

**Comprehensive Community Corrections Act (CCCA)**

**MINIMUM STANDARDS for  
Local Community-Based Probation**



**Virginia Department of Criminal Justice Services**

[www.dcjs.virginia.gov](http://www.dcjs.virginia.gov)

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## **PART I**

### **GENERAL PROVISIONS**

#### **§ 1.1 Legal Authority**

These standards are established in accordance with the Comprehensive Community Corrections Act for Local-Responsible Offenders (CCCA) (*Va. Code* § 9.1-173 et seq.) authorizing the Virginia Department of Criminal Justice Services (DCJS), hereafter referred to as the Department, to establish standards for the development, implementation, operation, and evaluation of programs and services.

These Minimum Standards for Local Community-Based Probation set forth the requirements for each agency in Virginia providing local community-based probation services under the authority of the CCCA, hereafter referred to as agency.

#### **§ 1.2 Purpose**

The purpose of local community-based probation is to provide the judicial system with sentencing alternatives for certain misdemeanants or individuals convicted of felonies that are not felony acts of violence, as defined in *Va. Code* § 19.2-297.1 and sentenced pursuant to *Va. Code* § 19.2-303.3, for whom the court imposes a sentence of 12 months or less and who may require less than institutional custody in accordance with *Va. Code* § 9.1-173.

## **PART II**

### **ADMINISTRATION OF AGENCIES**

#### **§ 2.1 Mission Statement**

Each agency shall have a mission statement for local community-based probation.

#### **§ 2.2 Evidence-Based Practices (EBP)**

Each agency shall develop and follow a policy and procedure to create and support an organizational culture of shared values and norms supportive of research-based practices, including skill development training specific to effective communication, risk/needs assessment, cognitive behavioral techniques and interventions and the Risk-Need-Responsivity (RNR) model. At a minimum, the policy and procedure shall include:

- A. Implement practices guided by data and research,
- B. Conduct regular case reviews and provide regular feedback,
- C. Develop mechanisms to evaluate the use of motivational interviewing, risk assessment, case supervision planning,
- D. Provide skill-based coaching and mentorship, and
- E. Engage skill-based learning teams.



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**§ 2.3 Organizational Chart**

Each agency shall maintain an organizational chart clearly illustrating the relationship to the administrative and fiscal agent, and the lines of authority. For agencies providing services to multiple localities, the organizational chart should also illustrate the relationship to the other localities.

**§ 2.4 Fiscal Management**

- A. Fiscal management shall be provided in accordance with *Va. Code* § 9.1-183.
- B. Each agency shall follow the procurement, reimbursement, and travel procedures established by the administrative and fiscal agent. If the locality does not have an established travel policy, they must adhere to the state travel policy.
- C. All funds utilized for the purpose of providing local community-based probation services under the authority of *Va. Code* § 9.1-173 et seq. shall be subject to audit in accordance with the Virginia Auditor of Public Accounts guidelines (available at [http://www.apa.virginia.gov/APA\\_Reports/guidelines.aspx](http://www.apa.virginia.gov/APA_Reports/guidelines.aspx)) and the conditions of the grant (available at <https://www.dcjs.virginia.gov/grants/grant-requirements>).

**§ 2.5 Written Policies and Procedures**

- A. Each agency shall develop and maintain written policies and procedures. These policies and procedures shall, at a minimum, address and comply with all components of these standards, grant conditions, and relevant state and federal laws. Each agency is responsible for developing or modifying policies and procedures to comply with any changes to standards, grant conditions, or state or federal laws related to the administration of local community-based probation if known or as notified by the Department.
- B. Policies and procedures and substantive revisions shall be approved in writing by the city manager or county administrator of the administrative and fiscal agent. The policies and procedures and revisions shall be provided to agency staff and made available to all Community Criminal Justice Board members (CCJB), the local judiciary, and the Department. For purposes of these standards, substantive revisions are any modifications that result in a change in policy or procedure.
- C. Policies and procedures shall be reviewed and updated as needed, at a minimum, biennially by the agency Director or designee.
- D. Any agency with circumstances preventing them from complying with any specific standard shall request a variance from the Department in accordance with the Department's Variance Policy. The request must indicate what circumstances prevent the agency from complying with the requirements and any action, if applicable, the agency is taking to enable compliance.
- E. All policies and guidelines published by the Department shall be adhered to on the specified effective date or as otherwise directed. These changes shall be incorporated directly into the agency's policies and procedures.
- F. Any agency found to be substantially out of compliance with the Department's standards, policies, grant conditions, or local standard operating procedures shall be subject to corrective action by the Department and such noncompliance may lead to termination of state grant funds.

