REPORT OF THE SECRETARY OF PUBLIC SAFETY AND HOMELAND SECURITY

Juvenile Detention Center Efficiency Study Report (2024 Appropriation Act, Item 377.C.1. and C.2.)

TO THE GENERAL ASSEMBLY OF VIRGINIA



HOUSE DOCUMENT NO. 9

COMMONWEALTH OF VIRGINIA RICHMOND 2024



COMMONWEALTH of VIRGINIA

Office of the Governor

Terrance Cole Secretary of Public Safety and Homeland Security

October 29, 2024

Virginia General Assembly 201 North 9th Street Richmond, VA 23219

To Whom It May Concern,

In accordance with the 2023 Special Session, I Budget Bill [H 6001], please review the attached Juvenile Detention Center Efficiency Study Report. The report contains cost saving strategies and alternative delivery models of educational services for juvenile detention centers.

Respectfully

Terrance C. Cole

Juvenile Detention Center Efficiency Study Report

2023 Budget Bill

October 15, 2024

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1 Introduction

The 2023 Budget bill included requirements for the Secretary of Public Safety and Homeland Security, in collaboration with the Secretary of Education and the Secretary of Health and Human Resources, to evaluate cost savings strategies for the juvenile detention centers (JDCs) and alternative delivery of educational services within the JDCs. Line item 392 #4s states:

- C.1. The Secretary of Public Safety and Homeland Security, in collaboration with the Secretary of Education and the Secretary of Health and Human Resources, with the cooperation and assistance of the Department of Planning and Budget, the Virginia Association of Counties, and the Virginia Municipal League, shall evaluate and submit to the General Assembly no later than October 15, 2024, a report on juvenile detention center cost savings strategies. The report shall include a proposal to reduce state formula financial assistance for juvenile confinement in local facilities ("juvenile detention center block grant") in order to incentivize consolidation of juvenile detention centers in the Commonwealth. The proposal shall: (i) recommend five to eight juvenile detention centers for consolidation, identifying the five to eight facilities recommended for closure and alternative facilities recommended to house youth impacted by the closures; (ii) describe the criteria used to identify such facilities including, but not limited to, distance between the facilities recommended for closure and the recommended alternative sites of incarceration, funded and licensed capacity, historical and projected average daily population by region, age and condition of facilities and their electronic security systems, outstanding debt service, deferred maintenance and annual maintenance reserve as a percentage of the replacement asset value, potential for repurposing or sale of facilities recommended for closure, regional distribution of juvenile detention centers, and availability of programming; (iii) estimate the state savings that would result from elimination of juvenile detention center block grant funding for facilities recommended for closure, net any expected increase in block grant or per diem funding for facilities recommended to house additional youth; and (iv) recommend two to five options for reinvesting the net savings in services for youth involved or at-risk of becoming involved in the juvenile justice system.
- 2. In addition, the report shall assess alternative delivery models for education services at juvenile detention centers, including: (i) determining the extent to which each juvenile detention center currently implements or could further implement cost effective staffing methods, including strategies identified in the 2021 Board of Education report entitled "Recommendations for Appropriate Staffing and Funding Levels Necessary for State Operated Programs (SOPs) in Regional and Local Detention Centers"; (ii) continuing to develop an alternative to the statutorily required 1:12 teacher to student staffing ratio; (iii) utilizing full-time special education teachers to coordinate, plan, and substitute for part-time teachers shared with either the local school division or other state operated programs; and (iv) determining and providing the feasibility and potential cost savings of each alternative delivery model, as well as specific actions to implement each model.

2 Workgroup

The workgroup included representatives from the following agencies:

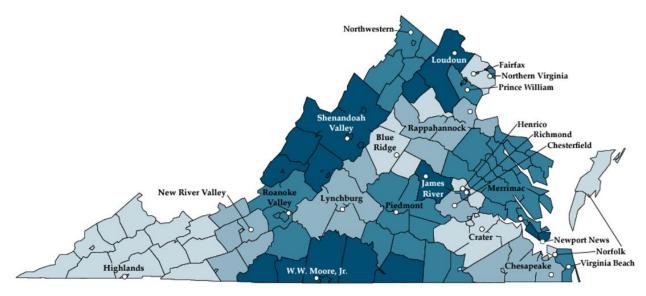
- Department of Behavioral Health and Developmental Services (DBHDS)
- Department of Education (VDOE)
- Department of Juvenile Justice (DJJ)
- Department of Planning and Budget (DPB)
- ♣ Governor's Office
- Virginia Association of Counties (VACO)
- Virginia Municipal League (VML)

The workgroup convened and met on July 11, 2024, August 21, 2024, and September 10, 2024.

3 BACKGROUND

There are a total of 24 JDCs across the Commonwealth. JDCs provide temporary care for youth under secure custody pending a court appearance (pre-D) and those held after disposition (post-D). Educational instruction is required within 24 hours of detainment (or the next school day) and is provided by licensed staff funded by DOE's Division of State Operated Programs (SOP) and contracted through a local school division. In addition to attending school while in a JDC, youth participate in a structured program of care, which includes medical and mental health screenings and services, recreational and psycho-educational activities, visitation, and volunteer services (e.g., services provided by religious organizations). JDCs provide services for youth in various points of the juvenile justice system.

- ♣ All 24 JDC provides pre-D detention, which can be ordered by a judge, intake officer, or magistrate.
- ♣ All 24 JDCs provide post-D detention without programs for up to 30 days.
- → 18 JDCs provide post-D detention with programs for up to 180 days for most offenses pursuant to § 16.1-284.1 of the *Code of Virginia*. Treatment services in post-D detention with programs are coordinated by the JDC, the DJJ court service unit (CSU), and the youth's family, sometimes including local mental health and social services agencies. Individualized services such as anger management, substance use treatment, life skills, career readiness education, and victim empathy are provided to meet youth's needs.
- 19 JDCs contract with DJJ to facilitate direct care admission and evaluation services, such as medical, psychological, behavioral, educational, career readiness, and sociological evaluations for youth in direct care.
- 4 6 JDCs contract with DJJ to operate community placement programs (CPPs), evidence-informed residential programs for youth in direct care.
- ♣ 6 JDCs contract with DJJ to operate individual bed placements (IBPs) where direct care youth to remain in the JDC for the duration of their commitment and treatment services are secured through DJJ's regional service coordination (RSC) model of community providers.
- ≠ 5 JDCs contract with DJJ to operate detention reentry programs, which allow youth in direct care to transition to the community 30 to 180 days before release.



12 JDCs are operated by local governments. Section 16.1-315 of the *Code of Virginia* permits governing bodies of three or more counties, cities, or towns, by concurrent ordinances or resolutions, to provide for the establishment of a joint or regional citizen JDC commission. 12 JDCs are operated by a commission.

