

Rockingham - Harrisonburg Community Criminal Justice Board (CCJB)

Monday, September 13, 2021 at 4:00 p.m.

Agenda

- I. CCJB Meeting Called to Order
- II. Roll Call
- III. Welcome - Chief Kelley Warner, Harrisonburg Police Department
- IV. Approval of Minutes, dated June 07, 2021
- V. [Virginia State Crime Commission](#)
 - Executive Director Kristen J. Howard
- VI. Update - Criminal Justice Planner – S. Frank Sottaceti
- VII. Alternatives Committee – Ms. Ruth Jost
- VII. Operational Updates
 - A. Jail Report
 - B. Harrisonburg Rockingham Community Services Board (CSB)
 - C. District 39 Probation & Parole
 - D. Court Services
- IX. Reentry Coordinator Update - Director Celest Williams
- X. Old Business
- XI. New Business
- XII. Public Comment
- XIII. Adjournment

Rockingham - Harrisonburg Community Criminal Justice Board (CCJB)

Minutes

DRAFT

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 Scheidl – 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.

DRAFT

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,

DRAFT

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

DRAFT

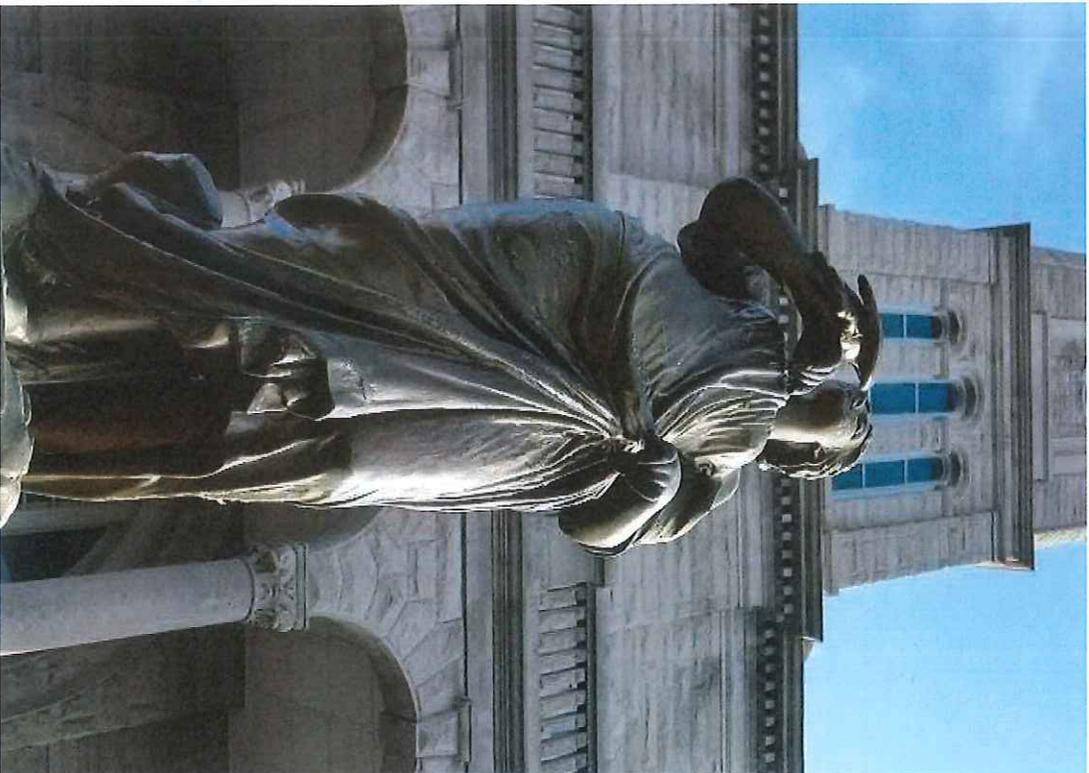
for the Rockingham-Harrisonburg Regional Jail and for the Middle River Regional Jail. She was directed to inquire at the jails for that information.