**§ 2.6 Personnel Policies and Procedures**

Each agency shall follow the personnel policies and procedures established by the administrative and fiscal agent. If there is no local policy or procedure addressing the following elements, each agency shall develop policies and procedures approved by the administrative and fiscal agent that shall, at a minimum, address the following:

- A. Conducting background checks of employees, interns and volunteers,
- B. Professional conduct/standards of conduct including:
  - a. Responses to reported violations of the federal Prison Rape Elimination Act (PREA),
  - b. Inappropriate relationships in *Va. Code* § 18.2-64.2 or § 18.2-67.4, and
  - c. Prohibiting gifts and gratuities.
- C. Office safety,
- D. Staff safety,
- E. The use of firearms and chemical agents,
- F. The use of volunteers and interns, and
- G. The evaluation of and use of Evidence-Based Practices (EBP) by the agency and staff including but not limited to job duties and descriptions that align with EBP - knowledge, skills, and abilities required for the position, staff development plans, and performance reviews that evaluate the use of EBP skills.

**§ 2.7 Oath of Office**

Each agency shall develop and follow a policy and procedure for complying with the requirements that all full-time or part-time permanent employees who perform any duties and responsibilities specified in *Va. Code* § 9.1-176.1 must take the Oath of Office in accordance with *Va. Code* § 9.1-177 before entering into the duties of his or her office. At a minimum, the policy and procedure shall include:

- A. Requirements for the Oath of Office,
- B. Limitations of the Oath of Office,
- C. Requirements for documenting and reporting the Oath of Office,
- D. Process for notifying courts when an officer's employment status changes and the oath of office is terminated, and
- E. The use of the following Oath of Office:

“I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as a local community-based probation officer and that I will assist the courts within [insert jurisdiction or jurisdictions], the jurisdiction(s) I serve pursuant to providing local community-based probation and related services and to the requirements of the Comprehensive Community Corrections Act for Local Responsible Offenders according to the best of my ability, (so help me God).”

**§ 2.8 Records Management**

- A. Each agency shall develop and follow a policy and procedure for complete use of the Case Management System specified by the Department, which shall include maintaining an individual record for each individual on local community-based probation.

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- B. In addition to the full use of the Case Management System as directed by the Department, each agency shall develop and follow a policy and procedure for maintaining case files to include, at a minimum, the following information for each individual in the case file in either an electronic or paper format:
1. Referral/placement documentation (including warrants or court orders),
  2. Signed conditions of supervision,
  3. Signed authorization for release of information,
  4. The following written documents, if applicable,
    - a. Transfer request form,
    - b. Monthly transfer progress reports,
    - c. Reports to the court or requests for court action such as:
      - i. Requesting a *capias* or show cause,
      - ii. Violations, and
      - iii. Closures.
    - d. Screenings and assessments,
    - e. Progress reports and verification of completion from service providers,
    - f. Signed community service timesheet,
    - g. Case supervision plans,
    - h. Documentation of compliance with financial obligations,
    - i. Documentation of compliance with the *Sex Offender and Crimes Against Minors Registry* requirements,
    - j. Documentation of compliance with DNA sample (LIDS), and
    - k. Documentation of compliance with fingerprinting
- C. Each agency shall develop and follow policies and procedures to ensure the security, safeguarding, and confidentiality of records. The policy and procedure shall, at a minimum, comply with Virginia Administrative Code regarding Criminal History Record Use and Security and the Virginia Criminal Information Network (6VAC20-120-20 through 6VAC20-120-160, available at <http://leg1.state.va.us/cgi-bin/legp504.exe?000+reg+6VAC20-120-20>), in *Va. Code* § 9.1-133 B and § 9.1-177.1, and any applicable federal regulation(s).
- D. Each agency shall develop and follow a policy and procedure for retention and disposal of records, which at a minimum shall comply with current records retention, and disposal schedules for General Schedule No. 25, Community Corrections Act Program as established by the Library of Virginia.
- E. Each agency shall develop and follow a policy and procedure for expungements in accordance with the Virginia Administrative Code (6VAC20-120-80, available at <http://leg1.state.va.us/cgi-bin/legp504.exe?000+reg+6VAC20-120-80>). If electronic records must be expunged, the agency shall follow the Department's Expungement Procedure to expunge electronic records.
- F. Each agency shall develop and follow a policy and procedure related to public access of information in compliance with *Va. Code* § 2.2-3706.B.6 of the Freedom of Information Act (FOIA).
- G. Each agency shall develop and follow a policy and procedure to respond to subpoenas *duces tecum*.
- H. Each agency shall develop and follow a policy and procedure to maintain up-to-date documentation, including, but not limited to Memorandums of Understanding, Memorandums of Agreement, Contracts, and Resolutions establishing the agency, services, and the CCJB.