The Board of Juvenile Justice promulgates Regulations Governing Juvenile Secure Detention Centers. DJJ serves as the regulatory agency for the JDCs and monitors compliance to these regulations.

JDCs operate utilizing funding from the localities, DJJ, and, in some instances, grant awards. DJJ funding from the general appropriations act is mandated by §16.1-322.1 of the *Code of Virginia* and includes the block grant, state ward per diem, and United States Department of Agriculture (USDA) school for the National School Lunch Program. This funding is distributed quarterly. The block grant funding for each JDC is determined utilizing a two-part calculation of the JDC's licensed capacity and the JDC's utilized capacity. The state ward per diem provides an allowance to the JDC each day a committed youth remains in the JDC's population pending transfer to DJJ. This rate is currently \$50.00 per day.

DJJ also provides funding to JDCs based on their contracts to serve direct care youth in the admission and evaluation phase and for CPPs, IBPs, and detention reentry programs as described above.

4 PRIOR STUDIES ON REPURPOSING JDCs

In 2022, the Commission on Youth (COY) established an advisory committee to evaluate the effectiveness and efficiency of the juvenile detention system. The group reviewed data and presentations from various stakeholders, facilitated site visits, conducted surveys and interviews, and reviewed state and federal laws and regulations. A report was published with findings and recommendations. Following written public comment, the Commission on Youth recommended to request the Secretary of Public Safety & Homeland Security, the Secretary of Education, the Secretary of Health & Human Resources, Virginia Association of Counties, Virginia Municipal League, and affected localities assess needs regarding juvenile detention centers. The assessment was intended to take into consideration the cost savings that could occur with consolidation or repurposing and discuss ways to reinvest.

The respective secretariats identified representatives from their various agencies along with representation from Virginia Association of Counties, the Virginia Municipal League and the Virginia Juvenile Detention Association. With respect to consideration of cost savings that could occur with repurposing unused space in juvenile detention centers, the group explored the following potential reuse options:

- Virginia Department of Juvenile Justice rent space for a direct care unit (containing approximately 10 beds);
- Establishing a juvenile detoxification unit;
- ♣ Establishing behavioral "acute plus" management; and
- Establishing space for youth victims of human trafficking.

5 DATA REVIEW

The current workgroup as described in section 2 reviewed the below data provided by DJJ. In addition to the data, the workgroup reviewed the ages and conditions of each JDC, the age and condition of the electronic security systems, and available programming (See Appendix 1 JDC Data Collection).

JDC Average Daily Population (ADP) Fiscal Years (FYs) 2014-2024*

	2023											
JDC	Capacity	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Blue Ridge	40	13	16	10	11	11	6	7	9	9	13	8
Chesapeake	100	55	55	52	58	50	38	35	34	28	30	15
Chesterfield	90	34	35	28	26	24	24	17	13	16	28	23
Crater	22	16	18	16	15	18	18	13	7	7	13	12
Fairfax	121	38	36	36	30	31	29	33	21	19	24	29
Henrico	20	18	16	15	16	17	14	13	11	12	12	12
Highlands	35	22	18	14	13	19	13	11	8	7	11	17
James River	60	41	34	37	36	38	24	21	19	18	34	36
Loudoun	20	13	12	12	11	9	6	6	4	4	3	3
Lynchburg	48	18	20	15	13	18	15	16	12	14	15	20

Merrimac	48	28	33	27	28	23	20	14	17	14	15	26
New River Valley	24	10	12	13	14	12	8	6	7	7	6	10
Newport News	110	79	74	67	69	72	59	46	29	28	34	40
Norfolk	80	63	56	49	52	48	37	41	28	33	37	31
Northern Virginia	70	28	24	25	23	22	15	12	10	9	23	27
Northwestern	32	26	18	11	12	14	13	11	9	9	11	13
Piedmont	20	10	13	16	11	12	11	11	6	5	10	8
Prince William	72	52	47	41	43	33	29	17	9	10	12	21
Rappahannock	80	28	30	29	24	21	20	20	13	15	22	28
Richmond	60	27	41	40	31	30	32	23	23	23	29	24
Roanoke Valley	81	29	25	25	23	19	19	16	7	13	19	21
Shenandoah Valley	58	16	18	14	13	13	16	13	10	9	14	15
Virginia Beach	90	42	36	24	41	36	33	28	29	29	31	39
W. W. Moore, Jr.	60	30	25	25	32	31	22	24	14	12	20	23
Total	1,441	735	708	643	645	622	522	453	351	350	468	502

^{*} Capacities are determined on the last day of the FY and represent the number of certified/licensed beds; they may not represent the number of "operational" or "staffed" beds, which may be significantly lower.

Statewide JDC ADP and Forecast by FY

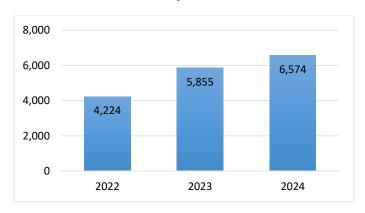
	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Actual ADP	622	522	453	351	350	468	502					
Forecast ADP							590	688	765	778	772	767

JDCs with Treatment Programs

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Blue Ridge X Chesapeake X Chesterfield X Crater Fairfax X Henrico Highlands X James River X Loudoun X Lynchburg X Merrimac X New River Valley X Newport News X Norfolk X Northern Virginia X Northwestern	X X X X X X X X X X X X X X X X X X X	X X	X
Chesapeake X Chesterfield X Crater Fairfax X Henrico Highlands X James River X Loudoun X Lynchburg X Merrimac X New River Valley X Newport News X Norfolk X Northwestern	X X X X X X		X
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New River Valley X Newport News X Norfolk X Northern Virginia X Northwestern	X		X
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Northwestern	X	X	
	X		X
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rieumoni	X		X
Prince William	X X	(
Rappahannock X	X	Х	X
Richmond X	X	Χ	
Roanoke Valley X	X		
Shenandoah Valley	X X	X X	
Virginia Beach X		(
W. W. Moore, Jr. X	X X		

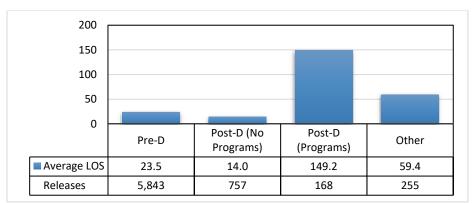
Total 18 19 6 5 6

Detainments, FY 2022-2024



- ♣ Detainments increased 55.6% from FY 2022 to FY 2024.
- In FY 2024, there were 30 weekend detainments, which may include multiple weekend stays as part of a single detainment.

