

## Minutes

**Board of Juvenile Justice  
Thursday, March 25, 2004  
12:00 p.m.**

**Board Room  
2<sup>nd</sup> Floor  
3408 Covington Highway  
Decatur, Georgia 30032**

### Roll Call

Jaci Mays Vickers took roll call and announced that a quorum was present.

**Board Members Present:** Maj. Gen. Peter Boylan; Mary Linda Duncan; Lois Frank; Sheriff Donnie Haralson; Elizabeth Green Lindsey; William McQueen; Daniel A. Menefee; Dr. Edwin A. Risler; J. Daniel Shuman; Mary E. Wilhite

**Advisory Board Members Present:** Judge Gregory Adams; Judge Quintress Gilbert

**DJJ Staff Present:** Albert Murray, Commissioner; Dr. Thomas L. Coleman; Dr. Paul Jones; Gregory S. Maxey; Dr. Thomas O'Rourke; Rob Rosenbloom; Gwen Skinner; Pam Sloane; Jimmy Taylor; Jaci Mays Vickers; Lena Wilson

**Others:** Mark Cicero, Assistant Attorney General, Department of Law; Amy Howell, Southern Juvenile Defender Center; Bill Joy, Assistant Attorney General, Department of Law; Judge Tom Rawlings; Middle Judicial Circuit; Art Sands, Visitor; Clifford Trimble, Visitor

### Opening Remarks

Major General Peter Boylan, Acting Chair

Acting Chair Major General Peter Boylan called to order the March 25, 2004 meeting. He welcomed all in attendance to the meeting.

## **Approval of Minutes**

Major General Peter Boylan, Acting Chair

Major General Boylan then asked for approval of the minutes from the January 26, 2004 meeting. A motion to approve the minutes was presented by Judge Adams, seconded by William McQueen, and unanimously approved. Mr. Boylan acknowledged the presence of two new Board members, Sheriff Donnie Haralson and Elizabeth Green Lindsey. He asked members to introduce themselves and to give their location and occupation. The two new members did likewise. After introductions were made, Mr. Boylan opened the floor to Commissioner Murray.

## **Commissioner's Comments**

Albert Murray, Commissioner

### **Opening**

Commissioner Albert Murray welcomed all in attendance to the March 25, 2004 Board meeting. He thanked agency staff and all visitors for their attendance as well.

### **Introduction**

Commissioner Murray thanked all the Board members for attending today's meeting. He especially welcomed the newest Board members and acknowledged the presence of DJJ staff and visitors.

Commissioner stated that, due to inclement weather, the February 26, 2004 Board meeting was canceled. He informed everyone that material that was tabled for that meeting would be covered in this meeting.

He stated that, for the benefit of new Board members, he is still referred to as the 'new Commissioner'. He stated that he is not quite as new as before and has been on board as Commissioner of DJJ for two months. Commissioner Murray informed everyone that it has been a busy two months, his coming in during the legislative session and that most of his time, his work and priority has been at the Capitol. Also during these two months, he had the opportunity to get out and visit facilities. At the time he was appointed, he made a commitment to do so. He also stated that he would continue with his hands-on style of management, that is to connect with people throughout the state who are in a position of running facilities for the Department, so that they can have an on-going working relationship and first hand discussions on the issues of DJJ.

Commissioner stated that he is fortunate to have visited the Metro and Loftiss RYDCs, the Macon RYDC and YDC, Crisp, the Training Academy and a number of other facilities, probably 10-12 of our sites. He stated that it is his goal to get to the remainder of the sites so that he can get personally and directly connected to the management of the RYDCs and YDCs.

Commissioner noted that he visited the Training Academy where he noticed that the curriculum was good. He has met with a number of legislators that has been very beneficial to him. He met with individual legislators, legislative caucuses and other groups that will have an impact on the business and budget of DJJ.

He stated further that each Monday morning, he has begun to meet with the Executive Management Team who help him make decisions for DJJ. His plan is to continue with these meetings, beyond which there will be observation and assessment. He stated that as a new commissioner, it is important to him to get to know the agency, as it exists; to make a connection with staff that is on board and to formulate a plan of action for a future way of doing business

## **Community Operations**

### **RYDC Population**

Commissioner Murray stated that there are two periods within the year that population peaks are reached. The agency is now experiencing one of those periods. The peak period has come earlier than normal this year for the RYDCs. He informed everyone that, as of this date, that population has reached 1,165. Based upon an agreement reached with the U.S.D.O.J, the RYDC population is capped at 120% at each center. Once that capacity is reached, the numbers must be reduced within 48 hours [sic]. He stated that to exceed that point jeopardizes the safety and security of the facility, and the agency has made too much effort and too much progress to not comply with the standard set forth by the MOA. Protocols are in place to move young people when that threshold is reached. When a youth is brought to a facility under these circumstances, the law enforcement officer is notified that the facility is at capacity and cannot accept the youth until space is made available. Commissioner Murray further stated that as centers reach that threshold, sheriffs and judges are notified. If the population reaches 120%, children are rerouted to the nearest available bed. He noted that it is conceivable that a sheriff might call a Board member if rerouting is utilized.

