

## **NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT**

NOTICE is hereby given that the Board of Juvenile Justice is considering modifications to its Guidelines for Determining the Length of Stay of Juveniles Indeterminately Committed to the Department of Juvenile Justice (“Length of Stay Guidelines”) as adopted by the Board of Juvenile Justice on October 24, 2001. The Board is opening a 45-day public comment period and will consider written comments submitted from February 4, 2008, through March 20, 2008.

In addition to written public comments, the Board will provide a public hearing on the proposed Length of Stay Guidelines on Tuesday, April 8, 2008, from 7:00 PM-9:00 PM at the General Assembly Building, House Room C, 9<sup>th</sup> & Broad Street, Richmond, Virginia 23219. The Board will also provide a brief public comment period during its regularly scheduled business meeting on Wednesday, April 9, 2008, at 10:00 AM during the Board meeting in House Room C of the General Assembly Building, 9<sup>th</sup> & Broad Street, Richmond, Virginia 23219.

### **Background – Statutory Authority & Mandated Solicitation of Public Comments**

Except for juveniles committed as “serious juvenile offenders” under Virginia Code § 16.1-285.1, commitments to the Department “shall be for an indeterminate period having regard to the welfare of the juvenile and interests of the public” (Virginia Code § 16.1-285). Virginia Code § 66-10 gives the State Board of Juvenile Justice the authority to establish length-of-stay guidelines for juveniles indeterminately committed to the Department. Virginia Code § 66-10 further requires the State Board of Juvenile Justice to make the guidelines available for public comment.

### **Purpose & Intent of the Revision**

The modifications are intended to update the Length of Stay Guidelines that were adopted in 2001. The Department is granted broad discretion to determine when a juvenile should be released, and the State Board of Juvenile Justice is directed to provide “guidelines” that the Department consults in

making decisions concerning a ward's length of stay and release. Broadly speaking, the role of the Board's guidelines is to express the factors that should be weighed in deciding when to release an indeterminately committed juvenile. The Department is responsible for applying these guidelines generally and for making exceptions with regard to the welfare of the juvenile and the interests of the public.

### **Copies of the Proposed Length of Stay Guidelines**

A copy of the 2001 Length of Stay Guidelines, which is currently in effect, is available from the Regulatory Town Hall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov), Department (Board) of Juvenile Justice, Guidance Documents. The draft of the proposed Length of Stay Guidelines may be obtained (1) from the Department's Web Site at [www.djj.virginia.gov](http://www.djj.virginia.gov); (2) from the Legislative and Regulatory Unit at the Department of Juvenile Justice 700 E. Franklin Street (4<sup>th</sup> Floor), PO Box 1110, Richmond, Virginia 23218-1110; (3) by calling Janet Van Cuyk at (804) 371-4097 or e-mail at [Janet.Vancuyk@djj.virginia.gov](mailto:Janet.Vancuyk@djj.virginia.gov); or (4) from the Regulatory Town Hall, Future Meetings, Department (Board) of Juvenile Justice, April 8, 2008.