

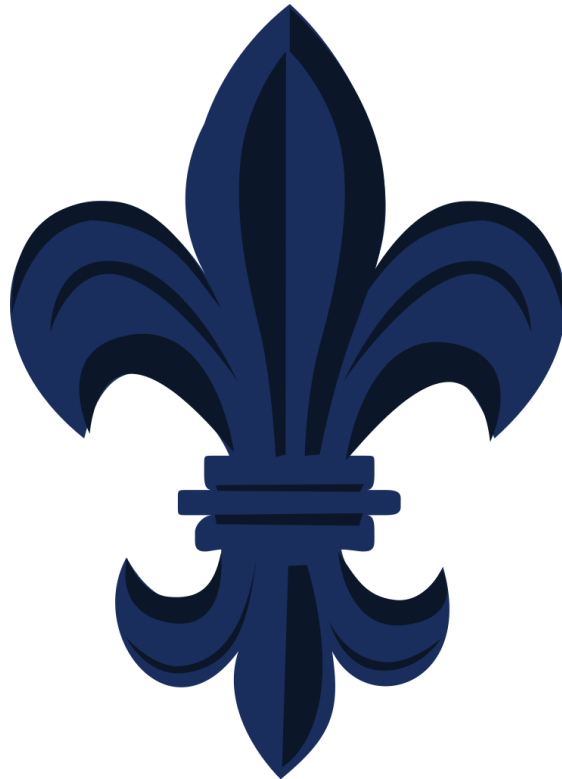
Orleans Parish JDAI Facility Assessment

YOUTH STUDY CENTER

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JDAI Facility Assessment Report

Youth Study Center



New Orleans, LA

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A special thank you to the YSC Superintendent, Director and Staff for their openness and willingness to assist the assessment teams throughout this process. Their commitment and cooperation is a testament to their dedication to self-improvement.

The individuals listed below all served on one or more assessment teams that visited YSC and measured the facility's conformance with the JDAI standards. Members of the facility assessment teams were divided into smaller teams of between two and four people, each of which assessed YSC in one of the eight individual areas of the JDAI assessment.

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Introduction to the Juvenile Detention Alternatives Initiative (JDAI)

In 2006 Orleans Parish became one of five JDAI sites across the state of Louisiana. Orleans Parish Juvenile Justice Court (OPJC) is dedicated to leading the efforts in New Orleans to implement JDAI. In the past decade, Orleans Parish has seen positive reforms as a direct result of being a JDAI site, including a substantial reduction in the number of young people in detention.

JDAI began 25 years ago as a pilot project intended to reduce reliance on local confinement of court-involved youth. The purpose of that initial project was to demonstrate that jurisdictions can safely reduce reliance on secure detention. Over the past two and a half decades, JDAI has expanded to 39 states, including over 300 counties/parishes. The initiative is based on the premise that juvenile detention generally leads to poor outcomes for children, and that the number of youth in detention could be significantly reduced without compromising public safety. Jurisdictions that have adopted the JDAI principles have dramatically reduced the number of children held in detention.

JDAI is a data-driven initiative, rooted in eight core strategies. JDAI seeks to eliminate the inappropriate or unnecessary use of secure detention, minimize re-arrest and failure-to-appear rates pending adjudication, ensure appropriate conditions in secure facilities, and redirect public finances to successful reform.

JDAI Facility Assessment

In alignment with the JDAI Core Strategies, the primary goal of JDAI is to reduce reliance on secure detention. JDAI has also emphasized the importance of maintaining safe and humane conditions of confinement in juvenile detention facilities. The JDAI juvenile detention facility standards, originally published in 2004 and revised in 2014, represent the most comprehensive and demanding set of publicly available standards for juvenile detention facilities. JDAI has developed a facility assessment process where a team of trained individuals from the community assesses its local detention facility for compliance with the standards. The team issues findings and recommendations that form the basis for improvements to policies, procedures, and practices. Officials in JDAI sites have used these standards and the facility assessment process to improve policies and ensure that their facilities reflect evolving standards of practice in the field. JDAI recommends that local sites conduct JDAI facility assessments every two years.

JDAI Core Strategies

1. *Interagency collaboration* to improve planning and coordination;
2. Use of *data*, including results tracking, *to drive policy* and program decisions;
3. *Reliance on objective criteria* and instruments to guide admission and sanctioning decisions;
4. New or enhanced *community-based alternatives* to secure detention;
5. Expedited case processing to *reduce lengths of stay* and speed the administration of justice;
6. Practices and policies to *eliminate* structural and personal biases that produce *racial disparities*;
7. Routine facility inspections to *improve conditions of confinement*; and
8. *Innovations to reduce secure custody* in “special” detention cases (e.g., violations of probation).

YSC FACILITY ASSESSMENT PROCESS

This assessment is the first JDAI Facility Assessment conducted at the Youth Study Center (YSC).

New Orleans has been a JDAI site for over a decade, but the local JDAI collaborative has not previously had the opportunity to conduct an assessment of YSC. Plans for an initial assessment of the facility were delayed by a lawsuit filed regarding conditions at YSC, the resulting consent decree, and the building of a new facility. In the spring of 2016, the JDAI Conditions of Confinement Committee resumed the process of planning for a facility assessment.

The Conditions of Confinement Committee first began to identify and reach out to potential assessment team members in the summer of 2016. Due to changes in the leadership of YSC, the Committee did not obtain approval to have assessment teams visit the facility and conduct the assessment until the summer of 2017.

During the summer of 2017, the Committee re-engaged team members who had previously agreed to serve on the assessment team and identified additional people to serve on the team. Consistent with JDAI standards, the Committee assembled a team with a diverse group of members with experience in various areas such as in the juvenile justice system, juvenile justice facilities, and medical and mental health fields. In September 2017, members of the Committee as well as staff from the Jefferson Parish Department of Juvenile Services, which has coordinated three assessments of the Rivarde Juvenile Detention Home in Harvey, spoke with the staff at YSC about the assessment process and what they had learned from going through facility assessments.

In mid-October 2017, the assessment team toured the facility and then began conducting site visits of YSC. The majority of the assessment teams' visits took place between mid-October 2017 and the end of 2017. Because some teams were unable to gather all the information they needed in one or two visits, follow-up visits were conducted in January and February of 2018.

