

A PRACTICE GUIDE TO JUVENILE DETENTION REFORM

DETENTION FACILITY SELF-ASSESSMENT REVISED GUIDELINES

Juvenile Detention Alternatives Initiative

A PROJECT OF THE ANNIE E. CASEY FOUNDATION

Acknowledgements:

Bart Lubow – Director, Juvenile Justice Strategy Group, The Annie E. Casey Foundation

Stephanie Vetter – Senior Consultant, JDAI Infrastructure

Mark Soler – Executive Director, Center for Children’s Law and Policy

msoler@cclp.org

Dana Shoenberg – Senior Staff Attorney, Center for Children’s Law and Policy

Neelum Arya – Former Staff Attorney, Center for Children’s Law and Policy

Sue Burrell – Staff Attorney, Youth Law Center

www.ylc.org

Special thanks to the NJ Juvenile Justice Commission and the Washington, DC Department of Youth Rehabilitation Services.

For more information, visit www.aecf.org or www.jdaihelpdesk.org.

DVD © 2006

Produced by Pinhole Pictures for the Annie E. Casey Foundation

www.pinholepictures.com

Jawad Metni – producer, camera, editor

Prerana Reddy – producer

Jason DaSilva – 2nd camera

Chris Webb – music

Joseph Mastantuano – additional graphics

Additional free copies of this report may be ordered from:

The Annie E. Casey Foundation

701 St. Paul Street

Baltimore, MD 21202

410.547.6600

410.547.6624 fax

www.aecf.org

To download a pdf of this Guide, please visit

www.jdaihelpdesk.org.

TABLE OF CONTENTS

INTRODUCTION	1
--------------------	---

GUIDELINES

Introduction	3
Background on the JDAI Assessment and Standards	4
The JDAI Facility Assessment Materials and Training	6
Step One: Planning and Preparing for the Assessment	7
Step Two: Conducting the Facility Assessment	16 f
Step Three: Reporting on the Facility Assessment and Follow Up	16 l
Step Four: Looking Beyond Individual Facilities	16 n
JDAI Detention Facility Assessment: Timeline and Checklist	16 p

REVISED

JDAI TOOLS AND STANDARDS FOR FACILITY SELF-ASSESSMENT

Classification System and Intake	17
Health Care	25
Access Issues	41
Programming	47
Education	47
Exercise, Recreation and Other Programming	52
Training and Supervision of Employees	59
Environmental Issues	67
Restraints, Isolation, Due Process, and Grievances	79
Physical Force, Mechanical Restraints and Chemical Agents, Isolation and Voluntary Time Out	79
Disciplinary Due Process and Room Confinement	83
Grievances	86
Safety	97

The JDAI Juvenile Detention Facility Assessment: A Step-by-Step Guide for Planning, Conducting, and Reporting

INTRODUCTION

While much of the Juvenile Detention Alternatives Initiative (JDAI) focuses on safely reducing the unnecessary and inappropriate detention of young people, the Initiative also calls for sites to adopt certain core values regarding conditions of confinement for youth who are detained. One of those values is that children who are detained must be held in conditions that meet constitutional and statutory legal requirements, and best professional standards of practice. To ensure that this occurs, JDAI sites agree to participate in the Juvenile Detention Facility Assessment as part of their core work in the Initiative. Sites agree to facilitate the assessment process, accept the assessment team report, develop a corrective action plan to address any deficiencies, and implement needed changes. They also agree to repeat the assessment and report every two years.

The JDAI Juvenile Detention Facility Assessment uses volunteer assessment teams composed of juvenile justice and human services professionals, youth and families involved with the system, representatives from community organizations that work with youth, and education, medical, and mental health professionals. The teams receive training on JDAI's standards for safe and humane detention facilities, how to prepare for and conduct a facility assessment, how to prepare a report on their findings, and how to monitor implementation of corrective action plans.

The JDAI Process: Benefits of the Juvenile Detention Facility Assessment

The Juvenile Detention Facility Assessment has numerous benefits for jurisdictions:

- 1) Facilities are provided with objective feedback based on a comprehensive set of standards;
- 2) Baseline data is established from which progress can be measured;

- 3) The assessment identifies and addresses problems and issues before something bad happens or litigation commences;
- 4) Administrators can use information from the assessment to leverage additional resources;
- 5) Local and state facility regulations and inspections can be improved and strengthened through the JDAI process;
- 6) Through participation in the assessment process, members of the community learn about how the detention center operates, its strengths and challenges, and can become ongoing resources to the center and the children detained there; and
- 7) Most importantly, the facility assessment helps to ensure that children who need to be detained are held in conditions that are safe and humane.

This Step-by-Step Guide provides JDAI Site Coordinators, JDAI Technical Assistance Team Leaders, and assessment teams with a detailed description of the assessment process and a checklist for implementation. Additional materials for the training and the facility assessment can be found on the JDAI Help Desk: www.jdaihelpdesk.org.

BACKGROUND ON THE JDAI ASSESSMENT AND STANDARDS

Since its inception, the Juvenile Detention Alternatives Initiative (JDAI) has emphasized the importance of maintaining safe and humane conditions of confinement in juvenile detention facilities. Nationally, close to 20% of juveniles are held in secure confinement at some point between referral and disposition,¹ and the history of conditions in juvenile detention facilities is replete with examples of abuse and mistreatment.²

As JDAI was getting started in the early 1990s, OJJDP released *Conditions of Confinement*, the most comprehensive national study of juvenile facilities conditions ever undertaken. The study found substantial deficiencies in living space, health care, security, and control of suicidal behavior. The study could not assess the adequacy of educational and treatment services, and did not fully explore the use of isolation and

restraints, but noted troubling indicators in those areas as well.³ The intervening years have not resolved these issues. Inadequate conditions and improper treatment still exist in many juvenile facilities around the country. A more recent survey of youth in facilities yielded findings almost identical to those in the 1994 study.⁴ There are dozens of conditions lawsuits and Department of Justice investigations currently pending across the country, and many more could justifiably be brought.

In the beginning, JDAI wanted to ensure that the facilities in its sites met constitutional and statutory legal requirements and standards of best professional practice. It asked the Youth Law Center and key juvenile facility conditions experts to perform facility inspections in detention centers in the five original JDAI sites and to provide feedback on what needed attention. With only a few sites, these inspections were feasible and affordable. Every year, the inspectors would visit the sites, write reports, and come back the next year to determine whether conditions had changed and problems had been addressed. Over the first years of JDAI, each of the sites made substantial changes to the conditions and treatment of children in their facilities. This early JDAI conditions improvement work is described in *Improving Conditions of Confinement in Secure Juvenile Detention, Pathways to Juvenile Detention Reform, Volume 6*.⁵

As JDAI grew, the original inspection process became unworkable. The experts did not have the time to do individual inspections in dozens of sites, and this type of technical assistance did not result in increased capacity in the sites to monitor and improve their own conditions of confinement. Nonetheless, ensuring safe, humane conditions in juvenile facilities continued to be an essential part of JDAI work. Accordingly, JDAI asked the Youth Law Center and the Center for Children’s Law and Policy to design a locally based but comprehensive assessment process that would provide objective, standards-based feedback to the sites and a mechanism for addressing any problems. The resulting detention facility assessment, using objective standards and teams of carefully selected and trained volunteers, is described in these Step-by-Step Guidelines.

