

Minutes

**Board of Juvenile Justice
and
DJJ Board of Education
Thursday, August 23, 2001
Georgia Railroad Depot
65 Martin Luther King, Jr. Drive
Atlanta, Georgia 30334**

Roll Call

Board Members Present: Steve Adams, Violent Bennett, Major General Peter Boylan, Emmett Bryant, Jr., Mary Linda Duncan, Susan Dunwody, David C. Evans, Lois Frank, Dr. Eleanor Main, Dr. Ed Risler, Bill Shellem, Jr., Colonel John E. Wiggins

Advisory Members Present: Judge Gregory Adams, Judge Quintress J. Gilbert

DJJ Staff Present: Commissioner Orlando L. Martinez, Frances Abercrombie, Jill Jane Clement, Pete Colbenson, Dr. Thomas Coleman, Ronnie Lane, Alfreda Locklin, Gregory Maxey, Sheila Mitchell, Dr. Thomas O'Rourke, Mike Sorrells, Jimmy Taylor, Jaci Vickers, Lena Wilson

Other: Chad Hoffecker, Kelly Johnson, Ron Martz, Vonetta Pryor, and Eric Robinson

Opening Remarks

Chairman Evans greeted and thanked everyone for attending the meeting. He noted that a quorum of the Board was present. Responding to a request from Mr. Evans, visitors introduced themselves. Following introductions, Mr. Evans asked for approval of the minutes from the June 21, 2001 meeting. Bill Shellem moved to approve the minutes and Major General Boylan seconded the motion. The minutes were approved as presented.

Commissioner's Comments

Orlando L. Martinez, Commissioner

Introduction

Commissioner wished everyone a good afternoon and stated that he hopes that everyone has had a pleasant and restful summer break. He welcomed everyone to the historic Georgia Railroad Depot and informed everyone that, unfortunately, the meeting could not be held in our building, but the surroundings at the Depot are pleasant and that he's hopeful that scheduling the meeting at this location was not inconvenient for anyone.

Programs

Community Corrections

- The annual Community Corrections Conference is scheduled for October 17-19 in Athens. A brochure outlining the workshops was left at each seat. This conference assembles staff from all across the state and fulfills a significant portion of the annual staff training requirements. Commissioner was hopeful that Board members would attend.
- Commissioner is ecstatic over the continued trend of having the RYDC population below the formal capacity.

Facilities

- Later this month, twenty-three (23) Bill Ireland YDC students will receive certificates in welding from the Central Georgia Technical College during graduation ceremonies. They have earned this by successfully participating in a special pilot program in partnership with the Department of Technical and Adult Education (DTAE).
- Effective the fall semester and through an agreement with the Central Georgia Technical College, 50% of all Bill Ireland YDC students will be enrolled in vocational courses which are accredited through the college. This means that the majority of students remanded to the Ireland campus for 12-18 months will have the opportunity to complete a course of study that will provide him with transferable and readily marketable skills.
- The hiring process for the Savannah River Challenge Program has gone extremely well. This program is privately run by Associated Marine Institute, Inc. and is located near Sylvania. The first youth were admitted on July 26th and additional youth are admitted weekly. Community support for the facility has been exceptional.
- A site has been selected in Athens, GA for the Short Term Intermediate Intervention Program (IIP).

Quality Assurance

- **Evaluations:** Since March 2001, unannounced visits have been made to various facilities with the majority of them showing considerable improvement. Overall, 15 facilities initially received a total of 443 "unsatisfactory" ratings during their comprehensive baseline evaluation. In their unannounced follow-up evaluation, 333 previously unsatisfactory standards received at least a satisfactory rating. This means that the facilities' corrective action plans led to over a 75% improvement. Before year's end, each facility will receive an unannounced visit.

Standards of Excellence are being updated to reflect "best practices" identified throughout the year. OQA is working in partnership with Community Corrections to develop day treatment and case management standards.

Comprehensive evaluations for all facilities will begin again early next year.

- **Investigations:** During FY 2001, the Investigations Unit completed over 655 investigations. The majority of the investigations were completed within fifteen calendar days. Less than 10% were substantiated and, as appropriate, disciplinary action is taken on every case.