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**§ 2.9 Serious Incidents and Citizen Complaints**

Each agency shall develop and follow a policy and procedure to respond to and document serious incidents and citizen complaints. At a minimum, the policy and procedure shall include:

- A. Reporting expectations for each of the following types:
  - 1. Incidents or complaints involving individuals on local community-based probation,
  - 2. Incidents or complaints involving staff, or
  - 3. Incidents or complaints that result in negative media coverage-
- B. Reporting process with time frames,
- C. To whom reports are sent,
- D. Forms that must be used, and
- E. Reporting to the Department as required by the Department's Serious Incident Report Policy.

**§ 2.10 Performance Data and Information**

Each agency shall develop and follow a policy and procedure for the collection and dissemination of performance data and information. At a minimum, this policy and procedure shall address the following:

- A. The annual dissemination of performance data and information to local stakeholders, including the CCJB, and complying with requests for performance data and information.
- B. Quality Assurance procedures that include, but are not limited to, case reviews, queries of the required Case Management System for data accuracy, and the status of local community-based probation performance measures as determined by the Department. This includes, but is not limited to, staff compliance with timing of data-entry, appropriate referrals, accuracy of records in accordance with the paper file, case reviews, and client compliance including treatment, drug and alcohol test results, contacts, and completion of case supervision plans.
- C. The keeping of records as required by the Department in accordance with *Va. Code* § 9.1-176.1.
- D. Assurances of cooperation with requests from the CCJB, the Department, and other criminal justice agencies for performance data and information.
- E. Agreement for access and use of data for internal and external research projects as specified in the special conditions of the grant.



## **PART III**

### **LOCAL COMMUNITY-BASED PROBATION**

#### **§ 3.1 Scope of Services**

Each agency shall provide the judicial system with sentencing alternatives for people who, pursuant to *Va. Code* § 19.2-303.3, are convicted, sentenced or provided a proceeding and placed on local community-based probation through a court and who are considered suitable candidates for programs which require less than incarceration in a local correctional facility.

#### **§ 3.2 Duties and Responsibilities**

Each agency shall develop and follow procedures for complying with the required and, where applicable, optional duties and responsibilities of local community-based probation officers adopted by the agency as specified in *Va. Code* § 9.1-176.1.