The resulting detention facility assessment, using objective standards and teams of carefully selected and trained volunteers, is described in these Step-by-Step Guidelines.

The standards and guidelines for detention facility assessment were developed by staff from the Youth Law Center and the Center for Children’s Law and Policy—attorneys with a long history of involvement in institutional investigations, litigation, drafting state and federal legal standards, and providing training on how to assure safe and humane institutional conditions. The standards and guidelines also incorporate thoughtful input from

national experts, including Leslie Acoca, Chip Coldren, Paul DeMuro, Dennis Doyle, Earl Dunlap, Tom Grisso, Peter Leone, Jody Marksamer, Michael Puisis, John Rhoads, Francine Sherman, Judith Storandt, Eric Trupin, Andrea Weisman, and Shannan Wilber. JDAI sites, including Baltimore, Bernalillo County, Cook County, San Francisco, and sites in Delaware, Illinois, New Jersey, and Washington State, also provided helpful feedback for the standards and guidelines for assessment.

In addition to the input from national experts and JDAI site personnel, the standards embody pertinent constitutional case law, federal statutory law, professional standards, and best practices. They address conditions, policies, and practices that have resulted in litigation or harm to youth or staff. Because the assessment process is likely to include some people with limited background in facility operations, the standards provide explicit guidance in areas that are often problematic.

JDAI originally introduced the standards and facility assessment process in 2004. The standards were revised in 2006, based on feedback from JDAI sites, changes in the law, and evolving perceptions about what ought to be covered in the standards. This 2011 revision of the guidelines for facility assessment reflects feedback from JDAI Site Coordinators and facility assessment team members, as well as observations by Youth Law Center and Center for Children’s Law and Policy staff who have provided training and technical assistance to the facility assessment process for over a decade. The standards have evolved over time and will continue to do so as best practices in the field continue to develop.

THE JDAI FACILITY ASSESSMENT MATERIALS AND TRAINING

The resources provided for the JDAI Juvenile Detention Facility Assessment include the following:

1. This overview document that provides a step-by-step summary of the entire JDAI Juvenile Detention Facility Assessment Process from start to finish,⁶ commonly referred to as “the guidelines.”
2. An extensive set of standards contained in the JDAI Facility Assessment Instrument, commonly referred to as “the standards” or “the instrument.” The standards are also available in a specially formatted version in Microsoft Word that enables the assessment team to record issue-by-issue whether the facility conforms to specific standards during the assessment.

3. A set of “How To” documents that provide suggestions for assessing each area involved in a facility assessment.
4. A DVD filmed at a 2005 JDAI facility assessment training in New Jersey that provides a shortened version of the in-person training teams normally receive.⁷
5. Additional handouts and materials presented in conjunction with trainings on how to conduct an assessment, available through the Youth Law Center or Center for Children’s Law and Policy.
6. Written materials and publications on specific issues,⁸ available through the JDAI Help Desk,⁹ or through contact with JDAI consultants at the Youth Law Center or Center for Children’s Law and Policy.
7. A day-and-a-half training for JDAI sites, to be arranged through the Site Coordinator and Technical Assistance Team Leader (TATL).
8. The JDAI Detention Facility Assessment Timeline and Checklist for Site Coordinators.

STEP ONE: PLANNING AND PREPARING FOR THE ASSESSMENT

Most sites conduct an assessment of their juvenile detention facilities during Phase One of JDAI, usually the first or second year in JDAI.¹⁰ The standard timeframe for completing detention facility assessments is every two years. The first assessment, including the written report, should be completed within two years of becoming a JDAI site.

Occasionally, the JDAI Initiative Management Team (IMT) or the Technical Assistance Team Leader (TATL) may advise that the facility assessment be completed more quickly, for example, if there has been a suicide, major violence, identified abuse or other crisis at the facility, or a circumstance arises that calls for prompt attention to what is happening at the facility. When the Site Coordinator, JDAI Steering Committee, and TATL are ready to proceed with the assessment, the TA Team Leader notifies a member of the JDAI Initiative Management Team. Faculty for these trainings are provided by the Youth Law Center or the Center for Children’s Law and Policy. Conference calls with the TATL, Site Coordinator, trainers, appropriate members of the site JDAI Steering Committee, and other professionals who have contact with detained youth (such as the detention facility administrator if that person is not a member of the Steering Committee) are required to plan the training.

A. Site Coordinator Duties

The JDAI Site Coordinator is the point person for the JDAI Juvenile Detention Facility Assessment Process. Once the planning process is underway, the Site Coordinator has four major duties prior to the assessment:

1. Assemble an Assessment Team

This is discussed on page 10.

2. Coordinate Training for the Team

Several conference calls to plan the training are conducted with the participation of the Site Coordinator, TATL, trainers and the Training Coordinator, and essential others. The calls provide an opportunity to discuss training logistics such as date, location, agenda, materials, food, lodging, travel arrangements, audio-visual needs, and photocopying. They also give the organizers a chance to discuss substantive issues such as the composition of the assessment team, access to the facility for a tour prior to the training, and other issues of particular concern in the site. If there are several sites to be trained at once, Site Coordinators will work together to choose a host site and coordinate sharing of information and responsibilities. The Training Coordinator may also set deadlines for the Site Coordinator(s) to complete tasks. Usually there are several such planning calls before the assessment team training. For details, please refer to the JDAI Detention Facility Assessment Timeline and Checklist on page 16p.

3. Work with the Detention Facility Administrator

The Site Coordinator is responsible for contacting the detention facility administrator to discuss the forthcoming assessment and coordinate appropriate dates for the assessment. As part of their role, Site Coordinators should be able to explain the purpose of the assessment and what the process will entail, ensuring that the administrator understands the following key aspects of the assessment process:

- a) The assessment team may be on site for several days;
- b) The team will talk with staff and detained youth;
- c) The team may want to visit at night; and
- d) The team will want access to all parts of the facility.

Making It Work for Everyone

The facility assessment is designed to provide an opportunity for the assessment team to obtain all of the necessary information. The Site Coordinator should work with the administrator to schedule an assessment time that provides access to needed individuals, is workable for the facility, and will not impede the regular schedule for youth. The Site Coordinator should also talk with the administrator about the files, policies, and documents that the team will request, and facilitate a discussion about confidentiality (discussed at greater length on page 16d).

