

# An Overview of the JDAI Facility Site Assessment Process: Guidelines for Planning, Conducting and Reporting

## INTRODUCTION

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Since its inception, the Juvenile Detention Alternatives Initiative (JDAI) has emphasized the importance of maintaining safe and humane conditions of confinement in juvenile detention facilities. To ensure a level of protection for detained youth and provide necessary feedback for officials responsible for the operation of juvenile detention facilities, staff of the Youth Law Center and the Center for Children's Law and Policy have developed an extensive set of materials to facilitate a facility site assessment including:

1. This overview document that provides a summary of the entire facility site assessment process from start to finish. The information contained in this document is commonly referred to as the "guidelines."
2. An extensive set of standards contained in the JDAI Facility Site Assessment Instrument. The document is commonly referred to as both the "standards" and the "instrument." The team will use the document to track whether the facility conforms to specific standards during the assessment.
3. A set of "How To" documents that provide suggestions for assessing each major issue area involved in a facility assessment.
4. Additional handouts and materials presented in conjunction with trainings on how to conduct an assessment.

The materials are based on an assessment process described in *Improving Conditions of Confinement in Secure Juvenile Detention Centers* by Sue Burrell (Annie E. Casey Foundation, Pathways to Juvenile Detention Reform No. 6), and *Representing the Child Client*, by Michael Dale and Youth Law Center staff (Matthew Bender Publishing Company). The standards included in the assessment instrument are based on a combination of case law, statutes, professional standards, basic principles of humane treatment of youth, and JDAI's core values.

Thoughtful suggestions for the standards and guidelines were provided by Leslie Acoca, Chip Coldren, Paul DeMuro, Dennis Doyle, Earl Dunlap, Tom Grisso, Peter Leone, Jody Marksamer, Michael Pisis, John Rhoads, Francine Sherman, Judith Storandt, Eric Trupin, Andrea Weisman, and Shannan Wilber. We would also like to thank the numerous JDAI sites that provided extensive feedback on the first edition of the instrument, including: Baltimore, Bernalillo County, Cook County, Delaware, Illinois, New Jersey, San Francisco, and Washington State.

## PLANNING AND PREPARING FOR THE INSPECTION

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### A. Getting Started

The first thing to do is to become familiar with all of the materials mentioned above. Then there are a number of organizational tasks involved to start the facility site assessment process.

Normally, things will be set into motion by the JDAI Site Coordinator, working with the Steering Committee to select members of the site assessment team. The Site Coordinator will call the initial meeting of the team, and facilitate the team's requests for documents and access to the facility through the facility administrator. The assessment team may continue to rely on the Site Coordinator for logistical support, but will usually designate leaders within the team to take on responsibility for particular assessment functions.

### B. The Site Assessment Team

Although the facility site assessment process is being generated by the people who work in the juvenile justice system, it is essential that the assessment is conducted by a team of people who can see the facility with "fresh eyes." While the assessment team may include "insiders" who work at the facility as well as "outsiders" who are completely independent of the facility, the goal should be to have people who can examine the operation of the facility without bias or preconceptions.

The "insiders" may include: (1) a counselor or other staff person who works day-to-day in a living unit; (2) a person who works in a supervisory capacity such as a shift supervisor; and (3) a person who is familiar with problems that arise in the facility, such as a quality assurance supervisor, ombudsman, or facility grievance coordinator. These are people who understand the operation of the facility, but see it from varying points of view. In order to have these roles represented, yet avoid having people inspect their own work, the team may find it helpful to invite staff from other facilities to act as inspectors instead of involving staff from the site being assessed. If staff from the facility being assessed participate on the assessment team, the team should assign these members to evaluate issues and areas other than their daily work assignments.

The "outsiders" should include: (1) medical and mental health professionals; (2) a teacher, principal, parent, or other person who is familiar with education standards and requirements (e.g., who understands the IEP process for students with educational disabilities); and (3) a representative of the community from which a significant proportion of youth in detention come (e.g., a youth advocate, or a person who was previously detained in the facility) who can offer an experiential perspective on how the facility operates. Medical, mental health, and education issues in the facility require a level of expertise to evaluate, so professionals from the community or from other facilities should participate in the site-assessment. A community representative; informed member of the clergy or civic organization; youth advocate; or individual previously detained will bring a different and valuable perspective to the endeavor, may make connections and communicate with youth at the facility in ways different from other members of the team, and will bring an added level of credibility to the

process for parents and others in the community. Detained girls may be more comfortable reporting conditions to female assessment team members, so an effort should be made to include female representatives on the team as well. If English is not the primary language of a number of youth at the facility, every effort should be made to include assessment team members who speak the primary languages of the youth.

