

**Board of Juvenile Justice  
Thursday, September 10, 2009  
10:00 a.m.**

**Department of Juvenile Justice  
3408 Covington Highway  
Decatur, Georgia 30032-1513**

**Opening Remarks**

J. Daniel Shuman, Chair

Chairman Shuman called to order the September 10, 2009 special meeting of the Board of Juvenile Justice. He noted the time as 10:00 a.m. He asked that all attendees stand and state their name and organization affiliation.

**DJJ Staff Present:** Albert Murray, Rob Rosenbloom; Dr. Jack Catrett; Jeff Minor; Steve Herndon; Amy Howell; Bill Amideo; Steve Hayes; Nathan Cain; Cherecia Kline; Shirley Turner; Spiro Amburn; Rick Harrison; Diane Bell, Robin Florie, Latera Davis, Bill Parks, Coy Satterfield

**Others:** Destiny Washington, Attorney's General Office; Chuck McMullen, Piedmont Public Affairs; Kamron Mitchell, Emory Law; Allison Hodgson, Senate Budget Office; Eva Lou Shuman

The Chairman asked everyone to stand for the Pledge of Allegiance, followed by the invocation given by Chairman Shuman.

**Roll Call**

Chairman Shuman asked for the roll to be called. Cherecia Kline conducted the roll call of attendance.

**Board Members Present:** Larry Barnes; Michael Baugh (via conference call), Bruce Garraway; Van Herrin (via conference call), James Kelly; Elizabeth Lindsey; Perry McGuire; Judy Mecum (after roll call, via conference call), Daniel Menefee; Dr. Edwin Risler; Pastor Dexter Rowland (via conference call); J. Daniel Shuman; Stephen Simpson; Elaine Snow; Sandra Taylor;

**Advisory Council Members Present:** Judge Quintress Gilbert

Cherecia Kline noted the presence of a quorum of the Board.

Chairman Shuman stated as the Board begins its discussion, he asked that all members cooperate and be orderly in their discussion of the DJJ budget process. He asked the board to limit their responses to a reasonable length of time. Chairman Shuman stated board members can only speak once until all speak. Chairman Shuman said he will note which board members have presented to the board so that all members are allowed to speak if they want. Chairman Shuman stated discussion at the previous board meeting clearly convinced him that each board member has the best interest of Georgia's children as their top priority. Chairman Shuman said he encourages all to move forward toward a solution that will best serve the delinquent and unruly children in Georgia.

Chairman Shuman then asked to open the discussion on the agenda; Amended SFY2010 and SFY 2011 Budget Proposal. Chairman Shuman stated Jeff Minor, DJJ Deputy Commissioner, is available if any board member has questions.

Board vice chair Dr. Risler said he deeply appreciated the hard work of Jeff Minor, Commissioner Murray and DJJ staff that has worked hard on putting the budget together. Dr. Risler said it is not just about Milledgeville, Georgia. He stated he believes that no board member wants to see the Bill Ireland YDC closed or employees lose their jobs. Dr. Risler stated this is a public safety issue for the state of Georgia. Dr. Risler said this is something that Governor Perdue needs to recognize and the battle should take place at the Capitol. Dr. Risler said he will motion for the DJJ board to pass the budget as presented by the Department of Juvenile Justice.

The motion was seconded by board member Daniel Menefee.

Chairman Shuman noted the motion and a second and called for discussion on the motion.

Board member Stephen Simpson said he shared Dr. Risler's concerns and appreciated Perry McGuire's motion at the last board meeting. Stephen Simpson said he thought the Board would have received more detail about other alternatives. Mr. Simpson said he remains concerned over the issues of public safety and the type of juvenile that is housed at the Bill Ireland YDC. He stated his concern that DJJ may end up under the MOA again. Mr. Simpson said he hoped there would have been adequate information and communication from DJJ staff during the past two weeks that would convince him that he should vote for the amended budget. Mr. Simpson said he fully understands and supports DJJ staff and Governor Perdue for making some very difficult decisions. Mr. Simpson said he doesn't feel that the Board had an opportunity to look at alternatives other than closing the Bill Ireland YDC. He said he doesn't believe the closure of the Bill Ireland YDC is the right thing to do.

