

**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:**

**Draft Date July 6, 2012**

**Report Date July 25, 2012**

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

**Background**

On March, 28, 2012, Hinds County, Mississippi entered into a settlement agreement ordered 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 specific 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 and observations**

Onsite visit May 14, 2012 through May 17, 2012.

**Documentation provided**

Draft standard operational manual policies and procedures  
Flow charts - Chain of Command, Present and Past, staff positions and work schedules  
Hinds County Mississippi, Board of Supervisors, Personnel Policy and Procedure manual  
Use of Force Form  
Blank Control Tower booklet  
General Ledger Inquiry  
Memorandum to Jackson Police Department dated March 7, 2012  
Recommendation of Optimal Level of Staffing dated June 3, 2011  
Incident Reports February 2012, March 2012, April 2012, May 2012 and June 2012  
Segregated and Seclusion and Lock Down Forms  
Training Certification and Inspection Results i.e. food establishment inspection reports  
Budget Appropriations report dated May 2, 2012  
Juvenile Activity report dated December 2010 and January 2011  
Intake Responsibilities Staff Responsibility for Intake Procedures (Booking Officers)  
Material Safety Data Sheets  
Non-Violent Crisis Intervention Training Program dated June 20 -21  
Juvenile Transportation to Mental Health Treatment Facilities, Medical Facilities, Dental Facilities and Group Homes  
Detention Daily Line up sheets dated March 3, 2012 to May 9, 2012  
Volunteer schedule for April 2012  
Blank Risk Assessment Sheet  
Juvenile Grievance Forms and Policy  
Due Process and Grievance Procedure  
Guide for Youth Runaway Procedure  
Daily Activity Schedule  
Fire Inspection Report dated March 19, 2012  
Prison Rape Elimination Act Booklet 2006  
Various memorandums  
Police Officers Standards Training Roster  
Fire Drill report dated May 2012  
Bedbug Parasite and Health Document  
Juvenile Facility Monitoring Unit Report dated October 2011  
Three files of Youth in Post Adjudication Program  
Southern Poverty Law Center (SPLC) Reports

**Staffs interviewed**

Director Dale Knight  
Eddie Lee Burnside Jr., Intake Counselor Aide and Safety and Security  
Calvin Harris, Detention Officer  
Yolanda Courtney, Detention Officer  
Karl W. Jones, Regional Director of DHS  
Vickie S. Berryhill, LPN  
Education Coordinator, Dr. Ginger Marie Thomas-Smith  
Evelyn Hughes-Sullivan, Youth Service Counselor 3 of DHS  
Hinds County Director of Personnel  
Several Court Staff  
Juvenile Judge

**Youth interviewed**

Youth SA 15 years old  
Youth BR 15 years old  
Youth HM 16 years old  
Youth JS 14 years old  
Youth TW 16 years old  
Youth MH 14 years old  
Youth EM 16 years old  
Youth AM 17 years old

**Introduction**

I visited the Henley-Young facility from May 14, through 17, 2012. I would like to thank the staff for their cooperation and support during this process toward improvement. I found the staff to be very accommodating, friendly, welcoming and open during my visit. The Henley-Young facility was opened in 2000. It is a one story building that encompasses the juvenile detention facility, the courts and its administrative offices. Additionally, it houses the State of Mississippi Case Management offices. The detention facility consists of four housing units with a housing capacity of 84 youth and a school program operated by the Jackson Public School System. During this initial visit, I had the opportunity to meet with staff from the Hinds County administrative offices and a County supervisor. Also, I met with the facility director, various support staff, direct care providers, educators, a health caregiver the chief juvenile judge and staff from the courts and the state of Mississippi offices of the Southern Poverty Law Center. All are concerned about the conditions at the Henley-Young facility and are committed to this process.

This report contains my impressions, professional judgment and recommendations based on my review of numerous documents, interviews with staff and youth, experience in operations of juvenile detention and correctional facilities and my understanding of the standards. This report is the result of my initial visit to the facility and the beginning of this process towards improvement. I will maintain ongoing conversations with the facility staff and will continue to review information and documents to assist in my understanding of this facility culture.

## Security Operations and Rehabilitation

- 1) In my experience as a court appointed monitor, I want you to know that this is a very intense and sustained process that must be maintained continuously over a long period. It must be adequately supported by training and funding at all levels of the organization. One of the dominating factors in the process is the all-encompassing concern that there must be knowledge, expertise and mastery in juvenile detention and juvenile corrections or the vision and direction of the facility will be suspect. Therefore, change occurs incrementally as opposed to exponentially. When there is a knowledge gap this further hinders the transformation process. One of the drawbacks at Henley-Young is the absence of juvenile justice professionals who are well connected to the field. The administration has had relatively few persons to call upon for advice, guidance, or help who can provide examples of effective daily practices and give good ideas for addressing issues that arise while operating a juvenile detention facility. The turn over of directors (3 in 3 years) has widened the gap in Henley-Young's ability to operate pursuant to Juvenile Justice Best Practices.
- 2) The facility's lack of staffing is very concerning. I found staffing levels at the facility to be too low for adequate supervision of youth such that it is very difficult for the facility to follow its own staff to youth ratio of 1 to 8 during the waking hours and 1 to 10 during sleep hours.

This lack of sufficient staff has caused the facility to practice imminent and deliberate harm to youth. Because of these staffing problems the facility is forced to place the kids on lockdown most of the day; not because they want to, but because it's the only way to maintain any type of control. These continued lockdowns of the facility fall well below any acceptable care standard for youth. What is occurring at Henley-Young is an institutional culture of suppression and harm that has set in and has flourished over time.

**I found the facility staff not to be intentionally neglectful or abusive but the lack of staffing and standards creates an environment that is neglectful and abusive.** Although the staff are caring and want to do well, the systems in place have forced this facility to create an environment that is abusive and neglectful without actually knowing it. For example, on numerous occasions youth were on lockdown because there was not enough staff to properly supervise activities. On one occasion the youth were locked in their rooms on Unit C for a couple of hours and there were no staff on the unit to ensure their safety. This was due in part because the two staff members who were assigned to the unit were otherwise engaged; one was held over from the night shift to transport a youth to Memphis Tennessee. This resulted in the unintended lockdown. I found inconsistent and sporadic evidence of adequate direct and continuous supervision at Henley-Young which increases the likelihood of harm to staff and youth. The one positive in all of this is that the facility has been below its capacity of 84.

- 3) I found very little programming at Henley-Young. Although the facility has a school on site operated by the Jackson Public School, not all youth attended the requisite number of hours represented in the program description. I found that half of the youth attended school in the morning and the other half in the afternoon. At no time during my visit

were all youth engaged in the school program. Although the school program has dedicated persons working there, the lack of the appropriate number of officers to monitor the school forced the youth to be sent outside to play basketball or sit on the bleachers without any form of organized recreation or physical education programming. At one point during my visit, the mandatory staff was not available so the cook had to help supervise the youth and on another occasion, youth were locked in their rooms most of the day because of testing being administered by the school and each unit was let out of their rooms separately to take the test.

- 4) The facility also has what is called an 89 day program where youth are to be housed at the facility and provided a rigorous rehabilitation program. With the exception of a youth counselor visiting the youth in the facility, I found limited evidence of this rehabilitative program or its services being provided. At no point during my visit were youth in the 89 day program treated differently from the youth housed in general population.

