

Old Dominion Community Criminal Justice Board
Meeting of Members
Minutes
July 16, 2019

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, July 16, 2019 at 6:32 p.m.

Present:

Chief Tessie Lam
Brian Madden
Nancy Haden
Beverly Brown Schulke, PhD
Jay Tibbs
Chief Neal White, Chairman
Lt. Dominika Seal
The Honorable Ian R. D. Williams

Absent:

The Honorable Kimberly M. Athey
The Honorable N. Randolph Bryant
The Honorable W. Dale Houff
Tim Coyne, Vice Chairman
Stephen M. Gyurisin
Sheriff Tony Roper
Chief Monica Martin

Staff Present:

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

I. Call to Order

Chief White called the meeting to order. Chief White welcomed everyone to the meeting.

II. Approval of the Agenda

Chief White reviewed the agenda. No comments were made to amend. Dr. Schulke motioned to approve. Mr. Tibbs seconded the motion. It was unanimously approved.

III. Approval of the Minutes

The members reviewed the minutes from the April 16, 2019 meeting. No comments were made. Dr. Schulke motioned to approve. Ms. Haden seconded the motion. The minutes were approved unanimously.

IV. Old Business

Membership is currently up-to-date. Mr. Madden will be leaving the CCJB due to his Judgeship. At this time, there is only one person running for Warren Commonwealth Attorney. Ms. Chmura will contact this person in November to see if there is interest in

being a member of this Board. Also, Judge Bryant will be retiring and will need to be replaced.

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

V. New Business

- A. Personnel and Staff Activities:** The BOS approved the new full-time and part-time positions. The full time position is currently posted.

The current staff have completed the mandatory suicide prevention training and will be celebrating Pretrial/Probation/Parole Officer week next week. There will be off-site training, a breakfast on Wednesday and a couple of other surprises.

B. Circuit Court Risk Assessments:

Providing risk assessments to the Winchester/Frederick Circuit Courts will be placed on hold until the new FTE is hired and trained. Additionally, with Judge Athey and Judge Bryant leaving, the new Judges should be contacted to determine interest.

- C. ODCS Finances:** Probation ended the year with a small surplus that will be used to fund the part-time position in the next FY year. Pretrial ended spending more than its revenues (\$1,428). For FY 20, the grant split has been adjusted to prevent this from occurring in FY 20.

D. Crime Commission/new VPRAI report form:

The Crime Commission will not address the research project or recommendations until the November date. There was a preliminary meeting scheduled for July, but it has been cancelled. Many of you provided feedback concerning the new look for the VPRAI form. DJCS is still reviewing comments and making changes. It is unknown when the form will be changed.

E. Video Arraignment:

Investigations for this fiscal year, increased by 17% and there was a 40% increase in bail hearings. About 54% of the defendants were given orders of release, and 30% of those defendants were released with unsecure bonds. Judge Williams shared his thoughts for ordering the use of secure bonds. He often asks the defendant if he or she could pay a bond or if there is someone to help the defendant with bond. Often this makes the difference between detain and release.

F. Alcohol Monitoring:

There is a company in Winchester which will now provide an ankle monitor for alcohol consumption. Pretrial is seeing a few defendants with this condition. There was a brief discussion as to how the device works.

G. Pretrial Placements:

Among different reports with DCJS, there are varying numbers of how many referrals for pretrial supervision there was; therefore, there was 600 to 700 placements. Most of the referrals are for felony charges, 80%. With the increase in bail hearing at the jail, about 69% of all referrals were from Judges. This is higher than in the past. Typically, between the Judges and Magistrates, referrals are about 50-50. The average age of ODCS defendant is 34. Seventy-one percent (71%) were male and 77% were white.

H. Types of charges: Included in the presentation was the breakdown of charges for all active pretrial defendants on 7/13/19. It was noted that DWI placements dropped by half from the previous year.

I. FY 19 Investigation/Pretrial Supervision Performance Measures:

Investigation Rate was 94%, up 15 points from last year.

VPRAI Completion Rate was 99%, up 3 points from last year.

Praxis Concurrence Rate was 82%, up 10 points from last year.

Judicial concurrence Rate was 75%, down 5 points from last year.

Supervision Level Concurrence Rate was 88%, remained consistent from last year.