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.

DRAFT
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.

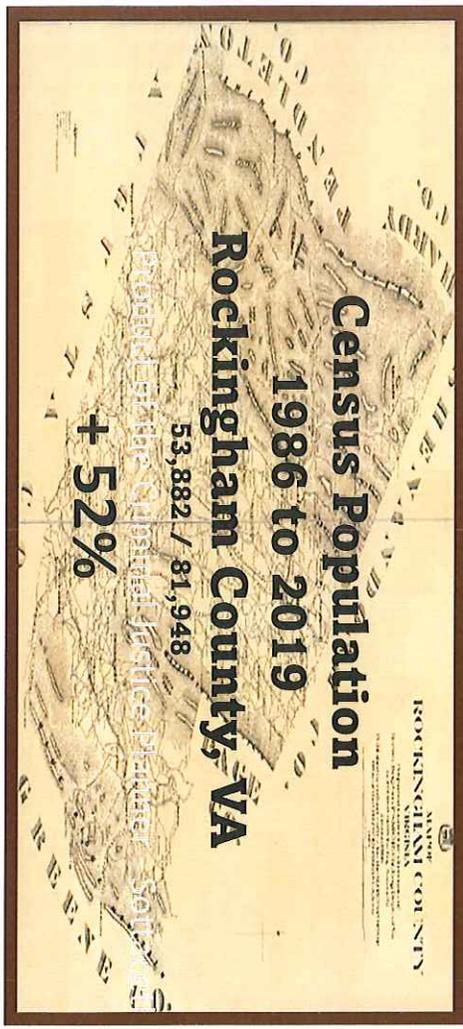
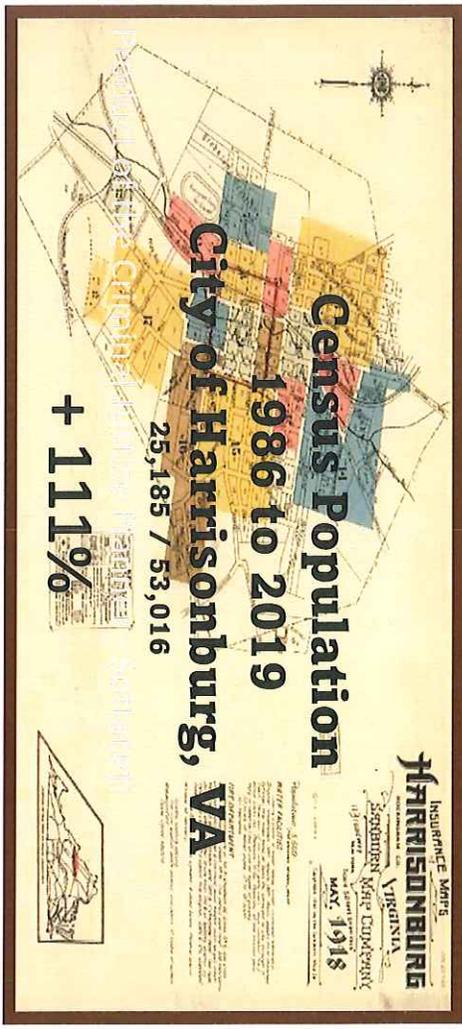
5:45 pm Meeting Adjourned



