

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

Name and Location of Facility: LE Rader Center
Sand Springs, Oklahoma

Date of Visit: April 10, 11, 12, and 14, 2007

Oversight Reviewer: Ellen Harwell

Oversight Review Team: April Simmons and Sara Vincent-Spain,
Oversight Specialists
Jack Chapman, Programs Manager

Focus of Visit: Unannounced Routine Visit

Date: November 21, 2007

Introduction

The Office of Juvenile System Oversight (OJSO) conducted a routine, unannounced visit on April 10, 11, 12, and 14, 2007 of the LE Rader Center in Sand Springs, Oklahoma. The facility is a medium and maximum secure rehabilitation program for male juveniles adjudicated Delinquent or Youthful Offender who are in the custody of the Office of Juvenile Affairs (OJA). Programs include the Residential Treatment Program (RTP), Intensive Treatment Program (ITP), the Mental Health Stabilization Unit (MHSU), and the Behavioral Management Unit (BMU). The focus of the visit was to assess compliance with established responsibilities and facility procedures as well as to assess the residents' perceptions of safety, program services, rights of residents, discipline practices, and other residential issues. The facility is licensed for 215 residents. The census the day the oversight visit began was 158.

Interviews Conducted

- Entry conference with the superintendent
- Exit conference with the superintendent and administrative staff
- Twenty-nine male residents
- Fifteen staff members

Documents Reviewed

- Four personnel records
- Training records for eleven employees
- Seven resident records

- Grievance logs for January, February, and March, 2007
- Office of the State Fire Marshal inspection report, dated December 6, 2006
- Oklahoma State Department of Health inspection report, dated April 5, 2007
- Department of Human Services (DHS) Division of Child Care Facility inspection form, dated November 14 and 15, 2006
- DHS Office of Client Advocacy's quarterly report of incidents

Areas Toured

The OJSO toured the entire facility. See attached OJSO Facility Inspection Form.

Findings

Juvenile Interviews

The OJSO interviewed 29 male residents. The facility consists of medium and maximum secure units as well as the two specialized units, BMU and MHSU. Due to program differences, findings for the Residential Treatment Program (RTP) are reported separately from the other units. MHSU and BMU are most similar to the Intensive Treatment (ITP) program; therefore, ITP is combined with MHSU and BMU for reporting purposes and are referred to as the Intensive Group.

Residential Treatment Program

Eighteen residents were interviewed. All the residents were 14 years of age or older. The average age of residents was 16.7. Seventy-eight percent (14 of 18) were 16 years of age or older. Thirty-nine percent (7 of 18) were 18 years of age or older. Reported length of stays at the facility ranged from three months to four years. The OJSO noted:

- Ninety-four percent (17 of 18) reported they received a copy of resident rights upon admission. The same percentage reported receiving written notification of policies regarding visitation, mail, phone calls, gifts, and discipline.
- Fifty-six percent (10 of 18) reported the information received upon admission was also explained to them.
- Ninety-four percent (17 of 18) reported previous admissions to other facilities.
- Fifty percent (9 of 18) reported they received enough food.
- Thirty-nine percent (7 of 18) reported additional helpings of food were allowed if residents desired them.
- Residents were asked to rate the food on a scale of one to five with five being "great". The two most frequent ratings were two and three. Twenty-eight percent (5 of 18) rated the food as a two. Thirty-three percent (6 of 18) rated the food as a three.
- Twenty-eight percent (5 of 18) reported having been physically restrained within the last six months.
- Fifty-six percent (10 of 18) reported the use of group sanctions within the last six months.
- All residents reported having an individualized treatment plan.

- Thirty-nine percent (7 of 18) reported they participated in the development of the treatment plan.
- Sixty-one percent (11 of 18) reported receiving individual counseling.
- Ninety-four percent (17 of 18) reported receiving substance abuse treatment.
- Fifty percent (9 of 18) reported receiving family counseling.
- Residents were asked who did the majority of the talking in group. One resident reported staff members did most of the talking. Forty-four percent (8 of 18) reported residents did most of the talking. Fifty percent (9 of 18) reported both residents and staff spoke in group equally.
- Eighty-three percent (15 of 18) reported everyone was encouraged to talk in group.
- Eleven percent (2 of 18) of residents reported receiving job training at the skills center.
- Twenty-two percent (4 of 18) reported being taught skills to help them live on their own.
- All residents identified a career goal.
- Sixty-one percent (11 of 18) reported they had shared their career goals with staff members.
- All residents reported having filed a grievance.
- Eleven percent (2 of 18) reported the grievance process does work.
- Sixty-seven percent (12 of 18) reported staff members have used curse words when addressing them.
- Seventy-eight percent (14 of 18) reported witnessing staff members curse at other residents.
- Eighty-three percent (15 of 18) reported witnessing other residents in possession of dangerous contraband. Types of contraband reported by residents were tobacco, money, pills, shanks, pornography, tattoo guns, and a handcuff key. Residents were given the opportunity to make specific statements to be reported to either the Office of Client Advocacy or the facility.

Safety

Residents were asked about physical and sexual assaults. The OJSO noted:

- Forty-four percent (8 of 18) reported being physically assaulted by other residents.
- Twenty-eight percent (5 of 18) reported being assaulted by staff members.
- There was one report of a sexual assault by another resident. The incident had previously been reported and investigated.

Using a Likert scale (Very Frequently, Frequently, Occasionally, Rarely, Very Rarely, and Never), residents were asked how often they felt safe at the facility. The responses were as follows: Very Frequently 22% (4 of 18), Frequently 39% (7 of 18), Occasionally 11% (2 of 18), Rarely 11% (2 of 18), and Very Rarely 6% (1 of 18). Eleven percent (2 of 18) did not respond to the question.

Supervision

Residents were asked how often direct care staff members checked on them. The options given were Very Frequently, Frequently, Occasionally, Rarely, Very Rarely, and Never. Fifty percent (9 of 18) of the residents reported that staff members checked on them Very Frequently and Frequently. Thirty-nine percent (7 of 18) did not choose a category and instead reported that the frequency depends on the particular staff member. One youth said Rarely and one youth said Very Rarely.

Residents were also asked how often security officers checked on the living units. The options given were Very Frequently, Frequently, Occasionally, Rarely, and Never. Sixty-one percent (11 of 18) reported that security officers checked on them frequently. Eleven percent (2 of 18) each reported Occasionally and Rarely. The same percentage reported they were not sure how often security officers entered the living units. One resident did not answer.

