

Tyren Frazier, Chair  
Robert Vilchez, Vice Chair  
Dana G. Schrad, Secretary  
David R. Hines  
Scott Kizner  
Robyn D. McDougale  
Anita James Price  
Quwanisha S. Roman  
Gregory D. Underwood



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COMMONWEALTH of VIRGINIA  
*Board of Juvenile Justice*

## BOARD MEETING

June 16, 2021 *∞* Virtual

### AGENDA

9:30 a.m. Board Meeting

1. **CALL TO ORDER and INTRODUCTIONS**
2. **CONSIDERATION of the APRIL 29, 2021, MINUTES (Pages 2-25)**
3. **PUBLIC COMMENT**
4. **DIRECTOR'S CERTIFICATION ACTIONS (Pages 26-53)**  
Ken Bailey, Certifications Manager, Department of Juvenile Justice
5. **OTHER BUSINESS**
  - A. **Consideration of the FY 2021 – 2022 Virginia Juvenile Community Crime Control Act Plans - Jenna Easton, Program Manager, Department of Juvenile Justice (Pages 54-56)**
  - B. **Legislative Update - James Towey, Legislative and Regulatory Affairs Manager, Department of Juvenile Justice**
6. **DIRECTOR REMARKS and BOARD COMMENTS**
7. **NEXT MEETING DATE: September 1, 2021, at 9:30 a.m.**
8. **ADJOURNMENT**



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## **DRAFT MEETING MINUTES**

April 29, 2021 *œ* Virtual Meeting

Pursuant to amendments to the Budget Bill approved on April 24, 2020, and set forth in Item 4.0-0.1, and in light of the Governor's declaration of a state emergency to curb the spread of COVID-19, the Board of Juvenile Justice met by videoconference at its April 29, 2021, meeting. The Board considered a virtual meeting necessary due to concerns that the nature and continuing spread of the virus throughout the Commonwealth rendered meeting at a single location unsafe for Board members, Department of Juvenile Justice personnel, and members of the public.

**Board Members Present:** Tyren Frazier, Scott Kizner, Robyn McDougle, Anita James Price, Dana Schrad, Gregory (Greg) Underwood, and Robert (Tito) Vilchez

**Board Members Absent:** David Hines and Quwanisha Roman

**Department of Juvenile Justice Staff Present:** Dhara Amin, Valerie Boykin, Jenna Easton, Mike Favale, Wendy Hoffman, Joyce Holmon, Linda McWilliams, Margaret O'Shea (Attorney General's Office), Jamie Patten, Kristen Peterson, Jessica Schneider, and James Towey

### **CALL TO ORDER**

Chairperson Tyren Frazier called the meeting to order at 9:01 a.m.

### **INTRODUCTIONS**

Chairperson Frazier welcomed those present and asked for Board member introductions. Director Valerie Boykin asked for staff introductions. Due to limitations with the media platform used for the meeting, guests were not able to make introductions.

### **CONSIDERATION OF MINUTES FOR DECEMBER 1, 2020, AND MARCH 11, 2021**

The minutes of the December 1, 2020, and March 11, 2021, Board meetings were provided for approval. On motion duly made by Dana Schrad and seconded by Robert Vilchez, the Board approved the minutes as presented by roll call vote as follows: Tyren Frazier – Aye, Anita James Price – Aye, Dana Schrad – Aye, Greg Underwood – Aye, and Robert Vilchez - Aye. The motion was carried.

## **CONSIDERATION OF GUIDANCE DOCUMENT REGARDING REVIEW AND APPROVAL OF DATA REQUESTS AND RESEARCH PROPOSALS**

Kristen Peterson, Regulatory and Policy Coordinator and Dhara Amin, Senior Research Associate, Department of Juvenile Justice

Ms. Peterson directed the Board to page 52 of the Board packet and noted no PowerPoint will be presented. Ms. Peterson noted the Department of Juvenile Justice (Department)'s request that the Board approve the Guidance Document for submission to the Virginia Register of Regulations in accordance with § 2.2-4002.1 of *the Code of Virginia*.

Pursuant to legislation enacted by the 2018 General Assembly, certain documents that meet the definition of a guidance document are subject to publication in the Virginia Register of Regulations followed by a 30-day public comment period. The legislation seeks to allow public scrutiny of documents that will apply to the general public. The statute defines guidance documents as "any document developed by a state agency or staff that provides information or guidance of general applicability to the staff or public to interpret or implement statutes or the agency's rules or regulations."

Ms. Peterson reminded those members who served on the Board in 2019 of the Department's request for proposed amendments to the regulation that governs data requests and research proposals. That regulation moved through the fast-track regulatory process for an extensive period, and recently became effective on April 15, 2021. The Department has an administrative document on its website that applies to the submission of research and data requests. The Department believes this administrative document meets the definition of a guidance document. It was established by the Department and provides information or guidance on general applicability to the general public. The Department is asking for the Board's permission to submit this guidance document to the Virginia Register of Regulations for the 30-day public comment period.

Ms. Peterson introduced Dr. Dhara Amin, the Department's coordinator of external research. Dr. Amin oversees this process and explained the highlighted provisions.

Dr. Amin explained that the procedure has been turned into a guidance document and updated to reflect the recent proposed changes to the regulation. In addition, the Research Unit modified the guidance document to serve as a "one-stop shop" for external researchers interested in submitting a research proposal or data requests to the Department by creating timelines of the regulatory requirements that acts as a checklist for the submitter. Dr. Amin highlighted the major changes to the guidance document.

Change One: The Virginia Longitudinal Data System (VLDS) option was added to the guidance document to explain the process for submitting a data request through the VLDS.

Change Two: The endorsement process instructions were added to the guidance document. The Research Unit wanted to ensure when sharing data, including survey interviews with staff, family members, and youth, it is generalizable knowledge that has the youth's best interests in mind. The Research Unit wants to avoid overexerting team members and community members for general research and ensure that the requests and data sharing benefit the agency and the system. The Research Unit implemented the endorsement process to

ensure the deputy director for the appropriate division has reviewed and generally supports the data request or research proposal and move it forward to the review committee. This endorsement will confirm these requests align with the agency's priorities.

Change Three: The regulation and the administrative procedure had separate timeline requirements. The Research Unit combined this information in the guidance document to make it a "one-stop shop" that is easier to follow.

Change Four: The most important change is the diversity statement added to the guidance document. The Research Unit has always ensured that the Human Research Review Committee (HRRC) consists of individuals with different expertise and different perspectives who provide insights to ensure youth, staff, and the facility are represented. In line with the Governor's One Virginia inclusion initiative, the Research Unit added a diversity statement that HRRC members shall have diverse backgrounds, races, ethnicities, professions, and experiences. The Research Unit had already been following this principle but wanted to ensure it was explicitly stated in the guidance document.

Board Member Greg Underwood read a section from page 52 of the Board packet that provides, "While the statute does not mandate Board approval of guidance documents, because all such documents will be published in the Virginia Register, the Department is seeking the Board's approval before proceeding with this submission." Board Member Underwood asked why the Department is seeking Board approval if it is not mandated. Ms. Peterson responded that this guidance document will be published in the Virginia Register and the current statutory provision is silent on whether the Board needs to provide approval. The Department wanted to cover all the bases and ensure the Board did approve the guidance document before moving forward.

Board Member Dana Schrad added that this is a way to record in the public record that the Board has reviewed and discussed the document and that the Board had an opportunity to provide input into the process, even though a formal approval is not required. Ms. Peterson agreed.

Board Member Underwood asked whether the purpose was to ensure that the Board has reviewed the materials before sending to the Virginia Register. Ms. Peterson said that was correct.

On motion duly made by Dana Schrad and seconded by Greg Underwood, the Board of Juvenile Justice approved the Guidance Document Interpreting 6VAC35-170, Review and Approval of Data Requests and Research Proposals, submitted in accordance with §2.2-4002.1 of the Code of Virginia and as agreed upon at the April 29, 2021, meeting. The motion was presented by roll call vote, as follows: Tyren Frazier – Aye, Scott Kizner – Aye, Robyn McDougle – Aye, Anita James Price – Aye, Dana Schrad – Aye, Greg Underwood – Aye, and Robert Vilchez – Aye. The motion was carried.

## **CONSIDERATION OF THE PROPOSED AMENDMENTS TO THE STATE REIMBURSEMENT REGULATION**

Kristen Peterson, Regulatory and Policy Coordinator, Department of Juvenile Justice

### Action Requested

Ms. Peterson stated the Department's request for the Board's approval to amend 6VAC35-30 Regulation Governing State Reimbursement of Local Juvenile Residential Facility Costs for advancement to the Proposed Stage of the regulatory process. This regulation governs requests made by localities for reimbursement when engaging in construction, renovation, and similar projects for localities. The Board initiated the advancement of this regulation to the first stage of the standard regulatory process in 2019, which is now completed. The Department would also like the Board to promulgate a new regulatory chapter in 6VAC35-35. This new regulatory chapter will apply specifically and solely to those localities that do not plan to seek reimbursement.

#### Basis of Regulation

Section 16.1-309.5 contains language that imposes a requirement on the Commonwealth of Virginia to reimburse localities for 50% of the cost incurred when engaging in construction, renovation, and expansion projects for their local juvenile facilities. The statute directs the Board to promulgate regulations that shall establish criteria the Department can use to evaluate reimbursement requests. To the extent there is funding available, the Department and Board also shall ensure that funding is distributed equitably across the Commonwealth to those localities seeking reimbursement funding. Reimbursement funding for construction is contingent on approval by the Governor.

The other statute that gives rise to this regulation is the Appropriation Act. Although the statutory provision requires this reimbursement, under the budget language that has been in place since 2005, a moratorium exists on this reimbursement funding, and the Board may not approve or commit additional funds to the state share for such costs. There is an exception in the budget language for emergency maintenance projects.

#### Overview of Current Process

Under the current process in the existing regulation, if a locality decided to renovate an existing juvenile detention facility, the locality would be required to submit an overview and a graphic to the Department, which would classify the project according to its scope. For projects that anticipate an impact to the facility's compliance with the regulation, increase square footage, increase capacity, or impact the facility's certification licensure status, the project would fall under Category 1 and be subject to the entire reimbursement regulation. Projects smaller in scope would be classified as Category 2 and subject to only a portion of the regulatory chapter. Minor and routine maintenance projects are subject to the Department's procedure and are classified under Category 3. For those classified as Category 1, the sponsor is required to submit certain documentation to the Department to include a needs assessment and a planning study. A needs assessment is a document that demonstrates a locality's need for a particular facility or a particular change. In addition, the needs assessment evaluates trends and factors and identifies current facilities and programs available to meet the locality's needs. The planning study is the overall description of the project and includes additional information specifically tied to a request for reimbursement funding. The information provided could be the total number of personnel needed and the anticipated operational cost. Under the existing regulation, once the Department reviews and submits the documents to the Board, the Board can either approve, decline, or recommend changes. Ultimately, the recommendation is sent to the Governor's Office for a decision on whether to approve the reimbursement. If the Governor's Office approves the reimbursement, the project must follow the remainder of the regulation:

- The preliminary design document is submitted.
- The project advances to the submission of the construction document phase.

- The sponsor submits monthly progress reports during the construction phase.
- The locality schedules inspections after construction is completed and brings in other regulatory agencies to provide approval as needed.
- The locality submits the final request for reimbursement. Under the existing regulation, that request must be met within 90 days by the Department.

This is the process currently in place for localities engaging in a project that falls under Category 1.

Localities engaged in a project less significant in scope are required to comply with a portion of the regulation. The sponsor under that expedited process submits the project overview and cost estimate to the Board, and once the project is complete, the sponsor submits documentation specified by Department procedures. The Department and the Board may require additional information.

Under the existing regulation, regardless of whether the locality is seeking reimbursement through other channels like an emergency maintenance project or through legislative exception, the locality is required to comply with the state reimbursement regulation. The same is true for localities constructing facilities that have no intention of seeking reimbursement because they are aware of the current moratorium and do not want to go through all the steps necessary to obtain reimbursement.

#### New Regulatory Chapter

The Department hopes to simplify the process for localities. Those localities seeking reimbursement will continue to comply with the existing state reimbursement regulation. Those localities that have no intention of seeking reimbursement either now or in the future will be subject to this new regulatory chapter. The new regulatory chapter is an expedited, easier, and less cumbersome process for localities engaging in these types of construction projects that have no intention of seeking reimbursement.

#### Notable Changes to the Regulation

One recommended change involves the process for emergency maintenance projects in Section 45. The budget language currently freezes reimbursement funding. The language in the existing regulation says those localities seeking reimbursement can do so only through separate exceptions. It does not set out a process for emergency maintenance projects. The Department proposes setting out a process for emergency maintenance projects in the regulation. Under this process, the locality will be subject to the same requirements as other projects for which reimbursement funding is being sought. They must begin with the pre-screening process, the Department will determine the project category, and then the locality will proceed with the regulatory requirement based upon the assigned classification.

Another recommendation to the regulation is changing existing deadlines. Under the existing regulation, there are instances when the Department or the Board may be required to provide information within a specified number of business days. The proposal recommends changing this from business days to calendar days.

The Department recommends a 45-day deadline for the completion of the review of certain documents to include the needs assessment and preliminary design documents. Under the existing regulation, there is no regulatory deadline for the Department to review these documents, and the proposed 45-day deadline will

avoid delaying the process for localities. In terms of the Board's deadline for the review of the needs assessment and planning study, the existing regulation says this has to occur at the next regularly scheduled Board meeting. The recommended amendment would require the Board's review as soon as reasonably practicable. This is intended to address issues when the Department's review is completed in close proximity to the next board meeting and would give the Department time to prepare materials to submit to the Board.

Another proposed amendment is to repeal the funding formula. Under the existing regulation, localities engaged in construction and renovation projects must follow the funding formula set out in Section 65. The funding formula provides the basis for the costs that are ultimately subject to reimbursement. It takes into consideration a number of different factors including the area allowance per bed, the national median square foot cost for local jails, and a number of other factors. There are concerns that the existing funding formula is too prescriptive. Other state agencies with comparable regulations have no prescriptive funding formula. The workgroup recommended repealing the funding formula and instead allowing the Architect/Engineer to determine the appropriate construction costs based on their expertise.

Another recommended change is to the Section 110 existing requirement that the Department suspend the review process and require the locality to resubmit their projects during the project development stage if certain triggering events occur. Triggering events could include a substantive change to the project scope, an increase in the estimated construction costs, or a change in the operational staff requirement. The Department is seeking to simplify the process and make it easier for localities with these projects. One of the recommended changes is to make the suspension requirement discretionary so that the Department can decide whether it is appropriate to suspend the review process if any triggering events occur. The second recommendation is to make these requirements apply only when the changes made are tied to reimbursement. If there is an increase to the estimated construction cost during the project development stage, and the locality is not seeking reimbursement for that increase, then this would not trigger a potential suspension of the review process. In addition, the proposal removes changes to the operational staff requirement as a triggering event. Finally, instead of requiring the locality to resubmit their projects if the Department determines a suspension is appropriate under the proposed regulation, the Department would have the authority to determine next steps upon suspension.

