

Rockingham - Harrisonburg Community Criminal Justice Board (CCJB)

Minutes

Virtual and In-Person Meeting
Monday, June 7, 2021 - 4:00 p.m.

Board Members –

Rick Chandler – Rockingham County Board Member / CCJB Chairperson
Laura Dent - City of Harrisonburg Council Member / CCJB Vice-Chairperson
Marsha Garst – Commonwealth’s Attorney
Eric Campbell – City Manager – *Absent*
Ande Banks, Deputy City Manager
Gabe Camacho – Interim Chief, Harrisonburg Police Department
Chaz Haywood – Clerk of Circuit Court
Bryan Hutcheson – Sheriff, Rockingham County & City of Harrisonburg
Ellen Harrison – Rockingham Harrisonburg Community Services Board
Nancy Insko, Rockingham Harrisonburg Page Re-Entry Council
Stephen King – County Administrator
Kevin Lanoe - James Madison University Public Safety - *Absent*
Celest Williams – Director, Department of Social Services
Oskar Scheikl – Rockingham County School Superintendent - *Absent*
Judge Bruce Albertson
Michael Richards – Harrisonburg City School Superintendent – *Absent*
Joshua Lutz - Chief, Probation & Parole District 39
Judge John Hart - *Absent*
Judge Anthony Bailey - *Absent*
Gene Hart – Defense Attorney
Monica Martin – Chief Magistrate – *Absent*

Non-Board Attendees

Anne Marie Freeman – Director, Court Services
S. Frank Sottaceti- Harrisonburg / Rockingham Criminal Justice Planner
Ruth Jost – Alternatives Committee
Becky Sours – Reentry Specialist, Department of Social Services

- I. Welcome and Introduction by Chairperson Chandler
- II. Chairman Chandler moved for Approval of the March 1, 2021 Minutes, motion made by Mr. King, seconded by Commonwealth Attorney Marsha Garst, and approved by the Board.
- III. Frank Sottaceti provided an update on the activities of the Criminal Justice Planner. Ongoing data collection and data analysis is being conducted and will continue to expand as capabilities are identified and developed.

- IV. Alternative/Sub-Committee Workgroup - Ms. Jost spoke about the Community Services Board (CSB) having improved service and appointment time for clients. Clients are increasingly having “Same Day Access.” She commended that during the Pandemic the Commonwealth Attorney’s Office, Judges, attorneys, and Magistrates to reduce the number of incarcerations. She absolutely trusts the Commonwealth Attorney’s Office and Judges to determine who can be released. She mentioned the Crisis Intervention Team (CIT) testifying for a Congressional Committee. She then discussed the Middle River Regional Jail (MRRJ) and that adding 32,000 sq. ft. “half of a soccer field” and calling it a renovation she is concerned and we “are not being genuine” with the Public who has made it clear that no new beds are wanted or needed. That we need to be “straight-up with people” and tell them if we are doing an expansion. She is really concerned about it, and we have a community that is watching this issue closely. That the jurisdictions “will be contacted by a lot of very concerned people that I have heard are really wondering what this really means.”
- V. Nancy Insko provided an update on the Recidivism/Probation Violation Workgroup formed as a result of the Motion that was adopted on March 2, 2020. Insko reported that the Workgroup is comprised of herself, Ruth Jost, Josh Lutz, Ann Marie Freeman, Gene Hart, Laura Dent and Frank Sottaceti. The group is discussing what the definition of “recidivism” is for our criminal justice system. That our community has to form its own definition of recidivism and determine what our tolerance is for recidivism. That substance use disorders should be treated in the public health system and not in the criminal justice system. Laura Dent added that the success of the CIT Program may decrease or even eliminate the need for developing a Mental Health Docket. Judge Albertson stated that establishing a Mental Health Docket/Court is a long process under Commonwealth Statute and by grant requirements and there is very limited flexibility in running the Program. He added that Drug Court is a Program that addresses co-occurring disorders and that a Mental Health Docket/Court would have some overlap in participants. Commonwealth Attorney Marsha Garst added that the CSB evaluation of potential Drug Court Participants is very comprehensive and considers all diagnoses.
- VI. Informational Updates
- A. Rockingham Harrisonburg Regional & Middle River Regional Jail Statistics
Sheriff Hutcheson provided an update on jail statistics as of June 01, 2021 for the RHRJ and MRRJ. See attached report for details. The Sheriff pointed out that the same people advocating for no expansion at the MRRJ are also the ones that are critical of the lack of services being offered and when things like COVID occur there is no space to provide safety. He stated that from the comments at meetings that “the system” is being blamed for incarcerations. That no one is given any chances. The individuals incarcerated for probation violations are individuals that were out of jail and were given opportunities but failed to abide by the mutually agreed upon requirements. In regard to pre-trial incarcerations, the level of charges are overwhelmingly Felonies (Misdemeanors 30, Felonies 228 at the Rockingham-Harrisonburg Regional Jail) (Misdemeanors 1, Felonies 26 at MRRJ).

Chairperson Chandler commented that the priority list for Services conducted at the Middle River Regional Jail is the responsibility of the Superintendent of the Middle River Regional Jail.

Stephen King commented that there are physical needs independent of the number of beds that need to be addressed. There are two areas where additional space is needed but the Jail Authority Board recognizes there is “not the will” to move forward. The first is mental health and the second is the Work Release Program. Mr. King provided an overview of the \$14.5 Million Project made by the Jail Authority Board.

