

Parent Seeks Court Order Blocking DOE Transfer of Minor Arrested in St. Thomas Bomb Threat Case

A parent is asking the Superior Court to block Education Commissioner Dionne Wells-Hedrington from transferring a minor to an alternative school, alleging due process violations tied to confidential juvenile records and a required apology letter.

Legal / **Published On December 23, 2025 07:52 AM /**

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The Charlotte Amalie High School was one of several St. Thomas campuses affected by a series of bomb threats that led to multiple arrests and ongoing court proceedings.

The parent of one of the minors arrested in connection with a [slew of bomb threats on St. Thomas public schools](#) has asked the court to issue an injunction preventing the child from being transferred from their current school to an alternative education program.

The complaint, filed on Sunday in the Superior Court, names Commissioner of the Department of Education Dionne Wells-Hedrington as the sole defendant. It claims that after the minor was arrested for delinquency in connection with [a bomb threat at Charlotte Amalie High School](#), the commissioner signed a letter addressed to his mother, informing her that the child had been assigned to the Edith Williams Alternative Academy once he was released from detention.

This assignment was reportedly conditional upon the minor writing a letter of apology for the threat they are accused of making. The apology, Wells-Hedrington reportedly stipulated, must be a “one page, single-spaced type-written and signed” document, according to the complaint, addressed to “the school principal and school community affected by the bomb threats.”

Despite the letter reportedly having been signed on December 9, the child's mother had apparently not received it by the 15th. The lawyer assigned to the minor had seen a copy of the document a few days prior, however, and advised the parent to have the child return to their normal school once they had returned home. On Monday December 15, the mother did so, but the child was refused entry. An assistant principal told them that the school would not allow the minor to return until they had “obtained guidance from the commissioner,” the lawsuit says.

The mother was then summoned to a meeting in Commissioner Wells-Hedrington's office, at which she was reportedly told by the commissioner's chief of staff that a “final” decision had been made to transfer the child to the Alternative Academy until their court proceedings were completed. The Academy had reportedly already been alerted, as the mother received a call inviting her and the child to an orientation session in preparation for their attendance in January.

Wells-Hedrington then reportedly reiterated her position in correspondence with the child's appointed counsel, prompting the application for a temporary restraining order preventing the reassignment.

The lawsuit argues that “the only records purporting to connect [the child] to a ‘bomb hoax’ were those involved in the Family Division juvenile proceedings.” Since all such proceedings are confidential, the lawsuit argues, the commissioner's “acquisition of such information must have occurred through unlawful means” akin to unreasonable search and seizure, the lawsuit claims. “Adverse action based on ‘information/documentation’ unlawfully obtained violates both the fourth amendment and constitutionally protected due process,” the complaint declares. “It is undeniably a violation of due process for our government to punish a person, including a minor, based solely on an unproven accusation.”

The lawsuit also takes issue with the required apology letter. Complying with this stipulation “requires self-incrimination, which is explicitly prohibited by the 5th amendment and in re Gault,” the complaint states.

As a result, the court is asked to require Commissioner Wells-Hedrington to withdraw her initial letter to the child's mother, and prevent the commissioner from taking any action against the minor that runs contrary to his due process rights, that would require self-incrimination, or that is based on unlawfully obtained information.