At this point, Judge Gregory Adams asked what percent of those youth in RYDC are there charged under SB440. Those youth who committed one or more of the ‘Seven Deadly Sins’. Commissioner responded that he did not currently have those numbers but asked if any of the Deputy Commissioners could answer the question. Gwen Skinner stated that there are about 155 youth, statewide, in the RYDCs under SB440 that are maintained by the agency at all times. She also stated that this is of great concern and the mission of the agency is to get those youth moved through the system more quickly. Judge Adams asked if the 115 counted against those held strictly under juvenile court

direction. Commissioner responded in the affirmative. Responding to an inquiry from Judge Adams, Commissioner responded that arrangements have been made with neighboring RYDCs for youth to be transported to the nearest RYDC once the 120% capacity is reached. He stated that we are asking law enforcement to work with us on that so we won't exceed the 120% capacity. Judge Adams asked if the law enforcement officer would be directed to transport to the nearest RYDC, and would they be asked by anyone to release that individual. Commissioner replied, "No. Absolutely. We want to accommodate law enforcement and we want to be sure that the young people brought to the RYDC receive placement, although placement may not be at that particular site, given that percent of population."

Judge Adams continued, asking, "Who will make the decision on the logistics of the placement? Will it be the responsibility of law enforcement?" Commissioner Murray stated that there is a protocol in place for the process. He asked Gwen Skinner to provide more specificity to his response. Ms. Skinner stated that the agency has the responsibility of identifying the closest available bed space for the youth. When a facility is approaching 120% capacity, particularly after they reach 110%, part of the protocol is to notify law enforcement and judges of the situation so that an officer would not have to travel farther than necessary by taking a youth to a facility that has already been identified as being at capacity.

Commissioner Murray stated that the trend has been that the peak period the agency is experiencing is likely to linger for months, possibly through the end of summer. He stated that we want to be sure that the protocol we have in place is as accommodating to law enforcement as possible, and be sensitive to the fact that in some areas there are not enough sheriffs or sheriff deputies than can move young people around.

Major General Peter Boylan added that, in line with Judge Adams' point, the closure of the Athens facility and pending closure of several others are going to exasperate a situation that is coming close to putting the agency in jeopardy of violating the MOA. He asked if there was any consideration being given to postponing the closing of any of these facilities in order to assess whether or not we have the capability to maintain the capacity imposed by the Department of Justice in the MOA.

Commissioner Murray responded that the only unscheduled closure was that of the Augusta YDC. The Department had made plans and prepared to close the Emanuel and Pelham YDCs and the Athens RYDC. These decisions were budget driven, even though they will impact beds. Plans are being made to reopen the Augusta facility later this year.

Mr. Boylan stated that the premature closing of these facilities may cause the agency to be in violation of the MOA and though consideration needs to be given to budgetary implications, if the MOA is violated, budgetary considerations would appear to be secondary. He further stated that if this is a budgetary issue, and in view of the fact that we are in a potential position to violate the MOA, then the Governor needs to be aware of that fact and provide us with the budgetary flexibility to deal with the possibility.

Commissioner stated that he has met with the Governor's staff and USDOJ officials and made clear that it is not the agency's goal to violate any parts of the agreement and to ensure that there is no slippage on those citations where we have already complied. He stated that if we get in position where we have no choice but to violate the agreement, then we would request to sit down with the Governor's staff and ask for the flexibility at that time to revisit our budget. He stated that he was not sure if at this point that meeting is necessary because there is a plan in place that he believes will get us through this peak period.

Mr. Boylan stated that the Board does not want to interfere with the day-to-day management of the Department but it would not be prudent to wait until a crisis occurs while we are in the mist of closing facilities and not have the flexibility to respond. He further stated that the Board is very concerned that there is a potential for this situation to occur and the problems that it could create for the Department and its ability to respond, particularly if the Governor and his staff are not aware of the potential for this situation to occur.

Dr. Ed Risler added that he is a little concerned too. He injected that he is very supportive of the Commissioner's leadership and the work he's doing. He inquired that with twelve facilities over capacity, what happens when one goes to the next center, and that center is full. He stated that it's not just about the numbers. The MOA covers other issues as well, particularly education. He stated that he is very curious to know what Dr. O'Rourke has to say in his report, how the overcrowding will affect what we need to do with the educational compliance we have to deal with, and does it have a rippling effect. He continued that he believes we are getting very close to the point to which Mr. Boylan referred.

### **Apprehension Unit**

Commissioner Murray stated that several years ago a unit of the Department was moved to the Georgia Bureau of Investigations. That was the Apprehensions Unit. The primary responsibility of this staff is to look for and pick up runaways/escapees and those youth who abscond while under DJJ supervision. Effective April 1, the Department will assume responsibility for the Apprehension Unit of the GBI.

This will involve the transfer of twelve to fifteen (12-15) employee positions from the GBI to DJJ. DJJ staff has been meeting on a regular basis with GBI staff and others to make this a smooth transfer. He stated that the goal was to get these positions reestablished within DJJ, to locate and appoint a Director for this unit, and to have the director take a leadership role in restaffing this unit within DJJ. At any given time, there are 150 or more youngsters who have absconded from custody. We expect this unit to take the leadership role and be aggressive in rounding up these youngsters so that they can be placed back in the custody of DJJ.

Commissioner stated that he sees this as an opportunity to have full control over how to set this unit up, to make sure the unit is strong, self-serving, and that it can provide the

Department with the strength it needs in minimizing the number of young people who are on escape status.

Commissioner reiterated that the target date for implementing this unit is April 1, 2004.

### **Metro YDC**

Commissioner stated that 50 out of 60 young people at the Augusta facility were transferred to the Metro facility. This transfer was done somewhat hurriedly because of the way we found it necessary to make the decision. It required some work and it required an extra effort on a number of staff.

