

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION  
HONORABLE DANIEL P. JORDAN III, U.S. DISTRICT JUDGE**

**J.H., ET AL, VS HINDS COUNTY MISSISSIPPI  
3:11-CV00327 DPJ-FKB**

**Monitoring Compliance Report:**

**Draft Date July 6, 2012**

**Report Date July 25, 2012**

**Submitted by  
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**The  
First Monitor's Report  
Henley-Young Juvenile Justice  
Leonard B. Dixon**

**Background**

On March, 28, 2012, Hinds County, Mississippi entered into a settlement agreement ordered and adjudged by Judge Daniel P. Jordan III, for the United States District Court Southern District of Mississippi, Jackson Division, regarding conditions of confinement at the Henley-Young Juvenile Justice Center, located in Jackson, Mississippi. According to the order the settlement agreement and its specific requirements "shall apply to Henley-Young and any contractor that may provide services to Henley-Young in the future. The term "youth" herein often refers to individuals confined at Henley-Young. "The parties" understand that the requirements contained herein will be implemented without undue delay as soon as practicable. Unless otherwise indicated herein, the parties will collaborate to make all reasonable efforts to ensure that within 90 days of the effective date of the agreement, policies, and procedures consistent with the agreement are drafted, in the process of being implemented, and that all detention staff received training on the requirements. The parties agree and understand that the implementation will be an ongoing process that extends beyond the initial 90 days of the agreement. As part of the settlement agreement the defendant shall contract with Leonard Dixon, within 30 days of the court entry of this settlement agreement to serve as an expert who will be reasonable for documenting the defendant's compliance with the terms of the agreement and for providing and/or arranging technical assistance and training regarding compliance with this settlement agreement. I will have full and complete access to detained youth, institutional files, medical files, mental health files, education files, video tapes, and youth, staff records and all other information and other reports by staff, grievances, incident reports, and other relevant documents and files maintained by Henley-Young.

All non-public information obtained by the expert shall be kept confidential, except that on a quarterly basis the expert shall file a report with the court documenting the progress of compliance. Neither party, nor any employee or agent of either party, shall have any supervisory authority over the expert's activities, reports, findings, or recommendations. The expert shall file with the Court and provide the parties with reports describing the Defendant's steps to implement this Settlement Agreement and evaluate the extent to which the Defendant has complied with each substantive provision of this agreement. Such reports shall be issued quarterly, unless the parties agree otherwise. The reports shall be provided to the parties in draft form for comment at least two (2) weeks prior to their submission to the Court. These reports shall be written with due regard for the privacy interests of individual youth and staff and the interest of the Defendant in protecting against disclosure of non-public information. The expert shall have a budget sufficient to allow him to fulfill the responsibilities described in this Settlement Agreement. Mr. Dixon may consult other experts or consultants retained by either party. All parties shall receive copies of all draft reports from the other experts to Mr. Dixon prior to the issuance of Mr. Dixon's report, and shall have the option of being present at

briefings from such experts to Mr. Dixon and Defendant. Mr. Dixon may initiate and receive ex parte communications with the parties and their respective experts and consultants. ÖR

### **Staffs interviewed**

Director Dale Knight  
Eddie Lee Burnside Jr., Intake Counselor Aide and Safety and Security  
Calvin Harris, Detention Officer  
Yolanda Courtney, Detention Officer  
Karl W. Jones, Regional Director of DHS  
Vickie S. Berryhill, LPN  
Education Coordinator, Dr. Ginger Marie Thomas-Smith  
Evelyn Hughes-Sullivan, Youth Service Counselor 3 of DHS  
Hinds County Director of Personnel  
Several Court Staff  
Juvenile Judge

### **Youth interviewed**

Youth SA 15 years old  
Youth BR 15 years old  
Youth HM 16 years old  
Youth JS 14 years old  
Youth TW 16 years old  
Youth MH 14 years old  
Youth EM 16 years old  
Youth AM 17 years old

