



COMMONWEALTH OF VIRGINIA

Commission on Youth



Juvenile Justice Work Group



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December 2, 2025



Background

- Commission on Youth – April 1, 2025 Meeting
 - Department of Juvenile – Bon Air Correctional Center
 - Prevention, Partnership, and Possibilities: State of Utah Perspective
 - Law and Advocacy Perspective
 - Department of Juvenile Justice Response
- Request for an Investigation
 - Letter to the Governor sent on April 9, 2025
 - Office of the State Inspector General tasked with investigation



Membership of Work Group

- Senator Barbara Favola, Chair
- The Honorable Mackenzie Babichenko, Hanover County Commonwealth Attorney and Citizen Member of Commission
- Julie E. McConnell, Esq., Professor of Law, the University of Richmond School of Law
- Staff
 - Amy Atkinson, Executive Director, Commission on Youth
 - Lilly Hettrick, Chief of Staff for Senator Favola



Juvenile Diversion

Recommendation 1

Add a new section to the *Code of Virginia* to allow at any point prior to the commencement of the adjudication hearing for any delinquency charge before the court, the court, with concurrence of the juvenile and the Commonwealth (if a party to the case), may refer the delinquency charge back to the Court Services Unit intake officer and direct it to proceed informally. Upon such a referral, the Court shall dismiss the delinquency petition and order that it be expunged.



Length of Stay

Recommendation 2

Amend the *Code of Virginia* § 16.1-285 that addresses the length of stay of juveniles committed to the Department of Juvenile Justice. If the Department of Juvenile Justice determines that a juvenile should stay longer than the Board's estimated length of stay guideline, the Department must petition the court for a review. The legislation sets up the process for such a review.



Office of the Children's Ombudsman – Juvenile Justice

Recommendation 3

Introduce a § 1 bill to direct the Virginia Commission on Youth, in coordination with the Office of the Children's Ombudsman, to convene a work group to determine what changes would be necessary to extend the purview of the Office of the Children's Ombudsman to include juveniles who are committed to the Department of Juvenile Justice. The work group shall examine any needed revisions to the Office's functions and duties, any amendments to the Code of Virginia, and any staffing or resource requirements associated with this expansion. The work group shall include representatives from stakeholder groups and report its recommended changes to the Governor and the General Assembly by November 1, 2026.



Minimizing Room Confinement

Recommendation 4

Introduce a § 1 bill to direct the Department of Juvenile Justice to establish in collaboration with relevant stakeholders clear standards for maximizing out-of-room time for all committed youth. The purpose of out-of-room is to reduce the reliance on room confinement and create an environment that promotes pro-social personal growth and rehabilitation. The Department shall minimize room confinement by engaging youth in positive, structured activities. The Department can address underlying causes of behavior, strengthen community ties, improve facility safety, and prepare youths for a successful reentry into the community with the implementation of effective programming and treatment plans. The Department shall report by November 1, 2026 to the Senate Committee on Rehabilitation and Social Services, the House Committee on Health and Human Services, and the Commission on Youth.



Importance of Mental Health Services

Recommendation 5

Introduce a budget amendment to add two additional full-time employees to the Department of Juvenile Justice's behavioral health care unit to provide mental health services for juveniles at Bon Air Juvenile Correctional Center.



Questions/Comments?

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