Human Resources

- Discipline Without Punishment - This project is moving along swiftly. The Implementation Team activities are complete, the Executive Management Team has endorsed the Performance Management Matrix and the Train-the-Trainer initiative begins next week.

Training sessions will be conducted for all managers and supervisors during September and October. Full implementation will be initiated in November.

- JCO Test Development Project - This project was officially started earlier this month. The Department has contracted with Ergometrics and Applied Personnel Research, Inc. based in Edmunds, Washington for this project. Ergometrics possesses a national reputation for pioneering advances in the methodology and design of innovative testing and training systems, in particular the development of video-based tests to assess human relations skills and situational judgment. Currently there are no similar selection devices available for juvenile correctional officers nationwide.

Ergometrics will shortly begin the development of IMPACT, an innovative video-based selection test for juvenile corrections employees. IMPACT will be a test of aptitude for working with juvenile offenders.

Georgia is the first state to enter into a contract to participate in development activities. Although the test will be later marketed for national use, the Department will be one of four or five states and Canadian provinces participating in initial development activities.

This Department will serve as a video host department. Filming and production is tentatively planned for a spring shoot at both Sumter YDC and Metro RYDC. Interested employees will be auditioned and may be featured as talent in the production.

In addition to having a video-based test for JCO I applicants, DJJ will work with the Merit System to develop a basic reading comprehension test and a basic mathematics test for use in screening activities. All of these instruments will be validated for use. We will also participate in the development of a competency-based interview package (i.e., standard interview questions) for use by facility managers when screening applicants.

The project in its entirety will take 18 months to complete with a projected start date of 1/1/03.

The benefits of serving as an initial participant are numerous and include: working on the design and validation of the test, including securing validity documentation; the advantage of participating in the video production activities; securing a significant cost savings in obtaining licensing for the test at a later date; and the ability to implement the test before the product is offered to other state and local governments.

Program Services

- DJJ has recently entered into an agreement with Laboratory Corporation of America to provide, at no agency expense, EKG machines in twenty-two facilities. Side by side YDCs and RYDCs will share machines. This service will allow the agency to be in compliance with MOA and OQA standards requiring EKG monitoring of students on various psychotropic medications. The only agency expense will be for the \$25 per test charge for interpretations completed by cardiologists and the costs for paper and gel. Contrast this to the average cost of \$100-125 to transport students to emergency rooms or physician offices.
- A written agreement has been reached between the Augusta YDC and the Medical College of Georgia medical Center. This agreement will allow a 20% discount for all in-patient/out-patient and ancillary services, not including MD fees.

Meetings

- Conducted on-air interviews with ABC World News and CNN Network News on boot camps.
- Went to Washington, D.C. and met with U.S. Representative John Lewis and the Legal Officer in Senator Max Cleland's Office. They were all interested in DJJ issues and pledged their support for our work.
- Met with the Muscogee Delegation to share with them plans for a juvenile justice complex in Columbus.
- Attended the Open House for the New Coffee County Court Services Office.
- Meeting tomorrow with Adam Gelb of the Governor's Commission on Fairness in Sentencing. Will discuss with him the future of DJJ.

Policy

Highlights of policy implemented since the last meeting include:

<u>Policy No.</u>	<u>Subject</u>
11.16	RYDC Dental Services
12.18	On-call Mental Health Services
12.19	Use of Seclusion with Mentally Ill Youth

Policies are available to Board members via Intranet or hard copy.

Additionally, effective September 1, 2001, the management and oversight of DJJ policy development and revision will be transferred from Art Sands, Executive Assistant to the Commissioner to Sheila Mitchell, Deputy Commissioner of Quality Assurance.

Personnel Changes

- Highlights of personnel changes include:
 - Jill Jane Clements, Confidential Secretary to the Commissioner
 - Art Sands, Director of Special Projects
 - Jeff Minor, Director of the Office of Budget
 - Pete Colbenson, Director of the CYCC

Conclusion

Commissioner Martinez concluded his remarks.

FY 2002 Amended Budget

Gregory S. Maxey, Deputy Commissioner
Financial Management and Administrative Support

Greg Maxey briefly outlined the items to be included in the amended budget for 2002. The items to be included are the fund deficit for the Richmond County Court Service Office resulting from consolidation of offices previously paid for by the county and the relocation and expansion of Community Corrections offices. Also included is the addition of two transportation teams and two vehicles to accommodate the placement of 450 kids affected by the closing of Wrightsville YDC.

