

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION
HONORABLE DANIEL P. JORDAN III, U.S. DISTRICT JUDGE**

**J.H., ET AL, VS HINDS COUNTY MISSISSIPPI
3:11-CV00327 DPJ-FKB**

Monitoring Compliance Report:

**Report Draft Date March 25, 2013
Report Date April 12, 2013**

**Submitted by
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**The
Third Monitor's Report
Henley-Young Juvenile Justice
Leonard B. Dixon**

Background

On March, 28, 2012, Hinds County, Mississippi entered into a settlement agreement ordained and adjudged by Judge Daniel P. Jordan III, for the United States District Court Southern District of Mississippi, Jackson Division, regarding conditions of confinement at the Henley-Young Juvenile Justice Center, located in Jackson, Mississippi. According to the order the settlement agreement and its specifics requirements "shall apply to Henley-Young and any contractor that may provide services to Henley-Young in the future. The term "youth" herein often refers to individuals confined at Henley-Young. "The parties" understand that the requirements contained herein will be implemented without undue delay as soon as practicable. Unless otherwise indicated herein, the parties will collaborate to make all reasonable efforts to ensure that within 90 days of the effective date of the agreement, policies, and procedures consistent with the agreement are drafted, in the process of being implemented, and that all detention staff received training on the requirements. The parties agree and understand that the implementation will be an ongoing process that extends beyond the initial 90 days of the agreement. As part of the settlement agreement the defendant shall contract with Leonard Dixon, within 30 days of the court entry of this settlement agreement to serve as an expert who will be reasonable for documenting the defendant's compliance with the terms of the agreement and for providing and/or arranging technical assistance and training regarding compliance with this settlement agreement. I will have full and complete access to detained youth, institutional files, medical files, mental health files, education files, video tapes, and youth, staff records and all other information and other reports by staff, grievances, incident reports, and other relevant documents and files maintained by Henley-Young.

All non-public information obtained by the expert shall be kept confidential, except that on a quarterly basis the expert shall file a report with the court documenting the progress of compliance. Neither party, nor any employee or agent of either party, shall have any supervisory authority over the expert's activities, reports, findings, or recommendations. The expert shall file with the Court and provide the parties with reports describing the Defendant's steps to implement this Settlement Agreement and evaluate the extent to which the Defendant has complied with each substantive provision of this agreement. Such reports shall be issued quarterly, unless the parties agree otherwise. The reports shall be provided to the parties in draft form for comment at least two (2) weeks prior to their submission to the Court. These reports shall be written with due regard for the privacy interests of individual youth and staff and the interest of the Defendant in protecting against disclosure of non-public information. The expert shall have a budget sufficient to allow him to fulfill the responsibilities described in this Settlement Agreement. Mr. Dixon may consult other experts or consultants retained by either party. All parties shall receive copies of all draft reports from the other experts to Mr. Dixon prior to the issuance of Mr. Dixon's report, and shall have the option of being present at briefings from such experts to Mr. Dixon and Defendant. Mr. Dixon may initiate and receive ex parte communications with the parties and their respective experts and consultants.

Recommendations based on findings, observations and interviews

Result of visit on February 19-25, 2013

Documentation provided and reviewed

Lock Down, Seclusion and Segregation Forms

MAYSI's on youth E.W., R.S., B.R., R.M., A.H., N.S., D.H. and K.T.

Grievance Reports from 28 residents

Southern Poverty Law Center email dated March 18, 2013 re: Resident J.B.

Video Incident on DVD re: Resident J.C. on January 12, 2013

Video Incident on DVD re: Resident Z.B. on January 20, 2013

Video Incident on DVD re: Resident S.A. on December 25, 2012

USDA letter dated December 20, 2012 re: FNS guidance to School Food Authorities

Proposed School Schedule – Youth Court School

Detainee Incident Reports

Use of Force Forms (7)

Organizational Chart

Current Staffing Records

Memorandum to supervisors regarding mandatory meeting dated January 9, 2013

Memorandum to staff regarding mandatory meeting dated January 28, 2013

Daily Population Sheets from October 2012 to January 2013

Inspections

Food Establishment Inspection Report dated 1/31/2013

Food Service Facility Inspection Results dated 1/31/2013

American Fire Sprinkler Inc., Report of Inspection dated 12/9/2011 (no new date)

Pre-Engineered Restaurant Fire Suppression Systems Report dated 10/25/2012

Public Health Laboratory Water Report dated 12/21/2012

Backflow Prevention Assembly Test and Certification Report (4) dated 4/23/2012 (yet all was retested in March 2013)

Food Permit issued by Mississippi State Department of Health dated 1/20/2013

Menu/School Lunch Program Changes for two weeks

Resident Handbook

Due Process Reports (12)

Attendance Sheets from November 20, 2012 to February 8, 2013

Hygiene and Sanitation Purchase Requisitions dated July 31, 2012

Clothing Inventory and Purchase Requisitions from July 3, 2012 to October 31, 2012

Draft Policies/Procedures

Draft Fire Evacuation

Draft Evacuation and Relocation

Draft Fire Drills

Draft Visitation Regulation

Draft Disciplining Staff

Draft Clothing Exchange

Draft Resident Hygiene

Daily Schedule

Letter to Parents regarding changes in visitation procedures

Article on the “Use of Electroshock Devices in Juvenile Detention and Secure Residential Facilities”
Reports from Southern Poverty Law Center (6)

Staff Interviewed

Arthur Sutton, Drop Out Prevention Coordinator
Kenneth Marshall, Supervisor
Allen D. Hines, Detention Officer
Ferniece Galloway, Detention Officer
Junell McCain, Detention Officer
Ronnie Marby, Detention Officer
McArthur Russell, Senior Detention Officer
Crystal Gene-Young, Senior Administrative Assistant
Ginger Smith, PhD, School Director of the Henley-Young Juvenile School (JPS)
Vicky Berryhill, LPN
Evelyn Sullivan, SICU Counselor State of Mississippi
Dr. Calvin Lockett, Executive Director of Special Programs, (JPS) Alternative Education
Toni Le Ann Flanagan, Executive Assistant

Youth Interviewed

Youth Q.B. 16 years old
Youth D.H. 15 years old
Youth K.T. 16 years old
Youth B.R. 17 years old
Youth O.C. 16 years old
Youth E.S.W. 17 years old
Youth M.H. 15 years old
Youth R.M. 16 years old
Youth A.H. 15 years old
Youth O.T. 17 years old

Introduction

This is my third official visit to the Henley-Young Juvenile Justice Center. I visited the facility from February 19, through February 25, 2013. I would like to thank the staff and the County for their cooperation in this process. I would also like to reiterate that this is a long and laborious process and there are still major areas of concern, however, the facility is making incremental steps in the process.

As stated in my previous reports there are numerous areas that are in need of development. For example, the increase and development of staffing, policy development, training, medical and mental health programming, improvements in staffing for the educational process including special education, programming development, administrative and operational staff support and daily schedules need further development. It should be noted that the County has started to make progress, although incremental to the institution.

I would like to commend facility personnel (Knight, Burnside and Dorsey) on the continued development of policies and procedures, in particular the development of a visitation procedure which is one of the principle provisions that will improve the rehabilitation process. Family involvement is a key component to rehabilitation, and the facility has implemented a visitation process that will enhance programming as other components of the settlement agreement are being developed. Visitation is an important way to maintain connection with families and it also shows us that youth who still have people outside who care enough about them to come and spend time with them exhibit better coping skills. The visitation program will also contribute to effective planning for youth treatment needs and adjustment once they return to the community, which is a significant part of rehabilitative program development. It should be noted that **4 additional** provisions have moved to beginning compliance since my last visit. **Although, processes on a few provisions have begun, it is vitally important that policy and procedures are developed to ensure a consistent, comprehensive, and standardized way of running the facility.** It also provides a clear process for training staff on the appropriate way to conduct visitations.

The area of foremost concern and significance is still the development of a facility structure. As of this report, the facility is still out of compliance as to staffing levels suggested in my first report, which were aimed at an administrative and organizational configuration of the facility conducive to good standardized operations. As of the time of this review, the facility is still under developed as it relates to administrative and organizational areas. First, the facility must develop an administrative structure that allows for the monitoring of staff and youth. Second, the facility must develop a system that ensures that the staff is in compliance with policies and procedures. And, third, there must be enough supervisors and operations staff for coverage in all areas of the facility to ensure that adequate supervision and programming are occurring. The major problems in this institution occur because the lack of structure, which is fundamental to ensuring that systems and staff are in compliance with rules and regulations, is missing. The facility still does not have an administrative structure in place to ensure accountability. Without proper administrative structure in place, there will always be a lack of administrative oversight because the structure is insufficient, and appropriate supervision of staff is not occurring. However, the county has approved funding for additional staff, which will permit the facility to divide the administrative and operational functions. Since the date of my last report, the County has hired six (6) additional detention officers. This enhancement of staffing should continue.

Another major issue is that of youth being "locked down" for inappropriate reasons. Based on my interviews with staff, my observations, document review and my interviews with the youth; there are still too many times where the residents are being placed in lock down because of the lack of available staff. The Director is in serious need of a support staff to ensure that rules and policies are carried out. At this point, the Director is responsible for the administrative and operational mechanisms of the facility with no support in between which is impractical. With the anticipated approval of job descriptions, the Director will no longer be required to perform the Administrative and Operational functions of the facility. The Director will carry out the Administrative functions of the facility and another individual will be hired and/or selected to carry out the Operational functions of the facility. This is a major concern in my professional opinion and should be addressed immediately. This was stated in my previous report. In addition, the persons hired for support positions must be astute in the operations of the day-to-day juvenile

facility and juvenile institutional culture. The facility has developed an organizational chart that has not been implemented. It is critical that this chart be implemented as soon as possible.

Provision 7.5 states, "Henley-Young shall not use, or allow on the premises, restraint chairs, chemical restraints and/or tasers." This provision was violated. On December 25, 2012, youth S.A. was tased by the Hinds County Sheriff Department. During this incident a member of the staff felt it appropriate to make a video of the incident, rather than taking corrective actions to de-escalate or end the situation. A review of the video taken by the staff of the incident, revealed that although there were three staff members in the vicinity and on the unit, no one engaged in any physical restraint of this youth as he began to disrupt and destroy property within the unit. It should be noted that the facility administration should be concerned about the lack of staff interaction with a youth who was out of control and that no one proceeded to restrain this young man. When there is a need for staff to engage youth physically - to ensure the safety and security of that resident, other residents, and the staff as well as the facility property, - it should be a cultural reaction with immediate consequences that a youth is properly restrained and placed in their room until they are under control and a due process hearing occurs.

Although the Director was called to the facility the more important issue was the immediate need to contain the developing issue. In reviewing the video there was no question that staff members should have appropriately engaged this youth through the use of crisis diffusion techniques which were without question necessary. The video also revealed that there was no need for deputies from the Hinds County Sheriff's Department to enter the facility or to use a taser to restrain this youth. There were enough staff members available to handle the situation. Although I understand this is a very stressful situation, the staff members cannot, **NOT** engage a youth when there is a need. Detention Officers are there for the protection, safety and security of the staff, other residents and property. The bottom line is this should not have occurred, period. The training on restraint and use of crisis diffusion must be improved and all staff retrained. The video also revealed that at no time did staff engage the youth to prevent him from continuing his disruption of the facility and destruction of property on the unit. It is extremely important that new staff entering this facility be properly trained to engage these types of situation when they occur. In addition the training should be on-going to keep **ALL** staff members refreshed when staff engagement is warranted. When trained properly, the likelihood of incidents like this one occurring is greatly reduced. There is no question that there was not enough trained staff working at the time of this incident, because all other youth were placed in their rooms and staff members on the unit still did not attempt to engage, stop or de-escalate the situation from spiraling out of control. Staff training should be addressed as it relates to restraints and de-escalation, and staff members must develop an attitude of engaging situations before they reach the magnitude that this one did. In addition, it is recommended that when there is an allegation or complaint from youth that involves staff there must be an investigation by a non-partial individual. This individual(s) should report to the County Administrator or their designee. This would help to reduce any level of favoritism or bias and would provide a level of objectivity to the process.

Training

The facility is in need of an organized training program that holds staff and the facility accountable for their actions and development of the facility's programs. Accountability-based interventions change juvenile offenders through healthy relationships with healthy adults in

healthy environments. Despite the many relatively unchanging characteristics of juvenile confinement, effective staff development and training are dynamic concepts shaped by improved strategies on adult learning, advances in technology, and innovations in juvenile justice interventions. To maintain the momentum of quality improvements, it is vitally important that training tools be developed, reviewed, repaired, improved, or replaced on a periodic basis. Again I am recommending the County to contact the National Partnership for Juvenile Services (NPJS) to assist with developing a training plan for Henley-Young. There are fourteen training modules included in the NJDA Detention Careworker Curriculum. The lesson plans range from 2 to 6 hours in length. The intent is for Henley-Young to design their training program – length, content, delivery strategy – to meet the facility’s training needs and time allocation.