The proposal adds a new Section 115 that sets a deadline for entering into a construction contract. The proposed language directs the locality to execute its construction contract within three years of the planning study approval. The locality may request an extension, and the Board can either grant the extension or require the sponsor to amend its needs assessment and planning study.

In Section 130, the existing language addresses substantive changes during the construction phase. The proposed amendment clarifies that a substantive change means an increase in the project cost of \$50,000 or more or accumulative change orders that exceed 25% of the contract.

The final proposed amendment to the state reimbursement regulation deals with construction submissions during the construction process. There is language in the existing regulation requiring the sponsor to submit monthly inspection or progress reports by the 15<sup>th</sup> of each month. Under the proposed amendments, rather

than submitting one or the other, the locality will need to submit both reports so that the Department has all the information necessary to approve these projects.

#### New Regulatory Chapter

A new separate regulatory chapter for non-reimbursement projects also is proposed. Those localities not seeking reimbursement either now or in the future would be subject to this new chapter.

- The locality will remain subject to a pre-screening process, meaning the Department would have to categorize the project based upon whether the state reimbursement regulation applies or whether the project falls under this new non-reimbursement chapter. If the new chapter applies, there is no need to complete a needs assessment or planning study. Those documents are tied to establishing a basis for reimbursement funding.  
Instead, the sponsor would need to submit a project overview.
- There is still a construction process that involves the bidding stage, but the Department has less involvement in that stage. The Department can review the submitted document but does not have any authority to approve or reject any of the proposals.
- If there is a substantive change in the scope of the project during the project development stage, the Department will have the authority to suspend the review process and determine next steps.
- With respect to the compliance piece of the regulation, language has been added that says if a locality fails to comply with the provisions in this section, it may result in forfeiture of Board certification for approval to house residents at their facility.

Director Valerie Boykin reminded the Board that the Department has not been authorized funding since at least 2005 for reimbursement to support any construction or repair activities. The Board is required to have regulations in place should those funds become available.

Board Member Anita James Price thanked Ms. Peterson for the meticulous detail briefing and commented that the proposed changes would help streamline the process for localities.

Chairperson Frazier wanted clarification on the proposed timeline for the Board's consideration of the needs assessment and planning study. Ms. Peterson explained that the proposed change allows for the board's consideration "as soon as reasonably practicable" to ensure that if there is a small window between the time that the Department completes its review of these documents and the next regularly scheduled Board meeting, the Department would have sufficient time to prepare whatever materials are needed. Ms. Peterson added that in the recommended new regulatory chapter, no reimbursement funding is being sought and therefore, there is less Board involvement. The Board is involved with permitting localities to place youth in their facilities.

Chairperson Frazier said that the Board is relinquishing some of their duties for locally funded projects in a sense. Ms. Peterson agreed.

On motion duly made by Tyren Frazier and seconded by Robyn McDougle, the Board of Juvenile Justice approved amendments to the Regulation Governing State Reimbursement of Local Juvenile Residential Facility Costs (6VAC35-30) and the promulgation of a new regulatory chapter, Regulation Governing the Process for Planning,



Designing and Constructing Locally Funded Juvenile Residential Facilities (6VAC35-35), as agreed upon at the April 29, 2021, meeting, for advancement to the Proposed Stage of the regulatory process. The motion was presented by roll call vote, as follows: Tyren Frazier – Aye, Scott Kizner – Aye, Robyn McDougle – Aye, Anita James Price – Aye, Dana Schrad – Aye, Greg Underwood – Aye, and Robert Vilchez - Aye. The motion was carried.

## **CONSIDERATION OF THE VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT PLAN CHANGE FOR THE CITY OF ALEXANDRIA**

Jenna Easton, Program Manager, Department of Juvenile Justice

Director Boykin pointed out that the Department reorganized within the Community Programs Division to place more emphasis on the Virginia Juvenile Community Crime Control Act (VJCCCA) activities, as well as early intervention, diversion, and prevention. Jenna Easton will lead a team in those areas in a new diversion unit. Director Boykin introduced Ms. Easton to continue with the VJCCCA request.

The City of Alexandria submitted a plan for the biennium, which was approved in 2020. However, due to underutilized programs, the City of Alexandria has requested to amend their plan and budget to now include a prevention program that would serve young people grades 5 through 8 who are at risk of entering the juvenile justice system. Ms. Easton and her team have reviewed their proposed program and have found it to be acceptable and appropriate. Ms. Easton recommends approval of their plan change for the remainder of this fiscal year as well as FY 2022.

On motion duly made by Robyn McDougle and seconded by Dana Schrad, the Board of Juvenile Justice approved the revised proposed VJCCCA plan for the city of Alexandria through June 30, 2022. The motion was presented by roll call vote, as follows: Tyren Frazier – Aye, Scott Kizner – Aye, Robyn McDougle – Aye, Anita James Price – Aye, Dana Schrad – Aye, Greg Underwood – Aye, and Robert Vilchez - Aye. The motion was carried.

## **DATA RESOURCE BRIEFING**

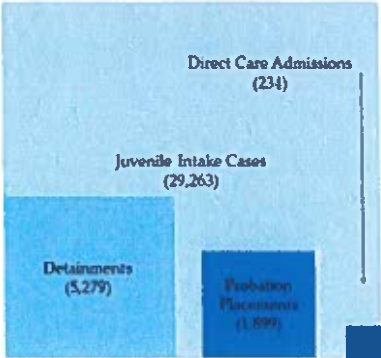
Jessica Schneider, Research Manager, Department of Juvenile Justice

Director Boykin commented that periodically, the Department provides a data briefing on the agency's transformation efforts. There is no required action by the Board. The agency is several years into the transformation, and this is a good opportunity to share some cumulative data with the Board. Dr. Schneider began her presentation.

The agency's transformation has had successes and challenges, and all of it has impacted the agency's data and trends.

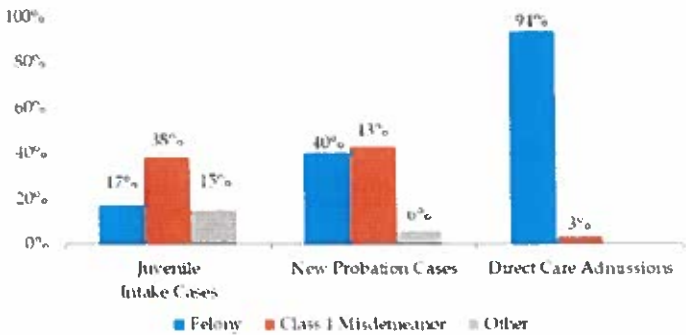
The pandemic had significant impacts to the agency's trends in Fiscal Years (FY) 2020-2021. FY 2020 ended June of last year, only a few months into the pandemic. The greatest impact in the juvenile justice system from COVID-19 will be seen in FY 2021. Individuals were asked to stay at home, so there might be fewer delinquency opportunities for youth; court operations were altered; and schools closed with many school-based activities canceled. The impacts were also seen in secure placements and how youth were admitted or transferred. Moving forward to FY 2022, the agency is not sure of the impacts.

## Counts through the System, FY 2020



The above slide lists the significant stages of the system in FY 2020, and shows the number of “front door” juvenile intake cases in relation to direct care admissions. The volume of youth involved shrinks with each step. There are 29,000 juvenile intake cases, but only 234 direct care admissions for FY 2020.


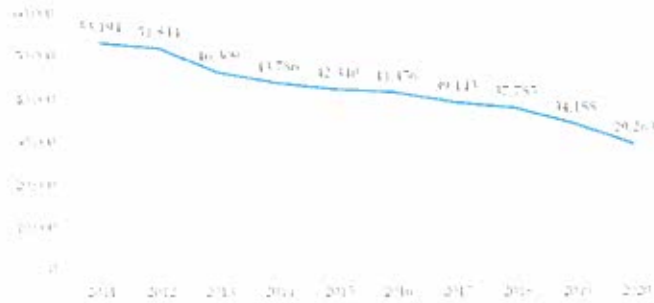
## Offense Severities through the System, FY 2020



- Felony offenses account for only 17% of intake cases but 94% of direct care admissions.

The above slide shows offense severities through the system. Seventeen percent of offenses at the intake phase are felonies, but 94% of the direct care admissions are felonies. The system is working to avoid committing youth with low-level offenses, and youth with more severe offenses are progressing.

## Juvenile Intake Cases FY 2011 - 2020

- Intake cases decreased 45% (23,931 cases) since FY 2011

Looking at a ten-year trend, intake cases decreased by almost half. In FY 2020, the slide above shows a more severe drop in juvenile intake cases because of the pandemic.

## Intake Cases by Demographics, FY 2020



- Average Age: 15.8 years
- Sex
  - Males: 68%
  - Females: 32%
- Race
  - White: 49%
  - Black: 41%

The average youth with an intake case is 15 to 16 years old, about two-thirds are male, and the racial breakdown is 49% White and 41% Black with the remainder being other races.

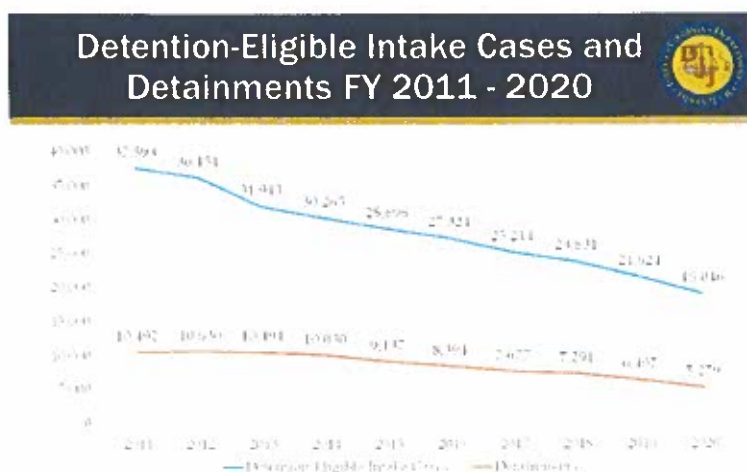
Board Member Schrad remarked that she noticed in law enforcement data collection, at least in arrest data, Hispanic has not specifically been identified as a separate race. Hispanic on arrest documents ends up in the other category or grouped with White. Board Member Schrad asked if the Department has the ability to identify or see the trends when it comes to Hispanic population in youth intake.

Dr. Schneider responded that the Department collects Hispanic data separately from race. Race and ethnicity are captured as separate fields. The challenge the Department has had over the past several years is with staff not filling out the field or if the information is not known. Starting in FY 2020, a change was made to the data entry process so that the Hispanic field is now mandatory to complete with an option of unknown or the

individual declines to offer that information. Dr. Schneider hopes that data improves over the next few years, and there is a better opportunity to track trends.

Board Member Schrad said she has started seeing inconsistencies in data collection across several platforms in the criminal justice system, whether on traffic stops, interrogatory stops, or information on warrants for arrest. Data is not being collected consistently in these different areas. There are concerns this may be a warped view of who is in the criminal justice system. Board Member Schrad has talked with police chiefs that have a large Hispanic population, and information is not collected on arrest warrants if the individual is Hispanic. Instead, the person falls in a category of Black, White, or other. Board Member Schrad understands this is not specific to the juvenile population but it is something her team is watching to make sure data collection across the different platforms is consistent.

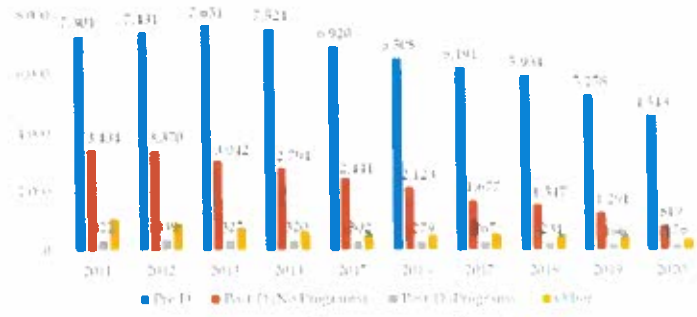
Director Boykin noted that the Department created an Equity Work Group several years ago, and one of their first tasks, in partnership with the agency's intake work group, was to change the categorization. The Department adopted the list from the Census Bureau in terms of how race ethnicity is captured. The work group learned in conversations with intake officers that oftentimes, they do not know the ethnicity and leave that field blank. The work group wanted to remove the guessing, so the probation officers continue to ask that question to complete the ethnicity question and try to get accurate information whenever possible. Director Boykin acknowledged that the agency has a similar problem, and there is a void in terms of who the agency is actually serving.



- Detention-eligible intake cases decreased 49% (18,547 cases).
- Detainments decreased 50% (5,213 juveniles) since FY 2011.

Only some intake cases are eligible for detention. The slide above shows detainments decreasing by half since FY 2011. This trend is similar to what was seen for intake cases in general.

## Detention Statuses, FY 2011 - 2020



- Pre-D statuses decreased 38% (2,758 youth) since FY 2011
- Post-D without programs decreased 76% (2,615 youth) since FY 2011

Source: Department of Juvenile Justice, FY 2011-2020  
 Note: Misc - Any charges that do not fit into the other categories

Detention serves multiple purposes. The slide above depicts pre-dispositional detention (pre-D), post dispositional (post-D) without programs, and post-D detention with programs, as well as miscellaneous. The majority of youth entering detention are there for pre-D statuses. Across the board, all the statuses have been decreasing over the past decade. However, pre-D has decreased 38%, which is slower compared to post-D without programs, which has decreased significantly at 76%. In FY 2011, 3,434 youth were detained for post-D without programs status, and last year only 819, which is a significant decrease for that type of disposition.

Director Boykin noted that post-D confinement without programming is basically the judge sentencing the youth to detention time. The *Code of Virginia* allows for programs to be operated by local detention centers and can last up to six months. Post-D without programs means time in detention. The Department has no role, as those programs are established by the local detention centers.

## Probation Placements, FY 2011 - 2020



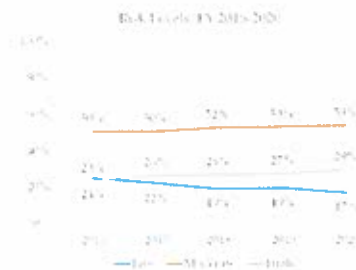
- Probation placements decreased 66% (3,638 cases) since FY 2011

The slide above depicts a 66% decrease in probation placements. There is more of a drop last year that might indicate the beginning of COVID-19 impact. In FY 2021, that number may be lower. Even without COVID-19 impact, the agency has seen a decrease in probation placements over the past ten years.

