

**REPORT OF THE
VIRGINIA COMMISSION ON YOUTH**

POST-DISPOSITIONAL DETENTION

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



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January 12, 2000

TO: The Honorable James S. Gilmore, III, Governor of Virginia

and

Members of the Virginia General Assembly

The 1999 General Assembly, through House Joint Resolution 587, requested that the Virginia Commission on Youth "be directed to study the use of postdispositional detention in juvenile detention homes."

Enclosed for your review and consideration is the report which has been prepared in response to this request. The Commission received assistance from all affected agencies and gratefully acknowledges their input into this report.

Respectfully submitted,

A handwritten signature in cursive script that reads "Phillip A. Hamilton".

Phillip A. Hamilton
Chairman

Delegate Eric I. Cantor
Delegate L. Karen Darner
Senator J. Randy Forbes

Senator R. Edward Houck
Delegate Thomas M. Jackson, Jr.
Delegate Jerrauld C. Jones
Delegate Robert F. McDonnell

Mr. Gary L. Close
Ms. Michelle J. Harris
Mr. Douglas F. Jones

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Phillip A. Hamilton, Chairman
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Authority to Study

§ 9-292 of the *Code of Virginia* establishes the Commission on Youth and directs it to "...study and provide recommendations addressing the needs of and services to the Commonwealth's youth and their families." § 9-294 provides the Commission the power to "...undertake studies and gather information and data in order to accomplish its purpose...and to formulate and present its recommendations to the Governor and members of the General Assembly."

The 1999 General Assembly enacted House Joint Resolution 587 requesting the Commission on Youth to study "the use of post-dispositional detention in juvenile detention homes." In fulfilling its legislative mandate, the Commission undertook the study.

II. Members Appointed to Serve

The authorizing legislation required the Commission on Youth to study post-dispositional detention in Virginia. The Commission divided into three subcommittees for the purposes of conducting the studies assigned to them in the 1999 General Assembly Session. One of the three, designated as the Juvenile Justice Subcommittee, met September 7 and October 7.

The recommendations of the Subcommittee were forwarded to the full Commission at its December 16th legislative meeting and approved at that time. The members of the Juvenile Justice Subcommittee are:

Del. Jerrauld C. Jones (Norfolk), Subcommittee Chairman
Del. Eric I. Cantor (Henrico)
Del. Thomas M. Jackson, Jr. (Carroll)
Del. Robert F. McDonnell (Virginia Beach)
Sen. J. Randy Forbes (Chesapeake)
Sen. R. Edward Houck (Spotsylvania)
Mr. Gary Close (Culpeper)
Mr. Douglas F. Jones (Alexandria)

III. Executive Summary

HJR 587 directed the Commission on Youth to examine post-dispositional detention in Virginia. The study resolution identified six areas for inquiry: i) the role of post-dispositional detention in local service continuums; ii) the feasibility of establishing dedicated post-dispositional detention in local service continuums; iii) eligibility criteria for post-dispositional sentencing; iv) procedures to address the length of sentence, including mandatory review and time limitations on placement; v) post-dispositional detention program standards; and vi) assessment of state and local funding for detention services. To fulfill the study mandate, on-site visits were held at 20 of the 21 secure detention facilities. In addition, the Commission gathered offender profile data on all juveniles securely detained for four weeks during fiscal year 1999, and analyzed

financial information from the secure facilities. These efforts were augmented by participation in a Department of Juvenile Justice's study on the funding of construction and operations of secure detention facilities.

Virginia has embarked on an unprecedented expansion of secure detention space. In the last five years, 262 beds have been added, and an additional 113 beds are scheduled to go on line by the close of FY 2000, bringing the total statewide capacity to 1,075 beds. Despite this expansion, the majority of homes remained overcrowded. Post-dispositional detention is used as a sentencing option for up to ten days for contempt of court or violation of court order charges, or for periods ranging from one to six months as a dispositional alternative to state commitment. Longer-term (*i.e.*, one to six months) programs require specialized staffing and best practices suggest separate housing from pre-dispositional youth. Crowding concerns have limited the use of post-dispositional programming. The DJJ has required expanded and new facilities to designate 20% of their capacity to serve post-dispositional youth; however, clarification of eligibility criteria, staffing standards and funding support has not occurred. The expanded use of post-dispositional detention will continue to be problematic until crowding is brought under control. For post-dispositional programming to be successful in lowering recidivism rates, eligibility criteria should be clarified. If a locality chooses to run a secure post-dispositional program to serve as an alternative to state commitment, General Fund support needs to be increased to offset costs.

Findings

Despite the expansion of secure detention space, the utilization rate in FY 99 was 119%. Charges of violations of court orders accounted for 43% of the detained youth, while crimes against person and weapon charges accounted for only 24% of the detained population. Overcrowding impacts the quality of programming and places staff and juveniles at risk. During the site visits, six of the facilities reported the practice of locking juveniles in their cells for up to six-hour increments as a means to manage population flow. Offense information on detainees suggest non-secure alternatives may be appropriate for some juveniles, which would relieve overcrowding while maintaining concern for public safety. In addition to minor offenders being securely detained, their length of stay is often extended due to court docketing constraints and use of case continuances.

Recommendation 1

Revise 16.1-272 of the Code of Virginia to limit the time a juvenile can be held in secure detention, if no adjudicatory hearing has been held, to 14 days if the juvenile has been detained for absconding from a facility, or for failure to appear in court.

Recommendation 2

Revise 16.1-272 to restrict the extensions of time limitations to 60 days prior to an adjudicatory hearing and 30 days after the adjudicatory or transfer hearing.

Findings

Data was gathered for four sample weeks in FY 99 on 4,930 juveniles.¹ While detention homes submit monthly data to the Department of Juvenile Justice (DJJ), this data is not keyed into any statewide system in a timely manner. Detention home superintendents had valid concerns regarding duplication of the data collection effort and questioned how DJJ data was stored or used. Until DJJ has developed and maintained adequate data collection and retrieval mechanisms, the state will continually be hampered in their planning and policy implementation efforts.

Recommendation 3

The Department of Juvenile Justice (DJJ) should be directed in the Budget Bill to compile and disseminate to all detention homes on a quarterly basis the data collected on the planned JC 2000 system. Continued receipt of a portion of state funds for the DJJ Management Information Systems should be made contingent upon the Department's compliance with this directive.

Findings

There are a total of six detention homes in Virginia which operate long-term post-dispositional programs. However, all detention homes report housing juveniles for one to ten-day sentences for violation of probation or a court order. No facility has separate programming for these youth who are housed with the general population. Sixty-five percent of all post-dispositional sentences are for one to ten days. Many of these ten-day sentences are served during the weekend when programming is limited. Half of the facilities reported detaining 18 year olds for violation of a court order arising from a delinquency change. With violations charges accounting for 43% of the detained population, crowding issues can partially be addressed through limiting the use of detention for non-compliant behavior. Availability of funding through the Virginia Juvenile Community Crime Control Act (VJCCCA) has been used in some jurisdictions to create programming in which offender accountability is stressed, consequences are provided, but additional burdens are not placed on secure facilities.

Recommendation 4

Revise 16.1-292 to limit total length of sentence imposed for violations of court order to ten days and to prohibit the placement of adults who have violated a court order in juvenile detention facilities.

Recommendation 5

Request Department of Juvenile Justice to review local Virginia Juvenile Community Crime Control Act (VJCCCA) plans to insure that a portion of these funds is directed towards alternatives to secure detention.

¹ Partial data was received by the Richmond and Newport News Detention Homes.

Findings

The majority of detained juveniles are not charged with violent crimes; however, in FY 99 there were 607 cases of violent crime and weapons charges. Detention homes rarely receive background information on the juvenile, and housing decisions are made based on available space. While detention facilities attempt to segregate juveniles based on age, size or charge, they are often doing so without complete information. This lack of information has resulted in juveniles charged with minor offenses sharing cells with convicted sex offenders. The lack of information puts juveniles and facilities at risk.

Recommendation 6

Amend 16.1-248.1 to require the detention order to state the offense for which the juvenile is being detained, and to the extent practicable pending plus previous charges. If the juvenile is placed for violation of probation, the order shall list the juvenile's original charge.

Findings

Post-dispositional detention as a sentencing option under 16.1-284.1 is to be used in lieu of commitment to state care. The Code currently provides this sentencing option for up to 30 days for juveniles who have not been found delinquent within the previous year. Eleven of the twenty-one facilities receive juveniles for 30-day sentences, although no facility provides separate programming for this population. The purpose of the sentence, according to facility directors, is for the juvenile to serve time in confinement. Over 60% of juveniles given 30-day sentences have spent over two weeks in detention pre-dispositionally resulting in their serving slightly over half of their sentence due to Code restrictions.

Recommendation 7

Provide for 30-day sentencing to secure detention as a dispositional option under 16.1-278.8 for juveniles not found delinquent within the preceding 12 months and remove the reduction of the sentence for time served pre-adjudicatorily.

Findings

Juveniles aged 14 and older who have been found guilty of a delinquent offense within the preceding 12 months may be placed in a local detention for up to six months on a suspended commitment to the state. The goal of the sentence is to provide treatment, educational, and often transitional services in a secure community setting in lieu of commitment. There are six post-dispositional programs, with a combined bedspace of 76 across the state. All of these programs provide separate programming, case management and educational services. The majority of post-dispositional youth are housed in separate pods of the secure facility. While the Code requires the juvenile to have previously received treatment services, site visits revealed that, for one-third of the youth, their six-month sentence was their first exposure to residential care. According to 83% of the post-dispositional program directors, allowing to subtract for time served pre-dispositionally interferes with treatment plans. The placement is conceived to be in lieu of commitment and is offered as the juvenile's last chance to avoid institutionalization. Half of the facilities

report courts releasing juveniles who fail to comply with post-dispositional program rules rather than committing the juvenile. Juveniles who have experienced commitment are reported to be less compliant in post-dispositional programs. Statutory provisions for bootcamp placement (16.1-278.4a) require an assessment for appropriateness by the program, as well as availability of program space as a mandatory component prior to use of this dispositional option, post-dispositional placement in local detention homes should require no less.

Recommendation 8

Amend 16.1-284.1(B) to require: 1) documented failure at post-treatment efforts; 2) the juvenile has not previously been committed to DJJ; 3) an assessment for appropriateness and acceptance by the secure facility; 4) availability of bedspace in the post-dispositional program; 5) removal of time served pre-dispositionally in factoring sentence length; and 6) commitment of juvenile to DJJ if court reviews reveal consistent non-compliance in program.

Findings

Program standards for post-dispositional programs have been weakened considerably in the last three years. Current standards only require written policies, and employment of practices which have reasonable regard for utilization and can ensure a juvenile's ability to participate in local treatment programs. Without standards requiring separate programming, facilities are given no guidance for service expectation from the state even though the placement is made in lieu of commitment. Six-month programming has different service goals than merely extended confinement and state standards should reflect these goals. All of post-dispositional program directors supported the amending of state standards to require separate programming, and to the extent possible separate housing for the post-dispositional youth.

Recommendation 9

Require through statute the State Board of the Department of Juvenile Justice develop standards for the separate programming and, to the extent possible, separate housing for post-dispositional youth. The Board is encouraged to solicit the expertise of the six post-dispositional program directors in identifying common service elements which would meet 16.1-248.1's statutory goal.

Findings

If a juvenile is committed to the state, the Commonwealth pays 100% of the costs. If a juvenile is placed in a local detention home in lieu of commitment, the average state share is 48% of the costs. Staffing and programming for post-dispositional youth is more costly than providing pre-dispositional custodial care. State share for funding the six post-dispositional programs ranges from 37% in Winchester to 62% in Norfolk. Given the current conditions in Virginia's juvenile correctional centers, the state, through its directive to expand post-dispositional capacity, appears to be supporting alternatives.

Recommendation 10

Increase General Fund support for post-dispositional services through applying the Department of Juvenile Justice's proposed state ward per diem rates to juveniles sentenced for six months (estimated cost \$1.39 million for existing programs).

IV Study Goals and Objectives

HJR 587 established six study goals:

1. Examine the role of post-dispositional detention in local service continuums;
2. Assess the feasibility of establishing dedicated post-dispositional detention in local service continuums;
3. Review eligibility criteria for post-dispositional sentencing;
4. Review procedures to address the length of sentence, including mandatory reviews and time limitations on placement;
5. Assess post-dispositional detention program standards; and
6. Assessment of state and local funding for detention services.

To fulfill the study goals, the following objectives were established:

- A. review of VJCCCA plans to identify the use of funds dedicated to alternatives to secure detention;
- B. conduct site visits with all facilities to gain a better understanding of local service continuums;
- C. review national literature and OJJDP project reports on detention programming;
- D. review DJJ planning documents on existing and planned detention home capacity;
- E. review offender profiles of detained youth;
- F. interview direct service staff on client profiles, program goals and suggestions for system improvement;
- G. analyze revenue streams for secure detention;
- H. review lengths of stay data for secure detention; and
- I. review 6-month post-disposition program criteria, design and outcome data.

V Methodology

In fulfilling the study mandate, the Commission undertook six distinct analysis activities. Each activity is described briefly below.

A. Site Visits

There are 21 secure juvenile detention homes across the state. While there are many similarities between the facilities, there are differences among them based on their size, age and the community(ies) which they serve. In order to have a complete understanding of the detention home system, site visits were scheduled for each facility. A master schedule was developed and notification to each detention home

superintendent was sent to the field. Detention home superintendents were given the opportunity to invite local Court Service Unit staff, judges or other involved professionals to participate in the on-site visit. An average of three hours per facility was spent on site. (See Appendix B for the detention home site visit schedule.)

Once on site, each facility was toured. For those facilities with six-month post-dispositional programs, time was spent interviewing staff and juveniles about the program and program statistics were reviewed. A standard set of questions was asked at each facility regarding their pre- and post-dispositional population and services offered to both groups. Finally, those facilities anticipating expansion were asked a series of questions regarding their plans for post-dispositional programming. Once the information was aggregated, most facility superintendents received follow-up phone calls for clarification of information gathered during site visits.

B. Liaison with Virginia Council on Juvenile Detention

The detention home supervisors have a professional organization, the Virginia Council on Juvenile Detention, which meets quarterly. Commission staff attended two of these quarterly meetings during the course of the study. The first meeting was devoted to an overview of the study, and eliciting the superintendents' view regarding the scope of the study and means to gather data. The superintendents helped design the data collection instruments for the study. The second meeting provided a forum to share preliminary findings and to discuss potential study recommendations. The president of the Council and Commission staff communicated throughout the course of the study to insure superintendents were informed of the status of the project.

C. Offender Profiles

Offender profile data collection sheets were disseminated to all 21 detention facilities. Four weeks were selected in FY 99, which represented different times of year and would encompass the seasonal variations of detention home utilization. The four weeks selected were: July 13-19, 1998; September 21-27, 1998; January 11-17, 1999; and April 12-18, 1999.

Detention homes were asked to fill in demographic information for each juvenile detained in their facility during those four weeks. Offense data with respect to recording the detaining charge and committing jurisdiction was also collected. Analysis was conducted on the data by age, sex, and race of the detainees, as well as the offense categories and committing jurisdictions. Data on 4,930 juveniles was collected from the four sample weeks.

D. Fiscal Data

Each superintendent was provided a data collection sheet requesting information on their FY 99 budget, actual expenditures, FY 2000 budget and revenue sources. The information was verified by Commission staff and analyzed in the aggregate by spending categories and revenue sources. Additional analysis was conducted on expenditures for staff and average daily costs based on utilization and capacity. (See Appendix C for data collection sheets.)

E. Staffing Study

The Dept. of Criminal Justice Services was directed by the 1999 Appropriations Act to fund a staffing study on post-dispositional detention. The purpose of the study was to identify staffing ratios for post-dispositional detention services based on a national review of best practices applied to a Virginia context. Commission staff worked with both the Departments of Juvenile Justice and Criminal Justice Services to develop a request for consultant services to conduct such a study. Consultants were hired and a day-long meeting with a subgroup of detention home superintendents was held in October. However, as of this writing, no final report has been received.

F. History of Dept. of Juvenile Justice Funding Study

Item 497(H) of the 1999 Appropriations Act requested the Dept. of Juvenile Justice, in consultation with the Departments of Planning and Budget and Criminal Justice Services, Virginia Council on Juvenile Detention and the Commission on Youth to determine a long-term strategy for funding the capital and operational costs of detention. The funding group met monthly from May through October, 1999 and Commission staff participated in these deliberations. Funding recommendations related to post-dispositional detention were put on hold pending the Commission on Youth's final recommendations.

VI. Background

A. Role of Secure Detention

Section 16.1-228 of the *Code of Virginia* defines a secure facility or detention home as "a local or regional public or private locked residential facility which has construction features designed to prevent escapes and restrict the movement and activities of children held in lawful custody".

There are currently 21 of these facilities across the state. These facilities provide secure confinement for juveniles who are awaiting an adjudicatory, transfer, dispositional, or release hearing. A pre-dispositional detention order may be issued by an intake officer, magistrate or judge. Juveniles are also placed in secure detention by a Juvenile Court Judge for a specified number of days for their failure to appear at trial, contempt of court, violation of a court order or as a dispositional sentence. Secure detention serves many purposes and its usage is influenced by the availability of alternatives, community norms and local sentencing practices. A summary of the statutory provisions regarding the use of detention is provided in Table 1.

Changes in the law over the last two decades have had a direct impact on the role of detention. The 1984 General Assembly Session adopted a study resolution to examine issues related to the placement of juveniles in adult jails. The result of the study effort was the 1985 introduction of House Bill 1417. Effective July 1, 1986, adult jails were prohibited to be used as a disposition option for juveniles. The only permissive placement of juveniles in an adult jail were those cases transferred for trial in Circuit Court and an adult who committed a criminal offense prior to turning age 18.

Table 1

Legal Status	Juvenile Status	Authorized Person	Code Cite
Pre-adjudication	Alleged to have committed felony or Class 1 misdemeanor; Release constitutes unreasonable danger to person or property of others; Release presents clear and substantial threat of harm to juvenile's life or health; Threatened to abscond or has record of willful failure to appear within last 12 months; Fugitive from other state; Failed to appear. ²	Intake Officer Magistrate Judge	§16.1-248.1
Pre-dispositional	Over 18 and accused of violating conditions of release from a correctional center	Judge	§16.1-249
Post-dispositional	14 and older not previously been found guilty of delinquent act over previous 12 months; and Interest of juvenile and community require placement under legal restraint, and Other placements do not serve juvenile's best interest; Sentence up to 30 days	Judge	§16.1-281.1(A)
Post-dispositional	14 and older and has been found delinquent within preceding 12 months and failed to respond to past treatment efforts; and Is amenable to treatment efforts in the community; and Interest of juvenile and community require placement under legal restraint; and Other placements do not serve juvenile's best interest; Sentence up to 6 months	Judge	§16.1-248.1(B)
Post-dispositional	Violation of a court order	Judge	§16.1-292
Post-dispositional	Review/release hearing of serious juvenile offender	Judge	§16.1-285.2

Source: Virginia Commission on Youth Graphic/Analysis of *Code of Virginia*, 1999

The law also provided for the jail placement of juveniles aged 15 or older who were considered to a threat to the other detainees or staff of a detention facility. Jail confinement of a juvenile pre-dispositionally was limited to no more than six hours and the juvenile be held sight and sound separate from adults and under constant visual monitoring of jail staff.