According to the staff I interviewed, the 89 day program is supposed to be a separate program within the facility. The program at this juncture provides no more rehabilitation for the youth in it than the youth in the regular detention program. Since this program is indistinguishable from the detention programming it should be either fully implemented or discontinued because at this point it serves very little purpose to the enrolled youth.

- 5) The physical plant at Henley-Young is in very poor condition. The need for improved maintenance is of paramount importance. The facility is not pleasing in appearance and has a dungeon-like feeling. The lighting is extremely poor, the physical plant is in need of major overhauling and the facility is neither sanitary nor orderly. There appears to be no preventive maintenance program at the facility because in some of the youth's rooms there was minimal or no lighting. A quick description of the physical plant is that the design of the building creates ongoing problems. Henley-Young's prison like environment works against its programming, treatment and rehabilitative objectives due to its hard, sterile and depressing atmosphere. The interior hardware, lack of color, bare walls, furnishings, wire mesh screening and rooms with old, hard and handcuff-cell doors provide a poor setting for learning and rehabilitation. And, with staff located in the tower behind heavily tinted glass, it gives the feeling of an adult prison. Also, with the cell intercom not operational it is very difficult for a staff member to respond to an emergency and it creates an unsafe situation when the staff member in the tower is the only person on the unit. Without the appropriate staffing the distance a staff member must travel to respond to an emergency or other situation places a major strain on the staff. There is a serious need for all staff to be provided with radio communication.
- 6) Youth complained a lot about boredom while locked in their rooms with nothing to do. This is a major safety issue for staff when youth are let out of their rooms.
- 7) The adult/prison system is very different from that of the juvenile detention or correction model. The main difference between the two systems lies in the overall aim for the juvenile justice system is to rehabilitate and reform the juvenile offender so that they can become functioning productive members of the society. The focus is more on providing

alternative sentences that keep the juvenile out of confinement. Although the juvenile system and adult system share some commonalities, there remain some major differences. For example, the juvenile system makes a point of trying to rehabilitate rather than punish the juvenile. The belief that experience in adult corrections or law enforcement service is a suitable substitute for knowledge and experience with adolescent development delinquency theories and juvenile mental health services have contributed to a system that is unhealthy for juvenile rehabilitation. It is imperative that employees and providers understand the concepts of the juvenile rehabilitative model.

Without this understanding in mind, Henley-Young gives the mistaken impression that professional authority in juvenile justice is unimportant in the presence of adult correction experience and training. Hinds County and the State must develop an adequate juvenile curriculum that provides contemporary standards of training for all staff who will be working with juveniles.

- 8) In terms of data, the facility is in need of a quality assurance and data collection management information system (MIS). Because the facility operates 24 hours, the flow of information should be updated immediately and continuously. This system should be fluid with all data changes available to all staff as dictated by the information hierarchy. At this point in the process it is difficult to determine the accuracy of the data being provided. As the process moves forward, verification of the improvements at Henley-Young must be tied to good, accurate, reliable data. Example of necessary data should be:
- a. Total # bed days
  - b. Suicide behavior (with injuries)
  - c. Suicide behavior (without injuries)
  - d. Self-injurious behavior
  - e. Fights
  - f. Youth –on- youth assaults
  - g. Youth- on- staff assaults
  - h. Staff- on- youth assaults
  - i. Physical restraints
  - j. Child abuse reports
  - k. Restraint by types
  - l. Staff –on- youth sexual assaults
  - m. Youth- on- youth sexual assaults
  - n. Number of isolations/confinements (locked room)
  - o. Number of seclusions unlocked (cool off–time outs)
  - p. Duration of isolations/confinement hours
  - q. Number of day in 89 day program and placement afterwards
  - r. Number of youth grievances
  - s. Due Process hearings and results
  - t. Grievances and outcomes
- 9) As it relates to a Policy Manual, the facility does have one; however it is in need of revisions and further policy and procedure development. During my review and

discussion with some of the staff, they were not aware of the facility's policies. At this point the staff is instinctively doing their jobs. Presently, the director is working on a manual but it is a strenuous process and has to be a group effort delegated by leadership, because there has to be input from all areas of the facilities operation. The current manual lacks procedural development. Lastly, developing the manual is only the first step of what must be done. After it is developed, the following are samples of the additional work needed to complete the process:

- a. There must be written policies covering the issue of policy development
- b. There must be written procedures covering the issues of creating policies
- c. Identify if practice is consistent with written policy and procedure
- d. Do policies, procedures, and practices meet constitutional or legal requirements
- e. Staff are trained on policies and procedures

Based on the provisions in the settlement agreement, it is recommended that the remediation process be addressed in parts. It is best that we work on all areas in the provision, understanding that we cannot complete each of them immediately and to ensure that the facility is operating properly, we will not try to do everything at once. This process will take time, but there are a few items that can be changed with a focused effort. These items can promote an immediate change in the culture of the facility. Examples of the changes that can be completed initially are:

- i. Repair lighting throughout the facility i.e. units, hallways, cells, etc.
- ii. Cleaning of facility
- iii. Painting facility with brighter colors
- iv. Clean clothing—discard all torn/dingy clothing
- v. Develop a schedule that reflects daily activities and change the practice of early morning showers and move them to the afternoon or evening
- vi. Posting of established rules and regulations on all units and in the halls
  1. Major and minor rules violations
- vii. Create or revise the grievance process
- viii. Place grievance boxes on the units in a safe secure place for the youth with information of use clearly posted.
- ix. Develop adequate Due Process/ Isolation system.
- x. Provide hygiene kits for each youth that are labeled and kept separate
- xi. Change the available visitation space to allow for contact visits.
  1. Develop policies and procedures for contact visits
  2. Provide the staff with training on the policies and procedures



3. Clearly explain the procedures to youth and their families etc.

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.

### **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 not 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 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.

Henley-Young Juvenile Justice Center  
Monitoring Compliance Report  
July, 2012

<b>Compliance Matrix</b>		
Provision	Intake	Rating
1.(1)	All Youth Admitted to Henley-Young	NC
1.(2)	MAYSI-2 Mental Health Screening	NC
1.(3)	Prescription Medications	NC
1.(4)	Meal Compliance	NC
1.(5)	Telephone Usage	NC
1.(6)	Strip Search Policy	NC
Provision	Staffing and Overcrowding	
2.(1)	Direct Care Staff Ratio	NC
2.(2)	Maximum Capacity Adjustment	NC
2.(3)	One-Person Cell	NC
Provision	Cell Confinement	
3.(1)	Structured, Rehabilitative & Educational Programming	NC
3.(2)	Appropriate Access to Living Unit	NC
3.(3)	Dangerous Youth	NC
3.(4)	Isolation	NC
3.(5)	Direct Care Staff on Units	NC
Provision	Structured Programming	
4	Educational, Rehabilitative, and/or Recreational Programs	NC
Provision	Individualized Treatment Plans/Treatment Program for Post-Disposition Youth	
5.(1)	Youth Access to Adequate Rehabilitative Services	NC
5.(2)	Health and/or Substance Abuse Treatment	NC
5.(3)	Treatment Plans	NC
5.(4)	Review of Individual Treatment Plans	NC
5.(5)	Evening And Weekend Programs And Activities	NC

