

**COMMISSION ON VASAP
QUARTERLY MEETING**

June 7, 2024

Minutes

Attendance:

Commission Members:

Mr. John L. Saunders, Vice Chairman
Delegate Patrick A. Hope
Delegate James A. Leftwich, Jr.
Delegate Rae C. Cousins
The Honorable George D. Varoutsos
The Honorable Gino W. Williams
Ms. Margaret Steele
Ms. Krystal Hullette
Ms. Pat Eggleston

Teleconference:

Senator Scott A. Surovell
The Honorable Mary Jane Hall

Absent:

Senator Richard H. Stuart, Chairman
Delegate Atoosa R. Reaser

Commission Staff

Ms. Angela Coleman, Executive Director
Ms. Shelby Edwards
Mr. Glen Miller
Mr. Christopher Morris
Ms. Charlene Motley
Mr. Richard Phillips
Ms. LeAnne Turner

Office of the Attorney General

Ms. Janet Baugh

Time and Place

The quarterly meeting of the Commission on Virginia Alcohol Safety Action Program (VASAP) was conducted in Senate Room A at the General Assembly Building in Richmond, Virginia on June 7, 2024, at 10:00 a.m.

Mr. John L. Saunders, Vice Chairman, presided and called the meeting to order at 10:03 a.m. Ms. Angela Coleman, Executive Director, called roll of the Commission Members.

Approval of the Minutes

The Honorable Gino W. Williams moved, and Delegate James A. Leftwich, Jr., seconded the motion that the minutes from the December 8, 2023, Commission meeting be approved. All were in favor; none opposed.

The Honorable Gino W. Williams moved, and Delegate Rae C. Cousins, seconded the motion that the minutes from the March 22, 2024, Commission meeting be approved. All were in favor; none opposed.

Local ASAP Certification Report

Ms. Charlene Motley, Commission on VASAP Field Services Supervisor, provided the Commission with an overview of the certification process. She stated that when auditing cases, the certification team is looking to determine such things as:

- Consent properly executed.
- Referral document present.
- Intake conducted within 30 days.
- Was the offender properly classified.
- Intervention assignment within 60 days of intake.
- Ignition Interlock monitored monthly.
- Court violations are reported to the court, if applicable.
- DMV completion entered into the DMV system.

Ms. Motley reported the following ASAPs passed certification with no issues:

Central Virginia	New River Valley
Court Community Corrections	Old Dominion
Dan River	Rockingham-Harrisonburg
James Rivers	Southside Virginia
Mount Rogers	Southwest Virginia

Ms. Motley reported that the ASAPs not mentioned, with the exception of Capital Area ASAP, passed certification with minor issues that were addressed in action plans provided by the program director.

Ms. Motley reported that the current certification for each of the local ASAPs will expire on June 30, 2024. She recommended the Commission certify the following ASAPs through June 30, 2027:

Arlington	Mount Rogers
Bull Run	New River Valley
Central Virginia	Old Dominion
Chesapeake Bay	Peninsula
Court Community Corrections	Rappahannock
Dan River	Rockingham/Harrisonburg
District Nine	Southeastern Virginia
Fairfax	Southside Virginia
James River	Southwest Virginia
John Tyler	Tri River

Judge Williams moved, and Delegate Leftwich, seconded the motion that programs listed above be certified through June 30, 2027. Eleven members were in favor, The Honorable George D. Varoutsos abstained on the vote for Arlington ASAP.

Ms. Motley provided the certification review for Capital Area ASAP. There were several deficiencies cited.

- Failure to meet the 30-day intake deadline
- Failure to meet the 60-day intervention deadline
- Failure to have treatment consent forms in the case file
- Failure to record timely interlock reviews
- Failure to timely report to the referring court of client's failure to timely contact ASAP
- Allowing long periods of time to pass without any form of case review
- Failure to timely record all relevant activity of client in ECM notes
- Failure to timely scan documents into ECM
- Failure to timely place successful case closure into DMV
- Failure to pay the required state share fee

Ms. Motley reported that Capital Area ASAP provided their action plan which is included in the meeting materials.

