

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

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**Name and Location of Facility:** Comanche County Regional Juvenile Detention Center  
Lawton, Oklahoma

**Date of Visit:** September 2, 2008

**Oversight Reviewer:** Dana S. Holden, Oversight Specialist

**Focus of Visit:** Unannounced Oversight Visit, 2008

**Date:** October 21 2008

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### **Introduction**

The Office of Juvenile System Oversight (OJSO) conducted an unannounced visit on September 2, 2008, at the Comanche County Regional Juvenile Detention Center, located in Lawton, Oklahoma. The purpose of the visit was to assess compliance with established responsibilities and policy and procedures. The facility was certified by the Office of Juvenile Affairs (OJA) for 25 juveniles. On the day of the OJSO visit, the census was 22. The facility provides regional detention services to other counties. The facility was operated by the Comanche County Juvenile Bureau.

### **Interviews Conducted**

- Entry interview and an exit conference with the facility Superintendent and Assistant Superintendent
- Five residents
- Three direct care staff members

### **Documents Reviewed**

- Three personnel files and training records
- Six resident files
- Office of the Oklahoma State Fire Marshal report dated October 4, 2007
- Oklahoma State Department of Health Food Inspection report dated February 11, 2008
- OJA Office of Public Integrity (OPI) monitoring report regarding the visit of June 12, 2008
- Facility room confinement log for January through August 2008
- Facility room restriction log for January through August 2008

- Grievance log for June through August 2008
- Restraint log for January through August 2008

## **Findings**

### Resident Interviews

The OJSO interviewed five residents. The interview questions identified the residents' perceptions of safety, detention program services, resident rights, discipline practices, and other residential issues. The OJSO noted:

- Two residents reported that when a resident was placed on room confinement or room restriction, staff removed all personal property and toilet paper from the resident room and turned the water off to the room.
- Four residents reported they were not advised of their rights, the discipline policy, program rules, or the grievance procedures at admission. The residents stated that staff told them to read the Resident Handbook to learn this information.
- Three residents reported they were placed on "non-participation" confinement. (The facility director advised that non-participation confinement was used only when a resident refused to participate in school. It is a sanction developed by and solely used by the Comanche County juvenile detention facility.)

No other concerns were noted from the resident interviews.

### Staff Interviews

The OJSO interviewed three direct care staff members on-duty. The interview questions pertained to the staff members' perceptions of program services, resident rights, discipline policies, and other detention program issues. The interviewees were asked how frequently staff checked on residents when the residents were assigned to their rooms and to describe the differences among room restriction, cool down period, room confinement, and non-participation confinement.

- *Frequency of staff observations of residents assigned to their rooms:*
  - Two interviewees stated residents assigned to their rooms were observed every 15 minutes for close observation. In addition, one of these two interviewees stated residents were observed hourly at night, and the other interviewee stated residents were observed every 30 minutes at other times.
  - One interviewee stated residents assigned to their rooms were observed every 15 or 20 minutes.
- *Differences among room restriction, cool down period, room confinement, and non-participation confinement:*

### Room Restriction

- Two interviewees stated room restriction lasted for 59 minutes.
- One interviewee stated room restriction lasted up to 59 minutes, and all bedding and personal property were removed from the resident room and the water was turned off to the room.

### Cool Down Period

- Two interviewees stated that a cool down period lasted for 15 minutes. One of these two interviewees stated a cool down period was not considered room restriction.
- One interviewee stated a cool down period lasted for 1 to 15 minutes and was not considered room restriction.

### Room Confinement

- One interviewee stated room confinement lasted a minimum of four hours and staff removed bedding, personal property, and toilet paper from the resident room until bedtime and turned off the water to the room.
- One interviewee stated room confinement lasted up to three days. If the resident was assigned to confinement on a weekend, the resident had to stay on confinement until an administrator came on duty on Monday morning.
- One interviewee stated room confinement lasted for 2 to 24 hours and staff removed all bedding, personal property, and toilet paper from the resident room and turned off the water to the room.

### Non-participation Confinement

- Two interviewees stated that when a resident refused to cooperate or participate in the program, the resident was assigned to his/her room and remained in the room until the next morning. Both interviewees stated that the bedding was removed. One of these two interviewees stated that the water was turned off to the room; the other said that the water might be turned off to the room and personal property was removed.
- One interviewee stated a resident was assigned to his/her room for 24 hours. The staff member gave the example of a resident refusing to shower or to fold bedding as reasons for non-participation confinement.

No other concerns were noted from the staff interviews.

### Resident File Review

Six resident files were reviewed. The OJSO noted that three files indicated the residents were placed on “non-participation” confinement. The reasons documented for the confinements were:

- The resident had asked to be placed back on “disciplinary” status.
- Staff members had been informed by the resident that the resident could not run any more laps in the gym during recreation time.
- The resident had run to get a ball after being told by staff not to go after the ball.

No other concerns were noted from the resident file review.

#### Personnel File Review

The personnel files of three direct care staff were reviewed for compliance with OJA detention standards. The files were well-organized, and the materials were easy to locate. Documentation indicated that all three staff members had received the required hours of training and all were current in cardiopulmonary resuscitation certification and first aid training. No concerns were noted from the staff file review.

#### Room Confinement Log Review

The OJSO reviewed the room confinement logs for the months of January through August 2008. Fifty-one incidents of room confinement were recorded for that time period. No concerns were noted from the review.

