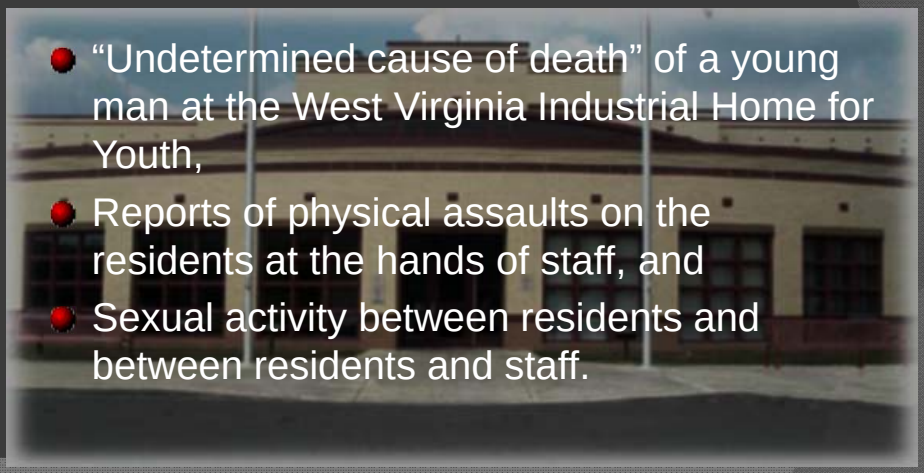
POST SALEM PLAN FOR DJS PLACEMENTS

- In July 2011, the Adjudicated Juvenile Rehabilitation Review Commission was formed by then, Chief Justice Margaret Workman, WV Supreme Court of Appeals.

The West Virginia Supreme Court of Appeals is committed to a juvenile justice system that promotes effective interventions that will enhance the likelihood of rehabilitation and behavior reform for those children involved in delinquent behavior.

- It is the court's desire that West Virginia serve these youths and their families within a sound framework of public safety while providing guidance, structure, and appropriate, evidence- based services.
- Therefore, the facilities and the programs they include must, from time to time be examined by the Court.

Issues that contributed to the formation of this Commission:



- "Undetermined cause of death" of a young man at the West Virginia Industrial Home for Youth,
- Reports of physical assaults on the residents at the hands of staff, and
- Sexual activity between residents and between residents and staff.

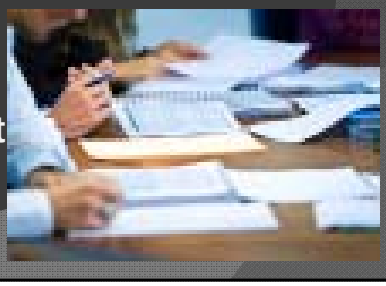
Why is this a concern of the Court?

- Any child ordered into secure facilities are Wards of the Court.
- They have been removed from their families/homes and are outside of their home communities, as a result of court orders, they become a Ward of the Court.

The initial purpose of the Commission was to examine the Division of Juvenile Services' operations plan and programs at the Industrial Home for Youth in Salem.

Commissioners believed that they had just "scratched the surface" of the State's Juvenile Justice System.

- **facility policy and procedure issues,**
- **little to no attorney contact**
- **and sentencing concerns.**



MDT Legislation
2013 Session

- Relating to MDT's facilitated by DJS for juveniles in their custody.

The Supreme Court established a Juvenile Justice Monitor – that would monitor the state-wide system for any youth in the Juvenile Justice System.

- Identify systems issues for juveniles in the Court system.
- Review and evaluate treatment and rehabilitative services
- Conduct regular site visits
- Advocate for the rights of juveniles in the justice system.
- Act as a liaison for the Circuit Judges to the facilities

In April, 2011
Mountain State Justice filed a suit with the WV Supreme Court of Appeals.
Case No. 12-misc-312

With Judge Omar Aboulhosn Presiding

On November 27, 2012
An Agreed Order was issued

The components included:

- Room Confinement,
- Programming,
- Suicide policy& procedures,
- Disciplinary due process,
- Grievance process and
- General issues (mail, visitation, phone calls, clothing, etc.)

And, with this November 27 Agreed Order

a Court Monitor was established to ensure compliance.

Finally……

On March 15, 2013….

Respondents (DJS) outlined a plan to close WV-IHY. This Plan was to ensure:

Building A to be closed by July 1, 2013 and to reconfigure the other DJS facilities.

The End