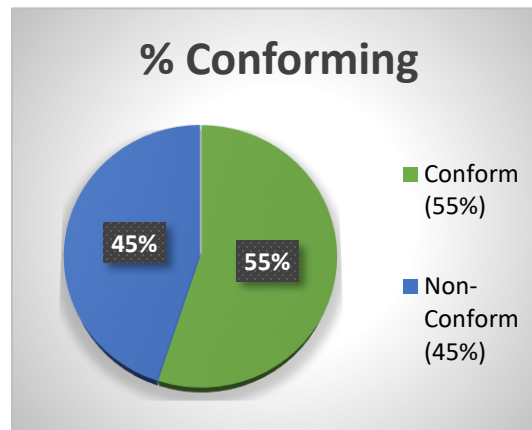
In total, assessment teams visited YSC on 19 separate occasions, reviewing documents and policies at the facility, interviewing staff, and speaking with young people who were detained at the facility. Those teams submitted their checklists measuring YSC against the JDAI standards, as well as some recommendations for areas of improvement, to the Conditions of Confinement Committee.

The Conditions of Confinement Committee reviewed the checklists and recommendations and came up with a proposed outline for the report. The Committee then checked these outlines and a draft of the report with the individual assessment teams.

OVERALL SUMMARY OF CONFORMANCE WITH JDAI STANDARDS

In total the Assessment Team looked at 538 standards, broken up into eight subject matter sections. The eight subject matter sections are:

- Classification and Intake (56 standards)
- Health and Mental Health (103 standards)
- Access (50 standards)
- Programming (71 standards)
- Training and Supervision (56 standards)
- Environment (100 standards)
- Restraints, Room Confinement, Due Process and Grievances (56 standards)
- Safety (46 standards)



The number of conforming/non-conforming standards was calculated by summing together the total number of conforming standards identified in each of the eight sections of the assessment. Many of the standards have several sub-standards. Only the overarching standard was counted in the total number of standards. Where a standard had multiple sub-standards, and at least one of the sub-standards did not conform to JDAI standards, the facility was deemed to be non-conforming vis-à-vis the overarching standard. In total, there are 538 standards, and the assessment teams deemed the facility to have complied with 294 of these standards—or 55%. (Appendix 1 contains a list of all the standards, a determination of whether the facility did or did not conform to these standards, and the reasons underlying any determination of non-conformance.)¹

¹ It is important to note that YSC is licensed by the Louisiana Department of Children and Family Service (DCFS). DCFS has established requirements for licensure, and this assessment did not attempt to assess compliance with those DCFS standards. The JDAI standards in many cases exceed what is mandated by the state standards for licensure.

SUMMARY

Although the Juvenile Detention Alternatives Initiative (JDAI) strives to minimize the detention of young people, JDAI also works to ensure that, when youth are detained, they are treated in a manner that satisfies constitutional and statutory legal requirements, as well as best professional standards of practice.

JDAI establishes that even though detention facilities house children under secure conditions, these facilities should not operate as conventional jails. Instead, JDAI begins from the premise that juvenile detention facilities exist to serve rehabilitative purposes. Thus, JDAI standards envision a nurturing and non-penal environment within detention facilities. The following report contains the results of the first JDAI assessment of the Youth Study Center (YSC), the juvenile detention facility for Orleans Parish. This is an assessment of the conditions of the YSC. However, these conditions are not exclusively created or controlled by the Superintendent and the facility staff. The conditions in the facility are the responsibility and creation of a range of stakeholders.

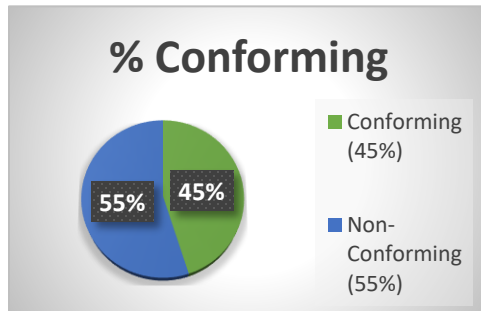
Overall, the assessment team found that YSC currently meets about half of the JDAI standards for facilities. The team found that there are several long-term staff members at the facility that care deeply about the children in their care. The facility collects and analyzes data about the youth at the facility, and strives to make changes based on patterns that they are seeing. Youth have their basic needs met, and the facility is clean and well-maintained. At the same time, the assessment team found that though YSC adheres to several important JDAI standards, there are ways in which the facility does not meet the rehabilitative atmosphere envisioned by JDAI's standards. Among the problems the team identifies: YSC relies heavily on room confinement to deal with behavior issues. YSC detainees frequently experience safety issues at the facility. And YSC's strategies for dealing with challenging behavior, such as disallowing visits or phone calls with families, isolates youth from important family supports. Although specific findings and recommendations will be outlined below, three overarching recommendations bear special emphasis:

- Individualized Case Planning: YSC should develop individualized case plans for youth at the facility. These case plans should address youths' social service needs; physical and mental health care needs; any accommodations necessary to ensure the safety of the youth; and a plan for services when youth are discharged from the facility.
- Language Access: YSC should facilitate communication with non-English-speaking youth. Several Spanish-speaking youth have been detained in the facility which indicates the need for the facility to develop a language access plan; provide translated versions of official documents and forms; and consider employing some Spanish-speaking staff.
- Formalize Policies, Practices and Documentation: YSC employs a variety of informal practices that conform to JDAI standards, but these practices are not officially provided for in the facility's policy manual. Similarly, the facility does not always formally document incidents that occur at the facility or interventions employed.

SECTION SUMMARIES & RECOMMENDATIONS

The ensuing sections summarize the findings of the subject matter assessment teams. Extra emphasis has been placed on the areas of non-compliance to guide the YSC towards a corrective action plan. Acknowledging these weaknesses is the only way to improve the conditions in the facility. Each section ends with specific recommendations for YSC to consider when formulating the Corrective Action Plan.

CLASSIFICATION & INTAKE



Detention can be a highly stressful and potentially traumatic event for a young person. From the moment the youth arrives at the facility, staff needs to gather information quickly, make critically important decisions, and address the young person's emotional, mental health, and physical needs. The Classification and Intake section address these "front end" considerations, including intake, criteria governing who comes into detention, housing, programmatic assignments to keep youth safe, and

mechanisms to reduce crowding and unnecessary detention. This section also covers the orientation process necessary for youth to understand what to expect in the facility, what rights they have and how to ask for services or help.²

Summary

There were a significant number of nonconforming standards in this section. However, the majority of them are due to circumstances that are outside the control of the facility, as described below.

YSC's intake process functions largely in line with JDAI standards, which mandate that a full screening, orientation, and classification of youth happen upon intake, in a confidential setting at all times. At YSC, youth being admitted to the facility are screened for several key issues. Youth are oriented to the facility largely in line with JDAI standards and are told about the various rules, procedures, and services available at the facility (though the assessment team did note that the handbook for youth is not written in a way that accommodates the literacy needs of all youth). They are also offered telephone calls, a shower, secure storage of their belongings, and food.