Although the facility administrator will not be a member of the assessment team, he or she should be fully informed about the standards and the process by which the facility will be assessed. The administrator should also anticipate a document request for policies and procedures and other facility records (discussed at greater length on page 16). The Site Coordinator or assessment team leader should discuss the assessment with the facility administrator, let him or her know what will be happening, and address any questions or concerns. Including facility administrators in the assessment team training will allow them to talk with facility staff and youth residents about the purpose, nature, and extent of the assessment in an informed manner.

4. Coordinate the Assessment Process

After consultation with the trainers from the Youth Law Center or the Center for Children's Law and Policy, the TATL, and other local JDAI leaders, the Site Coordinator should contact prospective assessment team members to invite them to participate in the assessment process.

The Site Coordinator should call the initial meeting of the team, schedule additional meetings as necessary, facilitate the team's requests for documents, and arrange access to the facility through the facility administrator. The assessment team may continue to rely on the Site Coordinator for logistical support, but will usually designate leaders within the team to take on responsibility for particular assessment functions. Site Coordinators may share certain responsibilities with Steering Committee members or other entities such as local Juvenile Justice Commissions. For example, the Steering Committee or local

Juvenile Justice Commission may be helpful in suggesting names for assessment team members.

Many participants in the facility assessment team may not know about JDAI and related activities in their jurisdiction. Therefore, the Site Coordinator plays a key role in helping team members learn about JDAI and understand how their participation in the facility assessment fits into the broader reform activities of JDAI.

B. The Facility Assessment Team

There are a number of considerations in team member selection. The following are elements that should be considered in building the assessment team:

The goal of the JDAI Juvenile Detention Facility Assessment is to provide objective feedback to the site about facility conditions and services that are or are not in conformity with the JDAI facility standards.

1. Team Members with “Fresh Eyes”

The goal of the JDAI Juvenile Detention Facility Assessment is to provide objective feedback to the site about facility conditions and services that are or are not in conformity with the JDAI facility standards. Therefore, while the assessment is generated by the people who work in the juvenile justice system, it is *essential* that the assessment be conducted by a team of people who can see the facility with “fresh eyes.” This means that the team should be able to see the facility as it really is, without having observations clouded by personal friendship or agency (or employment) obligations, which can result in denial, unintended bias, or wishful thinking. In other words, there should be no one on the team who would be reluctant to find a particular aspect of the facility operations out of compliance.

In selecting team members, care should be taken to avoid selecting people who have any degree of responsibility for the issue being assessed. For example, if the county superintendent of schools is responsible for supplying special education teachers to the facility, the county education office should not be included on the team to inspect educational services. There would be inherent conflict: this would be like asking the county office of education to inspect itself. If the assessment found the facility in full compliance, that conclusion could be questioned because of those conflicting obligations.

Similarly, if there are any employees of the facility on the assessment team, great care should be taken in selecting the areas of facility operations they are to assess. Staff are sometimes reluctant to identify problems when a friend or a supervisor is involved. Other times, staff may feel a desire to make “their” facility look good, even when there are clear problems. Either way this undermines the validity of the assessment. Staff of the facility can be on the assessment team if they look at areas of operations for which they have no responsibility in their regular work, but it is critical to avoid even the appearance of a conflict of interest.

2. Team Size and Composition

The team should include six to twelve members. Efforts should be made to include people with the following characteristics and areas of expertise:

- **Medical (a physician or nurse)**

This person will assess staffing and credentialing; policies and procedures for screening, diagnosis, and treatment; and medical services provided to youth.

- **Mental Health (a psychologist, psychiatrist, or psychiatric social worker)**

This person will assess staffing and credentialing; policies and procedures for screening, diagnosis, and treatment; and mental health services provided to youth.

- **Education/Special Education (a teacher or principal or education professor who has special education expertise)**

This person (or persons) will assess compliance with state and federal laws (including IDEA), staffing and credentialing, and the quality of general education and special education services. If the facility has a population of youth with limited English proficiency, this person (or another person) should also be capable of assessing educational services for limited English proficient (LEP) youth.

- **Family Member or Youth Formerly Involved in the System**

This person (or persons) will be able to provide feedback from the perspective of someone who saw firsthand, or had a family member who saw firsthand, the conditions, policies, and practices in the facility. They may be particularly helpful in looking at grievance procedures, family access to the facility and staff, visitation, and other issues that involve communication with the greater community.

- **Disability Rights Professional**

Because many youth involved in the juvenile justice system have mental or physical disabilities, an advocate who has experience assessing services and accommodations for youth with disabilities may be helpful as a team member. Each state has a federally funded Protection and Advocacy (P&A) office for people with disabilities, which has federal statutory authority to investigate conditions in facilities housing youth with disabilities. Some states' P&A offices are already active in monitoring juvenile justice facility conditions, while others have not focused their work on youth facilities, but staff may still bring valuable expertise, especially in the areas of special education and mental health services.¹¹ Other local providers of services to youth with disabilities may be able to offer similar expertise.

- **Other Community Members**

Many sites have found it helpful to include members of community agencies that work with youth or local religious leaders. Increasingly, sites have brought in members of local juvenile justice commissions, local civic leaders, and elected officials or their staff to serve as team members, since this helps the greater community to be more familiar with what goes on in the juvenile justice system, and sometimes results in the development of allies for increased funding or other needs.

Assessment teams are often strengthened by the presence of professionals who work in other parts of the juvenile justice system.

- **Juvenile Justice Professionals**

Assessment teams are often strengthened by the presence of professionals who work in other parts of the juvenile justice system. Many teams have included law enforcement officers, public defenders, probation officers, prosecutors, Court Appointed Special Advocates, or social workers from the child welfare system. These people often bring rich experience with youth in the system that is useful in understanding and applying the standards. They also often have practical knowledge of the system that can be useful in developing recommendations for any needed changes in practice.

Many jurisdictions have included one or more detention facility staff members, sometimes from neighboring counties or state agencies. Using detention staff from other agencies ensures that people who know how things work in detention are on the team, but without the conflict of interest situations that may arise when employees assess their own facilities. If local detention staff are included, it may be helpful to include people

from different positions: (1) a counselor or other staff person who works day-to-day in a living unit; (2) a person who works in a supervisory capacity such as a shift supervisor; or (3) a person who is familiar with problems that arise in the facility, such as a quality assurance supervisor, ombudsman, or facility grievance coordinator. These are people who understand the operation of the facility, but see it from varying points of view.

A number of sites have also included people who work for their state facility inspection agencies—either as official assessment team members or as “honorary” members who are in the facility at the time of the assessment. This has provided an effective way to compare the coverage of state regulations with the JDAI standards and to consider how state standards may be updated to reflect JDAI values.

3. Other Considerations in Team Selection

Apart from the major categories for team members, the team should be selected with an eye toward several other things. Detained girls may be more comfortable reporting conditions to female assessment team members, so an effort should be made to include female representatives on the team. If English is not the primary language of a number of youth at the facility, every effort should be made to include assessment team members who speak the primary languages of the youth. Finally, the team should be racially and ethnically diverse, with an effort to reflect the demographics of children in the facility.