Intensive Group

Residents of the Intensive Treatment Program (ITP), Mental Health Stabilization Unit (MHSU), and Behavioral Management Unit (BMU) were combined to form the Intensive Group. Programming, supervision, and unit schedules of MHSU and BMU are more similar to ITP than RTP. Twelve residents were interviewed. All the residents were 15 years of age or older. The average age of residents was 17. Ninety-two percent (11 of 12) were 16 years of age or older. Forty-two percent (5 of 12) were 18 years of age or older. Reported length of stays at the facility ranged from one week to two years and three months. The OJSO noted:

- Eighty-three percent (10 of 12) reported they received a copy of resident rights upon admission.
- Seventy-five percent (9 of 12) reported receiving written notification of policies regarding visitation, mail, phone calls, gifts, and discipline. The same percentage reported the information received upon admission was also explained to them.
- Ninety-two percent (11 of 12) reported previous admissions to other facilities.
- Fifty percent (6 of 12) reported they received enough food.
- Fifty percent (6 of 12) reported additional helpings of food were allowed if residents desired them.
- Residents were asked to rate the food on a scale of one to five with five being "great." The two most frequent ratings were one and two. Thirty-three percent (4 of 12) rated the food as a one. Forty-two percent (5 of 12) rated the food as a two.
- Seventeen percent (2 of 12) reported having been physically restrained in the last six months.
- Seventy-five percent (9 of 12) reported the use of group sanctions in the last six months.
- Seventy-five percent (9 of 12) reported having an individualized treatment plan.
- Forty-two percent (5 of 12) reported they participated in the development of the treatment plan.
- Seventy-five percent (9 of 12) reported receiving individual counseling.

- Forty-two percent (5 of 12) reported receiving substance abuse treatment.
- Thirty-three percent (4 of 12) reported receiving family counseling.
- Residents were asked who did the majority of the talking in group. One resident reported that staff members did most of the talking and one resident reported that residents did most of the talking. Fifty-eight percent (7 of 12) reported both staff members and residents talk equally in group. Twenty-five percent (3 of 12) reported groups are not offered.
- Residents were asked if everyone was encouraged to talk in group. Sixty-seven percent (8 of 12) reported that everyone is encouraged to talk in group. Twenty-five percent (3 of 12) reported that groups are not offered. One resident did not answer.
- Seventeen percent (2 of 12) of residents reported receiving job training at the skills center.
- One resident reported being taught skills to help them live on their own.
- Eighty-three percent (10 of 12) identified a career goal.
- Of the ten that identified a career goal, ninety percent (9 of 10) reported they had shared their career goals with staff members.
- Seventy-five percent (9 of 12) reported having filed a grievance.
- Forty-two percent (5 of 12) reported the grievance process does work.
- Fifty percent (6 of 12) reported staff members have used curse words when addressing them.
- Fifty-eight percent (7 of 12) reported witnessing staff members curse at other residents.
- Fifty percent (6 of 12) reported witnessing other residents in possession of dangerous contraband. Types of contraband reported by residents were tobacco, marijuana, and shanks. Residents were given the opportunity to make specific statements to be reported to either the Office of Client Advocacy or the facility.

Safety

Residents were asked about physical and sexual assaults. The OJSO noted:

- Forty-two percent (5 of 12) reported being physically assaulted by other residents.
- Twenty-three percent (4 of 12) reported being assaulted by staff members.
- There were no reports of sexual assaults.

Using a Likert scale (Very Frequently, Frequently, Occasionally, Rarely, Very Rarely, and Never), residents were asked how often they felt safe at the facility. The responses were as follows: Frequently 17% (2 of 12), Occasionally 58% (7 of 12), one resident reported Rarely, and one resident reported Never. One resident did not respond to the question.

Supervision

Residents were asked how often direct care staff members checked on them. The options given were Very Frequently, Frequently, Occasionally, Rarely, Very Rarely, and

Never. Seventy-five percent (9 of 12) reported that staff members checked on them Very Frequently or Frequently. Occasionally, Rarely, and Very Rarely were each reported by one resident.

Residents were also asked how often security officers checked on the living units. The options given were Very Frequently, Frequently, Occasionally, Rarely, and Never. Seventy-five percent (9 of 12) reported that security officers checked on them Very Frequently or Frequently. One resident reported Occasionally and one resident reported Rarely. One resident did not answer the question.

Staff Interviews

The OJSO interviewed 15 staff members. The interview questions pertained to the staff members' perceptions of the rights of residents, discipline policies, and other residential issues. The OJSO noted:

- Sixty-seven percent (10 of 15) reported prior experience working with juveniles.
- All reported current training in first aid, CPR, and the behavioral intervention technique used by the facility.
- Eighty-seven percent (13 of 15) reported having been involved in a restraint.
- Forty percent (6 of 15) reported being injured during a restraint.
- Forty-seven percent (7 of 15) reported seeing another staff member injured during a restraint.
- Forty percent (6 of 15) reported seeing a resident injured during a restraint.
- Sixty-seven percent (10 of 15) reported they get enough information about the residents to provide appropriate care.
- Forty percent (6 of 15) reported that residents may have additional servings of food.
- Seventy-three percent (11 of 15) reported that a group of residents cannot be punished when one or some of them break a rule.
- Eighty percent (12 of 15) reported they believed their input was valued by the administration
- Twenty percent (3 of 15) reported that recreation is available to the residents once per day. Eighty percent (12 of 15) reported that recreation is available two or more times per day.
- Interviewees were asked to classify the morale of staff members as low, medium, or high. The answers were as follows: Low 33% (5 of 15), Low/Medium 13% (2 of 15), Medium 33% (5 of 15), High 20% (3 of 15).
- Interviewees were asked to classify the morale of residents as low, medium, or high. The answers were as follows: Low 13% (2 of 15), Low/Medium 13% (2 of 15), Medium 40% (6 of 15), Medium/High 7% (1 of 15), and High 20% (3 of 15). One did not answer.
- When asked about the reporting of suspected abuse of the residents, one staff member mentioned the Department of Human Services (DHS) Office of Client Advocacy. Twenty percent (3 of 15) referred to the DHS hotline. Seventy-three percent (11 of 15) stated they would report the information either to the nurse, their supervisor, or document their concerns in a report.