Average LOS (Days) by Dispositional Status, FY 2024 Releases*



- *A release is counted when a dispositional status is closed even if a new status is opened wand the youth remains in a JDC.
 - Post-D with programs had the longest average LOS (149.2 days) and the fewest releases (168).
 - Post-D detention had an average LOS of 23.5 days and the most releases (5,843).
 - Post-D detention without programs had the shortest average LOS (14.0 days).

6 FISCAL DATA REVIEW

The workgroup also reviewed the JDC block grant allocation that is distributed quarterly over the past ten years (See Appendix 2 JDC Block Grant Distribution). In accordance with § 16.1-322.1 of the *Code of Virginia*, funds are appropriated to be distributed to local detention centers. As delineated, the total allocation has not increased significantly over the last ten years. The formula was recently updated and is determined by a two-step calculation incorporating licensed capacity and a five-year average of ADP. The state portion of the JDC's operational budget is an average of 34.34%. Additional considerations regarding block grant funding include:

♣ State ward per diems come out of the same bucket of funding. Each year if there is any funding left over from state ward per diem expenses, it is redistributed to the JDCs as a "Fifth Quarter" payout.

- If there is a statewide salary increase that impacts local employees, the JDCs receive a portion of this within the funding for the block grant through the central appropriations process. That funding would also be paid out during "Fifth Quarter" distributions at the end of the year.
- There were large increases in the annual comparisons, mostly due to central appropriation redistributions in recent years and are not a reflection of the base appropriation growing from year to year.
- Large allocation swings from year to year within the same locality are a result of a changes to their licensed capacity and/or ADP, which affect the formula.
- ♣ The savings impact for any facility closures can be directly tied to block grant allocations by the locality. Additionally, since ADP is a significant contributor to the formula, we can anticipate and estimate increases once the locality and population increases are known.

FY23 JDC Block Grant Revenue and Operating Expenditures

JDC	FY23 Licensed Capacity	FY23 DJJ Funded Capacity	FY23 ADP	FY23 Total Operating Expenditures*	FY23 DJJ Block Grant Revenue**	DJJ % of Total Expenditures	Average Cost Per Day
Blue Ridge	40	22	12.93	\$3,874,803	\$1,012,867	26%	\$821
Chesapeake	100	67	29.66	\$6,441,177	\$2,749,032	43%	\$595
Chesterfield	90	55	28.29	\$7,121,669	\$2,013,894	28%	\$690
Crater	22	22	12.71	\$2,387,616	\$798,037	33%	\$515
Fairfax	121	58	24.28	\$11,173,922	\$2,569,954	23%	\$1,261
Henrico	20	20	11.77	\$2,888,713	\$747,394	26%	\$672
Highlands	35	28	11.02	\$3,242,068	\$946,499	29%	\$806
James River	60	59	34.34	\$6,071,918	\$1,808,453	30%	\$484
Loudoun	24	22	3.16	\$2,418,700	\$800,488	33%	\$2,096
Lynchburg	48	32	15.12	\$2,974,272	\$1,143,152	38%	\$539
Merrimac	48	46	15.18	\$4,375,153	\$1,432,305	33%	\$790
New River Valley	24	22	6.33	\$1,283,611	\$800,488	62%	\$555
Newport News	110	89	34.09	\$6,546,541	\$3,387,785	52%	\$526
Norfolk	80	63	36.65	\$6,359,300	\$2,435,367	38%	\$475
Northern Virginia	70	47	23.34	\$5,024,270	\$1,579,749	31%	\$590
Northwestern	32	24	11.13	\$3,503,137	\$906,678	26%	\$862
Piedmont	20	20	10.29	\$2,854,672	\$747,394	27%	\$760
Prince William	72	46	11.84	\$5,622,895	\$2,088,217	37%	\$1,301
Rappahannock	80	51	22.28	\$8,607,049	\$1,784,774	21%	\$1,058
Richmond	60	41	28.85	\$4,310,789	\$1,808,453	42%	\$409
Roanoke Valley	81	40	19.03	\$4,037,442	\$1,749,855	43%	\$581
Shenandoah Valley	58	22	13.97	\$5,278,741	\$1,251,793	24%	\$1,035
Virginia Beach	90	55	31.27	\$6,359,607	\$2,206,663	35%	\$557
W. W. Moore, Jr.	60	38	20.22	\$3,373,532	\$1,591,589	47%	\$457
Total	1,445	989	467.75	\$116,131,597	\$38,360,880	34.34%	\$680

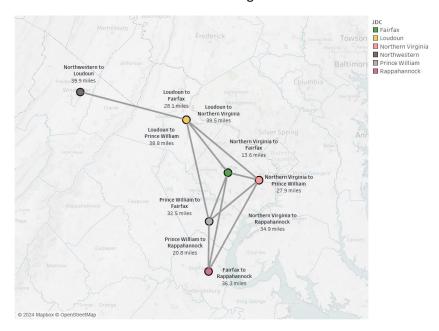
^{*}Excludes debt service and other construction-related expenses, depreciation, USDA expenses (if broken out separately), one-time expenses, or any other listed expenses (not listed in operational) that do not have an explanation.

7 ANALYSIS

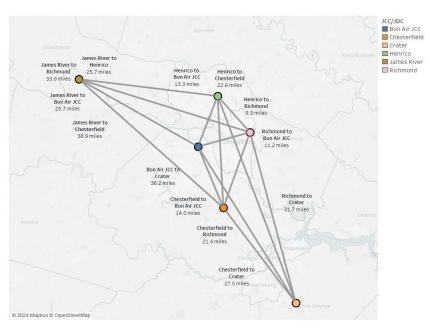
Following the review of the above data, the workgroup primarily considered the regionalization concept based on an assessment of JDCs located within 40 miles of each other.

