



COMMONWEALTH OF VIRGINIA

Commission on Youth



# **Evaluating the Effectiveness and Efficiency of Virginia's Juvenile Detention Centers**

**Advisory Group Meeting**

**May 19, 2022**

**Elizabeth Spinney**

# Study Mandate and Recent Studies

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- Recent efforts have transformed the Commonwealth's juvenile justice system by reducing the use of state-operated juvenile correctional centers, and as a result of such efforts, there has been a substantial decline in the number of children admitted to or detained in juvenile detention centers in the Commonwealth. Because it is anticipated that the number of children committed to juvenile detention centers will continue to decline, a study should be conducted to identify potential changes to the operation of local and regional juvenile detention centers to accommodate for the population decline. Therefore, the Virginia Commission on Youth shall:
  - Establish an advisory committee to evaluate the effectiveness and efficiency of our current detention center system, evaluating the intersection of public safety and the rehabilitation of youth.
- JLARC Study: Virginia's Juvenile Justice System (2021)
- VCOY Study: Education in Local Detention Centers (2020)

# Why do we need this study?

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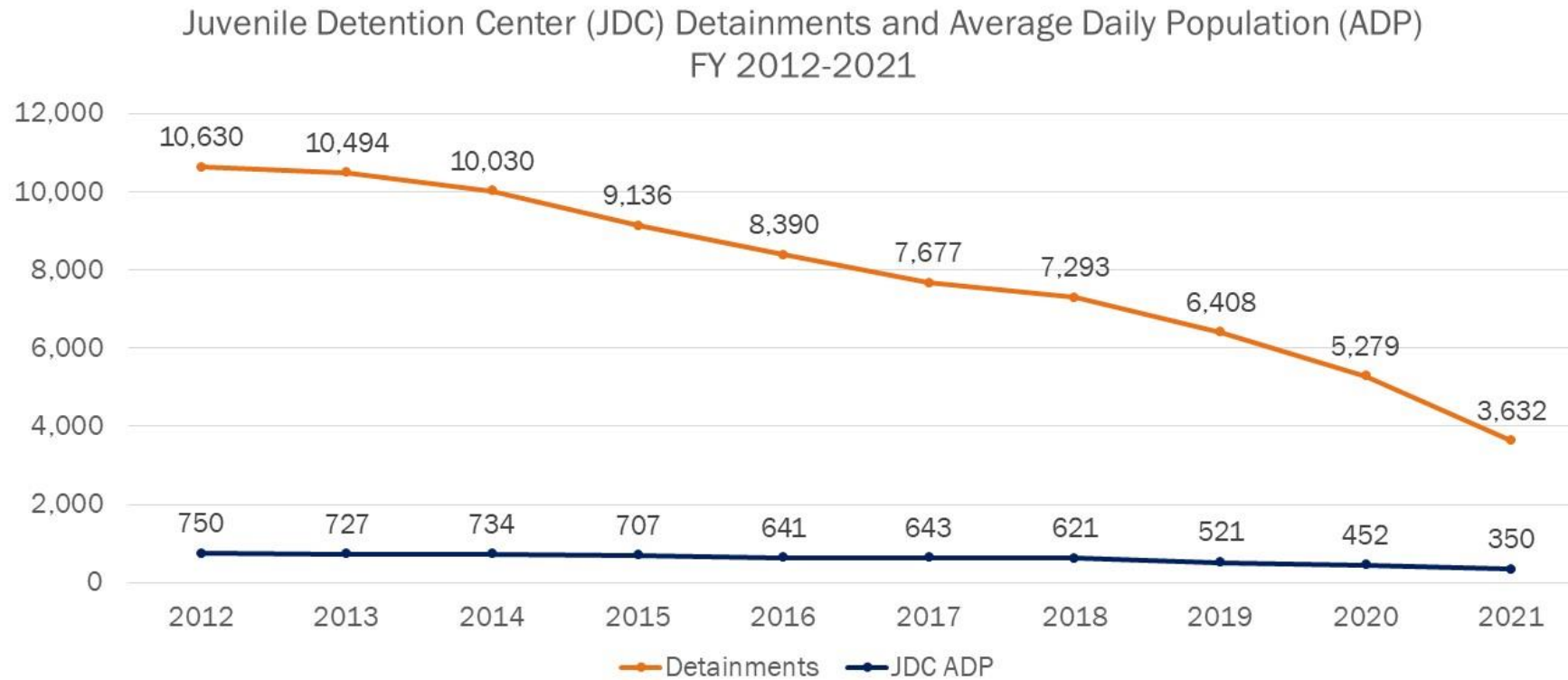
- Due to substantial decline in the number of children admitted to or detained in Virginia's 24 juvenile detention centers (JDCs), the Joint Legislative Audit and Review Commission (JLARC) reported that JDCs have excessive capacity.
- JLARC estimated \$7 to \$14 million in state funds that could be saved through consolidating facilities.
- There is a need to reevaluate current state funding of educational programming in detention.
- Virginia Juvenile Detention Association (VJDA) disagrees on some of the JLARC findings and policy options.
- More information and analysis is needed to find the best solution.

# Study Activities

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- Provide an overview of Virginia's Juvenile Detention Center system.
- Convene an Advisory Group.
- Conduct site visits and interviews at juvenile detention centers.
- Develop and conduct surveys for Virginia's local and regional detention centers.
- Map and analyze current juvenile detention centers.
- Consider suggestions for revising teacher staffing ratios and qualifications.
- Research state and federal laws and regulations.
- Develop recommendations as needed.
- Present findings and recommendations to the Commission on Youth.
- Receive public comment.
- Prepare final report.

# Substantial Reductions in Use of Juvenile Detention



# Costs Not Decreasing

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While the number of detentions has *decreased*, DJJ funding for detention centers has *increased*.

## Total operating expenditures

- Total operating expenditures in 2021 were close to \$109 million.
- Total operating expenditures at facilities ranged from \$1.2 million (Piedmont) to \$11.9 million (Fairfax).
- School expenses are approximately \$23 million, resulting in total costs of \$132 million (state funded).

## Cost per detained youth

- Average estimated annual per youth cost of juvenile detention centers in FY21 was \$311,000 plus the education costs, which results in \$377,000.
- Per youth costs ranged from about \$155,000 (Richmond JDC) to about \$665,000 (Loudoun JDC), plus educational expenses.

# What is juvenile detention?

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## Pre-D

Detention is a place where youth are held while they await resolution of their cases (awaiting adjudication, awaiting disposition, awaiting placement after disposition).

## Post-D

More than half of U.S. states, including Virginia, also allow for the “sentencing” of youth to local juvenile detention facilities (after disposition), rather than committing them to a state correctional facility or using other private placements [e.g., Comprehensive Services Act funds].

# Virginia Detention Population

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## Detained Population in Detention Homes – Local Responsibility

- Pre-Disposition Detention (Pre-D)
- Post-Disposition Detention with Services (Post-D with services)
- Post-Disposition Detention without Services (Post-D without services)

## Care Population (Committed) in Detention Homes – State Responsibility

- Admissions/Evaluation
- Community Placement Program (CPP)
- Reentry
- Individual JDC Beds