Once youth are admitted, the facility uses a classification tool to assign youth to appropriate units within the facility based upon the length of stay, gender, and seriousness of charges. The facility protects young people's confidentiality throughout the admissions process, screening and orienting youth in private locations, and keeping their personal information confidential except when they are required to disclose confidential information by court order.

YSC does fail to conform to JDAI standards calling for protections and considerations for youth who identify as LGBTQI. One staff member noted that the facility does not always inquire about a youth's sexuality or preferred pronouns, as the standards specify, but will instead treat youth as LGBTQI if they

² JDAI Standard Instrument, p. 9.

“have the symptoms.” This terminology concerned members of the assessment team. Also, YSC’s classification form provides for the automatic assignment of LGBTQI youth to a pre-specified unit – regardless of the anticipated length of stay or seriousness of charges – in violation of the JDAI standards. At the same time, the team did note that LGBTQI youth are not always assigned to this unit, indicating that there may be more flexibility in practice.

JDAI standards also call for the facility to have a robust set of services to cater to the needs of limited English proficient youth. Through the City of New Orleans, YSC does have access to a language line for translation during intake. However, the facility lacks a formal language access plan, and staff members have minimal ability to communicate with limited English proficient youth. Also, YSC lacks Spanish translations of its handbook and other orientation materials. (Spanish is the primary language spoken by limited English proficient youth at the facility.) Similarly, the facility lacks some necessary accommodations for youth with disabilities, though proactively reaches out to the court if they are unable to accommodate a young person with disabilities to seek to have the youth placed somewhere where his or her disabilities can be better accommodated.

JDAI standards anticipate that the facility will review data on youth who are admitted to the facility. The assessment team found that YSC reviews data in nearly all the areas suggested by the JDAI standards. However, the standards also indicate that the facility should have a plan for responding to overcrowding at the facility. When the assessment team visited the facility in late 2017, the facility was not overcrowded. However, the assessment team found no evidence of a written plan concerning overcrowding.³

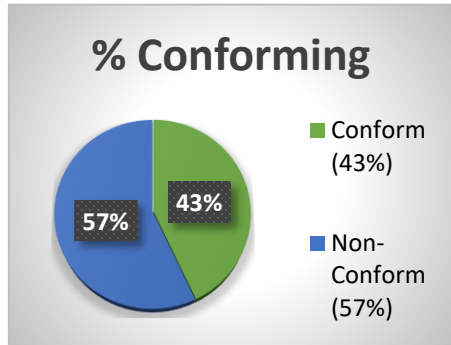
Finally, it bears noting that many “non-conforming” determinations concerned matters over which YSC itself exercises limited or no control. In New Orleans, initial detention determinations are made by court (and not facility) staff.

Recommendations

- As permitted by statute, OPJC (and other JDAI committees and relevant parties) should undertake to revise policies and procedures surrounding admission to ensure that admissions are made in line with JDAI standards.
- YSC needs to develop a formal plan for responding to circumstances in which the facility approaches or exceeds capacity.
- The facility needs to develop a language access plan, making clear how staff at the facility will communicate with limited English proficient youth and their families. While YSC has some ability to receive translation services over the phone, the assessment team found that the facility lacks staff who can communicate with the Spanish-speaking youth at YSC. Having at least one staff member who can assist in this manner would significantly alleviate YSC’s language-access difficulties.
- Staff should receive on-going training to ensure that LGBTQI youth are treated appropriately and with sensitivity, and develop written policies concerning the screening and intake of LGBTQI youth. (See also Training & Supervision.)

³ It bears noting that the facility has exceeded its 48-bed capacity at various points during 2018, though at the time of writing the facility is not overcrowded.

HEALTH & MENTAL HEALTH



Youth often come into detention with medical and mental health conditions needing prompt attention. Many youth have not received adequate health care in the community and have unrecognized health needs. Other youth have chronic medical or mental health care needs. Still, others have care needs arising from the incident leading to detention. The Health and Mental Health Care section highlights key elements in meeting the medical and mental health needs of youth, including prompt identification of conditions that require prescriptions or place the

youth at risk, follow up assessment of identified conditions, care for conditions identified through screening and assessment and provision of prescriptions throughout the youth's stay at the facility. This section also places a special emphasis on the identification and handling of youth at risk of suicide or other self-harming behavior.⁴

Summary

The assessment team found many nonconforming standards in this area, primarily related to mental health services at the facility. Overall, the team found that the majority of standards relating to medical services at the facility conformed to the standards.

The JDAI standards require that facilities have a qualified medical professional on site at all times. When the assessment teams visited the facility, they found that a nurse regularly staffed the facility, and a doctor visited the site two mornings per week. (Youth and staff have reported instances in which medical personnel have been altogether absent from the facility, violating JDAI standards – however, this absence may have been due to the changes in medical services at the facility).⁵ The standards further indicate that all youth receive a medical screening designed to detect any urgent health needs and to identify any ongoing health concerns requiring immediate attention. At YSC, each youth receives a medical screening that covers nearly all of the topics suggested by JDAI standards, including recent injuries, current medication, allergies, any health problems or complaints, signs of recent trauma or intoxication, appearance, etc. When the initial screening indicates that a young person may have a medical issue, he or she is promptly referred for additional treatment and receives this treatment promptly.

Following their admissions screenings, youth receive a full health assessment within one week of admission to the facility. The team found that the medical portion of the health assessment largely conformed to the medical assessment anticipated by the JDAI standards, though the team had numerous concerns regarding follow-up assessments for mental health services (as further detailed below). Ongoing medical services also largely conformed to JDAI standards; youth can request medical services, and receive care as needed. Those youth that require more services than are available at an outpatient clinic

⁴ JDAI Standard Instrument, p. 22.

⁵ It should be noted that following the assessment team's visit to YSC, the facility entered into a new contract for medical and mental health services. Therefore, some services may now be different from those that the assessment team observed, though it is not clear if all of the new services have begun at the time of writing.

visit will be transported to a medical facility off-site (though parents have reported not always having been immediately alerted of their children's admission to the hospital, as required by JDAI standards).

The team did find that tools and medications that should be immediately available to all facility staff (such as inhalers, epi-pens, and rescue tools to aid if a youth attempts suicide) were not kept on the living units and were only accessible to a small number of facility supervisors. Waiting for a supervisor to arrive with the key to the medical clinic or with a rescue tool can cause dangerous delays, and the team stressed the importance of having these tools immediately available.

