



# Data Snapshot of Youth Incarceration in Virginia

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In Virginia, youth are incarcerated in 24 juvenile detention centers (JDCs), 18 group homes, and two youth prisons—Beaumont and Bon Air Juvenile Correctional Centers (JCCs)—all operated or overseen by the state’s Department of Juvenile Justice (DJJ). Beginning in 2014, the DJJ collaborated with several JDCs to reinvigorate the community placement programs (CPPs),<sup>1</sup> which facilitate youth placement in local detention centers as an alternative to larger secure facilities in an effort to keep youth closer to home and enhance access to reentry services (DJJ 2014). Unless otherwise noted, this snapshot focuses on youth adjudicated delinquent and committed to state DJJ “direct care” who are primarily housed in the two JCCs.<sup>2</sup>

Similar to patterns in other states, youth incarceration in Virginia has declined significantly in recent years. Between 2003 and 2016, the average daily population in Virginia JCCs declined 65 percent.<sup>3</sup> Over the past several years, Virginia has committed to investing more in alternatives to the JCCs, purchasing more space in local detention centers, and contracting for seven programs in local detention facilities and one eight-bed apartment living program (Goren and Cassidy 2015; RISE for Youth 2016). In the past year alone, the population in prison alternative programming has tripled. DJJ recently confirmed plans to close Beaumont Juvenile Correction Center in 2017 and committed to reinvest the savings from downsizing in community alternatives (RISE for Youth 2016).

Though youth incarceration has declined in Virginia, much remains to be done to address disparate treatment and meet the needs of youth in the system. Black youth are overrepresented in every stage of Virginia’s juvenile justice system and accounted for 71 percent of all admissions to JCCs in 2016 (DJJ 2016). Nine of 10 youth admitted to JCCs present significant treatment needs, and many are far from home because both JCCs are located in central Virginia (DJJ 2016). Virginia’s public school system has the highest number of student referrals to the juvenile justice system in the country, with a rate double

the national average (Prison Fellowship Ministries et. al 2016), and a small but notable proportion of youth in JCCs are incarcerated for non-felony offenses (DJJ 2016).

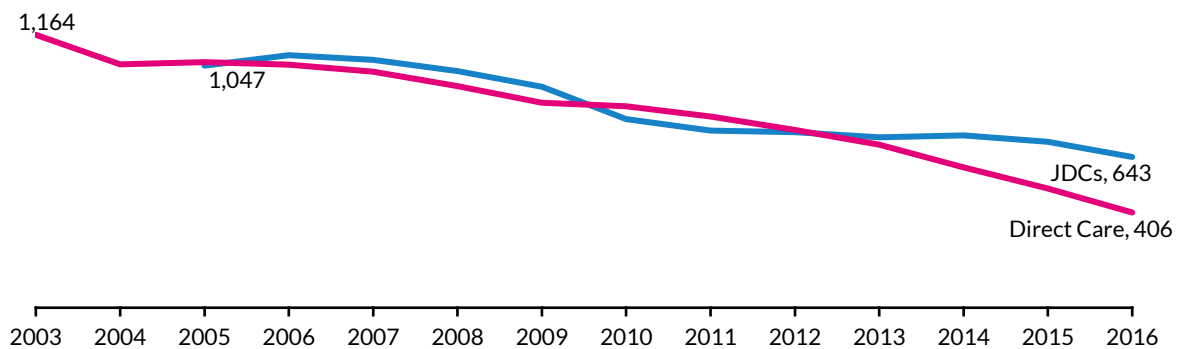
## Youth Incarceration Down 65 Percent since 2003

Consistent with national trends, youth incarceration has been declining in Virginia (figure 1). Between 2003 and 2016, the average daily population of youth in direct care decreased 65 percent, from 1,164 to 406.<sup>4</sup> In 2016 JCCs and CPPs operated significantly below capacity, with only 67 and 73 percent, respectively, of all available beds occupied (DJJ 2016). On average, 47 youth were held in CPPs on a given day in 2016, up from an average daily population of 3 in 2014 (figure 2). Trends in detention are similar to direct care: the average daily population in JDCs has declined 38 percent, from 1,047 in 2005 to 643 in 2016, which is less than half the stated facility capacity.<sup>5</sup>