### **Introduction**

I visited the Henley-Young facility from May 14, through 17, 2012. I would like to thank the staff for their cooperation and support during this process toward improvement. I found the staff to be very accommodating, friendly, welcoming and open during my visit. The Henley-Young facility was opened in 2000. It is a one story building that encompasses the juvenile detention facility, the courts and its administrative offices. Additionally, it houses the State of Mississippi Case Management offices. The detention facility consists of four housing units with a housing capacity of 84 youth and a school program operated by the Jackson Public School System. During this initial visit, I had the opportunity to meet with staff from the Hinds County administrative offices and a County supervisor. Also, I met with the facility director, various support staff, direct care providers, educators, a health caregiver the chief juvenile judge and staff from the courts and the state of Mississippi offices of the Southern Poverty Law Center. All are concerned about the conditions at the Henley-Young facility and are committed to this process.

This report contains my impressions, professional judgment



were all youth engaged in the school program. Although the school program has dedicated persons working there, the lack of the appropriate number of officers to monitor the school forced the youth to be sent outside to play basketball or sit on the bleachers without any form of organized recreation or physical education programming. At one point during my visit, the mandatory staff was not available so the cook had to help supervise the youth and on another occasion, youth were locked in their rooms most of the day because of testing being administered by the school and each unit was let out of their rooms separately to take the test.

- 4) The facility also has what is called an 89 day program where youth are to be housed at the facility and provided a rigorous rehabilitation program. With the exception of a youth counselor visiting the youth in the facility, I found limited evidence of this rehabilitative program or its services being provided. At no point during my visit were youth in the 89 day program treated differently from the youth housed in general population.

According to the staff I interviewed, the 89 day program is supposed to be a separate program within the facility. The program at this juncture provides no more rehabilitation for the youth in it than the youth in the regular detention program. Since this program is indistinguishable from the detention programming it should be either fully implemented or discontinued because at this point it serves very little purpose to the enrolled youth.

- 5) The physical plant at Henley-Young is in very poor condition. The need for improved maintenance is of paramount importance. The facility is not pleasing in appearance and has a dungeon-like feeling. The lighting is extremely poor, the physical plant is in need of major overhauling and the facility is neither sanitary nor orderly. There appears to be no preventive maintenance program at the facility because in some of the youth's rooms there was minimal or no lighting. A quick a,,ÁÁw56th minimal

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<p>Provision 1.2 Intake</p>	<p>All youth shall receive a MAYSI-2 mental health screening upon admission, as required by Mississippi Code Annotated § 43-21-321. The screening will be conducted in private by appropriately trained staff of Henley-Young. If the screening indicates that the youth is in need of emergency medical care or mental health intervention including, but not limited to, major depression, suicidal ideation, withdrawal from drugs or alcohol, or trauma, the detention staff shall refer those juveniles to the proper health care facility or community mental health service provider for further evaluation immediately or as soon as reasonably possible.</p>	
<p>Status</p>	<p><b>Non Compliance</b></p>	
<p>Discussion</p>	<p>The MAYSI-2 is a standardized true or false screening instrument.</p>	



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Provision 1.6 Intake	Within 60 days of the date of this agreement, Henley-Young shall develop and implement policies that limit strip searches to instances where Henley-Young staff has an articulable suspicion that a youth may possess weapons or contraband. Anytime a strip search is conducted, Henley-Young staff must document, in writing, their suspicion, obtain permission from a supervisor, and conduct the search in a manner that minimizes the intrusion into the youth's privacy.	
Status	<b>Non Compliance</b>	
Discussion	The facility does not have a comprehensive policy and procedures for this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures and practice for this provision.</li> <li>2. Document review and observation.</li> </ol>	
Evidentiary Basis	Document review	

