

**COLONIAL GROUP HOME COMMISSION
9TH JUDICIAL DISTRICT
VIRGINIA**

Agenda

Executive Committee Meeting
Community Services - Administration
Conference Room
224 Ballard Street
Yorktown, Virginia
March 6, 2019
9:00 a.m.

ROLL CALL.

A Approval of Minutes. Consider approval of unapproved minutes:

- January 8, 2019

B **UNFINISHED BUSINESS.**

- 1 CGHC By-Laws (Last Updated 1996)
- 2 CGHC Rules of Procedures (draft)
- 3 Management Services Agreement between CGHC and York County (Last Updated 1989)

C **NEW BUSINESS.**

- 1 Recap of Program Services Provided in 2018.

D **MATTERS PRESENTED BY THE COMMISSION ADMINISTRATOR.**

E **MATTERS PRESENTED BY THE EXECUTIVE COMMITTEE.**

ADJOURNMENT.

The Next CGHC Meeting: March 21, 2019

The Next Executive Meeting: May 1, 2019

MINUTES

COLONIAL GROUP HOME COMMISSION 9th JUDICIAL DISTRICT VIRGINIA

EXECUTIVE COMMITTEE MEETING January 8, 2019

MEETING CONVENED

A meeting of the Colonial Group Home Commission Executive Committee was called to order at 9:00 a.m. on Tuesday, January 8, 2019, in the Community Services Administration Conference Room, 224 Ballard Street, Yorktown, Virginia, by Chair Peter Walentisch.

ROLL CALL

The following members of the Colonial Group Home Commission Executive Committee were present at roll call: Peter Walentisch, Chair; John Carnifax, Vice-Chair; and Stephen Kopczynski.

Others attending the meeting were: Brian Fuller, Community Services Director/Commission Administrator; Sheri Newcomb, Community Services Deputy Director; Amy Crotty, Juvenile Services Manager; Michelle Justiniano, Management Analyst; and Stephanie Stoutingberg, Administrative Assistant.

Approval of Minutes. On motion of Mr. Kopczynski, seconded by Mr. Carnifax, the minutes of the November 7, 2018 Executive Committee meeting were approved. On roll call, the vote was: Yea (3) Walentisch, Carnifax, Kopczynski, Nay (0). Ms. Tinsley was absent.

UNFINISHED BUSINESS

Founding Documents Update. Mr. Fuller noted that while all documents had been approved, there were still some signatures to garner. Once this process has taken place, this project will be complete.

Fiscal Year 2020 Budget. The Fiscal Year 2020 Budget still needs to be approved by the Full Commission. This item will be placed on the Agenda for the January 17, 2019 Full Commission meeting. Ms. Justiniano gave a presentation on several scenarios that can be recommended. She noted that all scenarios capture the IT Fund – which includes copiers, faxes, telephones, computers, etc. It was recommended that the Executive Committee present Scenario #2 to the Full Commission for a vote.

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Mr. Carnifax recommended that we quantify the drivers in the Fiscal Year 2020 Budget which include the \$40,000 IT Fund, 2% salary increases and health insurance.

On motion of Mr. Kopczynski, seconded by Mr. Carnifax, the Executive Committee recommended that we present the Budget to the Full Committee. On roll call, the vote was: Yea (3) Walentisch, Carnifax, Kopczynski. Nay (0). Ms. Tinsley was absent.

NEW BUSINESS

There was no new business presented at this meeting.

MATTERS PRESENTED BY THE COMMISSION ADMINISTRATOR

Mr. Fuller presented the CGHC By-Laws – which were last updated in 1996. In addition, Mr. Fuller presented the Management Services Agreement between CHGC and York County – which was last update in 1989.

Mr. Fuller recommended changes to both documents and asked the Executive Commission for their input. After a brief discussion on each document and their proposed changes, Mr. Fuller recommended that all Executive Committee members take the documents home and review them and be ready for further input at the Full Committee Meeting. He noted that the CGHC By-Laws are Commission controlled and do not need to go before each locality. The Management Services Agreement between CGHC and York County should be first approved by the Commission then go to the York Board of Supervisors for approval.

