

## Appendix A: Study resolution

---

### **Transfer of the Department of Juvenile Justice to the Health and Human Resources Secretariat**

Authorized by the Commission on November 13, 2023

WHEREAS, the Department of Juvenile Justice provides accountability and interventions that improve the lives of court-involved youths, and prepare them for success as productive citizens; and

WHEREAS, in contrast with adult criminal law which is punitive, juvenile law is intended to be remedial and affords juvenile and domestic relations judges more discretion in handling delinquent behavior than in adult criminal law; and

WHEREAS, many youths admitted into a Department of Juvenile Justice direct care program may have a mental health disorder, attention-deficit/hyperactivity disorder, conduct disorder, oppositional defiant disorder, or a substance use disorder and have been prescribed psychotropic medication at some point during their lives; now, therefore, be it

RESOLVED by the Joint Legislative Audit and Review Commission that staff be directed to study the feasibility, costs, and benefits of transferring responsibility for the Department of Juvenile Justice from the Secretary of Public Safety and Homeland Security to the Secretary of Health and Human Resources.

JLARC shall make recommendations as necessary and may review other issues as warranted.

All agencies of the Commonwealth, including the Department of Juvenile Justice, and Offices of the Secretary of Public Safety and Homeland Security, and Secretary of Health and Human Resources shall provide assistance, information, and data to JLARC for this study, upon request. JLARC staff shall have access to all information in the possession of agencies pursuant to § 30-59 and § 30-69 of the Code of Virginia. No provision of the Code of Virginia shall be interpreted as limiting or restricting the access of JLARC staff to information pursuant to its statutory authority.

## Appendix B: Research activities and methods

---

Key research activities performed by JLARC staff for this study include:

- structured interviews with current and former cabinet secretaries and agency directors, DJJ and other state government staff, DJJ's regional service coordinator, commonwealth's attorneys, public defenders, judges, other states' juvenile justice entities, and national, state, and local subject matter experts;
- questionnaires to local HHR entities about services provided to court-involved youth;
- review of data and documentation on the provision of services for court-involved youth; and
- other documents and policy reviews, including state laws, regulations, policies, and national research relevant to the provision of services for court-involved youth and state organization of juvenile justice entities.

### Structured interviews

Structured interviews were a key research method for this report. JLARC staff conducted 44 structured interviews for this study. Key interviews included:

- current and former cabinet secretaries of the Public Safety and Homeland Security (PSHS) secretariat and the Health and Human Resources (HHR) secretariat;
- state agency staff, including staff from the Department of Juvenile Justice (DJJ), the Department of Criminal Justice Services (DCJS), the Virginia Department of Corrections (VADOC), the Virginia State Police (VSP), the Virginia Department of Social Services (VDSS), the Office of Children's Services (OCS), and the Department of Planning and Budget (DPB);
- commonwealth's attorneys, public defenders, and juvenile & domestic relations district court judges;
- other Virginia stakeholders; and
- other states' juvenile justice entities and national subject-matter experts.

### *Cabinet secretaries*

JLARC staff conducted interviews with current and former cabinet secretaries of the PSHS and HHR secretariats. Interviews were focused on the responsibilities of the respective cabinet offices, and the potential advantages and disadvantages that transferring DJJ to the HHR secretariat may have on the offices' operations as well as the other agencies they oversee. The cabinet secretaries were also asked about alternative strategies to a transfer that could improve the availability of rehabilitative services for youth and coordination between DJJ and the HHR secretariat.

### ***State agencies***

JLARC staff conducted multiple interviews with current and former DJJ staff. Topics varied across interviews but were primarily focused on the current status of rehabilitative services for court-involved youth and coordination between DJJ and HHR agencies; shortcomings with current services and coordination; the potential impacts of transferring DJJ to the HHR secretariat; and alternative strategies that may improve service availability and coordination.

The team also interviewed staff from DJJ's contracted service provider, Evidence Based Associates (EBA), primarily to learn about the rehabilitative services EBA provides for youth in the justice system and any gaps in those services.

JLARC staff conducted several interviews with staff of other public safety agencies—including the Department of Criminal Justice Services, the Virginia Department of Corrections, and Virginia State Police—and health and human services agencies, including the Office of Children's Services and the Virginia Department of Social Services. The interviews primarily focused on those agencies' current collaboration with DJJ and the services they provide to court-involved youth, as well as the potential impacts a transfer of DJJ to the HHR secretariat would likely have on those agencies and the youth served.

JLARC staff also interviewed staff from the Department of Planning and Budget (DPB) to learn about the potential fiscal impacts of transferring a department from one secretariat to another. Through these conversations, the team also gathered DPB staff perspectives on the potential impacts of transferring DJJ to the HHR secretariat.