Of greater concern to the assessment team was the limited availability of mental health services at YSC. JDAI standards envision a robust mental health treatment program overseen by an on-staff psychiatrist. At YSC, there is no psychiatrist, but a medical psychologist visits the facility two mornings per week and prescribes psychotropic medication for youth who require it. Beyond that, however, mental health support is limited. YSC's social workers have limited time with which to counsel young people at the facility, and mental health/suicide screenings are not always completed upon admission because social workers are present only during daytime hours. This latter fact was of particular concern to the assessment team, given that youth are most at-risk of suicide during the first 24 hours after their admission.

The assessment team also had concerns about the mental health staff's lack of input on disciplinary issues at the facility. Mental health staff are regularly contacted when youth are put on suicide watch, and suicide logs are consistently kept. But according to the assessment team, mental health staff are not regularly contacted about room confinement determinations or the use of physical restraints and force. Including mental health professionals in these decisions can ensure that their perspectives can inform these decisions, and ensure that when these interventions are used, that mental health staff can follow-up with youth to debrief them on these incidents. Similarly, the team was concerned about the prolonged use of seclusion for certain youth without clearly documented assessments and de-escalation plans for returning youth to the general milieu.

The team also had serious concerns about record-keeping. The team did not see consistent documentation of psychological assessments or individualized treatment plans for youth pursuant to JDAI standards. The team also noted a lack of written orders documenting decisions to place individuals on suicide watch. The team was unable to determine whether these documents do not exist or have not been included in the youths' medical/mental health files. The team was concerned that important information that is necessary to inform youth's treatment at the facility is either not being collected or is kept far too informally, which would create problems if another provider ever needed to step in to provide services, or when youth are discharged from the facility.

While JDAI standards indicate that medical files should be kept separately from a youth's confinement record, to protect confidentiality, the team found that medical records at the facility were overly segregated. Specifically, the team found that the records are broken up into parts that would not allow someone viewing a young person's medical record to see all relevant information. For instance, medical and mental health records from a youth's previous incarceration were not included in the medical file even though those records are presumably located at the facility already. Similarly, intake assessments for mental health and suicide risk were not always completed, or at least not included in charts. Perhaps most notably, the psychologist's records were not kept in the youths' primary medical file. Again, the team was

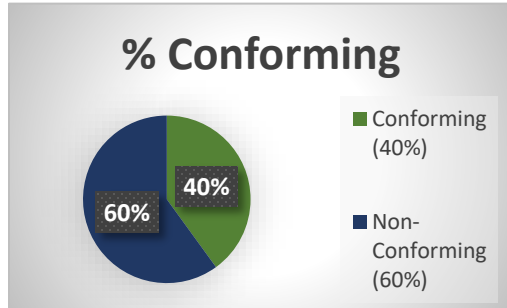
concerned that the segregated nature of these files would make it very difficult for another provider to take over treating youth when they are discharged or if any providers depart YSC.

Finally, the team had concerns about communication with family and medical providers outside the facility on subjects such as discharge planning for youth with mental health needs. Staff at the facility reported that they do not always have an accurate accounting of what services a child was receiving before entering custody. And based on the team's review of files and conversations with staff, when young people are discharged from YSC, they are simply given a list of community mental health providers, and the continuity of their treatment is not ensured.

Recommendations

- The facility should ensure that a standardized mental health assessment is being completed for every youth who enters the facility upon admittance – and once these assessments are completed, that they are included in the medical file.
- Health and mental health staff should ensure that youth with mental health needs at the facility have individualized plans for treatment that include therapeutic practices being pursued at the facility in addition to any medication that may be prescribed to youth.
- YSC should make every effort to involve medical and mental health staff in the development of individual case plans for youth, and when navigating the aftermath of use-of-force or restraints incidents (while continuing to protect youth's confidentiality regarding medical or mental health treatment).
 - Staff should conduct assessments for all youth who are placed in seclusion and create de-escalation plans for returning them to the general milieu.
- The facility needs a better record-keeping system for health and mental health records – perhaps even an electronic medical records system. YSC should ensure that all of a youth's health or mental health information is contained within a single medical file, whether electronic or on paper. If youth are re-admitted to the facility, new information can be easily added to these records.
- Rescue tools and emergency medicines should be kept in locations that are immediately accessible, including on living units.
- The medical and mental health staff at the facility needs to create better discharge planning for services in the community.
 - Staff should connect discharged youth to outside providers when those youth need continuing services and do not have a preexisting relationship with services in the community.
 - Staff should ensure that all records of treatment and medication are provided to youth and their families when they leave the facility.

ACCESS



Success in the community is often linked to the supportive relationships that youth have with family and others. This section addresses the rights of detained youth to have access to the outside community through visitation, correspondence and access to the telephone. It also addresses the need for youth to be able to visit with and communicate with their attorneys and other advocates about their cases, problems in the facility, or other issues requiring legal assistance.

Standards also ensure that administrators and staff value the input and participation of families.⁶

Summary

The assessment team found that the facility meets the access standards in certain respects, but that significant challenges remain.

JDAI anticipates that detention facilities seek to support the bond between detained youth and their families, and there are many ways in which the facility aligns with JDAI standards. The facility holds periodic events for families, such as holiday gatherings, and these events are well received and well attended. YSC administrators and staff generally treat parents respectfully and communicate regularly with them.

Youth at YSC have access to a library, can send mail for free and – with some important exceptions discussed below – can make phone calls free of charge to family members and visit weekly with parents and siblings. The facility does not bar visitors to the facility based on their criminal history. Parents receive an orientation regarding policies for visitation and communication with youth at the facility.

The facility's approach to discipline does contravene JDAI access standards. Chief among these issues is that the facility's behavior management plan calls for the reduction (and sometimes complete removal) of family and community support as a consequence of bad behavior. Youth can lose some or all of their phone calls or visits due to behavioral issues.

Furthermore, the facility's visitation schedule is more restrictive than what JDAI standards prescribe. YSC allows for only one visit per week with parents and siblings, to occur on a weekday evening, and one visit a month with extended family, to occur on a weekend. JDAI standards, by contrast, envision multiple visits per week with family (broadly construed) and other supportive adults, scheduled at times that accommodate these visitors' schedules. Also, YSC requires that family members must present state-issued identification, whereas JDAI standards disfavor that approach. And YSC has not created a formal process for permitting other supportive adults to visit young people in the facility, whereas JDAI standards encourage facilitating visitation by these individuals as well. (It should be noted that YSC does appear to relax some of these requirements on an informal basis.)

