

Old Dominion Community Criminal Justice Board
Meeting of Members
Minutes
April 17, 2018

The Old Dominion Community Criminal Justice Board meeting was called to order at the Holiday Inn Express, 111 Hospitality Drive, Front Royal, Virginia 22630 on Tuesday, April 17, 2018 at 6:35 p.m.

Present:

The Honorable Kimberly M. Athey
The Honorable N. Randolph Bryant
Tim Coyne, Vice Chairman
Nancy Haden
The Honorable W. Dale Houff
Chief Tessie Lam
Chief Monica Martin
Sheriff Tony Roper
The Honorable Ian R. D. Williams

Absent:

Stephen M. Gyurisin, Chairman
Brian Madden
Deputy Dominika Seal
Beverly Brown Schulke, PhD
Jay Tibbs
Chief Neal White

Staff Present:

Kim Chmura, ODCS
Brenda Tavenner, ODCS
Andrea Cosans, OD ASAP
Trish Lowery, OD ASAP

I. Call to Order

Mr. Tim Coyne called the meeting to order at 6:35 p.m. Mr. Coyne welcomed everyone to the meeting. Everyone introduced themselves. Judge Bryant was welcomed as the newest member of the Board.

II. Approval of the Agenda

Mr. Coyne reviewed the agenda. Members did not make any additions.

III. Approval of the Minutes

The members reviewed the minutes from October 24, 2017 meeting. Ms. Haden motioned to approve the minutes from October 24, 2017 and Chief Lam seconded that motion. The minutes were approved unanimously.

IV. Old Business

Several members have been re-appointed for another 3 year term, specifically, Chief White, Ms. Haden, Mr. Coyne, and Judge Williams. Judge Bryant will be replacing Judge Hupp as the Circuit Court representative. Ms. Kim Chmura extended her thanks to Director Andrea Cosans who has taken the lead on maintaining the membership.

Included in the PowerPoint handout is a slide that outlines the CCJB responsibilities as described in the Code of Virginia.

V. New Business

- A.** Judge Dennis L. Hupp will be retiring this August. His membership term has expired, therefore, a resolution was passed to acknowledge his contributions to Old Dominion Court Services and his dedication to the CCJB, as he was a founding member and has continuously served on the Board since May 16, 1995. Judge Williams motioned we submit the resolution and Judge Bryant seconded. The motion passed unanimously. The resolution will be mailed to Judge Hupp.
- B. Staff at ODCS:** Brenda Tavenner has been hired as the secretary. Additionally, Cheryl Kinnie, Sr. PO, has retired as of 4/13/18.
- C. Crime Commission:** The Crime Commission staff made a presentation to the Crime Commission on 11/29/2017. This PowerPoint is included in the handouts. There was a list of recommendations. Since then, DCJS has received a memorandum from the Crime Commission which endorsed the recommendations from the study.
1. Requires DCJS to report annually on the status of each pretrial services agency.
 2. DCJS should conduct a formal needs assessment of stakeholders to identify the strengths and weaknesses of pretrial services programs.
 3. DCJS should convene a group of stakeholders, including pretrial directors, pretrial officers, representatives from VCCJA, OES, Magistrate Services, CASC, and IDC to prepare a report to the Crime Commission by 11/1/18.
 4. DCJS should monitor the implementation of VPRAI-R and Praxis and prepare a report to the Crime Commission by 11/1/18.
 5. DCJS should work with localities, pretrial directors and stakeholders to determine a funding formula for grant disbursements to pretrial services agencies and prepare a report to the Crime Commission by 11/1/18.
 6. DCJS should explore options for improving PTCC and prepare a report to the Crime Commission by 11/1/18.
 7. DCJS should monitor the use of PTCC

DCJS is taking this study very seriously and is attempting to prove the value of Pretrial Services to the Crime Commission. DCJS has begun working on these recommendations:

1. Completed a Needs Assessment, PowerPoint presentation included in the handout.
2. Convened a group of stakeholders who are looking at effectiveness and any unintended consequences to VPRAI-R and Praxis, developing a funding formula and reviewing standards.
3. Assembled a group to evaluate current data system (PTCC) to determine if it should be updated or replaced.
4. DCJS will be working with Crime Commission Staff. The researcher for the Crime Commission will be completing a research project to define and measure the different type of release mechanisms in Virginia. In a meeting, she stated that she would develop her own risk instrument for these.

There was a brief conversation among the Board members about this study on pretrial services.

D. New Legislation:

1. Patron Del. Todd Gilbert – HJ 97: Joint Legislative (JLAR) study on pretrial and secure bonds was left in Rules. JLAR had completed a pretrial study not long ago.
2. Patron Del. Todd Gilbert – HB996 which supported the recommendations of crime commission study for an annual report of pretrial services was passed.

3. Patron Del. Todd Gilbert – HB 997 which eliminates pretrial services has been delayed until July of 2019.
4. Patron Steve Heretick – HB 1063 decriminalizes marijuana has been left in the Courts of Justice.
5. Several bills were submitted to consider increasing the \$200 Grand Larceny minimum. According to Mr. Coyne, the legislature agreed to increase from \$200 to \$500 for petty larceny and anything above \$500 would be considered a felony, Grand Larceny.

E. DCJS Updates:

1. Governor Northam appointed Shannon Dion as Director of DCJS.
2. DCJS has decided not to conduct any probation research, namely the Organizational Survey or Client Survey. VCCJA is attempting to complete the Organizational Survey.