Also, teams should be selected with realistic attention to the time commitments members will be expected to make and the desirability of ongoing involvement in the assessment process. Typical time commitments for various aspects of the assessment process are discussed on page 14 in section C.2., and team members should be informed of those commitments during the selection process. Ideally, team members will stay on for successive assessments. This helps team members to develop experience and expertise in conducting the assessments, and facilitates consistency in the assessment of changes in conditions and practices over time.

4. Process for Recruiting Team Members

Team member selection and recruitment should involve close consultation between the Site Coordinator, the TATL, the facility assessment trainers, and other leaders of the local JDAI effort. In order to avoid inviting individuals to participate on the team who are not appropriate team members, it is wise to review the factors outlined above with care, to

compile a list of potential team member candidates, and to discuss possible team members prior to extending invitations to participate.

C. The Initial Team Meeting

The Site Coordinator may wish to plan one meeting of the assessment team prior to the facility assessment training. If a meeting is not planned prior to the training, then these topics should be covered individually with each team member.

At the first meeting of the assessment team, the Site Coordinator should explain to the team how the assessment process works and what it entails. The keys points are as follows:

1. Discuss the Approach to the Assessment: Multiple Points of View

The facility assessment should be informed by multiple points of view, including the viewpoints of detained youth, staff, supervisors and administrators, and others who come into contact with youth in the facility.

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

2. Discuss Timelines and Commitment of Time

The Site Coordinator should convey to team members a sense of what is involved in the assessment and review the elements of the assessment at the first team meeting. This will help team members to understand what the specific task will be, and that participation involves intensive efforts for a number of days, spread over a period of months. The

following are team tasks and estimated amounts of time team members may expect to spend in the assessment process:

- Training on JDAI Juvenile Detention Facility Assessment. (Usually one-and-a-half to two days—sometimes involving overnight travel; also time to become familiar with the standards and assessment materials provided at the training)
- Initial meeting with the team to discuss the assessment process, divide responsibilities, and plan next steps. (One to two hours; some teams elect to meet at the end of the training to avoid the need for a separate meeting)
- Meeting to review and discuss documents. Everyone should review certain policies and procedures and general documents about the facility. Team members assigned to specific areas may have additional documents to review. (Four to six hours)
- Conducting the assessment. (One to five days at the institution, depending on the size of the facility and areas on which the person focuses, including an entrance and exit meeting with the administrator and key staff)
- Assembling and writing the report following the inspection. For each person on the team, the time needed may vary depending on the areas on which the person focuses and the size of the team and the facility. (Three to four hours for most team members; more for the people responsible for assembling all of the parts and writing the narrative)
- Presentation of the assessment report to the site Steering Committee. The whole team doesn't have to attend, but it is helpful to have team members for each area talk about both positive and negative points identified through the assessment. (Two to three hours)

3. Explain JDAI and Current JDAI Activities in the Jurisdiction

While some members of the assessment team may be active participants in JDAI, some team members may not be as familiar with JDAI. Therefore, it is important to provide an overview of JDAI's eight core strategies and identify areas of system improvement that have occurred locally or throughout the state. It will also be helpful to

It is important to provide an overview of JDAI's eight core strategies and identify areas of system improvement that have occurred locally or throughout the state.

explain to team members how ensuring safe and humane conditions at the facility fits into these activities, and what the JDAI Steering Committee will be doing with the information they gather related to conditions of confinement.

D. Attend the Training

All team members should attend the training, which is conducted by staff of the Youth Law Center or the Center for Children’s Law and Policy. This one-and-a-half day training will explain all areas of the assessment standards, how to assess conditions, and provide opportunities to discuss and plan the assessment.

E. Final Preparations for the Facility Assessment

1. Discuss and Plan Document Request

One of the most important parts of the assessment is a review of the paper records of the facility. The Site Coordinator and the leader of the assessment team should work together to clearly delineate responsibilities for document review. The team should go over the list of documents discussed below and let the Site Coordinator know which documents to request. Several weeks before the assessment, the Site Coordinator or the assessment team leader should write a letter to the facility administrator requesting documents and giving a realistic time for the team to receive the documents. In some facilities, the relevant documents are made available in a centralized location for the assessment team to review, and in others, the facility makes a master set of documents (sometimes with multiple sets of certain parts of the documents, such as policies and procedures manuals) for the team to use. Once the facility administrator provides the documents, the Site Coordinator or team leader should make sure that team members receive copies of the documents they need, and should set a second meeting to discuss them prior to the on-site assessment.

While each assessment team member does not need to review each document, members should read those documents relevant to the specific areas they are assessing, recognizing that many documents are pertinent to more than one area. When team members identify information relevant to other areas, that information needs to be conveyed to the team member responsible, the team leader, or the team as a whole. The information should be shared as early as possible in the process.

Reviewing background documents beforehand makes a site assessment efficient and more effective, providing context for facility operations, comparisons with past assessments, and potential problem areas. This approach enables team members to use their time in the facility to observe, talk with youth and staff, and review documents in use throughout the facility, such as unit log books that are not otherwise available.

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

Please consult the “How To” documents for suggestions of what to look for in each of these documents.

- Organizational charts for the facility and the agency that operates the facility;
- Diagram, blueprint, or schematic of the physical layout of the facility;
- Records of current staffing levels and schedules in each area and function of the facility, including records of staffing vacancies and actual schedules worked by staff;
- Approved annual budget;
- Current manual of policies and procedures, including all policies that pertain to classification, intake procedures, medical and mental health services, suicide prevention, visitation, mail, telephone calls, education and special education, indoor and outdoor exercise, recreation and other programming, training of staff, environmental issues such as sanitation and lighting, due process during disciplinary proceedings, use of force, room confinement, grievance procedures, isolation and restraints, as well as the process for policy and procedure changes;
- Any additional policies and procedures manuals, e.g., for education, medical, or mental health;
- Manuals and handbooks used in the facility, including handbooks given to youth at admission;
- Records of outdoor recreation and gymnasium use for the past six months;

- Special Incident Reports or other reports of unusual incidents at the facility, such as behavioral crises, fights, suicide attempts, and uses of force, for the past six months;
- Reports on use of room confinement, isolation, and restraints, preferably by unit, for the past six months;
- Suicide watch reports or records for the past six months;
- Audits, inspections, or accreditation reports of inspections conducted by professional groups (e.g., American Correctional Association, state inspection agencies, or juvenile justice commissions) for the past two years;
- Strategic planning reports written by the director of the facility;
- Inspection reports from other public agencies, including health and sanitation, fire safety, and education/special education agencies for the past year or most recent inspection;
- Grievances filed by youth or staff at the facility for the past six months;
- Child abuse complaints or citizens' complaints relating to staff or treatment of youth at the facility, records of criminal background checks of staff, and records of any staff disciplinary action taken in the past year;
- Worker's compensation claims and records of staff grievances or legal claims for the past year;
- Records of active lawsuits or investigations (both internal and external) involving conditions or treatment of youth at the facility;
- Documentation of the facility's education/special education program, including staffing and professional qualifications, evaluation of youth at admission, educational curricula, class schedules, recent Individualized Education Plans, and transfer of education records when youth leave the facility;
- Records of staff training for the past year and training materials;
- Food service records, including menus and dietary guidelines;
- Visitor and telephone usage logs; and
- Documents that have been translated for limited English proficient individuals.