The law further defined two situations in which a juvenile could be sentenced to secure confinement in a detention home in lieu of a jail. At the time, post-dispositional

² Can be detained only until next day in which the Court sits and, under no circumstances, longer than 72 hours.

sentencing was restricted to juveniles 16 or older for up to 30 days or six months, depending on the juvenile's prior delinquent record and treatment history.

In the following year (1986), placement in secure detention was authorized for juveniles who had escaped from non-secure residential facilities. In 1989, in a decision that was mirrored across the country, valid court order legislation was adopted in Virginia which allowed for the post-dispositional confinement of status offenders who violated court orders two or more times. The chronic violators was termed a Child in Need of Supervision (CHINS) and detention for up to 21 days was authorized. The time limits for a detention hearing was expanded beyond 72 hours to the next day in which the Court convened if the 72 hours expired on a weekend or holiday. Lastly, in 1989, the Department of Youth Services was created, transferring the responsibilities for juvenile correctional programming from the Department of Corrections to a new state agency.

In response to detention overcrowding in 1993, the law clarified the Board of Youth and Family Services' ability to cap the population held in secure detention. In 1995 the age for sentencing a juvenile to post-dispositional detention was lowered from 16 to 14. In 1996, the criteria for placement in secure detention was amended, requiring the consideration of the juvenile's current offense(s), pending charge(s), prior adjudicated offenses and legal status in determining that release of the juvenile may cause harm to a person or property. Magistrates were given expanded ability to issue detention orders in cases when the intake officer or judge could not be reached or could not arrive within an hour after being contacted. Lastly, 1996 amendments allowed for the co-location of a juvenile detention facility on the grounds of an adult jail.

B. Access to Secure Detention

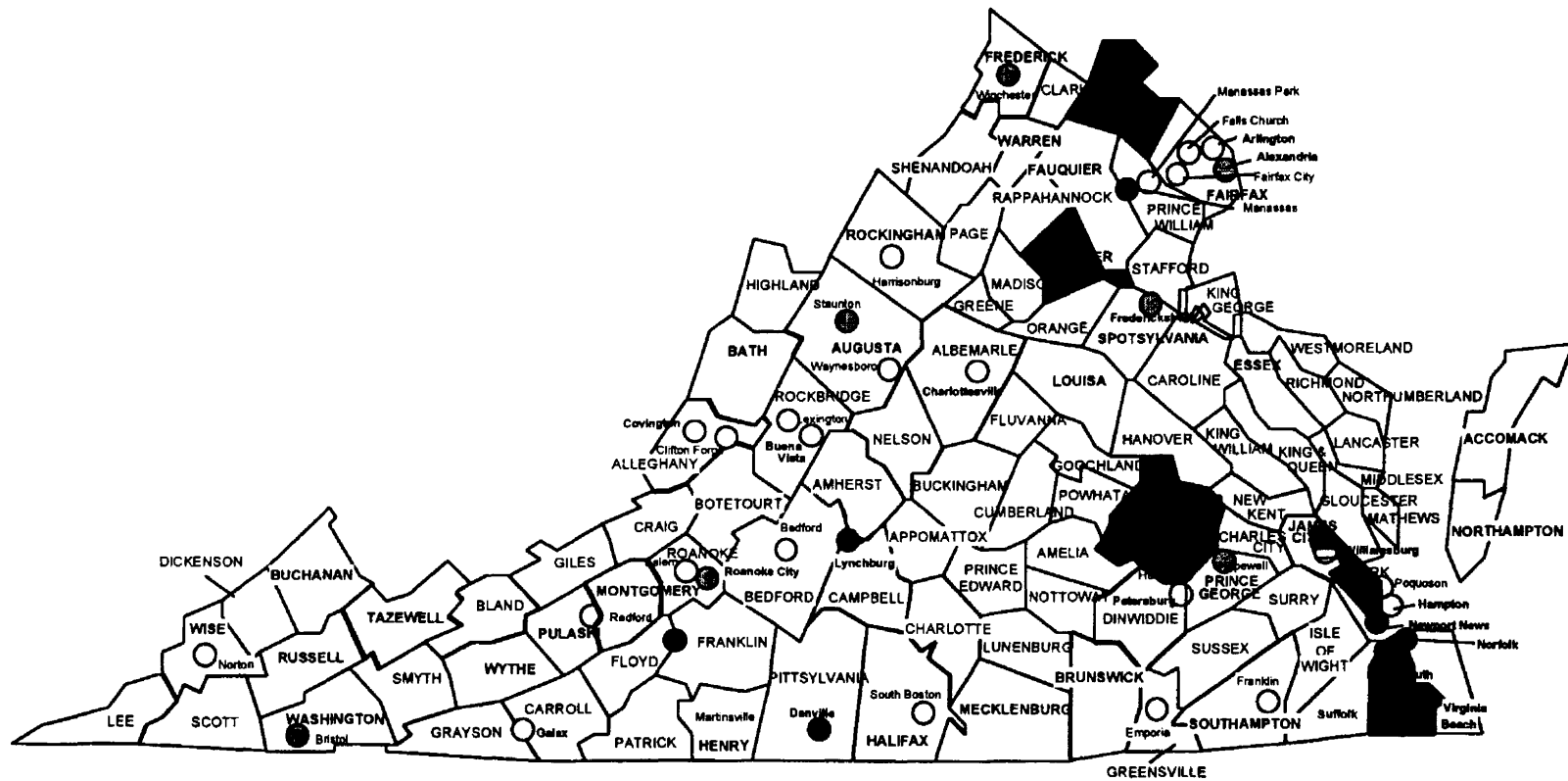
Of the 21 facilities, eleven are operated by a single jurisdiction. Commissions, which are comprised of three or more political subdivisions operate nine of the facilities. In March 1999 the first state-operated detention home opened in Culpeper County. The Culpeper facility is co-located with a juvenile correctional facility. The Northwestern Regional facility in Winchester is co-located with an adult jail. The remaining facilities are either freestanding or adjacent to a locality's public safety and/or court complex. The location of each of the 21 facilities is shown in Exhibit 1.

Each detention home provides custodial care and supervision of the juveniles placed in the facility. The capacity to provide 24-hour intake, medical assessments and medication monitoring, educational services and secure confinement is standard for all programs. Local school systems provide 10 or 11-month³ educational services in classroom settings. Teachers are employees of the local school system and are assigned to the facility. Part-time or contractual medical services with nurses are provided by each facility, as is the availability of doctors for weekly and on-call duty. Counseling services range in intensity with full-time clinicians from community service boards at one end of the spectrum and line staff running ad hoc groups at the other. Six facilities operate long-term (*i.e.*, up to six months) post-dispositional service programs. These programs and services will be addressed in the following section.

³ Actual amount is determined by the local school system.

Exhibit 1

Location of Virginia Secure Detention Facilities



Source: Virginia Commission on Youth Graphic/Analysis of Virginia Department of Juvenile Justice Data, Fall 1999.

The first two detention homes in Virginia were built in the 1920's and were located in Richmond and Roanoke. The rest of the state used adult jails for the detention of juveniles, as was permissible by law at that time. In 1952, the City of Norfolk built the third detention home and, by 1960, there were a total of eight secure detention homes in Virginia. The Department of Corrections, which had administrative responsibility for juvenile justice programs until 1989, issued a ten-year plan for juvenile services in 1970. Their plan suggested that sufficient secure detention be provided so that each Juvenile and Domestic Relations Court would have access to a facility within a 50-mile radius. The report called for the establishment of 20 facilities across the state.

Table 2

**Chronological Listing
of Secure Detention Home Construction**

Facility	Capacity	Location	Date Opened
Richmond	40	Richmond	1927 *
Roanoke	21	Roanoke	1928
Norfolk	43	Norfolk	1952 *
Northern Virginia	43	Alexandria	1960 *
Tidewater	52	Chesapeake	1962 *
Newport News	39	Newport News	1963
Shenandoah Valley	32	Staunton	1968
Lynchburg	20	Lynchburg	1969 *
W.W. Moore	30	Danville	1972
Rappahannock	21	Fredericksburg	1972
Chesterfield	33	Chesterfield	1973
New River Valley	20	Christiansburg	1974
Highlands	20	Bristol	1974
Crater	22	Disputanta	1975
Prince William	21	Manassas	1979 *
Henrico	20	Henrico	1980
Fairfax	55	Fairfax	1982 *
Loudoun	24	Loudoun	1996
Merimac	48	York	1997
Northwestern	32	Winchester	1997
Culpeper	50	Culpeper	1999
Virginia Beach	60	Virginia Beach	2001 **
James River	60	Powhatan	2001 **
Piedmont	20	Farmville	2001 **
Suffolk	32	Suffolk	2001 **
Blue Ridge	40	Albemarle	2001 **

* Date Opened is the original date. Facility has undergone expansion and possible relocation from original site. Current listing of homes and their capacity is found in Table 7.

** Information presented represents planned capacity and opening dates.

Source: Virginia Commission on Youth Graphic Analysis of Dept. of Juvenile Justice Historical Data, 1999

Seven additional facilities were built in the 1970's and two more were added in the 1980's. From the mid-1980's through the mid-1990's, there was continuous overcrowding in the 17 detention homes. During FY 93 overall statewide utilization was 120%. However, due to the absence of a statewide plan which assessed need based on population projections and concern over escalating costs, the General Assembly, in 1991 through 1993, imposed a moratorium on new construction unless a locality could show their request was consistent with a statewide plan. The moratorium was lifted in 1994 and, in the ensuing five years, five additional facilities have been built. As of today, five new facilities are planned, which will bring the total number of facilities to 26 by 2002. Nine of the existing homes plan to expand their capacity. A listing of the facilities and their original opening date is provided in Table 2.

Access to detention space is primarily conditioned upon the financial relationship localities have with facilities. Access to juvenile detention facilities by a locality is obtained in one of two ways: a locality may be a sole or partial owner of a facility and has on-going access to its bedspace, or localities may enter into agreements with facilities for a designated number of beds which, if used, the locality pays a set per diem on each juvenile for each day served. A third option which characterizes small jurisdictions access arrangements is to call detention homes when the need arises and find an open bed. Localities which do not own or have placement agreements facilities tend to spend more time in locating an available open bed, and proportionately spend more money in per diem and transportation costs. With the existing and planned expansion of secure detention beds across the Commonwealth, there are few localities with no access to detention. The current arrangements for detention home access is displayed in Exhibit 2.

C. Funding

The Department of Juvenile Justice partially funds both the construction and operational costs of secure detention homes. The *Code* (16.1-309.5) requires the state to reimburse up to half of construction costs for renovation, expansion or construction of detention facilities. Reimbursement to localities for construction costs incurred is subject to final appropriations approved by the General Assembly. Prior to 1982, operational costs were reimbursed to localities based on two-thirds of personnel costs and 100% of approved operational costs. Due to escalating construction costs, the Board of Juvenile Justice adopted a cap based on average detention bed costs. The cap amount has been determined every two years. A Block Grant system of funding was instituted in 1982. The Block Grant allocates funds to localities/commissions operating detention homes based on previous years' utilization and cost of living increases. Facilities also receive state funding on a per diem basis for juveniles who are committed to state care for the period between their commitment order and actual physical transfer to a state facility. The per diem amount paid to each home varies and is based on a 1993 formula in which state and federal revenue sources are subtracted from the facility's expenditure with the result divided the facility's total number of child care days for a given year. Federal funds through the USDA for breakfast and lunch servings also augment detention homes funding sources, although this amount totals less than 2% of their total budgets.

Localities with Secure Detention Access FY 99



The second major source of revenue for secure detention is local funds. Single jurisdiction-owned facilities have the locality directly fund the home through local line item budgets. Commission-operated facilities also have direct line item appropriations from the local budgets of owner jurisdictions. Through participating agreements, localities which do not have full or partial ownership in a facility may buy a guaranteed number of beds at a specified rate. It is possible, therefore, to calculate three different daily rates charged by a single detention facility,⁴ one for owners, another for participating jurisdictions and a third for non-member jurisdictions. Within the expansion of detention space, there are less than 20 jurisdictions without a detention home agreement. In FY 99, non-participating localities paying per diem comprised 4.2% of detention homes revenue sources statewide.

D. Offender Profiles

The offense profiles of juveniles securely detained have tracked the UCR arrest reports with respect to proportion of Part I to Part II arrests. In 1992, the then Department of Youth and Family Services (now Department of Juvenile Justice) published a Detention Task Force Report which sought to develop statewide responses to overcrowding and limited access issues. They divided the offense profiles of detained youth into ten categories:

Alcohol & Drugs	Offense against Person
CHINS	Offense against Property
Custody/Child Welfare	Public Justice & Policy
Miscellaneous	Special Process Detention
Morality/Decency & Peace	Traffic & Vehicle

From FY 87 to FY 91, admissions for alcohol and drug offenses increased 334%, from 207 to 898. Crimes against persons increased 33%, from 1528 to 2,283. Property crimes increased 20% and CHINS offenses increased 44% during the same time period. For FY 91, the top ten offenses and the percent of total admissions is presented in Table 3.

Table 3

Admissions to Detention FY 91 Top Ten Offense Distribution

Offense	Number	Percent
Violation of Probation	2,226	18.69
Simple Assault	1,183	9.94
Grand Larceny	779	6.54
Auto Larceny	774	6.50
Breaking & Entering	536	4.50
Petit Larceny	508	4.27
Failure to Appear	434	3.64
Contempt of Court	379	3.18
Narcotics - Possess/Sell	374	3.14
Felony Assault	331	2.78

Source: Virginia Commission on Youth Graphic/Analysis of DYFS Detention Task Force Report, 1992

⁴ Term is applied only in a descriptive fashion as owner localities do not pay daily rates.

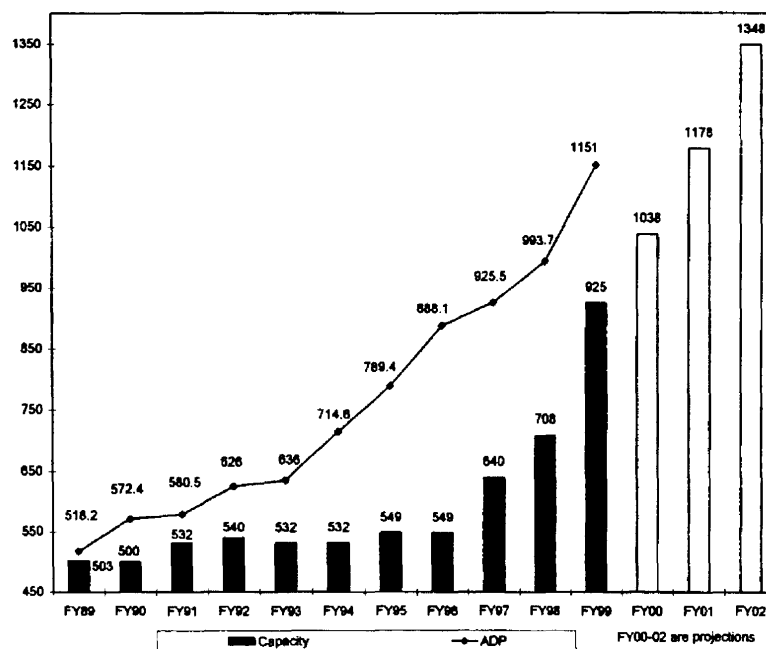
The age of the majority of offenders (54%) was between 16 and 18. Non-white youth comprised 57% of the detained population. Unfortunately, comprehensive data collection on detained youth was not maintained after 1992, making year-to-year comparisons impossible. However, FY 99-00 data was collected on a sample detention population and the results are provided in the Findings section of the report. Historical comparisons must reference the availability of alternatives when profiling detention home utilization. The availability of community alternatives can impact the number of youth placed in secure detention and their length of stay in the secure facility.

Although the capacity of juvenile bed space has expanded, utilization rates continue to escalate over system capacity. Utilization rates measure the percent of the bed space system-wide which is being used on a monthly or annual basis. Another way to measure usage of the secure detention system is by average daily population (ADP), which captures weekly, as well as seasonal variations.

When ADP is used as the means to measure the capacity of the system to house the number of juveniles placed in detention, a clear picture emerges. Going back ten years to 1989, it is clear that demand has continually outstripped resources. Chart 1 shows the gap between the ADP of Virginia's juvenile detention homes and the aggregate capacity of those homes. In 1989, there was an average of 15 juveniles a day being placed over the available number of beds.

Chart 1

Statewide Secure Detention Home Capacity FY 89-02



Source: Virginia Commission on Youth Graphic/Analysis of Dept. of Juvenile Justice Data, 1999

The gap between ADP and capacity is the least in 1989 and continually grows over the next ten years, spiking in 1996, when there was 332 juveniles every day over the statewide capacity. The demand still outpaces the supply and in 1999, despite the expansion of capacity, there were 226 more juveniles placed in detention every day than the system had room to house.

When the population exceeds capacity, facilities have to double-bunk juveniles, a practice entailing placing two mattresses in a cell designed for one. Often times population outstrips capacity to the point where cots are placed in hallways, in dayrooms or interview rooms. Once overpopulation reaches a point where program space is used for sleeping space, or cells are housing twice the capacity then they were designed for, national experts assert both staff and detained juveniles are placed at risk.⁵ Movement of the population through the daily routine, security concerns and maintaining order become paramount concerns in overcrowded conditions relegating programming to a lesser priority. Given the tremendous diversity of offense profiles in secure detention, overcrowding takes on additional risks. When juveniles are housed two to a cell and limited information is received on the juvenile's current or previous offense and treatment history, the potential for victimization increases.

E. National Overview

Nationally, detention caseloads have increased 38% between 1987 and 1996.⁶ The number of delinquency cases detained in 1996 was 89,000, more than in 1987. Courts' use of detention for the nine-year period remained relatively stable, with detained cases representing between 8 and 20% of the Juvenile Courts' delinquency caseload. However, the use of detention in drug violation cases increased dramatically, from 38% of drug cases detained in 1990 compared to 23% in 1996. As with Virginia, the majority of detainees were between the ages of 15 and 16.

With the volume of delinquency cases increasing, despite the stable proportion of cases resulting in detention, the total number of people detained increased. OJJDP attributes the increase to the surge of females charged with personal offense crimes jumping 182% in the time period.

The operational structure for secure juvenile detention varies across the country, with some facilities operating as state institutions, some purely local programs and the remainder hybrid facilities in which both the state and locality play an administrative role. In the last five years, a number of states have attempted to establish service continuums as a means to slow down construction of secure facilities. The Office of Juvenile Justice and Delinquency Prevention and the Annie E. Casey Foundation have embarked on an extensive technical assistance project with states as a means to control detention utilization. While the scope of these projects differ, they share a common focus of developing structural and procedural guidelines to insure secure detention is used appropriately, and lengths of stay are limited. Many of the approaches used direct attention to intake practices and the implementation of objective

⁵ Schwartz, Robert G., Pathways to Juvenile Detention Reform: Promoting and Sustaining Detention Reforms (Working Draft), Baltimore, MD 1999.

⁶ OJJDP, Detention in Delinquency Cases Fact Sheet, August 1999.

criteria to drive detention decisions. The provision of case management services and review hearings are instituted in an effort to move the juvenile out of secure confinement consistent with public safety goals. The third prong of these approaches has been to create alternatives to secure confinement in the community.

