

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

The Old Dominion Community Criminal Justice Board meeting was called to order at the Hotel Strasburg, 213 South Holliday Street, Strasburg, VA 22657 on Tuesday, July 15, 2014 at 6:28 p.m.

PRESENT:

Chief Neal White
Nancy Haden
Monica Martin
Tessie Lam
Tim Coyne, Esq.
Brian Madden, Esq.
Major Jason Pettit
The Honorable Dennis L. Hupp
The Honorable David S. Whitacre
The Honorable W. Dale Houff

ABSENT:

The Honorable William Sharp
Beverly Brown Schulke, PHD
Stephen Gyurisin
John Riley
Sheriff Tony Roper

STAFF PRESENT:

Phil Braxton
Kim Chmura
Gene Boyce
Jacquie Scherr

I. CALL TO ORDER

Mr. Tim Coyne, in the absence of Mr. Stephen Gyurisin, called the meeting to order at 6:28 p.m.

Board members introduced themselves.

II. APPROVAL OF THE AGENDA

There was unanimous approval of the agenda.

III. APPROVAL OF THE MINUTES

A motion to approve the minutes from April 15, 2014 was made by Chief Tessie Lam and seconded by Ms. Nancy Haden. The minutes were approved unanimously.

IV. OLD BUSINESS

Chief Chmura briefly brought up the expiration dates of current board members, and referenced the list of board members and term expiration dates.

V. NEW BUSINESS

Mr. Coyne then introduced Chief Kim Chmura to present ODCS PSA and LPA items.

A. ODCS PSA-LPA New Standard Operating Procedures: The following SOPs have been approved by Mr. John Riley. There are another 9 to be rewritten. All procedures are reviewed by Supt. Whitley and approved by Mr. Riley.

- 2.5 Standard Operating Procedures – 5/15/14
- 2.6 Records Management – 5/15/14
- 2.7 Serious Incident and Citizen Complaints – 05/15/14
- 2.8 Performance Data and Information – 5/15/14
- 3.8 Fees – 4/11/14 (approved by DCJS)
- 4.1 Scope of Services – 6/1/14
- 4.2 Duties and Responsibilities – 6/1/14
- 4.4 Judicial Officer Placement – 6/1/14
- 4.7 Fees – 6/1/14
- 5.1 Transfer Procedures – 6/1/14
- 6.1 Contracting for Supervision – 5/15/14
- 7.1 Training and Staff Development – 6/1/14

B. ODCS PSA-LPA Updated

1. **Recidivism Report** – the report to give us State-wide levels for 2010 should have been out in January 2014 but is still on pause. Chief Chmura will bring this up at the Director's meeting in August 2014.
2. **Client Survey** – this was concluded in March, but to date no feedback or results have been issued.
3. **Organizational Assessment** – A request for the members to complete this survey was sent in June. The surveys were to be completed by the end of June. Thank you to the all the members who completed the survey. Since this just wrapped up, the Chief is not expecting results to come back that quickly.
4. **Praxis/STEPS Pretrial Study** – this was a year-long process. We were not part of the Praxis group, but participated in the STEPS portion of the study. The last participants were referred to pretrial supervision in April 2014. The research will

not conclude data collection until December 2014. At that time, they will begin the results/outcomes portion of the study.

5. **Pretrial Symposium** – this symposium was attended by the Chief on May 30, 2014. Supporters of pretrial justice were brought together. Some participants were Judges, Commonwealth Attorneys, Public Defenders, Magistrates, DOC representatives, Law Enforcement personnel and Jail Administrators. The Secretary of Public Safety spoke but did not stay however, his staff remained. Some present agreed to be members of the Pretrial Justice Committee. The Chief commented that this was a very productive symposium and that this is an exciting time for pretrial justice in Virginia.
6. **Probation Case Plan Refresher.** Some of the probation staff attended a Case Plan Refresher for coaches. All the probation officers will be attending a Case Plan Refresher in August and an assessment tool refresher in July. With Evidence Based Practices, it is important to ensure the skill competency remains consistent as your staff continues to practice these skills. ODCS is one of the original four that piloted EBP over 10 years ago. Now, EBP has expanded to all community corrections – local probation agencies.
7. **Kentucky Paper**
The Arnold foundation released a paper in July 2014 about the first 6 months of the new Pretrial program in Kentucky – investigations and supervision. With the new program in effect, they were able to reduce crime by 15% among defendants on pretrial release and increase release rates to 70%. A copy of this 6-page report can be found at www.arnoldfoundation.org or the Chief can provide a PDF version if requested.