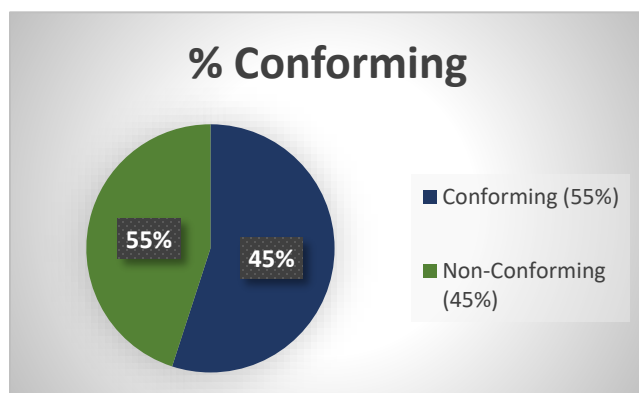
⁶ JDAI Standard Instrument, p. 47.

Finally, much of the communication between YSC and families remains informal – *i.e.*, phone calls between facility administrators and parents – and the facility has not developed a means by which parents can publicly interface with YSC staff (such as at family forums), file grievances on behalf of their children, or have input into the facility’s policies regarding family members’ access to the facility. Some parents have reported not being informed about major incidents involving their children, and parents are rarely included in discharge planning for youth. Language access is also an issue; non-English-speaking family members have encountered special difficulties in communicating with YSC staff.

Recommendations

- The facility should not limit visitation with family and phone calls as a means of disciplining youth in the facility.
- The facility should strive to make more times available for visitation, including additional times on weekends if needed, and to allow extended family to visit more than once per month.
 - To the extent that the facility is already informally allowing more frequent visitation and visitation from non-immediate family members, the facility should formalize these policies in the policy manual and in accompanying materials, so as to ensure that families understand exactly how and when they can request a variance from the standard procedures, and to ensure that these policies are applied fairly.
- The facility should adopt a more formal means for family engagement, including regularly scheduled parent forums, a means for families to submit grievances, and a way for families to provide input on their access to the facility.
- The facility should consider hiring staff who can communicate with Spanish-speaking families.

PROGRAMMING



Youth in detention are, first and foremost, adolescents. They need to be involved, to the extent possible, in the same kinds of age-appropriate, healthy, educational activities youth would experience in the community. This section outlines the requirement that detained youth receive a full academic education, with special services for youth with disabilities or limited English proficiency. Youth are also entitled to go outdoors regularly, engage in physical exercise,

*participate in a range of recreational activities and have the opportunity to practice their religion. This section also covers the ways youth are encouraged and motivated through positive reinforcement and incentives for good behavior.*⁷

⁷ JDAI Standard Instrument, p. 53.

The assessment team found that the facility conforms to many of the JDAI standards regarding education and religion, while conformance to standards regarding programming, positive reinforcement, and youth with special needs was more mixed.

Summary

Education

The school at YSC is the Travis Hill School (THS), operated by the Center for Educational Excellence in Alternative Settings through a contract with the Orleans Parish School Board. Now in its second year of full-time operation, THS was found by the assessment team to provide high-quality education, and its services meet many of the JDAI standards. THS offers a full-time school, at which students take the same assessments they would take in the community and receive appropriate services to accommodate any educational disabilities. Overall, the assessment team found that students respond positively to their teachers and other school staff and are making meaningful progress toward graduation. Students are by and large receiving the individualized supports that they need to be successful, and that are required under state and federal law. The team also noted that the teaching staff has access to high-quality professional development materials, and that the lessons they observed appeared engaging and rigorous. Although THS does not offer formal schooling over the summer, it does permit students to participate in numerous not-for-credit classes and activities during this period.

While most students are in school for most of the time that they are in the facility, the team did develop concerns about school absences resulting from physical altercations and violence at the facility. JDAI standards indicate that students should attend school for a full school day unless they present a continuing danger to other youth or staff and that non-attending youth should receive an education program comparable to what is offered to youth physically attending school. At YSC, many students routinely miss school, sometimes for days at a time. When students miss school, they receive minimal educational programming (especially in the way of general education services) and often spend the time that they should be in school in their living units, engaging in unstructured free time.

Programming

JDAI standards anticipate that youth will be out of their rooms except during sleeping hours and for very brief periods during the day. The standards also provide that youth should spend the day engaged in structured recreational, cultural, or educational activities, as well as in some unstructured free time. As noted above, the majority of youth participate in high-quality educational programming daily. The assessment team observed some amount of outside-of-school programming during the week after school hours, including music classes. But it also noted that there is a considerable lack of programming – and an excessive amount of unstructured free time – during the weekends, during which youth are often on their units watching television.

JDAI standards call for one hour of large muscle exercise on weekdays, and two hours on weekends. The standards also indicate that this recreation time should occur outdoors whenever possible. Although YSC typically manages to guarantee one hour of recreation time on weekdays, it sometimes fails to hold recreation time outdoors, even when the weather is amenable. Facility policies also do not provide

for the second hour of recreation time on weekends, though in practice additional recreation time is often made available.

Youth have access to books and can keep books in their rooms. But, in a policy that is more restrictive than JDAI standards, they are limited to books that are housed within the school library or sent to them via the public defender's office. Youth generally do not have access to art and drawing supplies on their living units. The facility also lacks substantial gender-specific programming for girls, and it lacks special programming for youth who are also parents. Youth report that there is no formal way that their feedback is solicited regarding programming at the facility (though the youth interviewed indicated that their primary desire was for increased recreation time, and that they have felt comfortable making this known to facility administrators).

The most significant programming-related defects involved youth in restrictive custody, including room confinement. Team members observed that these youth had insufficient access to programming and recreation. As noted above, youth excluded from school or other programming appeared to have a significant amount of unstructured free time during the day.

Religion

The assessment team found that the facility honors youth's religious beliefs, conforming to the JDAI standards. YSC accommodates young people's diets when needed for religious reasons, and the facility allows youth to engage in religious activities consistently. YSC has a weekly nondenominational chapel service on Sunday mornings. Youth are not forced to attend the services, though an interview with a staff person indicated that youth who decline to attend the services often end up doing chores on their units or engaging in unstructured free time. JDAI standards anticipate that youth will be able to engage in an alternative recreational activity during religious services if they choose not to attend the services.

Behavior Management

The assessment team found that while youth report some close relationships with staff who serve as positive role models, much of the facility's behavior plan is focused on negative rather than on positive reinforcements. On balance, YSC officials appear more inclined to punish bad behavior – through such penalties as room confinement and privilege revocations – than they are to reward good behavior. The facility does not create individual behavior plans for youth focused on their specific needs and motivators.

Youth with Special Needs

Conforming to JDAI standards, the facility is generally accessible for young people with physical disabilities, and YSC will work to make programming accessible for them. The facility has not encountered the need to have services for youth with hearing impairments or who are blind or have low vision. Nevertheless, the facility concedes that they do not have a plan in place for what they would do if young person with one of these disabilities were to be admitted to YSC, including a plan for providing the visual/auditory aids and interpreters that are anticipated by JDAI standards.