2. Additional Pre-Assessment Matters—Assigning Topic Areas, Dealing with Confidentiality or Records Access, Planning Logistics

The team may plan to gather one or two times before the facility assessment to discuss questions that arose in the document review, identify individual team members' relevant background and experience, go over the standards in the assessment instrument, and divide responsibilities for assessing the different issue areas.

a. Assessment Team Assignments

Because the assessment covers so many issues, most teams divide the assessment into areas to be covered by more than one person, depending on the size of the team. The team will want to assign people with professional expertise in a particular area to respective subjects (education/special education, medical, mental health). The standards are divided into the following areas:

- Classification (intake, screening, living unit assignment);
- Health (medical, mental health, dental);
- Access (mail, visits, telephone, legal access);
- Programming (education, exercise, recreation, religion, work);
- Training (and administrative oversight);
- Environment (sanitation, physical plant issues, food, crowding, privacy);
- Restraints (use of force, mechanical devices, isolation, room confinement, discipline, grievances); and
- Safety.

Groups may be assigned one or more areas. For example, one group might be assigned to handle "Classification" and "Access" and another might be assigned to handle "Restraints" and "Training."

The team members assigned to each area are responsible for reviewing all of the documents pertinent to the area, conducting the on-site assessment for that area, recording the findings on the instrument, and writing any recommendations or narrative needed on that issue.

Because the assessment covers so many issues, most teams divide the assessment into areas to be covered by more than one person, depending on the size of the team.

The team should also designate a team leader responsible for guiding the process and compiling the written report. The team leader may be the Site Coordinator or it may be another individual. The team leader may enlist a small number of people to take responsibility for compiling the written report. This includes assuring that the team members completely fill out the instrument and include any needed explanation. The JDAI Site Coordinator retains ultimate responsibility for assuring that the work is completed. Some sites have established effective partnerships with university legal clinics to have law students work with the assessment team as note takers and report drafters to help speed the report writing process and ensure consistency of voice in the writing. Examples of reports are available through the JDAI Help Desk.¹²

b. Addressing Confidentiality or Records Access Issues

Some of the materials that team members should review contain confidential information about youth detained at the facility, or the records themselves are subject to statutory protections against disclosure. The team and Site Coordinator should work with the facility administrator and legal counsel for the agency operating the detention facility to reach an agreement about non-disclosure of particular information and compliance with applicable state laws and court rules. There should be a mutual understanding about the extent to which individual team members may talk to others about what they see during the assessment and their findings. In addition, if there is any current litigation about conditions in the facility, the team and Site Coordinator will need to work with counsel for the youth to reach agreement about circumstances under which youth may be interviewed and should consult local court rules to determine whether they include any restrictions on contact with youth in custody.

Depending on the kind of information being sought and the applicable laws and rules, there are a number of ways to deal with confidentiality issues.

Depending on the kind of information being sought and the applicable laws and rules, there are a number of ways to deal with confidentiality issues. The facility administrator may, for example, request that team members sign an agreement that they will not disclose any confidential information beyond the members of the team. Another way to deal with confidentiality is to request that materials be redacted (so the identifying information about a particular child is crossed out or “whited out”). Yet another is to get the consent of a child and in some cases his or her parent or guardian to review his or her records. Some jurisdictions require, as a matter of law, a court order granting access to confidential records. The myriad rules and regulations may appear daunting, but JDAI sites all over the country

have found ways for assessment teams to obtain the information they need. Site Coordinators and team leaders are well-advised to address these issues early in the JDAI facility assessment process.

c. Considering Coordination with Other Inspections

JDAI recognizes that some sites already have state inspections or professional accreditation, and that for others, this will be the first and only oversight process. Facilities that have regular state inspections generally have state standards governing the inspections and a process for addressing deficiencies. Jurisdictions that participate in national standards or accreditation generally do so through the American Correctional Association or through the Council of Juvenile Correctional Administrators and its Performance-Based Standards. Still other sites may have inspections performed by their juvenile court or juvenile justice commissions.

While each of these facility inspection processes has its strengths, none of them is as specific or comprehensive as the JDAI standards with respect to certain issues. In particular, state regulations and professional standards tend to be “process standards,” calling for the facility to simply have a policy rather than providing details about what the content of the policy should be.

A number of sites have consciously coordinated the JDAI facility assessment process with other inspections in which they are involved. This has played out in various ways. A JDAI assessment could occur at the same time as a state inspection. Several sites have prepared side-by-side charts of their state regulations and the JDAI standards to be used in the assessment, so standards can be compared; or sites include members of their juvenile justice commissions on the assessment team, and use the JDAI standards as the basis for the annual commission inspection. There are no rules about how to coordinate with the other inspections, but coordination offers the opportunity to use the JDAI facility assessment to provide feedback on conditions or treatment that may be missed in other inspections, and to identify areas in which other standards and assessment processes should be strengthened.

d. Planning the Logistics

The Site Coordinator will work with the facility administrator to identify target dates for the team’s on-site work prior to extending invitations to assessment team members, so that team members are aware of the training and assessment dates and are available during the dates selected. The Site Coordinator should schedule the assessment well

The facility administrator should be encouraged to issue a letter or memo to all facility staff prior to the assessment that describes the process, explains any agreed-upon procedures related to confidential documents, and sets the right tone for a successful assessment.

ahead of time (generally about three months ahead to allow for ample preparation and training). The assessment should be scheduled for a time when all staff members responsible for areas of operation at the facility covered by the assessment will be available to answer questions. For example, the assessment should not be scheduled for days when a contract psychiatrist or part-time physician cannot be at the facility.

The facility administrator should be encouraged to issue a letter or memo to all facility staff prior to the assessment that describes the process, explains any agreed-upon procedures related to confidential documents, and sets the right tone for a successful assessment. The memo should explain the purpose of the assessment, who will be on the assessment team, the areas to be covered, and the parts of the facility that the team will visit. The Administrator should direct all staff to cooperate fully. The Administrator should also provide staff with guidance on how to explain the assessment activities to youth residents. In addition, the Administrator may wish to convene an introductory meeting with staff and the team on the first day of the assessment to allow for questions and allay concerns.