^{**}Excludes USDA funding, state ward reimbursement, or any other DJJ funding - DOES include COLA

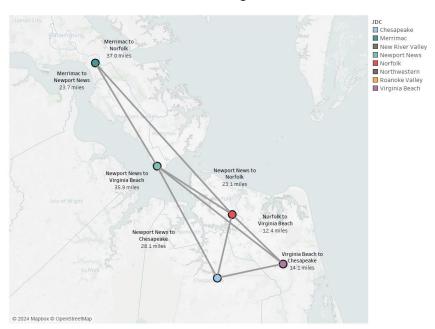
Northern Region



Central Region



Eastern Region



In discussion of the 40-mile radius concept, the workgroup identified several factors that impact regionalization:

- → Traffic as a barrier in northern Virginia as well in the Hampton Roads area. A 40-mile trip may take more than an hour, resulting in a round trip potentially exceeding 2 hours.
- → Youth are in full restraints during transports. In general, JDCs attempt to minimize the time youth spend in restraints to reduce risk of harm. Increasing the travel distance increases the time youth are in restraints. If the youth perceive a poor outcome from the court appearance, a longer transport may increase the youth's frustration or feelings of hopelessness and decrease the youth's ability to utilize coping skills to overcome these feelings.
- Transportation of youth to their detainment at the JDC and to/from court appearances will be the responsibility of local law enforcement. Adding distance and time to these transports removes law enforcement personnel from their primary responsibilities of public safety and responding to calls for assistance. Longer transports also increase the expenditures for fuel, maintenance, overtime and possibly needing additional officers on duty for local law enforcement agencies.
- A further distance may also impede family engagement opportunities for a parent/guardian. JDCs have set schedules for visitation that are not always practicable for families due to work and childcare schedules. An increase in travel time may reduce parent availability to attend visitation. Additionally, many families utilize public transportation and increasing the distance between the family and JDC may limit effective use of transportation.
- Regulations and laws require youth access to legal representatives, and closures will create barriers for the youth to meet with their attorneys in preparation for court.
- Regulations mandate the court service unit (CSU) staff make contact with pre-dispositional youth within five (5) days of their detainment, and every ten (10) days thereafter. The increased travel distance will increase CSU travel expenses and decrease the time staff are away from the office and supervising youth in the community.
- For dual-involved youth who are in foster care, there will be similar logistical issues. LDSS must visit with youth in their place of residence at least once a month. If the JDCs are consolidated, then those visits would require additional travel and coordination to occur.

- → Many youth are engaged in services through their community services boards (CSBs) or other local service providers. Housing youth further from their local community may cause service disruptions which will adversely affect the youth's behavioral health and impact a youth's continuity of care.
- ♣ The increased distance may increase reliance on virtual meetings and hearings which is not ideal for the youth.
- Section 16.1-249 of the *Code of Virginia* mandates that youth may not be housed in an adult jail or court holding cell for more than six (6) hours prior to court and six (6) hours following court. Closing JDCs and adding to the travel distance/time may increase the amount of time a youth is waiting before and after court due to law enforcement staffing availability.

The workgroup also considered capacity, utilization, safety, and security.

- ← Careful consideration should be given to forecasting future facility needs. Once a JDC closes, it is unlikely that the locality or commission will reopen another facility.
- ♣ The ADP has demonstrated an increase with a forecast increase in utilization.
- → As noted in section 3 above, DJJ currently contracts with 19 JDCs to house committed youth. 6 JDCs are operating CPPs which accounts for 56 beds. Closing JDCs will impact DJJ's ability to maintain these contracts and serve committed youth closer to home and/or in smaller settings.
- Repurposing JDCs is likely to be costly and challenging. These facilities are designed for secure confinement, not mental health treatment facilities, homeless centers, or other non-correctional settings. The potential reutilization options have already been assessed by some communities and have been rejected because of the difficulty, if not impossibility, to retrofit or reuse for a different purpose. The decision to repurpose a facility should rest with the owning locality given the complexities involved in such a project.
- ♣ While most JDCs are under capacity as compared to their licensed capacity, most have adjusted their staffing patterns to reflect the ADP.
- → JDCs face safety and security risks when youth are detained with their co-defendants and rivals/enemies. Regulations and laws mandate that JDCs consideration age, size, gender, gender identity, vulnerabilities, education, and behavioral health needs when making housing decisions. A reduction in the number of JDC beds will increase the probability of JDCs having to implement additional safety measures and/or transfer youth even further away from their community, family, and courts to maintain compliance and meet youth needs.
- → JDCs have autonomy in agreeing to house youth from other localities. If a JDC is closed, there is no guarantee that another JDC would accept their youth. Additionally, based on their own population, they may not have capacity to take the number of youth another locality needs placed. This very scenario was actualized when Chesapeake JDC reduced their licensed capacity to only serve Chesapeake youth. Other localities that once sent their youth to Chesapeake had to implement agreements with new JDCs. Reportedly, Portsmouth youth were transported as far away as Highlands JDC in Bristol.
- ♣ Increasing the number of youth housed in a living unit may result in more physical altercations which inherently will increase the use of physical restraints. This not only affects the youth but also affects the staff, and JDCs are already facing challenges with recruitment and retention of qualified staff.

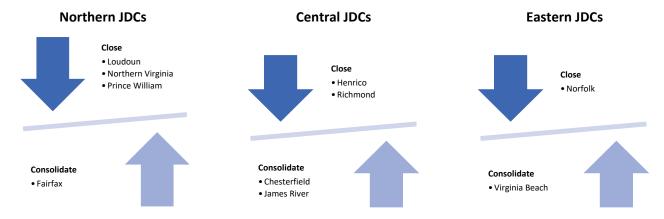
Additional factors and considerations for fiscal impacts were also noted by the workgroup.

- ♣ Several JDCs have recently undergone substantial upgrades to their security systems or other capital needs. Closures will likely make those upgrades and expenditures an unnecessary use of taxpayer money.
- ♣ Prince William JDC is in the process of constructing a new facility and Chesapeake JDC has initiated the process to renovate their facility.
- Closures will result in layoffs which in turn impacts the locality's workforce and unemployment rates.
- Closures may also impact retention at the remaining JDCs for fear of additional closures and/or increase in responsibilities.
- ♣ Local governments pay more than half the cost of operations of local and regional JDCs, and also pay most capital costs, including improvements to these facilities. Localities have already assessed ways to save costs,

including through closures. After these studies and receiving community feedback, the localities have opted to continue operations to serve youth closer to home.

8 COST SAVING PROPOSAL

If all of the considerations and barriers noted above can be overcome, the workgroup offers the following recommendation for consolidation and regionalization:



For the northern jurisdictional JDCs, the workgroup determined the region could consolidate by closing Loudoun, Prince William, and Northern Virginia JDCs by having those youth served by Fairfax JDC. Similarly for the central jurisdictional JDCs, Henrico JDC could be consolidated with and served by James River JDC and subsequently, Richmond JDC could be closed and served by Chesterfield JDC. For the eastern jurisdictional JDCs, Norfolk JDC youth could be served by Virginia Beach JDC. VACo and VML maintain their view that in light of the complexities discussed above, the decision to close a JDC must remain with the locality/localities that own and operate the facility.