As noted elsewhere, YSC has not fully established processes for communicating with limited English proficient youth. The facility's primary access to interpretation services for limited English proficient youth is a language line through the City of New Orleans – and in accordance with JDAI standards, youth

are not charged for these interpretation services. But there is no in-person interpreter, which can make accessing some programming difficult.

Recommendations

Education

- Students should be in school when at all possible; when that is not possible, they should be getting a commensurate education on their units.
- When youth are held out of school, protocols should be developed to ensure youth are returned to school as soon as possible.
- The facility should work with the school and include the school in conversations about who will not be attending school and how best to accommodate those students.
- The school should consider creating a means for students to earn credit over the summer.

Programming

- Youth should not miss recreation time or programming while on room confinement.
- The facility should strive to maximize youth's outdoor recreation time, which may mean increasing the number of hours of recreation each day to accommodate each living unit.
- The facility should work to create more formal opportunities for programming – particularly for girls, and especially on weekends.
- The facility should create a formalized means for youth to provide input into programming at the facility, such as surveys or forums.

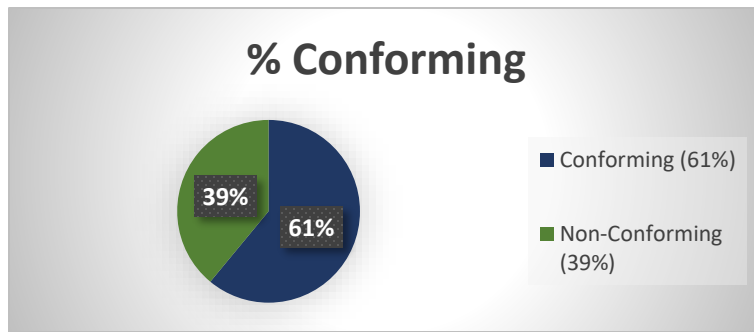
Behavior Management

- The facility's behavior management plan should focus more on positive reinforcements, rather than taking privileges away from youth for poor behavior.
- As part of youths' individual case plans, the facility should create individualized behavior plans for youth at the facility with the input of mental health and educational staff, and focus on addressing youths' behavior issues with specifically targeted solutions.

Youth with Special Needs

- Though the facility has not encountered the need for services for youth with visual or auditory impairments, policies and procedures should be developed in case the facility requires them in the future.
- As indicated throughout the report, the facility should consider hiring Spanish-speaking staff to be better able to communicate with limited English proficient youth or have reliable access to an in-person interpreter.

TRAINING AND SUPERVISION



The quality of any facility rests heavily upon the people who work in it. This section requires that the facility hire properly qualified staff and provide the necessary pre-service and continuing training they need to work with troubled youth. Staff should also perform their work in an operational setting that enables them to do their work well –

through appropriate staffing ratios and proper administrative supervision. The section further requires that facility staff engage in ongoing quality assurance and self-improvement through documentation of serious incidents, citizen complaints, and child abuse reports.⁸

Summary

When it comes to the training and supervision of staff, YSC conforms to approximately three fifths of the JDAI standards.

The facility conducts proper background checks for new employees – doing multiple criminal background checks and checking DCFS and other child abuse registries. YSC’s requirements for educational qualifications for staff also meet JDAI standards; all staff has either two years of college or a high school diploma and two years’ experience working with youth. Much of the supervision of staff also happens in conformance with JDAI standards. Supervisors do random walk-throughs of the facility, and the staff is disciplined (up to and including termination) when they violate the policies. However, some of these procedures (specifically the walk-throughs and the lack of notice) are not memorialized in the facility’s policy manual, which would be best practice.

The logs that the assessment teams saw indicated staffing at a ratio of 1:8 staff to youth during daytime hours and 1:10 staff to youth during sleeping hours, meeting or exceeding JDAI standards. YSC uses cameras to supplement but not replace supervision by direct care staff. One concern the assessment team had was that social workers at the facility – who are intended to provide counseling to youth, and not to serve as supervisory staff – are frequently called upon to substitute for Juvenile Detention Counselors (JDCs).

The facility’s staffing plan is generally followed, though the policies reviewed by the team do not specify that additional “floater” staff be available for emergency situations when additional staff may be needed. JDAI standards indicate that facilities should comply with their staffing plans in all but the most limited and exigent circumstances, and should log any deviations from the staffing plan, but the assessment team did not see any such logs.

At YSC, new staff receives 40 hours of training before beginning work, including CPR, mandatory reporter training, and Safe Crisis Management (SCM) training, which covers many of the topics required by JDAI standards.

⁸ JDAI Standard Instrument, p. 64.

The assessment team found inadequate training on working with LGBTQI youth, as that topic is covered only during Prison Rape Elimination Act (PREA) training. The team also found that there is insufficient training on how to accommodate gender-specific needs and the needs of pregnant girls. The team found that while there was training on mental health needs and responses, it was primarily from a public safety perspective rather than from the perspective of effectively meeting the needs of youth. There is no training on trauma-informed care for youth who have experienced significant trauma, as many if not most of the youth at YSC have.

At YSC there is significant turnover among staff. According to YSC administrators, while the facility can hire candidates to fill vacant positions, attracting quality candidates has been difficult, and – according to one administrator – there is a bit of a “revolving door” for staff members. Thus, there are frequently very new staff members who are called upon to perform very challenging work. While they do receive the training required of all staff before beginning work, they may not be around long enough to receive the additional training that the facility offers.

When it comes to the reporting of abuse and neglect, the assessment team found that there is not a clear policy for youth to report abuse or neglect, and it is not clearly stated in the policies that youth will not suffer retaliation for making such reports.

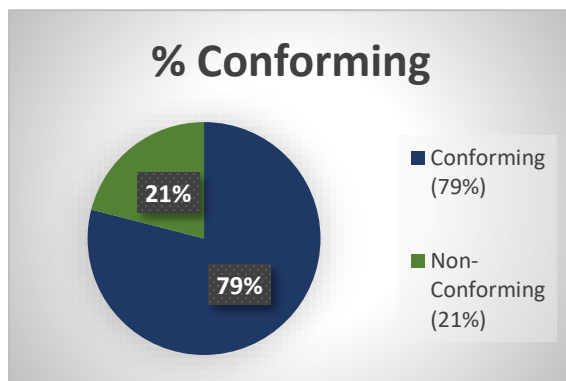
Finally, regarding quality assurance, the assessment team found that YSC does undertake a review of major incidents (including violence, use of restraints, use of room confinement, etc.). However, they also found that this review is less formalized than what is called for by JDAI standards, which mandate a weekly review of major incidents by a facility administrator and also that a committee set performance goals and improvement plans for the facility. The team did view some reports regarding incidents, but no general improvement plan for the facility, or analyses of whether performance goals had been met.