#### **§ 3.3 Eligibility**

- A. Each agency shall develop and follow policies and procedures for providing local community-based probation supervision for eligible individuals (i) convicted on or after July 1, 1995, of a misdemeanor or a felony that is not a felony act of violence as defined in *Va. Code* § 19.2-297.1, and for which the court imposes a total sentence of 12 months or less, and (ii) no younger than 18 years of age or is considered an adult at the time of conviction sentenced pursuant to *Va. Code* §§ 9.1-174, 18.2-57.3, 18.2-251, 19.2-303.2, and 19.2-303.3.
- B. Each agency shall develop and follow policies and procedures for providing local community-based probation supervision for eligible individuals placed on local community-based probation following a deferred proceeding (*Va. Code* §§ 4.1-305, 9.1-174, 18.2-57.3, 18.2-251, 19.2-303.2, 19.2-303.3, and 19.2-303.6) or pursuant to current legal rulings.
- C. Monitoring cases are not eligible for local community-based probation supervision and state grant funds may not be used for monitoring cases. Monitoring cases include:
  - a. Non-criminal traffic offenses,
  - b. Restitution only,
  - c. Community services in lieu of fines and costs, and
  - d. Individuals residing out of state.

#### **§ 3.4 Initial Contact and Intake**

- A. Each agency shall develop and follow a policy and procedure for contacting each individual placed on supervision as soon as possible, no later than 5 business days after receipt of the court order or notification of release from confinement.
- B. Each agency shall develop and follow a policy and procedure for conducting an intake for each individual placed on supervision as soon as possible, no later than 20 business days after receipt of the court order or notification of release from confinement. At a minimum, the intake must include the following:
  1. Conducting a criminal history record check on each individual supervised by the agency which, at a minimum, includes:
    - a. An inquiry to the Virginia Criminal Information Network (VCIN),
    - b. Checking the DNA (deoxyribonucleic acid) database for individuals required to submit a sample pursuant to *Va. Code* § 19.2-310.2, and





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- c. Checking and tracking the Sex Offender Registry status of individuals required to register pursuant to *Va. Code* §§ 9.1-900, 9.1-901, 9.1-902, 9.1-903 and 9.1-907. At a minimum, the Sex Offender Registry policy and procedure shall include:
  - i. Who must register and re-register,
  - ii. Individual or entity responsible for checking and tracking the status even if not done by the local community-based probation agency,
  - iii. Use of any required forms and format approved by the Virginia State Police, and
  - iv. Approved location(s) to report to register.
- d. Checking that fingerprints have been submitted to the Central Criminal Records Exchange (CCRE) database pursuant to *Va. Code* § 9.1-176.1 and § 19.2-390.
2. Conducting an initial substance use screening pursuant to *Va. Code* § 19.2-299.2. If substance abuse screening results indicate a need for further assessment, instructions for a full assessment shall be given to the individual.
3. Administering the validated risk screening tool approved by the Department to determine if the individual is low risk or needs further assessment. If further assessment is required, an initial supervision appointment must be scheduled and the risk/needs assessment conducted within 30 days of the screening.
4. Providing each individual with documentation, and instructing the individual regarding court-ordered and agency conditions of local community-based probation supervision.

**§ 3.5 Supervision**

- A. Each agency shall develop and follow a policy and procedure for providing local community-based probation supervision. At a minimum, the procedure for supervision must address the following:
  1. Determine frequency and types of contacts based on the individual's risk and needs based on the validated risk/needs assessment tool approved by the Department.
  2. Provide appropriate supervision and interventions responsive to the risk and needs of the individual and demonstrate as risk increases, supervision dosage, frequency, and duration increases.
  3. Assignment to court ordered conditions of supervision.
  4. Verifying the individual's compliance with, and completion of, any court ordered conditions of supervision; measuring the individual's progress and completion of case supervision plan goals, if a case supervision plan is required and developed, and any other activities that occur during the supervision period.
  5. Initiating a dialogue for the development of a supervision plan based on the results of the risk/needs assessment.
- B. Each agency shall develop and follow a policy and procedure for using appropriate interventions that are responsive to an individual's risk, needs, and drivers of criminal behavior.
- C. Each agency shall develop and follow a policy and procedure for using appropriate responses to an individual's behavior related to compliance with court ordered conditions of local community-based probation supervision. At a minimum, sanction and incentive policies and procedures shall include the following:
  1. Response to the individual's failures to report as directed in the court order.