## Probation Characteristics, FY 2020



- Average Age:  
15.5 years
- Sex
  - Males: 78%
  - Females: 22%
- Race
  - Black: 46%
  - White: 45%
- Average LOS:  
11.8 months



The above slide provides characteristics of youth placed on probation with an average age of 15 or 16 years, and over three quarters of youth being male. At the intake stage, 41% of youth were Black, and 46% of youth on probation were Black. The youth released from probation in FY 2020 had an average length of stay of almost a year.

The right side of the slide shows risk levels at the beginning of probation, and about half of youth are at moderate risk. The percentage of high risk youth has increased over the last five years, and the percentage of youth with low risk has decreased. Youth at low risk might not need that level of supervision.

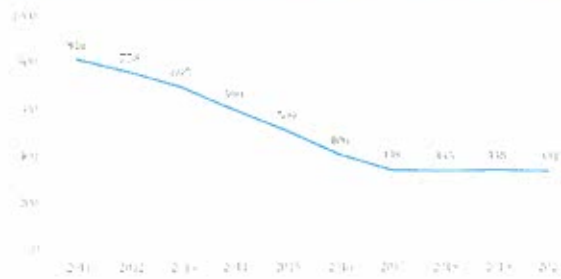
## Direct Care Admissions, FY 2011 - 2020



- Admissions decreased 59% (331 juveniles) since FY 2011.

The above slide shows the impact of COVID-19 the most. Direct care admissions decreased 59% since FY 2011. There was a plateau between 2016 and 2019, and then a drop again in FY 2020.

## Direct Care ADP, FY 2011 - 2020

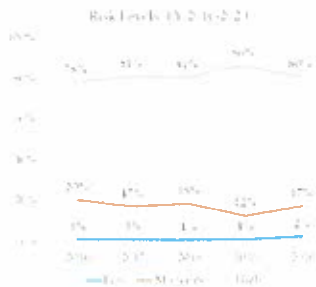


• Direct care ADP decreased 59% (485 juveniles) since FY 2011

The slide above depicts the average daily population in direct care, which is the average number of youth on any given day during the year. The slide shows a decrease of 59%. In the previous slide, there was a plateau in admissions; in the above slide it shows a slight delay. In FY 2020, the average daily population is 331. To provide insight into FY 2021, the graph will look different with an average number today at 219 youth in direct care.

## Direct Care Admission Characteristics, FY 2020

- Average Age: 17.0 years
- Sex
  - Males: 97%
  - Females: 3%
- Race
  - White: 26%
  - Black: 68%
- Average LOS:
  - 8.2 months for Ind
  - 27.2 months for Det./Blended



LOS = Length of Stay

The above slide shows the average age of direct care admissions at 17 years of age, a bit older than the youth on probation. The sex and racial breakdowns are different with 97% of youth admitted to direct care being male and about two thirds of youth being Black, both increases at this stage. For youth released in FY 2020, the average length of stay was 8.2 months for youth who had indeterminate commitments and 27.2 months for youth with determinate commitments or blended sentences.

Looking at a five-year trend, there is a difference in the risk profile for youth in direct care compared to youth in probation. Half the youth in probation were moderate risk, and the slide above shows the percentages of moderate-risk youth are much lower and high-risk youth are much higher. There is a bit of an increase in the high-risk youth over five years. Few youth admitted to direct care are low-risk.

## Most Serious Committing Offenses, FY 2011 – 2020 Direct Care Admissions



	FY 2011	FY 2019	FY 2020
<b>Felony</b>			
Against Persons	46%	54%	67%
Non-Person Felonies	32%	33%	26%
<b>Class 1 Misdemeanors</b>			
Against Persons	10%	4%	2%
Other	7%	4%	2%
Parole Violation	4%	3%	3%

- Admissions for felonies against persons increased since FY 2011 while other offense severities decreased

\* Percentage does not add to 100% because categories with small percentages are not displayed.

Offense severities also get more severe as youth move deeper into the system. In FY 2011, 46% of youth admitted to direct care had a felony against persons as their most serious offense. In FY 2020, about two-thirds of youth have that high level of offense severity.

## Direct Care Placement Options



### Capacity and ADP, FY 2014\*

Facility	Capacity	ADP Capacity	ADP Total	ADP Total
<b>JCCs</b>				
Beaumont	234	218	1	222
Bon Air	280	221	2	223
Colts Neck	0	94	1	95
Club Ridge Program	45	36	0	36
KDC	60	33	2	35
JCC Total	619	557	6	591
<b>Halfway Houses</b>				
Abrams House	0	1	0	1
Humphreys Place	0	1	0	2
Halfway House Total	0	1	0	3
<b>CPPs</b>				
Blue Ridge	10	1	0	1
Chesapeake	10	1	0	1
Rappahannock	10	2	0	2
Virginia Beach	10	0	0	0
CPP Total	40	1	0	3
Detention Re-entry	N/A	2	0	2
<b>State Total</b>	<b>642</b>	<b>591</b>	<b>6</b>	<b>599</b>

\* Capacities are determined on the last day of the FY.

### Capacity and ADP, FY 2020\*

Facility/Placement	Capacity	ADP Total
Best Air JCC	272	194
Adm./Eval. in JCCs	N/A	26
<b>CPPs</b>	<b>112</b>	<b>44</b>
Blue Ridge	6	9
Chesapeake	10	7
Chesterfield	6	6
Lynchburg	6	7
Merriam-Jewels	5	5
Merriam-Males	6	6
Northern Virginia	6	6
Prince William	6	7
Rappahannock	16	14
Shenandoah Valley	6	6
Virginia Beach	20	15
<b>Contracted Alternatives</b>	<b>N/A</b>	<b>14</b>
<b>Detention Reentry</b>	<b>N/A</b>	<b>2</b>
<b>Total</b>	<b>384</b>	<b>332</b>

\* Capacities are determined on the last day of the FY.

- FY 2014: ADP of 599, with 99% (591) in a JCC.
- FY 2020: ADP of 331, with 59% (194) in a JCC.

A big part of transformation is the change in placement options for youth in direct care. Closing some juvenile correctional centers and expanding other placement options have been one of the bigger focuses of the



transformation plan. The slide above shows a side-by-side of the options and the distribution of youth in direct care in FY 2014 prior to most of the transformation efforts. The right side of the slide shows the options where youth were placed in FY 2020. The left side shows almost all youth in a juvenile correctional center in FY 2014, with 591 youth that year on average. FY 2020 only had 194 youth on average in a juvenile correctional center, which is only 59% of the youth in all direct care. The slide also shows the number of Community Placement Programs (CPPs) available in addition to contract alternatives, detention reentry, and other options.

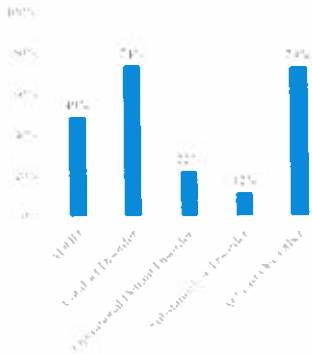
### Family Experiences, FY 2020 Admissions

- 59% - parent incarceration
- 56% - parent criminal activity
- 44% - parent substance abuse
- 30% - parent abandonment
- 25% - parent death
- 21% - family domestic violence
  - 83% reported at least one of the above
  - 47% reported 3 or more of the above

The slide above highlights types of experiences and background youth have had entering direct care. The slide shows 83% of the youth admitted to direct care have had at least one of these experiences with their parent or family. Almost half the youth have had three or more of these experiences. The trauma and experiences in a youth’s background impact the types of services they need while in direct care.

### Mental Health, FY 2020 Admissions

- 95% of youth appeared to have significant symptoms of ADHD, CD, ODD, or substance use disorder
- 73% appeared to have significant symptoms of at least one other mental health disorder
- 70% were prescribed psychotropic medications at some point in their lives



One youth may be included in multiple categories

Many of these youth have mental health needs. Ninety-five percent of youth admitted to direct care have symptoms of ADHD, conduct disorder, oppositional defiant disorder, or substance use disorder. Almost every youth has at least one of those disorders. The graph above breaks out these disorders. Seventy-three percent of youth also appear to have significant symptoms of at least one other type of mental health disorder. Seventy percent of youth have been prescribed psychotropic medications at some point in their lives by the time they are admitted to direct care.


### Parole Placements, FY 2011 - 2020



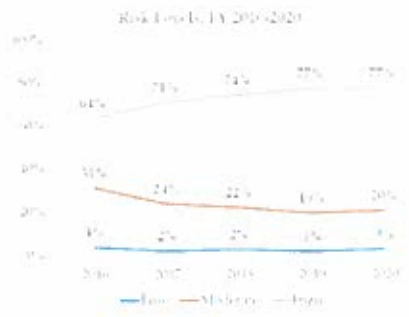

- Parole placements decreased 36% (157 cases) since FY 2011

After youth are in direct care, many are placed on parole following their release. The above slide shows a downward trend. This is not quite a severe drop as other stages, but follows the same trend.

### Parole Characteristics, FY 2020



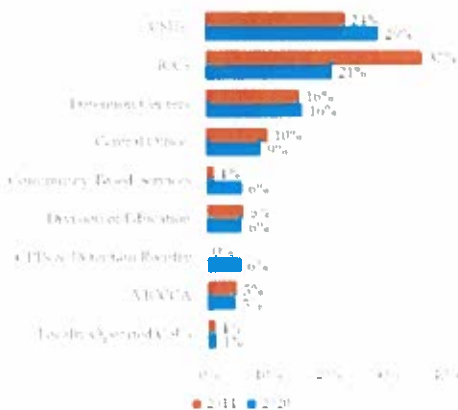
- Average age at placement: 17.2 years
- Average LOS: 10.7 months



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The slide above depicts parole youth characteristics with the average age of 17 years old and the average length of stay for a youth on parole at almost 11 months. The risk breakdown is similar to direct care admissions. Three quarters of youth on parole are high-risk and very few youth are low-risk. The percentage of high-risk youth has been increasing over the past few years.

## DJJ Expenditures, FY 2014 and FY 2020



**Expenditures (by %) -**

- Decreased for JCCs
- Increased for CSUs, community-based services, and non-JCC direct care placements
- RSCs have contracts with more than 140 direct service providers.
  - In FY 2020, 1,666 youth were referred to the RSCs, and 3,398 services were authorized.

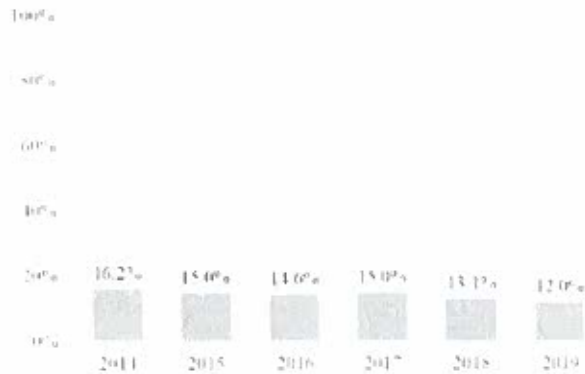
CSU = Court Service Unit; JCC = Juvenile Correctional Center; CTP = Community Placement Program; VJCCCA = Virginia Juvenile Correctional Center; CTCC = Crime Control Act; RSC = Regional Service Coordinator

The slide above shows a substantial decrease in the proportion of money spent on juvenile correctional centers and an increase for court service units, community services, and non-juvenile correctional center direct care placement. There is a shift in where the money is going and the prioritization of services. A primary example are the Regional Service Coordinators, which is the model the Department uses to provide services across the state. The Regional Service Coordinators have contracts with more than 140 direct service providers. In FY 2020, about 1,600 youth were referred to the Regional Service Coordinators, and over 3,000 services were authorized. Director Boykin added that the VJCCCA budget has been cut from \$30 million to \$10 million statewide, which highlights the need for this type of continuum.

Chairperson Frazier asked when the agency transformation started. Director Boykin answered that the planning started in calendar year 2014 and technically in FY 2015. The first change was the length of stay system implemented in October 2015.

Chairperson Frazier asked if there is anything major coming for transformation. Director Boykin responded there was a legislative change this General Assembly session regarding the age of young people who can be detained. No youth under the age of 11 can be detained without an exceptional circumstance, and no one under the age of 14 can be committed. This will allow the Department to continue to use and grow the robust continuum. The Department is working on prevention and building more capacity in communities. The Department is looking to add to the list of community-based providers that will allow the Department to provide technical assistance to the smaller non-profits and other groups that are not awarded the big contracts. The Department is focused on evidence-based programs but is also interested in working with non-traditional supports within the community. Director Boykin is in discussions with Board Member Schrad on greater diversions with local law enforcement agencies.

### 12-Month Rearrest Rates for First-Time Diversion Plans, FY 2014-2019



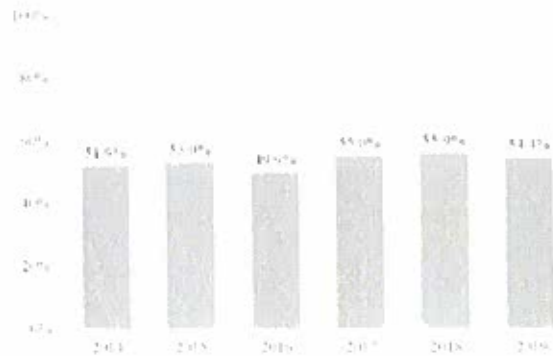
Dr. Schneider continued with her presentation, explaining that outcome measures for youth are not limited to recidivism, but recidivism is something the Department calculates and tracks over a period of time. The data shared on recidivism is focused on 12-month re-arrest rates for different groups of youth. The rates for youth with first-time diversion plans are low and have decreased from over 16% in FY 2014 to 12% in FY 2019. While this does not look like a huge decrease, it is difficult to make recidivism rates budget. Dr. Schneider said this is a great sign, and with Jenna Easton's new diversion unit, hopefully success will continue.

### 12-Month Rearrest Rates for Probation Placements, FY 2014-2019



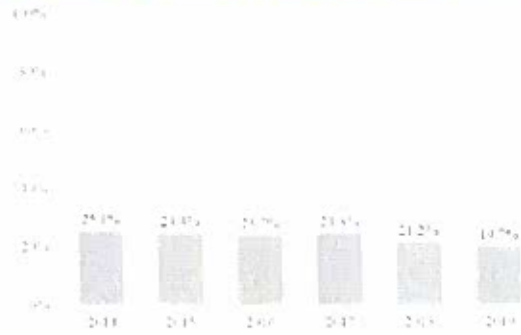
The above slide shows youth that are deeper in the system with higher risk, so there is a higher re-arrest rate for youth on probation. It has hovered and stabilized at 34% over six years. The Department has not seen that same decline for probation youth as was shown for diversion youth.

### 12-Month Rearrest Rates for Direct Care Releases, FY 2014-2019



The above slide depicts the highest risk youth in the system. The rate has stayed flat in the 50 or mid-50s range. There are fewer youth in this group, so the percentages fluctuate a bit more. These are the highest risk youth with the risk increasing over time. The Department has not seen a decrease in re-arrest rates for this group.