### **C. The Team's Approach to the Assessment**

The facility site assessment should be informed by multiple points of view, including the viewpoints of detained youth, staff, supervisors and administrators, and others who come into contact with the facility. This is, in part, because detained youth and facility staff or administrators may view particular policies, practices or conditions quite differently. Sometimes these differing perspectives may be indicative of a failure to carry out written policies in practice. Other times, differing views may suggest the need for attention to practices that one or more groups perceive as unfair or improper. Yet other times, inconsistent views on a specific issue may simply point to a need for further investigation to understand the reasons for any differences. The goal for the assessment team is to identify important and potentially dangerous problem areas in the facility – considering differing points of view makes it more likely that the team will be able to achieve that goal.

Accordingly, the assessment team should speak with significant numbers of staff, youth, administrators, and others in all areas of the facility. To help see the point of view of detained youth, the team should physically follow the path that youth take through the facility: from entering the facility through the sally port and going through the intake process to spending time (alone and with the door locked) in rooms that are used for "isolation" or "time out." It is also important to hear the perspective of line staff working in the facility. Having "insiders" who have experience working in a similar capacity on the assessment team may help staff to feel that their observations, opinions and needs will be considered during the assessment.

The site assessment generally takes a team three to five days at the institution, plus preparation time for meeting and reviewing documents beforehand, and time to write a report following the inspection. The time needed may vary, depending on the size of the team and the facility. Efforts should be made to ensure continuity of assessment team membership for successive assessments. This helps team members develop experience and expertise in conducting the assessments and facilitates consistency in the assessment of changes in conditions and practices over time.

### **D. Promoting Cooperation Among Staff**

Facility staff and youth residents will understandably have questions about the purpose, nature, and extent of the assessment. They will certainly be curious about the team's activities, and staff may be defensive or anxious about people (especially outsiders) closely scrutinizing their work. To avoid these problems, the JDAI Site Coordinator or assessment team leader should encourage the administrator of the facility to issue a letter or memo to all facility staff prior to the assessment. The administrator should explain the purpose of the assessment, the areas to be assessed, who will be on the assessment team, and direct all staff

to cooperate fully. Alternatively, the administrator may wish to convene an introductory meeting to allow for questions and allay concerns. The administrator should provide staff with guidance on how to explain the assessment activities to youth residents.

## E. Meeting and Reviewing Documents Before the Site Assessment

The inspection team should plan to gather one or two times before the site assessment to meet each other, identify individuals' relevant background and experience, go over the standards within the assessment instrument, and divide responsibilities for assessing the different issue areas. The team should build into its schedule sufficient time to obtain and review the documents listed below, particularly the facility policies and procedures, special incident reports and grievances.

Reviewing background documents beforehand makes a site assessment easier and more effective. The documents may provide context for understanding facility operations, facilitate comparisons with past assessments, and alert the team to potential problem areas or areas where the team has questions. In addition, having reviewed the documents ahead of time enables team members to use their valuable time in the facility to observe, talk with youth and staff, or review documents in use throughout the facility such as unit log books that are not otherwise available.

Documentation of policies and practices provides important information about the operation of the facility and administrative oversight. Failure to have clear, comprehensive written policies on important subjects may be indicative of a failure to provide staff with clear guidance on those issues. Similarly, failure to thoroughly document critical incidents, or inability to access records quickly – for example, on placement of youth on suicide risk status, or youth subjected to use of force or restraints – may be symptomatic of larger problems.

The site assessment team should review as many of the following documents as possible before conducting the site assessment. Others may be reviewed during the assessment process. While each assessment team member does not need to review each document, members should read those documents relevant to the specific issue areas they are assessing, recognizing that many documents are pertinent to more than one issue area. When team members come across information relevant to other issue areas, that information needs to be conveyed to the team member responsible for assessing the other area, the team leader, or the team as a whole. The information should be shared as early as possible in the process.

