

Missouri Department of Social Services

Division of Youth Services

Testimony to the

Prison Rape Elimination Act (PREA) Panel

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It is our distinct honor to appear before this Review Panel on Prison Rape in response to the United States Department of Justice Bureau of Justice Statistics (BJS) identification of the Missouri Division of Youth Services Fort Bellefontaine Campus (Fort Bellefontaine) as having among the lowest prevalence of sexual victimization based on the United States Department of Justice issued the report *Sexual Victimization in Juvenile Facilities Reported by Youth, 2008-09*.

The Missouri Department of Social Services, Division of Youth Services (DYS) is the state agency charged with the care and treatment of delinquent youth committed to its custody by Missouri's 45 juvenile and family courts circuits. Because DYS and Missouri's juvenile courts work collaboratively to divert youth from DYS custody, those committed to the agency are typically the 1200 or so most serious and challenging offenders in the system. Two-thirds of DYS youth have a felony offense background, 86% are male, and 14% are female. Prior mental health services had been provided to over 46% and nearly 34% had a diagnosed educational disability prior to commitment.

Historically, Missouri was no exception to the problems that still plague many juvenile justice systems around the country. In 1938 the Missouri Reform School for Boys at Boonville, which held as many as 650 youth at a time, was labeled one of the worst juvenile correctional institutions in the nation. In 1969 a federal report condemned Boonville as severely substandard in its efforts to rehabilitate and educate youth. In the 1970s, Missouri officials began to mandate fundamental reform, emphasizing rehabilitation over punishment.

A shift in philosophy brought with it development of smaller facilities and commitment to placing youth as close as possible to their families. Young people were gradually transferred to smaller regional facilities such as the Fort Bellefontaine program in St. Louis County.

Fort Bellefontaine opened in 1983, the same year that Missouri closed the Boonville Training School for Boys, our last remaining training school. The program at Fort Bellefontaine is designed as a 20-bed moderate care residential center for boys. Fort Bellefontaine serves approximately 65 total youth per year, and employs 24 staff members including a facility manager, 2 youth group leaders, 17 youth specialists, 3 academic teachers, and office support.

Visitors to Missouri DYS facilities are inevitably surprised by the calm and home-like nature of the programs. Tours of one of Missouri's 32 residential programs and 10 Day Treatment Centers are always led by the young people themselves, who are friendly, knowledgeable, and articulate. The punitive culture of the early days has been replaced with a safe, structured, and therapeutic environment.

Young people spend their days with a very full schedule of school, vocational training, community service, individual and group counseling, and therapeutic recreational activities. Young people are in the constant presence of caring staff, learning first hand what it means to have healthy relationships with peers and adults.

Safety is maintained through structure, supervision, relationships, and group process. Smaller humane facilities are further divided into groups of 10-12 young people who do everything together – daily chores, school, activities, and group sessions. When a conflict or concern arises, a group circle is called by a group member or staff. Everyone stops what they are doing to share observations, feelings, discuss alternatives, and help each other achieve their goals.

Front-line Youth Specialists and Group Leaders provide treatment 24 hours a day/7 days a week, working as a team to support success. As this occurs a powerful culture and system is activated on behalf of young people and families, making Missouri’s program and communities safer in the process.

Families and community members are regularly involved with youth in DYS programs, creating a culture of openness, engagement and transparency. A single service coordinator acts as the advocate for the youth and family throughout their time with DYS, providing continuity of care from classification to residential, through the youth’s transition to aftercare, and as they move toward law-abiding and productive adulthood.

Many other states and jurisdictions have visited Missouri seeking to create more humane, safe, and effective systems for the treatment and education of juvenile offenders. A common message to our visitor is simple, but compelling – “changing your end destination often involves starting from a fundamentally different place”. To create safer institutions, leaders must often question the very philosophical foundations of their work and address the underlying organizational culture within facilities, along with strengthening and changing fundamental practices.

The core beliefs and philosophies of Missouri’s approach begin with suspending blame and accepting responsibility, thereby holding ourselves and the young people accountable for creating safe environments that address the root causes of juvenile delinquency. Missouri DYS is very deliberate in aligning all practices with our core values. Beliefs such as “safety and structure are the foundation of treatment”, “people desire to do well and succeed”, “we are more alike than different”, “true understanding is built on genuine empathy and care”, and “the family is vital to the treatment process” shape how we view the young people and families we serve, and how we view the process of addressing juvenile delinquency.

