

**OKLAHOMA COMMISSION ON CHILDREN AND YOUTH
OFFICE OF JUVENILE SYSTEM OVERSIGHT**

Name of Facility and Location: Cleveland County Regional Juvenile Detention Center
Norman, Oklahoma

Dates of Visit: April 5, 6, 7, and 13, 2010

Oversight Reviewers: Harold Jergenson, Oversight Specialist III and Dana
S. Holden, Oversight Specialist IV

Focus of Visit: Unannounced Visit, 2010

Date: June 29, 2010

Introduction

The Office of Juvenile System Oversight (OJSO) initiated an unannounced visit on April 5, 2010, at the Cleveland County Regional Juvenile Detention Center, located in Norman, Oklahoma. The OJSO returned on April 6, 7, and 13, 2010 to complete the visit. The purpose of the visit was to assess the detention program's compliance with established responsibilities and facility policy and procedures. In addition, the information from this oversight visit was obtained for reporting in the OJSO systemic review regarding room confinement at Office of Juvenile Affairs (OJA) facilities. The facility was certified for twenty-six juveniles by the Office of Public Integrity (OPI) of the OJA. On the first day of the OJSO visit, the census was twenty-two. The Cleveland County Board of Commissioners contracted with Community Works LLC to operate the detention facility. The facility was also under contract with the OJA for detention services. The facility provides regional detention services to other counties.

Interviews Conducted

- Entry interview and an exit conference with the facility director, deputy director, and facility officer
- Five residents
- Four direct care staff

Documents Reviewed

- OJA OPI annual monitoring report dated April 10, 2009
- Oklahoma State Department of Health Food Inspection report dated December 11, 2009
- Office of the Oklahoma State Fire Marshal report dated August 13, 2009
- Six resident files
- Four direct care staff's personnel files and training records

- Room restriction log for October 1, 2009, through March 31, 2010
- Room confinement log for October 1, 2009, through March 31, 2010
- Therapeutic hold (restraint) log for October 1, 2009, through March 31, 2010
- Grievance log for October 1, 2009, through March 31, 2010
- Caretaker Conduct Review (CCR) reports for October 1, 2009, through March 31, 2010

Findings

Resident Interviews

The OJSO interviewed five residents. The interview questions pertained to the residents' perceptions of safety, detention programs and services, resident rights, discipline practices, and quality-of-life issues. One resident reported that they believed that room confinement was used as a form of punishment. No other concerns were identified from the resident interviews.

Staff Interviews

The OJSO interviewed four direct care staff members. The interview questions pertained to the staff members' perceptions regarding resident rights, discipline policies, and other residential program issues. No concerns were noted from the interviews.

Resident File Review

Six resident files were reviewed. The files were well-organized and the materials were easy to locate. No concerns were noted from the resident files reviewed.

Personnel File Review

The OJSO reviewed four direct care staff personnel and training files for compliance with OJA detention standards. No concerns were noted from the staff files reviewed.

Room Restriction Log Review

The OJSO reviewed the room restriction log for October 1, 2009, through March 31, 2010. No concerns were noted from the room restriction log review.

Room Confinement Log Review

The OJSO reviewed the room confinement log for October 1, 2009, through March 31, 2010. During that time period, 141 incidents of room confinement were recorded. The OJSO noted:

- Sixty-one of the 141 incidents of room confinement reviewed did not meet criteria for room confinement. Examples of assigned room confinement that did not meet criteria were:
 - A resident was placed on room confinement for 22.5 hours for disrupting class, cursing and "inciting other residents." Allegedly, the resident refused to stop talking in class and then tried to write on his desk.
 - A resident was placed on room confinement for 25.75 hours for concealing property. The resident tried to hide a book in his pants to take to his room.