Operations are stable and improving. Parents have expressed appreciation for the staff effort and the improving services their children are getting. The total population is at 38 youth and the Shelter and Mental Health Units are accepting new qualified youth, up to a total of 40 youth. The unit is properly staffed by increasing the use of part time employees and contracted workers for additional mental health staff and medical staff.

Judge Adams asked if those kids transferred from Augusta YDC to Metro count toward the total population of the Metro RYDC as related to bed space being utilized. Commissioner answered in the affirmative.

### **Athens RYDC**

Commissioner reported that as part of the Department's need to meet budget cuts, the Athens RYDC was targeted for closure. Last year, money was placed back in the budget to keep this facility operating for an extended period. That will not happen this year. The facility will close as scheduled. There will be no new monies or additional monies. He stated that there is an effort to work with the approximate 52 employees of that facility. He stated that this is a 26-bed facility with a very good program and the Department's decision to close it had nothing to do with the program or its staff. It was strictly budget-driven. There are other RYDCs within a reasonable distance to Athens that can be utilized to offset the use of these 26 beds. All the youth that are there, through attrition, will leave the facility by March 26<sup>th</sup>.

### **Facility Closings**

- This month, both Pelham and Emanuel YDCs have closed on schedule and without any problems. The Operations Division coordinated the process with assistance from all other Divisions. These closures were in response to the budget reductions. The physical plants will be maintained until other plans are made for them.

## **Augusta YDC**

Commissioner stated that he was aware that the most pressing issue on the minds of the Board members was his February decision to remove youth from the Augusta YDC and transfer the majority of them to the Metro RYDC. He explained that a few of those affected were transferred to other institutions.

Commissioner Murray stated further that the press release that was issued on February 13<sup>th</sup>, which outlined, in very broad terms, the basis of his decision, was forwarded to the Board. In that press release, we tried to articulate our rhyme and reason for choosing to close the facility until it can be reopened.

He reiterated his commitment to re-opening that campus. A date of July 1, 2004 has been identified as the target date for reopening the facility, recognizing that this date may prove to be unrealistic as that time approaches. Commissioner Murray informed everyone that he has asked Dr. Tom Coleman to spearhead a task force to explore the agency's options as it relates to the long-term viability of that campus. That operation will include in its mission a number of issues: population to be served, staffing pattern, timeframe for re-opening, and the public vs. private issue. He reported that this committee had its first organizational committee meeting this week and that he has looked at their notes and think that they are off to a good start.

Within the committee a number of sub-committees have been established that will look at different pieces of the Augusta operation. He went on to say that he will await the recommendations of this task force as to the mode of operation that will be put in place. He stated that the task force is made up primarily of DJJ staff. As part of the task force, members of the Augusta community, that includes legislators, have been asked to serve on the committee. He shared that he has gotten some commitments from legislators to work with the Department. Also, a Board member has been asked to serve. He stated that we want as much input as we can get from both within and outside of the Department on how we can reopen this facility, to implement a model program and do so within a reasonable time frame.

Mr. Boylan asked that if the facility is to open on July 1<sup>st</sup>, has a new RFP been prepared. Commissioner responded that no, it has not because he has not decided if it would reopen as a state operated facility or a privately operated facility. He continued that if it is decided that the facility will be state operated, which is the direction the decision is leaning, then there will obviously be no need for an RFP. He stated that he would keep the Board informed on how that decision is being developed. He stated that his decision would be based on recommendations from the task force.

Judge Adams asked that if it was operated as a state facility, would those individuals who were once employed by DJJ have priority in employment opportunity or will it be open employment. Commissioner responded that it will depend on what type of program is

reinstated. He stated that it is very likely that we will continue to serve some type of mental health population at the facility. He stated that he was not certain at this point what type of program will be implemented. He has asked the task force to look at different program models, both within and outside the state, and to give their best thoughts and advice on how we can implement a program there that will really benefit the Department and can be a model program. He stated that it is his understanding that some of the employees who previously worked there are interested in returning to work. Depending on the type of staffing pattern and program implemented, some of those staff may be rehired. He stated that to say all of them will be rehired, he doesn't know. It will depend on the type of program structured. Commissioner continued that he believes the committee will recommend a somewhat different type of program structure, but the focus will be on mental health programs. He stated that he would be able to share more information on that once a program model has been identified.

Judge Adams put forth a scenario. Using population data for March 8, 2004 for the DeKalb RYDC, a 64-bed facility, he asked the following: "Eighteen beds are superior court commitments (SB440). Eleven beds are awaiting YDC placement (adjudication). 34 beds are post disposition. If these kids were in their appropriate placement, we would be under capacity. Is that correct?" Commissioner answered in the affirmative.

Mr. Boylan injected that if you considered the YDC population, the transfer of these youth will substantially affect their capacity rates. Four (4) of the YDCs are not presently over capacity.

Judge Adams stated that if accepting the youth will place the facility at or above 120% capacity and the arresting officer is told he has to go elsewhere to place someone, it becomes a meaningful effort. They may have someone detained at 3:00 in the morning, they may be in the middle or at the end of their shift, or they may have one or more individuals in their car. The longer the officer is out of service, the less protection that will be put forth on the streets in this community.

Commissioner reiterated that it would not be the sole responsibility of the law enforcement officer to effectuate that placement. He stated that we will work with the sheriff's deputy accommodate him to the extent we can. What we would not want to do is place ourselves in violation of going over the 120% capacity.