With consolidation, the block grant formula would need to be adjusted; accordingly, however, additional funds would need to be identified to support the increased costs with travel for Sherriff's departments, Court Service Units, and any other stakeholders who need access to meet with the youth and provide services. Further, any fiscal adjustments should be considered in a phased approach. For example, if the following licensed capacities were reduced from the block grant formula, any potential savings would be minimized with the increase in travel and other costs:

Facility	FY2024 Licensed Capacity	Funded Capacity with	50% Licensed Capacity
		20%/15%/10% Population	Funding
		Allowance-Not to exceed	
		licensed capacity or be less	
		than 16 (Rounded)	
Henrico	20	16	\$289,792
Loudoun	20	16	\$289,792
Norfolk	80	44	\$1,159,166
Northern Virginia	70	17	\$1,014,271
Prince William	72	20	\$1,043,250
Richmond	60	33	\$869,375
Approximate Block Grant			\$4,665.645
Savings*			

^{*}Estimated savings based on current block grant formula, which provides 50% of overall funding to facility licensed capacity. The total approximate savings illustrated would be offset by increased costs and provisions related to applicable Sheriff offices, defense attorneys and increased youth care by new, applicable JDC's.

9 Additional Strategies

In lieu of closures, the workgroup discussed revisiting the repurpose possibilities described above in section four within the Commission on Youth report. In addition to those possibilities, DJJ is interested in furthering its partnership at Norfolk JDC. A high number of youth are committed from the eastern region, particularly Norfolk, and this would support building capacity to increase programming in the eastern region.

10 EDUCATION PROPOSAL

The VDOE has worked in partnership with numerous entities to measure and assess the educational efficacy of the State Operated Programs (SOP) as well as ensuring that the VDOE maintains compliance with both state and federal regulatory requirements. The VDOE has worked to ensure the efficiency of the SOP academic programs by eliminating

40.8 positions across multiple school years. The VDOE has also been a part of conversations with national experts in serving vulnerable students as well as working to propose an innovative staffing solution to combat fluctuations with student populations in partnership with the Secretary of Education's Office. This has included program evaluations conducted by external national experts in 2023 as well as compliance reviews conducted by the U. S. Department of Education's Office of Special Education Programs.

These data-based decisions and innovative programming have helped to ensure a focus on student outcomes and benefits associated with decreases in recidivism and the school-prison pipeline. Across the last two school years, students in SOP academic programs in juvenile detention facilities not only experienced a 15% increase in long term students attending and being served in their programs but also demonstrated growth and academic gains of these students. For example, 59% of long-term students demonstrated positive reading growth, with 37% experiencing more than one full grade level of growth. And again, in the 2023-2024 school year 67% of long-term students demonstrated positive mathematics growth, with 38% experiencing more than one full grade level of growth.

10.1.1.1 Specific Report Areas for Feedback

(i) Determining the extent to which each juvenile detention center currently implements or could further implement cost effective staffing methods, including strategies identified in the 2021 Board of Education report entitled "Recommendations for Appropriate Staffing and Funding Levels Necessary for State Operated Programs (SOPs) in Regional and Local Detention Centers."

Per the Virginia Board of Education's 2021 report titled "Recommendations for Appropriate Staffing and Funding Levels Necessary for State Operated Programs (SOPs) in Regional and Local Detention Centers," positions within State Operated Programs (SOPs) are reviewed annually to determine compliance with state and federal requirements. This review includes: the overall census including the number of students with disabilities and English Language Learners, the average length of stay, the size of the facility, whether the facility partners with DJJ for special programming, and specific facility requirements. Teachers are contracted employees with cooperating school divisions and typically sign employment contracts in late Spring. Decisions to reduce or increase SOP staff are made each Spring for the following academic year. The VDOE staff ensures compliance with federal and state laws and regulations as designated.

The following represents the VDOE's work in addressing the recommendations identified in the Board's report.

- Require that VDOE staff meet with school division supervisors this fall to review the responsibilities of each agency.
 - Regional meetings were held during the Fall of 2021. Each SOP leader and the employing school division supervisor attended a meeting and were provided instructional materials, a question- and-answer session, and contact information for any further questions or concerns.
- Consider developing "regional" models moving multiple facilities to one school division under cooperative agreement so that staff can be shared/better utilized with efficiency and compliance in mind.
 - During the 2021-2022 school year, VDOE staff contacted seven school divisions with this proposal. All seven declined to move forward with this model.
- Examine the feasibility of having building administrators provide leadership and supervision across multiple facilities.
 - o This option requires cooperation across multiple facilities within the same school division.
- **♣** Consider sharing staff between mental health and Juvenile Detention Center (JDC) facilities or between JDCs.
 - The daily census at two of the mental health facilities has remained steady and there continues to be a wait list at the third facility. Staff from these facilities are unable to split their time. The VDOE is working with one cooperating school division to consider this model when appropriate given student population size.
- Explore the creation of a "pool" of staff which could serve as needed based on JDC population and other demographics (special education, ELL, etc.).
 - This option was not considered because the SOP academic programs were forced to reduce staff over the last ten years. The VDOE has not been allocated the resources required to move forward with this proposal.
- Consider using "lead teacher" positions instead of a principal position at certain facilities.
 - This recommendation has been employed. Two academic programs use "lead teachers" in lieu of a principal. Three programs employ a part-time principal as a cost-saving measure.
- ₩ Where possible, consider the use of more online/asynchronous instruction.
 - SOP academic programs carefully continue to explore this model where it is available per local program
 policies, procedures and practices.
- When possible, provide incentives for teachers to obtain multiple endorsements.
 - SOP teachers are contracted employees with a cooperating school division who serve as the human resources agent. SOP staff are held to the division's policies and procedures regarding incentives and pursuit of additional endorsements.
- lacktriangle When possible, share staff within the cooperating school division.
 - When SOP academic programs have open positions, the VDOE considers this model if appropriate and works with local school division staff to implement.
- Where possible, cut middle school program staff due to low numbers.
 - At the time these recommendations were submitted, only two JDC academic programs operated middle school programs. One middle school teaching position was eliminated (staffing across programs is evaluated on a yearly and sometime more frequent basis to

determine program needs and matches with licensed providers) and the other positions have been re-purposed.

(ii) Continuing to develop an alternative to the statutorily required 1:12 teacher to student staffing ratio.

The requirements that students must receive instruction from teachers endorsed in their content area as required by the *Code of Virginia* and the *Regulations Governing Special Education Programs for Children with Disabilities* identify required staffing ratios. Direct care staff must also comply with staffing requirements established in the *Prison Rape Elimination Act* (PREA) which directly impacts the number of students assigned to classrooms.