# What do we know about juvenile detention nationally?

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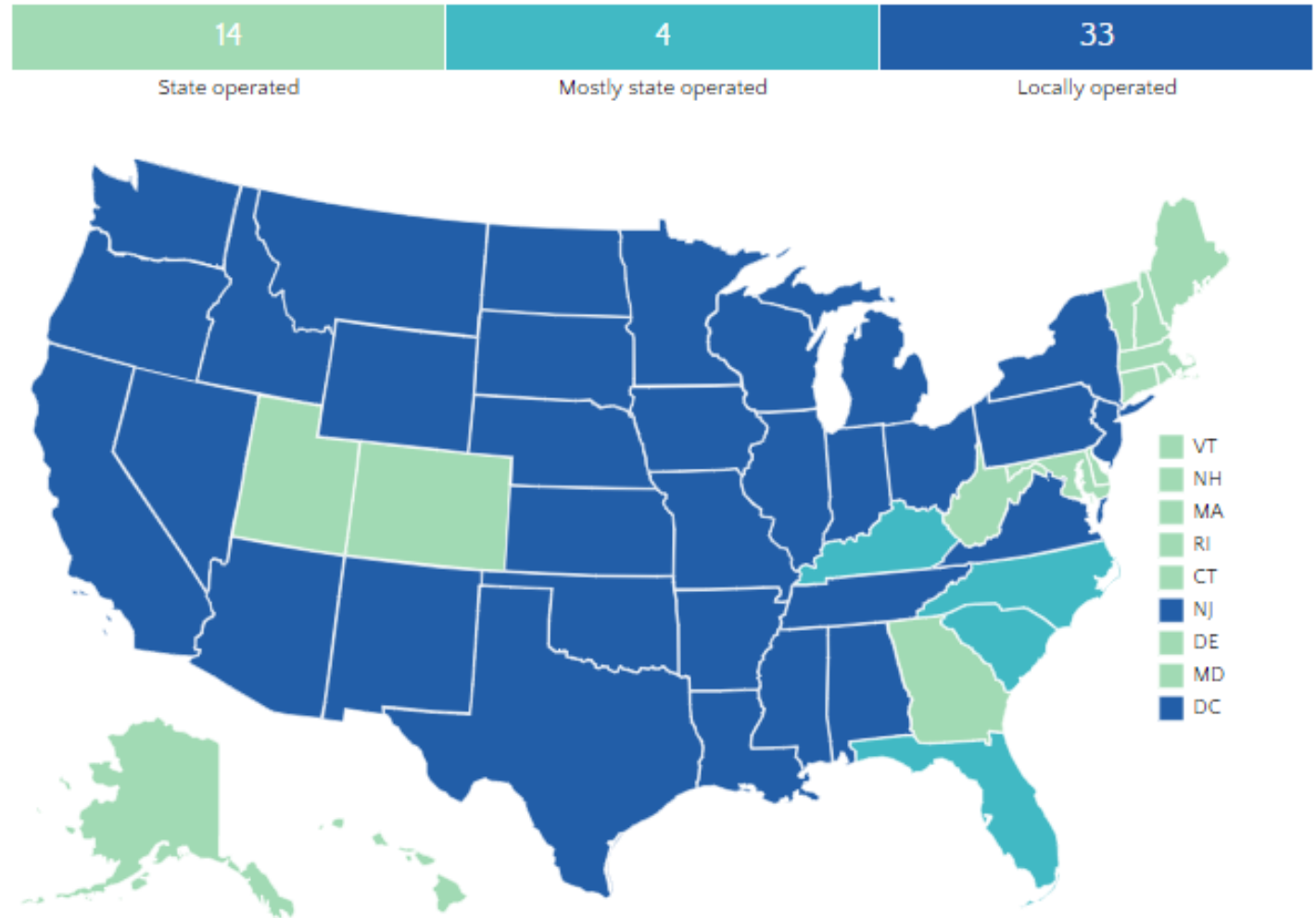
Juvenile detention usage has dropped dramatically across the United States.

- Possible factors: reductions in juvenile crime, use of detention alternatives (e.g., Annie E. Casey Foundation), and increased use of risk instruments to detention suitability for detention.

The general consensus is that secure detention of juveniles should be avoided whenever possible. One publication explained, “Juvenile detention is a critically important part of the juvenile justice system. It has long been ignored, criticized, and deprived of the support and assistance that is regularly made available for other juvenile justice functions.”\*

# Operation of Detention

2017

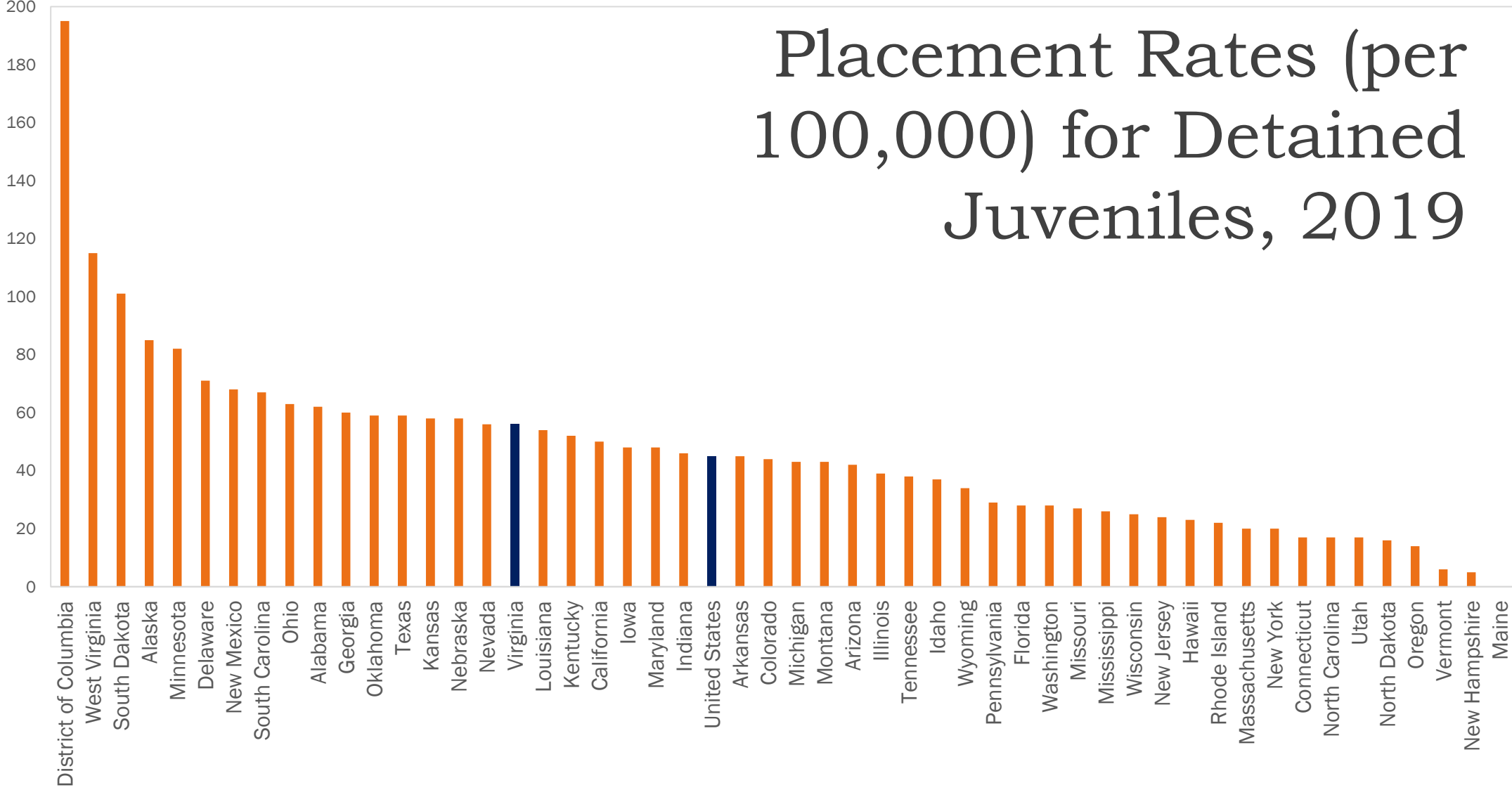


# Juvenile Detention in Virginia

- Locally operated by localities or regional commissions of three localities.
- State pays half of construction costs, one third of operating costs, and all education costs.

Operated by Localities	Operated by Commissions
1. Chesapeake Juvenile Services	1. Blue Ridge Juvenile Detention
2. Chesterfield Juvenile Detention Home	2. Crater Youth Care Commissions
3. Fairfax County Juvenile Detention Home	3. Highlands Juvenile Detention Center
4. Henrico Juvenile Detention Home	4. James River Juvenile Detention Center
5. Loudon Juvenile Detention Center	5. Merrimac Center
6. Lynchburg Regional Juvenile Detention Center	6. New River Valley Juvenile Detention Home
7. Newport News Juvenile Detention Center	7. Northern Virginia Juvenile Detention Home
8. Norfolk Juvenile Detention Center	8. Northwestern Regional Juvenile Detention Center
9. Prince William County Juvenile Detention Home	9. Piedmont Regional Juvenile Detention Center
10. Richmond Juvenile Detention Center	10. Rappahannock Juvenile Center
11. Virginia Beach Juvenile Detention Center	11. Roanoke Valley Juvenile Detention Center
12. W.W. Moore, Jr., Detention Home	12. Shenandoah Valley Juvenile Detention Home

