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REPORT TO CONGRESS

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A Study to Evaluate the Conditions in Juvenile Detention and Correctional Facilities

January 1993

NCJRS

MAR 26 1993

Submitted by

ACQUISITIONS

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Report to Congress

A Study to Evaluate the Conditions in Juvenile Detention and Correctional Facilities

In response to the 1988 Amendments to the Juvenile Justice and Delinquency Prevention (JJDP) Act, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) commissioned Abt Associates to conduct a national study of conditions of confinement for juveniles. Specifically, the amendments required the Administrator to conduct a study:

- (1) to review --
 - (A) conditions in detention and correctional facilities for juveniles; and
 - (B) the extent to which such facilities meet recognized national professional standards; and
- (2) to make recommendations to improve conditions in such facilities. (Sec. 248(a))

This Discussion Summary presents a description and summary of the study conducted for the Administrator. This research is the first systematic study of conditions of confinement and the extent to which conditions in these facilities conform to nationally recognized standards. The quality of the research, the cooperation of facility administrators, and the richness of data gathered have yielded a valuable resource for the field of juvenile corrections. This study offers a baseline of information and recommendations from which to measure future progress in improving conditions in these facilities.

STUDY DESCRIPTION

The study was funded in the fall of 1990 and conducted in 1991. The cooperative agreement between Abt Associates and OJJDP was a collaborative effort in which there was agreement on all major design decisions. In addition, the study benefitted from the consultation of a distinguished advisory board and experts in specialized areas of concern. Also, to assist the study effort, the U.S. Bureau of the Census made adjustments to the Children in Custody Census and provided necessary data to the research team.

Study Coverage

The study covered all 984 public and private juvenile detention centers, reception centers, training schools and ranches in the United States. These facilities hold around 65,000 juveniles each day, about 69 percent of the juvenile custody population in the United States. The remainder are in shelters, halfway houses and group homes, facilities that were excluded from this study. Likewise, this study did not cover conditions of confinement for juveniles tried and sentenced as adults and who are confined in adult facilities or juveniles

confined in secure hospital settings. The typically staff secure or nonsecure shelters and group homes, and secure hospital facilities were excluded as a result of limited resources. This exclusion in no way reflects a judgement about the appropriateness of these facilities to serve juvenile offenders or nonoffenders. Nor does this decision reflect any assessment of conditions for juveniles in these facilities.

Assessment Criteria and Standards

To assess conditions in facilities, Abt developed assessment criteria that were based on important needs of confined juveniles. In defining operational measures for the assessment criteria, Abt consulted parallel requirements of nationally recognized standards. They regarded the standards developed by the American Correctional Association (ACA) as the primary resources. These more procedural standards were supplemented primarily by the Institute for Judicial Administration/American Bar Association (ABA) and the National Commission on Correctional Health Care (NCCHC) standards in relevant substantive areas.

The study of conditions of confinement was organized around twelve topic areas in four broad categories:

- | | |
|--------------------------|---|
| <u>Basic Needs</u> | 1. Living space |
| | 2. Health care |
| | 3. Food, clothing and hygiene |
| | 4. Living accommodations |
| <u>Order and Safety</u> | 5. Security |
| | 6. Suicide prevention |
| | 7. Inspections and emergency preparedness |
| <u>Programming</u> | 8. Education |
| | 9. Recreation |
| | 10. Treatment services |
| <u>Juveniles' Rights</u> | 11. Access to the Community |
| | 12. Limits on staff discretion |

For each of these 12 topic areas Abt defined assessment criteria for specific conditions, reflecting pertinent requirements of nationally recognized standards. The assessment criteria do not attempt to measure compliance with all standards related to a particular topic, but rather to provide an overall indication of conditions in each topic area.

Other Measures of Conditions of Confinement

Conformance rates were determined for each assessment criterion. The study team examined other conditions in facilities related to those criteria. These other measures of conditions were not derived from the standards themselves, but were viewed as important indicators of performance related to safety, security or management of the facility. Three outcome measures were developed to augment the conformance data. Monthly incidence estimates were developed for three types of events: suicidal behaviors, interpersonally caused injuries, and escapes; and two types of management practices: searches and use of isolation. Researchers determined if problems existed in a particular area, based on both conformance and outcome measures. They also conducted analyses to identify those juvenile and facility characteristics that were related to conformance or conditions.

