beds available to house people but those residents would be required to follow the same standards as the Department of Corrections residents. For individuals not requiring housing, Gemeinschaft will provide case planning, individual and group counseling, as well as referral services to other agencies. Progress reports will be provided monthly to pre-trial services or at the request of the courts. Some aspects of the program will be set by the CCJB and some by pre-trial services. Gemeinschaft will determine how to measure success, what will happen if individuals fail out and how long they will need to wait before returning. Program details will be worked out on a case-by-case basis to meet

individual needs and improve the participant's situation to be sober, law-abiding, taxpaying, productive citizens. Mr. Yowell indicated Gemeinschaft is staffed 24/7, anyone is welcome anytime, and they communicate with probation officers and lawyers.

The proposed fee structure of \$20 to \$55 per person per day is based on the risk of the participants. A six-month contract was considered but a longer period is needed for the CCJB to determine the success of the program. It was determined the initial period of the contract award should be 18 months with the option for two 2-year renewals. Mr. Paxton requested that, after the program has been in existence long enough to have data results to report, Gemeinschaft provide a report to Ms. Freeman prior to each CCJB meeting or have a representative attend the meetings to provide an update. Mr. Paxton reiterated that if the CCJB wants to support this program, the recommendation is for an initial contract period of 18 months, with the possibility of two 2-year renewals, using the fee structure presented.

Mr. Yowell indicated the rates are based on the Department of Corrections per diem per resident rate as of September 1, 2015. Services for a level four (very high-risk) participant would be at the same rate paid by the State, with the rate reduced based on the risk of the individual.

Chairman Cuevas confirmed that, except for details regarding the individual person in the program, the details of the program itself are public information.

In response to a question from Ms. Martin, Mr. Yowell indicated Gemeinschaft has 12 staff members (four full-time and eight part-time) most of whom are shift managers. He anticipates increasing staffing slowly. The maximum capacity is unknown as Gemeinschaft does not know how many people will need services or at what level. Mr. Yowell believes Gemeinschaft can serve 180 to 200 day reporting clients with an average of a level 2 risk. Initially, they anticipate serving mostly level 3 risk clients. The more clients with higher risks, the more case managers and program assistants will be needed. Gemeinschaft also staffs interns from local universities.

Mr. Yowell confirmed for Councilman Degner that Gemeinschaft can serve 180 to 200 active clients with a level 2 or 3 risk at one time. These individuals will report to Gemeinschaft three to five times per week. The primary issue is the number of people attending group sessions since larger groups will require more space and time, he said.

Mr. Paxton indicated it is fair to assume a number of clients in the program may have otherwise been on probation. If there are a large number of post-disposition clients, the beneficiary may be the State. If Gemeinschaft is able to provide a higher level of service than the state, there may be a long-term impact at the jail and an immediate impact in lower state costs. Mr. Paxton asked that Gemeinschaft keep the CCJB informed so the State shares in the cost and local citizens do not have to pay 100 percent.

Chairman Cuevas confirmed that the level of staffing has a relationship to the degree of risk level. More staffing will be required for a larger number of clients with a higher level of

risk. Mr. Yowell indicated each case manager will oversee an average of 35 clients because significant follow up will be needed. There will be a testing period to determine the amount of staff needed and the number of clients the case managers can oversee.

Chairman Cuevas said he assumes Gemeinschaft has admission priorities and determines who needs attention more expeditiously. Mr. Yowell noted Captain Shortell indicated the jail could currently enroll 200 people in the day reporting program due to the overcrowding issue. Mr. Yowell indicated Gemeinschaft wants to start small and incrementally increase the number of clients and staff to provide appropriate services.

In response to a comment by Chairman Cuevas, Mr. Yowell said Gemeinschaft intends to follow the same referral process for the day reporting program as that used with the Department of Corrections.

Commonwealth's Attorney Garst made a motion, seconded by Mr. Hodgen that the CCJB accept the Gemeinschaft Home day reporting services proposal.