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2. When and how to seek a *capias* or request a show cause in accordance with *Va. Code* § 9.1-176.1 and § 19.2-303.3 and at a minimum:
  - a. Ensure only sworn probation officers may submit requests for a *capias* or show cause,
  - b. Establish procedures indicating how and when a show cause should or must be requested,
  - c. Establish local procedures to request a show cause hearing due to non-compliance when continued liberty is not a concern and a *capias* is not required,
  - d. Establish procedures indicating how and when a *capias* should or must be requested,
  - e. Establish procedures for supervisor review of requests for a show cause or a *capias*,
  - f. Document the reason(s) for the show cause or *capias* request in the Case Management System, and
  - g. Procedures for making a case inactive if a *capias* has been requested for an individual who has absconded.
3. Applying intermediate incentives for progress and sanctions for violations of conditions of supervision and, if applicable, case supervision plan activities.
4. Reporting procedure and notification of local community-based probation progress and outcome to the court pursuant to *Va. Code* § 9.1-176.1 and § 19.2-303.3C.
- D. Each agency shall develop and follow a policy and procedure to address length of supervision in the absence of direction from the court. These policies and procedures shall at a minimum provide that the length of supervision shall not exceed the amount of time specified by the court order or otherwise permitted by law and include strategies to ensure timely termination of local community-based probation supervision.
- E. Each agency shall develop and follow a policy and procedure to identify cases exceeding 12 months and document the reason the supervision has not been terminated in the Case Management System.
- F. Each agency shall develop and follow a policy and procedure for the following specific components of local community-based probation supervision to include when and how such services are provided:
  1. Community Service in accordance with *Va. Code* §§ 9.1-176, 9.1-176.1, & 19.2-305 for eligible local community-based probation placements which shall, at a minimum, include:
    - a. Written agreements between the agency and community service site,
    - b. The requirement for a site to be a public or private 501(c)(3) or 501(c)(4) nonprofit agency or organization,
    - c. The stipulation that an individual shall not be charged a fee by the community service site to perform community service, and
    - d. A documented standard method to determine the number of community service hours required if not stipulated on the court order, if applicable.
  2. Substance Use Screening, Assessment, and Treatment referrals to include:
    - a. Initial substance use screening as ordered by the court in accordance with *Va. Code* § 19.2-299.2.
    - b. Substance use assessment in accordance with *Va. Code* § 19.2-299.2.
    - c. Placement into substance use education and/or treatment in accordance with *Va. Code* § 19.2-299.2.



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3. Substance Use Testing in accordance with *Va. Code* §§ 18.2-251.4, 18.2-252, and 19.2-303.3 and best practices for testing including, but not limited to, accommodating staff levels, staff/client gender differences, and trauma history of staff and individuals on probation supervision.
4. Veteran Services pursuant to *Va. Code* § 9.1-173.1.
5. Treatment and intervention services provided by the agency or referred to service providers by the agency to address specialized populations or address specific risk and needs, which shall at a minimum include the following information:
  - a. Program design with risk factors and needs addressed by the intervention,
  - b. Target population served, program eligibility, admission requirements and program completion criteria, and
  - c. The referral process and guidelines for participation.

**§ 3.6 Court Ordered Obligations**

- A. Each agency shall develop and follow a policy and procedure for verifying an individual's payment of court ordered financial obligations pursuant to *Va. Code* § 19.2-305, if applicable. The policy and procedure shall, at a minimum include that local community-based probation agencies are not responsible for the collection of court fines, costs, or restitution. This remains the responsibility of the clerks of court pursuant to *Va. Code* § 19.2-305.1.
- B. Each agency that offers community service work in lieu of payment of fines and costs for eligible placements shall develop and follow a policy and procedure pursuant to *Va. Code* § 19.2-354.C that specifies that people may not be charged a fee to perform community service. Placements from court solely for the purpose of community service is not an eligible placement, and fees may not be collected.