The VDOE is not only required to provide comparable education services to students within SOPs, but the agency remains supportive of the unique needs of this vulnerable student population. Students served by SOPs are not only required to receive, but also benefit from, the quality education services support and access to qualified staff. Over the last three years, 81 students enrolled in detention academic programs have been awarded a high school diploma and 181 have earned a GED®. Over the last three years, students have earned 1,383 career certificates. Students are returning to their communities prepared for further education, training, or employment which reduces the likelihood of further court involvement. A ratio also does not consider students' ages, grade levels, and current academic functioning nor would a ratio consider complex issues such as victim/alleged perpetrator, previous history of abuse, co-defendants court ordered to have no contact, or neighborhood issues that can increase the likelihood of violent altercations.

(iii) Utilizing full-time special education teachers to coordinate, plan, and substitute for part-time teacher shared with either the local school division or other state operated programs.

As noted previously, teachers who serve in SOP programs are contracted employees with cooperating school divisions who must be licensed in the content area they are responsible for providing instruction in. The SOP academic programs do not employ any part-time teachers or share positions with local school divisions. This proposed solution can prove challenging for implementation given the multiple factors for consideration when utilizing shared staff. These factors include: provision of direct supervision of the employee, ensuring supervision consistency across multiple buildings, appropriate use of substitutes when the staff member is absent, travel and cost considerations to support implementation as well as monitoring of daily schedules that change often, require planning time, as well as the willingness of the employee to work across multiple locations given these considerations. As seen across the nation, SOP academic programs continue to be impacted by the national teaching shortage especially in the field of special education. Qualified applicants are typically interviewed and hired by the cooperating school division before the SOP leader is able to contact them. To date, when the SOP academic programs have attempted to post and hire part-time positions, no qualified applicants have been secured. Additionally, most special education teachers are not endorsed in general education content and cannot serve as instructors for credit-bearing courses. Should programs close the Virginia Department of Education will work with affected localities and remaining programs to support and ensure compliance regarding educational requirements for students impacted by closures or moved to other facilities.

(iv) Determining and providing the feasibility and potential cost savings of each alternative delivery model, as well as specific actions to implement each model.

The VDOE staff have participated in numerous formal and informal discussions, studies, and observations of SOP academic programs. The VDOE has also worked diligently to make staffing and funding decisions with efficiency and a rigorous assurance to maintain compliance with state and federal requirements. In recent years, the VDOE has dealt with losses in positions as well as a lack of funding to support increases in teacher pay. Virginia's codified requirement to provide "comparable" education services remains the guiding principle for educating court-involved youth in residence

in local and regional juvenile detention centers. Alternative delivery models that would maintain current compliance with the above-noted federal and state laws and statutes have not been identified however, the Virginia Department of Education will continue to explore alternative delivery models outside of the recommendations as well as increase the participation of state operated programs interested in piloting some of the previous interventions noted. The estimated cost savings from alternative delivery models remains too speculative to determine at this time.

11 CONCLUSION

This workgroup was convened to evaluate JDC cost savings strategies and alternative delivery of educational services within the JDCs and was specifically directed by the Appropriations Act language to recommend five to eight juvenile detention centers for consolidation and alternative facilities recommended to house youth impacted by the closures. As directed, the group identified JDCs within a 40-mile radius that could potentially be considered for closure to satisfy the mandate in the budget language and regionalize youth detainments to other JDCs. However, there are significant challenges and barriers to overcome in order for any consolidation to be effectuated.

APPENDIX 1: JDC DATA COLLECTION

JDC	2023 Capacity	What is the age and condition of your JDC?	What is the age and condition of your electronic security system?	What programming is available in your facility to all youth? Please include a brief description of what programming you have available and what services are provided to youth while in your care in each of those programs.
Blue Ridge	40	Opened July 2002 (good condition)	Security system upgraded three months ago	 Post-D CAP Intake Community Placement Program Detention Reentry
Chesapeake	(reduced to 35 as of July 1, 2023)	1961 (fair condition); 1996 addition added (fair condition)	1996; fair condition, in need of upgrade	 Licensed clinician (LCSW and SOTP) Daily Psychoeducational groups Sheriff's Office mentoring program Behavior management program that incorporates restorative justice Education department assists with GED testing and ServSafe certifications
Chesterfield	100	Original facility built in 1973 as a 33-bed facility. Renovated and expanded to 90 beds in 2001.	There are several components to security system, including intercoms (10 years old), door locking mechanisms (23 years old), cameras (23 years old), and then the software that allows all these components to "talk" to one another (Wonderware). Currently in the middle of a camera upgrade project that is anticipated to be completed in December of this year and cost around \$750,000 – all county funds.	 Post-D (with transitional aftercare services) CAP Intake Community Placement Program Behavior management program Post-secondary education Recreational programming Crisis counseling Licensed clinician who provides MRT, ART, substance abuse services, individual and family counseling
Crater	22	Facility is 49 years old (good condition). School building is 18 years old (good condition). Shelter care building which is 33 years old (good condition).	Electronic security system is 12 years old and in fair condition but is scheduled to be replaced this fiscal year as a CIP.	 CAP Intake Individual Bed Placement Behavior Management Program Post-Secondary Education Licensed clinician through CSB Psychiatrist for med management

Fairfax	121	Facility opened in 1982.	Fairfax County invested almost \$2.4 million into the	4	Post-D (BETA program)
		The building was	replacement and renovation of the electronic security	4	CAP Intake
		expanded to 121 beds in	system in 2022.	4	Mental Health Clinician through CSB
		1997. The facility		4	Parenting education groups
		condition is excellent.		4	Victim Impact Classes
				4	CBT Groups, ART, Motivational Interviewing
				4	Religious services and groups
Henrico	20	The facility is 44 years	Updated camera system in 2024	4	Detention Outreach
		old (1980). In 2011, the	Updated touchscreen and security system added in	4	VJCCCA Programs
		facility expanded the	1999/2000	4	Conflict resolution groups
		medical unit by 1200		4	Therapeutic recreation groups through Glen Alle
		square feet.		•	Cultural Arts and Henrico Parks & Rec
		- 1		4	NAMI partnership for suicide prevention
				•	('Ending the Silence')
				4	Service Through Opportunity Program (S.T.O.P.
Highlands	35	The original building	Upgraded security camera system in 2023. New digital	4	Post-D
		was completed in 1974	radio system including a repeater, handheld radios,	4	CAP Intake
		with an addition and	charging units, and base radio in 2024.	4	Individual Bed Placement
		improvements	charging analy and base radio in 2021	4	Post-Secondary Education
		completed in 2001. The		4	Wyman's Teen Outreach Program (TOP)
		building is well		4	Mental Health Clinician through CSB
		maintained and is in		4	Mental Health Case Manager through CSB
		great condition.		4	Crisis Intervention
		8		4	Pediatric Psychiatrist for evaluations and
				_	medication management
				4	Trauma Focused Cognitive Behavioral Therapy
					(TF-CBT)
				4	Anger Management and Substance Use
					Prevention Prevention
James River	60			4	Tevendon
Loudoun	20	The new Youth Services	The security system was newly installed in the new	4	Post-D
		Center was opened	facility when built (2023).	4	Mental Health Clinician
		April 27, 2023.	(2020).	4	Substance Abuse education and treatment group
				4	Weekly Wellness Group
				4	Anger Management, Mindfulness, Healthy
				_	Relationships
				4	Community Service and Gardening program
Lynchburg	48	The Juvenile Detention	The security system was installed when the new	4	Post-D (ART, Substance Abuse, MRT, Cell
~, ······· wig	10	Center officially opened	additions were built in 1997. The system is too old to be	-	Dreamer, Victim Impact)
		its doors on May 12,	replaced as parts are unable to be found or replaced. It is	4	Behavior Management
		1969. The original	still in good working condition. Door locks can be made	4	Anger Management counseling (group and
		building is 55 years old	and purchased, but the electronics are not. All cameras	-	individual)
		with new additions	are operational and good quality.	4	Post-secondary education
		with hew additions	are operational and good quality.	-	1 05t-5ccolluary cuucauon