The NJDA Detention Careworker Curriculum – 3rd edition is comprised of the following modules:

- Anger Management
- Basic Health Care and Admissions Screening
- Behavior Management
- Behavior Observation and Recording
- Conflict Resolution
- Critical Issues Impacting Juvenile Justice
- Cultural Sensitivity
- Effective Communication
- Juvenile Rights
- Leadership
- Managing Mentally Ill Youth
- Reentry
- Safety and Security
- Suicide Prevention

This is a reiteration of my recommendations from my previous reports. It should be noted again that training will be a significant part of this process. Since my last review the County Adminisator, facility Director, supervisor and officer participated in a national juvenile justice symposium held in Biloxi, Mississippi. These symposiums are extremely valuable because of the information received and the ability to network with other professionals in the field .It will also, assist the County in broadening its understanding of juvenile issusses and provides the facility staff with a better understanding of juvenile detention in general .The key is for the information received to translated into detention best practice which can be a time-consuming course of action.

School

The school has much work to be done. As stated in my previous reports, the school is a major component of the programming at this facility. There is still a need for the school to be fully evaluated and monitored to ensure it meets the standard set forth by the Mississippi Department of Education and Jackson Public School District. The facility and school must have adequate supervision to ensure that the educational components are being carried out. I am concern that youth are still not in school for the required number of school hours. An example of my concern

is during the week of February 12, 2013, youth were not in school because the Jackson public school staff were participating in training that was out of town, which left direct care staff with no facility programming or school programming for an entire week. If school is in session in the rest of the district the same should occur at the facility. The Jackson Public School District should take steps to ensure that teachers are present to teach students at the facility each day school is in session in the District. Also, during my unannounced visit in December 2012, only six youth were participating in the school program due to testing that was being administered. After discussion with the principal the use of a different test area was found so that the rest of the residents could participate in the daily school programming. This is disturbing and should be addressed by the Jackson Public School District to ensure that there is constant supervision of this school and that they follow a schedule so that all youth participate in the school program. I am still recommending visits by the school and its administration to detention schools in other states, i.e., Georgia, Michigan, or Illinois; this will provide a greater understanding of institutional education. The school should follow the recommendation in my previous report. It should be noted that I met with Dr. Calvin Lockett, Executive Director of Special Programs, and he advised that he will be supervising the school and will be addressing these concerns and recommendations from my second report.

Recommended School Plan:

1. The Henley-Young Facility will create and implement a plan to provide all of the following services and programs within their control related to the aspects of residents' education:
 - a. maintain an adequate physical facility for education,
 - b. provide adequate security and support in the classroom,
 - c. establish an in-school points system based on rewards and consequences for behavior,
 - d. establish and implement a schedule for transporting residents to and from school that assures that residents will have the opportunity to receive the required hours of educational services mandated by law.
2. Develop policies and procedures for all of the areas discussed above.

Solution/Plan

1. The Henley-Young Facility will make every effort to develop and formalize an interagency agreement between the Jackson Public School System and the HYC that:
 - a. Provides adequate security within the school premises (including classrooms) for all youth including those youth requiring protective services or other special needs.
 - b. Youth requiring protective services or other special needs shall have the same or equivalent educational services as other youth.
 - c. Create an alternative educational plans for youth removed from the classroom for medical or behavioral issues.
 - d. Provides a schedule for transporting residents to and from school that ensures that residents will have the opportunity to receive the hours of educational services mandated by law.

- e. Outline a cross training curriculum for HYC school employees and detention employees, which include an orientation and a safety curriculum and mandatory annual refreshment training for employees of the school.
 - f. Ensure trainings will provide educational staff with appropriate facility policies that relate to or overlap with the school's operations to include the policies regarding rules, discipline and the behavior management program.
 - g. Include development of a plan and appropriate materials for various educational levels, to be distributed and explained to youth in the health care unit, in room confinement or otherwise unable to participate in normal school classroom activities.
 - h. Ensure the class schedules are driven by the security of the facility and that the school looks toward developing individual learning plans for each student in the school.
2. The Facility Director or designee shall review the circumstances surrounding the placement of all residents who are in isolation or seclusion, or residents who do not attend school for medical reasons and other behavioral maintenance processes to assess the feasibility of an early release to attend school each day.
 - a. A list of the residents that are not allowed to attend school and the reasons for the administrative restriction shall be documented and distributed to the Principal of the HYC School.
 - b. The Facility Director shall designate a liaison to interact with school daily and the JPS Administration should create a position for Compliance Administrator to review the progress of the school on a weekly basis.
 - c. All instances in which school activities are suspended by the facility due to incidents or other extraordinary circumstances shall be reported to the Compliance Administrator within 24 hours.

When the School Principal or designee is having issues, whether of a safety nature or any other problems, they should be reported to the Compliance Administrator and the facility director or designee immediately. **I am recommending the Jackson Public School system (JPS) hire a compliance officer to ensure that the school educational standards are being met.**

Below are the compliance ratings that will be used in this report. Please be reminded that though most are in Non-Compliance, policy development is most important and the start of this process. However, as stated above the facility has made progress on some provisions which moved them from Non-Compliance to beginning compliance.

Compliance Code Measurements

Substantial Compliance (SC): Practices follow the county-approved policies, training materials or other documents; practices follow policy with rare exception and exceptions lead to corrective action; trained staff fill all positions and vacancies are filled within 3 months; the County has completed work in an acceptable manner; policies, procedures and practice and training are operational and quality-assurance audited and audit exceptions lead to corrective action; outcomes meet or exceed agreement requirements.

Partial Compliance (PC): Policy and procedure is implemented in some but not all locations or times; staff are hired but not trained; the County is working on implementation but tasks are not completed; system implemented at some but not all locations or times, outcomes meet or exceed agreement requirements some of the time and in certain area.

Beginning Compliance (BC): Policy and procedure is written by the county but has not been implemented; funding and hiring authority are approved by the County but positions are not filled; training materials prepared and approved by the county but training has not started.

Non-Compliance (NC): No action taken and immediate steps needed to maintain schedule or prevent further delay. A policy may exist, but the policy may need significant revision or modifications and rarely translates into practice.

Compliance Matrix				
Provision	Intake	1 st Report	2 nd Report	3 rd Report
1.(1)	All Youth Admitted to Henley-Young	NC	NC	NC
1.(2)	MAYSI-2 Mental Health Screening	NC	NC	NC
1.(3)	Prescription Medications	NC	NC	NC
1.(4)	Meal Compliance	NC	NC	NC
1.(5)	Telephone Usage	NC	BC	BC
1.(6)	Strip Search Policy	NC	BC	BC
Provision	Staffing and Overcrowding			
2.(1)	Direct Care Staff Ratio	NC	NC	NC
2.(2)	Maximum Capacity Adjustment	NC	NC	NC
2.(3)	One-Person Cell	NC	NC	NC
Provision	Cell Confinement			
3.(1)	Structured, Rehabilitative & Educational Programming	NC	NC	NC
3.(2)	Appropriate Access to Living Unit	NC	NC	NC
3.(3)	Dangerous Youth	NC	NC	NC
3.(4)	Isolation	NC	NC	NC
3.(5)	Direct Care Staff on Units	NC	NC	NC

Provision	Structured Programming			
4	Educational, Rehabilitative, and/or Recreational Programs	NC	NC	NC
Provision	Individualized Treatment Plans/Treatment Program for Post-Disposition Youth			
5.(1)	Youth Access to Adequate Rehabilitative Services	NC	NC	NC
5.(2)	Health and/or Substance Abuse Treatment	NC	NC	NC
5.(3)	Treatment Plans	NC	NC	NC
5.(4)	Review of Individual Treatment Plans	NC	NC	NC
5.(5)	Evening And Weekend Programs And Activities	NC	NC	NC
5.(6)	Quality Assurance Program	NC	NC	NC
Provision	Disciplinary Practices And Procedures			
6.(1)	Implement a Discipline Policy and Practice	NC	NC	NC
6.(2)	Policy for Youth Violations	NC	NC	NC
Provision	Use of Restraints			
7.(1)	Mechanical Restraints	NC	BC	BC
7.(2)	Mechanical Restraints Transportation	NC	BC	BC
7.(3)	Misuse of Mechanical Restraints	NC	BC	BC
7.(4)	Mental Health—Use of Mechanical Restraints	NC	NC	NC
7.(5)	No Restraint Chairs, Chemical Restraints and/or Tasers	NC	BC	BC
7.(6)	No Hogtying in Facility	NC	BC	BC
7.(7)	Mechanical Restraints—One-On-One Supervision	NC	NC	NC
7.(8)	Mechanical Restraints—Notice to Medical Professional	NC	NC	NC
7.(9)	No Electronic Restraints	NC	BC	BC
7.(10)	No Firearms in Facility	NC	NC	BC
Provision	Use of Force			

8.(1)	No Misuse of Use of Force	NC	NC	NC
8.(2)	Notice to Medical Professional After Use of Force	NC	NC	NC
Provision	Meals and Nutrition			
9.(1)	All Meals and Snacks Must Be Nutritional	NC	NC	NC
9.(2)	Comply with Nutrition Guidelines	NC	BC	BC
9.(3)	Provide Drinking Water Throughout the Day	NC	BC	BC
Provision	Clothing			
10	Provide Basic Clothing Items	NC	NC	NC
Provision	Hygiene And Sanitation			
11.(1)	Provide Appropriate Hygiene Products	NC	NC	NC
11.(2)	Provide Sleeping Mats and Blankets	NC	NC	NC
11.(3)	No Deprivation of Mats and Blankets	NC	NC	NC
11.(4)	Sufficient Sanitary Mats and Blankets	NC	NC	NC
11.(5)	Clean and Sanitary Environment	NC	BC	BC
11.(6)	Fire Safety, Weather Emergencies, Sanitation Practices, Food Safety and Provide Safe Environment	NC	NC	NC
11.(7)	Clean Drinking Glasses and Eating Utensils	NC	NC	NC
Provision	Medical Care			
12.(1)	Provide Youth With Adequate Medical Care	NC	NC	NC
12.(2)	Provide Medical Professional When Needed	NC	NC	NC
12.(3)	Implement a Sick Call Policy to Ensure 24 Hr. Services	NC	NC	NC
12.(4)	Prescription Medications Only Dispensed by Medical Staff	NC	NC	NC
12.(5)	Provide Medical and Mental Health Services	NC	NC	NC
12.(6)	Proper Monitoring Youth Who Require Individualized Attention	NC	NC	NC

Provision	Mental Health Care			
13.(1)	Provide Adequate Mental Health Services	NC	NC	NC
13.(2)	Youth and Psychotropic Medications	NC	NC	NC
13.(3)	Within 72 Hours of Admittance Complete an Individual Mental Health Treatment Plans	NC	NC	NC
13.(4)	Implement Policies and Procedures for Referrals	NC	NC	NC
13.(5)	Sufficient Psychiatric Services	NC	NC	NC
13.(6)	Psychiatrist and/or Counselors to Record Review to Ensure Proper Care	NC	NC	NC
Provision	Suicide Prevention			
14.(1)	Multi-tiered Suicide Prevention Policy	NC	NC	
14.(2)	Evaluate Highest Level of Suicide Watch Every 12 hours By Medical Professional	NC	NC	NC
14.(3)	Closely Monitor Suicide Watch Youth During All Activities	NC	NC	NC
14.(4)	Court Shall be Notified Within 24 hours of Any Youth on Suicide Watch	NC	NC	NC
Provision	Family Support and Interaction			
15.(1)	Visitation Shall Not be Restricted or Withheld	NC	NC	BC
15.(2)	Provide Accommodations for Contact Visits	NC	NC	BC
15.(3)	Visitation Shall be Regularly Scheduled	NC	NC	BC
15.(4)	Phone Calls Shall be Allowed Based on Policy	NC	NC	NC
Provision	Miscellaneous Provisions			
16.(1)	Provide Equal Access To All Services	NC	NC	NC
16.(2)	Provide the Opportunity To Participate In Large Muscle Exercise Every Day	NC	NC	NC
16.(3)	Prohibit The Use Of Profanity In The Presence Of Youth	NC	NC	NC
16.(4)	Provide Adequate Grievance Policy	NC	BC	BC
16.(5)	Provide Youth Of All Ages With The Opportunity To See Their Attorney and/or Youth Court Counselor	NC	NC	NC

The following are my observations and recommendations specific to the provisions of this agreement.