Recommendations

- YSC should make sure that its policies clearly outline appropriate staffing ratios, include plans for when to use additional staff members (“floaters”), and make clear when non-supervisory staff may be called upon to substitute for JDCs.
 - YSC should seek to limit the amount of time social workers spend acting as JDCs.
- The facility needs to invest in additional training.
 - Perhaps the most serious need for training identified by the assessment team was for mental health first aid training, and trauma-informed interventions training that is designed by mental health professionals rather than training that is framed solely in public safety terms. This training seems particularly necessary given concerns raised by other assessment teams about the facility’s responses to youth’s mental health issues.
 - YSC needs to offer training for staff on LGBTQI issues, especially given concerns noted by other assessment teams.
 - The facility should also have a policy on how to accommodate gender-specific needs, including those of pregnant young women, and youth who have experienced trauma.
- The facility should also attempt to find ways to attract high-quality staff and keep them at the facility, to avoid frequent turnover.

- YSC needs to formalize its policies in certain areas regarding training and supervision. Various positive things are happening in actual practice that nevertheless are not included in YSC's policy manual.
 - The policy manual should reflect the daily facility tour by the director and superintendent, and should also include the prohibition of staff warning other staff about the supervisory tours around the facility, as they are supposed to be random.
 - The manual should also make clear the reporting procedures for youth, make clear that they will not suffer any retaliation for making such reports, and note the policies for informing youth of the status of their claim.
- The facility needs to formalize its quality assurance program to ensure that major incidents are being regularly reviewed at least weekly.
 - Performance goals should be established and plans developed for how to reach those goals.

ENVIRONMENT



Juvenile detention facilities should not look like or be operated as jails. This section encourages facilities to provide a non-penal environment appropriate for youth who need to be held in a secure setting. It requires that the facility is clean, meets fire and safety codes, has properly functioning temperature controls, light and ventilation and offers youth appropriate living conditions. This section also encompasses quality of life issues – assuring that youth will have clean, properly-fitting clothing; pleasant, healthy eating experiences;

permission to retain appropriate personal items; and some measure of privacy.⁹

Summary

The assessment team found the environment at YSC to be largely in conformance with JDAI standards.

The team found that the facility was clean, well-maintained and that people throughout the facility are treated respectfully. The physical plant is set up to accommodate youth with disabilities, and to afford youth appropriate living space and privacy. Youth eat together with staff in a cafeteria, and the assessment team found that food was nutritionally appropriate and sufficient in quantity (though some youth have complained about the quality and repetitiveness of the food offerings). Young people at YSC also have appropriate access to sinks, toilets, and showers, in conformance with JDAI standards, and generally have some measure of privacy.

Youths' access to clothing and hygiene supplies is also generally in line with JDAI's standards, although the assessment team noted that many of YSC's conforming practices (such as cleaning schedules) are not codified in the facility's policies, which will be an easy fix for the facility to make. Some

⁹ JDAI Standard Instrument, p. 77.

youth have complained about the quality of the soap products provided by the facility, noting that the soap has irritated their skin.

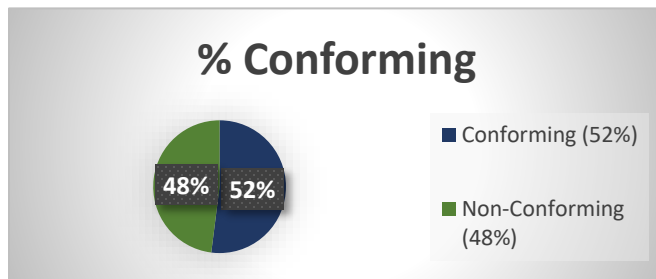
While the assessment team appreciated the clean, well-maintained, and accessible nature of YSC's facilities, it did find that some of the facility looked very much like a traditional jail. While some parts of the facility, particularly the school, have decorations to reflect a non-penal environment, the living units and individual rooms are sterile and drab. Youth are not permitted to personalize their living units and thus inhabit bare and dreary rooms. Common areas are noisy due to loud televisions and air vents.

Regarding the safety of youth and staff in the building, JDAI standards anticipate that facilities should have emergency plans that detail what will happen during fires, severe weather, natural disasters, disturbances or riots, national security issues, and medical emergencies. While the assessment team found that the facility is set up with appropriate exits, sprinklers and fire alarms, the team also noted that the emergency plan only covers hurricane evacuation scenarios, while leaving other sorts of emergency situations unaddressed. Furthermore, the emergency plan remains barebones in important respects. It does not include how staff should maintain contact with each other or provide notification to youth's families; a means of securing assistance from outside agencies or services for youth with physical/mental health needs; and how to transport medication from the facility during an emergency. Similarly, the fire plan is limited to a single scenario (a scenario in which the fire alarm is pulled), and it has not been approved by the fire marshal. Staff reported that only the maintenance team has been trained in the use of fire extinguishers and that they do not have ready access to Automated External Defibrillator (AED) and first aid kits.

Recommendations

- The facility should work to ensure that YSC does not look so much like a jail, particularly on the living units. While safety concerns and physical architecture impose some limits in this respect, YSC can still do more by allowing youth to personalize their living spaces and making the common spaces look less sterile.
- The facility should monitor the volume level of the TVs and air vents on the units to ensure they are not too loud.
- The facility should revise its emergency operations plan to comport to JDAI standards and make sure that it addresses a range of different emergency scenarios.
- The facility needs to improve its fire plans and ensure that its fire plan is approved by the fire marshal. It should also train all staff in the use of fire extinguishers.
- The facility should ensure that emergency equipment such as AEDs and first aid kits are readily accessible to all staff.
- YSC should update its written policies to document its cleaning and hygiene practices, and the facility should address the issue of the soap provided to young people in the facility.

RESTRAINTS, ROOM CONFINEMENT, DUE PROCESS AND GRIEVANCES



Security and good order in a facility are best exercised when expectations are clear; the facility encourages compliance with rules through positive behavior interventions; staff are well-trained to help prevent and de-escalate crises, and there is a positive relationship between youth and staff. This section addresses what happens when those protective factors are

insufficient. This section includes the facility's rules for restraint, use of physical force, room confinement, discipline, provisions for due process, and disciplinary sanctions. This section also addresses the facility response to concerns and complaints by youth through an effective grievance process.¹⁰

Summary

YSC conformed to the majority of basic requirement in this area, but overall the assessment team found that there were numerous areas where the facility fails to conform to the JDAI standards.