Dr. Kizner asked whether there is a process to determine effectiveness of the 18-month pilot program. Mr. Yowell indicated similar programs have been initiated in different localities across the nation. A program previously conducted in Harrisonburg by the state was successful but funding was eliminated. This proposed pilot program deals with a smaller population of people, smaller bureaucracy and a motivated community desiring alternatives to incarceration. Gemeinschaft wants to focus on recidivism and prevent relapses.

Mr. Yowell indicated Gemeinschaft initially included a copy of a draft monthly report in the proposal, but he said it is somewhat subjective. Chairman Cuevas requested that copies of the monthly invoice be provided to the County Administrator, City Manager, and to the members of the court, if requested. He asked Mrs. Freeman to provide a quarterly report to the CCJB board members.

Mr. Paxton informed Dr. Kizner that benchmarks will be defined before the program starts. One key item is whether the inmates complete the program. The 18-month pilot program will indicate if inmates complete the program but return to the system. He has heard day reporting programs reduce the number of repeat offenders. The CCJB, City Council and Board of Supervisors will determine if the reduction is good enough. Mr. Yowell indicated Gemeinschaft will focus on the 18 to 22 year-old group because there is a greater chance of success if behaviors are changed early.

By a unanimous vote, the CCJB recommended that the County and City accept the Gemeinschaft Home day reporting services proposal and provide the necessary local funding.

Ellen Harrison, CSB Acute Services Director, addressed the 18-month mental health services pilot. When she requested funding in December 2014, the program consisted of a case manager in the jail working ten hours a week, a nurse practitioner who worked two hours a week, and volunteers overseeing mental health groups. The City and County matched the CSB's

one-time funding in January to expand the pilot project and fund a licensed mental health clinician at 20 hours a week, along with a correctional officer to escort mental health professionals through the jail.

Ms. Harrison said the program tracks the success of the inmate screening, counseling and faster referrals to the nurse practitioner for medication management and assessment. They expected many more referrals at booking, but medical services had 26 percent and booking only had 11 percent of first time identifications of people needing mental health services. Self-referrals from inmates were at 50 percent. The program saw 378 inmates in the last six months (250 unduplicated and 128 for ongoing counseling and crisis intervention services).

On July 6, 2015, the jail opened a mental health pod that allows a greater level of attention. Two groups are conducted each week on general coping skills and symptom identification. In one month, 105 inmates participated in eleven groups.

Lacy Whitmore reported on the Sentara RMH crisis intervention team assessment center that is scheduled to open December 1, 2015. The center will be open each weekday evening from 4-12 p.m., with a team to include a CSB clinician, Crisis Intervention Team (CIT) law enforcement officer and peer support provider who has experienced mental health issues and can provide hope and reassurance to the person in crisis. The State, City and County will share in the cost to provide the services. He said Mrs. Freeman and the CIT task force have been instrumental in the planning. Mr. Whitmore was appreciative of Sentara RMH officials allowing the CSB to use the facility at no cost. A person with a mental health emergency will obtain professional screening at Sentara RMH, allowing them to receive immediate appropriate attention, and thereby reduce unnecessary incarceration and the burden on the emergency room. Law enforcement will transfer custody of a CIT officer and return to the field. The CSB hopes to expand the service to provide 24-hour, 7-day per week coverage in the future, as services demand. Mr. Whitmore expressed appreciation to Messrs. Paxton and Hodgen for their assistance in starting the program.

Councilman Degner noted that it had been reported that in February 2015, 88 percent of inmates with mental health issues had been incarcerated previously. He asked if the counseling program will identify resources available to prepare inmates to return to the community upon their release. Ms. Harrison responded that the counseling at Sentara RMH is for crisis intervention, but the case manager in the jail works with inmates with serious mental illnesses prior to returning to the community. Upon release, the inmate will likely be referred to the CSB where transition planning is already available for those with a serious mental illness.

Since Mr. Whitmore will retire at the end of October, Mr. Paxton thanked him for the work and leadership he provided in expanding mental health services, especially during the last 18 months.