### Combined 12-Month Rearrest Rates, FY 2014-2019



The above slide combines the three groups--diversion, probation, and direct care youth--and shows overall system re-arrest rates with a slight decrease. This downward trend is mainly driven by the diversion youth being a bit more successful over time.

The Department looks at recidivism in many different ways in order to assess the trends. Internally, the Department looks at recidivism by risk level and reacts to trends to improve services for youth who have not seen improvement yet in their recidivism rate.



# VIRGINIA DEPARTMENT OF JUVENILE JUSTICE

Protecting the public by preparing court-involved youth to be successful citizens

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## LATEST DJJ COVID INFORMATION FOR PARENTS AND STAKEHOLDERS

**Director's Message - February 12, 2021**

I am pleased to announce a new initiative for the Department of Juvenile Justice (DJJ) in partnership with the University of Virginia School of Law will be undertaking a project to research and provide guidance on strategies to strengthen and address gaps in gender-responsive treatment services for our female population for both community-based and residential services. We hope that through this initiative we will create change in the way services are provided to adolescent female offenders and girls in high-risk situations across the state.

Andy Block, former DJJ Director and current Director of the State and Local Government Law Clinic at UVa, has offered the services of the clinic and will lead this effort for the University. We believe that the needs of girls must be addressed in a developmentally appropriate manner and reduce involvement so only those who pose a serious threat to public safety move deeper.

[Read Full Message](#)



**DJJ Family Engagement**

We know that having your child involved in the juvenile justice system is probably stressful and difficult for you and them. During the time under our supervision of custody, we want you to know that DJJ is committed to fostering consistent communication between you, your child, and DJJ staff. This communication and partnership is vital to getting your young person back on the right track and on with their life.

We would like to be a resource for you during this challenging time, and support your efforts to continue to be a resource for your child, whether they are still at home or placed elsewhere. Clicking on the links below will help you understand more about our system and expectations, and give you more tools to help you through this process.

- Visitation Plan Available
- Court Dates and Centre
- Juvenile Justice Process
- Parent Role Expectations for PRRG Information
- Free Translation to Our Facilities
- JCC Visitation Rules and Privileges
- Resident Handbook
- Resident Handbook - Spanish
- Length of Stay Guide (pdf)

**DJJ Resources**

The more we know about the youth we serve, the more effective we can be in providing services and support that will make them successful. DJJ's Legislative and Research Department designs and coordinates a wide variety of reports, articles via an exhaustive examination of available data and a thorough review of the most up-to-date literature and best practices in the juvenile justice field.

- COVID-19 Resources for Parents and Stakeholders
- Best Practices COVID-19 FAQs
- School Re-entry Plan
- DJJ Strategic Framework
- Juvenile Correctional Center Task Force - Final Report
- Department of Juvenile Justice Transformation Plan - 2020 Update
- Profile of Committed Juveniles
- Data Resource Guide
- Requests for Information
- News Room

- [Read more](#)
- [Contact Us](#)
- [Additional Resources](#)

## Data Resource Guide

- System/Agency Overview
- CSUs
- VJCCCA
- Juvenile Detention Centers
- Direct Care
- Special Topics
- Trends & Forecasts
- Recidivism
- Expenditures & Staffing

\* CSC = Court Services Unit; VJCCCA = Virginia Juvenile Community Center Central Act

The previous slide is the Department's homepage with a green arrow pointing to the location of the Data Resource Guide, which is published every year. It includes court service unit and locality-specific data. Board members may want to dig into their locality's specific data.

Board Member Robert "Tito" Vilchez had concerns with the Latino population not being presented. Board Member Vilchez said that he sees a lot of Latinos and Blacks in detention homes and juvenile correctional centers. Energy and resources need to be spent on the front end, and Latino probation counselors and juvenile correctional center employees need to be hired to work with that population.

Board Member Schrad said that in talking with the police chiefs and recognizing that they might not always properly identify who is in the criminal justice system, they may not be doing what is needed to serve special populations, particularly in the diversion programs.

Director Boykin agreed that more effort and energy is needed on the front end, and being more diverse in hiring practices is part of the Department's goals. The Department has challenges with finding staff in those demographics. The ethnicity question asked at intake began in the spring of 2019, so that specific ethnicity data does not go back very far, but Director Boykin agrees it would be helpful to capture. Board Member Vilchez said that it would help to have a bigger and better picture of the Department's population being served.

Chairperson Frazier thanked Dr. Schneider for her presentation. Looking towards the future, the items talked about at the meeting will outlast some of the Department's leadership, and the next team will need to pick up and take on the torch to continue to improve the system to the point of seeing significant changes to transformation. There is a lot of work left to be done, and Chairperson Frazier asked the Department to use the Board members and bring their voices to the table. The more the Board knows, the more the members can share and talk with their communities and make change occur.

#### **PUBLIC COMMENT**

There was no public comment.

#### **DIRECTOR'S CERTIFICATION ACTIONS**

Mike Favale, Legislative and Policy Manager, Department

Mr. Favale directed the Board to the Board packet, which contained the individual audit reports and a summary of the Director's certification actions completed for January 11, 2021.

The February 25, 2020, audit for Stepping Stones, a group home, found 13 areas of non-compliance. The vast majority of these dealt with documentation and training issues. A follow-up review on July 21, 2020, reported no areas of continued non-compliance; however, there were a few outstanding issues; therefore, due to the number of deficiencies, the Certification Team requested to re-audit those 13 areas in July 2021.

The Director certified the 11<sup>th</sup> District Court Service Unit in Petersburg until September 12, 2023. The Regional Program Manager will complete a follow-up visit to ensure the contacts are being appropriately made with

juveniles. Two areas of non-compliance were found during the September 17, 2020, audit. Mr. Favale commended the 11<sup>th</sup> Court Service Unit for their best audit in a number of years.

The Director certified the 23A District Court Service Unit in Roanoke until October 18, 2023. The Certification Team performed their first virtual audit with the 23A Court Service Unit on September 3, 2020. That went well. The audit found four areas of noncompliance, and the program submitted a corrective action plan. A status review was conducted on December 2, 2020, and showed all deficiencies corrected.

The Director certified the 24<sup>th</sup> District Court Service Unit in Lynchburg until January 29, 2024. The audit was conducted on November 15, 2020, and found two areas of noncompliance. A corrective action plan was submitted with a status review conducted in December, and the Certification Team determined that the areas were in compliance.

The Director certified the 29<sup>th</sup> District Court Service Unit in Tazewell until September 14, 2023. The audit was conducted on October 19, 2020, and found two areas of noncompliance. A corrective action plan was submitted, and a status review was conducted in 2020 and showed both areas in compliance.

The Director reviewed an additional seven court service unit audits on April 8, 2021, which were conducted virtually. Three of the court service units demonstrated 100% compliance, and all will be presented at the next Board meeting.

#### **DIRECTOR'S COMMENTS**

Valerie P. Boykin, Director, Department

Director Boykin shared additional comments with the Board. Bon Air Juvenile Correctional Center has not had a youth positive for COVID-19 since December; however, staff occasionally have tested positive. A vaccination clinic was held in March at Bon Air, and a number of young people were age-eligible and elected to be vaccinated. Bon Air used the Pfizer vaccine because those could be given to those age 15 and up. Agency staff were also vaccinated.

The Department participated in the Governor's Adjunct Emergency Work Force with staff volunteering in vaccination clinics statewide.

Yvonne B. Miller Graduation is scheduled for June 21 with more information forthcoming as the Department learns who is eligible for graduation. The Division of Education changed to hybrid mode in February 2020, and education continued.

The Department was part of a national study done by the University of Texas of Austin, which looked at prison, jails, and juvenile justice agencies statewide and issued a report titled, "Hidden Figures: Rating the COVID Data Transparency of Prisons, Jails, and Juvenile Agencies Nationwide". The Department received a passing grade, demonstrating that the Department did a good job being transparent and sharing data during the health crisis.



The Department is concerned with a trend involving girls in the juvenile justice system. Typically, the Department receives about six or seven female youth in a given year. This fiscal year started July 1, 2020, and ends June 30, 2021. Within the first six months, eleven girls were committed. This could be attributable to stress related to the pandemic since all of the other numbers are going down. Schools report that remote learning challenges seem to be impacting girls at a greater degree. The Department created a workgroup and asked former Department director Andy Block and two law students from UVA to help look at the data. VCU received a grant to look at this trend and provide training for staff in the coming months and years on how to work with the juvenile female population. This is an interesting phenomenon that suddenly is creeping into the mix, and the Department wants to see what can be done now to help.

The Commission on Youth has requested that the Joint Legislative Audit and Review Committee (JLARC) perform a study on juvenile justice in Virginia. They will look at the Department's system and other entities that impact the juvenile justice system. The JLARC resolution includes a long list of items to review, and the Department's staff has been participating in conversations. JLARC will be talking with detention centers and possibly reaching out to Board members. JLARC has a report completion date of November 2021.

The Department is in the midst of its second round of listening sessions with staff across the Commonwealth. The first round was last fall, and Director Boykin hopes to continue with another session this fall. Listening sessions provide the Director and the executive leadership the opportunity to talk to staff through virtual platforms, share updates, and hear from staff on challenges. This pandemic has impacted Department staff, and staff have risen to the occasion; they show up and do their work in less than ideal circumstances. Leadership wanted to hear from them and be able to support their needs not only with the pandemic but also the social justice issues.

Director Boykin invited the Board to participate in quarterly meetings with the Student Government Association at Bon Air. Bon Air has not opened the facility for visitation, but a virtual means has been provided for youth and their families to continue to visit.

Chairperson Frazier thanked Director Boykin and commented that transparency is key, and he would like to have an opportunity to be part of the listening session across the state.

**NEXT MEETING DATE**

June 16, 2021, at 9:30 a.m.

**ADJOURNMENT**

The meeting was adjourned at 10:58 a.m.

**DIRECTOR'S CERTIFICATION ACTIONS**  
**April 8, 2021**

**DEPARTMENT CERTIFICATION ACTION:** Certified the 3rd District Court Service Unit until January 21, 2024, with a letter of congratulations for 100% compliance.  
*Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.*

**DEPARTMENT CERTIFICATION ACTION:** Certified the 9th District Court Service Unit until April 13, 2024, with a letter of congratulations for 100% compliance.  
*Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.*

**DEPARTMENT CERTIFICATION ACTION:** Certified the 15<sup>th</sup> District Court Service Unit until September 15, 2023. Referred to Regional Program Manager to monitor areas where compliance was not determined.  
*Pursuant to 6VAC35-20-100C.2, if the certification audit finds the program or facility in less than 100% compliance with all regulatory requirements and a subsequent status report, completed prior to the certification action, finds 100% compliance on all regulatory requirements, the director or designee shall certify the facility for a specific period of time, up to three years.*

**DEPARTMENT CERTIFICATION ACTION:** Certified the 20-L (Loudoun) District Court Service Unit until October 27, 2023. Referred to Regional Program Manager to monitor areas where compliance was not determined and one area of noncompliance. A status report is requested for September 2021.  
*Pursuant to 6VAC35-20-100C.2, if the certification audit finds the program or facility in less than 100% compliance with all regulatory requirements and a subsequent status report, completed prior to the certification action, finds 100% compliance on all regulatory requirements, the director or designee shall certify the facility for a specific period of time, up to three years.*

**DEPARTMENT CERTIFICATION ACTION:** Certified the 20W (Warrenton) District Court Service Unit until May 19, 2024, with a letter of congratulations for 100% compliance.  
*Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.*

**DEPARTMENT CERTIFICATION ACTION:** Certified the 25th District Court Service Unit until March 18, 2024.  
*Pursuant to 6VAC35-20-100C.2, if the certification audit finds the program or facility in less than 100% compliance with all regulatory requirements and a subsequent status report, completed prior to the certification action, finds 100% compliance on all regulatory requirements, the director or designee shall certify the facility for a specific period of time, up to three years.*

**DEPARTMENT CERTIFICATION ACTION:** Certified the 27th District Court Service Unit until January 30, 2024.  
*Pursuant to 6VAC35-20-100C.2, if the certification audit finds the program or facility in less than 100% compliance with all regulatory requirements and a subsequent status report, completed prior to the certification action, finds 100% compliance on all regulatory requirements, the director or designee shall certify the facility for a specific period of time, up to three years.*

**CERTIFICATION AUDIT REPORT  
TO THE  
DEPARTMENT OF JUVENILE JUSTICE**

**PROGRAM AUDITED:**

3<sup>rd</sup> District Court Service Unit (Portsmouth)  
1345 Court Street, Suite 201  
Portsmouth, Virginia 23704  
(757) 393-8571  
Katherine A. Grimm, Director  
[katherine.grimm@djj.virginia.gov](mailto:katherine.grimm@djj.virginia.gov)

**AUDIT DATES:**

January 20, 2021

**CERTIFICATION ANALYST:**

Learna R. Harris

**CURRENT TERM OF CERTIFICATION:**

January 21, 2018 -- January 20, 2021

**REGULATIONS AUDITED:**

6AC35-150 Regulations for Nonresidential Services Available to Juvenile and Domestic Relations District Courts

**PREVIOUS AUDIT FINDINGS – July 26, 2017:**

**6VAC35-150-420. Contacts during juvenile’s commitment**

**CURRENT AUDIT FINDINGS – January 20, 2021:**

100% Compliance Rating

**DEPARTMENT CERTIFICATION ACTION April 8, 2021:** Certified the 3<sup>rd</sup> District Court Service Unit until January 21, 2024 with a letter of congratulations for 100% compliance.

*Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.*

*Pursuant to 6VAC35-20-100C.2, if the certification audit finds the program or facility in less than 100% compliance with all regulatory requirements and a subsequent status report, completed prior to the certification action, finds 100% compliance on all regulatory requirements, the director or designee shall certify the facility for a specific period of time, up to three years.*

**TEAM MEMBERS:**

Learna Harris, Team Leader  
Clarice Booker, Central Office  
Shelia Hinton, Central Office  
Mark Lewis, Central Office

**POPULATION SERVED:**

The 3<sup>rd</sup> District Court Service Unit serves the City of Portsmouth.