The assessment team found that many of the structures and policies at YSC are set up in accordance with JDAI standards. The facility does not deprive youth of their basic rights (such as bedding, food, etc.) as part of its discipline procedure, and corporal punishment is never permitted. YSC's official policies regarding use of force and restraints are in substantial conformance with the standards. Similarly, the types of restraints used (except leg shackles and certain restraint positions) are in line with the standards. YSC has various mechanisms set up to protect youths' due process rights, including a grievance procedure.

However, the assessment team found that in actual practice, there are many ways in which practices at YSC do not conform to the JDAI standards. For instance, the assessment team found that the facility has a well-developed grievance process, and youth are aware of their ability to submit grievances. Nevertheless, the team found no evidence that the grievance process has resulted in meaningful institutional responses to registered concerns, or even that youth receive responses to their grievances.

JDAI standards do anticipate that room confinement may need to be used in specific situations, for very limited amounts of time, and only when immediate harm is anticipated. In contrast, the team found that room confinement is used liberally at YSC, and that youth are at times placed in room confinement for many hours, frequently for "major rule violations" (even when continuing harm is not anticipated).

JDAI standards call for a graduated series of interventions in response to disruptive incidents. The team found that YSC staff does not always adhere to this approach and instead unnecessarily escalates its response in certain cases. Decisions to use restraints or to place a youth in room confinement are made exclusively by facility administrators, without the input of mental health staff in the facility. The team found that the facility did not create individualized behavior plans (with the assistance of mental health staff) to manage the behavior of youth in the facility who are exhibiting behavior challenges.

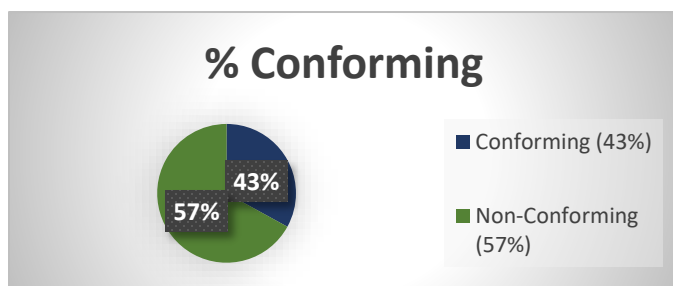
¹⁰ JDAI Standard Instrument, p. 90.

The assessment team also found issues concerning the documentation of the use of restraints and room confinement. JDAI standards suggest that a facility maintain a record of each use of restraint or room confinement and that the record contain a description of what necessitated these interventions. However, the assessment team found that this documentation was often lacking. As a result, it was difficult to analyze the appropriateness of past uses of force/restraints. Relatedly, the assessment team found that following the use of force, restraints or room confinement, the facility failed to organize a debriefing with relevant detention, medical, and educational staff.

Recommendations

- As part of youths' individual case plans, the facility should create individualized plans to address the problematic behavior of youth to avoid heavy reliance on restraints and room confinement. These plans should employ a graduated series of interventions before resorting to restraints or room confinement.
- When restraints and room confinement are used, the facility should involve mental health staff in the decision to use these disciplinary measures.
- The facility should ensure that room confinement is not used other than as a temporary response to behavior threatening immediate harm to the youth or others.
- The facility should ensure that there is a consistent review of incidents involving all relevant staff at the facility, involving mental health providers and education staff.
- The facility must ensure better documentation of incidents and responses, documenting what led to the use of force/room confinement.
- The facility must ensure that the investigation of grievances is meaningful, and that youth are informed about the resolutions of their grievances.

SAFETY



Although safety is the last section of this assessment tool, physical and emotional safety for youth and staff is the overarching principle underlying all of the other sections. This section identifies the facility's responsibilities to protect youth and staff, respond quickly and appropriately when incidents occur, provide support to alleged victims and investigate allegations of misconduct.¹¹

Summary

The facility's conformance to standards concerning safety is mixed.

There are several areas regarding safety that conform to JDAI standards. The facility takes security precautions to keep weapons or contraband away from the youth and staff – specifically, staff members are taught to store actual and potential weapons securely, and the facility has a formal process for checking employees into and out of the facility. The facility also takes concerns about abuse and neglect seriously.

¹¹ JDAI Standard Instrument, p. 106.

YSC appears to report all suspected and actual abuse, neglect, and maltreatment to the appropriate agencies. Facility staff conduct routine room checks when youth are in their rooms, and routinely document these checks for youth whom the facility has designated as being at risk for suicide.

The assessment team did find significant safety concerns at the facility. There have been, particularly in recent months, instances of fighting between youth and, in response, the use of force by the staff. As noted in other sections of the report, there has been frequent use of lengthy room confinement as a response to behavior. JDAI standards anticipate that youth who pose behavioral issues have individualized behavior plans to help them to address their behavioral issues, but the assessment team noted that many youths receive the same series of interventions, many of them negative rather than positive reinforcements.

The assessment team found that the facility does not always properly document and report incidents or responses involving both youth and staff, as JDAI standards require. Following an incident, there is not always a formal debriefing with all relevant staff. While administrators report that they do informally discuss safety incidents regularly, mental health and education staff are not always included in these conversations, and the process for analyzing incidents has not been formalized.

Likewise, the investigation of incidents at YSC appears to be less formal than what is called for by JDAI standards. While the facility does investigate incidents and appears to take swift action to deal with employees who improperly use force or otherwise act inappropriately with youth, many of these investigations are informal and conducted by a single administrator. The administrator conducting investigations has received a mandatory reporter training but does not have specific training in how to conduct investigations. Per interviews, the limited involvement of staff is due to staffing limitations – there are not enough staff to include multiple staff in investigations.

Finally, and as noted above, the facility has a clear grievance policy and youth are well aware of their ability to submit grievances. However, there is no indication that the facility engages in a meaningful investigation of these grievances. Youth interviewed by the assessment team disclosed that while they understand how to submit grievances, doing so would be “pointless,” because they frequently do not even receive responses to their grievances.

Recommendations

- The facility’s behavior plan should include more focus on restorative practices regarding safety issues, and staff should receive more training on de-escalation so that the facility does not have to resort to the use of restraints and room confinement except in rare situations where immediate harm is anticipated. The current behavior plan includes room confinement or loss of privileges as a large component.
- The facility should create individual behavior plans for those youth for whom behavior is a problem, and include these in youths’ individual case plans.
- YSC should formalize its investigation process and procedures in its manual and in practice. The facility should also endeavor to include more staff in investigations and more staff in debriefings regarding the use of force or restraints, particularly mental health staff.
- YSC should investigate grievances fully, and report back to youth on the status of their grievances so that young people in the facility feel that they have recourse for their concerns.

Appendix 1: CHECKLISTS