An increase in the number of full-time nurses is of grave concern to the Federal Monitor. The addition of 29 positions is critical to the delivery of services to the kids in custody of the department. To relieve and assist degreed staff, one full-time medical clerk position will be established at each state operated RYDC, two full-time medical clerks at Metro RYDC, and one full-time medical clerk at Augusta YDC. The total amount of funds requested for these services is \$438,123, which will cover costs for one-fourth of the fiscal year.

A shortfall in personal services is projected for the year. The requested amount of \$1,500,000 is a guesstimate and will probably fluctuate during the year. In prior years a vacancy rate of 20-22 percent was expected but was, in reality, closer to 10 percent statewide. Due to lower than expected vacancy rates, the department did not receive increases in the personal services budget because it was not needed. Now that the department is becoming fully staffed, it has resulted in the shortfall.

Mr. Maxey stated that even though the requested items will not change, the dollar amount might change based on information received. He asked the Board for its approval to seek these funds. Vi Bennett made a motion to approve the request and John Wiggins seconded the motion. The amended request was approved.

FY 2003 Budget Proposal and Capital Outlay Request

Gregory S. Maxey, Deputy Commissioner
Financial Management and Administrative Support

FY 2003 Budget Proposal

Of note, the Department is not asking for enhancements for the Children and Youth Coordinating Council. They have \$11 million dollars in total funds and

\$500,000 in state funds. The Department is asking for a continuation to be included in the budget submission. This will bring the Department's total request to about \$315 million dollars.

A supplement for Richmond County is being sought for real estate and operating expenses. Critical to the department is the addition of 45 JPPS positions to reduce caseloads in Community Corrections. Last year the department asked for 134 positions, but received only 109. These positions are needed to fill the gap. Funds to support community services delivery in the form of 32 positions is also requested. The regionalization of DJJ districts coincides with service delivery districts passed by the legislature. DJJ regional lines will coincide with DFCS and Mental Health regional lines and will greatly coordinate the service delivery to kids throughout the state. The 32 positions requested will help to facilitate this effort.

The request also includes expansion of the Transportation Unit beyond the two asked for in the supplemental budget. This request asks for standardized 2-man units around the state.

Included in the request for Mental Health Services are MH Coordinators and site monitors for the Office of Behavioral Health Services.

The request for financial services and administrative support includes a request for funding contracted services, utilities deficits and inflationary increases in real estate rentals.

Chairman Evans asked for a vote to approve the request. Bill Shellem moved to approve the request and Violet Bennett seconded the motion.

Lois Frank asked if the request was the total budget for the Department. Mr. Maxey responded that what we're asking for is beyond the current year budget of \$295 million dollars. With the additional request, the budget total is about \$315 million dollars. Ms. Frank further asked if the Department generally makes its request this far in advance. Mr. Maxey stated that we are required by law and by the Governor to submit our fiscal year request by September 1st. Pending approval by the Board, the request will be submitted by the end of next week. After the request is submitted to the Governor's Office, a budget recommendation is made and submitted to the General Assembly in January. During this legislative session, the Assembly will work with the Governor's Office to finalize appropriations for all departments.

The Department had three contracts not being utilized and we are asking for those monies to help fund this request. Therefore, we have an offset of \$431,780.

All the requests amount to \$9.3 million dollars. With the offset of 431,780, the total request is \$8,960,304.

FY 2003 Capital Outlay Request

The Capital Outlay request includes a range of repairs and minor construction, as well as new construction of a Youth Development Campus on the Lorenzo Benn site. At this time it has not been determined if the name will remain the same. Mr. Maxey stated that, as with the budget, this request is beyond the nearly \$20 million dollars in bonds we received during the last session.

Violet Bennett moved that the capital outlay request be approved and John Wiggins seconded the motion. The request was approved.

2002 Proposed Legislation

Orlando L. Martinez, Commissioner

Commissioner Martinez stated that there were two pieces of legislation that are being proposed during the 2001-2002 term. The first is a proposal that will allow non-secure detention services in the home of the custodial parent, and the second piece will allow a child committed to the department as a designated felon to have his/her commitment order modified by the juvenile court judge.