Safety

Using a Likert scale (Always, Usually, About half the time, Seldom, and Never), staff members were asked if co-workers treated them with respect. Responses were as follows: Always 47% (7 of 15), Usually 47% (7 of 15), and About half the time 7% (1 of 15). The same scale was used when staff members were asked if they felt their co-workers were willing to put forth as much effort as necessary to get work done. Responses were as follows: Always 47% (7 of 15), Usually 33% (5 of 15), About half the time 13% (2 of 15), and Seldom 7% (1 of 15). Responses to the question, "Do you feel safe while at work?" were as follows: Always 73% (11 of 15), Usually 20% (3 of 15), and About half the time 7% (1 of 15).

Staff members were asked if they felt the facility was actively involved in and committed to improving life for the residents. Responses were as follows: Always 33% (5 of 15), Usually 33% (5 of 15), About half the time 13% (2 of 15), Seldom 13% (2 of 15), and Never 7% (1 of 15). Using a Likert Scale (Every hour, 4-5 times a shift, 2-3 times a shift, 1 time a shift, or Rarely), staff members were asked how often security officers completed checks of the living units. Responses were as follows: Every hour 80% (12 of 15) and 4-5 times a shift 20% (3 of 15).

Resident Files

The OJSO reviewed six resident files. The OJSO noted:

- One resident file did not contain the grievance notification.
- One resident file lacked documentation of receipt of the juvenile handbook by the resident upon admission.
- The initial treatment plan was missing from one resident file.
- Three resident files lacked the final treatment plan.
- In seven of nine resident files reviewed, monthly treatment plan reviews were missing. The treatment plan review deficiencies were as follows:
 - File 1 – February, July, and August of 2006
 - File 3 – March 2007
 - File 5 – October, November, and December 2006, January, February, and March 2007

Personnel Files

The OJSO reviewed four personnel files. No violations were noted.

Training Records

The OJSO reviewed the training records of the staff members whose personnel files were reviewed. Due to concerns noted in these records, additional records were requested for a total of eleven training records. Time sheets for some of the employees were requested from the facility and have been received by the OJSO. Additional information is needed to rule out or confirm possible violations. The needed documentation, however, is not currently available due to the OJA not being in possession of the materials. The materials have been provided to the United States

Department of Justice and have not yet been returned to the OJA. Once the information is available and if violations are noted, a separate report will be issued.

Grievances

The OJSO reviewed grievance logs for January, February, and March 2007. Appealed grievances were assigned to the superintendent as the supervisor. The OJSO noted:

Residential Treatment Program

- January (Grievance information from two of the units was not available due to the United States Department of Justice having possession of the records.)
 - A total 129 grievances were filed.
 - Eighty-nine percent (115 of 129) did not meet the three-day time frame for resolution.
 - Eleven grievances were appealed to the superintendent.
 - Forty-five percent (5 of 11) of the appealed grievances did not meet the five-day time frame for resolution.
- February
 - A total of 73 grievances were filed.
 - Fifty-five percent (40 of 73) did not meet the three-day time frame for resolution.
 - Six grievances were appealed to the superintendent.
 - All grievances appealed to the superintendent met the five-day time frame for resolution.
- March
 - A total of 117 grievances were filed.
 - Sixty-three percent (74 of 117) did not meet the three-day time frame for resolution.
 - Eleven grievances were appealed to the superintendent.
 - None of the appealed grievances met the five-day time frame for resolution.

Intensive Group

- January (Grievance information for the Intensive Group was not available due to the United States Department of Justice having possession of the records.)
- February
 - A total of 22 grievances were filed.
 - Ninety-one percent (20 of 22) did not meet the three-day time frame for resolution.
 - One grievance was appealed to the superintendent.
 - The grievance appealed to the superintendent did not meet the five-day time frame for resolution.
- March
 - A total of 14 grievances were filed.
 - Seventy-nine percent (11 of 14) did not meet the three-day time frame for resolution.
 - One grievance was appealed to the superintendent.

- The grievance appealed to the superintendent did not meet the five-day time frame for resolution.

Areas of Concern

1. Both the RTP and the Intensive Group had high percentages of residents who reported having filed a grievance and low levels of satisfaction with the process. The largest difference was the RTP residents, 100% reported having filed a grievance and 11% felt the process worked. The OJSO recognizes that the juveniles are not likely to express satisfaction when resolutions are not in their favor; however, the process may not be properly addressing valid concerns. The facility should carefully evaluate the grievance process for compliance with time frames as well as the resolution process.
2. Office of Juvenile Affairs Rules, OAC 377: 3-1-28, General grievance procedure, (a), Informal grievances, (5), states, "If the grievance is not resolved within (3) three working days, the juvenile may appeal to the supervisor." Grievances are not meeting the initial three-day time frame for resolution. Although the rule does not state that this "shall" occur, the facility should strive to meet this time frame the majority of the time. A high number of grievances exceed the three-day time frame which may have affected the residents' perceptions of the process. All three months (January, February, and March) of grievances reviewed during this oversight visit, had grievances that were still listed as overdue.

Violations

1. One resident file did not contain documentation of receipt of the juvenile handbook by the resident upon admission. LERC Procedure #RC50100.01 states, "The juvenile will be introduced to the rules and regulations of the unit as well as receiving the Juvenile Handbook and having the handbook reviewed with them by designated staff."
2. The initial treatment plan was missing from one resident file. LERC procedure RC50200.02 states, "An Initial Treatment Plan will be completed by the Psychological Clinician through an interview with the juvenile and a review of any available information within one week of admission."
3. Two resident files lacked the final treatment plan. In one resident file, the final treatment plan was completed 39 days after admission. The Department of Human Services licensing standard 154, (b), (1) states, "A written service plan is developed and documented for each resident within 30 days of admission."
4. In three of the six files reviewed, monthly treatment plan reviews were not current. LERC Procedure #RC50200.02 states, "The status review of each juvenile occurs every month and is documented on the Treatment Plan Review. Progress or changes in the juvenile's program will be reviewed in the Unit Treatment Team every thirty days, and the Psychological Clinician will compile that information for monthly Treatment Plan Reviews."