Henley-Young Juvenile Justice Center  
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**The following are my observations and recommendations specific to the provisions of this agreement.**

### 1. Intake

Provision 1.1 Intake	<p>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).</p> <p>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.</p>
Status	<b>Non Compliance</b>
Discussion	<p>During my visit, I observed two youth being admitted to the facility. There was no indication that staff followed or screened the youth. Upon and during the admittance process staff were being pulled from other areas to admit other youth so it was very difficult for them (the youth) to be properly admitted. During my observation, a youth was brought into the facility by the Jackson Police with no shirt on and his hand cuffed behind him. Although it was obvious that the youth was in pain, the officer was allowed to leave the youth at the facility. The facility nurse had to be called to assess the youth's condition. He was offered ibuprofen for pain in his side. According to the youth, "the officer had punched me several times in the side". This youth should have been transported to a medical facility by the Jackson Police Department and received a medical clearance before his admittance to the facility. A situation like this creates serious liability for the facility and County. In addition, I found no developed policies and procedures regarding the admittance process. Finally there was no indication that the youth were properly searched when they arrived.</p>
Recommendations	<ol style="list-style-type: none"> <li>2. Fully develop admitting policies and procedures</li> <li>3. Ensure all staff who admits youth are properly trained</li> <li>4. Develop training records</li> <li>5. Provide documentation in a organized way on youth being screened/admitted</li> <li>6. Ensure all youth records are available for my review with all areas of the provisions placed in the youth's file</li> </ol>
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	<b>Non Compliance</b>	
Discussion	<p>The MAYSI-2 is a standardized true or false screening instrument that has 52 items. It is used to identify potential mental health problems for youth who need immediate attention. The test takes about 15-20 minutes to take and should be done in private. It serves as a triage tool for the facility for decision intervention at a time when not much is known about the youth. Therefore, it is critical that the tool is administered in private, properly and as soon and practicable. During the 2 admissions I observed, the instrument was not administered. In addition there was no place set aside where it could be done privately. I found no records that it was used or any indication that a follow up for youth was in place as part of the admission process. The research is very clear that 60 to 70 percent of youth in juvenile facilities have some mental health diagnosis. Therefore, this would suggest that if the tool was being utilized appropriately that a segment of youth would be receiving follow-up with a mental health professional and this would provide the court with better information it needs in the disposition of the youth's placement or to determine what services are needed. I also found no comprehensive policies or procedures as it relate to that provision</p>	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision</li> <li>2. Develop youth files that are organized and arranged</li> <li>3. Develop training and provide documentation of training</li> <li>4. Identify person or person(s) who score instrument</li> <li>5. Provide documentation on who reviews instrument and what services are provided for the youth in facility and when the youth leaves the facility</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

Provision 1.3 Intake	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.	
Status	<b>Non Compliance</b>	
Discussion	I found no comprehensive policy and procedures or protocols for this provision. The medical area I visited was extremely disorganized with files and paper all over. Although the nursing area was quite disorganized and there is a need for policy and procedures, there is no indication that the facility is not securing medication within the 8 hour period or longer than 24 hours. The youth I interviewed acknowledged that they were receiving their meds. I would need to review additional documentation upon my next visit. However, according to the nurse staff administers medication when she is not there.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop written policy and procedures or protocol for this provision</li> <li>2. Document staff training on distribution and side effects of medication</li> <li>3. Provide documentation on efforts to obtain prescription drugs</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	During my review of 2 admissions to the facility at no time were youth afforded a snack.	
Recommendations	Develop policy and procedures for this provision. Procedures should be part of intake/admission procedure.	
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	<b>Non Compliance</b>	
Discussion	Based on my observation of the two admissions to the facility, no phone calls were offered and the youth were not allowed to take showers. These are ongoing deficiencies cited in SPLC reports.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy, procedures and practices for this provision.</li> <li>2. Develop forms to check off that a phone call and shower were completed.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	The facility does not have a comprehensive policy and procedures for this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures and practice for this provision.</li> <li>2. Document review and observation.</li> </ol>	
Evidentiary Basis	Document review	

### 3. 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	<b>Non Compliance</b>	
Discussion	<p>The facility does not meet this provision. On several occasions during my visit the staffing was so low that youth were left in their units and in their rooms without any supervision at all. An example would be on May 15, 2012 at 5:30 pm all youth on B pod were locked down with no staff on the unit. However, on A pod youth were allowed out on the unit. There were 17 youth on that pod with only two staff, which still fails to meet the 1 to 8 ratio. During each day of my visit youth were locked down because of the lack of staffing. The staffing levels are so severe at this facility that on May 17, 2012, youth on C pod were locked in their unit and in the cells for approximately 3 hours, without staff being on the unit. Mr. Burnside the Intake Aide, went with me to the C pod. Neither of us had keys to the pod. We pressed the call button to the unit for approximately 5 minutes, with no response. Finally, another staff member who had to transport a youth to the intake area gave us access to the unit. Later an officer came to the intake area to retrieve the girls from the visitation area. She had to leave the 3 youths alone in the intake area with no supervision there. The lack of staffing forces the staff to become negligent and abusive in the quest to maintain control. This provision falls below the agreed upon 1 to 8 ratio. When youth are left alone, they are subject to self harm, experiencing of unchecked medical issues (i.e. asthma, high blood pressure etc.), harming other youth, exacerbating mental health issues (i.e. decompensate). When they are placed in their room without anything to do, they become more violent. What makes this worse, is that the master control officer who should have been in the master control room to let us in was not there because she had to monitor several girls in the visitation room. These girls were left with this officer without any understanding of what was next for the youth. This left master control without proper staffing and facility without proper support. Without proper staffing, the culture of the facility diminishes to a point of becoming negative. This lack of appropriate staffing dictates the level of violence that is experienced in the facility. When you maintain appropriate staffing and train them properly the violence reduces. Therefore, a review and increase of the facility staffing is recommended immediately.</p>	

Recommendations	Duty Post Staffing/Adms	
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
	Court Transportation Staff	
		2
		2
		4
	Transportation	2
		2
		4
	Laundry	2
		2
		4
	*Director	1
*Deputy Director	1	
*Operation Manager		

	<p style="text-align: right;">1</p> <p>Supervisors</p> <p style="text-align: right;">3 3 2 8</p> <p style="text-align: right;">26 23 12</p> <p style="text-align: right;">61</p> <p>=61 Direct care/supervisor/laundry staffing X 1.5 Relief Factor—Total staff need 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</p> <p>*Administration              *Maintenance</p>
Evidentiary Basis	Document review, observation, interviews

Provision 2.2 Staffing and Overcrowding	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.	
Status	<b>Non Compliance</b>	
Discussion	The facility was below its capacity of 84 and has not surpassed its capacity since the signing of the order. However, Henley-Young routinely operates outside of the ratio requirements and has not identified youth who may be eligible for release from secure detention. Because there is no information management system in place to identify the youth that may fit the criteria for early release, there must be policy and procedures developed in the event this becomes an issue.	
Recommendations	Development of policy and procedures developed in the event this becomes an issue.	
Evidentiary Basis	Document review, observation, interviews	

Provision 2.3 Staffing and Overcrowding	No more than one youth shall be placed in a one-person cell.	
Status	<b>Non Compliance</b>	
Discussion	During my visit I found no indication that the facility had more than one youth in a room.	
Recommendations	Develop a policy and procedures for this provision	
Evidentiary Basis	Document review, observation	