### 3. Staffing and Overcrowding

Provision 2.1 Staffing and Overcrowding	Within 90 days of the date of this agreement, Henley-Young shall operate with a direct care staff to youth ratio of 1:8 from the hours of 6:00 a.m. until 10:00 p.m. and a ratio of 1:10 from the hours of 10:00 p.m. to 6:00 a.m.	
Status	<b>Non Compliance</b>	
Discussion	<p>The facility does not meet this provision. On several occasions during my visit the staffing was so low that youth were left in their units and in their rooms without any supervision at all. An example would be on May 15, 2012 at 5:30 pm all youth on B pod were locked down with no staff on the unit. However, on A pod youth were allowed out on the unit. There were 17 youth on that pod with only two staff, which still fails to meet the 1 to 8 ratio. During each day of my visit youth were locked down because of the lack of staffing. The staffing levels are so severe at this facility that on May 17, 2012, youth on C pod were locked in their unit and in the cells for approximately 3 hours, without staff being on the unit. Mr. Burnside the Intake Aide, went with me to the C pod. Neither of us had keys to the pod. We pressed the call button to the unit for approximately 5 minutes, with no response. Finally, another staff member who had to transport a youth to the intake area gave us access to the unit. Later an officer came to the intake area to retrieve the girls from the visitation area. She had to leave the 3 youths alone in the intake area with no supervision there. The lack of staffing forces the staff to become negligent and abusive in the quest to maintain control. This provision falls below the agreed upon 1 to 8 ratio. When youth are left alone, they are subject to self harm, experiencing of unchecked medical issues (i.e. asthma, high blood pressure etc.), harming other youth, exacerbating mental health issues (i.e. decompensate). When they are placed in their room without anything to do, they become more violent. What makes this worse, is that the master control officer who should have been in the master control room to let us in was not there because she had to monitor several girls in the visitation room. These girls were left with this officer without any understanding of what was next</p>	

Recommendations	<b>Duty Post Staffing/Adms</b>	
Units		
Day Shift		
Evening Shift		
Night Shift		
Total		
A officer		
		3
		3
		2
		8
B officer		
		3
		3
		2
		8
C officer		
		3
		3
		2
		8
D officer		
		3
		3
		2
		8

	Intake	1
		1
		1
		3
	Master Control	1
		1
		1
		3
	Court Transportation Staff	
		2
		2
		4
	Transportation	2
		2
		4
Laundry	2	
	2	
	4	
*Director	1	
*Deputy Director	1	
*Operation Manager		



Provision 2.2 Staffing and Overcrowding	If the staff-to-youth ratio falls below the requirements of section 2.1 for longer than two (2) days, the Director or his assignee shall immediately identify youth accused of nonviolent offenses who are eligible for less restrictive alternatives to secure detention and request an emergency release for eligible youth from the appropriate Youth Court. The maximum capacity of Henley-Young shall be calculated by determining how many direct care staff members can supervise youth in accordance with section 2.1. The current maximum capacity of Henley-Young is 84.	
Status	<b>Non Compliance</b>	
Discussion	The facility was below its capacity of 84 and has not surpassed its capacity since the signing of the order. However, Henley-Young routinely operates outside of the ratio requirements and has not identified youth who may be eligible for release from secure detention. Because there is no information management system in place to identify the youth that may fit the criteria for early release, there must be policy and procedures developed in the event this becomes an issue.	
Recommendations	Development of policy and procedures developed in the event this becomes an issue.	
Evidentiary Basis	Document review, observation, interviews	

Provision 2.3 Staffing and Overcrowding	No more than one youth shall be placed in a one-person cell.	
Status	<b>Non Compliance</b>	
Discussion	During my visit I found no indication that the facility had more than one youth in a room.	
Recommendations	Develop a policy and procedures for this provision	
Evidentiary Basis	Document review, observation	

