**Prince William County**

**Community Criminal Justice Board**

**April 26, 2022**

**PRESENT:** Brad Marshall, The Honorable Lisa Baird, The Honorable Che C. Rogers, Peter Meletis, Anthony Kostelecky (Designee for Amy Ashworth), Tara Petty, Dan Manza, Kimberly Keller, Thomas Garrity, Robert Keller, Devan Kirk, Michael Carlson, Terry Fearnley, Robert Gudz, Bill Hutchinson, Greg Porter, Robert Keller, Levi Bass, Carl Dorr

**STAFF:** Steve Austin, Tomaudrie Thomas, Cassandra Wright, Joanna Campos, Ann Trullender

**CALLER**: Shaunté Jones

**CALL TO ORDER:** The meeting was called to order at 5:00 p.m.

**CHAIRPERSON’S COMMENTS (Item 1)**

Chairman Marshall had no initial comments but introduced and welcomed new members to the board: Shaunté Jones, Manassas Park Citizen representative; The Honorable Che C. Rogers, General District Court representative; William Hutchinson, Manassas City Police Department; Greg Porter, Department of Juvenile Justice (Designee for Kimberly Keller).

**APPROVAL OF THE AGENDA (Item 2)** Chairman Marshall asked for a motion to approve the agenda**. The motion was made by Thomas Garrity and seconded by Peter Meletis. The motion was passed unanimously**.

**APPROVAL OF MINUTES (Item 3)**

Chairman Marshall asked for a motion to approve the January 25, 2022, meeting minutes**. The motion was made by Judge Rogers and seconded by Thomas Garrity. The motion was passed unanimously**.

**CITIZEN’S TIME (Item 4**)

Nikhil Gambhir (citizen) was present to observe and is interesting in serving on the CCJB.

**PRESENTATION (Item 5)**

Power point presentation on Pretrial Jail Data presented by Cassandra Wright, Senior Analyst Criminal Justice Services. (see presentation uploaded to website) Ms. Wright presented the Prince William-Manassas Regional ADC Pretrial Population Data prior to Covid thru March, 2022. Ms. Wright explained that the data of this presentation is on jail population only. The data was obtained from the local inmate data system information that is on the Virginia Compensation Board website and from the Prince William-Manassas ADC. The data presented is the Average Daily Jail Population verse the Total Pretrial Population. The timeline of the discussion is January 2020 thru March 2022. From January 2020, prior to the Covid pandemic, there is a dramatic drop for both total jail population and total pretrial populations. The overall jail population dropped 28% from January 2020 to April 2020 and the pretrial jail population dropped 34% during the same time. We know the numbers decreased because of the Covid pandemic and lower risk individuals were not being incarcerated. Then those are at higher risk are those who are being detained with pretrial and post-trial sentence. The overall jail population includes those people who are in local jail, which of course are lower risk inmates. In March 2022, 275 inmates were awaiting trial and the total jail population was 481. Therefore, 275 inmates are 57% of the total jail population. More people in the jail are awaiting trial. The online data does not filter by charges, misdemeanors, felonies, or FTA, only by population numbers. The purpose of this presentation is to have these conversations about other data points regarding our system. The biggest take away from this data is the huge spike in percentage of the jail population being on awaiting trial status. CJS will be looking at those numbers further and we can filter out the data for future presentations. We do know that people can be safely supervised in the community and not commit any new crimes.

Peter Meletis joined the discussion regarding the numbers in the ADC. He stated inmates who are serving DOC time can stay in ADC for 3 years from sentencing. We see a change in laws I’m not sure what this means, less minor crimes, but serious crimes have increased. We have seen the change in inmate population here because we have more serious crimes here and more felons and we are having a hard time filling our programs here like work release, and home incarceration. Some inmates are not eligible because of the serious nature of the crimes. You can see the numbers from a couple of years ago we had approximately 800 inmates. Now we have approximately 400, we have a lot of empty beds here on this complex. Obviously, there is a change in how courts are doing things and prosecutions. The jails south of here have recovered from numbers prior to Covid and jails north, including us, are in the same situation. Rappahannock had approximately 1300 inmates during the pandemic. Our work release program prior to Covid averaged 75 inmates, and now we average 12. Work release did shut down during the Covid spike.