Judge Adams stated that 38 individuals are at Metro because the Augusta facility was closed. That is 38 beds that can be utilized by surrounding counties, making the trip shorter for local law enforcement officers, rather than them having to make a longer trip to another facility. The Metro RYDC is a 150-bed facility.

Commissioner stated that our goal is to move those 38. He stated that the Augusta facility will reopen later this year and those youth removed will be returned at that time. He continued that he was not certain if there is a better way to handle this population at present, until we can reopen the Augusta facility. He asked Gwen Skinner if she could expound on the movement of those youth.

Ms. Skinner stated that we have taken the YDCs up to 105% capacity. She stated that if you looked at the population reports, that number fluctuates day-to-day from 101% to 105%. She stated that we are boosting the YDC population, knowing that if we reach total state capacity we have to make the decision to take the YDCs up to 110%. The challenge at the YDCs is that a lot of those units are dormitory-style so it becomes a safety issue as opposed to the RYDCs where you have a couple of units in a single cell.

Judge Adams stated that he and other judges in DeKalb have been working with DJJ on population issues. Commissioner stated that accommodating law enforcement officers will be done on a case-by-case basis, until the Augusta facility can be reopened. He stated that he did not want a youth returned home under little or no supervision just because of a bed crunch.

Lois Frank asked what is meant by 'peak season'. She stated that she understands that we have four facilities that are closed and the kids have to be placed somewhere. She wanted to know if there was a seasonal problem. Commissioner responded that, as he understands it, April-May and November-December, near the end of the calendar year are considered peak periods. Ms. Frank asked why. Gwen Skinner explained that these are the periods when school starts. A lot of kids in detention are there because of situations that occurred in the school system.

### **Community-based Alternatives**

On February 5, 2004, The Rosser House opened. The Rosser House is a collaboration of:

The Fulton County Public Defender  
The Fulton County Conflict Defender  
Department of Juvenile Justice  
Fulton County-Pre-trial Services  
Institute for Family Centered Services

The Rosser House is a home for male youth facing criminal charges under the mandate of Senate Bill 440, which results in juveniles being charged as adults in Superior Court. This unique residential program accommodates youth in the Fulton County Pre-Trial Services electronic monitoring program and case management. The Rosser House staff is keenly aware of the social and emotional needs of youth facing adult prosecution and who do not have families to assist them during pre-adjudication. The program provides SB440 youth with a group home environment with community safeguards at a fraction of the cost of secure detention.

## **Program Services**

### **Office of Behavioral Health Services**

Commissioner indicated that Mr. Frank Berry is no longer serving as the Director of the Office of Behavioral Health Services. Mr. Richard Harrison has been appointed to serve as the Acting Director until the search for a new director can be completed.

The private vendor that has provided health care and behavioral health services to the Macon RYDC and YDC has notified DJJ of their intention to discontinue the contract after June 30, 2004. Commissioner stated that we are implementing procedures that will facilitate providing the medical and behavioral health services with state employees effective July 2004.

The Residential Substance Abuse Treatment staff (RSAT) will participate in monthly clinical in-service training for the next four months. These sessions will not only provide clinical training and updates in the field, but will count toward the requirements for staff to become certified addiction counselors.

### **Office of Health Care Services**

The Office of Health Care Services has successfully recruited a Nurse practitioner and a staff RN for the Eastman YDC. Additionally, a Lead Nurse has been recruited for the Sandersville RYDC. These are accomplishments due to the fact that nurses are the hardest skills to recruit. Nurses are still being sought for the Savannah, Bill Ireland and Sumter facilities.

## **Human Resources**

### **IMPACT Testing Implementation**

Beginning March 1, 2004, all individuals hired into the Juvenile Correctional Officer I positions must have first successfully passed the IMPACT video-based test. The test was designed over an approximate 2-1/2 year period to identify candidates with the maturity and outcome orientation/measures needed to work with youth in facility-based and potentially other settings.

Applicants successfully passing the test are more likely to provide clear standards and expectations; use constructive and appropriate discipline; handle stressful situations in a mature manner; create a supportive environment for youth; practice and model good work habits; establish and maintain respectful relationships.

Commissioner stated that we expect to get well trained and better qualified officers by using this test.

## **Integrated, Competency-Based Human Resources and Training and Organizational Development Applications**

In 2002, the Department revised its performance appraisal system and moved to a competency-based model incorporating an appraisal of critical position responsibilities, as well as an assessment of both department-wide core competencies and job family competencies. In a project that began in February, members of our original Performance Management Team reconvened to review the results of last performance plan year's evaluations. The purpose was to identify the need for refinement in the appraisal forms and/or to propose revisions to our accompanying training modules or competency descriptions.

### **Management and Leadership Development Training Program**

The first two modules of this program will be piloted during March and April 2004 in Forsyth. Curriculum development activities for components 3 and 4, including training needs assessment incorporating the use of focus groups, will begin shortly. These modules are scheduled to be piloted in the late spring with the remaining 2 modules scheduled for late summer.

### **Legislative/Budget Issues**

Commissioner stated that, with the help of his staff, he has had the opportunity to meet and greet a number of legislators. He stated that each one has been gracious to him and extended their support for this agency. He stated that, in turn, has extended his commitment to work with the legislature as we look for ways to provide more resources and strong support for issues of DJJ. Some of the legislators that he was able to meet and greet include, but are not limited to:

- Senator Eric Johnson, President Pro Tem
- Senator Jack Hill, Chair of Appropriations
- Senator Ginger Collins, Chair of our oversight committee (Children and Youth)
- House Speaker Terry Coleman
- Representative Georganna Sinkfied, Chair of our oversight committee (Children and Youth)
- Representative Calvin Smyre
- The Augusta Delegation (as a group)
- The Athens Delegation (as a group)
- Georgia Legislative Black Caucus (GLBC)
- Georgia Women's Legislative Caucus (GWLC)

Commissioner stated that he has developed and will maintain a good working relationship with members of the legislature. He stated that it is our goal to provide them with good information on where we are with the Department and how we plan to proceed.