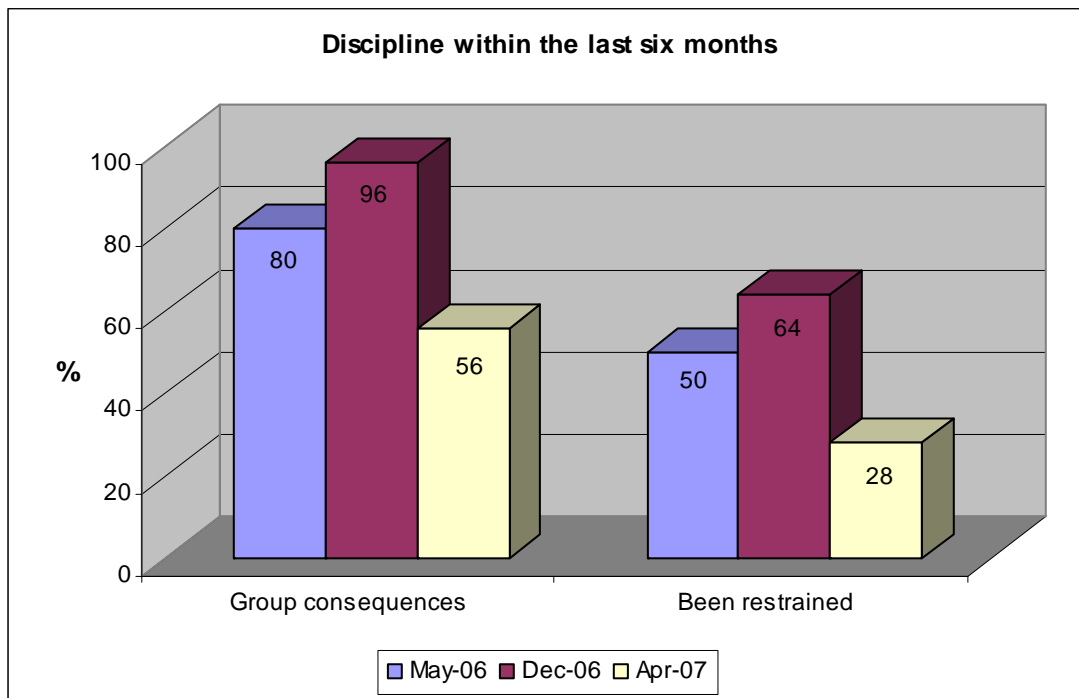
5. One resident file lacked a copy of the grievance notification form. LERC Procedure #RC10500.01 states the juvenile record includes the “Advocate defender grievance notification form.”
6. In two of the three months reviewed, grievances appealed to the superintendent did not meet the five-day time frame for resolution. Office of Juvenile Affairs Rules, OAC 377: 3-1-28, General grievance procedure, (a), Informal grievances, (6), states, “The supervisor shall have (5) five days from receipt of the grievance to resolve the grievance.”

Summary

The following is a comparison of residents’ self reports from the last three oversight visits. The previous two oversight visits are compared with the RTP responses. The current oversight visit was the first time data was obtained as two separate programs. Previously when all residents were combined, the majority of residents interviewed were from the RTP program. Differences were noted between the RTP and the Intensive Group. A comparison will be made between these two groups as well.

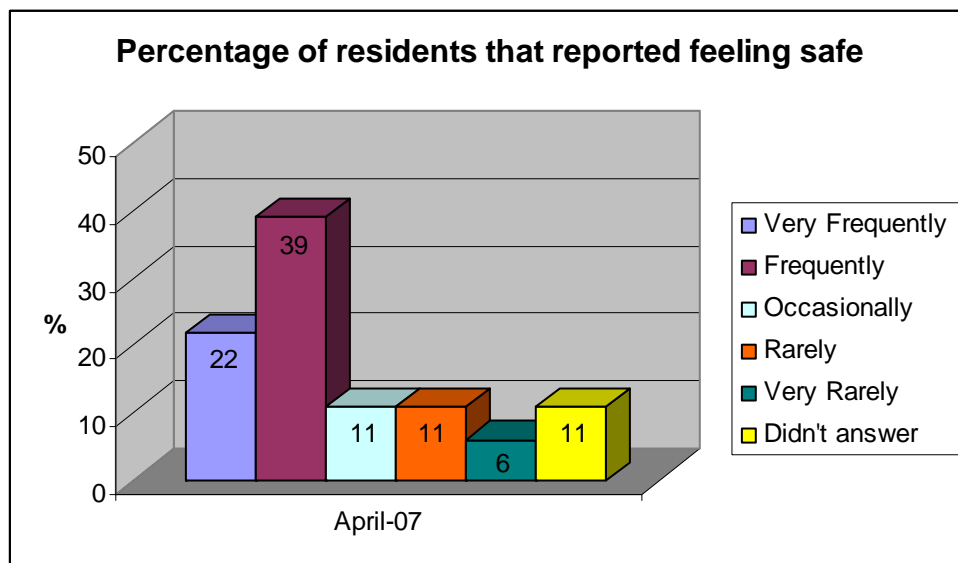
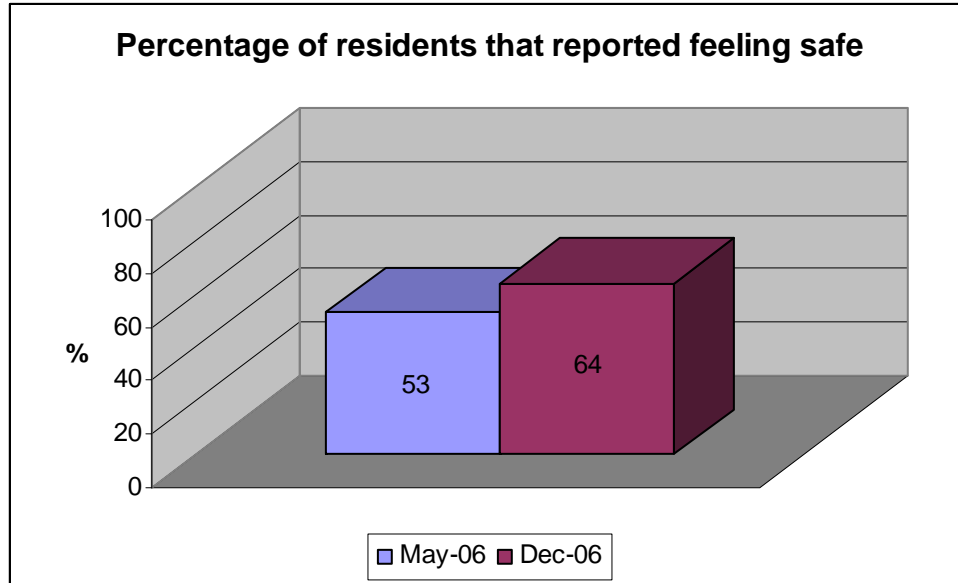
Residential Treatment Program

The following is a summary of the last two oversight visits compared to information obtained for the Residential Treatment Program during the current oversight visit.

