

Rhode Island Juvenile Detention Alternatives Initiative

Facility Self-Inspection Report

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Background and Introduction

Since 1992, the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) has worked in jurisdictions across the United States to improve juvenile justice systems. JDAI was designed to demonstrate that jurisdictions can safely reduce reliance on secure detention and strengthen juvenile justice systems overall. JDAI works to engage multiple stakeholders, including judges, prosecutors, defense attorneys, probation officers, elected officials, and community representatives, in the search for more efficient and effective programs, policies, and practices that can reduce inappropriate detention, improve public safety, and lead to better youth outcomes.

Rhode Island was selected as a JDAI site in 2009 and since beginning the work, has realized significant achievements, including: the formulation of a strong and active collaborative (Steering Committee); development of a Risk Assessment Instrument (RAI) to make objective detention admissions decisions, and; engagement of systems stakeholders and community-based partners in the system transformation work. The Rhode Island JDAI collaborative is represented by key system stakeholders, including: Family Court, Department of Children, Youth and Families, Attorney General's Office, Public Defender's Office, Providence Police Department, the Child Advocate, the state juvenile justice advisory group, and community-based program providers. The Rhode Island JDAI effort is being coordinated by Rhode Island KIDS COUNT.

The Core Strategies of JDAI

There are eight core strategies each JDAI site commits to implement:

1. Interagency collaboration to improve problem solving and coordination.
2. Use of accurate data to guide programs and policies.
3. Use of objective instruments to guide detention admissions decisions.
4. Increased or enhanced community-based alternatives to secure detention.
5. Expedited case processing to reduce lengths of stay and speed case resolutions.
6. Innovations to reduce secure detention use for probation violations, warrants, and cases in which youth are awaiting placement.
7. Use of best practices to reduce disproportionate minority contact with the juvenile justice system.
8. Improving conditions of confinement through routine inspections.

Detention Self-Inspection

JDAI embraces the philosophy that court-involved youth should be served in their homes, schools, and communities whenever appropriate and possible. When secure detention is necessary to protect public safety, JDAI works to ensure that conditions of confinement meet legal requirements and best professional standards of practice.

To monitor conditions of confinement in secure detention centers and to identify problems that need correction, JDAI sites establish "Self-Inspection Teams" of local volunteers. These Teams are trained in methodology and standards that carefully examine all aspects of facility policies, practices and programs. In all, there are 308 standards grouped under eight general categories:

1. Classification (intake, screening, living unit assignment)
2. Health Care (medical, mental health, dental)

3. Access (mail, visits, telephone, legal access)
4. Programming (education, exercise, recreation, religion, work)
5. Training (and administrative oversight)
6. Environmental Issues (sanitation, physical plant issues, food, crowding, privacy)
7. Restraints, Grievances, Isolation and Due Process (use of force, mechanical devices, isolation, room confinement, discipline, grievances)
8. Safety

Using these standards, the Team completes an inspection visit to assess the facility's compliance. Findings and corrective suggestions are shared with the Training School administration and JDAI Steering Committee. The process is intended to be open, constructive, and ultimately of valuable assistance to facility administrators as well as of direct benefit to detained youth.

Self-Inspection Team

Rhode Island's Self-Inspection Team is made up of volunteers from a variety of professional backgrounds:

- Shayla Belanger, *Supervisor*
Institute for the Study and Practice of Non-Violence
- Dr. Paul Block, *Psychologist*
Psychological Centers
- Vimala Phongsavanh, *Program Director for Youth and Adult Literacy*
Socio-Economic Development Center for Southeast Asians
- Dan Corley, *Principal*
Community Preparatory School
- Ian Crocker
Participant in the Youth Establishing Self-Sufficiency (YESS) Program
- Cherie Cruz, *Statewide System of Care Expansion Team Youth Coordinator*
Parent Support Network
- Rob DeBlois, *Principal*
Urban Collaborative Accelerated Program
- John Neubauer, *Policy Analyst and JDAI Coordinator*
Rhode Island KIDS COUNT
- Cesar Perez, *Youth Transition Center Director of Outreach and Tracking*
Tides Family Services

Self-Inspection Process

The Rhode Island Self-Inspection Team conducted their Self-Inspection visit on December 7th and 8th, 2011. The Training School administration provided the Team with a private meeting space. Documentation and other records were provided so that Team members could study the written materials as their schedules permitted. Team members had unlimited access to the facility and were able observe programming and interact freely with staff and residents. The Team was able to interview staff and residents in private settings and did not encounter any barriers to conducting the inspection.