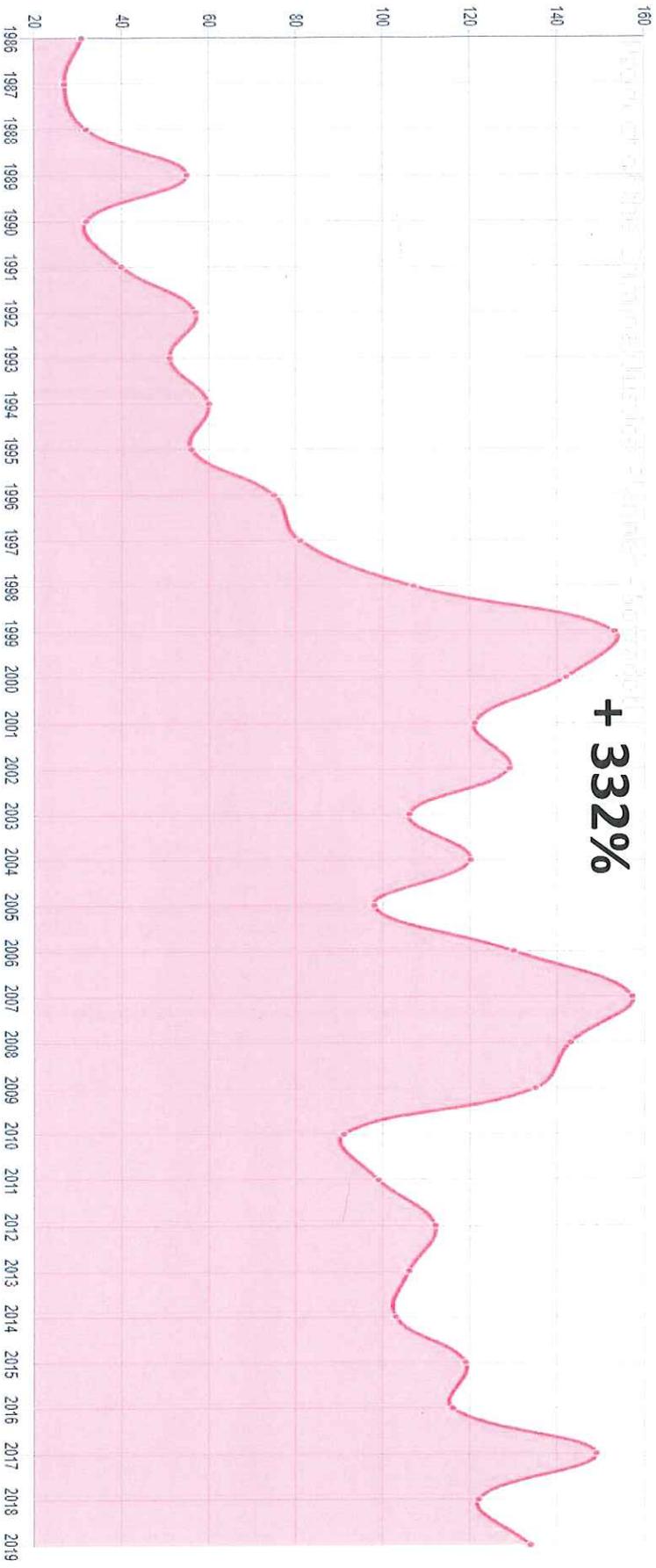
Report from the Criminal Justice Planner

