

Minutes

Department of Juvenile Justice and DJJ Board of Education

Thursday, October 25, 2001
10:00 a.m.

Northeast Georgia Health Systems
Lanier Park Campus
675 White Sulphur Road
Gainesville, Georgia

Roll Call

Board Members Present: Steve Adams, Emmett Bryant, Jr., Susan F. Dunwody, David C. Evans, Ed Risler, Veronica Walters, John E. Wiggins

Advisory Members Present: Judge Quintress Gilbert

DJJ Staff Present: David Clark, Thomas Coleman, Mary Esposito, Keith Hendrix, Anderson Jones, Ronnie Lane, Gregory Maxey, Sheila Mitchell, Thomas O'Rourke, Gwen Skinner, Micki Smith, Mike Sorrells, Jimmy Taylor, Jaci Vickers, Lena Wilson

Other: Sheriff Steve Cronic, Steve Gilliam, Chad Hoffecker, Eric Robinson, Representative Carl Rogers, Robin Smith, and Sammy Smith

Opening Remarks

Chairman Evans called the October meeting of the Board of Juvenile Justice to order. He informed everyone that the vote for approval of the minutes from the September 24, 2001 meeting would have to be postponed because a quorum of the Board was not present.

Mr. Evans thanked the host organization, Quality Growth Council, for inviting the Department to hold its meeting in Gainesville. Sammy Smith, member and owner of Rainmaker & Associates, and Robin Smith were invited to share with the Board any comments they might have.

Mr. Steve Gilliam, Chairman of the Quality Growth Council, addressed the Board. He stated that Hall County has a great tourist industry that is a stimulus to the economy there. He stated that the new RYDC will bring new jobs to their county and will also create new opportunities for the use of the old facility.

Sheriff Steve Cronic informed the Board that juvenile justice was an issue that is special to him. He stated that he speaks to a lot of groups and talks about investment in the future. He said that at the end of the year there would be 17 full-time officers dedicated to the school system and to the youth of Gainesville/Hall County. He toured the new facility and was very impressed. He said that he could envision great things coming from the program for the kids that would be placed there. He hopes to put kids on the path through the D.A.R.E. program and other school resource programs. In spite of these programs, there will be some kids that will end up in the juvenile justice system and he believes that the care and guidance they are given in the facility will be the turning point for them to get back on the right path. Sheriff Cronic stated that as a result of the new RYDC being built, the Sheriff's Department will inherit the old building. There are plans to have it used as a work release program for females. Females under county sentence or awaiting trial will have the opportunity to continue to work to support their families and themselves. He offered his services to the Department if they are needed at any time.

State Representative Carl Rogers was instrumental in the decision to have the new facility built in Hall County. He stated that there have been many challenges to upgrade the old building and that when Zell Miller was Governor, he was able to appropriate the funds for a new building. He thanked Commissioner Martinez and the Board for the work done on behalf of Hall County.

At this point, Sammy Smith asked to have pictures taken of the Hall County representatives and the Board of Juvenile Justice.

After this event, Chairman Evans introduced Anderson Jones, Director of the Gainesville RYDC. He stated that Mr. Anderson would be conducting the tour of the facility scheduled to take place after the meeting and invited him to address the Board.

Mr. Jones welcomed the Board to Gainesville. He stated that a few days prior, he met a local judge who informed him that even though a new facility has been made available, his job was to ensure that the facility never reached its full capacity of 80 beds. He said that with the addition of case expeditors and the

reformulation of the system, the numbers of committed youth are going down. He attributed this decline to the hard work and vision of Commissioner Martinez.

Commissioner's Comments

Commissioner Martinez greeted everyone and acknowledged the Gainesville visitors. He stated that with all that is happening around us nationally and internationally, it has been difficult to concentrate on the issues facing the Department. As a result, it has caused some concern on some of the Department's initiatives, but he is pleased that staff has maintained a level of achievement commensurate with the Departments mission.

Operations

Human Resources

Commissioner reminded everyone that a few weeks ago they were sent correspondence on privatizing maintenance and grounds keeping functions and that this initiative would result in a reduction in force at various institutions – both RYDCs and YDCs. This action was necessary because the Department has been unable to retain sufficient staff for these functions. He wanted to assure the Board of his sensitivity to staff reductions. His decision to move forward with the RIF was based solely on cost efficiency and effectiveness.