Team members were assigned to do in-depth reviews of certain standards in their areas of expertise in order to be able to summarize and brief others. Evaluation of each standard was made through a combination of review of relevant policy and/or other documentation, observation by the Team and interviews of staff and youth.

When interviewing youth and staff, the Team explained their purpose to ensure consistency in how they were perceived. The Team explained they were an independent evaluation Team looking at programming and the facility in order to ensure the best possible services for youth. They assured staff and youth that their shared opinions and experiences were of great help in this effort. They also stated to youth that their privacy would be respected and their comments would be anonymous, unless they shared something which would invoke mandatory reporting, for example, reports of abuse or other crimes.

In addition, several phone calls, e-mail communications, and meetings with Training School and DCYF administrators occurred after the Self-Inspection visit to clarify questions that arose while the Team was compiling its findings.

Findings

Classification System and Intake

The Team found that the intake, resident classification, and living room assignment policies, procedures, and practices were in compliance with most JDAI standards. Youth are processed into the facility through the Roosevelt Benton Center (RBC), where they complete the intake process. Upon arrival, each youth is interviewed and screened by staff to identify any immediate issues, such as intoxication or injury. Youth who are under the influence of drugs or alcohol or in need of medical attention are not accepted into detention and referred directly to the emergency department for appropriate medical treatment. During the intake process, the youth must take a shower and is given the opportunity to eat. Each youth's personal effects are inventoried and stored in a secure setting. In addition, each youth is allowed to use the telephone to make contact with a family member or guardian.

During the intake interview, the youth is given a copy of the resident handbook and a form outlining the penalties for escaping the facility or assaulting a staff person. The intake staff verbally explains the youth's rights and the youth signs a form acknowledging receipt of the handbook. The handbook, which was updated in 2011, is currently available in English only. JDAI standards require that staff provide orientation information for new residents in a language understood by the youth.

JDAI's standards require that admissions criteria limit detention eligibility to youth likely to commit a serious offense pending resolution of their case, youth likely to fail to appear in court, and youth held pursuant to a specific court order. Under the JDAI standard, a Risk Assessment

Instrument (RAI) should be used to ensure these admission criteria are followed and that detention is used appropriately. There is presently no RAI used at the Training School.

Because the decision to detain or release a youth is not made by staff at the Training School, the development and implementation of an RAI involves many other agencies and departments including the Family Court, Public Defender's Office, Attorney General's Office, police departments, and community service providers. There is currently an effort, coordinated through JDAI, to implement an objective RAI and standardize detention eligibility criteria. The administration of the Training School has been actively involved with this effort. The RAI will be piloted by the Providence Police Department before its use is expanded to police departments throughout the state.

Recommendations for Improvement

- Implement an objective detention Risk Assessment Instrument
- Provide resident handbook and orientation materials in the primary language used by the youth. When this is not possible, ensure that an interpreter is made available at the earliest opportunity to read the orientation materials to the youth in the youth's primary language.

Health Care

The Training School has an on-site health facility that provides health care services to residents. Health care services at the Training School met and in many cases exceeded the JDAI standards.

All youth receive a brief medical and mental health screening immediately upon arrival to the Training School that includes an inquiry into current and past illnesses and a history of medical and mental health problems including suicide risk. If the screening reveals the need for any additional medical services, the youth is referred and receives appropriate follow-up within 24 hours. If there is an immediate medical need that cannot be met at the Training School, the youth is brought to the emergency department for treatment.