FIGURE 1

### Virginia DJJ Average Daily Population, 2003–16

*Youth incarceration has declined significantly in recent years*

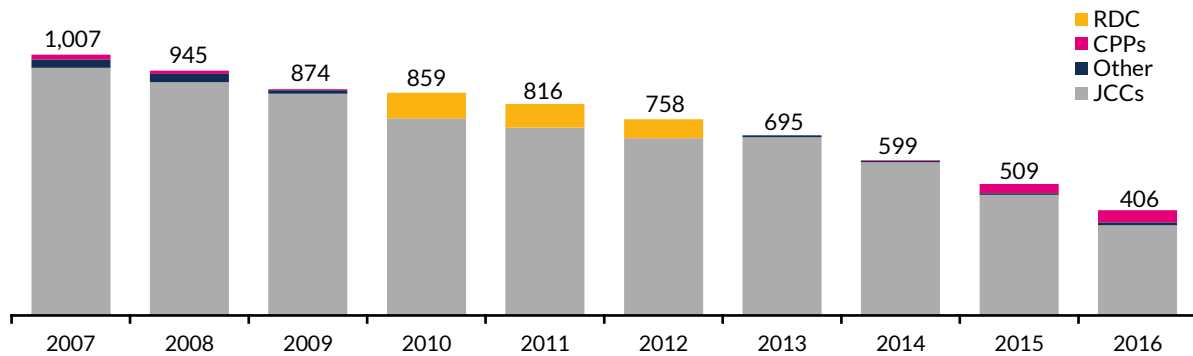


**Sources:** Virginia Department of Juvenile Justice (DJJ) *Resource Guides* for fiscal years 2007–16 (Richmond: Virginia DJJ, 2007–16).

**Notes:** JCCs = juvenile correctional centers; JDCs= juvenile detention centers; Direct care includes all youth committed to and under direct supervision of DJJ. It is made up mostly of youth in JCCs but it also includes those in community placement programs, reception and diagnostic centers, and other long-term detention beds.

FIGURE 2

Virginia DJJ Average Daily Population in Direct Care, 2007–16



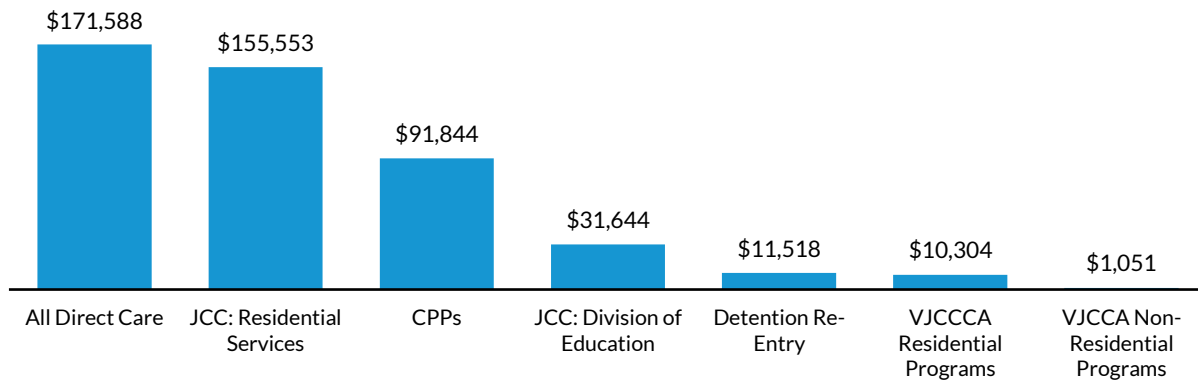
Sources: Virginia Department of Juvenile Justice (DJJ) *Resource Guides* for fiscal years 2007–16 (Richmond: Virginia DJJ, 2007–16).  
 Notes: CPPs = community placement programs; RDCs = reception and diagnostic centers (intake centers). “Other” includes wilderness programming, halfway houses, alternative placements, and detention reentry.