Virginia has adapted these approaches with various degrees of success. From 1990 to 1994, the Department of Youth and Family Services instituted weekly review hearings of juveniles detained, but abandoned the practice on a statewide basis in 1995. Risk assessment instruments have been piloted on and off since 1990, but have yet to be implemented consistently across the state. In 1995, the Commission on Youth established the Virginia Juvenile Community Crime Control Act (VJCCCA), which funded community alternatives to detention. The program currently provides \$2.9 million dollars in funding for localities. Localities are given discretion over the use of the money, however, the statutory provisions of the act and funding formula encourage the development of alternatives to secure confinement. The VJCCCA was funded in January 1996, but there has been no evaluation of the impact of increased financial support and detention rates. The Commission on Youth reviewed the 1999 local VJCCCA plans in an attempt to track the funding of alternatives with detention home utilization.

F. Post-dispositional Detention in Virginia

The establishment of the use of secure detention post-dispositionally as a sentencing option occurred with the passage of HB 1417 in the 1985 General Assembly Session. The main purpose of the bill was to prohibit the pre-dispositional placement of juveniles in adult jails. The enactment of this state law was in response to federal juvenile justice legislation, the Juvenile Justice and Delinquency Prevention Act of 1974. With the use of jails no longer a viable sentencing option, a compromise was developed which would provide Juvenile Court Judges the ability to sentence juveniles to secure confinement in the juvenile system. The substitution of detention homes for jails took effect on July 1, 1985. The law provided two forms of post dispositional sentencing, up to thirty days and up to six months dependent upon the juvenile's prior delinquent and treatment history.⁷ The Department of Corrections was responsible for certifying detention facilities to hold juveniles post-dispositionally. The standards at that time required separate detention space and articulated responsibilities for the development and monitoring of a community treatment plan for six month placements, and designation of detention home staff with primary responsibility for the program.

In 1991 the Secretary of Public Safety convened a statewide Task Force to examine all issues surrounding detention. The Task Force identified 14 statewide detention issues, three of which addressed the post-dispositional use of secure detention.⁸

In examining the role of detention, the Task Force identified guiding principles. One principle applying to post-dispositional services read: "Youth held in a pre-

⁷ Summary of HB1417 provided by University of Richmond Law Review, Vol. 19 No. 705, 1989. Robert E. Shephard, Jr., "Legal Issues Involving Children."

⁸ Detention Task Force Report Detention Crisis Initiatives, Dept. of Youth and Family Services, 1992.

dispositional status should not be mixed with youth receiving services in a post-dispositional capacity or waiting transfer to circuit court".⁹ Based on this principle, three recommended actions were made.

1. Post-dispositional programs should be provided in a facility separate from secure detention.
2. Existing post-dispositional programs which cannot be offered in a separate secure facility must continue to be offered in a detention facility shall be separate and apart from the secure detention program.
3. The Board should revise standards to reflect this definition of post-dispositional programs.

While many of the 42 recommendations contained in the report were not implemented (including the one requiring post-dispositional programming occur in a separate facility), those related to standards were adopted.

In 1994 with federal grant funds the Department undertook a post dispositional study. The study had four goals:

1. define post-dispositional detention;
2. describe the seventeen post-dispositional programs in Virginia;
3. describe characteristics of youth given post-dispositional detention sentences;
4. compare recidivism rates of post-dispositionally sentenced juveniles to those committed to learning centers¹⁰.

The study developed a three-part typology of post-dispositional programs based on data collection and interviews across the state. In addition to the three types of programming seven program characteristics were identified. The resulting matrix is provided below.

Program Type	(1-10 Day) Shock Incarceration	(1-30 Day) Extended Detention	(1-180 Day) Residential Treatment
Characteristics			
Facility Type	Single or Multiple Jurisdictions	Single or Multiple Jurisdictions	Single Jurisdiction
Staffing	No additional staff	No additional staff	Specialized staff
Educational Program	None	None	Separate Educational Program
Other Services	None	Additional Services	Additional Services
Community Visits	None	Infrequent	Frequent
Family Involvement	Limited	Extensive	Extensive
Relationship with Judges	Formal Communication Only	Formal and Informal Communication	Formal and Informal Communication

Source: Virginia Commission on Youth Graphic of June 1994 DYFS Post-Dispositional Study, Summer 1999

⁹ Ibid, p. 5.

¹⁰ Research Overview, Post-Dispositional Study, Department of Youth and Family Services, June 1994.

Using this typology, the Department identified the utilization trends for the three different types of post-dispositional programming from FY 90 through FY 93.

	FY 90	FY 91	FY 92	FY 93
Shock Detention (1-10 Days)	155 (45%)	189 (46%)	95 (29%)	152 (33%)
Extended Detention (1-30 Days)	111 (32%)	140 (34%)	148 (46%)	200 (43%)
Residential Treatment (1-180 Days)	78 (23%)	85 (20%)	80 (25%)	111 (24%)

Source: Virginia Commission on Youth Graphic of June 1994 DYFS Post-Dispositional Study, Summer 1999

The data indicates that the use of post-dispositional detention as a residential treatment option remained stable, representing between one-fifth and one-quarter of the placements. The changes in practice are found in the steadily increasing use of 30 days sentencing in which the juveniles are housed in secure confinement yet receive limited specialized services. In 1994 there were only four facilities offering specialized six-month programming. In 1999 the number of post-dispositional facilities has grown to six.

VII Findings and Recommendations

The information gathered from the site visits and data collection efforts on the profiles of juveniles detained, as well as fiscal information from the detention homes formed the basis of the majority of the findings. It is important to note that given the planned expansion in which an additional 433 beds are planned to go on line by FY 2002, the snapshot of conditions of secure juvenile detention provided by the study activities reflect only the current situation in Virginia. As the system is in the process of expansion, it is assumed some issues such as overcrowding may be alleviated by additional capacity. However, other findings, related to secure detention's role in the service continuum, communication between courts and detention and program standards will not be altered solely through the expansion of secure beds. System-wide recommendations must acknowledge that, as a rule, the local juvenile justice systems which influence the use of detention in general and post-dispositional detention specifically is extremely fragmented with uneven communication between the state and localities and among local providers. Given the distinctly local nature of secure detention, system enhancements in the use of post-disposition detention must be approached in the spirit of a state and local partnership. The state has a clear role in provision of funding and promulgation of best practice standards and technical assistance to local detention homes. However, real improvement predominately rests at the local level where assessments of the use of secure confinement must be undertaken with renewed vigor. Localities are best positioned to assess the role secure confinement plays within their service continuum and to analyze the fiscal and service implication of their utilization trends. If post-dispositional detention is to provide a useful dispositional option, local discussions with judges, local funding bodies and court staff must be imitated and maintained in a planful way. The findings and recommendations offered below are a suggested blueprint for moving in this direction.

A. Overcrowding

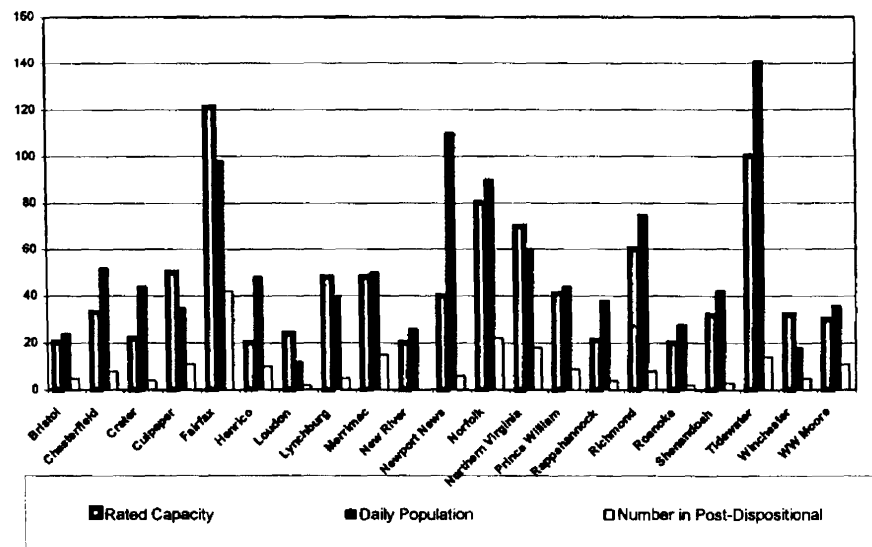
Overcrowding must be addressed if post-dispositional detention is to be available as a statewide option. If facilities are operating over their capacity pre-dispositionally, they do not have available space to provide long-term post-dispositional programming. It is important to note that the term post-dispositional placement encompasses all three usages of secure detention. The three uses of post-dispositional detention are:

- violation of court order (16.1-292) 1-10 days
- post-dispositional placement (16.1-284.1[A]) 1-30 days
- detention placement in lieu of commitment (16.1-284.1[B]) 1-180 days

Only six facilities have developed long-term post-dispositional programs. However, all facilities house juveniles for violations of court orders for periods ranging between two and ten days. Violators make up the largest (43%) of offense categories from the study sample. The ability to provide programming for juveniles sentenced to detention is completely comprised when a facility is overcrowded. While the DJJ has told facilities which are expanding that 20% of their new capacity is to be designated for post-dispositional services, only two facility directors believed they would be able to run post-dispositional programs if their expanded facilities are as overcrowded as their current homes. Based on the site visits held in the summer of 1999, 15 of the 21 facilities were overcrowded, as documented in Chart 2.

Chart 2

Virginia's Juvenile Detention Home Profile Summer 1999

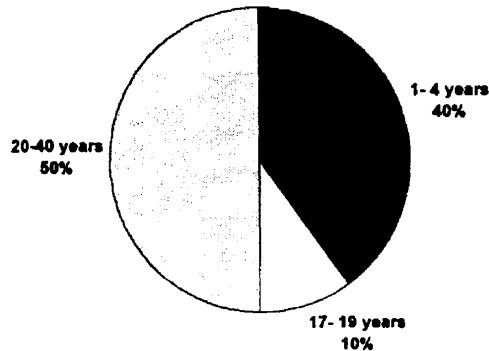


Source: Virginia Commission on Youth Graphic Analysis of Data Gathered in Site Visits, Summer 1999

Overcrowding is caused by the number of juveniles placed in the facility and the length of time they stay. As has been referenced earlier in the report, half of Virginia's secure detention homes were built in the 1970's and 1980's and tended to be smaller facilities averaging 24 beds. The proportion of facilities which are 20 years old or older is provided in Chart 3. All of the facilities built at least 20 years ago are overcrowded.

Chart 3

**Virginia Juvenile Detention Homes
Age of Facility**



Source: Virginia Commission on Youth Graphic Analysis of Data Gathered in Site Visits, Summer 1999

Even though newer facilities tend to be larger, averaging 61 beds, six of the eleven newer facilities are also housing more juveniles on a daily basis than they were designed to serve. While 80% of the overcrowding occurs in the older facilities, without a change in sentencing practices, some of the newer or expanded facilities will remain over-utilized. The age of each of the 21 facilities and their rated capacity are provided in Table 4.

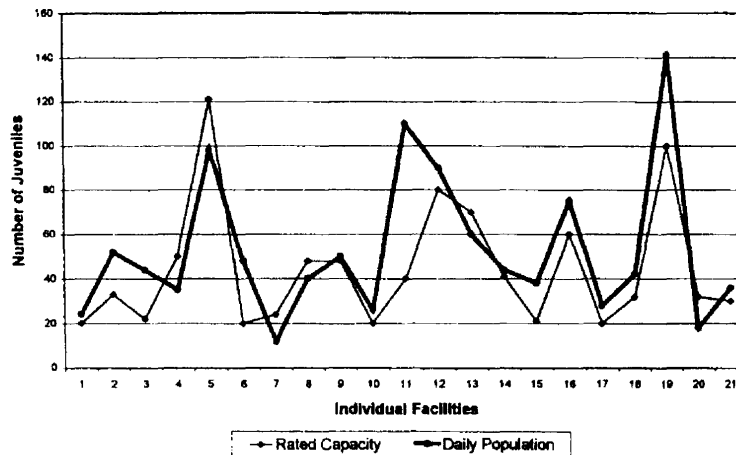
Table 4

Age and Rated Capacity of Facility

FACILITY	Age	Rated Capacity	FACILITY	Age	Rated Capacity
Roanoke	40	20	Tidewater	4	100
Shenandoah	33	32	Loudoun	3	24
Newport News	32	40	Richmond	3	60
Rappanahock	27	21	Fairfax	2	121
VW Moore	27	30	Lynchburg	2	48
Chesterfield	26	33	Merrimac	2	48
Bristol	25	20	Northern Va.	2	70
New River	25	20	Winchester	1.5	32
Crater	24	22	Culpeper	1	50
Henrico	19	20	Norfolk	1	80
			Prince William	1	41

In FY 98, detention homes were operating at 145% overcapacity with a daily population of 994 juveniles and 708 beds. In FY 99, bedspace has increased to 93 housing 1,111 juveniles daily with a resulting 119% utilization rate. The comparison of rated capacity to average daily population for all 21 facilities, as provided in Chart 4.

Chart 4

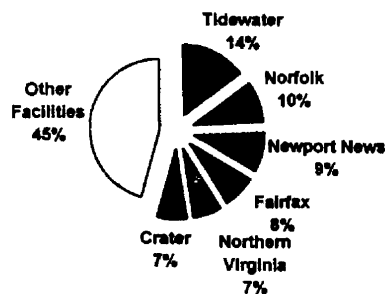


Source: Virginia Commission on Youth Graphic Analysis of Data Gathered in Site Visits, Summer 1999

However, as would be expected given different population density across the state, not all facilities are overcrowded. The facilities operating under capacity are all less than five years old and (with the exception of Fairfax) tend to be located in jurisdictions with smaller juvenile populations. The facilities which are operating under capacity are: Loudoun; Lynchburg; Alexandria; Winchester; and Culpeper.¹¹ Based on the study's data collection efforts, six facilities housed 50.9% of the detained population. Those six facilities and a portion of the detained population they housed is shown in Chart 5.

Chart 5

Distribution of Detained Population



Source: Virginia Commission on Youth Graphic Analysis of Data Gathered in Site Visits, Summer 1999

Two of these facilities - Crater and Newport News - are among the smallest of the detention homes with rated capacities of 22 and 40 beds respectively.

¹¹ Culpeper only began operation in March 1999.

All but ten localities across the state had placed a juvenile in detention during the four sample weeks. Slightly over half of the juveniles detained (52.5%) were placed by ten jurisdictions. See Table 5 below.

Table 5
Ten Localities Having
Highest Number of Detention Placements

Locality	No. of Juveniles	% of State Placements N=4,930
Norfolk	443	8.9
Fairfax	392	7.8
Virginia Beach	312	6.2
Chesterfield	233	4.7
Newport News	219	4.4
Arlington	210	4.2
Henrico	210	4.2
Chesapeake	212	4.2
Prince William	208	4.1
Stafford	192	3.8
Total	2,631	52.5%

Source: Virginia Commission on Youth Graphic Analysis of Data Submitted by Detention Homes, Fall 1999

Two jurisdictions - Norfolk and Fairfax - placed 16.7% of all the juveniles statewide. However, these localities did not necessarily account for the highest percentage of juveniles charged with violent crimes. When analysis was run on the committing jurisdictions for the 26 juveniles charged with murder during the data collection period, Newport News had the highest number with six, followed by Norfolk and Virginia Beach with four each and Henrico County with three. Chesterfield, Albemarle and Fairfax had two juveniles charged with murder. The remaining five juveniles were charged from five other jurisdictions. However, at the other end of the offense spectrum, when similar analysis was conducted on status offenders (not violations of a court order arising out of a status offense, but a charge of truancy or running away, resulting in detention) out of the 86 status offenders detained, Norfolk had the most, with 36, Richmond detained seven, Newport News six and Fairfax placed five. While there is a relationship between the relative prevalence of violent juvenile crime and detention practices, the study findings suggest other factors such as availability of alternatives and community sentiment affect detention placement.

Based on the data collected from the facilities, 57% of the juveniles detained are held pre-dispositionally. The most frequently cited offense for detention was probation violation (1,377 juveniles) which was more than three times the juveniles detained for violent crime charges (422) combined. Over three-quarters (76%) of the facilities are housing violators of probation, parole or a court order for periods ranging from five to ten days. Overcrowding is clearly influenced by both the volume of juveniles housed, and the length of time they are serving. If the majority of juveniles are sentenced post-dispositionally, closer scrutiny to the use of secure detention as a consequence is required. With respect to the volume of juveniles housed, some of the offenders may be

more appropriately served in alternative settings and quicker court processing to reduce the length of stay.

Findings

Despite the expansion of secure detention space, the utilization rate in FY 99 was 119%. Charges of violations of court orders accounted for 43% of the detained youth, while crimes against person and weapon charges accounted for only 24% of the detained population. Overcrowding impacts the quality of programming and places staff and juveniles at risk. During the site visits, six of the facilities reported the practice of locking juveniles in their cells for up to six-hour increments as a means to manage population flow. Offense information on detainees suggest non-secure alternatives may be appropriate for some juveniles, which would relieve overcrowding while maintaining concern for public safety. In addition to minor offenders being securely detained, their length of stay is often extended due to court docketing constraints and use of case continuances.

Recommendation 1

Revise 16.1-272 of the Code of Virginia to limit the time a juvenile can be held in secure detention, if no adjudicatory hearing has been held, to 14 days if the juvenile has been detained for absconding from a facility, or for failure to appear in court.

Recommendation 2

Revise 16.1-272 to restrict the extensions of time limitations to 60 days prior to an adjudicatory hearing and 30 days after the adjudicatory or transfer hearing.

Findings

Data was gathered for four sample weeks in FY 99 on 4,930 juveniles.¹² While detention homes submit monthly data to the Department of Juvenile Justice (DJJ), this data is not keyed into any statewide system in a timely manner. Detention home superintendents had valid concerns regarding duplication of the data collection effort and questioned how DJJ data was stored or used. Until DJJ has developed and maintained adequate data collection and retrieval mechanisms, the state will continually be hampered in their planning and policy implementation efforts.

Recommendation 3

The Department of Juvenile Justice (DJJ) should be directed in the Budget Bill to compile and disseminate to all detention homes on a quarterly basis the data collected on the planned JC 2000 system. Continued receipt of a portion of state funds for the DJJ Management Information Systems should be made contingent upon the Department's compliance with this directive.

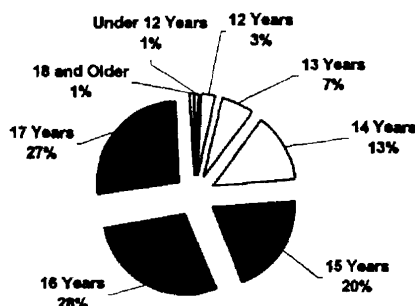
B. Client Profiles

In gathering data for the four sample weeks, information was collected on 4,930 juveniles. As tracks with national statistics, the majority (55%) of these juveniles were

¹² Partial data was received by the Richmond and Newport News Detention Homes.