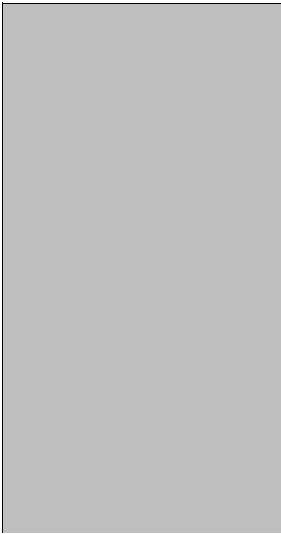
#### 4. Cell Confinement



Provision 3.3 Cell Confinement	Youth who pose an immediate, serious threat of bodily injury to others may be confined in their cells for no longer than 12 hours at a time without administrative approval. Youth who are placed on cell confinement for this reason shall be released from their cells daily to attend school, maintain appropriate personal hygiene and to engage in one hour of large muscle exercise. Staff must perform visual checks on youth who are subject to cell confinement every 15 minutes. Staff must document all instances of cell confinement in writing and must document the justification for determining that a youth poses an immediate, serious threat of bodily injury.	
Status	<b>Non Compliance</b>	
Discussion	I found no indication that the facility met the requirements for this provision. There was no procedural due process system in place to determine if youth were placed in room for half day, two days or ten days. However, there is documentation that youth were placed in their cells but there is no independent process or person to administer the system. According to several youth I interviewed, they had no idea when they were going to be released from isolation. One youth I interviewed was on isolation for several days but did not know when he would be removed from isolation. I found no documentation to determine if checks were performed every 15 minutes or how long youth would be on cell confinement.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate policy and procedures for this provision.</li> <li>2. For youth placed in rooms, develop forms that indicate the time youth will be in their rooms and post it on their doors.</li> <li>3. Ensure that supervisors sign off on the form in 15 minute visual checks when youth are placed in their rooms.</li> <li>4. Develop a system of major and minor consequences for behavior.</li> </ol>	
Evidentiary Basis	Document r	




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Provision 5.2 Individualized Treatment Plans Treatment Program for Disposition Youth	substance abuse treatment and/or who are in the facility post disposition shall have appropriate treatment plans developed and implemented in accordance with generally accepted professional standards of practice for mental health and rehabilitative services.
Status	<b>Non Compliance</b>
Disposition	Disposition
Disposition	Disposition
Disposition	Disposition

Disposition	Disposition
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Provision 6.2 Disciplinary Practices and Procedures	Youth who violate major rules may be subject to cell confinement for up to 24 hours for a single rule violation. An occasion in which a youth is alleged to have contemporaneously violated multiple major rule violations shall count as a single rule violation for the purposes of this section. No youth shall be confined to a cell for longer than 8 hours for a single rule violation without receiving written notification of the alleged rule violation and the occurrence of a disciplinary review/duer4 höÆF-öä\$x0F—3Bæð •	


	<ol style="list-style-type: none"><li>2. Officers shall receive training on policy and procedures.</li><li>3. The policy will require the documentation of any use of mechanical</li></ol>




Provision 7.3 Use of Restraints	Restraints shall not be used to secure youth to a fixed object such as a restraint chair, bed, post, or chair.	
Status	<b>Non Compliance</b>	
Discussion	Based on my review the facility does not have adequate policies and procedures for this provision. In a June 4 <sup>th</sup> report from SPLC it was alleged that a youth was handcuffed to a bed. Also, a review of incident reports for May 2, 2012, June 11, 2012 and June 17, 2012 reveals mechanical restraints are used often for controlling youth behavior. In addition there was no documentation that medical personnel reviewed reports or examined youth after the use of restraints. I found on one occasion a staff member proceeded to let a youth out of his room because he was “banging on door and keeping the other youth up.” The staff opened the door, the youth ran out and had to be physically restrained, “picked up” and placed back in his room. According to staff member he could not find the handcuffs. The youth should not have been let out of the room since his behavior was so defiant and non compliant to the staff’s verbal directions. The reports suggest that handcuffing of youth is use by the facility staff more often than reported as a means of youth management.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Provide training for staff on this provision and provide documentation of training.</li> <li>3. Develop mechanical restraint log.</li> <li>4. Provide training on de-escalation techniques.</li> </ol>	
Evidentiary Basis	Document review	

Provision 7.4 Use of Restraints	No youth shall be restrained for longer than 15 minutes, unless restraints are approved by a mental health professional or if determined to eng.	

Evidentiary Basis	Document review
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Provision 7.5 Use of Restraints	Henley-Young shall not use, or allow on the premises, restraint chairs, chemical restraints and/or tasers.	
Status	<b>Non Compliance</b>	
Discussion	Although the facility must develop a comprehensive policy and procedures for this provision, I found no indication that any restraint chairs, chemical restraints or tasers were being used.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Provide training for staff on policy and procedures and document training.</li> </ol>	
Evidentiary Basis	Document review	