**PROGRAMS AND SERVICES PROVIDED:**

The 3<sup>rd</sup> District Court Service Unit provides mandated services including:

- Intake

### 3<sup>rd</sup> District CSU (Portsmouth)

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- Probation supervision
- Direct care and parole supervision

The Unit interacts with the community in obtaining such services as:

- Tidewater Youth Services Commission
- Electronic Monitoring
- Group Home/Shelter Care
- Substance Abuse Evaluations
- Family Therapy

Community Service Work Program

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**CERTIFICATION AUDIT REPORT  
TO THE  
DEPARTMENT OF JUVENILE JUSTICE**

**PROGRAM AUDITED:**

9<sup>th</sup> District Court Service Unit (Williamsburg)  
4093 Ironbound Road, Suite D  
Williamsburg, VA 23188  
(757) 564-2460  
Joe Jackson, Director  
[joe.jackson@djj.virginia.gov](mailto:joe.jackson@djj.virginia.gov)

**AUDIT DATES:**

January 27, 2021

**CERTIFICATION ANALYST:**

Shelia L. Palmer

**CURRENT TERM OF CERTIFICATION:**

April 13, 2018 – April 13, 2021

**REGULATIONS AUDITED:**

6AC35-150 Regulations for Nonresidential Services Available to Juvenile and Domestic Relations District Courts

**PREVIOUS AUDIT FINDINGS – October 23-24, 2017:**

91.00%

**6VAC35-150-336 (A). Social histories.**

**6VAC35-150-350 (A). Supervision plans for juveniles.**

**6VAC35-150-410 (A). Commitment information.**

**6VAC35-150-420. Contacts during juvenile's commitment.**

**CURRENT AUDIT FINDINGS- January 27, 2021**

100% Compliance

**DEPARTMENT CERTIFICATION ACTION April 8, 2021:** Certified the 9<sup>th</sup> District Court Service Unit until April 13, 2024 with a letter of congratulations for 100% compliance.

*Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.*

**TEAM MEMBERS:**

Shelia L. Palmer, Team Leader  
Clarice Booker, Certification Unit  
Mark Lewis, Certification Unit  
Learna Harris, Certification Unit

**POPULATION SERVED:**

The 9<sup>th</sup> District Court Service Unit serves eleven jurisdictions which includes the cities of Poquoson and Williamsburg and the counties of Charles City, Gloucester, King and Queen, King William, Matthews, Middlesex, New Kent, James City, and York.

**PROGRAMS AND SERVICES PROVIDED:**

The 9<sup>th</sup> District Court Service Unit provides mandated services including:

- Intake
- Probation supervision
- Parole supervision
- Pre-dispositional investigations
- Video Intake site for the Department of Juvenile Justice
  
- **Primary Community Referrals:** The 9<sup>th</sup> District Court Service Unit has two Virginia Juvenile Community Crime Control Act (VJCCCA) funded agencies which provide a majority of the specialized services for juveniles before the court.
  
- **York County Juvenile Services (YCJS) and Community Connections (CC) Services** include: Surveillance, Electronic Monitoring, Community Service Work, Substance Abuse Screenings, Psychological Assessments, Treatment Groups, and other services such as the Alcohol Diversion Program and the Law Related Education Program.

**Other Community Based Services:**

- Clients are provided services through the **Comprehensive Services Act (CSA)**, via (9) Family Assessment Planning Teams (FAPT), the Community Services Boards (CSB), and through locally funded grants and programs.
  
  - Clients are also provided behavioral health services through a Memorandum of Agreement (MOA) between the Middle Peninsula Northern Neck Community Service Board and DJJ – 9<sup>th</sup> District Court Service Unit. This is a dedicated Licensed Mental Health Professional (LMPH) position that provides an array of service to juvenile and families within three localities (Gloucester, Mathews, and Middlesex Counties).
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**CERTIFICATION AUDIT REPORT  
TO THE  
DEPARTMENT OF JUVENILE JUSTICE**

**PROGRAM AUDITED:**

15<sup>th</sup> District Court Service Unit  
601 Caroline Street, Suite 400, 4<sup>th</sup> Floor  
Fredericksburg, VA 22401  
(540) 372-1068  
Vincent Butaitis, Director  
[vincent.butaitis@djj.virginia.gov](mailto:vincent.butaitis@djj.virginia.gov)

**AUDIT DATES:**

November 4, 2020

**CERTIFICATION ANALYST:**

Learna Harris

**CURRENT TERM OF CERTIFICATION:**

September 15, 2017- September 14, 2020

**REGULATIONS AUDITED:**

6VAC35-150 Regulations for Nonresidential Services Available to Juvenile and Domestic Relations District Courts

**PREVIOUS AUDIT FINDINGS – April 4, 2017**

89.36% Compliance Rating

Number of Deficiencies: Five

**6VAC35-150-270 (A). Intake Duties.**

**6VAC35-150-336 (A). Social histories.**

**6VAC35-150-350 (A). Supervision plans for juveniles. (9324)**

**6VAC35-150-350 (B). Supervision plans for juveniles. (9324)**

**6VAC35-150-420 Contacts during juvenile's commitment**

**CURRENT AUDIT FINDINGS – November 4, 2020**

96.30% Compliance Rating

\*One repeated deficiency from previous audit.

Number of Deficiencies: Two

**6VAC35-150-410 (A). Commitment Information**

**\*6VAC35-150-420 Contacts during juvenile's commitment**

**DEPARTMENT CERTIFICATION ACTION April 8, 2021:** Certified the 15<sup>th</sup> District Court Service Unit until September 15, 2023. Referred to Regional Program Manager to monitor areas where compliance was not determined.

*Pursuant to 6VAC35-20-100C.2, if the certification audit finds the program or facility in less than 100% compliance with all regulatory requirements and a subsequent status report, completed prior to the certification action, finds 100% compliance on all regulatory requirements, the director or designee shall certify the facility for a specific period of time, up to three years.*

**TEAM MEMBERS:**

Learna Harris, Team Leader  
Shelia L. Palmer, Central Office  
Clarice T. Booker, Central Office  
Mark Lewis, Central Office

**POPULATION SERVED:**

The 15<sup>th</sup> District Court Service Unit serves the City of Fredericksburg and the counties of

Caroline, Essex, Hanover, King George, Lancaster, Northumberland, Richmond, Spotsylvania, Stafford and Westmoreland.

**PROGRAMS AND SERVICES PROVIDED:**

- Intake Services
- Investigations and Reports
- Domestic Relations
- Probation & Parole

**Other Services:**

- Community service work, EIP, substances abuse evaluation and groups, anger management, mentoring, larceny reduction, restorative justice and parenting classes through the Office on Youth.
- Preventive foster care, foster care, re-entry planning, Medicaid, food stamps, etc. through local Department of Social Services.
- Coordination of educational services and programming through school systems in each locality.
- Alternative schooling, career placement, independent living skills through Employment Resources Incorporated.
- Mental health and substance abuse services, including assessment, treatment and medication monitoring and Re-Entry Planning through the Community Services Board.
- Private mental health and substance abuse services.
- Sex offender counseling through private vendors.
- Shelter care, group home and aftercare services through Chaplin Youth Center.
- Substance abuse and intensive supervision through Drug Courts in Hanover and Rappahannock Regional (King George, Spotsylvania, Stafford and Fredericksburg)

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**CORRECTIVE ACTION PLAN  
TO THE  
DEPARTMENT OF JUVENILE JUSTICE**

**FACILITY/PROGRAM:** 15<sup>th</sup> District Court Service Unit

**SUBMITTED BY:** Vincent Butaitis, Director

**CERTIFICATION AUDIT DATES:** November 4, 2020

**CERTIFICATION ANALYST:** Learna R. Harris

Under Planned Corrective Action indicate; 1) The cause of the identified area of non-compliance. 2) The effect on the program. 3) Action that has been taken/will be taken to correct the standard cited. 4) Action that will be taken to ensure that the problem does not recur.

**6VAC35-150-410 (A). Commitment Information**

**When a juvenile is committed to the Department, the juvenile may not be transported to the Reception and Diagnostic Center (RDC) unit (i) the items and information required by the Code of Virginia and approved procedures have been received by RDC and (ii) the case is accepted by RDC. (RDC refers to the CAP Unit)**



**Audit Finding:**

**Five out of ten cases reviewed were missing elements in the cover letter.**

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**Program Response**

**Cause:**

The 15<sup>th</sup> CSU standard cover letter format was altered or not completely filled out with required information. Additionally, DJJ letterhead was updated in 2018, which omitted the fax number in the header.

**Effect on Program:**

There was no impact on the program.

**Planned Corrective Action:**

The 15<sup>th</sup> CSU will update the standard cover letter format and protect the document being edited. Additionally, supervisors will review the cover letter prior to approving using the Certification Checklist to ensure that all requisite information is included in the letter. The standard cover letter will be updated to include the fax number for the parole officer.

**Completion Date:**

December 1, 2020

**Status Visit March 1, 2021 - Not Determined**

During the status review period December 1, 2020 – February 23, 2021, the Court Service Unit did not have any applicable cases to review during that period.

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**6VAC35-150-420. Contacts during juvenile's commitment**

During the period of a juvenile's commitment, a designated staff person shall make contact with the committed juvenile, the juvenile's parents, guardians, or other custodians, and the treatment staff at the juvenile's direct care placement as required by approved procedures. The procedures shall specify when contact must be face-to-face contact and when contacts may be made by video conferencing or by telephone.

**Audit Findings:**

**Transition Phase**

**Responsibilities of the CSU during the Transition Stage: six out of ten cases reviewed did not have a re-entry meeting 90 days prior to release.**

**Eight out of ten cases reviewed did not document the PO as the co-chair.**

**Community Supervision**

**Five out of ten cases reviewed did not have the juvenile sign the CRCP prior to release from the facility.**

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**Program Response**

**Cause:**

Parole officers participated in monthly meetings with direct care youth and participated in person for the scheduled re-entry meeting. The parole officer did not properly document participation in the re-entry meeting to include using the proper purpose code and include in the narrative that the parole officer “co-chaired” the meeting. Case plans were completed prior to the release of each youth, but they did not sign it until their release date for the five cases.

**Effect on Program:**

There was no impact on the program.

**Planned Corrective Action:**

The 15<sup>th</sup> CSU will maintain a master list of committed youth with anticipated early release dates. The list will generate a list of due dates for the re-entry meeting and CRCP. On the first business day of each month, the list will be reviewed and updated. Reminder will be sent at the beginning of the month to parole officer and supervisor regarding re-entry requirements. Supervisors will conduct case review each month to ensure compliance with procedures and proper documentation in the case file.

**Completion Date:**

December 1, 2020

**Status Visit March 1, 2021 - Not Determined**

During the status review period December 1, 2020 – February 23, 2021 the Court Service Unit did not have any applicable cases to review during that period.

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**CERTIFICATION AUDIT REPORT  
TO THE  
DEPARTMENT OF JUVENILE JUSTICE**

**PROGRAM AUDITED:**

20-L District Court Service Unit (Loudoun)  
18 East Market Street  
Leesburg, Virginia 20178  
(703) 777-0303  
Ira Holland, Director  
[ira.holland@djj.virginia.gov](mailto:ira.holland@djj.virginia.gov)

**AUDIT DATES:**

November 23, 2020

**CERTIFICATION ANALYST:**

Learna R. Harris

**CURRENT TERM OF CERTIFICATION:**

October 27, 2017 – October 26, 2020

**REGULATIONS AUDITED:**

6AC35-150 Regulations for Nonresidential Services Available to Juvenile and Domestic Relations District Courts

**PREVIOUS AUDIT FINDINGS – May 9, 2017:**

91.37% Compliance Rating  
**6VAC35-150-336 (A). Social histories.**  
**6VAC35-150-350 (A). Supervision plans for juveniles.**  
**6VAC35-150-350 (B). Supervision plans for juveniles.**  
**6VAC35-150-410 (A). Commitment information.**  
**6VAC35-150-420. Contacts during juvenile's commitment**

**CURRENT AUDIT FINDINGS – November 23, 2020:**

90.90% Compliance Rating  
\*Three repeated deficiencies from previous audit.  
Number of Deficiencies: Five  
**\*6VAC35-150-350 (A). Supervision plans for juveniles.**  
**\*6VAC35-150-350 (B). Supervision plans for juveniles.**  
**\*6VAC35-150-420. Contacts during juvenile's commitment.**  
**6VAC35-150-250. Absconders**  
**6VAC35-150-380. Violation of probation and parole.**

**DEPARTMENT CERTIFICATION ACTION April 8, 2021:** Certified the 20-L (Loudoun) District Court Service Unit until October 27, 2023. Referred to Regional Program Manager to monitor areas where compliance was not determined and one area of noncompliance. A status report is requested for September 2021.

*Pursuant to 6VAC35-20-100C.2, if the certification audit finds the program or facility in less than 100% compliance with all regulatory requirements and a subsequent status report, completed prior to the certification action, finds 100% compliance on all regulatory requirements, the director or designee shall certify the facility for a specific period of time, up to three years.*

**TEAM MEMBERS:**

Learna Harris, Team Leader  
Mark Ivey Lewis, Central Office  
Clarice Booker, Central Office

Shelia Palmer, Central Office

**POPULATION SERVED:**

The 20-L District Court Service Unit serves the County of Loudoun.

**PROGRAMS AND SERVICES PROVIDED:**

The 20-L District Court Service Unit provides mandated services including:

- Intake
- Diagnostic (Investigation and Reports)
- Domestic Relations
- Probation supervision
- Direct care and parole supervision

The Unit interacts with the community in obtaining such services as:

- Serious Habitual Offender Community Action Program (SHOCAP)
- Sex Offender Outpatient Treatment
- Electronic Monitoring
- Post Dispositional Programming
- Domestic Violence Case Management Program
- Evening Reporting Center
- Shoplifting
- Restorative Justice
- School Based Probation
- Diversion Program

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**CORRECTIVE ACTION PLAN  
TO THE  
DEPARTMENT OF JUVENILE JUSTICE**

**FACILITY/PROGRAM:** 20-L District Court Service Unit (Loudoun)  
**SUBMITTED BY:** Ira J. Holland, CSU Director  
**CERTIFICATION AUDIT DATES:** May 12-13, 2020  
**CERTIFICATION ANALYST:** Learna R. Harris

Under Planned Corrective Action indicate; 1) The cause of the identified area of non-compliance. 2) The effect on the program. 3) Action that has been taken/will be taken to correct the standard cited. 4) Action that will be taken to ensure that the problem does not recur.

**6VAC35-150-250. Absconders**

**Unit staff shall cooperate with Department personnel and state and local law-enforcement authorities to help locate and recover juveniles who violate the conditions of their probation or parole supervision and upon whom a detention order has been issued or who escape or run away from a juvenile correctional center, detention home, or other juvenile placement.**

**Audit Finding:**

**Three out of six applicable cases reviewed did not have documentation that contact was made to local or state law-enforcement.**

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**Program Response**

**Cause:**

The deficiency noted in this Certification Audit Category is due to the lack of documentation in the Balanced Approach Data Gathering Environment (BADGE) indicating contact with local and state law enforcement when a violation of probation and detention order was issued due to absconding behaviors and if/when new information was received regarding the whereabouts of the youth.

**Effect on Program:**

The failure to contact local or state law enforcement under these circumstances can lead to delay in the identification and apprehension of the absconding youth. This delay can create issues relative to public safety and the health and safety of the youth.

**Planned Corrective Action:**

Once the assigned probation officer or designee signs the associated violation of probation petition and detention order for absconding behavior, he/she will hand deliver the documents to the Loudoun County Sheriff's Office for processing. Once the probation officer returns to the office, he/she will document in BADGE this initial contact with local or state law enforcement. The assigned probation officer will document all other instances of contact with law enforcement regarding attempts to locate the youth and any new information regarding the whereabouts of the youth. The actions taken by probation officer as part of this plan will be reviewed by this supervisor on a weekly basis for the first month. A bi-weekly review for compliance will be completed by this supervisor every month after that. Non-compliance with this Corrective Action Plan will be addressed with staff immediately.