#### Room Restriction Log

The OJSO reviewed the room restriction log for the months of January through August 2008. During that time period, 169 incidents of room restriction were recorded. The OJSO noted:

- Documentation indicated three residents were assigned two consecutive 59-minute room restrictions. Each of these three residents was assigned to room restriction for a total time of 1 hour, 58 minutes, which constituted room confinement.
- Fifty-one incidents of room restriction were not listed on the room restriction log. Documentation indicated that staff did not record incidents in the log when residents were sent to their rooms for a “cool down” period.
- The dates and/or times of assignment to or release from room restriction were not accurately recorded for five incidents.

No other concerns were noted from the room restriction log review.

#### Grievance Log Review

The OJSO reviewed the grievance log for the period of June through August 2008. No concerns were noted from the grievance log review.

## Restraint Log Review

The OJSO reviewed the facility restraint log for the period of January through August 2008. Twenty incidents of physical restraint were recorded during that time frame. No concerns were noted from the restraint log review.

## Inspection/Monitoring Documents Review

The most recent inspection reports by the Office of the Oklahoma State Fire Marshal, the Oklahoma State Department of Health, and the OJA OPI were reviewed. No violations were cited in any of the reports.

## **Summary**

The facility appeared to be using “non-participation” confinement as an additional level of room confinement. The facility director stated that non-participation confinement was to be used only when the resident refused to participate in school; however, documentation indicated staff members were using non-participation confinement at other times. Regardless, there is no provision in OJA policy for a resident’s non-participation in school to be used as criteria for room confinement.

The three staff members interviewed gave various descriptions of the differences among room restriction, cool down period, non-participation confinement, and room confinement. In addition, all three staff members had slightly different answers regarding how often staff should check on residents assigned to their rooms.

Two of the five residents interviewed reported that staff did not advise them of their rights, the discipline policy, program rules, and grievance procedures at admission. During the exit conference, the program director stated that staff members were to play an audio-recorded reading of the resident rights, discipline policy, program rules, and grievance procedures to the juveniles when admitted.

## **Violations**

1. Staff removed personal property and toilet paper from the resident room and turned off the water to the room when a resident was placed on room confinement or room restriction. OJA policy OAC 377:3-13-44 Security and control, (c), (15) Procedure for room confinement or room restriction, (C), states, “Juveniles placed in room confinement shall be afforded living conditions and essential services approximating those available to the general juvenile population. Exceptions shall be justified in writing by clear and substantial evidence.”
2. Juveniles were not always advised of their rights, discipline policy, program rules, and grievance procedures at admission. OJA policy OAC 377:3-13-40 Records, (a), in part, states, “Facility staff shall complete a confidential record for each juvenile admitted to the facility and include, at the minimum . . . (19) [a] statement signed by

the juvenile that he/she has been advised of juvenile rights, program rules, grievance process, and discipline policy.”

3. Residents were assigned to room confinement for rule violations that did not meet criteria, under the auspices of the residents’ non-participation in program activities. OJA policy OAC 377:3-13-44 Security and control, (c), (14) Room confinement, (A) “Room confinement is used with detained juveniles:
  - (i) for self protection;
  - (ii) to separate juveniles from fighting;
  - (iii) to restrain juveniles in danger of inflicting harm to themselves or others;
  - (iv) to restrain juveniles who have escaped or who are in the process of escaping;
  - (v) to prevent destruction of property if reasonably related to (i) through (iv); and
  - (vi) [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).
  
3. The three staff members interviewed demonstrated lack of knowledge regarding how often staff were to check on residents assigned to room confinement or room restriction. OJA policy OAC 377:3-13-44 Security and control, (c), (15) Procedure for room confinement or room restriction, (B), states, “When room restriction or confinement is used . . . [the] juvenile shall be visibly observed by a staff member every 15 minutes, and this must be documented.”
4. The three staff members interviewed demonstrated lack of knowledge regarding the differences among room restriction, cool down period, non-participation confinement, and room confinement. OJA policy OAC 377:3-13-43 Staff requirements, (d) Support staff, (1), (B), states, “[S]upport staff shall demonstrate knowledge and skills necessary to the job assignments.”
5. Documentation indicated residents were assigned to room restriction for periods of time that exceeded the 60-minute time limit. OJA policy OAC 377:3-13-44 Security and control, (c), (13) Room restriction, states, “Room restriction is a means of informally resolving minor juvenile misbehavior. It serves a “cooling off” purpose and has a short time period (up to 60 minutes) that is specified at the time of the assignment.”
6. Fifty-one incidents of room restriction were not recorded on the room restriction log. OJA policy OAC 377:3-13-44 Security and control, (c), (15) Procedure for room confinement or room restriction, (E), states, “A written record shall be maintained on any juvenile placed in room restriction or confinement. It includes a log stating who authorized the action, names of persons observing the juvenile and times of observation, the person authorizing release, and the time of release.”
7. Dates and/or times of assignment to or release from room confinement were not accurately documented for five incidents. OJA policy OAC 377:3-13-44 Security and control, (c), (15) Procedure for room confinement or room restriction, (E), states, “A written record shall be maintained on any juvenile placed in room restriction or confinement. It includes a log stating who authorized the action, names of persons observing the juvenile and times of observation, the person authorizing release, and the time of release.”

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