

Agenda Item III

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

County Administration Center, Fire & Rescue Classroom
January 30, 2017 - 4:00p.m.

Board members present –

Marsha Garst – Commonwealth Attorney
Cpt. Steve Shortell - Rockingham-Harrisonburg Regional Jail
William Kyger – Rockingham County Board Member
Christopher Jones – City of Harrisonburg Council Member
Stephen King – County Administrator
Kurt Hodgen – City Manager
Louis Nagy – Defense Attorney
Don Driver - Department of Social Services
Ellen Harrison – Community Services Board
Dr. Carol Fenn – Rockingham County School Superintendent
Dr. Scott Kizner – Harrisonburg City School Superintendent
Chief Stephen Monticelli – Harrisonburg Police Department
Monica Martin – Chief Magistrate
Chaz Haywood – Clerk of Circuit Court

Judges present (abstain from the vote) –

Judge Bruce D. Albertson – Circuit Court
Judge John S. Hart – General District Court
Judge David O’Donnell – Juvenile & Domestic Relations
Judge William Eldridge – General District Court

Board Members Absent – Chief Lee Shifflett – James Madison University Public Safety

Staff present –

Ann Marie Freeman, Director, Court Services Unit
Judge John Paul, Chairman of the Task Force on Alternative Programming

Mr. Kyger opened the meeting at 4:00 pm and welcomed everyone to the Rockingham/Harrisonburg Community Criminal Justice Board meeting. Welcomed new member Chris Jones, Harrisonburg City Council Member.

On motion by Marsha Garst, seconded by Monica Martin, the August 29, 2016 minutes were approved, the motion passed unanimously.

REPORT – HARRISONBURG ROCKINGHAM COMMUNITY SERVICES BOARD (HRCSB)

Ellen Harrison, Community Services Board Executive Director, gave an update on the jail services program which offers a licensed mental health clinician in the jail full time to provide assessment, evaluation and brief individual counseling for the purpose of crisis stabilization. Other services available include the Crisis Intervention Team Assessment Center in the Sentara RMH Emergency department. The Adult Mobile Crisis team, which provides 20 hours of service a week comprised of a licensed clinician and a law enforcement officer, providing services in both the community and the jail. Additional information is in the packet of materials listed as Agenda Item 4.

REPORT – DATA SYSTEM UPDATE

Mr. Hodgen, Emergency Communications Center Administrative Board Chairman, reported there will be a report given to the Harrisonburg City Council and the Board of Supervisors.

REPORT – Education Continuity for Juvenile & Adults in Criminal Justice System

Dr. Kizner provided a one page report marked as Agenda Item VI. There were two meetings held October 18, 2016, and November 14, 2016. There was discussion about building a relationship with Shenandoah Valley Juvenile Detention Center and develop ways to make sure students don't fall behind academically. The November meeting consisted of a tour of the detention center.

Dr. Fenn stated the emphasis was on transition so we are not duplicating our efforts for the student's education where they leave off at the jail/detention center and that schools are aware they are being released so there is good communication in the transfer.

DRUG COURT INITIATIVE – MARSHA GARST

Ms. Garst, Commonwealth's Attorney, gave an overview of the Drug Court after having the opportunity to visit the Staunton Circuit Drug Court with Judge Albertson. Ms. Garst requested the support of the CCJB to explore and visit other drug court sites and opportunities to start a program in Rockingham/Harrisonburg Circuit Court. This opportunity will allow being eligible for a 36 month grant up to \$400,000 to include a Drug Court Coordinator to implement the program. An application will also need to be submitted for approval from the Supreme Court of Virginia.

A motion was made by Ms. Garst to be able to continue the process of applying for the grant through, OJP for grant funding for the program and a training grant and to file the

application to the Supreme Court of Virginia to be considered to operate a Drug Court. Motion was properly seconded by Chris Jones, the motion passed unanimously.