The very assumptions on which many youth correctional programs are based are counter to research and experience related to the cognitive, behavioral, and emotional development of adolescents. If we view young people in the system as a product of their past experiences, a work in progress, and a potential resource to others, we are compelled to weave together a safe and humane system that supports personal development and change, and to continuously work to make it better. The contrast between “correctional” programs for young people found in many states and the “treatment and rehabilitative programs” found in Missouri is illustrated below:

Correctional	Rehabilitative
<ul style="list-style-type: none"> ■ External Controls ■ Lock-up ■ External control ■ Positional Power, Autocratic, No Relationship ■ Inmates ■ Majors, Lieutenants, Sergeants ■ Correctional Officers, Security Workers, Security ■ Family/Community as problem ■ Regiment, rules ■ Custodial supervision ■ Behavioral Compliance 	<ul style="list-style-type: none"> ■ Safety 1st ■ Continuum of Services ■ Rehabilitation ■ Healthy Hierarchy, Boundaries, Relationship ■ Young people ■ Leaders, Managers, Directors ■ Youth Care Workers, Service Coordinators, Counselors ■ Family/Community as partners ■ Structure, order ■ Engaged interaction ■ Internalized Change
Traditional Approach	Treatment Approach

Many aspects of traditional institutional and correctional practices in juvenile justice include punitive and coercive approaches that de-value and objectify young people, creating fertile ground for safety issues and sexual victimization.

It has been our experience, that in order to protect youth from being sexually victimized in our programs, we must address the issue systemically by creating a physically and emotionally safe environment that protects our youth from all forms of harm (emotional, verbal, physical, etc). Sexual victimization in institutions cannot be effectively dealt with in isolation or as a singular issue. At the core, of all forms of institutional abuse create a lack of safety for the young people, staff, and eventually for the public.

Security is very important aspect of programming. Public safety is the top priority; however, many Juvenile Justice Programs mistake security for safety and often times do not address emotional aspects of safety. Missouri DYS has found that even with the best security tools and high tech equipment and

youth are still not protected from harm and public safety may be compromised. Safety and security is enhanced by creating a humane culture of care. This is ultimately what keeps young people safe, not hardware, fences, or cameras. One of the priority messages to all our staff is that public safety and physical and emotional safety within our program, are first and foremost.

As Missouri DYS moved forward in facilitating a humane, rehabilitative, and developmental culture in the organization and programs, we developed core practices and tools to support leadership and staff in building and maintaining safe programs. One of the ways we help staff to understand the basics of an environment free from harm is the “Missouri DYS Safety Building Blocks”. These are the foundation and key components of emotional and physical safety, and if in place, not only prevents and reduces all forms of abusive behaviors, but allows young people to grow and make the changes necessary to become law abiding and productive citizens.

The Safety Building Blocks focus on five areas including: basic expectations, basic needs, engaged supervision, clear boundaries and communication, and unconditional positive regard. Underlying all of the Safety Building Blocks is the DYS’ Treatment Beliefs. The Safety Building Blocks create and maintain safety in the following manner:

Safety Building Block 1: Basic Expectations

Basic expectations are norms created for the program environment and how staff and students are expected to treat each other. From day one, DYS works with staff and our young people on treating all in our system with respect, care, and dignity. Within the first week of employment staff members are provided DYS Fundamental Practices including non-negotiable bottom line expectations staff must adhere to in order to work for the agency. This includes expectations such as:

1. See, hear, know and account for youth at all times by being present and actively engaged.
2. Create and maintain a humane and therapeutic approach and environment.
3. Ensure healthy boundaries between and among youth and staff.
4. Practice all health and safety expectations, preserving the rights of every youth to live in a physically and emotionally safe environment.
5. Provide a friendly, respectful and informative atmosphere for parents, guardians, youth and visitors.

Youth also participate with the staff and their 10 – 12 member treatment group in reviewing their rights and responsibilities early in their program stay. When young people are brought into an environment that is humane and structured, there is less likely to be abuse.

Safety Building Block 2: Basic Needs

Many DYS youth have not consistently had their basic needs for food, clothing, and shelter met due to abuse, neglect, poverty, and other factors. If programs and services do not meet or help young people meet their basic needs in healthy ways, it can lead to bartering, hoarding, misuse of power by youth and staff, and an environment of harm. Teaching youth self-care and providing an opportunity to belong to a group in a positive way builds youth self-esteem and relationship skills, and strengthens their ability to navigate and deal with potential detrimental situations.

Working with the youth and family on a treatment plan helps to build a safety net around our young people, further protecting them from harm. Involving a young person's family and community in the treatment process tends to increase accountability for providing safe, humane, and productive environments.