		made in 1997. New additions: 3 pods, control room, gymnasium, and outdoor rec yards.		+++	Individual counseling Religious services Mental Health services through Horizon Health Services
Merrimac	48	Merrimac opened in 1997. The facility is in very good condition.	Secure Area - Door/Light Control: In 2011 Norment Security replaced our GE PLC (programmable logic controller), our Harding equipment (interface to the door intercoms), and all LON boxes and actual relays located throughout the facility. They pulled new cable to the LON boxes and provided a new network switch (used for security system only). They also installed new intercoms on each door. This system is currently working well, though we may want to proactively consider another major system component upgrade within the next five years or so.	+++++++	Post-D CAP Intake Individual Bed Placement Cognitive Behavioral Therapy Restorative Justice Moral Decision-Making Risk Management Girls Growth Anger Management
New River Valley	24	This year the facility is celebrating its 50th Anniversary, built in 1974.	The camera system is by Avigilon and is maintained by Varney Inc. It includes over 47 cameras, and many include audio. The cameras are HD and provide an unmatched view of the facility – both inside and out. The main server was just upgraded this year and cameras are replaced on a rolling-basis. Our intercom system (Bogen Nyquist E7000) is a state-of-the-art system that can be monitored remotely by staff using an iPad as well as installed terminals. It was installed last year.	+ + + +	Post-D (90-day and 180-day)(Job Readiness, DBT, ART, Family Counseling, and Cell Dreamer program) Mental Health Clinician through CSB Post-Secondary Education OSHA, ServSafe, and CPR/First Aide certification Welding and Driving Simulators
Newport News	110			4	
Norfolk	80	Facility built in 1995 and occupied in 1998.	The security system that controls doors, was redesigned and installed in 2021.	+++++	Post-D CAP Intake Detention Reentry Family counseling Substance Abuse Counseling Thinking for a Change Services through Tidewater Youth Services Commission
Northern Virginia	70	The Center opened in 1958 and underwent significant renovations in the mid-1990s. Core infrastructure is operational.	The video monitoring system was upgraded in 2020 to include audio and facial recognition. Upgrades are planned for Access and Perimeter Control in this current fiscal year.	+ + + +	Post-D (New Beginnings) CAP Intake Individual Bed Placement Behavior Management Program Post-secondary Education Intensive Out-Patient Drug Treatment and Medication-assisted treatment (MAT) –

Northyvootown	22	The building was built	Wo did a \$108,000 unggado to all our comorce intercom	+ + + +	Partnership with National Capital Treatment and Recovery Change Company Interactive Journals Council for Boys and Young Men Girls Circle Alexandria Work-force Development Volunteer Programs: Sound Impact, 4-H, Master Gardeners, Even Scale Workforce Development
Northwestern	32	The building was built in 1997 and is in good condition.	We did a \$108,000 upgrade to all our cameras, intercom system and play-back stations about 2 years ago. We upgraded our main control computer as well. These systems are in good working order.	++++ +++	Post-D CAP Intake Only secure detention facility in the United States that will hold youth detained by ICE Post-secondary Education Mental Health Clinician Trauma-Focused Cognitive Behavioral Therapy (TFCBT) Substance Abuse Treatment Community service Family counseling Career training through TEENS program
Piedmont	20	Built in 2001 and in very good condition.	In the process of upgrades. New cameras installed to eliminate 'blind spots' on the security floor and outside the perimeter areas. Touch screen has replaced the old security board to include an enhanced intercom system throughout the building. New locks installed throughout the building. Upgrade expected to be complete in September 2024.	+ + + + + +	CAP Intake Individual Bed Placement Mental Health staff Psycho-educational groups Art Therapy Religious Services Individual counseling for anger management and substance abuse Group counseling for anger management and substance abuse
Prince William	72	The original building was built in in 1979, but there have been two additions (1994 & 2004). The building is in fair/good condition.	The security system was upgraded in 2014 (10 years ago) and is in good condition.	+ + + + + + +	CAP Intake Community Placement Program Post-Secondary Education Individual Therapy Family Therapy ART (Aggression Replacement Therapy) Thinking for a Change Casey Life Skills/PAYA Substance Abuse services Fathers to Sons mentor program

Rappahannock	80	Built in 2000		♣ Post D
TT.				♣ CAP Intake
				♣ Individual Bed Placement
				Detention Reentry
Richmond	60	Built in 1996; the City is considering a	Updated in 2023	♣ Post D
		replacement study in		Detention Reentry
		2027		Thriving to Achieve Success and Knowledge
				(TASK)
				↓ MRT
				 Character Development and Leadership
				Curriculum (evidence based)
Roanoke Valley	81	Built in 1999	Updated in 2024	♣ Post D
·			•	CAP Intake
				Individual counseling
				Group counseling
				Anger management
Shenandoah Valley	58	The Shenandoah Valley Juvenile Center (SVJC) was built in 2002. The overall condition of SVJC is exceptional. The VBJDC is almost 20 years old. The facility opened in September 2004 and the facility remains in good	The SVJC Security System was upgraded in 2016.	♣ CAP Intake
				Community Placement Program
				Detention Reentry
				Post-Secondary Education
				Two full time licensed mental health clinicians
				ART (Aggression Replacement Training)
				 Substance Abuse treatment
				♣ SOT (Sex Offender Treatment)
				♣ Individual Counseling
				Family Therapy
		condition.		Psychoeducational Groups (C.T. I
77' ' ' D 1	00	TI UNIDO: 1 120	TI VDIDCI :	Vocational Programming (C-Tech and Welding)
Virginia Beach	90	The VBJDC is almost 20 years old. The facility opened in September 2004 and the facility remains in good condition.	The VBJDC has just completed a full upgrade of our security system last year including the master control panel and Genetec cameras. We currently have 67 cameras monitoring the inside and outside of the facility.	♣ Post-D
				♣ CAP Intake
				Community Placement Program
				Post-Secondary Education
				Case Management Services
				Psychoeducational Groups
				♣ ART (Aggression Replacement Training)
				♣ Substance Abuse Treatment using Cognitive
				Behavioral Interventions
				LifeBuild Construction Program