Staff has been notified of the award of a contract to Lee Engineering and Management Group to provide these services. They have also been advised of efforts to locate other employment, including the potential for them to work with the LEMG Group. Within 60 days LEMG will interview all existing staff in the maintenance area. As part of this venture, they must hire 50% of these staff. They will also tag every major piece of equipment the Department has, placing bar codes on each piece, for tracking usage through a computerized system for preventive maintenance purposes. A survey of our energy usage, costs and other issues, will be conducted to help us develop ways, e.g., insulating pipes, lowering thermostats, etc., to be more efficient in the utilization of energy for a more comfortable working/living environment.

Additionally, after discussion with staff in the Budget Office, it has been decided that maintenance and grounds keeping staff affected by the upcoming RIF may be moved into currently **vacant** JCO positions provided they meet established minimum qualifications and can be expected to meet associated medical/health requirements. With OPB authorization, they may be moved into other vacant positions.

Chairman Evans stated that he is very supportive of the decision to RIF. He emphasized that this decision was not a reflection on anyone. Commissioner stated that he appreciated Mr. Evans' comments. He stated that it was important that a message of staff incompetence was not sent.

Facilities

Ronnie Lane and Linda Layton made a presentation at the Southern Region meeting of the Council of Juvenile Correctional Administrators. Their presentation on classification and assessment was well received. A survey on methods of classification for all southern states was conducted and the survey will be made available.

Commissioner stated that Georgia was well represented at this conference.

Community Corrections

Last week, this Division held its annual conference in Athens. Commissioner personally thanked those Board members who were able to attend. There were approximately 900 attendees at the conference. Dr. Risler commended Gwen Skinner and her staff for their professionalism and a job well done.

Program Services

The Medical Unit will conduct a two-day training workshop on November 1st and 2nd at the Training Academy in Forsyth. The training will be for regular, lead, and mental health nurses, nurse practitioners and/or physician assistants.

The Medical Unit held the latest Pharmacy and Therapeutics Meeting on September 13, 2001. The pharmacy vendor, United Pharmacy, has purchased improved software with which to better manage and provide more comprehensive statistical reports with regard to psychotropic medication usage.

Office of Quality Assurance

Evaluations: The evaluations unit has been conducting unannounced visits at various RYDCs and YDCs since March 2001 and the majority of the facilities are still showing considerable improvement. All facilities will be audited by December 1, 2001. The MOA is linked to the quality assurance studies being conducted.

The Office of Quality Assurance in partnership with Community Corrections has completed the standards for day treatment.

Quality Management: The Office of Quality Assurance has developed a comprehensive quality management strategy for the Department. The strategy will focus initially on providing managers tools and techniques for continuous improvement. The first phase of training will be conducted late February for the Executive Team, Regional and District managers.

The managing quality curriculum, a two-week program, includes five modules: Customer Focus and Leadership, Strategic Planning, Information and Analysis, Human Resource Management, and Process Management. Commissioner Martinez believes that the knowledge and skills acquired during this training will greatly influence correctional reform efforts.

Financial Management

Commissioner stated that the Department is facing a 2.5% budget cut in the current year and a 5% cut in the request year. Plans and recommendations for budget cuts are to be submitted by the end of this month (October 2001). Any recommended cuts will have little or no effect on the direction of the Department. Once the decision is made, the Board will be informed.

Meetings

Major contacts the Commissioner made since the last meeting included:

- Met with Terry Walsh, an attorney and Chair of the Legal Task Force. He is also the Chair for the Truancy Intervention Project with Fulton County Juvenile Court. The Legal Task Force was very involved with the studies that led to the MOA. The Task Force is very disappointed with the Department and is looking at different strategies to sue. Over the past couple of years, they seem to have become more supportive because of programmatic and other changes.
- Commissioner met with top-level managers on a 2-day retreat at the Aberdeen Woods Conference to begin operational discussions about implementing our strategic and facility master plans.
- Attended the Southern Region meeting of the Council of Juvenile Correctional Administrators with other DJJ staff. Staff members from eight states were in attendance. The presentations were all topical and included discussions such as revenue maximization, performance based standards, Medicaid regulations. Other items of interest were Refinancing and Title IV-E. Gene Grasser, Regional Administrator for Medicaid and State Operations, spoke. The major issue was that juveniles are excluded from federal funds because of the definition of "inmate", because juveniles and adults are different, and their definition of what a institution is. Commissioner will be meeting with Mr. Grasser on this issue. He also wants to access TANF dollars for pregnant girls.