Presented to the Rockingham-Harrisonburg Community Criminal Justice Board

September 13, 2021

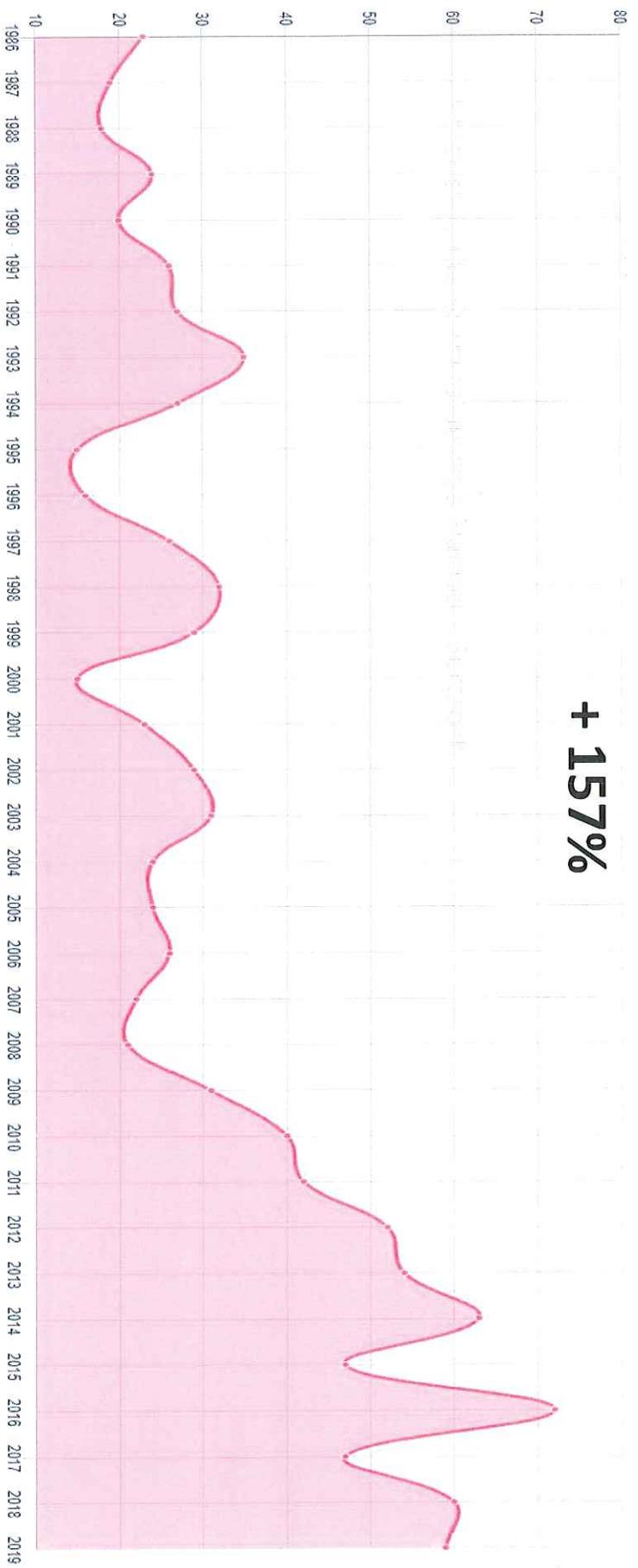


Violent Crime 1986 to 2019 City of Harrisonburg VA



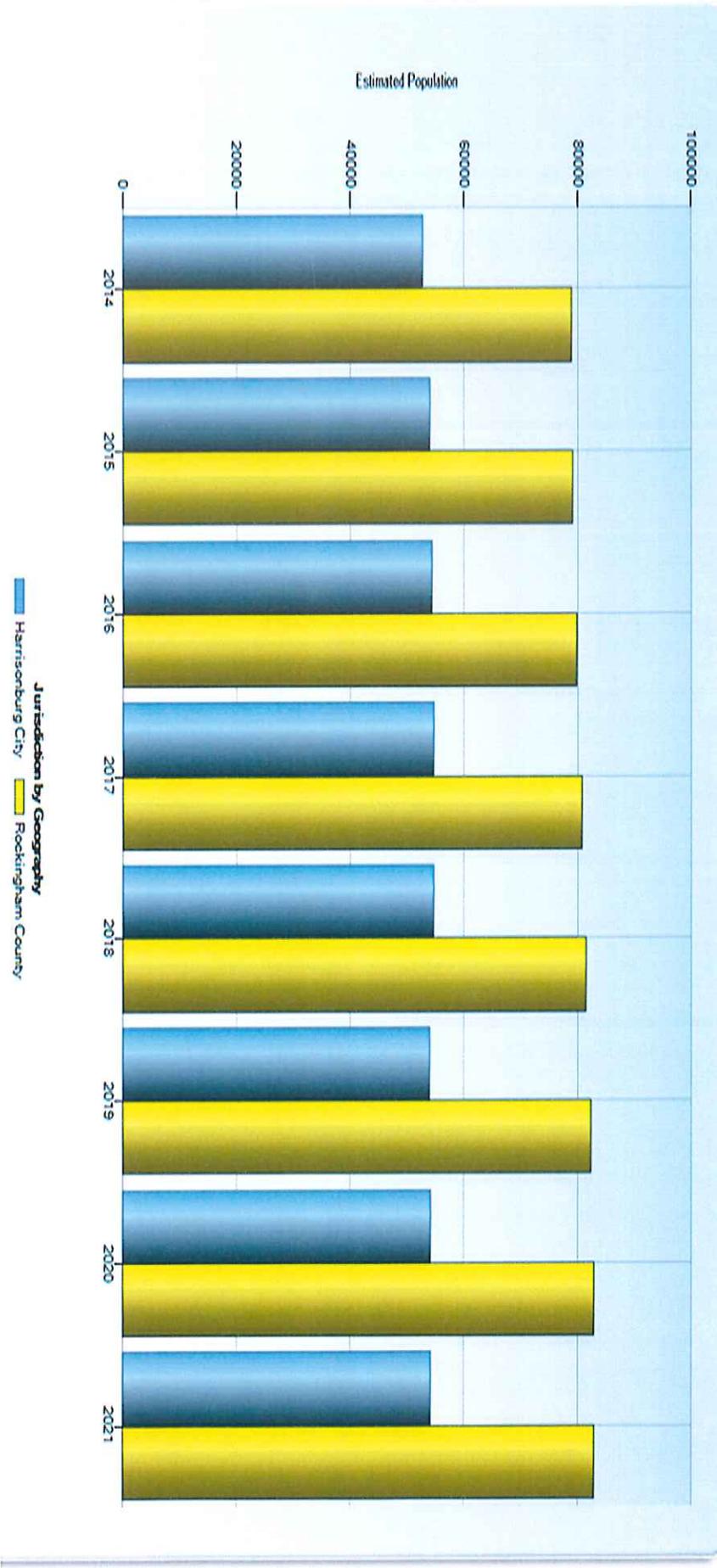