### **60-Day and 90-Day Plan [we have to work on this with the Council]**

Commissioner stated that he continues to work with the Council of Juvenile Court Judges and their staff to hammer out a plan for the judges to sentence children to no more than 60 days. He stated that they are looking at ways to limit placement of youth into this program to 60 days. He stated that it is an ongoing process of development and that they are putting together a memorandum of agreement that will help make better use of the program and will better accommodate judges across the state. He is confident that the agency's goals will be met and the anticipated budget reduction will be achieved.

### **Conclusion**

Commissioner Murray stated that before concluding his comments, he wanted to share some other areas of concentration for him for the past two months. He stated that relationship building is important to him and that he has done some coalition building with various judges around the state. He stated that he believes he has had some success with that. He indicated that it is important that he establish and maintain a good working relationship with members of the Board. He stated that it is clear that he needs their support and wants their involvement, tips and advice on how to make the Department stronger and more self-serving to the state.

Commissioner continued that it is also important to him that he has a good feel for the state of the agency as it presently exists. He has worked closely with Greg Maxey on a budget analysis of the Department. He noted that he has asked for more information to be put together to give him a better picture of where we are at present. He wants a program analysis to look at staffing patterns, applicable statutes, and to look at the policies and procedures of the agency.

Commissioner remarked that his short-term plan of activities has taken place from his date of his appointment through March and into April. He indicated that beginning in late April and May and through July of this year, he will look at some agency reorganization. At this point, that plan is incomplete. He continued that, as a new leader, he wants to make sure that DJJ is organized in a manner that can better support the mission of the agency and better provide the services that are statutorily mandated to be provided to the communities of Georgia. A more immediate phase will involve strategic planning, where goals and objectives will be set for the Department. The vision of the Department will be refined, direction set and Departmental priorities redefined. Developing performance

measures and linkages with other child serving agencies in the state will be considered to ensure that we are not duplicating effort, and to, where possible, share resources.

Long term activities will begin in July and August and will be ongoing. These activities will include the implementation of our strategic plan, implementation of our policy and procedure changes and, establishing agency partnerships. He stated that we will be taking a look at recidivism and developing a good Georgia definition of recidivism. He explained that there does not seem to be an agreement on how recidivism is to be measured and defined. He stated that he is concerned that, within Georgia, there is an operational definition that addresses recidivism. He stated that he has touched on the priorities of the Department, which are the MOA that was signed off on with the USDOJ, to reopen the Augusta campus as soon as possible, and to improve internal and external communication.

Commissioner Murray concluded his comments and opened the floor for discussion.

### **Questions & Answers:**

Judge Quintress Gilbert stated that the Commissioner had mentioned a juvenile fugitive squad is being formed as of April 1, 2004 to capture juveniles who had absconded from custody. She wanted to know what the motivating factor was for the formation of the squad. She stated that we are currently experiencing a budget crunch and asked how this was managed before and what the difference is. She expressed her concern that the public would perceive it as being something less than a budget-saving factor. She asked why is this now a priority when we are facing budget crunches. She also inquired who previously picked up the youth, were they apprehended by the sheriff's department, was it the GBI, and how many youth were there that needed to be apprehended.

Commissioner responded that there are probably 150 youth out there that needed to be apprehended. He stated that this unit was previously with DJJ and is not sure why the decision was made to move the unit to the GBI. He asked Gwen Skinner to respond to the inquiry.

Ms. Skinner stated that unit was previously known as the Office of Law Enforcement Services (OLES). The unit had been a part of DJJ for twenty plus years, and it was designed specifically toward escapees and children who violated their aftercare. Governor Barnes decided to create a 'Super Police Department' and take all the law enforcement functions of state agencies and move them under that umbrella organization. That included our law enforcement function and it was pulled to GBI, along with the existing funds for it. The GBI has never been a good fit for the apprehension of youth. The GBI is responsible to sheriffs' departments, they investigate murders, and it is hard to get them enthusiastic about chasing juveniles. When agencies were asked to make budget cuts, part of the GBI's effort to make budget cuts was to cut juvenile apprehensions. Because we had 150 juveniles to be apprehended, this was a concern to us. An agreement was made to transfer the resources and reestablish the unit with DJJ on a smaller scale. We only received about half of what we gave with the initial transfer to

the GBI. In response to Judge Gilbert's inquiry about funds for the unit, Ms. Skinner stated that there would be no new monies, only those existing resources at the time of transfer.

Judge Gilbert asked if GBI would be transferring staff along with the unit. Ms. Skinner responded that only positions would be transferred. She stated that, as she understands it, they are struggling to keep their department fully staffed and was interested in keeping their certified agents. After watching the GBI operate, we wanted to have law enforcement officers come to us knowing what the job is to begin with, knowing they would be picking up the same kids over and over. This is one of the frustrations of the job, so we wanted to train them on children's issues as well as law enforcement issues.