## Virginia Spends More than \$170,000 to Incarcerate One Youth for a Year

Virginia spends \$171,588 to incarcerate a youth for one year (figure 3). Further, although 9 of 10 system-involved youth are supervised in the community, most resources are used to support out-of-home placements. For example, the DJJ spends \$15 on youth incarceration for every \$1 spent on community-based services (DJJ 2016). Nearly one third of the DJJ operating expenses in 2016 went directly to youth incarceration compared with 2 percent to support community-based services (figure 4). As youth incarceration decreases, however, operating expenses are also falling. From 2007 to 2016, the DJJ’s operating expenditures have decreased 18 percent from \$248.3 million to \$203.2 million, and the portion of operating expenses going to youth prisons has decreased from 40 percent to 30 percent.<sup>6</sup>

FIGURE 3

DJJ per Capita Annual Costs, 2016

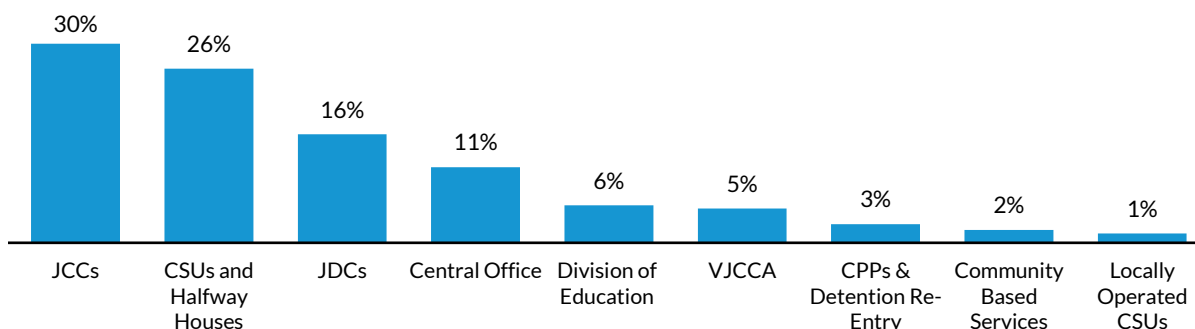


Source: Virginia Department of Juvenile Justice (DJJ), *Data Resource Guide Fiscal Year 2016* (Richmond: Virginia DJJ, 2016).

FIGURE 4

### DJJ Operating Expenditures, 2016

Nearly a third of DJJ operating expenses went directly to youth imprisonment



Source: Virginia Department of Juvenile Justice (DJJ), *Data Resource Guide Fiscal Year 2016* (Richmond: Virginia DJJ, 2016).

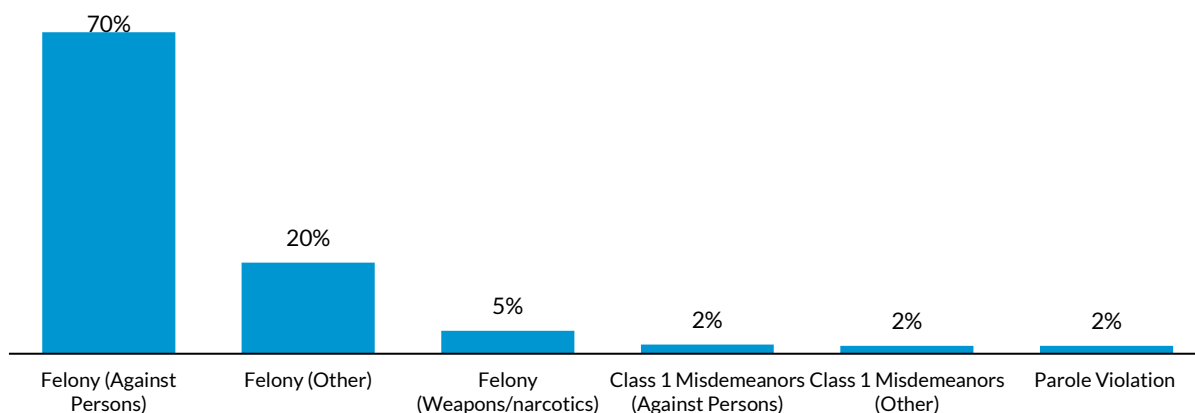
## Most Youth Are Incarcerated on a Felony Offense