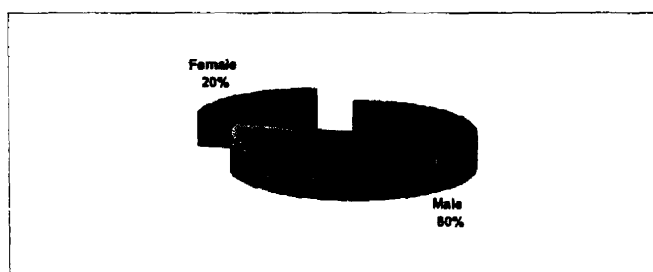
between the ages of 16 and 17 years of age. However, over ten per cent were 13 or younger. The age breakdown of detained juveniles is provided in Chart 6.

Chart 6
Detained Juveniles by Age



One out of every five detainees was female.

Chart 7
Detained Juveniles by Gender

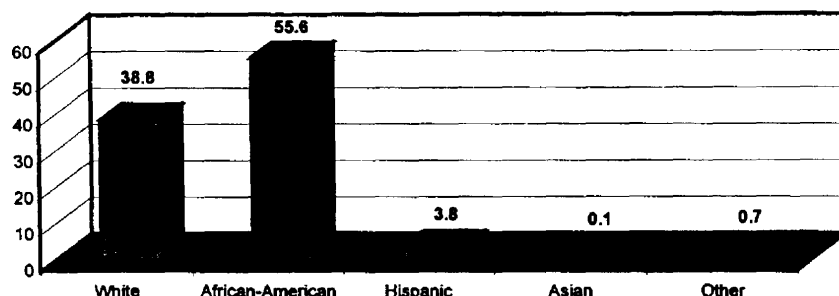


Source: Virginia Commission on Youth Graphic Analysis of Data Gathered in Site Visits, Summer 1999

While African American youth comprise 28% of Virginia's youth population, they comprise over half (55.6%) of the detained population. Despite the increase in other minority groups, such as Hispanics which are projected to increase to 1% of the workforce in 2005 and Asian Americans which are the largest growing segment of the U.S. population, these groups remain under-represented in Virginia's detention system. Only 3.8% of the detainees were Hispanic and these 187 youth were housed in the Northern Virginia (Alexandria) and Fairfax Homes. The Asian population made up less than .1% of the detained youth, as graphically displayed in Chart 8.

With respect to the charges leading to the juvenile's placement in detention, the largest group of offenses accounting for 43% of all detentions were for violation of court orders. Violating the terms of probation accounted for 66% of this group of offenses. Violent crimes against person is the sixth largest category of offenses totaling only 9% of the cases. (See Table 6 for a listing of offenses comprising each category.)

Chart 8
Detailed Juveniles by Race
By Percentage of Population



Source: Virginia Commission on Youth Graphic Analysis of Data Gathered in Site Visits, Summer 1999

Table 6
Total Detained Offenses from Sample ¹³

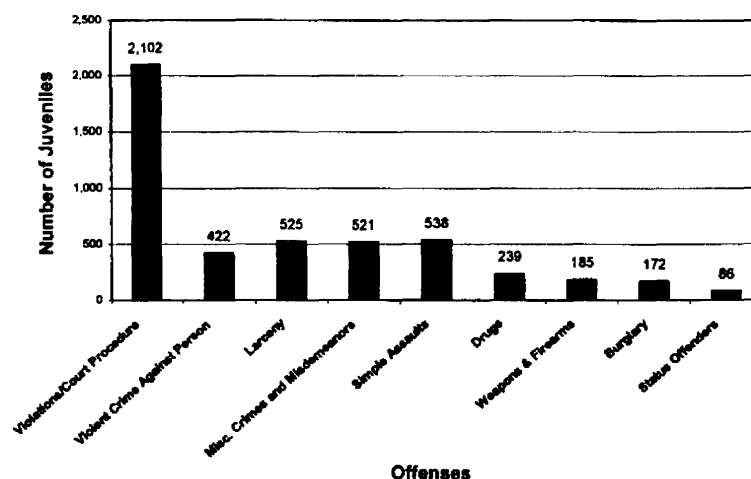
Violent Crimes Against Person	422	Violations/ Court Procedures	2,102
Robbery	127	Probation Violation	1,377
Armed Robbery	34	Parole Violation	237
Malicious Wounding	111	CHINS Violation	213
Rape	50	Contempt of Court	128
Aggravated Assaults	28	Failure to Appear	122
Murder/ Manslaughter	26	Hearings	25
Sexual Assault	28	Miscellaneous Crimes	521
Sodomy	18	Vandalism	150
Drugs	239	Other	105
Narcotics Possession	111	Disorderly Conduct	80
Marijuana Possession	83	Trespass	45
Narcotics Distribution	30	Traffic	31
Marijuana Distribution	15	Fraud	30
Weapons and Firearms	185	Arson	27
Felony With Firearm	42	Alcohol	16
Possession	68	Escapes	21
Concealed Weapon	44	Abusive Language	16
Brandish/ Discharge	31	Larceny	525
Status Offenses	86	Grand Larceny	212
CHINS	25	Auto Theft	82
Runaway	39	Unauthorized Use	75
Child Welfare	9	Petit Larceny	156
Status Offenses	16	Simple Assaults	538
Burglary	172	Simple Assault	446
Burglary	137	Simple Assault Against Family	92
Breaking and Entering	35		

Source: Virginia Commission on Youth Graphic Analysis of Data Gathered in Site Visits, Summer 1999

¹³ Partial data received from Richmond and Newport News Detention Homes

Simple Assaults represents 11% of the total, but of the 538 cases, 92 are assaults against family members, which suggests family dysfunction as much as delinquent behavior. Family related offenses, including intrafamilial assaults, cursing and abuse, and unauthorized use of an auto accounted for 185 detentions. Despite the national increase in youth-related drug offenses, in Virginia drug-related offenses accounted for only 5% of the detainees. The number of juveniles detained for each category of offense is provided in Chart 9.

Chart 9
Offender Profile by Offense



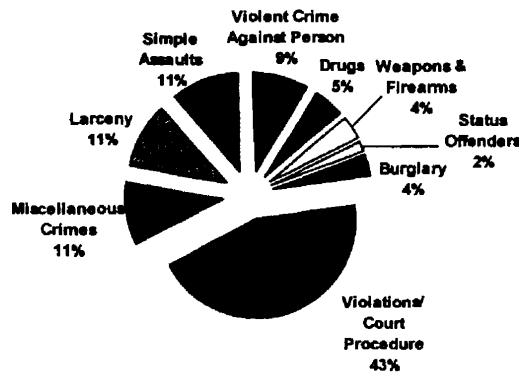
Source: Virginia Commission on Youth Graphic Analysis of Data Gathered in Site Visits, Summer 1999

With respect to firearm and weapon charges, this offense group showed the largest increase since statewide data was collected. Of the 185 juveniles detained on weapon or firearm charges, possession of a firearm or concealed weapon charges comprised 60% of the offenses. A number of juveniles were charged with possession of a firearm while committing a felony. If the specific criminal act (i.e., breaking & entering) was noted, they were counted under the specific offense category, rather than weapons violation; therefore, the 185 cases is an undercount of juveniles who were armed while committing criminal acts. The violent crimes category encompasses most of the Part I Offenses. Armed Robbery and Malicious Wounding were the two largest sub-sets of this category. Rape and Sexual Assaults accounted for 18% of the 422 juveniles.

The 86 juveniles detained for status offenses (in addition to the 210 juveniles detained for CHINS violations) were presumably held in violation of state and federal law. Virginia Code allows the detention of status offenders for 72 hours. Given the average length of stay pre-dispositionally was 18 days, it is unlikely the majority of these juveniles were held for only three days. Some of the more service-rich areas in terms of alternatives were the greatest violators of the prohibition against detaining status offenders and child welfare cases. When alcohol offenses and minor traffic cases are added together, 133 juveniles were detained in this category.

The percentage of each category of offenses for the sample detained population is provided in Chart 10. Specific breakdowns for the crimes for three categories: violent crimes against person; violations of court orders; and status offenders are provided in Charts 11-13.

Chart 10
Percentage of Offenses Represented in Secure Detention



Sentences from one to ten days for violation of court order have a disproportionate impact on crowding for the smaller facilities. These dispositions of up to ten days are routinely ordered to provide a consequence for the juvenile, or in the words of one facility director, "to take the juvenile's weekends away from them." In 40% of the cases, juveniles sentenced up to ten days are ordered to serve their time over five consecutive weekends. "Weekenders" typically arrive Friday evening and are released Sunday afternoon. Facility staff spend an average of three hours out of the total 48 hours of confinement processing the juvenile in and out of the facility. For the majority of the facilities, the weekend is the least structured part of the week, with no educational and limited counseling services. Anecdotally, facility directors report weekend sentences tend to be more effective with younger juveniles who have no prior experience with secure confinement. However, for the majority of juveniles given weekend sentences, recidivism rates are high. Direct care staff report most weekenders tend to be less compliant with facility rules as they know their release on Sunday occurs automatically.

Chart 11
Violations/Court Procedures are 43% of all detentions.

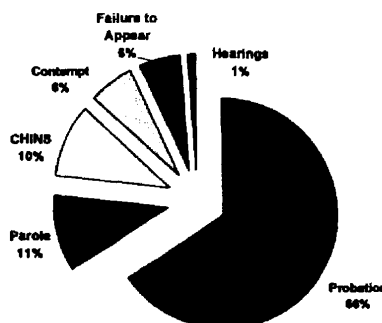


Chart 12

Status Offenses are 2% of all detentions.

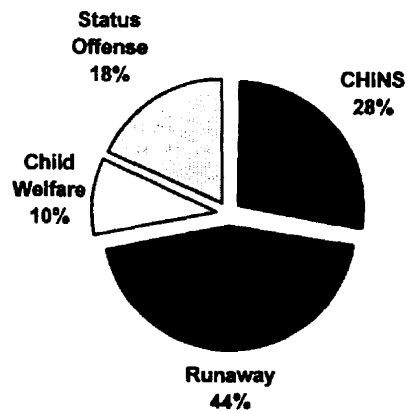
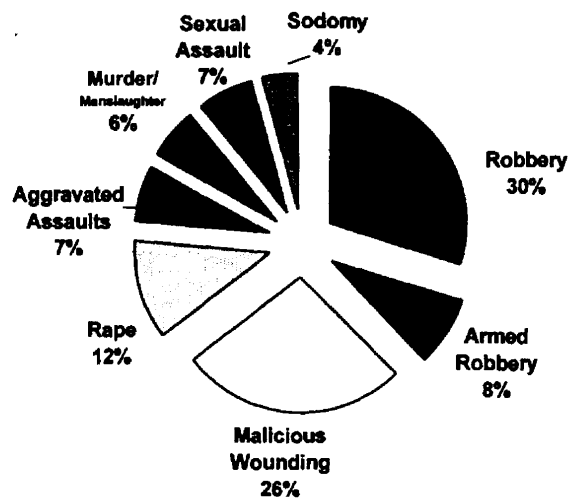


Chart 13

Violent Crimes Against Person are 14% of all detentions.



Source: Virginia Commission on Youth Graphic Analysis of Data Gathered in Site Visits, Summer 1999

Three facilities have developed "weekender programs" which require the juvenile to work on supervised public works crews on the weekend and return home at night. Non-compliance with the program results in a detention placement. These three programs are funded with VJCCCA dollars. Each of the three programs report success in meeting the goals of the court to provide consequences without overcrowding their secure facility. However, this approach has not been replicated statewide.

Findings

There are a total of six detention homes in Virginia which operate long-term post-dispositional programs. However, all detention homes report housing juveniles for one to ten-day sentences for violation of probation or a court order. No facility has separate programming for these youth who are housed with the general population.

Sixty-five percent of all post-dispositional sentences are for one to ten days. Many of these ten-day sentences are served during the weekend when programming is limited. Half of the facilities reported detaining 18 year olds for violation of a court order arising from a delinquency charge. With violations charges accounting for 43% of the detained population, crowding issues can partially be addressed through limiting the use of detention for non-compliant behavior. Availability of funding through the VJCCCA has been used in some jurisdictions to create programming in which offender accountability is stressed, consequences are provided but additional burdens are not placed on secure facilities.

Recommendation 4

Revise 16.1-292 to limit total length of sentence imposed for violations of court order to ten days and to prohibit the placement of adults who have violated a court order in juvenile detention facilities.

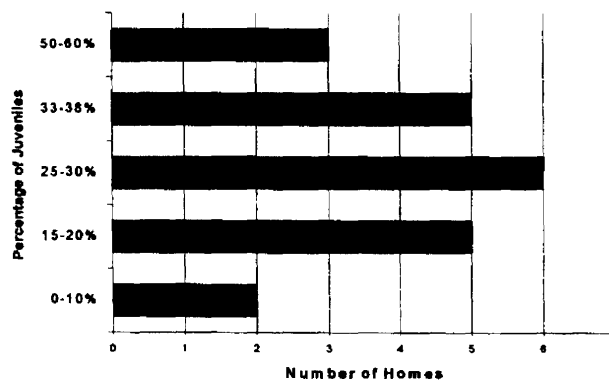
Recommendation 5

Request Department of Juvenile Justice to review local Virginia Juvenile Community Crime Control Act (VJCCCA) plans to insure that a portion of these funds is directed towards alternatives to secure detention.

Data collected from the offender profiles was augmented by information gathered at the site visits. Every detention home superintendent raised the issue of psychotropic medications when asked about characteristics of the juveniles being detained. Each facility reported the presence of juveniles on psychotropic medicines and an increase over the last two years in the number of juveniles on medication. Some facilities noted that for many of the juveniles, confinement is the first time they experience regularity in taking the medication, which has led to physical and psychological side-effects which the staff feels ill-equipped to handle. The types of medication identified included anti-depressants such as Prozac, Paxil and Wellbutrin, anti-psychotics such as Risperdal and anti-convulsant medicine such as Topamax. The percentage of juveniles reported to be on psychotropic medicines is provided in Chart 14.

Chart 14

Percentage of Juveniles on Psychotropic Medication



Source: Virginia Commission on Youth Graphic Analysis of Data Gathered in Site Visits, Summer 1999

Each facility had at least three staff people trained in the administration of medications and the process consumes at least two hours in a 24 hour day. One third of the detention homes identified the number of juveniles on medication and the monitoring of medically-related issues to cause facility management problem.

Given the diversity of offenses and psycho-social profiles of detained youth. Careful population management is of the utmost importance. Unfortunately, detention homes rarely know much about the juvenile when they first receive him. While most localities supply the immediate charge for which the detention was ordered, few provide past histories on the youth. As a result of overcrowding, juveniles are often placed in the shared cell with little ability to protect against victimization.

Finding

The majority of detained juveniles are not charged with violent crimes; however, there were 607 cases of violent crime and weapons charges. Detention homes rarely receive background information on the juvenile and housing decisions are made based on available space. While detention facilities attempt to segregate juveniles based on age, size or charge, they are often doing so without complete information. This lack of information has resulted in juveniles charged with minor offenses sharing cells with convicted sex offenders. The lack of information puts juveniles and facilities at risk.

Recommendation 6

Amend 16.1-248.1 to require the detention order to state the offense for which the juvenile is being detained, and to the extent practicable pending plus previous charges. If the juvenile is placed for violation of probation, the order shall list the juvenile's original charge.

C. Use of Short-term Post-dispositional Detention

Post-dispositional detention is used for a variety of reasons across the state. Previous sections of the report have discussed issues related to the use of detention as a consequence for violation of a court order. Based on information gathered during the site visits, Table 7 provides an overview of the 21 secure facilities' post-dispositional services. This table also references the size, age, and other utilization of the facility.

The second prevalent use of post-dispositional detention sentencing is up to 30 days pursuant to 16.1-284-1(A) of the *Code of Virginia*. In order to be eligible for a 30-day sentence, the *Code* stipulates that:

- a) juvenile is at least 14 years of age;
- b) juvenile has not been adjudicated guilty within the last year;
- c) interest of juvenile and/or community require legal restraint;
- d) other placement will not serve in the juvenile's best interest.

Ten of the facilities (48%) house juveniles who are sentenced up to 30 days. The primary charge for a 30-day sentence is probation violations (63%), followed by shoplifting (20%) and simple assaults (15%). Because almost all of the youth who are

Table 7

Overview of Virginia's Juvenile Detention Homes' Post-dispositional Services

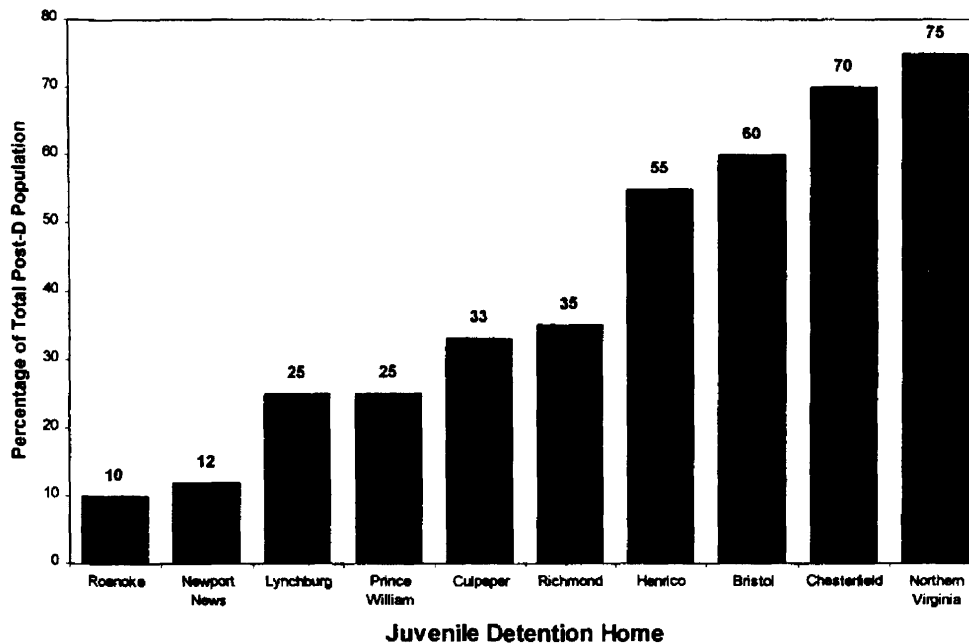
FACILITY	Rated Capacity	ADP	Age	Planned Expansion (No. Beds)	%/ No. PD	PD Sentence in Days (% for Facility)	Offense	Purpose of Sentence	Specialized PD Services
Bristol	20	24	25	2000:+10	20/5	1-10 (40%) 1-30 (60%)	Contempt, Truant Violators w/priors	Time served Time served	None In-house
Chesterfield	33	52	26	2002:+57	15/8	1-10 (30%) 1-30 (70%)	Court Order Violation P.O. Violation	Time served Structure, Treatment	None None
Crater	22	44	24	2002:+ 46	10/4	1-10 (100%)	P.O. Violation, Assaults	Time served	None
Culpeper	50	35	1	NA	30/11	1-10 (66%) 10-30 (33%)	Violate Court Order P.O. Violation	Time served Remove from Comm	None None
Fairfax ★	121	98	2	NA	35/ 42	1-10 (10%) 60-90 (45%) 180 (45%)	P.O. Violation, Court Order Misdemeanors Drugs, Assaults, etc.	Time served Triage Treatment	None In-house In-house
Henrico	20	48	19	2000:+60	21/10	1-5 (45%) 10-30 (55%)	Court Order Violation P.O. Violation	Time served Time served	None None
Loudoun	24	12	3	NA	18/2	6-7 (100%)	P.O. Violation	Time served	In-house
Lynchburg ★	48	40	2	NA	12/5	1-10 (25%) 10-30 (25%) 180 (50%)	P.O. Violation, Court Order P.O. Violation, Assault P.O. or Parole Violation	Time served Time served Transition	None None Mixed
Merrimac ★	48	50	2	NA	30/15	1-30 (82%) 31-180 (8%)	Contempt Assault, P.O. Violation	Time served Treatment	None Mixed
New River	20	26	25	NA	7/2	1-3 (90%) 5-10 (10%)	Minor Offenses Minor Offenses	Attention Getting Time served	None None
Newport News	40	110	32	2002:+77	5/6	1-10 (78%) 30 (12%)	Contempt Await Placement	Time served Available Bed	None None
Norfolk ★	80	90	1	NA	25/22	1-5 (20) 180 (80%)	P.O. Violation All Types	Time served Treatment	None Mixed
Northern Virginia ★	70	60	2	NA	30/18	2 (10%) 1-30 (75%) 180 (15%)	Contempt, DUI, Traffic P.O. Violation, Shoplifting Variety	Time served Time served Treatment	None None Mixed
Prince William	41	44	1	2001:+32	20/9	10 (75%) 10-30 (25%)	P.O. Violation Repeat Violator	Time served Time served	None None
Rappanahock	21	38	27	2000:+43	10/4	1-2 (48%) 5-10 (52%)	Court Order Violation P.O. Violation	Time served Time served	None None
Richmond	60	75	3	NA	10/8	1-3 (65%) 30+ (35%)	P.O. Violation Await Placement	Time served Available bed	None None
Roanoke	20	28	40	2001:+61	6/2	1-10 (90%) 30+ (10%)	Contempt, No License P.O. Violation	Consequence Transition	None Community
Shenandoah	32	42	33	2001:+14	5/3	1-10 (100%)	P.O. Violation	Time served	None
Tidewater	100	141	4	NA	10/14	5-10 (100%)	P.O. Violation	Time served	None
Winchester ★	32	18	1.5	NA	30/5	2-3 (70%) 30-180 (30%)	P.O. Violation, Court Order Larceny, Drugs, Assault	Time served Stability, Transition	None Mixed
WW Moore	30	36	27	2001:+33	30/11	1-10 (50%) 30-180 (50%)	P.O. Violation Assault, Drugs, etc.	Attention getting Hookup w/services	None Community

★ Facility has separate designated PD beds for 6-month programming.