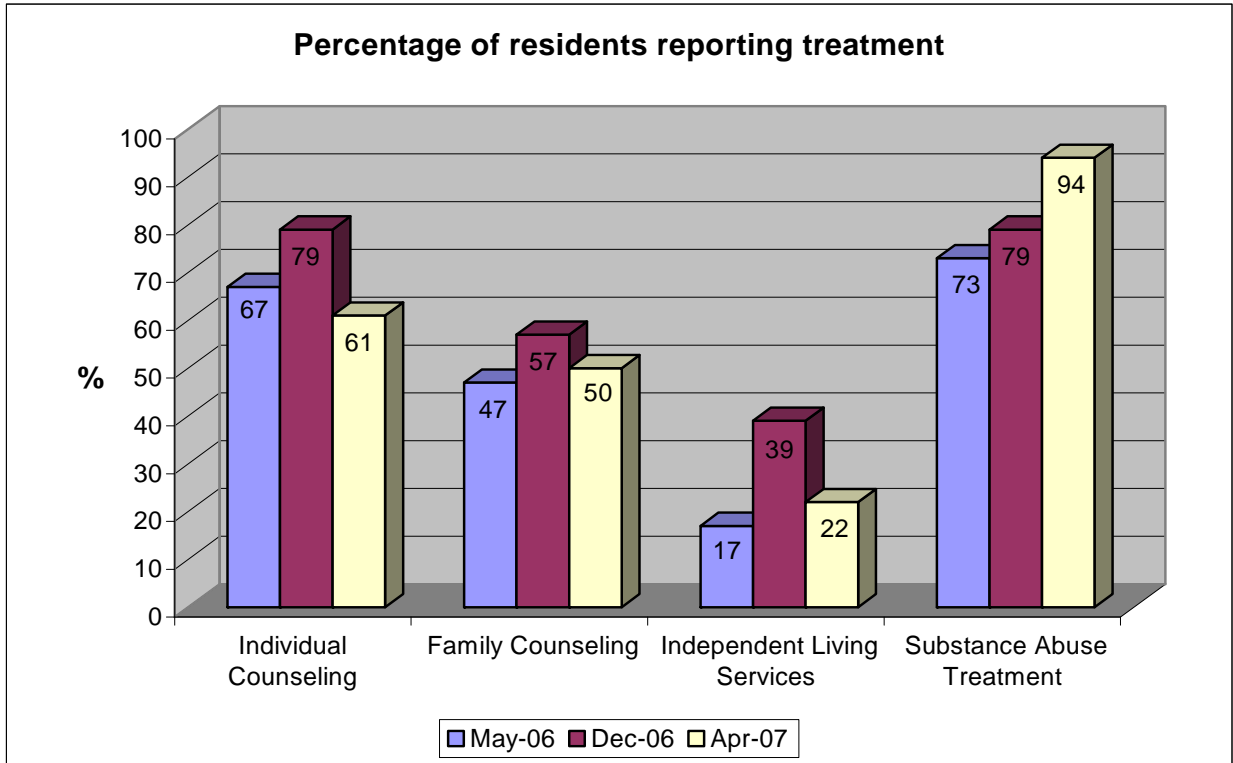


Reports of group punishment declined significantly during this oversight visit. The question was revised changing the term “group punishment” to “group sanctions” prior to the current oversight visit. The term was revised in order to distinguish between residents’ perceptions of actions taken during times of crisis to ensure safety i.e., having to return to the unit from other activities or being sent to their rooms when one or a group of residents might be exhibiting aggressive or inappropriate behaviors. The use

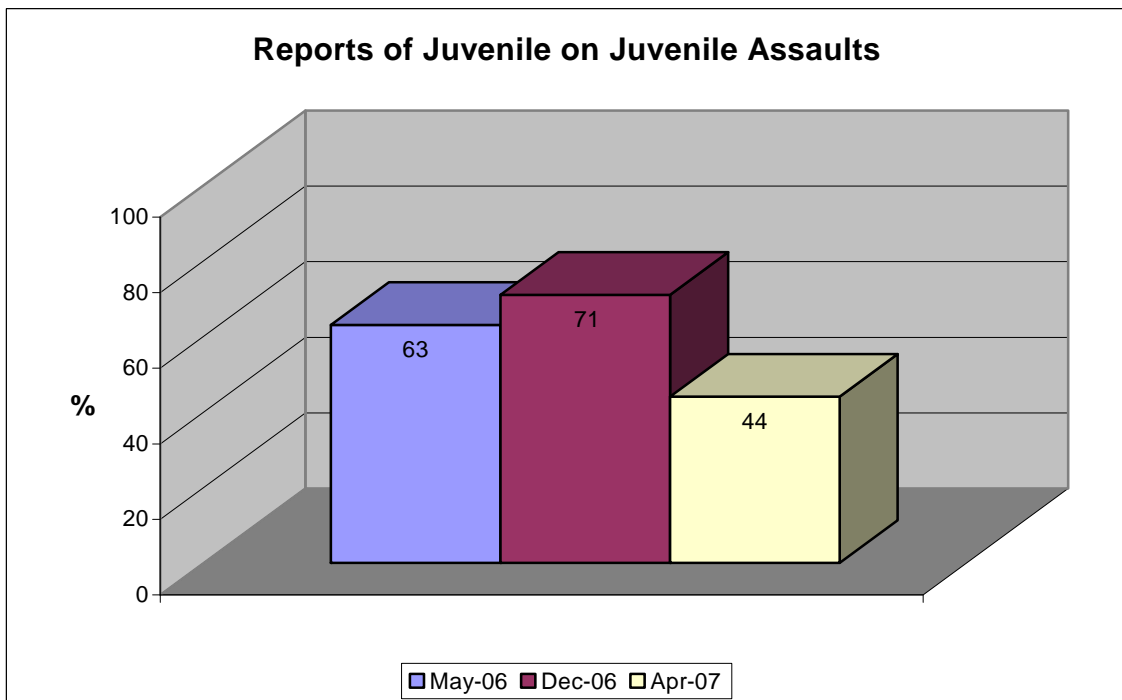
of the term “group sanctions” refers specifically to residents being issued rule violations, denied points, or other consequences for the actions of a few. This clarification appears to have affected residents’ responses. Residents’ reports of restraints are also significantly lower than during the previous two oversight visits. The graphed pattern between group consequences and reported restraints are almost identical.