Other Items of Interest

Safe Children's Commission

Commissioner Martinez stated that we are indeed fortunate that Governor Roy E. Barnes understands and supports the need for a true picture of what services are provided to Georgia's children, by whom, and at what expense.

In light of this, the Governor is in the process of forming a Safe Children's Commission that will assemble the major players having interest in and responsibility for children. Commissioner Martinez, along with Jim Martin, DHR Commissioner will be part of this collaboration.

Georgia Children's Budget

Commissioner is hopeful that one of the direct results of the safe children's commission will be the establishment of a Georgia Children's Budget that provides a detailed breakdown of federal, state, local and private funds spent for children's programs. He stated that the Legislature is not aware of how much money is being spent on children.

Creation of this budget will promote the efficient and effective delivery of services to:

- improve coordination among the children's programs
- enhance capacity for informed decision making
- promote the efficient and effective delivery of services
- develop more precise relationships between budgeting and program development that result in:
 - increased cross-agency planning for children's programs
 - identification of gaps or overlaps in services
 - identification of areas where federal funding for children's services can be increased

Conclusion

After Commissioner Martinez concluded his remarks, Chairman Evans asked for questions or comments.

Judge Gilbert asked how many positions would be affected by the RIF. Greg Maxey responded that the RIF would affect about 55 or 56 positions. Commissioner Martinez indicated that one of the repercussions from the RIF is political. He stated that some employees from the Bill Ireland YDC have contacted their legislative representatives and the Governor's Office. They linked the RIF to the Governor's statement that we would not have any lay offs with the budget cuts. This decision was made before the executive order from the Governor. Approval to pursue this initiative was given a year and a half ago. If individuals leave employment with the Department and are hired by the company, they will lose their state benefits. However, the company will provide their company's benefits to the employees.

Chairman Evans added that he has experienced situations like this one in the past and that he found that there are no guarantees. You have to look at the best way to deliver services. Privatization in government is like any other company out there. The Government has no more responsibility to keep things going than anyone else. We want to take care of everybody we can. On the other hand, we are charged with providing the best service for the least cost.

Judge Gilbert asked if this was a 50% cut. Commissioner responded and Greg Maxey reiterated that it was budget neutral.

Commissioner Martinez wanted to emphasize that that this was not an indication that DJJ will be completely privatized. The difficulty with having private contractors is that they tend to drive policy. He stated that in instances where the Department does not have the expertise and/or workforce, we should privatize.

Update: Regionalization

Gwen Skinner, Deputy Commissioner
Community Corrections

Community Corrections Conference

Ms. Skinner wanted to brief the Board on the Community Corrections Conference before going into Regionalization. She stated that there were 896 attendees at the conference. This conference served to provide mandatory, basic in-service training to DJJ staff. The areas of training included presentations on sex offenders, gender-specific programming, and a heavy emphasis on the Georgia Detention Alternatives Initiative. Ms Skinner stated that they were pleased to see members of the Board in attendance. She presented Board members with a paperweight that was given out at the conference and a separate gift for the members that attended the conference.

Ms. Skinner stated that this training represented 4,386 hours of staff training that is 20% of the required annual training for employees. She is hopeful that next

year the conference would be coordinated with a Board meeting and to also have school board activities incorporated into the conference agenda.

Regionalization

As regionalization is being implemented, positions are being filled in different areas. The most contentious area of regionalization was working with the judges. They were concerned that the Department was not adhering to their circuit lines and felt that it would cause some disruption in the operation of the courts. Regionalization is only operational, it is how juvenile justice is administered, and it will not impact the courts. The Department's commitment is to provide system services to courts that are efficient and effective.

Twenty-one staff positions are being added, four of which are case expeditors. Their mission is to help keep the population down in the detention facilities. The remaining seventeen staff positions will be allocated throughout the state, depending on budgetary constraints.