## **REPORT – IMMEDIATE SANCTIONS PROGRAM – PROBATION & PAROLE DISTRICT 39**

Josh Lutz from Probation and Patrol provided an update on the Immediate Sanctions Program (ISP) that Commonwealth's Attorney Garst and others instituted in early 2014. The ISP pilot program started among four jurisdictions (Henrico, Lynchburg, Arlington and Rockingham). Program participants are over 18 years old, have been convicted of non-violent felonies and are on supervised probation. He noted the pilot program does not work with individuals who have severe mental health issues; however, the program focuses on substance abusing offenders who repeatedly violate supervision. The program's goal is to influence inmates immediately so they do not continue to violate their supervision and return to jail with multiple violations. If a participant violates the program, the violator is immediately taken into custody and brought before the court to address the issues on an individual basis. There is little data on the success of the ISP program at this point because it is a research project being performed by the Virginia Criminal Sentencing Commission. Rockingham is a piece of their bigger puzzle to determine if such a program can be instituted statewide to impact recidivism. State funding was received for one probation officer; however, there was no funding for the additional work for the Sheriff's department, Clerk's office, Commonwealth's Attorney's office, or judges. One specifically-trained probation officer has been assigned the cases, and locally, to date that person has consistently enrolled more individuals than any other jurisdiction in the research project. The data from the Rockingham County pilot project should be available in July 2016 or shortly thereafter. However there are so few people in the local program, the effectiveness of the project will not be known until the final data from the larger study is received.

## **REPORT – DATA SYSTEM UPDATE**

Mr. Hodgen, Emergency Communications Center Administrative Board Chairman, reported that the current data management systems, computer-aided dispatch systems, and police records systems at the jail will become obsolete in December 2018 because the software vendor is going out of business. He asked the CCJB to endorse a plan to begin replacement of the data systems. A Request for Proposal (RFP) will be issued to hire a consultant to identify needs, initiate a project to work within the timeline and develop an RFP for the system. The targeted completion date is December 2018, when the existing systems become obsolete. Staff requests that the CCJB recommend to the Board of Supervisors and City Council the issuance of the RFP. The cost of the replacement system has been estimated at between \$2 million and \$4 million.

Mr. Paxton noted the recommended workgroup will consist of a wide range of agencies impacted, including the James Madison University (JMU) Police Chief and Technology Vice President, as JMU will need to access the information. The group will also include the Emergency Communications Center (ECC) Director, Sheriff, Police Chief, Court Services Director, Jail Captain and City and County Fire and Rescue Chiefs and Information Technology Directors. The ECC Director is recommended to serve as the Chair for the workgroup. He noted the system will only be effective if all components are tied together. Since two or three pieces of

software may be required to address the many facets of the overall system, it is critical to have a consultant who knows how the software systems function and interact with each other.

Chairman Cuevas noted the data system must also be compatible with software used by state agencies that communicate with the courts. He also expressed concern about the reliability of the system provider since companies come and go regularly. He hopes when spending that much taxpayer money, the system will last a reasonable amount of time.

Don Driver, Chairman of the Re-entry Council, indicated the Council applied for significant federal funding, but did not receive grants because of the data system. He asked that data required for grant consideration be tracked. Mr. Paxton said the consultant should attend a Re-entry Council meeting to obtain those data points.

Councilman Degner indicated there are many questions from the community regarding trends and crime analyst data. He noticed recommendations for the workgroup are operational in nature. He asked if the data person would track non-operational data. It was noted the system should be set up to provide that type of data.

Councilman Degner asked why the data analyst position has not been filled. Mr. Paxton responded that the data analyst position will not be filled until at least January, and that person will serve as the staff person for the workgroup once the RFP is awarded and the consultant is selected.

On motion by Councilman Degner, seconded by Mr. Driver, the Board endorsed forwarding the recommendation to form a workgroup to prepare an RFP and hire a consultant to assist in the replacement of the data system, to the City Council and Board of Supervisors for consideration and funding. The motion passed unanimously.