Board member Larry Barnes said he knows that these are very difficult times. Mr. Barnes stated he is involved with the local school system in his community and they are dealing with a lot of the same problems. Mr. Barnes said the issue that bothers him the most is the affect the proposed budget will have on the DJJ staff in Milledgeville, Georgia. Mr. Barnes said he doesn't want education, and other programs that DJJ has in place to be affected. He said nothing is easy but closing the Bill Ireland YDC is the best alternative that DJJ has at this time.

Board member Michael Baugh said Commissioner Murray, Jeff Minor and the Executive Team has done an outstanding job due to the economic conditions of the nation and state. Mr. Baugh said the decisions are tough but they have to be made. Mr. Baugh stated the Board needs to recognize their hard work and stand behind them 100%.

Board member Dexter Rowland stated he will continue to support DJJ staff and the Executive Team. Pastor Rowland said he also recognizes that these are some difficult times and these times have called for unusual decisions. Pastor Rowland said he trusts the staff and he knows they have looked at each of DJJ's facilities and have looked at every option available. Pastor Rowland said he knows these decisions are just as painful to them (DJJ) as it is for the Board. Pastor Rowland said closing Bill Ireland YDC is the best decision.

Chairman Shuman recognized Judge Quintress Gilbert.

Judge Gilbert stated Judge Steven Teske is in Seattle, Washington. Judge Gilbert stated Judge Teske wrote a letter that expresses the opinions of the Council of Juvenile Court Judges. Judge Gilbert said the letter is dated September 9, 2009.

The letter was read into the minutes. A copy of the letter is attached.

Board member Bruce Garraway stated when Perry McGuire made the motion two weeks ago to hold off on the process so that Senator Grant and elected officials could voice their concerns to the Governor, he was all for it. Mr. Garraway said he was all for it because he wanted those elected officials to have their time. Those officials went before the Governor but the Governor still wants the process to take place. Mr. Garraway said the Board did not hear anything from the Governor's Chief of Staff, Mr. Holcomb. Mr. Garraway stated he spoke to Mr. Holcomb and he said the Governor does not want to micromanage DJJ but he also reminded him that it's a proposed budget. There is still time for the Senator Grant and others to fight to keep the Bill Ireland YDC open. The Governor has the final decision as they work through the budget process.

Mr. Garraway stated he was under the impression that once the DJJ Board approved the proposed budget that there would be a fast track to close Bill Ireland. Mr. Garraway said the more he asked questions, the more he realized he was misinformed. Mr. Garraway said the fight should be at the Capitol. Mr. Garraway stated it is just a proposed budget and is not a done deal. If the Bill Ireland YDC is not closed there will be more job cuts in other areas of DJJ. Mr. Garraway said everybody needs to ramp up and lobby the Governor and say DJJ can't handle any more budget cuts.

Mr. Garraway asked when Governor Perdue will finalize his budget.

Mr. Minor said typically the process starts with the proposed budget submission in September and then the Governor will present his budget proposal to the General Assembly in early January. DJJ's proposed date of closure for the Bill Ireland YDC is January 2010. Mr. Minor

stated Governor Perdue gave that extra time to DJJ because DJJ's 6% and 8% cuts would have been in October 2009.

Mr. Garraway asked if the Governor still has time to say no to closing Bill Ireland YDC.

Mr. Minor replied yes.

Commissioner Murray stated before the Governor makes those decisions; he along with DJJ staff will meet with the Governor and go over DJJ's budget. That is when the Governor will ask questions and decide what DJJ should cut or close.

Bruce Garraway stated he spoke to his senator who is president of the Rules Committee. He explained to him there is still time if the senators and house members want to ramp up and try to encourage the Governor to focus in a different direction. Mr. Garraway said that fight is at the Capitol and the DJJ Board is just approving the proposing the budget.