Please consult the "How To" documents for suggestions of what to look for within each of these documents relevant to specific issue areas.

1. Organizational charts for the facility and the agency that operates the facility;
2. Diagram, blueprint, or schematic of the physical layout of the facility;
3. Records of current staffing levels and schedules in each area and function of the facility, including records of staffing vacancies and actual schedules worked by staff;

4. Approved annual budget;
5. Current manual of policies and procedures, including all policies that pertain to classification, intake procedures, medical and mental health services, suicide prevention, visitation, mail, telephone calls, education and special education, indoor and outdoor exercise, recreation and other programming, training of staff, environmental issues such as sanitation and lighting, due process during disciplinary proceedings, use of force, room confinement, grievance procedures, isolation and restraints, as well as the process for policy and procedure changes;
6. Manuals and handbooks used in the facility, including handbooks given to youth at admission and health and mental health procedural manuals;
7. Records of outdoor recreation and gymnasium use for the past six months;
8. Special Incident Reports or other reports of unusual incidents at the facility, such as behavioral crises, fights, suicide attempts, and uses of force, for the past six months;
9. Reports on use of room confinement, isolation, and restraints, preferably by unit, for the past six months;
10. Suicide watch reports or records for the past six months;
11. Audits, inspections, or accreditation reports of inspections conducted by professional groups (e.g., American Correctional Association, state inspection agencies, or juvenile justice commissions) for the past two years;
12. Strategic planning reports written by the director of the facility;
13. Inspection reports from other public agencies, including health and sanitation, fire safety, and education/special education agencies for the past year or most recent inspection;
14. Grievances filed by youth or staff at the facility for the past six months;
15. Child abuse complaints or citizens' complaints relating to staff or treatment of youth at the facility for the past year;
16. Records of active lawsuits or investigations (both internal and external) involving conditions or treatment of youth at the facility;

17. Documentation of the facility's education/special education program, including staffing and professional qualifications, evaluation of youth at admission, educational curricula, class schedules, Individualized Education Plans, and transfer of education records when youth leave the facility;
18. Records of staff training for the past year and training materials;
19. Food service records, including menus and dietary guidelines;
20. Visitor and telephone usage logs; and
21. Documents that have been translated for limited-English speakers.

## CONDUCTING THE SITE ASSESSMENT

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### A. Logistics

The site assessment should be done in a way that is thorough, but minimizes disruption to facility operations. Team members will facilitate achievement of this goal by familiarizing themselves with the assessment instrument, reviewing documents beforehand, establishing responsibilities of the various team members, and following a schedule for the assessment.

The JDAI Site Coordinator or assessment team leader should schedule the assessment well ahead of time, and let the facility administrator know who the team will want to interview, and what members will want to see. If there are concerns about confidentiality of particular documents or records, the team and Site Coordinator should work with facility administrators to reach agreements about non-disclosure of particular information or alternative ways for the facility to provide the requested information. There should be a mutual understanding about the extent to which individual team members may talk to others about what they see during the assessment and their findings.

On the first day of the assessment, there should be a meeting of team members and key facility administrators and staff to confirm the assessment schedule and make needed adjustments in the team's plans. This meeting also provides an opportunity for the team to ask for clarification of issues arising from the information gathered during the document review.

Team participants should dress appropriately to put youth and staff at ease. Since staff dress casually in facilities, male members of the team will usually be more effective if they do not wear coats or ties. Female members of the team should avoid wearing tight-fitting or low-cut clothing. Everyone should wear comfortable shoes.

Most of the assessment should be done during the daytime, when programming is in progress, specialized professional staff are present at the facility (education, medical, mental health), and the higher number of staff assigned to living units than in the evenings may make it easier to pull staff aside and engage them in conversation. However, at least one member of the team should visit the facility at night in order to observe evening staffing, programming and sleeping arrangements. This is particularly important in facilities where the population exceeds the design capacity.

At the end of the site assessment, the team should conduct an exit interview with the facility director and other appropriate administrators or staff to go over general findings and areas of concern. This gives facility administrators an opportunity to clear up misconceptions, and to offer information about areas where efforts are being made even though problems may still exist. It is helpful, prior to the actual exit interview, for team members to meet to reach consensus on the issues they want to discuss, and also to determine whether there are last minute standards needing further investigation. The exit interview assures that facility administrators and the key staff who may be involved in corrective action have prompt feedback about the team's findings, and particularly areas in which the site assessment report will find non-conformity with standards or improvement needed.