Safety Building Block 3: Engaged Supervision

Abusive behavior thrives in isolation and an atmosphere of secrecy. DYS experienced a decrease in all critical incidents in programs when we increased our staff to student ratio and implemented a policy of engaged eyes-on awareness supervision versus a traditional custodial care approach, common in many juvenile programs. All Missouri DYS youth are assigned to small groups of 10 – 12, with stable and consistent staff teams.

In moderate and secure care programs there is double coverage on all shifts, providing a 1:6 staff/youth ratio. In all programs, staff are required to see all youth at all times (except during hygiene and even then staff are strategically placed and aware). Staff members are expected to be involved in all group activities, not on stand or patrol the sidelines. Youth participate in highly structured daily programming designed to meet their treatment and educational needs. By keeping youth productively engaged and structuring staff member involvement, opportunities for unproductive or harmful interactions are decreased.

Safety Building Block 4: Clear Boundaries and Communication

Youth and staff learning healthy, strong, clear guidelines and boundaries very directly relates to maintaining safety in relationships both within the institution and upon returning to the community. Oftentimes, young people's boundaries have been violated at home and in their communities, so they

come to agencies with many, many issues and struggles in this area. It is critical to set clear boundaries and expectations; and provide extensive training to staff on professional practices and standards including areas such as staff roles, ethical conduct, adolescent development and boundaries, indicators and “slippery slopes”, and team responsibility.

All Missouri DYS staff members participate in a Professional Boundary training session within their first three months of employment, and a more advanced session has been developed as a requirement for staff within 3 – 12 months of employment. In this day and age of increased opportunities for connection (e.g. facebook, twitter, email, instant messaging) staff members and youth can easily get confused about what is appropriate and what is not. In addition, regular staff meetings with their team provide feedback on staff interventions, accountability and teamwork.

If staff members are not empowered to give each other constructive feedback, the chances of poor interventions and inappropriate treatment can go unchecked. Towards that end, DYS invested in “High Performance Transformational Coaching” for all leaders in our system, and plan to train all staff in this approach over time. This provides staff members with additional tools and strengthens skills in giving productive and necessary feedback to peers, supervisors, and direct reports.

Safety Building Block 5: Unconditional Positive Regard

Organizations that tap into the inherent dignity of all within the system will experience a workforce that does not tolerate hurtful behaviors. Troubled youth who enter a system where they are held accountable but not judged, berated, or abused are given a fighting chance to change and transform their lives. A program and staff that operates with unconditional positive regard for the youth and their families has the perspective that is necessary see beyond their problematic behavior in order to facilitate young people and families in addressing the core issues that brought them into the system. This important work cannot happen if safety is not in place.

In closing, we would like to offer a few additional points that from our experience that we believe will be important as standards are finalized and as strategies are developed to reduce sexual victimization in residential settings:

1. Officials in juvenile facilities should recognize that they have an inherent responsibility for insuring protections and safeguards for youth in custody, and that all juvenile’s have rights to a safe, humane, and developmentally appropriate environment.

2. It is absolutely imperative that efforts focused on prevention and culture change within youth correctional institutions be strengthened. Sexual victimization is a serious problem in correctional settings, and it is often symptomatic of a broad spectrum of circumstances where youth safety and well-being is compromised. Interventions necessary to create safe environments and reduce all incidents of physical assault and emotional abuse will pay dividends in better control of sexual victimization. Developing action plans to proactively address the systemic problems with prevention of institutional victimization will pay greater dividends than action efforts focused only on education, detection, investigation, and disciplinary responses to sexual abuse.
3. Caution should be exercised in adoption of a medical model for classification and treatment. Unfortunately, national access to qualified health and mental health professionals is not uniformly available. Mental health professionals are in big demand and short supply. The assumption that only mental health and medical professionals can adequately provide quality counseling and intervention services appears short-sighted. Should placement decisions be made contingent upon completion of a mental /medical health assessment, youth may linger unnecessarily in detention or reception centers – thereby increasing length of stay costs and delays in the youth obtaining needed treatment services. Increasing the use of the medical model to the intake process will likely drive up other health costs due for addressing behavioral and emotional concerns through prescriptions and other interventions that may undermine proven therapeutic or developmental approaches.
4. National standards and approaches should be adaptable to a wide range of successful practices in state and local juvenile justice systems. Overly prescriptive methods for achieving standards and capacity building risk compromising the structure and goals of effective systems.
5. Given that nearly all juvenile offenders re-enter the community after residential services, in addition to supports and services for youth who have been sexually victimized, measures must be taken to ensure effective interventions are made with those involved in inappropriate sexual behavior. In many cases, a thorough investigation of an offender's background will uncover a personal history of abuse or other developmental issues. It is therefore imperative that the treatment process make an effort to break the cycle of offending.