Mr. Stephen Simpson said he understood the January 1, 2010 deadline date. Mr. Simpson said the Governor puts his budget together based on the final decisions about where the cuts need to be made. It then goes to the legislature and is not approved until the legislature approves it and then signed by the Governor. Mr. Simpson said if it is decided that the Bill Ireland YDC is to be closed then it would not be possible for a real decision to be made until later on in the legislative process.

Mr. Minor stated obviously the amended budget every year is an issue where departments are forced to take budget cuts. Mr. Minor said DJJ's budget is being cut by 5% each month starting in August 2009. Mr. Minor said when the General Assembly decided not to have a special session around this budget, they have in some ways given the Governor some prerogative in making some decisions prior to the actual General Assembly session. Mr. Minor said there will be ongoing discussion for the next several months about this issue. Mr. Minor stated Senator Grant, Senator Hill, the Appropriations Committee, House Members and others will be debating this issue amongst themselves and try to influence the Governor to make a decision one way or the other.

Chairman Shuman asked Board member Judy Mecum if she was on the phone.

Judy Mecum replied yes.

Board member Sandra Taylor asked what will be the close down fee for closing the Bill Ireland YDC.

Mr. Minor said DJJ is actually keeping some of the budget at the Bill Ireland YDC to provide for the cost of operating the facility after it has closed. Mr. Minor said he was not sure but he believes the cost will be around \$500,000. Mr. Minor said there is a warehouse there that will be used until DJJ can make other arrangements. Mr. Minor also said some operation will continue in case other state or local agencies have a use for the facility. Mr. Minor said the full budget is not being eliminated. The State Properties Commission Office will decide what will be done

with the property. Mr. Minor also said there are some discussions about the State Properties Commission Office turning the property over to Baldwin County.

Sandra Taylor said the DJJ Board has received some emails from some retired staff members concerning the amount of money that had been put into the Bill Ireland YDC in recent years. Ms. Taylor asked Jeff Minor to enlighten the Board on that. Ms. Taylor also said she remembers at some point voting on DJJ making some serious capital expenditures at the Bill Ireland YDC.

Mr. Minor said there have been some capital expenditures at Bill Ireland and more expenditures are on the books at a cost of \$300,000 - \$400,000 in the current year that DJJ wouldn't have to spend. Mr. Minor said DJJ has spent quite a bit of money trying to keep Bill Ireland operational. Mr. Minor said it is a big drain on DJJ's engineering, maintenance and minor construction budget. Mr. Minor stated DJJ looked at the (Baldwin County) master plan and the recommendations were to eventually move out of Bill Ireland and construct a facility that better met the needs from an operational and design standpoint. If the Bill Ireland facility remains open DJJ will continue to spend more money to keep it manageable.

Sandra Taylor asked if DJJ reduced the Bill Ireland YDC size to a 150-180 bed facility; would DJJ be able to use buildings that don't have that high level of maintenance.

Mr. Minor said it would be better because they would be able to use the buildings at the facility that are in good shape. Mr. Minor said the fact remains that the Bill Ireland YDC is still a poorly designed facility.

Commissioner Murray stated the savings wouldn't be one half of \$18.5 million (total savings) if the Bill Ireland YDC was to be reduced to a 150 bed facility. There are some services in a facility that has to be ongoing whether there are 50 juveniles at the facility or 100. If the Bill Ireland YDC was operated as a 150 bed facility instead of 300, the savings would only be \$6.5 million.

Ms. Taylor asked how would that cost compare to running a new 150 bed facility.

Mr. Minor said it would basically be the same. He stated there will always be a maintenance cost at the Bill Ireland YDC that DJJ would not have anywhere else. Mr. Minor stated the Bill Ireland YDC is on 40 plus acres. Mr. Minor stated DJJ looked at a number of different options which included closing half of Bill Ireland and closing the Savannah Rivers Challenge Program and that would still result in DJJ losing 300 beds. Mr. Minor stated this would still leave a shortage of \$4.5 million. Mr. Minor said before long the Muscogee YDC would then need to be closed as well.

