

Old Dominion Community Criminal Justice Board  
Minutes  
Meeting of Members  
April 15, 2014

The Old Dominion Community Criminal Justice Board meeting was called to order at the Holiday Inn located at 111 Hospitality Drive, Front Royal, VA 22630 at 6:36 p.m. on Tuesday, April 15, 2014.

**PRESENT:**

Chief Neal White  
Nancy Haden  
Monica Martin  
Beverly Brown Schulke, PhD  
Tim Coyne, Esq.  
Brian Madden, Esq.  
Stephen Gyurisin  
Major Jason Pettit  
John Riley  
The Honorable Dennis L. Hupp  
The Honorable William Sharp  
The Honorable David S. Whitacre  
The Honorable W. Dale Houff

**GUESTS:**

Dr. John Crandell

**ABSENT:**

Tessie Lam  
Sheriff Tony Roper

**STAFF PRESENT:**

Phil Braxton  
Kim Chmura  
Trish Lowery  
Jacquie Scherr  
Jennifer McVeigh

**I. CALL TO ORDER**

Mr. Steve Gyurisin called the meeting to order at 6:36 p.m.

Board members introduced themselves.

Mr. Gyurisin introduced the board to Jennifer McVeigh, new case manager for ASAP.

**II. APPROVAL OF THE AGENDA**

The agenda was reviewed.

**III. APPROVAL OF THE MINUTES**

Mr. Gyurisin commented due to inclement weather the January meeting had been cancelled, and therefore there are no minutes for approval. Mr. Gyurisin then called for approval of the minutes

of October 15, 2013. A motion to approve the minutes from October 15, 2013 was made by Mr. Coyne and seconded by Dr. Brown Schulke. The minutes were approved unanimously.

#### **IV. OLD BUSINESS**

Mr. Gyurisin brought up the expiration dates of current board members, and referenced the list of board members and term expiration dates. This has been done so that the terms would not expire at the same time.

#### **V. NEW BUSINESS**

He then introduced Chief Kim Chmura to go through the remaining items.

##### **New Organizational Chart and General ODCS PSA-LPA Updates:**

- A. Ms. Chmura reported that Superintendent Whitely has now placed Old Dominion Court Services: Pretrial Services and Local Probation directly under the Superintendent's purview.
- B. On January 8<sup>th</sup> all staff attended a one-day training on personality types. Staff was given the Myers-Briggs Type Indicator assessment and received the results as part of the training. Staff felt that this training helped with responsivity with clients and improved co-worker dynamics.
- C. All Local Probation Agencies were asked to conduct a client-based survey from 15 February to 15 March. The purpose of the survey is to evaluate the balance between risk management/accountability and rehabilitative/risk-reduction strategies. The research shows that a hybrid supervision model garners better results than strictly law enforcement verses social work models.
- D. On 3 April all Probation staff attended an Effective Use of Sanctions and Incentives training provided by VCCJA. Judge Bill Meyers (ret.) from the Colorado drug court facilitated the training. The training was a good reminder that we need to respond quickly and appropriately when using sanctions and incentives.
- E. The statewide Pretrial Services research project ends in April 2014. Results should be forthcoming.
- F. DCJS is scheduling an organizational assessment of all agencies. This will help identify strengths and weaknesses in the various agencies. The assessments should be completed by 30 June 2014.

##### **Recent Papers:**

- A. *A "New Norm" for Pretrial Justice in the Commonwealth of Virginia.* Ms. Chmura included the Fact Sheet with the handouts. The report was written by Mr. Ken Rose of DCJS at the request of the previous Secretary of Public Safety. This review outlined current practices and possible changes to VA Pretrial Justice. It was completed in December 2013. A meeting

with the new Secretary of Public Safety and DCJS was held where this document was reviewed. At the end of May, a Pretrial Justice Symposium will be held. One recommendation hoping to come of the symposium is to expand pretrial services statewide, as not all jurisdictions have pretrial services currently. This means they do not have the benefit of the VPRAI and supervision recommendations. Ms. Chmura offered to send a copy of the “New Norm” to members if they wished copies.

- B. *Annual DCJS Comprehensive Community Corrections Act and Pretrial Services Act Report.* Ms. Chmura handed out copies of this report which covers 1 July 2012 through 30 June 2013.
- C. *Dosage Probation: Rethinking the structure of Probation sentences, NIC and The Center for Effective Public Policy.* The Chief commented that Probation needs to be risk-based, and that our low-risk offenders really need less supervision. Mr. Gyurisin said everyone should let the Chief know if they wished to receive copies of this report.