1. Intake

Provision 1.1 Intake	All youth admitted to Henley-Young shall receive a health screening, within 1 hour of admission or as soon as possible as reasonably thereafter, by appropriately trained staff as required by Mississippi Code Annotated § 43-21-321. Information obtained during the screening shall include, but shall not be limited to, the juvenile's: (a) Mental health; (b) Suicide risk; (c) Alcohol and other drug use and abuse; (d) Physical health; (e) Aggressive behavior; (f) Family relations; (g) Peer relations; (h) Social skills; (i) Educational status; and (j) Vocational status." Mississippi Code Ann. § 43-21-321(1). During this screening, Henley-Young shall obtain information regarding the youth's educational status by having the youth or intake officer complete an education screening form developed and provided by the Jackson Public School District.
Status	Non-Compliance
Discussion	Based on review of documents with staff and youth and observations, the facility still does not meet this provision. At the time of my most recent visit, the facility's intake policy had not been presented for approval. There has been no movement on this provision therefore I am reiterating that the facility review the actions and recommendations from my previous report. In addition, due to the lack of staffing in the medical areas it is very difficult for the facility to become compliant with this provision. However, the facility should begin to develop policies and procedures to at least have a vision of how this provision can be structured. The bottom line is the facility is still not in compliance and should continue to work and follow the recommendations below.
Recommendations	<ol style="list-style-type: none"> 1. Fully develop admitting policies and procedures to reflect provision 2. The court should provide staffing for intake purposes 3. The facility should provide enough staff to fully cover the care and custody issues in the facility 4. Ensure all staff who admit youth are properly trained 5. Develop training records 6. Provide documentation in a organized way on youth being screened/admitted (files) 7. Ensure all youth records are available for my review with all areas of the provisions placed in the youth's file
Evidentiary Basis	Document review, observation, interviews

Provision 1.2 Intake	All youth shall receive a MAYSI-2 mental health screening upon admission, as required by Mississippi Code Annotated § 43-21-321. The screening will be conducted in private by appropriately trained staff of Henley-Young. If the screening indicates that the youth is in need of emergency medical care or mental health intervention including, but not limited to, major depression, suicidal ideation, withdrawal from drugs or alcohol, or trauma, the detention staff shall refer those juveniles to the proper health care facility or community mental health service provider for further evaluation immediately or as soon as reasonably possible.	
Status	Non-Compliance	
Discussion	<p>Based on interviews with youth and a review of documents the facility does complete the MAYSI-2 on a consistent basis. Also, policy and procedures are being developed. However, because of the lack of structure, staffing and the lack of mental health services within the facility and the continued lack of mental health services on an on-going basis, there is still work to be done. Therefore the following recommendations and the discussion from the previous report should again be reviewed. It should be noted I reviewed MAYSI's on several youths (E.W., R.S. and B.R.) and they indicated either caution or warning signs as it relates to substance abuse, suicide ideation, depressed moods etc. and there was no indication that these areas were being addressed. The facility must continue to follow the tenets below in the way of questions posed in A through E, these questions the facility must address. All individuals, including but not limited to, the court and facility employees, involved in serving the youth must be given access to the necessary information to ensure that the mental health needs of the youth are being met.</p> <ul style="list-style-type: none"> A. What are the program objectives for mental health screening? B. What are the characteristics or common traits the program wants to identify for emergency or follow-up clinical consultation? C. What MAYSI-2 scores will the facility use as the signal for the program staff to obtain clinical consultation or services? D. What mental health follow-up services are available when the youth's MAYSI-2 score indicates that they are needed? E. In what way will the facility develop a database that creates a profile of mental health needs in the population and program decisions and adjustments needed to improve mental health services for the residents? 	
Recommendations	<ol style="list-style-type: none"> 1. Develop comprehensive policy and procedures for this provision 2. Develop youth files that are organized and arranged properly 3. Develop training and provide documentation of training 4. Identify person or person(s) whose responsibility is to score the instrument 5. Provide documentation on who reviews the instrument and note 	

	<p>what services are provided for the youth in the facility and what services should continue when the youth leaves the facility</p> <p>6. Develop process whereby facility staff and court employees develop system for the sharing of information and reviewing of youth files which are centrally located and accessible to detention staff.</p>
Evidentiary Basis	Document review, observation, interviews

Provision 1.3 Intake	<p>Prescription medications will be secured for all youth who have a valid, current prescription within 8 hours of admission, if possible, but in no case, longer than 24 hours after admission, including weekends and holidays. If during a youth's detention, a medical professional either prescribes a new medication or renews a youth's previous prescription medication, Henley-Young will secure the prescription medication within 8 hours of receiving the prescription, if possible, but in no case, longer than 24 hours after receiving the new prescription, including weekends and holidays. Henley-Young shall procure and/or purchase all prescription medications prescribed to confined youth.</p>	
Status	Non-Compliance	
Discussion	<p>Based on document review, interviews and observations, the facility remains non-complaint with this provision. Therefore, the facility should continue to follow the recommendations below which are the same as the previous report recommendations. The initial intake/admission process is a critical part of youth transition when they are entering the facility. During my review I found that because of the lack of staffing, it was very difficult for staff to really get a firm understanding of youth when they entered the facility. On one occasion during my visit, staff members were pulled from the Master Control area to ensure that a youth was admitted. Since there is no medical staff on after 2 pm or weekends, it is very difficult for the facility to meet this provision. In addition, I found no documentation of Henley-Young purchasing prescription medication for youth confined at the facility. While the facility is soliciting a medical provider to carry out medical services to the facility, and a medical provider has not been selected, it still has the responsibility to maintain medical/medication and all other medical needs to the residents. There has been no movement on this provision therefore I am reiterating that the suggested actions and recommendations from my previous report be reviewed and put into action.</p>	
Recommendations	<ol style="list-style-type: none"> 1. Develop written policy and procedures or protocol for this provision 2. Document staff training on distribution and side effects of medication 3. Provide documentation on efforts to obtain prescription drugs 	
Evidentiary Basis	Document review, observation, interviews	

Provision 1.4 Intake	Upon admission to Henley-Young, all youth shall be offered a snack or meal in compliance with the United States Department of Agriculture's School Meals Program standards.	
Status	Non-Compliance	
Discussion	During my interview with youth and through observations, youths were being offered snacks or meals upon their admittance to the facility. Although, one youth refused, the staff admitting the youth did offer snacks and youth who were admitted within an hour or so received the same meal as other youths during meal time. However, it is recommended that although this is happening during regular hours there is still a need for the facility to demonstrate that youth who are entering the facility during late hours late night or early morning or youth who are entering the facility between hours of 6 pm and 5 am are receiving snacks. The youths I interviewed all agreed that they were receiving snacks or the staff offered snacks upon their arrival at the facility but this was during the day. There has to be a physical record that this occurs 24 hours every day. On a positive note the facility does have part of their policy developed. The facility needs to complete the policy to move this provision to beginning.	
Recommendations	<ol style="list-style-type: none"> 1. Continue in the development of policies and procedures for this provision. 2. Procedures should be part of intake/admission procedure. 3. Ensure there are snacks or sandwiches available for youth being admitted between 6 pm and 5 am. 	
Evidentiary Basis	Document review, observation, interviews	

Provision 1.5 Intake	Upon admission to Henley-Young, all youth shall be permitted to telephone a parent or legal guardian free of charge and to take a shower before being placed on the pod.	
Status	Non-Compliance	
Discussion	The facility does permit youth to make telephone calls to parents and legal guardians without charge. Also, youth I interviewed did take shower prior to being placed on their pods. I also observed this process; therefore the facility needs to continue to develop policy and procedures to move to beginning with this provision.	
Recommendations	<ol style="list-style-type: none"> 1. Develop a consistent way to document the intake process that shows that a phone call and shower were completed. 2. Develop policy and procedure for this provision. 	
Evidentiary Basis	Document review, observation, interviews	

Provision 1.6 Intake	Within 60 days of the date of this agreement, Henley-Young shall develop and implement policies that limit strip searches to instances where Henley-Young staff has an articulable suspicion that a youth may possess weapons or contraband. Anytime a strip search is conducted, Henley-Young staff must document, in writing, their suspicion, obtain permission from a supervisor, and conduct the search in a manner that minimizes the intrusion into the youth's privacy.	
Status	Beginning Compliance	
Discussion	Again, the facility does have policy and procedures for this provision and during my interview with youth I found no youth who acknowledged they were stripped searched. I did review the process, however to become further compliant with this provision there must be documentation of the policy and documentation of staff training on this procedure. Continue to comply with this provision.	
Recommendations	Staff must be provided with the necessary training with information stating the trainer, name of the training class/course, time, date and location of training. This documentation should be kept and logged in facility records. I will review this process during my next visit.	
Evidentiary Basis	Document review, observation, interviews	

2 Staffing and Overcrowding

Provision 2.1 Staffing and Overcrowding	Within 90 days of the date of this agreement, Henley-Young shall operate with a direct care staff to youth ratio of 1:8 from the hours of 6:00 a.m. until 10:00 p.m. and a ratio of 1:10 from the hours of 10:00 p.m. to 6:00 a.m.	
Status	Non-Compliance	
Discussion	The facility still does not meet this provision, as stated in my discussion. The facility lacks administrative structure, which is a systematic way of supervision of staff and a lack of staff to perform the duties necessary to achieve full compliance with this agreement. On several occasions, during my visits youth were still being left on units unsupervised. At one point during my visit there was one staff member in the tower on unit A and B with youths on both units and no direct supervision of those units. This is the same area of concern as stated in my previous reports. This lack of appropriate staffing has the potential for serious consequences and puts the County in a state of extreme liability. At one point, on February 19, 2013, around 6:08 pm, the Davis unit had one staff with 19 youths and on the Payton unit there was also one staff with 19 youths. It should be noted that A and B pod have been changed to Davis and Payton (respectively). On another occasion during my visit, at least four girls were left on the unit while three girls were taken up to the visitation area—one was placed in visitation and two girls were placed in the laundry room and supervised by	

the laundry assistant. Again, as stated previously, the facility is in dire need of staff; administrative, support, operational and direct care or at a minimum administrative, operational and direct care staffing. Based on my discussion with the administrator and previous discussions with personnel; the County has approved six direct care staff, that have been hired which is good, however, a long way from the recommendation. There has been no administrative or managerial staff hired which is critical for implementing the structure for the facility. Without the proper support staff being hired the direct care staff has very little direction. This is a must. During my visits, I interviewed a new staff member who has been with the facility for two months. This staff member did not receive any training and has been left to figure out what directions she should take. Although she appears to have good skills, it is very difficult for her to be successful without proper training and proper supervision. Therefore I must reiterate again that proper staffing and training are needed immediately. There has been no movement on this provision therefore I am reiterating that the suggested actions and recommendations from my previous report be reviewed and put into action.

Recommendations					
	Units	Day Shift	Evening Shift	Night Shift	Total
A officer	3	3	2	8	
B officer	3	3	2	8	
C officer	3	3	2	8	
D officer	3	3	2	8	
Intake	1	1	1	3	
Master Control	1	1	1	3	
Staff for Court Transportation	2	2		4	
Internal Transportation	2	2		4	
Laundry	2	2		4	
*Director	1				
*Deputy Director	1				
*Operation Manager	1				
Supervisors	3	3	2	8	
	26	23	12	61	
Duty Post Staffing/Adms					
61 Direct care/supervisor/laundry staffing X 1.5 Relief Factor—Total staff					

	<p>needed to effectively operate the facility—91.5 1 to 8 Awake—2 to 10 Sleep</p> <p><u>Misc. post coverage</u> Medical/MH Hospital Runs One on One MH/Medical Visitation *Administration *Maintenance</p>
Evidentiary Basis	Document review, observation, interviews

Provision 2.2 Staffing and Overcrowding	<p>If the staff-to-youth ratio falls below the requirements of section 2.1 for longer than two (2) days, the Director or his assignee shall immediately identify youth accused of nonviolent offenses who are eligible for less restrictive alternatives to secure detention and request an emergency release for eligible youth from the appropriate Youth Court. The maximum capacity of Henley-Young shall be calculated by determining how many direct care staff members can supervise youth in accordance with section 2.1. The current maximum capacity of Henley-Young is 84.</p>	
Status	Non-Compliance	
Discussion	<p>There has been no movement on this provision therefore I reiterate that the actions and recommendations from my previous report be reviewed and put into action. The facility needs to develop policies and procedures to ensure that there is a system by which non violent offenders who are eligible for less restrictive alternatives are placed in those alternatives and when the facility moves above its rated capacity there is a system in place to move youth into less restrictive alternatives. The policies and procedures should be developed to reflect this provision. This would include input from the courts and the facility to ensure that everyone involved is aware of the systems that will be implemented.</p>	
Recommendations	<p>Development of policies and procedures regarding this provision which includes court.</p>	
Evidentiary Basis	Document review, observation, interviews	

Provision 2.3 Staffing and Overcrowding	<p>No more than one youth shall be placed in a one-person cell.</p>	
Status	Non-Compliance	

Discussion	During this visit I found no indication that the facility had more than one youth in a room. However, the facility needs to develop policies and procedures for this provision. Because the facility staffing and overcrowding policy has not been presented and approved, I am reiterating that the suggested actions and recommendations from my previous report be reviewed and put into action.
Recommendations	Develop policies and procedures for this provision
Evidentiary Basis	Document review, observation

3 Cell Confinement

Provision 3.1 Cell Confinement	Youth shall be engaged in structured, rehabilitative, and educational programming outside of their cells during the hours of 7:00 a.m. to 9:00 p.m. each day, including weekends and holidays.	
Status	Non-Compliance	
Discussion	As discussed in my previous reports, the educational program of the institution needs to be addressed. Because youth spend most of their day within the educational component of the facility the structure that is provided by education is extremely important. During this visit, I still found that all youth who should be in school were not. The school has a policy that any youth returning from court should not be placed in school. This would be fine if there were indications that youth will be disruptive or they are upset based on a court disposition. The three youths interviewed did not return to school when they left court, and there was no indication that they would be disruptive, however they were placed in their rooms. Once they spoke with Mr. Burnside and me, they were returned to school without any disruptions the entire day. In addition, during a week in February the school was closed because teachers were in training outside the facility. This left the facility with no school or programming and youth had nothing to do during that week. The Jackson Public School District should take steps to ensure that teachers are present to teach students at the facility each day school is in session in the district. In addition, during my unannounced visit in December 2012 although testing was being done that week; only six youths were allowed in school daily because of the testing. After a discussion with the principal, this was changed and all residents were placed in the regular school program. These areas must be addressed with additional supervision by the Jackson Public School System. I met with Dr. Calvin Lockett who advised that he will be supervisor of the school. With proper supervision the above mentioned problems should be reduced.	