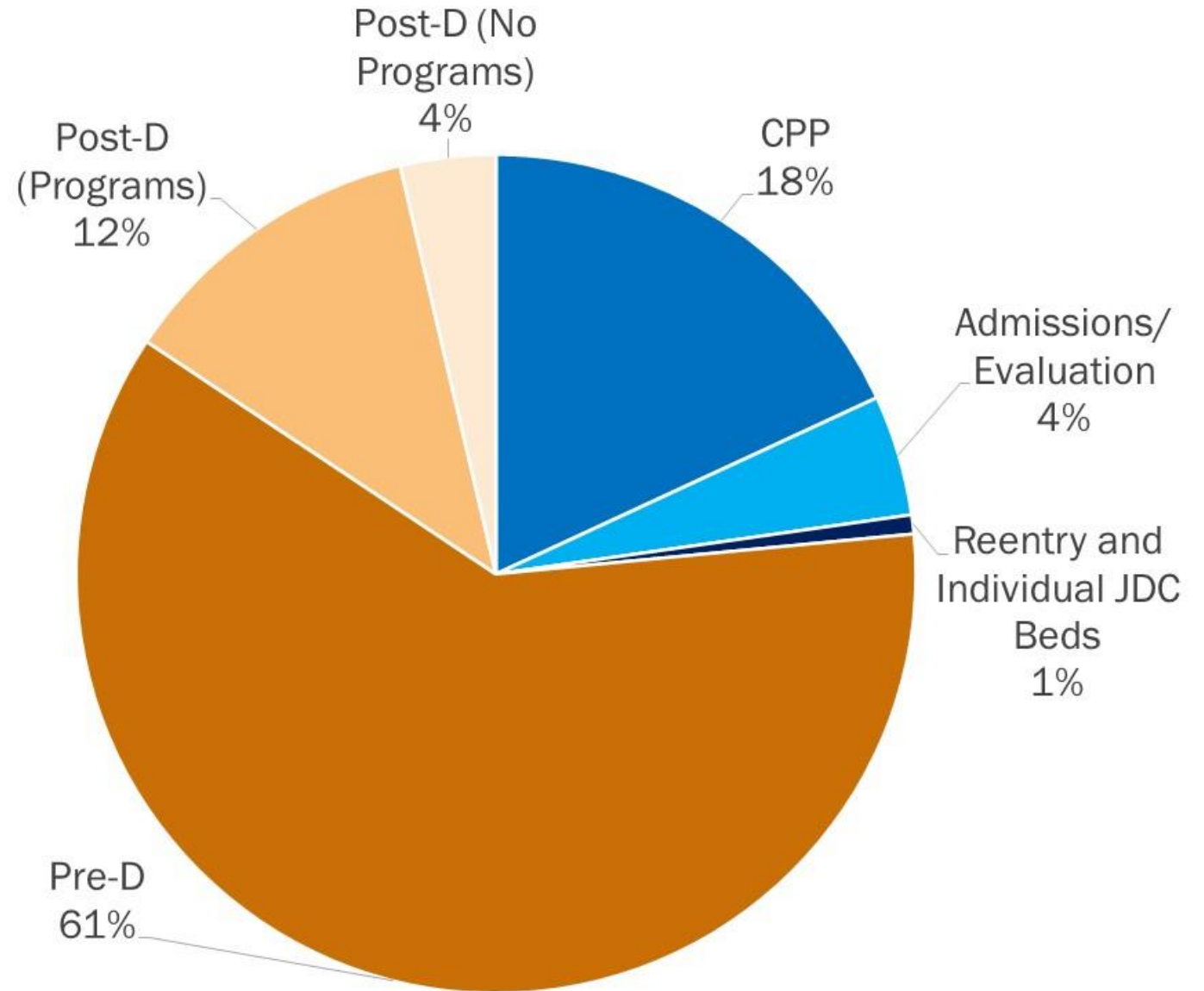
# Placement Rates (per 100,000) for Detained Juveniles, 2019



Data Source: Sickmund, M., Sladky, T.J., Puzzanchera, C., and Kang, W. (2021) Easy Access to the Census of Juveniles in Residential Placement. Online. Available: <https://www.ojjdp.gov/ojstatbb/ezacjrp/>

# Average Daily Population (ADP) in Virginia Detention Centers

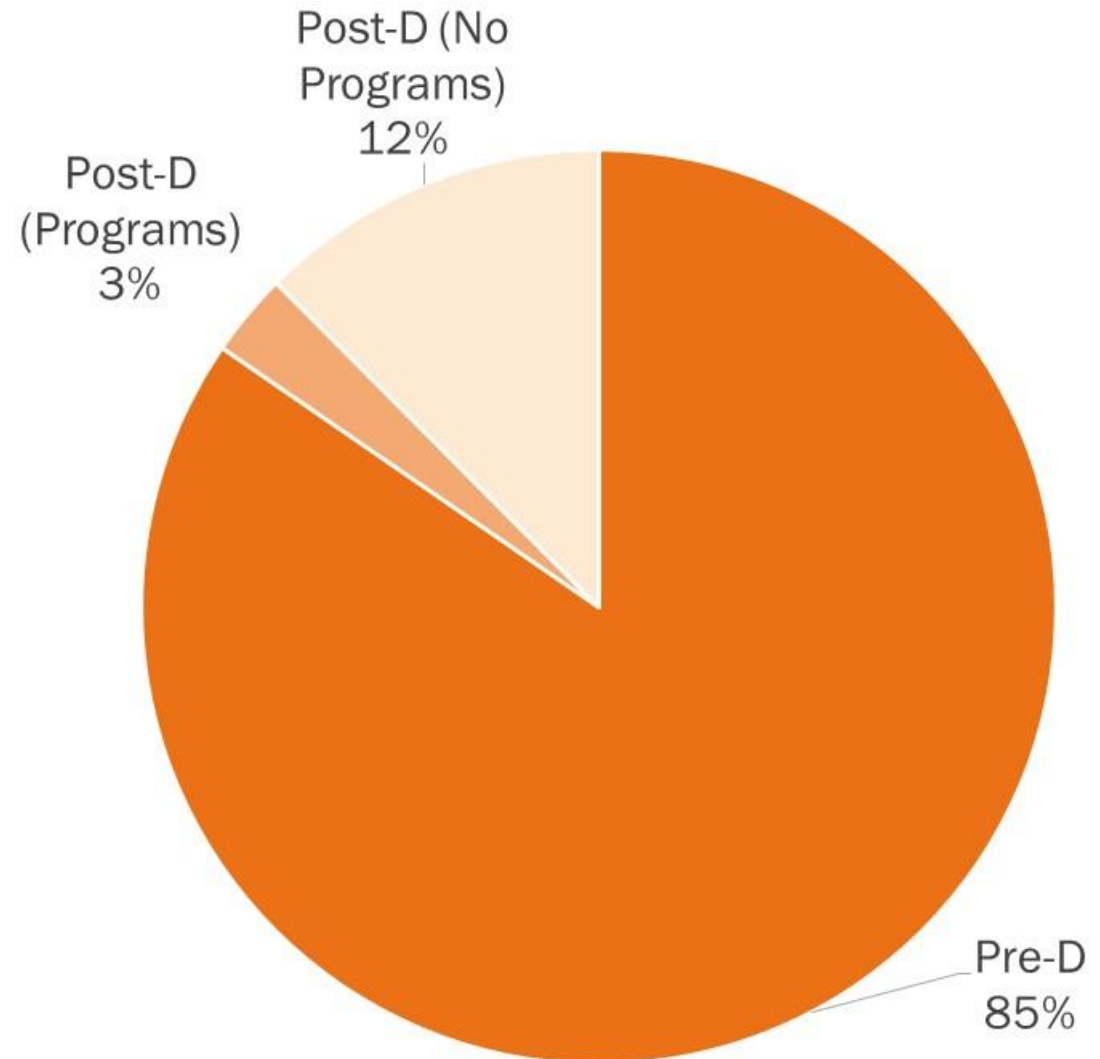
- Detained Youth (orange)
- Youth in Care/Committed to DJJ (blue)



