Department of Planning and Budget
2015 Fiscal Impact Statement

1. **Bill Number:** HB1474

House of Origin	☒	Introduced	☐	Substitute	☐ Engrossed
Second House	☐	In Committee	☐	Substitute	☐ Enrolled

2. **Patron:** Lingamfelter

3. **Committee:** House Committee for Courts of Justice

4. **Title:** Detention of delinquent juveniles; offenses resulting in death.

5. **Summary:** Provides that a court may order that a juvenile who has been adjudicated delinquent of an offense that would be punishable as a Class 1 misdemeanor if committed by an adult and who (i) has not previously been and is not currently adjudicated delinquent of a violent juvenile felony or found guilty of a violent juvenile felony and (ii) has not been released from the custody of the Department of Juvenile Justice within the previous 18 months be confined in a detention home or other secure facility for juveniles for a period not to exceed 12 months if the offense committed by the juvenile resulted in the death of another person. Currently, the length of such confinement cannot exceed six months, regardless of whether the offense resulted in the death of another person.

6. **Budget Amendment Necessary**: No

7. **Fiscal Impact Estimates:** Preliminary (see Item #8)

8. **Fiscal Implications**: Under current law, a judge may order a juvenile to local or regional secure residential facility for up to six months with structured programs of treatment and services intended to maintain and build community ties. To be eligible for post-dispositional (Post-D) detention, a juvenile must be 14 years of age or older and found to have committed a non-violent juvenile felony or a Class 1 or Class 2 misdemeanor offense that is punishable by confinement in a state or local secure facility. See §§ 16.1-278.8 (A)(16) and 16.1-284.1 (B) of the *Code of Virginia*.

   The bill would allow the placement of a juvenile in a Post -D program for a period of 12 months. According to the Department of Juvenile Justice, the provisions of this legislation would not have a fiscal impact on the agency. However, there may be a local impact.

   Currently, there are 24 secure juvenile detention centers across the Commonwealth that are locally run with 19 of these facilities operating a post-dispositional detention program (Post-D). In FY 2014, there were 18 Post-D programs (Richmond JDC opened a Post-D program effective July 1, 2014) with 223 dedicated beds. The average daily population in the Post-D programs in FY 2014 was 121. The Post-D programs are structured to affect gradually change and development in the juvenile participant over a six month period. The bill could possibly require facilities to rework their current programming to account for extended stays

and in some instances juvenile beds would be occupied longer possibly resulting in fewer juveniles being served.

9. **Specific Agency or Political Subdivisions Affected:** Department of Juvenile Justice Services, Courts, local juvenile detention centers.

10. **Technical Amendment Necessary:** No

11. **Other Comments:** None

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