The most significant position to be filled is the Metro Regional Administrator. A nationwide search was conducted and the application process closed on October 19, 2001. Out of the 30 applicants for the job, it is not certain how many will certify. Desired qualifications for the position include experience with inner city programs.

Also of import to the metro area is the Fulton County Agreement. This agreement is between the Fulton County Department of Family and Children Services (FCDFACS) and the Department. The significance for the state is that it represents an agreement between DHR and DJJ about how to conduct the intake process in our juvenile detention facilities. This agreement is a direct result of a case surrounding a child detained at the Metro RYDC that everyone had forgot. This child had been detained for quite some time before attention was brought to his plight. A trace was conducted to see where the breakdown had occurred. The breakdown could not be identified because no one could agree on who was responsible for what phase of the intake process. The commissioners of these departments will be meeting on the first of November to hammer out the agreement. This agreement will be used as a template across the state. A similar agreement will be made in every county in Georgia so that whenever a child is placed in one of DJJ's facilities, information on the child and the child's movement through the system will be tracked.

Also as part of regionalization, a District Planning Committee and a Regional Planning Committee are being established. This was started as part of the Detention Alternatives Initiative. These committees can be used as the planning body to develop offense-specific programs. In addition, master planning for the Department is helpful to the planning body because it clarifies the process for developing capacities at first the regional level, then the district level. Ms.

Skinner invited the judges and Board members to be a part of this process if they have an interest to do so.

There are few programs for female offenders. As a result, this group of offenders has to go where the programming is as opposed to being placed in a program in their community.

Mr. Bryant wanted to know where the interviews for the Metro Regional Administrator would be held. Ms. Skinner responded that a specific place has not been set, but she anticipates that it would probably be at the Metro facility or at CYCC, but the interviews will be conducted in Atlanta.

Chairman Evans stated that there was a lot of enthusiasm at the conference and that he saw nothing but positives from the staff about the regionalization. Dr. Risler quoted Cheryl Dresser when she said it was "family unification." He believes she meant that there was no longer an adversarial relationship between Detention Services and Community Services because they are back together in their areas and they will work together.

Commissioner interjected that he wanted to call everyone's attention to one important factor. He stated that he has been through regionalization a number of times and found that the major stumbling block to the process is the institutions. He believes that the reason it has been facilitated within our Department is because of the Division of Facilities. Institutional personnel have been committed to the direction of the Department and have become very actively involved in moving this initiative. He believes this to be a major accomplishment. Ms. Skinner stated that another important part for staff is that they should never expect to reach a point where they can say "we've arrived and we're exactly where we want to be." The nature of the business is change.

Update: MOA

Mary Esposito, Director
Office of Special Projects

Ms. Esposito stated that for the last few weeks, work has been ongoing in reorganizing the MOA documents in order to plan a different approach to the MOA process. The MOA is a guide and a resource for the agency. It is a guide to assist in better management. The new approach addresses cases where it does not allow the Commissioner to manage cases in a new direction, in a proactive and positive manner. The Department needs to set goals and reevaluate those areas, and hopefully, renegotiate the contract. In essence, we are partners with the Department of Justice.

Ms. Esposito reminded the Board that Commissioner Martinez gave an update on the status of the MOA at the September 24, 2001 meeting. She stated that

the Commissioner noted a different strategy for responding to the Monitor's reports. She shared with the Board an overview of the Commissioner's report from that meeting.

The strategy the Commissioner noted included: 1) compiling a team to review all reports with the Commissioner, the Executive Team and the Attorney General's office; 2) develop responses which clarify commitments for which DJJ agrees to monitoring and those which are for information only; and 3) responses will include determinations for DJJ to request plan modifications and/or amendments to the MOA directly to the Department of Justice. An example of a reasonable modification is the citation that requires psychologists to sign off on all needs assessments at the YDCs. This requirement was expanded to include the RYDCs, as well. With some of the staff being part-time, or in cases where the positions are not filled due to vacancies or leave, a psychologist is not always available. A simple modification of this requirement is needed in order to come into compliance, so the Department is asking for an amendment to the citation.