# Total Detainments (not including committed youth)

*Total detainments differs from average daily population.*

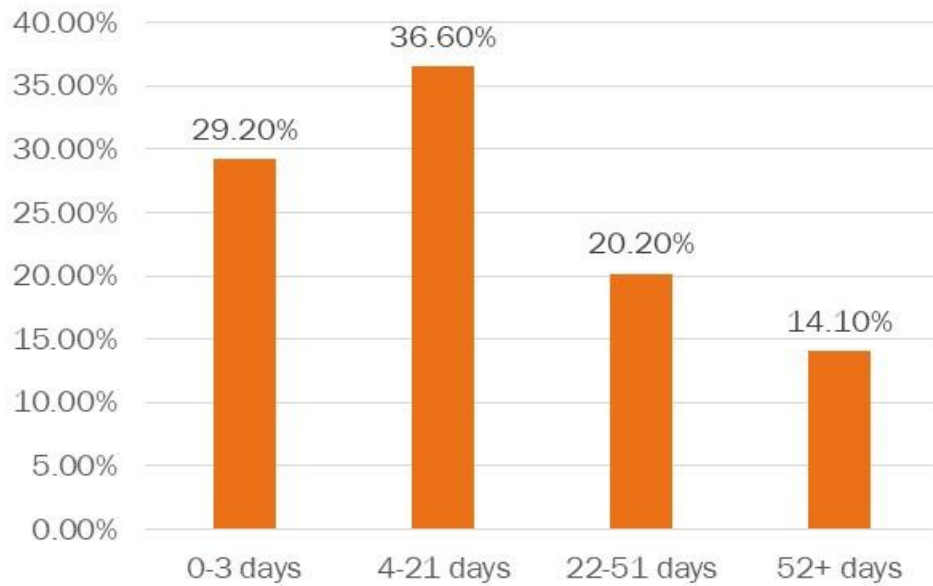
	Total Detainments	ADP
Pre-D	85%	80%
Post-D (programs)	3%	16%
Post-D (no programs)	12%	5%



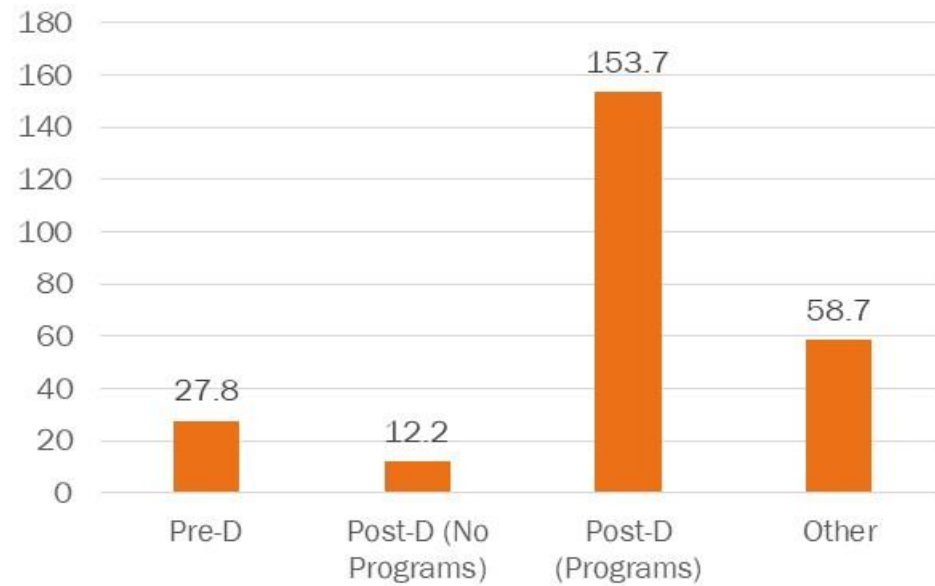
# Length of Stay in Detention

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## LENGTH OF STAY, PRE-D DETENTION



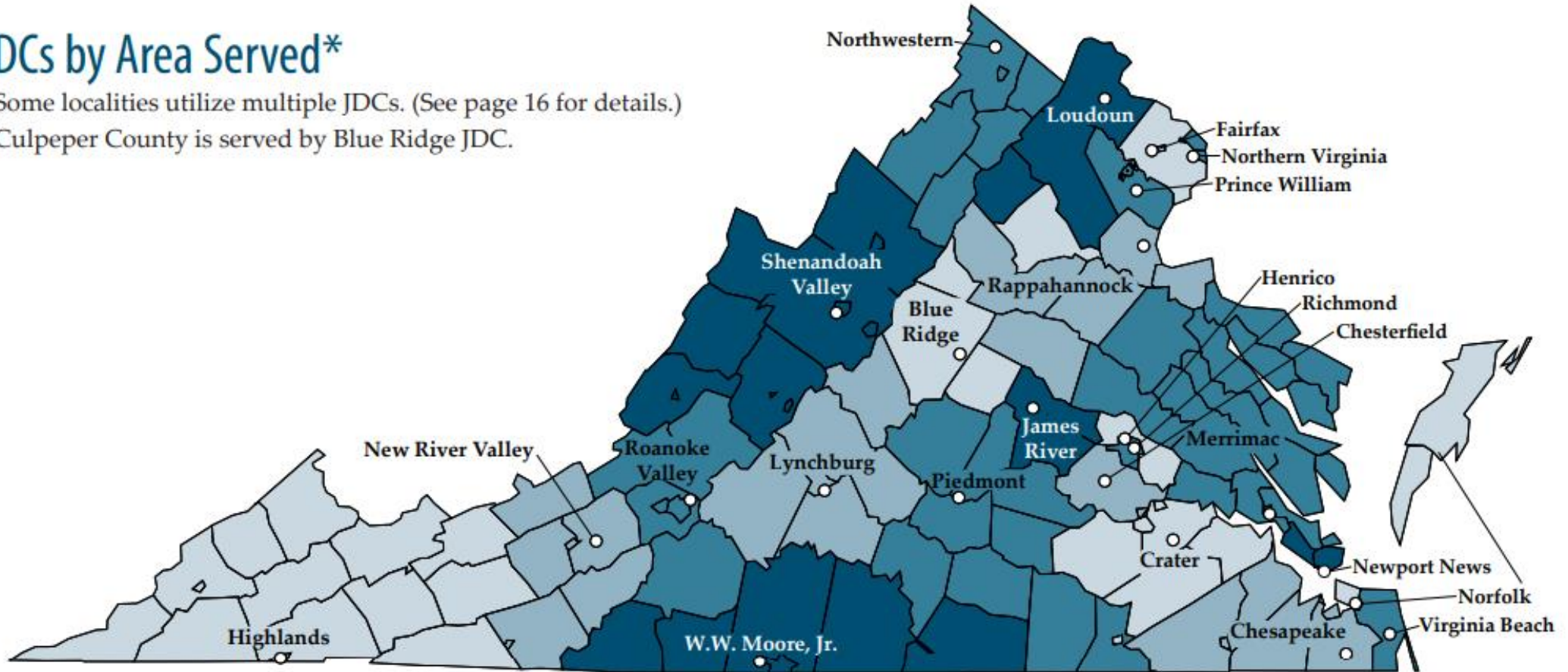
## LENGTH OF STAY, BY TYPE



## JDCs by Area Served\*

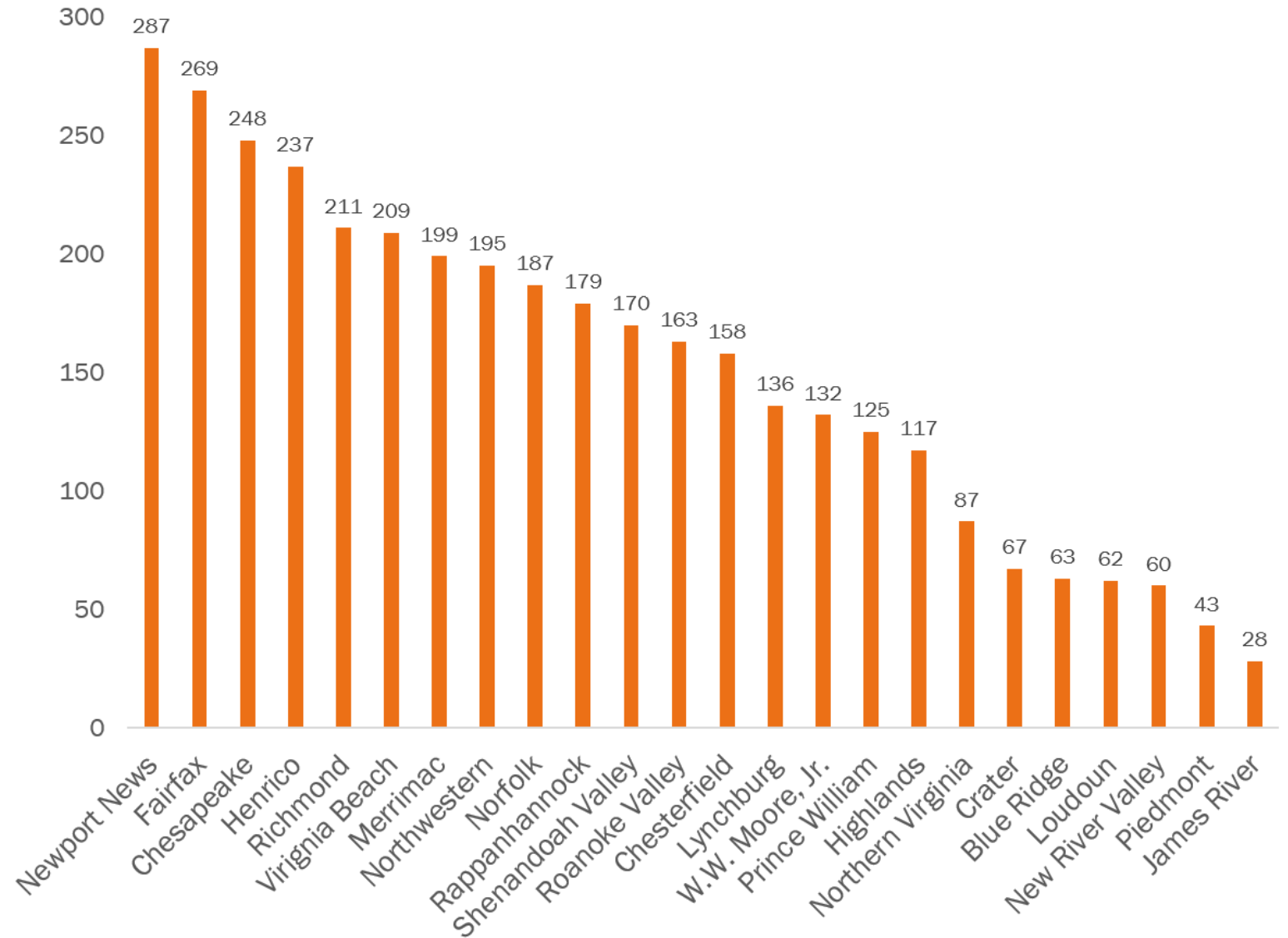
\* Some localities utilize multiple JDCs. (See page 16 for details.)