Source: Virginia Commission on Youth Analysis of Data Gathered in Site Visits, Summer 1999

sentenced for 30-days have previously been detained pre-dispositionally and the Code subtracts this time from the sentence imposed, the average length of stay for the 30-day sentence is 18 days. However, six of ten facilities report the majority of juveniles serve the full 30 days. For the ten facilities, the 30-day sentenced youth comprise an average of 37% of their post-dispositional population. However, as shown in Chart 15, there is a tremendous range, from 10% in Roanoke to 75% in Northern Virginia.

Chart 15
Percent of 30-Day Sentence
Comprising Post-dispositional Population



Source: Virginia Commission on Youth Graphic Analysis of Data Gathered in Site Visits, Summer 1999

All ten facilities co-mingle youth sentenced for 30 days with their pre-dispositional youth. There is no specialized programming for this population. Two of the facilities report that juveniles sentenced for 30 days are often placed there while awaiting placement in a non-secure residential treatment facility. Given the absence of specialized programming, co-mingling with pre-dispositional youth and the state goal of a 30-day sentence, this option is more in line with similar provisions under 16.1-278.8, in which a variety of dispositional options for delinquents is provided.

Findings

Post-dispositional detention as a sentencing option under 16.1-284.1 is to be used in lieu of commitment to state care. The Code currently provides this sentencing option for up to 30 days for juveniles who have not been found delinquent within the previous year. Eleven of the twenty-one facilities receive juveniles for thirty-day sentences, although no facility provides separate programming for this population. The purpose of the sentence, according to facility directors, is for the juvenile to

Findings (cont.)

serve time in confinement. Over 60% of juveniles given 30-day sentences have spent over two weeks in detention pre-dispositionally resulting in their serving slightly over half of their sentence due to Code restrictions.

Recommendation 7

Provide for 30-day sentencing to secure detention as a dispositional option under 16.1-278.8 for juveniles not found delinquent within the preceding 12 months and remove the reduction of the sentence for time served pre-adjudicatorily.

D. Six-month Post-dispositional Detention

While six-month sentencing to secure detention in lieu of commitment to a juvenile correctional center is used the least often of the three forms of post-dispositional placements, this is the service option which is referred to when post-dispositional detention is discussed. DJJ's requirement to expand availability of post-dispositional bedspace in new construction and expansion is focused on six-month programming. Nationally, there is debate on the post-dispositional use of juvenile detention. The National Juvenile Detention Association opposes the post-dispositional use of detention. They view detention's role as pre-trial custodial holding. Other forms of post-dispositional detention (save awaiting placement) is seen as a correctional function. Notwithstanding the association's concerns, Virginia is among six states with a statutorily-defined role for secure detention in post-dispositional services. The Code criteria for a six-month sentence is:

- a) Juvenile is at least 14 years of age;
- b) Juvenile has been adjudicated delinquent within the last 12 months and has failed to respond to past treatment;
- c) Juvenile is amenable to continued treatment in the community; and
- d) Interest of the juvenile and/or community require legal restraint.

The Court may place a juvenile in secure detention for up to six months after a review of the juvenile's prior record, present offense, and treatment experience. The Court then will commit the juvenile to a correctional center, suspend the commitment and place the juvenile for up to six months. As with the 30-day sentences, the period of time is inclusive of the time served pre-dispositionally. The goal of the sentence is to provide community-based treatment in a secure setting in lieu of commitment to the state. While the placement is in a locked facility, the community setting is important, as it allows for family involvement participation in a host of counseling, remediation, and employment services unavailable at the state's institutions, and potential re-integration to the juvenile's school.

Seven facilities currently receive juveniles for six-month sentences. Six of these facilities run specialized programs with designated beds and staff for the six-month population. These six facilities provide a combined total of 76 beds statewide for designated six-month programming. An overview of the six programs is provided in Exhibit 3.

Overview of the Six Secure Detention Post-dispositional Programs

Fairfax - Two 12-bed units designated as Alpha and Beta programs. Alpha Unit serves younger (ages 14-15) juveniles, with lesser offenses and prior misdemeanor charges which would not warrant commitment to DJJ. Average length of stay is 3 to 4 months. Routinely Alpha participants have no prior placements in residential care. Program serves a triage function in identifying substance abuse and other treatment needs. Beta program serves older (ages 16-17) juveniles, with more serious charges; however, sex offenders are not accepted. Majority of juveniles have previously been placed in residential care. Highly structured and focused on substance abuse treatment. Average length of stay is six months.¹⁴ All services for both programs are provided by detention home front line and clinical staff, CSB and local school employees. Aftercare is provided by Fairfax CSB for 60 days post release.

Lynchburg - Eight-bed post-dispositional unit. Half of the juveniles have previously been committed to DJJ. Majority of juveniles have chronic, as opposed to serious delinquent histories. Goal of the program is to provide transitional services to facilitate the juveniles into the community through family counseling, case management, and linkages between juvenile and community programs. Juveniles are out in the community within the first week of placement in the program. Average length of stay is three months. Program has been underutilized since March 1999.

Merrimac - Ten-bed unit serving juveniles in lieu of commitment. Majority of juveniles have chronic delinquent histories. Program is structured heavily around group work within the ten-bed unit, with group counseling provided daily and three individual sessions per week. Facility and community staff provide substance abuse treatment. Juveniles move through levels based on their success in the program, with higher levels allowing more community exposure.

Norfolk - Sixteen-bed unit serving juveniles with felony convictions and multitude of prior misdemeanors. Juveniles move through a level system based on performance in program. Once juvenile is assigned a low risk, that juvenile is integrated into the community in school, counseling and employment settings. Program has a transitional goal focusing on educational, clinical and employment issues. Program tends to be more successful with older juvenile (16- 17) for whom placement is the last stop prior to commitment.

Northern Virginia - Ten-bed unit serving juveniles convicted of a variety of charges save violent crimes against person. Half of the juveniles have previously been placed in residential care. Works on a level system and requires family involvement. Life skills, educational services are counseling are provided to every participant with mandatory monthly meetings with detention home staff, probation officer, juvenile and their family. Services provided by facility staff and through community resources. Employment in the community and re-integration to school (if appropriate) are program goals. Average length of stay is six months.

Winchester - Eight-bed unit with a staff ratio of one to eight. Juveniles have a variety of offenses. Goal is job training and educational attainment. Job placement factors heavily in the program with staff fulfilling a case management role. Relies on a level system with the majority of juvenile in the community within one month. Average length of stay is five months.

¹⁴ Six month length of stay includes time served by juvenile pre-dispositionally. On average, the stays tend to be five months.

The six programs have distinct attributes with respect to their programming and client population. However, there are four characteristics which they all share and which distinguishes them from pre-dispositional programming.

1. **Separate classroom and designated post-dispositional teacher(s)** - Given the relative long-term nature of the placement, the educational program has unique features. Individualized educational goals are developed for the juvenile, which may involve returning to the school of origin, GED attainment, and in some cases college preparatory instruction. The majority of six-month juveniles are older and their educational focus tends to parallel those of other 16 and 17 year olds. The post-dispositional teacher is able to provide individual instruction given the size of the program and work on educational goals with four-month horizons.
2. **Designated program coordinator** - While there are variations regarding the degree to which and at what point in the program the juvenile has access to the community, all of the programs provide a linkage between community resources and the juvenile. Services may be brought into the facility or the juvenile may seek the services in the community. The coordinator either directly or through supervision of staff provides a case manager function. Contacts with probation, judges, community programs and the juvenile's family is on-going and intensive. The coordinator insures these case management functions are fulfilled. A coordinator in some programs provides a screening function and the appropriateness of the placement is negotiated with the Court.
3. **At least one designated clinical staff person** - Each of the programs have a strong clinical component and daily groups are found in most of the programs. Expertise in substance abuse treatment, anger management and victimization from physical or sexual abuse characterizes the clinical staff in four of the six programs. In the remaining programs, the treatment focus tends to be on mastery of skills necessary for independent living. These skills may be employment-related or may focus on strengthening responsible decision-making.
4. **Designated front-line staff** - Unlike the pre-dispositional programs, continuity of direct care staff is a priority. Direct care staff routinely carry a caseload and serve as the juvenile's primary counselor. Emphasis is placed on the development of a therapeutic relationship with the direct care staff, similar to other residential treatment program. This emphasis is distinct from the custodial role found pre-dispositionally.

The directors of facilities with post-dispositional services have clear views of the type of juvenile for whom the program is successful. Three of the programs keep very detailed outcome data capturing movement in academic achievement, recidivism rates and employment/college placement data. Each of these facilities has developed programs to fill the particular niche in their communities. Half of the programs (Fairfax, Merrimac, and Winchester) are less than two years old and are in the process of refining their programs.

Eighty-three per cent of the directors with six-month programs believed the reduction of the sentence based on time served pre-dispositionally was detrimental.

The development of a treatment plan influenced by pre-dispositional confinement was noted as problematic. They also cited the system manipulation which occurs when defense counsel continues the case and then moves for a six-month sentence based on the knowledge their client will only serve two months. Theoretically, the six-month sentence is the juvenile's last chance and the issues which brought the youth to that stage cannot be resolved in a two-month timeframe.

From a service continuum vantage point, a six-month sentence is the "last step" before state commitment. All of the facilities report receiving juveniles who have never been placed in a residential setting. While the Code requires a failure to respond to past treatment, the lack of documentation of the nature of these interventions and subsequent failures have resulted in a vast array of placement, from minor offenders with no prior services save probation to juveniles with a history of prior commitments. As placement in the post-dispositional program is conceptualized as a last chance prior to commitment, half the directors questioned the appropriateness of juveniles with prior state commitments. The threat of commitment to a correctional center is less potent if the juvenile has already experienced confinement in a state institution and continues to be brought before the Court. Program experience bears this out. In one program, 75% of the program failures had previously been committed.

Directors also expressed frustration with judicial response to program non-compliance. Placements are reviewed by a judge on a monthly basis. The Code currently allows the judge the option of either committing or releasing the juvenile based on the facts presented at the monthly reviews. Cases were cited in which chronically non-compliant juveniles were released. Directors felt this action undermined their program, where the threat of commitment has provided the motivation for achievement.

Findings

Juveniles aged 14 and older who have been found guilty of a delinquent offense within the preceding 12 months may be placed in a local detention for up to six months on a suspended commitment to the state. The goal of the sentence is to provide treatment, educational, and often transitional services in a secure community setting in lieu of commitment. There are six post-dispositional programs, with a combined bedspace of 76 across the state. All of these programs provide separate programming, case management and educational services. The majority of post-dispositional youth are housed in separate pods of the secure facility. While the Code requires the juvenile to have previously received treatment services, site visits revealed that, for one-third of the youth, their six-month sentence was their first exposure to residential care. According to 83% of the post-dispositional program directors, allowing to subtract for time served pre-dispositionally interferes with treatment plans. The placement is conceived to be in lieu of commitment and is offered as the juvenile's last chance to avoid institutionalization. Half of the facilities report courts releasing juveniles who fail to comply with post-dispositional program rules rather than committing the juvenile. Juveniles who have experienced commitment are reported to be less compliant in post-dispositional programs. Provisions for bootcamp placement (16.1-278.4a) require an assessment for appropriateness by the program, as well as availability of program space, post-dispositional placement in local detention homes should require no less.

Recommendation 8

Amend 16.1-284.1(B) to require: 1) documented failure at post-treatment efforts; 2) the juvenile has not previously been committed to DJJ; 3) an assessment for appropriateness and acceptance by the secure facility; 4) availability of bedspace in the post-dispositional program; 5) removal of time served pre-dispositionally in factoring sentence length; and 6) commitment of juvenile to DJJ if court reviews reveal consistent non-compliance in program.

Findings

Program standards for post-dispositional programs have been weakened considerably in the last three years. Current standards only require written policies, and employment of practices which have reasonable regard for utilization and ensures ability to participate in local treatment programs. Without standards requiring separate programming, facilities are given no guidance for service expectation from the state even though the placement is made in lieu of commitment. Six-month programming has different service goals than merely extended confinement and state standards should reflect these goals. All of post-dispositional program directors supported the amending of state standards to require separate programming, and to the extent possible separate housing for the post-dispositional youth.

Recommendation 9

Require through statute the State Board of the Department of Juvenile Justice develop standards for the separate programming and, to the extent possible, separate housing for post-dispositional youth. The Board is encouraged to solicit the expertise of the six post-dispositional program directors in identifying common service elements which would meet 16.1-248.1's statutory goal.

E. Funding

Detention homes provided the Commission on Youth with financial information for both FY 99 and 2000. Information was received on FY 99 expenditures and revenue sources. Total expenditures for secure detention in FY 99 were \$43,123,626. Expenditure data was divided into Personnel and Operational expenditures. The average ratio of expenditures for Personnel to those for operations was 80/20. However, there was tremendous variation based on facility expansion and staffing patterns. The highest proportion of Personnel costs was found in Fairfax, where staffing costs comprised 92% of the budget. On the lowest end of the continuum was Northern Virginia, where Personnel costs comprised 60% of the budget. Personnel was divided into five categories, in an effort to discern how facilities staffed their programs. Excluding Culpeper, which began operation in March 1999, the percent of expenditures on Personnel on a statewide average was:

Line Staff - 56%	Support Staff - 9%
Administration - 13.7%	Food Service 5.6%
Relief Staff - 13.1%	

Five homes had more than 20% of their Personnel expenditures spent on relief staff. As could be predicted, these homes had the highest utilization rates and are chronically overcrowded. Crater had the largest proportion spent on relief staff, with 28.8% of their Personnel costs devoted to relief.

The expenditures by facility are provided in Table 8.

Table 8
Expenditures by Facility

Facility	Personnel	Operations	Total Expenditures
Chesterfield	\$1,355,521	\$270,349	\$1,625,870
Crater	\$821,708	\$341,669	\$1,163,377
Culpeper ¹⁵	\$410,329	\$270,213	\$680,542
Fairfax	\$4,094,004	\$351,890	\$4,445,894
Henrico	\$1,276,477	\$241,268	\$1,517,745
Highlands	\$733,062	\$192,131	\$925,193
Loudoun	\$1,110,825	\$247,698	\$1,358,523
Lynchburg	\$1,473,154	\$269,188	\$1,742,342
Memmac	\$1,667,423	\$438,964	\$2,106,387
New River	\$602,056	\$383,793	\$985,849
Newport News	\$2,003,341	\$614,909	\$2,618,250
Norfolk	\$2,574,617	\$440,577	\$3,015,194
Northern Va.	\$2,377,870	\$1,580,747	\$3,918,617
Northwestern	\$1,257,700	\$238,338	\$1,496,038
Prince William	\$1,433,980	\$463,088	\$1,897,068
Rappahannock	\$1,360,118	\$271,439	\$1,631,557
Richmond	\$2,840,985	\$321,055	\$3,162,040
Roanoke	\$1,009,180	\$215,636	\$1,224,816
Shenandoah	\$1,173,000	\$370,000	\$1,543,000
Tidewater	\$3,930,772	\$804,595	\$4,735,367
WW Moore	\$871,851	\$458,106	\$1,329,957
Total	\$33,927,644	\$8,515,440	\$43,123,626

By dividing a facility's FY 99 expenditures by their total number of child care days in FY 99, one can develop a childcare day cost. The FY 99 statewide average childcare cost was \$104.65. Facilities which were older than 14 years had a lower daily cost of \$97.39, and new facilities, on average, had daily costs of \$108.79. The ratio of full-time line staff based on average daily population showed tremendous variation. The statewide average of .57 staff per juvenile. However, in the 13 overcrowded facilities, the ratio dropped to .43 staff, and in the remaining seven facilities, the ratio was .88, almost twice the proportion of staff to juvenile. A staffing ratio refers to the number of juveniles under the supervision of a caretaker. Our calculations are based on the total number of front-line staff employed by the facility, not a ratio of staff to juveniles for a given shift. Virginia standards require one staff to every ten juveniles. National standards established by the Office of Juvenile Justice and Delinquency Prevention recommend one to eight. These costs are based on actual utilization as measured by average daily population, rather than rated capacity. Daily costs and staff ratios are provided for each facility in Table 9.

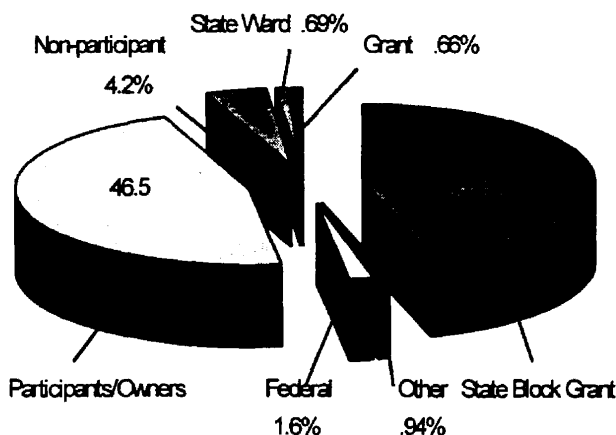
¹⁵ Culpeper began operation in March 1999.

