



COMMONWEALTH of VIRGINIA
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By Electronic Mail
Virginia Regulatory Town Hall

Re: Periodic Review and Amendments to the Regulation Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs and Facilities (6VAC35-20)

Dear Sir or Madam:

I have reviewed the proposed amendments seeking to (1) clarify vague and hard-to-follow language in 6VAC35-20; (2) correct areas of that regulation violating the Virginia Code Commission's 2016 standards governing the development of regulations; (3) repeal or substantially reduce the procedural sections of that regulation; (4) align terms and regulatory requirements with current practices in the field; and (5) reduce areas where the regulatory text merely reiterates what is required by the Code of Virginia.

I approve the amendments as being within the authority of the Board of Juvenile Justice ("the Board") to promulgate when considering that the Board is authorized to implement and amend this regulation pursuant to its general authority as established in Code of Virginia § 66-10, which directs the board to enact "such regulations as may be necessary to carry out the provisions of [Title 66] and other laws of the Commonwealth." Additionally, Code § 16.1-309.10 provides the Board or its agents with the authority to visit, inspect, and regulate detention homes, group homes, and other residential care facilities. Further, Code § 16.1-309.9 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]."

Further, I find that the proposed amendments do not conflict with either state or federal law. Thank you.

Very Truly Yours,

Cassandra E. Sheehan
Assistant Attorney General
Correctional Litigation Section
Office of the Attorney General of Virginia