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HOUSE BILL NO. 1494

Offered January 19, 2024

A BILL to direct the Department of Juvenile Justice to convene a work group to study issues related to the Length of Stay Guidelines and Bon Air Juvenile Correctional Center; report.

Patrons—Cousins, Clark, Henson, Martinez, Rasoul and Simonds

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. § 1. That the Department of Juvenile Justice (the Department) shall convene a work group to study issues related to the Department's Length of Stay Guidelines and the Department's direct care capacity in response to the Department's report on the 2023 Length of Stay Guidelines pursuant to Budget Item 427 D of Chapter 1 of the Acts of Assembly of 2023, Sp. Sess. I. The work group shall study (i) the evidence and research relied upon by the Department as identified in the Department's report, including adjusting for changes in risk profiles for committed juveniles over time; (ii) best practices on staffing ratios, the current actual staffing ratios at Bon Air Juvenile Correctional Center (BAJCC), and the projected population forecast; (iii) the ability of BAJCC to operate the community treatment model without single coverage on units and maintain consistent staffing on each residential unit and unit population not to exceed 14 residents; (iv) the ability of BAJCC to maintain all therapeutic, vocational, and educational programming; (v) a detailed comparison of youth by age, risk level, and offense level and their projected length of stay under the 2015 Length of Stay Guidelines and the 2023 Length of Stay Guidelines; (vi) trends in determinate commitments, including the percentage of such commitments in circuit court and with an active Department of Corrections sentence; and (vii) how the Department will maintain current programming and the continuum of services for youth when direct care capacity exceeds actual capacity. The work group shall also study the rates of serious incidents and their contributing factors at BAJCC since January 2022, including (a) use of force by staff, (b) assaults on residents or staff by other residents, (c) use of isolation and seclusion, (d) staffing levels, and (e) population levels in the aggregate and by residential unit on an average monthly basis. The work group shall be composed of relevant stakeholders, including youth advocates, civil and criminal defense attorneys that specialize in representing juveniles, juveniles and family members of juveniles impacted by a commitment to the Department, community groups that provide and support reentry services for juveniles who were previously committed to the Department, a representative from the disAbility Law Center, and a representative from the Indigent Defense Commission. The work group shall submit a report with its recommendations to the Chairmen of the House Committee for Courts of Justice and the Senate Committee for Courts of Justice by November 1, 2024. Such report shall include any evidence or research regarding the 2023 changes to the Length of Stay Guidelines and whether such evidence or research supports the changes.

INTRODUCED

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