### ***Commonwealth's attorneys, public defenders, and J&DR judges***

JLARC staff conducted interviews with commonwealth's attorneys, public defenders, and the Virginia Indigent Defense Commission, primarily to gather their perspectives on the current availability of rehabilitative services for court-involved youth, the impacts of any gaps in these services, and whether transferring DJJ to the HHR secretariat would improve service availability. In addition, these stakeholders were asked about any other potential advantages or disadvantages of this transfer, particularly related to court decisions. J&DR court judges were asked similar questions, in addition to questions about how, if at all, transferring DJJ to the HHR secretariat would impact their perceptions of DJJ and any sentencing decisions.

### ***Other Virginia stakeholders***

JLARC staff interviewed other Virginia stakeholders, including the Virginia Juvenile Detention Association (VJDA), Legal Aid Justice Center, Rise for Youth, and Voices for Virginia's Children.

The discussion with VJDA staff was primarily focused on the prevalence of rehabilitative service needs among the juvenile detention center (JDC) population, and the current availability of those services within JDCs. It also covered the interactions between JDCs and DJJ, as well as with agencies under the HHR secretariat, and the potential effects transferring DJJ to the HHR secretariat would have on JDC operations.

Interviews with the other aforementioned stakeholders concentrated on identifying current shortcomings in the rehabilitative services for court-involved youth and gathering perspectives on the potential advantages and disadvantages of relocating DJJ under the HHR secretariat.

### ***Other state juvenile justice agencies and national subject-matter experts***

JLARC staff interviewed staff from other states' juvenile justice agencies, including those in Michigan, Utah, Washington, and Wisconsin. States were selected if their juvenile justice responsibilities had been moved to a new cabinet-level department or secretariat in recent years. The interviews aimed to gather insights on several topics, including: the purpose of each state's relocation of juvenile justice operations; the costs and initiatives that accompanied that relocation; the advantages and disadvantages of the new and old organization structure; and alternative strategies for improving access to rehabilitative services for court-involved youth.

JLARC staff also interviewed several national subject-matter experts, including staff from the Council of State Governments (CSG), the Council of Juvenile Justice Administrators (CJJA), the Center for Juvenile Justice Reform (CJJR), and the Annie E. Casey Foundation (AECF). Interviews with these experts focused on the advantages and disadvantages of placing juvenile justice entities under different cabinet-level departments or secretariats, including public safety, health and human services, or standalone cabinet-level departments. These interviews also aimed to learn about other states that have recently undergone similar transfers and alternative strategies that could be adopted to expand rehabilitative services for court-involved youth.

### **Questionnaires**

JLARC administered two questionnaires via email to a sample of four community services boards' directors and four Children's Services Act coordinators from different regions of the state. These practitioners were asked about the number of court-involved youth they serve and the frequency with which they interact with juvenile justice entities (e.g., court service units). They were also asked about the challenges they face serving court-involved youth or interacting with juvenile justice entities, and whether those challenges could be lessened or removed by transferring DJJ to the HHR secretariat. Finally, respondents were asked about alternative strategies to improve youth's access to their respective services and coordination between their entity and juvenile justice entities.

### **Service provision data and documentation**

JLARC requested and received summary-level financial data from DJJ on payments made by DJJ to its regional service coordinator (RSC) for community-based services for youth from FY22–FY24. Data received from DJJ included a breakdown of payments made by service category (e.g., clinical services, assessments and evaluations, residential, etc.) and by supervision status (e.g., diversion, probation, parole, etc.). JLARC staff then used this data in conjunction with DJJ's approved RSC service listing to get a better understanding of which types of services are being provided most often by the RSC.

JLARC staff also downloaded FY24 data from the Office of Children's Services on DJJ referrals of court-involved youth to the Children's Services Act (CSA). JLARC reviewed data in which DJJ was

the referral source by service placement type to better understand the types of services for which DJJ is referring youth to CSA.

## **Document and policy review**

JLARC staff reviewed numerous other documents and literature, such as:

- Virginia laws, regulations, and policies concerning secretarial organization and responsibilities, DJJ's roles and responsibilities, and the provision of rehabilitative services for court-involved youth (including those provided by relevant HHR agencies);
- other states' laws, regulations, policies, and publicly available documentation regarding the cabinet-level placement, and recent initiatives or reorganizations of juvenile justice entities;
- research literature on organizational management and best practices to facilitate effective coordination across agencies; and
- reports from national organizations (e.g., CJJR, American Youth Policy Forum, National Institute of Justice) regarding current trends in juvenile justice, the needs of court-involved youth, state level organization of juvenile justice, and best practices for enhancing rehabilitative services for court-involved youth.