#### 4. 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	<b>Non Compliance</b>	
Discussion	During my visit, I found very little extra-curricular programming in the facility. Other than limited school and youth playing basketball, there were no additional activities in place. As it relates to girls involved in programming there was no indication that they receive any programming activities. The facility is operated like an adult jail. The officers were often behind the tinted Plexiglas station with limited interaction with youth which makes programmed activities difficult at best. In addition, I found no schedules on the units regarding facility programming. During my visits, youth were locked in their rooms most of the time. I found very little behavior incentive programming at the facility and because of staffing levels being low not all youth were in school.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures for this provision.</li> <li>2. Develop adequate facility schedules that reflect all daily activities.</li> <li>3. Develop positive behavior management systems with rewards and consequences.</li> <li>4. Move officers from behind Plexiglas for more positive interaction with youth.</li> <li>5. Develop monthly recreation schedule.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	During my visit, I found no indication this was occurring. I also found no policy and procedures for this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Follow recommendations as set forth in section 3.1.</li> <li>2. Develop adequate policy and procedures for this provision.</li> <li>3. Develop data collection for youth who are placed in protective custody or confinement.</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

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	<b>Non Compliance</b>	
Discussion	I found no indication that the facility met the requirements for this provision. There was no procedural due process system in place to determine if youth were placed in room for half day, two days or ten days. However, there is documentation that youth were placed in their cells but there is no independent process or person to administer the system. According to several youth I interviewed, they had no idea when they were going to be released from isolation. One youth I interviewed was on isolation for several days but did not know when he would be removed from isolation. I found no documentation to determine if checks were performed every 15 minutes or how long youth would be on cell confinement.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate policy and procedures for this provision.</li> <li>2. For youth placed in rooms, develop forms that indicate the time youth will be in their rooms and post it on their doors.</li> <li>3. Ensure that supervisors sign off on the form in 15 minute visual checks when youth are placed in their rooms.</li> <li>4. Develop a system of major and minor consequences for behavior.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	I found no indication that the facility meets this standard. The two youth I observed admitted to the facility were placed in rooms in the intake area and were not allowed to take showers. The facility does not have policy and procedures to meet this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate policy and procedures for this provision.</li> <li>2. Ensure all staff is trained and document training.</li> </ol>	



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	<b>Non Compliance</b>	
Discussion	I saw no indication that this was occurring (see introduction). There is no policy and procedures for this provision. On numerous occasions during my visit youth were left unsupervised.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate policy and procedures for this provision.</li> <li>2. Provide adequate staffing.</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

### 3. 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: <ol style="list-style-type: none"> <li>a. activities which are varied and appropriate to the ages of the youth;</li> <li>b. structured and supervised activities which are intended to alleviate idleness and develop concepts of cooperation and sportsmanship; and</li> <li>c. Supervised small group leisure activities, such as a wide variety of card and table games, arts and crafts, or book club discussions.</li> </ol>	
Status	<b>Non Compliance</b>	
Discussion	During my review, I found no scheduled programming outside of the school and some youth playing basketball. As it relates to girls, I saw no programming outside of school. The facility has no posted schedules and very little interactions between staff and youth outside of control and confinement. During my visit, youth spent most of their time in their cells. This was even prevalent during mealtimes. Youth would quickly eat and were then sent back to their room on isolation.	

Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate policy and procedures for this provision.</li> <li>2. Provide adequate schedules for weekdays and weekend programming.</li> <li>3. Purchase televisions for each units and board games for each unit.</li> <li>4. Develop monthly recreation schedule with age appropriate games and programs.</li> </ol>
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	<b>Non Compliance</b>	
Discussion	I found no indication this was occurring (see introduction). Although the County has a counselor for the 89 day program, there is very little, if any, rehabilitation occurring. The counselor interacts with youth a few days a week when she can. Youth in this program are treated no differently than pre-adjudicated youth. Therefore, there is no distinction between 89 day program participants and the detention program. The youth I interviewed stated that you can get out early if you are good. As it stands, the 89 day program is more in line with revocation for behavior rather than a structured treatment model. The program has no staff in the facility to monitor youth progress and has become a detention program no different than the existing detention program.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate policy and procedures to meet this provision.</li> <li>2. Either fund properly or discontinue the 89 day program.</li> <li>3. Review light weight youth in program (i.e. disturbing the family peace) and find alternative placement for them.</li> <li>4. Develop individualized treatment plan for youth in 89 day program.</li> <li>5. Develop alternative community programming for youth in 89 day program that can be serviced in community.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	I found no indication this is occurring. There is no program description and no policy and procedures for this provision (see 5.1).	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate policy and procedures for this provision.</li> <li>2. See recommendations under (5.1).</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

Provision 5.3 Individualized Treatment Plans Treatment Program for Post- Disposition Youth	<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"> <li>a. That the treatment plan be individualized;</li> <li>b. An identification of the mental and/or behavioral health and/or rehabilitative issues to be addressed;</li> <li>c. A description of any mental health, medication or medical course of action to be pursued, including the initiation of psychotropic medication;</li> <li>d. A description of planned activities to monitor the efficacy of any medication of the possibility of side effects;</li> <li>e. A description of any behavioral management plan or strategies to be undertaken;</li> <li>f. A description of any counseling or psychotherapy to be provided;</li> <li>g. A determination of whether the type or level of treatment needed can be provided in the youth's current placement; and</li> <li>h. A plan for monitoring the course of treatment, and if necessary, for revising the treatment plan.</li> <li>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;</li> <li>j. A plan for regularly engaging the family in the youth's treatment plan;</li> </ol>	
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	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	<b>Non Compliance</b>	
Discussion	As stated in provision 5.1 and 5.2 the facility lacks policies and procedures as it relates to these provisions. I found no indication that during my visits, interviews and document review that the facility was complying with this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policies and procedures for this provision that includes the contents (A-K).</li> <li>2. Provide training to all staff.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	I found no indication this is occurring. There are no policies and procedures (see 5.1, 5.2 and 5.3). The County with the help of the courts must identify roles within policies and procedures in addition to adequate funds to institute this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Provide training to all staff.</li> <li>3. Identify role through policies and procedures and adequate funding and staffing.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	There is no indication this is occurring. Youth adjudicated to the post disposition program are programmed the same as youth in the detention program.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures to meet the needs for this provision.</li> <li>2. Provide adequate staffing for this program.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	The facility does not have an adequate quality assurance program.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures to meet the needs for this provision.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>5. Discipline and order: continuously monitor use of discipline and promptly address misuse or over use of discipline and other identified deficiencies.</li> <li>6. The facility will develop monthly performance measures to indicate</li> </ol>	

	<p>achievement in the desired area.</p> <p>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.</p>
Evidentiary Basis	Document review, observation, interviews

### 8. 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	<b>Non Compliance</b>	
Discussion	The facility does not have a due process isolation system. Although youth are placed in isolation, I found no system in place to support or ensure sanctions or rule violations are in line with any policies and procedures or practice. The facility also has no positive behavioral incentive or graduated sanctions program.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate policies and procedures for this provision.</li> <li>2. Develop new resident handbook. Youth are to receive these handbooks during orientation. They shall include youth rights, major and minor rule violation and the grievance policy. 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. These rules shall be posted on each unit.</li> <li>3. Due process rules shall be posted on each unit.</li> <li>4. Develop positive behavior intervention programs.</li> <li>5. Assign and train an independent person(s) to handle due process isolation hearings. The person(s) must be independent of the unit staff.</li> <li>6. Ensure youth who are in isolation are provided recreation and education services.</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