Commissioner asked Ms. Skinner if he was correct in stating that there would be 12-15 positions transferred from the GBI to the Department. Ms. Skinner answered in the affirmative. She stated that a Director will have ten agents located in satellite offices. Gainesville, Columbus, and Savannah each would be staffed with two agents. There will be four agents located in the Tolberton area. She stated that this information would need to be checked for changes.

Judge Adams stated that under Governor Miller, the short-term programs were called boot camps. He asked Commissioner what was his vision on what the short-term program should be. Commissioner responded that he thinks the state needs some type of short-term program and believes that the model we have in place could and should serve better than what it has. He stated that he wants to revisit the model of the short-term program so that it can be 'tweaked' to improve services. There are no set criteria for placement in the short-term program. It is open ended from one part of the state to the other as to what type of youngsters should be placed in this program. He stated that he intends to sit down with his staff to see what can be done to redesign this program to make the criteria more clear, to identify the type of child it should serve, and to make sure the programs are strategically placed around the state. He continued that we currently have a program with no structure that evolved from a boot camp model.

Judge Adams asked, "When you use the term 'little structure', do you mean little structure provided by your agency?" Commissioner responded that he meant little structure by design. It is a program that can serve the community in any way that particular area decides. He stated that he would like to have structure to the program that would make the state more consistent on the types of youngsters being placed in it, what the program model should be, and how long they should remain in the program. He continued that there is structure in place but there is room to refine that structure to make it more consistent.

Judge Adams stated that judges place kids in the programs but the Department of Juvenile Justice has always created the structure. Commissioner responded that he did not want to give the impression that there is no structure it is just not the level of structure that he would like to see. He stated that he wants to see some consistency in a program where judges across the state are using the same criteria to place kids in the programs.

Judge Adams pointed out that what takes place in that program is controlled by DJJ, and the criteria did not vary from community to community. He stated that the program criteria were always driven by the Department of Juvenile Justice. Commissioner stated the programs now operate as they did years ago when it evolved from the boot camp model. He stated that he believes the newly developed model would be a better service, as it provides options for placing kids in long-term secure facilities.

Judge Adams stated that the Commissioner has requested that judges use a maximum of 60 days in the short-term program when the law allows for 90 days. He asked if the Department would be willing to work with community-based programs so that there could be some aftercare component. He stated that if he decided to limit the disposition to 60 days, would the Department be willing to commit for the additional 30 days to put that child into a community-based program for transitional purposes. Commissioner responded that where a community-based program existed, he believes that he would, but he gets the sense that in many parts of the state there is not a community-based program available that could follow the 60-day program. But, he stated, where those programs exist at the local level, he would. He believes that it would provide some continuity and good transition back into the community. Commissioner stated that the decision to commit to an additional 30 days would be subject to available funding. He stated that anytime we could develop a community-based alternative which could prevent judges from having to place kids into long-term secure programs or the short-term programs, it should be done. He stated that this is one of his goals for the Department.

At this point, Dr. Ed Risler asked Ms. Skinner if the law enforcement officers for the Apprehensions Unit would carry weapons. Ms. Skinner answered in the affirmative.

Ms. Lois Frank asked where Rosser House was located and what is the program capacity. She also wanted to know what was the relationship between the Department and Rosser House and could the judges commit kids to that program instead of an RYDC. Commissioner responded that he did not currently have the location of Rosser House but asked Ms. Skinner if she could address the inquiry. Ms. Skinner stated that she did not have the physical address with her, but that Rosser House is situated within six miles west of DJJ Headquarters. It is in a residential community where there are similarly established group homes and serves from 6-8 youth. She explained that it is not a part of the DJJ system but a resource for the Department.

Ms. Frank asked about the profile for Rosser House and the type of youth served. Ms. Skinner stated that the profile is male, ages ranging from 13 to about 17, maybe 18 years of age and that these are serious offenders (SB440). She stated that we would like for this to be a short-term program but unfortunately for kids charged as adults in Georgia, it is not unusual for them to spend up to two years in a detention center waiting for their case to be resolved in court. This creates a problem for us because it takes away from the bed space needed for juvenile court. Judge Adams injected that only a Superior Court Judge can release a youth sentenced under SB440.

Mr. William McQueen stated that there are a lot of activities in our operational plan. He wanted to know just what role the Board would take in the development and implementation of the strategic plan. Commissioner stated that he wants to keep the Board informed on the direction of the Department regarding the strategic plan and invite input from the Board. He stated that there are decisions that must be made by agency heads but he would like for the Board to do more than 'rubber stamp' a decision. He stated that this is the first time in his career that he has had an opportunity to work with a Board of Directors and he wants their thoughts on how we are proceeding and keep an open dialogue on the direction of the Department. He stated that this could be done through the Chair, the Vice Chair and individual Board members.

Major General Boylan stated that following up on the Commissioner's desire to have an open dialogue, he requested that the evolution of a strategic plan be placed as an agenda item for each of the future meetings and that the Department provide a briefing on the status of that evolution.

Mr. McQueen stated that he is in agreement with the request and that he was thinking along the lines as the Commissioner that the Board be more than a 'rubber stamp' for the Department.

Mr. Boylan stated that he doesn't think there would be an objection to, at the point, where staff briefs the Commissioner on the various aspects of the strategic plan, for the Board to be invited or for them to show up as they desire. Commissioner responded that he would like to sit down with his staff and develop a framework for the strategic plan before he commit to this suggestion. Mr. Boylan suggested that the Board asks the Commissioner's staff to brief this Board as it evolves and at some point the Board may wish to involve itself more deeply in the evolution of the plan but to leave it as is for now. He then asked if there were any serious objections to that approach. There was no response.