**§ 3.7 Fees**

Each agency approved to collect fees by the Department, shall develop and follow a policy and procedure pursuant to the Department's policy of supervision and intervention fees and *Va. Code* § 9.1-182. Supervision fees are agency fees and shall not be required by an order of the court. These fees are intended to offset the cost of supervision and shall not be considered a source of revenue. Unspent or unexpended supervision/intervention fees collected in one fiscal year must be rolled over from year to year into the agency's budget and be used solely for the agency's operations. Agencies may not keep people on supervision for the sole purpose of paying supervision fees. Any changes to the agency's supervision fee collection policy and procedure must be approved by the Department.

**§ 3.8 Transfer of Supervision**

- A. Each agency shall develop and follow a policy and procedure for sending and receiving individuals to and from other agencies for probation supervision, complying with the Department's transfer of supervision policy.
- B. Agencies shall not initiate a transfer of supervision until the originating agency has conducted an initial supervision contact including verification of the address, completion of the approved risk screening, a record check, and verification of the CCRE, DNA, fingerprinting, and sex offender registry requirements.



**§ 3.9 Electronic Monitoring and Home Incarceration**

- A. Each agency using home incarceration without electronic monitoring shall develop and follow a policy and procedure for its use with individuals placed on local community-based probation in accordance with *Va. Code* § 9.1-176 and § 9.1-176.1.
- B. Each agency using electronic monitoring equipment shall develop and follow a policy and procedure for its use with people placed on local community-based probation in accordance with *Va. Code* § 9.1-176 and § 9.1-176.1.
- C. Each agency using GPS/electronic monitoring shall develop and follow a policy and procedure for its use with people placed on local community-based probation in accordance with *Va. Code* § 9.1-176 and § 9.1-176.1 and Department Guidelines.

**§ 3.10 Placement Closures and Termination of Supervision**

- A. Each agency shall develop and follow a policy and procedure for placement closures.
- B. Each agency shall develop and follow a policy and procedure for termination of supervision.

**PART IV**  
**TRAINING AND STAFF DEVELOPMENT**

**§ 4.1 Training and Staff Development**

Each agency shall develop and follow a policy and procedure for all staff training, onboarding, attendance, and completion of workplace learning and staff development, which at a minimum includes the requirement for:

- A. All sworn employees performing any of the duties and responsibilities in *Va. Code* § 9.1-176.1 to successfully complete Department's CORE training as mandated by the Department and in the special conditions of the grant,
- B. All employees to successfully complete other training as required by the Department,
- C. All employees to successfully complete any training required by the local government,
- D. All volunteers and interns to receive in-service training as is available and deemed appropriate by the agency,
- E. All sworn employees attend a minimum of 40 hours of training in the first year of employment and a minimum of 20 hours per year thereafter, and
- F. Addresses the necessary skills to supervise individuals on local community-based probation in alignment with Evidence-Based Practices including communication, assessment, and case supervision planning.



## PART V

### COMMUNITY CRIMINAL JUSTICE BOARD

#### **§ 5.1 Community Criminal Justice Board Authority**

As required in *Va. Code* § 9.1-178, each county, city, or combination of cities and counties participating in local community-based probation services shall establish a CCJB.

#### **§ 5.2 Community Criminal Justice Board Membership**

- A. Each county and city participating in local community-based probation services shall be represented on the CCJB.
- B. Appointments to the CCJB shall be made by each local governing body.
- C. In cases of multijurisdictional participation, unless otherwise agreed upon, each participating city or county shall have an equal number of appointments.
- D. CCJBs shall be composed of the number of members established by a resolution or ordinance of each participating jurisdiction. A copy of the current resolution or ordinance shall be maintained at the agency.
- E. Each CCJB shall include, at a minimum, the following members pursuant to *VA Code* § 9.1-178:
  - 1. Person appointed by each governing body to represent the governing body,
  - 2. General district court judge,
  - 3. Circuit court judge,
  - 4. Juvenile and domestic relations district court judge,
  - 5. Chief magistrate,
  - 6. Chief of police or the sheriff in a jurisdiction not served by a police department to represent law enforcement,
  - 7. Attorney for the Commonwealth,
  - 8. Public defender or an attorney who is experienced in the defense of criminal matters,
  - 9. Sheriff or the regional jail administrator responsible for jails serving those jurisdictions involved in local community-based probation services,
  - 10. Local educator, and
  - 11. Community services board administrator.
- F. Any officer of the court appointed to a community criminal justice board may designate a member of his staff approved by the governing body as their representative at meetings of the board.
- G. CCJB members shall select a Chair.