## **B. Where to Go In the Facility**

On the first day of the site assessment, after the initial meeting with administrators, the team should walk through the facility, beginning with intake, following the path youth take when they come to the facility. The walk through tour provides a chance for the team to observe a range of conditions pertinent to specific standards. It also helps to orient the assessment team and to identify areas members will want to return to for closer attention. Starting with the sally port and intake area helps to see the facility from a youth's point of view. The inspection team should visit all areas of the facility in which youth spend any amount of time, including:

Intake and admissions area

Orientation unit

Medical/mental health examination area

Living units

Eating areas

Classrooms, vocational/trade shops, libraries and other special learning areas

Any areas where youth perform work

Exercise areas, indoors and outdoors

Recreation and free time areas

Isolation rooms

Restraint rooms

Visiting areas (for family and for attorneys)

### C. What to Observe

As the site assessment team makes its way through the facility, team members should observe a range of conditions pertinent to specific standards in the instrument. For example:

**General condition.** Is the facility clean? Well-lighted? Does it feel unusually hot or cold? Is there trash on the floor, or are there towels or dirty clothing? What is the “feel” of walking through the facility?

**Noise level.** Can people talk comfortably at a normal voice level or do they have to raise their voices to be heard? Does sound seem to bounce off the walls? Can two people have a quiet conversation in the common areas? Are the sounds the team hears of happy youth excitedly engaged in some activity, or angry youth expressing frustration with being locked down or not responded to?

**Odors.** Is there an odor in the living units? In the bathrooms around the toilets and showers? In the isolation rooms?

**Interactions.** Do staff interact regularly with youth or sit by themselves in the control areas? Are staff-youth interactions calm and supportive, or filled with tension? Do staff get along well? How do youth relate to each other?

**Activity level of youth.** Are youth busy most of the time during the day? If they are not in formal programming such as school, are they in structured exercise, recreation, or other activities? Do youth spend a lot of time sitting watching television or sitting in their rooms waiting for staff to finish administrative tasks?

**Visual environment.** Is the visual environment dull or interesting? Are the walls bland? What is on the bulletin boards?

Please consult the “How To” documents for suggestions on what to observe for each of the major issue areas.



## D. Whom to Interview

Site assessments should be scheduled for dates and times when key staff are available. For example, medical and mental health professionals may only be at the facility on certain days of the week. Teachers and the school principal may not be available for interviews during regular school hours. The schedule should also provide sufficient time to observe youth in a variety of settings and situations in the facility: in school, in group meetings on the living units, during organized exercise or recreation activities, during “free time,” at meals, and in the evening.

The team should interview the following at the facility:

**Youth.** Interviews should include a representative cross-section from regular living units (including girls units) as well as youth on “special” status such as disciplinary lockup and suicide risk status. There should be group interviews during meals and in common areas on the living units, and individual interviews in rooms on the units and other locations affording privacy.

Youth may be initially reticent about talking with team members. Team members should tell youth who they are, the purpose of the assessment, and what they are doing in conducting the inspection. Assessment team members should inform youth that they will not disclose the identity of youth who told them about particular issues unless they have the youth’s permission or the information must legally be reported (e.g., under child abuse reporting laws), and that the youth are not required to talk with them.

For some of the standards it may be necessary to ask questions in several different ways. Youth may be reluctant to talk about themselves, particularly with respect to experiences that were upsetting or embarrassing. It may be useful to ask questions like: “Have you heard anything about this going on?” “Do you know of this happening to other youth here at the facility?” “Are young people at the facility talking about this?” It is important for team members to be flexible and creative in their interviews, and to be “active” listeners -- to listen closely to what youth say, and to ask follow-up questions.

**Unit staff and supervisors.** There should be interviews with staff and supervisors from several living units (including girls’ units). Staff should be interviewed separately from supervisors, and as with youth, should be assured that team members will not disclose the identity of staff who gave them information unless permission is given to do so. Because there are huge differences between daytime and nighttime institutional life, and between the experiences of regular staff and as-needed staff, interviews should cover staff working different shifts and schedules.