Board member Elizabeth Lindsey asked what happens if the Governor decides to keep the Bill Ireland YDC open or half open and still take the cuts from DJJ.

Mr. Minor said the Governor can do that but based on DJJ's work with OPB, they know that would be very difficult for DJJ to do. More facilities and beds will be closed and community services will be impacted which DJJ and the Governor has set as their priority for the past 5

years. Mr. Minor stated 90% of the youth that DJJ serves are in the community and only 10% are in a secure bed. Mr. Minor also stated 70% of DJJ's money is spent on the youth that are in a secure bed and the impact on the community services would be devastating. Mr. Minor also said about 420 juvenile probation and parole specialist positions would have to be eliminated. DJJ services about 24,000 youth a day and offers alternatives to detention which includes electronic monitoring and tracking and emergency shelters. DJJ spends about \$8.7 million on alternatives to detention and if those services were cut that would only be a savings of \$8.7 million. Electronic monitoring cost \$42.00 a day and if that service was no longer available, those youths would end up at a DJJ facility.

Mr. Baugh asked how many vacancies there are at the Bill Ireland YDC.

Commissioner Murray replied and said there are 81 vacancies open out of 400 positions at Bill Ireland.

Mr. Minor also said there are currently 81 vacancies at Bill Ireland and 50 of those positions are JCO's. Mr. Minor said DJJ has difficulty staffing the Bill Ireland YDC because it is tough job. Mr. Minor reminded the Board that Senator Grant said the unemployment rate in Milledgeville Georgia was 14% and yet the facility still has that many vacancies.

Commissioner Murray stated there were not many options that they did not consider. They looked at the prospect of closing DJJ's RYDC beds to reach its budget cuts and concluded they would have to close 7 RYDC facilities to reach those numbers. DJJ also looked at the Eastman YDC because it is bigger than the Bill Ireland YDC and they determined they would save the same amount of \$18.5 million. Commissioner Murray stated the Eastman YDC is better suited to service youth offenders. The Eastman facility has individual rooms compared to the open bay rooms at the Bill Ireland YDC. Mr. Murray also stated the Eastman YDC is not as old as the Bill Ireland YDC and there are more opportunities for programs. Commissioner Murray said they considered cutting some of its education and mental health programs. Commissioner Murray said the DJJ education program is one of the best things for the youth that come through DJJ. He stated there are no good options given the economic condition of the nation. Commissioner Murray said he remains convinced that the closure of the Bill Ireland YDC is the best option given what they looked at.

Board member Van Herrin asked why there are 400 jobs but only 300 kids at the Bill Ireland YDC.

Mr. Minor stated DJJ is not budgeted for all the positions at the Bill Ireland YDC and there is a lapse factor of about \$20 million. DJJ facilities operate 24 hours per day and 365 days per year. Mr. Minor said the DJJ's staffing ratio for direct care staff is 1 (officer) to 10 (youth) in the day and 1 to 20 at night. Nationally, the ratio is 1 to 8. Mr. Minor said the DJJ facilities offer youths a therapeutic environment with education, a nursing clinic and mental health services. Mr. Minor said there are also cooks and custodians and other staff. Mr. Minor said DJJ offers full services at its facilities. There is a factor that is used for each post that requires so many staff to fill that post. Mr. Minor said that has been looked at and approved by the Department of Justice and the Governor's Office of Planning and Budget as to what DJJ's staffing pattern should be.

Board member Judy Mecum stated she appreciated the opportunity to join the meeting. She feels enough evidence has been presented. Ms. Mecum called for a vote.

Michael Baugh seconded the motion.

Chairman Shuman asked Judy Mecum if she is moving to close the debate.

Judy Mecum replied yes.

Chairman Shuman asked if there was any further discussion.