**BUSINES****S**

**EVIDENCE BASED DECISION MAKING (EBDM) (Item 6)** Update:  Steven R. Austin, Director, Criminal Justice Services. Mr. Austin reported that the EBDM meetings occur every couple of months and will be in person starting on June 16, 2022. All the work continues to be around the subcommittee, who combined mental health and opioid substance committees. A lot of the work overlapped. We look at gaps and resources and develop some focus areas. We came up with a list of 13 priorities from the mental health map and another 17 out of the OUD/SUD mapping. The committee examined all 30 of the priorities the sub committee identified and found they fell under 5 basic focus areas which was: peer support, data collection/evaluation, community resources/reducing barriers, prevention education, and advocacy and legislation. The subcommittee is focusing on and created work groups based on each of the 5 focus areas, had committee members select which area they wanted to work in and identified a point person for each workgroup. The subcommittee decided to break the larger group down into smaller groups so the work could be streamlined, and work could be assigned based on each focus area. We have worked with CS to look at what is happening in the community with opioid and mental health areas. The committee will be reporting back in June with their findings and progress. We are also focusing on our peer recovery system especially Intercepts 4 and 5 which is when people are released, who needsassistance while in the community in order to help link them with community resources. We have done a lot with Intercept 2 just in the ADC at the time when people are going to court for arraignment, etc. CS and George Mason University have been collaborating to enhance peer initiatives, and work with other organizations, peer services for people at Intercept 2 who are identified as high risk or high need. We discussed the medication assisted treatment that is going on in the community and meeting the ADC’s efforts to provide services to inmates who are already taking medication. We are looking to expand that program further.

**DRUG COURT UPDATE (Item 7)** Steven R. Austin, Director, Criminal Justice Services

Mr. Austin reported that we have submitted our application to the Virginia Supreme Court that was due in early April. We hope to hear something shortly. This is a Circuit Court drug court for felony offenders. Dan Manza, who is here from CS, has been instrumental in getting the application completed. It was a lot of work, and a lot of people from our community worked together. We had to do a memorandum of agreement between all the partnering agencies. We are hoping to get approval soon and we will be piloting this program with about 10 participants. We will have an advisory committee and a policy team. We will have a drug court coordinator and a team of us will be working on the job description. We have requested this position in the county budget and the budget is up for vote tonight. It is very exciting because we do need a drug court here and it is far overdue.

**PUBLIC SAFETY ASSESSMENT TOOL UPDATE (Item 8)** Steven R. Austin, Director, Criminal Justice Services-Mr. Austin reported that the PSA is a new risk assessment tool that we are piloting in Virginia. It is not new, but new to Virginia. Our jurisdiction is piloting this program along with a few other jurisdictions in Virginia, and we have been approved to move forward. Tomaudrie Thomas, Deputy Director of CJS, and I are the team leads and we are meeting with the champions, Tracey Lenox from the Public Defender’s office and Judge Coleman who is now being elevated to the Circuit Court. Judge Rollins is the incoming Chief Judge in the General District Court and has assumed the role of champion as well. The kickoff meeting for the whole team is scheduled for May 25, 2022. One of the first things we will be doing is looking at the jail data. This whole process is about looking at the pretrial system in a holistic way. It will take about 14-16 months. The point of it is to identify gaps or issues along the way so we can make corrections to that now, even before we use the tools. The tools are already developed, there are pieces of the tools that we must tailor to our community and with the state. Things like violence charges that must be decided collectively. This particular risk instrument will have 3 different data points: risk for failure to appear, risk for public safety, and violence indicators. It is different from the VPRAI where it has 1 risk score, the PSA will have 3 separate risk scores. The PSA is a tool that does not require an interview therefore, every person incarcerated will be assessed.

**DCJS QUARTERLY REPORT (Item 9)** Tomaudrie Thomas, Deputy Director Criminal Justice Services- Ms. Thomas reported on Quarter 3 which is January-March 2022: The first data point is about pretrial number of investigations, interviews at the Adult Detention Center. CJS completed 623 pretrial interviews and provided court reports to the judges for those individuals. Year to date, total is 1,880 interviews. Pretrial investigators completed 83% out of 100% pretrial interviews. So out of all those that qualify to be interviewed, 83% were completed. Reasons that our pretrial investigators may not interview certain people are: the person declined the interview and it has to be voluntary, the defendant may not be conducive to being interviewed due to being combative, debilitated, or they have been released prior to interview. Judicial concurrence for judicial making bail decisions is consistent with our staff recommendations 66% of the time, the judges concur with our recommendations. Moving on, 90% of the individuals released to pretrial supervision are released on a recognizance or unsecured bond, which is excellent. Our appearance rate for pretrial is 87%, public safety rate is 93%, compliance rate is 85%, all very high percentage rates of success. Probation: 72% of our probationers are misdemeanor charged. Out of those individuals, 90% are low to medium risk, the others are higher risk. We have a lot of low to medium risk individuals that we are supervising under our local probation. Out of our success rates for our misdemeanor probation cases, 80% are successful on supervision. Felonies which are a much smaller population of who we supervise on local offender probation, their success rate is 82%.

**ROUNDTABLE TOPICS (Item 10**) Members

Steve Austin- We have leveled off on pretrial numbers, but probation numbers have dramatically decreased. Our numbers have dropped about 35% for probation, which based on data, is marijuana cases. We have combined our resources by having staff assigned both pretrial and probation cases. We have reached out to Juvenile & Domestic Relations District Court for purposes of addressing the rising domestic violence cases. However, it has not translated into more probation cases for us. Community service assignments with our partnership with Volunteer Prince William had 400 or so community service placements in prior years, but last year (FY21) that number was under 100. Chairman Marshall added that a lot of conditions on deferred dispositions tend to follow through with counsel, community service they are doing on their own, and classes like shop lifting intervention are available online.

