



## FOR IMMEDIATE RELEASE

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### **Youth Justice Advocates Condemn Inadequate Virginia DJJ Response to Dangerous Outbreak of COVID-19 at Youth Prison**

**Richmond, VA—** As the Bon Air Juvenile Correctional Center experiences an outbreak of COVID-19, youth justice advocates from RISE for Youth and the Legal Aid Justice Center (LAJC) call on the Virginia Department of Juvenile Justice (DJJ) to act immediately to protect the health and safety of the more than 200 youth incarcerated at the facility and to publicly release more information about the outbreak and mitigation efforts. Advocates are now aware of several youth at Bon Air having tested positive for COVID-19, but DJJ has not made publicly available the number of youth or staff with confirmed diagnoses.

After Governor Northam declared a state of emergency in Virginia, both LAJC and RISE for Youth reached out to DJJ to ensure the Department had a comprehensive and publicly available plan to protect the health and safety of the youth in its care. The Department has not released a comprehensive COVID-19 mitigation plan to the public, instead directing inquiries to general updates on the Department's website without specific information on the spread of COVID-19. Likewise, even though multiple youth and staff known to interact with others at Bon Air have tested positive, the Department has not altered its course to significantly reduce the number of youth at the facility.

The youth incarcerated at Bon Air Juvenile Correctional Center and in juvenile detention centers across the state are among the highest risk and most vulnerable to COVID-19 due to their close proximity in these facilities, their reliance on others for hygiene products and sanitized spaces, and their isolation from family and other trusted personal contacts and health providers.

“Given the Department’s reluctance to implement an aggressive mitigation process and communicate openly and often with youth and families, we knew it was only a matter of time before Bon Air experienced an outbreak,” said Rachael Deane, Legal Director of the JustChildren Program at the Legal Aid Justice Center. “The Department has both a legal and a moral obligation to protect the youth imprisoned at Bon Air, and we call on DJJ to immediately act to stop the spread of this disease.”

“The news that Bon Air is experiencing an outbreak of the COVID-19 virus is disheartening but comes as no surprise,” said Valerie Slater, Executive Director of RISE for Youth. “We are talking about the wellbeing of children. The previous lack of collaboration to execute a comprehensive plan to protect young lives under DJJ’s care cannot continue. Now is the time to work swiftly and aggressively with community to release all youth who can safely transition home while keeping the youth that must remain imprisoned at Bon Air safe.”

DJJ must immediately act to implement widespread testing of all incarcerated youth, given what public health information suggests about the spread of the virus through asymptomatic individuals. Given the outbreak at Bon Air, advocates also call on the Department to ensure the health and safety of youth incarcerated in other settings, including youth in DJJ's care in the Community Placement Program, and to work with localities to ensure the health and safety of youth at local juvenile detention centers.

At a minimum, the Department should also begin or continue to:

- Acknowledge the spread of COVID-19 at Bon Air;
- Internally identify any youth at Bon Air who have chronic health conditions or serious mental health needs in order to facilitate their release;
- Release a written crisis plan addressing mitigation efforts for the COVID-19 outbreak at Bon Air, including specific information about how the Department will continue to provide youth with medical, mental health, and counseling services, access to education, access to counsel, personal hygiene products, and access to visitation, including video visitation, phone calls, and emails free of charge;
- Use its unique authority to release any young people with indeterminate sentences who do not pose an immediate and specific safety risk to others, with appropriate transition plans in place, and use its persuasive authority with courts to work with defense attorneys to petition for the release of determinately committed youth;
- Petition for early review hearings for youth with determinate commitments based on the "good cause" provision in Virginia's juvenile commitment statute;
- Refrain from using room confinement, solitary confinement, administrative segregation, or other punitive measures as a method of quarantine;
- Work with courts to ensure that youth may appear for release hearings by telephone or videoconference;
- Work with sheriff's offices to ensure the safe transport of youth out of Bon Air; and
- Collaborate with courts to suspend all court fines or fees, juvenile correctional center stay fees, parent fees for child support, and any charges for basic needs items within Bon Air, such as soap and other hygiene items.

**Further demands from LAJC and RISE can be found in the letters linked below:**

<https://www.justice4all.org/wp-content/uploads/2020/03/2020.03.26-Letter-to-Director-Boykin.pdf>

<https://www.riseforyouth.org/wp-content/uploads/2020/04/3-19-2020-Letter-to-Director-Boykin-re-COVID-19.pdf>

#### ***About RISE for Youth***

RISE for Youth a nonpartisan campaign committed to dismantling the youth prison model by promoting the creation of community-based alternatives to youth incarceration. Our work centers the voices of impacted youth and communities and challenges racial injustice in Virginia.

#### ***About Legal Aid Justice Center***

LAJC partners with communities and clients to achieve justice by dismantling systems that create and perpetuate poverty. By justice, we mean racial, social, and economic justice. We integrate individual representation, impact litigation, policy advocacy, and organizing strategies to identify and address root causes of poverty while mitigating acute impacts.