



COMMONWEALTH of VIRGINIA
Office of the Attorney General

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Attorney General

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By Electronic Mail
Virginia Regulatory Town Hall

Re: Amended letter regarding amendments to state reimbursement of local juvenile residential facility costs (6VAC35-30); 2) the process for planning, designing, and constructing locally funded juvenile residential facilities (6VAC35-35); 3) the monitoring, approval, and certification of juvenile justice programs and facilities (6VAC35-20-69); and 4) the juvenile secure detention centers (6VAC35-101-350)

Dear Sir or Madam:

This letter serves as a supplement to the letter from the Office of the Attorney General dated March 20, 2025, regarding the “Amended letter regarding Amendments to Regulations Governing State Reimbursement of Local Juvenile Residential Facility Costs (6 VAC 35-30).”

Former Office of Attorney General Senior Assistant General Margaret O’Shea reviewed the proposed amendments to the regulations governing 1) state reimbursement of local juvenile residential facility costs (6VAC35-30); 2) the process for planning, designing, and constructing locally funded juvenile residential facilities (6VAC35-35); 3) the monitoring, approval, and certification of juvenile justice programs and facilities (6VAC35-20-69); and 4) the juvenile secure detention centers (6VAC35-101-350). She approved the amendments as being within the authority of the Board of Juvenile Justice (also referred to herein as “the Board”) to promulgate and found that the proposed amendments do not conflict with either state or federal law.

These amendments are permitted pursuant to Virginia Code § 16.1-309.5, which directs the Commonwealth to reimburse localities for “one-half the cost of construction, enlargement, renovation, purchase, or rental of a detention home or other facilities the plans and specifications of which were approved by the Board and the Governor, in accordance with [the statute].” Additionally, that Code section directs the Board of Juvenile Justice to promulgate regulations, including criteria for evaluating requests for such reimbursement and “to ensure the geographically equitable distribution of state funds provided for such purpose.” Additionally, Code § 16.1-309.9 directs the Board to “approve minimum standards for the construction and

equipment of detention homes or other facilities” and gives the board the authority to prohibit the placement of juveniles in places of residence which do not comply with these minimum standards. Finally, Virginia Code § 66-10(5) entrusts the Board with general, discretionary authority to establish such regulations as may be necessary to carry out the provisions of Title 66 (“Juvenile Justice”) and other laws of the Commonwealth.

Very truly yours,

/s/ Cassandra E. Sheehan
Assistant Attorney General
Correctional Litigation Section
Civil Division