Violent Crime 1986 to 2019 Rockingham County VA

+ 157%



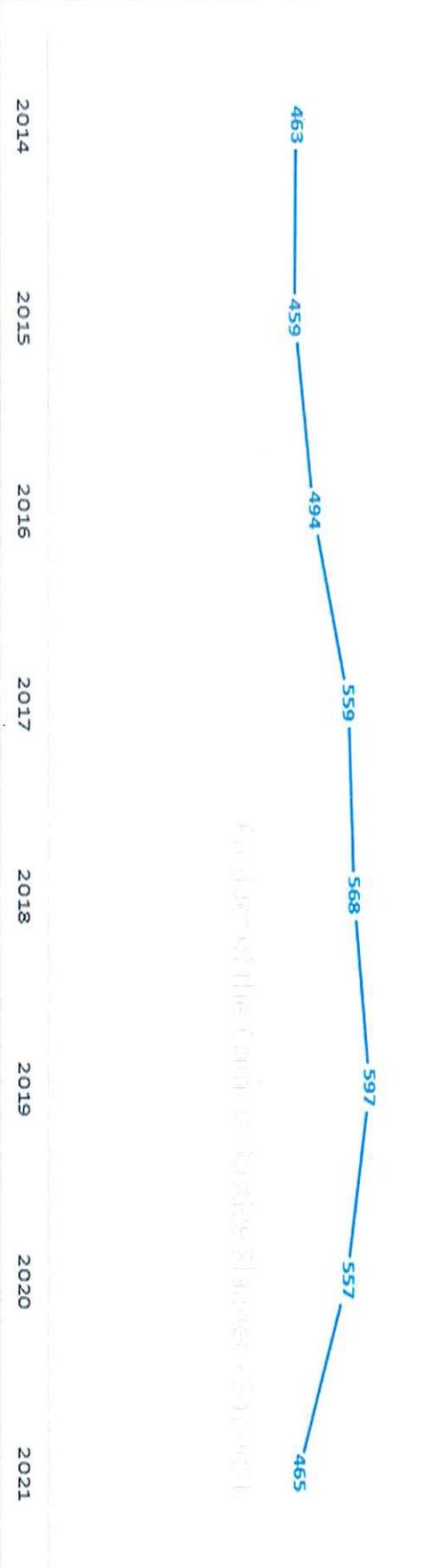
Census Population Change	
JURISDICTION	2014 – 2021
City of Harrisonburg	+ 3%
Rockingham County	+ 4%