Table 9
Daily Costs and Staff Ratios

Facility	FY 99 CCDs	ADP	FY 99 Cost Per CCD	Non-Relief Staff ¹⁶	Ratio ADP to Non-relief staff
Chesterfield	18,018	52	\$90.24	32	.42
Crater	16,202	44	\$71.80	20.5	.25
Culpeper	3,851	35	\$176.72	N/A	N/A
Fairfax	36,894	98	\$120.50	130	1.10
Henrico	15,417	48	\$98.45	28	.33
Highlands	7,768	24	\$119.10	21	.54
Loudoun	5,568	12	\$243.90	23	1.25
Lynchburg	14,996	40	\$116.19	48.5	.86
Merrimac	17,665	50	\$119.24	46.5	.60
New River	8,943	26	\$110.24	20	.46
Newport News	31,948	110	\$81.95	46.8	.29
Norfolk	33,318	90	\$90.50	58	.39
Northern Virginia	23,606	60	\$166.00	63	.77
Northwestern	8,124	18	\$184.15	32	1.50
Prince William	16,368	44	\$115.90	33.09	.52
Rappahannock	14,160	38	\$115.22	31	.53
Richmond	50,310	75	\$62.85	58	.63
Roanoke	10,359	28	\$118.24	26	.50
Shenandoah	13,854	42	\$111.38	30	.48
Tidewater	51,816	141	\$91.39	122	.50
VW Moore	12,892	36	\$103.16	19	.36
Total	412,077	1,076	\$104.65	886.39	.57

The revenue sources for detention fall into seven different categories. The proportionate breakdown of revenue sources on a statewide basis are provided in Chart 16.

Chart 16



On a statewide basis, participant/owner localities contributed the greatest proportion of the \$46.1 million in revenue for FY 99. However, the proportion of revenue for FY 99. However, the proportion of revenue varies greatly by locality.

¹⁶ Does not include Culpeper.

Commission operated facilities (eight in total) receive a lower proportion of state funding than the statewide average of 43.3% and a lower portion of participant revenue (41.7). However, those facilities exceed the average in the proportion of revenue they receive from non-participating localities. The statewide average of 4.2% compared with commissions receiving an average of 10.5% of their budget from non-owner localities. Highlands and New River receive 20.5% and 29.3% of this revenue from these sources. This revenue picture is understandable, given the geographic location of these facilities. The breakdown of revenue proportions by facility is provided in Table 10.

Table 10

Home	State Revenue	Participant Revenue	Non-participant Revenue	Other Revenue	Total Revenue FY 99
Chesterfield	48.6%	48.4%	.1%	2.9%	\$1,625,870
Crater	52.4%	40.4%	1.8%	5.5%	\$1,164,807
Culpeper	N/A	N/A	N/A	N/A	N/A
Fairfax	60.8%	37.3%	0%	1.9%	\$4,948,130
Henrico	40.9%	56.3%	.03%	2.8%	\$1,517,745
Highlands	50.9%	25.3%	20.5%	3.3%	\$962,937
Loudoun	47.9%	32.7%	18.2%	1.2%	\$1,361,220
Lynchburg	49.3%	44.2%	6.5%	0%	\$2,271,574
Merrimac	36.7%	52.7%	6.8%	3.8%	\$2,806,082
New River	46.0%	20.3%	29.3%	4.5%	\$1,064,977
Newport News	44.1%	52.3%	0%	3.6%	\$2,618,250
Norfolk	47.6%	49.0%	3.4%	0%	\$3,015,194
Northern Va.	48.6%	46.6%	1.8%	3.0%	\$3,842,022
Northwestern	29.2%	49.9%	20.6%	.4%	\$1,728,515
Prince William	52.2%	38.9%	6.9%	2.1%	\$1,987,068
Rappahannock	41.4%	48.3%	0%	10.3%	\$1,686,331
Richmond	46.0%	54.0%	0%	0%	\$3,162,040
Roanoke	47.7%	41.7%	8.5%	2.2%	\$1,224,816
Shenandoah	41.2%	50.2%	3.0%	5.6%	\$1,543,125
Tidewater	40.4%	57.4%	.03%	2.2%	\$6,298,362
WV Moore	42.1%	33.1%	.1%	24.7%	\$1,367,613
Total	46.1%	46.5%	4.2%	3.2%	\$46,106,678

Findings

If a juvenile is committed to the state, the Commonwealth pays 100% of the costs. If a juvenile is placed in a local detention home in lieu of commitment, the average state share is 48% of the costs. Staffing and programming for post-dispositional youth is more costly than providing pre-dispositional custodial care. State share for funding the six post-dispositional programs ranges from 37% in Winchester to 62% in Norfolk. Given the current conditions in Virginia's juvenile correctional centers, the state, through its directive to expand post-dispositional capacity, appears to be supporting alternatives.

Recommendation 10

Increase General Fund support for post-dispositional services through applying proposed state ward per diem rates to juveniles sentenced for six months (estimated cost \$1.39 million for existing programs).

The Virginia Commission on Youth extends its appreciation to the following agencies and individuals for their assistance and cooperation on this study.

Brian Philson

David Roush

Joanne Smith

Superintendent, Merrimac Detention Home
Chair, Virginia Council on Juvenile Detention

Virginia Juvenile Detention Homes

Superintendents, Staffs, and Detainees

Chesterfield, Joe Campbell
Crater, Andrew Brown
Culpeper, Charles Edwards
Fairfax, Madeline Arter
Henrico, Jack Mootz
Highlands, Richard Hagy
Loudoun, Micheal Ward
Lynchburg, Frank Currier
New River Valley, Steve Hall
Newport News, Bob Brooks
Norfolk, Pete Withers
Northern Virginia, Jay Melvin
Northwestern, Bob Hurt
Prince William, Curtis Harstad
Rappahannock Detention Home, Bill Burke
Richmond, Dalee Thomas
Roanoke, Jack Trent
Shenandoah, Tim Smith
Tidewater, Frank Kern
W.W. Moore, Jimmy Rosenbaum

Quantum Resources

Sandra Brown

Virginia Department of Criminal Justice Services

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Virginia Department of Juvenile Justice

Susan Gholston, VJCCCA Coordinator
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Tim Howard, Deputy Director
Marilyn Miller, Planner

GENERAL ASSEMBLY OF VIRGINIA -- 1999 SESSION

HOUSE JOINT RESOLUTION NO. 587

Directing the Commission on Youth to study the use of postdispositional detention in juvenile detention homes.

Agreed to by the House of Delegates, February 5, 1999

Agreed to by the Senate, February 18, 1999

WHEREAS, the average daily population of local secure detention homes was 142 percent of capacity in fiscal year 1997; and

WHEREAS, the number of admissions to local secure detention homes has grown by 38 percent since fiscal year 1992, rising to a high of 17,338 in fiscal year 1997; and

WHEREAS, Virginia estimates that by 2002, it will have expanded its secure-bed capacity by 168 percent for a total of 921 new beds; and

WHEREAS, a number of the new secure detention beds are designated to serve juveniles postdispositionally; and

WHEREAS, the Department of Juvenile Justice standards do not allow the use of postdispositional detention if a secure detention facility is at capacity; and

WHEREAS, the Virginia Juvenile Community Crime Control Act has established funds for local continuums of care that do not incorporate secure, local confinement for juveniles; and

WHEREAS, the current criteria for sentencing a youth to postdispositional detention confinement are limited and subject to mandatory review within 30 days, with the expectation that the juvenile will participate in community-based treatment and educational programs while confined; and

WHEREAS, there are no specific standards for staffing postdispositional programs in secure detention homes; and

WHEREAS, the funding and service capacity and needs have changed since the funding for the expansion of detention homes was appropriated; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Commission on Youth be directed to study the use of postdispositional detention in juvenile detention homes. The Commission shall examine the following issues: (i) the role of postdispositional detention in local service continuums; (ii) the feasibility of establishing dedicated postdispositional bed capacity; (iii) eligibility criteria for postdispositional sentencing; (iv) procedures to address the length of sentence, including mandatory review and time limitations on placement; (v) postdispositional detention program standards; and (vi) assessment of state and local funding for detention services.

Technical assistance shall be provided to the Commission by the Department of Juvenile Justice. All agencies of the Commonwealth shall provide assistance to the Commission for this study, upon request.

The Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 2000 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

HJR 587 Post-dispositional Detention Juvenile Detention Center Schedule of Visits

DATE	TIME	FACILITY
July 15	2 p.m. - 5 p.m.	Culpeper
July 15	9 a.m. - 12 noon	Rappahannock
July 19	9 a.m. - 12 noon	Merrimac
July 19	1 p.m. - 4 p.m.	Newport News
July 23	9 a.m. - 12 noon	Henrico
July 23	1 p.m. - 4 p.m.	Richmond
July 26	9 a.m. - 12 noon	Chesterfield
July 26	1 p.m. - 4 p.m.	Crater
July 30	2 p.m. - 5 p.m.	New River Valley
August 2	10 a.m. - 1 p.m.	Highlands
August 4	10 a.m. - 1 p.m.	W.W. Moore
August 16	10 a.m. - 1 p.m.	Norfolk
August 16	2 p.m. - 5 p.m.	Tidewater
September 1	2 p.m. - 5 p.m.	Loudoun
September 1	10 a.m. - 1 p.m.	Northwestern Regional
September 2	9 a.m. - 12 noon	Fairfax
September 2	1 p.m. - 4 p.m.	Northern Virginia
September 13	9 a.m. - 12 noon	Lynchburg
September 13	2 p.m. - 5 p.m.	Roanoke
September 15	10 a.m. - 1 p.m.	Shenandoah

Virginia Commission on Youth

Name of Facility

Name of Person Completing Form

(_____)_____
Telephone Number

Fiscal Information

1. Please provide the FY 1999 and FY 2000 facility fiscal and personnel information. *(Please use whole numbers for budget data. Use .5 for a 20 hour a week employee.)*

	FY 99 Operational Budget		FY 99 Expenditures		FY 00 Operational Budget	
	Appropriations	FTEs	Expenditures	FTEs	Appropriations	FTEs
A. Personnel						
Line	\$ _____ .00	_____	\$ _____ .00		\$ _____ .00	
Relief	\$ _____ .00	_____	\$ _____ .00		\$ _____ .00	
Support [®]	\$ _____ .00	_____	\$ _____ .00		\$ _____ .00	
Food Service	\$ _____ .00	_____	\$ _____ .00		\$ _____ .00	
Administration	\$ _____ .00	_____	\$ _____ .00		\$ _____ .00	
A. Personnel Subtotal	\$ _____ .00	_____	\$ _____ .00		\$ _____ .00	
B. Operations						
Transportation	\$ _____ .00		\$ _____ .00		\$ _____ .00	
Food	\$ _____ .00		\$ _____ .00		\$ _____ .00	
Supplies	\$ _____ .00		\$ _____ .00		\$ _____ .00	
Equipment	\$ _____ .00		\$ _____ .00		\$ _____ .00	
Maintenance	\$ _____ .00		\$ _____ .00		\$ _____ .00	
Contractual [°]	\$ _____ .00		\$ _____ .00		\$ _____ .00	
Other	\$ _____ .00		\$ _____ .00		\$ _____ .00	
B. Operations Subtotal	\$ _____ .00		\$ _____ .00		\$ _____ .00	
Facility Total (a+b)	\$ _____ .00		\$ _____ .00		\$ _____ .00	

[®] Includes clerical, janitorial, laundry and medical staff, if you include other positions in this line, please attach list of other job positions.

[°] Please provide additional information regarding the nature of the contractual services.

2. Please provide information on the detention home's sources of operational funds for FY 1999.
(Please use whole numbers for budget data.)

FY 99 Operational Budget by Funding Source

A. State Block Grant	\$ _____	.00	
B. State Ward Per Diems	\$ _____	.00	
C. Federal Source(s)	\$ _____	.00	_____ (name of source)
	\$ _____	.00	_____ (name of source)
D. Participating/Owner Localities	\$ _____	.00	_____ (name of locality)
	\$ _____	.00	_____ (name of locality)
	\$ _____	.00	_____ (name of locality)
	\$ _____	.00	_____ (name of locality)
	\$ _____	.00	_____ (name of locality)
	\$ _____	.00	_____ (name of locality)
E. Non-Participating Localities	\$ _____	.00	_____ (name of locality)
	\$ _____	.00	_____ (name of locality)
	\$ _____	.00	_____ (name of locality)
	\$ _____	.00	_____ (name of locality)
	\$ _____	.00	_____ (name of locality)
	\$ _____	.00	_____ (name of locality)
	\$ _____	.00	_____ (name of locality)
F. Grants (i.e. VJCCCA, JABIG, DCJS, etc.)	\$ _____	.00	_____ (name of source)
	\$ _____	.00	_____ (name of source)
G. Other Sources	\$ _____	.00	_____ (name of source)
	\$ _____	.00	_____ (name of source)
Total Funding (A+B+C+D+E+F+G)	\$ _____	.00	

Please provide the following information for the four time periods listed below.

July 13 – 19th, 1998

Total Number of Juveniles Admitted: _____

Total Number of Juveniles Released: _____

Average Length of Stay for Juveniles Released (Pre-dispositional): _____

Average Length of Stay for Juveniles Release (Post-dispositionally): _____

Please provide the following information for each of the juveniles in your secure facility during this week.

[illegible]

September 21 - 27th, 1998

Total Number of Juveniles Admitted:

Total Number of Juveniles Released:

Average Length of Stay for Juveniles Released (Pre-dispositional):

Average Length of Stay for Juveniles Release (Post-dispositionally):

Please provide the following information for each of the juveniles in your secure facility during this week.

[illegible]

January 11 – 17th, 1999

Total Number of Juveniles Admitted:

Total Number of Juveniles Released:

Average Length of Stay for Juveniles Released (Pre-dispositional):

Average Length of Stay for Juveniles Release (Post-dispositionally):

Please provide the following information for each of the juveniles in your secure facility during this week.

[illegible]

April 12 – 18th, 1999

Total Number of Juveniles Admitted:

Total Number of Juveniles Released:

Average Length of Stay for Juveniles Released (Pre-dispositional):

Average Length of Stay for Juveniles Release (Post-dispositionally):

Please provide the following information for each of the juveniles in your secure facility during this week.

[illegible]

Chesterfield Detention Home

Total Number of Cases: 252

Gender: 74.6% Male 25.4% Female

Race and Age:

	9 yrs.	10 yrs.	11 yrs.	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	18 yrs.	Percent
White			1	6	10	16	27	34	37	1	52.4
African-American	1	2	2	4	6	18	19	28	32		44.4
Hispanic						1					0.4
Mixed							2	3	2		2.8
Total	1 (.4%)	2 (1%)	3 (1%)	10 (4%)	16 (6%)	35 (14%)	48 (19%)	65 (26%)	71 (28%)	1 (.4%)	252 (100%)

Committing Localities:

Chesterfield County - 92.1%; Colonial Heights - 6.7%; Henrico County - .8%; Tazewell County - .4%

Offense Profiles:

Charge	No.	%
Fail to Appear for Felony	102	40.5
Grand Larceny	18	7.1
Break and Enter Occupied Building	15	6.0
Felony Assault	12	4.8
Fail to Appear for Misdemeanor	12	4.8
Petit Larceny	10	4.0
Auto Theft	10	4.0
Property Damage	9	3.6
Brandish Firearm	9	3.6
Assault by Mob	8	3.2
Simple Assault Against Family	8	3.2
CHINS Violation Court Order	6	2.4
Possession Marijuana	5	2.0
Armed Robbery	5	2.0
Trespass	4	1.6
Disorderly Conduct	3	1.2
Forgery	2	.8
Firearm on School Property	2	.8
Child in Need of Services	1	.4
CHINS -Truancy	1	.4
Rape	1	.4
Solicitation/Prostitution	1	.4
Fraud	1	.4
Driving Without License	1	.4
Reckless Driving	1	.4
Murder	1	.4
Resisting Arrest	1	.4
Possess Schedule I or II with Intent	1	.4
Alcohol Purchase	1	.4
Possessing Firearm	1	.4

Comments

- 47.6% of all detentions were for failure to appear and violations of court orders.
- Detention of CHINS is a violation of state and federal law.
- Had youngest detainee (age 9) in the state.

Crater Detention Home

Total Number of Cases: 324

Gender: 83% Male 17% Female

Race and Age:

	11 yrs.	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	19 yrs.	Percent
White		1	3	12	16	19	11		19.1
African-American	1	11	23	39	55	67	65	1	80.9
Total	1 (.3%)	12 (4%)	26 (8%)	51 (16%)	71 (22%)	86 (27%)	76 (24%)	1 (.3%)	324 (100%)

Committing Localities:

Petersburg - 34.6%; Hopewell - 32.7%; Prince George County - 11.4%; Emporia - 7.1%;
Dinwiddie County - 6.5%; Sussex County - 2.8%; Brunswick County - 1.2%; Surry County - 1.2%;
Greensville County - .6%; Powhatan County - .6%; Amelia County - .3%; Nottoway County - .3%

Offense Profiles:

Charge	No.	%
Fail to Appear for Felony Offense	130	40.1
CHINS-Violation Court Order	22	6.8
Aggravated Assault	18	5.6
Grand Larceny	16	4.9
Property Damage	15	4.6
Larceny	14	4.3
Simple Assault Against Family Member	12	3.7
Possession Schedule I or II	11	3.4
Break and Enter	10	3.1
Runaway	8	2.5
Possession Marijuana	8	2.5
Robbery	8	2.5
Simple Assault	7	2.2
Disorderly Conduct	6	1.9
Possession Stolen Firearm	6	1.9
Possession of Drugs	5	1.5
Arson	5	1.5
Rape	4	1.2
Fraud	3	.9
Obstruction of Justice	3	.9
Assault by Mob	2	.6
Fail to Obey Summons	2	.6
Trespass	2	.6
Auto Theft	2	.6
Sexual Assault	1	.3
Driving Without License	1	.3
Gambling	1	.3
Possess Schedule I or II with Intent	1	.3
Possess Drug With Firearm	1	.3

Comments

- Detained highest number of runaways in the state in violation of state and federal law.
- 13.9% of detentions were for crimes against person.
- Failure to appear and violation of court order accounted for 46.9% of all detentions.