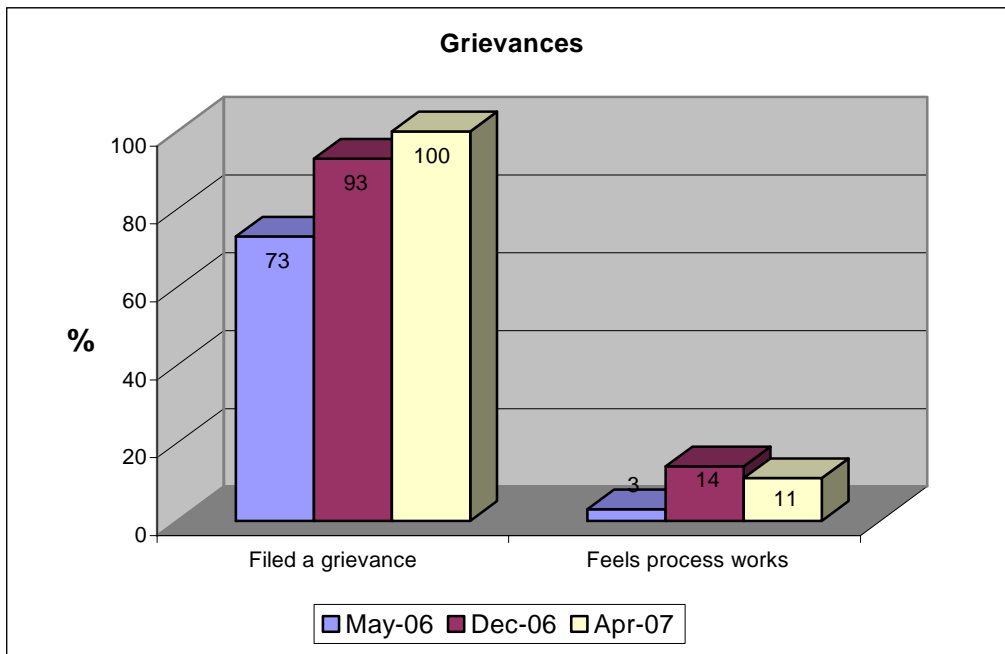
The question of safety was modified from a yes or no question to a Likert scale. In December 2006, 64% of residents reported feeling safe. During the current oversight visit, 61% reported feeling safe very frequently or frequently. This is consistent with the previous oversight visit.



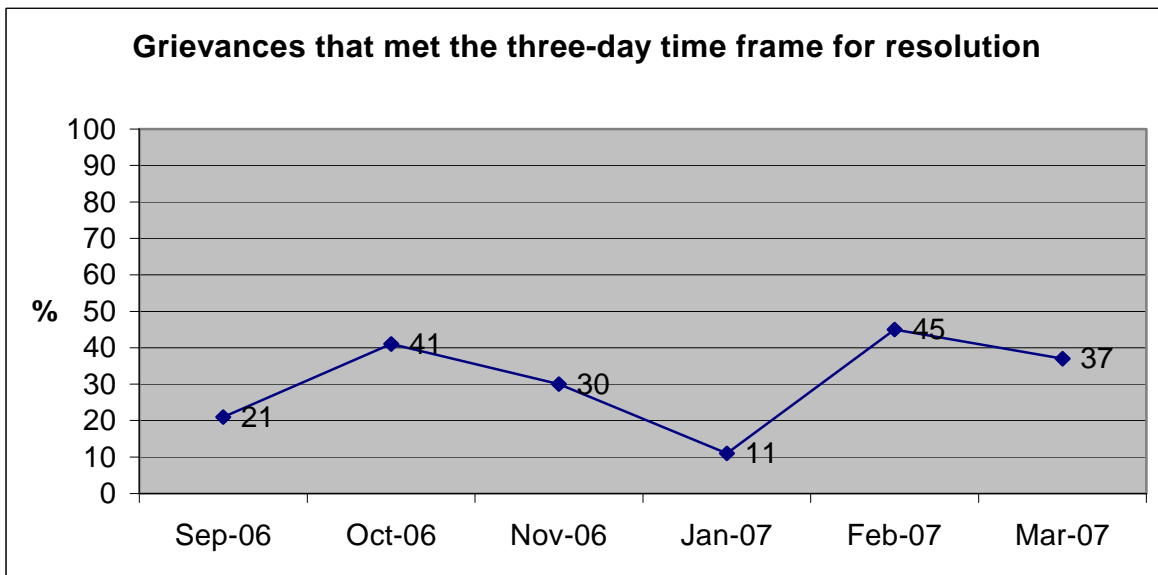
Individual counseling, family counseling, and independent living services appear to have peaked during the December 2006 visit. The exception is substance abuse services which have risen over the last three oversight visits with a large increase from December of 2006, to the current visit. The facility has reported a shortage of clinical staff members, who would be responsible for the three services that have declined. A separate position is responsible for drug and alcohol treatment services.



There was a decline in the reports of juvenile on juvenile assaults from the two previous oversight visits to the present visit. It is not known what factors contributed to the decline in the number of reported assaults.



Little change, however, was seen in the residents' confidence in the grievance process. Every resident reported they had filed a grievance.