Provision 7.6 Use of Restraints	Henley-Young shall not subject youth to “hogtying,” which is the practice of placing a youth face down on a bed, floor, or other surface, and securing the youth’s hands to his feet.	
Status	<b>Non Compliance</b>	
Discussion	I found no indication that the facility subjects youth to hogtying. However, there is a need that comprehensive policy and procedures be developed for this provision.	
Recommendations	Develop comprehensive policy and procedures for this provision.	
Evidentiary Basis	Document review	

Provision 7.7 Use of Restraints	When a youth is placed in mechanical restraints, staff must provide one-on-one supervision for the duration of the restraint, except when mechanical restraints are deemed to be necessary for the reasons specified in section 7.2.	
Status	<b>Non Compliance</b>	
Discussion	The facility has no comprehensive policy for this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive procedures for this provision.</li> <li>2. Provide training for staff on policy and procedures and document training.</li> </ol>	
Evidentiary Basis	Document review	

Provision 7.8 Use of Restraints	Henley-Young shall notify a medical professional whenever a youth is placed in mechanical restraints for reasons other than those specified in section 7.2. A medical professional shall examine the youth as soon as possible after restraints are removed, except when the youth was restrained for the reasons specified in section 7.2.	
Status	<b>Non Compliance</b>	
Discussion	I found no indicators or documentation during my review that a medical professional is notified when youth are placed in mechanical restraints. I also found no comprehensive policy and procedures for this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Provide training for on policy and procedures and document training.</li> </ol>	
Evidentiary Basis	Document review	

Provision 7.9 Use of Restraints	Hinds County does not currently and shall not in the future allow officers to enter the secure detention area of the facility with any electronic restraints, including, but not limited to, tasers.	
Status	<b>Non Compliance</b>	
Discussion	I found no policy and procedures on this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Provide training for staff on policy and procedures and document</li> </ol>	


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Provision 8.1 Use of Force	Physical force shall not be used to punish youth. Staff shall only use physical force to stop youth from causing serious physical injury to self or others or to prevent an escape. If physical force is necessary, staff must use the minimum amount required to safely contain the youth. Whenever possible, staff shall avoid the use of force by first attempting verbal de-escalation techniques. Staff shall be required to fully document in writing every instance of use of force.	
Status	<b>Non Compliance</b>	
Discussion	Documents reviewed show that there is physical force used by staff however; there is no indication that any formal verbal de-escalation techniques are applied prior to the use of physical force. In addition, there is no policy and procedures or training program in place for staff. The facility did provide me with a handle with care manual; however, there were no training record to substantiate training.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures for this provision.</li> <li>2. Provide training for on policy and procedures and document training.</li> <li>3. Adapt an appropriate curriculum for training staff on the use of verbal de-escalation skill and safe use of physical restraints.</li> <li>4. Contact the National Partnership for Juvenile Justice for recommendations on training program in this area.</li> </ol>	
Evidentiary Basis	Document review	

Provision 8.2 Use of Force	Henley-Young shall notify a medical professional, including but not limited to the licensed practical nurse on duty whenever physical force is used against a resident. A medical professional shall examine a youth immediately after the use of physical force.	
Status	<b>Non Compliance</b>	
Discussion	There is a nurse at the facility from 5:30 am until 1:00 pm. I found no documentation of a medical professional being notified when force is used on a youth, nor any indication that youth are seen after force is used. I also found no policy and procedures to address this provision. Since youth are in the facility 24/7, I found no record to suggest that medical professionals are at the facility in the evening or during the weekends to address this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop comprehensive policy and procedures for this provision.</li> <li>2. Provide training to staff on policy and procedures and document training.</li> <li>3. Review nursing schedule and provide more hours at facility.</li> <li>4. Provide written documentation of examination of youth by medical professional in every instance.</li> </ol>	

	5. Provide additional medical services after hours and on weekends.
Evidentiary Basis	Document review, observation

### 6. Meals and Nutrition

Provision 9.1 Meals and Nutrition	Youth shall be provided three meals and a snack daily. If a youth misses a meal because he or she is attending court, or some other appointment, he or she shall receive the missed meal upon his or her return to detention.	
Status	<b>Non Compliance</b>	
Discussion	During my interviews and observation, I found no youth who complained about the food. However they did complain that they did not get enough food.	
Recommendations	<ol style="list-style-type: none"> <li>1. Review portions to ensure youth receive enough food during meals.</li> <li>2. Develop policy and procedures for this provision.</li> <li>3. Provide training for kitchen staff and all other staff members involved with meals.</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

