

Twenty-Sixth Special Master Report (Filed July 5, 2013)

Area	Compliance	Source	Page
INTEGRATED BEHAVIORAL TREATMENT PROGRAM (IBTM)			
Brochure	-	A brochure that explains IBTM interventions has been constructed and its implementation is in progress. It will be distributed to youth, families, and visitors upon approval by the Central office.	3
Case management	-	“A written protocol for case planning has been drafted that describes all steps in the intake process.” “The IBTM Central Office Team members have drafted a procedure for unit placement.” This process requires review by the mental health experts and the University of Cincinnati Corrections Institute (UCCI).	4
Substance abuse curriculum	Partial	“The pilot of the new substance abuse curriculum continues to be implemented to schedule.” Groups include 10-12 participants, two facilitators and are comprised of 6 modules of 39 sessions over 5 months. After a 5 month pilot, 32 youth will have completed the curriculum (Youth at OHCYCF, NACYCF, and males at VYCF participated thus far). “Defendant should ensure that substance abuse need should be determined, in part, by a validated substance abuse assessment as well as overall risk level.”	5
Quality assurance	Partial	“...It is critical that managers and supervisors who are performing quality assurance functions continue to receive support from the IBTM Central Office Team in the form of training and coaching,” as observers have not been trained extensively in those areas.	7
Behavior Management System	Partial	“The initial draft of the RS [Reinforcement System] was too comprehensive and complex for staff to use effectively.... The level system has also been revised to focus more on acquiring positive behaviors than on not engaging in negative behaviors... The revised system is still in draft form and requires vetting through administrative review processes”	8-9
Training	Partial	“One of the criticisms of the Safety and Welfare Expert and the Special Master has been the lack of understanding of the concepts of gender responsiveness by most unit staff and senior administrators at VYCF and the Central Office...the majority of trained unit staff members have rotated off the girls unit, leaving staff who are not trained to work with girls and young women.”	10
Mental Health Program	Non	“The only area that has not made significant progress is mental health. The court has advised Defendant that progress must begin immediately in the implementation of the mental health program.” A Program Administrator has been hired to head mental health program implementation and a full-time Central Office IBTM Team Psychologist “... an initial program has been developed that outlines eight implementation areas.”	12

SEXUAL BEHAVIOR TREATMENT PROGRAM (SBTP)			
Overall Compliance	Partial	“This is the second consecutive audit round in which Defendant has met or exceeded the 85% substantial compliance threshold for all three sites.”	14
Individual Counseling	Partial	“...many youth did not receive a minimum of 30 minutes per week (or 60 minutes every two weeks) of individualized clinical counseling time [in orientation units and residential treatment units at NACYF]. High turnover also led to some Psychologists not having sufficient experience working with adolescents or a cognitive behavior treatment program.”	14
		“Defendant stated that all Psychologists positions will be filled with permanent staff by June 17, 2013 and that all youth have been provided a minimum of 60 minutes of clinical counseling every two weeks starting April 2013.”	15
Program Guide	Partial	“...the SBTP Expert rated this item in partial compliance because she found the core curriculum groups to be very poorly facilitated and not in adherence to the Program Guide.”	15
SBTP Youth Population	-	“The stability in the SBTP youth population negates the need for further living unit closures or changes.”	17
SBTP Curriculum	Partial	“While this is an excellent curriculum, it is expected that it will take some time to adequately implement it.”	18
Program Fidelity	Partial	“The SBTP Expert believes that a return engagement is necessary so that she can observe the groups again to ensure program fidelity before full transfer of monitoring to Defendant.”	22
WARDS WITH DISABILITIES			
Overall Compliance	Substantial	Defendant has completed the tasks outline in the Twenty-Second Report of the Special Master. As such, the Special Master now recommends transfer of monitoring of the <i>WDP Remedial Plan</i> to the Defendant. Areas that were under dual-monitoring (use of force, grievance, education in restricted programs, and psychotropic medication) with Wards with Disabilities will now be transferred to the Safety & Welfare, Education, and Mental Health experts for assumption of monitoring.	23
Grievances	Substantial	“...Defendant has modified the grievance policy to ensure a staff assistant is assigned at all steps, informal or formal, in the grievance process. This issue now appears to be in substantial compliance and does not require additional monitoring by the Safety and Welfare Expert.”	27
Use of Medications	-	“The experts will begin monitoring the mental health program in the near future and this issue is included in the audit process. Youth with disabilities will be included in the review. The Mental Health Experts should monitor this issue”	29
Use of Force	-	“The Disability Expert’s concern on this topic is primarily focused on lack of staff awareness of accommodation to be provided to youth with disabilities during force incidents involving a single non-compliant youth or similar incidents where it is possible to isolate youth with disabilities.” “The newly designed force review process, which is now in effect, requires every force incident involving single or multiple non-compliant youth to be reviewed by the facility’s Force Review Committee (FRC).” “...the Crisis Prevention and Management Policy should be assigned to the Safety and Welfare Expert.”	30