Data Collection

Data for the study came from a special mail survey sent to all 984 facilities, from two-day site visits to 95 facilities which included interviews with 475 juveniles, and from the 1991 Children in Custody (CIC) Census. The CIC Census was sent out in March of 1991. The mail survey was conducted in the summer of 1991, and yielded an overall response rate of 76 percent. The site visits were carried out between mid September 1991 and mid January 1992, with an overall response rate of 80% of eligible facilities. Response rates of this size were due in part to the assistance provided by professional organizations, including the American Correctional Association and the National Juvenile Detention Association in alerting the field to the importance of the study and the need for their membership to participate.

Data Analysis and Presentation

Because the study focuses on conditions faced by confined juveniles, typically, conformance is described in terms of the percent of juveniles confined in facilities that conform to each criterion, rather than the percent of facilities that conform.

The results of this study are reported by facility type for the nation as a whole. In order to protect the confidentiality of the respondents, data cannot be presented by State. While this limits the ability to pinpoint particular states or facilities that may need substantial improvements, a promise of strict confidentiality was viewed as essential to achieving cooperation and candid responses to sensitive issues.

Study Limitations

In spite of the good response rates, the efforts to develop objective measurement criteria and careful analysis of the data, there are inherent limits to research of this kind which must be recognized in understanding the results and recommendations.

- There is little consensus in the field on the fundamental goals for juvenile detention and corrections. The existing standards were drafted based on consensus rather than the results of research or the benefit of constitutional guidelines. Thus, certain security standards may be viewed as minimum operating procedures under one philosophy and under another may be viewed as excessive or intrusive. Interpreting the meaning of the conformance results will depend on one's view of the thresholds that are set forth in the standards themselves.
- The study relies principally on self-reported data. Although efforts were made in the study design to validate information through site visit observations, only selected issues could be covered for a relatively small number of facilities. Self-reported data are subject to the respondent's understanding of the question, the availability of data to answer it, as well as their willingness to be forthcoming. These are all sources of possible error in the results - errors of unknown direction or magnitude.
- Most data are collected in the aggregate for the entire facility using many measures that may not correlate well. This often presents problems interpreting how noncompliance affects individuals within the facility. For instance, one juvenile may have sleeping space in a facility which is not in conformance with consensus criteria, but it is also not over the reported design capacity.

The net result of these limitations is a cautionary note that reported conformance to assessment criteria based on existing, nationally recognized standards does not tell the entire story. Given the somewhat arbitrary limits set by the standards (e.g. 70 square feet rather than 65 square feet per juvenile in sleeping rooms), a facility's nonconformance to certain standards does not necessarily mean that the juveniles in their custody are in danger of harm or that their constitutional rights are being violated. Conformance must be understood in the context of other conditions that affect the overall quality of life for juveniles.

It is important to keep in mind the fact that the data and findings presented here are from a draft final report. Further scrutiny and additional analysis of the data and findings are necessary to explore patterns of the data that may further our understanding of the results or inform our deliberations on recommendations.

SUMMARY OF RESULTS

Juvenile Custody Trends

Before describing conditions in facilities, it is important to reflect on trends in the use of juvenile confinement. Admissions to juvenile facilities have risen since 1984 and reached an all-time high of nearly 690,000 in 1990. The largest increase was in detention, where admissions rose from just over 400,000 in 1984 to about 570,000 in 1990. The population of confined juveniles (based on CIC one-day counts) has risen from about 50,800 in 1979 to about 63,300 in 1991. The populations of all types of facilities except ranches have increased. Likewise, the number of confinement facilities has increased from 930 in 1979 to 984 in 1991; all facility types increased in numbers, except ranches.