	As it relates to structure and rehabilitation, the facility still has very little programming for youth which has caused continued boredom for youth and is very counterproductive to any rehabilitation efforts. The one television that was used for the entire facility was broken in the December 25, 2012 incident. In addition, the outside area is very limited because of the damage to the basketball goal. When I met with the County administrator she advised that they are in the process of refurbishing and repairing the damaged areas outside. Also, the facility has ordered new television sets for each unit and is in the process of mounting them on the units. Hopefully this will be completed prior to my next visit. Therefore the recommendations from my previous report should still be followed.
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures for this provision. 2. Review the schedules to be sure that they adequately reflect all daily activities. 3. Develop positive behavior management systems with rewards and consequences. 4. Remove the dark film from the Plexiglas in towers on unit which would allow staff to view the unit without there being visual obstruction (when lights on). 5. Develop monthly recreation schedule. 6. See all of the recommendations for school in the introduction.
Evidentiary Basis	Document review, observation, interviews

Provision 3.2 Cell Confinement	Except when youth are in protective custody or confined subject to section 3.3 of this Settlement Agreement, youth placed in the Suicide or Booking cells shall be allowed to spend the hours of 7:00 a.m. to 9:00 p.m. on the appropriate living unit and to have the opportunity to engage in structured, rehabilitative, and educational programming, unless medically counter-indicated.	
Status	Non-Compliance	
Discussion	The facility still does not comply with this provision. Policies and procedures still need to be developed and staff needs to be trained. The facility also needs to develop data collection tools to use to determine and identify who is placed on units, time, length etc. There has been no movement on this provision therefore I am reiterating that the suggested actions and recommendations from my previous report be reviewed and put into action.	
Recommendations	<ol style="list-style-type: none"> 1. Follow recommendations as set forth in section 3.1. 2. Develop adequate policies and procedures for this provision. 3. Develop data collection for youth who are placed in protective custody or confinement. 	

Evidentiary Basis	Document review, observation, interviews
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Provision 3.3 Cell Confinement	Youth who pose an immediate, serious threat of bodily injury to others may be confined in their cells for no longer than 12 hours at a time without administrative approval. Youth who are placed on cell confinement for this reason shall be released from their cells daily to attend school, maintain appropriate personal hygiene and to engage in one hour of large muscle exercise. Staff must perform visual checks on youth who are subject to cell confinement every 15 minutes. Staff must document all instances of cell confinement in writing and must document the justification for determining that a youth poses an immediate, serious threat of bodily injury.	
Status	Non-Compliance	
Discussion	During this visit, I did find that the facility has developed a system for procedural due process for facility violations. Mr. Dorsey and Mr. Burnside have done a very good job of developing a process that ensures youth are not placed in rooms without proper due process as it relates to youth being locked down on the units for their behaviors. The facility now needs to develop policy and procedure and train staff on the process. I did review the new forms developed and although they are in the beginning stages they are aligned with best practice. Though processes on a few provisions have begun, it is vitally important that policy and procedures are developed to ensure a consistent, comprehensive, and standardized way of running the facility.	
Recommendations	<ol style="list-style-type: none"> 1. Develop adequate policies and procedures for this provision. 2. For youth placed in their rooms, develop forms that indicate the time youth will be in their rooms and post it on their doors. 3. Ensure that supervisors sign off on the form in 15 minute staggered visual checks when youth are placed in their rooms. 4. Develop a system of major and minor consequences for behavior. 	
Evidentiary Basis	Document review, observation, interviews	

Provision 3.4 Cell Confinement	Youth shall not be automatically subjected to cell confinement and/or isolation upon their admission to Henley-Young unless he or she would be subject to cell confinement under section 3.3.	
Status	Non-Compliance	
Discussion	The facility is still coordinating this provision with provision 3.3 and policies and procedure are still in developmental stages. Once completed training and documentation will need to be addressed. However, during my visit on several occasions, I observed youth that were placed in their cells and locked down because there was a lack of staff, with no orientation and	

	no freedom to move about the unit. This can only be addressed when there is enough staff a youth should not automatically subject to lock down.
Recommendations	<ol style="list-style-type: none"> 1. Develop adequate policies and procedures for this provision. 2. Ensure all staff is trained and document training.
Evidentiary Basis	Document review, observation

Provision 3.5 Cell Confinement	At all times between the hours of 7:00 a.m. to 10:00 p.m., at least one direct care staff shall be stationed on any living unit where two or more youth are placed, and direct care staff shall be actively engaged with youth. From 10:00 p.m. to 7:00 a.m., staff shall conduct visual checks on youth every 15 minutes. Henley-Young shall ensure that every cell has an operating intercom that allows youth to communicate with staff at all times.	
Status	Non-Compliance	
Discussion	As stated in my previous report because of the lack of staff it is very difficult for the facility to address this provision. Again I found youth were left unsupervised as stated in my previous reports and this continues to happen. During this visit youth were left on the unit, as I stated in my discussion above. On the male units youth were left in the cells without supervision and on a couple of occasions during my visit, youth were out on the units without supervision. This is extremely dangerous because youth who are angry, more impulsive and without supervision have the potential to harm themselves and other youth. This creates a major liability for the facility. On another occasion, youth were on the unit without supervision although one staff was in the tower. There were doors opened on the unit which also allows for serious things to happen between youths. This is a major area of concern and must be addressed. It continues to make me uneasy as it has during my previous visits. Review of documentation and direct observation reveals that staffing continues to be a major problem at Henley-Young. There has been no movement on this provision therefore I am reiterating that the suggested actions and recommendations from my previous report be reviewed and put into action.	
Recommendations	<ol style="list-style-type: none"> 1. Develop adequate policies and procedures for this provision. 2. Provide adequate staffing. 3. Provide adequate staff supervision. 	
Evidentiary Basis	Document review, observation, interviews	

4 Structured Programming

Provision 4 Structured Programming	Henley-Young shall administer a daily program, including weekends and holidays, to provide structured educational, rehabilitative, and/or recreational programs for youth during all hours that youth shall be permitted out of their cells, pursuant to section 3.1. Programming shall include: <ul style="list-style-type: none"> a. activities which are varied and appropriate to the ages of the youth; b. structured and supervised activities which are intended to alleviate idleness and develop concepts of cooperation and sportsmanship; and c. Supervised small group leisure activities, such as a wide variety of card and table games, arts and crafts, or book club discussions. 	
Status	Non-Compliance	
Discussion	The facility has developed a daily schedule however because of inadequate staffing, the schedule is not followed. During my visit, I observed youth with very little to do except play cards. There were no arts and crafts programs and no structure or supervised activities. The facility still needs to develop this provision. There has been no movement on this provision therefore I am reiterating that the suggested actions and recommendations from my previous report be reviewed and put into action.	
Recommendations	<ol style="list-style-type: none"> 1. Continue to develop adequate policies and procedures for this provision. 2. Provide adequate schedules for weekdays and weekend programming and act on it. 3. Purchase televisions for each unit and board games for each unit. 4. Develop an adequate monthly recreation schedule with age appropriate games and programs. 	
Evidentiary Basis	Document review, observation, interviews	

5 Individualized Treatment Plans Treatment For Post-Disposition Youth

Provision 5.1 Individualized Treatment Plans Treatment Program for Post- Disposition Youth	Henley-Young shall ensure that youth have access to adequate rehabilitative services. Henley-Young shall ensure that children placed in the facility post-disposition will receive constitutionally compliant rehabilitative services.	
Status	Non-Compliance	
Discussion	As stated in my previous report if the facility continues the 89 day program there must be standardized method of operation. I did have a conference call with the County Administrator and the Chief Juvenile Judge Skinner as it	

	relates to the secure and intense counseling program and advised both parties as to the needed components to make this program operational. Although the program concept has merit, to operationalize the program there will be a need for appropriate staffing, development of a therapeutic model, adequate supervision for the program, adequate educational and treatment staff for the program etc. Please review attached minutes from the conference call. There has been no movement on this provision therefore I am reiterating that the suggested actions and recommendations from my previous report be reviewed and put into action .For this program to work and become doable the proper funding to operate is needed.
Recommendations	<ol style="list-style-type: none"> 1. Develop adequate policy and procedures to meet this provision. 2. Either fund properly or discontinue the 89 day program. 3. Review light weight youth in program (i.e. disturbing the family peace) and find alternative placement for them. 4. Fund appropriate staffing to develop individualized treatment plans for youth in 89 day program. 5. Develop and fund alternative community programming for youth in 89 day program that can be serviced in community.
Evidentiary Basis	Document review, observation, interviews

Provision 5.2 Individualized Treatment Plans Treatment Program for Post- Disposition Youth	Henley-Young shall ensure that youth in need of mental health and/or substance abuse treatment and/or who are in the facility post disposition shall have appropriate treatment plans developed and implemented in accordance with generally accepted professional standards of practice for mental health and rehabilitative services.	
Status	Non-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating the action and recommendation from my previous report below. Youth entering the facility still have no treatment plans as it relates to mental health although some youth are being seen by Hinds Behavioral Health counselors. Once a youth enters the facility and the screening shows evidence and warning signs of suicidal ideations, traumatic experiences, depressed moods, and somatic complaints etc. that are indicated by the MAYSI-2, the youth should be evaluated. However there is no documentation to show that treatment was provided based on the warning signs, there are no treatment plans available, there is no staff to implement the treatment plans if there were available at the facility and no post treatment plans developed for youth who are leaving the facility. Interviews with staff showed they were very frustrated with the lack of	

	<p>mental health services at the facility. The staff members that I interviewed were very apprehensive and frustrated about how to handle youth with identified mental health problems. In addition, there is no system in place to address youth with mental health issues or mental health behaviors. Also youth having problems within the school should at least be identified by the school i.e. special education. At this point there is no indication that any other mental health services are being provided other than those services provided by Hinds Behavioral Health.</p>
Recommendations	<ol style="list-style-type: none"> 1. Develop adequate policies and procedures for this provision. 2. See recommendations under (5.1).
Evidentiary Basis	Document review, observation, interviews

<p>Provision 5.3 Individualized Treatment Plans Treatment Program for Post- Disposition Youth</p>	<p>Henley-Young shall implement policies and procedures for the required content of treatment plans, which shall include;</p> <ol style="list-style-type: none"> a. That the treatment plan be individualized; b. An identification of the mental and/or behavioral health and/or rehabilitative issues to be addressed; c. A description of any mental health, medication or medical course of action to be pursued, including the initiation of psychotropic medication; d. A description of planned activities to monitor the efficacy of any medication of the possibility of side effects; e. A description of any behavioral management plan or strategies to be undertaken; f. A description of any counseling or psychotherapy to be provided; g. A determination of whether the type or level of treatment needed can be provided in the youth’s current placement; and h. A plan for monitoring the course of treatment, and if necessary, for revising the treatment plan. i. A description of the precise terms the of the facility’s long-term and short-term objectives for the youth, the full range of services to be provided, and procedures, and timetables and staff assignments for the implementation of such treatment plan; j. A plan for regularly engaging the family in the youth’s treatment plan; k. A comprehensive re-entry plan that will assist the youth re-enroll in their home school and access medical, mental health, vocational and rehabilitative services based in the community.
Status	Non-Compliance

Discussion	<p>The facility still has not developed policy and procedures for this provision. Please see previous report. As stated in provision 5.1, the facility still needs to develop the appropriate program structure with adequate staffing, etc. adequate therapeutic treatment, supervision, education etc. Henley-Young is still in Non-Compliance as it relates to this provision. There has been no movement on this provision therefore I am reiterating the actions and recommendations from my previous report below.</p>
Recommendations	<ol style="list-style-type: none"> 1. Develop comprehensive policies and procedures for this provision that includes the contents (A-K). 2. The County/Court shall define the criteria for the program <ol style="list-style-type: none"> a. It is important that post dispositional programs in other facilities be reviewed. b. Often seeing what is being done in other facilities provides insight into how to develop and operate these programs. 3. Provide dedicated staff to manage program. 4. Provide intensive training to these staff members. <ol style="list-style-type: none"> a. Train staff in various treatment modalities i.e. cognition, behavioral modification, modeling, psychotherapy, reality therapy, group therapy and group dynamics and other skills required to successfully facilitate the goals of the 89 day program. b. Create treatment teams c. Develop case planning and program development d. Assessment of the program to determine if it meets the needs of the court placed youth. e. Assessment tool to regularly monitor the success or lack of success of all youth in the program. 5. Provide auxiliary training to all other direct care staff.
Evidentiary Basis	Document review, observation, interviews

Provision 5.4 Individualized Treatment Plans Treatment Program for Post- Disposition Youth	Henley-Young shall institute a program of periodic staff reviews every three weeks and evaluations of each youth's progress under his/her individualized treatment plan and of the appropriateness of the plan itself and Henley-Young's plan for such review.	
Status	Non-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating the actions and recommendations from my previous report below. Please see the previous report and provisions 5.1 and 5.3.	
Recommendations	<ol style="list-style-type: none"> 1. Develop comprehensive policies and procedures for this provision. 2. Provide training to all staff. 	