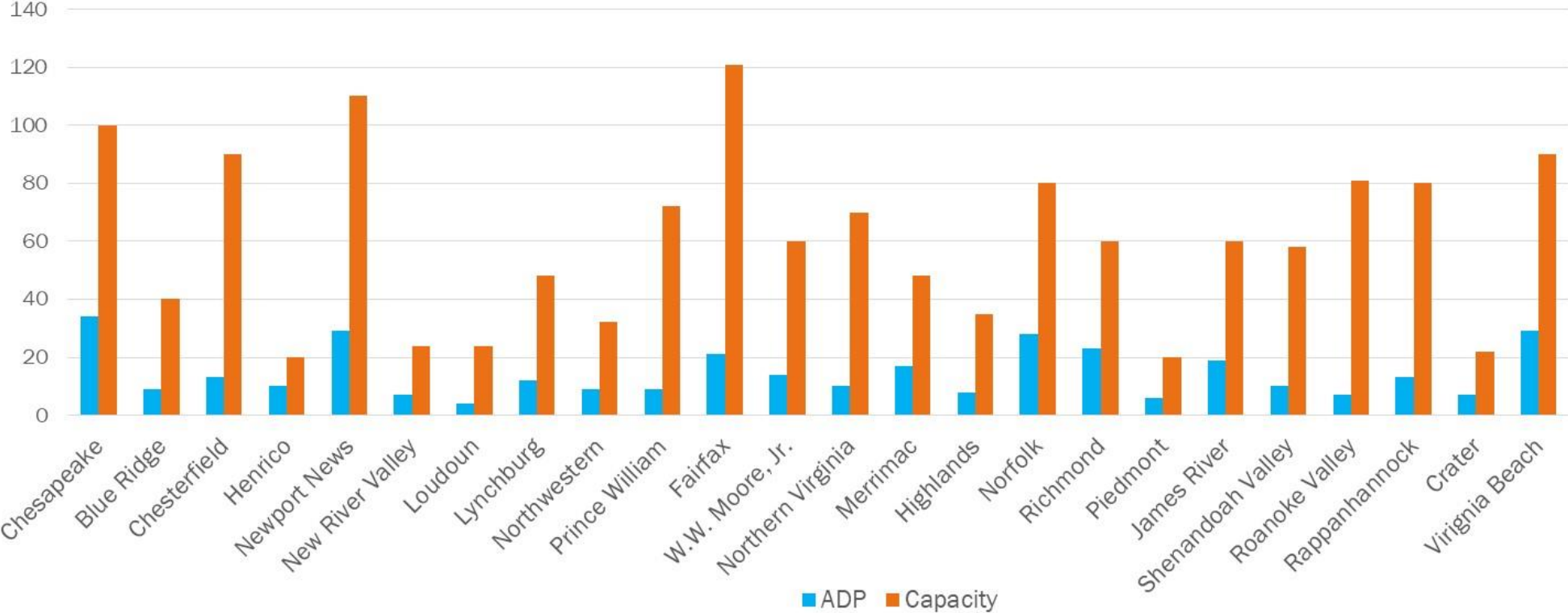
\* Culpeper County is served by Blue Ridge JDC.