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<p>Provision 11.1                  Hygiene and                  Sanitation</p>	<p>Youth shall be provided with the means to maintain appropriate hygiene, including soap and shampoo for showers, which will occur at least once daily, soap for washing hands after each time the youth uses the toilet, and toothpaste and a toothbrush for tooth brushing, which will occur at least twice daily, a comb and brush, that if shared, shall be sterilized between uses by youth. Girls must be provided with panty liners on a daily basis and other feminine products as needed. Youth will be issued a comb and brush upon entering the facility; however, if youth are issued a recycled comb or brush or a comb or brush that has been used by another youth, Henley-Young shall ensure that the comb and brush is sterilized and in good condition.</p>	
<p>Status</p>	<p><b>Non Compliance</b></p>	
<p>Discussion</p>	<p>During my review, I found that youth were directly or indirectly sharing hygiene products. I also observed that hygiene kits were not labeled with youth's names and that kits were on a cart and soap was in a container, with no labeling. Most of the hygiene kits were lacking items such as soap, toothbrushes or deodorant. Also I found no adequate policy and procedures to address this provision.</p>	
<p>Recommendations</p>	<ol style="list-style-type: none"> <li>1. Develop adequate policies and procedures for this provision.</li> <li>2. Ensure that hygiene kits are properly labeled and <b>youth are not</b> using each other's hygiene products without proper labeling</li> </ol>	


	<ol style="list-style-type: none"> <li>3. Clean and maintain laundry area in orderly fashion.</li> <li>4. Label area for towels, sheets, clothing etc.</li> </ol>
Evidentiary Basis	Observation

Provision 11.3 Hygiene and Sanitation	Under no circumstances shall youth be deprived of mats and blankets.	
Status	<b>Non Compliance</b>	
Discussion	After interviews and observations, I found no indication that youth were deprived of mats and blankets. However, I found no policy and procedures on this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures for this provision.</li> <li>2. Provide training for on policy and procedures and document training.</li> </ol>	
Evidentiary Basis	Observation	

Provision 11.4 Hygiene and Sanitation	Henley-Young shall maintain a sufficient number of clean, sanitary mats and blankets that correspond with the facility's maximum capacity.	
Status	<b>Non Compliance</b>	
Discussion	See 11.3	
Recommendations	See 11.3	
Evidentiary Basis	Observation	

Provision 11.5 Hygiene and Sanitation	Youth shall be provided with a clean, sanitary environment.	
Status	<b>Non Compliance</b>	
Discussion	Henley-Young is not clean. The environment feels dirty. There are vents that need cleaning, cracked windows, electrical outlets with paper in them, clogged drains in floor with debris in them. The showers need major cleaning, as do the toilets. The youth's rooms have insufficient lighting or no lighting at all. The toiletries and hygiene items are left out in the staff area which is unsanitary. The furniture is so ragged that it should be discarded. The facility overall could use a new coat of paint that would brighten up the facility and not use the existing color scheme. The kitchen area could use a major cleaning; also food items should be dated and rotated from old to new.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures for this provision.</li> <li>2. See areas in discussion that should be addressed.</li> <li>3. Develop housekeeping and cleaning schedule.</li> <li>4. Develop checklist or inspection report for each unit and area.</li> <li>5. Develop work order system to ensure that when problem arise they are addressed.</li> <li>6. Develop corrective action plans as needed.</li> <li>7. Provide training for staff on policy and procedures.</li> <li>8. Ensure delivered food items are dated/rotated from old to new.</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

Provision 11.6 Hygiene and Sanitation	Hinds County shall ensure that Henley-Young complies with relevant law regarding fire safety, weather emergencies, sanitation practices, food safety, and the elimination and management of environmental toxins.	
Status	<b>Non Compliance</b>	
Discussion	The facility must develop an adequate policy and procedures for this provision.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate staff training regarding fire safety.</li> <li>2. Properly maintain and repair fire equipment.</li> <li>3. Ensure intercom systems are operating properly.</li> <li>4. Ensure all mattresses used by youth are fire resistant.</li> <li>5. Routinely test all fire equipment and system.</li> <li>6. Ensure that all electrical outlets, wires and equipment (lights) are properly working.</li> <li>7. Develop work order system to ensure items are repaired.</li> <li>8. Ensure that all areas in this provision are addressed by a certified professional.</li> <li>9. Develop policy and procedure and plans for fire safety, evacuation etc.</li> </ol>	
Evidentiary Basis	Document review, observation	