Fairfax Detention Home

Total Number of Cases: 392

Gender: 81.9% Male 18.1% Female

Race and Age:

	11 yrs.	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	Percent
White	1	1	10	26	37	54	52	46.2
African-American		4	9	7	26	40	37	31.4
Hispanic		1	1	5	9	16	21	13.5
Mixed				1	8	19	7	08.9
Total	1 (.3%)	6 (2%)	20 (5%)	39 (10%)	80 (20%)	129 (33%)	117 (30%)	329 (100%)

Committing Localities: Fairfax County - 100%

Offense Profiles:

Charge	Number	Percent	Charge (cont.)	Number	Percent
Fail to Appear for Felony Offense	138	35.2	Damage to Public Property	2	.5
CHINS-Violation Court Order	33	8.4	Driving Without License	2	.5
Simple Assault	27	6.9	Resisting Arrest	2	.5
Assault by Mob	18	4.6	Narcotics Sale/ Distribution	2	.5
Breaking and Entering	17	4.3	Distribute Marijuana	2	.5
Damage to Property	16	4.1	Possess Marijuana with Intent	2	.5
Larceny	16	4.1	Abusive Call/Threatening Calls	2	.5
Brandish/Discharge Firearm	12	3.0	Abduction	2	.5
Grand Larceny	11	2.8	Determination of Custody Required	1	.3
Fail to Appear for Misdemeanor	10	2.6	Transport by Mistake-CHINS Charge	1	.3
Shoplifting	9	2.3	Status Offense	1	.3
Auto Theft	8	2.0	Simple Assault Against Family	1	.3
Firearm in Use in Commission of Felony	7	1.8	Indecent Exposure	1	.3
Aggravated Assault	6	1.5	Solicitation/ Prostitution	1	.3
Robbery	6	1.5	Sexual Battery	1	.3
Possess Stolen Goods	4	1.0	Reckless Driving	1	.3
Forcible Rape	3	.8	Speeding	1	.3
Possession Marijuana	3	.8	First Degree Murder	1	.3
Possessing of Gun Under Eighteen	3	.8	Murder	1	.3
Trespass	3	.8	Narcotics Possession	1	.3
CHINS-Runaway	2	.5	Alcohol Purchase	1	.3
Aggravated Sexual Battery	2	.5	Drinking in Public School	1	.3
Rape/ Victim Under 13	2	.5	Robbery-Street	1	.3
Non-Forcible Sodomy	2	.5	Possession Stungun on School Property	1	.3
Forgery	2	.5			

Comments

- Detention of status offenders is in violation of state and federal law.
- Crimes against person account for 18.8% of all detentions.
- Highest statewide proportion of detention for shoplifting.

Henrico Detention Home

Total Number of Cases: 209

Gender: 83.7% Male 16.3% Female

Race and Age:

	11 yrs.	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	Percent
White	1	2	6	7	10	15	22	30.1
African-American	2	7	8	14	29	43	35	66.0
Hispanic				1		1	1	1.4
Asian						2		1.0
Mixed					2	1		1.4
Total	3 (1%)	9 (4%)	14 (7%)	22 (11%)	41 (20%)	62 (30%)	58 (28%)	209 (100%)

Committing Localities:

Henrico County- 99.5%; Chesterfield County - 5%

Offense Profiles:

Charge	No.	%
Fail to Appear for Felony Offense	63	30.1
Felony Assault	31	14.8
Grand Larceny	26	12.4
Robbery	9	4.3
Larceny	9	4.3
Property Damage	6	2.9
Street Robbery	6	2.9
Brandish/Discharge Firearm	6	2.9
Fail to Appear for Misdemeanor	5	2.4
Forcible Sodomy	4	1.9
Murder	4	1.9
Trespass	4	1.9
Possession Marijuana	4	1.9
CHINS Violation Court Order	3	1.4
Distribution/Cocaine	3	1.4
Break and Enter Occupied Building	3	1.4
Uttering	3	1.4
CHINS	2	1.0
Simple Assault	2	1.0
Transported by Mistake-CHINS Charge	1	.5
Assault by Mob	1	.5
Rape/Victim under 13	1	.5
Failure to Appear	1	.5
Driving Without License	1	.5
Reckless Driving	1	.5
Show Cause	1	.5
Concealing Merchandise	1	.5
Throwing Missiles at Vehicles	1	.5
Possession Cocaine	1	.5
Arson	1	.5
Arson/Threat	1	.5
Drinking at Public School	1	.5
DUI	1	.5
Grand Larceny/Auto Theft	1	.5
Firearm in Use in Commission of Felony	1	.5

Comments

- Crimes against person represented 22% of all detentions
- Failure to appear and violation of court order represented 33.9% of all detentions
- Detaining CHINS in violation of state and federal law

Highlands Detention Home

Total Number of Cases: 42

Gender: 76.2% Male 23.8% Female

Race and Age:

	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	Percent
White	1	5	6	4	9	13	90.5
African-American		1		2		1	09.5
Total	1 (2%)	6 (14%)	6 (14%)	6 (14%)	9 (21%)	14 (33%)	42 (100%)

Committing Localities:

Wise County-26 - 2%; Bristol - 21.4%; Washington County - 14.3%; Lee County - 7.1%;
Russell County - 7.1%; Scott County - 7.1%; Smyth County - 7.1%; Dickenson County - 4.8%;
Franklin County - 2.4%; Norton - 2.4%

Offense Profiles:

Charge	Number	Percent
Fail to Appear for Felony Offense	16	38.1
Felony Assault	6	14.3
CHINS-Violation Court Order	6	14.3
Motor Vehicle/Unlawful Sublease	3	7.1
Drive While Intoxicated	2	4.8
Possess Stolen Goods	2	4.8
Assault with Malicious Intent	1	2.4
Simple Assault	1	2.4
Destruction of Property	1	2.4
Possession Cocaine	1	2.4
Threatening Calls on Phone	1	2.4
Grand Larceny-Auto	1	2.4
Conceal Weapon	1	2.4

Comments

- 19.1% detentions were for crimes against person.
- 42.4% of detentions were for failure to appear and violation of court order.
- Only facility not to hold status offenders.

Loudoun Detention Home

Total Number of Cases: 88

Gender: 72.7% Male 27.3% Female

Race and Age:

	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	Percent
White	1	4	11	13	18	15	70.5
African-American		1	1	5	8	8	26.1
Hispanic				2		1	03.4
Total	1 (1%)	5 (6%)	12 (14%)	20 (23%)	26 (30%)	24 (27%)	88 (100%)

Committing Localities:

Loudoun County - 53.4%; Roanoke County - 10.2%; Culpeper County - 9.1%;
 Fauquier County - 8%; Prince Edward County - 4.5%; Buckingham County - 2.3%;
 Nottoway County - 2.3%; Rappahannock County - 2.3%; Fluvanna County - 1.1%;
 Goochland County - 1.1%; Halifax County - 1.1%; Powhatan County- 1.1%
 Wise County - 1.1%; Martinsville - 1.1%; Salem-1.1%

Offense Profiles:

Charge	Number	Percent
CHINS-Violation Court Order	24	27.3
Fail to Appear for Felony Offense	22	25.0
Grand Larceny	5	5.7
Auto Theft	5	5.7
Simple Assault	4	4.5
Fail to Appear for Misdemeanor	4	4.5
Brandish/Discharge Firearm	4	4.5
Simple Assault Against Family Member	3	3.4
Property Damage	3	3.4
Assault by Mob	2	2.3
Petit Larceny	2	2.3
Assault, Larceny, and B&E	1	1.1
Gross, Wanton, or Reckless Care With Child	1	1.1
Rape	1	1.1
Credit and Fraud	1	1.1
Escape	1	1.1
Shoplifting	1	1.1
Possess Marijuana with Intent	1	1.1
Sale/ Distribute Marijuana	1	1.1
Drinking at School	1	1.1
Robbery	1	1.1

Comments

- Crimes against person account for 12.4% of all detentions.
- Theft of property account for 14.8% of all detentions.
- Failure to appear in court for a felony or misdemeanor charge account for 29.5% of all detentions.

Lynchburg Detention Home

Total Number of Cases: 201

Gender: 79.1% Male 20.9% Female

Race and Age:

	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	Percent
White	2	5	11	16	22	29	42.3
African-American	3	6	14	29	31	31	56.7
Hispanic						1	.5
Mixed						1	.5
Total	5 (3%)	11 (6%)	25 (12%)	45 (22%)	53 (26%)	62 (31%)	201 (100%)

Committing Localities:

Lynchburg - 47.3%; Bedford County - 16.9%; Campbell County - 11.9%;
 Amherst County - 6.5%; Charlotte County - 4%; Roanoke County - 2%; Roanoke - 2%;
 Salem - 2%; Appomattox County - 1.5%; Nelson County - 1.5%; Wise County - 1.5%;
 Cumberland County - .5%; Henry County - .5%; Lunenburg County - .5%;
 Pittsylvania County - .5%; Prince Edward County - .5%

Offense Profiles:

Charge	Number	Percent
Fail to Appear for Felony Offense	36	17.9
CHINS-Violation Court Order	34	16.9
Simple Assault	15	7.5
Auto Theft	13	6.5
Firearm in Use in Commission of Felony	10	5.0
Simple Assault Against Family Member	9	4.5
Assault by Mob	8	4.0
Petit Larceny	8	4.0
Grand Larceny	7	3.5
Brandish/ Discharge Firearm	7	3.5
Property Damage	6	3.0
Possess Schedule I or II with Intent	6	3.0
Sale/ Distribute Marijuana	5	2.5
Fail to Appear for Misdemeanor	4	2.0
Robbery	3	1.5
Break and Enter	3	1.5
Possession Marijuana	3	1.5
Assault with Malicious Intent	2	1.0
Forcible Rape	2	1.0

Charge (cont.)	Number	Percent
Forcible Sodomy	2	1.0
CHINS-Runaway	1	.5
Rehabilitation Treatment Required	1	.5
Aggravated Sexual Battery	1	.5
Solicitation/Prostitution	1	.5
Fail to Obey Summons	1	.5
Fraud	1	.5
Impersonate Law Enforcement	1	.5
Intent to Damage Property	1	.5
Unlawful Entry	1	.5
Murder	1	.5
Disorderly Conduct	1	.5
Throwing Missiles at Law Enforcement	1	.5
Narcotics/Drug Kingpin	1	.5
Sell Distribution Schedule I or II	1	.5
Sell/Distribute over 1/2 oz. Marijuana	1	.5
Abduction with Intent	1	.5
Abusive Call/ Threatening Calls	1	.5
Conceal Weapon	1	.5

Comments

- 45% of all detentions were for failure to appear and violation of court orders.
- 21% of detentions were for crimes against person
- Detention of CHINS in violation of state and federal law

Merrimac Detention Home

Total Number of Cases: 91

Gender: 82% Male 18% Female

Race and Age:

	10 yrs.	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	Percent
White		2	2	4	11	20	16	66
African-American	2	1		5	5	9	14	33.6
Total	2 (2%)	3 (3%)	2 (2%)	9 (10%)	16 (16%)	29 (32%)	30 (33%)	91 (100%)

Committing Localities:

Hanover -22%; York - 15%; Westmoreland - 12%; King George - 9%; Gloucester - 7%; Lancaster - 5%; James City - 4%; Prince Edward - 4%; Newport News -3%; Williamsburg - 3%; Richmond County - 2%; Mathews - 2%; Essex - 2%; Caroline - 1%; Charles City - 1%; King William - 1%; King & Queen - 1%; Powhatan - 1%

Offense Profiles:

Charge	No.	%
Felony Assault	17	18.7
Failure to Appear/Felony Offense	17	18.7
Narcotics	13	14.3
Violation of CHINS Court Order	12	13.2
Larceny	11	12.1
Breaking and Entering	8	8.8
Property Damage	4	4.4
Runaway	2	2.2
Failure to Appear/Misdemeanor Offense	2	2.2
Possession of Drug with Firearm	2	2.2
Fraud	1	1.1
Murder	1	1.1
Robbery	1	1.1

Comments:

- 17 year olds make up the largest proportion of detainees, probably explained by presence of post-dispositional program.
- 19.7% of detainees were for crimes against person.
- Failure to appear and CHINS violations comprised 33.1% of all detentions.
- 16.5% of detentions were drug-related.
- Detention of a runaway is a violation of state and federal law.

New River Detention Home

Total Number of Cases - 111

Gender - 76.6% Male 23.4% Female

Race and Age:

	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	Percent
White	4	6	3	18	32	28	82.0
African-American		2	5	1	2	7	15.3
Hispanic					2		1.8
Mixed		1					.9
Total	4 (4%)	9 (8%)	8 (7%)	19 (17%)	36 (32%)	35 (32%)	111 (100%)

Committing Localities:

Montgomery County - 34.2%; Pulaski County - 16.2%; Tazewell County - 12.6%; Carroll County - 7.2%; Wythe County - 6.3%; Radford - 6.3%; Galax - 5.4%; Giles County - 3.6%; Roanoke County - 1.8%; Russell County - 1.8%; Wise County - 1.8%; Dickenson County - .9%; Lee County - .9%; Scott County-.9%

Offense Profiles

Charge	Number	Percent
CHINS-Violation Court Order	24	21.6
Fail to Appear for Felony Offense	24	21.6
Grand Larceny	13	11.7
Felony Assault	12	10.8
Break and Enter	8	7.2
Assault by Mob	5	4.5
Property Damage	4	3.6
Grand Larceny-Auto Theft	4	3.6
Purchase of Tobacco	2	1.8
Simple Assault Against Family	2	1.8
Rape	2	1.8
Fail to Obey Summons	2	1.8
Robbery	2	1.8
Child in Need of Services	1	.9
Simple Assault	1	.9
Fail to Appear for Misdemeanor	1	.9
Disorderly Conduct	1	.9
Abusive Call/Threatening Calls	1	.9
Arson	1	.9
Discharge Firearm	1	.9

Comments

- 44.1% of all detentions for failure to appear and violation of court order.
- 21.6% were for crimes against person, highest proportion in the state.
- Detention of status offenders is in violation of state and federal law.

Newport News Detention Home

Total Number of Cases: - 448

Gender: 81.3% Male 18.8% Female

Race and Age:

	11 yrs.	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	Percent
White		1	11	20	14	30	21	21.7
African-American	2	8	26	45	63	94	105	76.6
Mixed		1			2	2	3	01.8
Total	2 (.4%)	10 (2%)	37 (8%)	65 (15%)	79 (18%)	126 (28%)	129 (29%)	448 (100%)

Committing Localities:

Newport News - 69.4%; Hampton - 30.4%; Accomack County - .2%

Offense Profiles:

Charge	No.	%
Fail to Appear for Felony Offense	95	21.2
Larceny	37	8.3
Simple Assault	35	7.8
Auto Theft	28	6.3
Robbery	19	4.2
Breaking and Entering	19	4.2
Fail to Appear for Misdemeanor	17	3.8
CHINS Violation Court Order	14	3.1
Narcotics Possession	14	3.1
Possess Marijuana with Intent	13	2.9
Possession Schedule I or II	13	2.9
Intent to Damage Property	11	2.5
Assault by Mob	9	2.0
Trespass	8	1.8
Possess Drug with Firearm	8	1.8
Brandish/Discharge Firearm	8	1.8
Aggravated Assault	7	1.6
Non-Forcible Sodomy	6	1.3
Arson	6	1.3
Possess Stolen Property	5	1.1
Felony Assault	4	.9
Driving Without License	4	.9
Material Witness	4	.9
Murder	4	.9
Child in Need of Services	3	.7
Assault Law Enforcement Officer	3	.7
Simple Assault Against Family	3	.7
Damage to Property	3	.7
Attempted Murder	3	.7
Disorderly Conduct	3	.7

Charge (cont.)	No.	%
Abduction	3	.7
Firearm Use in Felony	3	.7
CHINS-Truancy	2	.5
Escape	2	.5
Fugitive from Justice	2	.5
Failure to Obey Police	2	.5
Shoplifting	2	.5
Narcotics	2	.5
Narcotics Sale/Distribution	2	.5
Possess Schedule I or II with Intent	2	.5
Kidnapping	2	.5
CHINS-Run Away	1	.2
Extortion	1	.2
Forcible Rape	1	.2
Forcible Rape, Victim Under 13	1	.2
Rape	1	.2
Solicitation/ Prostitution	1	.2
Fraud	1	.2
Destroy Property	1	.2
Escape from Jail	1	.2
Reckless Driving	1	.2
Obstruction of Justice	1	.2
Grand Larceny	1	.2
Abusive Language	1	.2
Threat by Letter	1	.2
Armed Robbery	1	.2
Robbery with Intent to Murder	1	.2
Break and Enter Occupied Building	1	.2
Possess Concealed Weapon	1	.2

Comments

- Detained highest number of juveniles charged with murder.
- Crimes against persons accounted for 17.6% of all detentions.
- Detention of status offenders and CHINS is in violation of state and federal law.
- One quarter of all detentions were for failure to appear and violation of court order

Norfolk Detention Home

Total Number of Cases: 467

Gender: 81.2% Male 18.8% Female

Race and Age:

	11 yrs.	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	18 yrs.	Percent
White		3	4	9	21	25	24		18.4
African-American	6	12	23	62	90	90	88	2	79.9
Hispanic				2	1	3			1.3
Asian					1				.2
Mixed						1			.2
Total	6 (1%)	15 (3%)	27 (6%)	73 (16%)	113 (24%)	119 (26%)	112 (24%)	2 (.4%)	467 (100%)

Committing Localities:

Norfolk - 94.9%; Accomack County - 2.8%; Northampton County - 2.1%; Portsmouth - .2%

Offense Profiles

Charge	Number	Percent
Fail to Appear for Felony Offense	112	24.0
Fail to Appear for Misdemeanor	35	7.5
Simple Assault	34	7.3
Grand Larceny	31	6.6
CHINS-Runaway	22	4.7
Larceny	22	4.7
Disorderly Conduct	18	3.9
Marijuana Possession	16	3.4
Robbery	15	3.2
Child in Need of Services	12	2.6
Simple Assault Against Family Member	12	2.6
CHINS-Violation Court Order	12	2.6
Grand Larceny-Auto Theft	12	2.6
Breaking and Entering	12	2.6
Rape	10	2.1
Property Damage	10	2.1
Brandish/ Discharge Firearm	10	2.1
Trespass	9	1.9
Assault by Mob	7	1.5
Possession of Drugs	5	1.1
Felony Assault	4	.9
Narcotics/ Manufacture	4	.9
Assault, Larceny, and B&E	3	.6
Escape	3	.6

Charge (cont.)	Number	Percent
Narcotics/Sale Distribution	3	.6
Sodomy	3	.6
Non-Forcible Sodomy	2	.4
Driving without License	2	.4
First Degree Murder	2	.4
Murder	2	.4
Serious Juvenile Offender	2	.4
Narcotics/ Drug Kingpin	2	.4
Threaten School Employee	2	.4
Arson	2	.4
Curfew	1	.2
Transported by Mistake-CHINS Charge	1	.2
Assault and Battery	1	.2
Indecent Liberties with Child	1	.2
Rape/ Victim Under 13	1	.2
Solicitation/ Prostitution	1	.2
Fail to Obey Summons	1	.2
Forgery	1	.2
Reckless Driving	1	.2
Shoplifting	1	.2
Wiretap	1	.2
Sale/ Distribute Marijuana	1	.2
Abusive Language	1	.2
Arson/ Threat	1	.2
Possession Stolen Firearm	1	.2

Comments

- Highest number of status offenders (36) detained.
- Drug-related offenses account for 6.6% of all detentions.
- Crimes against person account for 17.4% of all detentions.
- The detention of status offenders is in violation of state and federal law.