Subject of the Capital Budget Plan for 2021



Percentage Growth for ALL Rockingham/Harrisonburg Inmates	
2014 – 2021	+0.43%

ALL JAIL INMATES FOR ROCKINGHAM COUNTY AND HARRISONBURG CITY



City of Harrisonburg & Rockingham County

Incarcerations (MRRJ and RHRJ)

Percent of Felony and Misdemeanor Charges

CLASSIFICATION OF CHARGES	
Felony	46%
Misdemeanor	7%
Both	47%

Marijuana/Cannabis

LE Action	Summoned/Cited	Taken into Custody
2019	1,666	452
2020 <i>Marijuana Decriminalization in Virginia on 01 JUL 2020 for 1 ounce or less</i>	1,470	383
2021 <i>Marijuana Legalization in Virginia on 01 JUL 2021 for 1 ounce or less</i>	350	151 Possession >1 oz. and/or Distribution/Trafficking
Overall Percent Change 2019-2021	-79% Product of the Criminal Justice Planner - Sottaceti	-67%

Community Criminal Justice Board Meeting Handout

RHRJ / MRRJ Numbers: September 7, 2021

RHRJ:

Total Population = 317 (Bond eligible =28)

Males 274

Females 43

White 225 (71%)

Black 60 (19%)

Hispanic 32 (10%)

Additional RHRJ Numbers:

Federal Inmates 11

Sentenced Inmates 32

↳ (*W/Probation Violations 19)

Pretrial/Charges Pending 162

Probation Violations 112

Possession of Marijuana 0

Pretrial/Charges Pending:

Misdemeanor 30

Felony 244

Sentenced:

Misdemeanor 3

Felony 29

MRRJ: Total Population = 203

(Bond eligible = 0)

Pretrial:

Misdemeanor 4

Felony 42

TOTAL 46

Sentenced:

Misdemeanor 11

Felony 146

TOTAL 157

Sentenced Probation 90

Un-sentenced Probation 28

****TOTAL Probation Violations**** 118



Rockingham-Harrisonburg Regional Jail Mental Health Services Provided by Harrisonburg-Rockingham CSB Quarterly Update

HRCBSB has been providing a full-time case management position to support incarcerated individuals who are experiencing mental health distress since January 2017. The Jail Services Case Manager is located at the Rockingham-Harrisonburg Regional Jail (RHRJ) and conducts assessments, screenings for psychiatric services, completes safety contacts, coordinates release planning, and facilitates educational groups in the designated mental health pod.

During the time of June 1, 2021 through August 31, 2021, our Jail Services Case Manager provided 258 contacts to 156 unique individuals; of the 156 individuals, 69 were female and 189 were male. The primary services rendered was related to screening for psychiatric services with 43.5% of the total contacts, second was assessment and follow up services, which comprised 30% of all contacts.

Services Rendered By Jail Services Case Manager	
Services Provided	Percent to total
Assessment/Follow-up	30%
Release Planning	1.5%
Safety/Crisis	25%
Screening for Psychiatric Services	43.5%

There are several ways individuals can be identified as needing mental health services from the Jail Services Case Manager. The primary referral source during the last three months was self-referrals, which comprised of 64% of all referrals. The primary behavioral health related concern identified continues to be substance use representing 41% of total contacts.