Judge Albertson commented there are a lot of steps to Drug Court and funding is a major issue. In the past, they have been funded by the state and many of the programs have been grandfathered into the budget. The grant will have certain expectations that do not always confirm with the way Circuit Court is run or how it can be run in our jurisdiction. This is a very short turn around for the next funding cycle and we might not be able to do this. Support has to come from different places and one is defendants; in Staunton they waive their right to any attorney, which could create difficulties in attorney support. There are many hurdles to go through and that includes by statute appointing an advisory board. The main concern is that not all believe courts are treating all defendants in an impartial, consistent even manner. There is some fluidity in the State Legislation, the Supreme Court, with funding and in with our abilities to do that here.

UPDATE ON SUB-COMMITTEE WORKGROUP

Judge Paul gave an update on the workgroup. The Advisory Committee has been meeting and has broadened their involvement with members of the community. There are three sub committees; Restorative Justice, Addiction Mental Health Education Programs within Our Criminal Justice System, and the Work Camp.

Ruth Jost gave an update on Restorative Justice Subcommittee and handed out additional information. The subcommittee has two recommendations for the CCJB.

1. The CCJB take training in Restorative Justice before the next meeting
2. The City/County hire a staff person to work with the CCJB Chair. This person would have criminal/justice administration expertise and a proven history of successfully obtaining and administering grants in criminal justice programs.

In a response from a question from Chairman Kyger, training could be given by the Restorative Justice Coalition or the Fairfield Center. Cost would be determined by the training facilitators.

Mr. Jones spoke highly of the Harrisonburg Police Department and the leadership of Lt. Boshart on their experience with Restorative Justice.

Chairman Kyger commented that to get a group of this size trained before the next meeting would be very difficult. Chairman Kyger asked the board to look within their own agencies to see if they have anyone available to take on additional tasks to assist the CCJB with grant writing.

Dr. Nancy Insko provided a report from the Treatment Sub-Committee. The sub-committee continues to have monthly meetings. The committee started looking at matters of philosophy and policy. The committee is proposing a recommendation for the consideration of the board. That is to enter into a multi-year healthy community planning process which focuses on justice reinvestment shifting tax payer dollars from custody to increase community based correctional options infusing treatment resources into a justice equation providing opportunities for diversion from arrest through case processing continuums post release during re-entry a

proven strategy for reducing the demand of jail beds. Any strategic direction should employ a three phased timed specific approach to identify immediate, interim and long term goals. This would involve many members of this board, other practitioners and involved persons in our community. The cornerstone of the agenda might include expanding the CIT Diversion Program, specialty courts, plan design and implementation of an integrated mental health substance abuse court, continuum of integrated treatment, a long term after care program, detox and an intensive outpatient treatment. Funding sources are tapped; other options could support our recommendations through government based grants, foundations and other private funders. We continue in challenge to gather information for data driven decision making. NACO has released a document on Data Driven Justice and guidelines for criminal justice boards.

Judge Paul reported on the work camp idea and eventually more jail space will be needed. The work camp can also be the location for a mental health facility. They continue working on getting the camp built and to build it cheaply but run into the fact that to receive money from DOC you have to make it expensive.

INFORMATIONAL REPORTS

A. ROCKINGHAM HARRISONBURG REGIONAL JAIL STATISTICS

The information provided in the packet of materials listed as Agenda Item IX (A) provides a general overview of the jail statistics for January 2016 – December 2016. There was much discussion regarding the increase in the average daily population at the jail. Mr. Nagy commented he has serious concerns regarding this issue. Two years ago we were talking about a new facility that would have included a mental health and work release pod and it was absolutely shot down and no one wants to pay more taxes. We are back here again at maximum capacity and paying \$800,000/\$900,000 a year for MRRJ. As a defense attorney in the area he appreciates everything that is going on and providing as much service as possible. However, after sitting on the board for two years now, we are at the same place as we were two years ago. The growth in the area does account for some of what has been happening with the population increase and what have we done in the last two years.