Provision 6.2 Disciplinary Practices and Procedures	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.	
Status	<b>Non Compliance</b>	
Discussion	During my review, I found no indication that the facility was in line with this provision. The facility has no policy and procedures for this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures for this provision.</li> <li>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.</li> <li>3. Ensure youth in confinement receive education and recreation services.</li> <li>4. See 6.1 recommendations.</li> <li>5. Provide training for all staff on these policies and procedures.</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

## 6. 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	<b>Non Compliance</b>	
Discussion	The facility has no policies and procedures to address this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate policy and procedures for this provision regarding the use of force and restraints. The policy shall include: <ol style="list-style-type: none"> <li>a. Documentation of restraint use including but not limited to the events leading to the use of force, the duration of application of mechanical restraints and medical review of restraint use.</li> <li>b. A process to document the assurance and return of restraints.</li> </ol> </li> </ol>	

	<ol style="list-style-type: none"> <li>2. Officers shall receive training on policy and procedures.</li> <li>3. The policy will require the documentation of any use of mechanical restraint and use of force incidents.</li> </ol>
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	<b>Non Compliance</b>	
Discussion	Based on my review the facility does not have adequate policy and procedures for this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Develop and provide adequate training for this provision.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	Based on my review the facility does not have adequate policies and procedures for this provision. In a June 4 <sup>th</sup> report from SPLC it was alleged that a youth was handcuffed to a bed. Also, a review of incident reports for May 2, 2012, June 11, 2012 and June 17, 2012 reveals mechanical restraints are used often for controlling youth behavior. In addition there was no documentation that medical personnel reviewed reports or examined youth after the use of restraints. I found on one occasion a staff member proceeded to let a youth out of his room because he was “banging on door and keeping the other youth up.” The staff opened the door, the youth ran out and had to be physically restrained, “picked up” and placed back in his room. According to staff member he could not find the handcuffs. The youth should not have been let out of the room since his behavior was so defiant and non compliant to the staff’s verbal directions. The reports suggest that handcuffing of youth is use by the facility staff more often than reported as a means of youth management.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Provide training for staff on this provision and provide documentation of training.</li> <li>3. Develop mechanical restraint log.</li> <li>4. Provide training on de-escalation techniques.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	During my review, I found no policy and procedure that comply with this provision. (See discussion in 7.3)	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Provide training for staff on policy and procedures and document training.</li> <li>3. Provide training on de-escalation techniques.</li> </ol>	

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	<b>Non Compliance</b>
Discussion	Although the facility must develop a comprehensive policy and procedures for this provision, I found no indication that any restraint chairs, chemical restraints or tasers were being used.
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Provide training for staff on policy and procedures and document training.</li> </ol>
Evidentiary Basis	Document review

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	<b>Non Compliance</b>	
Discussion	I found no indication that the facility subjects youth to hogtying. However, there is a need that comprehensive policy and procedures be developed for this provision.	
Recommendations	Develop comprehensive policy and procedures for this provision.	
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	<b>Non Compliance</b>	
Discussion	The facility has no comprehensive policy for this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive procedures for this provision.</li> <li>2. Provide training for staff on policy and procedures and document training.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	I found no indicators or documentation during my review that a medical professional is notified when youth are placed in mechanical restraints. I also found no comprehensive policy and procedures for this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Provide training for on policy and procedures and document training.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	I found no policy and procedures on this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Provide training for staff on policy and procedures and document training.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	I found no policy and procedures on this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Provide training for staff on policy and procedures and document training.</li> </ol>	
Evidentiary Basis	Observation	

### 3. 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	<b>Non Compliance</b>	
Discussion	Documents reviewed show that there is physical force used by staff however; there is no indication that any formal verbal de-escalation techniques are applied prior to the use of physical force. In addition, there is no policy and procedures or training program in place for staff. The facility did provide me with a handle with care manual; however, there were no training record to substantiate training.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures for this provision.</li> <li>2. Provide training for on policy and procedures and document training.</li> <li>3. Adapt an appropriate curriculum for training staff on the use of verbal de-escalation skill and safe use of physical restraints.</li> <li>4. Contact the National Partnership for Juvenile Justice for recommendations on training program in this area.</li> </ol>	
Evidentiary Basis	Document review	

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	<b>Non Compliance</b>	
Discussion	There is a nurse at the facility from 5:30 am until 1:00 pm. I found no documentation of a medical professional being notified when force is used on a youth, nor any indication that youth are seen after force is used. I also found no policy and procedures to address this provision. Since youth are in the facility 24/7, I found no record to suggest that medical professionals are at the facility in the evening or during the weekends to address this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Provide training to staff on policy and procedures and document training.</li> <li>3. Review nursing schedule and provide more hours at facility.</li> <li>4. Provide written documentation of examination of youth by medical professional in every instance.</li> </ol>	

	5. Provide additional medical services after hours and on weekends.
Evidentiary Basis	Document review, observation

### 6. 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	<b>Non Compliance</b>	
Discussion	During my interviews and observation, I found no youth who complained about the food. However they did complain that they did not get enough food.	
Recommendations	<ol style="list-style-type: none"> <li>1. Review portions to ensure youth receive enough food during meals.</li> <li>2. Develop policy and procedures for this provision.</li> <li>3. Provide training for kitchen staff and all other staff members involved with meals.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	I reviewed the meal menu and found that it complies with national school meal program standards. The only complaint by youth was they did not get enough food.	
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	<b>Non Compliance</b>	
Discussion	Since there appears to be problems with the drinking water, the facility has purchased Igloo coolers for each unit. The State environmental office should be contacted to inspect the water system at the facility. I will review during my next visit to determine if water is available in school area. Also water fountains that are inoperable should be repaired.	
Recommendations	<ol style="list-style-type: none"> <li>1. Contact County or State Environmental office to conduct test on water system.</li> <li>2. Ensure youth receive water during school and recreational periods.</li> <li>3. Develop a policy for incidents regarding water quality and procedures to address them.</li> <li>4. Repair inoperable drinking fountains.</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

## 5. Clothing

Provision 10 Clothing	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.	
Status	<b>Non Compliance</b>	
Discussion	During my observation of the clothing process I found clothing that was torn, tattered and dingy or not clean (see introduction). I also found that the female residents do the washing for the facility. At no time did I find boys at the facility doing any washing or folding of clothing. I also found no adequate procedures for this provision.	
Recommendation	<ol style="list-style-type: none"> <li>1. Develop policy and procedures to adequately address this provision.</li> <li>2. Check washer and dryer to ensure they are working properly.</li> <li>3. Ensure that girls and boys are equally involved in cleaning and folding clothes.</li> <li>4. Hire 2 laundry staff to ensure clothing is handled properly.</li> <li>5. Ensure that all staff and youth wear protective material (smocks and gloves) when handling chemicals. Discard clothing that is torn, dingy and in poor condition.</li> <li>6. Develop schedule for distribution.</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