**Completion Date:**

December 30, 2020

**Person Responsible:**

Hampton Strosnider

**Current Status March 2, 2021: Compliant**

During the status review period December 30, 2020 – March 2, 2021 the Court Service Unit contacted local or state law enforcement on their absconders in one of one applicable case.

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**6VAC35-150-350 (A). Supervision plans for juveniles.**

**To provide for the public safety and address the needs of a juvenile and that juvenile's family, a juvenile shall be supervised according to a written individual supervision plan, developed in accordance with approved procedures and timeframes, that describes the range and nature of field and office contact with the juvenile, with the parents or guardians of the juvenile, and with other agencies or providers providing treatment or services.**

**Audit Finding:**

**Six out of nine applicable supervision plans reviewed did not have documentation that the supervision plans were developed and discussed with the juvenile and parents or guardian within 45 days following disposition.**

**Four out of nine applicable cases reviewed did not include entries indicating that all parties discussed the supervision plan.**

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**Program Response**

**Cause:**

Lack of attention to detail by Probation Officers and Supervisor with regard to the 45-day deadline for initial case plan reviews. Some case plans excluded language "discussed with all parties"; in a few cases plans were discussed only with youth who had reached the age of majority. PO must note in the plan that youth is 18 and parental inclusion is not required.

**Effect on Program:**

Services to youth and family may be delayed as a result of delayed development of the initial case plan. Case narratives excluding language "discussed with all parties" may be an indication that it never occurred or that all parties perhaps are not in agreement with the plan.

**Planned Corrective Action:**

- This deficiency was discussed in a meeting with all Probation Officers and Probation Supervisors on Thursday, December 17, 2020.
- Effective immediately, Supervisors will mandate use of "community insights reports" (CIR) on the first working day of each month
  - POs will review CIR and acknowledge such with an email or hard copy of the word document from CIR provided to Supervisor on first working day of each month.
- Supervisors developed the attached template for case plan reviews.
  - Effective immediately, the use of this template is mandated for Probation Officers to use for each initial case plan and 90 day reassessments. The template will ensure compliance with standards 350(A).
- Probation Officers will advise Supervisor once plan has been reviewed with youth and family via email.
  - Supervisor will review monthly in BADGE for compliance.
- During monthly supervision meeting, Supervisor will review hard case file and BADGE to ensure plan is complete and complies with standards 350(A).
- Supervisors will formulate a Probation/Parole Audit Team comprised of Probation and Parole Officers.
  - Audit Team membership will rotate each month.
  - Audit Team to review case records on the first Tuesday of each month.
  - The purpose is to review records and to create more of a sense of awareness and urgency with regard to standards, thus increasing/improving the level of service provided to youth and families.
  - The Audit Team will meet monthly for the first three months, and move to quarterly meetings beginning in April 2021.
- Director and Assistant Director will complete monthly case reviews of five (5) randomly selected supervision case files to check for compliance with standards 350(A).
  - Assistant Director will maintain a spreadsheet documenting cases reviewed and

- compliance.
- Follow up with Supervisors will occur for any deficiencies.

**Completion Date:**

December 30, 2020

**Person Responsible:**

Mark Alexander, Hampton Strosnider, John Hetey, Laura Caldwell-Aden, Ira Holland

**Current Status March 2, 2021: Not Determined**

During the status review period December 30, 2020 – March 2, 2021 the Court Service Unit did not have any applicable cases to review during that period.

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**6VAC35-150-350 (B). Supervision plans for juveniles.**

**In accordance with approved procedures, each written individual supervision plan shall be reviewed with the juvenile and the juvenile's family at least once every 90 days. The 90 days review during the period of probation supervision shall include a reassessment using the YASI and the changes in the six-level dynamic risk classification in guiding decisions as to whether to adjust the juvenile's level of supervision.**

**Audit Finding:**

**Three out of eight applicable cases reviewed did not have documentation that the supervision plan was reviewed with the juvenile and the juveniles' family at least once every 90 days.**

---

**Program Response**

**Cause:**

Lack of attention to detail provided to each case by Probation Officers and Supervisors. Failure to use Community Insight Reports as indicated in Probation Officer EWPs.

**Effect on Program:**

Delay in services if a change in services is indicated in the reassessment. For example, a youth whose risk level may have increased may need/require additional face to face contacts or additional services through EBA providers.

**Planned Corrective Action:** This deficiency was discussed in a meeting with all Probation Officers and Probation Supervisors on Thursday, December 17, 2020.

- Effective immediately, Supervisors will mandate use of "community insights reports" (CIR) on the first working day of each month
  - POs will review CIR and acknowledge such with an email or hard copy of the word document from CIR provided to Supervisor on first working day of each month.
- Supervisors developed the attached template for case plan reviews.
  - Effective immediately, the use of this template is mandated for Probation Officers to use for each initial case plan and 90 day reassessments. The template will ensure compliance with standards 350(B).
- Probation Officers will advise Supervisor once plan has been reviewed with youth and family via email.

- Supervisor will review in BADGE every month for compliance.
- During monthly supervision meeting, Supervisor will review hard case file and BADGE to ensure plan is complete and complies with standards 350(B), as applicable.
- Probation/Parole Audit Team will review case files as described above
- Director and Assistant Director will complete monthly case reviews of five (5) randomly selected supervision case files to check for compliance with standards 350(B).
  - Assistant Director will maintain a spreadsheet documenting cases reviewed and compliance.
  - Follow up with Supervisors will occur for any deficiencies.

**Completion Date:**

December 30, 2020

**Person Responsible:**

Mark Alexander, Hampton Strosnider, John Hetey, Laura Caldwell-Aden, Ira Holland

**Current Status March 2, 2021: Not Determined**

During the status review period December 30, 2020 – March 2, 2021 the Court Service Unit did not have any applicable cases to review during that period.

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**6VAC35-150-380. Violation of probation and parole.**

**When a probationer or parolee violates the conditions of the individual's probation or parole, unit personnel shall take action in accordance with approved procedures.**

**Audit Finding:**

**Five out of six applicable cases reviewed, either left out the date, time, and manner in which notice of the terms of probation were given or did not do the Violation of Probation or Parole in the intake section of BADGE.**

---

**Program Response**

**Cause:**

Changes in Intake staffing and assignments which calls for further training and additional supervision. Also, a lack of slowing the process down to review the content of petitioners' requests.

**Effect on Program:**

Minimal impact as the only deficiency that was submitted to Court was not an issue. However, statutes must be complied with.

**Planned Corrective Action:**

Templates to be used by Case Managers and Intake Officers requiring specific information on petition and entered in BADGE Intake History.

- Director and Assistant Director will complete monthly case reviews of five (5) randomly selected supervision case files to check for compliance.
  - Assistant Director will maintain a spreadsheet documenting cases reviewed and compliance.



- Follow up with Supervisor will occur for any deficiencies.

**Completion Date:**

December 30, 2020

**Person Responsible:**

Frank Shumaker, Laura Caldwell-Aden, Ira Holland

**Current Status March 2, 2021: Not Determined**

During the status review period December 30, 2020 – March 2, 2021 the Court Service Unit did not have any applicable cases to review during that period.

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**6VAC35-150-420. Contacts during juvenile's commitment.**

During the period of a juvenile's commitment, a designated staff person shall make contact with the committed juvenile, the juvenile's parents, guardians, or other custodians, and the treatment staff at the juvenile's direct care placement as required by approved procedures. The procedures shall specify when contact must be face-to-face contact and when contacts may be made by video conferencing or by telephone.

**Audit findings in the following areas:**

**1. Contacts With Juvenile**

Four out five applicable cases reviewed were missing elements of the monthly contact. Three out of five cases reviewed did not code the monthly contact as a verbal family progress note.

---

**Program Response**

**Cause:**

Parole Officers and Supervisors overlooked above areas when reviewing monthly contacts. Additionally, there was a training issue regarding using the correct coding key in Badge.

**Effect on Program:**

Services to youth and family may be delayed as a result of not communicating with the above individuals associated with this case. Important status or re-entry information may not be shared in a timely fashion without monthly contacts.

**Planned Corrective Action:**

This deficiency was discussed in a Parole meeting with all Parole Officers on 12/21/20. We reviewed BADGE and Parole standards and discussed the implementation of the Probation/Parole Audit Team as described above. The Probation/Parole Audit Team will review parole files for accuracy of DJJ Standards, as described above.

- During monthly supervision meetings, Supervisors will review case file and BADGE to ensure compliance.
- Director and Assistant Director will complete monthly case reviews of two (2) randomly selected parole case files to check for compliance.
  - Assistant Director will maintain a spreadsheet documenting cases reviewed and compliance.
  - Follow up with Supervisors will occur for any deficiencies.

**Completion Date:**

December 30, 2020

**Person Responsible:**

John Hetey, Laura Caldwell-Aden, Ira Holland

**Current Status March 2, 2021: Non-compliance**

During the status review period December 30, 2020 – March 2, 2021 of this Court Service Unit one of one applicable case reviewed was missing elements of the monthly contact.

One of one applicable case reviewed did not code the monthly contact as a verbal family progress note.

**2. Contacts With Juvenile Correctional Counselor**

**Two out of five applicable case files reviewed did not have a monthly contact with the Juvenile Correctional Counselor.**

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**Program Response**

**Cause:**

Lack of attention to detail provided by Parole Officer and Supervisor with regard to detecting missing contacts with Juvenile Correctional Counselor during monthly supervision.

**Effect on Program:**

Minimal effect on program since Parole Officer attended all monthly treatment team meetings with DJJ staff and subject in person or via phone. Lack of communication can affect subjects treatment planning and transition back to the community.

**Planned Corrective Action:**

This deficiency was discussed in a Parole meeting with all Parole Officers on 12/21/20. We reviewed BADGE and Parole standards and discussed the implementation of the Probation/Parole Audit Team as described above. The Probation/Parole Audit Team will review parole files for accuracy of DJJ Standards, as described above.

- During monthly supervision meeting, Supervisor will review case file and BADGE to ensure compliance.
- Director and Assistant Director will complete monthly case reviews of two (2) randomly selected parole case files to check for compliance.
  - Assistant Director will maintain a spreadsheet documenting cases reviewed and compliance.
  - Follow up with Supervisors will occur for any deficiencies.

**Completion Date:**

December 30, 2020

**Person Responsible:**

John Hetey, Laura Caldwell-Aden, Ira Holland

**Current Status March 2, 2021: Compliant**

During the status review period December 30, 2020 – March 2, 2021 of this Court Service Unit one of one applicable case reviewed had monthly contact with the Juvenile Correctional Counselor.

**3. Transition Phase**

**Two out of five applicable cases did not have a re-entry meeting 90 days prior to release.**

**Four out of five cases reviewed did not review and revise the CRCP 60-90 days before the anticipated release date.**

---

**Program Response**

**Cause:**

Lack of attention/detail by Parole Officer and Supervisor with regard to the transition phase of the subject's commitment. Parole Officer and Parole Supervisor to improve consistent communication when working with DJJ staff. The CSU must be proactive in soliciting information regarding the 90 day re-entry meeting prior to release. CRCP revisions prior to release were due to training issue. Parole Officer to provide more detailed information when updating CRCP prior to release.

**Effect on Program:**

Communication between the Correctional Center and the Parole Officer could have been impacted. Timing for community services to start when subject is released from the DJJ facility may have also been impacted.

**Planned Corrective Action:**

This deficiency was discussed in a Parole meeting with all Parole Officers on 12/21/20. We reviewed BADGE and Parole standards and discussed the implementation of the Probation/Parole Audit Team as described above. The Probation/Parole Audit Team will review parole files for accuracy of DJJ Standards, as described above.

- During monthly supervision meeting, Supervisor will review case file and BADGE to ensure compliance.
- Director and Assistant Director will complete monthly case reviews of two (2) randomly selected parole case files to check for compliance.
  - Assistant Director will maintain a spreadsheet documenting cases reviewed and compliance.
  - Follow up with Supervisors will occur for any deficiencies.

**Completion Date:**

December 30, 2020

**Person Responsible:**

John Hetey, Laura Caldwell-Aden, Ira Holland

**Current Status March 2, 2021: Not Determined**

During the status review period December 30, 2020 – March 2, 2021 the Court Service Unit did not have any applicable cases to review during that period.

**CERTIFICATION AUDIT REPORT  
TO THE  
DEPARTMENT OF JUVENILE JUSTICE**

**PROGRAM AUDITED:**

20-W District Court Service Unit (Warrenton)  
9 Court Street  
Warrenton, VA 20186  
(540) 422-8050  
Ira Holland, Acting Director  
[Ira.holland@djj.virginia.gov](mailto:Ira.holland@djj.virginia.gov)

**AUDIT DATES:**

January 19-February 24, 2021

**CERTIFICATION ANALYST:**

Mark Ivey Lewis

**CURRENT TERM OF CERTIFICATION:**

May 19, 2018 – May18, 2021

**REGULATIONS AUDITED:**

6VAC35-150 Regulations for Nonresidential Services Available to Juvenile and Domestic Relations District Courts

**PREVIOUS AUDIT FINDINGS – December 11, 2017:**

**6VAC35-150-336 (A). Social histories.**  
**6VAC35-150-350 (A). Supervision plans for juveniles.**  
**6VAC35-150-350 (B). Supervision plans for juveniles.**  
**6VAC35-150-400. Notice of release from supervision.**  
**6VAC35-150-410 (B). Commitment information.**

**CURRENT AUDIT FINDINGS – February 24, 2021:**

100% Compliance

**DEPARTMENT CERTIFICATION ACTION April 8, 2021:** Certified the 20-W (Warrenton) District Court Service Unit until May 19, 2024 with a letter of congratulations for 100% compliance.

*Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.*

**TEAM MEMBERS:**

Mark Ivey Lewis, Team Leader  
Clarice Booker, Central Office  
Shelia Palmer, Central Office  
Lee Harris, Central Office

**POPULATION SERVED:**

The 20-W Court Service Unit serves Fauquier and Rappahannock counties.