In addition, Mr. Fuller brought up the question of what makes an official quorum for our meetings. After brief discussion on this issue, it was determined that the Commission should be consistent with the Code of Virginia (16:1-317).

Mr. Kopczynski recommended that we have representation from each locality.

Mr. Fuller also raised the question about Commission appointees and whether or not there is a requirement for background checks. Mr. Carnifax stated that he believes that this should be a requirement.

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Chair Walentisch will ask our attorneys about the wording in the State code inferring that the Commission should “consult” with the judge prior to appointments. Also, Mr. Walentisch asked Mrs. Stoutingberg to list and circulate the term expiration dates for Commission members for our next meeting.

AJDOURNMENT

The meeting adjourned at 9:55 a.m.

Peter P. Walentisch, Chairman
Colonial Group Home Commission

Stephanie M. Tinsley, Secretary
Colonial Group Home Commission

BY-LAWS
FOR
COLONIAL GROUP HOME COMMISSION

ARTICLE I – AUTHORITY

The Colonial Group Home Commission is a public body corporate established pursuant to Section 16.1-315, et seq., of the Code of Virginia (1950), as amended, and shall execute its responsibilities in a manner consistent with the provisions contained therein. The Commission was originally organized and exists pursuant to contractual agreement dated December 15, 1985, which was updated and amended on December 31, 2018. The provision of which are incorporated herein by and between the political subdivisions of York County, James City County, Gloucester County, and the City of Williamsburg, all situate in the Commonwealth of Virginia, 9th Judicial District, which agreement implements Section 15.1-2115.2-1300 of the Code of Virginia (1950), as amended, for the joint exercise of powers of participating political subdivisions.

ARTICLE II – PURPOSE

The purpose of the Commission shall be to establish and maintain suitable local and regional detention homes, group homes, and other residential care facilities and programs for children in need of services, delinquent or alleged delinquent youth.

ARTICLE III – MEMBERSHIP

SECTION 1. LOCAL JURISDICTION APPOINTMENTS

Membership on the Commission shall consist of two (2) members appointed by the governing body of each participating political subdivision, as set forth in the Code of Virginia, sections 16.1-316 and 16.1-317.

SECTION 2. TERMS OF MEMBERS

The terms of the first appointed Commission members shall be fixed so that one of the members from each participating political subdivision shall serve two (2) years and one shall serve four (4) years. After the first appointment, the term of office of all members shall be four (4) years.

Withdrawal from the Commission by a vote of the governing body of a participating political subdivision shall automatically terminate the membership of those Commission members representing the withdrawing governing body.

ARTICLE IV – OFFICERS AND EXECUTIVE COMMITTEE

SECTION 1. CHAIRMAN, VICE CHAIRMAN, AND SECRETARY

The officers of the Commission shall be voting members of the Commission and shall be chairman, vice-chairman, and secretary, each of whom shall be elected by the

Commission. No two (2) officers shall be from the same political subdivision. Such other officers and committees as may be deemed necessary may be elected or appointed by the Commission.

SECTION 2. ELECTION AND TERM OF OFFICE

The officers of the Commission shall be elected at the annual meeting to be held during the first meeting of the program year. The term of office shall begin immediately. Each officer shall hold office until his successor shall have been duly elected and shall have been qualified or until his death or until he shall resign or shall have been removed in the manner hereinafter provided.

The Chairman shall at least thirty (30) days prior to the annual meeting appoint a nominating committee of two (2) or more members of the Commission. The nominating committee shall, at the annual meeting, submit the name or names of one or more persons for each office to be filled.

SECTION 3. REMOVAL

Any officer or agent elected or appointed by the Commission may be removed by the Commission whenever in its judgment the best interest of the Commission would be served.

SECTION 4. VACANCIES

A vacancy in any office because of death, resignation, removal, disqualification or otherwise, will be filled for the unexpired portion of the term by the Commission.

SECTION 5. CHAIRMAN

The Chairman shall preside at all meetings of the Commission and shall vote as any other member. The Chairman shall have the powers and duties customarily pertaining to the office of a chairman of the Commission; and shall perform such further duties as may be assigned to him by the Commission. The Chairman may appoint such ad hoc committees as he deems to be necessary or desirable.