Northern Virginia Detention Home

Total Number of Cases: 329

Gender: 80.2% Male 19.8% Female

Race and Age:

	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	18 yrs.	Percent
White	5	1	2	10	11	8		11.2
African-American	2	11	20	42	62	46	1	55.9
Hispanic	2	8	13	11	33	25		28.0
Mixed				1	10	5		4.9
Total	9 (3%)	20 (6%)	35 (11%)	64 (20%)	116 (35%)	84 (26%)	1 (.3%)	329 (100%)

Committing Localities:

Arlington County - 63.8%; Alexandria - 29.5%; Falls Church - 4.3%; Prince William County - 1.8%; Franklin County - .3%; Loudoun County - .3%

Offense Profiles:

Charge	Number	Percent
Fail to Appear for Felony Offense	114	34.7
CHINS-Violation Court Order	40	12.2
Assault	24	6.1
Auto Theft	20	4.1
Larceny	15	4.5
Assault by Mob	11	3.3
Breaking and Entering	10	3.0
Grand Larceny	10	3.0
Brandish/Discharge Firearm	9	2.7
Felony Assault	8	2.4
Aggravated Assault	8	2.4
Damage to Property	6	1.8
Robbery	5	1.5
CHINS-Runaway	4	1.2
Possession Marijuana	4	1.2
Assault Law Enforcement Officer	3	.9
Forcible Rape	3	.9
Driving Without License	3	.9
Firearm in Use in Commission of Felony	3	.9
Simple Assault against Family Member	2	.6
Credit and Fraud	2	.6
Possession Schedule III or IV	2	.6
Arson of Occupied Church/Building	2	.6
Child in Need of Services	1	.3

Charge (cont.)	Number	Percent
Extortion	1	.3
Aggravated Sexual Battery	1	.3
Indecent Exposure	1	.3
Solicitation/ Prostitution	1	.3
Circuit Court Violations	1	.3
Fail to Appear for Misdemeanor	1	.3
Trespass	1	.3
Capital Murder-Person	1	.3
Failure to Obey Police	1	.3
Disorderly Conduct	1	.3
Bribery	1	.3
Conspire to Injure	1	.3
Larceny with Animals	1	.3
Distribution of Schedule I	1	.3
Possess Schedule I or II with Intent	1	.3
Possession Narcotics/Controlled on School Property	1	.3
Threat by Letter	1	.3
Arson	1	.3
Arson/Threat	1	.3
Drinking at School	1	.3
Drunk in Public	1	.3
Drive While Intoxicated	1	.3
Possession of Handgun	1	.3
Possess Drug with Firearm	1	.3

Comments

- Highest proportion of Hispanic population in the state
- 18.2% of detentions were for crimes against person.
- Failure to appear for felony charge represents over one-third of all detentions.
- Drug-related offenses account for 3.9% of all detentions.

Prince William Detention Home

Total Number of Cases: 232

Gender: 77% Male 23% Female

Race and Age:

	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	Percent
White	6	9	17	20	32	39	53
African-American	1	5	16	22	19	33	41
Hispanic			1	3	1	5	5
Asian				1		1	1
Total	6 (3%)	14 (6%)	34 (15%)	46 (20%)	54 (23%)	78 (33%)	232 (100%)

Committing Localities:

Prince William County - 86%; Manassas - 10%; Manassas Park - 4%

Offense Profiles:

Charge	No.	%
Failure To Appear/Felony Charge	66	28.4
Violation of CHINS Court Order	39	16.8
Felony Assault	26	11.2
Larceny	15	6.5
Robbery	11	4.7
Assault by Mob	11	4.7
Property Damage	10	4.3
Failure to Appear/Misdemeanor Charge	10	4.3
Escapes	6	2.6
Disorderly Conduct	6	2.6
Grand Larceny	6	2.6
Breaking & Entering	4	1.7
Non-forcible Sodomy	4	1.7
Auto Theft	3	1.3
Failure to Obey Summons	3	1.3
Brandish/Discharge Firearm	2	.9
Rape	2	.9
False I.D./Credit Card Fraud	2	.9
Possession of Marijuana	2	.9
Threaten School Employee	1	.4
Arson	1	.4
Runaway	1	.4
Extortion	1	.4

Comments

- 49.5% of detentions were for failure to appear and court order violations.
- 17.2% of detentions were for crimes against person.
- Detaining a runaway is a violation of state and federal law.
- 22.8% of all the detentions are for crimes against person.

Rappahannock Detention Home

Total Number of Cases: 208

Gender: 78% Male 22% Female

Race and Age:

	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	18 yrs.	Percent
White	5	12	16	16	44	42	2	66.0
African-American	6	3	12	7	15	25	2	33.6
Mixed Race					1			.4
Total	11 (5%)	15 (8%)	28 (13%)	23 (11%)	60 (29%)	67 (32%)	4 (2%)	208 (100%)

Committing Localities:

Stafford - 46%; Spotsylvania - 20%; Fredericksburg - 18%; Culpeper - 3%; Orange - 7%; Louisa - 3%;
Madison - 1%; Greene - 1%

Offense Profiles:

Charge	No.	%
Failure to Appear/ Felony Charge	65	31.3
Felony Assault	21	10.1
Violation of CHINS Court Order	18	8.7
Larceny	16	7.7
Failure to Appear/Misdemeanor Charge	12	5.8
Breaking and Entering	9	4.3
Rape	6	2.9
Robbery	6	2.9
Brandish/Discharge Firearm	6	2.9
Property Damage	5	2.4
Distribution of Narcotics	5	2.4
Assault By Mob	4	1.9
Grand Larceny	3	1.4
Narcotics Possession	3	1.5
Possession of Marijuana	3	1.4
Possession of Marijuana with Intent to Distribute	3	1.4
Possession of Stolen Firearm	3	1.4
Reckless Driving	2	1
Disorderly Conduct	2	1
Obstruction of Justice	2	1
Arson	2	1
CHINS	1	.5
Simple Assault	1	.5
Bad Checks	1	.5
Credit Card Forgery	1	.5
Resisting Arrest	1	.5
Abusive Language	1	.5
DUI	1	.5
Auto Theft	1	.5

Comments

- 19.3% of all detentions were for crimes against person.
- 45.8% of all detentions were for failure to appear and violations of a CHINS court order.
- Drug-related charges account for 7.2% of all detentions.

Richmond Detention Home*

Total Number of Cases: 93

Gender: 81.7% Male 18.3% Female

Race and Age:

	11 yrs.	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	18 yrs.	Percent
White			1			1	2		4.3
African-American	1	2	6	8	12	24	31	4	94.6
Hispanic							1		1.1
Total	1 (1%)	2 (2%)	7 (8%)	8 (9%)	12 (13%)	25 (27%)	34 (37%)	4 (4%)	93 (100%)

Committing Localities: Richmond - 100%

Offense Profiles:

Charge	No.	%
Fail to Appear for Felony Offense	23	24.7
CHINS Violation Court Order	12	12.9
Felony Assault	11	11.8
Brandish/Discharge Firearm	7	7.5
Narcotics	6	6.5
Child Abuse	5	5.4
Fail to Appear for Misdemeanor	4	4.3
Assault by Mob	3	3.2
Larceny	3	3.2
Marijuana Possession	3	3.2
Child in Need of Services	2	2.2
Trespass	2	2.2
Miscellaneous	2	2.2
Grand Larceny	2	2.2
Robbery	2	2.2
Break and Enter	2	2.2
Rape	1	1.1
Property Damage	1	1.1
Possess Drug with Firearm	1	1.1

Comments

- Proportionately highest number of 18 year olds detained
- 7.6% of facilities detentions were in violation of state and federal law.
- 16.1% of detentions were for crimes against person.
- Failure to appear and violation of court order account for 41.9% of detentions.
- 10.8% of detentions were drug related.

* missing one week of data

* Facility was missing one week of data.

Roanoke Detention Home

Total Number of Cases: 159

Gender: 81.1% Male 18.9% Female

Race and Age:

	11 yrs.	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	Percent
White		3	7	14	11	10	5	31.4
African-American	1		8	31	15	30	24	68.6
Total	1 (1%)	3 (2%)	15 (9%)	45 (28%)	26 (16%)	40 (25%)	29 (18%)	159 (100%)

Committing Localities:

Roanoke - 88.1%; Botetourt County - 7.5%; Roanoke County - 3.8%; Salem-.6%

Offense Profiles:

Charge	Number	Percent
Fail to Obey Summons	23	14.5
CHINS-Violation Court Order	22	13.8
Fail to Appear for Felony Offense	22	13.8
Assault	10	6.3
Assault by Mob	9	5.7
Grand Larceny	8	5.0
Break and Enter	7	4.4
Grand Larceny-Auto Theft	6	3.8
Distribution of Crack Cocaine	5	3.1
Possess Schedule I or II with Intent	5	3.1
Brandish Firearm/Point Firearm	5	3.1
Fail to Appear for Misdemeanor	4	2.5
Destruction of Private Property	4	2.5
Petit Larceny	4	2.5
Robbery	4	2.5
Failure to Appear	3	1.9
Escape from Police	2	1.3
Disorderly Conduct	2	1.3
Possession Crack Cocaine	2	1.3
Threaten School Employee	2	1.3
CHINS-Runaway	1	.6
Malicious Wounding	1	.6
Credit and Fraud	1	.6
Felony Property Damage	1	.6
Trespass	1	.6
Impede Police Officer	1	.6
Obstruction of Justice	1	.6
Distribution of Controlled Substance	1	.6
Possession Marijuana	1	.6
Firearm in Use in Commission of Felony	1	.6

Comments

- Failure to appear and violation of court order account for 32% of all detentions.
- Crimes against person account for 15.1% of all detentions.
- Detaining runaways in violation of state and federal law

Shenandoah Detention Home

Total Number of Cases: 245

Gender: 70.6% Male 29.0% Female

Race and Age:

	11 yrs.	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	19 yrs.	Percent
White	2	4	13	20	35	37	44		63.3
African-American	1	1	8	13	22	26	14	1	35.5
Hispanic							2		.8
Mixed					1				.4
Total	3 (1%)	5 (2%)	21 (9%)	33 (14%)	58 (24%)	63 (26%)	60 (25%)	1 (.4%)	245 (100%)

Committing Localities:

Charlottesville - 23.7%; Staunton - 15.5%; Augusta County - 14.7%; Albemarle County - 13.5%;
Rockingham County - 10.2%; Harrisonburg - 9.4%; Waynesboro - 9.4%; Rockbridge County - 1.2%;
Virginia Beach - .8%; Goochland County - .4%; Roanoke County - .4%; Clifton Forge - .4%;
Lexington - .4%

Offense Profiles:

Charge	Number	Percent
Fail to Appear for Felony Offense	64	26.1
CHINS-Violation Court Order	57	23.4
Fail to Appear for Misdemeanor	23	9.4
Simple Assault	13	5.3
Destruction of Property	11	4.5
Grand Larceny	11	4.5
Auto Theft	9	3.7
Simple Assault on Family	7	2.8
Robbery	7	2.8
Assault by Mob	4	1.6
Trespass	4	1.6
Contempt	3	1.2
Throwing Missiles at Vehicles	3	1.2
Robbery-Residence	3	1.2
Capital Murder-Robbery	2	.8
Break and Enter Occupied Building	2	.8
Discharge Firearm	2	.8
Threaten School Employee	2	.8

Charge (cont.)	Number	Percent
CHINS-Runaway	1	.4
Malicious Wounding	1	.4
Circuit Court Violations	1	.4
Fail to Obey Summons	1	.4
Escape from Correctional Center	1	.4
Reckless Driving	1	.4
First Degree Murder	1	.4
Shoplifting/Altering Tags	1	.4
Disorderly Conduct	1	.4
Petit Larceny	1	.4
Possess Stolen Goods	1	.4
Distribution of Controlled Substance	1	.4
Possess Schedule I or II with Intent	1	.4
Distribute Marijuana	1	.4
Abduction by Force	1	.4
Drunk in Public	1	.4
Conceal Weapon	1	.4
Discharge Firearm in Occupied Building	1	.4

Comments

- Highest proportion of females
- Violations of court order and failure to appear account for 59.3% of all detentions, highest in the state.
- Crimes against person represent 15.7% of all detentions.

Tidewater Detention Home

Total Number of Cases: 719

Gender: 82.1% Male 17.8% Female

Race and Age:

	11 yrs.	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	18 yrs.	Percent
White	1	3	23	34	61	77	90		40.2
African-American	2	14	31	46	102	111	95	9	57.0
Hispanic			1	1	3	3	2		1.4
Mixed				3	2	3	2		1.4
Total	3 (.4%)	17 (2%)	55 (8%)	84 (12%)	168 (23%)	194 (27%)	189 (26%)	9 (1%)	719 (100%)

Committing Localities:

Virginia Beach - 43.1%; Chesapeake - 29.5%; Portsmouth - 14.9%; Suffolk - 8.2%;
Isle of Wight County - 1.8%; Southampton County - 1.5%; Franklin - 1.0%

Offense Profiles:

Charge	Number	Percent
Fail to Appear for Felony Offense	161	22.4
CHINS-Violation Court Order	48	6.7
Fail to Appear for Misdemeanor	47	6.5
Breaking and Entering	44	6.1
Simple Assault	37	5.1
Simple Assault Against Family	37	5.1
Brandish/Discharge Firearm	30	4.2
Grand Larceny	28	3.9
Auto Theft	26	3.6
Robbery-Street	21	2.9
Petit Larceny	16	2.2
Assault by Mob	15	2.1
Release Hearing	15	2.1
Damage to Property	15	2.1
Fail to Obey Summons	12	1.7
Firearm in Use in Commission of Felony	9	1.3
Disorderly Conduct	7	1.0
Possession Marijuana First Offense	7	1.0
Robbery	7	1.0
Possess Schedule I or II with Intent	6	.8
Forcible Rape/Victim Under 13	5	.7
Trespass	5	.7
Shoplifting	5	.7
Drive while Intoxicated	5	.7
Abduction	5	.7
Malicious Assault	4	.6
Forcible Sodomy	4	.6
Contempt	4	.6
Capital Murder-Person	4	.6

Charge (cont.)	Number	Percent
Possess Stolen Property	3	.4
Possession Marijuana	3	.4
Threaten School Employee	3	.4
Assault	2	.3
Assault Law Enforcement Officer	2	.3
Forcible Rape	2	.3
Non-Forcible Sodomy	2	.3
Rape/Victim Under 13	2	.3
Sexual Abuse/Sodomy	2	.3
False Report to Police	2	.3
Fail to Obey Conservator of Peace	2	.3
Resisting Arrest	2	.3
Non-Malicious Injury to Law Enforcement	2	.3
Possession Schedule I or II	2	.3
Sell/Distribute Schedule I or II	2	.3
Curse and Abuse	2	.3
Threatening Calls on Phone	2	.3
Drinking at School	2	.3
Possession of Handgun	2	.3
Accessory to Felony	2	.3
CHINS-Truancy	1	.1
Aggravated Assault	1	.1
Aggravated Sexual Battery	1	.1
Animal Fraud	1	.1
Escape	1	.1
Reckless Driving	1	.1
Driving With Revoked License	1	.1
Manslaughter	1	.1
Conspire to Injure	1	.1

Tidewater Detention Home (cont.)

Offense Profiles:

Charge	Number	Percent
Throwing Missiles at Vehicles	4	.6
Arson of Occupied Church/ Building	4	.6
Credit and Fraud	4	.6
Sell/Distribute Marijuana	4	.6
Assault Hate Crime	3	.4
Driving Without License	3	.4
Judicial Review Parole/ Probation	3	.4
Larceny	3	.4

Charge (cont.)	Number	Percent
Gambling	1	.1
Larceny with Animals	1	.1
Possession Narcotics/ Controlled on School Property	1	.1
Distribute Marijuana on School Property	1	.1
Arson/ Threat	1	.1
Drunk in Public	1	.1
Possession Stolen Firearm	1	.1

Comments

- Highest detained population in the state during data collection period.
- Failure to appear account for 28.9% of all detentions.
- Status offenders violating court orders are the second largest group of detainees.
- 20.9% of the detainees were for crimes against person.
- Drug-related offenses account for 3.6% of the detentions.
- Sex offenses account for 2.% of the detentions.

WW Moore Detention Home

Total Number of Cases: 203

Gender: 81.3% Male 18.7% Female

Race and Age:

	11 yrs.	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	19 yrs.	Percent
White		1	3	13	17	24	24		40.4
African-American	1	4	5	21	32	31	25	2	59.6
Total	1 (1%)	5 (3%)	8 (4%)	34 (17%)	49 (24%)	55 (27%)	49 (24%)	2 (1%)	203 (100%)

Committing Localities:

Danville - 38.9%; Pittsylvania County - 19.7%; Halifax County - 12.3%; Henry County - 9.9%; Franklin County - 9.4%; Martinsville - 4.9%; Mecklenburg County - 2%; Patrick County - 1.5%; Lunenburg County - 1%; Roanoke County - .5%

Offense Profiles:

Charge	Number	Percent
Fail to Appear for Felony	81	39.9
Felony Assault	25	12.3
Possess Drug with Firearm	16	7.9
Narcotics	11	5.4
CHINS-Violation Court Order	10	4.9
Grand Larceny	10	4.9
Robbery	10	4.9
Petit Larceny	7	3.4
Auto Theft	7	3.4
Break and Enter	4	2.0
Property Damage	4	2.0
Child in Need of Services	3	1.5
Assault by Mob	3	1.5
CHINS-Truancy	2	1.0
Rape	2	1.0
Trespass	2	1.0
Shoplifting	2	1.0
Reckless Driving	1	.5
Obstruction of Justice	1	.5
Kidnapping	1	.5
Telephone Abuse	1	.5

Comments

- Held two 19 year olds in violation of Code.
- 16.2% detentions were for crimes against person.
- 44.8% of all detentions were for failure to appear and violation of court orders.
- Detention of CHINS is in violation of state and federal law.

Winchester Detention Home

Total Number of Cases: 110

Gender: 74.5% Male 25.5% Female

Race and Age:

	12 yrs.	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	18 yrs.	Percent
White		4	11	13	29	27		76.4
African-American	2	1	6	4	5	5	2	22.7
Hispanic				1				00.9
Total	2 (2%)	5 (5%)	17 (16%)	18 (16%)	34 (31%)	32 (29%)	2 (2%)	110 (100%)

Committing Localities:

Warren County - 20.9%; Roanoke County - 13.6%; Winchester - 12.7%;
 Frederick County - 10.9%; Shenandoah County - 9.1%; Buckingham County - 5.5%;
 Page County - 4.5%; Salem - 3.6%; Roanoke - 2.7%; Alleghany County - 1.8%;
 Powhatan County - 1.8%; Prince William County - 1.8%; Wise County - 1.8%; Clifton Forge - 1.8%;
 Buchanan County - .9%; Clarke County - .9%; Essex County - .9%; Franklin County - .9%;
 Rockbridge County - .9%; Scott County - .9%; Martinsville - .9%; Culpeper County - .9%

Offense Profiles:

Charge	Number	Percent
Fail to Appear for Felony Offense	27	24.5
CHINS-Violation Court Order	14	12.7
Felony Assault	11	10.0
Larceny	11	10.0
Simple Assault	6	5.5
Grand Larceny	6	5.5
Breaking and Entering	5	4.5
Fail to Obey Summons	4	3.6
Rape	3	2.7
Property Damage	3	2.7
Brandish/Discharge Firearm	3	2.3
Simple Assault Against Family	2	1.8
Arson	2	1.8
Aggravated Assault	1	.9
Fail to Appear for Misdemeanor	1	.9
Fraud	1	.9
Trespass	1	.9
Escape	1	.9
Disorderly Conduct	1	.9
Resisting Arrest	1	.9
Marijuana Possession	1	.9
Possess Marijuana with Intent	1	.9
Kidnapping	1	.9
Threaten School Employee	1	.9
Alcohol/ Purchase	1	.9
Auto Theft	1	.9

Comments

- Crimes against person account for 21.8% of all detentions.
- All drug-related crimes are for marijuana possession.

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