



April 26, 2022

Dear Members of the Virginia General Assembly,

I write on behalf of the National Association of Criminal Defense Lawyers (NACDL) to urge you to override the Governor's veto of [HB 1197](#), a bipartisan bill to convene a stakeholder group to examine the feasibility and benefits of transferring responsibility for the Department of Juvenile Justice (DJJ) from the Secretary of Public Safety and Homeland Security to the Secretary of Health and Human Resources.

NACDL is the preeminent organization advancing the mission of the criminal defense bar to ensure justice and due process for persons accused of crime or wrongdoing. NACDL's nearly 10,000 members (40,000 with state affiliate members) include private criminal defense lawyers, public defenders, military defense counsel, law professors and judges committed to preserving fairness and promoting a rational and humane criminal justice system. Crucial to this mission are NACDL's efforts to identify and reform flaws and inequities in the criminal legal system, and specifically address systemic racism and its impact on the administration of justice.

It is clear that the current services and resources provided by the Department of Juvenile Justice cannot sufficiently address the overwhelming mental and behavioral health needs of children incarcerated in Virginia's youth prisons. As of 2020, over 90% of children incarcerated in Virginia required mental health services and over 70% presented significant symptoms of a mental health disorder at the time of admission¹.

Improving the capacity of the Department of Juvenile Justice to meaningfully rehabilitate the children in its care is paramount to public safety. HB 1197 provides an opportunity to assess whether DJJ's location under the Secretary of Public Safety and Homeland Security is hindering its ability to achieve its stated goal of preparing court-involved youth to be successful citizens, and whether reorganizing the department as a public health agency would facilitate better outcomes for incarcerated youth and their communities.

Sincerely,

Monica L. Reid, Senior Director of Advocacy
National Association of Criminal Defense Lawyers

¹ Data Resource Guide Fiscal Year 2020. Virginia Department of Juvenile Justice.
https://www.djj.virginia.gov/documents/about-djj/DRG/FY2020_DRG.pdf