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HOUSE JOINT RESOLUTION NO. 587

Offered January 20, 1999

Directing the Commission on Youth to study the use of postdispositional detention in juvenile detention homes.

Patrons—Dillard, Armstrong, Cantor, Darner, Hamilton, Jackson, Jones, J.C. and McDonnell; Senators: Forbes, Houck and Miller, Y.B.

Referred to Committee on Rules

WHEREAS, the average daily population of local secure detention homes was 142 percent of capacity in fiscal year 1997; and

WHEREAS, the number of admissions to local secure detention homes has grown by 38 percent since fiscal year 1992, rising to a high of 17,338 in fiscal year 1997; and

WHEREAS, Virginia estimates that by 2002, it will have expanded its secure-bed capacity by 168 percent for a total of 921 new beds; and

WHEREAS, a number of the new secure detention beds are designated to serve juveniles postdispositionally; and

WHEREAS, the Department of Juvenile Justice standards do not allow the use of postdispositional detention if a secure detention facility is at capacity; and

WHEREAS, the Virginia Community Crime Control Act has established funds for local continuums of care that do not incorporate secure, local confinement for juveniles; and

WHEREAS, the current criteria for sentencing a youth to postdispositional detention confinement is limited and subject to mandatory review within 30 days, with the expectation that the juvenile will participate in community-based treatment and educational programs while confined; and

WHEREAS, there are no specific standards for staffing postdispositional programs in secure detention homes; and

WHEREAS, the funding and service capacity and needs have changed since the funding for the expansion of detention homes was appropriated; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Commission on Youth be directed to study the use of postdispositional detention in juvenile detention homes. The Commission shall examine the following issues: (i) the role of postdispositional detention in local service continuums; (ii) the feasibility of establishing dedicated postdispositional bed capacity; (iii) eligibility criteria for postdispositional sentencing; (iv) procedures to address the length of sentence, including mandatory review and time limitations on placement; (v) postdispositional detention program standards; and (vi) assessment of state and local funding for detention services.

Technical assistance shall be provided to the Commission by the Department of Juvenile Justice. All agencies of the Commonwealth shall provide assistance to the Commission for this study, upon request.

The Commission on Youth shall complete its work in time to submit its findings and recommendations to the Governor and the 2000 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

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