C. Pretrial Services Performance Measures

1. In FY 14, ODCS PSA had an overall success rate of 84%, which is an increase of 4 points over FY 13. We had a 96% court appearance rate and 90% safety rate. (10 misdemeanor new charges brought the rate down from 95%)
2. In FY 14 there were 353 misdemeanants and 398 felons placed on Pretrial Supervision. We have increased our numbers significantly in the past 5 years.
3. ALOS for misdemeanants is 104 days or 3.5 months.
4. ALOS for felons is 143 days or 5 months.
5. Video arraignment completed 629 investigations. There were more bond hearings than this, but for various reasons VPRAI's were not done on everyone; and

occasionally, the defendants simply refused to participate in the VPRAI. At Ms. Haden's request the Chief gave a brief overview of the investigation process.

Out of 669 pretrial defendant investigations, release was recommended 88% of the time. The Judges actually issued bail and ordered release in 84% of the cases.

Regardless of seeing a Judge or a Magistrate, for those defendants who are ordered to pretrial supervision, 52% of the time the defendant will also have a secure bond for the misdemeanor charge. It is possible to have a high VPRAI and have a misdemeanor charge, but typically that would be less than 15% of misdemeanor population. Defendants who have a pretrial supervision condition for a felony charge also have a secure bond condition in 65% of the cases. Therefore, there are less-than-high-risk misdemeanor and felon defendants who have both financial obligation and pretrial supervision.

During video arraignment, about 23% of the defendants score high risk on the VPRAI. Since the Judge orders release 84% of the time, that would leave about 16% of the incarcerated defendants whose bail hearing resulted with "no bond". Of the remaining released defendants, who would be appropriate for PR bonds? More than likely, those defendants who scored low on the VPRAI. Those who scored below average to above average and the "highs" that were released are appropriate for pretrial supervision. The question is how likely are the individuals to appear in court are and how likely are they to be rearrested while out on bail. For those in ODCS pretrial supervision, the court appearance rate is 96%. Ninety six percent (96%) of all pretrial supervision defendants report to every court appearance. Ninety percent (90%) of the pretrial supervision defendants do not have any new arrests; the safety rate.

D. Local Probation Performance Measures

1. Local Probation Closure Rate: We have had 74% successful completions, this is up 2 points from last year. The Chief stated that the staff will endeavor to increase the success rates.
2. Probation Placements and ALOS. Offenders placed on Local Probation in FY 10 were 656 and in FY 14 395. This is a dramatic decrease. We are currently receiving fewer on probation but the average length of supervision is significantly longer. Some of the decrease is due to ASAP taking 1st offenders for Marijuana. It is noted, the felon placements during the same period has dramatically increased. Placements into local probation supervision should be offenders who are in need of services or interventions. ODCS LPA completes assessments,

evaluates criminogenic needs and, in addition to the court-ordered obligations, imposes appropriate treatment programming.

3. Jurisdiction and Court Type. 267 placements were out of GD courts, 59 out of JDR courts – 33 of these are from courts outside our jurisdiction, 128 placements out of Circuit Court for a total of 454. The Chief remarked that these are placements rather than people. In other words, 60% were from GDC, 29% from Circuit and 13% from JDR.

VI: Next meeting:

The next meeting of the Community Criminal Justice Board (CCJB) will be on October 21, 2014 at the Holiday Inn, 111 Hospitality Drive, Front Royal, VA.

There being no further business, the meeting was adjourned at 6:56 p.m.

Respectfully Submitted,

S. Kimberly Chmura