Approximately 95 percent of youth admitted to youth prisons in 2016 were adjudicated on a felony offense, 7 in 10 of which were offenses against a person (figure 5). Offense categories are defined by a wide range of crimes; felony against person offenses include larceny over \$5 as well as reckless driving, while other felony offenses include failure to appear in court for a felony and shoplifting over \$200 (Virginia Code 16.1.11).<sup>7</sup>

FIGURE 5

### Direct Care Admissions by Most Serious Offense, 2016

Over two-thirds of all people admitted to direct care in 2016 were adjudicated on a felony against persons



Source: Virginia Department of Juvenile Justice, *Data Resource Guide Fiscal Year 2016* (Richmond: Virginia Department of Juvenile Justice, 2016).

# Virginia Disproportionately Incarcerates Black Youth

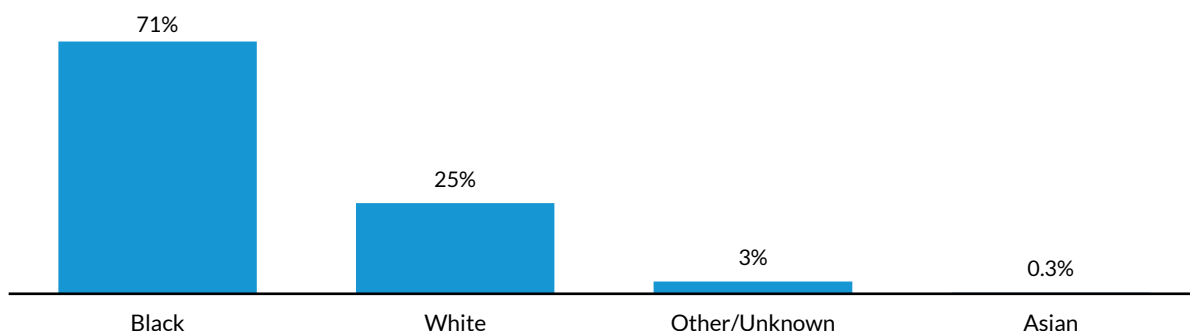
Black youth make up only 20 percent of Virginia’s youth population but account for 43 percent of juvenile intakes, 56 percent of detainments, and 71 percent of admissions to direct care (RISE for Youth 2016). Over the past decade, the proportion of Latino youth admitted to youth prisons has nearly doubled.<sup>8</sup> In 2016, Latino youth accounted for at least 1 in 10 detained youth and 1 in 11 youth admitted to direct care. Though Virginia tracks race and ethnicity separately, information on the latter is missing in more than half of all cases (DJJ 2016).

Ninety-three percent of all youth admitted to direct care are male (figure 7; DJJ 2016). Approximately half of youth admitted to direct care in Virginia are 16 or younger (figure 8).

FIGURE 6

## Admissions to Direct Care by Race, 2016

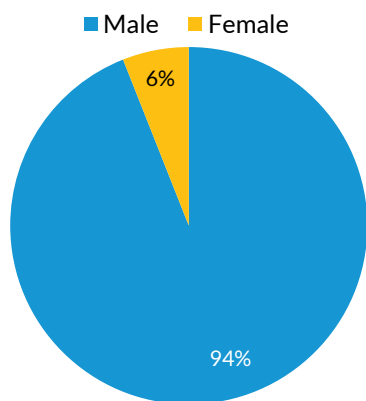
Over two thirds of Virginia youth admitted to direct care were Black



Source: Virginia Department of Juvenile Justice (DJJ), *Data Resource Guide Fiscal Year 2016* (Richmond: Virginia DJJ, 2016).