There also have been recent shifts in characteristics of confined juveniles. Between 1987 and 1991 the proportion of confined juveniles who were minorities (non-white or Hispanic) rose from 53 percent to 63 percent, with the biggest increases among Blacks (from 37 percent to 44 percent) and Hispanics (from 13 percent to 17 percent). The percent confined for crimes against persons rose from 21 percent to 28 percent, and those charged with drug related offenses rose from 6 percent to 10 percent. The proportion of confined juveniles being held for property offenses declined from 40 percent to 34 percent during this period.

Major Themes

The findings reveal three major themes:

First, there are several areas of substantial deficiencies--most notably crowding, certain medical services, and maintenance of order and safety--as well as other areas where improvements could be made.

Second, in several areas--notably education, treatment, and order and safety--the pressing issue seems to be the need for much more extensive efforts to develop performance standards, to monitor performance against these standards, and to evaluate the effectiveness of the wide variety of approaches followed.

Third, the problems identified indicate a need to address broad practice and policy issues. In reviewing the assessments of conditions, there are few facilities with no deficiencies but also few that are deficient in all areas. Deficiencies are more or less widespread, but they generally do not tend to cluster in an identifiable group of facilities. This was graphically illustrated by the site visits. Among the 95 facilities studied in depth, site visitors observed only two which could be regarded as disastrously deficient. Within a few months after the visits to these two facilities, one

of these facilities was closed by court order, and the other was ordered to be closed by the state's fire marshall.

The attached table summarizes the study results, using composite measures of conformance on the twelve topic areas. These composite measures were constructed using conformance results on a number of assessment criteria in each area and indicate the percentage of juveniles living in those facilities that meet all assessment criteria. For example, 24 percent of the confined juvenile population live in facilities that meet the requirements of all three assessment criteria for living space. Conversely, 76 percent of confined juveniles live in facilities that meet two, one or none of the specified requirements. Both the number of assessment criteria and the degree of difficulty in meeting those criteria vary across the twelve topics. Furthermore, results on these measures may differ across facility types.

Because of the complexities of the issues addressed in this research, this composite table should be considered only as a crude indicator of conditions of confinement. While it provides the benefits of summarizing a massive amount of data, it vividly illustrates the dilemmas of measurement and interpretation faced by the project. (See discussion of study limitations.) Finally, one must keep in mind that these results are not indicators of effectiveness or performance in a particular area, but rather indicators of conformance to standards that are, in most cases, procedural in nature.

Areas of Deficiencies

There are four areas in which facilities display substantial and widespread deficiencies: crowding, security, suicidal behavior, and health screenings and appraisals.

Crowding

Crowding in juvenile facilities is evident facility-wide, in living units, and in sleeping rooms. In 1987, 36 percent of confined juveniles were in facilities whose populations exceeded their reported design capacity. By 1991 that increased to 47 percent. However, in both 1987 and 1991 population levels in crowded facilities remained at about 120 percent of reported design capacity. In 1991 one-third of confined juveniles were in living units with 26 or more juveniles, and one-third slept in rooms that were smaller than required by nationally recognized standards.

Facilities have responded to crowding by restricting intake (particularly in detention), by granting early releases (particularly in training schools), and by refusing to take new admissions when populations reach capacity (particularly in ranches).

Injury rates (juvenile-on-juvenile and juvenile-on-staff) were higher in crowded facilities. Search rates also were higher in crowded facilities. In addition, as the percent of juveniles

housed in dormitories with 11 or more residents increased, rates of juvenile-on-juvenile injury increased. Based on the findings from this study, crowded facilities are more dangerous places for both juveniles and staff.

Security

Security practices are intended to prevent escapes and to provide a safe environment for both juveniles and staff. There are high levels of non-conformance with the security assessment criteria, and substantial problems with escapes and injuries in juvenile facilities.

Eighty-one percent of confined juveniles are in facilities with three or more facility-wide counts per day. Sixty-two percent are in facilities that classify juveniles on the basis of risk, and use results to make housing assignments. Thirty-six percent are in facilities whose supervision staffing ratios conform to assessment criteria.