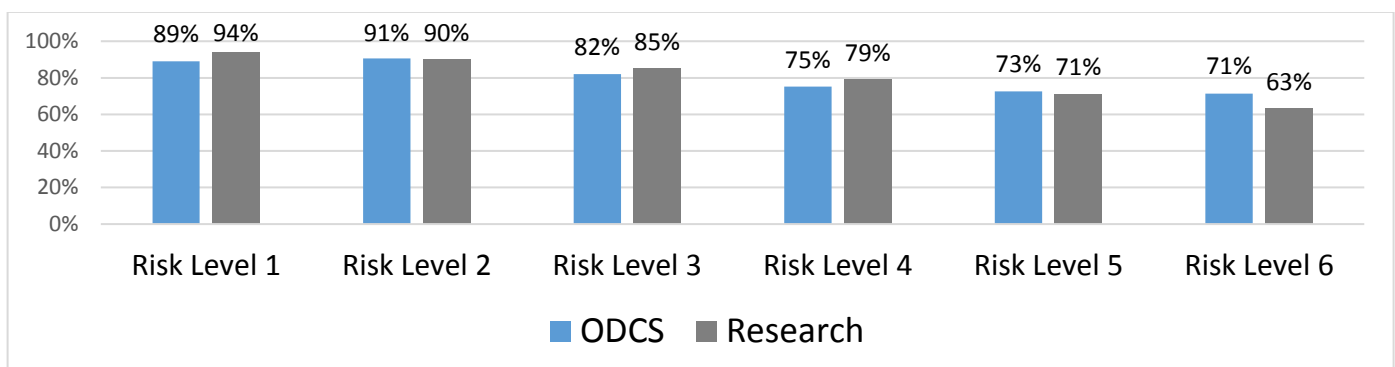
J. Pretrial Risk Distribution:

The lowest risk level, Level 1 was 6%, which is 50% lower than last year. Level 2 was 16%, Level 3 was 21%. Level 4 was 32%, up 5 points from last year. Level 5 was 19% and Level 6 was 6%.

K. Pretrial FY 19 Outcome Measures. All of these measures are better than last year as staffing has been stable in pretrial for half of this year.

Pretrial Outcome Measures	Misdemeanant	Felony
Overall Success Rate (460)	85%	75%
Court Appearance Rate (51)	94%	92%
Public Safety Rate (65)	94%	91%
Compliance Rate (44)	97%	92%
PS Non-violent Rate (3)	99.86%	99.73%

L. Success Rate within Risk Levels: ODCS N=651, Research N=14,382



M. Success Rates within risk level comparing secure bonds to unsecure bonds: As it is illustrated, the success rate is very similar regardless of financial obligations within each risk level:

Misdemeanors			Felons		
Risk Level	Secure	Unsecure	Risk Level	Secure	Unsecure
1	85% 22 out of 26	89% 42 out of 47	1	89% 27 out of 30	100% 7 out of 7
2	90% 28 out of 31	93% 38 out of 41	2	89% 33 out of 37	90% 27 out of 30
3	65% 24 out of 37	82% 27 out of 33	3	76% 42 out of 55	87% 39 out of 45
4	77% 10 out of 13	94% 15 out of 16	4	72% 48 out of 67	73% 27 out of 37
5	80% 8 out of 10	67% 2 out of 3	5	77% 27 out of 35	63% 15 out of 24
6	33% 1 out of 3	0% 0 out of 1	6	74% 14 out of 19	83% 10 out of 12

N. Local Probation:

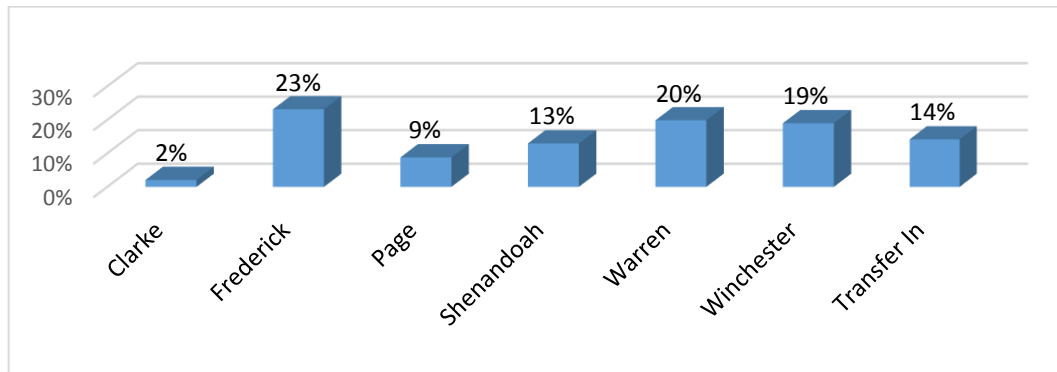
The only new law that may impact ODCS is the new law in regards to probation's responsibility to ensure that fingerprints have been collected.

