



Supreme Court of Appeals State of West Virginia

News

Administrative Office
1900 Kanawha Blvd., East
Bldg. 1, Room E-316
Charleston, West Virginia 25305
(304) 340-2305 Jennifer Bundy
(304) 340-2306 April Harless
(304) 558-4219 / TTY
(304) 558-1212 / FAX
Web Site: www.courtswv.gov
Twitter: [WVCourts](https://twitter.com/WVCourts)
Flickr: www.flickr.com/photos/courtswv/
Email: Jennifer.Bundy@courtswv.gov
Email: April.Harless@courtswv.gov

Commission reviewing juvenile justice facilities, procedures releases report

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Link to report: http://www.courtswv.gov/court-administration/juvenile-justice-commission/AJRRC_report.pdf

CHARLESTON, W.Va. – Supreme Court Justice Margaret L. Workman today released a report by the commission she established in 2011 to look at the Division of Juvenile Services’ operations plan and programs at the Industrial Home for Youth in Salem and the Kenneth “Honey” Rubenstein Center in Davis.

“The West Virginia Supreme Court of Appeals is committed to a juvenile justice system which promotes effective interventions and enhances the likelihood of rehabilitation for those children involved in delinquent behavior,” said Justice Workman. “This report now gives the commission a framework to continue its mission to encourage systemic changes.”

The Adjudicated Juvenile Rehabilitation Review Commission approved the report at its regularly scheduled quarterly meeting Monday. The report reviews the commission’s work and includes findings from the establishment of the commission through December 2012.

In April 2012, Cindy Largent-Hill was hired as a monitor to oversee juvenile justice facilities. Her responsibilities include visiting facilities, talking with residents, and reviewing files of residents at the two centers and other youth in court-ordered out-of-home placements.

“The Commission was initially established to find out what happened to Benjamin Hill,” said Ms. Largent-Hill. “We could not definitively determine what happened to him, but we found that the system needed to focus on improving rehabilitation and treatment.”

Benjamin Hill died in February 2009 of undetermined causes at the Industrial Home for Youth. The report contains a timeline of the commission’s investigation into his death.

The report says of Benjamin Hill: “With the information available, a positive cause of death could neither be determined nor confirmed. It can be safely concluded that procedures were not followed. Regular and timely resident checks were not conducted as specified by policy.”

The commission and Dr. Michael Baden, a New York forensic pathologist, was not able to confirm a cause of death in part because Benjamin Hill’s body was cremated. Dr. Baden’s review, therefore, was limited in scope.

Dr. Baden, Justice Workman, Largent-Hill, and other Supreme Court Administrative Office staff personally talked to Benjamin Hill's grandmother about the Commission's review.

While the questions surrounding Benjamin Hill's tragic death may not be answered, there now exists a commission that is committed to ensuring programs and services are provided to youths in the juvenile system.

"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," said Justice Workman. "Circuit judges need to be confident that those youths whom they sentence and send to these facilities are given, through rehabilitative programs, every opportunity for success."

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