# Detainments by Detention Center, 2021

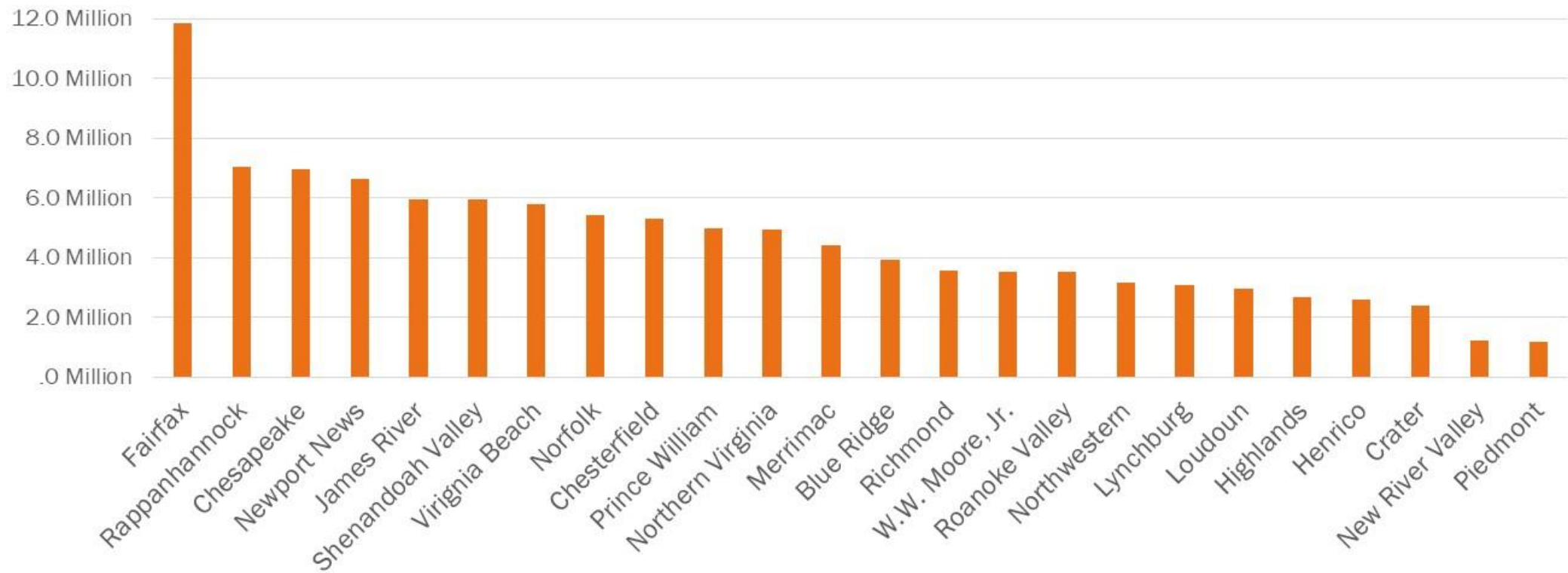




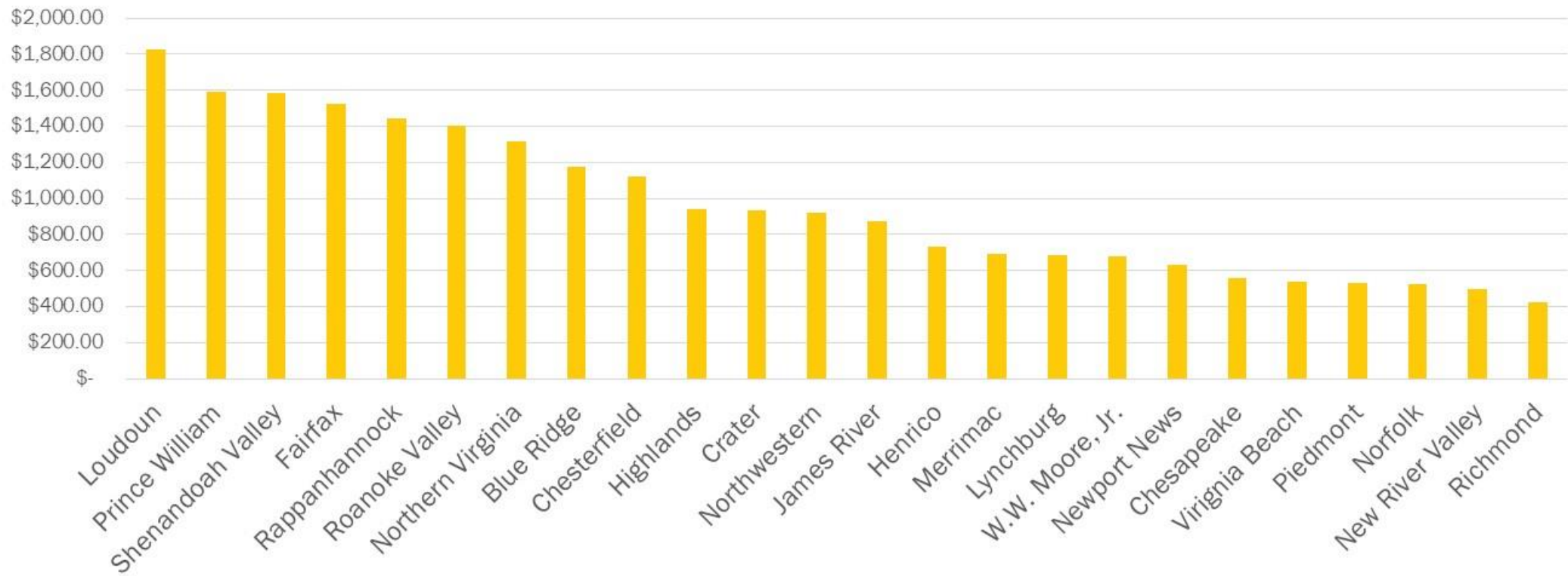
Capacities represent the number of certified beds; they may not represent the number of “operational” or “staffed” beds, which may be significantly lower.

# Detention Center Capacity and ADP 2021

# FY21 Total Operating Expenditures

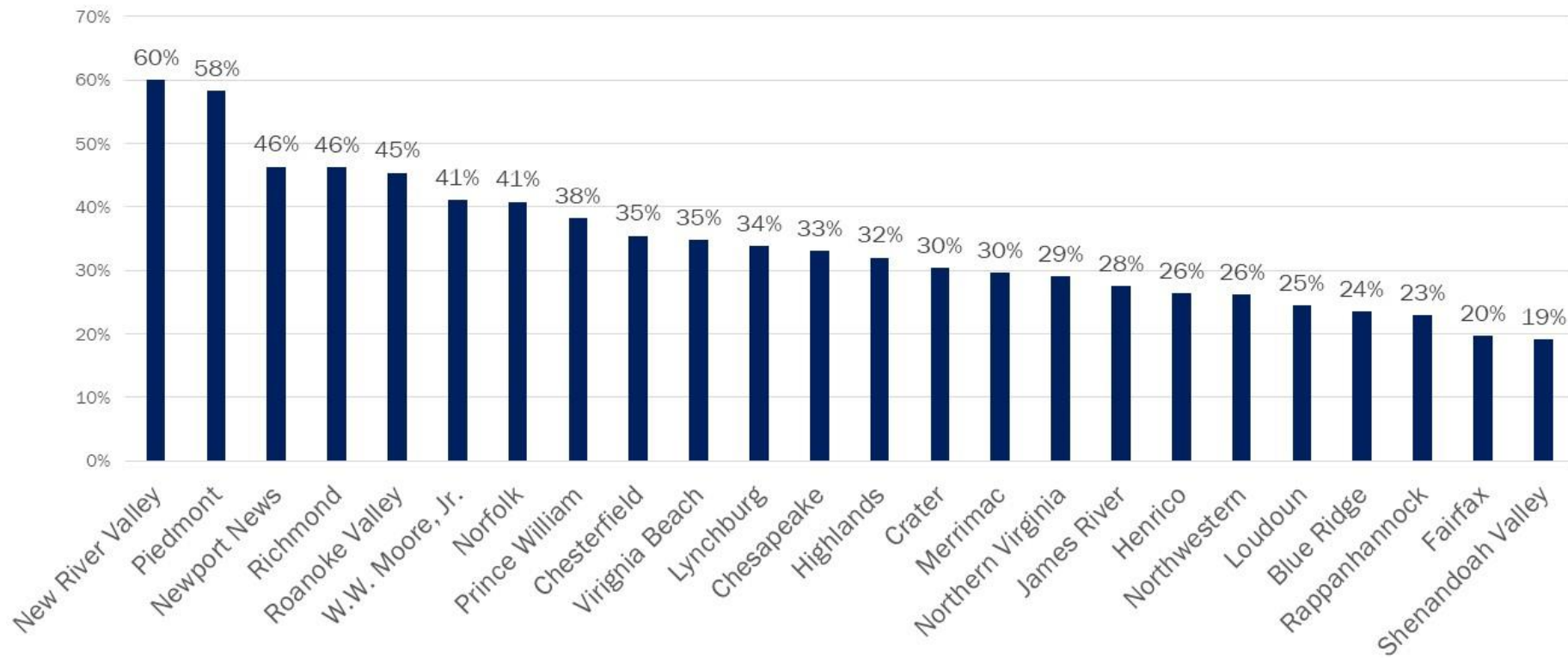


# FY21 Average Cost Per Day



# DJJ Percent of Total Expenditures

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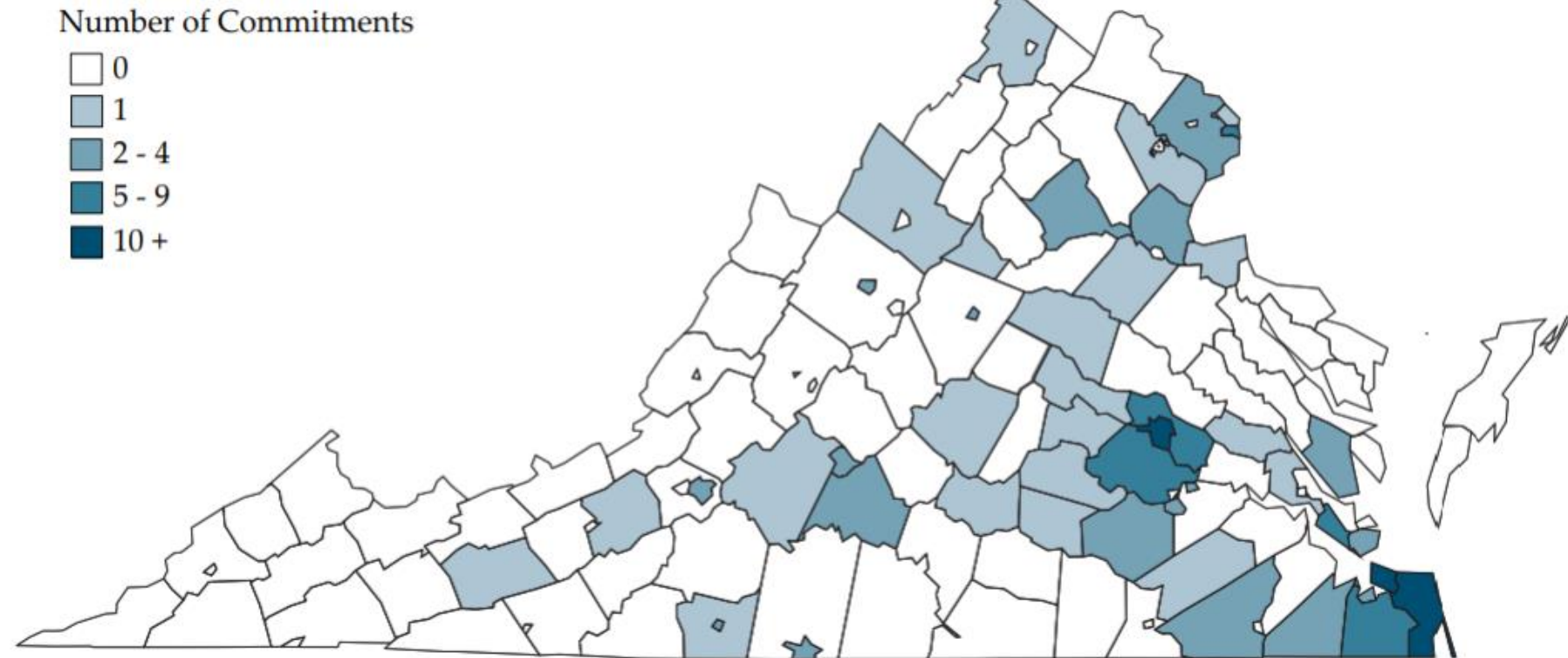


