



COMMONWEALTH of VIRGINIA
Office of the Attorney General

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By Electronic Submission
Virginia Regulatory Town Hall

Re: Supplement to March 20, 2025, letter regarding “Amendments to Regulations Governing Juvenile Secure Detention Centers (6 VAC 35-101)”

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 “Amendments to Regulations Governing Juvenile Secure Detention Centers (6 VAC 35-101).”

As reflected in the March 20, 2025, letter, former Virginia Office of the Attorney General Senior Assistant General Margaret O’Shea reviewed the proposed amendments to the regulations governing juvenile secure detention centers and approved the amendments as being within the authority of the Board of Juvenile Justice to promulgate. Ms. O’Shea determined that the proposed amendments do not conflict with either state or federal law.

To supplement Ms. O’Shea’s findings in that correspondence, I conclude that the board-approved proposed amendments are within the authority of the Board of Juvenile Justice (“the Board”) to promulgate when considering that the Board is vested with the general ability, as established in Virginia Code § 66-10(5) (“Powers and duties of Board”), to enact “such regulations as may be necessary to carry out the provisions of [Title 66] and other laws of the Commonwealth.”

Moreover, Virginia Code § 66-13 (“Authority of Department as to juveniles committed to it; establishment of facilities; arrangements for temporary care”) permits the Department to “receive juveniles committed to it by the courts of the Commonwealth” and to “establish, staff, and maintain facilities for the rehabilitation, training and confinement of such juveniles.”

Virginia Code § 16.1-309.9 (“Establishment of standards; determination of compliance”) requires that the “State Board of Juvenile Justice shall develop, promulgate and approve standards for the development, implementation, operation and evaluation of the range of community-based programs, services and facilities authorized by [Article 12.1, ‘Virginia Juvenile Community Crime Control Act’].”

Finally, Virginia Code § 16.1-309.10 (“Visitation and management of detention homes; other facilities; reports of superintendent”) grants the Board or its agents the authority to visit, inspect, and regulate detention homes, group homes, and other residential care facilities.

Thank you.

Very Truly Yours,

Cassandra E. Sheehan
Assistant Attorney General
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Office of the Attorney General of Virginia