## **REPORTS – ROCKINGHAM REGIONAL JAIL AND MIDDLE RIVER REGIONAL JAIL ALTERNATIVE PROGRAMS**

Mrs. Freeman advised that the information in the packet of materials for the meeting provide a general overview of the alternative programs at the Rockingham Regional Jail and Middle River Regional Jail. Mr. Paxton noted that when the City Council and Board of Supervisors toured the Middle River Regional Jail facility, they were impressed by the classes and programs provided, such as faith-based, educational, and addiction recovery classes, as well as chaplain visits, friends visiting friends, and a range of re-entry programs that focus on women's issues. Those type programs cannot be provided at the Rockingham Regional Jail due to space constraints.

Mr. Paxton said the Sheriff would like to provide many different programs but there are only a couple classrooms. Sheriff Hutcheson indicated that when the City and County joined the Middle River Regional Jail Authority on July 1, 2015, some additional space was immediately available. This space allowed the jail to provide the first sessions of group counseling on July

13, 2015. They will be able provide additional programs via DVDs when the Community Services Board staff is not available at the jail.

Mr. Paxton noted the MRRJ agreement allowed the Rockingham Regional Jail to increase the inmates at MRRJ from 100 to 150 as of July 1, 2015, which reduced the Rockingham Regional Jail population. Most, if not all, inmates are now sleeping in beds, and it freed up a pod to provide mental health programs that could not be provided previously. The extra space is critical to provide the Rockingham Regional Jail adequate room and to ensure the continuation of a mental health pod. The Judges can also plan for more services than the Rockingham Regional Jail was able to provide previously.

Chairman Cuevas stated he was impressed with the number of programs in so many different areas at MRRJ, such as alcohol and drug counseling, GED testing, inmate work crews working in the kitchen and cleaning the building to save taxpayers money. He noted good-time credit is also given to the working inmates, and it allows them to pay a portion of their fines and other court debts before they are released.

#### **REPORT – COURT SERVICES – WORK PROGRAM (LCP)**

Mrs. Freeman reported that on September 15, 2015, there were 431 local offenders and 207 people not in jail awaiting pre-trial. She noted the Court Services unit does not perform post electronic monitoring, only pre-trial monitoring. There were 16 individuals with GPSs and five on curfew. She reported that since July 1, 2015, the litter control program has collected 565 bags of trash throughout the County and performed various tasks at County properties.

She indicated the Crisis Intervention Team (CIT) started in August 2013 to train officers and other law enforcement personnel how to deal more effectively and appropriately with individuals that are in a crisis situation. She also noted the Re-entry Council provides programs in the jail on bank and money management, employment, parenting, anger management, a women's group, and they conduct a re-entry class twice a month.

Sheriff Hutcheson left the meeting at 5:17 p.m.

Mr. Driver explained that the Re-entry Council is a group of citizens, organizations, non-profits and public businesses that look at issues associated with re-entry in an attempt to reduce recidivism. Since it is an open door group, he said interested individuals should contact him.

Mrs. Freeman indicated the Re-entry Council works in collaboration with JMU. Ande Banks from the City suggested working with a policy analysis class at JMU that will identify factors that deter young adults from unlawful activities, evaluate recidivism reduction of adult offenders and calculate the feasibility of a day reporting system. After gathering data during the fall semester, they will provide suggested alternatives and establish criteria.

## **UPDATE ON SUB-COMMITTEE WORKGROUP**

Judge Paul did not have a formal report regarding the Task Force on Alternative Programming but indicated the group has looked at alternative programs and visited jail facilities. He indicated the best alternative prospects (ISP and day reporting services) have been put in place, and he believes they will have a significant impact. The workgroup continues to look for other solutions, he said.

Chairman Cuevas asked for comments from the CCJB members.

Dr. Kizner said the City Schools are seeing young adults (17 – 20 year olds) who are released from jail and return to high school, but have not worked toward a GED while incarcerated, which creates a lapse in their education. The school does not receive information regarding credits that may be earned while incarcerated. These students are at a high risk for dropout, and as a result often return to the jail system. He noted that the Community-Based Corrections Plan & Planning Study mentioned the concept of community committees to study issues. He would like to consider creating a subcommittee to focus on education.