Dr. Risler stated he appreciated the way Mr. Minor clearly articulated all the issues in the budget.

Board member James Kelly interrupted Dr. Risler and asked if his statement was proper because a vote was called as to whether the Board was going to suspend the debate.

Board member Perry McGuire asked for Ms. Mecum to withdraw her motion so that other board members could speak.

Chairman Shuman asked Ms. Mecum if she would be willing to withdraw her motion.

Ms. Mecum said yes.

Chairman Shuman asked Mr. Baugh if he would withdraw the second.

Mr. Baugh stated yes.

Mr. McGuire said the role of the DJJ Board should be to protect the children that are entrusted to a DJJ facility. Mr. McGuire said the Board functions more like an advisory board rather than a governing board. He stated he agrees with that because he trusts DJJ's leadership. Mr. McGuire stated he cannot with good conscious make any vote that will harm the children that are entrusted to DJJ. He believes when DJJ lessens its capacity it is harming children out there who need its services most. Mr. McGuire said he knows there have been discussions about community services versus YDC facilities. Mr. McGuire said the youth that are in a YDC facility are the ones that need the most help. Mr. McGuire said the Board is not forced to endorse DJJs proposed budget. The budget has already been presented to the Governor's office but he still contends that if the Board votes in favor of the proposed budget, it will be perceived as endorsing the closure of the Bill Ireland YDC and it will lessen DJJ's capacity to serve youths. Mr. McGuire said he will vote no mainly out of protest about the fact that as a state agency, DJJ has not prioritized its spending. He believes sacrifices can be made in other areas of the state. He agrees that this is only the first step in what will be a long battle to the end of March 2010 but cannot go on record as supporting DJJ's proposed budget. Mr. McGuire thanked Commissioner Murray for giving him the opportunity to address to the Board.

Board member James Kelly said when he left the finance committee meeting several weeks ago, he was prepared to vote in favor of shutting the Bill Ireland YDC down because he thought Jeff Minor, the Executive Team and Commissioner Murray did an excellent job of accessing the situation. Mr. Kelly said he later started receiving emails from concerned constituents in Milledgeville, Georgia. Mr. Kelly stated some of the questions and concerns they raised were very good. Mr. Kelly said at the Finance Committee meeting, Mr. Minor stated that the Bill Ireland YDC was 100 years old but he then later found out there were a lot of updates made to a lot of the buildings. Mr. Kelly asked why that information wasn't presented at the Finance Committee meeting to help him make his decision. Mr. Kelly said Commissioner Murray has given the Board written assurance that there will be no threat to public safety. Mr. Kelly said the people in Milledgeville are raising some legitimate concerns that need to be addressed to ensure they have all the facts. Mr. Kelly asked where is the spreadsheet that shows what kind of youth are at the Bill Ireland YDC and what will happen to those youth. Mr. Kelly said he thought Commissioner Murray and his Executive Team was going to present to the Board an alternative plan to shutting down the Bill Ireland YDC. Mr. Kelly also asked what will happen to the 400 staff at the Bill Ireland YDC that will lose their jobs. Mr. Kelly said it was incumbent on DJJ to sell the proposed budget to the Board and not just let the Board members make statements. Mr. Kelly said just based on the lack of knowledge, he stated he will oppose DJJ's proposed budget because he doesn't have all the information necessary to make an informed decision about the matter.

Board member Elaine Snow asked if there was any consideration given to downsizing Bill Ireland YDC along with one of the other larger facilities.

Mr. Minor said yes. Mr. Minor stated the Eastman YDC is one of DJJ's larger facilities. Mr. Minor stated either way DJJ would still not have enough money and would be forced to close another facility. Mr. Minor said more youth and staff would be impacted and may possibly involve DJJ closing the Muscogee YDC as well. Mr. Minor stated DJJ has long term use for the Muscogee and Eastman YDCs. A lot of options were looked at including the closure of the Sumter YDC, which is one of DJJ's newest facilities, and the Savannah River Challenge Program, but that would only save DJJ about \$11 - \$12 million. Mr. Minor said the same amount of youth and staff would be impacted.