Dr. Risler stated that he wanted to remind the Chair that the Board spends a lot of time participating in strategic planning and that there are a number of documents in regards to regionalized plans. He stated that maybe if he had copies of those plans it would help. He stated that some of the previous members, along with himself, participated in strategic planning on a regional level and did some good work. He stated that he hoped they would not go back and 'recreate the wheel' because it would be useless. Major General Boylan stated that as the framework of a plan is created, then he thinks it is appropriate that the Board gets involved. He stated that he will ask the Commissioner to have his staff to brief the Board at the next meeting or so. At some point he expects the subject to be raised again and another decision will be made on the Board's involvement.

Commissioner stated that he would be willing to provide that briefing at the appropriate time and invite the Board's input.

Judge Adams asked if we are still in substantial compliance with the MOA. Commissioner responded that we are in compliance with all but 10 (of 114) and have a plan of action to be in total compliance by the end of the calendar year.

At this point, Mr. Boylan announced that he had another engagement to attend. He informed the Board that the next meeting of the DJJ Board is scheduled for April 22, 2004 and will be held at the Metro RYDC. He also informed the Board that as a cost-cutting measure, the Department is now sending electronic copies of news articles instead of the hard copies that were previously sent by mail. Mr. Boylan continued that the Governor has asked that all Boards receive training. The training is conducted by a group of professors from Kennesaw State University. [Note: Training for our Board will be conducted at the August 26, 2004 meeting and members should plan for a full day of activities.] A location and time will be provided at a later date by the Office of Public Affairs. He suggested that members who will be traveling long distances may want to consider hotel accommodations.

Mr. Boylan indicated that several months ago, judges were issued a statement that the recidivism rate of the DJJ is 70%. He stated that this figure is bogus as there is no data to support what our recidivism rate is, because we have neglected to define what constitutes recidivism. He believes that recidivism, however we define it, is the best way to measure success. He asked Board members to consider becoming a member of a committee to work with the Commissioner and his staff to define recidivism for the state of Georgia and DJJ, so that we can begin to collect data to assess how successful we are or are not. He stated that he will not ask members to submit their names at this point, but at the April meeting he will ask for volunteers to serve on this committee.

Asking for questions and hearing none, Mr. Boylan called for a recess. After recess, Vice Chair Mary Wilhite assumed reconvening of the meeting.

### **Judicial Challenges**

The Honorable Tom Rawlings  
Middle Judicial Circuit

Judge Rawlings opened by saying he was presenting to the Board on behalf of Judge Philip Spivey who is a juvenile court judge in the Ocmulgee Circuit. He stated that he is a judge in a very rural area that covers five (5) counties: Emanuel, Candler, Toombs, Jefferson, and Washington Counties. He stated that he and Judge Spivey have had numerous discussions on ways to improve the relationships between judges and the Department of Juvenile Justice.

Judge Rawlings stated that what the system needs is less detention and less long-term lock-up. He continued that rural areas have limited resources and the counties have not yet reached the point where they understand the need to fund local programs or that they

should be doing it. He stated that to improve local programs communities need to be informed. Judge Rawlings made the following suggestions for reform:

- Allocate DJJ personnel in a manner that takes into consideration court duties, transportation duties, geographic distances, paperwork loads, and the need for community involvement and program development;
- Restructure offices and districts to more greatly coincide with the court systems that community corrections personnel serve;
- Ensure that each county has a sufficient array of services for juveniles and a sufficient number of personnel to accomplish the goal of serving children in the community;
- Rather than treat mental health as a task better left to other agencies, DJJ should equip itself to assist children with mental health issues. Such a focus would prevent future delinquencies.

Judge Rawlings concluded his presentation and opened the floor for any questions or comments.

Commissioner Murray stated that he did not have any questions but wanted to thank Judge Rawlings for his valuable input during the round tables discussions the Department have had with the judges. He stated that as a result of these discussions, he has become more aware of the challenges judges face in rural areas where there are few resources for placement. Commissioner restated his commitment to bringing some balance to resources as we build the agency. He stated that the mental health issues Judge Rawlings mentioned are in need of a reality check and, in spite of what others are doing, it is his goal to develop a program where that population can be better served.

For additional information on Judge Rawlings' presentation, please refer to his handout *Improving DJJ Provision of Services to Rural and Exurban Courts*.

## Committee Structure

Edwin A. Risler, Ph.D.

Dr. Risler stated that each of the members had received a draft of the committee structure that he proposes the Board adopt as a means to more effectively conduct the business and responsibilities as required of the Board. He stated that last summer a lengthy discussion ensued regarding ways the Board could be more involved and participate in the establishment of the goals for the Department. As a result, he proposed the following committees be established: Finance, Policy, Institutional Management, Program and Staff Development, Education, and Legislative. He stated that these committees should be functional to the standpoint where they fulfill the Board's responsibilities.

He stated that the Finance Committee would review budget issues for endorsement to be presented to the full Board for discussion and air any concerns at that time before

approval. The Policy Committee would be used similarly. Institutional Management evolved out of concern for facility closures, such as the Augusta YDC. Program and Staff Development will focus on the retention of quality staff. The Education Committee shall serve as the primary liaison to the Commissioner in all matters associated with the administration, supervision and management of those educational programs and services for children and youth which are under the control and jurisdiction of the Department. The Legislative Committee shall serve as an advocate on behalf of the Department on issues that prove to be financially beneficial to the Department as well as any laws that might impact the way the Department does business.