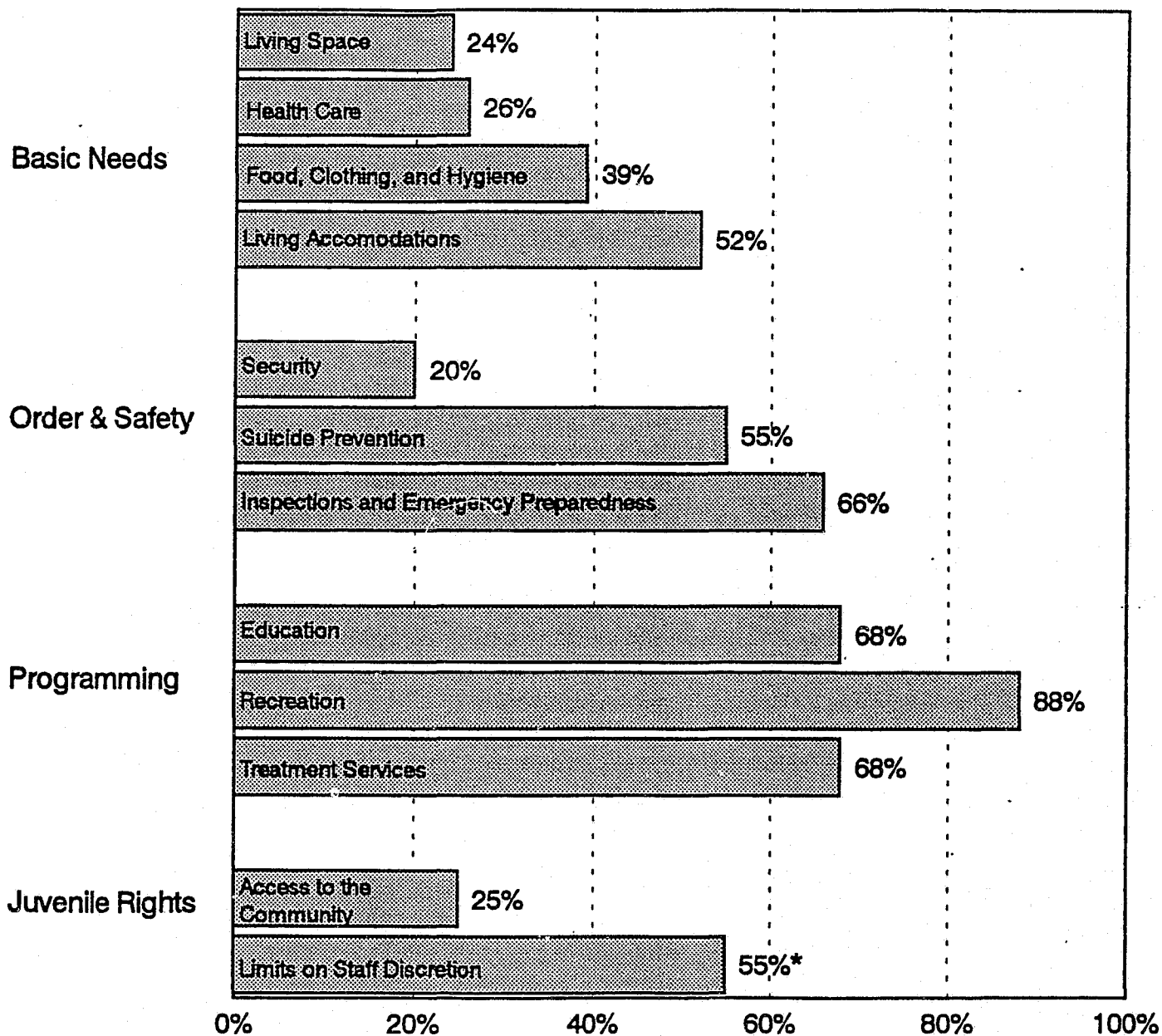
In the 30 days before the mail survey nearly 2,000 juveniles and 651 staff were injured in juvenile facilities. Slightly more than 3 juveniles per 100 were injured by other juveniles, and 1.7 staff per 100 were injured by juveniles during that time. Injury rates were highly variable. About 10 percent of confined juveniles were in facilities where 8 juveniles per 100 were injured by other juveniles in the 30 days before the mail survey, and one percent were in facilities where 25 or more per 100 juveniles were injured during that time. A small number of facilities were similarly dangerous for staff. About 10 percent of juveniles were in facilities where 5 or more staff per 100 were injured by juveniles in the 30 days before the mail survey, and one percent were in facilities where 17 or more per 100 staff were injured during that time.