Provision 11.7 Hygiene and Sanitation	Youth shall be provided with clean drinking glasses and eating utensils.	
Status	<b>Non Compliance</b>	
Discussion	Based on my observation there were clean drinking glasses and eating utensils. The facility however does not have policy and procedures for this provision.	
Recommendations	Develop policy and procedures for this provision.	
Evidentiary Basis	Document review, observation	

## 10. Medical Care

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Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures for this provision.</li> <li>2. Develop policy and procedures and protocols based on standards for Health Services in Juvenile Detention and Confinement facilities.</li> <li>3. Provide training for staff members who administer medication to youth on proper usage and possible side effects. Also train the staff on emergency protocols if side effects occur.</li> <li>4. Have a licensed medical professional to review and sign off on policy and procedures.</li> <li>5. Have a licensed health professional periodically review and provide supervision to the nurse at facility.</li> <li>6. Develop forms to coincide with provision.</li> <li>7. Remove medication from bags and place them in secure, organized areas and develop forms to determine what medications are present in the facility at all times.</li> <li>8. Hire or have on contract a physician to review medical area.</li> <li>9. Ensure that youth receive vision exams, dental screenings, mental health screenings, and hearing test etc.</li> </ol>
Evidentiary Basis	Document review, observation, interviews

Provision 12.2 Medical Care	Henley-Young shall ensure that a medical professional is available to examine youth confined at the facility to identify and treat medical needs, when necessary.	
Status	<b>Non Compliance</b>	
Discussion	<p>the facility has a LPN Available from 8:30 am until 1:00 pm five days a week</p>	

Provision 12.3 Medical Care	Henley-Young shall implement its sick call policy and practice which ensures that confined youth who request non-emergency medical attention are examined by a medical professional within 24 hours of a youth placing him or herself on sick call-6 p.m. to 7 a.m. by a medical professional within 24 hours of a youth p	





	<ul style="list-style-type: none"><li>b. Who is responsible for the monitoring?</li><li>c. How are the records kept of the monitoring?</li><li>3. Provide training to staff on the policies and procedures for this provision.</li><li>4. Annual competency training.</li></ul>
Evidentiary Basis	Document review, observation

**5. Mental Health Care**

<p>Provision 13.1 Mental Health Care</p>	<p>Henley-Young’s contractor, Hinds Behavioral Health Services, shall provide adequate mental health services to all confined youth with a mental health diagnosis or serious mental health need, as indicated by the MAYSI-2. This shall include, but is not limited to, the provision of individual and group counseling sessions upon the request of a youth or the ydhe —f-@`ùp`O`Isised bs`I</p>





Provision 13.6 Mental Health Care	The psychiatrist and/or counselors shall review, if necessary, incident reports, disciplinary reports, suicide watch logs, and lockdown logs of youth under their care to determine whether their treatment is working and, if not, how it should be modified.	
Status	<b>Non Compliance</b>	
Discussion	The facility does not have policy and procedures for this provision. I saw no indication that this was happening. I saw records indicating that the youth were being seen elsewhere however, there was nothing showing how the facility was keeping a record of the status of the youth. I will review upon my next visit.	
Recommendations	1. The mental health of the y	




Provision 14.4 Suicide Prevention	When a youth is placed on any level of suicide watch, a report shall be made within 24 hours to the youth court, as well as to the youth's guardian, and his or her defense attorney.	
Status	<b>Non Compliance</b>	
Discussion	Presently the facility has no reporting vehicle for this provision. The facility does not have policy and procedures for this provision. I will review upon my next visit.	
Recommendations	1. Develop policy and procedures for making and distributing the	



	3. Provide training for staff on policies and procedures and document training.
Evidentiary Basis	Document review, observation