Within 24 hours of admission, a comprehensive assessment including dental screening is performed by a registered nurse. Youth receive a medical examination by a physician within 48 hours of admission. This assessment includes the collection of data to complete medical, dental, and mental health histories. All appropriate screening and lab tests are performed and immunizations are provided if needed. Parents and the youth's home physician are contacted to gather relevant medical and mental health history to ensure continuity of treatment. If the assessment reveals the need for further treatment, the youth is referred to appropriate follow-up services.

The Training School's health care system provides diagnosis and treatment for conditions discovered during the screening and assessment of youth, as well as for youth with medical problems that arise after admission. Care for chronic medical conditions is provided by trained and experienced physicians.

The on-site location of the medical clinic is a major asset to health care services at the Training School, allowing residents with medical issues to be seen in a timely manner and reducing the need for off-site transport. Interviews with youth revealed that the staff is generally responsive when they report they are sick, although one youth did note difficulty getting staff to respond to his reported medical need. The Training School has written policies and procedures ensuring

that youth are entitled to appropriate and timely treatment when they are sick and the Self-Inspection Team did not find that this was an endemic problem.

All youth are seen by a dentist within seven days of their arrival at the Training School and every six months thereafter. Each youth receives the full range of services that in the dentist's judgment are necessary for proper dental health.

Mental health services are provided to youth by qualified mental health professionals. All youth are seen by a clinical social worker within 24 hours of admission to assist with needs and help the resident's adjustment. Youth with mental health needs are treated using counseling and/or the use of psychotropic medication. The Training School has a comprehensive suicide prevention and special watch procedure for youth at risk for hurting themselves.

JDAI standards require that staff administer medications in a private space to protect the youth's medical confidentiality. Youth at the Training School are administered their medications in the common area of the units in view of other residents. Although not an easy issue to address, the Self-Inspection Team found that some youth did not want others to know they were taking medication.

Recommendations for Improvement

- Ensure youth have their medical confidentiality protected through exploring more discreet methods of distributing medications.

Access Issues

The Self-Inspection Team found that the Training School policies, procedures, and practices for granting youth access to mail, telephone use, visitation, and legal counsel were in compliance with most JDAI standards.

Training School staff does not limit the number of letters a youth may send or receive, including youth on disciplinary status. Each youth has adequate access to writing materials and postage for correspondence. Staff does not routinely read incoming or outgoing mail and only do so if there is reasonable suspicion that there is a security threat or criminal act being committed. The Training School has a written policy not to withhold mail but the staff did report that occasionally it is necessary to withhold mail for security reasons. There is no log kept recording these instances and staff report that is often handled informally.

Telephone use for residents of the Training School is dependent on what level the youth has earned through the facility's incentive system:

- *Entry Level:* One five minute phone call per week to parent or caregiver
- *Level Two:* One ten minute phone calls per week to parent or caregiver
- *Level Three:* Two ten minute phone calls per week to persons on approved call list
- *Level Four:* Three ten minute phone calls per week to persons on approved call list

JDAI standards require that each youth is given a minimum of one 10 minute telephone call twice a week. The Training School's telephone policy for residents on Entry Level and Level Two does not meet this standard.

The Self-Inspection Team found that the visitation policies were in compliance with the JDAI standards. Like telephone use, the number of visits residents of the Training School is granted is also dependent on what level the youth has earned:

- *Entry Level:* One visit per week with parent, caregiver, or grandparents
- *Level Two:* One visit per week with parent, caregiver, grandparents, or siblings (over age 21)
- *Level Three:* Two visits per week with parent, caregiver, grandparents, or siblings (over age 21)
- *Level Four:* Two visits per week with parent, caregiver, grandparents, or siblings (over age 21)

JDAI Standards require that facilities host regular family forums at which families of youth may voice issues of concern, offer suggestions for improvement, and obtain needed information about institutional policies and practices. Although the staff and administration reported that families were always welcome to make suggestions and call with questions, there is no formal venue dedicated to this.

JDAI standards require that transportation arrangements be made available when the facility is not served by public transportation. While there is bus service to the general vicinity of the Training School, the bus stop is over a quarter of a mile away from the Youth Development Center (YDC). For some elderly or disabled visitors, this would not be a viable option.