Capital Area ASAP Certification Action Plan

James H. Johnson, Director of Capital Area ASAP, and Mr. William Muse, Capital Area ASAP Policy Board Chairman, were present to speak to their action plan. Mr. Johnson began by thanking the Commission as well as John Tyler ASAP for their assistance. He stated this is the first time in thirteen years that Capital Area ASAP had any significant issues with certification, and he attributed it to the loss of experienced staff due to low salaries. Mr. Johnson referred to the action plan provided to the Commission, which is included in the meeting materials. Mr. Johnson reported that he takes full responsibility for the deficiencies and stated that if the members of the Commission had any questions on his action plan, he is there to speak on it.

Mr. Johnson reported that he plans to retire around Labor Day and shared that it was a privilege to work as the Director for Capital Area ASAP. He expressed his support of a program merger with John Tyler ASAP, as their service areas overlap.

Judge Williams questioned the outstanding warrant in debt in the amount of \$21,239.80 (four month's rent) and the legal fees in the amount of \$5,309.95 as outlined in the report. Mr. Johnson reported that the debt is related to outstanding rent and fees related to their previous office location and is hopeful an agreement will be reached.

Ms. Angela Coleman emphasized the significance of ensuring that citizens within the jurisdiction of Capital Area continue to receive services. Ms. Coleman spoke on the concerns referenced in the certification report and advised the Commission that staff will be working with the local ASAP to ensure that these areas have been corrected. Ms. Coleman reported that Commission staff are looking into securing office space within the DMV for people in the City of Richmond who need access to the program when the current Capital Area ASAP is merged.

Ms. Coleman recommended that the Commission grant Capital Area ASAP conditional certification until the next Commission meeting on September 13, 2024.

Delegate Cousins asked Mr. Johnson about the City of Richmond funding mentioned in his action plan. Mr. Johnson reported that the City of Richmond has awarded Capital Area ASAP \$100,000. He is uncertain how these funds will be distributed or the reporting requirements of the grant. He has been in contact with the City of Richmond and should have more information closer to July 1, 2024.

Ms. Janet Baugh, Office of the Attorney General, informed the Commission that the Warrant in Debt is the sole responsibility of Capital Area ASAP.

Delegate Patrick A. Hope requested more information regarding the oversight of Capital Area ASAP should the Commission approve the conditional certification. He wanted to ensure there would be accountability. Ms. Coleman reported commission staff were already activated and will be looking at cases.

Judge Williams moved for the conditional certification of Capital Area ASAP until the next Commission meeting on September 13, 2024. Delegate Cousins seconded the motion. All were in favor; none opposed.

Delegate Cousins, Mr. Saunders and Judge Varoutsos thanked Mr. Johnson for his dedication and his service to ASAP.

Local ASAP Budget Review/Approval

Mr. Christopher Morris, Special Programs Coordinator, stated there has been a trickle-down effect on salaries from the state’s allocation of interlock funds as discussed in the previous meeting. Although salaries have seen an increase and are moving in the right direction, they have not reached the desired level yet in some areas.

Mr. Morris explained to the Commission that the 100% increase they see on some budgets is due to a change made to the financial platform this year. It does not reflect an actual 100% increase, but rather a new position being added to the budget.

Mr. Morris recommended to approve the budgets of the local ASAPs with the exception of Capital Area ASAP:

- | | |
|-----------------------------|-------------------------|
| Arlington | Mount Rogers |
| Bull Run | New River Valley |
| Central Virginia | Old Dominion |
| Chesapeake Bay | Peninsula |
| Court Community Corrections | Rappahannock |
| Dan River | Rockingham/Harrisonburg |
| District Nine | Southeastern Virginia |
| Fairfax | Southside Virginia |
| James River | Southwest Virginia |
| John Tyler | Tri River |

Delegate Patrick A. Hope moved to approve the FY25 budgets presented for approval, Delegate Rae C. Cousins seconded the motion. All were in favor; none opposed.

