



Impact Analysis on Proposed Legislation

Virginia Criminal Sentencing Commission

House Bill No. 2280

(Patron – Barlow)

Date Submitted: 12/26/00

LD #: 01-5411620

Topic: Commitment of delinquent juveniles to the Department of Juvenile Justice.

Proposed Change:

Amends §16.1-278.8 to allow the court to commit a delinquent juvenile to the Department of Juvenile Justice (DJJ) should the juvenile be expelled from a boot camp program.

Current Practice:

Under §16.1-278.8 the court is provided with several possible orders of disposition for the supervision, care and rehabilitation of a delinquent juvenile. More specifically, subsection A14 defines the circumstances that allow a judge to commit a delinquent juvenile, 11 years of age or older, to DJJ. Currently, those circumstances are (1) a current offense that would be a felony if committed by an adult or (2) a current offense that would be a Class 1 misdemeanor if committed by an adult coupled with either a prior adjudication for a felony or three separate prior adjudications for a Class 1 misdemeanor.

No new crime is defined by the proposal. Commitment to DJJ is not one of the sentencing options recommended by the sentencing guidelines. For offenders before the circuit court, prior juvenile adjudications and commitments may augment the guidelines recommendation if the primary (most serious) offense in the case is covered by the guidelines.

Impact of Proposed Legislation:

The proposed legislation should not have an impact on the number of state-responsible (prison) beds needed in the adult correctional system. The direct effect of the proposal is restricted to the juvenile system, affecting those who are expelled from a juvenile boot camp program. No adjustment to the sentencing guidelines would be necessary under the proposal.

Pursuant to §30-19.1:4, the estimated amount of the necessary appropriation is \$0.