**PROGRAMS AND SERVICES PROVIDED:**

The 20-W District Court Service Unit provides mandated services including:

- Intake/diversion
- Probation supervision
- Direct care and parole supervision

The Unit interacts with the community in obtaining such services as:

- In-home counseling
  - Life skills
  - Electronic monitoring
  - Sex offender treatment
  - Substance abuse treatment
  - Evidence Base Associate for substance abuse and sex offender evaluations
-

**CERTIFICATION AUDIT REPORT  
TO THE  
DEPARTMENT OF JUVENILE JUSTICE**

**PROGRAM AUDITED:**

25<sup>th</sup> District Court Service Unit (Staunton)  
District Courts Building  
6 East Johnson Street, 3<sup>rd</sup> Floor  
Staunton, VA 24401  
(540) 245-5315  
Saundra Crawford, Director  
[saundra.crawford@djj.virginia.gov](mailto:saundra.crawford@djj.virginia.gov)

**AUDIT DATES:**

November 20 – December 1, 2020

**CERTIFICATION ANALYST:**

Mark Ivey Lewis

**CURRENT TERM OF CERTIFICATION:**

March 18, 2018 – March 17, 2021

**REGULATIONS AUDITED:**

6VAC35-150 Regulations for Nonresidential Services Available to Juvenile and Domestic Relations District Courts

**PREVIOUS AUDIT FINDINGS – October 3, 2017**

86.36%

Number of Deficiencies: Six

**6VAC35-150-290. Intake communication with detention**

**6VAC35-150-336 (A). Social histories.**

**6VAC35-150-350 (A). Supervision plans for juveniles.**

**6VAC35-150-350 (B). Supervision plans for juveniles. (9324)**

**6VAC35-150-410 (A). Commitment information.**

**\*6VAC35-150-420. Contacts during juvenile's commitment.**

**CURRENT AUDIT FINDINGS – November 20 – December 1, 2020**

97.95%

Number of Deficiencies: One

One repeated deficiency from previous audit.

**\*6VAC35-150-420. Contacts during juvenile's commitment.**

**DEPARTMENT CERTIFICATION ACTION April 8, 2021:** Certified the 25<sup>th</sup> District Court Service Unit until March 18, 2024.

*Pursuant to 6VAC35-20-100C.2, if the certification audit finds the program or facility in less than 100% compliance with all regulatory requirements and a subsequent status report, completed prior to the certification action, finds 100% compliance on all regulatory requirements, the director or designee shall certify the facility for a specific period of time, up to three years.*

**TEAM MEMBERS:**

Mark Ivey Lewis, Team Leader  
Shelia L. Palmer, Central Officer  
Clarice T. Booker, Central Office

**POPULATION SERVED:**

The 25<sup>th</sup> District Court Service Unit serves the counties of Alleghany, Augusta, Bath, Botetourt, Craig, Highland, and Rockbridge and the cities of Buena Vista, Covington, Lexington, Staunton, and Waynesboro.

**PROGRAMS AND SERVICES PROVIDED:**

The 25<sup>th</sup> District Court Service Unit provides mandated services including:

- Intake
- Probation supervision
- Direct care and parole supervision
- Social History Investigative

The Unit interacts with the community in obtaining such services as:

- Comprehensive Service Act
- Transitional Services (294 Funding)
- Virginia Juvenile Community Crime Control Act

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**CORRECTIVE ACTION PLAN  
TO THE  
DEPARTMENT OF JUVENILE JUSTICE**

**FACILITY/PROGRAM:** 25<sup>th</sup> District Court Service Unit (Staunton)

**SUBMITTED BY:** Sandra D. Crawford, CSU Director

**CERTIFICATION AUDIT DATES:** November 20 – December 1, 2020

**CERTIFICATION ANALYST:** Mark Ivey Lewis

Under Planned Corrective Action indicate; 1) The cause of the identified area of non-compliance. 2) The effect on the program. 3) Action that has been taken/will be taken to correct the standard cited. 4) Action that will be taken to ensure that the problem does not recur.

**6VAC35-150-420. Contacts during juvenile's commitment.**

During the period of a juvenile's commitment, a designated staff person shall make contact with the committed juvenile, the juvenile's parents, guardians, or other custodians, and the treatment staff at the juvenile's direct care placement as required by approved procedures. The procedures shall specify when contact must be face-to-face contact and when contacts may be made by video conferencing or by telephone.

**Audit Finding:**

Six of ten applicable case files reviewed did not have documentation of the probation officer's monthly contact with the juvenile, either in person, via telephone, or via video conferencing to discuss progress, behavioral issues, and family updates.

Six of ten case records reviewed did not have documentation that one or more of the following elements were reviewed during the juvenile monthly contact:

- Family planning and progress on Family Domain section of CRCP;
- Comprehensive Re-entry Case Plan (CRCP) goals and progress;
- Educational goals and progress;
- Behavior and adjustment;
- Intervention strategies;
- Re-entry/parole placement and service needs (e.g., benefits);
- Review and update family transportation plan; and
- Establish regular schedule for PO, counselor, and juvenile monthly contact dates.

Four of ten narratives did not categorize the monthly contacts as a verbal family progress note.

Three of six case records reviewed did not have documentation that one or more of the following elements were reviewed during the family monthly contact:

- Review family's progress toward planned goals of the Family Domain;
- Share juvenile's progress;
- Prepare for re-entry, such as identifying housing options and other supports;
- Coordinate intervention and services;
- Review and update family visitation plan; and
- Provide community resource linkages and crisis intervention, as needed.

Four of ten case files reviewed did not have documentation that the following month meeting was determined during each monthly contact.

Ten of ten case files reviewed did not have documentation that the PO attended the re-entry meeting in person, to co-chair with the counselor.

Four of seven case files reviewed did not have documentation that the rules of parole had been reviewed with and signed by the juvenile prior to their release from the JCC.

Eight of nine case files reviewed did not have documentation that the CRCP had been signed by the juvenile prior to their release from the JCC

Four of seven casefiles reviewed did not have documentation that the parent had signed the CRCP no later than five days following the juveniles release from the JCC.

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### **Program Response**

#### **Cause:**

The majority of the cases were assigned to one parole officer. The parole officer did not properly document monthly contacts with the juvenile and did not address required elements for monthly juvenile contacts and family contacts. Rules of parole were given and case plans completed for each youth, but were not reviewed and signed within the required timeframe prior to release. Parole Officers participated in monthly meetings with direct care youth and participated in person for scheduled re-entry meetings. Parole Officers did not properly document in the narrative participation in the re-entry meeting, to include the parole officer co-chaired the meeting.

#### **Effect on Program:**

There was no impact on the program.



**Planned Corrective Action:**

The job performance of the parole officer has been addressed. The parole officer voluntarily requested a change in assigned duties prior to completion of the audit. Parole cases in this branch office will be reassigned to a seasoned parole officer with in-depth training in re-entry.

Parole templates will be updated to include required timeframes for CRCP.

Supervisors will conduct monthly case reviews to ensure compliance with procedures and proper documentation in the case file.

Unit Director will randomly select cases each month to review to confirm compliance and staff proficiency with re-entry guidelines.

**Completion Date:**

January 11, 2021

**Person Responsible:**

Unit Director, Supervisors and assigned parole staff.

**Current Status on March 2, 2021: Compliant**

Six narratives were reviewed for the month of December 2020, January 2021, and February 2021 and all had the following documentation:

- The PO had monthly contact with the juvenile, either in person, via telephone, or via video.
- The required information as outlined in procedures had been reviewed monthly with the juvenile
- The required information as outlined in procedures had been reviewed monthly with the legal guardian
- A date for the following month contact had been established with the Juvenile Correctional Center

Five of six narratives reviewed had each of the monthly contacts labeled as “verbal family progress” in BADGE.

One of the narratives reviewed had documentation that the PO had attended the re-entry meeting by-phone instead of in person due to COVID-19 to co-chair with the counselor.

One applicable parole rules reviewed had documentation that the parole rules were establish and reviewed and a signature was obtained prior to the juvenile being released from the JCC as required by CSU procedures.

One applicable Comprehensive Re-Entry Case Plan reviewed had documentation that the CRCP had been signed after instead of prior to juvenile being released from the JCC as required by CSU procedures.

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**CERTIFICATION AUDIT REPORT  
TO THE  
DEPARTMENT OF JUVENILE JUSTICE**

**PROGRAM AUDITED:**

27<sup>th</sup> District Court Service Unit (Pulaski)  
55 Commerce Street  
Pulaski, VA 24301  
(540) 980-7735  
Robert Hiatt, Director  
[robert.hiatt@djj.virginia.gov](mailto:robert.hiatt@djj.virginia.gov)

**AUDIT DATES:**

January 28, 2021

**CERTIFICATION ANALYST:**

Clarice T. Booker

**CURRENT TERM OF CERTIFICATION:**

January 30, 2018 – January 29, 2021

**REGULATIONS AUDITED:**

6AC35-150 Regulations for Nonresidential Services Available to Juvenile and Domestic Relations District Courts

**PREVIOUS AUDIT FINDINGS August 15, 2017:**

98.2% Compliance Rating  
Number of Deficiencies: One

**6VAC35-150-350 (A) Supervision plans for juveniles**

**CURRENT AUDIT FINDINGS – January 21, 2021:**

98.2% Compliance Rating  
No repeated deficiencies from previous audit.

Number of Deficiencies: One

**6VAC35-150-420 Contacts during juvenile's commitment.**

**DEPARTMENT CERTIFICATION ACTION April 8, 2021:** Certified the 27<sup>th</sup> District Court Service Unit until January 30, 2024.

*Pursuant to 6VAC35-20-100C.2, if the certification audit finds the program or facility in less than 100% compliance with all regulatory requirements and a subsequent status report, completed prior to the certification action, finds 100% compliance on all regulatory requirements, the director or designee shall certify the facility for a specific period of time, up to three years.*

**TEAM MEMBERS:**

Clarice Booker, Team Leader  
Learna Harris, Central Office  
Shelia Hinton, Central Office  
Mark Lewis, Central Office

**POPULATION SERVED:**

The 27<sup>th</sup> District Court Service Unit serves the cities of Galax and Radford, and the counties of Carroll, Grayson, Wythe, Pulaski, Montgomery and Floyd. Since July 1, 2018, they have also served the counties of Bland and Giles.

**PROGRAMS AND SERVICES PROVIDED:**

The 27th District Court Service Unit provides mandated services including:

- Intake
- Probation supervision
- Direct care and parole supervision
- Investigative reports

The Unit interacts with the community in obtaining such services as:

- Community service
- Home confinement and electronic monitoring
- 3<sup>rd</sup> Millennium Classrooms that address Alcohol, Marijuana, Conflict, Shoplifting, Respect and Resolve, Nicotine and Other Drugs
- Anger management
- Mental health case management
- Individual, group and family treatment through Mental Health
- Intensive care coordination
- Psychological testing and evaluations
- Healthy alternatives to residential treatment (HART)
- Substance abuse evaluations and treatment
- Life coaching
- Transitional services
- Therapeutic day treatment
- Parent coach
- Mental health support and behavior aid
- Mental health comprehensive evaluations
- Mental health child abuse evaluations
- Mental health in-home services
- Kids Program for Assertive Community Treatment (KPACT)
- Behavior Treatment
- Youth Advocate Services

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**CORRECTIVE ACTION PLAN  
TO THE  
BOARD OF JUVENILE JUSTICE**

**FACILITY/PROGRAM:** 27th District Court Service Unit (Pulaski)  
**SUBMITTED BY:** Robert M. Hiatt, CSU Director  
**CERTIFICATION AUDIT DATES:** January 28, 2021  
**CERTIFICATION ANALYST:** Clarice T. Booker

**Under Planned Corrective Action indicate; 1) The cause of the identified area of non-compliance. 2) The effect on the program. 3) Action that has been taken/will be taken to correct the standard cited. 4) Action that will be taken to ensure that the problem does not recur.**

**6VAC35-150-420. Contacts during juvenile's commitment.**

During the period of a juvenile's commitment, a designated staff person shall make contact with the committed juvenile, the juvenile's parents, guardians, or other custodians, and the treatment staff at the juvenile's direct care placement as required by approved procedures. The procedures shall specify when contact must be face-to-face contact and when contacts may be made by video conferencing or by telephone.

**Audit Finding:**

- There was no documentation that all the required elements were reviewed during the monthly contact with the juvenile in three out of four applicable case records reviewed.
- There was no documentation of the monthly contact as a verbal family progress note in the Caseload Management module of BADGE in three out of four applicable case records reviewed.
- There was no documentation that all required elements were reviewed with the family during the monthly contact in two out of three applicable case records reviewed.
- There was no documentation that the date for the following month was determined in each monthly contact in three out of four applicable case records reviewed.
- There was no documentation that the probation officer co-chaired the Re-entry meeting with the counselor in four out of four applicable cases reviewed.
- There was no documentation that the CRCP was reviewed and revised within the required timeframes in three out of five applicable records reviewed.

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**Program Response**

**Cause:**

Multiple changes to documentation expectations of the CSU while juveniles are in direct care, coupled with a very low frequency of commitment of juveniles within our district. During the 2017 audit, the 27th CSU had no parole cases to present. Over the past three years the number of commitments increased, but spread over multiple localities, meaning individual Probation Officers and Supervisors had minimal experience or exposure to the Re-Entry Manual. However, as discovered in the audit, the Probation Officers and Supervisors began to improve on meeting these expectations as time moved on.

**Effect on Program:**

Juveniles were seen at a rate that met or exceeded standards. However, the documentation of the required elements of meetings were not consistently met. This resulted in incomplete records.

**Planned Corrective Action:**

Essentially, the corrective action was initiated at our December 2019 Self-Audit. As a result of a number of the members of the management team volunteering to serve on audit teams, we became more aware of interpretations and expectations of DJJ's Re-Entry Manual. Additionally, our self-audit identified that we needed to address the documentation of the required elements of meetings. With that, we brought awareness to supervisors, we collected a contact template that was provided to a new employee at essential skills training, and this director began routine reviews of parole files to better learn the expectations.

Since the audit, this director has held three virtual meetings with staff of the 27th CSU. These meetings were to review the findings of the audit and discuss expectations, and provide ideas and suggestions on how to best meet those expectations. This was reviewed with all staff, but separated into three meetings to allow for increased individual participation.

The management team will continue to provide templates to the staff to assist the staff with remembering the multiple requirements, and hopefully not become a distraction to a meaningful meeting. The management team will explore additional spreadsheet tools to help highlight and summarize the date requirements of the lengthy re-entry manual.

**Completion Date:**

The majority of this plan has already been completed. The review meetings with the staff were conducted immediately. Follow-up meetings to review this corrective action plan will be completed by April 1, 2021. The template language for parole contacts were shared in November 2020. As stated earlier, the CSU will continue to share the template language in meetings and as needed with new parole case assignments.

The CSU has not yet developed a date tracking spreadsheet to assist with the case management of the Direct Care Phase, but plan to have something developed by April 1, 2021.

