



VIRGINIA COMMISSION ON YOUTH

Meeting Minutes

Advisory Group Meeting: Study on the Powers and Duties of the Office of the Children's Ombudsman as Related to Juveniles Committed to the Department of Juvenile Justice

August 18, 2026, 10:00 a.m.

Conference Room 1, Patrick Henry Building

Attending:

Marilyn Brown, Delegate Joshua Cole, Delegate Lindsey Dougherty, Senator Barbara Favola, Stephanie Garrison, Cassandra Hargrave, Bethany Harrison, Jane Lissenden, Julie McConnell, Timothy Prioleau, Eric Reynolds, Delegate Holly Seibold, Delegate Irene Shin, Senator David Suetterlein, Nathan Tatum, Alanna Trivelli, Amy Walters, Carla White, Judge Travis Williams

Attending Virtually:

Christopher Haws, Senator Dave Marsden, Valerie Slater

Staff Attending:

Amy Atkinson, Will Egen, Matthew Nwaneri, Oli McGowan

I. Welcome and Introductions

The meeting was called to order at 10:00 a.m. Senator Favola had members of the Advisory Group introduce themselves.

II. Department of Juvenile Justice (DJJ) Presentation: Resident Grievances and Complaints

Rebecca Westfall, Compliance and Legal Support Director, Department of Juvenile Justice

Ms. Westfall provided an overview of applicable law and DJJ's grievance procedures under 6VAC35-71-80, covering resident participation, investigation, documented timely response, appeal, and protection from retaliation. Residents are oriented to the process at intake, and it is posted in living units. She distinguished among complaints (10 working days to process), grievances (5 working days), and emergency grievances (must be processed within 8 hours). Alternative reporting options include the disAbility Law Center of Virginia and the DJJ Ombuds program.

Delegate Seibold raised concerns about residents in mental health crisis being able to follow the grievance process. DJJ staff noted separate protocols exist for individuals with a history of mental health issues, and residents may ask staff (counselors, therapists, teachers) for assistance. Representatives from RISE for Youth and Legal Aid Justice Center of Virginia noted grievances have gone unanswered and raised concerns about the paper-based carbon-copy system. DJJ staff acknowledged the paper process is slow and stated a digital system is desired but requires funding.

III. Office of the Children's Ombudsman (OCO) Presentation

Eric Reynolds, Office of the Children's Ombudsman

Mr. Reynolds described OCO's role under Va. Code § 2.2-442 in effecting policy change, educating the public, investigating and reviewing actions of DSS and child-serving agencies (including DJJ, but only for children previously in foster care), and monitoring compliance with statutes and policies. He outlined the complaint process — intake, preliminary assessment, and formal investigation — and reported FY2026 figures: 853 complaints received, 106 of 120 local DSS agencies involved, and 21 formal investigations opened.

In discussion, Mr. Reynolds confirmed OCO's review process could extend to DJJ if recommended, that use of OCO does not preclude use of constituent services, and that OCO functions as "a flashlight, not a hammer" — it cannot force agency personnel changes but can recommend training and elevate serious issues to state officials.

IV. Model Ombudsman Programs Presentation

Matthew Nwaneri, Policy Analyst

Mr. Nwaneri presented on independent correctional ombudsman models, noting 18 states and the District of Columbia have an independent juvenile justice ombudsman office, with Washington State most recently expanding its ombudsman to cover DJJ-equivalent functions. He discussed options for a parallel complaint system versus an appeal process, potential data-sharing agreements, and the additional staffing such an expansion would require.

V. Round Table Discussion

Members discussed the potential scope and structure of an expanded ombudsman role, including:

- Scope of powers: Senator Favola expressed interest in ensuring all committed youth have access to the same complaint system regardless of placement; Senator Marsden cautioned against inconsistent coverage that could confuse the public.
- Eligible complainants: Discussion favored a broad definition mirroring OCO's current practice, including court unit staff, facility staff, children, parents, and relatives.
- Exhaustion requirement: Members agreed not to adopt an exhaustion requirement at this time.
- Access to data: OCO has statutory authority to access DJJ records but has not yet implemented it; members discussed the need for a statutory data-sharing requirement rather than individual MOUs.
- Mandatory investigations: Members discussed narrowing the broad DJJ definition of "serious incident" and preserving OCO discretion over which incidents to investigate.
- Reporting requirements: DJJ currently has no complaint reporting requirement outside of PREA; members discussed adding ombudsman reporting and recommendation authority.
- Budget and staffing: Members agreed to work with OCO to develop staffing and funding recommendations to support an expanded role.

VI. Next Steps and Adjournment

Based on the guidance provided, Commission staff will work with DJJ and OCO to draft policy recommendations reflecting the Advisory Group's feedback. The meeting adjourned at 12:15 p.m.