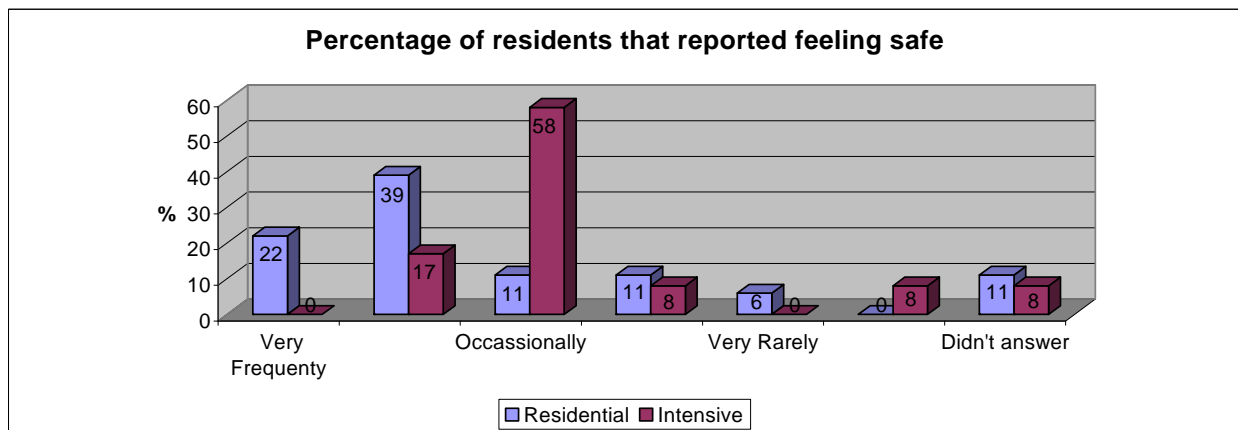
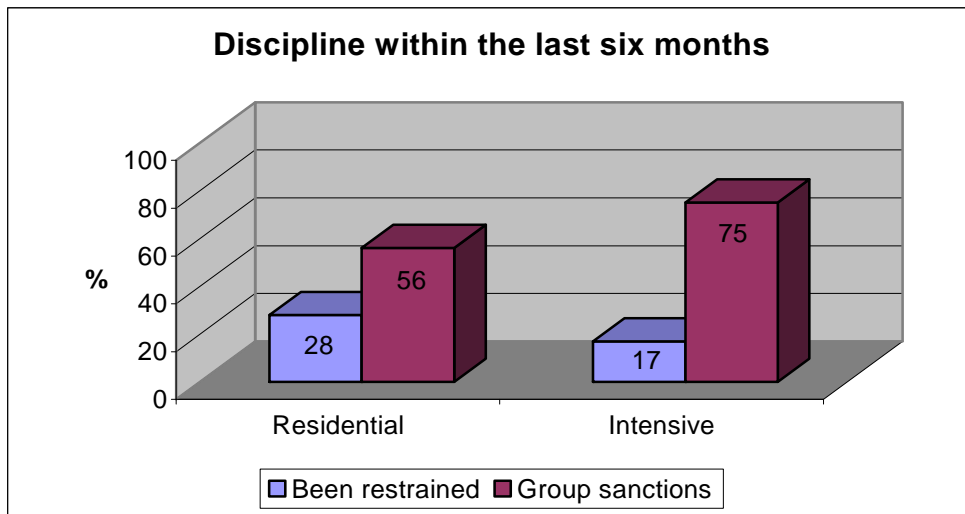


When a juvenile files a grievance, it is assigned to a staff member and given a due date of three working days. Meeting the three-day time frame has been an issue in each month reviewed. During the last two oversight visits, a total of six months of grievance logs have been reviewed by the OJSO. The largest percentage of compliance of the six months reviewed has been 45% in October of 2006. Time frames for the resolution of

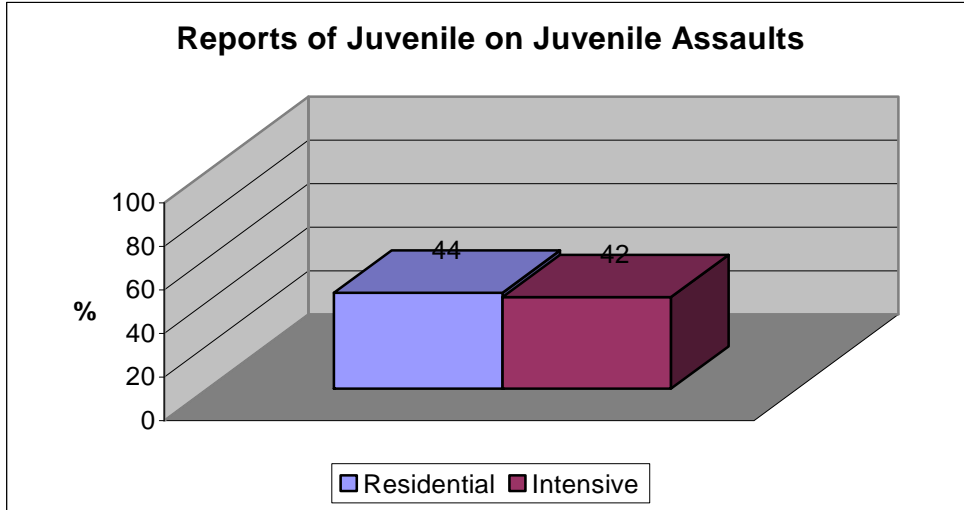
grievances should consistently be met in order to ensure the protection of juvenile rights which could include time sensitive issues.