Mr. Paxton asked Dr. Kizner if the City Schools have experienced the same issue with students returning from the detention center, where 17 year olds are often held. Dr. Kizner said the high school has a better record with children with disabilities, because there are federal requirements and staff members who coordinate with them. The problem is with young adults, who are not identified as having a special education disorder, and have been separated from the high school

Mr. Paxton suggested that, if such a committee is established, a Shenandoah Valley Detention Center representative be included since youth often go to the detention center before jail, sometimes as young as 14 or 15 years old. Dr. Kizner hopes the Board considers an educational subcommittee, and he offered to lead, co-lead or be active in the group because it will benefit the mission of the school.

Chairman Cuevas said, with the consent of the Board, he would like to ask Mr. Paxton to work with Dr. Kizner and Mr. Smith from the Juvenile Detention Center to provide a recommendation for the CCJB to forward to the City Council, Board of Supervisors and School Board for consideration. He reminded the CCJB it is an advisory board established to recommend programs for consideration to the courts and the two local governments, and is not authorized to make decisions on programs, particularly when funding is involved.

Mr. Paxton asked for recommendations of people to serve on a subcommittee to focus on education, and he will coordinate with Drs. Kizner and Fenn to determine who should serve on the subcommittee. Judge Paul suggested the Juvenile and Domestic Relations Court Judge serve on the subcommittee. Judge O'Donnell indicated he would do so.

Councilman Degner thanked the Board members for organizing the Middle River Regional Jail tour, the Sheriff for inviting the Re-entry Council to work with inmates before

being released, and the Chairman for including a comment period on the agenda. He circulated a resolution to try to involve more nonprofit and faith-based organizations in conversations.

Judge O'Donnell announced a Department of Juvenile Justice (DJJ) change. Since the population sent to Beaumont has been decreased, DJJ funds have been slashed. He and other judges are reluctant to commit a child to DJJ for an undetermined period (up to 18 months for serious offenders) in an environment where 70 percent of the population is active members of a criminal street gang or street gang affiliated. A community corrections program has been instituted to discontinue putting Harrisonburg and Rockingham County youth in Beaumont with the collection of youths across the state. When the state shelter was closed, funding became available to pay for youth to serve their DJJ time at the local detention center. Local youth will be housed in a pod at the Shenandoah Valley Detention Center. Judge O'Donnell also pointed out that parents cannot travel back and forth to Richmond, but can more easily visit their children in Verona. He noted this is a positive effort by Andy Block, the new State Director of Juvenile Justice Services.

Chairman Cuevas thanked the CCJB members for their attendance and contribution to the meeting. He indicated the Board welcomes comments and suggestions that can be shared with Judge Paul, the City Council and Board of Supervisors.

At 5:30 p.m., Chairman Cuevas recessed the meeting for a short break.

At 5:35, Chairman Cuevas called the meeting back to order and opened the public comment section of the meeting. Mr. Degner left the meeting.

Diane Orndoff stated she is pleased with the changes that have been made. She extended appreciation to the public for the number of hours expended to facilitate the changes.

Harrisonburg High School Principal Cynthia Prieto explained that she approached Dr. Kizner about creating a liaison with the adult detention system because many groups working toward the same goal do not communicate. She said the juvenile system could exchange credits and help students continue their education through credits or toward a GED. She noted students in detention, who are asked if they want to continue their education and receive tutoring, typically obtain a GED rather than access the credits. When released from detention, the students are frequently ordered by the court to continue their education but have not made any progress toward credits during their detention time. In the last two years, Harrisonburg High School had four students enter the detention center, some only needing four credits to graduate. Two of those dropped out of school, one obtained a GED and the fourth has not been located. Ms. Prieto suggested creating a program to provide an opportunity for students in detention or incarceration to earn credits toward a full diploma. She said students have a better chance of obtaining a job with benefits if they complete their education.

Ruth Jost commended the CCJB on the improvements made in the last year. She noted Moseley Architects provided a basic community based corrections plan that was not customized because Moseley did not have the data necessary to do so. She and other community members

have observed the court process to determine what transpires in the court system on a daily basis. She is most concerned that able-bodied people, who have been working full-time and violate their probation with drug use, are sentenced to a year in jail. Their family is punished because the inmate loses their job and dignity, and taxpayers are punished because the person no longer pays taxes or restitution for court fees. Ms. Jost suggested judges have options that do not punish taxpayers and place such serious consequences on the offenders.