In addition to finding that juvenile and staff injury rates were higher in crowded facilities, Abt found that injury rates for both staff and juveniles were higher in facilities where living units were locked 24 hours a day. Interestingly, the percent of juveniles convicted of violent crimes was not related to injury rates.

Classification is supposed to protect juveniles by assessing their propensity to violence and by separating potential predators and victims. However, no relationship was found between conformance to the classification assessment criteria at admission and rates of injury. The reasons are not clear. It is possible that existing juvenile classification procedures do not reliably distinguish violence-prone youth, or that crowding diminishes facilities' ability to adequately separate predators and victims. It may be that, in those facilities with classification systems, reclassification may have greater impact on control of violence than initial classification. These data do not provide enough information about the classification systems, the characteristics of the injuries, the victims, or the juvenile perpetrators to explain these results.

Composite Measures of Conformance to All Assessment Criteria

(Percent of Juveniles in Facilities that Conform)



NOTE: Generally, assessment criteria measure conformance to procedural standards and do not measure effectiveness of services or performance in a given area.

* This excludes the assessment criteria on search authorization, which required facility administrators to authorize all searches. Only 13 percent of confined juveniles are in facilities that meet this criteria. With this criteria included, only 11 percent of confined juveniles are in facilities that meet all criteria.

During site visits facility administrators and staff frequently said that facilities would be safer if staffing ratios improved. Although the study found no relationship between supervision staffing ratios alone and rates of injury, higher supervision staff turnover rates were associated with increased staff-on-juvenile and juvenile-on-staff injury rates. Thus, less experienced staff may be more likely to be injured by juveniles and may be more likely to injure juveniles.

In the 30 days before the mail survey over 1,600 juveniles attempted to escape from confinement facilities, and just over 800 of them succeeded. Altogether, about 2.5 of every 100 confined juveniles attempted to escape during this time, and about 1.2 per 100 were successful.

Abt found no relationship between conformance to the classification criteria and escape rates. A growing number of facilities rely on perimeter fences as an obstacle to escape. Since 1987 the percent of facilities with perimeter fences increased from 38 percent to 47 percent. However, there was no conclusive relationship between perimeter fences and escape rates.

Suicidal Behavior

There is a serious problem with suicidal behavior in juvenile confinement facilities. Ten juveniles in confinement killed themselves in 1990. In the 30 days before the mail survey 970 juveniles committed 1,487 acts of suicidal behavior (that is, attempted suicides, made suicide gestures, or engaged in self-mutilation). Thus, about 1.6 percent of confined juveniles engaged in suicidal behavior during this time. There were 2.4 suicidal behavior incidents for every 100 confined juveniles in the 30 days before the mail survey.

Most juveniles are in facilities that monitor suicide risks at least four times an hour. However, only about three-fourths of the confined juveniles are in facilities that screen juveniles for indicators of suicide risk at time of admission, and train staff in suicide prevention.

The study showed that facilities that conduct suicide screening at admission have lower rates of suicidal behavior. Other suicide prevention measures--training staff, frequent monitoring, and written suicide prevention plans--were not clearly associated with suicidal behavior rates. However, as supervision staff turnover rates increased, suicidal behavior rates increased.

In addition, housing arrangements were associated with suicidal behavior rates. Suicidal behavior rates increased as the percent of juveniles in single rooms increased and as the rate of short-term (1 to 24 hours) isolation increased. However, facilities frequently fail to cover housing for suicidal juveniles in their written suicide prevention plans. These findings tend to confirm the importance of not placing suicidal juveniles in rooms by themselves.

