

Va. to pay \$1.2M for boy's death

► [REDACTED] teen died in state detention center.

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The Virginia Department of Juvenile Justice agreed last week to pay \$1.2 million to the mother of a 16-year-old [REDACTED] boy who died at a Richmond-area juvenile detention center in [REDACTED].

While the department did not admit liability for the boy's death, officials implemented several changes to correctional procedures in response to the case, a letter from the department director indicates.

[REDACTED] filed a [REDACTED] suit last year in [REDACTED] Circuit Court on behalf of her son [REDACTED], who died of asphyxiation at the Oak Ridge Juvenile

Correction Center. [REDACTED] claimed several correctional officers forced her son onto his bed and stuffed a towel into his mouth in retaliation for the teen throwing urine on an officer earlier that day.

A court order signed Friday discharges the Department of Juvenile Justice, the state and the officers from "any and all liability, past, present or future" for the boy's death. It also details the disbursement of the settlement.

[REDACTED] said Wednesday she feels her son "can start to have some peace" now that the suit is settled.

Randy Davis, a spokesman for the Attorney General's Office, said "it is not unusual for a pre-trial settlement to be approved without admission of liability by either party."

A letter obtained by the *Daily Journal* addressed to the Attorney General's Office from Carl Peed, the director of the Depart-

ment of Juvenile Justice, "delineates the changes and major initiatives implemented" after [REDACTED] death. Many of these changes were "the direct result of this unfortunate incident," the letter states.

The letter indicates a new department director — Peed — and a chief deputy director were appointed, and an Inspector General's Office established.

The purpose of the Inspector General's Office, according to the letter, is "to detect, expose, and prevent criminal activity, waste, abuse, corruption, and serious mismanagement or misconduct

relating to Department operations or personnel."

Tighter controls on juvenile detention center infirmaries and more attention to emergency transportation protocols and procedures are among other changes, the letter states. The centers also perform refresher courses for personnel in the use of leather restraints and the dangers of positional asphyxia. Video cameras have also been installed in "designated correctional centers."

The letter does not specify which of the changes were made as a result of the [REDACTED] case.

Peed said Wednesday he is proud of the changes he has made since he took office [REDACTED]. "The changes were necessary regardless [of the [REDACTED] case]," he said.

"We've done a lot in terms of training," he said. "We've set up a classification systems, [and have been] emphasizing a lot of de-escalation training."

[REDACTED] sued on seven counts, including wrongful death, destruction of evidence, emotional distress and deprivation of civil rights. The suit claimed "[REDACTED] was heavily over-medicated [REDACTED] when he became disruptive and threw a substance he claimed was urine at one of the guards — the act alleged to have precipitated the defendants' punitive and fatal response."

According to the suit, [REDACTED] was given three times the prescribed dosage of a mood-altering anti-psychotic drug.

"It's always hard to equate a dollar amount on a person's life..." [REDACTED] attorney, James J. McCoart III, said Wednesday. He said he thought the settlement was "significant" and that "it shows that the state fully understood the gravity of the guards' behavior."

"I believe that these guards bullied a very vulnerable young man. These guards were well aware of the emotional issues affecting [REDACTED] and the last thing that they needed to do was put a hand on him," McCoart said.

McCoart said he finds solace in the changes the Department of Juvenile Justice made in response to the case.

"I feel that this type of tragedy will never happen again," he said. "It is very unfortunate that it took a tragedy to motivate this change."