## **Appendix C: Agency Responses**

---

As part of an extensive validation process, the state agencies and other entities that are subject to a JLARC assessment are given the opportunity to comment on an exposure draft of the report. JLARC staff sent an exposure draft of the full report to the Department of Juvenile Justice (DJJ), the secretary of public safety and homeland security, and the secretary of health and human resources.

Appropriate corrections resulting from technical and substantive comments are incorporated in this version of the report. This appendix includes response letters from DJJ and the secretaries of public safety and homeland security and health and human resources.



Amy M. Floriano  
Director

Dale L. Holden, Jr.  
Chief Deputy Director

**COMMONWEALTH OF VIRGINIA**  
*Department of Juvenile Justice*

P.O. Box 1110  
Richmond, VA 23218  
(804) 371.0700  
Fax: (804) 371.6497  
[www.djj.virginia.gov](http://www.djj.virginia.gov)

May 29, 2025

Mr. Hal E. Greer, Director  
Joint Legislation Audit and Review Commission  
919 East Main Street  
Suite 2101  
Richmond, Virginia 23219

Dear Director Greer:

Thank you for the opportunity to review the exposure draft of the JLARC report, *Potential Transfer of DJJ to HHR*. We, at the Department of Juvenile Justice (DJJ), greatly appreciate the collaborative nature of JLARC's comprehensive and thorough review.

DJJ is largely in agreement with JLARC's findings and recommendations. We agree that DJJ already provides a wide range of rehabilitative services to our youth, which are similar to the types of services provided by HHR agencies and that might be more accessible. Further, as JLARC notes, the services provided through DJJ are delivered "timely and effectively." DJJ agrees that effective collaboration already exists, even without a transfer, for court-involved youth who receive services from both DJJ and HHR.

DJJ also feels strongly that placing the agency under HHR will not positively affect rehabilitative outcomes or access to services for court-involved youth. On the contrary, DJJ shares the concerns expressed in the exposure draft that transferring DJJ to HHR could result in DJJ receiving less focus and resources than it does in its current secretariat which, compared to HHR, has fewer agencies and programs. Additionally, although DJJ is focused on rehabilitation and the provision of treatment and services, it must also provide for the public safety. As noted, our public safety mission is embedded within our rehabilitative programming, which is specifically designed to address youth's risk factors that contributed to delinquent behavior and reduce the likelihood or recidivism. DJJ must continue to exercise a high degree of coordination with the other public safety agencies to advance shared public safety goals.

For these and the other reasons stated in the exposure draft, DJJ is opposed to a transfer to HHR. DJJ looks forward to continuing our collaboration with HHR agencies in the provision of rehabilitative treatment and services to our court-involved youth and will enthusiastically work on other strategies, as directed or recommended, that may better achieve the intended goals of transferring DJJ out from under the Secretary of Public Safety and Homeland Security.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy M. Floriano".

Amy M. Floriano



# *COMMONWEALTH of VIRGINIA*

## *Office of the Governor*

Terrance C. Cole  
Secretary of Public Safety & Homeland Security

June 3, 2025

Mr. Hal E. Greer, Director  
Joint Legislation Audit and Review Commission  
919 East Main Street  
Suite 2101  
Richmond, Virginia 23219

Dear Director Greer:

Thank you for the opportunity to review the exposure draft of the JLARC report regarding the potential transfer of the Department of Juvenile Justice (DJJ) to the Secretariat of Health and Human Resources. The Secretariats of Public Safety and Homeland Security (PSHS) and Health and Human Resources (HHR) appreciate the thorough and thoughtful analysis of this issue and are providing this joint response to JLARC's report and recommendations.

PSHS and HHR are largely aligned with JLARC's findings and recommendations. We agree that DJJ already provides a comprehensive array of rehabilitative services – many of which are comparable to those offered by HHR agencies. However, DJJ is uniquely positioned to deliver these services more efficiently and responsively due to its direct engagement with court-involved youth. We also agree that both DJJ and HHR currently maintain a productive and collaborative working relationship serving court-involved youth who receive services from both DJJ as well as HHR agencies.

The leadership of PSHS strongly believes that transferring DJJ to HHR would not improve rehabilitative outcomes or access to services for court-involved youth. As the exposure draft notes, DJJ currently benefits from a high level of attention and resourcing within PSHS given fewer agencies and programming compared to HHR. In addition, while DJJ is focused on rehabilitation and the provision of treatment and services, they also have the responsibility of maintaining public safety. The public safety mission is embedded within DJJ's rehabilitative programming, specifically designed to address the risk factors that contributed to the delinquent behavior while reducing the likelihood of recidivism. As noted in the exposure draft, DJJ also maintains a high degree of coordination with other public safety agencies to advance our shared goal of protecting public safety.