## Detainments and DAI Scores at Detainment, FY 2021

JDC	Detainments	DAI Scores at Detainment (Pre-D Non-Judge-Ordered Only)				Total
		0-9 (Release)	10-14 (Det. Alt.)	15+ (Secure)	Missing	
Blue Ridge	63	8.3%	11.7%	68.3%	11.7%	60
Chesapeake	248	7.5%	9.2%	80.5%	2.9%	174
Chesterfield	158	19.6%	14.4%	64.9%	1.0%	97
Crater	67	15.9%	15.9%	61.4%	6.8%	44
Fairfax	269	6.3%	28.1%	63.6%	2.0%	253
Henrico	237	25.0%	17.9%	49.4%	7.7%	168
Highlands	117	17.5%	12.7%	52.4%	17.5%	63
James River	28	14.3%	14.3%	71.4%	0.0%	21
Loudoun	62	14.8%	24.1%	57.4%	3.7%	54
Lynchburg	136	28.2%	11.8%	60.0%	0.0%	85
Merrimac	199	24.1%	17.9%	54.5%	3.4%	145
New River Valley	60	17.9%	28.2%	48.7%	5.1%	39
Newport News	287	15.4%	21.5%	60.7%	2.3%	214
Norfolk	187	20.7%	18.6%	55.0%	5.7%	140
Northern Virginia	87	12.3%	16.0%	58.0%	13.6%	81
Northwestern	195	15.1%	31.9%	48.7%	4.2%	119
Piedmont	43	8.8%	32.4%	55.9%	2.9%	34
Prince William	125	16.7%	19.4%	61.1%	2.8%	108
Rappahannock	179	33.8%	18.5%	38.9%	8.9%	157
Richmond	211	23.7%	27.8%	47.9%	0.6%	169
Roanoke Valley	163	18.6%	23.3%	54.7%	3.5%	86
Shenandoah Valley	170	21.9%	33.3%	41.0%	3.8%	105
Virginia Beach	209	17.8%	14.4%	67.8%	0.0%	146
W. W. Moore, Jr.	132	13.3%	30.1%	54.2%	2.4%	83
<i>Total Detainments</i>	3,632	17.8%	20.7%	57.3%	4.2%	2,645

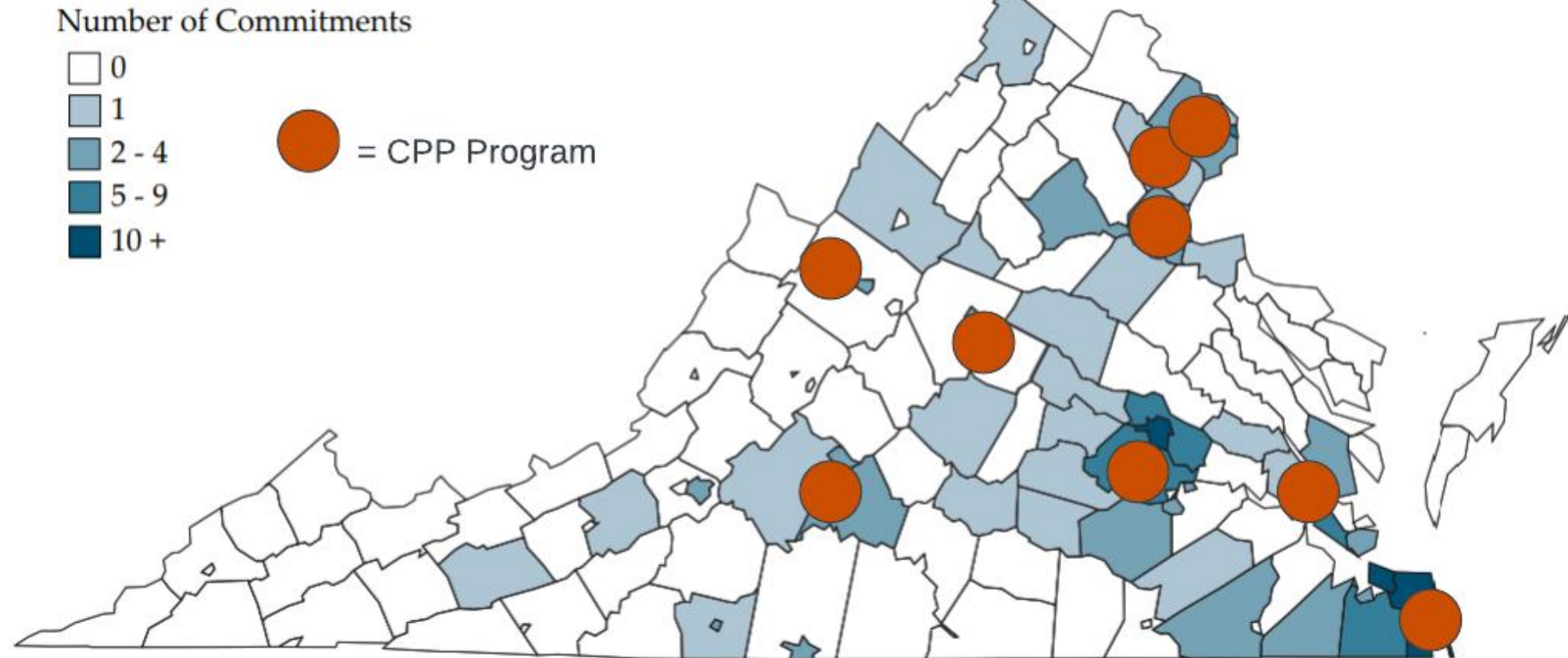
» Of the youth who were detained in non-judge-ordered pre-D detention in FY 2021, 57.3% had a DAI score indicating secure detention.

## Commitments by Locality, FY 2021\*



\* Subsequent commitments are excluded. Chesterfield County had two subsequent commitments.