## 7. 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	<b>Non Compliance</b>	
Discussion	During my review, I found that youth were directly or indirectly sharing hygiene products. I also observed that hygiene kits were not labeled with youth's names and that kits were on a cart and soap was in a container, with no labeling. Most of the hygiene kits were lacking items such as soap, toothbrushes or deodorant. Also I found no adequate policy and procedures to address this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate policies and procedures for this provision.</li> <li>2. Ensure that hygiene kits are properly labeled and <b>youth are not</b> using each other's hygiene products or items.</li> <li>3. Ensure items such as hair brushes, if shared, are sterilized and in good condition if they are to be reused.</li> <li>4. Provide training for staff on these policies and procedures.</li> <li>5. Ensure that clean face towels available for youth.</li> <li>6. Develop a schedule for distribution of hygiene kits.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	The facility needs to ensure that blankets are clean and not torn or tattered. During my visit, I saw blankets that had holes in them and should have been discarded. The laundry area needs to be clean and maintained in an orderly fashion. I found no policy and procedures that addresses this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop a policy and procedures for this provision and train staff on it.</li> <li>2. Discard all blankets and mattresses that have holes in them and are tattered.</li> </ol>	

	<ol style="list-style-type: none"> <li>3. Clean and maintain laundry area in orderly fashion.</li> <li>4. Label area for towels, sheets, clothing etc.</li> </ol>
Evidentiary Basis	Observation

Provision 11.3 Hygiene and Sanitation	Under no circumstances shall youth be deprived of mats and blankets.	
Status	<b>Non Compliance</b>	
Discussion	After interviews and observations, I found no indication that youth were deprived of mats and blankets. However, I found no policy and procedures on this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures for this provision.</li> <li>2. Provide training for on policy and procedures and document training.</li> </ol>	
Evidentiary Basis	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	<b>Non Compliance</b>	
Discussion	See 11.3	
Recommendations	See 11.3	
Evidentiary Basis	Observation	

Provision 11.5 Hygiene and Sanitation	Youth shall be provided with a clean, sanitary environment.	
Status	<b>Non Compliance</b>	
Discussion	Henley-Young is not clean. The environment feels dirty. There are vents that need cleaning, cracked windows, electrical outlets with paper in them, clogged drains in floor with debris in them. The showers need major cleaning, as do the toilets. The youth's rooms have insufficient lighting or no lighting at all. The toiletries and hygiene items are left out in the staff area which is unsanitary. The furniture is so ragged that it should be discarded. The facility overall could use a new coat of paint that would brighten up the facility and not use the existing color scheme. The kitchen area could use a major cleaning; also food items should be dated and rotated from old to new.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures for this provision.</li> <li>2. See areas in discussion that should be addressed.</li> <li>3. Develop housekeeping and cleaning schedule.</li> <li>4. Develop checklist or inspection report for each unit and area.</li> <li>5. Develop work order system to ensure that when problem arise they are addressed.</li> <li>6. Develop corrective action plans as needed.</li> <li>7. Provide training for staff on policy and procedures.</li> <li>8. Ensure delivered food items are dated/rotated from old to new.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	The facility must develop an adequate policy and procedures for this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate staff training regarding fire safety.</li> <li>2. Properly maintain and repair fire equipment.</li> <li>3. Ensure intercom systems are operating properly.</li> <li>4. Ensure all mattresses used by youth are fire resistant.</li> <li>5. Routinely test all fire equipment and system.</li> <li>6. Ensure that all electrical outlets, wires and equipment (lights) are properly working.</li> <li>7. Develop work order system to ensure items are repaired.</li> <li>8. Ensure that all areas in this provision are addressed by a certified professional.</li> <li>9. Develop policy and procedure and plans for fire safety, evacuation etc.</li> </ol>	
Evidentiary Basis	Document review, observation	

Provision 11.7 Hygiene and Sanitation	Youth shall be provided with clean drinking glasses and eating utensils.	
Status	<b>Non Compliance</b>	
Discussion	Based on my observation there were clean drinking glasses and eating utensils. The facility however does not have policy and procedures for this provision.	
Recommendations	Develop policy and procedures for this provision.	
Evidentiary Basis	Document review, observation	

## 10. 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	<b>Non Compliance</b>	
Discussion	<p>The facility has one nurse an (LPN) that provides medical services to youth. I found no policy and procedures that addressed this provision. According to the nurse she does pregnancy tests, medical screenings and physicals. She also indicated that no doctor comes to the facility. Because (LPN) nurses are not qualified to complete physicals, the facility is putting itself in serious legal jeopardy, as well as is the nurse. The nurse is working outside her scope of practice and expertise. There is no indication that she was trained and/or is certified to perform physical examinations. LPNs are usually supervised by registered nurses, nurse practitioners or physician assistants in the absence of a physician. The facility must have greater medical authority.</p> <p>I also did not find any medical protocols in my review of the documents. It has been a long standing fact that youth entering the Juvenile Justice System have a greater need for medical and mental health services than their counter-parts in the general community. Therefore, it is very necessary for youth entering the facility to receive a full physical examination by a qualified medical professional i.e. a doctor, physician's assistant or a nurse practitioner. National standards suggest that the "extent of the health appraisal, including the medical examination is defined by a responsible medical physician." There is also no indication that the nurse at Henley-Young receives supervision by a qualified medical professional. In addition, I found no training for staff members who administer medication to youth once the nurse has left the facility nor anyone with emergency medical training. I also found that medications were improperly stored in a brown bag and placed in locked in a cabinet. This method of storing medications is not organized and there is no system for determining what medications are present in the facility at any given time. Because medications are not stored properly there is increased chance for error and medications should be placed in a medication cart where each individual would have its drawer and compartments. Medication should also be separated for sanitization reasons. There should also be refrigeration system for medications that must be stored at certain temperatures or just required to be refrigerated.</p> <p>Detention standards state that "The institution has a designated health authority with responsibility for health care services pursuant to a written agreement, contract or job description. <b>The health authority may be a physician, a health administrator or other qualified health personnel. When this authority is other than a physician, final health judgments rest with a single designated physician.</b>"</p>	

Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures for this provision.</li> <li>2. Develop policy and procedures and protocols based on standards for Health Services in Juvenile Detention and Confinement facilities.</li> <li>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.</li> <li>4. Have a licensed medical professional to review and sign off on policy and procedures.</li> <li>5. Have a licensed health professional periodically review and provide supervision to the nurse at facility.</li> <li>6. Develop forms to coincide with provision.</li> <li>7. Remove medication from bags and place them in secure, organized areas and develop forms to determine what medications are present in the facility at all times.</li> <li>8. Hire or have on contract a physician to review medical area.</li> <li>9. Ensure that youth receive vision exams, dental screenings, mental health screenings, and hearing test etc.</li> </ol>
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	<b>Non Compliance</b>	
Discussion	The facility has an LPN available from 5:30 am until 1:00 pm five days a week. The facility has no licensed medical personnel at the facility evenings, nights and weekends; this exposes the facility to major liability. In addition, there is no policy and procedures that address this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Hire qualified medical professional for nights and weekend care.</li> <li>2. Develop policy and procedures for this provision.</li> <li>3. Provide training for staff on this provision.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	The facility has an underdeveloped sick call process. The current process is a youth will ask a staff to see a nurse. A youth's request for medical assistance should be made available at all times and if needed in a confidential manner <i>with no staff discretion</i> . It is important that HIPAA considerations are made in accordance with federal guidelines when working with medical and mental health records. There is no kite box for youth to place requests in and no one is assigned to make daily retrievals of the forms. The facility has no policies and procedures to address this provision. There is no clear standard for sick call at Henley-Young.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policies and procedures for this provision.</li> <li>2. Place a kite box on each unit.</li> <li>3. Provide training for staff on this provision.</li> <li>4. Nurse or designated person makes daily rounds to retrieve kites.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	I did not find any policy and procedures that address this provision. I also found no training records of staff being trained on distribution of medicine and their potential side effects. My concern is whether any of the staff members who are providing medication to the youth aware of their liabilities. Without proper policy and procedures the facility its staff, and the youth are in danger of being subjected to medical errors that could ill effect all persons involved.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policies and procedures to address this provision.</li> <li>2. These policies and procedures must include the appointment of a medication administration protocol.</li> <li>3. There must be a medication record of all medicines administered. <ol style="list-style-type: none"> <li>a. One record to reflect all medicines leaving the pharmacy;</li> <li>b. An additional record kept in each youth's case file.</li> </ol> </li> <li>4. Ensure that the training is comprehensive make certain that all medical contingencies are considered.</li> <li>5. The staff should be trained on what side effects to look for.</li> <li>6. Provide training to staff on the policy and procedures for this provision.</li> </ol>	

	7. Training should be annually and documented.
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	<b>Non Compliance</b>	
Discussion	The facility does not have policies and procedures that address this provision. It is important that HIPAA considerations are made in accordance with federal guidelines when working with medical and mental record. All medical record must be kept in a safe and secure location, only available to a specified group of people. I will review this process during my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures to address this provision.</li> <li>2. Get HIPAA requirements and institute them in facility.</li> <li>3. Designate what persons have access to the youth's medical records within the facility and outside of the facility, but within the juvenile justice system.</li> <li>4. Provide training to staff on policy and procedures.</li> <li>5. Provide training to staff on HIPAA requirements, and document training.</li> <li>6. Designate a HIPPA Privacy Officer.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	The facility need to create a medical care area other than the visitation area. Youth can become ill at any point of the day or night and there has to be a designated medical care area specifically to respond to the issues. Who has the authority to decide when youth needs greater evaluation? The facility does not have policies and procedures for this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policies and procedures to address this provision.</li> <li>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"> <li>a. What are the medical requirements of the youth who needs monitoring?</li> </ol> </li> </ol>	



	<ul style="list-style-type: none"><li>b. Who is responsible for the monitoring?</li><li>c. How are the records kept of the monitoring?</li><li>3. Provide training to staff on the policies and procedures for this provision.</li><li>4. Annual competency training.</li></ul>
Evidentiary Basis	Document review, observation

**5. 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	<b>Non Compliance</b>	
Discussion	The facility does not have policy and procedures and practice to address this provision. Although I observed two youth admitted to the facility, I did not witness the administration of the MAYSI-2 assessment tool. Also, I found no indication or practice of group or individual counseling. I will review during my next visit. Hinds County is required by federal law to administer the MAYSI-2 to all youth who enter the doors of Henley-Young and must do so immediately. The test should be administered where there are little or no distractions.	
Recommendations	<ol style="list-style-type: none"> <li>1. Ensure that the facility has a Standardized Assessment Tool i.e. the MAYSI-2 to use during the intake process.</li> <li>2. Develop policy and procedures to address this provision.</li> <li>3. Provide training to staff on policy and procedures and provide documentation of training.</li> <li>4. Develop documentation that will track youths' progress during their stay at facility.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	I found no policy and procedures to address this provision. I also found no documentation for youth who were confined more than 30 days who were administered psychotropic medications. I will review this provision upon my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures to address this provision.</li> <li>2. Provide training to staff on policy and procedures.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	The facility has no policy and procedures for this provision. I also found no documentation that this process exists. I will review upon my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures to address this provision</li> <li>2. Provide training to staff on policy and procedures.</li> <li>3. Policy and procedure shall be reviewed and signed by licensed mental health professional (psychiatrist etc).</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	The facility does not have policy and procedures for this provision. I will review upon my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures to address this provision.</li> <li>2. Provide training to staff on policy and procedures and document training.</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

Provision 13.5 Mental Health Care	<p>Hinds County shall employ or contract for sufficient psychiatric services to permit a psychiatrist to fulfill the following functions:</p> <ol style="list-style-type: none"> <li>a. conduct needed psychiatric evaluations prior to placing youth on psychotropic medications;</li> <li>b. Monitor, as appropriate, the efficacy and side effects of psychotropic medications;</li> <li>c. Participate in treatment team meetings for youth under the psychiatrist's care;</li> <li>d. Provide individual counseling and psychotherapy when needed;</li> <li>e. Evaluate and treat in a timely manner all youth referred as possibly being in need of psychiatric services; and</li> <li>f. Provide adequate documentation of treatment.</li> <li>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.</li> </ol>	
Status	<b>Non Compliance</b>	
Discussion	The facility does not have policy and procedures for this provision. I will review upon my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures to address this provision.</li> <li>2. Provide training to staff on policy and procedures and document training.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	The facility does not have policy and procedures for this provision. I saw no indication that this was happening. I saw records indicating that the youth were being seen elsewhere however, there was nothing showing how the facility was keeping a record of the status of the youth. I will review upon my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. The mental health of the youth in the custody of the facility needs to be closely monitored at all times.</li> <li>2. The facility needs to develop policy and procedures to address this provision.</li> <li>3. Provide training to staff on policy and procedures and document training.</li> <li>4. Facility needs documentation from mental health organization on plan of action for youth receiving a mental health services.</li> </ol>	
Evidentiary Basis	Document review, observation	

### 5. 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	<b>Non Compliance</b>	
Discussion	The facility does not have policy and procedures for this provision. Because the risk of suicide does occur, it is important that the facility staff be cognizant of the different degrees of risk and put in place policies and procedures to properly address each. I will review upon my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedure to address this provision.</li> <li>2. Provide training for staff on policy and procedure and document training.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	The facility does not have policies and procedures or protocol to address this provision. The youth may need immediate mental health treatment. For this reason, the facility must put in place specific protocol to proactively provide appropriate care for youth. I will review upon my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policies and procedures to address this provision.</li> <li>2. The facility needs mental health professionals to help develop these policies and procedures as they are the authorities in this area.</li> <li>3. Provide training for staff on policies and procedures and document training.</li> <li>4. Identify mental health agency to help develop policy and procedures and protocols.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	There were no situational issues that occurred during my visit that appropriately addressed this matter, however, once guidelines are developed the facility shall identify youth that fall under the edict of this provision and put protocols in place. At present the facility does not have policies and procedures for this provision. I will review upon my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedure to address this provision with the assistance of a mental professional.</li> <li>2. Provide training for staff on policies and procedures and document training.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	Presently the facility has no reporting vehicle for this provision. The facility does not have policy and procedures for this provision. I will review upon my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures for making and distributing the reports in this provision</li> <li>2. Provide training for staff on policies and procedures and document training.</li> </ol>	
Evidentiary Basis	Document review, observation	