**§ 5.3 Community Criminal Justice Board Duties and Responsibilities**

The CCJB shall have the following duties and responsibilities pursuant to *VA Code* § 9.1-180:

- A. Advise on the development and operation of local community-based probation and pretrial services, if applicable, to divert defendants and offenders from regional or local jails.
- B. Assist community agencies and organizations in establishing and modifying programs and services for defendants and offenders on the basis of an objective assessment of the community's needs and resources.
- C. Evaluate and monitor community programs and local community-based probation and pretrial services, if applicable, and facilities to determine their impact on defendants and offenders.
- D. Develop and amend the criminal justice plan in accordance with guidelines and standards set forth by the Department and oversee the development and amendment of the community-based corrections plan as required by § 53.1-82.1 for approval by participating local governing bodies.
- E. Review the submission of all criminal justice grants regardless of the source of funding.
- F. Facilitate local involvement and flexibility in responding to the problem of crime in their communities.
- G. Do all things necessary or convenient to carry out the responsibilities expressly given in this article.

**§ 5.4 Community Criminal Justice Board Meetings, Agenda, and Recording of Minutes**

- A. Regular meetings of the CCJB at a minimum shall be held quarterly.
- B. CCJBs shall have bylaws and the bylaws shall be reviewed every two years, at a minimum.
- C. The CCJB shall provide public notice of scheduled meetings in compliance with *Va. Code* § 2.2-3707.
- D. The CCJB shall ensure all meetings are open to the public in compliance with *Va. Code* § 2.2-3707.
- E. The CCJB meeting agendas shall include, at a minimum, local community-based probation performance and outcome data and reviews of the strategic planning objectives and be made available to the public in compliance with *Va. Code* § 9.1-180 and § 2.2-3707.
- F. The CCJB shall record meeting minutes for all meetings in compliance with *Va. Code* § 2.2-3707.



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## GLOSSARY

Administrative and fiscal agent	The county or city government responsible for agencies, or for contracting for services, as authorized in <i>Va. Code</i> § 9.1-173 et seq. for a single jurisdiction or on the behalf of a combination of cities and counties.
Capias	An order issued by a judicial officer for an individual's arrest and appearance before the court.
Case Supervision Plan	The individualized plan developed collaboratively by both the local probation officer and the individual on probation that outlines how the individual can address individual criminogenic risk and need factors that will improve the likelihood of future success while on supervised probation.
Chief Executive Officer	The County Administrator, County Executive, City Manager, or designated individual responsible for public safety issues of the administrative and fiscal agent.
Community Service Site	Public property including works owned, leased or operated by any county, city or local public service authority including, but not limited to, any historic landmark, park, forest, playground, cemetery, school, library, public building or institution, hospital, community center, waterworks, sewage or waste disposal area, or recycling center, and any public national park on federal land or the property of a nonprofit organization.
Community Service Work	Unpaid labor done for public and private nonprofit agencies performed by people placed on supervised probation as directed by the court. The imposition of community service may be those hours calculated in lieu of fines or court costs, a condition of supervision, as a punitive or intermediate sanction, or in extenuating circumstances, pursuant to an approved standard operating procedure, in lieu of supervision and intervention fees or for payment of treatment costs. Community service excludes any direct reparation to a victim ordered by a court, by involvement in a restorative justice program, or as the result of mediation.
CORE (Classroom, Online, Research, and Evidence)	Mandatory training delivered to new local pretrial and probation officers covering those topics deemed essential to equip them with the competencies and knowledge to perform the duties of their position.
Deferred Proceeding (deferred judgement)	A case, authorized by law, in which the court, without entering a judgment of guilt and with the consent of the accused, defers further proceedings and places the individual on probation (Reference authority in <i>Va. Code</i> §§ 4.1-305, 18.2-57.3, 18.2-251, and 19.2-303.2). Also known as taken under advisement, withhold finding, etc.