- A resident was placed on room confinement for 31.75 hours for destruction of property. The resident tore a hole in his mattress.
 - A resident was placed on room confinement for 17.5 hours for jeopardizing the safety of the facility. The resident took too long in the shower and then cursed at staff.
 - A resident was placed on room confinement for 28 hours for talking back to a teacher and refusing to do his schoolwork. The teacher removed the resident from class.
 - A resident was placed on room confinement for 6 hours for disrupting educational time and inciting peers. The teacher removed the resident from class.
- Documentation regarding forty of the 141 incidents of room confinement reviewed did not indicate reasons for the continuation of room confinement in the three hour reviews.
 - Sixty-one of the 141 incidents of room confinement reviewed did not indicate why the residents were not released from room confinement when documentation indicated that it would be safe to do so.
 - Five of the 141 incidents of room confinement reviewed did not properly document the date and time of room confinement.

Therapeutic Hold (Restraint) Log Review

The OJSO reviewed the restraint log for October 1, 2009, through March 31, 2010. Sixteen incidents of therapeutic holds were recorded. The OJSO noted that five of the sixteen therapeutic holds reviewed did not contain adequately detailed documentation as per facility guidelines. "Documenting is an attempt to answer completely the questions of Who, What, When, Where, and sometimes How." No other concerns were noted on the therapeutic holds reviewed.

Grievance Log

The OJSO reviewed the grievance log for October 1, 2009, through March 31, 2010. No concerns were noted from the grievance log reviewed.

Caretaker Conduct Review (CCR) Reports

The OJSO reviewed the facilities CCRs for October 1, 2009, through March 31, 2010. The OJSO noted that the two CCRs reviewed did not contain written statements from the alleged victims.

Areas of Concern

1. One resident reported that they believed that room confinement was used as a form of punishment.
2. Two CCRs did not contain written statements from the alleged victims. The Oklahoma Department of Human Services (OKDHS) policy, 340:2-3-37, Caretaker conduct review (CCR), (c), Protocol for conducting a CCR, (3), (A), states, in part, "...A facility employee designated to conduct a CCR follows the investigative procedures described in OAC 340:2-3-36, with the exception of tape recording the

interviews in OAC 340:2-3-36(i)(1), 2 including: . . . obtaining written statements and conducting interviews with: each alleged victim....”

3. Five of the sixteen therapeutic holds reviewed did not contain adequately detailed documentation as per facility guidelines. “Documenting is an attempt to answer completely the questions of Who, What, When, Where, and sometimes How.”
4. Five of the 141 incidents of room confinement did not properly document the date and time of room confinement.

Violations

1. Sixty-one of the 141 incidents of room confinement reviewed did not meet criteria for room confinement. OJA policy, OAC 377:3-13-44, Security and control, (c), (14), Room confinement, (A), (i) through (vi), state, “Room confinement is used with detained juveniles: for self protection; to separate juveniles from fighting; to restrain juveniles in danger of inflicting harm to themselves or others; to restrain juveniles who have escaped or who are in the process of escaping; to prevent destruction of property if reasonably related to (i) through (iv); and [to] stop behavior that incites other juveniles which jeopardizes the safety of staff and residents of the facility and is reasonably related to (i) through (iv).”
2. Documentation regarding forty of the 141 incidents of room confinement reviewed did not indicate reasons for the continuation of room confinement in the three hour reviews. OJA policy, OAC 377:3-13-44, Security and control, (c), (14), Room confinement, (B), states, “Room confinement of juveniles shall be re-authorized every 3 hours, except during normal sleeping hours, by a supervisor/administrator who was not involved in the original incident. Facilities which do not have another supervisor/administrator on site shall receive re-authorization every 3 hours from the on-call administrator. Reasons for continued room confinement shall be documented.”
3. Sixty-one of the 141 incidents of room confinement reviewed indicated that the residents were not released from room confinement when documentation indicated that it would be safe to do so. OJA policy, OAC 377:3-13-44, Security and control, (c), (15), Procedure for room confinement or room restriction, (D), states, “The juvenile shall be released when staff determines that he or she can safely be returned to the group.”

Summary

The OJSO conducted an exit conference on April 13, 2010, with the facility director, deputy director, and facility officer. All concerns and findings were discussed.