FIGURE 7

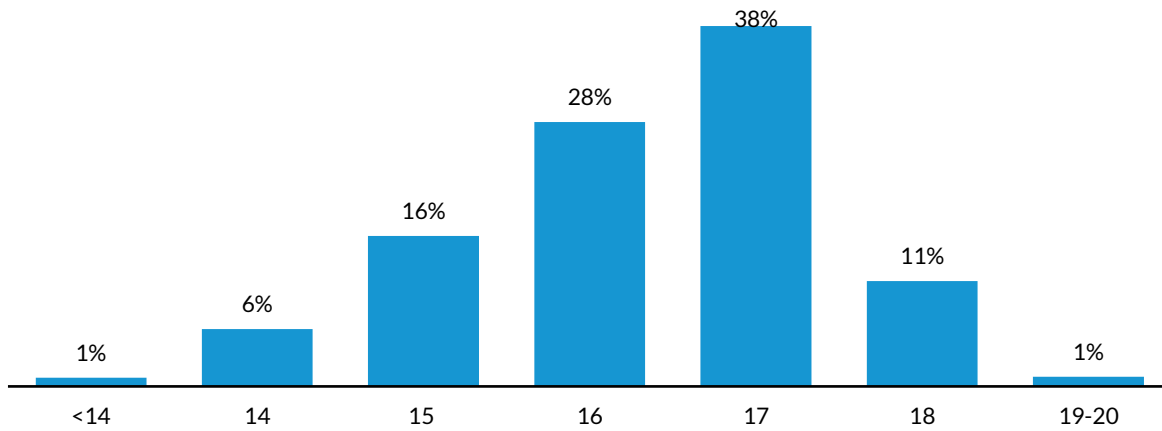
## Admissions to Direct Care by Gender, 2016



Source: Virginia Department of Juvenile Justice (DJJ), *Data Resource Guide Fiscal Year 2016* (Richmond: Virginia DJJ, 2016).

FIGURE 8

Admissions to Direct Care by Age, 2016



Source: Virginia Department of Juvenile Justice (DJJ), *Data Resource Guide Fiscal Year 2016* (Richmond: Virginia DJJ, 2016).

## Over 90 Percent of Youth Incarcerated in Virginia Require Mental Health Services

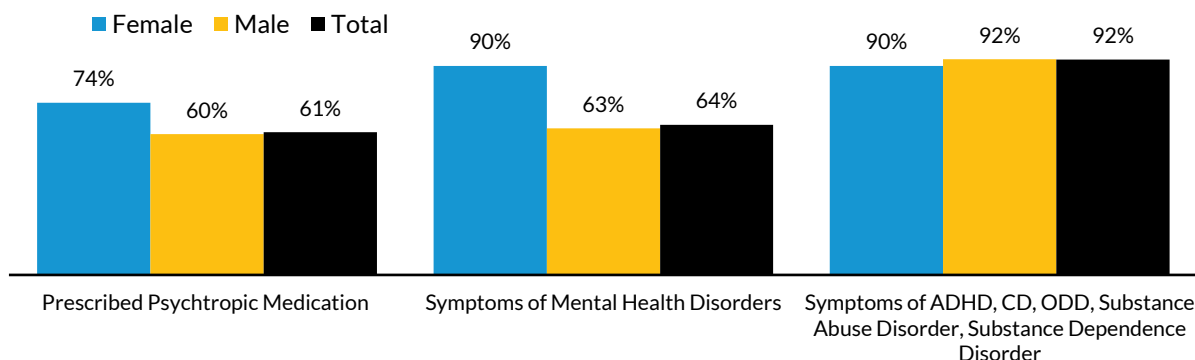
Youth entering Virginia prisons demonstrate significant treatment needs (figure 9). In fact, in 2016 well over half (64 percent) of all youth entering youth prisons demonstrated significant symptoms of a mental health disorder<sup>9</sup> at the time of admission, indicating unmet mental health needs. In addition:

- over 92 percent of youth who entered Virginia youth prisons demonstrated symptoms of Attention Deficit Hyperactivity Disorder (ADHD), Conduct Disorder (CD), Oppositional Defiant Disorder (ODD), Substance Abuse, or Substance Dependence;
- more than 3 in 5 youth admitted to youth prisons were prescribed psychotropic medication at some point in their lives;
- more than 9 in 10 youth admitted to youth prisons had an identified need for aggression management treatment;
- nearly 4 in 5 had an identified need for substance abuse treatment; and
- more than 1 in 9 exhibited a need for sex offender treatment (DJJ 2016).

FIGURE 9

**Admissions by Mental Health Status, 2016**

*Youth entering Virginia prisons demonstrate significant treatment needs*



Source: Virginia Department of Juvenile Justice (DJJ), *Data Resource Guide Fiscal Year 2016* (Richmond: Virginia DJJ, 2016).