From the Monitor's sixth report, the Department has submitted the following responses:

1. Eleven letters were completed to Judy Preston of the Department of Justice, with a copy to the Monitor: a) addressing the recognition of the Georgia Department of Education audits being used for the determination of compliance, thus holding DJJ to the same standards as other Georgia school systems; b) the Commissioner's authority to reorganize the Department for more appropriate and efficient operations; c) the Commissioner's authority to determine priorities for funding requests for staff and for additional space through either new facilities or modifications to existing facilities; d) modification to the MOA for citation 79 in which the MOA notes the Department must not allow youth to be placed in secure placements when their detention assessment scores do not indicate secure placement is required; e) the Department's request for clarification and agreement for the definition of compliance.
2. Other responses to the sixth report were noted in the summary sheet provided with a few citations noted as pending for review to determine DJJ's plan of action.
3. Directives were issued to DJJ field staff for citations where corrective action is all that is necessary to assure compliance.

Ms. Esposito iterated the Commissioner's commitment to meet the requirements of the MOA.

Judge Gilbert wanted to know the difference between #61, *adequate medical care provided* and #65, *medical care* listed in the summary. Ms. Esposito responded that #61 is an overall statement of adequate medical care for the

entire system, and #65 is more specific facility compliance. These two citations overlap.

Ms. Esposito stated that a meeting with the Monitor is scheduled for November 9, 2001 to discuss the letters submitted to the Department of Justice.

Steve Adams wanted to know if since the new administration has come in, is the same group of people still representing this Department. He also wanted to know if Commissioner Martinez had considered speaking with elected officials, Congressmen, etc., to see what could be accomplished in that arena. Commissioner responded in the affirmative. He stated that with the way the MOA is written, it is not a good document. Chairman Evans views it as being global in many ways. Commissioner went on to say that as a Department, we have to admit we were treating kids poorly. The intent of improving the system was a fine objective and the Legislature responded by appropriating dollars and being very much involved in the process, so has the Governor. He stated that the issue is we now have a document that existed before we made some changes and now it's outdated and inconsistent. The MOA is pushing the Department toward institutions and, as a result, we are finding it hard to come into compliance. He is very interested in seeing the Department of Justice's reaction to the letters. He is more concerned with the legal part rather than the public relations part with the Monitor. The Department of Justice can make a decision to take it back to court or to make similar changes. He wants the Department to be ready to go to court if that is the direction in which it goes.

Susan Dunwody asked about the time frame for responding to the citations noted by the Monitor. Commissioner stated that a response has to be made within 30 days or it would be assumed that whatever we indicated we wanted to change would be acceptable. As a result, all correspondence to the Department of Justice was sent certified mail.

Update: Prototype Facility

David Clark, Director
Office of Engineering and Construction

Commissioner Martinez stated that at the start of this process, there was difficulty locating a site for this facility and getting it designed. The architectural design cost far exceeded any reasonable cost for construction that we should have had for this facility. Mr. Clark informed the assemblage that a tour of the site would be conducted after the meeting.

Mr. Clark stated that as Commissioner Martinez alluded, he believes we have better design. With the help of Patrick Sullivan, an expert in juvenile justice facilities, the Department has developed an architectural standard. He stated that older facilities, differing in sizes and capacities, do not comply with the

standard. As part of the Department's budget request for this year, funds have been requested to try to bring these facilities up to standard.

The new Gainesville facility is the first of five facilities like it to be constructed. Four others are currently under construction or about to start construction. They are located in Augusta, Rome, Macon, and Crisp County. All of these facilities, with the exception of Crisp County, are replacement facilities.

Some of the features of this new prototype are:

- Housing unit is broken up into four pods
- Maximum of 20 residents per unit
- Two-level design
- Day rooms designed as living rooms
- Total of 64 rooms, 16 in each pod, with the capability to house up to 80 residents
- Natural lighting from skylights
- Visual contact with outdoor exercise space
- Increased square footage in intake areas, medical, education and food preparation

John Wiggins asked if the other four facilities would be a duplicate of the Gainesville facility. Commissioner responded that the Gainesville facility is the one we learned from. He stated that there may be some changes, but basically, they would be built on the same concept.

Commissioner believes that combining the four projects would eliminate guesswork on maintenance and make the process more efficient because all the issues are worked out early.

Adjournment

Chairman Evans adjourned the regular meeting of the Board to the DJJ Board of Education meeting.

