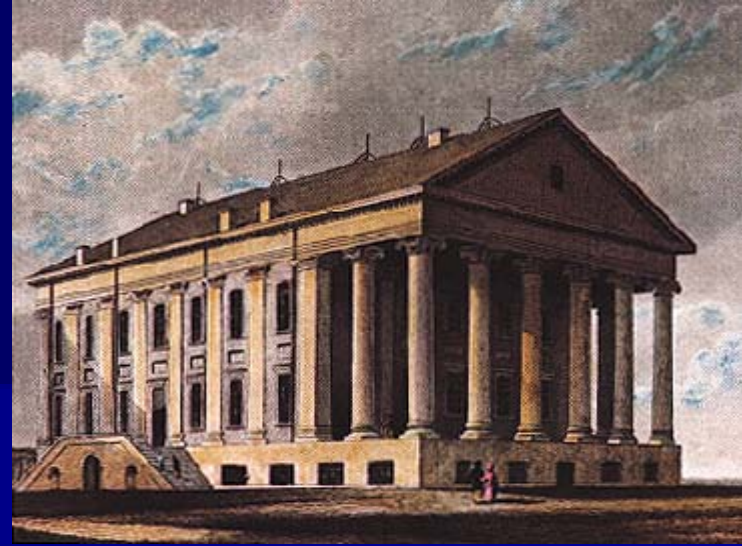


Virginia State Crime Commission



HJR 136: Status of Juvenile Justice Study

May 22, 2007

Agenda



- Study Mandate: HJR 136
- Methodology
- Completed Activities
- Planned Activities

Study Mandate: HJR 136



- House Joint Resolution 136 (2006), patroned by Delegate Moran, directed the Crime Commission to study Virginia's juvenile justice system.
- The resolution specifically directs focus upon:
 - Recidivism;
 - Disproportionate minority contact with the justice system;
 - Improving the quality of and access to legal counsel;
 - Accountability in the courts;
 - Diversion; and,
 - Review of Title 16.1 to determine the adequacy and effectiveness of Virginia's statutes and procedures relating to juvenile delinquency.

Study Mandate: HJR 136



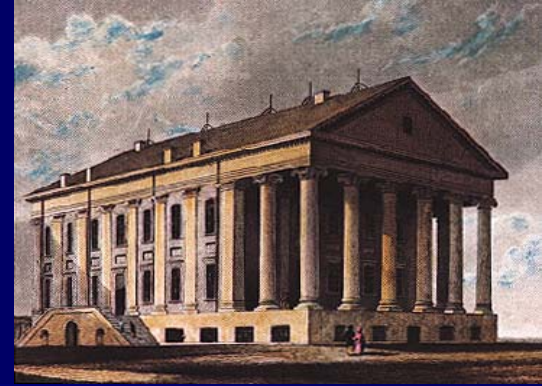
- Federal Grant Award: \$80,000
 - 25% agency match (\$20,000)
 - 75% federal award (\$60,000)
 - Only covers a portion of Juvenile Justice Study costs (personnel, study expenses, etc.)
 - 1 year grant; funding ends December 31, 2007
- One-Time Special Initiative Award: \$9,706
 - No match required
 - Only covers training and focus group costs
 - 3 month award; funding ends June 30, 2007

Methodology



- Conduct a national and state background literature review
- Gather relevant juvenile justice statistics
- Attend statewide juvenile justice meetings and conferences
- Meet with juvenile justice professionals
- Analysis of Title 16.1
- Conduct locality focus groups
- Convene JDR judge workgroup
- Develop and analyze statewide survey of JDR judges

Methodology



- To gain a better understanding of juvenile justice issues, staff has attended numerous trainings and conferences:
 - Blueprints for Change: Criminal Justice Policy Issues in Virginia on DMC;
 - VJJA 30th Fall Juvenile Justice Institute;
 - 34th National Conference on Juvenile Justice;
 - DJJ Juvenile Correctional Officer training;
 - Public Defender's JDAI Seminar;
 - DMC Conference;
 - Observed DJJ Reception and Diagnostic Center staffing and CCRC meetings;
 - JDR Judges' Annual Conference;
 - DJJ Judicial Liaison Committee; and,
 - National Juvenile Training on Graduated Sanctions.