Young people who enter JCCs receive treatment primarily through the Behavioral Service Unit (BSU), which is tasked with responding to mental health needs in the facilities. Treatments offered by the BSU include 24-hour crisis intervention, individual, group, and family therapy, mental health evaluations, case consultations, and individual behavior support protocol development. In particular, the BSU provides aggression management treatment, substance abuse treatment, and sex offender treatment. In addition, DJJ provides reentry support through Medicaid enrollment, Mental Health Services Transition Plans (MHSTPs), and behavioral management programming when youth return home following incarceration (DJJ 2016).

In addition to providing mental health services, DJJ operates the Yvonne B. Miller High School, which provides educational services at both JCCs. Upon commitment to the DJJ all youth are placed in appropriate educational programming based on results of an educational assessment done at intake. Youth are able to earn high school- and middle school-level credits, which are transferrable to local school divisions, in addition to accessing GED testing and other certificate and credential courses through CTE and postsecondary education. Programming is designed to provide youth with the opportunity to continue their schooling and develop employable skills to aid with successful reintegration to their community upon release. In FY2015, 12 percent of youth released from direct care received a high school diploma (44 total across Bon Air and Beaumont), 7 percent earned their GED, and 21 percent successfully completed a CTE course during their incarceration (DJJ 2015). In FY 2016, DJJ awarded 49 high school diplomas and 15 GEDs (DJJ 2016).

## Community-Based Treatment Options and Educational Services Are Available in Virginia

Virginia funds a wide array of community-based sanction programs and services through Virginia Juvenile Community Crime Control Act (VJCCCA) grants to local governments, which fund interventions to support youth before they are declared in need of services or supervision, or adjudicated delinquent.<sup>10</sup> These programs include residential placements such as group homes and crisis intervention care, as well as non-residential options like community service, in-home counseling, skill development programs, and intensive community-supervision. Services fall into three major categories: Accountability, Competency Development, and Public Safety. Four in five youth placed in VJCCCA programming in 2016 were detention-eligible. The vast majority (66 percent) of youth served through VJCCCA are pre-disposition, meaning they have not yet been adjudicated. Only 9 percent of VJCCCA youth are placed in residential programming. Since 2007, investment in these programs has been decreasing; in 2016 it accounted for only 5 percent of the DJJ operating expenditures, down from 7 percent in 2007 (DJJ 2016).

## Return on Investment in Youth Incarceration Is Poor

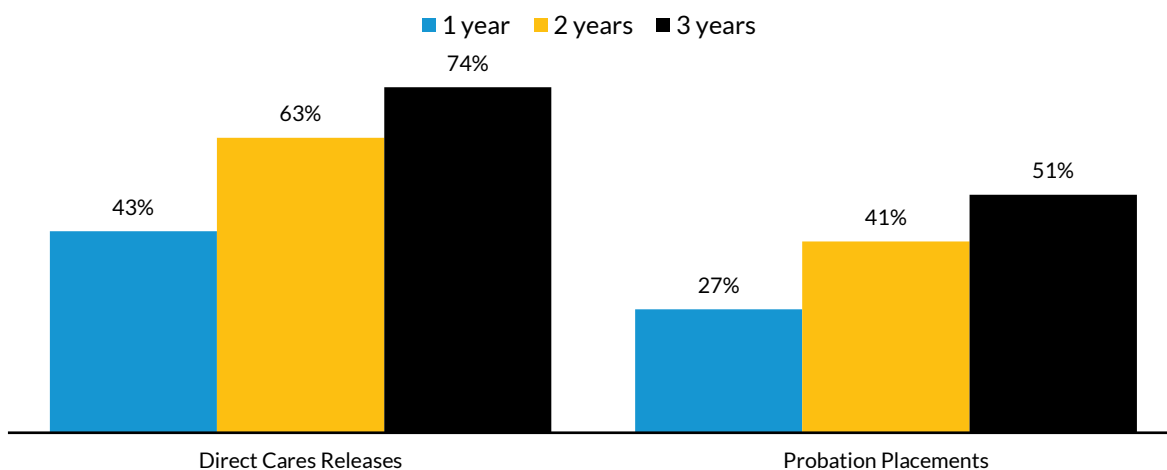
A significant proportion of youth committed to DJJ care recidivate. Of youth released from direct care in 2012, nearly four in every five were arrested for a new offense within three years, and three quarters were reconvicted. Recidivism is slightly lower for youth placed on probation, but still, more than half had been arrested and adjudicated or convicted for a new criminal offense three years after their placement. (Figure 10) **At least some of this disparity, however, is expected because of the differences in composition of the two populations, including severity of offense and risk level at intake, which complicate direct comparison.**