Primary Issue	Percent to total
Mood Disorder	16%
Adjustment Disorder	7%
Drug / Alcohol Abuse	41%
Thought Disorder	13%
Bipolar	4%
Anxiety	19%

A primary function of the case manager has been to help individuals identify and develop coping skills for dealing with behavioral health symptoms and overall life circumstances. Currently this is being done on an one-on-one basis. We have not resume psychoeducational groups.



HRCSB's Psychiatric Nurse Practitioner continues to provide psychiatric evaluations and medication management services 3.5 hours per week for individuals with mental health issues. During the past quarter (June 1, 2021 – August 31, 2021), 86 medication related services were provided to 67 unique individuals. Of the 86 services provided this past quarter, 28 were initial psychiatric evaluations and 58 were medication management follow-up appointments.



COMMONWEALTH OF VIRGINIA

JOSHUA C. LUTZ, CHIEF
JOSEPH R. SMITH, DEPUTY CHIEF

Department of Corrections
Division of Community Corrections
Adult Probation and Parole
DISTRICT 39

30-A WEST WATER STREET
HARRISONBURG, VA 22801
PHONE: (540) 433-2404
FAX: (540) 433-3315

September 4, 2021

Total Number of Cases: 1560 (345 Page) (1215 Rockingham/Harrisonburg)

+ 361 (OLU – Voice Monitor System used for low level cases)

1921 Page/Rockingham/OLU

Special Programs Being Utilized by District 39:

1. Community Corrections Alternative Program (VADOC)
2. Harrisonburg/Rockingham County CSB (Substance Abuse/Mental Health)
3. Gemeinschaft CRP (VADOC)
4. Gemeinschaft Day Reporting
5. Harrisonburg/Rockingham County Drug Court
6. Page County Counseling (at District 39 Substance Abuse Treatment)
7. Sex Offender Treatment (at District 39 Subsidized by the VADOC)
8. Strength in Peers
9. Private Counselors
10. Harrisonburg Methadone Clinic
11. Social Services and various other state agencies
12. VA Medical Center/Hospitals (Winchester and Roanoke)
13. VASAP
14. Multiple Other Agencies

Please note that these are a small number of the community resources we use most commonly in supervision of the people under our supervision. Also, please understand that during the pandemic we have had to move to virtual means of running groups and other activities due to restrictions placed by the Governor.

Explanations:

- Our numbers under probation/parole/post release supervision have increased slightly in Harrisonburg/Rockingham County, and we expect this to significantly change with the new legislation that will occur in July of 2022.
- OLU Cases: These are cases that score low risk. We complete a 120 question assessment with each individual placed in our care. This device is called a COMPAS Assessment which looks at Risk/Needs. Evidence shows that those that score low risk are better off not reporting to a Probation and Parole Office, b/c we then expose them to high risk individuals which could encourage/teach further criminal involvement.

Court Services Unit Update

Probation

Total number of placements as of August 31, 2021 for FY22 - 62 placements

Closed Cases FY22 – 23 successful, 10 unsuccessful

Number of Offenders - 260

Probation supervision provides sentencing alternatives to the judiciary and supervise offenders through intermediate sanctions consistent with the community's views. The Program will hold the offender accountable to the community for his/her criminal behavior through payment of restitution, fines and court costs, performance of community service work, and completion of treatment or any other special condition as ordered by the court.

Pretrial

Total number of placements as of August 31, 2021 for FY22 – 75 placements

Total number of screenings – 344 defendants

Closed Cases – 30 successful 9 unsuccessful

Number of Defendants - 306

Pretrial services agencies provide information and investigative services to judicial officers to help them decide whether persons charged with certain offenses and awaiting trial need to be held in jail or can be released to their communities subject to supervision. Pretrial is an alternative to incarceration. Virginia pretrial agencies currently use an objective and research-based risk assessment to assess risk of flight and danger to the community posed by pretrial defendants. This assessment is known as the VPRAI.