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SECTION 6. VICE-CHAIRMAN

The Vice-Chairman shall perform the duties of the chairman when the chairman is absent or unavailable for the performance of his duties, and such other duties as may from time to time be assigned to him by the chairman or the Commission.

SECTION 7. SECRETARY

The Secretary shall keep the minutes of all meetings in a book provided for that purpose, see that all notices are duly given in accordance with the provisions of these by-laws, or as required and perform all duties incident to the office of secretary and such other duties as from time to time may be assigned by the chairman or Commission.

SECTION 8. EXECUTIVE COMMITTEE

The Executive Committee shall be composed of the elected officers of the Commission and the governmental representatives from the participating jurisdictions.

The Executive Committee shall have general supervision of the affairs of the Commission and take required action in emergency situations between regular meetings; and make recommendations to the Commission.

ARTICLE V – MEETINGS

SECTION 1. REGULAR MEETINGS

Regular meetings of the Commission shall be held a minimum of six (6) times per year at the place and time so stipulated in the Rules of Procedure which shall be determined at the annual meeting. The first meeting of the program year shall be designated as the annual meeting.

SECTION 2. CALLED/SPECIAL MEETINGS

A special meeting may be called at any time at the discretion of the Chairman or by petition of two members of the Commission or by a majority of the Executive Committee.

SECTION 3. AGENDA

The agenda for each regular Commission meeting shall be established by the Chairman, with input from any/all Commission members.

SECTION 4. QUORUM

A quorum shall be constituted by a majority of the Commission membership, with at least one representative from each member locality. When a quorum is not present at any meeting, those present may meet for the purpose of considering such matters as are on the agenda. Action taken at a meeting where a quorum is lacking shall not be final or official unless and until it has been ratified by a majority vote of a quorum of the Commission.

ARTICLE VI – RULES OF ORDER

Robert's Rules of Order shall govern the proceedings at all meetings of the Commission unless otherwise specifically provided by these by-laws.

ARTICLE VII – FISCAL YEAR

The fiscal year of the Commission shall begin on the first day of July in each year and end on the 30th day of June in the following year.

ARTICLE VIII – AMENDMENTS

At any annual meeting or at any called meeting when the proposed amendment has been sent out in a notice given to each member in writing thirty (30) days prior to the meeting, these by-laws may be altered, amended, or repealed and new by-laws may be adopted by a vote of a majority of all members.

ARTICLE IX – ADOPTION OF BY-LAWS

These by-laws become effective on such date as the Colonial Group Home Commission has adopted a resolution approving said by-laws. A copy shall be furnished to each member of the Commission, and each member jurisdiction.

APPROVED

Chairman

Date

Secretary

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APPROVED

Chairman

Date

Secretary

Colonial Group Home Commission

Rules of Procedures

The Colonial Group Home Commission (hereinafter Commission) is a public body corporate established pursuant to Section 16.1-315, et seq., of the Code of Virginia (1950), as amended, was organized in 1985, and exists pursuant to contractual agreement by and among the County of York, and the County of James City, and the County of Gloucester, and the City of Williamsburg as approved on December 31, 2018.

Meetings

The time and place of regular meetings of the Commission shall be established at each annual meeting which shall be held on the 3rd Thursday of July at the Griffin-Yeates Center in Room 6 at 4:00 p.m. Subsequent regular meetings shall be called to order at 4:00 p.m. in Room 6, Griffin-Yeates Center on the 3rd Thursday of September, November, January, March, May, and June.

Should the Commission subsequently prescribe any meeting time or place other than that initially established, it shall comply with Section 15.2-1416 of the Code of Virginia (1950), as amended.

If the Chairman, or Vice-Chairman if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for commission members to attend a regularly scheduled meeting, the meeting shall be continued to the following month on the 3rd Thursday in Room 6 of the Griffin-Yeates Center. Such finding shall be communicated to the Commission and the press as promptly as possible. All hearings and other matters previously scheduled shall be conducted at the continued meetings, and no further advertisement is required.