Chairman Kyger suggested if we can reconvert some of that population to other facilities and other means of providing services then help bring them back into society as productive members but the ultimate choice is theirs to make.

Ms. Garst commented that the work camp would provide work release, detox facility and mental health services. This would certainly assist the jail. People working to support their families and receiving appropriate treatment is very important in the process. The CSB plays a crucial role and needs to have the appropriate funding to provide services.

B. IMMEDIATE SANCTIONS PROGRAM – PROBATION & PAROLE DISTRICT 39

The information provided in the packet of materials listed as Agenda Item IX (B) provides a report on Immediate Sanction Probation Pilot Program Evaluation. Josh Lutz from Probation and Patrol provided an update on the Immediate Sanctions Program (ISP). Information was provided regarding the participants from inception to date. Currently there are 28 people in the program and the CCJB is awaiting the November 1, 2016, Virginia Criminal Sentencing Commissions Report to the General Assembly to see what their recommendations will be regarding the program. Additional information is in the packet of materials listed as Agenda Item 5. A discussion ensued regarding a typical ISP violation and how success is measured.

In response to a question from Chairman Kyger, funding is received for our own treatment provider and to utilize the CSB, especially for mental health clients who are dual diagnosed. The success mostly depends on the individual and how much they want to change. As far as support received, the Department of Corrections (DOC) is ample substance abuse support. Since the CSB mental health program needs more financial support to move forward. .

C. DAY REPORTING CENTER

Jumar Peterson, Program Manager, provided an update on the Day Reporting Pilot Project for the year end summary. Additional information is in the packet of materials listed as Agenda Item IX (C.)

D. COURT SERVICES

Mrs. Freeman reported that 253 offenders were placed on supervision from July 1, 2016 – December 31, 2016 and 375 defendants were placed on Pretrial. Additional information is in the packet of materials listed as Agenda Item IX (D).

Chairman Kyger asked that the board consider Mr. Orndoffs concern. There is a concern about Accreditation Standards and Audits of Middle River Regional Jail. The Chairman appointed an ad hoc committee with Sheriff Hutcheson, Stephen King, Kurt Hodgen, Ann Marie Freeman to review the entirety of the DOC Accreditation Audit of MRRJ, and that Mr. Orndorff is added to this review as a temporary ad hoc member. This report is to be made to the CCJB no later than the June meeting.

Chairman Kyger recommended the following dates for the next three meetings in 2017. April 24, 2017, September 25, 2017, and December 4, 2017. The meetings will begin at 4:00pm in the Fire and Rescue Training Room.

At 5:40 p.m., Chairman Kyger recessed the meeting for five minutes before public comment.

At 5:52 p.m., Chairman Kyger called the meeting back to order and opened the public comment section of the meeting.

Don Driver on behalf of the Rockingham/Page Re-Entry Council advised the Board of the new Chair of the Re-Entry Council is Darrell Simpson an employee of the CSB. He also stated the Re-Entry council has decided to focus its activities throughout its committee structure and concentrate on employment and housing. The mission statement is below.

"Our goal is that all community members be law abiding and productive. Since employment is so critical to personal dignity, self-support, family support, community well-being, and tax-paying citizenship, we commit, consistent with public safety, to preserve existing employment for all persons entering the criminal justice system."

Tom Domonoske part of the Valley Justice Coalition requested access to the agenda packet and documents be placed on the website.

Wynonah Hogan, Director of Rocktown Justice Unlocked, which is a documentary film that tries to explain jail overcrowding and the film can be viewed on YouTube and Facebook.

Harvey Yoder invited the board to a meeting on February 9, 2017 at the Trinity Presbyterian Church from 12:00 -1:00 to discuss RAP, Release Aging People in Prison and to view the documentary film Rocktown Justice Unlocked.

Chairman Kyger adjourned the meeting at 6:03 p.m.