Judge Adams wanted to know what protection of the community has the Department provided against youth released back into the community under the current guidelines. He feels that if the Department instead of judges sets guidelines, the community will be jeopardized. Commissioner responded that the new legislation does not limit the discretion of the court or judges. Detainment decisions will remain with the court. Mary Linda Duncan wanted to know what is the situation with current legislation regarding detainment. Commissioner responded that house arrest is the alternative to being placed outside the home.

Mr. Jimmy Taylor, Legal Services Director, stated that most parents want the best for their kids. They want their kids to complete the very minimum requirements of their sentence and to leave YDC. Therefore, they are interested in and have questions about modification. Current law does not allow for modification. However, within the law that established DJJ, there is authorization to modify sentences. This authorization is in conflict with the juvenile proceedings code.

The proposed legislation is designed to eliminate the conflict between DJJ law and the juvenile code and to give discretion to the judges to modify sentences. Judge Adams asked if lawyers representing the agency routinely file motions to reduce the amount of time spent in state custody, and if the motions were filed in error. Mr. Taylor responded that law does not authorize the motions. Judge Adams reiterated his question and Mr. Taylor answered in the affirmative. He stressed, however, that he was not aware of any attorneys making those motions. Judge Adams was to provide evidence to the contrary.

Update: Committee Reports

Committee Chairs

The Classification Committee was the only committee meeting held during this time. The chairman of the Classification Committee, Major General Peter Boylan, stated that the meeting was held on August 1, 2001. The focus of the meeting was to review assessment instruments for the Department of Juvenile Justice. Because the current system is inadequate and has never been validated, it was determined that a new system of assessment is needed to rate the successes of the programs utilized by the agency. Other systems across the United States have been looked at but are not being used as a model.

A pilot system was developed using research literature from 737 test cases across the state. As part of the analysis, programs that should be initiated at various campuses to reduce recidivism will be examined. Recidivism is one of the few ways to measure the success of a program. It is expected that, by the end of September, an automated process that will correlate and build information on children will be developed. This process will be used to properly place children in the system. He further stated that the committee discussed the need to determine if the processes and programs inspired by the new system are effective.

Chairman Boylan informed the Board that the Classification Committee has two recommendations to the Commissioner. The first is for the expansion of the current contract to include a study of recidivism and the second is a resolution for DJJ to create more concrete links with other systems in the state in order to eliminate our current system, which is principally concerned with internal evaluations.

Lois Frank added that what the Committee is attempting to do is to find a way to track kids to the adult system. Dr. Main wanted to know if classification determined treatment. Commissioner responded that the intent of classification is to determine placement based on risks/needs. The job of the Department is to keep kids from becoming adult criminals, in essence, to reduce future criminality.

Chairman Boylan asked the Board to support the Committee's recommendations. Bill Shellem moved to accept the recommendations and John Wiggins seconded the motion.

Judge Adams wanted to know if arrests or detainment determined recidivism. Commissioner responded that one fundamental question is which recommitment level would be used as a threshold. Judge Adams asked if recidivism was the right way to test success. Commissioner stated that it is a good measure but that there are more pieces to be measured. Dr. Risler added that not all programs are good for all kids and conducting better assessments would allow for more appropriate placements.

Chairman Evans called for a break and adjourned the regular meeting of the Board. After the break, the meeting of the DJJ Board of Education was convened.

DJJ Board of Education

Dr. Thomas O'Rourke
Associate Superintendent of Education

Dr. O'Rourke stated that there were two areas of the education program he wanted to share with the Board.

Monitoring

The federal education monitor reviews standards of non-compliance and if they are found to be in compliance for two consecutive 6-month periods, then the Department is judged to have met the standard. During this monitoring period 23 standards were reviewed. The Department received nine citations out of the 23 standards.

Dr. O'Rourke introduced the federal education monitor, Dr. Kelly Johnson. Dr. Johnson stated that she is happy with the work under the leadership of Dr. O'Rourke and hopes to provide a favorable report.