The Training School provides residents with adequate access to legal counsel, the courts, and public officials. All residents are given the right to contact their attorneys, guardians ad litem, clergy, or representatives of the Office of the Child Advocate privately. In addition, the Office of the Child Advocate has an office in the Youth Development Center.

Recommendations for Improvement

- Keep a written log of when mail must be withheld from residents for security reasons.
- Ensure that each resident is given a minimum of one 10 minute telephone call twice a week.
- Establish regular family forums where interested family members can discuss issues, ask questions, make suggestions, and obtain information about institutional policies and practices.
- Make accommodations to facilitate visits for youth whose visitors are not able to walk from the bus stop.

Programming

The Self-Inspection Team found that the Training School's daily programming for residents, including educational and recreational activities, met each of the JDAI standards.

According to the Resident Handbook, a typical day consists of the following schedule (every unit has a different schedule; these are approximate times):

- 6:30am to 7:30am: Residents wake up, complete their personal hygiene routine, clean their rooms, and prepare for breakfast.
- 7:30am to 8:15am: Breakfast
The nurse goes to each unit for medical assistance and to distribute medications.
- 8:15am to 11:45am: Classes

- 11:45am to 12:45pm: Lunch
- 12:45pm to 2:45pm: Classes
- 2:45pm to 3:15pm: Residents return to Units for quiet time
- 3:15pm to 5:00pm: Residents report to the dayroom for treatment groups or recreation activity depending on the Unit schedule.
- 5:00pm to 6:00pm: Dinner
- 6:00pm to Bedtime: All residents are back in the Units. Treatment groups and recreational periods continue for some Units. After recreation and treatment groups, staff distributes evening snacks. All hygiene and showers are completed. The nurse goes to each unit for medical assistance and to distribute medications.

All youth begin attending school as soon as they are placed at the Training School. At the time of admission, all youth receive an educational screening regarding their school status, special education status, and grade level. The Training School staff also requests educational records from the resident's home school district and implements any Individual Education Programs or 504 plans. The Training School offers three educational programming options: secondary education, General Equivalency Diploma (GED), and post-secondary education. The Community College of Rhode Island provides classes at the Training School for youth in post-secondary program.

The Training School's educational program operates 12 months a year and complies with Rhode Island education laws regarding the minimum number of minutes in a school day. The facility has trained professional teachers and staff and complies with all state certification requirements. The classrooms appeared to be well-managed with adequate staff to student ratios. The school's disciplinary procedures were consistent with JDAI standards.

The Training School's principal stated that the educational program is currently working to provide deeper connections with residents' home school districts and is actively pursuing the use of virtual learning to ensure that credits are not lost when a student transfers in and out of the Training School. A \$20 million Technology Infrastructure bond was passed by the Rhode Island Legislature that could potentially be used by the Rhode Island Department of Education to support this effort.

All residents of the Training School are entitled to at least two hours of recreational activity or physical education each day, including weekends. This may occur in one of the outdoor areas or in the facility's gymnasium. Each unit has its own outdoor area with a basketball court. In the gymnasium, located in the YDC, there is a large basketball court and weight room. The Self-Inspection Team observed residents playing basketball and engaging in physical exercise during recreation time.

In addition to physical recreation, the Training School provides reading materials, games, and playing cards for youth to utilize during appropriate times. During the evening routine, the Self-Inspection Team observed many youth playing cards with one another in the common area of the units. Several youth reported that they were satisfied with the range of recreational offerings.

The Resident Handbook guarantees that all youth have the right to attend religious services and talk with clergy from their religious tradition. The handbook also makes clear that participation in religious services is completely voluntary. The Training School has a Chaplin who runs regular Christian religious services for youth who choose to participate. The Chaplin reported that he makes arrangements ensuring that youth of different religious backgrounds can be seen by clergy of different faiths. Accommodations are also made for youth with religious dietary restrictions.

The Training School uses a positive behavior management system consistent with JDAI standards where youth can earn higher “levels” for positive behavior. Youth on higher levels receive privileges such as later bedtimes, extended telephone use, the ability to purchase items at the canteen, and special work assignments. All youth begin at Entry Level and can work their way to higher levels by earning enough “points” each day for extended periods of time. The highest level, Level Four, takes several weeks of positive behavior to achieve. Interviews revealed that youth understood the level system and were motivated to earn privileges through positive behavior.