STEP TWO: CONDUCTING THE FACILITY ASSESSMENT

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

First Day on Site

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

Team participants should dress appropriately to put youth and staff at ease. Since staff dress casually in facilities, male members of the team will usually be more effective if they do not wear coats or ties. Female members of the team should similarly adopt business casual attire. Everyone should wear comfortable shoes.

When to Be On Site

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

It is helpful to have the whole team on site doing the assessment at the same time because there are often cross-issue questions and situations that call for being able to consult with one another.

It is helpful to have the whole team on site doing the assessment at the same time because there are often cross-issue questions and situations that call for being able to consult with one another. At the same time, this process uses volunteers who have busy lives, and sometimes it is impossible for all team members to be in the same place at the same time. By mutual agreement with the facility administrator, team members may split up to do parts of the assessment at times that work for their schedules, but the team should establish times during the assessment when information can be shared and questions asked.

Where to Go in the Facility

On the first day of the facility assessment, after the initial meeting with administrators, the team should walk through the facility, beginning with intake, following the path youth take when they come to the facility. The walk-through tour provides a chance for the team to observe a range of conditions pertinent to specific standards. It also helps to orient the assessment team and to identify areas members will want to return to for closer attention. By starting with the admissions and intake area, team members can see

the facility from a youth's point of view. The inspection team should visit all areas of the facility in which youth spend any amount of time, including:

Intake and admissions area

Orientation unit

Medical examination areas

Mental health interview areas

Living units

Kitchen/Eating areas

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

Any areas where youth perform work

Exercise areas (indoors and outdoors)

Recreation and free-time areas

Isolation rooms

Restraint rooms

Visiting areas (for family and for attorneys)

What to Observe

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

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

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

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

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

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

Visual environment. Is the visual environment dull or interesting? Are the walls decorated? What is on the bulletin boards? What messages are being sent to youth; do they reflect best practice language and cultural sensitivities?

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

Whom to Interview

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

The team should interview the following people at the facility:

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

Youth may initially be reticent about talking with team members. Team members should tell youth who they are, the purpose of the assessment, and what they are doing in conducting the inspection. Assessment team members should inform youth

that they will not disclose the identity of youth who told them about particular issues unless they have the youth's permission or the information must legally be reported (e.g., under child abuse reporting laws), and that the youth are not required to talk with them.

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

Unit staff and supervisors. There should be interviews with staff and supervisors from several living units (including girls' units). Staff should be interviewed separately from supervisors, and as with youth, should be assured that team members will not disclose the identity of staff who gave them information unless permission is given to do so. Because there are significant differences between daytime and nighttime institutional life, and between the experiences of regular staff and as-needed staff, interviews should cover different shifts and schedules. The team may find it useful to make arrangements with the facility administrator to have supervisors available to relieve staff of their duties for brief periods of time so that interviewers can have their undivided attention without compromising institutional safety and security.

Medical and mental health professionals. Interviews should include regular nursing staff, the medical director, the mental health director, the psychiatrist, and social workers or other mental health care providers.

Teachers and the school principal. Interviews should cover educational testing and class placement for new youth, availability of previous educational records, curriculum, special education services, teaching environment, resources, classroom discipline, credit for work completed, services for youth who have their GED or diploma, services for youth whose primary language is not English, and transition back to school in the community.

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

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

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

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

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

Interviewing a range of youth, staff, and administrators will help the team understand the culture of the facility. Examples of interview questions might include: Do unit staff primarily function as guards in a facility focused on maintaining order and control, or as counselors in a facility aimed at providing support for troubled adolescents? Do staff have enough supports and available colleagues to do their jobs? Are they working overtime frequently? Do youth engage in normal adolescent behaviors, including occasional conflicts with peers and disobedience of adult directions, or do they pose a serious threat to the safety of other youth and staff at the facility? Is there a structured

Interviewing a range of youth, staff, and administrators will help the team understand the culture of the facility.

behavioral program that provides guidance and direction to staff and youth? Do the youth understand the program? Are administrators closely involved in facility operations (do they spend regular time on the living units, do they know the names of detained youth) or are they distant and removed?

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

The Last Day On Site

On the final on-site day or shortly thereafter, the team should conduct an “exit interview” with the facility director, administrative staff, and key staff members to go over the general findings and any areas of concern.

At the end of the facility assessment, the team should meet to make sure all of the issues in the standards have been covered. It is also helpful for team members to meet to reach consensus on the issues they want to discuss in their narrative report. This can often be done over lunch or in an empty office where the team can make a master list of the most important findings.

On the final on-site day or shortly thereafter, the team should conduct an “exit interview” with the facility director, administrative staff, and key staff members to go over the general findings and any areas of concern. This gives facility administrators an opportunity to clear up misconceptions, and to offer information about areas where efforts are being made even though problems may still exist. The exit interview assures that facility administrators and the key staff who may be involved in corrective action have prompt feedback about the team’s findings, and particularly areas in which the site assessment report will find non-conformity with standards or improvement needed.

STEP THREE: REPORTING ON THE FACILITY ASSESSMENT AND FOLLOW UP

Complete the Assessment Instrument

The assessment instrument is formatted to enable team members to indicate “Conforms to Standard,” “Does Not Conform to Standard,” and “Findings/Comments” for each

standard. It is important to assess and record compliance for each part of every standard. On any standard for which the facility does not conform to the standard, the team should indicate how and why the facility does not conform, what efforts if any have been made to conform, why it may be difficult to conform, or why the standard does not apply. The team should also indicate the standards on which the facility needs improvement, even if practice conforms to the standard (e.g., policies could be more clearly written or data should be improved). In addition, the team should recognize where the facility administrator and staff have done a particularly good job in meeting particular standards.

Prepare a Narrative Report of the Assessment

Following the assessment, the team should prepare a narrative report that summarizes all areas of non-compliance, areas in need of improvement, and suggestions for corrective action plans. The narrative may also include other issues of interest in JDAI such as disproportionate representation of youth of color in the facility. Teams have also used the narrative to highlight particularly positive things they saw, which would otherwise not have received public recognition. Finally, some teams have used the narrative to point out glaring funding and staffing needs.

While direct distribution of the report is usually limited, the team should be cognizant of the fact that the assessment report is likely to fall within the definition of “public record.” Accordingly, the narrative and instrument should adhere to any agreed-upon limitations on confidentiality of information. Also, the tone of the narrative and comments in the instrument should be written with awareness that they could be disclosed to the public.

Present the Report to the JDAI Steering Committee

The report should be shared with the facility director before dissemination in order to avoid any factual errors. This is not an opportunity for the facility administrator to argue with the team about whether the facility conforms or does not conform to particular standards, but rather for the administrator to clear up factual matters that the team may have misunderstood or of which they were not aware. The report should then be disseminated to the JDAI Site Coordinator and TATL. Sometimes, assessment team members are asked to present findings to the JDAI Steering Committee.

