

VIRGINIA ACTS OF ASSEMBLY -- 1997 SESSION

CHAPTER 749

An Act to amend and reenact § 18.2-477.1 of the Code of Virginia, as it is currently effective and as it may become effective, relating to escapes from secure juvenile facilities.

[H 1843]

Approved March 22, 1997

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-477.1 of the Code of Virginia, as it is currently effective and as it may become effective, is amended and reenacted as follows:

§ 18.2-477.1. Escapes from juvenile facility; penalty.

A. It shall be unlawful for any person to escape or remain away without proper authority from a group home or other residential care facility for children in need of services, delinquent or alleged delinquent youths in which he had been placed by the juvenile and domestic relations court or as a result of his commitment as a juvenile to the Department of Juvenile Justice. Any person violating this subsection shall be taken into custody and brought before the juvenile and domestic relations court. The court may find the person in violation of § 16.1-292 or, if the court finds the person amenable to further treatment in a juvenile facility, the court may return him to the custody of the Department.

B. It shall be unlawful for any person to escape or remain away without proper authority from a *secure* facility operated by *or under contract with* the Department of Juvenile Justice or from a secure juvenile detention facility in which he had been placed by the juvenile and domestic relations court or as a result of his commitment as a juvenile to the Department of Juvenile Justice. Any person who escapes from a facility specified in this subsection by force or by violence shall be guilty of a Class 6 felony or, if violation of this subsection occurs other than by force or violence, a Class 1 misdemeanor.

§ 18.2-477.1. (Delayed effective date) Escapes from residential care facility.

A. It shall be unlawful for any person to escape or remain away without proper authority from a group home or other residential care facility for children in need of services, delinquent or alleged delinquent youths in which he had been placed by the family court or as a result of his commitment as a juvenile to the Department of Juvenile Justice. Any person violating this subsection shall be taken into custody and brought before the family court. The court may find the person in violation of § 16.1-292 or, if the court finds the person amenable to further treatment in a juvenile facility, the court may return him to the custody of the Department.

B. It shall be unlawful for any person to escape or remain away without proper authority from a *secure* facility operated by *or under contract with* the Department of Juvenile Justice, or from a secure juvenile detention facility, in which he had been placed by the juvenile and domestic relations court or as a result of his commitment as a juvenile to the Department of Juvenile Justice. Any person who escapes or attempts to escape from a facility specified in this subsection by force or by violence shall be guilty of a Class 6 felony or, if other than by force or violence, of a Class 1 misdemeanor.