Update: Board of Education

Thomas O'Rourke, Ph.D.
Associate Superintendent

Dr. O'Rourke opened by stating that there are a number of factors that come into play to provide a quality education program. Along with a good curriculum, education materials, good staff/teachers, and adequate supplies/equipment, you also need a good environment in which to teach. He stated that he wanted to thank the Commissioner for his support and particularly David Clark and his staff

and architects for their support in the design of the Gainesville facility. The environment for education is now more conducive than before.

Vocational Education

Dr. O'Rourke attended a meeting on October 4, 2001 with the Board of Commissioners for the Department of Technical and Adult Education (DTAE). The Presidents of South Georgia Tech and Augusta Tech were presenters at the meeting, and they were extremely complimentary of the support and the program partnership that DJJ has developed with them. There are now 15 programs under contract with DTAE. DJJ is bringing the best teachers out there in the area of technical and vocational education onto our sites to provide our kids quality education programming. Kids are now getting dual credits, high school and technical school credit. As a result, when they leave our system, they can continue with their high school curriculum without losing credit or they can attend any technical school program without having to repeat courses.

Special Education

Dr. O'Rourke believes the Department is in compliance with special education. The Department has received a letter of compliance from the State of Georgia.

In December, the Department will conduct an FTE count. Additional funding has been received from the State for our special education population. The Department has gone from having a 15-18% special education population to a current count of almost 43%, either in special education, SST Program, or the 504 Program.

Dr. O'Rourke stated that staffing in the area of special education is going well and that it has much to do with programming and training. He believes that in order to have an outstanding educational program, you need a good curriculum director. The Department found this in Mr. Keith Hendrix who is the Education Director and the architect behind the education program (assessment & evaluation). Mr. Hendrix will be retiring on January 15, 2002.

Training is ongoing now through December. All YDC sites are going through additional teacher training on the curriculum. The Department has decided to isolate the YDC sites. However, this process has not gone quite as far or as fast as anticipated in this area. Teams of staff developers are visiting and critiquing classrooms, working with teachers to try to improve delivery of the instructional program.

The Chairman stated that he thinks Dr. O'Rourke and his staff are making outstanding progress in education. He informed the Board that the GSBA Annual Conference is scheduled for November 30 to December 1, 2001 at the Renaissance Waverly Hotel in Atlanta. This conference is a great opportunity,

especially for new Board members, to receive required annual training. It will also allow members to interact with other Boards across the state to let them know of our Board's existence so that we can develop contacts and hopefully gain some support with ideas on how to get resources. He recommended that Mary Linda Duncan and Education Committee members attend, as well as any other Board member. Information on this conference was distributed to each member of the Board.

Adjournment

At this point the DJJ Board of Education meeting was adjourned and the regular meeting of the Board of Juvenile Justice reconvened.

Chairman's Report

David C. Evans, Board Chair

Chairman Evans stated that the Georgia Detention Alternatives Initiative Conference is being held at the Emerald Pointe Resort and Conference Center at Lake Lanier Islands on November 28-29, 2001. A special training session will be held on Friday, November 30, 2001 for Statewide/Regional and District Committee Members. This conference is critical for the development of alternatives to incarceration. He recommended that as many members as possible attend this conference. The conference was originally scheduled for earlier in the month, but due to some scheduling conflicts, it was moved and is now being held about the same time as the GSBA Conference.

Mr. Evans also covered the following:

- Reemphasized the tour of the facility, stating that it would be helpful for members to see the new design.
- For speedier processing, asked that reimbursement requests be forwarded to the attention of Jaci Vickers, Director, Office of Public Affairs.
- There will not be a meeting in November. The next Board meeting is scheduled for December 6, 2001 in Macon. Susan Dunwody has invited the Board to her home on the evening of December 5, 2001 for a reception. More details will be provided in the coming weeks.

Greg Maxey asked about the approval of the minutes. Chairman Evans responded that there was still not a quorum present so the vote will be postponed until the next meeting.

Adjournment

The regular meeting of the Board adjourned to the Executive Session. After the Executive Session, the meeting of the Board of Juvenile Justice was reconvened. Hearing no additional remarks, the meeting was adjourned.

APPROVED:

David C. Evans, Chairman
Board of Juvenile Justice

Orlando L. Martinez
Commissioner & Superintendent
DJJ Board of Education

Emmett Bryant, Jr., Secretary
Board of Juvenile Justice