W. W. Moore, Jr.	60	The facility is in good condition. The expansion and renovation took place in 2001.	The security system is in good condition. The last upgrade was performed in June 2023. Esitech is the vendor.	+ + +	Cognitive Behavior Therapy Group Life Skills Family Living Programming in collaboration with the Danville Police Department Youth Engagement Unit Mental Health staff through CSB Individual Counseling
				*	Substance Abuse Counseling

APPENDIX 2: JDC BLOCK GRANT DISTRIBUTION

											FY2025
JDC	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	Budget
Blue Ridge	\$786,022	\$819,065	\$834,224	\$855,495	\$870,224	\$892,335	\$921,098	\$957,960	\$1,012,867	\$1,087,183	\$1,083,120
Chesapeake	\$2,221,860	\$2,265,403	\$2,311,454	\$2,446,726	\$2,493,406	\$1,821,600	\$2,297,641	\$2,600,007	\$2,749,032	\$1,711,642	\$1,743,488
Chesterfield	\$1,809,806	\$1,943,057	\$1,908,630	\$1,924,864	\$1,878,544	\$2,295,980	\$1,832,184	\$1,904,722	\$2,013,894	\$2,102,249	\$2,142,644
Crater	\$607,066	\$632,517	\$647,670	\$682,265	\$677,277	\$653,005	\$725,047	\$754,776	\$798,037	\$856,293	\$851,492
Fairfax	\$2,312,666	\$2,242,077	\$2,242,970	\$2,308,757	\$2,264,921	\$1,669,442	\$2,338,514	\$2,430,637	\$2,569,954	\$2,825,184	\$2,878,528
Henrico	\$485,553	\$575,015	\$588,791	\$620,240	\$633,765	\$1,277,639	\$678,992	\$706,878	\$747,394	\$802,300	\$800,200
Highlands	\$851,765	\$866,923	\$831,598	\$854,429	\$850,840	\$700,871	\$860,572	\$895,189	\$946,499	\$1,015,962	\$1,012,388
James River	\$1,639,347	\$1,672,788	\$1,603,729	\$1,668,228	\$1,662,912	\$700,871	\$1,643,779	\$1,710,417	\$1,808,453	\$1,904,785	\$1,934,936
Loudoun	\$610,617	\$620,341	\$634,263	\$667,291	\$681,057	\$653,005	\$727,413	\$757,094	\$800,488	\$840,818	\$834,936
Lynchburg	\$1,063,887	\$1,049,071	\$1,033,598	\$1,026,594	\$1,004,539	\$697,622	\$1,039,785	\$1,081,182	\$1,143,152	\$1,227,553	\$1,226,444
Merrimac	\$1,252,826	\$1,310,359	\$1,286,598	\$1,315,333	\$1,322,384	\$1,916,459	\$1,301,916	\$1,354,660	\$1,432,305	\$1,455,200	\$1,403,040
New River Valley	\$610,617	\$620,341	\$634,263	\$667,291	\$681,057	\$1,639,884	\$727,413	\$757,094	\$800,488	\$859,274	\$856,784
Newport News	\$2,611,744	\$2,709,683	\$2,750,421	\$2,872,342	\$2,929,481	\$1,458,168	\$3,079,127	\$3,204,134	\$3,387,785	\$3,492,098	\$3,500,506
Norfolk	\$1,872,166	\$2,038,772	\$2,084,092	\$2,172,973	\$2,217,217	\$873,870	\$2,213,549	\$2,303,346	\$2,435,367	\$2,745,607	\$2,887,396
Northern Virginia	\$1,556,931	\$1,524,815	\$1,446,339	\$1,458,617	\$1,463,297	\$2,499,726	\$1,437,168	\$1,494,111	\$1,579,749	\$1,611,941	\$1,598,528
Northwestern	\$729,912	\$815,509	\$833,637	\$819,141	\$815,371	\$1,441,921	\$824,256	\$857,527	\$906,678	\$973,230	\$969,952
Piedmont	\$535,174	\$575,015	\$588,791	\$620,240	\$633,765	\$1,008,751	\$678,992	\$706,878	\$747,394	\$802,300	\$800,200
Prince William	\$1,515,934	\$1,651,993	\$1,704,004	\$1,809,381	\$1,864,384	\$3,053,750	\$1,898,264	\$1,975,015	\$2,088,217	\$2,073,582	\$1,983,220
Rappahannock	\$1,682,617	\$1,742,645	\$1,722,663	\$1,730,239	\$1,700,718	\$2,260,396	\$1,623,754	\$1,688,022	\$1,784,774	\$1,922,044	\$1,955,408
Richmond	\$1,305,401	\$1,289,565	\$1,386,872	\$1,494,985	\$1,503,990	\$1,566,024	\$1,643,779	\$1,710,417	\$1,808,453	\$1,987,640	\$2,025,852
Roanoke Valley	\$1,567,264	\$1,527,527	\$1,517,174	\$1,588,007	\$1,593,349	\$1,589,799	\$1,592,170	\$1,654,996	\$1,749,855	\$1,799,371	\$1,785,028
Shenandoah Valley	\$787,947	\$1,040,452	\$1,038,851	\$1,086,473	\$1,083,038	\$1,107,732	\$1,138,994	\$1,183,933	\$1,251,793	\$1,343,576	\$1,337,744
Virginia Beach	\$1,913,343	\$1,908,218	\$1,908,630	\$1,963,362	\$1,977,870	\$1,987,070	\$2,006,938	\$2,087,040	\$2,206,663	\$2,427,973	\$2,493,072
W. W. Moore, Jr.	\$1,258,013	\$1,306,984	\$1,314,587	\$1,340,990	\$1,364,933	\$817,287	\$1,447,180	\$1,505,309	\$1,591,589	\$1,749,295	\$1,770,420
Total	\$31,588,477	\$32,748,136	\$32,853,849	\$33,994,266	\$34,168,340	\$34,583,205	\$34,678,525	\$36,281,343	\$38,360,880	\$39,617,100	\$39,875,326