

Minutes - Rockingham/Harrisonburg Community Criminal Justice Board (CCJB)

Virtual Meeting

March 01, 2021 - 4:00 p.m. EST

Board Members –

Marsha Garst – Commonwealth’s Attorney

Eric Campbell – City Manager Harrisonburg City – *Absent*

Ande Banks, Deputy Harrisonburg City Manager – *Absent*

Gabe Camacho – Interim Chief, Harrisonburg Police Department

Chaz Haywood – Clerk of Circuit Court

Bryan Hutcheson – Sheriff, Rockingham County & City of Harrisonburg

Ellen Harrison – Community Services Board

Dr. Nancy Insko - Rockingham Harrisonburg Page Re-Entry Council

Stephen King – County Administrator

Rick Chandler – CCJB Chairperson - Rockingham County Member

Kevin Lanoe - James Madison University Public Safety

Celeste Williams - Department of Social Services

Dr. Oskar Scheikl – Rockingham County Public Schools Superintendent

Judge Bruce Albertson

Dr. Michael Richards – Harrisonburg City Public Schools Superintendent

Joshua Lutz - Chief, Probation & Parole District 39

Judge John Hart - *Absent*

Judge Anthony Bailey - *Absent*

Monica Martin – Chief Magistrate

Laura Dent* - CCJB Co-Chairperson - City of Harrisonburg Member

Non-Board Attendees -

Anne Marie Freeman – Director, Court Services

S. Frank Sottaceti- Harrisonburg / Rockingham Criminal Justice Planner

Ruth Jost

* Added after Nomination and Appointment as Vice Chairperson

- I. Mr. Stephen King opened the CCJB Meeting with a Nomination for a CCJB Chairperson. The Chairperson Nominee was Mr. Rick Chandler, representing Rockingham County Virginia. The Motion was Seconded by Marsha Garst. A verbal vote was conducted with no one opposing. Motion carried. This is a two-year Term.
- II. Mr. Sottaceti conducted Roll Call as reflected above. It was noted that none of the Judges are Voting Members of the CCJB.
- III. Chairperson Chandler opened the floor for Nominations for Vice Chairperson of the CCJB. Mr. King nominated Harrisonburg City Council Member Laura Dent. The Motion was Seconded by Marsha Garst. A verbal vote was conducted with no one opposing. Motion carried. This is a two-year Term.

- IV. Chairman Chandler moved for approval of the December 14, 2020 Minutes, motion made by Marsha Garst, seconded by Mr. King and approved by the Board. No Opposed.
- V. Frank Sottaceti provided an update on the activities of the Criminal Justice Planner. Mr. Sottaceti updated the CCJB on the expanding capabilities for data collection and analysis.
- VI. Dr. Nancy Insko provided an update for the Recidivism/Probation Violation Workgroup. Dr. Insko stated that the workgroup had not been meeting regularly and would be meeting more frequently in the future. She spoke about the benefit of the data collection and analysis from the Criminal Justice Planner and how the data is valuable as the issues are explored and we move towards data-driven decision-making which is a part of responsible government. She discussed the continuing look into the Prison Policy Initiative's report that was sent-out prior to the December 14, 2020 CCJB Meeting "[Does our County Really Need a Bigger Jail?](#)" and also the Vera Institute of Justice monograph, "[Broken Ground: Why America Keeps Building More Jails and What It Can Do Instead](#)". She also mentioned looking at initiatives that the National Association of Counties is working on.
- VII. Alternatives Committee - Ms. Jost spoke about how the Committee has been looking at alternatives to incarceration for the last five (5) years and it is especially pressing now and so important now in light of the Middle River Regional Jail Expansion discussion. She asked – are we holding too many people pretrial? She stated we have had a phenomenal increase in incarceration compared to our population growth. The majority of people in our jails are incarcerated on non-violent charges and Sentences and could be better served in the community. Are we holding too many people that are not a flight or public-safety risk? Could they be released on their own recognizance; these are people with families and jobs. Studies show that people released on non-secured bond are at no greater risk of failing to appear as those released on money bond. The biggest opportunity is to encourage our police, prosecutors, and judges to connect people with diversion programs that seek to address the underlying causes of the Offense(s) rather than choosing incarceration. Jails are a harsh and trauma-inducing setting and they are not the place to treat people with mental health and substance use disorders. We need to invest in a public-health model instead. Are we using our limited jail space to hold people for other jurisdictions? Ms. Jost stated that we are faced with the upcoming decision regarding the Middle River Regional Jail (MRRJ) expansion project because we do not have enough alternatives. She encouraged all of the City and County decision-makers to take a pause in the decision because we are faced with this because we do not have enough alternatives.

