

**Evaluating the Effectiveness and Efficiency
of Virginia's Juvenile Detention Centers
Recommendations for Public Comment
(Not adopted by the Advisory Group)**

Recommendations related to consolidation

- 1) Introduce a budget amendment (or request) to direct the Department of Juvenile Justice (DJJ) to implement a process to identify specific juvenile detention centers that potentially should be defunded and consolidated to better align facility capacities with regional needs. Consolidation and repurposing should be done cautiously and deliberately. Factors to take into consideration include: current usage of existing detention homes, building condition and maintenance needs, need for secure detention in the region, distance to other detention homes, detention home culture and staff training, detention home services (e.g., educational, vocational, availability of post-D with programming, use of evidence-based practices, other), and potential for repurposing. DJJ shall report to the General Assembly on the results of the process and specific facilities identified for defunding and consolidation by November 1, 2023. (Amended from JLARC Policy Option 12).

Option 1: DJJ could consider defunding one detention center per region to begin the process of reducing the number of detention beds through encouraging consolidation with neighboring facilities. The suggested regions based on the distribution of detention homes are the following:

Northern Virginia (Fairfax, Loudoun, Northern Virginia, Northwestern (Winchester), and Prince William)

Central Virginia (Chesterfield, Henrico, James River, Piedmont, Rappahannock, and Richmond)

Shenandoah Valley/Western Virginia (Blue Ridge, Lynchburg, and Shenandoah Valley)

Tidewater (Chesapeake, Merrimac, Newport News, Norfolk, and Virginia Beach)

Southside Virginia (Crater and Danville)

Southwest Virginia (Highlands, New River, and Roanoke)

Option 2: DJJ could consider defunding a percentage of detention centers and conducting a study of where it would be best to reach that percentage goal.

- 2) Request that the Secretary of Public Safety and Homeland Security, in coordination with the Secretary of Education, come up with a reinvestment plan to meet the needs of public safety and education for juvenile detention centers. This plan shall take into consideration

the cost savings that occurs with detention consolidation and develop ways to reinvest in places or programs for youth who are in or at risk of becoming part of the juvenile justice system (e.g., youth in foster care, with status offenses, on probation, sex trafficked, or with severe mental health needs). Reinvestment dollars should target community-based programs

- 3) Provide additional resources for the added transportation time and expenses as a result of consolidation.

Option 1: Provide additional funding for sheriffs for longer distance between courts and detention homes. Introduce a budget amendment to direct the Secretary of Public Safety and Homeland Security (or DJJ) to develop a process for reimbursement of sheriffs.

Option 2: Introduce a budget amendment to create a state administered fund for off-duty or retired sheriffs and law enforcement officers to provide transportation on an as-needed basis (to court, medical, or other qualifying appointments) for juveniles. (There is perhaps an opportunity to help sheriffs with transportation for mental health TDOs as well.)

- 4) Introduce a budget amendment to direct the Secretary of Public Safety and Homeland Security (or DJJ) to develop a process to assist families of juveniles impacted by consolidations. Provide additional resources for families to visit with detention youth when they are placed far from home.

Recommendations related to education

- 5) Introduce a budget amendment to direct the Virginia Department of Education (VDOE) to determine the extent to which each juvenile detention center currently implements or could further implement cost-effective staffing methods. (Amended from JLARC recommendation 30).

This may include looking at education models around the country to establish a system in Virginia that distinguishes between short-term stays (pre-adjudicatory, pre-dispositional) and longer-term stays (CPP, post-dispositional) for detained juveniles.

The Department of Education shall develop a plan to implement the following recommendations as outlined in the 2021 Board of Education report, *Recommendations for Appropriate Staffing and Funding Levels Necessary for State Operated Programs (SOPs) in Regional and Local Detention Centers*:

- Develop “regional” models moving multiple facilities to one school division under cooperative agreement so that staff can be shared/better utilized with efficiency and compliance in mind.

- Have building administrators provide leadership and supervision across multiple facilities.
- Create a “pool” of staff which could serve as needed based on JDC population and other demographics (special education, ELL, etc.).
- Use “lead teacher” positions instead of a principal position at certain facilities.
- Share staff within the cooperating school division.
- Use enhanced online/asynchronous instructional options; such as Virtual Virginia, Edgenuity, etc.

