

## Background

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The 24 juvenile detention centers (JDCs) in Virginia are locally or regionally operated and funded with both state and local sources. These detention centers serve several purposes. Most of the youth in detention are classified as Pre-D (Pre-Disposition), which means they are awaiting a dispositional or adjudicatory hearing.\* Youth can also be sent to detention as a disposition (with or without commitment to DJJ).

The average daily population of youth in detention (not including youth in the direct care population) decreased by 53 percent (from 750 to 350) in the past 10 years. DJJ projects that the ADP in secure detention will be around 321 for the next 6 years. The number of detainments has decreased even more – from 10,630 in 2012 to 3,632 in 2021, representing a 66 percent decrease. The state is responsible for part of the operation costs and all education costs. The state costs for keeping these 24 detention centers operating has not decreased during this time. Some costs have increased. This is also a challenge nationally. Given large decreases in the number of youths arrested, involved in court, and sent to secure detention and commitment, states across the nation are having to figure out what to do with their unused residential capacity.

The *Evaluating the Effectiveness and Efficiency of Virginia's Juvenile Detention Centers* Advisory Group was established to evaluate the effectiveness and efficiency of Virginia's detention center system, evaluating the intersection of public safety and the rehabilitation of youth. There is a need to discuss potential changes to the operation of local and regional detention centers given the large reductions in the numbers of youth using these local resources.

## Activities to Date

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- 3 advisory group meetings (May 19, July 26, August 16)
- Site visits to 5 detention homes (Henrico, Chesterfield, Roanoke, Northern Virginia, Fairfax)
- Survey for detention home directors, receiving responses from 23 of 24 detention homes
- Interviews with 4 juvenile detention home directors, 3 juvenile court judges, and Virginia Sheriffs' Association staff attorney
- Analysis of DJJ data and financial data

## Findings to Date

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### 2021 financial data

- FY21 total operating expenditures was \$108,867,180<sup>†</sup>
- The 2021 School year expenditures were \$26.4 million.<sup>‡</sup>
- The DJJ Block Grant payments represent 31.9% of total JDC operating expenditures on average.
- The average annual JDC operating cost is \$311,200 per youth and \$110,078 per funded bed.
- 94.3% of VDOE expenses for JDC services are for personnel.
- In 2021, there were \$2.3 million in state payments to Community Services Boards for JDC services.
- The average annual DJJ payment per community placement program (CPP) bed is \$106,539, which is less than half as much as the JCC in Bon Air.

## **Differences by facilities**

Facilities across the state are very different on several indicators, including number of detainments, average daily population, overall capacity and operational capacity, total operating expenditures, average costs per day, the percent of cost covered by DJJ, and the DAI score of the youth. They also vary by the services they provide. All facilities provide pre-D detention and post-D detention without services, but facilities vary by whether they also provide post-D detention with programs and whether they serve the direct care population (admission and evaluation, CPP, detention reentry).

- The number of detainments in 2021 ranged from 28 in James River to 287 in Newport News.
- Average daily population ranged from 4 in Loudon to 34 in Chesapeake.
- Percent of youth with a DAI score of 15+ (indicating the highest risk) ranged from 41% in Shenandoah Valley to 80.5% in Chesapeake.
- Total operating expenditures ranged from \$1.2 million in New River Valley to \$11.9 million in Fairfax.
- Average cost per day ranged from \$425 in Richmond to \$1,823 in Loudon.
- Total school year expenditures ranged from \$311,909 in Piedmont to \$2,397,871 in Fairfax.

## **VJDA Perspective<sup>§</sup>**

- The needs of youth have increased over time, and detention homes are addressing many of these needs.
- Detention homes provide more services and are better environments for youths now than in the past when numbers were much higher.
- There may be unintended consequences for consolidation, including increased transportation needs. These include increased burden on sheriffs for transporting youth, increased time for youth to be in shackles and leg irons, and increased staffing needs. It is also an increase burden on families to visit. Family engagement is important and will be hindered if the youth is placed farther away from home. For youth with Post-D detention placements, being closer to home is better for consistency of services.
- The number of facilities is not a problem and are valued by the community.

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\* A youth may be placed in pre-D detention for other statutorily prescribed circumstances, such as when the youth is a fugitive from another state or failed to comply with conditions of release for what would be a felony or Class 1 misdemeanor charge if committed by an adult

† Excludes debt service and construction-related expenses, depreciation, separate USDA expenses, onetime expenses, and expenses with no explanation and not listed in operational. Four facilities reported \$2.1 million in debt service expenditures. Do not reflect Aid-to-Locality Reductions.

‡ Education expenses for Fairfax, Crater, Highlands, and Roanoke also include SOP services to state behavioral health facilities

§ Gathered through interviews, survey responses, and discussion at VJDA meeting.

## **Appendix 1. Policy Options from JLARC Report**

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In November 2020, staff from the Joint Legislative Audit and Review Commission (JLARC) reviewed various aspects of Virginia's juvenile justice system, including JDCs. They provided several policy options for reducing costs at the JDCs. In addition to suggestions on reducing education costs (discussed previously), they identified four policy options that the General Assembly could consider related to overall operational factors for reducing state costs.

- 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.
- 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.
- 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.
- 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.