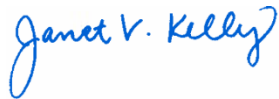
Since Governor Youngkin unveiled his *Right Help, Right Now* Behavioral Health Transformation Plan in December 2022, Virginia has prioritized the swift expansion and investment in the community mental health system. This investment has been critical to ensuring that Virginians, including youth, receive immediate behavioral health support before, during, and after crisis. This continuing collaboration with PSHS and DJJ is crucial given that HHR lacks the expertise in providing the specialized care and resources for youth with highest needs and greatest public safety risks.

In conclusion, PSHS and HHR concur with the findings in the exposure draft that transferring DJJ to HHR could hinder the public safety mission and diminish the specialized focus of the treatment and services provided to our court-involved youth.

Sincerely,



Terrance C. Cole  
Secretary of Public Safety and Homeland Security



Janet V. Kelly  
Secretary of Health and Human Services

## Appendix D: Other states' placement of juvenile justice responsibilities

JLARC analyzed information on the state government placement of juvenile justice for all 49 other states (Table D-1). The identified approaches were those that JLARC staff could identify readily through interviews and publicly available information.

The placement of juvenile justice responsibilities in other states varies. Many states do not place juvenile justice within a secretariat because, unlike Virginia, they do not organize agencies under a secretarial system. In these states, juvenile justice responsibilities are either situated in a standalone agency or are placed in an agency with responsibilities that are broader than juvenile justice. The “placement type” column in Table D-1 signifies whether each state has a secretarial system, and subsequent columns signify the focus of the agency or secretariat responsible for juvenile justice programs.

Additionally, Table D-1 primarily focuses on the executive branch placement of juvenile justice operations, but some states split juvenile justice responsibilities across different branches of state government. For example, some states place probation operations under judicial branch entities, and their remaining juvenile justice operations fall under an executive branch agency. These instances are noted to the extent JLARC is aware of them.

**TABLE D-1**  
**State government placement of juvenile justice responsibilities**

State	Placement type	Health/human services	Child/family services	Public safety	Standalone entity	Additional information
Alabama	Department				√	Judicial branch entities are responsible for probation and aftercare operations.
Alaska	Department		√			
Arizona	Department				√	Judicial branch entities are responsible for probation operations.
Arkansas	Department	√				
California	Secretariat	√				
Colorado	Secretariat	√				Judicial branch entities are responsible for probation operations.
Connecticut	Department		√			Judicial branch entities are responsible for pretrial services and probation operations.
Delaware	Department		√			

## Appendixes

State	Placement type	Health/human services	Child/family services	Public safety	Standalone entity	Additional information
Florida	Department				√	
Georgia	Department				√	
Hawaii	Department	√				
Idaho	Department				√	
Illinois	Department				√	
Indiana	Department			√		Judicial branch entities are responsible for probation operations.
Iowa	Department	√				Judicial branch entities are responsible for probation operations.
Kansas	Department			√		
Kentucky	Secretariat			√		
Louisiana	Department			√		
Maine	Department			√		
Maryland	Department				√	
Massachusetts	Secretariat	√				Judicial branch entities are responsible for probation operations.
Michigan	Department	√				
Minnesota	Department			√		
Mississippi	Department	√				
Missouri	Department	√				Judicial branch entities are responsible for probation operations.
Montana	Department			√		Judicial branch entities are responsible for probation operations.
Nebraska	Department	√				Judicial branch entities are responsible for probation operations.
Nevada	Department	√				
New Hampshire	Department	√				
New Jersey	Department			√		Judicial branch entities are responsible for probation operations.
New Mexico	Department		√			

## Appendixes

State	Placement type	Health/human services	Child/family services	Public safety	Standalone entity	Additional information
New York	Department		√			
North Carolina	Secretariat			√		
North Dakota	Secretariat			√		
Ohio	Department				√	Judicial branch entities are responsible for probation operations.
Oklahoma	Department				√	
Oregon	Department				√	
Pennsylvania	Department	√				Judicial branch entities are responsible for intake, probation, and after-care operations.
Rhode Island	Secretariat	√				
South Carolina	Department				√	
South Dakota	Department			√		
Tennessee	Department		√			
Texas	Department				√	
Utah	Department	√				Judicial branch entities are responsible for probation operations.
Vermont	Secretariat	√				
Virginia	Secretariat			√		
Washington	Department		√			
West Virginia	Secretariat			√		Judicial branch entities are responsible for probation operations.
Wisconsin	Department		√	√		Responsibilities are split between the Department of Children and Families (community-based services) and the Department of Corrections (juvenile correctional centers).
Wyoming	Department		√			

SOURCE: JLARC analysis of publicly available reports and documentation on other states' organization of juvenile justice responsibilities.