#### **Budgets:**

- A. FY 14 Budget: the total budget was about \$565,000, and if all goes as planned Ms. Chmura hopes to close out the year with about \$523,000 which means that there is a reduction in the budget of about \$42,000. This comes from savings on operational costs and some savings in other areas. The Grant covers the majority of salaries.
- B. FY 15 Budget: the FY 15 budget is \$580,562. About \$515,000 of this is for fringe benefits and salaries. The Grant itself is \$475,766. This does not cover everything needed and is why it is important that we continue to collect supervision fees. Pretrial budget is covered by NRADC so it is important to keep close eye on this.

#### **FY 14 3<sup>rd</sup> Quarter Pretrial Services Performance Measures:**

- A. Pretrial Overall Success Rate was 82.25%. Misdemeanant success rate is 85%. Felon success rate is 75%
- B. Court Appearance Rate was 97%
- C. Safety Rate was 95%
- D. Approximately 90% of clients have a VPRAI. 75% of them are average or higher. Defendants scoring low risk typically are successful with no interventions about 90% of the time.

#### **Pretrial Services General Statistics:**

226 misdemeanants and 256 felons have been placed on Pretrial Supervision so far this fiscal year. The ALOS for Misdemeanants was 107 days or 3.5 months. ALOS for felons is 150 days or 5

months. Video Arraignment completed 477 investigations since July and of those the Judges have issued 343 bonds; therefore during video arraignment a bond of release is given 84% of the time.

Since FY 10 Misdemeanant placements are up by 60% and Felony placements are up by 61%. This represents a huge increase for Pretrial.

### **William Starrs v. Virginia**

This recent opinion from the VA Supreme Court was included in the handouts. This case law doesn't appear to impact Warren, Shenandoah, and Page County Courts as they do not have pretrial services and the only option for deferred disposition supervision would be local probation. While in Clarke, Frederick and Winchester Courts, there could be some confusion. Ms. Chmura stated that she plans to address these dispositions as she handles the COV deferred dispositions. If the client is being supervised by pretrial services, the placement will be closed once the deferred disposition is imposed. If the Court orders any supervision pending the final disposition, it will occur with Local Probation and; therefore, an order should be provided to ODCS-LPA. She and her staff will continue to communicate with the Commonwealth Attorneys, Public Defender and Clerks of Court.

### **Local Probation Performance Measures:**

- A. Local Probation Closure Rate: We have had 72% successful completions. Misdemeanants are 72% successful and felons are 70%.
- B. DCJS has provided research on the use of the MOST – OST risk tool. In FY 13, ODCS – LPA completed the initial screening tool (MOST) 92% of the time. This initial tool indicates which probationers need further assessment. In FY 13, this additional assessment (OST) was completed 70% of the time. Some of the incomplete assessments would be due to probationers who live out of the jurisdiction and may receive this assessment with another agency. There are a few instances where the client reports for the Intake and then absconds before the OST can be given.
- C. Our Supervision levels as of 31 March 2014 are:
  - Administrative – 43%
  - Standard – 44%
  - Comprehensive – 8%
  - Pending – 5%

**DCJS/VCCJA Recidivism Study:** This has not been finalized and is not out yet. Hopefully, this information will be available by the next meeting. Three years of closures are required for the statistics.

**Probation Placements and ALOS:**

Misdemeanant placements have gone from 622 in FY 10 to 318 (anticipated) in FY 14. This represents a drop in placements of about 48%.

Felon placements have gone up from 34 in FY 10 to 124 (anticipated) in FY 14, which indicates that they have tripled and almost quadrupled in this time.

Comparing to the average length of supervision - FY 10 probationers were only on supervision for about 150 days. Now the supervision length has been increased to about 285 days. Judge Sharpe asked if this was due to a function of the court setting the probation length of time. Ms. Chmura indicated that it was. She also commented that in 2010 Local Probation was used often for completing community service only and now we are getting a specified time-frame and required programming for the clients.

**Proposed Future Meeting Dates:**

July 15, 2014:	Hotel Strasburg
October 21, 2014:	Holiday Inn
January 20, 2015:	Hotel Strasburg
April 21, 2015:	Holiday Inn

VI: Next meeting:

The next meeting of the Community Criminal Justice Board (CCJB) will be on July 15, 2014 at the Hotel Strasburg, 213 South Holliday Street, Strasburg Va.

There being no further business, the meeting was adjourned at 7:05 p.m.

Respectfully Submitted,

S. Kimberly Chmura