Election and Term of Chairman, Vice Chairman, and Secretary

At the annual meeting of the Colonial Group Home Commission, the Commission shall elect from its membership a Chairman, Vice Chairman, and Secretary each of whom shall serve for a term of one year expiring on June 30, or until their respective successors shall have been elected. In the case of the absence from any meeting of the Chairman and Vice Chairman, the members present shall choose one of their number as temporary Chairman.

Rules of Order

The proceedings of the Commission, except as otherwise provided in the Rules of Procedure and by applicable State law, shall be governed by Robert's Rules of Order as applied to "small boards and committees."

Open Meetings

The Commission shall sit with open or unlocked doors, and all persons conducting themselves in an orderly manner may attend the meetings. However, the Commission may hold close meetings as provided in the Virginia Freedom of Information Act.

Closed Meetings

A closed meeting shall be held when necessary.

Remote Participation in Commission Meetings

A member of the Commission may participate in a meeting of the Commission through electronic communications from a remote location that is not open to the public as provided in Code of Virginia § 2.2-3708.1 subject to the following requirements:

1. On or before the date of a meeting a member wishing to participate from a remote location in a meeting of the Commission shall notify the Chair that the member is unable to attend the meeting due to an emergency or a personal matter and identify with specificity the nature of the emergency or personal matter, or notify the Chair that the member is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the supervisor's physical attendance.
2. The Commission shall record in its minutes the specific nature of the emergency or personal matter or medical condition or disability and the remote location from which the absent member participated. If the absent member's remote participation is disapproved because such participation would violate this policy, such disapproval shall be recorded in the Commission's minutes.
3. Such participation by the absent member shall be limited in each calendar year to two meetings or 25 percent of the meetings of the Commission, whichever is fewer.
4. A quorum of the Commission must be physically assembled at the primary or central meeting location.
5. The Commission shall make arrangements for the voice of the absent supervisor to be heard by all persons in attendance at the primary or central meeting location.

Order of Business

At regular meetings of the Commission, the order of business shall be as follows, unless the Commission by unanimous consent or by a resolution adopted at a prior meeting agrees to a modification:

Call to Order

Roll Call of Members

- A. Public Comments
- B. Unfinished Business
- C. New Business
- D. Commission Administrator Reports and Requests
- E. Court Services Unit Updates and Reports
- F. Matters Presented by the Commission
- G. Closed Session

Adjournment

Governing Documents

All policies, procedures, obligations, agreements, and appropriations pursuant to the documents below guide the governance of the Colonial Group Home Commission in the operation of their mission:

- a. The Code of Virginia (1950), as amended;
- b. The Agreement to operate the Commission between the localities of County of Gloucester, County of James City, County of York, and the City of Williamsburg. (Adopted, December 31, 2018)
- c. The By-laws of the Colonial Group Home Commission. (Adopted, March 21, 2019)
- d. The Management Services Agreement between the Colonial Group Home Commission and the County of York. (Adopted, May 21, 2019)

Effective Date: July 18, 2019

MANAGEMENT SERVICES AGREEMENT

This Agreement made on this ____ day of _____, ~~1989~~2019, between the COLONIAL GROUP HOME COMMISSION (hereinafter "Commission") and the COUNTY OF YORK, VIRGINIA (hereinafter "County");

RECITALS

A need exists in the Ninth Judicial District of Virginia for residential care facilities for youth under the jurisdiction of the juvenile justice system. A need also exists for providing alternative disposition of youth appearing at Court Services Units or Juvenile Court through the means provided in Title 16.2, Code of Virginia. These needs prompted the Counties of York, James City and Gloucester and the City of Williamsburg in 1985 to enter an agreement (hereinafter "1985 Agreement Founding Document") pursuant to § 16.1-315, Code of Virginia (1950) as amended (hereinafter "Code") to establish the Commission. This 1985 Founding Document was amended and approved by each member locality with a new agreement in December of 2018 (hereinafter "2018 Agreement"). The Commission currently operates the Crossroads Community Youth Home (hereinafter "Crossroads") and various programs collectively identified as Community Courts Alternatives (hereinafter "CCA"). The ~~1985-2018~~ Agreement designates the County as the fiscal and administrative agent for the Commission but provides no specific details. This Management Services Agreement formally defines and outlines the ~~Experience dictates that the agency relationship be defined formally and that the~~ services provided by the County to the Commission ~~be enumerated.~~

THEREFORE, for and in consideration of the mutual obligations set forth
herein, the parties agree as follows:

ARTICLE I

SCOPE OF MANAGEMENT SERVICES

The County shall provide services to the Commission by managing the operation of Crossroads, CCA and any other activities under the auspices of the Commission. The York County Administrator (hereinafter "Administrator") shall be the official through whom the Commission deals with matters of administration. The management services are described in Articles IV and V. The Administrator or his designee shall apprise the Commission at its regular meetings of the status of operations.