EDUCATION			
Overall Compliance	Substantial	<p>“At the conclusion of the seventh round of education audits, all three DJJ schools met or exceeded the threshold of an 85% overall rate of substantial compliance for at least two audit rounds. Compliance ratings ranged from a low of 97% to a high of 10%.”</p> <p>Issues still to be addressed are: “... an absence rate that continues to be too high at Mary B. Perry High School (MBPHS) and a failure to deliver special education services at N.A. Chaderjian High School (NACHS) and MBPHS.”</p>	31-32
Absence Rate	-	<p>“The Education Expert’s analysis of the absence rate at MBPHS [Ventura] indicates that a very small percentage of youth are responsible for the majority of absences.”</p> <p>“Defendant should continue efforts to enhance vocational and college programs and to create incentives for older youth to meet their high school education requirement.”</p> <p>“...the challenge of absenteeism lies not only with the education system but also with the student’s support system. The family and, in the case of incarcerated youth, the staff are key to school engagement.”</p> <p>“The solution to this problem lies not with the <i>education Services Remedial Plan</i> but with the <i>Mental Health Remedial Plan</i> where responsibility for monitoring the IBTM resides.”</p>	32 33
Special Education Services	-	<p>The special day classes requirement has not been met, it is recommended it be transferred to the <i>Mental Health Remedial Plan</i>, if monitoring is deemed necessary.</p>	35-36
USE-OF-FORCE			
Crisis Intervention and Conflict Resolution Training	-	<p>Training is in progress; however, “staff in custody classifications represent an overwhelming portion of individuals who have not yet completed the required training.”</p> <p>“Defendant needs to prioritize custody staff for future training.”</p>	39 40
Expansion of Targeted Living Unit Methods to All Mental health Units	-	<p>Visits May 8, 2013 and June 14, 2013, “found the conditions on the living unit to be dismal. There was little, if any communication or interaction between staff and youth on the unit. Youth uniformly complained of lack of incentives and inadequate programs, treatment, and services.”</p> <p>“...there appears to be significant variations between mental health units in VYCF and NACYF in terms of number of force incidents and use of chemical agents.”</p>	40-41 (footnote) 41
Single-youth Incidents	Partial	<p>“...Defendant may wish to review the following provision in the Crisis Prevention and Management Policy related to use of force against a single youth to assess whether additional adjustments or refinements are necessary.”</p>	45
VENTURA YOUTH CORRECTIONAL FACILITY (VYCF)			
Education services	-	<p>Deputy Special Master’s visit on May 8, 2013: “...the youth in groups were attending classes in four classroom settings – one in dayroom, one in kitchen, and two in the portable classrooms. Another youth was attending class by himself from a teacher in the psychologist’s office.”</p>	47
Program Groups	-	<p>Number of youth on program solo status declined. “This demonstrates that staff is making a concerted efforts to integrate youth.”</p>	50



Casa De Colegio (High core unit) ¹	-	“...conditions at the living unit to be rather dismal, as the unit was on partial lockdown after a fight involving a group of Hispanic youth and two African American youth five days prior on May 3, 2013. The living unit was unclean and tension was high. Youth were very agitated and complained about the length of the limited lockdown.” “CDC is scheduled to be the next living unit to implement IBTM.”	52-53
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¹ High core units are for higher-risk youth and are more restrictive than the core units, where the general population is housed.