Recommendations for Improvement

- none

Training and Supervision

The Self-Inspection Team found that the staff training and supervision was in compliance with most JDAI standards, but did not meet the requirement for annual staff training hours.

Based on interviews and reviews of relevant documents, the Self-Inspection Team found that the facility staff is qualified for their positions by education, experience, and ability to work well with young people. There were written job descriptions and requirements for all positions in the facility. Each staff member undergoes a criminal background check at the time of hiring in accordance with state and federal laws. In addition, the Self-Inspection Team found the staff to be effectively supervised.

The Self-Inspection Team found that there is sufficient staff at the Training School to provide adequate security and continuous supervision of residents. Interviews and observations throughout the inspection visit revealed that staffing ratios are kept at a level that allows for the safety of residents and employees. In addition, female staff is always on-duty in the unit that houses female residents.

Each new staff member receives 180 hours of pre-service training on a variety of topics including crisis intervention, youth disciplinary policies and procedures, conflict management, first aid, safety precautions for blood borne pathogens, and facility safety and security procedures. The JDAI standard requires that facility personnel receive 40 hours of annual training after the initial year of employment. Although training and professional development opportunities are available, the Self-Inspection Team found that the 40 hour per year standard was not met for many employees. In addition, several staff members expressed a desire to receive more training in certain areas such as adolescent development, counseling techniques, and on working with specific populations (e.g., gender, race, ethnicity, sexual orientation, and disability).

The Self-Inspection Team found that the Training School has adequate policies and procedures for staff and residents to report child abuse, other incidents, and complaints. Policies are in

place to ensure that staff and youth do not face retaliation for making complaints or reports of child abuse.

Recommendations for Improvement

- Ensure that written policies, procedures, and actual practices ensure that all staff receives at least 40 hours of annual training in areas relevant to their work.

Environmental Issues

The Training School was in compliance with most of JDAI's environmental standards.

The YDC and the RBC, both new buildings, are modern and clean and comply with all JDAI standards related to sanitation. The facility appeared free of any mold, insect, or rodent problems. Bathrooms for residents and staff were clean with working toilets and sinks. The residents' showers were also operable and clean. Residents are required to keep their rooms clean and earn points for doing so. The grounds and outdoor areas of both buildings also appeared well-maintained.

The JDAI standard requires that facilities strive to maintain a positive institutional environment and to the extent possible, avoid creating a correctional atmosphere. With a high-tech security system, video cameras, perimeter fences, and other security measures, the YDC and RBC do have the outward appearance of a prison. The Self-Inspection Team found, however, that the administration and staff did make efforts to provide a non-penal environment. For example, the staff dressed casually and did not wear law-enforcement or military-style uniforms. In addition, the youth are allowed to personalize and decorate their rooms based on their level status. The staff also recognizes and celebrates important holidays and birthdays. During the Self-Inspection Team's visit, a holiday party for youth and their families was held in the cafeteria. Cookies and refreshments were served and the youth and families appeared to be enjoying themselves.

Most youth at the Training School wore casual uniform sweat suits that were appropriately sized. Some youth at the RBC, however, were observed wearing prison-like jumpsuits, something specifically prohibited under the JDAI standard.

The Training School's policies on searches of youth and their belongings are in compliance with JDAI standards. Staff conducts facility and individual room searches when needed with respect for youth's personal property. All visitors must go through a metal detector before entering the visiting area and cell phones are prohibited throughout the building. Policies prevent staff from using searches as a means of punishment or harassment.

The Training School's food service complies with all JDAI standards. Residents receive three meals a day in the cafeteria and an evening snack in their units. The menu is developed in consultation with a registered dietician and residents receive a wholesome and nutritionally adequate diet. The staff does not withhold food as a means of discipline.