Health Screenings and Appraisals

Health screenings (at admission) and health appraisals (within 7 days of admission) often are not completed in a timely fashion. Seventy-seven percent of confined juveniles get health screenings at some point, but only 43 percent get them within one hour of admission, as required by nationally recognized standards. Ninety-five percent get health appraisals at some point, but only 80 percent get them within a week.

One-third of the juveniles in detention centers have health screenings done by staff who have not been trained by medical personnel to perform health screening. Because the purpose of health screening is to identify injuries or conditions requiring immediate medical care, using untrained staff to perform the screening is cause for concern.

Areas of General Adequacy or Marginal Conformance

There are four areas in which conditions of confinement appear to be generally adequate¹: 1) food, clothing and hygiene; 2) limits on staff discretion; 3) living accommodations; and 4) recreation. Exceptions are noted below for all but recreation. Conformance was marginal with respect to inspections and emergency preparedness and access to the community.

Food, clothing and hygiene

The only assessment criteria in nonconformance is the standard that requires that no more than 14 hours should lapse between meals. The great majority of juveniles in facilities that fail this criterion get breakfast within 14.5 hours after their prior evening's meal. Therefore, although non-conformance is high, in most cases the effects are minimal. Most facilities do an adequate job of providing food, clothing and hygiene.

Limits on staff discretion

There is generally high conformance to most criteria that limit staff discretion. The exception is authorization of searches. Most confined juveniles are in facilities where line staff can authorize rooms searches and frisks, and a substantial minority are in facilities where line staff can authorize strip searches.

¹ This judgement reflects the findings that on most individual assessment criteria applied to these topics, at least 80 percent of confined juveniles were in facilities that conformed to the requirements.

Living accommodations

The assessment criteria in this area reflect a general principle that living conditions should be as non-institutional as possible consistent with other objectives. Except for detention centers, juvenile confinement facilities do an adequate job providing opportunities for juveniles to personalize their clothing, to have a variety of furnishings and personal belongings in their rooms, and to have access to natural light in their sleeping rooms. About 60 percent of juveniles in detention centers are not permitted to wear personal items of clothing and a slightly smaller percent sleep in starkly furnished rooms (usually containing only a bed, mattress, and toilet). In addition, about one-third of juveniles in detention are confined in sleeping rooms without access to natural light.

Inspections and emergency preparedness

Although most juveniles are confined in facilities that have passed recent state or local fire, life safety, and sanitation inspections, problems exist in maintaining prescribed levels of safety. During site visits Abt observed that nearly half of the 30 detention centers visited had fire exits that were not marked and fire escape routes that were not posted in living units. In addition, a third of those detention centers had fire exits that were blocked with furniture or other objects.

Access to the community

On most assessment criteria (parental visitation, attorney visits, and volunteer programs), confined juveniles have adequate access to the community. The exceptions were telephone calls and opening of mail. Regarding telephone calls, 42 percent of confined juveniles are in facilities that do not permit them to receive telephone calls. For 35 percent of confined juveniles, the facilities in which they are confined permit staff to open all mail to residents without regard to a suspicion of contraband. Combining data on all five measures yields a composite conformance rate of only 25 percent of juveniles living in facilities which meet all the recommended standards requirements.

Analysis and Recommendations

A substantial proportion of existing nationally recognized standards focus on developing written policies and procedures, or attaining specified staffing ratios, rather than defining outcomes that facilities should achieve. Performance-based standards are more difficult to formulate because they require standard-drafters to agree on the outcomes that should be achieved. In many instances the researchers found that procedural standards had no discernable effect on conditions within facilities. There is extreme variation among facilities on three problem indicators--rates of escape (and attempted escape), injury, and suicidal

behavior--and extreme variation among facilities on two control mechanisms--searches and isolation. Only a small amount of that variation can be explained by juvenile or facility characteristics in Abt's analytical models.

The draft final report, which Abt submitted to OJJDP, proposed recommendations for consideration by the Administrator. After completion of additional analysis and discussion with relevant Federal agencies, national professional and youth advocacy organizations, OJJDP will issue its formal recommendations to Congress for improving conditions for juveniles in confinement.