Methodology



- At the October 2006 Crime Commission meeting, the Department of Juvenile Justice and Virginia Criminal Sentencing Commission staff presented current data on:
 - Recidivism rates;
 - Commitment sentences of juveniles to DJJ;
 - JCC juvenile population;
 - Diversion opportunities; and,
 - Felony sentencing patterns for juveniles convicted in Circuit Court.

Completed Activities



- Staff has conducted a preliminary statutory analysis of Title 16.1.
 - Approximately 100 statutes in Title 16.1 of the Code of Virginia relate to juvenile justice;
 - Majority relate to criminal procedure in delinquency proceedings;
 - Many also deal with disposition options; and,
 - Emphasis on confidentiality/limited access to juvenile records.

Completed Activities



- Staff has reviewed appointment of counsel and compensation rates in juvenile delinquency proceedings.
 - In Virginia, appointment of counsel should occur before the detention hearing (§ 16.1-266(A))
 - VA Indigent Defense Commission (VAIDC) maintains a current list of court appointed counsel certified for juvenile cases and also provides training
 - Total of 1,442* certified attorneys (**fluid number*)
 - Currently, VAIDC is in the recertification process

Completed Activities



- VA's compensation rate, per charge, is capped at \$120 in JDR court and \$100 in circuit court.
- 5 surrounding states (Kentucky, Maryland, North Carolina, Tennessee, and West Virginia) have been contacted to compare compensation rates for court appointed counsel against Virginia.

Completed Activities



- Convened first meeting of the JDR judge workgroup. Some issues discussed included:
 - Quality of representation and access to counsel;
 - Prevention strategies;
 - Consistency throughout the Commonwealth;
 - CHINS/CHIPS;
 - Impact of truancy cases; and,
 - Availability of diversion, substance abuse and mental health treatment options across Virginia.

Planned Activities



- Staff is currently developing a statewide JDR judge survey with an emphasis on:
 - Quality of juvenile representation;
 - Juvenile access to counsel;
 - Disproportionate minority contact;
 - Availability of diversion opportunities;
 - Virginia's juvenile statutes; and,
 - Overall perceptions of Virginia's juvenile justice system.

Planned Activities



- Conduct focus groups at various court districts with the following representatives:
 - Advocate groups
 - Commonwealth Attorney's Office
 - Court Services Unit (Intake and probation officers)
 - Diversion Program Coordinators
 - JDR Judges (if available)
 - JDR and/or Circuit Court Clerks
 - Law Enforcement agencies
 - Public Defenders and/or Court Appointed Attorneys
 - Student Services/Education and/or SRO Officers
 - Other individuals that would contribute to goals of focus group

Planned Activities



- Court districts were chosen based on region, population, and number of intake cases per year:
 - Augusta County;
 - City of Alexandria;
 - City of Bristol;
 - City of Fairfax;
 - City of Richmond;
 - City of Virginia Beach;
 - Henry County;
 - New Kent County; and,
 - Roanoke County.
- Staff also has arranged to observe JDR Court proceedings.

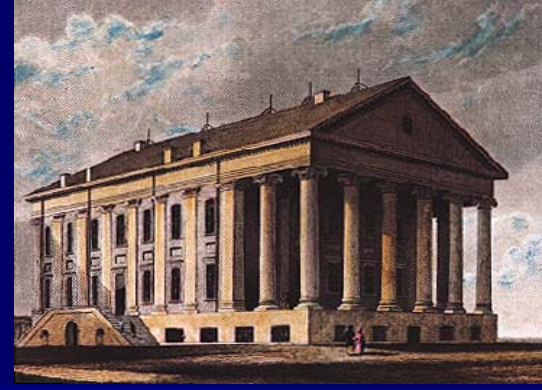
Planned Activities



- Staff will continue to meet with juvenile justice professionals:
 - Just Children;
 - Mid-Atlantic Juvenile Justice Center; and,
 - DJJ Staff.

- Staff has also scheduled to attend:
 - JCC Superintendents' meeting;
 - VaIDC juvenile recertification CLE for court appointed attorneys;
 - Juvenile Justice & Delinquency Prevention Conference; and,
 - State JDAI Conference.

- Report to the Crime Commission by November 2007 with legislative and/or regulatory recommendations, if necessary.



Discussion