Capital Area ASAP

Mr. Morris stated that many of the areas he planned to speak on regarding Capital Area ASAP had already been covered. These included the back rent, the warrant in debt and the \$100,000 allocation from the City of Richmond. Mr. Morris reported the reason Capital Area's budget was set aside was due to those concerns as well as the approximate \$41,000 in outstanding bills due. Mr. Morris stated that the state office had to pay back rent to keep Capital Area ASAP open to continue to provide services and protect the confidentiality of client files. Mr. Morris stated that Ms. Coleman was able to talk to the John Tyler ASAP Policy Board and secure space at John Tyler for Capital Area ASAP.

Mr. Morris recommended that Capital Area's FY25 budget be conditionally approved through the next Commission meeting on September 13, 2024.

Delegate Hope raised concerns regarding granting a conditional budget approval for FY25 and requested clarification. Ms. Coleman responded that the conditional budget approval would be for expenses through the next Commission meeting on September 13, 2024. The current budget will expire on June 30, 2024. Ms. Coleman reported that allowing the conditional budget approval will ensure that Capital Area ASAP is able to continue to pay their staff and operating expenses.

The Honorable Mary Jane Hall asked if the Commission approves a merger of Capital Area ASAP and John Tyler ASAP will a new budget be required. Mr. Morris responded that if a merger happens, John Tyler ASAP will need to provide a new budget for approval. Ms. Coleman stated that John Tyler ASAP Policy Board is already in agreement with the merger.

Judge Williams moved that the Capital Area ASAP budget be conditionally approved until the next Commission Meeting on September 13, 2024. Delegate Rae C. Cousins seconded the motion. All were in favor; none opposed.

Executive Director's Report

Ms. Coleman presented the Executive Director's report.

End of Fiscal Year

Ms. Coleman reported that as required she has provided the Commission with the Deficit Provision Acknowledgment Form, which is included in their meeting materials, acknowledging that the agency has not and will not incur a deficit.

Training Activities

Ms. Coleman reported that the Commission is hosting an ASAP, Court, and DMV training session this year. It is an opportunity to network and bring the three agencies together for an all-day training. This training has not been conducted since pre-covid and those involved are excited to attend.

Ms. Coleman shared that the VASAP Annual Training Conference will be held on August 7 & 8, 2024 with check in on August 6, 2024, at the Hilton Richmond Hotel in Short Pump. Ms. Coleman extended an invitation to the Commission members. She shared that The Honorable Gino W. Williams and The Honorable Jody Fariss will be speakers as part of a judge's panel during the VASAP Training Conference. Ms. Coleman stated that the training is mandatory for all full-time Directors, Case Managers and Case Management Assistants.

Mr. Saunders shared that the annual training conference is well worth the time to attend as the quality of the sessions and the training provided is exceptional.

Interlock Summary Report

Ms. Coleman spoke on the Ignition Interlock and Remote Monitoring Summary Report, sharing that the interlock numbers have reverted to pre-covid numbers. She reported that commission

staff provide oversight and inspection of interlock facilities and Mr. Richard Phillips, Ignition Interlock Technical Support Specialist, has already begun his on-site inspections.

Senator Scott A. Surovell thanked the commission staff for the addition of the RAMD numbers to the report. He requested that the data from year to year is added to show trends. Ms. Coleman stated it will be added.

Senator Surovell asked if commission staff had any idea as to why the number of interlocks installed at Bull Run ASAP is higher than Fairfax ASAP, when Fairfax ASAP has a higher population. He asked whether it might be an enforcement matter. Mr. Morris responded that he did not know why the numbers were higher for Bull Run ASAP but overall numbers were higher due to the law where 12 months of interlock is ordered if someone chooses interlock as the only restriction.

2024 Meeting Dates

September 13

December 6

Mr. Saunders thanked Ms. Coleman and the commission staff for their hard work and dedication to improving highway safety.

Adjournment

Delegate James A. Leftwich, Jr. moved, and The Honorable Gino W. Williams seconded, that the meeting be adjourned. All were in favor; none opposed. There being no further business, Mr. Saunders, Vice Chairman, adjourned the meeting at 10:53 am.

Senator Richard H. Stuart, Chairman