The Steering Committee should decide who should receive the report and how to develop a corrective action plan. Normally the distribution list includes the Site

Coordinator, the TATL, the Initiative Management Team at the Casey Foundation, and key department heads at the facility (e.g., medical, mental health, education) who will oversee areas where corrective action will be needed.

Corrective Action

JDAI’s goal for the facility assessment is that detention facilities in its sites conform to 100% of the standards. However, it is not likely that any facility will achieve this goal upon initial assessment.

JDAI’s goal for the facility assessment is that detention facilities in its sites conform to 100% of the standards. However, it is not likely that any facility will achieve this goal upon initial assessment. Following the team’s report, facility administrators will be on notice of problem areas, and can take corrective action. On any standard to which the facility does not conform, facility staff and administrators should develop a corrective action plan, and in cases where corrective actions cannot be implemented, this should be documented.

The plan should state what will be done, who is responsible, and when it is to be completed. The facility should have a point person who will report back to the team and Site Coordinator at the end of the designated period for corrective action, and the JDAI governing body should check periodically about steps the facility is taking toward compliance with the corrective action plan.

Future JDAI Juvenile Detention Facility Assessments

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

STEP FOUR: LOOKING BEYOND INDIVIDUAL FACILITIES

One of the most gratifying aspects of the JDAI Juvenile Detention Facility Assessment is the opportunity it provides for improving practice in the juvenile justice system as a whole. The JDAI standards go further than most professional standards and state regulations in providing specific guidance on issues that often result in harm to children or staff.

Several sites have invited their state inspectors to facility assessment trainings, and some states have used the standards to strengthen state facility standards. One state, in which juvenile justice commissions do their own inspections, has adopted the JDAI standards as its authority for juvenile detention facilities. The Youth Law Center and the Center for Children’s Law and Policy regularly receive interest about application of the standards from public officials and facility administrators not involved in JDAI, and the standards have been used in numerous situations calling for judgment about appropriate practice.

The JDAI standards, and JDAI sites around the country that have undertaken the JDAI Detention Facility Assessment, demonstrate that providing safe and humane conditions is an achievable goal for any jurisdiction.

Endnotes:

- 1 Charles Puzzanchera and Melissa Sickmund, *Juvenile Court Statistics 2005*, National Center for Juvenile Justice (July 2008), pg. 32.
- 2 Mark Soler, Dana Shoenberg, and Marc Schindler, *Juvenile Justice: Lessons For A New Era*, 16 GEORGETOWN J. POVERTY L. & POLICY 483, 506-521 (2009).
- 3 U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, *Conditions of Confinement: Juvenile Detention and Corrections Facilities* (Research Report), prepared by Dale G. Parent, et al., Abt Associates, Inc. (1994).
- 4 Andrea J. Sedlak and Karla S. McPherson, *Conditions of Confinement: Findings from the Survey of Youth in Residential Placement*, Office of Justice Programs, OJJDP, Juvenile Justice Bulletin (May 2010).
- 5 Sue Burrell, *Improving Conditions of Confinement in Secure Juvenile Detention Centers*, Pathways to Juvenile Detention Reform, Volume 6 (Annie E. Casey Foundation, 2000).
- 6 This 2011 Step-by-Step replaces the earlier guidelines, “An Overview of the JDAI Facility Assessment Process: Guidelines for Planning, Conducting and Reporting.”
- 7 In 2006, JDAI published the standards, “How To” documents, training DVD, and an earlier version of the Step-by-Step process (“An Overview of the JDAI Facility Assessment Process: Guidelines for Planning, Conducting and Reporting”) in a loose-leaf binder entitled, *Detention Facility Self-Assessment: A Practice Guide to Juvenile Detention Reform*. The binder and DVD are available through the Casey Foundation and a PDF of the binder’s contents may be downloaded from the JDAI Help Desk.
- 8 For example, Sue Burrell, *Moving Away From Hardware: The JDAI Standards on Fixed Restraint* (February 2009).
- 9 The JDAI Help Desk can be reached online at www.jdaihelpdesk.org. It posts voluminous support materials and also provides a way to ask specific questions.
- 10 *Phase 1/Year 1 JDAI Developmental Milestones and Tasks*, available at: www.jdaihelpdesk.org/Pages/starterkits.aspx; JDAI Year/Phase 2 Site Development, available at: www.jdaihelpdesk.org/Pages/starterkits.aspx.
- 11 To find a P&A in your region and learn more about the P&A system, visit www.ndrn.org.
- 12 The JDAI Help Desk may be reached at www.jdaihelpdesk.org.

JDAI Detention Facility Assessment: Timeline and Checklist

During JDAI Phase One, the JDAI Steering Committee, in consultation with the Site Coordinator and the TATL, makes plans for conducting a detention facility assessment. **All sites should initiate the facility assessment planning process within 15 months of beginning JDAI activities. Training of the assessment team, conducting the facility assessment, and writing the report are all pieces of the assessment process and may be completed during Phase Two, but the planning process should begin during Phase One.**

Standard Timeframe for Detention Facility Assessments

Facility assessments should occur **every two years. The first assessment, including the report, should be completed within two years of becoming a JDAI site.**

Occasionally, the JDAI Initiative Management Team (IMT) or the Technical Assistance Team Leader (TATL) may advise that the facility assessment be completed more quickly. This may happen, for example, if there has been a suicide, major violence, identified abuse or other crisis at the facility, or some circumstance arises that calls for prompt attention to what is happening at the facility.

Planning Process

Ample time should be given to the planning and preparation that goes into the facility assessment. Site Coordinators should allow 3–5 months for planning and preparation for conducting the assessment as they engage in a variety of activities including the recruitment of assessment team members, assistance in coordinating the training for the team, and facilitation of the facility assessment. After the assessment, Site Coordinators will participate in development and distribution of the detention facility assessment report, and in ensuring that corrective action planning and follow up are occurring.

This detailed timeline and checklist will assist Site Coordinators in understanding their role in the overall process. Site Coordinators' main role is to work with the training coordinator, the TATL, and the site to ensure that preparations are commensurate with the requirements of the facility assessment.

Timeline and Activities

Planning begins 3–5 months prior to the actual facility assessment when the Site Coordinator and TATL inform the JDAI management team (IMT) of the intention to begin planning for the detention facility assessment. Upon approval to begin planning, the IMT informs the training coordinator.

Step One (usually done via email)

The TATL and Site Coordinator(s) in the region/state determine a location and date for the assessment training. The choice of location and date should be based on:

- Accessibility for participants and faculty;
- Availability of faculty and training space;
- Whether there is a site interested in having the trainers tour its detention center; and
- Availability of lodging.