	3. Identify roles and responsibilities of direct care, treatment and educational staff as it relates to the staffing for 89 day program through policies and procedures and adequate funding and staffing.
Evidentiary Basis	Document review, observation, interviews

Provision 5.5 Individualized Treatment Plans Treatment Program for Post- Disposition Youth	Henley-Young shall develop and implement a program that provides for evening and weekend programs and activities that allow youth to engage in meaningful activities.	
Status	Non-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating the actions and recommendations from my previous report below. The program of the facility is at a standstill as it relates to this provision. There are very few activities on weekends therefore there is no meaningful programmatic structured/activities except for card play.	
Recommendations	<ol style="list-style-type: none"> 1. Develop comprehensive policies and procedures to meet the needs for this provision. 2. Provide adequate staffing for this program. 3. Develop a monthly recreational program with activities. 4. Keep records of activities provided and note those that were not provided and why. 5. Purchase board games etc. 6. Hire recreational staff. 	
Evidentiary Basis	Document review, observation, interviews	

Provision 5.6 Individualized Treatment Plans Treatment Program for Post- Disposition Youth	Henley-Young shall develop and implement an adequate quality assurance program.	
Status	Non-Compliance	
Discussion	The facilities policies and procedures for an individualized treatment program for post disposition youth have not been presented or approved. Therefore, I am reiterating the actions and recommendations from my previous report below. The facility still is in need of adequate Quality Assurance program. It is very difficult to develop an effective treatment	

	program or individualize treatment plans without an adequate review process in place.
Recommendations	<ol style="list-style-type: none"> 1. Develop comprehensive policies and procedures to meet the needs for this provision for the facility, school program and SICU program. 2. Health Care: continuously assess the quality and adequacy of the health services provided, accurately evaluate the performance of staff providing health services and address identified deficiencies. 3. Recreation and Social programs: continuously assess the quality and adequacy of social and recreational programming provided; accurately evaluate the performance of staff in providing these programs. 4. Environmental Health and Safety: continuously assess the quality and adequacy of environmental health and safety, accurately evaluate the performance of staff in providing a safe and healthy environment and properly address identified deficiencies. 5. Discipline and order: continuously monitor use of discipline and promptly address misuse or over use of discipline and other identified deficiencies. 6. The facility will develop monthly performance measures to indicate achievement in the desired area. 7. Review State of Florida Quality Assurance Model and for assistance in developing contact CJCA Performance Based Standard for Juvenile Detention Programs, also use ACA standards to establish policy guidelines.
Evidentiary Basis	Document review, observation, interviews

6 Due Process/Isolation/Disciplinary Practices and Procedures

Provision 6.1 Disciplinary Practices and Procedures	Henley-Young shall implement a discipline policy and practice that incorporates positive behavior interventions and supports. This policy shall include guidelines for imposing graduated sanctions for rule violations and positive incentives for good behavior.	
Status	Non-Compliance	
Discussion	The facility is implementing a due process behavior system which is partially complete. There is still no positive incentive program for good behavior and sanctions for rule violation. There has been no movement on this provision therefore I am reiterating that the suggested actions and recommendations from my previous report. The facility should continue to follow the recommendations from the previous report. The facility is making improvement on the due process isolation and practices. Although processes on a few provisions have begun, it is vitally important that policy and procedures are developed to ensure a consistent, comprehensive, and	

	standardized method of running the facility.
Recommendations	<ol style="list-style-type: none"> 1. Develop adequate policies and procedures for this provision. 2. Develop new resident handbook. Youth are to receive these handbooks during orientation. <ol style="list-style-type: none"> a) They shall include youth rights, major and minor rule violations and the grievance policy. b) The handbook will explain to youth in their own language the rules and shall also be explained by staff that will have them sign and date a form indicating that both processes have occurred. c) These rules shall be posted on each unit. 3. Due process rules shall be posted on each unit. 4. Develop positive behavior intervention programs. 5. Assign and train an independent person(s) to handle due process isolation hearings. The person(s) must be independent of the unit staff. 6. Ensure youth who are in isolation are provided recreation and education services.
Evidentiary Basis	Document review, observation, interviews

Provision 6.2 Disciplinary Practices and Procedures	<p>Youth who violate major rules may be subject to cell confinement for up to 24 hours for a single rule violation. An occasion in which a youth is alleged to have contemporaneously violated multiple major rule violations shall count as a single rule violation for the purposes of this section. No youth shall be confined to a cell for longer than 8 hours for a single rule violation without receiving written notification of the alleged rule violation and the occurrence of a disciplinary review/due process hearing before an impartial staff member, which includes participation by the accused youth. Under no circumstances shall youth be subjected to involuntary cell confinement for longer than 24 hours for disciplinary purposes. Youth who are placed on cell confinement shall be released daily from their cells to attend school, maintain appropriate personal hygiene, and to engage in one hour of large muscle exercise.</p>	
Status	Non-Compliance	
Discussion	<p>There has been no movement on this provision therefore I am reiterating that the suggested actions and recommendations from my previous report be put into action.</p>	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures for this provision. 2. Develop sheets to place on door of any youth in confinement that identifies the reason for confinement and is review and signed by supervisor. 3. Ensure youth in confinement receive education and recreation services. 4. See 6.1 recommendations. 	

	5. Provide training for all staff on these policies and procedures.
Evidentiary Basis	Document review, observation, interviews

7 Use of Restraints

Provision 7.1 Use of Restraints Mechanical	Mechanical restraints shall not be used to punish youth or for the convenience of staff. Mechanical restraints shall only be used to prevent self-harm and/or harm to others, subject to section 7.4, and for transportation to and from court, subject to section 7.2.	
Status	Beginning Compliance	
Discussion	The facility continues to follow the policies and procedures of this provision. To move past beginning compliance, staff needs to be trained and all training documented etc. based on recommendations below.	
Recommendations	<ol style="list-style-type: none"> 1. Officers shall receive training on policy and procedures. 2. Officers shall be trained on when it is appropriate to use mechanical restraints. 3. All training shall be documented. 4. The policy will require the documentation of any use of mechanical restraint and use of force incidents. 	
Evidentiary Basis	Document review, observation	

Provision 7.2 Use of Restraints Mechanical	Nothing in this section shall prohibit mechanical restraints from being placed on youth who are being transported to and from court or out of the facility, if staff have reason to believe that a youth presents a flight risk or is an imminent danger to the youth or others, or will engage in violent behavior. However, mechanical restraints should be removed immediately after the youth is placed in a cell and at no time shall a youth be placed in a cell wearing mechanical restraints.	
Status	Beginning Compliance	
Discussion	The facility continues at beginning compliance. To move past beginning compliance, staff needs to be trained and all training documented etc. based on recommendations below.	
Recommendations	<ol style="list-style-type: none"> 1. Develop and provide adequate training for this provision. 2. All training shall be documented. 3. The policy will require the documentation of any use of mechanical restraint and use of force incidents. 4. Operationalize the edicts of this provision. 	
Evidentiary Basis	Document review, observation	

Provision 7.3 Use of Restraints	Restraints shall not be used to secure youth to a fixed object such as a restraint chair, bed, post, or chair.	
Status	Beginning Compliance	
Discussion	The facility continues to be beginning compliance. I found no indication during my visit or interviews that youth were being secured to fix objects in the facility. However, to move past beginning the facility needs to follow the recommendations (2, 3 and 4) below.	
Recommendations	<ol style="list-style-type: none"> 1. Complete the comprehensive policies and procedures for this provision. 2. Provide training for staff within the facility as described above on this provision and provide documentation of training. 3. Develop and use a mechanical restraint log. 4. Provide training on de-escalation techniques to try to use mechanical restraints only as a regular part of facility transport. 	
Evidentiary Basis	Document review	

Provision 7.4 Use of Restraints	No youth shall be restrained for longer than 15 minutes, unless restraints are approved by a mental health professional or if determined to be necessary under section 7.2 or as reasonably necessary to prevent the youth from engaging in acts of self-harm or harm to others. If a youth must be restrained for longer than 15 minutes in order to prevent self-harm, that youth shall, as quickly as possible, be evaluated by a mental health professional or transported to a mental health facility.	
Status	Non-Compliance	
Discussion	Policy and procedures need to be developed, training etc. as it relates to this provision. There has been no movement on this provision therefore I am reiterating that the suggested actions and recommendations from my previous report be placed into action.	
Recommendations	<ol style="list-style-type: none"> 1. Develop comprehensive policy and procedures for this provision. 2. Provide training for staff on policy and procedures and document training. 3. Provide training on de-escalation techniques. 4. Develop Mental Health protocols for this provision. 	
Evidentiary Basis	Document review	

Provision 7.5 Use of Restraints	Henley-Young shall not use, or allow on the premises, restraint chairs, chemical restraints and/or tasers.	
Status	Beginning Compliance	

Discussion	<p>Although the facility does not have a restraint chair or chemical restraints there is a major concern regarding deputies from Hinds County entering the facility and youth being tased by an officer, as I discussed in my introduction. As stated in my introduction the incident should have been addressed prior to the Hinds County Sheriff's Department being called. A review of the video reveals that there was a long period of time possibly an hour or more that the youth was allowed to act out and at no time did staff intervene or try to physically stop youth from the violent outburst and the destruction of property. Staff at this point needs to be trained or retrained on de-escalation and restraint techniques. The video also reveals that the youth should not have been tased. This is very disturbing and should be addressed as soon as possible so as not to be repeated in the future. Although there may be times when an outside agency should be called this time it was unnecessary because staff was present. In the future, any persons entering the secured institution should either store or secure all weapons including tasers, guns etc., before entering the institution. This was a major violation of the settlement agreement. Further, the facility has developed policy and procedure that prohibits the use of tasers by officers however Hinds County violated its own policy in the December 25, 2012 incident. Hinds County Sheriff Deputies entered the facility and used a taser on a youth. The County should ensure that this policy is followed as it has violated the provision and agreement and this should never repeat itself.</p>
Recommendations	<ol style="list-style-type: none"> 1. Provide training for staff on policies. 2. Document all training provided to all staff. 3. Retrain staff when deemed necessary.
Evidentiary Basis	Document review, video

Provision 7.6 Use of Restraints	Henley-Young shall not subject youth to "hogtying," which is the practice of placing a youth face down on a bed, floor, or other surface, and securing the youth's hands to his feet.	
Status	Beginning Compliance	
Discussion	I still find no indication that the facility is violating this provision. The facility does have policy and procedure developed however there is still a need for training of staff and documentation of all training of staff. See recommendations below.	
Recommendations	<ol style="list-style-type: none"> 1. Provide training for staff on policies 2. Document all training provided to all staff. 	
Evidentiary Basis	Document review	

Provision 7.7 Use of Restraints	When a youth is placed in mechanical restraints, staff must provide one-on-one supervision for the duration of the restraint, except when mechanical restraints are deemed to be necessary for the reasons specified in section 7.2.	
Status	Non-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating that the suggested actions and recommendations from my previous report below be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop comprehensive policy and procedures for this provision. 2. Provide training for staff on policies and procedures. 3. Document all training provided to all staff. 	
Evidentiary Basis	Document review	

Provision 7.8 Use of Restraints	Henley-Young shall notify a medical professional whenever a youth is placed in mechanical restraints for reasons other than those specified in section 7.2. A medical professional shall examine the youth as soon as possible after restraints are removed, except when the youth was restrained for the reasons specified in section 7.2.	
Status	Non-Compliance	
Discussion	<p>The facility has not developed policies and procedures for this provision. The provision still needs to be addressed. During my interviews and review of documentation I found no indications that a medical examination is being completed after a restraint or anytime during a restraint. It should be noted that I found no medical exam after the taser incident and no documentation that youth was transported to a medical facility. There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report be followed. Although the facility has developed policy and procedure that prohibits the use of tasers for officers, this did not happen in the December 25, 2012 incident. Hinds County Sheriff's Deputies entered the facility and used a taser on a youth. The County should ensure that this policy is followed as it has violated this provision and agreement.</p>	
Recommendations	<ol style="list-style-type: none"> 1. Develop comprehensive policies and procedures for this provision. 2. Provide training for on policies and procedures. 3. Document all training provided to all staff. 	
Evidentiary Basis	Document review	

Provision 7.9 Use of Restraints	Hinds County does not currently and shall not in the future allow officers to enter the secure detention area of the facility with any electronic restraints, including, but not limited to, tasers.	
Status	Beginning Compliance	
Discussion	As stated in provision 7.5, although the facility has developed policy and procedure that prohibits the use of tasers for officers, this did not happen in the December 25, 2012 incident. Hinds County Sheriff's Deputies entered the facility and used a taser on a youth. The County should ensure that this policy is followed as it has violated this provision and agreement.	
Recommendations	<ol style="list-style-type: none"> 1. Provide training for staff on policy. 2. Document all training provided to all staff. 	
Evidentiary Basis	Document review	

Provision 7.10 Use of Restraints	Henley-Young is required to ensure that no officer enters the secure detention area of the facility with a firearm.	
Status	Beginning Compliance	
Discussion	The facility has developed policy and procedures for this provision.	
Recommendations	<ol style="list-style-type: none"> 1. Provide training for staff on these policies and procedures. 2. Document all training provided to all staff. 3. Have signs displayed at all entrances. 	
Evidentiary Basis	Observation	

8 Use of Force

Provision 8.1 Use of Force	Physical force shall not be used to punish youth. Staff shall only use physical force to stop youth from causing serious physical injury to self or others or to prevent an escape. If physical force is necessary, staff must use the minimum amount required to safely contain the youth. Whenever possible, staff shall avoid the use of force by first attempting verbal de-escalation techniques. Staff shall be required to fully document in writing every instance of use of force.	
Status	Non-Compliance	
Discussion	As stated in my previous report, there is still inappropriate physical force used and there is no indication that any formal verbal de-escalation techniques are used prior to the use of physical force. An example would be on January 20, 2013 the video incident regarding youth Z.B. showed staff members made little attempt to de-escalate this youth and another officer who engaged the youth, inappropriately physically managed him. I found no documentation or report that youth was seen by medical professional	