Provision 15.3 Family Support and Interaction	Visitation shall be regularly scheduled at least three times per week, which shall include evening and/or weekend visitation times in order to encourage family visitation. Henley-Young shall permit the minor siblings of confined youth to participate in visitation, as long as the minors' parent or guardian is present during the visit and the siblings are not harmful to the youth who is detained at Henley-Young. Henley-Young shall also permit a confined youth's own child (ren) to participate in visitation	
Status	<b>Non Compliance</b>	
Discussion	The facility does not have policy and procedures to address this provision. The facility only has non-contact visits, and these visits occur only 3 days a week (Tuesday, Thursday and Sunday from 6:00 pm to 7:30 pm). The facility shall find a location within the facility that allows contact visits. The visitation time shall be extended to accommodate for availability of visitors throughout the visitation period. I will review process during my next visit.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures and practices to address the needs of this provision.</li> <li>2. Provide training for staff on policies and procedures and document training.</li> </ol>	
Evidentiary Basis	Document review, observation	



Provision 15.4 Family Support and Interaction	Youth may receive phone calls from their attorneys. At the discretion of the Director or assignee, in emergency situations, youth may receive phone calls from parents, primary caretakers, or legal guardians. Emergency phone calls and phone calls from attorneys should not be restricted as a form of punishment	
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Provision 16.2 Miscellaneous Provisions	The parties agree, however, that henceforth: All youth shall have the opportunity to engage in at least one hour of large muscle exercise a day.	
Status	<b>Non Compliance</b>	
Discussion	Based on my observation most male youth were provided with a one hour large muscle exercise a day; however, the girls received no such opportunity.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures and practices to address the needs of this provision.</li> <li>2. Provide training for staff on policies and procedures and document training.</li> </ol>	
Evidentiary Basis	Document review, observation	

Provision 16.3 Miscellaneous Provisions	Henley-Young shall implement a policy which prohibits staff from insulting youth or calling them names, and using profanity in the presence of youth	
Status	<b>Non Compliance</b>	
Discussion	According to the youth I interviewed, the staff uses profanity in presence of youth. This is also documented in SPLC reports I reviewed.	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop policy and procedures and practices to address the needs of this provision.</li> <li>2. Provide training to staff in the proper de-escalation techniques of youth.</li> <li>3. Administration must provide enough supervision to reduce or eliminate insulting behavior by staff.</li> <li>4. Discipline and retrain staff as needed.</li> <li>5. Provide training for staff on policies and procedures and document training.</li> </ol>	
Evidentiary Basis	Document review, observation, interviews	

Provision 16.4 Miscellaneous Provisions	Henley-Young shall implement an adequate grievance policy that is accessible to all youth regardless of literacy levels, and that provides youth with the opportunity to appeal facility level determinations. Youth shall obtain the grievance forms from the school liaison.	
Status	<b>Non Compliance</b>	
Discussion	<p>The facility does have a grievance process. However, it is under developed and youth have no confidence in it. According to the director, "I check the grievance box in the hall daily and there are not grievances in it." The mark of a good facility is that you do have youth who file grievances. It is their way of addressing multiple concerns they may have i.e. staff problems, youth problems, school problems, food issues, clothing or hygiene issues, policy issues and family issues just to mention a few. Therefore it is an excellent tool to give the facility administration an idea of the facility culture. Also, the youth should have access to pen and paper and the help of staff if needed to assist with writing grievances. Staff should not feel intimidated or reluctant to assist youth in this process. The grievance process is an important part of institutional operations because it provides a means of addressing perceived injustices and it helps with the rehabilitative process. Grievances also assist administrators by providing them with information about abuses that may be occurring. The procedure should be clear and simple:</p> <ol style="list-style-type: none"> <li>1. Youth present grievances to staff;</li> <li>2. Prompt investigation of grievances (3 days usually);</li> <li>3. Youth can present to an outside individual (impartial);</li> <li>4. Notice to the youth of the decision;</li> <li>5. Written record of grievance, investigation, decision and final action taken.</li> </ol>	
Recommendations	<ol style="list-style-type: none"> <li>1. Develop adequate grievance process.</li> </ol>	


Because there are