An implementation plan shall be reported to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee by June 1, 2024.

- 6) Introduce legislation that would allow a teaching ratio of 1:8 in detention facilities without community placement programs (CPPs), while maintaining current standards for detention facilities with CPPs.
- 7) Amend § 22.1-209.2 of the *Code of Virginia* to eliminate the 1:12 ratio of one teacher for every 12 beds based on the capacity of the facility.

Recommendations related to recidivism

- 8) Introduce a budget amendment to amend paragraph F of Item 426 of the 2022 Appropriation Act to include annual reporting on the performance and recidivism rates of community placement programs (CPP). The Department of Juvenile Justice complies with this item of the Appropriation Act by publishing an annual document known as the Data Resource Guide (DRG). The Data Resource Guide provides an overview of DJJ, highlighting fiscal year data and trends in all program and service areas. The DRG includes a chapter on recidivism, but does not currently provide this information for the CPP.

Recommendations related to targeted repurposing efforts and evaluation

- 9) Introduce a budget amendment to allow the Lampstand, a Department of Social Services licensed residential facility, to enter into an agreement with the Roanoke Valley Juvenile Detention Center to repurpose a wing of the detention center for a residential assessment center for young girls who have been sexually exploited and trafficked.

The Secretary of Public Safety and Homeland Security in coordination with the Secretary of Health and Human Resources, shall streamline licensing regulations for such a purpose that allows for minimum security on the residential assessment wing. This residential assessment center wing shall be used for assessment and short-term stabilization.

- 10) Introduce a budget amendment directing the Department of Juvenile Justice to work with (three) local detention centers that are willing to repurpose a portion of a detention facility to meet the needs of the youth in their community. Repurposing may be for mental health services for juveniles, including a crisis receiving center, shelter care, or assessment centers for human trafficking victims. The Department shall assist these local areas in identifying other needs if necessary. The Department shall work with local detention centers to determine the steps necessary to repurpose, including collaboration on the sources of grant funding, and report back to the Commission on Youth with a repurposing plan by November 1, 2023.

- 11) Introduce a budget amendment directing the Secretary of Public Safety and Homeland Security in coordination with the Secretary of Health and Human Resources to work with a local detention facility that is willing to repurpose a portion of their facility to meet the needs of Virginia's youth:

Option 1) who have a temporary detention order (TDO) or acute mental health needs and are committed to the Department of Juvenile Justice or in the custody of a local detention center.

Option 2) for a crisis receiving center, to be used for youth under age 18 in mental crisis, who can stay for observation for up to 23 hours. The crisis receiving center will help divert youth from the criminal justice system.

The Department of Juvenile Justice shall work with this local detention center and the Department of Behavioral Health and Developmental Services to determine the steps necessary to repurpose, including collaboration on the sources of grant funding, and report back to the Commission on Youth with a repurposing plan by November 1, 2023.

Recommendations related to giving localities flexibility to repurpose and allow facilities to obtain proper license or certification for more than one purpose.

12) Permit localities and regional commissions that are responsible for overseeing juvenile detention centers to enter into agreement with entities that are licensed by the Department of Social Services or the Department of Behavioral Health and Developmental Services, for the purpose of repurposing a wing or part of a detention facility for DSS or DBHDS licensed uses, including DSS or DBHDS children’s residential facilities for assessment, shelter, or mental health purposes.

and

13) Require (or request) that the Secretary of Public Safety and Homeland Security in coordination with the Secretary of Health and Human Resources streamline the regulations for the licensing of DSS and DBHDS facilities that share the same building or location as a certified juvenile detention center.

As part of streamlining these regulations, include the flexibility for DSS and DBHDS to license facilities that have a minimum security component.

The Secretary of Public Safety and Homeland Security shall report back to the Commission on Youth, by November 1, 2023, regarding any legal or statutory barriers to the licensing of DSS and DBHDS facilities that share the same building or location as a certified juvenile detention center.