Ms. Jost indicated some localities issue summonses for low-level, non-violent offenses rather than arresting those offenders. She cannot understand why, according to Moseley Architects, 40 percent of the inmates in the RCJ are incarcerated for low-level, non-violent crimes, except that the offenders cannot pay their bail. Ms. Jost reiterated that excellent efforts have been made but the reason for incarcerating non-violent offenders has not been addressed. She indicated many individuals want to participate in the development of programs, and noted the resolution Councilman Degner circulated is an attempt to involve the entire community in making improvements and addressing additional jail issues.

At 5:46 p.m., Judge O'Donnell and April Wolverton left the meeting.

Chairman Cuevas informed Ms. Jost that he appreciates her interest and contribution to the process. He hopes she will continue to work with the different committees.

Terry Beitzel, with the justice studies department at JMU, thanked the CCJB for the work they have accomplished. He advised there are at least 12 criminologists on the JMU faculty who would be happy to provide assistance with reviews, best practices, and answer questions, especially those dealing with incarceration alternatives.

Sigi Chabrier, a Re-entry Council member who works at Our Community Place with people who are homeless, addicted to drugs and alcohol, and have suffered abuse and neglect, shared a story. A community member who has been chronically homeless and was smoking K-2, asked Mr. Chabrier to help him go to an emergency detox center. When they visited the Community Services Board, it took four hours to complete the intake documentation and the man was given an appointment to attend a support group the following week, and an acupuncture group. Mr. Chabrier offered to drive the community member anywhere in the state, but the CSB was not able to connect them with a detox center. Instead, they were referred to the Sentara RMH emergency room and waited for a psychiatric evaluation that took six hours. The community member indicated he did not want to hurt himself or anyone; he wanted to get his life together because he was chronically addicted and thought he was going to die. He was discharged from the hospital and incarcerated that night because he was found comatose on the street with K-2 in his possession. Mr. Chabrier said something is wrong when a person asks for help, visits to two different organizations, and cannot obtain help. The community member received another criminal charge and the taxpayers are paying for his incarceration.

Noel Levan, a volunteer mediator with the Fairfield Center, thanked the CCJB for the recent accomplishments and offered his services to the Re-entry Council. Mr. Levan read a November 2013 report by the Arnold Foundation regarding the hidden costs of pre-trial

detention. He said there is a large population of people in the RCJ who have not yet been convicted, which goes against “innocent until proven guilty”. The money spent on people in jail pre-trial is four to five times the amount it would cost for alternative programs, according to a federal study. He said many non-violent people are incarcerated because they cannot afford bail but they can provide community service as an alternative. Research indicates between two and four percent of people not incarcerated do not appear for their court hearings. The court knows where they live and they can be picked up to save substantial money for the community, he said. When you take people out of the community, they lose their jobs, contact with their family, engagement in community, and the ability to pay their bills. These things adversely affect the community and lead to further criminal activity, Mr. Levan said. He urged the CCJB to decrease the number of people in jail pre-trial.

Harvey Yoder expressed appreciation to the CCJB for the significant improvements made, particularly in the area of mental health. He expressed concern that there is still much to be accomplished. He recently checked statistics on the restraint chair and isolated padding for suicidally depressed inmates at the RCJ. He noted that during the first six months of 2015, the restraint chair was used 24 times for medical reasons (because of a threat of an inmate harming their self). The highest number of hours someone was restrained in the chair was 15 and the lowest was three. He indicated that even with a half-time counselor at the jail, the restraint chair was needed. The isolated padded cell was used eight times. He explained that the cell has no toilet and the inmates, who wear paper gowns, have to use a grate in the floor for the bathroom. From Mr. Yoder’s perspective, this situation intensifies the condition of mentally ill or suicidally depressed individuals.

Mr. Yoder said he wondered about the CCJB’s position regarding an article in the *Staunton News Leader* regarding complaints by a number of inmates and families of inmates at MRRJ, especially regarding medical services. Mr. Yoder learned that during one fiscal year, MRRJ had a prescription drug budget of \$200,000 but spent only \$126,511, leaving a surplus of over \$73,000. He stated this deserves a careful review.