Electronic Monitoring FY22 as of August 31, 2021

GPS – 35 participants, TAD/SoberLink – 2 participants

Day Reporting Program – Total Participants as of August, 31, 2021 – 17

Rockingham-Harrisonburg Adult Drug Court Participants as of August 31, 2021 – 34 participants

Rockingham-Harrisonburg CRT Mobile Crisis Team as of August 31, 2021 there have been 100 consumer contacts in our community.

Work Program – Litter Control Program

As of August 31, 2021, for FY22, a total of 77 bags of trash collected. In addition to keeping the roads clean in Rockingham County, the work program also performs various jobs at county locations to include: County Administration Building, Social Services, Landfill, Bluehole, Central School Office, Plains Community Center, Rockingham Regional Jail, Shooting Range, Bergton Community Center, and various other facilities tasks to include – vehicle washing, grass cutting, weed pulling, tree trimming, general clean up, moving, etc.

Crisis Intervention Team

Total number of trained personnel from Rockingham County Sheriff's Office - 119 (2), Harrisonburg Police Department- 95 (8), James Madison University Police Department – 33(3), Timberville Police Department - 5, Broadway Police Department - 8, Bridgewater Police Department – 9, Dayton – 4, Elkton Police Department – 2 (3), Grottoes Police Department – 3, Virginia State Police - 15, EMU Public Safety – 1, Bridgewater College PD – 2, Norfolk Police Department- 3, Rockingham Harrisonburg Regional Jail – 30 (4), Magistrates 3 (1), Community Services Board – 9 (3), Rockingham-Harrisonburg Court Services Unit – 2 (1), Emergency Communications Center – 61 (2), Rockingham County Fire & Rescue 3, Harrisonburg Fire Department – 9, State Probation and Parole – 13 Federal Probation – 1, Sentara RMH – 1, USDA Forest Service – 2, VDOC Augusta Correctional Center – 2, SS -2

HRSSD Re-Entry Update 08/2021

Number of Participants	
City	16
County	7
Other locality	1
Non-participant	1
Total	25

Service Provided	
Phone Card	4
Gas Card	9
Shoes	8
SNAP	17
Medicaid	18
Emergency Housing	1
Housing	1
Assist / w Disability App	3
Gift Cards	7
Birth Certificate	3
Mental Health	1
Transportation Services	3
Addiction Recovery	3
Legal Services	1
Social Security Card	1
Unemployment	2
Car Insurance	1
Utility Bills	1
Oxford House Application	2
DCSE	1
Total	87

Referral Source	Number of Referrals
Community Service Board	2
District 39 Probation and Parole	2
Court Services	10
HRDSS BPS/SSW employee	3
Rockingham County Jail Staff	1
Brochure/Flyer/ Self Referral	3
Middle River Regional Jail ReEntry Class	2
Rockingham County Jail Sgt	1
Other	1
Total	25

Released From	
Rockingham County Jail	12
Middle River Regional Jail	3
RSW	1
Still Incarcerated	2
Allenwood Federal Correctional Institution	1
Indian Creek Prison	1
Department of Corrections	1
Pretrial Services	1
Gemeinschaft Home	1
No Release/ but referred to program for assistance	2
Total	25

Sex	
Male	18
Female	7
Total	25

Returned to Incarceration	
Explanation :	
<i>Client charged w/ a probation violation, 12 year sentence imposed.</i>	
<i>Client charged w/ multiple crimes, sentence imposed.</i>	
<i>Client was a referral from court services pre-trial, client served twenty days at Rockingham County Jail. Re-entry services began at client's release. Currently has a probation violation charge.</i>	
<i>Client charged w/ multiple crimes, court date pending.</i>	
<i>Client charged w/ probation violation, 6 year 3 month sentence imposed.</i>	
Total	5

* 3 did not find employment
 *1 was receiving SSI
 *1 was employed

Employment Obtained	8 *
Receiving Social Security Income	3
Applied for Social Security Income, awaiting disability determination	2

*we assisted 6 of these individuals w/ finding employment