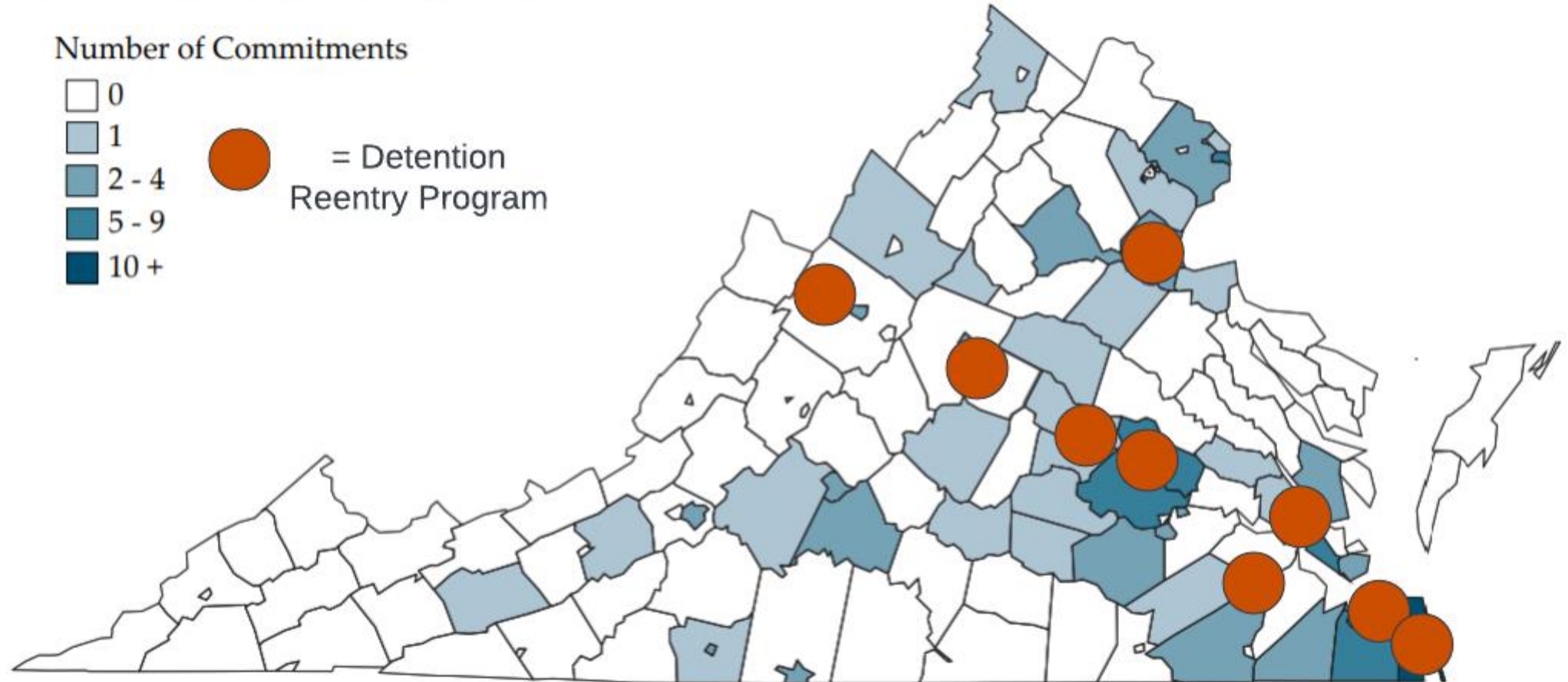
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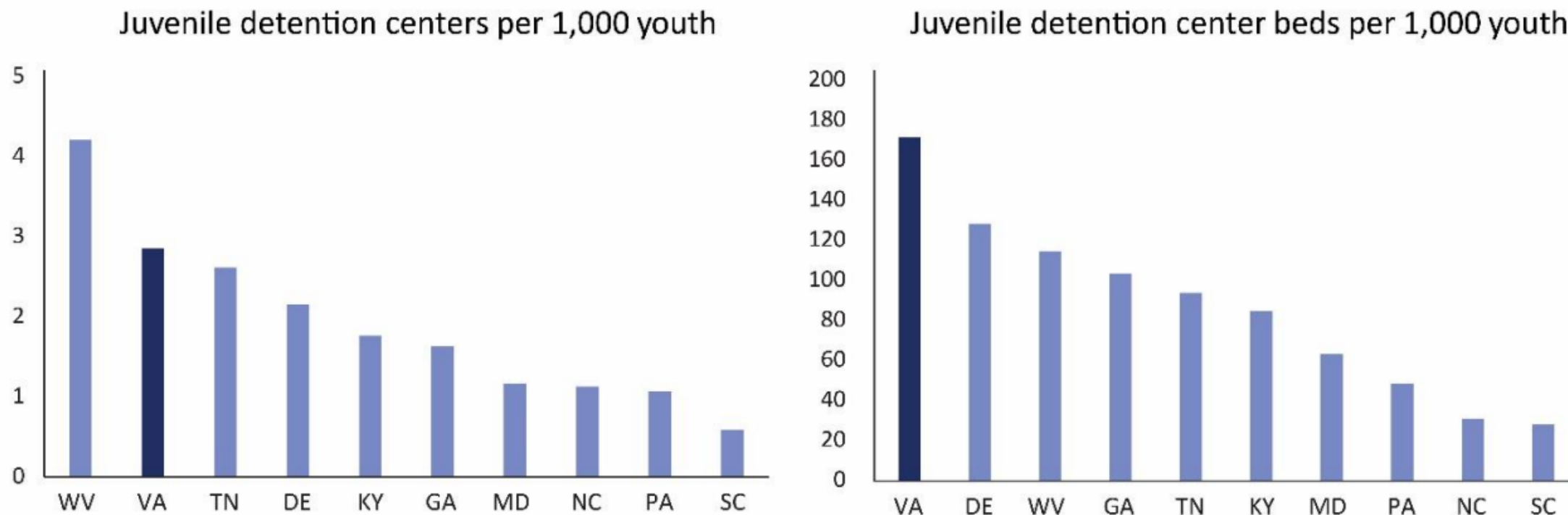
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# Key Findings from JLARC Report

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- Youth in JDCs are in a relatively safe and secure environment, in compliance with state laws and regulations.
- Youth released from post-D programs or a CPP at JDCs reoffend at similar rates as youth released from the state juvenile correctional center.
- JDCs have excess capacity. The state spent \$25 million on education at JDCs (which includes mental health hospitalization educational expenses), resulting in spending per student ranging from \$23,000 to \$88,000.
- JDCs have not reduced their capacity as the number of youth in the system has declined, and most have not implemented strategies to provide education more efficiently. Only about 30 percent of Virginia's JDCs' capacity is currently being used, and Virginia JDCs have more beds than any other state in the region.

## Virginia has the second-most juvenile detention centers and the highest capacity compared with nearby states (per 1,000 youth)



SOURCE: JLARC staff review of other states' websites, annual reports, Prison Rape Elimination Act audit reports, and news articles regarding recent closures or openings and analysis of data from The Office of Juvenile Justice and Delinquency Prevention's Easy Access to Juvenile Populations Dataset (2019).

NOTE: Figure is as of October 2021. "Youth" defined as individuals ages 10 through 17.

# Policy Options from JLARC

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- 1) Establish a two-tiered reimbursement rate in the Appropriation Act for the construction and operation of juvenile detention centers. Juvenile detention centers that are operated regionally could receive higher reimbursement rates than those operated by a single jurisdiction (policy option 10).
- 2) Include language in the Appropriation Act directing DJJ and the Virginia Department of Education to provide lower funding for juvenile detention centers that are consistently operating under a certain capacity, such as 50 percent, and are located within a certain distance, such as a 45-minute drive, of other facilities that are also operating under capacity (policy option 11).

# Policy Options from JLARC (cont'd)

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3) Include language in the Appropriation Act directing DJJ to implement a process to identify specific juvenile detention centers that should be closed or consolidated to better align facility capacities with regional needs. DJJ could be directed to report to the General Assembly on the results of the process and specific facilities identified for closure or consolidation (policy option 12).

4) Include language in the Appropriation Act directing DJJ to evaluate the costs, benefits, and feasibility of transitioning JDCs to either specialize in (i) short-term detention or (ii) longer-term rehabilitative programming. The Virginia Department of Education could be required to develop a plan to align the educational programming to meet the different needs of youth in the two types of facilities (policy option 13).

# However...

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JLARC felt that they needed additional information to make that decision, including

- Remodeling needs (renovation needs)
- Each facility's age
- Distance from youths' home communities
- Staff turnover rates
- Quality of treatment programming
- Availability of treatment space

# VJDA's Response to JLARC

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- While there may be cost savings to regionalization, there would be both financial and systemic costs that outweigh any savings.
- Most JDCs are staffed based on ADPs, and not licensed capacity.
- Analyses need to take into consideration proximity to family and continuity of services.
- A key component of population management is classification and separation of youth.
- How does the closure of facilities, creating long drives for sheriff's deputies, attorneys, social workers, probation officers, and the many other professional visitors that need and want access to their clients make the system fairer and better for our kids?
- DJJ's overall budget was not reduced despite the closure of multiple facilities in the past.
- Detention centers are the provider of last resort after other systems have also failed our children (social services, mental health, schools).

# Education in Local Detention Centers

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2020 – The Commission on Youth studied education in local detention centers and recommended that the Board of Education investigate further the funding of educational programming in detention.

2021 – The Board of Education formed a workgroup to study the appropriate staffing and funding levels necessary for state operated programs in regional and local detention centers. The Board recognized many options that would improve the delivery of educational services in a more efficient and cost effective manner.

2021 – In JLARC’s study of Virginia's Juvenile Justice System they recommended directing the Department of Education to work with the Virginia Department of Planning and Budget to implement cost-effective education staffing methods at juvenile detention centers to reduce educational spending per youth.



# What do we still need to know?

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- Each facility's age
- Renovation/modernization needs
- Distance from youths' home communities
- Staff turnover rates
- Quality of treatment programming
- Availability of treatment space
- Proximity to family
- Which facilities are better designed to accomplish their mission
- How technology (i.e., Zoom), will enable greater contact between parents, attorneys, service providers, and detained youth
- Continuity of services
- Potential impact on sheriffs
- Culture of facilities
- Purpose of the post-D (no programs) disposition
- Facility's role as a provider of last resort after other systems have failed (social services, mental health, schools)
- Potential uses for extra space
- Possibility for retro-fitting facility
- Highest and best use of detention center property



**Presentation available at:**

<http://vcoy.virginia.gov>

(Under meetings tab)