The RBC and YDC are both in full compliance with local fire and emergency preparedness rules and regulations. Both buildings are equipped with fire suppression systems and have safe means of evacuating residents in case of an emergency. The state Fire Marshall conducts equipment and facility inspections at regular intervals as required by law. The JDAI standards require facilities have self-contained breathing apparatuses (SCBA) in appropriate locations, something the Training School does not have. The Self-Inspection Team does not feel qualified

to determine the necessity of purchasing SCBA's, particularly given the facility's compliance with state and local laws and oversight by the state Fire Marshall.

Both the YDC and the RBC have adequate space for residents and have avoided overcrowding issues. The total population of the facility did not exceed the maximum rated capacity and many units at the YDC had several empty beds. Rhode Island law caps the number of residents at the Training School to 12 girls and 148 boys at any given time. The female unit, which has 24 beds, had just nine residents at the time of the visit.

Recommendations for Improvement

- Eliminate the use of jumpsuits for youth in favor of sweat suits or other uniform styles that do not resemble prison-style garb.

Restraints, Isolation, Due Process, and Grievances

The Self-Inspection Team was impressed by the security and good order of the facility throughout the duration of the inspection. Throughout the visit, the Team observed positive interactions between staff and youth.

The facility has written policies and procedures detailing the appropriate use of physical force and mechanical restraints that are consistent with JDAI standards. The staff uses a graduated set of interventions and employs a range of actions before using force or physical restraints. The policies and procedures permit the use of force and physical restraints only to protect the safety of the youth or others. The facility does not use soft restraints, chemical agents, or restraint chairs, and prohibits handcuffing residents to any stationary objects. Shift coordinators are required to document the utilization of physical and mechanical restraints when they are used for to temporarily control youths' behavior. Corporal punishment and the use of inappropriate levels of force are prohibited. Interviews with staff and youth revealed that these policies are well-known and practiced by staff.

The Training School's disciplinary policies conform to most JDAI standards. A youth at the Training School can be placed on "Restrictive Status," if he or she has demonstrated that they are threat to themselves or to others. Room confinement can be utilized for youth on Restrictive Status after all other means of discipline have been pursued. A resident may be remanded to his or her room for up to five days after a decision by a Major Discipline Review Board. This is not consistent with the JDAI standard, which limits room confinement to 72 hours. Room confinement prior to a Major Discipline Review Board is allowed only in emergency circumstances and must be ordered by the Superintendent or on-call administrator. While on Restrictive Status and Room Confinement, residents are entitled to daily showers, hot meals served outside their rooms, medical care, reasonable telephone access to contact attorneys, parents, or guardians, mail privileges, religious observance, exercise, visitation, writing materials, clothing, bedding, hygiene supplies, and needed education, counseling, and psychological services. Staff monitors residents in room confinement at 15 minute intervals and the clinical social worker visits residents to secure any necessary services. Residents who demonstrate substantial progress in behavior and attitude can be released early from Restrictive Status.

The Training School has a grievance procedure for residents to express concerns or unhappiness with actions of staff or rules of the facility. The Self-Inspection Team observed that grievance forms were available in each unit. Interviews with residents revealed that some residents were not clear about the procedure for pursuing a grievance and stated that they were not made aware of the process by staff. Staff at the facility reported that resident grievances are

taken seriously and that all concerns are responded to thoughtfully and promptly. The Training School does not keep records of resident grievances and outcomes, something required by the JDAI standards.

Recommendations for Improvement

- Room confinement should be limited to no longer than 72 hours. Room confinement longer than 24 hours should not routinely be imposed.
- Ensure all youth are made aware of the existence of the grievance procedure and understand how to file a grievance if they have a concern.
- Document and record resident grievances and outcomes.

Safety

The Training School met each of the JDAI standards for safety. In interviews, youth reported being safe from physical assault, sexual assault, and harassment by staff. The facility has rules explicitly prohibiting sexual harassment or sexual conduct between staff and youth. Youth interviewed also reported being generally safe from physical assault, sexual assault, and harassment by other youth. Although there are occasional fights and tension between residents, the Self-Inspection Team found that the staff did an effective job providing youth with a safe environment. The female unit is completely separate from the male units and there is limited contact between males and females. Female residents reported that they did not feel threatened or harassed in any way by male residents.

Recommendations for Improvement

- None