Chairperson Chandler commented that we need to stay on the issue of the Department of Corrections transferring State-responsible inmates. A change was made that the Director of Corrections now has the discretion to follow the Virginia Code for this issue. Each of the jurisdictions need to contact their elected officials at the State-level and ensure that the Director needs to follow the Code as written. Commonwealth Attorney Marsha Garst reminded the CCJB that herself, Judge Albertson, and Sheriff Hutcheson met with the Department of Corrections a few years ago and we did see changes for a period of time.

B. Harrisonburg Rockingham Community Services Board (CSB)

Ms. Harrison provided a written report for an update on CSB activities. See attached report for details. Miss Harrison detailed that there is a new Case Manager at the jail. CSB is moving into their new building on July 9th, 2021. The City and the County each contributed \$5 million towards that project.

C. District 39 Probation and Parole

Chief Lutz reported on the statistics for the period. See attached report for details. Chief Lutz also commented that in his opinion that CSB is underfunded and while the new facility will help it will be sometime until they are able to increase their capabilities. He also commented on reprogramming public funding to education rather than the criminal justice system. The criminal justice system has not changed; society has changed and the way we approach funding is still focused on the criminal justice system and not on the societal services available.

D. Court Services – Ms. Freeman reported on the statistics for the period. See attached report for details.

VII. Drug Court Update – Ms. Garst provided an update on the Drug Court initiative. Currently there are 56 participants in the Program. There have been 15 graduations with two more coming up in the next few months. You do not see huge graduation numbers because it is a lengthy program. Co-Chairperson Dent commented that she observed a session of Drug Court and appreciated that Judge Albertson “was both encouraging and firm” to the participants. She also observed individuals getting multiple chances and opportunities to succeed. Also, that the services are available for people to “work their own recovery” which leads to success.

VIII. Reentry Coordinator Update

A. Celest Williams provided an update on the Reentry Specialist Program at the Department of Social Services that began in December 2020 and the individuals served will scale-up as the Program evolves. She introduced the Reentry Specialist - Becky Sours.

B. Becky Sours began the Program in December Ms. Sours provided an example where an individual who had been referred by Court Services received comprehensive services,

including an antibacterial kit and masks, processed them for SNAP and Medicaid, food assistance, and a monthly telephone card. The client was able to contact all of his Court necessary contacts and recontacted a prior employer who rehired him. The Reentry Specialist was able to purchase him a pair of work boots. The client purchased a vehicle, and he was able to find housing. Working with mercy house they provided a voucher, and he was able to furnish his apartment.

Commonwealth Attorney Marsha Garst thanked Ms. Sours and Director Williams for delivering on their promise and making this Program a key to assisting individuals who are being released from incarceration to succeed.

Chairperson Chandler commented that the success of this Program is exciting, and he looks forward to hearing about this in the future.

Co-Chairperson Dent commented that housing is a key issue to success and the City is well aware and conducted a housing study and that low-income and low-barrier housing is a definite need as individuals transition back into society.

IX. Old Business

Chairperson Chandler thanked Gene Hart for his willingness to serve on the CCJB as the Defense Bar Statutory Member.

X. New Business

Commonwealth Attorney Marsha Garst stated that at the end of June/beginning of July timeframe the Fairfield Center and the Commonwealth Attorneys Office will be conducting a reentry teaching program at the Middle River Regional Jail for woman focusing on skills for reentry. Becky Sours has been invited to be one of the first guest speakers in that program.

XI. Public Comment

Mr. Boris Ozuna said that we can all agree on the dignity and safety and that we are all connected. What we don't always agree on is the humanity of jails. People don't belong in cells. He stated that what the public has made clear is that they believe if you expand the space of the jail, you will expand the number of people in the jail. He stated that we need to reduce incarceration. We need to fund programs in the community before we fund programs in the jail. We have not hired any well-known firm to assist us in reducing incarceration, but we have hired an architect to expand the jail.

Ms. Hannah Wittmer asked if the Sheriff or Chief Camacho has any figures on "Cite and Release" in our jurisdictions. The Sheriff suggested she contact the Courts for assistance. She also asked of all the people in jail on probation violations how many are for technical violations. Judge Albertson stated that in the last year over 60% were for new offenses in his Court. The Virginia Guidelines Commission would have more accurate metrics. Chief Lutz and Sheriff Hutcheson stated that it is a misperception that individuals are "violated" for one "dirty urine screen" or one administrative factor. They are "violated" after multiple times. She also asked what the average time served is

for the Rockingham-Harrisonburg Regional Jail and for the Middle River Regional Jail. She was directed to inquire at the jails for that information.

Ms. Hillary Moore asked what sort of collaboration in criminal justice is occurring between and within law enforcement and Commonwealth Attorneys. Commonwealth Attorney Marsha Garst said that collaboration does occur on a regular basis with other localities. It can be as uncomplicated as a telephone call or as complex as a symposium, training, or conference.

Chairperson Chandler mentioned that the discussions taking place between the localities that make up the Middle River Jail is a way to collaborate for our community. Mr. Ozuna responded that there are no Minutes being taken and no transparency in those discussions and the public doesn't trust the discussions and is not part of those discussions.

The next CCJB Meeting will be held on Monday, September 13, 2021, as an in-person meeting at the same location.

5:45 pm Meeting Adjourned