Dan Manza-we are getting back up and running full speed at the jail and the team at the jail has been giving us the space we need; we have had some logistical challenges with moving. We are trying to get our Suboxone clinic going. We are trying to hire another doctor for 5 days a week. That has proved challenging to find a doctor to prescribe suboxone for the CS or for the county. They want a lot of money. We did find a part time doctor, so we are looking at running the clinic 3 days a week, opposed to 2 days now.

Judge Rogers offered that while he is sitting in court, he is seeing more attorney’s taking advantage of a new law, Va. Code § 19.2-298.02. Deferred disposition in a criminal case. It allows the parties, Commonwealth, and defense counsel to get more creative in resolving cases. Cases that might have been deferred with the only option of being referred as LOP has now given them the option of creating options where they may do community service, pay a fine, get treatment, or take classes, and show the Commonwealth’s Attorney at some future date for final resolution. Cases that may have gone to CJS are being diverted elsewhere as they try to create a solution to resolve these cases. My observation, regarding FTA, pretrial does a great job of informing the court when a person is not being cooperative. We will get a letter from the pretrial officer that the person has not reported hoping a capias will be issued and that person does not show up to court a month later and now this person has 2 outstanding processes. One for pretrial violation and one for not coming to court. How is the data being captured? What is the lead charge, is it the pretrial violation or the FTA for court? Regarding data, it could be confusing and that is from my context on the court side.

Greg Porter: I wanted to bring up our challenge with our tattoo removal program. We started it in 2008 and it served to remove approximately 160 tattoos. Unfortunately, the program has been run by volunteers and received donations, but it had to cease because the laser is broken. We do not have any resources to fix it or rent another machine. The last time we had the clinic it was in March, and Potomac Health might be a possible resource, but we cannot receive any donations from them until January 2023. One of the issues that we are dealing with that we are not a 501(c). We are a statewide program; it has helped a lot of people. Getting a tattoo removed has changed lives, some people have joined the military, ascertained employment opportunities, it is a very positive program. If anyone can help us with donations, we would appreciate it. The cost is approximately $25,000.00 for the laser. The tattoo is a barrier until its removed. The recipient of the tattoo removal gives back as a volunteer to the community. We are looking for donations and are requesting help.

Judge Baird: We have met with CJS so hopefully by fall we will have some revamping of the domestic violence services. We have met with Steve Austin, Tomaudrie Thomas and Hillary Gore from CJS on the Veteran’s Docket. As a court we have agreed to participate and cross designate general district. I have spoken to Judge Jarvis, so he has approved. I will be the team member from Juvenile & Domestic Relations District Court and will be on the monthly meetings. On the juvenile side, I know Judge Lucas is working on this regarding diversion.

Pete Meletis: ADC data shows 1 staff member out with covid.

Tom Garrity: The Prince William County Police Department will use $250,000 in federal funding to examine officer’s use of force policy in the county. The money is part of the recent approval of congressional earmarks for community improvement initiatives and comes from the Department of Justice Byrne Discretionary Community Project Grants. We believe we have the best policy but welcome the study if improvements can be made. Additionally, we have 2 juvenile overdoses, age 14 and 15, that resulted in death. The drug, a fake Percocet was laced with fentanyl. We do not know if the juveniles knew each other. We are trying to get the message out on social media to educate the public. There is an increase of counterfeit drugs. Ms. Thomas added that children are now overdosing while vaping that is laced with fentanyl. She added, “A lot of parents are not aware of that and its scary”. Chair Marshall added that he did a presentation through the bar association and talked to high school seniors, he focused on § 18.2-251.03. Arrest and prosecution when experiencing or reporting overdoses. It is safe harbor amnesty for reporting, and we really need to get that message out. It changed 2 years ago and not only is the person who overdoses not getting arrested but the person calling for help cannot get arrested. We really need to stress not to let your friends die because you are afraid to get in trouble. Dan Manza added that CS has tests kits for testing for fentanyl at events.

Chairperson Marshall- welcoming again our new members, 2 new Judges and 1 was elevated. Judge McCollum, JDR bench beginning June 1, Judge Miller GDC beginning on July 1, and Judge Coleman is elevated to Circuit Court. We have a new director of the Department of Criminal Justice Services in Richmond. Jackson Miller is a Manassas City resident with strong ties to this area. The Prince William County Bar Association sponsors the annual Beat the Odds banquet and awards ceremony for deserving youth. Please contact Chair Marshall for tickets, sponsorships, donations, held at Old Hickory Golf Course, on June 23, 2022

**Adjournment (Item 11) 6:00 p.m.** Chairperson Brad Marshall asked for a motion to adjourn the meeting. **The motion was made by Tony Kostelecky and seconded by Judge Baird. The motion was passed unanimously, and the meeting was adjourned**.

**Next Meeting:**

**July 26, 2022**

**5:00 p.m.**