Dr. Risler stated that the By-Laws of the Board of Juvenile Justice states that the Board can develop any committee, at any time.

### **Questions & Answers:**

Daniel Menefee stated that He does not see any reason that would prevent members from signing up for multiple committees.

William McQueen asked how will the committees function, are they self-sufficient, and will they have staff support. Dr. Risler responded that there would be appropriate staff support for the committees to present/explain information to the Board for endorsement. Then, if the issue was presented at the full Board meeting, it could be supported at that time.

Dr. Risler stated that an issue for the Department has been that goals and plans are developed without proper resources. He asked that members inform him of each area of interest.

Vice Chair Mary Wilhite convened the session of the DJJ Board of Education.

### **Board of Education: Update**

Thomas O'Rourke, Ed.D.

Dr. O'Rourke began his presentation by stating that in his role as Associate Superintendent of the DJJ Board of Education, he is responsible for providing the Board with a monthly update of the education program. He acknowledged that the Board not only serves as a Board of Directors, but also as Board of Education for the Department of Juvenile Justice. As such, he thought it appropriate that he give an overview of the education program for the benefit of the new members. He then introduced Dr. Paul Jones, Curriculum Director, who assisted in the presentation.

Dr. O'Rourke stated that six (6) years ago, the Department entered into an agreement with the USDOJ called the Memorandum of Agreement (MOA). This agreement was devised to help form a plan of action to correct deficiencies that the USDOJ identified during an evaluation of DJJ programs. It was agreed, as a Department, to correct a

number of citations that needed to be addressed. From this evaluation, twenty-three (23) citations were given for the education component of the Department's programs.

Every educator in the Department of Juvenile Justice has access to the Intranet. At every site the teachers can go to the computer and pull down all the information contained in today's presentation. Anytime there is a curriculum update, change of policy, etc, it is instantly available at all of our sites.

Dr. O'Rourke stated that the challenge for DJJ is to return every child who comes to us back to their community better than they were when they came. The Department's goal/mission, therefore, is to provide a program that will facilitate the successful integration of each student back into the community and workplace. Our vision is to help all the kids we work with daily to go back into the community as a productive citizen in a democratic society. He then outlined the beliefs of the DJJ Office of Education as stated in the handout provided. It stated:

- Each individual has unique capabilities to learn.
- Everyone deserves to be treated with respect.
- Everyone has the right to pursue learning to the fullest of his/her capability.
- All people have the right to live in a safe, orderly environment.
- High expectations yield higher achievement.
- Each person is unique and has intrinsic worth.
- Individuals are responsible for the choices they make.
- Every person bears responsibility for contributing to the general well being of society.
- Quality education enriches the individual and expands options throughout life.

Dr. Paul Jones navigated through the information provided to the Board as Dr. O'Rourke touched on each area of interest. Together they explained the Core Academic Courses offered in DJJ facilities, the Academic Tracking Sheet, and other forms associated with the education program.

After going over this material, Ms. Elizabeth Lindsey asked if there were sufficient teacher/student ratios. Dr. O'Rourke responded that the way staff is allocated is by using 15:1 ratio for regular students and 12:1 for special education. This number is arrived at by calculating the student population at 40% for special education students and 60% for regular education students. The Department is mandated by IDEA guidelines not to exceed an average ratio of 8:1 for special education students. He explained how the ratio of 8:1 works with an allocated ratio of 12:1.

Dr. Risler asked Dr. O'Rourke how they are managing to maintain compliance with issues of overcrowding. Dr. O'Rourke responded that the program is being monitored very closely and the possibility of falling out of compliance is getting close. He stated that IDEA guidelines are very stringent and we receive a large amount of money from the federal government. If the guidelines are violated, the Department stands to lose those

monies. He continued that reopening the Augusta facility will help to bring down the numbers (student/teacher ratio).

Dr. O'Rourke informed the Board that vocational programs are offered in the long term programs (YDCs) but not in the short-term programs. He stated that a child can earn a dual certificate in DJJ education programs. He stated that along with a GED Certificate, a child can get a certificate in vocational education, as well. If, after leaving the DJJ facility, the student returns to high school, they will receive credit for academic courses taken. He stated that our programs are linked with the DTAE and if the child does not return to the local high school, both of these certificates can be used at vocational technical schools and credit will be given for courses taken in their vocational program.

Commissioner Murray commented that he had the opportunity to attend the Education Conference and wanted to commend Dr. O'Rourke for the excellent leadership he has provided the Department in education services. He stated that he shares and supports Dr. O'Rourke's goal to gain SACS accreditation. He added that he believes that we will attain that goal. Dr. O'Rourke responded that he was very pleased that the Commissioner was able to attend the education conference. He stated that it meant a lot to staff to know that he is interested in and supports their work and accomplishments.

On behalf of the Board, Vice Chair Mary Wilhite added their thanks to Dr. O'Rourke for his dedication and hard work.

At this time Vice Chair Wilhite announced that the DJJ Board of Education meeting was adjourned and asked for a motion to go into Executive Session. The motion was made by Daniel Shuman, seconded by Lois Frank and was carried. She then excused all non-management staff.

The general meeting of the Board of Juvenile Justice was reconvened. Asking for questions and comments and hearing none, the meeting was adjourned.

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Major General Peter Boylan, Acting Chair  
Board of Juvenile Justice

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Albert Murray  
Commissioner

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Dr. Ed Risler, Acting Secretary  
Board of Juvenile Justice