Stan Maclin affirmed the comments made concerning the need for a detox facility. Mr. Maclin provides recidivism reduction and re-entry programs at the jail. Inmates tell him when they are released, that they want to celebrate with drugs or alcohol. He said many undisciplined, addicted inmates are essentially warehoused at the jail. Mr. Maclin thanked the CCJB for the improvements and asked them to consider creating a place where inmates can obtain help with their addictions.

Tom Domonoske, a member of the City School Board who has lived in the area since 2000 and has been involved as a civil lawyer, thanked Dr. Kizner for his suggestion to involve the schools. He urged the CCJB to provide information to people via a website rather than email.

Administrator Paxton clarified that he indicated earlier materials would be posted on a website accessible via the County website. He also informed the audience that if they wanted the meeting materials sent directly to them, they should inform the Record Keeper.

Mr. Domonoske suggested CCJB meetings be held at the Lucy Simms Center rather than in a government building, which is intimidating to some people. That would send a message that the CCJB is bringing its activities to the community, and he thinks more people would attend if the meeting were moved.

Mr. Domonoske noted the Moseley Architect report included a sample of 251 cases from the last half of 2014, with 42.9 percent not completing high school and 69.1 percent unemployed at the time they were arrested. He thinks a jobs program with an educational component would be helpful. He also indicated 98 percent of inmates identified alcohol and drug abuse as leading to illegal, social or emotional problems, and assaultive behavior.

Mr. Domonoske said he walks around Harrisonburg at night and called the police about a man on the side of the road who was intoxicated and needed help, but he would have preferred to call a detox unit. He urged the CCJB to commit resources for detox units. If inmates are not a physical threat, they should not be isolated from the community, he said.

Mr. Domonoske noted the resolution Councilman Degner circulated was a product of the recidivism summit, and many people helped draft the resolution. He participates in a group that meets weekly to discuss criminal justice issues, and he noted a lot of community involvement is occurring but is not coordinated with CCJB work. Mr. Domonoske said the disconnect needs to be bridged and the resolution is an effort to bridge it.

Poti Giannakvoulos who works with the Center for Computational Mathematics and Modeling at JMU, which collected the information included on the website, noted emails are beneficial because not everyone looks at the County website. Captain Shortell supplied incarceration data that he further broke into locally responsible inmates and inmates in other categories. Mr. Giannavouros Giannakouros indicated the emphasis on alternatives to incarceration surfaced when a community member complained that her relatives were incarcerated and served their sentence, but continue to be punished. Mr. Giannakvoulos stressed that inmates released from jail need help obtaining jobs and noted the private sector received a \$4 million federal grant for apprenticeships to provide jobs first and training later.

Mr. Giannakvoulos suggested community residents assist with the incarcerations issue before pressing the government, which has other daily responsibilities, to solve problems. He believes if people are not provided a place to live or a way to earn a living and have purpose in their lives, mental health services will not be a long-term solution. He mentioned this concept is highlighted on the [buildingbettercommunities.org](http://buildingbettercommunities.org) website.

Jim Orndoff thanked the CCJB for the accomplishments made over the last year, but indicated more needs to be done. Dr. Kizner mentioned a subcommittee to work on educational issues, but Mr. Orndoff believes there can be a problem with creating too many subcommittees. He said having several people serve on multiple subcommittees can be inefficient because many people are already overcommitted.

Mr. Orndoff indicated the beginning words of the statute to create the CCJB are, “At a minimum, the membership shall be” and delineates those who are required members. Since there has been much conversation about community participants, he encouraged the City and County to include additional members on the CCJB, such as community members, neighborhood association representatives, agency heads, the Justice Studies department at JMU, and the Center for Justice and Peace Building at EMU. Mr. Orndoff encouraged the CCJB to schedule quarterly meetings inform the community of the progress made.

Chairman Cuevas thanked the audience for their participation and attendance. He said the CCJB will try to continue providing programs that improve the community.

Chairman Cuevas adjourned the meeting at 6:27 p.m.