

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB1494

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Cousins

3. **Committee:** Rules

4. **Title:** Department of Juvenile Justice; work group to study Length of Stay Guidelines and Bon Air Juvenile.

5. **Summary:** Directs the Department of Juvenile Justice to 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. The work group is directed to 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. Additionally, the work group is required to 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 is comprised 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 bill requires the work group to 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 evidence or research relating to the 2023 changes to the Length of Stay Guidelines and whether such evidence or research supports the changes.

6. **Budget Amendment Necessary:** No.
7. **Fiscal Impact Estimates:** Preliminary, see Item 8 below.
8. **Fiscal Implications:** According to the Department of Juvenile Justice and the Indigent Defense Commission, any costs associated with the proposed work group can be absorbed with existing funds.
9. **Specific Agency or Political Subdivisions Affected:** Department of Juvenile Justice, Indigent Defense Commission.
10. **Technical Amendment Necessary:** No.
11. **Other Comments:** None.