**Person Responsible:**

Robert M. Hiatt, CSU Director

**Current Status on March 4, 2021: Compliant**

- Two applicable cases were reviewed and all the required elements were reviewed during the monthly contact with the juvenile.
  - One applicable case was reviewed and monthly contacts were not documented as a verbal family progress note.
  - One applicable case was reviewed and all the required elements were reviewed with the family during the monthly contact.
  - Two applicable cases were reviewed and the date for the following month w– as documented.
  - There were no applicable cases to determine compliance with a Re-entry meeting or review and revision of the CRCP.
-

## FY 2021-2022 VJCCCA Programmatic Plan Details - Thru 6-07-2021

Locality	Program Type	FY 21 Year 1 Youth	FY 21 Year 1 Budget	FY 22 Year 2 Youth	FY 22 Year 2 Budget
Charlottesville, Albemarle	Community Service	20	\$50,000	20	\$50,000
Charlottesville, Albemarle	Alternative Day Services and Structured Day	11	\$20,000	11	\$20,000
Charlottesville, Albemarle	Life Skills	42	\$35,968	42	\$35,968
Charlottesville, Albemarle	Life Skills	44	\$119,629	44	\$119,629
Charlottesville, Albemarle	Outreach Detention/Electronic Monitoring	43	\$100,000	43	\$120,000
Charlottesville, Albemarle	Employment/Vocational	20	\$30,000	20	\$30,000
Charlottesville, Albemarle	Restitution/Restorative Justice	13	\$13,269	13	\$13,269
Charlottesville, Albemarle	Outreach Detention/Electronic Monitoring	35	\$20,000	NA	N/A
Charlottesville, Albemarle	Substance Abuse Education	26	\$13,269	26	\$13,269
Charlottesville, Albemarle	Coordinator/Administrative	0	\$5,308	0	\$5,308
Charlottesville, Albemarle	Prevention Services (Non-DJJ Youth)	14	\$15,923	14	\$29,191
Charlottesville, Albemarle	Prevention Services (Non-DJJ Youth)	12	\$5,307	12	\$5,307
Charlottesville, Albemarle	Prevention Services (Non-DJJ Youth)	6	\$5,380	6	\$5,380
Charlottesville, Albemarle	Prevention Services (Non-DJJ Youth)	3	\$3,652	3	\$3,652
Charlottesville, Albemarle	Parenting Skills	12	\$15,000	12	\$15,000
Danville	Prevention Services (Non-DJJ Youth)	8	\$21,461	8	\$21,461
Danville	Pro-Social Skills	8	\$22,331	8	\$22,331
Danville	Outreach Detention	10	\$37,211	10	\$37,211
Danville	Electronic Monitoring	35	\$45,827	35	\$45,827
Fauquier	Restitution/Restorative Justice	15	\$1,000	15	\$4,000
Fauquier	Outreach Detention/Electronic Monitoring	35	\$32,322	55	\$42,322
Fauquier	Pro-Social Skills	10	\$5,000	NA	NA
Fauquier	Parenting	NA	NA	5	\$10,000
Fauquier	Pro-Social Skills	10	\$18,000	NA	NA
Fauquier	Supervision Plan Services	10	\$10,000	10	\$10,000
Fauquier	Pro-Social Skills	10	\$20,000	32	\$20,000
Frederick, Clarke,	Coordinator/Administrative	0	\$5,857	0	\$5,857
Frederick, Clarke,	Alternative Day Services and Structured Day	30	\$45,998	30	\$45,998
Frederick, Clarke,	Alternative Day Services and Structured Day	40	\$14,714	40	\$14,714
Frederick, Clarke,	Substance Abuse Treatment	10	\$10,500	12	\$11,000
Frederick, Clarke,	Substance Abuse Education	60	\$7,000	50	\$3,000

Locality	Program Type	FY 21 Year 1 Youth	FY 21 Year 1 Budget	FY 22 Year 2 Youth	FY 22 Year 2 Budget
Frederick, Clarke	Shoplifting and Larceny Reduction Programs	30	\$10,000	20	\$1,200
Frederick, Clarke	Pro-Social Skills	25	\$6,000	23	\$6,000
Frederick, Clarke	Outreach Detention/Electronic Monitoring	25	\$20,000	25	\$20,000
Frederick, Clarke	Supervision Plan Services	10	\$6,289	50	\$5,589
Frederick, Clarke	Law Related Education	15	\$2,000	NA	NA
Frederick, Clarke	Life Skills			13	\$15,000
Hampton	Outreach Detention/Electronic Monitoring	100	\$97,000	100	\$90,000
Hampton	Outreach Detention/Electronic Monitoring	30	\$45,000	30	\$45,000
Hampton	Surveillance/Intensive Supervision	56	\$98,000	56	\$75,000
Hampton	Pro-Social Skills	40	\$44,000	40	\$44,000
Hampton	Substance Abuse Treatment	40	\$50,000	40	\$50,000
Hampton	Individual, Group, Family Counseling	10	\$7,427	10	\$7,427
Hampton	Supervision Plan Services	5	\$5,000	10	\$5,000
Hampton	Alternative Day Services and Structured Day	20	\$50,000	20	\$50,000
Hampton	Prevention Services (Non-DJJ Youth)	0	\$30,000	0	\$60,000
Henrico	Coordinator/Administrative	0	\$182,607.28	0	\$178,529
Henrico	Pro-Social Skills	80	\$15,420.00	80	\$12,852
Henrico	Pro-Social Skills	20	\$3,040.00	10	\$1,400
Henrico	Home-Based, In-Home Services	50	\$235,597.00	40	\$170,000
Henrico	Outreach Detention/Electronic Monitoring	230	\$327,681.00	200	\$320,771
Henrico	Community Service	44	\$24,792.00	22	\$24,791.00
Henrico	Parenting Skills	40	\$4,530.00	40	\$4,530.00
Henrico	Outreach Detention/Electronic Monitoring	160	\$47,961.00	128	\$47,961.00
Henrico	Shoplifting and Larceny Reduction Programs	120	\$9,057.00	60	\$10,116
Henrico	Shoplifting and Larceny Reduction Programs	30	\$14,391.00	20	\$14,391.00
Henrico	Case Management	0	\$76,354.72	0	\$74,444
Henrico	Individual, Group, Family Counseling	40	\$13,012.00	24	\$12,642
Henrico	Supervision Plan Services	10	\$26,333.00	10	\$41,463
Henrico	Parenting Skills	6	\$31,200.00	6	\$31,200.00
Henrico	Prevention Services (Non-DJJ Youth)	200	\$0.00	200	\$0.00
Lynchburg	Shelter Care and Less Secure Detention	60	\$395,086	50	\$208,000
Lynchburg	Outreach Detention/Electronic Monitoring	NA	NA	43	\$124,000
Lynchburg	Pro-Social Skills	NA	NA	11	\$20,000
Lynchburg	Pro-Social Skills	NA	NA	50	\$42,086
Lynchburg	Supervision Plan Services	NA	NA	10	\$1,000
Manassas City	Prevention Services (Non-DJJ Youth)	15	\$6,000	15	\$6,217
Manassas City	Law Related Education	20	\$1,633	20	\$1,200
Manassas City	Individual, Group, Family Counseling	25	\$35,000	25	\$35,000
Manassas City	Supervision Plan Services	10	\$13,750	10	\$13,750
Manassas City	Pro-Social Skills	15	\$6,000	15	\$6,217
Martinsville, Henry	Group Homes	14	\$151,427	14	\$151,427

Locality	Program Type	FY 21 Year 1 Youth	FY 21 Year 1 Budget	FY 22 Year 2 Youth	FY 22 Year 2 Budget
Martinsville, Henry	Outreach Detention/Electronic Monitoring	38	\$70,212	38	\$64,707
Martinsville, Henry	Outreach Detention/Electronic Monitoring	NA	NA	10	\$5,505
Martinsville, Henry	Shelter Care and Less Secure Detention	23	\$128,413	23	\$128,413
Rappahannock	Supervision Plan Services	2	\$500	2	\$450
Rappahannock	Outreach Detention/Electronic Monitoring	5	\$2,173	5	\$3,173
Rappahannock	Pro-Social Skills	6	\$2,950	NA	NA
Rappahannock	Parenting	NA	NA	3	\$4000
Rappahannock	Restitution/Restorative Justice	4	\$600	4	\$600
Rappahannock	Pro-Social Skills	6	\$2,450	5	\$1,450
Rappahannock	Pro-Social Skills	2	\$1,000	NA	NA
Richmond City	Home-Based, In-Home Services	35	226,723.00	NA	NA
Richmond City	Alternative Day Services and Structured Day	36	280,670.00	60	\$244,944
Richmond City	Outreach Detention/Electronic Monitoring	200	417,334.00	200	164,683
Richmond City	Community Service	130	168,289.00	150	191,069
Richmond City	Supervision Plan Services	10	5,000.00	NA	NA
Richmond City	Coordinator/Administrative	0	20,000.00	0	37,418
Richmond City	Surveillance/Intensive Supervision	100	270,370.00	100	68,653
Richmond City	Individual, Group, Family Counseling	NA	NA	10	25,000
Richmond City	Respite Services	NA	NA	25	75,000
Shenandoah	Supervision Plan Services	10	\$10,920	10	\$9,420
Shenandoah	Substance Abuse Treatment	25	\$5,784	25	\$5,784
Shenandoah	Pro-Social Skills	10	\$4,500	10	\$4,500
Shenandoah	Pro-Social Skills	10	\$10,000	10	\$10,000
Shenandoah	Outreach Detention/Electronic Monitoring	NA	NA	10	\$1,500
Surry	Office on Youth	5	\$5,060	5	\$5,110
Surry	Supervision Plan Services	1	\$2,200	1	\$2,200
Surry	Law Related Education	4	\$2,650	4	\$2,650
Surry	Prevention Services (Non-DJJ Youth)	5	\$2,950	5	\$2,950
Wythe, Bland	Community Service	88	\$19,323	84	\$17,646
Wythe, Bland	Outreach Detention/Electronic Monitoring	12	\$13,010	10	\$10,607
Wythe, Bland	Pro-Social Skills	20	\$7,408	34	\$9,501
Wythe, Bland	VJCCA Coordinator	NA	NA	0	\$1,987



# DEPARTMENT OF JUVENILE JUSTICE REGULATORY AND GUIDANCE DOCUMENT UPDATE

June 16, 2021

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## ACTIONS WITH RECENT UPDATES:

- 6VAC35-170**      **Regulation Governing Juvenile Data Requests and Research Involving Human Subjects**
- Stage: (Fast-Track Process)
- Status: The regulation completed the fast-track review process and took effect on April 15, 2021. The updated regulations are available at:  
<https://law.lis.virginia.gov/admincode/title6/agency35/chapter170/>
- Guidance Document Interpreting 6VAC35-170, Review and Approval of Data Requests and Research Proposals**
- Status: The board approved the Guidance Document on April 7, 2021, and the document was published in the *Virginia Register of Regulations* on May 24, 2021. The 30-day public comment period will end on June 23, 2021. Assuming no triggering events delay the effective date, the Guidance Document will take effect on June 24, 2021.
- 6VAC35-30**      **Regulation Governing State Reimbursement of Local Juvenile Residential Facility Costs**  
**6VAC35-35**      **Regulation Governing the Process for Planning, Designing, and Constructing Locally Funded Juvenile Residential Facilities (\*New)**
- Stage: NOIRA (Standard Regulatory Process)
- Status: This action involves a comprehensive overhaul of the process localities follow to obtain state reimbursement for local facility construction and renovation projects and proposes a new process for localities that have no plans to seek reimbursement for such projects. The NOIRA has undergone review by DPB, the SPSHS, and the Governor's office, and was published in the *Virginia Register* on February 1, 2021. The 30-day public comment period generated no comments.
- Next step: The board approved the proposed amendments on April 7, 2021, for advancement to the Proposed Stage of the standard regulatory process. The department will have until the end of August to advance the approved amendments for Executive Branch review at this stage.
- 6VAC35-41**      **Regulation Governing Juvenile Group Homes and Halfway Houses**
- Stage: Proposed (Standard Regulatory Process)
- Status: This regulation was last amended effective January 1, 2014. This action involves a comprehensive review of the regulatory requirements. The NOIRA was published in the *Virginia Register* on October 31, 2016. At the NOIRA stage, no public comments were made. The action was submitted through the Proposed stage on April 17, 2020, has undergone Executive Branch review, and was published in the *Virginia Register* on May 24, 2021. The 60-day public comment period will end on July 23, 2021.
- Next step: The department is convening a workgroup to make final recommendations for board approval.

**6VAC35-101 Regulation Governing Juvenile Secure Detention Centers**

Stage: Proposed (Standard Regulatory Process)

Status: This regulation became effective on January 1, 2014. This action involves a comprehensive review of the regulatory requirements. The NOIRA was published in the *Virginia Register* on October 17, 2016 and yielded no public comments. The action was submitted through the Proposed Stage on September 3, 2019, has completed Executive Branch review, and was published in the Virginia Register of Regulations on May 24, 2021. The 60-day public comment period will end on July 23, 2021.

Next step: The department is convening a workgroup to make final recommendations for board approval.

**6VAC35-200 Regulations Governing Youth Detained Pursuant to Federal Contracts (\*New)**

Stage: NOIRA (Standard Regulatory Process)

Status: This action seeks to establish new regulations applicable to programs for youth detained in juvenile correctional facilities pursuant to contracts with the federal government. The action is intended to carry out the legislative directive in Chapter 599 of the 2020 Acts of Assembly. The NOIRA action has undergone DPB, SPSHS, and Governor’s Office review, was published in the *Virginia Register* on March 1, 2021, and the public comment period ended on March 31, 2021 and yielded no public comment.

Next step: The proposed language is under development and will be presented to the board for advancement to the Proposed Stage of the process once completed.

**ACTIONS PENDING**

**6VAC35-71 Regulation Governing Juvenile Correctional Centers**

Stage: Proposed (Standard Regulatory Process).

Status: This regulation became effective on January 1, 2014. This action involves a comprehensive review of the regulatory requirements. The NOIRA was published in the *Virginia Register* on October 3, 2016. At the NOIRA stage, no public comments were submitted. Now in the Proposed Stage, the action has been approved by DPB, the SPSHS, and the Governor’s Office. The Proposed action was published in the *Virginia Register* on September 30, 2019, and the 60-day public comment period ended on November 29, 2019.

Next step: Due to the volume of changes made after the Proposed Stage, the department is preparing to advance the action through a Revised Proposed Stage.

**6VAC35-150-335 Regulation for Nonresidential Services, Diversion**

Process: (Fast-track Regulatory Process)

Status: This chapter was last amended on July 1, 2011. The action seeks to remove the 90-day deadline for completing truancy diversions, consistent with Chapter 753 of the 2020 Acts of Assembly. The board approved the fast-track action on September 16, 2020, and the action is currently being reviewed by the OAG.

Next step: If the OAG approves the action, it will advance to the SPSHS for review.

**Regulations Governing Mental Health Services Transition Plans for Incarcerated Juveniles**

Stage: NOIRA (Standard Regulatory Process)

Status: This regulation became effective January 1, 2008, and has never been amended. This action involves a comprehensive overhaul of the regulatory requirements to ensure the continued provision of post-release services for incarcerated juveniles with a substance abuse, mental health, or other therapeutic need. The NOIRA has undergone review by DPB and the SPSHS, and currently is under review in the Governor's office.

Next step: Once the Governor's office completes its review, the action will be published in the *Virginia Register*, followed by a 30-day public comment period.