Step Two

Within the next week, the training coordinator will schedule a preparatory telephone call that will include Site Coordinators for each of the sites that will attend the training, the TATL(s) for the sites, and the trainers from CCLP or the Youth Law Center. The call should cover the following topics:

- Composition of the assessment team, process for recruiting the assessment team, and expectations of assessment team members;
- Food and lodging needs;
- Hours of training, to accommodate travel plans;
- Photocopying responsibilities;
- Room set-up, audio visual needs, including laptop, projector, and screen (laptop loaded with latest version of Powerpoint);
- Identification of a person to be the point person in the site that will host the training;

- Schedule for trainers to get materials and agenda to the point person;
- Evaluations;
- Establishment of timelines for Site Coordinators to notify the point person of numbers of participants;
- Trainers' confirmation of dates (date is usually discussed via email prior to the first conference call);
- Choosing dates for facility assessments in each site, approximately three months in the future; and
- Scheduling follow-up call **three to four weeks later**.

Step Three

Within a week after the planning call, the Site Coordinators and site leaders agree on training dates based on availability of trainers, TATL(s), site participants, and training space (usually the date is confirmed prior to the planning call). Site Coordinators begin the process of developing an assessment team. Before extending invitations to potential team members, the Site Coordinator gets approval from the trainers and TATL to ensure appropriate team makeup, and from the local JDAI Steering Committee if appropriate.

TATL(s) should facilitate a timely training site selection process and coach Site Coordinators on the composition and recruitment of assessment team members; TATL(s) should contact YLC or CCLP directly if they have questions.

Step Four

Prior to the next scheduled call:

- Trainers send draft agenda to Site Coordinators, TATL(s), and the JDAI Training Coordinator; and
- Site Coordinators provide assessment team lists to TATL(s) and trainers.

Step Five

On the date scheduled, Site Coordinators, TATL(s), and the training coordinator have a follow-up call, covering the following topics:

- Feedback from trainers and TATL(s) regarding recruited team members and remaining needs for the teams;
- Any necessary adjustments to the agenda for the training (e.g., timing of meals, participants' arrivals);
- Confirm training space/room set-up and audio visual needs, including laptop, projector, and screen;
- Plans for in-state, trainer, and TATL travel;
- Assignment of responsibility for food and lodging arrangements, government rates for lodging, and arranging a block of rooms at the hotel. The person who makes the lodging arrangements should send this information to the Site Coordinators, trainers, and TATL(s) soon after making the arrangements;
- Where to send training materials;
- Arrangements for detention center visit at host site; and
- Plans for ensuring that new team members and other attendees who have not been participating in JDAI have an opportunity to learn about JDAI in general, the activities in their jurisdictions, and the context for the training and assessment.

Step Six

Thirty days before the date of the training:

- Sites finalize their teams and send lists of team members to the point person in the host site, the trainers, and the TATL(s);
- The point person at the host site sends point person contact information and directions to the training site to the Site Coordinators, TATL(s), and trainers; and
- The point person at the host site checks to make sure he or she has the training materials, agenda, evaluation forms, and training powerpoint.

Step Seven

Two weeks before the date of the training:

- The Site Coordinator sends an email to members of the site's assessment team that includes:
 1. The agenda for the training;
 2. Electronic version of the Guidelines, Standards, and "How To" materials;
 3. The powerpoint for the training; and
 4. A note that printed copies of all of these materials will be provided at the training.
- The point person ensures that the TATL(s) and trainers have contact information and directions for the detention center visit.

Prior to the training, the point person and the host site ensure that the following are available for the training:

- Powerpoint loaded on the laptop and copied for all participants;
- Projector and screen available and set up;
- Copies of the agenda, powerpoint, training materials, and evaluation forms;
- Food and drinks for the training;
- Nameplates and name tags; and
- Recommendations for dinner for out-of-towners.

TATL(s) and Site Coordinators should plan to attend the training and support their teams' planning for facility assessments.

Step Eight

Prior to or at the time of the training, each Site Coordinator makes the following plans with team members:

- Identification of documents to request from the facility;
- Location where the documents will be made available to the team members for review;
- Assignment of team members to each of the eight assessment areas in **C**lassification System and Intake, **H**ealth Care, **A**ccess Issues, **P**rogramming, **T**raining and Supervision of Employees, **E**nvironmental Issues, **R**estraints, **S**afety (CHAPTERS). This may include formation of subgroups to be responsible for one or more areas of CHAPTERS. Each subgroup will choose a point person responsible for completing the written report and checklist for the subgroup;
- Identification of assessment team leader (could be Site Coordinator), who will be responsible for coordinating the assessment process and pulling together the subgroup reports, ensuring that the standards instrument is completed, and ensuring that the narrative report has a consistent voice, style, and format;
- Arrangements for team members to review documents;
- Confirm dates for facility assessment, including night and weekend visits for some team members;
- How to handle legal issues involving confidentiality and youth interviews;
- Work with facility administrator to develop message to facility staff and youth about the assessment and logistics of the assessment (e.g., will staff accompany team members through the facility, how team members will have confidential communications with youth and staff at the facility); and
- Identifying a meeting place for team members at the start of the assessment.

Step Nine

One week prior to the facility assessment, each Site Coordinator ensures that:

- Team members know where to meet at the facility at the beginning of the assessment and where they can park;
- Arrangements have been made for team members to eat at least one meal with youth during the assessment;

- Team members have signed confidentiality agreements and any necessary arrangements have been made for document access and youth interviews;
- Team members have had an opportunity to review the requested documents;
- Facility administrator knows who will be coming with the assessment team; and
- Team members know what identification will be required, any applicable dress codes, and where they will be able to store their belongings.

Step Ten

After completing the assessment:

- Team members meet to agree on major findings, both positive and negative, to share with the facility administrator and staff;
- Team members meet with the facility administrator and other appropriate staff to discuss major findings, both positive and negative. The facility administrator and staff provide the team with any information they believe the team will find valuable and correct any misinformation or miscommunication the team may have received during the assessment;
- Subgroup point people complete the Standards checklist, including appropriate comments on particular items;
- Subgroup point people draft narrative reports for their sections; and
- Subgroup point people circulate drafts to other members of their subgroups for approval.

Step Eleven

Within two weeks of the meeting with the facility administrator, the subgroups turn in their Standards checklists and portions of the narrative report to the team leader. The team leader reviews the components submitted by the subgroups for completeness and clarity; completes the Standards checklist and the draft narrative report, adjusting for consistent voice, style, and format; and circulates the draft to the team members.

Step Twelve

Within the next two weeks, team members respond to the team leader with any recommended changes to the narrative report or the checklist and then the team leader prepares the final checklist and narrative report. The final report is then provided to the JDAI Steering Committee, the facility administrator, the TATL(s), and the IMT representative (TATLs should review draft reports and checklists to ensure that they are complete, make sense, cover all issues logically, and speak with a uniform voice).

Step Thirteen

Within the next six weeks, the facility administrator provides a corrective action plan to the Site Coordinator, JDAI Steering Committee, and assessment team members.

Step Fourteen

Over the next 12–24 months, the Site Coordinator, JDAI Steering Committee, and TATL(s) monitor implementation of the corrective action plan.