

---

# VIRGINIA STATE BUDGET

---

2011 Session

## Budget Bill - HB1500 (Chapter 890)

Bill Order » Office of Public Safety » Item 399

Department of Juvenile Justice

Item 399	First Year - FY2011	Second Year - FY2012
<b>Financial Assistance to Local Governments for Juvenile Justice Services (36000)</b>	<b>\$47,188,620</b>	<b>\$47,188,620</b> <b>\$47,988,620</b>
Financial Assistance for Juvenile Confinement in Local Facilities (36001)	\$33,986,297	\$33,986,297
Financial Assistance for Probation and Parole - Local Grants (36002)	\$2,002,378	\$2,002,378
Financial Assistance for Community Based Alternative Treatment Services (36003)	\$11,199,945	\$11,199,945 \$11,999,945
Fund Sources:		
General	\$45,378,941	\$45,378,941 \$46,178,941
Federal Trust	\$1,809,679	\$1,809,679

---

Authority: §§ [16.1-233](#) through [16.1-238](#), [16.1-274](#), [16.1-322.1](#) and [66-14](#), Code of Virginia.

A. From July 1, 2010 to June 30, 2012, the Board of Juvenile Justice shall not approve or commit additional funds for the state share of the cost of construction, enlargement or renovation of local or regional detention centers, group homes or related facilities. The board may grant exceptions only to address emergency maintenance projects needed to resolve immediate life safety issues. For such emergency projects, approval by both the Board of Juvenile Justice and the Secretary of Public Safety is required. Any emergency projects must also comply with Board of Juvenile Justice standards.

B. Each emergency resolution adopted by the Board of Juvenile Justice approving reimbursement of the state share of the cost of construction, maintenance, or operation of local or regional detention centers, group homes, or related facilities or programs shall include a statement noting that such approval is subject to the availability of funds and approval by the General Assembly at its next regular session.

C. The Department of Juvenile Justice shall reimburse localities, pursuant to § [66-15](#), Code of Virginia, at the rate of \$50 per day for housing juveniles who have been committed to the department, for each day after the department has received a valid commitment order and other pertinent information as required by § [16.1-287](#), Code of Virginia.

D. Notwithstanding the provisions of § [16.1-322.1](#) of the Code of Virginia, the department shall apportion to localities the amounts appropriated in this Item.

~~E. Subject to the conditions stated in this paragraph and with the prior written approval of the Director, Department of Planning and Budget, there is hereby re-appropriated the unexpended balances remaining at the close of business on June 30, 2010, and June 30, 2011, in the appropriation for Financial Assistance for Juvenile Confinement in Local Facilities. The reappropriations shall be applicable only for payments owing for physical plant projects for local detention which have been approved by the Governor and for which contracts are in effect~~

~~June 30, 2010, and June 30, 2011, respectively.~~

F.1. The appropriation for Financial Assistance for Community Based Alternative Treatment Services includes \$10,915,139 the first year and ~~\$10,915,139~~ \$11,715,139 the second year from the general fund for the implementation of the financial assistance provisions of the Juvenile Community Crime Control Act (VJCCCA), §§ 16.1-309.2 through 16.1-309.10, Code of Virginia. *Notwithstanding § 16.1-309.6, Code of Virginia, localities participating in this program and contributing through their local match an amount of local funds which is greater than they receive from the Commonwealth under this program are authorized, but not required, to provide a contribution greater than the state general fund contribution. In no case shall their local match be less than their state share.*

2. Notwithstanding the provisions of §§ 16.1-309.2 through 16.1-309.10, Code of Virginia, the Board of Juvenile Justice shall establish guidelines for use in determining the types of programs for which VJCCCA funding may be expended. The department shall establish a format to receive biennial or annual requests for funding from localities, based on these guidelines. For each program requested, the plan shall document the need for the program, goals, and measurable objectives, and a budget for the proposed expenditure of these funds and any other resources to be committed by localities.

3.a. Notwithstanding the provisions of § 16.1-309.7 B, Code of Virginia, unobligated VJCCCA funds must be returned to the department by each grantee locality no later than October 1 of the fiscal year following the fiscal year in which they were received, or a similar amount may be withheld from the current fiscal year's periodic payments designated by the department for that locality. The Director, Department of Planning and Budget, may increase the general fund appropriation for this item up to the amount of unobligated VJCCCA funds returned to the Department of Juvenile Justice.

~~b. Subject to the conditions stated in this Item and with the prior written approval of the Director, Department of Planning and Budget, there are hereby reappropriated the unexpended balances remaining in the appropriations made in the Financial Assistance for Community Based Alternative Treatment Services service area on June 30, 2010, and June 30, 2011.~~

c. All such unobligated and reappropriated balances shall be used by the department for the purpose of awarding short-term supplementary grants to localities, for programs and services which have been demonstrated to improve outcomes, including reduced recidivism, of juvenile offenders. Such programs and services must augment and support current VJCCCA-funded programs within each affected locality. The grantee locality shall submit an outcomes report to the department, in accord with a written memorandum of agreement which shall accompany the supplementary grant award. This provision shall apply to funds obligated to and in the possession of the department and its grant recipients. The entity which returns unobligated funds under this provision shall not have a presumptive entitlement to a supplementary grant.

*d. The Department of Juvenile Justice, with the assistance of the Department of Correctional Education, the Department of Corrections, the Virginia Council on Juvenile Detention, juvenile court service unit directors, juvenile and domestic relations district court judges, and juvenile justice advocacy groups, shall provide a report on the types of programs supported by the Juvenile Community Crime Control Act and whether the youth participating in such programs are statistically less likely to be arrested, adjudicated or convicted, or incarcerated for either misdemeanors or crimes that would otherwise be considered felonies if committed by an adult.*

~~G. The department shall provide annual reports to the Chairmen of the House Appropriations and Senate Finance Committees, the Secretary of Public Safety and the Department of Planning and Budget on the progress of Virginia Juvenile Community Crime Control Act programs by the first day of the regular General Assembly session. The annual report shall address the requirements of § 16.1-309.3, Code of Virginia, as well as identifying the number of juveniles served, the average cost for residential and nonresidential services, the number of employees, and descriptions of the contracts entered into by localities, pursuant to §§ 16.1-309.2 through 16.1-309.10, Code of~~

~~Virginia.~~ *The department shall consolidate the annual reporting requirements in §§ 2.2-222 and 66-13 and in Chapters 755 and 914 of the 1996 Acts of the General Assembly concerning juvenile offender demographics. The consolidated annual report shall address the progress of Virginia Juvenile Community Crime Control Act programs including the requirements in Article 12.1 of Chapter 11 of Title 16.1 (§ 16.1-309.2 et seq.) relating to the number of juveniles served, the average cost for residential and nonresidential services, the number of employees, and descriptions of the contracts entered into by localities. Notwithstanding any other provisions of the Code of Virginia, the consolidated report shall be submitted to the Governor, the General Assembly, the Chairmen of the House Appropriations and Senate Finance Committees, the Secretary of Public Safety, and the Department of Planning and Budget by the first day of the regular General Assembly session.*

H. Out of this appropriation \$600,000 the first year and \$1,335,213 the second year from the general fund, from the amount that is provided for the Virginia Juvenile Community Crime Control Act Program, shall be used to support the Department of Military Affairs' Virginia Commonwealth Challenge Program.