While VJCCCA programming has not been around for long enough to capture three year recidivism rates, data show that young people released from VJCCCA tend to have lower recidivism rates than either probation or direct care populations. One year after release, over half of the most recent direct care release cohort have been arrested at least once for a new criminal offense, compared with less than one third of the VJCCCA release population (DJJ 2016). However, as noted above, differences are expected given underlying differences in each of these populations.



FIGURE 10

Reconviction Rates for Youth in DJJ Care in 2012



Source: Virginia Department of Juvenile Justice (DJJ), *Data Resource Guide Fiscal Year 2016* (Richmond: Virginia DJJ 2017).

Note: This graph compares releases from direct care to placements to probation in order to capture data from the full time youth are in the community at-risk for recidivating

TABLE 1

Recidivism Rates for Youth in DJJ Care

Direct Care Releases

	Rearrest Rates					Reconviction Rates			
	2011	2012	2013	2014	2015	2011	2012	2013	2014
1 year	48.6%	50.0%	51.7%	49.5%	51.5%	42.8%	43.3%	44.2%	41.6%
2 years	69.9%	68.9%	69.5%	65.8%		63.8%	63.4%	65.0%	
3 years	76.9%	78.1%	75.8%			73.8%	74.2%		

Probation Placements

	Rearrest Rates					Reconviction Rates			
	2011	2012	2013	2014	2015	2011	2012	2013	2014
1 year	35.7%	37.2%	34.2%	34.1%	33.9%	26.1%	26.5%	23.8%	24.0%
2 year	52.4%	52.6%	50.2%	50.0%		41.4%	41.1%	38.1%	
3 year	61.4%	61.8%	59.8%			51.1%	51.1%		

Source: Virginia Department of Juvenile Justice, *Data Resource Guide Fiscal Year 2016* (Richmond: Virginia Department of Juvenile Justice, 2017).

Note: This graph compares releases from direct care to placements to probation in order to capture data from the full time youth are in the community at-risk for recidivating; Data not yet available on rearrest rates for the 2014, 2015 cohorts and reconviction rates for the 2013, 2014 cohorts

# Ongoing Reform Efforts in Virginia

In 2016, the Virginia General Assembly passed HB 29, which tasked the DJJ with creating a transformational plan for improving the juvenile justice system through evidence-based solutions. After conducting internal assessments and consulting external experts from Kaplan, McLaughlin, and Diaz. and the Annie E. Casey Foundation, DJJ released a plan in 2015 that outlines the state's strategy to reduce the use of youth prisons by reforming supervision, rehabilitation, and treatment programming across the juvenile justice system, and replacing the two existing youth prisons with two smaller, treatment-oriented facilities. The plan includes a commitment to close both Virginia juvenile prisons (Bon Air and Beaumont Correctional Centers), and substantially invest in alternatives that emphasize treatment and rehabilitation rather than mimicking the adult correctional model.<sup>11</sup> A present, DJJ plans to construct and/or refurbish two JCCs, and the General Assembly has already approved one of these efforts for funding in the 2016 legislative session. DJJ is moving forward with the construction of this facility in Chesapeake, VA while they consider whether to renovate or construct an additional JCC.<sup>12</sup>

DJJ also recently demonstrated a commitment to improving and expanding alternatives to incarceration by contracting with two service coordination agencies to establish a statewide continuum of evidence-based services and programming. AMIkids and Evidence Based Associates will partner with in-state stakeholders to transform Virginia's juvenile justice system to focus on community support and rehabilitation, rather than incarceration.<sup>13</sup>

## Notes

<sup>1</sup> CPPs house long-term detention beds in operating JDCs for males ages 16–20 with assigned length of stays of 12 months or less in 10-bed units separate from the JDC population; they are currently operating in Blue Ridge, Chesapeake, Rappahannock, and Virginia Beach JDCs. Youth can either be placed in a CPP bed upon commitment to the state or be released to a CPP after they have completed programming in a JCC.