The Department continues to experience challenges in the area of special education, specifically developing IEPs, records management, staffing/space requirements, and identification measures. Dr. O'Rourke feels good about the ability to meet the requirements of records management. Progress in the area of space is also being made but staffing is a problem. However, the situation is better now than two years ago, largely due to the program that has been developed and the quality of service delivery. He is hopeful that the quality of the program will help to retain quality staff.

Two years ago, about seven hundred kids were identified as having special education needs. At last report, over 900 had been identified. He stated that about 40% of the student population has special education needs and that we are close to having identified that population.

In the area of space, there are a few sites that are still meeting in common areas. With the expected construction and placement of mobile units, he does not expect space to be as significant a problem as before.

Major General Boylan stated that staffing could be interpreted in a number of ways. If the staffing guide is based on the number of positions necessary to meet the needs of the Department, there will be positions open as a matter of course. On the other hand, if the Department of Justice expects the Department to have all positions fully staffed at all times, then there must be sufficient resources allocated to off-set the problem created by this turbulence. In which arena are we?

Dr. O'Rourke responded that there is enough staff allocated to meet the needs of the Department but the biggest problem we're experiencing is not having enough teachers to fill the slots. Our position is further compounded by a far greater need for special education teachers. On average, there is an 8% special education population across the state. In our system, this population is at 40%. There are not enough special education teachers statewide. Last year there was a shortage of 622 special education teachers. He does not believe that all of the positions will be filled at any given time.

Dr. O'Rourke further stated that the Department has done something very creative and innovative. Cohort groups of 20 regular education teachers, through Georgia Public Television, are hooked up with West Georgia University's teacher education certification site. These teachers are able to complete 10 education modules from their own location. If they are able to pass the practice portion of the modules, they will receive a provisional certificate for special education. At this time there are 40 teachers involved in this training. Through this process it is expected that the Department will be training their own special education teachers. He feels that this is the only way the Department will meet the demand for special education teachers. However, he is fearful that once the teachers have received this training, the Department will lose them to the local school systems because of the difference in pay.

Reading Program

Dr. O'Rourke stated that two high school diplomas have just been awarded in the area of vocational education.

Dr. O'Rourke introduced Frances Abercrombie and Alfreda Locklin to the group. They discussed what has been done in the area of reading and how it will be an asset to the education program.

Ms. Abercrombie stated that prior to this time, there was no existing curriculum for reading in DJJ nor textbooks in stock. There are now two certified reading instructors for DJJ.

Alfreda Locklin, Reading Specialist, shared some information on the reading program. She stated that the core of the reading program is called "Learning 100", previously EDL. The reading program is designed to meet the needs of students who are reading below the 4.9 grade level. The three major tasks for the reading committee are:

- Selection of delivery materials appropriate for the problem reader below the 4.9 grade level.
- Development of a curriculum to replace the current curriculum in Basic Reading/Writing. The existing curriculum for BRW will be shifted at a later time for use with students performing on a higher level.
- Selecting appropriate strategies for delivery of the curriculum (carts, kits, etc.), keeping in mind space limitations and other restrictions that may prevail in individual sites.

The program will be developed in four levels, using the specific objectives from DOE.

Ms. Locklin also gave an overview of the Oral Reading Test and its use in the placement of students in the reading program. The Oral Reading Test is a good instrument to use to determine the education level of students. All of the materials for the reading program are available on the Intranet.

Dr. O'Rourke closed by stating that most of the kids in our system have serious reading problems. The Department wants to identify all kids reading below the 4.9 grade level and keep them in the reading program until they at least reach the 6th grade level.

Adjournment

Chairman Evans adjourned the meeting of the DJJ Board of Education and reconvened the regular meeting of the DJJ Board.

Chairman Evans stated that the next meetings of the Board of Juvenile Justice are scheduled for September 22, 2001 and October 25, 2001. He said that Board of Education training would be scheduled at future meetings and reminded the Board that the GJSA Community Corrections Annual Training Conference is being held October 17-19, 2001 in Athens, Georgia. He encouraged each member to attend.

Hearing no questions or comments, the meeting of the Board of Juvenile Justice was adjourned.

Approved by:

David C. Evans, Chairman
Board of Juvenile Justice

Orlando L. Martinez, Board of Juvenile Justice Commissioner
& Superintendent, DJJ Board of Education

Emmett Bryant, Jr., Secretary
Board of Juvenile Justice