F. Pretrial Outcome Measures:

Overall success rate is 67%. Failure to Appear and non-compliance have increased slightly. To date, we have had 7 placements removed from supervision due to new violent charges – 4 due to new misdemeanor violent charges and 3 new felony violent charges.

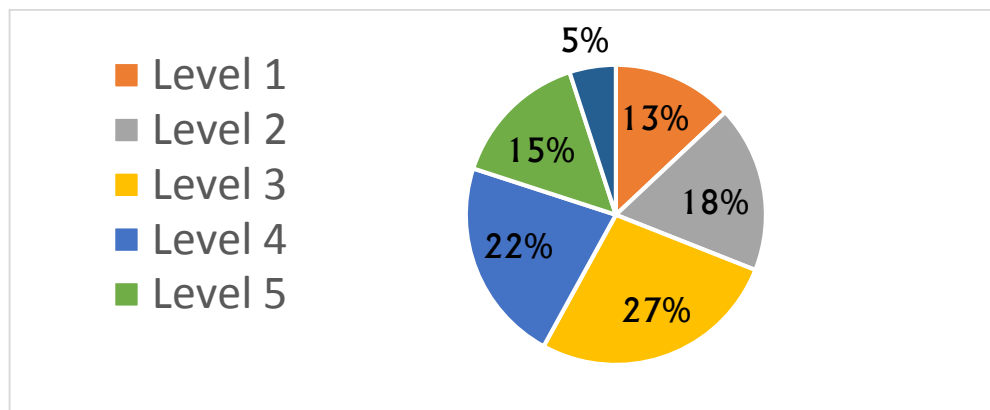
Pretrial Outcome Measures	Misdemeanant	Felony
Court Appearance Rate	94%	90%
Public Safety Rate	87%	85%
Compliance Rate	91%	89%

G. Pretrial Performance Measures:

Pretrial Performance Measures	
Investigation Rate	70%
Investigation VPRAI Completion Rate	100%
Praxis Concurrence Rate	70%
Judicial Concurrence Rate	80%
Supervision Concurrence Rate	Unknown – recently implemented.

H. Pretrial population data and other demographics:

The new risk assessment and updated Praxis supervision grid was implemented in September. As of now, ODCS has about half of the defendants scored through VPRAI and the other half with VPRAI – R, so it is difficult to assure the risk distribution is accurate, but according to the data case management system, PTCC, it is as follows:



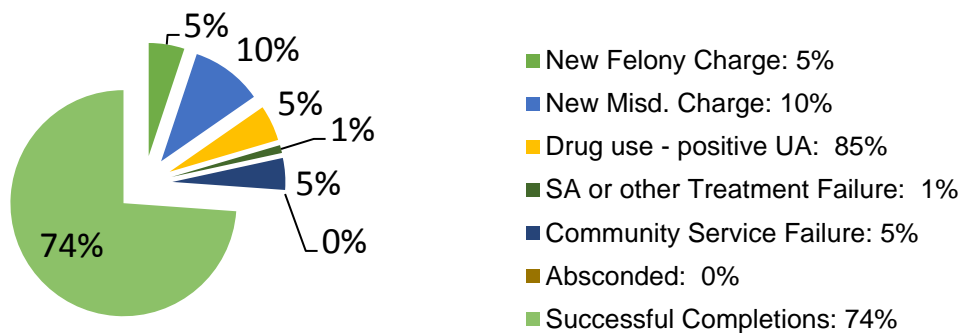
Additionally, during the third quarter, ODCS Pretrial experience a significant increase in placements. To date there have been 533 defendants referred to ODCS for pretrial supervision. This has really impacted the staff's schedule. Judge Athey questioned how many supervision officers ODCS has. Ms. Chmura replied generally, 3.5 positions, but due to the probation vacancy, there are only 3 full time staff members who supervise pretrial defendants.

Another question arose concerning pretrial drug testing. Ms. Chmura explained that due to the principle of least restrictive bail conditions, ODCS Pretrial will not drug test any defendant without express permission from the Courts.

A chart of the types of charges that Pretrial is currently supervising was included in the handout. Sixty-three percentage of pretrial supervision defendants are being supervised for narcotics or DWI.

I. Local Probation Outcome Measures

This quarter's successful rate has increased and is better than the last 2 quarters. Successful closures for misdemeanants is 77% and for felons, it is 65%. Overall, the nature of the failures are due to new misdemeanor charges.



Year to date FY 18 Success Rate within 4 Risk Levels	
Level	Rate
Low – MOST or OST 0-4	88%
Low Medium – OST 5-11	76%
Medium High – OST 12-21	47%
High – OST 22 or higher	100%

J. Local Probation Performance Measures:

The risk assessment completion rate, 90%, and case plan completion rate, 76%, continue to increase from last year.

K. Local Probation population date and other demographics:

Risk Distribution: Low Risk probationers comprise 39%, Low Medium probationer equals 28%, Medium High probationers are 22% and there is 1% considered high.

A chart reflecting what type of charges probation was supervision was included in the packet. 57% were due to narcotics – 87 felons and 108 misdemeanants.

VI. Adjourn

With no further business to discuss, a motion to adjourn was made by Judge Williams and seconded by Chief Martin. The meeting was concluded at 7:40 p.m. and was adjourned.

The next CCJB meeting will be held on **July 17, 2018** at 6:30 p.m. at the Holiday Inn.

Respectfully Submitted,

S. K. Chmura