<sup>2</sup> Direct care includes all youth committed to and under direct supervision of DJJ. It is made up mostly of youth in JCCs but also includes those in CPPs, RDCs, and other long-term detention beds.

<sup>3</sup> Taken from Virginia Department of Juvenile Justice *Data Resource Guides* for fiscal years 2007–16.

<sup>4</sup> Taken from Virginia Department of Juvenile Justice *Data Resource Guide* for fiscal years 2007–16.

<sup>5</sup> Taken from Virginia Department of Juvenile Justice *Data Resource Guides* for fiscal years 2007–16.

<sup>6</sup> Taken from Virginia Department of Juvenile Justice *Data Resource Guides* for fiscal years 2007–16; both figures reported in 2015 dollars.

<sup>7</sup>Felonies Against Persons include: abduction, aggravated assault, aggravated sexual battery, arson of an occupied dwelling, assault of law enforcement officer, burglary of an occupied dwelling, carjacking, forcible sodomy, larceny > \$5 from a person, malicious wounding, murder, manslaughter, inanimate object sexual penetration, rape, reckless driving/disregard police with bodily injury, robbery, take indecent liberties with a child; Other Felonies include: arson of an unoccupied dwelling, auto theft, burglary/breaking and entering/possess burglary tools, escape from a correctional facility (not detention), escape from secure juvenile detention by force or violence, extortion, failure to appear in court for a felony, fraud/bad checks/credit card >\$200, grand larceny/larceny > \$200, larceny of a firearm,

receive stolen goods > \$200, shoplift >\$200, unauthorized use of an automobile, vandalism >\$1000 damage; Felony Weapons & Felony Narcotics include: distribution of schedule I or II, distribution of I, II, III, IV or marijuana on school property, possess schedule I or II, sell schedule I or II or >1 oz. marijuana to a minor 3 years junior, brandish/point firearm on school property or within 1,000 ft., discharge firearm from motor vehicle, discharge firearm in/at an occupied building, possess sawed-off shotgun, receive stolen firearm; Misdemeanor Against Persons includes: simple assault, sexual battery; Other Misdemeanors include: brandish/point firearm, carry concealed weapon, disorderly conduct, escape from secure juvenile detention without force/violence, fraud/bad checks/ credit card <\$200, failure to appear for a misdemeanor, larceny <\$200, receive stolen goods <\$200 (DJJ, Juvenile Detention Assessment Instrument)

<sup>8</sup> Taken from Virginia Department of Juvenile Justice *Data Resource Guides* for fiscal years 2007–16.

<sup>9</sup> Disorder data according to diagnostic criteria in the DSM; excludes ADHD, CD, ODD, Substance Abuse Disorder and Substance Dependence Disorder.

<sup>10</sup> Virginia General Assembly, Virginia Juvenile Community Crime Control Act, 1995.

<sup>11</sup> Commonwealth of Virginia Department of Juvenile Justice, “Department of Juvenile Justice Transformation Plan: 2016 Update,” November 1, 2016, accessed April 4, 2017, [www.djj.virginia.gov/pdf/admin/DJJ%20Transformation%20Plan.pdf](http://www.djj.virginia.gov/pdf/admin/DJJ%20Transformation%20Plan.pdf).

<sup>12</sup> “Virginia Juvenile Correctional Center Task Force: Interim Report,” 2016, accessed April 4, 2017, [www.djj.virginia.gov/...taskforce/JCC%20Task%20Force%20Interim%20Report.pdf](http://www.djj.virginia.gov/...taskforce/JCC%20Task%20Force%20Interim%20Report.pdf)

<sup>13</sup> “Governor McAuliffe Announces Contracts Awarded for Treatment Services and Juvenile Correction Center Alternatives,” Office of the Governor, press release, October 20, 2016, <https://governor.virginia.gov/newsroom/newsarticle?articleId=18132>.

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