ARTICLE II

EXCLUSIVE AUTHORITY OF THE COMMISSION

The Commission retains exclusive authority over the following matter: approval of annual budget; approval of new programs, cancellation or material modification of existing programs; authorization of any expenditure of funds for reasons not identified in the approved annual budget; acceptance of gifts, grants and donations; adoption or modification of rules, regulations and policies governing the admission, guidance, training and discharge of juveniles in the Commission's programs; and approval of the fee schedule for children participating in the Commission's programs.

ARTICLE III

ORGANIZATION OF MANAGEMENT SERVICES

Management services under the Agreement shall be provided through the County administrative organization. Pursuant to this Agreement the Administrator has the authority to determine appropriate staffing levels, to employ and to

discharge personnel, to make job assignments and to integrate Commission employees into the County's organization. County policies governing administration, personnel and budgeting shall apply as described in Articles IV and V. Employees of the Commission shall be deemed County employees during the term of this Agreement.

ARTICLE IV

ADMINISTRATIVE SERVICES

A. The County's procedures for employment, including grievances, shall apply to all Commission employees.

B. The County's procedures for property maintenance and operation shall apply to the realty and personal property under control of the Commission.

C. The County's administrative procedures shall apply to correspondence and required reports from Commission activities to federal and state agencies and political subdivisions of the Commonwealth of Virginia.

D. Correspondence to the Commission shall be forwarded through the Administrator.

E. Legal advice incident to routine administrative services provided by the County within the scope of this Agreement shall be provided by the York County Attorney. Legal advice to the Commission, representation of the Commission in litigation, and representation of the Commission in other extraordinary matters is beyond the scope of this Agreement. The Commission shall retain independent counsel for these matters unless otherwise agreed by the County.

ARTICLE V

FISCAL SERVICES

A. Purchasing and procurement for Commission activities will be performed through the County's procurement system pursuant to the County's procurement policy.

B. The Commission's annual budget, both operating and capital, will be prepared pursuant to the County's budgeting policy.

C. Insurance requirement will be processed through the County's insurance and risk management plan.

D. Subject to the availability of funds to the Commission during the term of this Agreement personnel pay and benefits will be in accordance with the County's pay and benefits plan.

E. The County shall compute and recommend to the Commission for approval reasonable fees for participation in Commission programs where fees are authorized.

F. The County will serve as the Commission's billing and collection agent for fees charged to localities for participants in Commission programs.

G. The County will manage the Commission's fiscal accounting and reporting requirements including financial reports for any grants in effect.

ARTICLE VI

FEE

Pursuant to the ~~1985-2018~~ Agreement the Commission will pay to the County for services rendered an annual fee of one (1) percent of gross

appropriations from participating jurisdictions and state and federal agencies. This fee can be revised by mutual agreement of the parties to the ~~1985-2018~~ Agreement when operational experience indicates the costs of management services provided by the County exceed the fee previously established.

ARTICLE VII

AMENDMENT

This Agreement can be amended by mutual agreement authorized by a formal resolution of the Commission adopted pursuant to its by-laws, and by a resolution of the County Board of Supervisors. Any future amendment either to the ~~1985-2018~~ Agreement, except for its termination, or to the Commission by-laws shall have no effect on this Agreement, except as provided above.

ARTICLE VIII

TERM OF AGREEMENT

This Agreement shall be effective from the date stated above for a period of one (1) year. The Agreement shall renew automatically for additional terms of one (1) year except when either party gives written notice either of termination or of requested amendment sixty (60) or more days before the anniversary of the date of this Agreement. Upon notice of termination or upon failure of the parties to agree in an amendment deemed essential by a party, this Agreement shall terminate on the first day of the following July.

