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SENATE BILL NO. 20
Offered January 8, 2020
Prefiled November 18, 2019
A BILL to require the Board of Juvenile Justice to promulgate regulations governing youth detained in juvenile correctional facilities pursuant to contracts with the federal government.

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Patrons—Ebbin and McClellan; Delegate: Kory

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Referred to Committee on Rehabilitation and Social Services

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Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Board of Juvenile Justice, in collaboration with the Department of Behavioral Health and Developmental Services, shall promulgate regulations governing the housing of youth who are detained in a juvenile correctional facility pursuant to a contract with the federal government and not committed to such juvenile correctional facility by a court of the Commonwealth. Such regulations shall establish:*

1. Standards that (i) govern the use of physical force, mechanical restraints, and spit guards and (ii) avoid the use of isolation;

2. Staff training requirements regarding cognitive behavioral interventions, trauma-informed care, cultural background implications, de-escalation techniques, and the use of physical and mechanical restraints;

3. Requirements for an appropriate number of bilingual staff and culturally relevant programs;

4. Methods to ensure that such youth detained understand their rights and responsibilities;

5. Standards to ensure the provision of necessary physical and mental health care;

6. A requirement that any contract entered into by a juvenile correctional facility with the federal government to house youth provide staff of the Department of Juvenile Justice (the Department) with the same level of access to such youth that the Department would ordinarily have regarding any other youth committed to such facility; and

7. Standards for recordkeeping, including extended recordkeeping requirements for records and video footage related to reported incidents.