	<p>after restraint. In addition, based on my review of the incident regarding youth Z.B. there should be immediate corrective action regarding the staff member who initiated the physical restraint of this youth. Also, the other three staff members in the video should be retrained on de-escalation techniques. There has been no movement on this provision therefore I am reiterating the actions and recommendations from my previous report below. The key in this policy is that staff needs a major training curriculum that will contain constant documentation of the continuing training on de-escalation techniques and behavioral modification techniques that precede any need for use of force. In other words, there should be a structure that captures the flow of incidents that occur as it relates to physical force. Incident reports should provide a picture of what occurred, prior to, during and post incident. This provides the administration with a clear understanding of the sequence of events and whether staff followed protocol and prescribed by the policies and procedures set forth. During my interviews with the residents, there were still complaints that staff members use profane language with them and make inappropriate derogatory statements to them. When interviewing staff members they also said that the residents cursed at the staff. When these behaviors continue in the facility it lends itself to a hostile environment for all concerned. This is why the training of staff in youth rights, ethical behavior around youth, de-escalation and behavior modification is so important to the operations to the facility. Further, it is incumbent on the staff to direct the residents in the way of respectful and acceptable behavior. It is in this vein that youth be trained in good social skills, which will help them to learn how to respond in a respectful manner. This helps to reduce the need for use of force. Also youth who are receiving mental health services should never be handcuffed unless approved by a medical or mental health professional.</p>
Recommendations	<ol style="list-style-type: none"> 1. Develop policy and procedures for this provision. 2. Provide training for on policies and procedures 3. Document all training provided to all staff. 4. Adapt an appropriate curriculum for training staff on the use of verbal de-escalation skill and safe use of physical restraints or mechanical restraints. 5. Contact the National Partnership for Juvenile Justice for recommendations on training program in this area. 6. Document and file report when there is use of force.
Evidentiary Basis	Document review, interviews

Provision 8.2 Use of Force	Henley-Young shall notify a medical professional, including but not limited to the licensed practical nurse on duty whenever physical force is used against a resident. A medical professional shall examine a youth immediately after the use of physical force.	
Status	Non-Compliance	
Discussion	This provision is still Non-Compliance based on documentation review, observations, and interviews. There has been no movement on this provision therefore I am reiterating the actions and recommendations from my previous report be reviewed and followed. It is also important that appropriate staff be put in place to man the facility 24/7. In my interview with the facility director and the county administrator, they explained that they are working on procuring a contract for medical services to meet the demands of this provision, which will provide the necessary bodies and services to the facility. Once the contract is implemented the County should ensure that policies and procedures are developed that meet the medical standards and needs of the residents in the facility.	
Recommendations	<ol style="list-style-type: none"> 1. Complete procurement of services as quickly as possible. 2. Develop comprehensive policies and procedures for this provision. 3. Provide training to staff on policies and procedures. 4. Document all training provided to all staff. 5. Review nursing schedule and provide more hours at facility. 6. Provide written documentation of examination of youth by medical professional in every instance. 7. Provide additional medical services after hours and on weekends. 8. Document and file in youth records when there is use of force. 	
Evidentiary Basis	Document review, observation	

9 Meals and Nutrition

Provision 9.1 Meals and Nutrition	Youth shall be provided three meals and a snack daily. If a youth misses a meal because he or she is attending court, or some other appointment, he or she shall receive the missed meal upon his or her return to detention.	
Status	Non-Compliance	
Discussion	The provision is still Non-Compliance until there is policy and procedures developed. There has been no movement on this provision therefore I am reiterating the actions and recommendations from my previous report below. When I return for my next visit, I would like to meet with the food service supervisor and the County's dietitian to ensure that the food portions meet the prescribed dietary needs of the residents. In my experience in managing the National School Lunch Program, we found that although the program calls for specific guidelines, portions they have established are pre cooked. For example, a 6 oz. hamburger	

	becomes 4 oz. once it is cooked. This means that the planned meal becomes inadequate. These are the type of issues I will be discussing.
Recommendations	<ol style="list-style-type: none"> 1. Review portions to ensure youth receive enough food during meals. 2. Develop policy and procedures for this provision. 3. Provide training for kitchen staff and all other staff members involved with handling food and preparing meals.
Evidentiary Basis	Document review, observation, interviews

Provision 9.2 Meals and Nutrition	All meals and snacks served to youth at Henley-Young shall, at a minimum, comply with the nutrition guidelines set forth in the United States Department of Agriculture's School Meals Program standards.	
Status	Beginning-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating the actions and recommendations from my previous report. The facility still needs to fully develop policy and procedure for this provision. See provision 9.1. Though processes have begun, it is vitally important that policy and procedures are developed to ensure a consistent, comprehensive, and standardized method of running the facility.	
Recommendations	Develop policy and procedures for this provision.	
Evidentiary Basis	Document review, observation, interviews	

Provision 9.3 Meals and Nutrition	Youth shall be provided access to drinking water throughout the day.	
Status	Beginning Compliance	
Discussion	The facility has not replaced the functioning water fountains, therefore, I am reiterating the actions and recommendations from my previous report that shall be reviewed and followed. I have reviewed documents which show the County has conducted an environmental test on the water system and concluded it safe. There is still water available to the residents through the Igloo coolers that have been purchased and this provision remains at beginning compliance based on my last report. It should be noted that youth continue to complain of not being allowed to have water after outdoor recreation and during school.	
Recommendations	<ol style="list-style-type: none"> 1. Contact County or State Environmental office to conduct test on water system. (Done) 2. Ensure youth receive water during school and recreational periods 	

	<p>and at night.</p> <ol style="list-style-type: none"> 3. Develop a policy for incidents regarding water quality and procedures to address them. 4. Repair inoperable drinking fountains.
Evidentiary Basis	Document review, observation, interviews

10 Clothing

Provision 10 Clothing	<p>Henley-Young shall provide basic clothing items for youth at all times. These items must include, at a minimum, socks, underwear, uniform, shoes, and undershirts. For girls, these items must also include a brassiere. When appropriate, Henley-Young shall also provide youth with a coat, hat, and gloves. Youth must be provided with a clean uniform, socks, undershirt, underwear, and brassiere, if applicable, upon intake and at least once per day. No youth shall be deprived of these basic clothing items for any reason, including, but not limited to, as a punishment, because these items are being washed, or due to overcrowding.</p>	
Status	Non-Compliance	
Discussion	<p>Based on this February visit, the facility has purchased a new dryer and the washer is operational. However, youth are still being provided with clothes that are torn, dingy and not clean. In my discussions with the residents they complained that their clothes were dingy with heavy stains and their underwear and sock were filled with holes. I later went to the laundry room and checked the clothing for myself, and found that the youth's statements were true. The facility must develop a system for discarding (torn or wear-worn sheared) clothing. In addition, it is recommended that clothing is prewashed which would loosen the soil in the clothing in particular the white clothing (i.e. undergarments). There also has to be a system for replacing clothing on a regular and consistent basis. There has been some movement on this provision therefore I am reiterating the action and recommendation from my previous report below.</p>	
Recommendation	<ol style="list-style-type: none"> 1. Develop policies and procedures to adequately address this provision. 2. Check washer and dryer to ensure they are working properly. 3. Ensure that girls and boys are equally involved in cleaning and folding clothes. 4. Hire 2 laundry staff to ensure clothing is handled properly. 5. Ensure that all staff and youth wear protective material (smocks and gloves) when handling chemicals. 6. Discard clothing that is torn, dingy and in poor condition. 7. Develop a system for replacing clothing on a regular and consistent basis. 8. Develop schedule for distribution. 	

	9. Develop a system for prewashing clothing (i.e. undergarments etc.)
Evidentiary Basis	Document review, observation, interviews, photographs

11 Hygiene and Sanitation

Provision 11.1 Hygiene and Sanitation	Youth shall be provided with the means to maintain appropriate hygiene, including soap and shampoo for showers, which will occur at least once daily, soap for washing hands after each time the youth uses the toilet, and toothpaste and a toothbrush for tooth brushing, which will occur at least twice daily, a comb and brush, that if shared, shall be sterilized between uses by youth. Girls must be provided with panty liners on a daily basis and other feminine products as needed. Youth will be issued a comb and brush upon entering the facility; however, if youth are issued a recycled comb or brush or a comb or brush that has been used by another youth, Henley-Young shall ensure that the comb and brush is sterilized and in good condition.	
Status	Non-Compliance	
Discussion	During my visit this February my observations and interviews revealed that youth did not have individual toothpaste and all youth were using the same toothpaste. All toothpaste was being dispensed from one tube which is highly unsanitary. According to interviews with youth and staff they have been without individual toothpaste for a month. I observed the system at 5 am and found this to be true. There has been no movement on this provision therefore I am reiterating the action and recommendation from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop adequate policies and procedures for this provision. 2. Ensure that hygiene kits are properly labeled and youth are not using each other's hygiene products or items. 3. Ensure items such as hair brushes, if shared, are sterilized and in good condition. 4. Provide training for staff on these policies and procedures. 5. Ensure that clean face towels are available for youth. 6. Develop a schedule for distribution of hygiene kits. 	
Evidentiary Basis	Document review, observation, interviews	

Provision 11.2 Hygiene and Sanitation	Youth shall be provided with sleeping mats and blankets that are clean and odorless sleeping mats shall be sanitized between uses by youth, and youth shall receive clean blankets weekly.	
Status	Non-Compliance	

Discussion	Policy and procedure still needs to be developed. Please see previous report with the exception that a dryer has been purchased and is operational. I will review upon my next visit if clothing and blankets are cleaned and sleeping mats are sanitized.
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures for this provision and train staff on them. 2. Discard all blankets and mattresses that are tattered and have holes in them. 3. Clean and maintain laundry area in orderly fashion. 4. Label and designate an area for towels, sheets, clothing etc.
Evidentiary Basis	Document review, observation

Provision 11.3 Hygiene and Sanitation	Under no circumstances shall youth be deprived of mats and blankets.	
Status	Non-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report shall be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop comprehensive policies and procedures for this provision 2. Provide training to staff on policy and procedure. 	
Evidence	Observation	

Provision 11.4 Hygiene and Sanitation	Henley-Young shall maintain a sufficient number of clean, sanitary mats and blankets that correspond with the facility's maximum capacity.	
Status	Non-Compliance	
Discussion	See discussions in provisions 10 and 11.3	
Recommendations	See discussions in provisions 10 and 11.3	
Evidentiary Basis	Observation	

Provision 11.5 Hygiene and Sanitation	Youth shall be provided with a clean, sanitary environment.	
Status	Beginning Compliance	

Discussion	The facility continues to make improvement environmentally on the physical plant. The facility is much cleaner and does not have the stark look of an institutional place; and it has become more aesthetically pleasing. However the facility still needs to follow the recommendation below. There has been some movement on this provision however I am still reiterating the actions and recommendations from my previous report should be reviewed and followed.
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures for this provision. 2. See areas in discussion that should be addressed. 3. Develop housekeeping and cleaning schedule. 4. Develop checklist or inspection report for each unit and area. 5. Develop work order system to ensure that when problem arise they are addressed. 6. Develop corrective action plans as needed. 7. Provide training for staff on policy and procedures. 8. Ensure delivered food items are dated and rotated from old to new.
Evidentiary Basis	Document review, observation, interviews

Provision 11.6 Hygiene and Sanitation	Hinds County shall ensure that Henley-Young complies with relevant law regarding fire safety, weather emergencies, sanitation practices, food safety, and the elimination and management of environmental toxins.	
Status	Non-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedure and plans for fire safety, evacuation etc. 2. Develop adequate staff training regarding fire safety. 3. Properly maintain and repair fire equipment. 4. Ensure intercom systems are operating properly. 5. Ensure all mattresses used by youth are fire resistant. 6. Routinely test all fire equipment and system. 7. Ensure that all electrical outlets, wires and equipment (lights) are properly working. 8. Develop work order system to ensure items are repaired. 9. Ensure that all areas in this provision are addressed by a certified professional. 	
Evidentiary Basis	Document review, observation	

Provision 11.7 Hygiene and Sanitation	Youth shall be provided with clean drinking glasses and eating utensils.	
Status	Non-Compliance	
Discussion	During my visit to the facility, I did not find and did not receive any reports of unclean drinking glasses or eating utensils. Because the facility's policy on clean drinking glasses and eating utensils has not been received and approved, I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	Develop policies and procedures for this provision.	
Evidentiary Basis	Document review, observation	

12 Medical Care

Provision 12.1 Medical Care	The parties agree, however, that henceforth, Henley-Young shall provide youth with adequate medical care, including: prompt screenings; a full physical exam within 72 hours after their detention hearing or disposition order, as applicable; access to medical professionals and/or prescription medications when needed; and prompt transportation to a local hospital in the case of a medical emergency. Hinds County is responsible for procuring and/or paying for all medications provided to residents.	
Status	Non-Compliance	
Discussion	The county is soliciting proposals for medical providers to provide medical care for the youth. However, no contract has been signed. It still has responsibility to maintain medical/medication and all other needs to residents. On this provision, I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures for this provision. 2. Develop policies and procedures and protocols based on standards for Health Services in Juvenile Detention and Confinement facilities. 3. Provide training for staff members who administer medication to youth on proper usage and possible side effects. Also, train the staff on emergency protocols if side effects occur. 4. Have a licensed medical professional review and sign off on policy and procedures. 5. Have a licensed health professional periodically review and provide supervision to the nurse at facility. 6. Develop forms to coincide with provision. 7. Remove medication from bags and place them in secure, organized areas and develop forms to determine what medications are present 	