IN WITNESS WHEREOF, the parties set their hand, the Commission by its Chairman pursuant to the resolution duly adopted on ~~_____November~~ 29_____, ~~1989~~2019, and the County by its County Administrator

pursuant to Resolution ~~R89R19-282-~~ adopted on ~~December~~
~~7~~, ~~1989~~2019, by the York County Board of Supervisors.

COLONIAL GROUP HOME COMMISSION

By: _____
Chairman

COUNTY OF YORK, VIRGINIA

By: _____
County Administrator

Approved as to form:

County Attorney

New approach to juvenile probation

Anger management and gang intervention programs help decrease youth incarceration

BY DAVE RESS STAFF WRITER

When kids in trouble sit down with probation officers these days, the conversation goes in a different way than it used to.

There's no more simple "How's it going," checking off the box about community service and maybe five minutes of grunted answers to questions about how the past weeks went.

Instead, the teenager can look forward to a 45 minute to 60 minute session.

There will likely be a session with a whiteboard, labeled "Behavior Chain" to fill out. Some role-playing, working through alternatives to the kinds of situations — say a fight — that landed the youth in trouble.

There'll be blue skills cards — tips for how to do some of the basics of getting along with people, such as apologizing, or asking for help or listening, that the teenager may not have ever really learned. There'll be homework.

"Probation used to be a slap on the wrist. Now, we make them work," said Bruce Call, probation supervisor for the 9th District Court Service Unit, circuit, covering the upper Peninsula from New Kent to Williamsburg and Poquoson, as well as the Middle Peninsula.

The new approach, developed by the University of Cincinnati, was launched a year ago, as a key part of the Department of Juvenile Justice's three year old reform effort.

That's an effort that has seen the number of youth behind bars halved, as well as a statewide expansion of community services, from anger management courses to gang intervention programs to drug and alcohol treatment to family therapy.

"Where you make a difference is at the front end," said senior probation officer John Heath, the former police officer who covers King William and King and Queen county.

That front end can start with night-time crisis — a fight at the skating rink that left one youth with a lacerated face and another in handcuffs, say — and some tough decisions to make when a kid's, or parents' or police officer's feelings are running high. It can start with some paperwork from a police officer who caught a kid spray-painting a stop sign the evening before but who let parents take the youth home.

At that point, someone like Heath has to decide if the teen should be charged, if that youth needs to head to court or if what's called informal diversion — usually involving community service, maybe an apology letter, probably some counseling — is a better approach. That's also when Heath or his colleagues have to decide if the youth needs to be removed from home and incarcerated.

And while all this is going on, said Melanie Buckner, a Yorktown-based probation officer, "You've got to be thinking about what needs to be done now, and about what the long term plan for this child is going to look like."

As part of its reform effort, DJJ has said all probation officers need to use a computerized form to ensure that the decision to put a youth behind bars is handled the same way everywhere in Virginia.

The big change here involves overrides — that is, when probation officers decide that the answer the computer comes up with is not what they're going to recommend.

Now, new DJJ guidelines said officers need to say why they're overriding the computer — for instance, why they might consider a texted threat, which usually requires detention, might really be only as serious as a verbal threat, which does not usually land a kid behind bars.

And they need to be ready to explain their decisions to often skeptical parents and police offices.

"Everybody's saying why, why now," said Stephanie Garrison, DJJ's central region program manager.

The result is decisions that are more thoughtful and more consistent — and, it turns out, mean fewer kids on supervised probation. That means more time for those new 45- to 60 minute sessions, sessions that at a minimum are held two to three

times a month but often can be several times a week.

That doesn't mean other kids skate.

Informal diversion, for instance, means 120 days of complying with the community service and counseling the probation officer decided upon, as an alternative to going to court. If the teenager doesn't do it, it's off to court. Those programs are successful for 84 percent of the young people diverted from court by the probation officers of the 9th district Court Services Unit.

"We know that the deeper into the system they get, the more likely they'll get in trouble again," said Heath.

Dave Ress, 757-247-4535, dress@dailypress.com