VIII. Operational Updates

A. Rockingham Harrisonburg Regional Jail Statistics

Sheriff Hutcheson provided an update on jail statistics for the Rockingham Harrisonburg Regional Jail (RHRJ) and MRRJ. See attached report for details.

B. Harrisonburg Rockingham Community Services Board (CSB)

Ms. Harrison provided a written report for an update on CSB activities and wanted to make the CCJB aware of a Staff changeover in Case Manager that will result in services starting again at the Rockingham Harrisonburg Regional Jail. The capacity will be for up to 500+ people per year at the jail. The Nurse Practitioner saw over 300 individuals at the Jail in the 2020 Calendar Year. The 3.5 Hours per week is adequate

because the population remains similar and there is medical staff at the jail. The focus is on serious Mental Illness.

C. District 39 Probation and Parole - See attached report for details.

D. Court Services – See attached report for details.

IX. Drug Court

A. CA Marsha Garst reported that 53 individuals are in Drug Court. The work that the Reentry Coordinator is doing is already showing success with Drug Court Clients.

B. Judge Albertson stated that the Program length is currently ~22 months and may be adjusted to 15 months. This process is being discussed with CSB to ensure it meets Program and treatment goals. The 15 months is more consistent with other Drug Courts. The change timeline is approx. July 2021.

X. Old Business

A. Replacement of CCJB Defense Attorney

1. Chaz Haywood introduced the Nominee, Gene Hart for the Defense Counsel Member to the CCJB. Mr. King stated that the County Board of Supervisors and the City Council would be the appointing authority. Each Body will be asked to approve the Member. The results will be updated at the June 7, 2021 CCJB Meeting.

XI. New Business

A. CCJB Co-Chairperson Laura Dent introduced herself. She stated she is “humbled to be among people that have been working in this field for decades.” She mentioned that she is a “quick study” and thanked Mr. Sottaceti for preparing a primer of our criminal justice system to get her up-to-speed quickly. She said she was looking forward to meeting one-on-one with the members of the CCJB that represent agencies and offices within our criminal justice system.

B. Celeste Williams was asked by the CCJB Chair to ensure the activities and metrics for the Reentry Coordinator are reported at each CCJB Meeting.

XII. Public Comment

A. Ms. Hannah Wittmer asked if the 75% funding for the jail expansion would be from a tax increase and if land has to be acquired. She also asked if the MRRJ Authority Board voted on April 6, 2021 what the timeline would be for the expansion. Mr. King stated that no additional land would be necessary, and the Commonwealth does have the 25% Match in their Proposed Budget. The Localities would pay the debt service based on a three-year actual usage formula. The timeline is up to each jurisdiction. Ms. Wittmer also asked if the bed space being rented elsewhere is related to COVID-19. Mr. King stated the need to rent bed space is due to the overcrowding and exacerbated by the Virus.

- B. Mr. Boris Ozuna from the FUEGO Coalition stated the expansion of MRRJ would lead to more overcrowding. More conversation needs to be done regarding reducing incarceration and not expansion. CCJB Chairperson stated that he is organizing a meeting with the five Localities that makeup MRRJ and in addition is proposing a “Commission” to look at ways to reduce incarceration on a regional level.
- C. Hillary Moore, a local attorney, and Adjunct at the Eastern Mennonite University (EMU) asked if any computer program is used for Pretrial Assessments. CA Marsha Garst stated that we do use a variety of instruments/tools to determine Pretrial decisions. Dr. Insko stated that Pretrial Service agency Directors around the Commonwealth developed an actuarial-based instrument for Pretrial decisions approx. 7-years ago. CA Garst stated that the population of Pretrial persons and those eligible for Bond are regularly reevaluated for release.
- D. Ms. Wittmer “raised her hand” with another question. She stated that she understands from someone that CA Garst has a policy that no one is released Pretrial for drug-related offenses because they are a danger to themselves and will continue to use drugs. CA Garst had already logged-off from the Meeting and Mr. King requested that Ms. Wittmer contact CA Garst directly in regard to the question about policies of the Commonwealth Attorney’s Office.

CCJB Chairperson stated that the next meeting of the CCJB would be on Monday, June 7th, 2021 and that the platform (in-person or virtual) would be determined based on the COVID-19 protocols and restrictions in place as the date approaches.

Meeting was Adjourned at 5:11 p.m.