	<p>in the facility at all times.</p> <ol style="list-style-type: none"> 8. Hire or have on contract a physician to review medical area. 9. Ensure that youth receive vision exams, dental screenings, mental health screenings, hearing tests, etc.
Evidentiary Basis	Document review, observation, interviews

Provision 12.2 Medical Care	Henley-Young shall ensure that a medical professional is available to examine youth confined at the facility to identify and treat medical needs, when necessary.	
Status	Non-Compliance	
Discussion	The county is soliciting proposals for medical providers to provide medical care for the youth. However, no contract has been signed. It still has responsibility to maintain medical/medication and all other needs to residents. On this provision, I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Hire qualified medical professional for nights and weekend care. 2. Develop policies and procedures for this provision. 3. Provide training for staff on this provision. 	
Evidentiary Basis	Document review, observation, interviews	

Provision 12.3 Medical Care	Henley-Young shall implement its sick call policy and practice which ensures that confined youth who request non-emergency medical attention are examined by a medical professional within 24 hours of a youth placing him or herself on sick call, excepting weekends and holidays.	
Status	Non-Compliance	
Discussion	The county is soliciting proposals for medical providers to provide medical care for the youth. However, no contract has been signed. It still has responsibility to maintain medical/medication and all other needs to residents. On this provision, I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures for this provision. 2. Place a kite box on each unit. 3. Provide training for staff on this provision. 4. Nurse or designated person, making daily rounds to retrieve kites (Request for Medical Service Forms). 	
Evidentiary Basis	Document review, observation, interviews	

Provision 12.4 Medical Care	Prescription medications shall only be distributed by licensed medical staff or Henley-Young staff who has been trained by licensed medical personnel.	
Status	Non-Compliance	
Discussion	The county is soliciting proposals for medical providers to provide medical care for the youth. However, no contract has been signed. It still has responsibility to maintain medical/medication and all other needs to residents. On this provision, I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures to address this provision. 2. These policies and procedures must include the appointment of a medication administration protocol. 3. There must be a medication record of all medicines administered. <ol style="list-style-type: none"> a. One record to reflect all medicines leaving the pharmacy; b. An additional record kept in each youth's case file. 4. Ensure that the training is comprehensive make certain that all medical contingencies are considered. 5. The staff should be trained on what side effects to look for drugs commonly prescribed to youth with mental health needs. 6. Provide training to staff on the policy and procedures for this provision. 7. All training should be documented and conducted annually. 	
Evidentiary Basis	Document review, observation, interviews	

Provision 12.5 Medical Care	Medical and mental health services shall be provided in a manner that ensures the confidentiality of youth's health information.	
Status	Non-Compliance	
Discussion	The county is soliciting proposals for medical providers to provide medical care for the youth. However, no contract has been signed. It still has responsibility to maintain medical/medication and all other needs to residents. On this provision, I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures to address this provision. 2. Get HIPAA requirements and institute them the facility. 3. Designate the persons who have access to the youth's medical records within the facility and outside of the facility, but within the juvenile justice system. 4. Provide training to staff on policies and procedures. 5. Provide training to staff on HIPAA requirements, and document 	

	training. 6. Designate a HIPPA Privacy Officer.
Evidentiary Basis	Document review, observation, interviews

Provision 12.6 Medical Care	Henley-Young shall develop procedures for monitoring youth who require individualized attention because of medical issues that do not involve requiring the youth to sleep on a mat in the visitation room.	
Status	Non-Compliance	
Discussion	The county is soliciting proposals for medical providers to provide medical care for the youth. However, no contract has been signed. It still has responsibility to maintain medical/medication and all other needs to residents. On this provision, I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures to address this provision. 2. Develop processes of continuous monitoring youth with stable medical issues, i.e. the care for a diabetic youth who are on an insulin regiment. <ol style="list-style-type: none"> a. What are the medical requirements of the youth who need monitoring? b. Who is responsible for the monitoring? c. How are the records kept of the monitoring? 3. Provide training to staff on the policies and procedures for this provision. 4. Annual competency training. 	
Evidentiary Basis	Document review, observation	

13 Mental Health Care

Provision 13.1 Mental Health Care	Henley-Young's contractor, Hinds Behavioral Health Services, shall provide adequate mental health services to all confined youth with a mental health diagnosis or serious mental health need, as indicated by the MAYSI-2. This shall include, but is not limited to, the provision of individual and group counseling sessions upon the request of a youth or the youth's parent/guardian, access to a mental health professional at the detention center, and the distribution and medical monitoring of psychotropic medications by a medical professional.	
Status	Non-Compliance	

Discussion	There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report should be reviewed and followed. It is without question that there are youth entering this facility that need access to structured mental health services (i.e. youth S.A.) which was played out on the 12-25-12 video.
Recommendations	<ol style="list-style-type: none"> 1. Ensure that the facility has a Standardized Assessment Tool i.e. the MAYSI-2 to use during the intake process. 2. Develop policies and procedures to address this provision. 3. Provide training to staff on policies and procedures and provide documentation of training. 4. Develop documentation that will track youth's progress during their stay at facility.
Evidentiary Basis	Document review, observation, interviews

Provision 13.2 Mental Health Care	Youth who are confined for longer than thirty (30) continuous days and who are prescribed psychotropic medications, shall be evaluated by a psychiatrist every thirty (30) days. Such evaluations may be performed by and through employees of Hinds Behavioral Health.
Status	Non-Compliance
Discussion	There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures to address this provision. 2. Provide training to staff on policies and procedures.
Evidentiary Basis	Document review, observation, interviews

Provision 13.3 Mental Health Care	Within 72 hours of a youth's admission to the facility, staff shall develop individual mental health treatment plans for youth who are under the care of a mental health provider. Treatment plans shall emphasize continuity of care and shall ensure that whenever possible, youth are transported to appointments with their regular mental health provider, whether the appointments are standing or made after the youth's initial detention.
Status	Non-Compliance
Discussion	There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures to address this provision. 2. Provide training to staff on policies and procedures.

	3. Policies and procedures shall be reviewed and signed by a licensed mental health professional (psychiatrist, etc.).
Evidentiary Basis	Document review, observation, interviews

Provision 13.4 Mental Health Care	Henley-Young shall develop and implement policies and procedures for referring youth in need of psychiatric services to a licensed psychiatrist for a timely mental health evaluation. Such services may be provided by and through employees of Hinds Behavioral Health.	
Status	Non-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures to address this provision. 2. Provide and document training to staff on policies and procedures. 	
Evidentiary Basis	Document review, observation, interviews	

Provision 13.5 Mental Health Care	Hinds County shall employ or contract for sufficient psychiatric services to permit a psychiatrist to fulfill the following functions: <ol style="list-style-type: none"> a. conduct needed psychiatric evaluations prior to placing youth on psychotropic medications; b. Monitor, as appropriate, the efficacy and side effects of psychotropic medications; c. Participate in treatment team meetings for youth under the psychiatrist's care; d. Provide individual counseling and psychotherapy when needed; e. Evaluate and treat in a timely manner all youth referred as possibly being in need of psychiatric services; and f. Provide adequate documentation of treatment. g. All evaluations and services outlined above may be performed and/or provided by and through employees of Hinds Behavioral Health or any other duly qualified Mental Health agency. 	
Status	Non-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures to address this provision. 2. Provide training to staff on policy and procedures and document training. 	

Evidentiary Basis	Document review, observation	
Provision 13.6 Mental Health Care	The psychiatrist and/or counselors shall review, if necessary, incident reports, disciplinary reports, suicide watch logs, and lockdown logs of youth under their care to determine whether their treatment is working and, if not, how it should be modified.	
Status	Non-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. The mental health of the youth in the custody of the facility needs to be closely monitored at all times. 2. The facility needs to develop policies and procedures to address this provision. 3. Provide and document training to staff on policies and procedures and document training. 4. Facility needs documentation from a mental health organization on plan of action for youth receiving a mental health services. 	
Evidentiary Basis	Document review, observation	

14 Suicide Prevention

Provision 14.1 Suicide Prevention	Henley-Young shall develop a multi-tiered suicide prevention policy that has at least three stages of suicide watch. Suicide watch shall not be used as punishment. The “suicide cell” shall be reserved for youth for whom the “suicide cell” is deemed necessary in conjunction with this suicide prevention policy.	
Status	Non-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures to address this provision. 2. Provide and document training for staff on policy and procedure. 	
Evidentiary Basis	Document review, observation	

Provision 14.2 Suicide Prevention	Any youth placed on the highest level of suicide watch shall be evaluated by a mental health professional, ideally within 12 hours, but in no case longer than 24 hours of his or her placement on suicide watch. If a youth on the highest level of suicide watch is not evaluated by a mental health professional within 24 hours, the youth shall immediately be transported to a local mental health facility or emergency room for evaluation and/or treatment.	
Status	Non-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures to address this provision. 2. The facility needs mental health professionals to help develop these policies and procedures as they are the authorities in this area. 3. Provide training for staff on policies and procedures and document training. 4. Identify a mental health agency to help develop policies, procedures and protocols. 	
Evidentiary Basis	Document review, observation	

Provision 14.3 Suicide Prevention	Youth on suicide watch shall participate in recreation, school, and any other structured programming. Youth shall not be required to wear a "suicide gown" unless locked in a cell. Staff shall closely monitor youth on suicide watch, which includes logging activities every 15 minutes.	
Status	Non-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures to address this provision with the assistance of a mental professional. 2. Provide and document training for staff on policies and procedures. 	
Evidentiary Basis	Document review, observation	

Provision 14.4 Suicide Prevention	When a youth is placed on any level of suicide watch, a report shall be made within 24 hours to the youth court, as well as to the youth's guardian, and his or her defense attorney.	
Status	Non-Compliance	

Discussion	There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures for making and distributing the reports in this provision 2. Provide training for staff on policies and procedures and document training.
Evidentiary Basis	Document review, observation

15 Family Support and Interaction

Provision 15.1 Family Support and Interaction	Visitation shall not be restricted or withheld from youth unless the detention center director determines that a visit will violate the security of Henley-Young or will endanger the safety of residents, visitors, or staff. Visitation should not be restricted as a form of punishment.	
Status	Beginning Compliance	
Discussion	The facility has done a very good job of developing policies and procedures for the visitation process. During my review I monitored the new visitation process on Wednesday and again on Sunday. The process works very well. The parents I interviewed were very happy about the ability to visit their child in an unrestricted environment. The process now is aligned with best practices as it relates to juvenile justice and should be continued.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures for this provision. 2. Provide and document training for staff on policies and procedures. 	
Evidentiary Basis	Document review, observation	

Provision 15.2 Family Support and Interaction	Within 90 days of the effective date of this Settlement Agreement, Henley-Young shall provide accommodations that allow youth to have contact visits with their families.	
Status	Beginning Compliance	
Discussion	Again, the visitation process was in place on the two evenings I observed. The policy is being changed to better accommodate families, which will be on Wednesdays, Saturdays and Sundays instead of Tuesdays, Thursdays and Sundays. The facility should however ensure that there is enough staff available for the process to continue in this positive direction.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures to address this provision. 2. Identify area where contact visitation will take place. 3. Provide and document training for staff on policies and procedures. 	

Evidentiary Basis	Document review, observation
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Provision 15.3 Family Support and Interaction	Visitation shall be regularly scheduled at least three times per week, which shall include evening and/or weekend visitation times in order to encourage family visitation. Henley-Young shall permit the minor siblings of confined youth to participate in visitation, as long as the minors' parent or guardian is present during the visit and the siblings are not harmful to the youth who is detained at Henley-Young. Henley-Young shall also permit a confined youth's own child (ren) to participate in visitation	
Status	Beginning Compliance	
Discussion	The facility has developed policies and procedures for this provision and visitation is scheduled for three times weekly. However as stated in my previous provisions, as it relates to this section, facility must ensure that there is proper staffing available for the visitation process.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures and practices to address this provision. 2. Provide and document training for staff on policies and procedures. 	
Evidentiary Basis	Document review, observation	

Provision 15.4 Family Support and Interaction	Youth may receive phone calls from their attorneys. At the discretion of the Director or assignee, in emergency situations, youth may receive phone calls from parents, primary caretakers, or legal guardians. Emergency phone calls and phone calls from attorneys should not be restricted as a form of punishment	
Status	Non-Compliance	
Discussion	The facility still needs to develop policies and procedures for this provision. There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures and practices to address this provision. 2. Provide and document training for staff on policies and procedures. 	
Evidentiary Basis	Document review, observation	

16 Miscellaneous Provisions

Provision 16.1 Miscellaneous Provisions	Male and female youth shall be provided with equal access to educational and rehabilitative services, medical care, and indoor and outdoor recreation.	
Status	Non-Compliance	
Discussion	There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures and practices for this provision. 2. Cease in the designation of female residents as being solely responsible for laundry; this is a duty male residents can perform as well as females. 3. Develop monthly recreational schedules. 4. Develop comprehensive facility schedules. 5. Provide training for staff on policies and procedures and document training. 	
Evidentiary Basis	Document review, observation, interviews	