Residential Treatment Program Compared to the Intensive Group

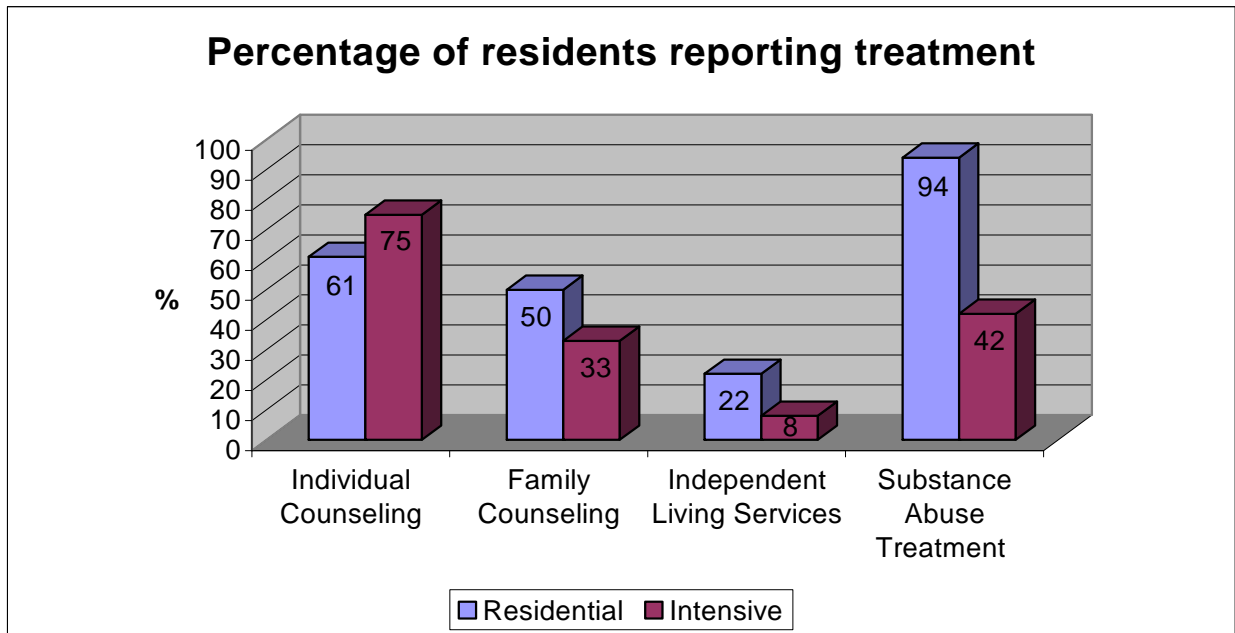
In previous oversight visits, the two groups were not reported separately; therefore, the Intensive Group cannot be compared to previous visits. Differences can be noted between the Intensive Group and the Residential Treatment Program. Below is a summary of comparison of the Residential Treatment Program and the Intensive Group.



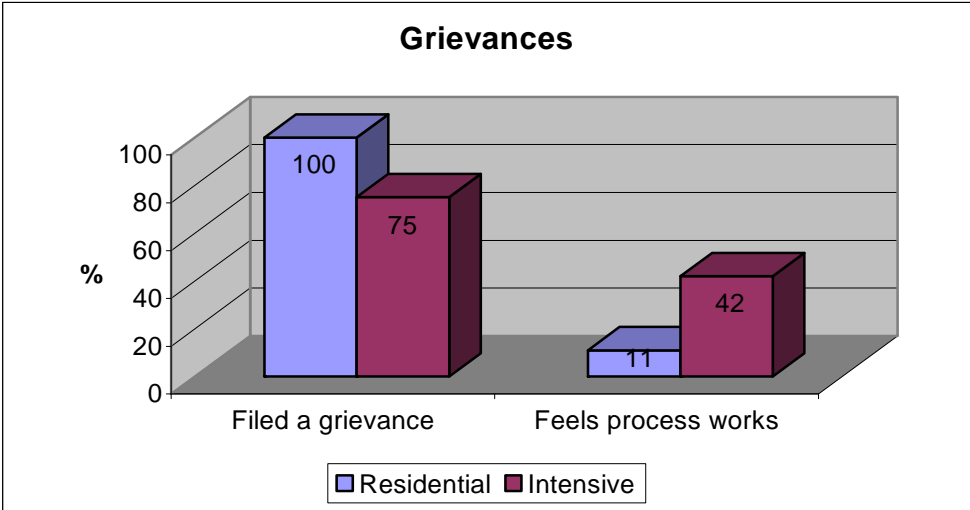
Sixty-one percent of residents in the Residential Treatment Program reported feeling safe Very Frequently and Frequently compared to 17% of the Intensive Group. It had been anticipated that residents in the Intensive Group would report higher levels of safety due to lower numbers of residents on units, different unit layouts, and individual sleeping quarters. The majority of the Intensive Group (58%) reported feeling safe Occasionally. The responses were unexpected because the Intensive Group is comprised of units with a smaller number of residents, have individual rooms, and the unit layout allows for better supervision.



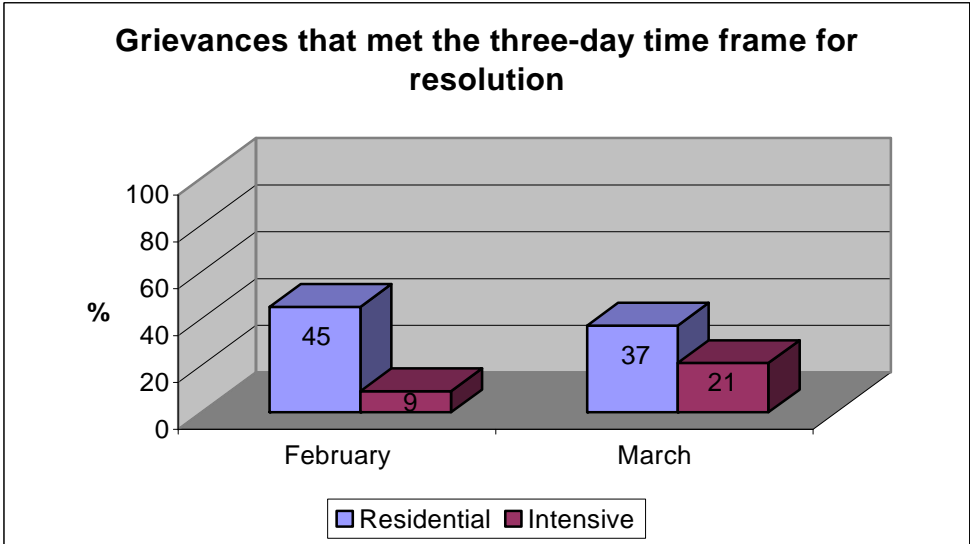
Reports of juvenile on juvenile assaults for the RTP and Intensive Groups were almost equal.



Reports of treatment services were also not as expected. Although the Intensive Group reported more individual counseling, the group reported lower percentages of family counseling, independent living services, and substance abuse treatment. This was probably due to the inclusion of the Behavioral Management Unit and the Mental Health Stabilization Unit, which are designed to focus on behavior stabilization in lieu of long term treatment objectives. Four of the 12 residents in the Intensive Group were from these two specialized units.



Reports of filing grievances and confidence in the system varied between the two groups. The percentage of both groups that reported filing a grievance was high, yet the intensive group reported more confidence in the system.



Despite a reported higher level of confidence in the system, a lower percentage of grievances met the three-day time frame for resolution. January, 2007, was not included due to grievance logs for the Intensive Group not being available.