### 3. 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	<b>Non Compliance</b>	
Discussion	The facility does not have policy and procedure for this provision. I will review upon my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures and practices for this provision.</li> <li>2. Provide training for staff on policies and procedures and document training.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	The facility does not have policy and procedures for this provision. During my visit, youth were still receiving visits through the existing intercom system. My review of the visitation process showed that eight phones were present during the visitation period however four were out of service. I will review this process during my next visit	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures to address this provision.</li> <li>2. Identify area where contact visitation will take place.</li> </ol>	

	3. Provide training for staff on policies and procedures and document training.
Evidentiary Basis	Document review, observation

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	<b>Non Compliance</b>	
Discussion	The facility does not have policy and procedures to address this provision. The facility only has non-contact visits, and these visits occur only 3 days a week (Tuesday, Thursday and Sunday from 6:00 pm to 7:30 pm). The facility shall find a location within the facility that allows contact visits. The visitation time shall be extended to accommodate for availability of visitors throughout the visitation period. I will review process during my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures and practices to address the needs of this provision.</li> <li>2. Provide training for staff on policies and procedures and document training.</li> </ol>	
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	<b>Non Compliance</b>	
Discussion	The facility does not have policy and procedures for this provision. The issue of external access is important to the well being of the youth in the facility and should not be limited, especially in emergency situations. I will review upon my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures and practices to address the needs of this provision.</li> <li>2. Provide training for staff on policies and procedures and document training.</li> </ol>	
Evidentiary Basis	Document review, observation	

### 3. 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	<b>Non Compliance</b>	
Discussion	During my visit, I found male and female youth were receiving equal service as it relates to education and medical needs. However, I found no indication that males and females were receiving the same access to rehabilitative services and recreational services. I found that boys had the ability to engage in outdoor recreation where girls were not. Even if the 89 day program was working I found no girls that were adjudicated to it or even knew about it. The facility also has no organized recreation schedule that would identify what service or programming in which the youth could participate.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures and practices for this provision.</li> <li>2. Develop monthly recreational schedules.</li> <li>3. Develop comprehensive facility schedules.</li> <li>4. Provide training for staff on policies and procedures and document training.</li> </ol>	
Evidentiary Basis	Document review, observation	

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	<b>Non Compliance</b>	
Discussion	Based on my observation most male youth were provided with a one hour large muscle exercise a day; however, the girls received no such opportunity.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures and practices to address the needs of this provision.</li> <li>2. Provide training for staff on policies and procedures and document training.</li> </ol>	
Evidentiary Basis	Document review, observation	

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	<b>Non Compliance</b>	
Discussion	According to the youth I interviewed, the staff uses profanity in presence of youth. This is also documented in SPLC reports I reviewed.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures and practices to address the needs of this provision.</li> <li>2. Provide training to staff in the proper de-escalation techniques of youth.</li> <li>3. Administration must provide enough supervision to reduce or eliminate insulting behavior by staff.</li> <li>4. Discipline and retrain staff as needed.</li> <li>5. Provide training for staff on policies and procedures and document training.</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

Provision 16.4 Miscellaneous Provisions	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.	
Status	<b>Non Compliance</b>	
Discussion	<p>The facility does have a grievance process. However, it is under developed and youth have no confidence in it. According to the director, "I check the grievance box in the hall daily and there are not grievances in it." The mark of a good facility is that you do have youth who file grievances. It is their way of addressing multiple concerns they may have i.e. staff problems, youth problems, school problems, food issues, clothing or hygiene issues, policy issues and family issues just to mention a few. Therefore it is an excellent tool to give the facility administration an idea of the facility culture. Also, the youth should have access to pen and paper and the help of staff if needed to assist with writing grievances. Staff should not feel intimidated or reluctant to assist youth in this process. The grievance process is an important part of institutional operations because it provides a means of addressing perceived injustices and it helps with the rehabilitative process. Grievances also assist administrators by providing them with information about abuses that may be occurring. The procedure should be clear and simple:</p> <ol style="list-style-type: none"> <li>1. Youth present grievances to staff;</li> <li>2. Prompt investigation of grievances (3 days usually);</li> <li>3. Youth can present to an outside individual (impartial);</li> <li>4. Notice to the youth of the decision;</li> <li>5. Written record of grievance, investigation, decision and final action taken.</li> </ol>	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate policy and procedures for this provision.</li> <li>2. Place grievance boxes on each unit and school.</li> <li>3. Provide training for staff on policies and procedures and document training.</li> <li>4. Provide training for youth on policies and procedures and document training.</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

Provision 16.5 Miscellaneous Provisions	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.	
Status	<b>Non Compliance</b>	
Discussion	The facility does not have adequate policy and procedures for this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures and practices for this provision.</li> <li>2. Provide training for staff on policies and procedures and document training.</li> </ol>	
Evidentiary Basis	Observation, interviews	

## Conclusion

Based on my review of documents, discussions and observations, I find the Henley-Young facility falls far below contemporary standards for juvenile detention. The facility has begun to develop a policy manual but the manual needs to be more fully developed to ensure that the facility staff has the ability to understand and follow its own policies and procedures. As stated earlier, I found the facility staff not to be neglectful or abusive but the lack of staffing and structure creates an environment that is neglectful and abusive. It is my opinion that Hinds County is committed to this process but there is a need for consistent leadership at the facility. Because of the high turnover in the leadership of the facility over the past several years, it is difficult to create a safe and secure environment. Mr. Knight is the third facility director in three years. This creates instability, chaos and a lack of direction. Another problem with the facility is the major need for maintenance of the building. This building, which has only been open twelve years, is in extremely poor condition from a maintenance perspective. The facility staffing structure is not conducive to operational efficiency or effectiveness. There is a need for, at a minimum, a director, deputy director, operational manager along with enough supervision for each shift (see provision 2.1). Additionally, Henley-Young needs medical staff (i.e. nurses and doctors), a quality assurance manager, and a grievance/due process officer, plus additional direct care staff are needed as mentioned in provision 2.1. As stated above, the lack of staffing in the facility keeps it in perpetual lock down mode.

Because there are many provisions to be addressed, I recommend that the County break the process into sections to ensure that each section addressed is functioning prior to moving on to another one. I am also recommending that policies and procedures are fully developed for each provision and that staff are trained on those policies with proper documentation of every training program. Also, when policy and procedures are developed for medical and mental health units there must be professionals from each profession assisting in the development of these policies, procedures and protocols. I also suggest that the County contact the National Partnership for Juvenile Services to provide core training to all staff as it relates to juvenile justice and juvenile detention standards. This organization provides a "train the trainer" model that can be utilized throughout the facility. I am advising that the Director and several of his designees visit several juvenile detention or correctional facilities. This will help give them an in-depth overview and greater understanding of the juvenile process. There are facilities in Louisiana, Michigan, Georgia, Wisconsin and Ohio that have a wealth of knowledge and experience. I would also recommend that the facility review the quality assurance standards for the State of Florida, the licensing rules for the State of Michigan and the standards for detention from Pennsylvania which will give a better understanding of the detention process and will be helpful in the restructuring of the facility. I would also suggest that the County work with the Council of Juvenile Correctional Administrators (CJCA) performance based standards that can provide assistance in the development of a data collection program for the facility. Finally, I would propose that the facility, in the development of policies, combine or consolidate some of the provisions as some provisions are continuations of others.



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**LEONARD B. DIXON**