**Medical and mental health professionals.** Interviews should include regular nursing staff, the medical director, the mental health director, the psychiatrist (who may have limited

hours at the facility and whose duties may consist primarily of monitoring medications), and social workers.

**Teachers and the school principal.** Interviews should cover educational testing and class placement for new youth, availability of previous educational records, curriculum, special education services, teaching environment, resources, classroom discipline, and transition back to previous school.

**Exercise/recreation director.** Interviews should cover schedules for daily indoor and outdoor exercise, exercise and recreation on living units, structured activities and “free time,” and other programming such as community volunteers, as well as how and why such activities are cancelled, and with what frequency.

**Food services administrator.** Interviews should cover nutritional value, variety, and appeal of menu items; sanitation and pest control in food-preparation and storage areas; supervision of youth who work in the kitchen; availability of and procedures for special medical or religious diets; and any problems with supplies of particular foods.

**Facility administrators.** In addition to a preliminary meeting, it is important to meet with the facility administrator at the end of the inspection. That way the team can ask about issues raised in earlier interviews and documents reviewed before or during the inspection.

**Others.** Other staff at the facility working in specialized functions can provide very useful information. Such people may include the grievance coordinator, head of the special disciplinary unit, volunteer activities coordinator, building maintenance staff, chaplain, programming coordinator, and the secretaries to facility administrators and other professionals. Other outsiders, such as a cross-section of parents or volunteers, lawyers who represent youth in the facility or court personnel, may provide information about the culture of the facility as well.

It is important to ask youth, staff and administrators about the same issues. There are often conflicting reports, even about seemingly straightforward matters such as visitation policies or availability of clean underwear and clothing. Significant variance in reporting is a red flag for further investigation. Interviewing youth and staff at all levels of the facility also provides the assessment team with a broad base from which to assess individual complaints. It is often difficult to ascertain the validity of such complaints, and the more information that team members have available, the easier it will be for the team to evaluate them.

In addition, interviewing a range of youth, staff, and administrators will help the team understand the culture of the facility. Do unit staff primarily function as guards in a facility focused on maintaining order and control, or as counselors in a facility aimed at providing support for troubled adolescents? Do staff have enough supports and available colleagues to do their jobs? Are they working overtime frequently? Do youth engage in normal adolescent behaviors, including occasional conflicts with peers and disobedience

of adult directions, or are they serious threats to the safety of other youth and staff at the facility? Is there a structured behavioral program that provides guidance and direction to staff and youth? Do the youth understand the program applications? Are administrators closely involved in facility operations (do they spend regular time on the living units, do they know the names of detained youth) or are they distant and removed?

Please consult the "How To" documents for additional suggestions on who to interview for each issue area.

## **REPORTING ON THE SITE ASSESSMENT AND FOLLOW UP**

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The site assessment instrument is formatted to enable team members to indicate "Conforms to Standard," "Does Not Conform to Standard," and "Findings/Comments" for each standard. On any standard to which the facility does not conform to the standard, the team should indicate how and why the facility does not conform, what efforts if any have been made to conform, why it may be difficult to conform, or why the standard does not apply. The team should also indicate the standards on which the facility needs improvement, even if practice conforms to the standard (e.g., policies could be more clearly written or data should be improved). The team may also choose to explain how the facility meets certain standards as well.

The goal is for facilities to conform to 100% of the standards. On any standard to which the facility does not conform, facility staff and administrators should develop a corrective action plan.

Following the site assessment, the team should prepare a narrative report that covers all areas of non-compliance, areas in need of improvement, and suggestions for corrective action plans. The report should be shared with the facility director before dissemination in order to pick up any factual errors. Then the report should be disseminated to the JDAI Steering Committee for the site, which should decide who else should receive the report and how to develop a corrective action plan. Normally, the distribution list will include the JDAI Site Coordinator, the JDAI Team Leader, the Casey Foundation, and key department heads at the facility (e.g., medical, mental health, education) who oversee areas where corrective action will be needed. While the assessment report is likely to fall within the definition of "public record," team members should adhere to any agreed upon limitations on disclosure of information, findings, and the report itself.

Site assessments should be conducted approximately every six months. The Site Coordinator is responsible for reporting to the Casey Foundation on progress made on corrective action plans.