**MINIMUM STANDARDS for Local Community-Based Probation**

Dosage	The combination of frequency (of contact), intensity (and Type), and duration (length) for correctional programming and interventions aimed at reducing the risk for recidivism among probation populations. Dosage relates to risk and needs, and considers how often, how much, and how long intervention and programming should be delivered to achieve the best results for each risk category to affect outcomes.
Effective Communication	An open style of communication using motivational interviewing techniques to elicit motivation towards behavior change by helping individuals to explore and resolve ambivalence.
Evidence-Based Practice (EBP)	A practice and/or intervention proven effective through empirical research to obtain a desired outcome.
Expungement	A process by which a record, or a portion thereof, is officially erased or removed after the defendant is not convicted. Criminal record expungement requests are heard by circuit courts, and, under certain conditions, by the general district court. It means the removal from ready access and sealing of the file should the record need to be retrieved in the future.
Intake/Initial Contact	The initial process of gathering information from people following placement on probation supervision, the entry of information into the case-management system through a face-to-face interview and other means; for the purpose of opening a case for active supervision. This includes the compilation of the required case record information and assessment.
Misdemeanor	An offense which, if convicted, can result in a penalty not exceeding a sentence to incarceration of 12 months, a fine of up to \$2500 or both. A state warrant for a lesser criminal offense generally punishable as defined in <i>Va. Code</i> § 18.2-11, or a local ordinance for a criminal violation which carries the same range of penalties as prescribed in general law.
Monitoring	A status used when the court orders that the agency track an individual's compliance with a court order and the individual does not meet eligibility requirements for local probation placement. Individuals in this status are not subject to standard supervision requirements nor counted as a placement.
Placement Closure	A probation placement may be closed by action of a court or any judicial officer as the result of a successful or unsuccessful completion of supervision requirements or other closure.
Receiving Agency/ Supervising Agency	The agency that ultimately accepts the responsibility of supervising an individual sent [transferred in] from another local probation agency.
Risk Screening Tool	A brief set of questions used to determine the need for further assessment, when identifying an individual's level of risk/need for intervention and treatment services.





**MINIMUM STANDARDS for Local Community-Based Probation**

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Risk/Needs Assessment	A validated, research-based tool that uses static and dynamic factors predictive of future criminal behavior to identify treatment and interventions.
Risk-Need-Responsivity (RNR)	The framework for correctional interventions that incorporate the three key principles of effective correctional interventions and establish the foundation for the delivery of effective interventions to reduce recidivism.
Serious Incident	Any incident involving an individual on probation supervision, or staff member, directly or indirectly, in which there has been serious personal injury to the public (including the individual on probation or staff member), public safety endangered, or public concern has been or may be expressed.
Show Cause	A summons for an individual to appear in court on their own behalf to answer charges of why the conditions of probation should not be revoked.
Special Conditions of the Grant	Requirements set by the Department that must be met by the grantee in order to receive and expend grant funds. These conditions can be general for all award recipients of a particular grant or specific to a particular grantee. An acceptance of an award stipulates an agreement that the special conditions will be met either before or during the life of the award period.
Subpoena duces tecum	A process by which the court, at the request of a party to an action, commands a witness who has in their possession or control some document or paper that is relevant to the pending controversy, to produce it at or before the trial.
Supervision and Intervention Fee	The fee charged to an individual placed on probation supervision for reimbursement towards the combined cost of supervision and intervention services pursuant to the Department's policy and guideline. Approval by the Department and the local government is required to be eligible to collect supervision fees.
Transfer of Supervision	A process by which an agency may transfer the responsibility of supervision of a probationer to another Local Community-based Probation agency when the defendant or probationer is an appropriate placement and resident of the receiving jurisdiction.
Variance	Approval by the Department that permits an agency to deviate from the requirements of the established minimum standards or other Department requirements under specific conditions and for a specified period of time, in response to a specific written request by the local agency director with the approval of the administrative and fiscal agent (City Manager or County Administrator).



**Virginia Department of Criminal Justice Services**

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