Provision 16.2 Miscellaneous Provisions	The parties agree, however, that henceforth: All youth shall have the opportunity to engage in at least one hour of large muscle exercise a day.	
Status	Non-Compliance	
Discussion	Youth are still in their cells and there is still the lack of appropriate staffing and the lack of an organized facility and recreational schedules. There has been no movement on this provision therefore I am reiterating that the actions and recommendations from my previous report should be reviewed and followed.	
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures and implement practices to address the needs of this provision. 2. Develop and implement programming and recreational schedules. 3. Provide and document training for staff on policies and procedures. 	
Evidentiary Basis	Document review, observation, interviews	

Provision 16.3 Miscellaneous Provisions	Henley-Young shall implement a policy which prohibits staff from insulting youth or calling them names, and using profanity in the presence of youth	
Status	Non-Compliance	

Discussion	<p>Staff still needs training on proper de-escalation techniques to ensure they are following the recommended policies and procedures as it relates to the use of profanity etc. During my interviews youth complained that staff was still using derogatory statements towards them which is an area that the administration should review and provide additional supervision to assure that this does not occur. There has been no movement on this provision therefore I am reiterating the action and recommendation from my previous report and see December 25, 2012 incident. In addition, as stated in my introduction, it is recommended that when there is an allegation or complaint from youth that involves staff there must be an investigation by a non-partial individual. This individual(s) should report to the County Administrator or their designee. This would help to reduce any level of favoritism or bias and would provide a level of objectivity to the process.</p>
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures and practices to address the needs of this provision. 2. Provide training to staff in the proper de-escalation techniques of youth. 3. Administration must provide enough supervision to reduce or eliminate insulting behavior by staff. 4. Discipline and retrain staff as needed. 5. Provide training for staff on policies and procedures and document training. 6. Hire an independent person to investigate allegations of abuse or complaints regarding staff by youth.
Evidentiary Basis	Document review, observation, interviews, video review(s)

Provision 16.4 Miscellaneous Provisions	<p>Henley-Young shall implement an adequate grievance policy that is accessible to all youth regardless of literacy levels, and that provides youth with the opportunity to appeal facility level determinations. Youth shall obtain the grievance forms from the school liaison.</p>	
Status	Beginning Compliance	
Discussion	<p>The facility does have a grievance process in place. However during my interview with the residents had no confidence in the grievance process. One resident stated that “sometimes we ask for grievance forms and they (the staff) won’t give them to us.” Another resident said that, “I filled two grievances and got no response on the grievances.” My review of the grievances revealed that even if the resident filed a grievance there was no disposition to resolve the matter. The facility must ensure that there is openness to the grievance process so that the resident will feel confident in the system. Also the Resident’s Grievance Resolution Report should be given to the resident for a signature and their response to the outcome. If the resident disagrees with the resolution the resident has the right to appeal the</p>	

	decision to the director.
Recommendations	<ol style="list-style-type: none"> 1. Place grievance boxes on each unit and school, residents should not be required to request a grievance form. 2. Provide training for staff on policies and procedures and document training. 3. Provide training for youth on policies and procedures and document training. 4. Ensure that youth are adequately familiarized with the grievance process during their orientation into the facility 5. Add a place on the Resident’s Grievance Resolution Report for a resident to request an appeal and place for the Director’s resolution. 6. Ensure Resident’s Grievance Resolution Reports are provided to the resident for their signature and their response to the outcome. If the resident disagrees with the resolution the resident has the right to appeal the decision to the director.
Evidentiary Basis	Document review, observation, interviews

Provision 16.5 Miscellaneous Provisions	<p>Hinds County denies that Henley-Young does not currently have an adequate policy whereby youth can request to see their attorney and/or Youth Court counselor. The parties agree, however, that henceforth: Henley-Young shall develop and implement an adequate policy that allows youth of all ages and literacy levels with the opportunity to request to see their attorney and/or Youth Court counselor. Youth shall obtain the form requesting a visit from his/her counselor from the school liaison. Henley-Young agrees to collaborate with the Plaintiffs to design and implement a comprehensive juvenile justice pre-service and in-service training program for detention center staff. Training shall include, but is not limited to, the mandatory reporting requirements for direct care workers, the requirements of the Prison Rape Elimination Act, verbal de-escalation techniques, adolescent brain development and developmental issues, effective communication with adolescents, effective documentation, appropriate use of force and restraint, and best practices for detention center administration.</p>	
Status	Non-Compliance	
Discussion	<p>There has been no movement on this provision therefore I am reiterating the action and recommendation from my previous report below. . Doing my review of incident reports, I found that some reports were typed and others written. I also found that there are various incident reporting forms used to document incidents. An example would be the facility uses Resident Incident Report / Use of Force forms. However, the school uses HYJJDC School Reporting Document forms for incident reporting. The bottom line</p>	

	is there should be one standard Incident Reporting form and system used by the facility.
Recommendations	<ol style="list-style-type: none"> 1. Develop policies and procedures and practices for this provision. 2. Provide and document training for staff on policies and procedures. 3. Develop single form and system for incident reporting.
Evidentiary Basis	Observation, interviews

Conclusion

This is my third official visit to the Henley-Young Detention Facility. As stated in my previous reports, the facility has made some improvements but still has a long way to go. Based on my third visit the facility has made several improvements to move the facility to beginning compliance with 4 more provisions. **In my introduction, I stated that although processes on a few provisions have begun, it is vitally important that policy and procedures are developed to ensure a consistent, comprehensive, and standardized way of running the facility.** In addition, the facility is cleaner and more aesthetically pleasant. The facility should continue to repair areas that remain damaged, need painting, in need of lighting and in need of refurbishing. The provisions which relate to medical, mental health, staffing, treatment, suicide prevention, clothing, use of force, cell confinement, and use of restraint remain in non-compliance and are still major liability areas. As stated in my last report, the County Administrator is on the right path but will need a great deal of assistance from all stakeholders (i.e. court, County Supervisors, Jackson Public Schools and the State of Mississippi). I would direct the County to the conclusion in my second report which is still germane for this report. Finally, although the facility has a ways to go, I commend them for developing a visitation program that is functional even though the staff had to be maneuvered around to meet the beginning compliance of the provisions on visitation. To pull this off with limited staff is a milestone. However, without additional staff this could become temporary. The County must support the facility's efforts and continue to build on it. As stated, in my introduction and in provision 16.4, the County must hire an independent person(s) to investigate allegations of abuse or complaints regarding staff by youth. The facility must also develop one system for documentation for school and facility staff that must be legible. Regardless of how accurate or useful and observation may be, it has no value to others unless it is recorded legibly. As stated in provision 16.5 Doing my review of incident reports, I found that some reports were typed and others written. I also found that there are various incident reporting forms used to document incidents. An example would be the facility uses Resident Incident Report / Use of Force forms. However, the school uses HYJDC School Reporting Document forms for incident reporting. The bottom line is there should be one standard Incident Reporting form and system used by the facility. **Finally, I am again recommending the Jackson Public School system (JPS) hire a compliance officer to ensure that the school's educational standards are being met.**



LEONARD B. DIXON

Attachments

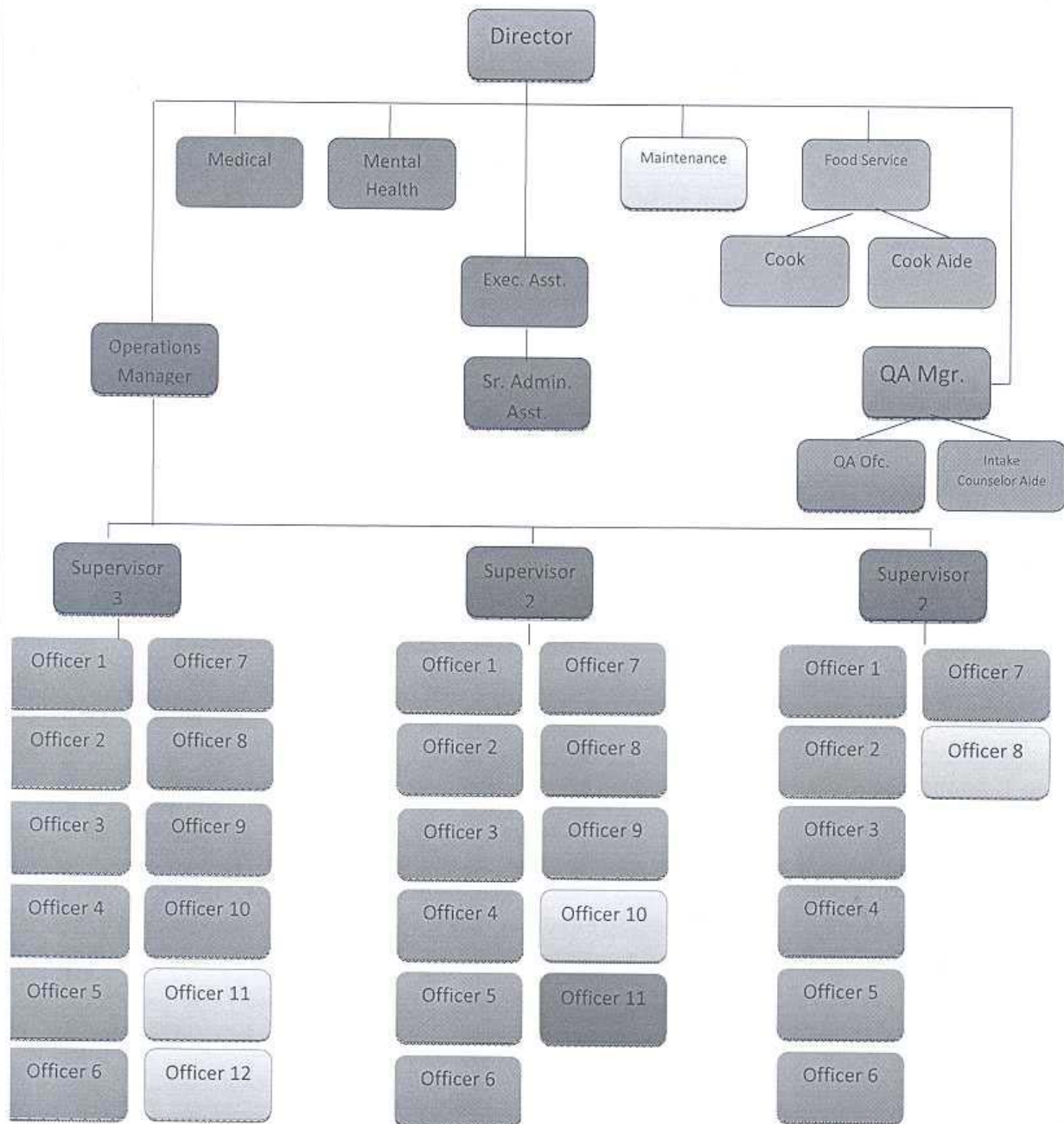
A - Organizational Chart

B - Henley-Young Conference call January 24, 2013

Attachment A

Henley-Young Juvenile Justice Center

Organization Chart



Eric Dorsey

January 31, 2013

Attachment B

Henley-Young
Conference call January 24, 2013

Participants
Honorable Judge William Skinner
County Administrator, Carmen Davis
Facility Director, Dale Knight
Court Monitor, Leonard Dixon

January 30, 2013

This is a follow up to the conference call dated January 24, 2013 regarding the educational program at Henley Young and the secure and intensive counseling unit, two areas to which the parties need additional clarification. As it relates to the educational program there were several areas that are of major concern as addressed in my report dated December 12, 2012. In addition, there are major areas to address as it relates to the secure intensive counseling unit program. These areas must be addressed based on the agreement ordained and adjudged by federal court.

Concerns relating to the school:

- A. Lack of proper staffing – the need for additional teachers (i.e. additional special education teacher, recreation teacher and regular education teacher at a minimum).
- B. In addition ensuring that residents are following the same programmatic educational structure as required by Jackson Public School.
- C. Addressing residents who have been deemed drop outs that would participate in school fully.
- D. Ensuring there is a full day of school and all residents are participating.
- E. Specific educational staff and resources allocated for the secure intensive counseling unit.

Concerns relating to the special intensive counseling unit:

- A. The program should stand alone with its own milieu that is separate and apart from the Juvenile Detention's.
- B. The counseling unit is a very good idea however as discussed it would need its own staffing – counselors supervision, supervisors, direct care, support staff, mental health and educational staff which would be 1 special education teacher and 1.5 regular education teachers; its own 4 shift supervisors and 12 unit officers. The secure intensive counseling unit should be able to use the facility medical staff when it becomes operational.

- C. As discussed the facility intensive counseling unit must be highly structured and provide staffing that is trained in the therapeutic model that will be in place.
- D. Staff must be able to model the behavior that they are requiring of youth and the staff must be in placed to ensure there is immediate feedback based on the new skills and practices that residents will receive in the intensive counseling unit. This would consist of behavioral plans that would be developed during the time of the youths' participation in the program.
- E. As discussed and agreed the juvenile justice residents entering the Henley Young facility have numerous diagnosis such as serious emotional disturbed, developmentally disable, bipolar, attention deficit disorder and substance abuse etc. These are serious issues and must be addressed as such with all youth in the facility but specifically as it relates to youth assigned to the secure intensive counseling unit program.

Judge Skinner and Administrator Davis are moving in the right direction however there is a stated need for proper staffing for both the secure intensive counseling unit and the juvenile detention unit. I must reiterate that these must be stand alone units which would ensure that youth are benefiting from the programs. The courts are in the process based on our discussions of implementing a GED program for youth who are not detained.

