

## **Department of Planning and Budget**

### **2014 Fiscal Impact Statement**

**1. Bill Number:** SB128-S1

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
<b>Second House</b>	<input checked="" type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Favola

**3. Committee:** Courts of Justice

**4. Title:** Commitment of juvenile to Department of Juvenile Justice; consideration of social history.

**5. Summary:** The substitute provides that in cases where a waiver of an investigation has been granted pursuant to subdivision A 14 or A 17 of § 16.1-278.8, the judge is required to order an investigation be completed at the time the court commits a child to the Department of Juvenile Justice. The substitute also adds that unless waived by an agreement between the attorney for the Commonwealth and the juvenile and his attorney or other legal representative, upon consideration of the results of an investigation the court may commit the juvenile to the Department of Juvenile Justice or impose the penalty authorized by § 16.1-285.1. The substitute has a delayed effective date of October 1, 2014. It also requires the Department of Juvenile Justice to develop a model social history and guidelines to be used by court services units when preparing a social history and to report its progress to the Commission on Youth by the 2015 Regular Session of the General Assembly.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Preliminary; See Item 8 below.

**8. Fiscal Implications:** According to the Department of Juvenile Justice (DJJ), the proposal is not expected to have a fiscal impact.

Currently DJJ prepares a social history report pursuant to a valid court order, anytime a juvenile is placed on probation, anytime a juvenile is placed in a post-dispositional detention program for greater than 30 days, and when a juvenile is committed to DJJ. Section 16.1-278.7 of the Code of Virginia requires a social history report to be completed within 15 days of an order of commitment. According to DJJ, consideration of the social history report prior to commitment may result in fewer commitments providing the state a possible costs savings related to commitment. However, review of a social history report could result in commitment when not initially anticipated. Additionally, requiring a social history report to be completed for all juveniles prior to considering commitment to DJJ may slightly increase the current workload of probation officers.

In FY 2013, 5,174 social history reports were completed by court service unit personnel. Of these, 2,799 were completed prior to the court disposition; and 2,374 were completed after the court disposition. It should be noted that these numbers include all types of offenses (e.g., non-committable offenses such as status and misdemeanor offenses) and all types of dispositions (e.g., non-commitment orders). In FY 2013, there were 535 commitment orders resulting in 444 admissions to DJJ's Reception and Diagnostic Center.

**9. Specific Agency or Political Subdivisions Affected:** Juvenile court services units statewide, juvenile and domestic relations district courts, Department of Juvenile Justice.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** Identical to HB183-H1.

**Date:** February 10, 2014

**Document:** G:\2014\EFIS\Posted\SB128S1.docx