In the substance abuse field, there is a language change from substance abuse to substance use disorder. Ms. Haden added that it can be specified by mild, moderate or severe. Therefore, court letters will be reflecting this change from SATX to SUD programming or intervention.

O. Local Probation FY 19 – Court and Jurisdiction Distribution:

Sixty-eight (68%) of the placements were referred from General District Courts, 25% are received from Circuit Courts and 7% are referred from Juvenile Domestic Relations Court. Seventy-seven (77%) placements were deferred dispositions.

Court Distribution. It is noted that the sub offices have experienced significant referral increases. For example, the percentage of Warren referrals was 20%, Frederick was 23% and Winchester was 19%.

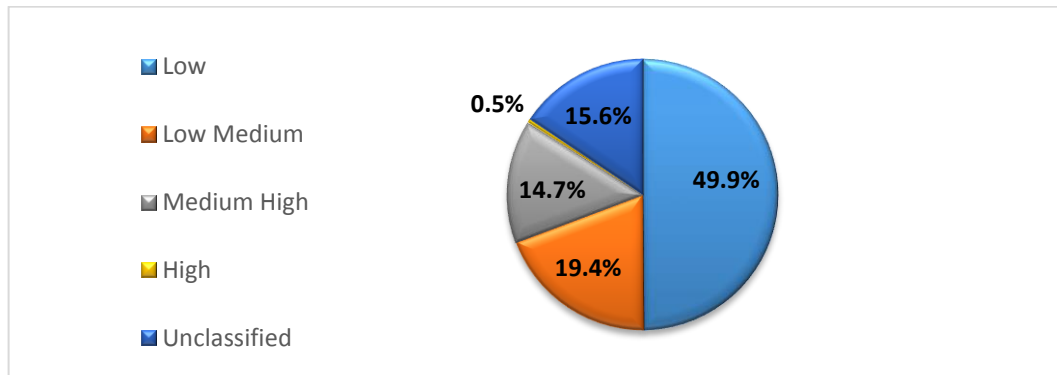


P. Local Probation General Statistics:

Probation placements totaled 568, over 100 more placements from last year. This increase also impacts completed community service hours, which more than doubled to 16,961 hours. Court Services also monitors restitution and court cost payments. Over the past year, Local Probation probationers paid \$7,579.48 in restitution and \$85,110.21 in court cost/fines.

The average age of probationers was 28. Sixty-six percent (66%) were male, 78% were white and 62% reported being employed. Employment was lower than last year; it dropped 4 points. Dr. Schulke stated it may be due to the younger probationers having difficulty in finding employment.

Q. Risk Distribution. Now included will be the percentage of probationers needing an assessment to determine supervision/risk level (15.6%):



R. Review: A chart of charge type for active cases was included in the handout.

S. FY 19 Local Probation Performance Measures:

The risk assessment completion rate is 75%, and case plan completion rate is 59%. For FY 20, ODCS will be adding the performance measure, Supervision Level Concurrence Rate. This is the percent of probationers who are being supervised in accordance with the associated assessment.

T. Local Probation Outcome Measures

In FY 20, ODCS will be changing and adding some outcome measures. For the upcoming year, the unsuccessful closure report will separate new arrests and new convictions. Previously, they were reported as one. A Technical Violation Rate will be collected, which is probationers who are closed unsuccessful due to non-compliant behavior only. Lastly, a Non-Compliant Rate will be collected, which is the percent of probationers who had non-compliant behavior and that behavior was addressed internally thus resulted in a successful completion of probation.

FY 19 Successful closures for misdemeanants is 68% and for felons, it is 63%.


FY 19 Success Rate within 4 Risk Levels	
Level	Rate
Low – MOST or OST 0-4	75%
Low Medium – OST 5-11	59%
Medium High – OST 12-21	54%
High – OST 22 or higher	0%

VI. Adjourn

With no further business to discuss and was adjourned at 7:27 p.m.

The next CCJB meeting will be held on **October 15, 2019 at 6:30 p.m.**

Respectfully Submitted,


S. K. Chmura