Ms. Snow asked if that number doesn't equal out to being the same if DJJ downsized the Eastman and Bill Ireland YDCs to 150 beds each.

Mr. Minor said DJJ's cost per day would then go up in order to run 150 bed facilities.

Ms. Snow commended Mr. Minor, Commissioner Murray and the Executive Team for the great job they are doing. Ms. Snow said as a law enforcement officer, she spoke to the juvenile court judge in her community and there are concerns about public safety. She stated she will be equally concerned about public safety if DJJ does away with youth programs in the community. Ms. Snow said if community programs and services are cut, her community is large enough and will survive because they have other programs in place. Ms. Snow said it would still impact what the judges in her community does and what they are able to do with some of the youth. Ms. Snow stated that there are some communities that have no programs in place and relies strictly

on DJJ for their community programs. If these programs are cut, that will affect 24,000 children and that will have tremendous impact. Ms. Snow said she was very disappointed that as a Board they were not provided with a lot of helpful information. Ms. Snow said moving forward that kind of information needs to be presented to the Board ahead of time to help them make their decisions.

Mr. Menefee said the process has been very tough. He said DJJ was told they needed to present a budget that had those types of cuts. Mr. Menefee stated there was no other way for DJJ to reach those budget cuts. Mr. Menefee said DJJ can only play the hand it was dealt. Mr. Menefee said every possible way was looked at but the closure of the Bill Ireland YDC was the only decision that the finance committee came up with that was viable that would not impact the entire department. Mr. Menefee asked the Board for their support.

Mr. Baugh reminded the Board that the economy is not getting any better. Mr. Baugh stated the nation is in a recession and DJJ needs to do what is necessary for the department, youth and the state.

Ms. Lindsey said from a public policy point of view, she agrees with Mr. McGuire that she is not in favor of being seen as a board that supports the elimination of bed space. She stated she is also concerned about public safety factors if community services are cut. Ms. Lindsey said it is a very difficult dilemma for the Board and DJJ. Ms. Lindsey said she doesn't want any decisions that they make to be seen as if they are undercutting the DJJ Executive Team. Ms. Lindsey said they have crunched the numbers and have worked hard.

Mr. Barnes said the Board needs to keep in mind that DJJ Board is not making the final decisions about the Bill Ireland YDC. Mr. Barnes said the Board is simply making a recommendation and there is still time for some lobbying to go on and hopefully it may work out that Governor Perdue would keep the Bill Ireland YDC open.

Chairman Shuman then asked the Board if they would approve the DJJ budget as presented on August 27, 2009. Chairman Shuman asked for a roll call vote.

Chairman Shuman asked for the roll to be called and asked the Board to reply by saying yes or no. Cherecia Kline conducted the roll call.

Larry Barnes – Yes  
Michael Baugh – Yes  
Bruce Garraway – Yes  
Van Herrin – No  
James Kelly – No  
Elizabeth Lindsey – Yes  
Perry McGuire – No  
Judy Mecum – Yes  
Daniel Menefee – Yes  
Dr. Ed Risler – Yes  
Pastor Dexter Rowland – Yes

Stephen Simpson – No  
Elaine Snow – Yes  
Sandra Taylor – Yes

Cherecia Kline confirmed 10 board members voting yes and 4 voting no. Chairman Shuman stated the motion carried to approve the budget proposal.

Chairman Shuman asked if there was any further discussion. There was none.

Chairman Shuman asked for a motion to adjourn the meeting of the Board of Juvenile Justice.

Board member Stephen Simpson made the motion and Board member Elaine Snow made the second.

The motion carried.

The meeting was adjourned.

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J. Daniel Shuman, Chair  
Board of Juvenile Justice

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Albert Murray  
Commissioner

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Daniel A. Menefee, Secretary  
Board of Juvenile Justice